

EXHIBITS

CASE # DCI2024-00040

CASE NAME: NORTH CAPTIVA LCEC
ESSENTIAL SERVICE FACILITY

Attach copy of this form to top of packet of exhibits & place exhibits in case file.

ARE THERE ANY BOARD EXHIBITS?	YES	NO

LOCATION OF BOARDS

If there are any board exhibits, attach another copy of this form to boards for identification purposes.

EXHIBITS
APPLICANT

Case #
STAFF

DCI2024-00040

#1 <u>48-Hour</u>	#1 <u>Staff Report</u>
#2 <u>revised 48-hour</u>	#2 <u>Affidavit of Publication</u>
#3 <u>NACP presentation</u>	#3 _____
#4 <u>MCP</u>	#4 _____
#5 <u>composite of rebuttal slides</u>	#5 _____
#6 <u>W.S.</u>	#6 _____
#7 _____	#7 _____
#8 _____	#8 _____
#9 _____	#9 _____
#10 _____	#10 _____

OTHER EXHIBITS

<u>NAME</u>	<u>NUMBER</u>	<u>DESCRIPTION</u>
<u>Farley → photos</u>	# <u>1, 2</u>	_____
<u>Farley commercial lot for sale</u>	# <u>3</u>	_____
<u>Farley community meeting notice</u>	# <u>4</u>	_____
<u>Farley letters from residents</u>	# <u>5</u>	_____
<u>West</u>	# <u>1</u>	_____
<u>Forney</u>	# <u>1</u>	_____

LEE COUNTY, FLORIDA
DEPARTMENT OF COMMUNITY DEVELOPMENT
ZONING SECTION
STAFF REPORT

RECEIVED

JUN 11 2025

BY: HEARING EXAMINER'S OFFICE

TYPE OF CASE: PLANNED DEVELOPMENT/DCI
CASE NUMBER: DCI2024-00040
HEARING EXAMINER DATE: June 26, 2025

APPLICATION SUMMARY

Applicant: Avalon Engineering, Inc. in reference to Lee County Electric Cooperative, Inc. CFPD.

Request: Request to rezone 0.24± acres from Residential Single family (RS-1) to Community Facilities Planned Development (CFPD), to allow for Administrative Office, Essential Service Facilities, Group I, and Temporary Employee Housing.

Location: The subject property at the northwest corner of Spanish Gold Lane and Hodgepodge Lane, Upper Captiva Community Plan Area (District #1). The applicant indicates the STRAP number is 05-45-21-10-00000.028A.

Summary

Staff recommends approval of the applicant's request to rezone the subject property to Community Facilities Planned Development (CFPD) with the conditions found in Attachment C.

The applicant requests to rezone the site from RS-1 to CFPD in order to develop the site with an electrical substation with a 696-square-foot mechanical pad housing the switch equipment and a 4,395-square-foot 2-story office/temporary housing building. This new facility will assist Lee County Electric Cooperative with maintaining and improving the electricity service provided to the residents and businesses on North Captiva. This request seeks four deviations. Staff has evaluated the requested deviations and recommends their approval.

Character of the Area

The area is mostly developed with single-family and two-family attached residences. The property abutting this site to the south is developed with North Captiva island's fire station (Upper Captiva Fire Protection District).

Analysis

The subject site, consisting of 0.24± acres, is zoned RS-1 and currently is vacant. The requested rezoning will allow the site to be developed with an electric switch equipment and an office building for LCEC. The applicant also proposes providing temporary housing for their employees in emergencies and other situations when employees are needed on the island to restore electricity or maintain the electrical infrastructure. This request, if approved, will serve to begin the abatement process of the Code Enforcement Violations (VIO2024-06999, Prohibited uses) and VIO2024-07000, work without development order), which were issued in September and October of 2024 (Attachment J).

This site is located in the Upper Captiva Community Plan Area and as required by Lee County Land Development Code Section 33-1702, the applicant held a public informational meeting on February 25, 2025, and provided staff with a synopsis of this meeting (Attachment "F").

STAFF'S EXHIBIT # 1

This site is surrounded to the north with a single-family residence, zoned RS-1. To the east, across Spanish Gold Lane, there is a two-family attached development, zoned PUD. To the south, across Hodgepodge Lane is the Island's fire station, zoned Community Facilities (CF), and to the west there is vacant land, zoned RS-1.

Environmental

Environmental staff has reviewed this request and stated that there were no protected species observed on the site. Environmental staff recommended approval with conditions (Attachment "E").

Transportation

In Upper Captiva there are no vehicles other than golfcarts. The only trucks on the island belong to the Fire District. As such, the applicant received a Waiver from the traffic study required for Planned Development Rezoning (Attachment K).

Lee Plan

The subject property is located in the Outer Islands Future Land Use category and the following Goals, Objectives, Policies and Standards are applicable to this rezoning request.

The request for this Essential Service Use to build an electrical substation with an office and temporary housing for employees is intended to provide reliable electric service to the Island residents. The Island is sparsely developed with residential uses, which requires essential services in support of the use. Staff find the request CONSISTENT with Policy 1.4.2 of the Lee Plan.

The site will be developed with a public utility use, which is permitted in all land use categories and Planning Districts. The proposed use will support public health, safety and welfare, Staff find the request CONSISTENT with Policy 2.1.3 of the Lee Plan.

The site is currently vacant; however, the applicant received two Code Enforcement violations for use of the site without proper permits. This rezoning action and subsequent development order approval will abate those violations. This rezoning request will allow for the development of the site with an electrical substation. The site is adjacent to Upper Captiva's fire station. This essential service use will not cause urban sprawl, it will promote contiguous and compact growth patterns. Staff find the request CONSISTENT with Objective 2.1 of the Lee Plan.

The site will be developed with an electrical substation and a small building for office and temporary sleeping quarters for employees to be used before and after a storm to help restore power to the residents. The building is small in size and will preserve traditional character, scale and tranquility of Upper Captiva community. Staff find the request CONSISTENT with Objective 26.1 of the Lee Plan.

Urban Services

Urban services are defined by the Lee Plan as: the requisite services, facilities, capital improvements, and infrastructure necessary to support growth and development at levels of urban density and intensity.

Public sewer and water: Water and sewer services are not available in the area.

Paved streets and roads: There are no paved roads in the area.

Public transit: there is no bus service in the area.

Parks and recreation facilities/Community facilities: There are no community facilities or parks within the vicinity of this site.

Urban levels of police, fire, and emergency services: This site is in the Upper Captiva Fire Protection service area. The fire house is across the street from this site.

Urban surface water management: Any future development will be required to comply with the LDC, including provisions for surface water management.

Schools: This CFPD will not generate any need for public school capacity.

Employment and commercial centers: There are no employment or commercial centers in the vicinity of this site.

PLANNING COMMUNITY MAP AND ALLOCATION TABLE

POLICY 1.6.5: The Planning Communities Map and Acreage Allocation Table (see Map 1-B and Table 1(b)) depict the proposed distribution, extent, and location of generalized land uses for the year 2045.

Deviations

Deviation #1 seeks relief from LDC Sec. 34-2192(a), which requires a 25-foot street setback, to allow a 5-foot street setback for the mechanical pan and an 18.38-foot setback along Spanish Gold Lane, a 5-foot setback along Hodgepodge Lane, and a 5-foot setback along the northern property line, where there is a 15-foot-wide road right-of-way.

Staff recommends approval of this deviation. The site contains wide right-of-way easements along both roads. However, the roads are narrow gravel roads used by golf carts and bikes and the roads on Upper Captiva are not expected to be widened in the future. Therefore, the road easement along the northern property line will likely never be used for additional right-of-way improvements.

Deviation #2 seeks relief from LDC Sec.10-416(d), which requires a 15-foot-wide Type D buffer along Hodgepodge Lane, Spanish Gold Lane and the right-of-way to the north and a Type C buffer along the western property line, to allow a 5-foot-wide Type A enhanced buffer along northern, eastern, western and southern property lines.

Staff recommends approval of this deviation subject to the following conditions:

Prior to the issuance of a development order, the development order plans must depict an enhanced Type-A buffer to the north, with 5 trees planted per 100 linear feet, and a double staggered hedge row planted at 36 inches and maintained at 48 inches.

Prior to the issuance of a development order, the development order plans must depict an enhanced Type-A buffer to the south, with 5 trees planted per 100 linear feet, and a double staggered hedge row planted at 36 inches and maintained at 48 inches.

Prior to the issuance of a development order, the development order plans must depict the garage wall acting as a buffer wall as shown on the Master Landscape Plan with 5 trees

planted per 100 linear feet and a double staggered hedge row planted at 36 inches and maintained at 48 inches.

Prior to the issuance of a development order permit, the development order plans must depict an enhanced Type-A buffer to the east, with 9 trees planted per 100 linear feet and a double staggered hedge row, planted at 36 inches and maintained at 48 inches.

Deviation #3 seeks relief from the LDC Sec.10-261, which requires commercial development to provide a dumpster enclosure on site with specific requirements listed in LDC Section 10-261, to allow rolling trash totes similar to residential uses in the area.

Staff recommends approval of this deviation. Due to the small size of the development and the limited amount of solid waste generated by this use, and its surroundings, it is more appropriate to have a rolling trash tote kept in the garage. Lee County Solid Waste Department has reviewed this request and recommended approval (See Attachment G).

Deviation #4 seeks relief from the LDC Sec. 34-939(b)(1), which requires a 25-foot development perimeter setback, to allow an 11-foot perimeter boundary setback along the western and southern boundaries, and 5-foot along northern and eastern boundaries of the site.

Staff recommends approval of this deviation. The site is a small platted lot, and a 25-foot perimeter setback will make it difficult to develop the site for this Essential Service use that is needed on the Island.

Findings and Conclusions

Based upon an analysis of the application and the standards for approval of planned development rezonings, as required by Land Development Code Section 34-145(d)(4)a.1, staff offers the following findings and conclusions:

The request, as conditioned:

- a) Complies with Lee Plan as discussed in the Lee Plan analysis section of this report, specifically Lee Plan Policies 1.4.2, 1.6.5, 2.1.3, and Objectives 2.1 and 26.1;
- b) Meets the Land Development Code and other applicable County regulations or qualifies for deviations;
- c) Is compatible with existing and planned uses in the surrounding area;
- d) Will provide access sufficient to support the proposed development intensity and the expected impacts on existing or planned transportation facilities will be mitigated through existing County regulations or conditions of approval;
- e) Will not adversely affect environmentally critical or sensitive areas and natural resources;
- f) Will be served by urban services, as defined in the Lee Plan;
- g) The proposed mix of uses is appropriate at the proposed location; and

- h) The recommended conditions provide sufficient safeguards to the public interest and are reasonably related to the impacts on the public's interest expected from the proposed development.
- i) The deviations recommended for approval pursuant to Section 34-373(a)(9):
 - a. Enhance the achievement of the objectives of the Planned Development; and
 - b. Preserve and promote the general intent of the Code to protect the public health, safety and welfare.

Closing Remarks

Lee County staff has reviewed the proposed rezoning request and recommends approval of the CFPD zoning. The applicant is seeking 4 deviations from the Lee County Land Development Code. The uses, intensity and deviations proposed by this request are consistent with the Lee Plan and compatible with surrounding existing land uses.

ATTACHMENTS:

- A. Expert Witness Information
- B. Maps: Surrounding Zoning, Future Land Use and Aerial Photograph
- C. Recommended Conditions
- D. Master Concept Plan
- E. Memorandum from Section of Zoning Environmental Staff
- F. Public Informational Meeting Summary
- G. Memorandum from Lee County Solid Waste Department
- H. Application and Narrative
- I. Legal Description
- J. Notices of Violation VIO2024-06999 and VIO2024-07000
- K. GEN2025-00151, Approved Submittal Requirement Waiver

cc: Applicant
County Attorney
Zoning File

LEE COUNTY STAFF EXPERT WITNESS INFORMATION

PROVIDED PURSUANT TO AC-2-6, SECTION 2.2.b(5)(f)3.

Case Number: DCI2024-00040

Project Name: North Captiva LCEC Essential Service Facility

Hearing Examiner Date: June 26, 2025

CHAHRAM BADAMTCHIAN, AICP, Planner, Senior, Zoning Section, 1500 Monroe Street, Fort Myers, FL 33901

- Previously qualified as an expert witness by the Lee County Hearing Examiner. Current resume is on file with the Hearing Examiner.
- Seeking to be qualified as an expert witness in the Lee County Land Development Code, Lee Plan, zoning, and land use planning.
- Report and documents are submitted with the Staff Report for this case. Additional documents that may be relied upon and used as evidence during the hearing include: the Lee County Land Development Code; the Lee Plan; and documentation submitted by the applicant as part of the subject application.

William Lange, Planner, Zoning Section, 1500 Monroe Street, Fort Myers, FL 33901

- Previously qualified as an expert witness by the Lee County Hearing Examiner. Current resume is on file with the Hearing Examiner.
- Seeking to be qualified as an expert witness in the Lee County Land Development Code, Lee Plan, and environmental planning.
- Report and documents are submitted with the Staff Report for this case. Additional documents that may be relied upon and used as evidence during the hearing include: the Lee County Land Development Code; the Lee Plan; and documentation submitted by the applicant as part of the subject application.

Katherine Burgess, Principal Planner, Planning Section, 1500 Monroe Street, Fort Myers, FL 33901

- Previously qualified as an expert witness by the Lee County Hearing Examiner. Current resume is on file with the Hearing Examiner.
- Seeking to be qualified as an expert witness in the Lee County Land Development Code, Lee Plan and comprehensive planning.
- Report and documents are submitted with the Staff Report for this case. Additional documents that may be relied upon and used as evidence during the hearing include: the Lee County Land Development Code; the Lee Plan; and documentation submitted by the applicant as part of the subject application.

Jillian Scholler, Deputy Director, Department of Transportation, 1500 Monroe Street, Fort Myers, FL 33901

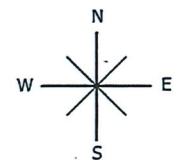
- Previously qualified as an expert witness by the Lee County Hearing Examiner. Current resume is on file with the Hearing Examiner.
- Seeking to be qualified as an expert witness in Traffic Engineering and Transportation Planning.
- Report and documents are submitted with the Staff Report for this case. Additional documents that may be relied upon and used as evidence during the hearing include: the Lee County Land Development Code; the Lee Plan; and documentation submitted by the applicant as part of the subject application.



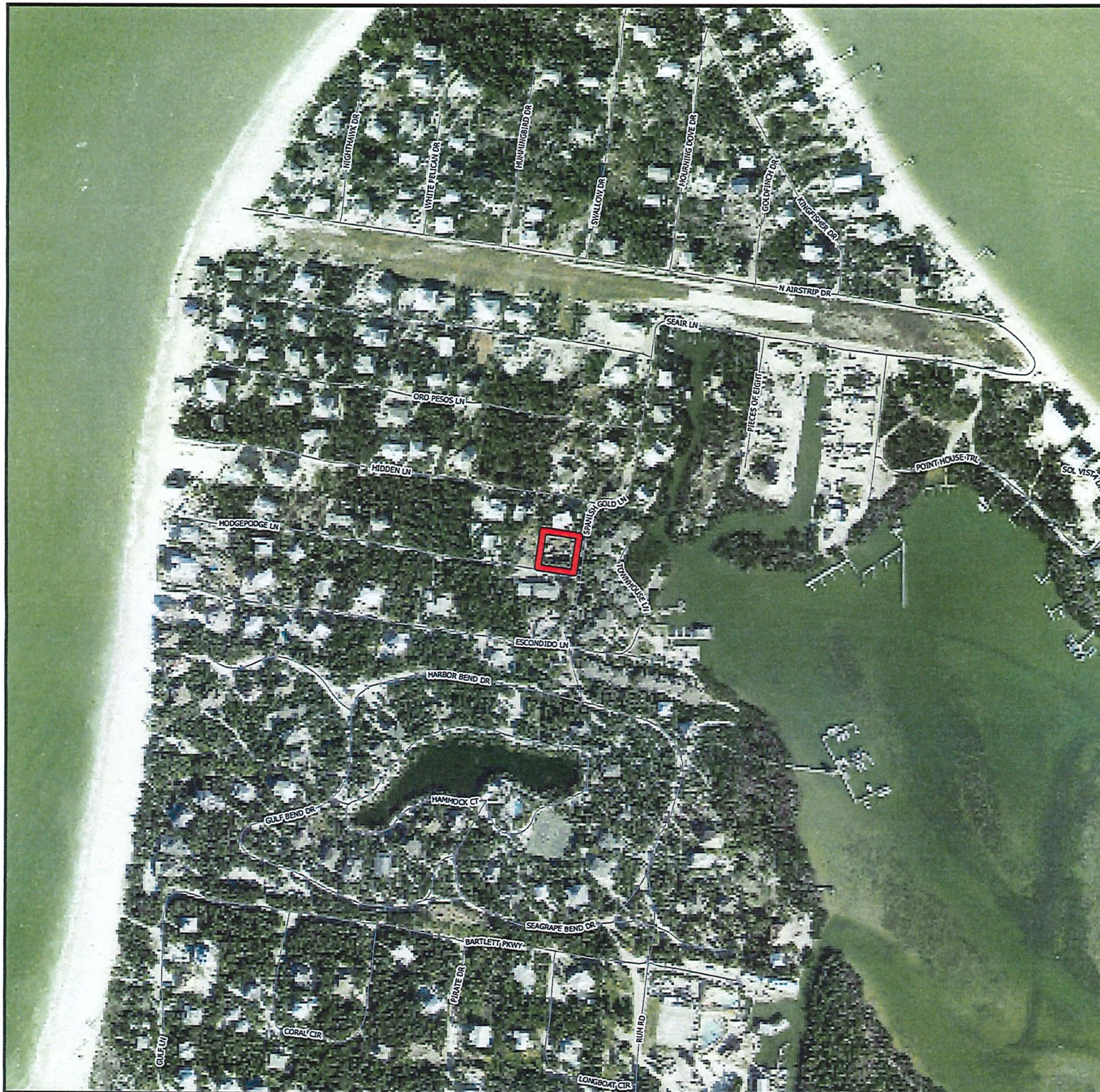
DCI2024-00040

Aerial

 Subject Property



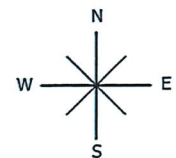
0 500
Feet



DCI2024-00040

Future Land Use

-  Subject Property
-  Public Facilities
-  Outer Island
-  Conservation Lands - Upland



0 500
Feet

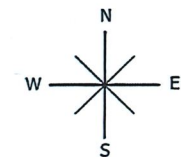


EagleView, Lee County Property Appraiser, Lee County GIS

DCI2024-00040

Zoning

 Subject Property



0 500
Feet



DCI2024-00040, Lee County Electric Cooperative, Inc. CFPD
Conditions and Deviations

A. Conditions

1. MASTER CONCEPT PLAN/DEVELOPMENT PARAMETERS

The development of this project must be consistent with the three-page Master Concept Plan entitled "Upper Captiva LCEC Service Center" (attached hereto as Attachment D), except as modified by the conditions below. This development must comply with all requirements of the Lee County Land Development Code (LDC) at time of local Development Order approval, except as may be granted by deviation as part of this planned development. If changes to the Master Concept Plan are subsequently pursued, appropriate approvals will be necessary.

2. USES AND SITE DEVELOPMENT REGULATIONS

a. Schedule of Uses

Accessory Uses and Structures
Administrative Offices
Caretaker's Residence
Essential Services
Essential Services Facilities, Group I
Fences, Walls
Parking Lot, Accessory
Signs
Storage, Indoor only
Temporary Uses, including temporary housing of employees during emergencies.

b. Site Development Regulations

Minimum Lot Area and Dimensions:

Area:	0.24± Acres
Width:	100 feet
Depth:	105 feet

Minimum Setbacks: (See Approved Deviations)

Street (From R.O.W. Easement Lines)

Hodgepodge Lane:	11 feet
Spanish Gold Lane:	5 feet
North side setback: (Rear)	5 feet
West Side Setback:	11 feet

Building Height:	30 feet
Minimum Open Space:	62%
Maximum Lot Coverage:	40 %

ATTACHMENT C

3. Environmental

Prior to the issuance of a development order permit, the development order plans must depict 62.7 percent of open space as depicted on the MCP.

4. Temporary Uses

Temporary uses include overnight stay of employees working on the Island prior, during and after a disaster or a weather event, to protect and repair the electric lines and equipment.

B. DEVIATIONS:

Deviation #1 seeks relief from LDC Sec. 34-2192(a), which requires a 25-foot street setback, to allow a 5-foot street setback for the mechanical pan and an 18.38-foot setback along Spanish Gold Lane, a 5-foot setback along Hodgepodge Lane, and a 5-foot setback along the northern property line, where there is a 15-foot-wide road right-of-way.

This deviation is approved.

Deviation #2 seeks relief from LDC Sec.10-416(d), which requires a 15-foot-wide Type D buffer along Hodgepodge Lane, Spanish Gold Lane and the right-of-way to the north and a Type C buffer along the western property line, to allow a 5-foot-wide Type A enhanced buffer along northern, eastern, western and southern property lines.

This deviation is approved subject to the following conditions:

Prior to the issuance of a development order permit, the development order plans must depict an enhanced Type-A buffer to the north, with 5 trees planted per 100 linear feet, and a double staggered hedge row planted at 36 inches and maintained at 48 inches.

Prior to the issuance of a development order permit, the development order plans must depict an enhanced Type-A buffer to the south, with 5 trees planted per 100 linear feet, and a double staggered hedge row planted at 36 inches and maintained at 48 inches.

Prior to the issuance of a development order permit, the development order plans must depict the garage wall acting as a buffer wall as shown on the Master Landscape Plan with 5 trees planted per 100 linear feet and a double staggered hedge row planted at 36 inches and maintained at 48 inches.

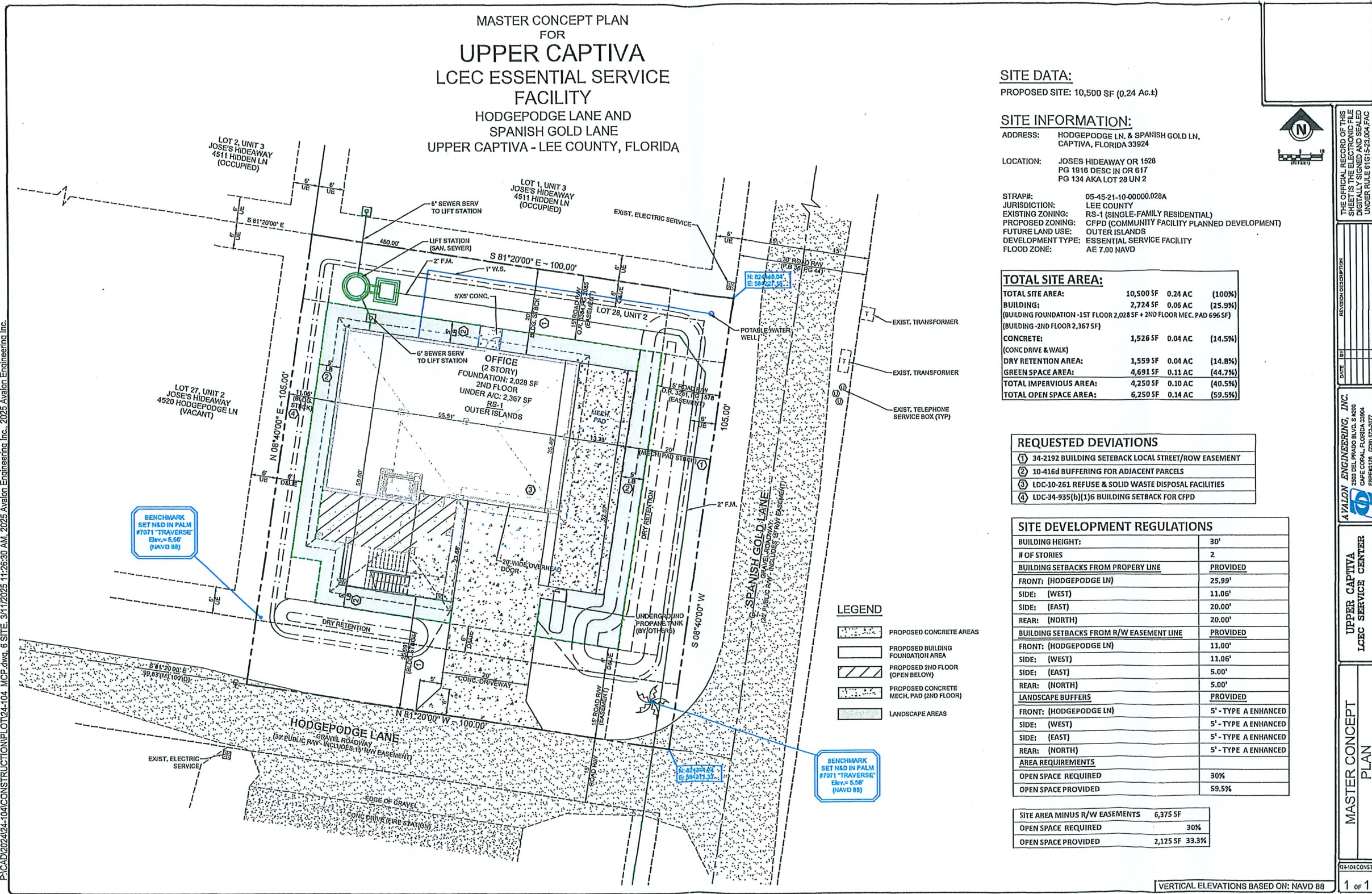
Prior to the issuance of a development order permit, the development order plants must depict an enhanced Type-A buffer to the east, with 9 trees planted per 100 linear feet and a double staggered hedge row, planted at 36 inches and maintained at 48 inches.

Deviation #3 seeks relief from LDC Sec.10-261, which requires commercial development to provide a dumpster enclosure on site with specific requirements listed in LDC Section 10-261, to allow rolling trash totes similar to residential uses in the area.

This deviation is approved.

Deviation #4 seeks relief from LDC Sec. 34-939(b)(1), which requires a 25-foot development perimeter setback, to allow an 11-foot perimeter boundary setback along the western and southern boundaries, and 5-foot along northern and eastern boundaries of the site.

This deviation is approved.



SITE DATA:
PROPOSED SITE: 10,500 SF (0.24 Ac.)

SITE INFORMATION:
ADDRESS: HODGEPODGE LN. & SPANISH GOLD LN., CAPTIVA, FLORIDA 33924
LOCATION: Joses Hideaway OR 1528 PG 1916 DESC IN OR 617 PG 134 AKA LOT 28 UN 2
STRAPH: 05-45-21-10-00000.020A
JURISDICTION: LEE COUNTY
EXISTING ZONING: RS-1 (SINGLE-FAMILY RESIDENTIAL)
PROPOSED ZONING: CFPD (COMMUNITY FACILITY PLANNED DEVELOPMENT)
FUTURE LAND USE: OUTER ISLANDS
DEVELOPMENT TYPE: ESSENTIAL SERVICE FACILITY
FLOOD ZONE: AE 7.00 NAVD

TOTAL SITE AREA:			
TOTAL SITE AREA:	10,500 SF	0.24 AC	(100%)
BUILDING:	2,724 SF	0.06 AC	(25.9%)
(BUILDING FOUNDATION - 1ST FLOOR 2,028 SF + 2ND FLOOR MEC. PAD 696 SF)			
(BUILDING - 2ND FLOOR 2,367 SF)			
CONCRETE:	1,526 SF	0.04 AC	(14.5%)
(CONC DRIVE & WALK)			
DRY RETENTION AREA:	1,559 SF	0.04 AC	(14.8%)
GREEN SPACE AREA:	4,691 SF	0.11 AC	(44.7%)
TOTAL IMPERVIOUS AREA:	4,250 SF	0.10 AC	(40.5%)
TOTAL OPEN SPACE AREA:	6,250 SF	0.14 AC	(59.5%)

REQUESTED DEVIATIONS	
①	34-2192 BUILDING SETBACK LOCAL STREET/ROW EASEMENT
②	10-416d BUFFERING FOR ADJACENT PARCELS
③	LDC-10-261 REFUSE & SOLID WASTE DISPOSAL FACILITIES
④	LDC-34-935(b)(1)6 BUILDING SETBACK FOR CFPD

SITE DEVELOPMENT REGULATIONS	
BUILDING HEIGHT:	30'
# OF STORIES	2
BUILDING SETBACKS FROM PROPERTY LINE	
FRONT: (HODGEPODGE LN)	25.99'
SIDE: (WEST)	11.06'
SIDE: (EAST)	20.00'
REAR: (NORTH)	20.00'
BUILDING SETBACKS FROM R/W EASEMENT LINE	
FRONT: (HODGEPODGE LN)	11.00'
SIDE: (WEST)	11.06'
SIDE: (EAST)	5.00'
REAR: (NORTH)	5.00'
LANDSCAPE BUFFERS	PROVIDED
FRONT: (HODGEPODGE LN)	5' - TYPE A ENHANCED
SIDE: (WEST)	5' - TYPE A ENHANCED
SIDE: (EAST)	5' - TYPE A ENHANCED
REAR: (NORTH)	5' - TYPE A ENHANCED
AREA REQUIREMENTS	
OPEN SPACE REQUIRED	30%
OPEN SPACE PROVIDED	59.5%

SITE AREA MINUS R/W EASEMENTS	6,375 SF
OPEN SPACE REQUIRED	30%
OPEN SPACE PROVIDED	2,125 SF 33.3%



THE OFFICIAL RECORD OF THIS SHEET IS THE ELECTRONIC FILE DIGITALLY SIGNED AND SEALED UNDER RULE 61G15-23.004.FAC

REVISION DESCRIPTION
DATE BY

AVOLON ENGINEERING, INC.
2401 DEL PRADO BLVD, SUITE 200
CAPE CORAL, FLORIDA 33904
FPE001226 (23) 573-5077

UPPER CAPTIVA
LCEC SERVICE CENTER

MASTER CONCEPT
PLAN

P:\CAD\2024\24-104\CONSTRUCTION\104-MCP.dwg, 6 SITE, 3/11/2025 11:26:30 AM, 2025 Avalon Engineering Inc., 2025 Avalon Engineering Inc.

ATTACHMENT D

SITE ADDRESS: Hedgegrove Lane & Spanish Gold Lane
Capitola, CA 33924

STRAP: 05-45-21-10-0000-022A

SITE AREA: 10,500 SF (0.24 AC)
EXISTING ZONING: RS-1 (Single Family Residential)
PROPOSED ZONING: CTRC (Community Facility Planned Development)
UTILITY/LAND USE: Overland
DEVELOP/BLT TYPE: Essential Service Facility

DEVELOPMENT SITE AREAS

TOTAL PARCEL AREA (0.24 ACRES)	10,500 SF	100.0%
PROPOSED CONC RETEARE AREA (CONC. DRIVEWAY)	1,603 SF	15.3%
PROPOSED BALDWIN AREA	2,468 SF	24.3%
PROPOSED TOTAL VARIOUS AREAS:	4,211 SF	40.1%
PROPOSED OPEN GREEN AREAS:	4,310 SF	45.1%
PROPOSED DRY DETENTION AREAS:	1,559 SF	14.8%
PROPOSED TOTAL PAVEMENT AREAS:	6,280 SF	59.9%

LANDSCAPE REQUIREMENTS

(Per Lee County, FL - Land Development Code / Chapter 10 - DEVELOPMENT STANDARDS / ARTICLE III. - DESIGN STANDARDS AND REQUIREMENTS / DIVISION 6. - OPEN SPACE, BUFFERING AND LANDSCAPING)

	Required:	Provided:
Sec. 10-415, - Open space.		
(a) Open Space Calculations: Small Development		
20% of developable parcel area		
➤ Required Open Space: $10,500 \text{ SF} \times 0.20 = 2,100.00 \text{ SF}$	2,100 SF	6,289 SF

Sec. 10-416. - Landscape standards.		
(a) General Trees. (GDI)		
(1) One canopy tree must be provided per each 3,500 square feet of required development area.		
➤ GDI: 10,500 SF / 3,500 = 3.0 Trees	3	3

(d) <i>Buffering adjacent property. (BUF)</i> <u>Commercial</u> Development abutting the following uses: North Property Boundary: C04 <--- RS-1 5' Enhanced Type 'A' Buffer (4 Trees / 100 LF) ► 100 LF = 4 Trees + 40 Shrub $100 / 100 = 1.00 \times 4 = 4.00$ Trees South Property Boundary: C04 <--- ROW (Hedgepodge Lane) 5' Enhanced Type 'A' Buffer (4 Trees / 100 LF) ► 40 LF = 4 Trees + 30 Shrubs $80 / 100 = .80 \times 4 = 3.20$ Trees East Property Boundary: C04 <--- ROW (Spanish Gold Lane) 5' Enhanced Type 'A' Buffer (4 Trees / 100 LF) ► 105 LF = 4 Trees + 50 Shrubs $105 / 100 = 1.05 \times 4 = 4.2$ Trees West Property Boundary: C04 <--- RS-1 5' Enhanced Type 'A' Buffer (4 Trees / 100 LF) ► 105 LF = 5 Trees + 50 Shrubs $105 / 100 = 1.05 \times 4 = 4.2$ Trees	4 NA 4 NA 5 NA	40 30 6 50
--	---	--

	HA	50
TREES	21	26
SHRUBS	HA	170

KEY	SYMBOL	QTY	SPECIES	PLANT TYPE	CATEGORY	INITIAL STATUS
PROPOSED TREES						
...		*19	BUFFER TREES	CANOPY	...	YES
...		12	BUFFER PALMS (p3:1)	PALM	...	YES
...		*3	GENERAL TREES	CANOPY	...	YES
TOTAL TREES		*34 (REVIEW PURPOSE ONLY: 26 = 12 Palms(p3:1) + 22(p:1))				

PROPOSED SHRUBS						
NO.	SYMBOL	QTY	DESCRIPTION	UNIT	PRICE	TOTAL
..		170	BUFFER SHRUBS	SHRUB	..	YES
TOTAL SHRUBS		170				

^A The following canopy trees will be proposed for the buffer areas and general trees: The spread on these trees range from 10 to 20 feet which will avoid overcrowding between trees and the root system shouldn't create a problem with the building foundation.

CRAPE MYRTLE
DAHOON HOLLY
JATROPHA
EAST PALATKA HOLLY

North - 5' Enhanced Type 'A' Buffer (100 LF)
 4 Canopy Trees (per 100 LF)
 = 4 Canopy Trees (Required)
 = 5 Canopy Trees & 40 Shrubs (Provided)

West - 5' Enhanced Type 'A' Buffer (105 LF)
 4 Canopy Trees (per 100 LF)
 = 5 Canopy Trees (Required)
 = *6 Canopy Trees & 50 Shrubs (Provided)
 *(9 Palms @ 3:1 & 3 Canopy Trees @1:1)

Canopy Tree Requirement
 $10,500 \text{ SF} / 3,500 = 3.0$
 = 3 Canopy Trees (Required)
 = 3 Canopy Trees (Provided)

East - 5' Enhanced Type 'A' Buffer (105 LF)
 4 Canopy Trees (per 100 LF)
 = 5 Canopy Trees (Required)
 = 6 Canopy Trees & 50 Shrubs (Provided)

South - 5' Enhanced Type 'A' Buffer (100 LF)
 4 Canopy Trees (per 100 LF)
 = 4 Canopy Trees (Required)
 = *6 Canopy Trees & 30 Shrubs (Provided)
 *(3 Palms @ 3:1 & 5 Canopy Trees @1:1)



6681 Rich Road
North Fort Myers, FL 33917
Tel: 239.691.7790
Email: info@landesco.com

E Seal: 02-24-2025

Digitally signed by David Kulsveen
Date: 2025.02.24 14:38:19

Prepared For: -05'00'

Hodgepodge Lane & Spanish
Gold Lane
Captiva, FL 33924

In Conjunction With:

Avalon Engineering, Inc.
2503 Del Prado Blvd. #200
Cape Coral, FL 33904
FBN#3128 (239) 573-2077



1" = 10'

**MASTER
LANDSCAPE
PLAN**

DATE IN: 02-24-2025

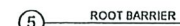
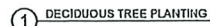
DRAWN BY: PHW

CHECKED BY: DKK

REVISION DATE:

Sheet: 1 of 2

L 1.0



PROHIBITED INVASIVE EXOTICS	
Common Name	Scientific Name
Earth of Lanka	<i>Acacia eucalyptorum</i>
Worms long- <i>u</i>	<i>Albizia lebbek</i>
Bishopwood	<i>Bischofia javanica</i>
Australian Pine	<i>Pinus caroliniana</i>
Carrotwood	<i>Cupressus macrocarpa</i>
Resewood	<i>Dalbergia sissoo</i>
Air potato	<i>Dioscorea alata</i>
Murray red gum	<i>Eucalyptus camaldulensis</i>
Wetwing fig	<i>Ficus benjamina</i>
Cuban laurel fig	<i>Ficus microcarpa</i>
Japanese Climbing fern	<i>Lygodium japonicum</i>
Old World Climbing fern	<i>Lygodium microphyllum</i>
Kelantan paper tree	<i>Melaleuca quinqueveneria</i>
Doory rose myrtle	<i>Myrsine tomentosa</i>
Chinese lily	<i>Sapindus sebiferum</i>
Brazilian pepper, Florida holy	<i>Schinus molle</i>
Tropical soda apple	<i>Sesuvium portuacastrum</i>
Java plum	<i>Syzygium cumini</i>
Rose apple	<i>Syzygium jambos</i>
Cork tree	<i>Trochodendron araliifolium</i>
Wedge	<i>Wedelia trilobata</i>

Lee County, Florida
DEPARTMENT OF COMMUNITY DEVELOPMENT
ENVIRONMENTAL STAFF REPORT

CASE NUMBER: DCI2024-00040
TYPE OF CASE: (DCI) Planned Development
CASE NAME: North Captiva LCEC Essential Services
TOTAL ACREAGE: 0.24 acres
SUFFICIENCY DATE: April 17, 2025
HEARING EXAMINER DATE: 06/26/2025

Request

The applicant is requesting to rezone the subject property from Residential Single-Family District (RS-1) to Community Facilities Planned Development. The property is located east of Spanish Gold Lane and a PUD (Village at Safety Harbor), west of a RS-1 zoned property, south of Hidden Lane, and north of Hodgepodge Lane. The subject property is located in North Captiva Island, Joses Hideaway, and within the Outer Islands Future Land Use Category.

Existing Conditions and Protected Species

The subject parcel is within the Outer Island Future Land Use Category. Policy 1.4.2 of the Lee Plan states that these areas are sparsely settled, have minimal existing or planned infrastructure, and are very distant from major shopping and employment centers. Except for those services as provided in compliance with other sections of this plan, they are not expected to be programmed to receive urban-type capital improvements in the time frame of this plan, and as such can anticipate a continued level of public services below that of other land use categories. The continuation of the Outer Islands essentially in their present character is intended to provide for a rural character and lifestyle, and conserve open space and important natural upland resources. Maximum density is one dwelling unit per acre development in these areas consist of light manufacturing or assembly, data centers, warehousing, and distribution facilities; research and development activities; laboratories; ground transportation and airport-related terminals or transfer facilities; hotels/motels, meeting facilities; education and training facilities; and office use.

Due to the remote location, Staff reviewed the applicants environmental report and determined that an inspection of the property was not needed. There were no noted protected species identified, and no potential wetland areas were identified by the applicant. The applicant provided a protected species survey that included a Florida Land Use Cover and Classification System (FLUCCS) map depicting the vegetative plant communities. According to the FLUCCS report from the applicant the entire area contains 191, undeveloped lands within residential areas.

Along the western parcel boundary, the site abuts an RS-1, undeveloped lot. The southern boundary abuts another community facilities conventionally zoned property, the eastern boundary abuts the planned development, which is the Villages at Safety Harbor, and to the north is a single-family residence in an RS-1 zoned parcel.

OPEN SPACE

The project meets the small development definition (Land Development Code 10-1). LDC 10-415 (a) requires the applicant to provide 20 percent open space for a small development. The total open space required is 2,121.2 square feet (0.05 acres) and the applicant is providing 0.15 acres (6,649 sq. feet) of open space. Staff propose the following condition.

Prior to the issuance of a development order permit, the development order plans must depict 62.7 percent of open space as depicted on the MCP.

INDIGENOUS OPEN SPACE

The Land Development Code requires that large developments must provide 50 percent of the open space percentage requirement through onsite preservation of existing native vegetation communities LDC 10-415 (b). The subject property is less than ten acres in size and is considered a small development per LDC Sections 10-1 and 10-415 (a). No indigenous open space is required.

BUFFERS

The proposed development abuts a right-of-way and a conventionally Community Facilities zoned property to the south, to the west an RS-1 conventionally property, to the North a right-of-way and a RS-1 conventionally zoned property, and to the east is another right-of-way and the planned development of Safety Harbor. Buffers cannot be placed in any street or utility easement without approval from the entity holding title, and the provided Master Landscape Plan identifies buffers outside of easements.

Buffer Deviations

The applicant has requested deviations from LDC 10-416 (d) which requires a Type-D Buffer along Hodgepodge Lane, Spanish Gold Lane, and along the 15-foot right-of-way easement that abuts the northern property line, to allow for an enhanced 5-foot Type-A buffer.

A second deviation is requested from LDC 10-416 (d) which requires commercial use proposed abutting a single-family residential use to provide a Type-C buffer with wall, to allow instead for the proposed garage wall to act as the buffer wall, and to provide an enhanced Type-A Buffer.

The Buffers are:

North - The northern property line abuts an RS-1 residentially zoned property. The Community Facilities zoned property abutting a residential use requires a Type-C buffer. The applicant has requested a deviation and proposes an enhanced Type-A buffer. Staff recommend the following condition.

Prior to the issuance of a development order permit, the development order plans must depict an enhanced Type-A buffer to the north, with 5 trees planted per 100 linear feet, and a double staggered hedge row planted at 36 inches and maintained at 48.

South – The southern property line abuts the ROW for Hodgepodge Lane. The commercial use abutting a right of way requires a Type-D buffer. The application has requested a deviation and proposes an enhanced Type-A buffer. Staff recommend the following condition.

Prior to the issuance of a development order permit, the development order plans must depict an enhanced Type-A buffer to the south, with 5 trees planted per 100 linear feet, and a double staggered hedge row planted at 36 inches and maintained at 48.

West – The western property line abuts an undeveloped residentially zoned lot (RS-1). The proposed use abutting a residentially zoned lot requires a Type-C buffer with wall. The applicant has requested a deviation and proposed an enhanced Type-A buffer. Staff recommend the following condition.

Prior to the issuance of a development order permit, the development order plans must depict the garage wall acting as a buffer wall as shown on the Landscape Plan with 5 trees planted per 100 linear feet and a double staggered hedge row planted at 36 inches and maintained at 48.

East – The east property line abuts a right-of-way for Spanish Gold Lane and the planned development of Safety Harbor. The proposed use abutting a right-of-way requires a Type-D buffer. The applicant has requested a deviation and proposed an enhanced Type A buffer. Staff recommend the following condition.

Prior to the issuance of a development order permit, the development order plants must depict an enhanced Type-A buffer to the east, with 9 trees planted per 100 linear feet and a double staggered hedge row, planted at 36 inches and maintained at 48.

Exhibits

A - Protected Species Survey

Hodgepodge Lane Parcel

Section 05, Township 45, Range 21 East
Fort Myers, Florida

Protected Species Survey & Florida Bonneted Bat Roost Survey

August 2024

Prepared by:



ENVIRONMENTAL CONSULTING, LLC
15957 Tropical Breeze Drive, Fort Myers, FL 33908
(239) 994-9007

INTRODUCTION

The 0.21± acre parcel is located within a portion of Section 05, Township 45, Range 21 East, on Upper Captiva Island, Lee County, Florida (Figure 1). The parcel is adjacent to single family housing to the north and west and multi-family residential buildings to the east. Hodgepodge Lane borders the south property line and Spanish Gold Lane borders the east property line. The Upper Captiva Fire Station is located to the south across Hodgepodge Lane.

VEGETATIVE CLASSIFICATIONS

The predominant vegetation associations were mapped in the field on June 2024 digital 1" = 40' scale aerial photography. The property boundary was obtained from Avalon Engineering and inserted into the digital aerial. The boundary was staked in the field at the time of our site inspection. One vegetation association was identified using the Florida Land Use, Cover and Forms Classification System (FLUCCS). Figure 2 depicts the approximate location and configuration of these vegetation associations and Table 1 summarizes the acreages by FLUCCS Code. A brief description of the FLUCCS Code is also provided below.

Table 1. Acreage Summary by FLUCCS Code

FLUCCS CODE	DESCRIPTION	ACREAGE
191	Undeveloped Land w/in Residential Areas	0.21
Total		0.21

FLUCCS Code 191, Undeveloped Land w/in Residential Areas

This upland area consists of cabbage palm (*Sabal palmetto*), naupaka (*Scaevola taccada*), travelers palm (*Ravenala madagascariensis*), Brazilian pepper (*Schinus terebinthifolius*), cat's-claw (*Pithecellobium unguis-cati*), flat sedge (*Cyperus* sp.), wedelia (*Wedelia trilobata*), and railroad vine (*Ipomoea pes-caprae*).

SURVEY METHOD

Lee County Protected Species Ordinance No. 89-34 lists several protected species of animals that could potentially occur on-site based on the general vegetative associations found on the subject parcel. Each habitat type was surveyed for the occurrence of these and any other listed species likely to occur in the specific habitat types. The survey was conducted using meandering linear pedestrian belt transects. This survey methodology is based on the Lee County administratively approved Meandering Transect Methodology. As part of this survey all live trees and snags were inspected for evidence of cavities that could potentially be used as roosts by the Florida bonneted bat (*Eumops floridanus*). In order to provide at least 80 percent visual

coverage of habitat types listed in Ordinance No. 89-34, the transects were spaced approximately 25 feet apart. The approximate locations of all direct sighting or signs (such as tracks, nests, and droppings) of a listed species were denoted on the aerial photography. The 1" = 40' scale aerial Protected Species Survey map (Figure 3) depicts the approximate location of the survey transects and the results of the survey. The listed species survey was conducted during the morning hours of August 26, 2024. During the survey the weather was clear and warm.

Species listed as endangered, threatened, or species of special concern by the Florida Fish and Wildlife Conservation Commission (FWC) or the United States Fish and Wildlife Service (FWS) that could potentially occur on the subject parcel according to the Lee County Protected Species Ordinance are shown in Table 2. This list from the Lee County Protected Species Ordinance is general in nature, contains species that were subsequently delisted by the state, does not necessarily reflect existing conditions within or adjacent to the property, and is provided for general informational purposes only. The bald eagle (*Haliaeetus leucocephalus*) (which has been delisted by the FWC and FWS but is still protected by other regulations), the Florida black bear (*Ursus americanus floridanus*) (delisted in 2012 and still protected by the Florida Black Bear Management Plan), and the Florida bonneted bat (*Eumops floridanus*) (which was listed by the FWS after Ordinance No. 89-34 was adopted by Lee County) were also included in the survey. Prior to conducting the protected species survey, a search of the FWC listed species database (updated in June 2024) was conducted to determine the known occurrence of listed species in the project area.

Florida Bonneted Bat (*Eumops floridanus*) Roost Survey Method

Per U.S. Fish and Wildlife Service (FWS) Draft Protocol for Florida Bonneted Bat Roost Surveys dated October 22, 2019, a series of meandering transects were completed across the portion of the site containing areas with potential natural roosting structures. Transects through roosting habitat were spaced approximately 25 feet apart and all trees and snags were visually inspected for evidence of cavities. Evidence of protected species was gathered through both direct observation and through observation of signs such as potential roost cavities, tracks, nests, and scat. If a sign was found or sighting occurred, their locations in the field were recorded using a Global Positioning System (GPS) unit. Figure 3 depicts the locations and results of the potential cavities survey. The site inspection was conducted on August 26, 2024.

Table 2. Listed Species That Could Potentially Occur On-site

FLUCCS CODE	Percent Survey Coverage	Species Name	Present	Absent
191	80	None		

SURVEY RESULTS

No snags (dead trees) containing potential Florida bonneted bat cavity entrances were found onsite. No live trees with cavities or artificial structures were observed on-site.

No species listed by either the FWS or the FWC were observed on the site during the protected species survey or during other site visits. In addition to the site inspection, a search of the FWC species database (updated in June 2024) revealed no additional known protected species within or immediately adjacent to the project limits.

Hodgepodge Lane Parcel

24-072

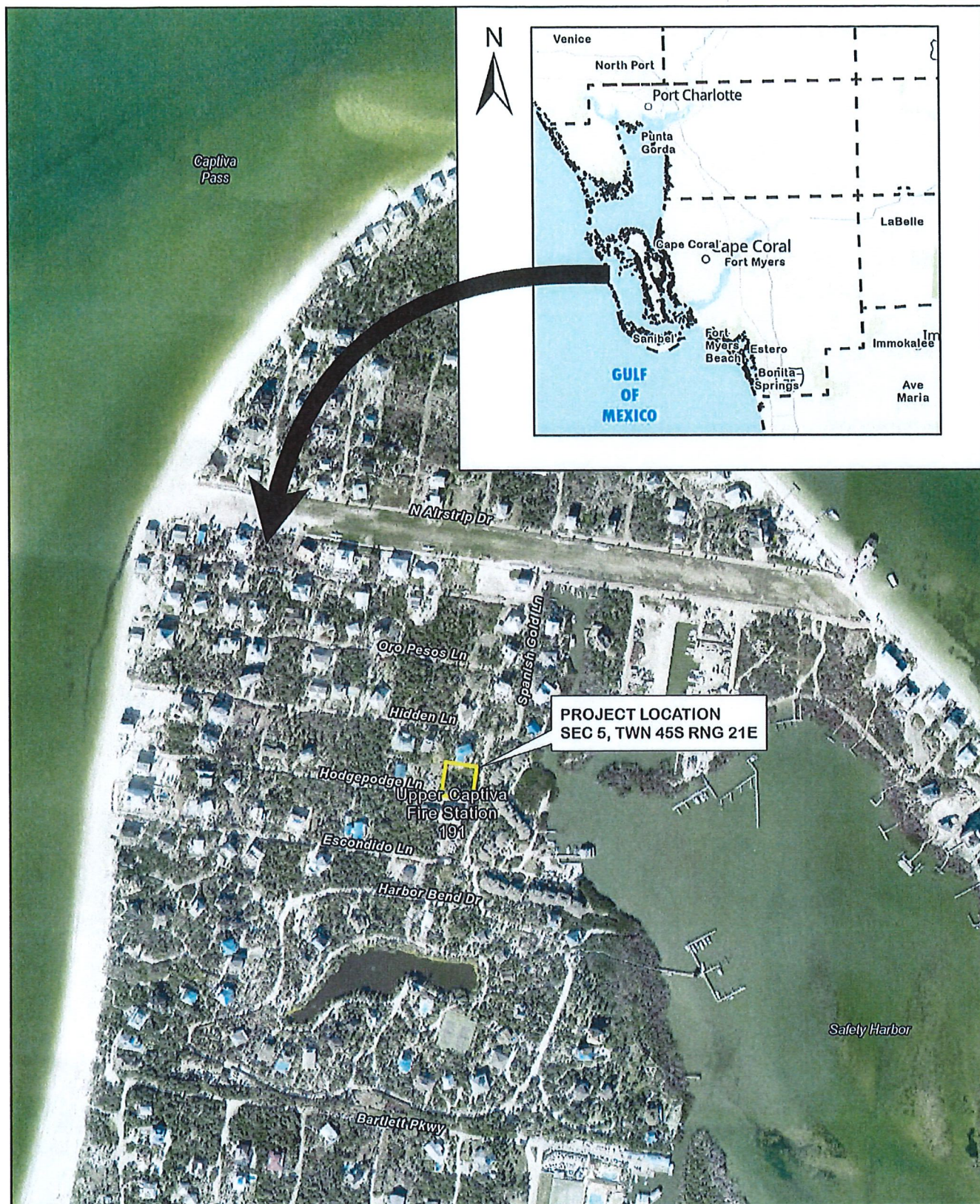
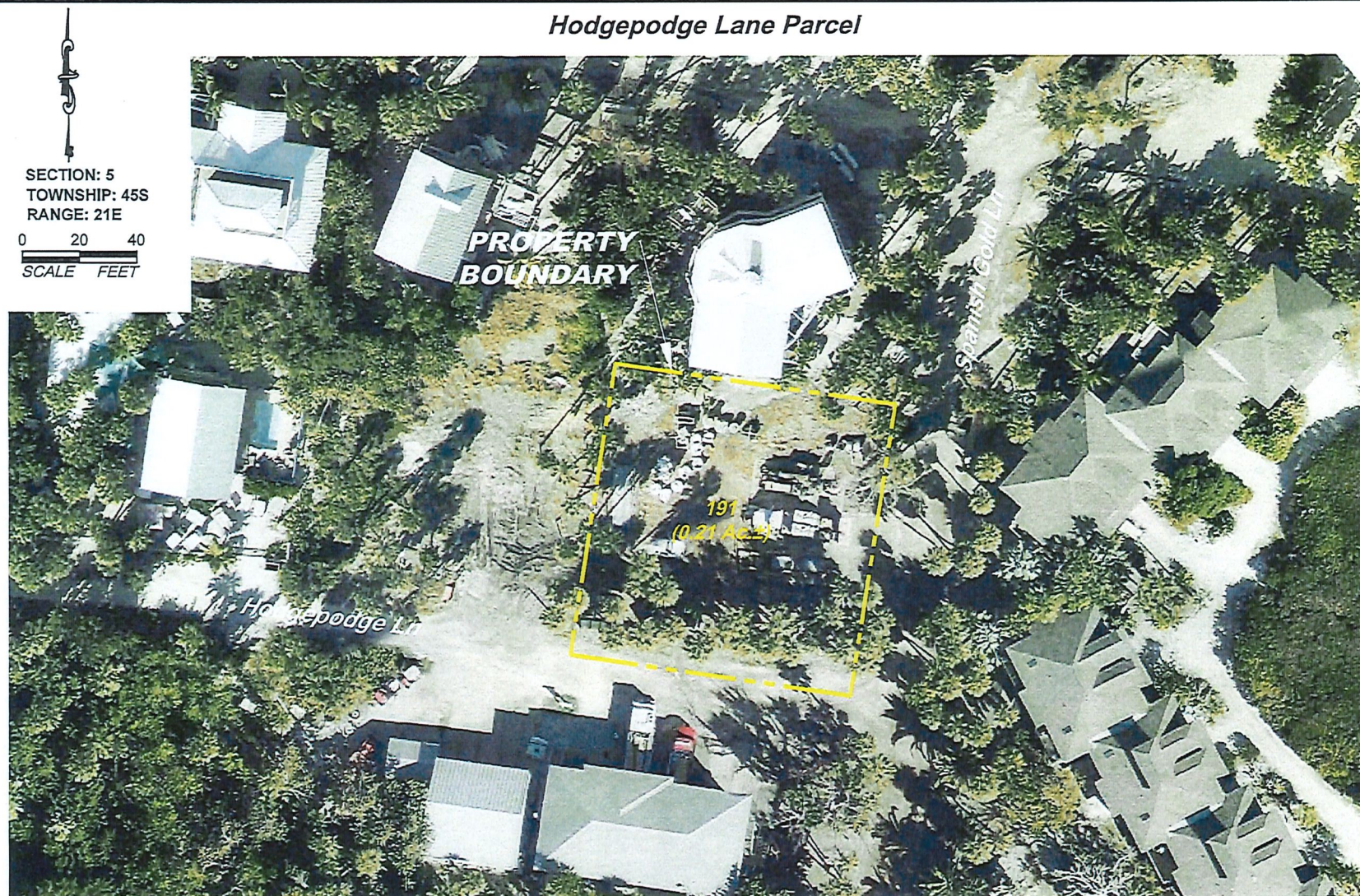


Figure 1. Project Location Map

**OWEN ENVIRONMENTAL
CONSULTING, LLC.**
FORT MYERS 239-994-9007

Hodgepodge Lane Parcel



Notes:

1. Property boundary was obtained from Avalon Engineering, Inc.
2. Mapping is based on photo interpretation of 2024 aerial photography and ground truthing in August 2024.
3. Delineation of jurisdictional wetlands is preliminary and subject to field review/approval by applicable regulatory agencies.

FLUCCS	Description	Acreage
191	Undeveloped Land within Residential Areas	0.21 Ac.±
Total		0.21 Ac.±

24-072

Figure 2. Vegetation Map

OWEN ENVIRONMENTAL
CONSULTING, LLC.
FORT MYERS 239-694-9007

Hodgepodge Lane Parcel



--- Approximate Pedestrian Survey Transects

Notes:

1. Property boundary was obtained from Avalon Engineering, Inc.
2. Mapping is based on photo interpretation of 2024 aerial photography and ground truthing in August 2024.
3. Delineation of jurisdictional wetlands is preliminary and subject to field review/approval by applicable regulatory agencies.

FLUCCS	Description	Acreage
191	Undeveloped Land within Residential Areas	0.21 Ac.±
Total		0.21 Ac.±

24-072

Figure 3. Protected Species Survey Map

OWEN ENVIRONMENTAL
CONSULTING, LLC.
FORT MYERS 239-694-6007



PROJECT: NORTH CAPTIVA LCEC ESSENTIAL SERVICE FACILITY

PARCEL: 4510 HODGEPODGE LANE, CAPTIVA FL 33924

PUBLIC PRESENTATION HELD: FEBRUARY 25, 2025 2:00-4:00 PM @ THE NORTH CAPTIVA FIRE STATION

AVALON REPRESENTATIVES: MARK ARAL, P.E.- SENIOR PROJECT MANAGER
KEVIN CONOR, E.I.- PROJECT ENGINEER

LCEC REPRESENTATIVES: RAYMOND BOSS- MANAGER, FACILITIES AND SECURITY
TRICIA DORN- KEY ACCOUNT EXECUTIVE

North Captiva Island: Approximately 318 residents, 38 permanents, remaining homes are used as rentals/vacation homes

Meeting: We had 29 residents in attendance- including members of the Safety Harbor, HOA of the island

The meeting started with a short PowerPoint presentation from Avalon, along with large boards with the building elevations and Master Concept Plan for visuals.

The residents started out angry and asked a lot of questions.

Residents showed concern about building a commercial building in a residential area. The residents were not concerned about saving LCEC money regarding purchasing a commercial property

Concern/questions about rezoning to commercial- Ray answered the question by stating that LCEC has a partnership with the North Captiva Fire Department and will work together to support each other as essential service facilities on the island.

Mark explained that the CFPD would be specific to this project, and anything changed on the project site would have to go through the PD process again for approval. The residents were more understanding and comfortable regarding the rezoning.

Brad Whitmore 4560 Hodgepodge lane - LCEC drivers do not pay attention when on the Island. He lives 4 lots away from the property. He is a full-time resident raising his family and says our trucks hold him up and do not look when they are backing out. There were a few other residents concerned about safety, to which Ray gave his cell phone number to everyone in attendance to provide open communication about any safety hazards happening now or during the building process.

Residents were concerned about the existing stored materials on the site, to which Ray assured them that all materials would be stored in the building after construction and that there is no outdoor storage of any type proposed with this rezoning. Ray also mentioned what the equipment was for, LCEC is upgrading the islands infrastructure.

Residents do not want any gas vehicles on the Island. Ray stated that there is one LCEC truck on site necessary for the infrastructure work, but it is temporary and will be on the Island only for the rebuild.

Once that work is completed the truck will leave the island. The material necessary for the rebuilding of the infrastructure is too heavy to be moved to the locations needed on a golf cart.

There was a lot of discussion regarding Safety Harbor and septic concerns, including helping the rental property located next to the lot, which regularly hosts 18 people in that home, which most of the residents were not in favor of LCEC adding the rental home septic system into their design for sewer service. The president of Safety Harbor did not want the residential home connected to the sewer system. The residents want copies of the emails between Avalon Engineering and Safety Harbor.

Residents requested to utilize LCEC's building once complete for a meeting space. Ray responded that he would like to support the Island residents' needs and that he would investigate the request.

Residents liked the look of the building and were happy with the residential design. They asked about staying true to this design, to which Ray explained that the building elevations were already submitted to the County and are under review for approval. The residents were told they could pick the paint color.

The meeting ended with the residents being grateful to LCEC for making an investment in the infrastructure needed to support electrical power on the Island.

From: [Lighthall, Justin](#)
To: [Terri Rose](#)
Cc: [Linda Miller](#); [Mark Aral](#); [Kevin Conor](#)
Subject: RE: 24-104 North Captiva Dumpster Deviation Request- DCI2024-00040
Date: Friday, February 21, 2025 2:10:56 PM
Attachments: [image005.png](#)
[image006.png](#)
[image007.png](#)
[image008.png](#)

Terri,

Due to the unique circumstances of solid waste collection on North Captiva Island, Lee County Solid Waste has no opposition to deviation from LDC 10-261 as specified below using garage storage. Please provide this correspondence to your assigned plan reviewer for further review. Feel free to reach out with any questions.

Regards,



Justin Lighthall | Manager, Public Utilities

Solid Waste Department

6431 Topaz Ct, Fort Myers, FL 33966

office: (239) 533-8007

cell: (239) 707-1057

email: JLighthall@leegov.com

web: www.leegov.com/solidwaste

Connect With Us On Social Media



Sign up today to become a Solid Waste insider by clicking [here](#)!

From: Terri Rose <terri@avaloneng.com>

Sent: Friday, February 21, 2025 9:13 AM

To: Lighthall, Justin <JLighthall@leegov.com>

Cc: Linda Miller <linda@avaloneng.com>; Mark Aral <mark@avaloneng.com>; Kevin Conor <kevin@avaloneng.com>

Subject: 24-104 North Captiva Dumpster Deviation Request- DCI2024-00040

Caution: This email originated from an external source. Be cautious of attachments

ATTACHMENT G



APPLICATION FOR PLANNED DEVELOPMENT PUBLIC HEARING UNINCORPORATED AREAS ONLY

Project Name: North Captiva LCEC Electric Service Facility

Request: Rezone from: RS-1 To: CFPD

Type: ☐ Major PD ☒ Minor PD ☐ DRI w/Rezoning ☐ PRFPD
☐ Major PD Amendment ☐ Minor PD Amendment

Bonus Density included? ☒ NO ☐ YES¹ for: _____ Bonus Units

¹ If YES, submit additional fee required by LDC 2-147(A)(3)

Summary of Project:

LCEC is constructing an essential service facility to provide office, temporary housing, and equipment and material storage to better serve the residents of North Captiva. The facility will consist of a 2-story building with garage storage on the bottom level and office and housing areas on the second floor.

PART 1 APPLICANT/AGENT INFORMATION

A. Name of Applicant: Lee County Electric Cooperative, Inc.
Address: 4980 Bayline Drive
City, State, Zip: North Fort Myers, FL 33917
Phone Number: 239-656-2109
E-mail Address: Raymond.Boss@lcec.net

B. Relationship of Applicant to owner (check one) and provide [Affidavit of Authorization](#) form:

- ☒ Applicant is the sole owner of the property. [34-201(a)(1)a.1.]
- ☐ Applicant has been authorized by the owner(s) to represent them for this action. [34-202(a)(3)]
- ☐ Application is County initiated. Attach BOCC authorization.

C. Authorized Agent: (If different than applicant) Name of the person who is to receive all County-initiated correspondence regarding this application. [34-202(a)(4)]

1. Company Name: Avalon Engineering, Inc.
Contact Person: Linda Miller
Address: 2506 Del Prado S., Suite 200,
City, State, Zip: Cape Coral, FL 33904
Phone Number: 239-573-2077 Email: linda@avaloneng.com

2. [Additional Agent\(s\)](#): Provide the names of other agents that the County may contact concerning this application. [34-202(a)(4)]

LEE COUNTY COMMUNITY DEVELOPMENT
PO BOX 398 (1500 MONROE STREET), FORT MYERS, FL 33902
PHONE (239) 533-8585

**PART 2
PROPERTY OWNERSHIP**

- A. **Property owner(s):** If multiple owners (corporation, partnership, trust, association), provide a list with owner interest. [34-202(a)(2)]

Name: Lee County Electric Cooperative, Inc.
Address: 4980 Bayline Drive
City, State, Zip: North Fort Myers, FL 33917
Phone Number: 239-656-2109 Email: Raymond.Boss@lcec.net

- B. **Disclosure of Interest** [34-202(a)(2)]:

☒ Attach [Disclosure of Interest](#) Form.

- C. **Multiple parcels:** N/A

☐ Property owners list. [34-202(a)(8)]
☐ Property owners map. [34-202(a)(8)]

- D. **Certification of Title and Encumbrances** [34-202(a)(7)] **Warranty Deed provided**

1. Title certification document, no greater than 90 days old.
2. Date property was acquired by present owner(s): 12/01/2023

**PART 3
PROPERTY INFORMATION**

- A. **STRAP Number(s):** [Attach extra sheets if additional space is needed.] [34-203(a)(5)]

05-45-21-10-00000.028A

- B. **Street Address of Property:** Access undetermined, Captiva, FL 33924

- C. **Legal Description (must submit)** [34-202(a)(5)]:

☒ Legal description (metes and bounds) (8½"x11") and sealed sketch of the legal description.

OR

☐ Legal description (NO metes and bounds) if the property is located within a subdivision platted per F.S. Chapter 177, and is recorded in the Official Records of Lee County under Instruments or Plat Books. ([Click here](#) to see an example of a legal description with no metes and bounds.)

AND

Boundary Survey [34-202(a)(6)]:

☒ A Boundary survey, tied to the state plane coordinate system.

OR

☐ Not required if the property is located within a subdivision platted per F.S. Chapter 177.

- D. **Surrounding property owners** (within 500 feet of the perimeter of the subject parcel or portion thereof that is subject of the request):

1. ☒ List of surrounding property owners. [34-202(a)(9)]
2. ☒ Map of surrounding property owners. [34-202(a)(9)]
3. ☒ One set of mailing labels. [34-202(a)(9)]

Note: When the case is found complete/ sufficient, a new list and mailing labels must be submitted.

- E. **Current Zoning of Property:** RS-1

☒ Provide a list of all Zoning Resolutions and Zoning Approvals applicable to the subject property.

- F. **Use(s) of Property:**

1. Current uses of property are: Vacant
2. Intended uses of property are: Electric Utility Facility

G. Future Land Use Classification (Lee Plan):

Outer Islands 0.24 Acres 100 % of Total

H. Property Dimensions:

1. Width (average if irregular parcel): 100 Feet
2. Depth (average if irregular parcel): 105 Feet
3. Total area: 10,500 square feet
4. Frontage on road or street: 100 Feet on Hodgepodge Lane
2nd Frontage on road or street: 105 Feet on Spanish Gold Lane

I. Planning Communities/Community Plan Area Requirements: If located in one of the following planning communities/community plan areas, provide a meeting summary document of the required public informational session.

- ☐ Not Applicable
☐ Captiva Planning Community (Captiva Island). [33-1612(a)&(b); Lee Plan Policy 13.1.7]
☒ North (Upper) Captiva Community Plan area. [33-1711]
☐ Boca Grande Planning Community. [Lee Plan Policy 22.1.5]
☐ Caloosahatchee Shores Community Plan area. [33-1482(a)&(b); Lee Plan Policy 21.6.3]
☐ Page Park Community Plan area. [33-1203(a) & (b); Lee Plan Policy 27.11.2]
☐ Palm Beach Boulevard Community Plan area. [Lee Plan Policy 23.5.2]
☐ Buckingham Planning Community. [Lee Plan Policy 17.7.2]
☐ Pine Island Planning Community. [33-1004(a) & (b); Lee Plan Policy 14.7.1]
☐ Lehigh Acres Planning Community. [33-1401(a)&(b); Lee Plan Policy 32.12.2]
☐ North Fort Myers Planning Community. [33-1532(a)&(b)]
☐ North Olga Community Plan area. [33-1663(a)&(b)]

J. Waivers from Application Submission Requirements: Attach waivers, if any, approved by the Director of Zoning. [34-201(c)] Traffic Impact Waiver is provided

**PART 4
TYPES OF LAND AREA ON PROPERTY**

A. Gross Acres (total area within described parcel) 0.24 Acres
1. Submerged land subject to tidal influence 0 Acres
2. a. Preserved freshwater wetlands 0 Acres
b. Impacted wetlands 0 Acres
c. Preserved saltwater wetlands 0 Acres
d. Total wetlands (A.2.a. plus A.2.b. plus A.2.c.) 0 Acres
3. R-O-W providing access to non-residential uses 0 Acres
4. Non-residential use areas ^{(1) (2)} 0 Acres
B. Total area not eligible as gross residential acreage (Items A.1. + A.3. + A.4.). 0 Acres
C. Gross residential acres. (A minus B) ⁽³⁾ 0.24 Acres
D. Gross residential acres (by Land Use Category)
1. a. Intensive Development – upland 0 Acres
b. Intensive Development – preserved freshwater wetlands 0 Acres
c. Intensive Development – impacted wetlands 0 Acres
2. a. Central Urban – upland 0 Acres
b. Central Urban – preserved freshwater wetlands 0 Acres
c. Central Urban – impacted wetlands 0 Acres
3. a. Urban Community or Suburban – upland 0 Acres
b. Urban Community or Suburban – preserved freshwater wetlands 0 Acres
c. Urban Community or Suburban – impacted wetlands 0 Acres

4.	a.	Suburban – upland	0	Acres
	b.	Suburban – preserved freshwater wetlands	0	Acres
	c.	Suburban – impacted wetlands	0	Acres
5.	a.	Outlying Suburban – upland	0	Acres
	b.	Outlying Suburban – preserved freshwater wetlands	0	Acres
	c.	Outlying Suburban – impacted wetlands	0	Acres
6.	a.	Sub-Outlying Suburban – upland	0	Acres
	b.	Sub-Outlying Suburban – preserved freshwater wetlands	0	Acres
	c.	Sub-Outlying Suburban – impacted wetlands	0	Acres
7.	a.	Rural, Outer Island, Rural Community Preserve – upland	0	Acres
	b.	Rural, Outer Island, Rural Community Preserve – wetlands	0	Acres
8.	a.	Open Lands – upland	0	Acres
	b.	Open Lands – wetlands	0	Acres
9.	a.	Resource – upland	0	Acres
	b.	Resource – wetlands	0	Acres
10.	a.	Wetlands	0	Acres
11.	a.	New Community – upland	0	Acres
	b.	New Community – wetlands	0	Acres
12.	a.	University Community – upland	0	Acres
	b.	University Community – wetlands	0	Acres
13.	a.	Coastal Rural – upland	0	Acres
	b.	Coastal Rural – wetlands	0	Acres

TOTAL (should equal "C" above)

Outer Islands 0.24 Acres

Notes:

- (1) Lands for commercial, office, industrial uses, natural water bodies, and other non-residential uses must not be included except within the Mixed Use Overlay (see Note (2) below).
- (2) Within the Mixed Use Overlay, lands for commercial, office, industrial uses, natural water bodies, and other non-residential uses may be included in density calculations (see Lee Plan Objective 4.3).
- (3) Lands to be used for residential uses including land within the development proposed to be used for streets & street rights of way, utility rights-of-way, public & private parks, recreation & open space, schools, community centers, & facilities such as police, fire & emergency services, sewage & water, drainage, and existing man-made waterbodies.

PART 5 RESIDENTIAL DEVELOPMENT - PRELIMINARY DENSITY CALCULATIONS

- i. Complete only if living units are proposed in a Future Land Use Category.
- ii. If more than one classification, calculations for each classification must be submitted. Attach extra sheets as necessary.
- iii. If wetlands are located on the property, density calculations are considered preliminary pending a wetlands jurisdictional determination.

A. Future Land Use Category: Outer Islands

		Lee Plan Table 1(a)		
		Max. standard density		Units
1.	Standard Units			
a.	Total upland acres (from Part 4, D.)	0	x 0 equals	0
b.	Total preserved freshwater wetlands acres (from Part 4, D.)	0	x 0 equals	0
c.	Total impacted wetlands acres (from Part 4, D.)	0	x 0 equals	0
d.	Total Allowed Standard Units ⁽¹⁾			<u>0</u>
2.	Bonus Units [2-143]			
a.	Site-built Affordable Housing			0
b.	Transferrable Dwelling Units			0
c.	Sub-total			<u>0</u>
3.	Total Permitted Units ⁽¹⁾			<u>0</u>

Note:

- (1) Subject to revision if wetlands jurisdictional determination indicates a different acreage of wetlands.

PART 6
COMMERCIAL, INDUSTRIAL, MINING, ASSISTED LIVING FACILITIES, HOTELS & MOTELS
PRELIMINARY INTENSITY CALCUATIONS

		Height	Total Floor Area (Square Feet)
A. Commercial			
1.	Medical	0	0
2.	General Office	0	0
3.	Retail	0	0
4.	Other: <u>Electric Utility Facility</u>	24	Need building sq ft
5.	TOTAL FLOOR AREA		Need total sq.ft.
B. Industrial			
1.	Under Roof	0	0
2.	Not Under Roof	0	0
3.	TOTAL FLOOR AREA		0
C. Mining			
1.	Area to be excavated	0	0
D. Assisted Living Facilities			
1.	Dependent Living Units	0	0
2.	Independent Living Units	0	0
3.	TOTAL BEDS/UNITS		0
E. Hotels/Motels (Room Size)			
1.	< 425 sq. ft.	0	0
2.	426-725 sq. ft.	0	0
3.	725 < sq. ft.	0	0
4.	TOTAL UNITS		0

PART 7
ACTION REQUESTED

- A. Request Statement:** Provide a single narrative explaining the nature of the request and how the property qualifies for the rezoning to a planned development. This narrative should include how the proposed development complies with the Lee Plan, the Land Development Code, and the applicable findings/review criteria set forth in LDC section 34-145(d)(4). This narrative may be utilized by the Board of County Commissioners, Hearing Examiner and staff in establishing a factual basis for the granting or denial of the rezoning. **[34-373(a)(5)] Provided**
- B. Traffic Impact Statement.** A traffic impact statement in a format and to the degree of detail required by the County and in conformance with the adopted Lee County Administrative Code. TIS is not required for an existing development. **[34-373(a)(7)] Waiver Submitted**
- C. Master Concept Plan:**
- Master Concept Plan, Non-PRFPD:** A graphic illustration (Master Concept Plan) of the proposed development, showing and identifying the information required by LCLDC Section 34-373(a)(6)a. Copies of the Master Concept Plan must be provided in two sizes, 24"x36" and 11"x17", and must be clearly legible and drawn at a scale sufficient to adequately show and identify the required information. In addition to the Master Concept Plan, an open space design plan delineating the indigenous preserves and/or native tree preservation areas as required by LDC Section 10-415(b) must be submitted. **[34-373(a)(6)] Provided**
 - Schedule of Uses:** A schedule of uses keyed to the Master Concept Plan as well as a summary for the entire property including the information required by LCLDC Section 34-373(a)(8)]. **[34-373(a)(8)] Provided**

3. **Schedule of Deviations and Written Justification:** A schedule of deviations and a written justification for each deviation requested as part of the Master Concept Plan accompanied by documentation including sample detail drawings illustrating how each deviation would enhance the achievement of the objectives of the planned development and will not cause a detriment to public interests. The location of each requested deviation must be located/shown on the Master Concept Plan. [34-373(a)(9)] **Provided**

D. **Bonus Density:** [34-202(a)(11)]

☒ Not Applicable

☐ Bonus Density will be used. Provide the number of Bonus Density units being requested and a narrative of how the request meets the requirements of LDC Section 2-146.

**PART 8
ENVIRONMENTAL REQUIREMENTS**

- A. **Topography:** Describe the range of surface elevations of the property. Attach a county topographic map (if available) or a USGS quadrangle map showing the subject property. [34-373(a)(4)b.iv.]
Provided in the Boundary survey
-
- B. **Sensitive Lands:** Identify any environmentally sensitive lands, including, but not limited to, wetlands (as defined in the LEE Plan Section XII), flowways, creek beds, sand dunes, other unique land forms [see LEE Plan Policy 77.1.1 (2)] or listed species occupied habitat [see LCLDC Section 10-473(f)].
N/A
-
- C. **Preservation/Conservation of Natural Features:** Describe how the lands listed in PART 6.B. above will be protected by the completed project:
N/A
-
- D. **Shoreline Stabilization:** If the project is located adjacent to navigable natural waters, describe the method of shoreline stabilization, if any, being proposed:
N/A
-
- E. **Soils Map:** Attach maps drawn at the same scale as the Master Concept Plan marked or overprinted to show the soils classified in accordance with the USDA/SCS System. [34-373(a)(4)b.i.] **Provided**
- F. **FLUCCS Map:** A Florida Land Use, Cover and Classification System (FLUCCS) map, at the same scale as the Master Concept Plan, prepared by an environmental consultant. The FLUCCS map must clearly delineate any Federal and State jurisdictional wetlands and other surface waters, including the total acreage of Federal and State wetlands. [34-373(a)(4)c.] **Provided**
- G. **Rare & Unique Upland Habitat Map:** Maps drawn at the same scale as the Master Concept Plan marked or overprinted to show significant areas of rare and unique upland habitat as defined in the LEE Plan Section XII. [34-373(a)(4)b.iii.] **N/A**
- H. **Existing and Historic Flow-Ways Map:** Map(s) drawn at the same scale as the master concept plan marked or overprinted to show existing and historic flow-ways. [34-373(a)(4)b.v.] **N/A**

**PART 9
SANITARY SEWER & POTABLE WATER FACILITIES**

- A. **Special Effluent:** If the discharge of any special effluent is anticipated, please specify what it is and what strategies will be used to deal with its' special characteristics:
N/A
-
- B. **Private On-Site Facilities:** If a private on-site wastewater treatment and disposal facility is proposed, please provide a detailed description of the system including:
1. Method and degree of treatment:
Septic system
 2. Quality of the effluent:
Drain field

3. Expected life of the facility:
40 years
 4. Who will operate and maintain the internal collection and treatment facilities:
LCEC
 5. Receiving bodies or other means of effluent disposal:
N/A
- C. **Spray Irrigation:** If spray irrigation will be used, specify:
1. The location and approximate area of the spray fields:
N/A
 2. Current water table conditions:
N/A
 3. Proposed rate of application:
N/A
 4. Back-up system capacity:
N/A

PART 10 ADDITIONAL REQUIREMENTS

- A. **Major Planned Developments:**
1. **Surface Water Management Plan.** A written description of the surface water management plan as required by LCLDC Section 34-373(b)(1). **[34-373(b)(1)] Provided**
 2. **Phasing Program.** If the development is to be constructed in phases or if the Traffic Impact Statement utilized phasing, then a description of the phasing program must be submitted. **[34-373(b)(3)] N/A**
 3. **Protected Species Survey.** A protected species survey is required for large developments (as defined in LCLDC Section 10-1) as specified in LCLDC Section 10-473. **[34-373(b)(2)] Provided**
- B. **Amendments to Built Planned Developments:** The consent of the owners of the remainder of the original planned development is not required, but these owners must be given notice of the application and other proceedings as if they were owners of property abutting the subject property regardless of their actual proximity to the subject property. Attach proof of notice to other property. **[34-373(c)] N/A**
- C. **Development of Regional Impact:** Binding letter of interpretation from DCA or a complete and sufficient ADA. (See also Application for Public Hearing for DRI Form.) **[34-373(d)(9)] N/A**
- D. **Private Recreational Facility Planned Developments (PRFPDs): N/A**
1. **Master Concept Plan, PRFPD.** Master Concept Plan showing and identifying information required by LDC Section 34-941(g)(1). Copies of the Master Concept Plan must be provided in two sizes, 24"x36" and 11"x17", and must be clearly legible and drawn at a scale sufficient to adequately show and identify the required information. **[34-941(g)(1)]**
 2. **Conceptual Surface Water Management Plan.** A Conceptual Surface Water Management Plan must be submitted. The plan must be viable and take into consideration any natural flowway corridors, cypress heads, natural lakes, and the restoration of impacted natural flowway corridors. **[34-941(d)(3)b.i.1)]**
 3. **Well Drawdown Information.** If within an area identified as an anticipated drawdown area for existing or future well development, demonstration of compliance with LCLDC Section 34-941(d)(3)d.i & ii. must be provided. **[34-941(d)(3)d.]**
 4. **Preliminary Indigenous Restoration Plan.** A Preliminary Indigenous Restoration Plan must be provided if on-site indigenous restoration is being used to meet the indigenous native plant community preservation requirement. **[34-941(e)(5)f.iii.]**

5. **Environmental Assessment.** An Environmental Assessment must be provided which includes, at a minimum, an analysis of the environment, historical and natural resources. [34-941(g)(2)]
 6. **Demonstration of Compatibility.** Written statements concerning how the applicant will assure the compatibility of the proposed development with nearby land uses (by addressing such things as noise, odor, lighting and visual impacts), and the adequate provision of drainage, fire and safety, transportation, sewage disposal and solid waste disposal must be provided. [34-941(g)(4)]
- E. **Potable Water & Central Sewer.** Will the project be connected to potable water and central sewer as part of any development of the property?
- ☐ YES (Provide a letter from the appropriate Utility to which the connection(s) are proposed confirming availability of service.) [34-202(a)(10)]
- ☒ NO (Provide a narrative explaining why the connection is not planned and how the water and sewer needs of the project will be met.) [34-202(a)(10)] **Narrative provided**
- F. **Existing Agricultural Use:** If the property owner intends to continue an existing agricultural use on the property subsequent to the zoning approval, an Existing Agricultural Use Affidavit must be provided. Entitle as "Existing Agricultural Uses at Time of Zoning Application." [34-202(a)(12)] **N/A**
- G. **Flood Hazard:**
- ☐ Not applicable
- ☒ The property is within an Area of Special Flood Hazard as indicated in the Flood Insurance Rate Maps (FIRM)s.
- ☒ The minimum elevation required for the first **habitable floor is AE 7.00 NAVD (MSL)**
- H. **Excavations/Blasting:**
- ☒ No blasting will be used in the excavation of lakes or other site elements.
- ☐ If blasting is proposed, provide Information Regarding Proposed Blasting (including soil borings, a map indicating the location of the proposed blasting, and other required information).
- I. **Hazardous Materials Emergency Plan for Port Facilities: [12-110(a)(16)]**
- ☒ Not Applicable
- ☐ Provide a Hazardous materials emergency plan.
- J. **Mobile Home Park: [34-174(h)]**
- ☒ Not Applicable
- ☐ Request includes rezoning of a Mobile Home Park. Provide facts related to the relocation of dislocated owners that meets the requirements of F.S. § 723.083 (1995).
- K. **Airport Zones & Lee County Port Authority (LCPA) Requirements:**
- ☒ Not Applicable
- ☐ Property is located within _____ Airport Noise Zone: [34-1104]
- ☐ Property is located within Airport Runway Protection Zone. Indicate which Zone below. [34-1105]
- ☐ Property is located within Airport Residential and Educational Protection Zone: [34-1106]
- ☐ Property is located in an Airport Obstruction Notification Zone and subject to LCPA regulations. [34-1107]
- ☐ A Tall Structures Permit is required. [34-1108]

**PART 5
SUBMITTAL REQUIREMENT CHECKLIST**

Clearly label your attachments as noted in bold below

Copies Required		SUBMITTAL ITEMS
3	☒	Completed application for Public Hearing [34-202(a)(1)]
1	☒	Filing Fee - [34-201(d)]
1	☐	Bonus Density Filing Fee - (if applicable) [34-202(a)(11)] N/A
3	☒	<u>Affidavit of Authorization</u> (notarized) Form [34-202(a)(3)]
3	☒	<u>Additional Agents</u> [34-202(a)(4)]
3	☐	Multiple Owners List (if applicable) [34-202(a)(2)] N/A
3	☒	<u>Disclosure of Interest</u> Form (multiple owners) [34-202(a)(2)]
3	☒	Legal description (must submit) [34-202(a)(5)]
	☒	Legal description (metes and bounds) and sealed sketch of legal description
		OR
	☐	Legal description (NO metes and bounds) if the property is located within a subdivision platted per F.S. Chapter 177, and is recorded in the Official Records of Lee County under Instruments or Plat Books. (Click here to see an example of a legal description with no metes and bounds.)
3	☒	Boundary Survey – not required if platted lot (2 originals required) [34-202(a)(6)]
3	☐	Property Owners list (if applicable) [34-202(a)(8)] N/A
3	☐	Property Owners map (if applicable) [34-202(a)(8)] N/A
3	☒	Confirmation of Ownership/Title Certification [34-202(a)(7)] Warranty Deed
3	☐	STRAP Numbers (if additional sheet is required) [34-202(a)(5)] N/A
1	☒	List of Surrounding Property Owners [34-202(a)(9)]
1	☒	Map of Surrounding Property Owners [34-202(a)(9)]
1	☒	Mailing labels [34-202(a)(9)]
3	☐	List of Zoning Resolutions and Approvals N/A
3	☐	Summary of Public Informational Session (if applicable) Meeting Minutes will be provided after meeting is attended
3	☒	Waivers from Application Submission Requirements (if applicable) [34-201(c)] Traffic Impact Study Waiver is provided
3	☐	Preliminary Density Calculations (if applicable) N/A
3	☒	Request Statement [34-373(a)(5)]
3	☐	Traffic Impact Statement (TIS) (not required for existing development) [34-373(a)(7)] Waiver is provided
3	☒	Master Concept Plan (MCP), Non-PRFPD [34-373(a)(6)]
3	☒	Schedule of Uses [34-373(a)(8)]
3	☒	Schedule of Deviations and Written Justification [34-373(a)(9)]
3	☒	Topography (if available) [34-373(a)(4)b.iv.]
3	☒	Soils Map [34-373(a)(4)b.9.]
3	☒	FLUCCS Map [34-373(a)(4)c.]
3	☐	Rare & Unique Upland Habitat Map [34-373(a)(4)b.iii.] N/A
3	☐	Existing and Historic Flow-Ways Map [34-373(a)(4)b.v.] N/A
3	☒	Surface Water Management Plan (if applicable) [34-373(b)(1)]
3	☐	Phasing Program (if applicable) [34-373(b)(3)] N/A

3	☒	Protected Species Survey (if applicable) [34-373(b)(2)]
3	☐	Proof of Notice (if applicable) [34-373(c)] N/A
3	☐	Binding Letter from DCA (if applicable) [34-373(d)(9)] N/A
3	☒	Master Concept Plan (MCP), PRFPD (if applicable) [34-941(g)(1)]
3	☐	Conceptual Surface Water Management Plan (if applicable) [34-941(d)(3)b.i.1)] N/A
3	☐	Well Drawdown Information (if applicable) [34-941(d)(3)d.] N/A
3	☐	Preliminary Indigenous Restoration Plan (if applicable) [34-941(e)(5)f.iii.] N/A
3	☐	Environmental Assessment (if applicable) [34-941(g)(2)] N/A
3	☒	Demonstration of Compatibility (if applicable) [34-941(g)(4)]
3	☐	Potable Water & Sanitary Sewer. Letter from the appropriate utility entity indicating the utility entity or explanation of how water and sewer needs will be met if connection will not be made. [34-202(a)(10)] N/A
3	☐	Existing Agricultural Use Affidavit (if applicable) [34-202(a)(12)] N/A
3	☐	Information Regarding Proposed Blasting (if applicable). N/A
3	☐	Hazardous Materials Emergency Plan (if applicable) N/A
3	☐	Mobile Home Park Dislocated Owners Information (if applicable) [34-202(b)(4)] N/A
3	☐	Tall Structures Permit (if applicable) [34-1108] N/A

Request Statement
Consistency with Lee Plan and Land Development Code
North Captiva LCEC Essential Service Facility
Application for Public Hearing for Zoning Action – CFPD
Hodgepodge Lane

Request

The property owner, Lee County Electric Cooperative, Inc., (LCEC) is requesting to rezone the subject parcel from RS-1 (Residential Single Family) to CFPD (Community Facilities Planned Development) to permit the development of an electrical substation with a 696 square foot mechanical pad housing the switch equipment and a 4,395 square foot 2-story office/temporary housing building. This new facility will assist LCEC with maintaining and improving the electricity service provided to the residents and businesses on North Captiva.

Site Location and size

The subject property encompasses 0.24 acres and is located at the intersection of Spanish Gold Lane and Hodgepodge Lane, across the street from the North Captiva Fire Station.

The subject parcel consists of one parcel with this strap number: 05-45-21-10-00000.028A.

The property is in the Outer Islands Future Land Use Category and is zoned Residential (RS-1). The property is located within the Upper Captiva Planning Community. The site is within the Coastal High Hazard Area, FEMA Flood Zone:

The property is square in shape with 105.00 linear feet on the east and west property lines and 100 feet along the north and south property lines. The site fronts on two local roads, Hodgepodge Lane and Spanish Gold Lane. The site contains three 15' roadway easements, one on the northern property line, one on the eastern property line, and one on the southern property line.

Reason for the Request

Lee County Electric Cooperative is the electricity provider for North Captiva Island. To get to the island the LCEC staff must take a boat or a barge with their equipment, a trip that takes about an hour each way, every day they are working on the island. LCEC would like to reduce the travel time of their staff and provide a place for their staff to stay on the island when LCEC is working on the island.

Site Information and Dimensional Requirements

Current Zoning: RS-1

Requesting Zoning: CFPD

Future Land Use: Outer Islands

Adjacent Use:

South (Hodgepodge Lane): Community Facility – North Captiva Fire Station

North: Existing single-family home

East (across Spanish Gold Lane): Residential development

West: Vacant single-family lot

Adjacent Zoning and Land Use:

South: CFPD /Public Facility

North: RS-1 / Outer Islands

East: PUD/ Outer Islands

West: RS-1/Outer Islands

Building Setback From the Property Line:

Front (south): 25.99 feet

Side (west): 11.06 feet

Side (east): 33.38 feet / 20 feet from the mechanical pad

Rear (north): 20 feet

Building Setback from the 15' ROW Easement:

Front (south): 10.99 feet

Side (west): N/A

Side (east): 18.38 feet / 5 feet from the mechanical pad

Rear (north): 5 feet

Maximum Building Square Footage: 4,395 square feet

Building Maximum Height: 30 feet

Buffer Yard Widths Provided:

Front (south) ROW: 5' Type A enhanced with the garage wall utilized as a wall

Side (west): 5' Type A enhanced with the garage wall utilized as a wall

Side (east) ROW: 5' Type A with the garage wall utilized as a wall

Rear (north): 5' Type A enhanced with the garage wall utilized as a wall

Consistency with the Lee Plan

The proposed development is consistent with the Lee Plan, specifically these objectives and policies.

POLICY 1.4.2: The Outer Islands are sparsely settled, have minimal existing or planned infrastructure, and are very distant from major shopping and employment centers. Except for those services as provided in compliance with other sections of this plan, they are not expected to be programmed to receive urban-type capital improvements in the time frame of this plan, and as such can anticipate a continued level of public services below that of other land use categories. The continuation of the Outer Islands essentially in their present character is intended to provide for a rural character and lifestyle, and conserve open space and important natural upland resources. Maximum density is one dwelling unit per acre

This Essential Service Use has been designed to provide an electrical substation on the island along with an office/temporary housing building that fits into the character of the island. The facility will support the island residents by improving the electric power available to support the needs of the residents and property owners. The site has been designed to provide 59.5 percent open space.

POLICY 2.1.3: All land use categories and Planning Districts permit the consideration of churches and schools (except in Wetlands and Airport Noise Zones A and B), public uses and buildings, public utilities and resource recovery facilities, public recreational uses (including franchised Quasi commercial uses in conjunction with a public use), and sites for compatible public facilities when consistent with the goals, objectives, policies, and standards in this plan and applicable zoning and development regulations.

The proposed rezoning request is consistent with this Policy as the site will be developed with public utility use.

POLICY 2.2.1: Rezoning and DRI proposals will be evaluated as to the availability and proximity of the road network; central sewer and water lines; community facilities and services such as schools, EMS, fire and police protection, and other public facilities; compatibility with surrounding land uses; and any other relevant facts affecting the public health, safety, and welfare.

The proposed development will support public health, safety and welfare, providing electrical power services to the island.

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

The proposed development is seeking approval through the Planned Development process and has been designed to be harmonious with the surrounding residential developments.

GOAL 26: NORTH CAPTIVA COMMUNITY PLAN. Preserve the character, scale, fragile environment, and way of life in the North Captiva Community Plan area by guiding future land use; transportation and roads; conservation and coastal management; Safety Harbor; shore and water quality, water and waste management; open space, recreation, and quality of life; and citizen participation and community education.

The proposed development will reflect the character and scale of the community while providing an essential service to the residents of the island.

OBJECTIVE 26.1: FUTURE LAND USE. Preserve the traditional character, scale, and tranquility of the North Captiva community by continuing to limit the densities and intensities of use and development to sustainable levels that will not adversely impact the natural environment or overburden the existing infrastructure.

The proposed development will permit LCEC staff with the ability to stay on the island, while completing the work necessary to maintain and improve the electric infrastructure on the island. The new building will also allow LCEC staff to stay on the island to prepare for an upcoming storm and return to the island right after a storm, reducing response times to restore power to the residents of the island.

OBJECTIVE 26.4: WATER AND WASTE MANAGEMENT. Ensure a high quality of living by managing natural resources and waste products in a way that is sustainable, cost effective, and agreeable to island residents and island taxpayers.

The development will contract with a waste management provided on the island and utilize roll out trash cans as specified by the provider.

POLICY 26.5.1: The North Captiva community and Lee County will cooperate to preserve, protect, and enhance open space, passive recreation areas, and beach access points, regardless of size on North Captiva. This may be accomplished by Lee County acquiring property or conservation easements on private lands or vacant lots.

The proposed development will provide a greater amount of open space than required. If the right-of-way easements are never utilized in the future, to provide standard roads for vehicles, the site will provide almost 60 percent of open space (green space).

POLICY 26.6.1: Lee County will involve residents from the North Captiva Community Plan area in planning processes that relate specifically to North Captiva and generally to barrier islands.

LCEC along with Avalon Engineering held a community meeting on February 25, 2025, and 29 of the 38 permanent residents attended. Meeting minutes are provided.

GOAL 101: COASTAL AREAS. Protect human life along with current and future development from the impacts of coastal flooding. Coastal flooding includes, but is not limited to, high tide events, storm surge, flash floods, stormwater runoff, and impacts of sea level rise.

The site will be developed above the required flood elevation exceeding FEMA requirements, even the substation equipment has been raised.

The Master Concept Plan has been designed to comply with the Upper Captiva Planning Community Regulations in Section 33-1701 – 33-1741.

Other factors consisted in the review of this request required in LDC Section 34-145 d(1) through 34-145 d (4) 2.a - c.

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

The office/temporary housing building is compatible with other residential homes near the site. The essential service use is consistent with the North Captiva Fire Station use directly across the gravel road.

- Will provide access sufficient to support the proposed development intensity.

No gas vehicles are allowed on the island. LCEC has one vehicle (Truck to move equipment and supplies where needed) on the island and removes that vehicle when not working on the island.

- The roadway system around the subject parcel will be able to support the development of this site with the proposed use.

The island does have shell roads for alternative means of transportation other than gas vehicles.

- The expected impacts on transportation facilities will be addressed by existing County regulations and conditions of approval.

This project will not create impacts to the transportation facilities since the island has limited transportation facilities.

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

The site does not have any environmentally critical or sensitive areas or natural resources.

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

The site is not within a Future Urban area category and doesn't have access to urban services. LCEC is working with the HOA of Safety Harbor to connect to their wastewater facility for this development's sewer needs.

SKETCH & DESCRIPTION

OF A PARCEL LYING IN SECTION 5, TOWNSHIP 45 SOUTH, RANGE 21 EAST LEE COUNTY, FLORIDA

LEGAL DESCRIPTION

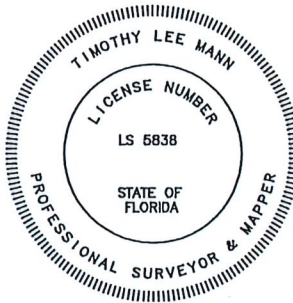
A PARCEL OF LAND LYING IN THE STATE OF FLORIDA, COUNTY OF LEE, BEING A PORTION OF SECTION 5, TOWNSHIP 45 SOUTH, RANGE 21 EAST AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

AS DESCRIBED IN OFFICIAL INSTRUMENT #2023000379873, PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

BEGIN AT A CONCRETE POST ON THE SOUTH LINE OF GOVERNMENT LOT 1, SECTION 5, TOWNSHIP 45 SOUTH, RANGE 21 EAST, BEING 226 FEET MORE OR LESS EAST OF THE HIGH TIDE LINE OF THE GULF OF MEXICO; THENCE RUN S.81°20'E., 835.0 FEET ALONG THE SOUTH LINE OF SAID GOVERNMENT LOT 1 TO A CONCRETE POST; THENCE N.08°40'E., 205 FEET TO A CONCRETE POST; THENCE N.08°40'E., 420 FEET; THENCE S.81°20'E., 460 FEET TO THE POINT OF BEGINNING; THENCE S.08°40'W., 105 FEET; N.81°20'W., 100 FEET; THENCE N.08°40'E., 105 FEET; THENCE S.81°20'E., 100 FEET TO THE POINT OF BEGINNING. BEING LOT 28, UNIT 2, OF AN UNRECORDED SUBDIVISION KNOWN AS JOSE'S HIDEAWAY, LOCATED IN GOVERNMENT LOT 1, SECTION 5, TOWNSHIP 45 SOUTH, RANGE 21 EAST, UPPER CAPTIVA ISLAND, LEE COUNTY, FLORIDA.

REVIEWED
DCI2024-00040
Rick Burris, Principal
Planner
Lee County DCD/Planning
11/12/2024

THIS SKETCH & DESCRIPTION HAS BEEN ELECTRONICALLY SIGNED AND SEALED BY TIMOTHY LEE MANN USING A DIGITAL SIGNATURE AND DATE. PRINT COPIES OF THIS DOCUMENT ARE NOT CONSIDERED SIGNED AND SEALED AND THE SIGNATURE MUST BE VERIFIED ON ANY ELECTRONIC COPIES.



Timothy L Mann
Digitally signed by Timothy L Mann
Date: 2024.07.24 11:25:44 -04'00'

BY: TIMOTHY LEE MANN
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERTIFICATE NO. LS# 5838

NOTES:

1. BEARINGS BASED ON THE RIGHT OF WAY OF HODGEPODGE LANE AS BEING N 81°20'00" W
2. DISTANCES ARE IN FEET AND DECIMALS THEREOF.
3. PARCEL IS SUBJECT TO EASEMENTS, RESERVATIONS OR RESTRICTIONS AND RIGHT-OF-WAYS (RECORDED AND UNRECORDED, WRITTEN AND UNWRITTEN).
4. RECORDING INFORMATION SHOWN HEREON RELATES TO THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA.
5. THE STATE PLANE COORDINATES SHOWN HEREON ARE IN FEET, FLORIDA WEST ZONE, NORTH AMERICAN DATUM OF 1983 (2011 ADJUSTMENT) BASED UPON CONTINUOUSLY OPERATING FLORIDA PERMANENT REFERENCE NETWORK (FPRN) STATIONS MAINTAINED BY THE FLORIDA DEPARTMENT OF TRANSPORTATION.

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

LOT 28, UNIT 2, JOSE'S HIDEAWAY UPPER CAPTIVA

TITLE: LEGAL DESCRIPTION			
METRON SURVEYING & MAPPING, LLC LAND SURVEYORS PLANNERS LB# 7071		10970 S. CLEVELAND AVE. SUITE #605 FORT MYERS, FLORIDA 33907 PHONE: (239) 275-8575 FAX: (239) 275-8457 www.metronfl.com	
FILE NAME: 15473SK.DWG	FIELD BOOK/PAGE: 754/3	PROJECT NO.: 15473	SHEET: 1 OF 2
SURVEY DATE: 7/22/24	DRAWN BY: BUD	SCALE: 1" = 40'	CHECKED BY: TLM
		FILE NO. (S-T-R)	5-45-21

SKETCH OF DESCRIPTION

www.melroff.com

D&U = DRAINAGE & UTILITY EASEMENT
GOVT = GOVERNMENT
CONC = CONCRETE

SKETCH & DESCRIPTION
OF A PARCEL LYING IN SECTION 5,
TOWNSHIP 45 SOUTH, RANGE 21 EAST
LEE COUNTY, FLORIDA

P.O.B.
N: 824448.04
E: 584227.16

LOT 1, UNIT 3
JOSE'S HIDEAWAY
460.00'
S 81°20'00" E
15' ROAD R/W. O.R. 3384, PG 2085
6' D&UE

LOT 27, UNIT 2
JOSE'S HIDEAWAY
105.00'
N 08°40'00" E
6' D&UE

LOT 28, UNIT 2
JOSE'S HIDEAWAY
15' ROAD R/W
N 81°20'00" W
100.00'
6' D&UE
HODGEPODGE LANE
15' ROAD R/W
N 81°20'00" W
100.00'
15' ROAD R/W
E: 584211.33
N: 824344.24

SPANISH GOLD LANE
30' ROAD R/W (P.B 36, PG 44)
105.00'
S 08°40'00" W
6' D&UE
15' R/W O.R. 3281, PG 1578
15.00' 15.00'

CONC POST
N 08°40'00" E
205.00'
420.00'
N: 824463.11
E: 584128.30

LEGEND:
P.O.C. = POINT OF COMMENCEMENT

GULF OF
MEXICO

GRAPHIC SCALE
(1" = 40')



NOTICE OF CODE VIOLATION

Permitted Uses

Case # VIO2024-06999 Date 09/25/2024

LEE COUNTY ELECTRIC COOPERATIVE
PO BOX 3455
NORTH FORT MYERS, FL 33918



DEPT. OF COMMUNITY DEVELOPMENT
CODE ENFORCEMENT OFFICE
PO BOX 398
FORT MYERS, FL 33902-0398
239-533-8895

Re: Code Violation: Permitted Uses - This is a RS-1 Zoned property and It is prohibited to store/keep/park anything on the property. Must remove everything from the property or have the property re-zoned.

at 0 ACCESS UNDETERMINED, CAPTIVA, FL 33924
Parcel Number: 05-45-21-10-00000.028A
(Located in Lee County, Florida)

Dear Property Owner/Tenant:

An inspection of the above referenced property on 9/19/2024 revealed a violation of:

Lee County Land Development Code Chapter 34-692/694/695

As the property owner(s) you must correct this violation within 15 days of the receipt of this notice by

Remove all items from the property or have the property re-Zoned

If the violation is not corrected within the time frame specified above -

- You may be issued a citation to appear in County Court, OR
- You may be scheduled to appear at a hearing before a Hearing Examiner and subject to a fine of up to \$250.00 for each day the violation continues, plus prosecution costs.

When you have corrected the violation, arrange for an inspection by calling the Code Enforcement Officer at the number indicated below. To avoid the hearing, fines, and costs, Lee County Code Enforcement must verify the violation is corrected through an on-site inspection.

NOTE: If the violation is corrected after the deadline, but before the scheduled hearing, the case may still be presented to the Hearing Examiner for a finding that a violation did exist. Once there has been a Finding of Violation, the next time is cited for violating the same Lee County regulation it may be treated as a Repeat Violation. Repeat Violations may result in fines up to \$500.00 per day from the date the repeat violation is discovered by a code officer.

Please contact Lee County Code Enforcement at 239-357-7436 or email HDriemeier@leegov.com with respect to any question you may have regarding this notice.

Harold Driemeier

PRINTED NAME of Accepting Party

Code Enforcement Officer

SIGNATURE of Accepting Party

DATE

Acceptance of this document does not constitute an admission of responsibility, but does fulfill the statutory notice requirement of Florida Statute 162.12.

I swear or affirm the above statements are true and correct to the best of my knowledge and belief and, if accepted, the person accepting the document was informed of the contents at the time of delivery.

92148901012582000540911578

Certified Mail

INSPECTOR/AFFIANT

DATE

Attachment J

NOTICE OF CODE VIOLATION

DO (work without)



Case # VIO2024-07000 Date 10/24/2024

LEE COUNTY ELECTRIC COOPERATIVE
PO BOX 3455
NORTH FORT MYERS, FL 33918

DEPT. OF COMMUNITY DEVELOPMENT
CODE ENFORCEMENT OFFICE
PO BOX 398
FORT MYERS, FL 33902-0398
239-533-8895

Re: Code Violation: Development Order (work without) - Must obtain a Development Order to store/keep/park and have open storage on the property.

at 0 ACCESS UNDETERMINED, CAPTIVA, FL 33924
Parcel Number: 05-45-21-10-00000.028A
(Located in Lee County, Florida)

Dear Property Owner/Tenant:

An inspection of the above referenced property on 9/19/2024 revealed a violation of:

Lee County Land Development Code Sections 10-7 & 10-101(a) for failing to obtain a development order for work completed.

As the property owner(s), you must correct this violation within 30 day(s) of receipt of this notice by:

obtaining a Development Order for work completed OR removing the work completed.

For information on acquiring the necessary development order, please contact Lee County Zoning Information Line at 239-533-8329 M-F 9:00am-4:00pm.

If the violation is not corrected within the time frame specified above -

- You may be issued a citation to appear in County Court, OR
- You may be scheduled to appear at a hearing before a Hearing Examiner and subject to a fine of up to \$250.00 for each day the violation continues, plus prosecution costs.

When you have corrected the violation, arrange for an inspection by calling the Code Enforcement Officer at the number indicated below. To avoid the hearing, fines, and costs, Lee County Code Enforcement must verify the violation is corrected through an on-site inspection.

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Harold Driemeier

PRINTED NAME of Accepting Party

Code Enforcement Officer

SIGNATURE of Accepting Party

DATE

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.....
I swear or affirm the above statements are true and correct to the best of my knowledge and belief and, if accepted, the person accepting the document was informed of the contents at the time of delivery.

92148901012582000540911585

Certified Mail

INSPECTOR/AFFIANT

DATE



REQUEST FOR SUBMITTAL REQUIREMENT WAIVER FOR UNINCORPORATED AREAS ONLY

Upon written request, the Director may modify the submittal requirements for Public Hearings, Development Orders, Limited Review Development Orders and other Administrative Action Applications where it can be clearly demonstrated that the submission will have no bearing on the review and processing of the application. The request and the Director's written response must accompany the application submitted and will become a part of the permanent file.

APPLICATION FOR WAIVER OF REQUIRED SUBMITTAL ITEMS (indicate the appropriate application type)

Zoning Waiver Requests:

- ☐ Public Hearing - General Requirements (34-202)
☐ Public Hearing - Mining Excavation Planned Development (12-110)
☒ Public Hearing - Additional Requirements for:
☐ Development of Regional Impact (34-202(b)(1))
☒ Planned Developments (34-202(b)(2))
☐ Planned Development Amendment (34-202(b)(2))
☐ Rezoning other than Planned Developments (34-202(b)(3))
☐ Special Exceptions (34-202(b)(5))
☐ Variances (34-202(b)(6))
☐ Limited Amendment to Existing Mine Zoning Approval [12-121(j)]
☐ Private Recreational Facilities Planned Development (34-941(g))
☐ Administrative Action Application Requirements [34-203]
State the Type of Administrative Application: _____

Development Services Waiver Requests:

- ☒ Development Order - Submittal Requirements (10-154)
☐ Limited Review Development Order - Submittal Requirements (10-175)

If this request is related to another record, please provide the Related Record Number:

A Lee County Development Order application will be submitted in a separate submittal.

PLEASE PRINT OR TYPE:

STRAP Number: 05-45-21-10-00000.028A
Name of Project: North Captiva LCEC Electric Service Facility
Name of Agent: Avalon Engineering, Inc. - Mark Aral, P.E.
Street Address: 2503 Del Prado Boulevard South, Suite 200
City, State, Zip: Cape Coral, Florida 33904
Phone Number: 239-573-2077 Email Address: mark@avaloneng.com
Name of Applicant*: Lee County Electric Cooperative, Inc./ Sarah Bullock
Street Address: PO Box 3455
City, State, Zip: North Fort Myers, Florida 33918
Phone Number: 239-656-2109 Email Address: raymond.boss@lcec.net

*If applicant is not the owner, a letter of authorization from the owner must be submitted.

LEE COUNTY COMMUNITY DEVELOPMENT
P.O. BOX 398 (1500 MONROE STREET), FORT MYERS, FLORIDA 33902
PHONE (239) 533-8585

A. SPECIFIC SECTION(S) AND REQUIREMENT(S) FOR WHICH A WAIVER IS SOUGHT:

Section Number	Requirement
#1 10-154(10)	Traffic Impact Statement
#2	
#3	
#4	
#5	
#6	
#7	
#8	
#9	

B. SCOPE OF PROJECT AND REASON(S) FOR REQUEST:

Please provide an explanation of the scope of the project and the reason(s) why you think the request for submittal waiver(s) should be approved. Use additional sheets if necessary and attach to this application form. (Please print or type.)

LCEC is constructing an essential service facility to provide office, temporary housing, and equipment and material storage to better serve the residents of North Captiva. The facility will consist of a 2-story building with garage storage on the bottom level and office and housing areas on the second floor. North Captiva is an area that has limited automotive traffic. A traffic impact statement is not necessary.

Under penalties of perjury, I declare that I have read the foregoing application and that the facts stated in it are true. I have full authority to secure the approval(s) requested as a result of any action approved by the County in accordance with this application and the Land Development Code.

Sarah Bull
Signature of Applicant

9/6/2024
Date

.....
FOR STAFF USE ONLY
.....

DIRECTOR'S DECISION:

- ☐ Request Denied
☒ Request Approved
☐ Request Approved Per Attached Comments

Electronically signed on 4/17/2025
 Anthony R. Rodriguez, AICP, CPM, Zoning Manager
 Lee County Department of Community Development

Director Signature

Date

AFFIDAVIT OF PUBLICATION

Colleen Bennett
Lcbs-Dept Of Comm Development-D
1500 MONROE ST
Fort Myers FL 33901

STATE OF WISCONSIN, COUNTY OF BROWN

Before the undersigned authority personally appeared, who on oath says that he or she is the Legal Advertising Representative of the News-Press, a daily newspaper published at Fort Myers in Lee County, Florida; that the attached copy of advertisement, being a Legal Ad in the matter of Public Notices, was published on the publicly accessible website of Lee County, Florida, or in a newspaper by print in the issues of, on:

06/12/2025

Affiant further says that the website or newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.

Subscribed and sworn to before me, by the legal clerk, who is personally known to me, on 06/12/2025

Legal Clerk

Notary, State of WI, County of Brown

My commission expires

Publication Cost:	\$265.64	
Tax Amount:	\$0.00	
Payment Cost:	\$265.64	
Order No:	11363601	# of Copies:
Customer No:	1124450	1
PO #:	900697	

THIS IS NOT AN INVOICE!

Please do not use this form for payment remittance.

NICOLE JACOBS
Notary Public
State of Wisconsin

NOTICE OF PUBLIC HEARING
The Hearing Examiner of Lee County will hold public hearings on Thursday, June 26, 2025, in the Hearing Examiner Meeting Room, 1500 Monroe St., Ft. Myers, FL. An interested individual may appear in person, through counsel, or an authorized agent and provide testimony, legal argument or other evidence at the hearing.

If you do not appear before the Hearing Examiner or otherwise become a participant for that case in which you wish to testify, the law does not permit you to address the Board of County Commissioners. Any document that a participant of record intends to submit to the BoCC during the Board Zoning Hearing must be submitted as an exhibit as part of the record in the hearing before the Hearing Examiner. If the document is not submitted and is not relevant new evidence that was not known or could not have been reasonably discovered by the participant at the time of the hearing before the Hearing Examiner, then the document may not be submitted to the Board.

After the Hearing Examiner has made a written recommendation, the case will be scheduled for a public hearing before the Board of County Commissioners who will review the recommendation and make a final decision.

Copies of staff report(s) are available two weeks prior to the hearing. The file can be reviewed at the Zoning Section, 1500 Monroe St., Fort Myers, FL. Call 239-533-8585 for additional information.

Lee County will not discriminate against individuals with disabilities. To request an accommodation, contact the ADA Coordinator, 239-533-8782, Florida Relay Service 711, or ADARequests@leegov.com, at least 5 business days in advance.

The following case(s) will be heard:
DC12024-00040. North Captiva LCEC Essential Service Facility. 9:00 am. Request to rezone 0.24± acres from Residential Single family (RS-1) to Community Facilities Planned Development (CFPD), to allow for Administrative Office, Essential Service Facilities, Group I, and Temporary Employee Housing. Located at Located at the Intersection of Spanish Gold Lane and Hodgepodge Lane, across the street from the North Captiva Fire Station, Captiva Planning Community, Lee County FL.

DC12023-00013. New Post Rd Self Storage Facility. 1:00 pm. Request to rezone 2.93± acres from Commercial (C-1A) to Commercial Planned Development (CPD) to allow a maximum of 102,222 square feet of commercial floor area dedicated to self storage uses. Located at 2833 New Post Rd, North Fort Myers, FL 33917
6/12/25 #11363601

STAFF'S EXHIBIT # 2

Perez, Maria

From: Richard Akin <Richard.Akin@henlaw.com>
Sent: Monday, June 23, 2025 5:18 PM
To: Hearing Examiner
Cc: Linda Miller; Badamtchian, Chahram; Rodriguez, Anthony; Adams, Joseph
Subject: LCEC CFPD DCI 2024-00040
Attachments: 48-Hour Letter LCEC North Captiva.Final.pdf; Master Concept Plan - HE.pdf; Landscape Master Plan - HR.pdf

Categories: Maria Handled This

Caution: This email originated from an external source. Be cautious of attachments and links, and do not provide login information. Report suspicious activity to the Service Desk: servicedesk@leegov.com or 533-HELP.

Good Afternoon,

Attached please find the Applicant's 48 hour letter and attachments for the referenced matter.

Richard

Richard Akin
Attorney
Henderson, Franklin, Starnes & Holt, P.A.
1715 Monroe Street
Fort Myers, FL 33901
Direct Dial: 239.344.1182
Direct Fax: 239.344.1182
Richard.Akin@henlaw.com
www.henlaw.com
Blogs: www.swflbusinessandipblog.com • www.legalscoopswflre.com



CONFIDENTIALITY STATEMENT

Henderson, Franklin, Starnes & Holt, P.A.

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APPLICANT'S EXHIBIT

1



Reply to
Richard Akin
Direct Fax Number 239.344.1554
Direct Dial Number 239.344.1182

1715 Monroe Street
Post Office Box 280 • Fort Myers, FL 33902-0280
Tel: 239.344.1100 • Fax: 239.344.1200 • www.henlaw.com
Bonita Springs • Naples
E-Mail: Richard.akin@henlaw.com

Lee County Hearing Examiner
1500 Monroe Street
Fort Myers, FL 33905
Sent via e-mail

June 23, 2025

**RE: LCEC CFPD
DCI2024-00040**

Dear Madam Hearing Examiner,

On behalf of Lee County Electric Cooperative, Inc. ("LCEC"), the applicant for DCI2024-00040, I am pleased to submit the information required in the 48-Hour Notice and Exhibit List. The following is a list of applicant witnesses who we expect to be present and/or testify as well as the list of Exhibits that we intend to bring. The Applicant has the following proposed change to the staff report and proposed Conditions.

Attachment C, Section B Deviations. The first paragraph should read as follows (change in strike through/underline):

Deviation #1 seeks relief from LDC Sec. 34-2192(a), which requires a 25-foot street setback, to allow a 5-foot setback for the mechanical ~~pan~~ pad and an 18.38-foot setback along Spanish Gold Lane, a 5-foot setback along Hodgepodge Lane, and a 5-foot setback along the northern property line, where there is a 15-foot-wide road right-of-way.

Otherwise, the Applicant is in agreement with the staff report and conditions. As discussed with staff, the Applicant will also provide an updated Master Concept Plan and updated Landscaping Master Plan at the hearing.

A. APPLICANT WITNESSES:

- Linda Miller, AICP, Land Use Planner, Avalon Engineering
- Paul Owen, Ecologist, Owen Environmental
- Brendan Sloan, Civil Engineer, Avalon Engineering
- Thomas A. Mayo, Harvard Jolly Architects
- David Kulsveen, Landesco
- Tricia Dorn, Key Account Representative, Lee County Electric Cooperative, Inc.
- Ray Boss, Manager, Facilities and Security, Lee County Electric Cooperative, Inc.

Henderson, Franklin, Starnes & Holt, P.A.

In addition to the above witnesses, I will also be present.

B. APPLICANT EXHIBITS:

- Applicant's PowerPoint Presentation
- Full size MCP
- 11x17 MCP
- Full size Landscaping Master Plan
- 11 x 17 Landscaping Master Plan

Sincerely,

Richard Akin

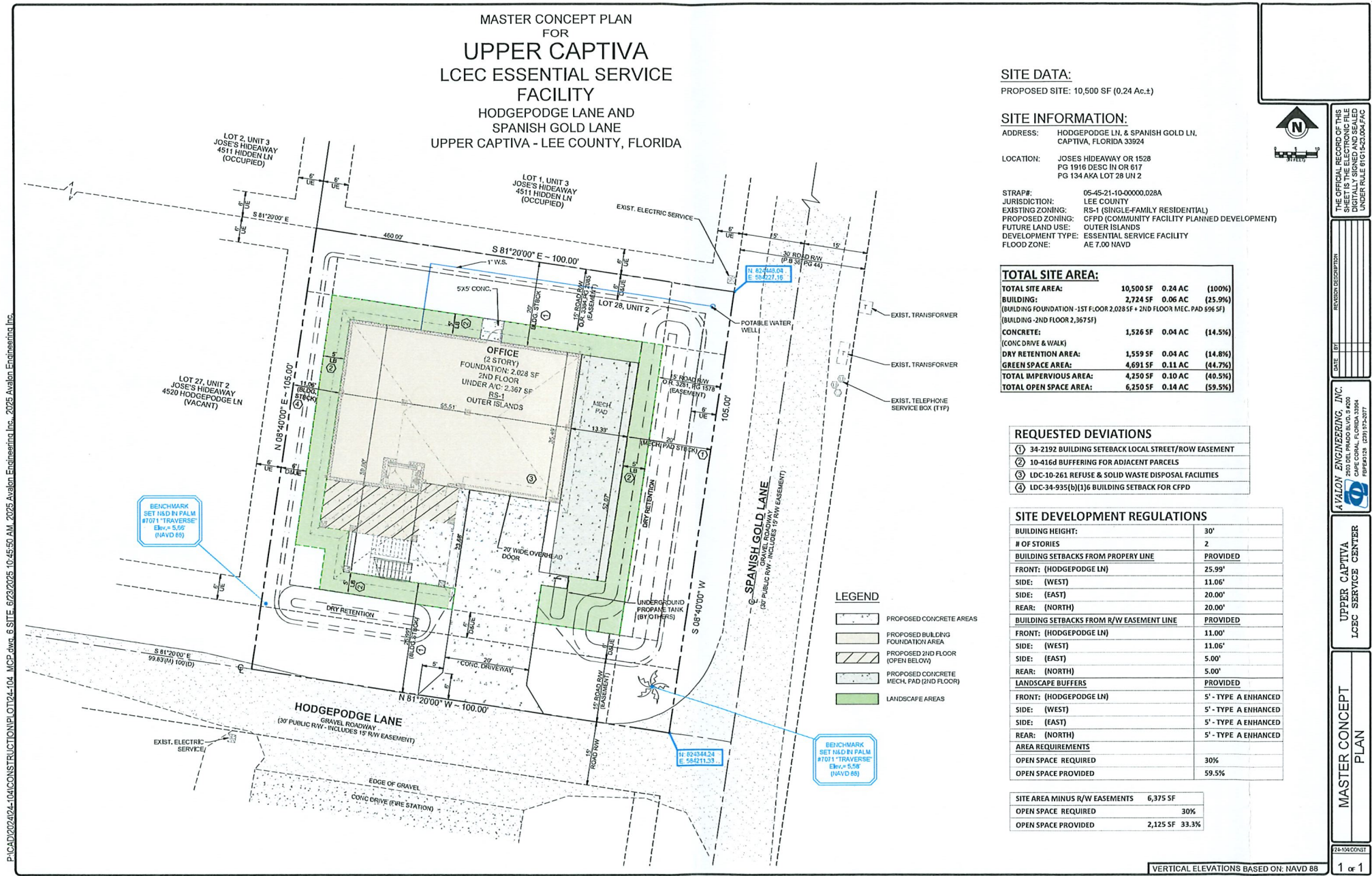
Richard Akin

Cc: Linda Miller, AICP, Avalon Engineering
Chahram Badamtchian, Lee County Community Development
Anthony Rodriguez, Lee County Community Development
Joe Adams, Esq., Lee County Attorney's Office

RECEIVED

JUN 23 2025

BY: HEARING EXAMINER'S OFFICE



BY: HEARING EXAMINER'S OFFICE

[illegible]

^ The following canopy trees will be proposed for the buffer areas and general trees. The spread on these trees range from 10 to 20 feet which will avoid overcrowding between trees and the root system shouldn't create a problem with the building foundation.

GRAPE MYRTLE
 DAHOON HOLLY
 JATROPHA
 EAST PALATKA HOLLY



Perez, Maria

From: Richard Akin <Richard.Akin@henlaw.com>
Sent: Tuesday, June 24, 2025 8:13 AM
To: Perez, Maria
Cc: Linda Miller; Badamtchian, Chahram; Rodriguez, Anthony; Adams, Joseph
Subject: RE: LCEC CFPD DCI 2024-00040
Attachments: 48-Hour Letter LCEC North Captiva.Final.2.pdf; Master Concept Plan - HE.pdf; Landscape Master Plan - HR.pdf

Caution: This email originated from an external source. Be cautious of attachments and links, and do not provide login information. Report suspicious activity to the Service Desk: servicedesk@leegov.com or 533-HELP.

Good Morning,

Attached is an updated 48 Hour Letter with one change to add Cesarina Candelier to the witness list. Everything else remains the same.

Richard

Richard Akin
Attorney
Henderson, Franklin, Starnes & Holt, P.A.
1715 Monroe Street
Fort Myers, FL 33901
Direct Dial: 239.344.1182
Direct Fax: 239.344.1182
Richard.Akin@henlaw.com
www.henlaw.com
Blogs: www.swflbusinessandipblog.com • www.legalscoopswflre.com



CONFIDENTIALITY STATEMENT

Henderson, Franklin, Starnes & Holt, P.A.

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From: Perez, Maria <MPerez@leegov.com>
Sent: Tuesday, June 24, 2025 7:46 AM

APPLICANT'S EXHIBIT
2

To: Richard Akin <Richard.Akin@henlaw.com>
Cc: Linda Miller <linda@avaloneng.com>; Badamtchian, Chahram <CBADAMTCHIAN@leegov.com>; Rodriguez, Anthony <ARodriguez4@leegov.com>; Adams, Joseph <JADAMS@leegov.com>
Subject: RE: LCEC CFPD DCI 2024-00040

Received and thank you.

MARIA D. PEREZ
EXECUTIVE ASSISTANT
LEE COUNTY HEARING EXAMINER'S OFFICE
BOARD OF COUNTY COMMISSIONERS
P.O. Box 398
(1500 Monroe Street)
Fort Myers, Florida 33902
Tel: (239) 533-8100

E-mail: perezmd@leegov.com

PLEASE NOTE: Florida has a very broad public records law. Most written communications to or from County Employees and officials regarding County business are public records available to the public and media upon request. Your email communication may be subject to public disclosure. Under Florida law, e-mail addresses are public records. If you do not want your email address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

Please note our general office email address: hex@leegov.com

From: Richard Akin <Richard.Akin@henlaw.com>
Sent: Monday, June 23, 2025 5:18 PM
To: Hearing Examiner <hex@leegov.com>
Cc: Linda Miller <linda@avaloneng.com>; Badamtchian, Chahram <CBADAMTCHIAN@leegov.com>; Rodriguez, Anthony <ARodriguez4@leegov.com>; Adams, Joseph <JADAMS@leegov.com>
Subject: LCEC CFPD DCI 2024-00040

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Good Afternoon,

Attached please find the Applicant's 48 hour letter and attachments for the referenced matter.

Richard

Richard Akin

Attorney

Henderson, Franklin, Starnes & Holt, P.A.

1715 Monroe Street

Fort Myers, FL 33901

Direct Dial: 239.344.1182

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Richard.Akin@henlaw.com

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Blogs: www.swflbusinessandipblog.com • www.legalscoopswflre.com



Henderson | Franklin
ATTORNEYS AT LAW

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Bonita Springs • Naples
E-Mail: Richard.akin@henlaw.com

Lee County Hearing Examiner
1500 Monroe Street
Fort Myers, FL 33905
Sent via e-mail

June 23, 2025

**RE: LCEC CFPD
DCI2024-00040**

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Otherwise, the Applicant is in agreement with the staff report and conditions. As discussed with staff, the Applicant will also provide an updated Master Concept Plan and updated Landscaping Master Plan at the hearing.

A. APPLICANT WITNESSES:

- Linda Miller, AICP, Land Use Planner, Avalon Engineering
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- Brendan Sloan, Civil Engineer, Avalon Engineering
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- Cesarina Candelier, Harvard Jolly Architects
- David Kulsveen, Landesco
- Tricia Dorn, Key Account Representative, Lee County Electric Cooperative, Inc.
- Ray Boss, Manager, Facilities and Security, Lee County Electric Cooperative, Inc.

In addition to the above witnesses, I will also be present.

B. APPLICANT EXHIBITS:

- Applicant's PowerPoint Presentation
- Full size MCP
- 11x17 MCP
- Full size Landscaping Master Plan
- 11 x 17 Landscaping Master Plan

Sincerely,

Richard Akin

Richard Akin

Cc: Linda Miller, AICP, Avalon Engineering
Chahram Badamtchian, Lee County Community Development
Anthony Rodriguez, Lee County Community Development
Joe Adams, Esq., Lee County Attorney's Office



Reply to
Richard Akin
Direct Fax Number 239.344.1554
Direct Dial Number 239.344.1182

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Lee County Hearing Examiner
1500 Monroe Street
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Sent via e-mail

June 23, 2025

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On behalf of Lee County Electric Cooperative, Inc. ("LCEC"), the applicant for DCI2024-00040, I am pleased to submit the information required in the 48-Hour Notice and Exhibit List. The following is a list of applicant witnesses who we expect to be present and/or testify as well as the list of Exhibits that we intend to bring. The Applicant has the following proposed change to the staff report and proposed Conditions.

Attachment C, Section B Deviations. The first paragraph should read as follows (change in strike through/underline):

Deviation #1 seeks relief from LDC Sec. 34-2192(a), which requires a 25-foot street setback, to allow a 5-foot setback for the mechanical ~~pan~~ pad and an 18.38-foot setback along Spanish Gold Lane, a 5-foot setback along Hodgepodge Lane, and a 5-foot setback along the northern property line, where there is a 15-foot-wide road right-of-way.

Otherwise, the Applicant is in agreement with the staff report and conditions. As discussed with staff, the Applicant will also provide an updated Master Concept Plan and updated Landscaping Master Plan at the hearing.

A. APPLICANT WITNESSES:

- Linda Miller, AICP, Land Use Planner, Avalon Engineering
- Paul Owen, Ecologist, Owen Environmental
- Brendan Sloan, Civil Engineer, Avalon Engineering
- Thomas A. Mayo, Harvard Jolly Architects
- Cesarina Candelier, Harvard Jolly Architects
- David Kulsveen, Landesco
- Tricia Dorn, Key Account Representative, Lee County Electric Cooperative, Inc.
- Ray Boss, Manager, Facilities and Security, Lee County Electric Cooperative, Inc.

Henderson, Franklin, Starnes & Holt, P.A.

In addition to the above witnesses, I will also be present.

B. APPLICANT EXHIBITS:

- Applicant's PowerPoint Presentation
- Full size MCP
- 11x17 MCP
- Full size Landscaping Master Plan
- 11 x 17 Landscaping Master Plan

Sincerely,

Richard Akin

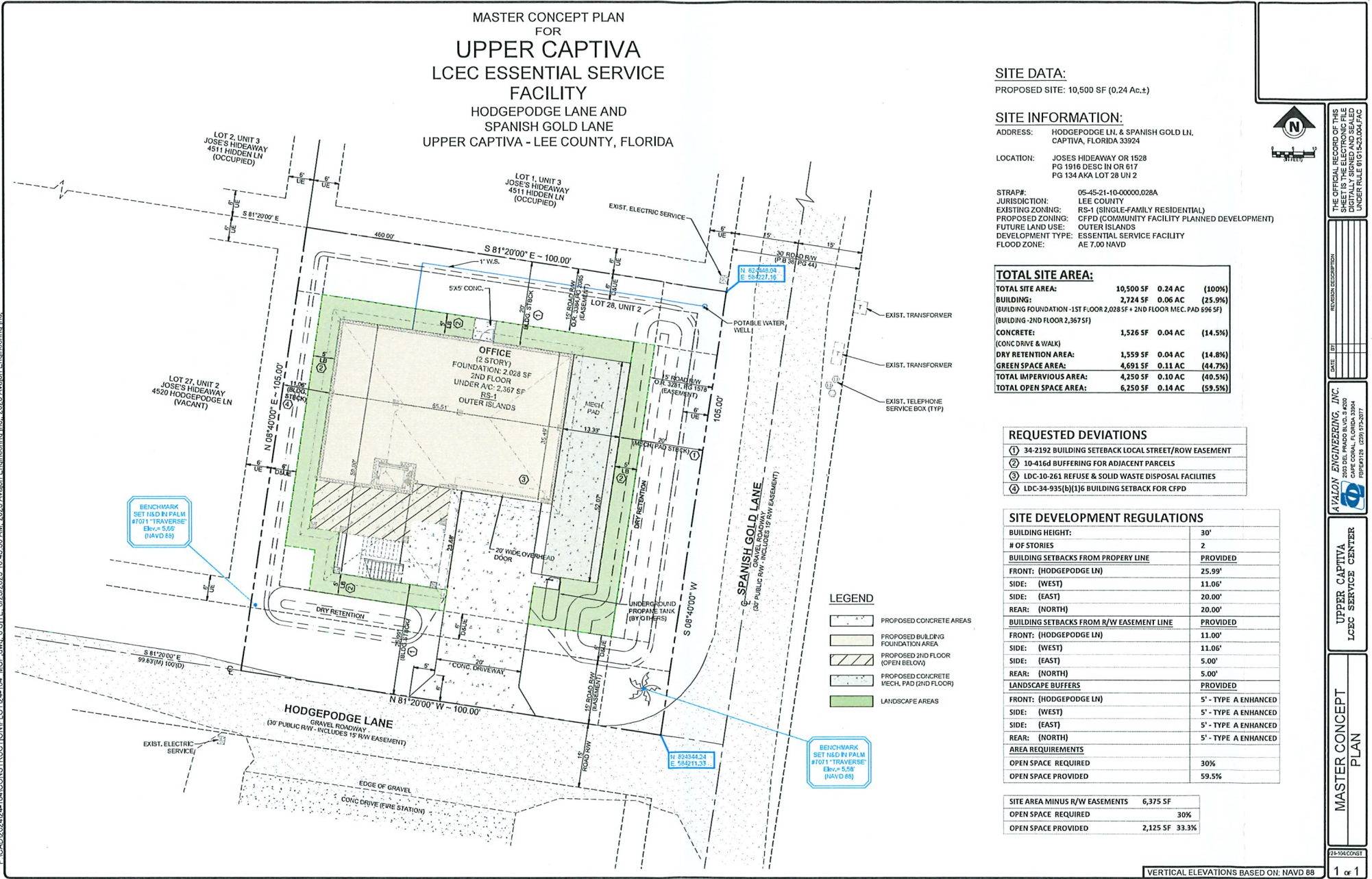
Richard Akin

Cc: Linda Miller, AICP, Avalon Engineering
Chahram Badamchian, Lee County Community Development
Anthony Rodriguez, Lee County Community Development
Joe Adams, Esq., Lee County Attorney's Office

RECEIVED

JUN 24 2025

BY: HEARING EXAMINER'S OFFICE



LCEC Essential Service Facility

North Captiva - Hodgepodge Lane

STRAP: 05-45-21-10-00000.028A

Application for Public Hearing for Zoning Action

DCI2024-00040

Presentation to Hearing Examiner

Date: June 26, 2025

Lee County Electric Cooperative, Inc.
Henderson, Franklin, Starnes & Holt PA
Avalon Engineering, Inc.
Owen Environmental Consulting
TR Transportation Consultants, Inc
Landesco

APPLICANT'S EXHIBIT

3

PROJECT TEAM

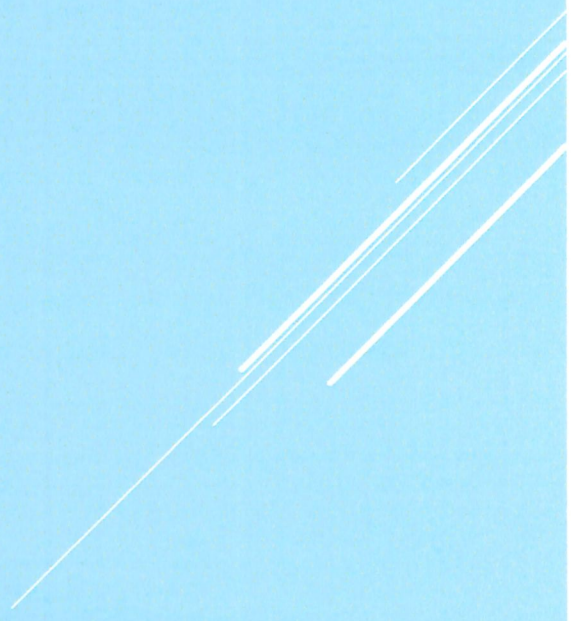
Richard Akin, Henderson, Franklin, Starnes and Holt

Linda Miller, AICP, Avalon Engineering

Paul Owen, Owen Environmental Consulting

Brendan Sloan, P.E., Avalon Engineering

David Kulsveen, Landesco

A series of three parallel white lines of varying lengths, slanted diagonally upwards from the bottom right towards the top right of the slide.

AERIAL



PARCEL INFORMATION

The property is 0.24 acres located at the intersection of Spanish Gold Lane and Hodgepodge Lane, directly across from the North Captiva Fire Station.

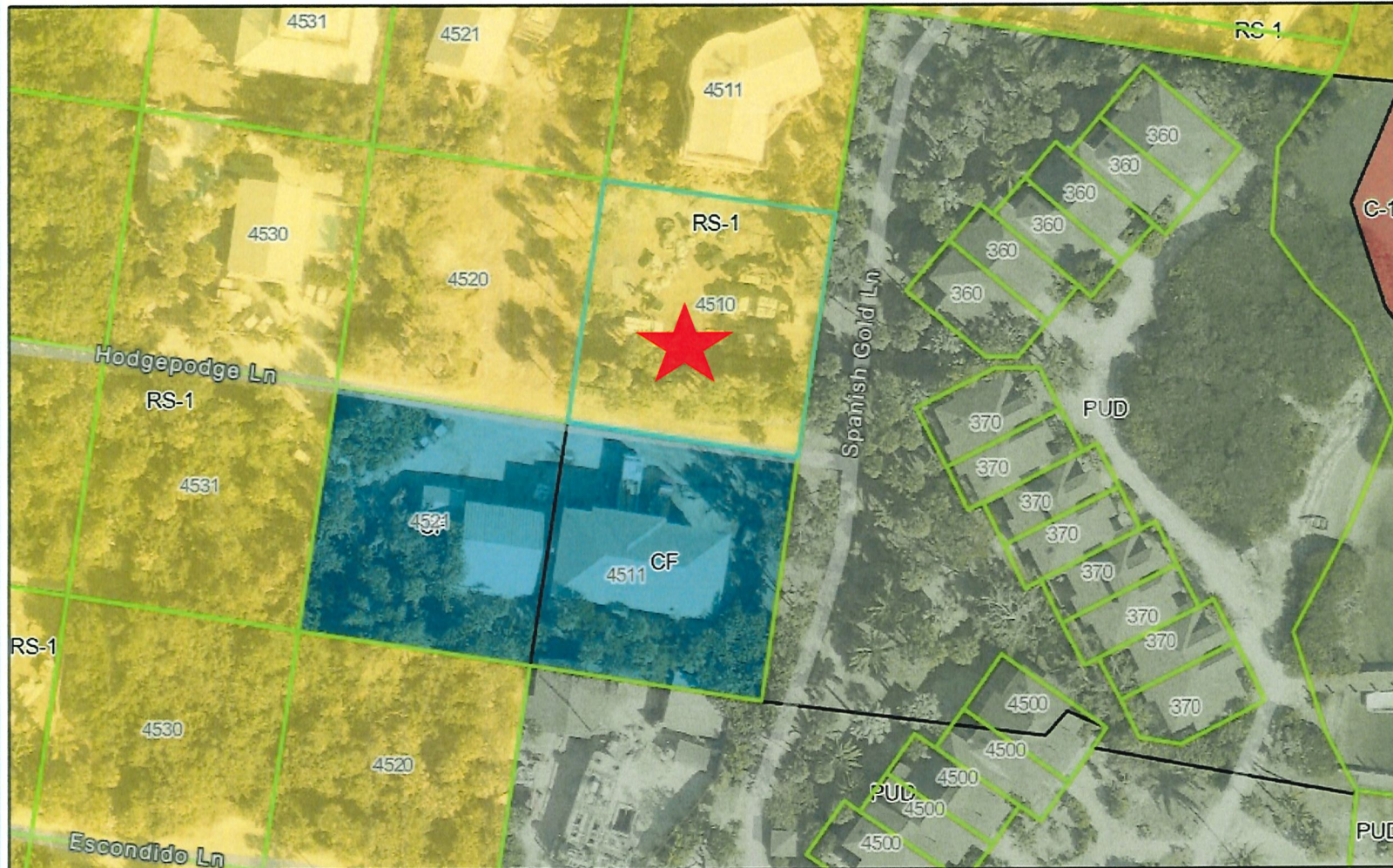
One parcel with strap number: 05-45-21-10-00000.028A.

The property is in the Outer Islands Future Land Use Category and is zoned Residential (RS-1). The property is located within the Upper Captiva Planning Community. The site is within the Coastal High Hazard Area.



[illegible]

ZONING

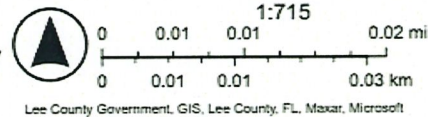


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- Parcels
- Commercial
- Zoning
- Other Planned Development
- Primary Zoning Divisions
- Community Facilities
- Residential

World Imagery
Low Resolution 15m Imagery
High Resolution 60cm Imagery

High Resolution 30cm Imagery
Citations
15cm Resolution Metadata



Lee County GIS

This is not a survey. Lee County GIS Department has prepared this map for informational purposes only. Details shown may be unofficial determinations and may not be accompanied by warranty or guarantee.

REQUEST

Rezone the subject parcel from RS-1 (Residential Single Family) to CFPD (Community Facilities Planned Development)

Permit the development of an electrical substation with a 696 square foot mechanical pad housing the switch equipment and a 4,395 square foot 2-story office/temporary housing building.

This new facility will assist LCEC with maintaining and improving the electricity service provided to the residents and businesses on North Captiva.

LCEC ON NORTH CAPTIVA

- Currently serve around 220 customers on the Island
- Most lines are underground
- Significant damage to electric infrastructure in Hurricanes Ian, Milton and Helene
- Damage and restoration work following Ian caused LCEC to consider a facility on the Island to streamline restoration work
- No vehicular access to Island – all equipment and materials must come by boat/barge

SECTION 163.3208 FLORIDA STAT.

New and existing electric substations shall be a permitted use in all land use categories in the applicable local government comprehensive plan and zoning districts within a utility's service territory except those designated as preservation, conservation, or historic preservation on the future land use map or duly adopted ordinance.

The term “electric substation” means an electric substation, including accessory administration or maintenance buildings and related accessory uses and structures, which takes electricity from the transmission grid and converts it to another voltage or lower voltage so it can be distributed to customers through one or more lines.

PLANNING OVERVIEW

**LINDA MILLER, AICP
AVALON ENGINEERING**

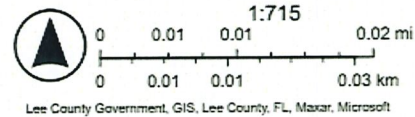
LAND USE



4/23/2025, 2:10:16 PM

Parcels
Future Land Use
Public Facilities
Outer Islands
World Imagery
Low Resolution 15m Imagery

High Resolution 60cm Imagery
High Resolution 30cm Imagery
Citations



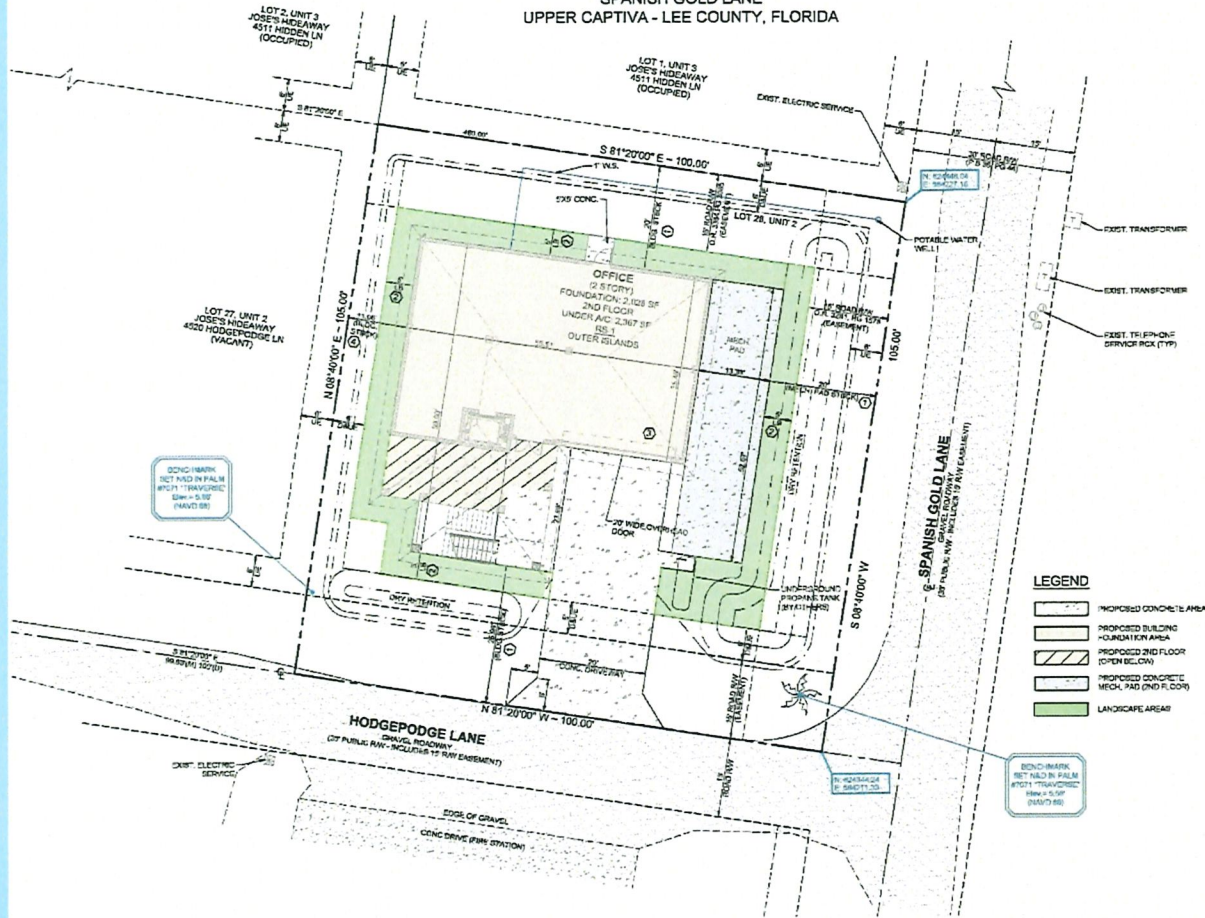
CONSISTENCY WITH COMMUNITY REVIEW

The applicant held a publicly advertised information session with the residents of North Captiva as required by Lee County on February 25, 2025 at the North Captiva Fire Station.

The minutes of the meeting and sign-in sheets were provided and are part of the record.

MASTER CONCEPT PLAN

MASTER CONCEPT PLAN FOR UPPER CAPTIVA LCEC ESSENTIAL SERVICE FACILITY HODGEPODGE LANE AND SPANISH GOLD LANE UPPER CAPTIVA - LEE COUNTY, FLORIDA



SITE DATA:

PROPOSED SITE: 10,500 SF (0.24 Ac±)

SITE INFORMATION:

ADDRESS: HODGEPODGE LN. & SPANISH GOLD LN.
CAPTIVA, FLORIDA 33924

LOCATION: JOES HIDEAWAY OR 1529
PG 1916 DESC IN OR 817
PG 134 AKA LOT 28 UN 2

STRAP: 05-45-21-10-0000.025A
JURISDICTION: LEE COUNTY
EXISTING ZONING: RS-1 (SINGLE-FAMILY RESIDENTIAL)
PROPOSED ZONING: CPFD (COMMUNITY FACILITY PLANNED DEVELOPMENT)
FUTURE LAND USE: OUTER ISLANDS
DEVELOPMENT TYPE: ESSENTIAL SERVICE FACILITY
FLOOD ZONE: AE 7.00 NAVD

TOTAL SITE AREA:

TOTAL SITE AREA:	10,500 SF	0.24 AC	(100%)
BUILDING:	2,724 SF	0.06 AC	(25.9%)
(BUILDING FOUNDATION - 1ST FLOOR 2,008 SF + 2ND FLOOR 716 SF)			
(BUILDING - 2ND FLOOR 2,367 SF)			
CONCRETE:	1,526 SF	0.04 AC	(14.5%)
(CONC DRIVE & WALK-AY)			
DRY RETENTION AREA:	1,559 SF	0.04 AC	(14.8%)
GREEN SPACE AREA:	4,691 SF	0.11 AC	(44.7%)
TOTAL IMPERVIOUS AREA:	4,250 SF	0.10 AC	(40.5%)
TOTAL OPEN SPACE AREA:	6,250 SF	0.14 AC	(59.5%)

REQUESTED DEVIATIONS

- 34-2192 BUILDING SETBACK LOCAL STREET/ROW EASEMENT
- 10-4164 BUFFERING FOR ADJACENT PARCELS
- LDC-10-261 REFUSE & SOLID WASTE DISPOSAL FACILITIES
- LDC-34-935(h)(1) BUILDING SETBACK FOR CPFD

SITE DEVELOPMENT REGULATIONS

BUILDING HEIGHT:	30'
# OF STORIES:	2
BUILDING SETBACKS FROM PROPERTY LINE	PROVIDED
FRONT: (HODGEPODGE LN)	25.99'
SIDE: (WEST)	11.00'
SIDE: (EAST)	20.00'
REAR: (NORTH)	20.00'
BUILDING SETBACKS FROM R/W EASEMENT LINE	PROVIDED
FRONT: (HODGEPODGE LN)	11.00'
SIDE: (WEST)	11.00'
SIDE: (EAST)	5.00'
REAR: (NORTH)	5.00'
LANDSCAPE BUFFERS	PROVIDED
FRONT: (HODGEPODGE LN)	5' - TYPE A ENHANCED
SIDE: (WEST)	5' - TYPE A ENHANCED
SIDE: (EAST)	5' - TYPE A ENHANCED
REAR: (NORTH)	5' - TYPE A ENHANCED
AREA REQUIREMENTS	
OPEN SPACE REQUIRED	30%
OPEN SPACE PROVIDED	59.5%

SITE AREA MINUS R/W EASEMENTS	6,375 SF
OPEN SPACE REQUIRED	30%
OPEN SPACE PROVIDED	2,125 SF 33.3%

VERTICAL ELEVATIONS BASED ON: NAVD 83

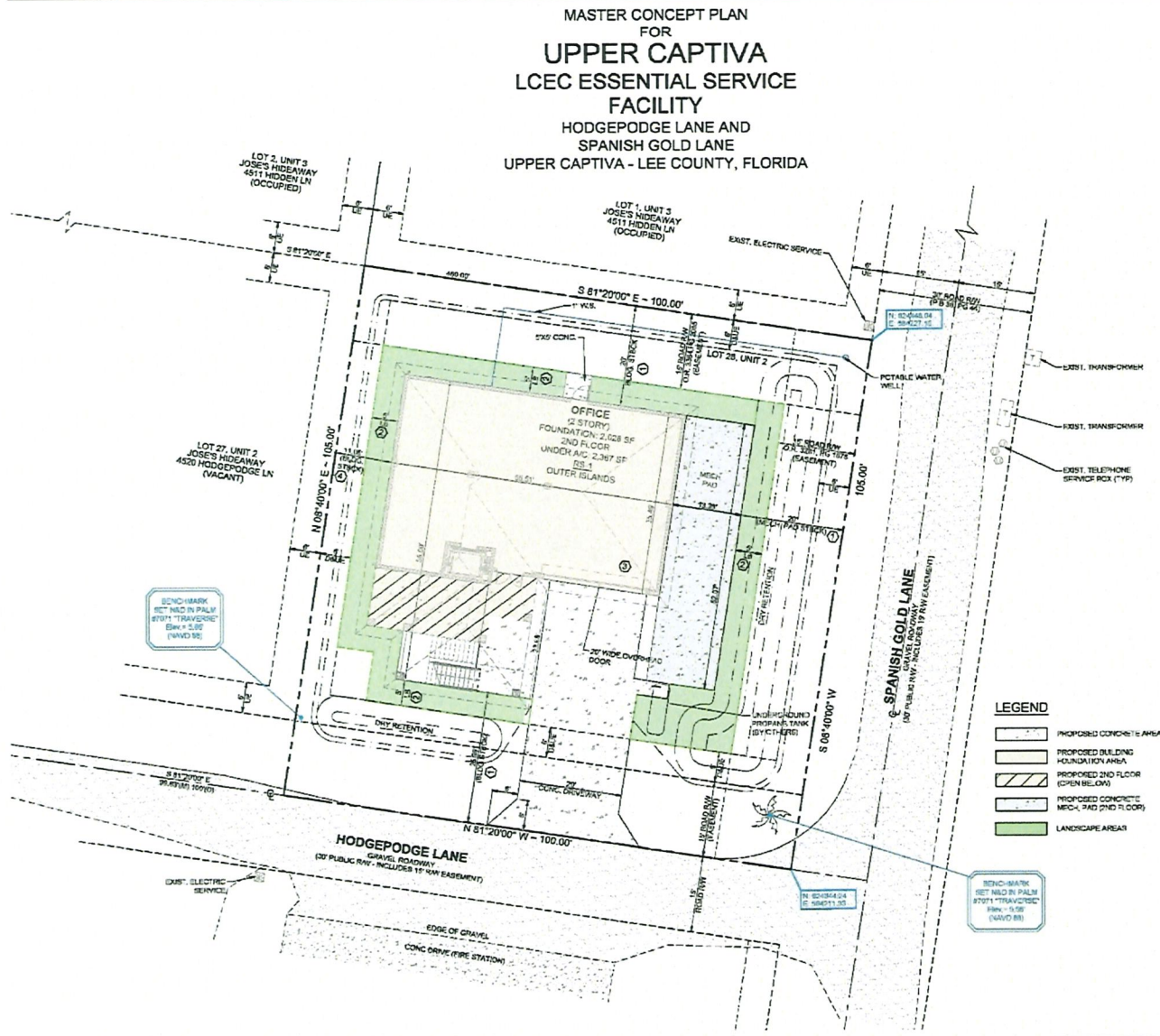
THE OFFICIAL RECORD OF THIS SHEET IS THE ELECTRONIC FILE IN THE LEE COUNTY PLANNING DEPARTMENT. USER PLEASE VERIFY THE FILE NUMBER 0012-23-001-PAC.

AVAILON ENGINEERING, INC.
JACQUES PRADO, P.E. & RACHEL PRADO, P.E.
REGISTERED PROFESSIONAL ENGINEERS - STATE OF FLORIDA
EXPIRATION: 2024-12-31-2027

UPPER CAPTIVA
LCEC SERVICE CENTER

MASTER CONCEPT
PLAN

1 of 1



DEVIATION # 1

LDC Section 34-2192(a) which requires a 25-foot building setback from streets

The site has a ROW easement on the north, east and southern property lines.

Northern property line contains a 15-foot ROW Easement – no road name – Project is providing a 5-foot setback to the building and the mechanical pad

Eastern property line contains a 15-foot ROW Easement adjacent to Spanish Gold Lane, a 30-foot gravel road. The development is providing a 5-foot setback to the mechanical pad and 18.38 feet to the building.

The southern property line contains a 15-foot ROW Easement adjacent to Hodgepodge lane, a 15' gravel road. The development is providing a 10.99 foot setback to the front of the building.

DEVIATION # 2

LDC Section 10-416(d) requires a 15-foot Type D buffer along ROW easement adjacent to Hodgepodge Lane, Spanish Gold Lane and the northern property line.

A 15-foot Type C buffer is required along the western property line.

The development is providing a Type A (Enhanced Planting) 5-foot green strip with canopy trees, palm trees and shrubs. The landscape architect will discuss the landscaping being provided later in the presentation.

DEVIATION # 3

LDC Section 10-261, which requires commercial development to provide a dumpster enclosure on site

The facility is a limited use facility requiring irregular trash collection. The island has trash collection and utilizes trash cans for that service. Lee County Solid Waste Department has reviewed this request and recommended approval for this development to utilize trash cans for their trash service.

DEVIATION # 4

LDC Section 34-939(b)(1), which requires a 25-foot development perimeter setback.

The development provides the required perimeter setback on the southern property line adjacent to Hodgepodge Lane but provides a 20-foot perimeter setback on the east adjacent to Spanish Gold Lane and the northern property line.

The eastern perimeter setback is 11.06 feet.

LANDSCAPE OVERVIEW

**DAVID KULSVEEN
LANDESCO**

SITE INFORMATION

[illegible]

LEE COUNTY

LANDSCAPE REQUIREMENTS		Project	Prepared
1. Site: 1000 sq. ft. or greater. 2. Location: In a development project. 3. Design: 4. Design: 5. Design: 6. Design: 7. Design: 8. Design: 9. Design: 10. Design: 11. Design: 12. Design: 13. Design: 14. Design: 15. Design: 16. Design: 17. Design: 18. Design: 19. Design: 20. Design: 21. Design: 22. Design: 23. Design: 24. Design: 25. Design: 26. Design: 27. Design: 28. Design: 29. Design: 30. Design: 31. Design: 32. Design: 33. Design: 34. Design: 35. Design: 36. Design: 37. Design: 38. Design: 39. Design: 40. Design: 41. Design: 42. Design: 43. Design: 44. Design: 45. Design: 46. Design: 47. Design: 48. Design: 49. Design: 50. Design: 51. Design: 52. Design: 53. Design: 54. Design: 55. Design: 56. Design: 57. Design: 58. Design: 59. Design: 60. Design: 61. Design: 62. Design: 63. Design: 64. Design: 65. Design: 66. Design: 67. Design: 68. Design: 69. Design: 70. Design: 71. Design: 72. Design: 73. Design: 74. Design: 75. Design: 76. Design: 77. Design: 78. Design: 79. Design: 80. Design: 81. Design: 82. Design: 83. Design: 84. Design: 85. Design: 86. Design: 87. Design: 88. Design: 89. Design: 90. Design: 91. Design: 92. Design: 93. Design: 94. Design: 95. Design: 96. Design: 97. Design: 98. Design: 99. Design: 100. Design: 101. Design: 102. Design: 103. Design: 104. Design: 105. Design: 106. Design: 107. Design: 108. Design: 109. Design: 110. Design: 111. Design: 112. Design: 113. Design: 114. Design: 115. Design: 116. Design: 117. Design: 118. Design: 119. Design: 120. Design: 121. Design: 122. Design: 123. Design: 124. Design: 125. Design: 126. Design: 127. Design: 128. Design: 129. Design: 130. Design: 131. Design: 132. Design: 133. Design: 134. Design: 135. Design: 136. Design: 137. Design: 138. Design: 139. Design: 140. Design: 141. Design: 142. Design: 143. Design: 144. Design: 145. Design: 146. Design: 147. Design: 148. Design: 149. Design: 150. Design: 151. Design: 152. Design: 153. Design: 154. Design: 155. Design: 156. Design: 157. Design: 158. Design: 159. Design: 160. Design: 161. Design: 162. Design: 163. Design: 164. Design: 165. Design: 166. Design: 167. Design: 168. Design: 169. Design: 170. Design: 171. Design: 172. Design: 173. Design: 174. Design: 175. Design: 176. Design: 177. Design: 178. Design: 179. Design: 180. Design: 181. Design: 182. Design: 183. Design: 184. Design: 185. Design: 186. Design: 187. Design: 188. Design: 189. Design: 190. Design: 191. Design: 192. Design: 193. Design: 194. Design: 195. Design: 196. Design: 197. Design: 198. Design: 199. Design: 200. Design: 201. Design: 202. Design: 203. Design: 204. Design: 205. Design: 206. Design: 207. Design: 208. Design: 209. Design: 210. Design: 211. Design: 212. Design: 213. Design: 214. Design: 215. Design: 216. Design: 217. Design: 218. Design: 219. Design: 220. Design: 221. Design: 222. Design: 223. Design: 224. Design: 225. Design: 226. Design: 227. Design: 228. Design: 229. Design: 230. Design: 231. Design: 232. Design: 233. Design: 234. Design: 235. Design: 236. Design: 237. Design: 238. Design: 239. Design: 240. Design: 241. Design: 242. Design: 243. Design: 244. Design: 245. Design: 246. Design: 247. Design: 248. Design: 249. Design: 250. Design: 251. Design: 252. Design: 253. Design: 254. Design: 255. Design: 256. Design: 257. Design: 258. Design: 259. Design: 260. Design: 261. Design: 262. Design: 263. Design: 264. Design: 265. Design: 266. Design: 267. Design: 268. Design: 269. Design: 270. Design: 271. Design: 272. Design: 273. Design: 274. Design: 275. Design: 276. Design: 277. Design: 278. Design: 279. Design: 280. Design: 281. Design: 282. Design: 283. Design: 284. Design: 285. Design: 286. Design: 287. Design: 288. Design: 289. Design: 290. Design: 291. Design: 292. Design: 293. Design: 294. Design: 295. Design: 296. Design: 297. Design: 298. Design: 299. Design: 300. Design: 301. Design: 302. Design: 303. Design: 304. Design: 305. Design: 306. Design: 307. Design: 308. Design: 309. Design: 310. Design: 311. Design: 312. Design: 313. Design: 314. Design: 315. Design: 316. Design: 317. Design: 318. Design: 319. Design: 320. Design: 321. Design: 322. Design: 323. Design: 324. Design: 325. Design: 326. Design: 327. Design: 328. Design: 329. Design: 330. Design: 331. Design: 332. Design: 333. Design: 334. Design: 335. Design: 336. Design: 337. Design: 338. Design: 339. Design: 340. Design: 341. Design: 342. Design: 343. Design: 344. Design: 345			

PLANT SCHEDULE					
NO.	SYMBOL	NOTES	PLANT TYPE	SYMBOL	NOTES
1		ALPINE PLANT	ALPINE	—	101
2		SHRUBBING (1/2)	SHRUB	—	102
3		SHRUBBING (1/2)	SHRUB	—	103
4		SHRUBBING (1/2)	SHRUB	—	104
5		SHRUBBING (1/2)	SHRUB	—	105
6		SHRUBBING (1/2)	SHRUB	—	106
7		SHRUBBING (1/2)	SHRUB	—	107
8		SHRUBBING (1/2)	SHRUB	—	108
9		SHRUBBING (1/2)	SHRUB	—	109
10		SHRUBBING (1/2)	SHRUB	—	110
11		SHRUBBING (1/2)	SHRUB	—	111
12		SHRUBBING (1/2)	SHRUB	—	112
13		SHRUBBING (1/2)	SHRUB	—	113
14		SHRUBBING (1/2)	SHRUB	—	114
15		SHRUBBING (1/2)	SHRUB	—	115
16		SHRUBBING (1/2)	SHRUB	—	116
17		SHRUBBING (1/2)	SHRUB	—	117
18		SHRUBBING (1/2)	SHRUB	—	118
19		SHRUBBING (1/2)	SHRUB	—	119
20		SHRUBBING (1/2)	SHRUB	—	120
21		SHRUBBING (1/2)	SHRUB	—	121
22		SHRUBBING (1/2)	SHRUB	—	122
23		SHRUBBING (1/2)	SHRUB	—	123
24		SHRUBBING (1/2)	SHRUB	—	124
25		SHRUBBING (1/2)	SHRUB	—	125
26		SHRUBBING (1/2)	SHRUB	—	126
27		SHRUBBING (1/2)	SHRUB	—	127
28		SHRUBBING (1/2)	SHRUB	—	128
29		SHRUBBING (1/2)	SHRUB	—	129
30		SHRUBBING (1/2)	SHRUB	—	130
31		SHRUBBING (1/2)	SHRUB	—	131
32		SHRUBBING (1/2)	SHRUB	—	132
33		SHRUBBING (1/2)	SHRUB	—	133
34		SHRUBBING (1/2)	SHRUB	—	134
35		SHRUBBING (1/2)	SHRUB	—	135
36		SHRUBBING (1/2)	SHRUB	—	136
37		SHRUBBING (1/2)	SHRUB	—	137
38		SHRUBBING (1/2)	SHRUB	—	138
39		SHRUBBING (1/2)	SHRUB	—	139
40		SHRUBBING (1/2)	SHRUB	—	140
41		SHRUBBING (1/2)	SHRUB	—	141
42		SHRUBBING (1/2)	SHRUB	—	142
43		SHRUBBING (1/2)	SHRUB	—	143
44		SHRUBBING (1/2)	SHRUB	—	144
45		SHRUBBING (1/2)	SHRUB	—	145
46		SHRUBBING (1/2)	SHRUB	—	146
47		SHRUBBING (1/2)	SHRUB	—	147
48		SHRUBBING (1/2)	SHRUB	—	148
49		SHRUBBING (1/2)	SHRUB	—	149
50		SHRUBBING (1/2)	SHRUB	—	150
51		SHRUBBING (1/2)	SHRUB	—	1

^A The following canopy trees will be proposed for the buffer areas and general trees. The spread on these trees range from 10 to 20 feet which will avoid overcrowding between trees and the root system shouldn't create a problem with the building foundation.

GRAPE MYRTLE
DAHOON HOLLY
JATROPHA
EAST PALATKA HOLLY

North - 5' Enhanced Type 'A' Buffer (100 LF)
 4 Canopy Trees (per 100 LF)
 = 4 Canopy Trees (Required)
 = 5 Canopy Trees & 40 Shrubs (Provided)

West - 5' Enhanced Type 'A' Buffer (105 LF)
4 Canopy Trees (per 100 LF)
= 5 Canopy Trees (Required)
= *6 Canopy Trees & 50 Shrubs (Provided)
*(9 Palms @ 3:1 & 3 Canopy Trees @ 1:1)

Canopy Tree Requirement
 $10,500 \text{ SF} / 3,500 = 3.0$
 = 3 Canopy Trees (Required)
 = 3 Canopy Trees (Provided)

East - 5' Enhanced Type 'A' Buffer (105 LF)
4 Canopy Trees (per 100 LF)
= 5 Canopy Trees (Required)
= 6 Canopy Trees & 50 Shrubs (Provided)

South - 5' Enhanced Type 'A' Buffer (100 LF)
4 Canopy Trees (per 100 LF)
= 4 Canopy Trees (Required)
= *6 Canopy Trees & 30 Shrubs (Provided)
*(3 Palms @ 3:1 & 5 Canopy Trees @ 1:1)

Prepared By: _____



6681 Rich Road
North Fort Myers, FL 33917
Tel: 239.691.7790
Email: info@landesco.com



Digitally signed by
David Kulsveen
Date: 2025.06.23
14:59:18 -0400

Hodgepodge Lane & Spanish
Gold Lane
Captiva, FL 33924

In Conjunction With:

Avalon Engineering, Inc.
2515 Del Prado Blvd. #200
Cape Coral, FL 33904
P818/342-1234 FAX 818/342-7777



**MASTER
LANDSCAPE
PLAN**

DATE: _____	BY: _____
-------------	-----------

DATE IN: 05-23-2002

DRAWN BY: PH

CHECKED BY: DIO

3

DATE _____

NO

Visit www.elsevier.com/locate/bsbs

RE

Sheet: 1 of 2

110

L 1.0

ENVIRONMENTAL

PAUL OWEN

OWEN ENVIRONMENTAL CONSULTING

ENVIRONMENTAL- VEGETATION MAP



Notes:

1. Property boundary was obtained from Avalon Engineering, Inc.
2. Mapping is based on photo interpretation of 2024 aerial photography and ground truthing in August 2024.
3. Delineation of jurisdictional wetlands is preliminary and subject to field review/approval by applicable regulatory agencies.

FLUCCS	Description	Acreage
191	Undeveloped Land within Residential Areas	0.21 Ac.±
	Total	0.21 Ac.±

Figure 2. Vegetation Map

ENVIRONMENTAL- PROTECTED SPECIES MAP



--- Approximate Pedestrian Survey Transects

Notes:

1. Property boundary was obtained from Avalon Engineering, Inc.
2. Mapping is based on photo interpretation of 2024 aerial photography and ground truthing in August 2024.
3. Delineation of jurisdictional wetlands is preliminary and subject to field review/approval by applicable regulatory agencies.

FLUCCS	Description	Acreage
191	Undeveloped Land within Residential Areas	0.21 Ac.±
Total		0.21 Ac.±

2.

Figure 3. Protected Species Survey Map

OWEN ENVIRONMENTAL
CONSULTING, LLC.
FORT MYERS 239-694-9007

STORMWATER MANAGEMENT

**BRENDAN SLOAN
AVALON ENGINEERING**

STORMWATER

The proposed project is located on the northwest corner of intersection of Spanish Gold Lane and Hodgepodge Lane on North Captiva Florida (Strap No. 054-45-21-10-00000.028A). The existing topography on the property currently directs surface runoff into the Spanish Gold Lane and Hodgepodge Lane rights-of-way. There are no existing stormwater permits for the property. The stormwater drainage system for this project will be designed to treat, store, and control discharge rainwater runoff generated by the site using stormwater attenuation areas (retention areas), inlets, pipes before entering the existing right-of-way swale system. The project will be permitted following the Florida Department of Environmental Protection (FDEP) 10/2 rules and regulations. FDEP 10/2 rules and regulations follow the South Florida Water Management Districts rules and regulations set in the Volume I and Volume II handbooks.

A perimeter berm will be designed to capture the storm water volume on-site up to the water quality and nutrient removal volume. The stormwater will also provide the FDEP/SFWMD required nutrient removal. This nutrient removal will be accomplished by an on-site retention system. The retention system will hold the volume of water required for nutrient removal back before it is discharged into the surrounding right-of-way swale system. The minimum building finished floor elevation for the project will be determined by either the FEMA flood zone, plus 1 foot, or the maximum stage for the 100 Year – 3 Day storm event; whichever is greater. Discharge from the stormwater drainage system will be through an outfall control structure that limits the discharge rate into the existing right-of-way swale along both Spanish Gold Lane and Hodgepodge Lane. The discharge rate will be based on a pre-condition vs post condition as per FDEP/SFWMD rules and regulations.

The proposed stormwater management system will be owned and maintained by LCEC.

LDC Section 34-145

1. Rezoning, the Hearing Examiner must find the request:
 - a) Complies with the Lee Plan
 - b) Meets the Land Development Code and other applicable County regulations or qualifies for deviations
 - c) Is compatible with existing and planned uses in the surrounding area
 - d) Will provide access sufficient to support the proposed development
 - e) The expected impacts on transportation facilities will be addressed by existing County regulations and conditions of approval
 - f) Will not adversely affect environmentally critical or sensitive areas and natural resources
 - g) Will be served by urban services if located in a future urban area category.
2. Planned Development Rezoning:
 - a) the proposed uses or mix of uses is appropriate at the proposed location
 - b) The recommended conditions provide sufficient safeguards to the public interest
 - c) That each requested deviation
 - 1) Enhance the achievement of the objectives of the planned development
 - 2) Preserve and promotes the general intent of this Code to protect the public health, safety and welfare.

CONSISTENCY WITH THE LEE PLAN

Policy 1.4.2 The Outer Islands are sparsely settled, have minimal existing or planned infrastructure, and are very distant from major shopping and employment centers

Policy 2.1 Contiguous and compact growth patterns will be promoted through the rezoning process

Policy 2.1.3 All land use categories and Planning Districts permit the consideration of a public utility when consistent with the goals, objectives, policies, and standards in this plan and applicable zoning and development regulations.

This zoning amendment is for an essential service use

An Essential Service use is encouraged in all FLU Categories and Planning Districts

This development is consistent with the goals, objectives, policies, and intent of the Lee Plan

CONSISTENCY WITH THE LEE PLAN

Policy 2.2.1 Rezoning and DRI proposals will be evaluated as to the availability and proximity of the road network; central sewer and water lines; community facilities and services such as schools, EMS, fire and police protection, and other public facilities; compatibility with surrounding land uses; and any other relevant facts affecting the public health, safety, and welfare.

Objective 26.1 Preserve the character, scale, fragile environment, and way of life in the North Captiva Community Plan area by guiding future land Use.

This zoning amendment is for an essential service use

An Essential Service use is encouraged in all FLU Categories and Planning Districts

This development is consistent with the goals, objectives, policies, and intent of the Lee Plan

Compatible with the existing and planned uses in the surrounding area

This facility is located across an existing gravel road right-of-way from the North Captiva Fire Department

The design of the facility is compatible in height and appearance with existing development on the island

Landscaping that is native and will screen the enclosed garage and under the mechanical pad

As Essential Service is a compatible use in all zonings

This development has a limited schedule of uses

Will provide access sufficient to support the proposed development intensity

A driveway to the garage is provided from Hodgepodge Lane

This access is sufficient to support this development

The expected impacts on transportation facilities will be addressed by existing County Regulations and conditions of approval

Access in and around the island is by bicycle, pedestrian or with golfcarts. There are no cars or trucks on the island. The roads widths are narrow and consists of sand and gravel.

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

There are no natural resources on the site and no protected species

The site will provide 33.3 percent open space or 2,125 square feet

There is not indigenous planting areas on the site

The project will be screened on all sides by an enhanced Type A buffer consisting of trees and shrubs

Will be served by urban services if located in a Future Urban area category

This development is not located in a Future Urban area.

Public Sewer and water is not available to this area

No Pubic Transit

The site is in the Upper Captiva Fire Protection Service area and the fire station is across the street from the site.

This CFDP will not generate any need for public schools or additional park space

There are no employment centers around this development

The proposed uses are appropriate at the proposed location

Location is across the road from the island's Fire Station

The use is an Essential Service Provider

The project request a Limited Schedule of Uses

The recommended conditions provide sufficient safeguards to the public interest

The conditions established by staff protect the public interest and create a compatible development

That each requested deviation

- 1. Enhances the achievement of the objections of the planned development**
- 2. Preserves and promotes the general intent of this Code to protect the public**

The four deviations requested are necessary to this planned development, are minor in nature, promote the intent of the Land Development Code, and protect the public.

SUMMARY

The request:

- a) Complies with the Lee Plan Goals, Objectives and Policies;
- b) Is compatible with existing and planned uses within the surrounding area;
- c) Will provide appropriate access to support the proposed development;
- d) The transportation impacts for this development do not significantly impact the roadway network in the area.
- e) The proposed use is appropriate at the proposed location;
- f) The required design elements provide sufficient safeguards.
- g) Staff report recommends approval

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MASTER CONCEPT PLAN
FOR
UPPER CAPTIVA
LCEC ESSENTIAL SERVICE
FACILITY
HODGEPODGE LANE AND
SPANISH GOLD LANE
UPPER CAPTIVA - LEE COUNTY, FLORIDA

SITE DATA:

PROPOSED SITE: 10,500 SF (0.24 Ac.±)

SITE INFORMATION:

ADDRESS: HODGEPODGE LN. & SPANISH GOLD LN.
CAPTIVA, FLORIDA 33924

LOCATION: Joses Hideaway OR 1528
PG 1916 DESC IN OR 617
PG 134 AKA LOT 28 UN 2

STRAP#: 05-45-21-10-00000.028A
JURISDICTION: LEE COUNTY
EXISTING ZONING: RS-1 (SINGLE-FAMILY RESIDENTIAL)
PROPOSED ZONING: CFPD (COMMUNITY FACILITY PLANNED DEVELOPMENT)
FUTURE LAND USE: OUTER ISLANDS
DEVELOPMENT TYPE: ESSENTIAL SERVICE FACILITY
FLOOD ZONE: AE 7.00 NAVD

TOTAL SITE AREA:

TOTAL SITE AREA:	10,500 SF	0.24 AC	(100%)
BUILDING:	2,724 SF	0.06 AC	(25.9%)
(BUILDING FOUNDATION - 1ST FLOOR 2,028 SF + 2ND FLOOR MEC. PAD 696 SF)			
(BUILDING - 2ND FLOOR 2,367 SF)			
CONCRETE:	1,526 SF	0.04 AC	(14.5%)
(CONC DRIVE & WALK)			
DRY RETENTION AREA:	1,559 SF	0.04 AC	(14.8%)
GREEN SPACE AREA:	4,691 SF	0.11 AC	(44.7%)
TOTAL IMPERVIOUS AREA:	4,250 SF	0.10 AC	(40.5%)
TOTAL OPEN SPACE AREA:	6,250 SF	0.14 AC	(59.5%)

REQUESTED DEVIATIONS

- 34-2192 BUILDING SETBACK LOCAL STREET/ROW EASEMENT
- 10-416d BUFFERING FOR ADJACENT PARCELS
- LDC-10-261 REFUSE & SOLID WASTE DISPOSAL FACILITIES
- LDC-34-935(b)(1)6 BUILDING SETBACK FOR CFPD

SITE DEVELOPMENT REGULATIONS

BUILDING HEIGHT:	30'
# OF STORIES	2
BUILDING SETBACKS FROM PROPERTY LINE	PROVIDED
FRONT: (HODGEPODGE LN)	25.99'
SIDE: (WEST)	11.06'
SIDE: (EAST)	20.00'
REAR: (NORTH)	20.00'
BUILDING SETBACKS FROM R/W EASEMENT LINE	PROVIDED
FRONT: (HODGEPODGE LN)	11.00'
SIDE: (WEST)	11.06'
SIDE: (EAST)	5.00'
REAR: (NORTH)	5.00'
LANDSCAPE BUFFERS	PROVIDED
FRONT: (HODGEPODGE LN)	5' - TYPE A ENHANCED
SIDE: (WEST)	5' - TYPE A ENHANCED
SIDE: (EAST)	5' - TYPE A ENHANCED
REAR: (NORTH)	5' - TYPE A ENHANCED
AREA REQUIREMENTS	
OPEN SPACE REQUIRED	30%
OPEN SPACE PROVIDED	59.5%

SITE AREA MINUS R/W EASEMENTS	6,375 SF
OPEN SPACE REQUIRED	30%
OPEN SPACE PROVIDED	2,125 SF 33.3%

VERTICAL ELEVATIONS BASED ON: NAVD 88

THE OFFICIAL RECORD OF THIS
SHEET IS THE ELECTRONIC FILE
DIGITALLY SIGNED AND SEALED
UNDER RULE 61G15-23.004, FAC

REVISION DESCRIPTION

DATE BY

AVALON ENGINEERING, INC.
2503 DEL PRADO BLVD, S #200
CAPE CORAL, FLORIDA 33904
FBPE#3128 (23) 573-2077

UPPER CAPTIVA
LCEC SERVICE CENTER

MASTER CONCEPT
PLAN

224-104/CONST

1 OF 1

SITE INFORMATION			
SITE ADDRESS: Hodgepodge Lane & Spanish Gold Lane, Captiva, FL 33914			
STRAP: 03-15-31-10-00000-032A			
SITE AREA: 11,510 SF (0.24 AC)			
EXISTING ZONING: RS-1 (Single Family Residential)			
PROPOSED ZONING: CFF (Community Facility Planned Development)			
FUTURE LAND USE: Outer Island			
DEVELOPMENT TYPE: Essential Service Facility			
DEVELOPMENT SITE AREAS			
TOTAL PARCEL AREA (0.24 ACRES)	11,510 SF	100.0%	
PROPOSED CONCRETE AREA: P.C. 20 C.C. 5	1,443 SF	12.5%	
PROPOSED BUILDING AREA	1,443 SF	12.5%	
PROPOSED TOTAL IMPERVIOUS AREA	4,111 SF	35.7%	
PROPOSED OPEN GREEN AREA	4,754 SF	41.3%	
PROPOSED DRY DETENTION AREA	1,121 SF	9.8%	
PROPOSED TOTAL PAVED AREA	6,199 SF	53.8%	

LEE COUNTY LANDSCAPE REQUIREMENTS

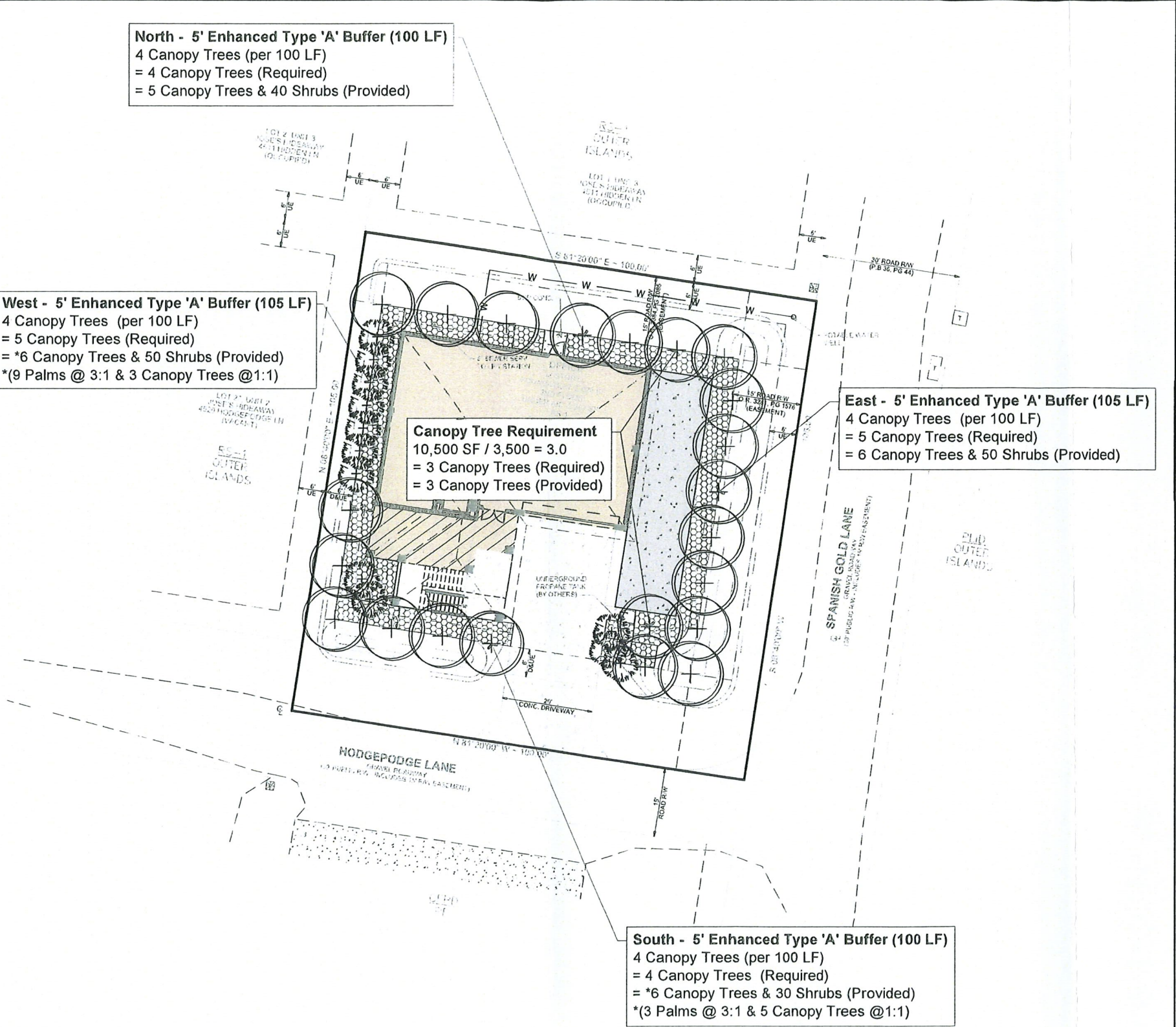
Per Lee County, FL - Land Development Code / Chapter 11 - DEVELOPMENT STANDARDS / ARTICLE 11 - DESIGN STANDARDS AND REQUIREMENTS / SECTION 11.6 - OPEN SPACE, BUFFERING AND LANDSCAPING

	Required	Provided
Sec. 11-6.1.1 - Open space: (a) Open Space Calculations: Small Development 25% of developable parcel area Required Open Space: 10,500 SF x 0.20 = 2,100.00 SF	2,100 SF	4,389 SF
Sec. 11-6.1.2 - Landscaping standards: (a) General Trees (GEO) (i) One canopy tree must be provided per each 3,500 square feet of required development area. GEO: 10,500 SF / 3,500 = 3.0 Trees	3	3
(b) Buffers adjacent property (BAP) Commercial Development abutting the following street: North Property Boundary: COH - RS-1 Enhanced Type 'A' Buffer (4 Trees / 100 LF) 100 LF = 4 Trees + 40 Shrubs 80 / 100 = 0.80 x 4 = 3.20 Trees	4	5
South Property Boundary: COH - ROW (Hodgepodge Lane) Enhanced Type 'A' Buffer (4 Trees / 100 LF) 100 LF = 4 Trees + 40 Shrubs 80 / 100 = 0.80 x 4 = 3.20 Trees	4	5
East Property Boundary: COH - ROW (Spanish Gold Lane) Enhanced Type 'A' Buffer (4 Trees / 100 LF) 100 LF = 4 Trees + 40 Shrubs 80 / 100 = 0.80 x 4 = 3.20 Trees	5	6
West Property Boundary: COH - RS-1 Enhanced Type 'A' Buffer (4 Trees / 100 LF) 100 LF = 4 Trees + 40 Shrubs 80 / 100 = 0.80 x 4 = 3.20 Trees	5	6
TOTAL TREES	21	24
SHRUBS	NA	170

PLANT SCHEDULE					
KEY	SYMBOL	QTY	SPECIES	PLANT TYPE	NOTES
+	+	10	BUFFER TREES	CANOPY	YES
+	+	11	BUFFER PALMS (3:1)	PALM	YES
+	+	12	GENERAL TREES	CANOPY	YES
TOTAL TREES: 34 (VIEW PURPOSE ONLY, 24 = 11 Palm(3:1) + 12(12:1))					
+	+	170	BUFFER SHRUBS	SHRUB	YES
TOTAL SHRUBS: 170					
+	+		FLORATIA GRASS, Stenotaphrum secundatum Floratam	LAWN	THROUGHOUT

^ The following canopy trees will be proposed for the buffer areas and general trees. The spread on these trees range from 10 to 20 feet which will avoid overcrowding between trees and the root system shouldn't create a problem with the building foundation.

CRAPE MYRTLE
DAHOON HOLLY
JATROPHA
EAST PALATKA HOLLY



Prepared By:

6681 Rich Road
North Fort Myers, FL 33917
Tel: 239.691.7790
Email: info@landesco.com

E Seal:

Digitally signed by
David Kulsveen
Date: 2025.06.23
14:59:18 -04'00'
Prepared For:
Hodgepodge Lane & Spanish
Gold Lane
Captiva, FL 33924

In Conjunction With:
Avalon Engineering, Inc.
2503 Del Prado Blvd. #200
Cape Coral, FL 33904
FDPF03125 (231) 573-2077

1" = 10'

MASTER
LANDSCAPE
PLAN

DATE IN: 06-23-2025
DRAWN BY: PHW
CHECKED BY: DKK

REVISION DATE:

Sheet: 1 of 2
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MASTER CONCEPT PLAN
FOR
UPPER CAPTIVA
LCEC ESSENTIAL SERVICE
FACILITY
HODGEPODGE LANE AND
SPANISH GOLD LANE
UPPER CAPTIVA - LEE COUNTY, FLORIDA

SITE DATA:

PROPOSED SITE: 10,500 SF (0.24 Ac.±)

SITE INFORMATION:

ADDRESS: HODGEPODGE LN. & SPANISH GOLD LN.
CAPTIVA, FLORIDA 33924

LOCATION: JONES HIDEAWAY OR 1528
PG 1916 DESC IN OR 617
PG 134 AKA LOT 28 UN 2

STRAP#: 05-45-21-10-00000.028A
JURISDICTION: LEE COUNTY
EXISTING ZONING: RS-1 (SINGLE-FAMILY RESIDENTIAL)
PROPOSED ZONING: CFPD (COMMUNITY FACILITY PLANNED DEVELOPMENT)
FUTURE LAND USE: OUTER ISLANDS
DEVELOPMENT TYPE: ESSENTIAL SERVICE FACILITY
FLOOD ZONE: AE 7.00 NAVD

TOTAL SITE AREA:

TOTAL SITE AREA:	10,500 SF	0.24 AC	(100%)
BUILDING:	2,724 SF	0.06 AC	(25.9%)
(BUILDING FOUNDATION -1ST FLOOR 2,028 SF + 2ND FLOOR MEC. PAD 696 SF)			
(BUILDING -2ND FLOOR 2,367 SF)			
CONCRETE:	1,526 SF	0.04 AC	(14.5%)
(CONC DRIVE & WALK)			
DRY RETENTION AREA:	1,559 SF	0.04 AC	(14.8%)
GREEN SPACE AREA:	4,691 SF	0.11 AC	(44.7%)
TOTAL IMPERVIOUS AREA:	4,250 SF	0.10 AC	(40.5%)
TOTAL OPEN SPACE AREA:	6,250 SF	0.14 AC	(59.5%)

REQUESTED DEVIATIONS

- 34-2192 BUILDING SETBACK LOCAL STREET/ROW EASEMENT
- 10-416d BUFFERING FOR ADJACENT PARCELS
- LDC-10-261 REFUSE & SOLID WASTE DISPOSAL FACILITIES
- LDC-34-935(b)(1) 6 BUILDING SETBACK FOR CFPD

SITE DEVELOPMENT REGULATIONS

BUILDING HEIGHT:	30'
# OF STORIES	2
BUILDING SETBACKS FROM PROPERTY LINE	
FRONT: (HODGEPODGE LN)	25.99'
SIDE: (WEST)	11.06'
SIDE: (EAST)	20.00'
REAR: (NORTH)	20.00'
BUILDING SETBACKS FROM R/W EASEMENT LINE	
FRONT: (HODGEPODGE LN)	11.00'
SIDE: (WEST)	11.06'
SIDE: (EAST)	5.00'
REAR: (NORTH)	5.00'
LANDSCAPE BUFFERS	
FRONT: (HODGEPODGE LN)	5' - TYPE A ENHANCED
SIDE: (WEST)	5' - TYPE A ENHANCED
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AREA REQUIREMENTS	
OPEN SPACE REQUIRED	30%
OPEN SPACE PROVIDED	59.5%

SITE AREA MINUS R/W EASEMENTS	6,375 SF
OPEN SPACE REQUIRED	30%
OPEN SPACE PROVIDED	2,125 SF 33.3%

VERTICAL ELEVATIONS BASED ON: NAVD 88



THE OFFICIAL RECORD OF THIS SHEET IS THE ELECTRONIC FILE

REVISION DESCRIPTION

DATE BY

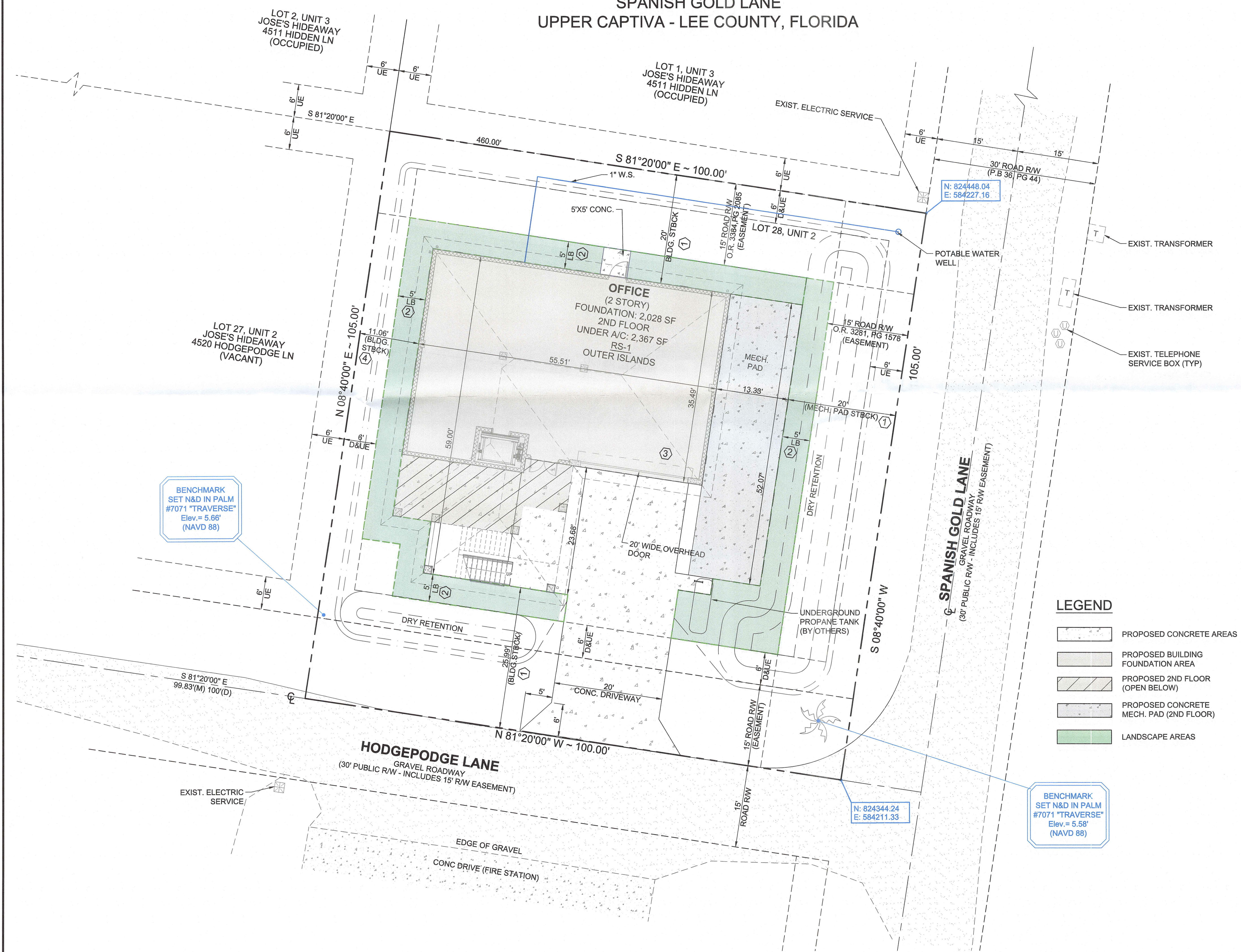
AVOLON ENGINEERING, INC.
2503 DEL PRADO BLVD. S #200
FORT MYERS, FL 33901

UPPER CAPTIVA

MASTER CONCEPT

1 OF 1

MASTER CONCEPT PLAN
FOR
UPPER CAPTIVA
LCEC ESSENTIAL SERVICE
FACILITY
HODGEPODGE LANE AND
SPANISH GOLD LANE
UPPER CAPTIVA - LEE COUNTY, FLORIDA



SITE DATA:
PROPOSED SITE: 10,500 SF (0.24 Ac.±)

SITE INFORMATION:
ADDRESS: HODGEPODGE LN. & SPANISH GOLD LN.
CAPTIVA, FLORIDA 33924
LOCATION: JOSE'S HIDEAWAY OR 1528
PG 1916 DES 2 IN OR 617
PG 134 AKA LOT 28 UN 2
STRAP#: 05-45 21-10-00000.028A
JURISDICTION: LEE COUNTY
EXISTING ZONING: RS-1 (SINGLE-FAMILY RESIDENTIAL)
PROPOSED ZONING: CFPD (COMMUNITY FACILITY PLANNED DEVELOPMENT)
FUTURE LAND USE: OUTER ISLANDS
DEVELOPMENT TYPE: ESSENTIAL SERVICE FACILITY
FLOOD ZONE: AE 7.00 NAVD

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REQUESTED DEVIATIONS	
①	34-2192 BUILDING SETBACK LOCAL STREET/ROW EASEMENT
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④	LDC-34-935(b)(1)6 BUILDING SETBACK FOR CFPD

SITE DEVELOPMENT REGULATIONS	
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# OF STORIES	2
BUILDING SETBACKS FROM PROPERTY LINE	PROVIDED
FRONT: (HODGEPODGE LN)	25.99'
SIDE: (WEST)	11.06'
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VERTICAL ELEVATIONS BASED ON: NAVD 88

THE OFFICIAL RECORD OF THIS SHEET IS THE ELECTRONIC FILE DIGITALLY SIGNED AND SEALED UNDER RULE 61G15-23.004, FAC

REVISION DESCRIPTION	
DATE	BY

AVALON ENGINEERING, INC.
2602 DEL PRADO BLVD, S 4200
CAPE CORAL, FLORIDA 33904
FBPE45128 (230) 573-2077

UPPER CAPTIVA
LCEC SERVICE CENTER

MASTER CONCEPT
PLAN

MASTER CONCEPT PLAN
FOR
UPPER CAPTIVA
LCEC ESSENTIAL SERVICE
FACILITY
HODGEPODGE LANE AND
SPANISH GOLD LANE
UPPER CAPTIVA - LEE COUNTY, FLORIDA

SITE DATA:

PROPOSED SITE: 10,500 SF (0.24 Ac.±)

SITE INFORMATION:

ADDRESS: HODGEPODGE LN. & SPANISH GOLD LN.
CAPTIVA, FLORIDA 33924

LOCATION: Joses Hideaway OR 1528
PG 1916 DESC IN OR 617
PG 134 AKA LOT 28 UN 2

STRAP#: 05-45-21-10-00000.028A
JURISDICTION: LEE COUNTY
EXISTING ZONING: RS-1 SINGLE-FAMILY RESIDENTIAL
PROPOSED ZONING: CFPD (COMMUNITY FACILITY PLANNED DEVELOPMENT)
FUTURE LAND USE: OUTER ISLANDS
DEVELOPMENT TYPE: ESSENTIAL SERVICE FACILITY
FLOOD ZONE: AE 7.10 NAVD

TOTAL SITE AREA:

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- LDC-34-935(b)(1) BUILDING SETBACK FOR CFPD

SITE DEVELOPMENT REGULATIONS

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VERTICAL ELEVATIONS BASED ON: NAVD 88

UPPER CAPTIVA
LCEC SERVICE CENTER

MASTER CONCEPT
PLAN

#24-104/CONST

1 of 1

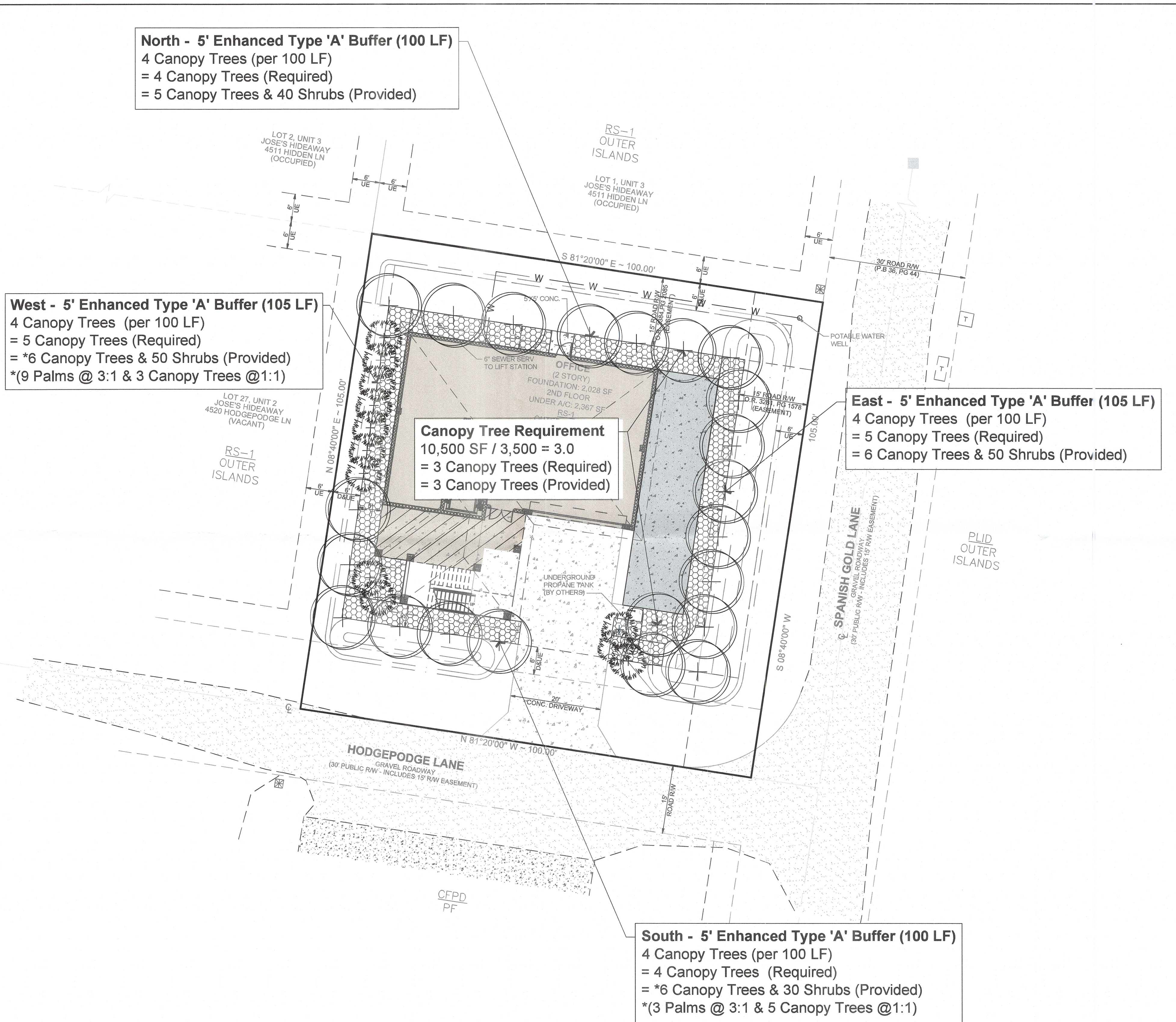
LEE COUNTY LANDSCAPE REQUIREMENTS

(Per Lee County, FL - Land Development Code / Chapter 10 - DEVELOPMENT STANDARDS / ARTICLE III. - DESIGN STANDARDS AND REQUIREMENTS / DIVISION 6. - OPEN SPACE, BUFFERING AND LANDSCAPING)

PLANT SCHEDULE

^ The following canopy trees will be proposed for the buffer areas and general trees. The spread on these trees range from 10 to 20 feet which will avoid overcrowding between trees and the root system shouldn't create a problem with the building foundation.

CRAPE MYRTLE
DAHOON HOLLY
JATROPHA
EAST PALATKA HOLLY



6681 Rich Road
North Fort Myers, FL 33917
Tel: 239.691.7790
Email: info@landesco.com

In Conjunction With:

Avalon Engineering, Inc.
2503 Del Prado Blvd. #200
Cape Coral, FL 33904
FBPE#3128 (239) 573-2077

DATE IN: 06-23-2025
DRAWN BY: PHW
CHECKED BY: DKK

REVISION DATE:

Sheet: 1 of 2

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LEE COUNTY LANDSCAPE REQUIREMENTS

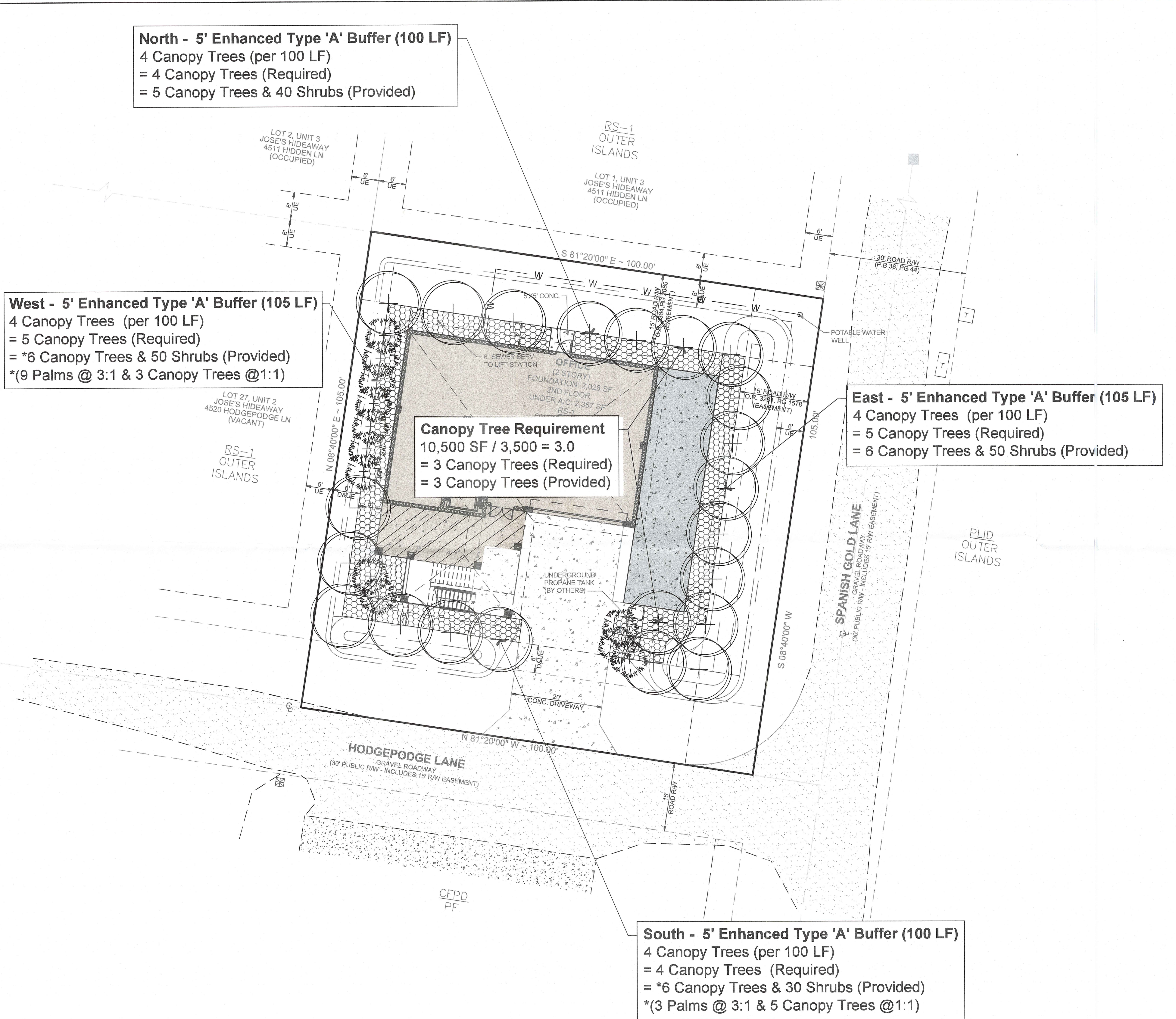
(Per Lee County, FL - Land Development Code / Chapter 10 - DEVELOPMENT STANDARDS / ARTICLE III. - DESIGN STANDARDS AND REQUIREMENTS / DIVISION 6. - OPEN SPACE, BUFFERING AND LANDSCAPING)

Sec.	10-415 - Open space	Required:	Provided:
Sec. 10-415 - Open space	(a) Open Space Calculations: Small Development 20% developable parcel area Required Open Spaces: 10,500 SF or 0.20 = 2,100 SF Open	2,100 SF	6,289 SF
Sec. 10-416 - Landscape standards:	(a) General Tree (G2N) (i) One canopy tree must be provided per each 3,500 square feet of required development area. GEN: 10,500 SF / 3,500 = 3.0 Trees	3	3
	(d) Buffering adjacent property (B0F) Commercial Development abutting the following use: North Property Boundary: COM <== RS-1 5' Enhanced Type "A" Buffer 4 Trees / 100 LF 100 LF > 4 Trees + 40 Shrubs 100 LF + 1.00 x 4 = 4.00 Trees	4	50
	South Property Boundary: COM <== ROW (Hedgepole Lane) 3' Enhanced Type "A" Buffer 4 Trees / 100 LF 80 LF > 4 Trees + 30 Shrubs 100 LF + .80 x 4 = 3.20 Trees	4	30
	East Property Boundary: COM <== ROW (Spanish Gold Lane) 5' Enhanced Type "A" Buffer 4 Trees / 100 LF 100 LF > 5 Trees + 50 Shrubs 100 LF + 1.00 x 4 = 4.00 Trees	5	60
	West Property Boundary: COM <== RS-1 5' Enhanced Type "A" Buffer 4 Trees / 100 LF 100 LF > 5 Trees + 50 Shrubs 100 LF + 1.00 x 4 = 4.00 Trees	5	60
		TREES	21
		SHRUBS	26
		NA	170

PLANT SCHEDULE						
KEY	SYMBOL	QTY	SPECIES	PLANT TYPE	CATEGORY	MITW STATUS
PROPOSED TREES						
---		'19	BUFFER TREES	CANDOPY	---	YES
---		12	BUFFER PALMS (8:3:1)	PALM	---	YES
---		'3	GENERAL TREES	CANDOPY	---	YES
TOTAL TREES		34	VIEWHOUSE ONLY (20, 16 x 12 palms(12) + 22(gf))			
PROPOSED SHRUBS						
--		170	BUFFER SHRUBS	SHRUB	-----	YES
TOTAL SHRUBS		170	FLORATAM GRASS, Stenotaphrum secundatum 'Floratam'			
--			FLORATAM GRASS, Stenotaphrum secundatum 'Floratam'	LAWN	THROUGHOUT	YES

^ The following canopy trees will be proposed for the buffer areas and general trees. The spread on these trees range from 10 to 20 feet which will avoid overcrowding between trees and the root system shouldn't create a problem with the building foundation.

CRAPE MYRTLE
DAHOON HOLLY
JATROPHA
EAST PALATKA HOLLY



Prepared By:

The Landesco logo, featuring a stylized 'LA' in a light blue color above the word 'LANDESCO' in a smaller, light blue, sans-serif font. The logo is centered on a dark, textured rectangular background.

6681 Rich Road
North Fort Myers, FL 33917
Tel: 239.691.7790
Email: info@landesco.com

E Seal: 06

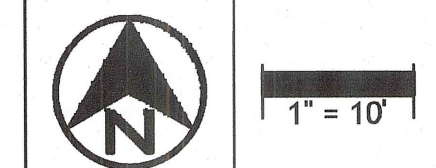
A circular professional engineer seal for the State of Florida. The outer ring contains the text "REGISTERED LANDSCAPE ARCHITECT" at the top and "STATE OF FLORIDA" at the bottom, separated by two stars. The inner circle contains the name "DAVID L. VANDEN", the license number "LA 0097193", and the expiration date "06/1/2015".

Digitally signed by
David Kulsveen
Date: 2025.06.23
14:59:18 -04'00'
Prepared For:

Hodgepodge Lane & Spanish
Gold Lane
Captiva, FL 33924

In Conjunction With:

Avalon Engineering, Inc.
2503 Del Prado Blvd. #200
Cape Coral, FL 33904
FBPE#3128 (239) 573-2077



**MASTER
LANDSCAPE
PLAN**

DATE IN: 06-23-2025
DRAWN BY: PHW
CHECKED BY: DKK

[illegible]

REVISION DATE:

Sheet: 1 of 2

L 1.0

Below are the list of dates that LCEC met with the Captive Residents via Zoom to discuss the Capital project and the new LCEC site.

February 25 th , 2025	Public meeting for re-zone on Island at Fire Station
----------------------------------	--

October 2 nd 2024	UCCA Board Meeting - Postponed due to Hurricane Helene
------------------------------	--

September 13 th , 2023	UCCA Board Meeting via Zoom 7:30pm EST
-----------------------------------	--

December 7 th , 2021	UCCA Board Meeting via Zoom
---------------------------------	-----------------------------

Copy of Power Point Presentation provided

APPLICANT'S EXHIBIT #__

5

Required Community Meeting

Applicant: Lee County Electric Cooperative

Action Requested: Rezone the subject parcel from RS-1 (Residential Single Family) to CFPD (Community Facilities Planned Development) to permit the development of an essential service facility to serve the electric needs on the Island.

PUBLIC NOTICE

Upper (North) Captiva Community Meeting

Site Project Name: North Captiva LCEC Essential Service Facility

Parcel: 4510 Hodgepodge Lane, Captiva, FL 33924

Public Presentation Date: February 25, 2025 Time: 2:00-4:00 PM

Location: North Captiva Fire Station

4511 Hodgepodge Lane, North Captiva, FL 33924

For more information contact: Linda Miller, linda@avaloneng.com



Upper Captiva Fire & Rescue District

February 21 · 📍

Please see both attached photos. Our friends at LCEC invite you to a community meeting. Thank you.

Applicant: Lee County Electric Cooperative

Action Requested: Rezone the subject parcel from RS-1 (Residential Single Family) to CFPD (Community Facilities Planned Development) to permit the development of an essential service facility to serve the electric needs on the Island.

PUBLIC NOTICE

Upper (North) Captiva Community Meeting

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Parcel: 4510 Hodgepodge Lane, Captiva, FL 33924

Public Presentation Date: February 25, 2025 Time: 2:00-4:00 PM

Location: North Captiva Fire Station

4511 Hodgepodge Lane, North Captiva, FL 33924

For more information contact: Linda Miller, linda@avaloneng.com

NORTH CAPTIVA COMMUNITY MEETING
TUESDAY, FEB 25TH
NORTH CAPTIVA FIRE STATION
4511 HODGEPODGE LANE
2:00PM - 4:00PM

The property owner, Lee County Electric Cooperative Inc., is requesting to rezone the subject parcel from R (Residential Single Family) to CFPD (Community Facilities Planned Development) to permit the development of an essential service facility to serve the electric needs on the Island.

Parcel: 4510 Hodgepodge Lane

Avalon Engineering
Representing
Lee County Electric Co-op.

FREE & OPEN TO THE PUBLIC

For more information:
AVALON ENGINEERING
Linda Miller
linda@avaloneng.com

- Advertised with the Sanibel-Captiva Islander which ran on 2/17
- Posted the notice on Avalon Facebook Page
- Upper Captiva Fire and Rescue District posted meeting invite on their face book page on 2/17
- Sign posted on the site on 2/19

MASTER CONCEPT PLAN
FOR
UPPER CAPTIVA
LCEC ESSENTIAL SERVICE
FACILITY
HODGEPDGE LANE AND
SPANISH GOLD LANE
UPPER CAPTIVA - LEE COUNTY, FLORIDA

SITE DATA:

PROPOSED SITE: 10,500 SF (0.24 Ac.±)

SITE INFORMATION:

ADDRESS: HODGEPDGE LN. & SPANISH GOLD LN.
CAPTIVA, FLORIDA 33924

LOCATION: JOSE'S HIDEAWAY OR 1528
PG 1916 DESC IN OR 817
PG 134 AKA LOT 28 UN 2

STRAP: 05-45-21-10-00000.028A
JURISDICTION: LEE COUNTY
EXISTING ZONING: RS-1 (SINGLE-FAMILY RESIDENTIAL)
PROPOSED ZONING: CPFD (COMMUNITY FACILITY PLANNED DEVELOPMENT)
FUTURE LAND USE: OUTER ISLANDS
DEVELOPMENT TYPE: ESSENTIAL SERVICE FACILITY
FLOOD ZONE: AE 7.00 NAVD

TOTAL SITE AREA:

TOTAL SITE AREA:	10,500 SF	0.24 AC	(100%)
BUILDING:	2,724 SF	0.06 AC	(25.9%)
(BUILDING: FOUNDATION: 1ST FLOOR 2,028 SF + 2ND FLOOR 1,116 SF)			
(BUILDING: 2ND FLOOR 2,267 SF)			
CONCRETE:	1,526 SF	0.04 AC	(14.5%)
(CONC DRIVE & WALK)			
DRY RETENTION AREA:	1,559 SF	0.04 AC	(14.8%)
GREEN SPACE AREA:	4,691 SF	0.11 AC	(44.7%)
TOTAL IMPERVIOUS AREA:	4,250 SF	0.10 AC	(40.5%)
TOTAL OPEN SPACE AREA:	6,250 SF	0.14 AC	(59.5%)

REQUESTED DEVIATIONS

- 34-2192 BUILDING SETBACK LOCAL STREET/ROW EASEMENT
- 10-4168 BUFFERING FOR ADJACENT PARCELS
- LDC-10-261 REFUSE & SOLID WASTE DISPOSAL FACILITIES
- LDC-34-935(h)(1)6 BUILDING SETBACK FOR CPFD

SITE DEVELOPMENT REGULATIONS

BUILDING HEIGHT:	30'
# OF STORIES	2
BUILDING SETBACKS FROM PROPERTY LINE	PROVIDED
FRONT: (HODGEPDGE LN)	25.99'
SIDE: (WEST)	11.06'
SIDE: (EAST)	20.00'
REAR: (NORTH)	20.00'
BUILDING SETBACKS FROM R/W EASEMENT LINE	PROVIDED
FRONT: (HODGEPDGE LN)	11.00'
SIDE: (WEST)	11.06'
SIDE: (EAST)	5.00'
REAR: (NORTH)	5.00'
LANDSCAPE BUFFERS	PROVIDED
FRONT: (HODGEPDGE LN)	5' - TYPE A ENHANCED
SIDE: (WEST)	5' - TYPE A ENHANCED
SIDE: (EAST)	5' - TYPE A ENHANCED
REAR: (NORTH)	5' - TYPE A ENHANCED
AREA REQUIREMENTS	
OPEN SPACE REQUIRED	30%
OPEN SPACE PROVIDED	59.5%

SITE AREA MINUS R/W EASEMENTS	6,375 SF
OPEN SPACE REQUIRED	30%
OPEN SPACE PROVIDED	2,125 SF 33.3%

VERTICAL ELEVATIONS BASED ON: NAVD 88



THE OFFICIAL RECORD OF THIS SHEET IS THE ELECTRONIC FILE DIGITALLY SIGNED AND SEALED UNDER FILE #101252007/PC

DATE: 05/11/2021
BY: [Signature]
TITLE: [Signature]

AVILION ENGINEERING, INC.
10001 W. BAYVIEW BLVD. SUITE 100
FORT MYERS, FL 33907
TEL: 813-938-1300
FAX: 813-938-1301

UPPER CAPTIVA
LCEC SERVICE CENTER

MASTER CONCEPT
PLAN

1 of 1

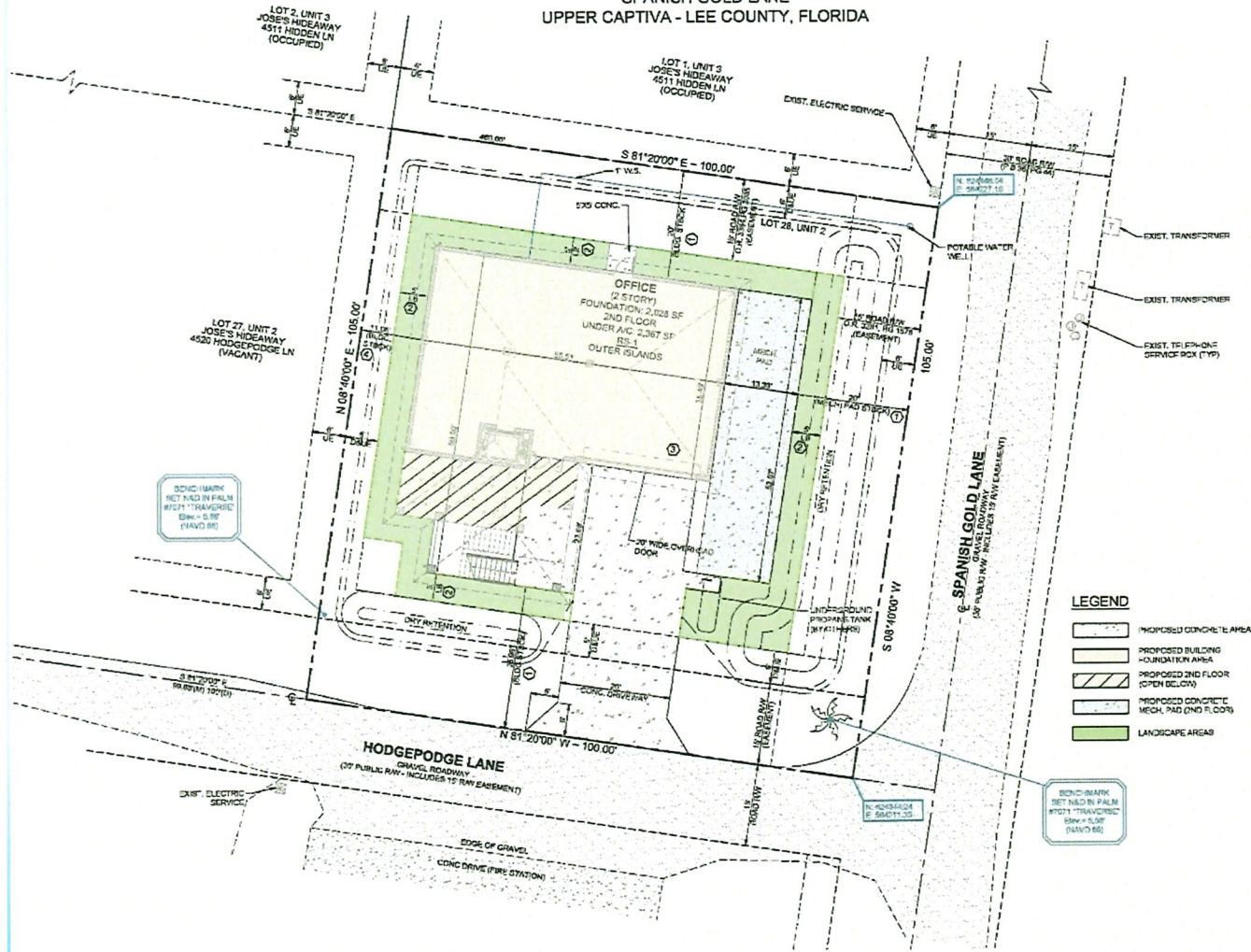


EXHIBIT "A"

BEGIN AT A CONCRETE POST ON THE SOUTH LINE OF GOVERNMENT LOT 1, SECTION 5-45-21, BEING 226 FEET, MORE OR LESS, EAST OF THE HIGH TIDE LINE OF THE GULF OF MEXICO; THENCE RUN SOUTH 81° 20' EAST, 835.0 FEET ALONG THE SOUTH LINE OF SAID GOVERNMENT LOT 1 TO A CONCRETE POST; THENCE NORTH 8° 40' EAST, 205 FEET TO A CONCRETE POST; THENCE NORTH 8° 40' EAST, 525 FEET; THENCE SOUTH 81° 20' EAST, 460 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 8° 40' WEST, 105 FEET; THENCE NORTH 81° 20' WEST, 100 FEET; THENCE NORTH 8° 40' EAST, 105 FEET; THENCE SOUTH 81° 20' EAST, 100 FEET TO THE POINT OF BEGINNING.
BEING LOT 1, UNIT 3, OF AN UNRECORDED SUBDIVISION KNOWN AS JOSE'S HIDEAWAY, LOCATED IN GOVERNMENT LOT 1, SECTION 5-45-21. UPPER CAPTIVA ISLAND, LEE COUNTY, FLORIDA.

SUBJECT TO A 15 FOOT EASEMENT ON THE NORTH FOR ROAD RIGHT-OF-WAY PURPOSES AND SUBJECT TO A 6 FOOT EASEMENT ON EACH BOUNDARY FOR DRAINAGE OR UTILITIES.

PARCEL ID #05-45-21-11-00000.0010

RECORDED

INSTR # 5094166

OR BK 03384 PG 2085

RECORDED 03/28/01 02:10 PM

CHARLIE GREEN CLERK OF COURT

LEE COUNTY

RECORDING FEE 15.00

DOC TAX PR(F.S.201.02) 251.30

DEPUTY CLERK B Cruz

This instrument prepared by:

JOHN N. BRUGGER, ESQ.

FORSYTH & BRUGGER, P.A.

600 Fifth Avenue South, Suite 207

Naples, Florida 34102

Property Appraiser's

Tax Identification Number: 05-45-21-10-00000.0280

WARRANTY DEED

THIS WARRANTY DEED made this 15 of November, 2000, by NEAL M. FELTINGOFF and ANNE C. FELTINGOFF, husband and wife, hereinafter called the Grantors, to JOHN N. BRUGGER, TRUSTEE, with full power and authority to either protect, conserve and to sell, or to lease, or to encumber, or to otherwise manage and dispose of the property described herein, whose post office address is 600 5th Avenue South, Suite 207, Naples, Florida 34102, hereinafter called the Grantees:

WITNESSETH: That the Grantors, for and in consideration of the sum of \$10.00 and other valuable considerations, receipt whereof is hereby acknowledged, hereby grant, bargain, sell, alien, remise, release, convey and confirm unto the Grantee all that certain land situate in Collier County, State of Florida, viz:

SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN

SUBJECT TO a 15 foot easement on the North for road right-of-way purposes, and SUBJECT TO a 5 foot easement on each boundary for drainage and utilities.

SUBJECT TO restrictions, easements, reservations and designations of record, and taxes for the calendar year 2000 and subsequent years.

TOGETHER, with all tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD, the same in fee simple forever.

2572 114000
1/5-02

Prepared by and return to:
JUDY K. BRODEUR
SANIDEL TITLE INSURANCE SERVICE CORPORATION
Post Office Box 155
Sanibel Island, Florida 33957

PICK UP BOX 6

File Number: 4290-03

INSTR # 5834593
Official Records BK 03943 PG 1437
RECORDED 05/21/2005 09:23:42 AM
CHARLSE GREEN, CLERK OF COURT
LEE COUNTY
RECORDING FEE 15.00
DEED DOC 1,185.00
DEPUTY CLERK D Keller

(Space Above This Line for Recording Data)

Warranty Deed

(2) This Warranty Deed made this 20th day of MAY, 2005, BETWEEN

ANGELINA M. ROACH, as Trustee of the Angelina M. Roach Revocable Trust
Dated February 15, 2002

whose post office address is: 3317 Clyde Roach Place, Valrico, FL 33594.
Grantor, and

GORDON KNOX THOMPSON and CHERYL C. THOMPSON, Husband and Wife

whose post office address is: 895 McNamara Road, Dorset, VT 05251.
whose Social Security Numbers are:
Grantee:

(Whoever used herein the terms "Grantor" and "Grantee" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and estates; the use of the singular number shall include the plural, and the plural singular; the use of any gender shall include all genders)

Witnesseth, that said Grantor, for and in consideration of the sum of TEN AND NO/100 (\$10.00) DOLLARS, and other good and valuable considerations, to said Grantor in hand paid by said Grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said Grantee, and Grantee's heirs and assigns forever, the following described land, situate, lying, and being in Lee County, Florida, to-wit:

A tract or parcel of land known as Lot 27, Unit 2 of JOSE'S HIDEAWAY,
an unrecorded subdivision, on North Captiva Island, Lee County, Florida, as more
particularly described on Schedule "A", attached hereto and made a part hereof.

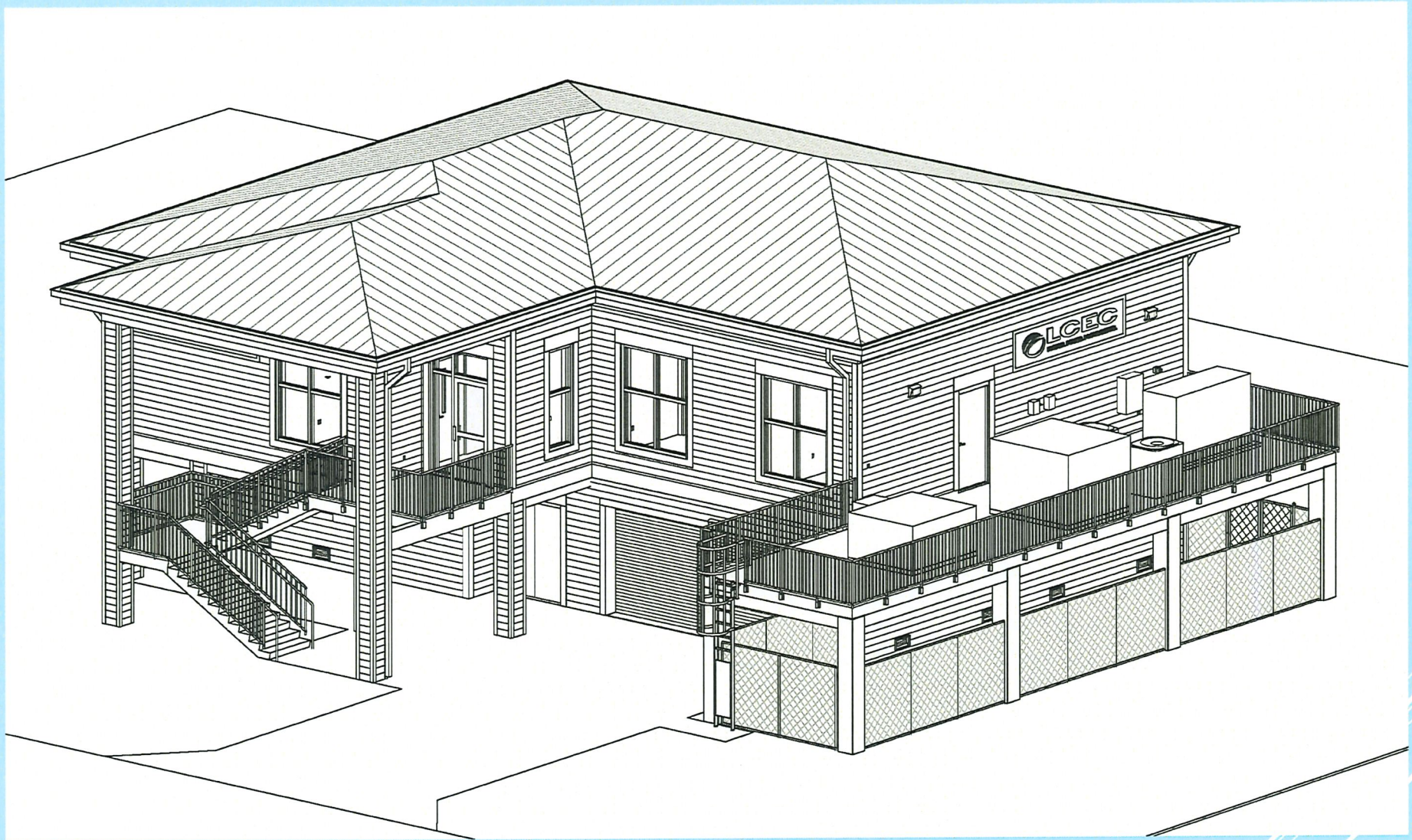
SUBJECT TO a 15 foot easement on the South for road right-of-way purposes, and
SUBJECT TO a 6 foot easement on each boundary for drainage or utilities.

SUBJECT TO easements, restrictions, and designations and reservations of record,
and taxes for the calendar year 2003 and subsequent years.

PROPERTY APPRAISER'S

PARCEL IDENTIFICATION NUMBER:

05-45-21-10-00000.0270





AMLS



LAMLS



AMLS



August 2024

--- Approximate Pedestrian Survey Transects

Notes:

1. Property boundary was obtained from Avalon Engineering, Inc.
2. Mapping is based on photo interpretation of 2024 aerial photography and ground truthing in August 2024.
3. Delineation of jurisdictional wetlands is preliminary and subject to field review/approval by applicable regulatory agencies.

FLUCCS	Description	Acreage
191	Undeveloped Land within Residential Areas	0.21 Ac.±
Total		0.21 Ac.±

2.

Figure 3. Protected Species Survey Map

**OWEN ENVIRONMENTAL
CONSULTING, LLC.**
FORT MYERS 239-894-9007

In addition to the site inspection, a search of the FWC species database (updated in June 2024) revealed no additional known protected species within or immediately adjacent to the project limits.

Minimum Use Determination

Lee County Issued a MUD in 2001 MUD2001-00075
and another MUD in 2016 MUD 2016-00024

The building setbacks are specified in the zoning for a parcel and with specific setbacks for properties which have road frontage

The substation zoning is CFPD Community Facility Planned Development which requires

25' North

25' east

25' South

15' on the western property line

LCEC is requesting deviations to these requirements within a PD Zoning process

The single-family home setback requirement is specified in RS-1 Zoning

25' north (front)

25' east (side)

7.5 west (side)

20' south (rear)

The single family north of the LCEC site doesn't comply with the building setback
On the north, east and southern property lines.

NORTH CAPTIVA - LCEC INFRASTRUCTURE REBUILD PROJECT BRIEFING

DECEMBER 7, 2021

Marshall Mills – Supervisor, Protection & Control, and Reliability

Tricia Dorn – Key Account Executive

Keith Lanman – Distribution Designer

Paul Owen – (Dex Bender) – Environmental Specialist

Agenda - Overview

- ♦ Review of North Captiva Infrastructure Rebuild Project
- ♦ Phased Approach for Rebuild
- ♦ Environmental – Gopher Tortoise Mitigation
- ♦ Questions???

Summary of North Captiva Infrastructure Rebuild Project

- ♦ Aging Infrastructure Improvements
 - ♦ In 2018-19 we replaced the underwater cable supplying the island
 - ♦ In 2021 we established multi-year project to begin replacing aging infrastructure, and provide more reliable service through loop feeds.
 - ♦ Entire island is underground infrastructure, and we will be replacing cable, conduit, and enclosures.
 - ♦ We will take a Phased approach to this, and **Phase 1** is designed and will be constructed in the first quarter of 2022.
 - ♦ We are still finalizing some of the permitting and logistics.

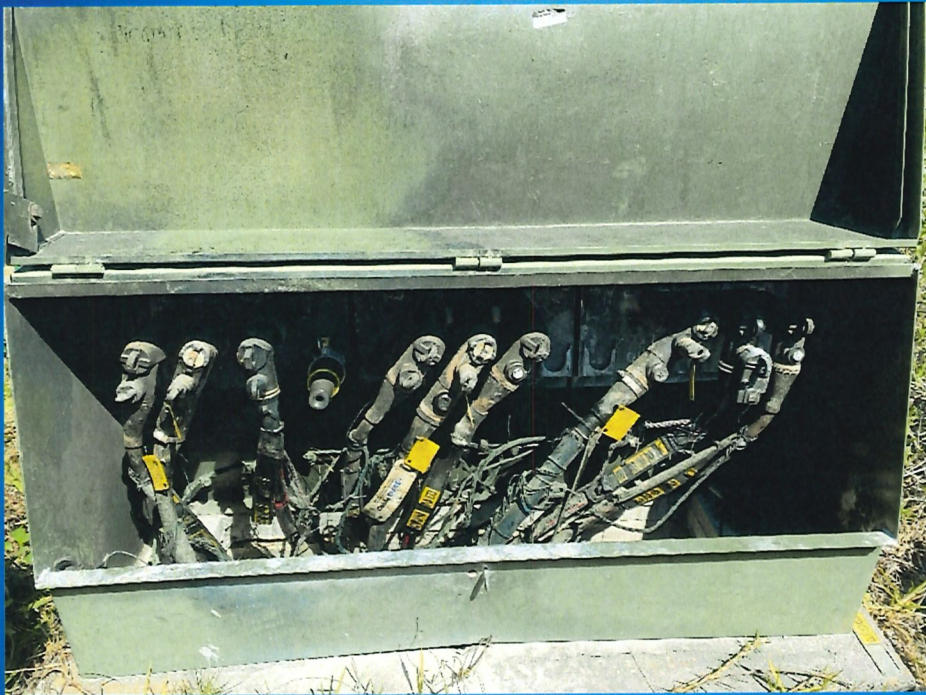
Phased Approach - North Captiva Infrastructure Rebuild Project



Summary of North Captiva Infrastructure Rebuild Project

- ♦ Replace existing infrastructure in kind
- ♦ Add loop feeds for improved reliability
- ♦ Add additional switches for improved reliability

Summary of North Captiva Infrastructure Rebuild Project



Less Reliable and no room for switching

Older Enclosures E393 & E269

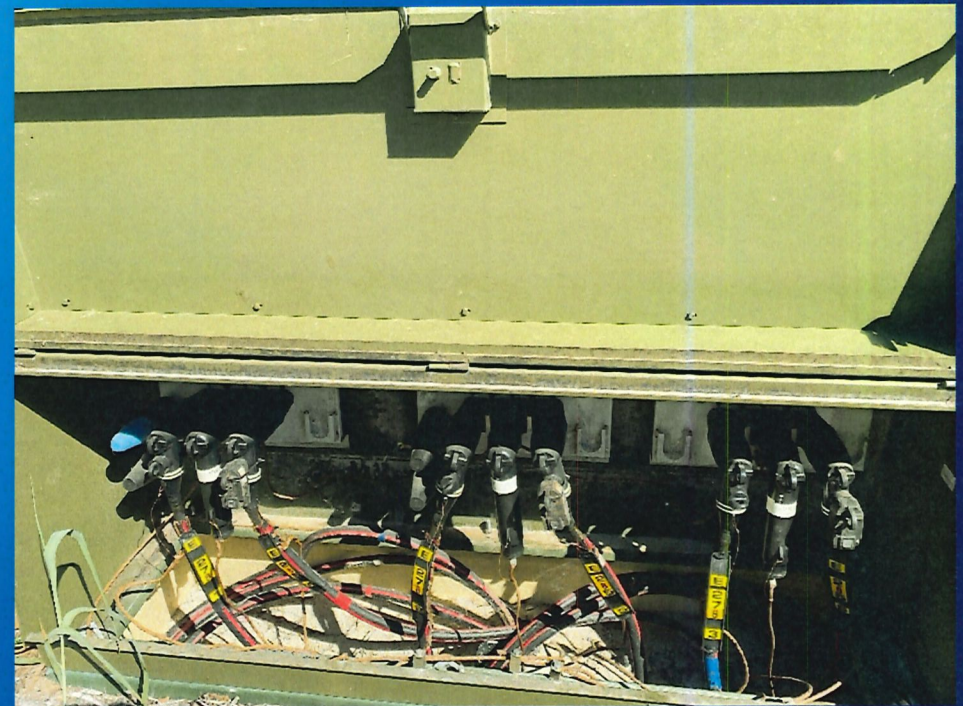


Summary of North Captiva Infrastructure Rebuild Project



New Enclosure E2057

Newer design with flexible, safer enclosures.



Construction Concerns

- ♦ Will try to avoid outages, but will require some short outages to do cutovers. Notifications will be sent out beforehand via phone calls. Please ensure your contact information is up to date.
- ♦ Construction may impact traffic flow, and we will work with customers to minimize impact
- ♦ May require some road closures at times, but again, we will work with customers on this
- ♦ Signage will be utilized extensively to keep everyone informed of status

Environmental Concerns

- ◆ We have done extensive work with Dex Bender to mitigate Gopher Tortoise (GT) impact to project
- ◆ We are working with FWC to obtain permits
- ◆ We will build silt fence barrier along southern border pending approval
- ◆ GT will be relocated to south end of island into state land
- ◆ May require short outages for safety during moving of GT

Summary of Gopher Tortoise Survey North Captiva Infrastructure Rebuild Project



SECTION: 6
TOWNSHIP: 46 S
RANGE: 21 E

0 75 150
SCALE FEET

Soils on-site consist entirely of Map Unit 4 -
Canaveral fine sand - Urban land complex.
75 cm

Potentially Occupied Gopher Tortoise Burrow (PO)(typ.)(39)

CLC Code CLC Name
*18221 Residential, Med. Density - 2-6 Dwelling Units/Ac.
*1840 Transportation

Area
3.08 ac.
7.88 ac.
Total 10.96 ac.

*Gopher tortoise habitat

Notes:

1. Locations of proposed and existing structures provided by LCEC.
2. Cooperative Land Cover (CLC) mapping obtained from the Florida Fish and Wildlife Conservation Commission.
3. Soils information obtained from the NRCS Web Soil Survey.
4. Gopher tortoise burrow survey conducted on September 22, 2021.

Burrow No.	Latitude	Longitude	Status
1	26° 35' 42.1764"	82° 13' 8.5944"	PO
2	26° 35' 41.1324"	82° 13' 10.2396"	PO
3	26° 35' 40.2"	82° 13' 8.8644"	PO
4	26° 35' 40.434"	82° 13' 10.0452"	PO
5	26° 35' 40.4484"	82° 13' 10.2432"	PO
6	26° 35' 40.4736"	82° 13' 10.74"	PO
7	26° 35' 41.7984"	82° 13' 14.9268"	PO
8	26° 35' 41.7444"	82° 13' 15.2832"	PO
9	26° 35' 41.082"	82° 13' 15.3624"	PO
10	26° 35' 41.4204"	82° 13' 15.9168"	PO
11	26° 35' 41.3844"	82° 13' 16.3452"	PO
12	26° 35' 41.5032"	82° 13' 17.904"	PO
13	26° 35' 42.252"	82° 13' 22.7748"	PO
14	26° 35' 40.9416"	82° 13' 23.124"	PO
15	26° 35' 39.8076"	82° 13' 22.1916"	PO
16	26° 35' 38.8104"	82° 13' 13.2168"	PO
17	26° 35' 38.9256"	82° 13' 12.972"	PO
18	26° 35' 38.7024"	82° 13' 9.1812"	PO
19	26° 35' 38.6268"	82° 13' 9.3396"	PO
20	26° 35' 36.5496"	82° 13' 13.6992"	PO
21	26° 35' 36.4956"	82° 13' 13.728"	PO
22	26° 35' 37.2624"	82° 13' 15.3264"	PO
23	26° 35' 37.2372"	82° 13' 15.4524"	PO
24	26° 35' 37.2084"	82° 13' 16.86"	PO
25	26° 35' 38.0796"	82° 13' 21.5256"	PO
26	26° 35' 38.0508"	82° 13' 21.5378"	PO
27	26° 35' 38.7996"	82° 13' 22.872"	PO
28	26° 35' 40.0488"	82° 13' 25.4388"	PO
29	26° 35' 38.6952"	82° 13' 25.0932"	PO
30	26° 35' 37.9716"	82° 13' 23.7972"	PO
31	26° 35' 35.8764"	82° 13' 24.852"	PO
32	26° 35' 35.052"	82° 13' 19.8552"	PO
33	26° 35' 35.0052"	82° 13' 18.3756"	PO
34	26° 35' 35.3292"	82° 13' 17.3172"	PO
35	26° 35' 34.7028"	82° 13' 11.172"	PO
36	26° 35' 34.2348"	82° 13' 11.91"	PO
37	26° 35' 33.882"	82° 13' 11.3592"	PO
38	26° 35' 34.0296"	82° 13' 10.902"	PO
39	26° 35' 33.3636"	82° 13' 10.9704"	PO

PERMIT USE ONLY, NOT FOR CONSTRUCTION September 27, 2021 3:58:40 p.m.
Drawing: LCEC-PLAN-CANAVERAL-180

Gopher Tortoise Burrow Survey Map

North Captiva Underground Improvements
South of Bartlett Parkway

BDEXBENDER
ENVIRONMENTAL CONSULTING
FORT MYERS 239-334-3580

LCEC
PEOPLE. POWER. POSSIBILITIES.

Summary of North Captiva Infrastructure Rebuild Project

- ♦ Phased approached to Infrastructure Rebuild
- ♦ Phase 1 to begin in 1st quarter of 2022
- ♦ Starting on south end of island moving north in stages
- ♦ We are working with FWC to obtain permits
- ♦ Tricia Dorn main POC

Any Questions ????

Perez, Maria

From: Linda Miller <linda@avaloneng.com>
Sent: Friday, August 8, 2025 9:31 AM
To: Perez, Maria
Cc: Badamtchian, Chahram; Richard B. Akin - Henderson Franklin Attorneys at Law (richard.akin@henlaw.com)
Subject: DCI2024-00040 North Captiva Hearing Examiner Conditional Language for Recommendation

Caution: This email originated from an external source. Be cautious of attachments and links, and do not provide login information. Report suspicious activity to the Service Desk: servicedesk@leegov.com or 533-HELP.

Hi Maria,

Please find the requested condition language for septic and architectural for DCI2024-00040 North Captiva Essential Service Facility. Staff has reviewed and approved this language. Please let us know if you have any questions or require any changes. Thank you!

Septic Condition:

- If an onsite septic system is required for the project use at time of Lee County Development Order, an approved permit from the Department of Health for an onsite septic system must be provided to Lee County Development Services staff prior to Development Order approval.

Architectural Condition:

- At the time of Lee County Development Order, if the development plans include an office, temporary housing, or a garage storage use the building elevations must be similar to the building elevations provided as Exhibit ____.



Linda Miller

Vice President
Director of Planning

Phone: 239-573-2077 ext 216

Mobile: 239-789-7823

Email: linda@avaloneng.com

Avalon Engineering, Inc.

2503 Del Prado Blvd S.
Suite 200
Cape Coral, FL 33904

www.avaloneng.com

Serving our community since 1980



APPLICANT'S EXHIBIT
6
W.S.

Perez, Maria

From: Linda Miller <linda@avaloneng.com>
Sent: Friday, August 8, 2025 9:58 AM
To: Perez, Maria
Cc: Badamtchian, Chahram; Richard B. Akin - Henderson Franklin Attorneys at Law (richard.akin@henlaw.com)
Subject: RE: DCI2024-00040 North Captiva Hearing Examiner Conditional Language for Recommendation
Attachments: Building Elevations.pdf

Caution: This email originated from an external source. Be cautious of attachments and links, and do not provide login information. Report suspicious activity to the Service Desk: servicedesk@leegov.com or 533-HELP.

Hi Maria,
Sorry I forgot to attach the building elevations. I know we included them in our power point presentation but please find the attached for her use.



Linda Miller
Vice President
Director of Planning

Phone: 239-573-2077 ext 216
Mobile: 239-789-7823
Email: linda@avaloneng.com

Avalon Engineering, Inc.

2503 Del Prado Blvd S.
Suite 200
Cape Coral, FL 33904

www.avaloneng.com

Serving our community since 1980



From: Perez, Maria <MPerez@leegov.com>
Sent: Friday, August 8, 2025 9:55 AM
To: Linda Miller <linda@avaloneng.com>
Cc: Badamtchian, Chahram <CBADAMTCHIAN@leegov.com>; Richard B. Akin - Henderson Franklin Attorneys at Law (richard.akin@henlaw.com) <richard.akin@henlaw.com>
Subject: RE: DCI2024-00040 North Captiva Hearing Examiner Conditional Language for Recommendation

Received and thank you.

MARIA D. PEREZ
EXECUTIVE ASSISTANT
LEE COUNTY HEARING EXAMINER'S OFFICE
BOARD OF COUNTY COMMISSIONERS
P.O. Box 398

**(1500 Monroe Street)
Fort Myers, Florida 33902
Tel: (239) 533-8100**

E-mail: perezmd@leegov.com

PLEASE NOTE: Florida has a very broad public records law. Most written communications to or from County Employees and officials regarding County business are public records available to the public and media upon request. Your email communication may be subject to public disclosure. Under Florida law, e-mail addresses are public records. If you do not want your email address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

Please note our general office email address: hex@leegov.com

From: Linda Miller <linda@avaloneng.com>

Sent: Friday, August 8, 2025 9:31 AM

To: Perez, Maria <MPerez@leegov.com>

Cc: Badamtchian, Chahram <CBADAMTCHIAN@leegov.com>; Richard B. Akin - Henderson Franklin Attorneys at Law (richard.akin@henlaw.com) <richard.akin@henlaw.com>

Subject: DCI2024-00040 North Captiva Hearing Examiner Conditional Language for Recommendation

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Hi Maria,

Please find the requested condition language for septic and architectural for DCI2024-00040 North Captiva Essential Service Facility. Staff has reviewed and approved this language. Please let us know if you have any questions or require any changes. Thank you!

Septic Condition:

- If an onsite septic system is required for the project use at time of Lee County Development Order, an approved permit from the Department of Health for an onsite septic system must be provided to Lee County Development Services staff prior to Development Order approval.

Architectural Condition:

- At the time of Lee County Development Order, if the development plans include an office, temporary housing, or a garage storage use the building elevations must be similar to the building elevations provided as Exhibit ____.



Linda Miller

Vice President

Director of Planning

Phone: 239-573-2077 ext 216

Mobile: 239-789-7823

Email: linda@avaloneng.com

Avalon Engineering, Inc.

2503 Del Prado Blvd S.

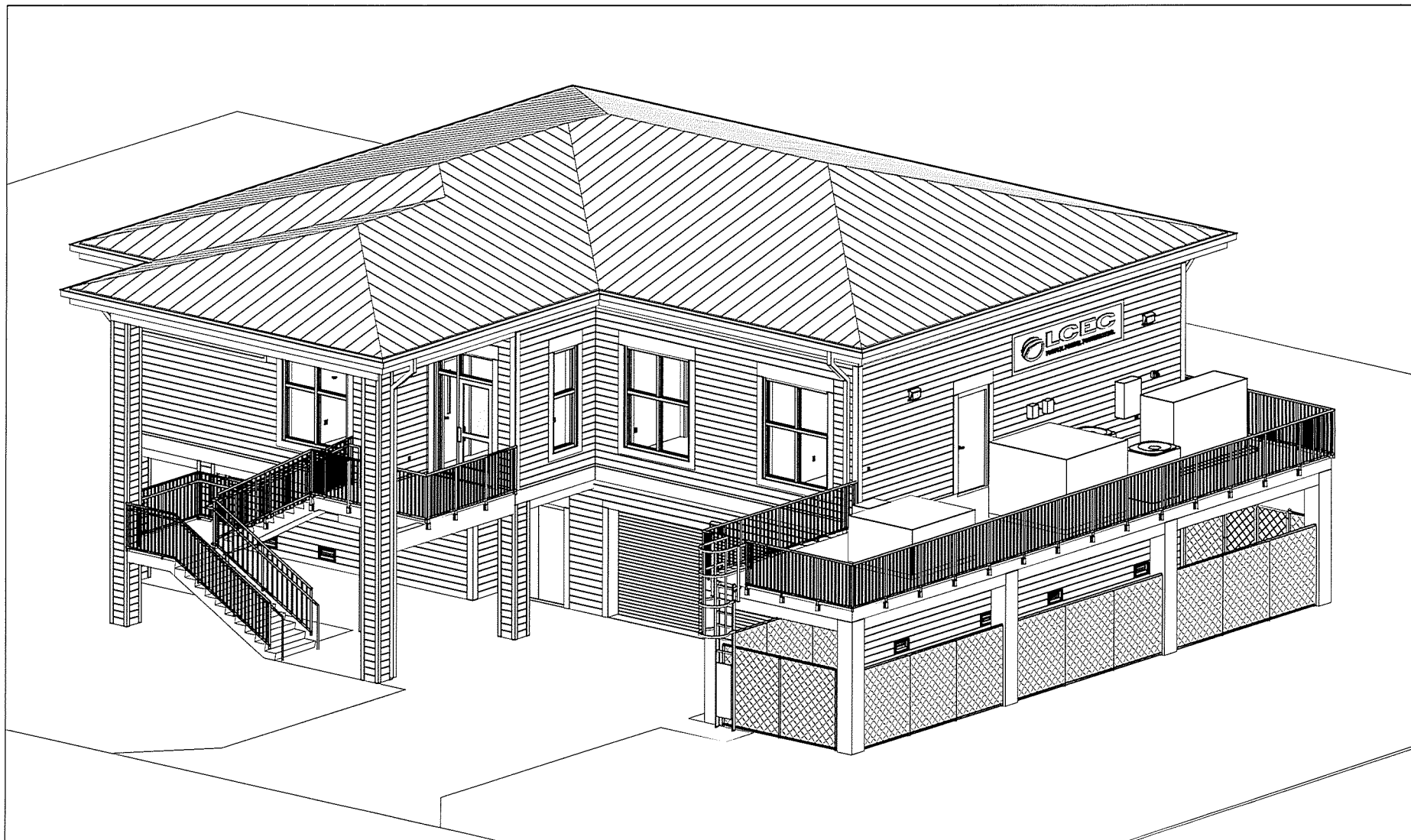
Suite 200

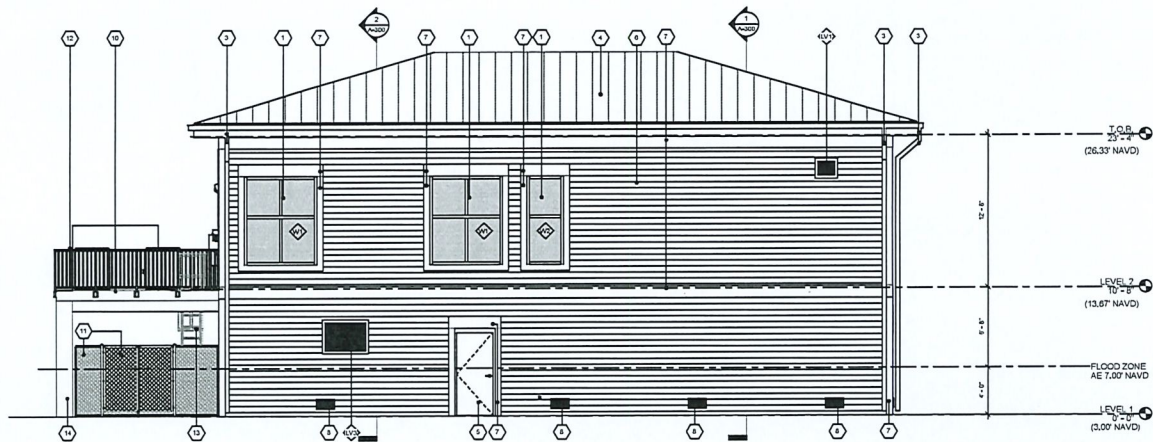
Cape Coral, FL 33904

www.avaloneng.com

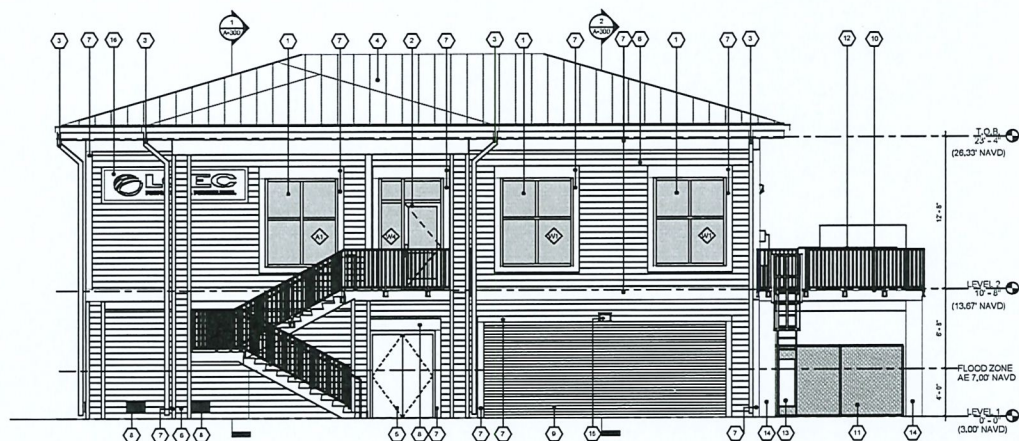
Serving our community since 1980







2 NORTH ELEVATION
A-200 1/4" = 1'-0"



1 SOUTH ELEVATION
A-200 1/4" = 1'-0"

- EXTERIOR ELEVATION NOTES (MM)**
1. ALUMINUM STORE FRONT SYSTEM, REFER TO A-600.
 2. ALUMINUM STOREFRONT DOOR, REFER TO A-600.
 3. 4"x4" ALUMINUM GUTTER SYSTEM WITH DOWNSPOUTS, COLOR TO MATCH TRIM.
 4. STANDING SEAM METAL ROOF.
 5. HOLLOW METAL DOOR, REFER TO A-600.
 6. PINK LAF STAIRS, R/L.
 7. TRIM, T&A, T&C AND T&S.
 8. HYDROSTATIC RELIEF OPENINGS.
 9. OVERHEAD METAL DOOR, REFER TO A-600.
 10. ELEVATED MECHANICAL PAD.
 11. 6"x6" PERIMETER CHAIN-LINK AND ACCESS GATE.
 12. METAL RAILING, REFER TO SPECIFICATION 05 50 00.
 13. ALUMINUM VERTICAL LADDER WITH SAFETY CAGE, SECURITY LOCKOFF SYSTEM, AND GUARDRAIL.
 14. ELEVATED PAD STRUCTURAL COLUMNS TO BE PLASTERED TO MATCH EXISTING WALLFACE.
 15. WALLFACE, REFER TO ELECTRICAL DRAWINGS.
 16. SIGNAGE BY OWNER.

HARVARD • JOLLY | **PHK**

10351 NEW EIGHTH BLVD., STE. 401, FT. MYERS, FL 33921 | 239.275.7774 | www.harvardjolly.com | AR031943

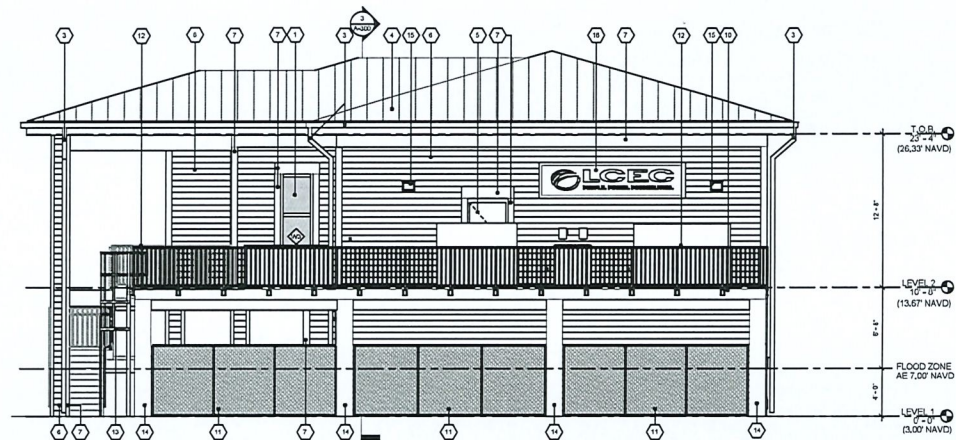
UPPER CAPTIVA
LCEC SERVICE CENTER
HODGEPODGE LN. & SPANISH GOLD LN.
CAPTIVA, FL 33924
CONSTRUCTION DOCUMENTS 100%

Comm. No: 24047.02		
Date: 03/14/2025		
Drawn by: CC		
Checked by: TM		
Revisions		
No.	Date	Revision Description

THIS SET OF PLANS IS TO BE USED FOR THE DESIGN AND CONSTRUCTION OF THE PROJECT AND IS NOT TO BE USED FOR ANY OTHER PURPOSE.

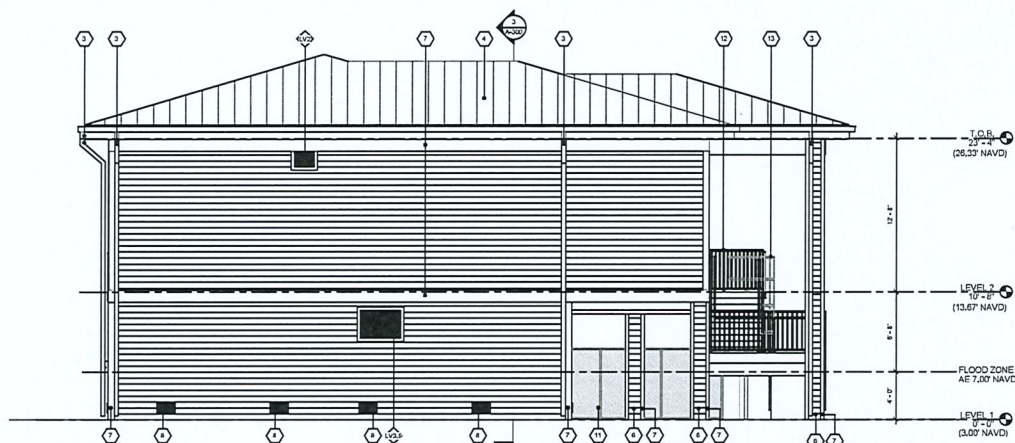
THOMAS A. MAYO, L.C. ARCHITECT
DATE: 03/14/2025
BY: HARVARD JOLLY INC.
EXTERIOR ELEVATIONS

A-200



2 EAST ELEVATION

A-201 1/4" = 1'-0"



1 WEST ELEVATION

A-201 1/4" = 1'-0"

- EXTERIOR ELEVATION NOTES:**
1. ALUMINUM STORE FRONT SYSTEM, REFER TO A-800.
 2. ALUMINUM STOREFRONT DOOR, REFER TO A-800.
 3. 4"X4" ALUMINUM GUTTER SYSTEM WITH DOWNSPOUT, COLOR TO MATCH TRIM.
 4. STANDING SEAM METAL ROOF.
 5. HOLLOW METAL DOOR, REFER TO A-800.
 6. PLAIN LAP SIDING, R/S.
 7. TRIM, TD-1, TD-2 AND TD-3.
 8. HYDRO-SPIC RELIEF OPENINGS.
 9. OVERHEAD METAL DOOR, REFER TO A-800.
 10. ELEVATED MECHANICAL PAD.
 11. 6"X6" PERIMETER CHAIN-LINK AND ACCESS GATE.
 12. METAL HAND, REFER TO SPECIFICATION 12.02.
 13. ALUMINUM VERTICAL LADDER WITH SAFETY CAGE, SECURITY LOCKOFF SYSTEM AND GUARDRAIL.
 14. ELEVATED PAD STRUCTURAL COLUMNS TO BE PLASTERED TO MATCH EX TRIM COLOR.
 15. WALLPAPER, REFER TO ELECTRICAL DRAWINGS.
 16. DISMISSE BY OWNER.

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12551 NEW EIGHTH AVENUE, SUITE 401, FT. MYERS, FL 33921 | 238.272.7774 | www.harvardjolly.com | A-001010

UPPER CAPTIVA
LCEC SERVICE CENTER
HODGEPODGE LN. & SPANISH GOLD LN.
CAPTIVA, FL 33924
CONSTRUCTION DOCUMENTS 100%

Comm. No: 24047.02		
Date: 03/14/2025		
Drawn by: CC		
Checked by: TM		
Revisions		
No.	Date	Revision Description

1. TO THE BEST OF OUR KNOWLEDGE, THE CONTENTS OF THESE DRAWINGS ACCURATELY REPRESENT THE PROJECT.

THOMAS A. MAYO, LLC, #A0001565
6000 TAMPA AVENUE, SUITE 200
TAMPA, FL 33607

EXTERIOR ELEVATIONS

A-201

Residential property

noted nowhere in the presentation
packet that we had to use ~~USB~~ thumb
drive. Are you denying my right
to Submit Evidence.



Residential lot before LCEC bulldozed trees - no permit.

Chrome File Edit View History Bookmarks Profiles Tab Window Help Wed Jun 25 8:26 PM

Property Data Search | Lee C x LCPA Geo View x +

gissvr.leepa.org/geoview2/?FolioID=10576533 Finish update

SPANISH GOLD LN

TOWNHOUSE LN

HODGEPODGE LN

STRAP	Folio	Owner Name	Site Address	Last Trans. Date	Last Trans. Amt	Just Value	Taxable Value
05-45-21-10-00000.028A	10576533	LEE COUNTY ELECTRIC COOPERATIV	4510 HODGEPODGE LN, CAPTIVA	12-2023	\$ 135,000	\$ 120,501	\$ 120,501

Lacey
PUBLIC'S EXHIBIT#
Farley 2

1 of 3 commercial lots for sale.

Chrome File Edit View History Bookmarks Profiles Tab Window Help Wed Jun 25 8:44 PM

Property Data Search | Lee C x LCPA Geo View x OneHome™ | Property Listing x +

portal.onehome.com/en-US/property/aotf~1114285577~SWFL?token=eyJPU04iOiJTV0ZMliwiYWdlbnRpZCI6IjMwNjMxliwic2V0aWQiOiAiMTE... ☆ 📄 🗒️ Finish update

< All Listings Overview Property Details Schools Price & Tax History > 1/3 < > ↻



1/48

310 Pieces Of Eight Captiva, FL 33924
MLS #225048776 CLIP #3927891834

View All 48 Photos

For Sale
\$1,199,000
Estimated Monthly Cost: \$7,267

VIEW COST BREAKDOWN >

FROM MARKETPLACE

 Get Insurance Quotes

 Estimate a Project

[Add a Note](#)

 **COMPARE**

Compare this property to others you've recently viewed or saved

[Start Comparing](#)

 **REQUEST A TOUR**

Schedule a tour of this property

Items: 50 All folders are up to date. Connected to: Ultimateaccesssecurity

PUBLIC'S EXHIBIT # _____

3
Lacey Farley

Changed posted purpose of rezone. 72 hours notice.
This meeting-1 week. Ho all gone.

Chrome File Edit View History Bookmarks Profiles Tab Window Help Wed Jun 25 9:19 PM

Vrbo Calendar x (7) SPON... - Sanibel-Captiva x +

facebook.com/story.php?story_fbid=1187126010088650&id=100063737853461&_rdr

Finish update

Sanibel-Captiva Islander | Island Reporter | Captiva Current's post

Sanibel-Captiva Islander | Island Reporter | Captiva Current February 17 · 🌐

SPONSORED CONTENT

Public Notice Upper (North) Captiva Community Meeting
Applicant: Lee County Electric Cooperative
Action Requested: Rezone the subject parcel from RS-1 (Residential Single Family) to CFPD (Community Facilities Planned Development) to permit the development of an essential service facility to serve the electric needs on the Island.
Site Project Name: North Captiva LCEC Essential Service Facility
Parcel: 4510 Hodgepodge Lane, Captiva, FL 33924
Public Presentation Date: February 25, 2025 Time: 2:00-4:00 PM
Location: North Captiva Fire Station, 4511 Hodgepodge Lane, North Captiva, FL 33924
For more information contact: Linda Miller linda@avaloneng.com



Comment as Lacey Farley

Sponsored CUPSHE Kelsey Anderson Cupshe x Kelsey Anderson cupshe.com

30 MIN NordicTrack + iFIT nordictrack.com

Friend requests See all Cindy Hayden 20 mutual friends Confirm Delete

Contacts Freddy Sherrill

PUBLIC'S EXHIBIT #

4
Lacey Farley

On Wednesday, June 25, 2025, 4:26 PM, elm140@aol.com <elm140@aol.com> wrote:

My name is Erica Maynard Uliasz and Lacey Farley is representing me today June 26 at this re-zoning hearing since I am out of town.

I have lived in Fort Myers for over 20 years and my husband and I have owned our home at 424 Gulf Bend Dr (aka Safety Harbor #5) for more than 5 years. I have seen the town of Ft Myers as well as the island of North Captiva change dramatically over the past 2 decades. I am asking Lacey to represent our very strong views against the LCEC's request to re-zone this residential lot and construct a substation, holding area for equipment and building for the following reasons:

1. Re-zoning of residential lots should not be allowed or tolerated on the island of North Captiva. Not only are there commercial lots available but it goes against our comprehensive plan. The Lee Plan protects North Captiva from urban expansion and is supposed to maintain low density development on the island.
2. The proposed facility will continue to be an eye sore. Currently this residential lot looks like a trash dump location for everyone to see as they pass by or visit the island. This lot is on the main drag of the island and it is disgusting to look at when driving by, as well as those that own homes around this lot. Owners and visitors should not have to see this everyday. We spend too much in insurances and taxes to be forced to look at this. It will only benefit LCEC while hurting property values of those around the proposed facility. The re-zoning of a lot must not hurt those RS-1 lots around it per code
3. Environmental factors-this facility will be detrimental to the area. Adding a substation will cause constant noise, lights and emit cancer causing radiation. Again-the surrounding homes will have to deal with these factors and have their property values decrease. Also-the septic is a problem for this lot. Constructing a septic system on this lot might not be possible and Safety Harbor more than likely will vote to NOT allow LCEC to hook up to our system. The wildlife will also be impacted by the constant noise and lights of this facility. Endangered species such as the gopher tortoise and indigo snake will more than likely be forced out of this area due to the disturbing nature of the facility.
4. Lee Co ordinance 92-23 strongly limits urban expansion on our fragile ecosystem of an island-hence should not be allowed.
5. FL law and our LDC strongly limits re-zoning in RS-1 areas and the proposed re-zoned area must demonstrate compatibility with surrounding use. We haven't received final plans and the proposed facility will NOT be compatible with the residential homes causing noise, lights, radiation and enhanced construction traffic as well as a DOH issue with the septic.

6. The lack of compatibility and no public utility compliance as well as being in direct violation of the LDC and comprehensive plan-this proposed facility and re-zoning should be denied. LCEC is a multi-million maybe billion dollar company. They saw an opportunity to save a few bucks and purchase a residential lot instead of a commercial lot. They are trying to cram this facility and substation down the throats of the island owners. We are grateful for LCEC when they repair our electric but re-zoning this RS-1 lot and proposing a substation is not acceptable. It will disrupt or quiet island. The island has had electricity since 1982 and we have done fine without the LCEC facility. We don't need one now. Also-please remember how much we pay in taxes each year. I pay over \$20,000 in taxes for this island home each year and we the owners out here get very little if anything in return. We have to beg to get anything for our roads to be repaired or for our fire dept to get equipment, we pay to have our garbage removed off island, we have to fund raise for the fire dept or other important causes. We chose to purchase a home on this amazing island but the islanders are choosing NOT to support this rezoning and NOT to allow LCEC disrupt our way peaceful way of life. We deserve to be listened to. The way I see it-we pay a ton in taxes and get nothing in return-Lee Co should not be able to force something the island owners don't want.

Thank you
Erica Maynard Uliasz

From: Jeremy and Amy Fremin <ou96@yahoo.com>

Date: June 25, 2025 at 5:18:29 PM EDT

To: Lacey Farley <noworriesnci@gmail.com>

Subject: LCEC Hearing - 6/26/25 - Fremin

To whom it may concern,

Our names are Jeremy and Amy Fremin.
We are longtime homeowners on North Captiva
(Currently 601 Rum Rd and previously 577 Coral Circle).

We fully support LCEC and the commitment to improving and upgrading the electrical infrastructure of the island.

We do object to the re-zoning of a residential property to a commercial property. Specifically, in regards to this hearing, the property on Spanish Gold and Hodgepodge.

A commercial zoned lot is currently available on North Captiva. We strongly encourage and support the substation being located at that location.

We are sending our written objection to Lacey Farley as we are unable to attend the 6/26/25 hearing in person.

If anything further is needed, please let us know.

Thank you,

Jeremy and Amy Fremin
ou96@yahoo.com

601 Rum Rd
North Captiva, FL

Subject Property: 0.24 acres at Spanish Gold Ln & Hodgepodge Ln, North Captiva Island
RE: Case # DCI2024-00040
Rezoning to CFPD for North Captiva LCEC Essential Service Facility

I, Cindy L. Petrat Hayden, homeowner of 4550 Hidden Lane and 4551 Oro Pesos Lane North Captiva authorize Lacey Farley to be my agent and represent me in the above mentioned matter.

First: As a homeowner on an island inherent to outages, I am very appreciative to services provided by LCEC. However, I have issues with this request based on several items.

There is available property already zoned commercial which is appropriate for the needs of LCEC to provide a substation for the island. Why rezone residential to commercial when the appropriate ratio of commercial vs residential is already set in the master planning of the island.

LCEC has occupied the property on a temporary basis and has been an eyesore for all that drive by on the way to homes and beach. They have already set a precedence as to how they will be maintaining this Substation in a residential area that has been valiantly trying to rebuild and become the beautiful island escape we homeowners strive to create for ourselves and others.

Additionally, rezoning this lot would most likely have a negative impact to the property values which would affect all the homeowners on the island and eventually impact the County taxes collected on said properties.

I also fully believe that if this rezoning request is approved, it sets a precedence that others are waiting for the door to open and they will follow suit, quickly. Where does it stop?

It is my opinion that this should not be granted as it is not required for them to provide the necessary and appreciated service with lots and land already available 'as is'.

Thank you for your time.

Cindy L. Petrat Hayden
4550 Hidden Lane, North Captiva
941-650-0493

Thursday, June 26, 2025 at 6:50:18 AM Eastern Daylight Time

Subject: Jeff and Shelly Waters

Date: Thursday, June 26, 2025 at 6:32:11 AM Eastern Daylight Time

From: Shelly Waters

To: Noworriesnci@gmail.com

To Whom It May Concern

We are authorizing Lacey Farley to relay our thoughts from this email as our proxy on these proceedings.

We purchased a property on North Captiva Island because of the well thought out and intentional designations between the residential and commercial properties. Although we appreciate LCEC and its miraculous efforts during times of crisis, we strongly disagree with the proposed use of the residential property on Hodgepodge road. Currently there are several commercially intended properties available that would better serve LCEC and our island community.

We strongly oppose the rezoning of the property in question.

Thank you for your consideration.

Jeff and Shelly Waters
4481 Escondido Lane

Sent from my iPhone

DARYL MAX FORGEY, AICP
LAND USE PLANNER & EXPERT WITNESS
max@forgeyplanning.com
239.560.5864

Amanda Rivera Esq.
Deputy Hearing Examiner
Lee County Board of County Commissioners
1500 Monroe St., Room 218
Fort Myers, FL 33901
hex@leegov.com

July 24, 2025

SUBJECT: JUSTIFICATION FOR DENIAL OF CASE NUMBER DCI2024-00040 LEE COUNTY ELECTRIC COOPERATIVE (LCEC) TO REZONE .24 ACRES +/- LOCATED AT THE NORTHEAST CORNER OF SPANISH GOLD LANE AT HODGEPODGE LANE ON UPPER CAPTIVA, A BRIDGELESS BARRIER ISLAND IN UNINCORPORATED LEE COUNTY FLORIDA, FROM RS-1 (RESIDENTIAL) TO CFPD (COMMUNITY FACILITIES PLANNED DEVELOPMENT) TO ALLOW ADMINISTRATIVE OFFICE, ESSENTIAL SERVICES FACILITIES GROUP I, AND TEMPORARY EMPLOYEE HOUSING WITHIN A PROPOSED TWO-STORY STRUCTURE PLUS DEVIATIONS AND WAIVERS.

1. PURPOSE OF REPORT & QUALIFICATIONS OF EXPERT

This report was prepared on behalf of clients GUARDIANS OF NORTH CAPTIVA and their agent LACEY FARLEY, who resides at 2156 Bayou Road, Punta Gorda, FL 33950, and her neighbors residing in the immediate vicinity of the proposed rezoning. They seek to augment their lay testimony with expert analysis of the application and staff report in the instant case.

The undersigned, Daryl Max Forgey, is a land use planner and expert witness with a Master of Public Affairs (MPA) degree with a concentration in Urban and Regional Planning from the O'Neill School of Public and Environmental Affairs at Indiana University Bloomington; and has been a member in good standing of the American Institute of Certified Planners (AICP) since 1993. Since 2009 he has been the sole proprietor of Forgey Planning LLC, and since 2024 has been co-owner of Land Smart LLC, a Cape Coral-based land use consulting practice. He is an active member of the American Planning Association, Florida chapter, and the Florida Planning and Zoning Association. He has authored numerous articles and opinion pieces for APA's *Planning* magazine and other publications and is a frequent speaker at state conferences. A copy of his resume, detailing his professional qualifications and career experiences, is appended to this report.

2. QUASI-JUDICIAL NATURE OF CASE NUMBER DCI2024-0004

Case number DCI2024-00040 is quasi-judicial in nature. In Florida, changes in zoning must be amended by quasi-judicial procedures. W. Thomas Hawkins, in *Land Use Law in Florida* [Routledge, 2021] posits that “Florida courts call as-applied land use actions quasi-judicial, and subject those decisions to strict scrutiny, a standard which...requires competent and substantial evidence and testimony showing that the decision meets applicable requirements of law. Additionally, parties affected by quasi-judicial decisions are entitled to procedural due process protections to which parties affected by legislative decisions are not entitled.” [pg. 35].

Hawkins further states that:

“Procedural due process ‘serve[s] as a vehicle to ensure fair treatment through proper of justice where substantive rights are at issue.’ The ‘core’ of procedural due process is ‘the right to notice and meaningful opportunity to be heard’. And the opportunity to be heard requires ‘a meaningful opportunity to contest [a possible government deprivation] usually before it is imposed.’” [pg. 47].

Hawkins identifies six indicia for the conduct of quasi-judicial hearings by local governments:

“In Florida, case law dictates how local governments must conduct quasi-judicial hearings. Parties to quasi-judicial hearings are generally entitled to: (1) receive notice of the hearing; (2) an opportunity to be heard; (3) present and rebut evidence; (4) cross-examine witnesses; (5) a tribunal which is impartial in the matter; and (6) be informed of all the facts on which the commission acts.” [pg. 47]

In the case at hand, Ms. Farley, and their neighbors, and particularly persons residing in the immediate vicinity of the subject property expect to be afforded the opportunity to participate fully in the hearing and are committed to contribute competent and substantial evidence and testimony in the scheduled hearings in case DCI2024-0004 to justify denial of this application. They participated in the hearing on June 26, 2025 and intend to participate in the continued Hearing Examiner hearing on July 25, 2025.

3. PREPARATION FOR THIS HEARING

In preparation for this hearing, and this expert report, the undersigned discussed the case with Desiree Wilson, Esq., the first point of contact for the Guardians of Upper Captiva at length as early as July 1, 2025, and followed up with a site visit joined by Research Associate Jordan Hester on July 11, 2025, where they observing golf cart traffic in the vicinity of the subject property and took pictures of the subject property, which we found to be cluttered with outdoor storage of materials that created an eyesore for the surrounding residential neighborhood.

The undersigned studied the following documents in preparation for the report and hearing:

- The Lee County Comprehensive Plan

- The Staff Report
- The 48-Hour Notice
- The video of the June 26th hearing

4. CHARACTER OF THE AREA AND THE PROPOSED DEVELOPMENT

The Lee County Staff Report provides a thorough and accurate description of Upper Captiva and the subject property with emphasis on the availability of public services, with a historical analysis of past rezoning efforts on the subject property. The “Character of the Area” section of the Staff Report provides a terse summary of the immediate vicinity of the subject property: “[t]he area is mostly developed with single-family and two-family attached residences.” [pg. 1 of 5.] The only exception is the adjacent fire station, which is appropriately situated to provide quick emergency response to protect nearby residences and the limited non-residential uses on the island.

On any other location on the mainland of unincorporated Lee County, an enclosed storage building with office space and temporary worker housing would be unlikely to stimulate an adverse response and might even be desirable to neighbors. On bridged islands, including Captiva and Gasparilla, they might be difficult to accommodate; on bridgeless Upper Captiva, they would impose an incompatibility as defined in Sec. 163.3164(9) of Florida Statutes: “‘Compatibility’ means a condition in which land uses or conditions can coexist in relative proximity to each other in a stable fashion over time such that no use or condition is unduly negatively impacted directly or indirectly by another use or condition.”

According to the Staff Report:

“The new facility will assist Lee County Electric Cooperative with maintaining and improving the electricity service provided to the residents and businesses on North Captiva.” [pg. 1]

This proposed enclave of office, temporary residential, and storage activity on a single lot constitutes incompatibility as defined by statute. This written testimony will be amplified by the oral testimony of the clients and their neighbors concerning the long-term effects of the proposed use on the use and enjoyment of their properties.

5. COMMUNITY RESPONSE TO THE PROPOSED DEVELOPMENT

In their testimony at the June 25th hearing, Ms. Farley, the Guardians of North Captiva, and their neighbors offered testimony as to why this proposed development should not be allowed at this location. Speakers at the hearing were eager to express their appreciation for the work of the LCEC in their community, but objected to the proposed use based upon these concerns:

- Property owners received insufficient notice and were not afforded a realistic opportunity to collaborate with LCEC in the siting of the facility.

- According to Alex Murphy, president of the Upper Captiva Civic Association, 82 percent of the persons responding to membership survey opposed the proposed use at that location.
- Island has approximately 220 electric customers, and is approaching buildout, suggesting that the proposed use is not essential at this time.
- It is unlikely that the available sewage treatment systems will be available to serve this proposed use.
- Applicant has used the subject property for outdoor storage which has resulted in a poor visual appearance.
- Better locations exist that would allow storage and office space without visual incompatibility.

6. THE LEE COUNTY COMPREHENSIVE PLAN

In Florida, a Comprehensive Plan enshrines the community's vision of its future, one which provides guidance to property owners, local governments, and infrastructure and service providers, among others. A local government has every good reason to maintain its comprehensive plan and land development regulations in their existing state unless and until a better use is proposed. For decades, the Upper Captiva community plan has enjoyed a special status with a goal (#26), objectives and policies tailored to the community's geography and needs, informed by an exhaustive public participation process, and adopted by the Board of County Commissioners. This goal is stated below *verbatim*:

“GOAL 26: NORTH CAPTIVA COMMUNITY PLAN. Preserve the **character, scale**, fragile environment, and **way of life** in the North Captiva Community Plan area by guiding future land use; transportation and roads; conservation and coastal management; Safety Harbor; shore and water quality, **water and waste management**; open space, recreation, and quality of life; and **citizen participation** and community education. (Ord. No. 09-09, 18-18)”

Any land use decision on North Captiva must consider the factors that make the island, and the Safety Harbor community unique. Waste water management is singled out for consideration.

The Upper Captiva-specific Goal, Objectives and Policies augment, but do not supplant, the other Lee Plan Goals, Objectives, Policies, and Standards. The Staff Report identified two objectives (2.1 and 26.1), three policies (1.4.2, 1.6.5, and 2.1.3); as consistent with the Lee Plan and justifying denial of this application. The undersigned respectfully disagrees and will offer an alternative interpretation of those objectives and policies stated in the Staff Report and will propose an additional policy (5.1.5), which appears in the County's online Comprehensive Plan.

Lee Plan Objective 2.1 reads as follows:

“OBJECTIVE 2.1: DEVELOPMENT LOCATION. Contiguous and compact growth patterns will be promoted through the rezoning process to contain urban sprawl, minimize energy costs, conserve land, water, and natural resources, minimize the cost of

services, and prevent development patterns where large tracts of land are by-passed in favor of development more distant from services and existing communities. (Ord. No. 94-30, 00-22)

While the proposed use and location is not inconsistent with Objective 26.1, it is noteworthy that there are other locations on the island, as identified in public testimony, which would be equally consistent with Objective 26.1 and less impactful to the existing residential neighborhood.

Policies 1.4.2, 1.6.5, and 2.1.3 read as follows:

“POLICY 1.4.2: The Outer Islands are sparsely settled, have minimal existing or planned infrastructure, and are very distant from major shopping and employment centers. Except for those services as provided in compliance with other sections of this plan, they are not expected to be programmed to receive urban-type capital improvements in the time frame of this plan, and as such can anticipate a continued level of public services below that of other land use categories. The continuation of the Outer Islands essentially in their present character is intended to provide for a rural character and lifestyle, and conserve open space and important natural upland resources. Maximum density is one dwelling unit per acre (1 du/acre). (Ord. No. 98-09, 09-09)”

“POLICY 1.6.5: The Planning Districts Map and Acreage Allocation Table (Map 1-B and Table 1(b)) depict the proposed distribution, extent, and location of generalized land uses through the Plan’s horizon. Acreage totals are provided for land in each Planning District in unincorporated Lee County. No development orders or extensions to development orders will be issued or approved by Lee County that would allow the acreage totals for residential, commercial or industrial uses contained in Table 1(b) to be exceeded. This policy will be implemented as follows:

1. For each Planning District the County will maintain a parcel based database of existing land use.
2. Project reviews for development orders must include a review of the capacity, in acres, that will be consumed by buildout of the development order. No development order, or extension of a development order, will be issued or approved if the acreage for a land use, when added to the acreage contained in the updated existing land use database, exceeds the limitation established by Table 1(b) regardless of other project approvals in that Planning District.
3. When updating the Lee Plan’s planning horizon, a comprehensive evaluation of the Planning Districts Map and Acreage Allocation Table will be conducted. (Ord. No. 94-29, 98-09, 00-22, 07-13, 10-20, 19-13, 21-09)”

“POLICY 2.1.3: All land use categories and Planning Districts **permit the consideration** of churches and schools (except in Wetlands and Airport Noise Zones A and B), public uses and buildings, public utilities and resource recovery facilities, public recreational uses (including franchised quasi commercial uses in conjunction with a public use), and

sites for **compatible public facilities** when consistent with the goals, objectives, policies, and standards in this plan and **applicable zoning and development regulations**. (Ord. No. 94-30, 98-09, 21-09).”

Objective 26.1 is stated below, *verbatim*:

“OBJECTIVE 26.1: FUTURE LAND USE. Preserve the traditional **character, scale, and tranquility** of the North Captiva community by continuing to limit the densities and **intensities of use** and development to sustainable levels that will not adversely impact the natural environment or **overburden the existing infrastructure**. (Ord. No. 09-09, 18-18)”

A land use definition in a Comprehensive Plan is an essential factor for approving or denying a zoning change in a quasi-judicial procedure. The Future Land Use Map (FLUM) designation on the subject property is Outer Islands, defined in Policy 1.4.2 which fixes a standard residential density of 1.0 dwellings per acre and prescribes “sparsely settled” island neighborhoods with very limited services and infrastructure, which certainly describes Upper Captiva in its current state. It does not describe office uses or storage as proposed in the instant case. The request, if approved, will change the character of the area at this location; therefore, the proposed development is not consistent with Policy 1.4.2.

While the proposed use is not inconsistent with Policy 1.6.5, it is not particularly relevant to the decision that must be made in that case. This is practically a free space—there is no conceivable change of use on this quarter acre subject property which would violate this policy.

Likewise, the proposed use is not facially inconsistent with Policy 2.1.3, but upon further analysis, the policy does not categorically allow approval. Returning to the obvious fact that the subject parcel is less than one-quarter acre in size and located in a residential neighborhood on a bridgeless barrier island, it is noteworthy that this policy applies to all land uses of any size anywhere on the island. The phrase “permit the consideration” is telling—there are several enumerated uses, including schools—which are not likely to be placed on a quarter acre lot on a bridgeless barrier island. “Compatible public facilities” are allowed, but only when consistent with “applicable zoning and development regulations.” Competent substantial evidence, including the testimony of the neighbors who would be most impacted by the proposed use at this location, strongly suggests that is not. It is not consistent with applicable zoning and development regulations. If it were, the applicant would not be seeking a rezoning plus deviations.

The Staff Report found the proposal consistent with Objective 26.1. The purpose of the objective is to preserve the island’s character by limiting any increase in intensity of use, which is exactly what this application proposes to do. Additionally, it would impose an additional burden on existing infrastructure.

The Staff Report did not cite Policy 5.1.5, which is stated *verbatim* as follows:

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

The proposed use at the proposed site would encroach on a residential neighborhood. The current use, with its outdoor storage, is destructive to the character and integrity of the residential environment.

7. RECOMMENDED FINDINGS OF FACT

Based upon the above analysis, supported by the competent substantial evidence presented by the testimony of neighbors to the subject property, the undersigned recommends denial of the application. No conditions can be fashioned which are capable of minimizing or eliminating the destructive impacts this proposal has on the residential environment. Therefore, the application not only can but must be denied.

Finding #1: Incompatibility With Residential Character and Objective 26.1

The proposed development is fundamentally inconsistent with Objective 26.1 of the Lee Plan, which prioritizes the preservation of North Captiva’s traditional character, scale, and tranquility. The introduction of electrical infrastructure, machinery, and temporary worker housing converts a serene, single-family residential setting into an active operations site. The area, currently defined by its low density and near-silent environment, would be transformed by constant activity, heavy equipment movement, and operational noise — disrupting the character of the neighborhood and setting a precedent incompatible with the Plan’s long-standing goals.

Finding #2: Violation of Density Limitations Under Policy 1.4.2

Policy 1.4.2 clearly limits future residential development to one dwelling unit per acre on barrier islands. The applicant proposes to introduce what is functionally a multi-use compound (administrative offices, equipment housing, worker accommodations) on a 0.24-acre lot. This scale and intensity violates both the letter and intent of the density cap. No other developed parcels in the vicinity have disregarded this standard since the adoption of the applicable Lee Plan policies; to allow it here would create a precedent that undermines the policy’s purpose and future enforceability.

Finding #3: Unmitigated Noise, Light, and Visual Intrusion

Testimony and field conditions confirm the proposed use will result in substantial noise intrusion from generators, substation equipment, construction-grade machinery, and on-site workers — all within immediate proximity to residential lots. The area is currently characterized by ambient

natural silence; even minimal equipment activity would drastically alter that. The Hearing Examiner explicitly requested clarity on the ongoing nature of activity and where machinery and materials would be stored — concerns not adequately addressed by the applicant.

Finding #4: Environmental Harm and Pretextual Mitigation

The applicant's environmental study was completed after the site was cleared of natural vegetation, protected wildlife, and critical habitat. By demolishing existing conditions before environmental documentation was finalized (August 2024), the applicant bypassed the meaningful evaluation of ecosystem impacts. The destruction of gopher tortoise habitat and tree cover directly conflicts with environmental protection goals and undermines the public review process.

Finding #5: Inadequate Infrastructure and Utilities

The proposal lacks a feasible plan for essential services. There is no viable wastewater treatment solution for the site. The Hearing Examiner explicitly asked for utilities and easement information to be shown on the Master Concept Plan — a request still unfulfilled. The site's isolated setting and absence of centralized service capacity make the proposal unworkable without significant off-site improvements, which are not proposed or guaranteed.

Finding #6: Lack of Public Necessity or Justification

The applicant has not demonstrated a public necessity for placing this infrastructure at this specific residential location. No alternatives have been evaluated or submitted for other potential sites better suited for utility operations. The burden is on the applicant to justify a departure from residential zoning under public purpose criteria, and that burden remains unmet. Testimony from the public overwhelmingly reflects that this facility is not needed at this location and will not serve the public interest of the island residents.

Finding #7: Failure to Adequately Address Hearing Examiner Concerns

The Hearing Examiner identified numerous outstanding issues at the June 25 hearing, including lack of clarity on the intended use, inadequate documentation of utility plans, and unresolved stormwater and flooding impacts. The staff report and second hearing notes confirm these deficiencies remain. Without clear, complete responses from the applicant, the Examiner cannot make affirmative findings of compatibility, adequacy, or compliance with the Lee Plan.

Finding #8: Encroachment Contrary to Policy 5.1.5

Policy 5.1.5 requires that proposed developments protect residential environments from encroachment by incompatible uses. This proposal constitutes exactly the kind of disruptive encroachment the policy seeks to avoid. It introduces non-residential functions, disruptive activity, and altered land use intensity into a stable residential zone, without buffers or screening to mitigate impacts. The site's constrained size further prevents the implementation of conditions that might reduce this incompatibility.

LCEC
Rezoning

Opposition
Expert
Findings

**Opposition of LCEC Rezoning
Case DCI2024-00040
July 25, 2025**

Prepared by: Daryl Max Forgey, AICP
For: Guardians of North Captiva

Overview: Review Topics

Local Conditions

Site Photos

Review of Findings of Fact

Eight Core Findings

Site



Adjacent Site



Neighborhood



Site Conditions



Site Drainage



Site Conditions



Finding #1 – Incompatibility with Residential Character (Obj. 26.1)

- Proposed use introduces offices, equipment, and worker housing
- Quiet, low-density residential area disrupted
- Violates North Captiva's protected character and tranquility
- Uphold Objective 26.1
- Reject intensity inconsistent with neighborhood scale

Finding #2 – Density Violation (Policy 1.4.2)

- 0.24-acre lot proposed for high-intensity use
- Includes housing, storage, and office on a single parcel
- Exceeds Outer Islands 1 du/acre density limit
- Deny outright due to overdevelopment and undermining Policy 1.4.2
- Encourage reduced-scale or alternate location

Finding #3 – Noise, Light & Operational Impacts

- Constant equipment activity in a quiet zone
- Night lighting, generators, and workers disrupt environment
- Hearing Examiner's concerns remain unanswered
- Require specific limits: hours, storage, lighting, noise
- Add enforceable conditions or deny if not achievable
- Ensure compatibility with surrounding homes

Finding #4 – Environmental Harm Without Review

- Site cleared before environmental assessment
- Gopher tortoise habitat and tree canopy destroyed
- Undermines public review and ecological standards
- Invalidate environmental findings
- Require habitat restoration and new ecological review
- Deny based on procedural and ecological failures

Finding #5 – Lack of Utility and Wastewater Planning

- No viable sewer/water plan provided
- No utility easements shown on Master Concept Plan
- Isolated site with no service infrastructure
- Deny or defer until utilities are confirmed
- Require updated MCP with documented connections
- Avoid approval without basic infrastructure

Finding #6 – No Demonstrated Need

- No public necessity proven for this location
- No alternative sites studied or compared
- Strong local opposition noted in record
- Burden of proof lies with applicant
- Deny if no public interest or siting analysis is provided
- Preserve residential zoning for future consistency

Finding #7 – Unresolved Hearing Examiner Issues

- Outstanding concerns: use type, utilities, stormwater
- No revised plans submitted
- Application remains incomplete and unclear
- Require full documentation before approval
- Deny for failure to respond to Examiner's requests
- No findings of compliance can be made

Finding #8 – Encroachment into Residential Zone (Policy 5.1.5)

- Industrial and transient multi-family use without buffers harms residential integrity
- Visual and operational impacts already evident
- No conditions can fully mitigate use on this small residential site
- Approval invites a code enforcement challenge for County and residents



PUBLIC'S EXHIBIT # 1
West
taylor