RESOLUTION NUMBER Z-25-023

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

WHEREAS, Sage Entitlements, LLC, filed an application on behalf of the property owners, Richard Stephen Singletary and Heidi Lynn Singletary, as Trustees of the Singletary Family Trust, to rezone a 16.81± acre parcel from Agricultural (AG-2) to Commercial Planned Development (CPD) in reference to Singletary CPD; and

WHEREAS, a public hearing before the Lee County Zoning Hearing Examiner, Donna Marie Collins, was advertised and held on October 30, 2025; and

WHEREAS, the Hearing Examiner gave full consideration to the evidence in the record for Case # DCI2024-00043 and recommended APPROVAL of the request with conditions; and

WHEREAS, a second public hearing was advertised and held on December 3, 2025 before the Lee County Board of Commissioners; and,

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

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

SECTION A. REQUEST

The applicant filed a request to rezone a 16.81± acre parcel from AG-2 to CPD, to allow 110,000 square feet of commercial floor area and 100,000 square feet warehouse/self-storage floor area.

The property is located in the Outlying Suburban Future Land Use Category and is legally described in attached Exhibit A and the vicinity map of the subject property is attached as Exhibit B. The request is APPROVED, SUBJECT TO the conditions and deviations specified in Sections B and C below.

SECTION B. CONDITIONS

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

1. Master Concept Plan and Development Parameters

   a. Master Concept Plan (MCP). Development must be substantially consistent with the Singletary CPD MCP revised October 27, 2025, attached hereto as Exhibit C.

   b. Compliance with Lee Plan and LDC. Development permitting must be consistent with the Lee Plan and comply with the LDC, except where deviations have been approved. Amendments to the MCP or conditions of approval will be subject to review consistent with LDC development approval processes.

c. Approved Development Parameters. Development is limited to a maximum of 110,000 square feet of commercial floor area and 100,000 square feet of indoor self-storage floor area.

2. Schedule of Uses and Property Development Regulations

a. Schedule of Uses

(References to uses are as defined/listed in the Lee County LDC.)

Accessory Uses and Structures
Administrative Offices
Agricultural Uses Consistent with Condition 8
Animals:
    Clinic or Kennel
    Control Center (including Humane Society)
ATM (Automatic Teller Machine)
Auto Parts Store
Automobile Repair and Service, All Groups
Automobile Service Station
Bait and Tackle Shop
Banks and Financial Establishments: Groups I and II
Bar or Cocktail Lounge
Boats:
    Boat Parts Store
    Boat Rental
    Boat Repair and Service Boat Sales
    Boat Storage, Dry
Broadcast Studio, Commercial Radio, and Television
Building Material Sales
Business Services: Groups I and II
Caretaker's residence
Car Wash
Cleaning and Maintenance Services
Clothing Stores, General
Clubs:
    Commercial
    Fraternal, Membership Organization
    Private
Communication Facilities, Wireless
Consumption on Premises
Contractors and Builders, All Groups
Convenience Food and Beverage Store
Cultural Facilities
Day Care Center, Child, Adult
Department Store
Drive-Through Facility for any Permitted Use
Drugstore, Pharmacy
Dwelling Unit:
    Single-family (existing-only)
EMS, Fire or Sheriff's Station
Entrance Gates and Gatehouse
Essential Services

Essential Service Facilities, Group I
Excavation:
    Water Retention
Farm Equipment, Sales, Storage, Rental or Service
Feed or Fertilizer, Mixing and Sales
Fences, Walls
Flea Market: Open & Indoor
Food Stores, Groups I, II
Funeral Home and Mortuary (Without Crematory)
Gift and Souvenir Shop
Hardware Store
Health Care Facilities, Group III only
Hobby, Toy, and Game Shops
Hospice
Household and Office Furnishings, All Groups
Insurance Companies
Laundry or Dry Cleaning, Group I
Lawn and Garden Supply Stores
Medical Office
Non-store Retailers, All Groups
Package Store
Paint, Glass, and Wallpaper
Parking Lot:
    Accessory
    Commercial
    Temporary
Personal Services, Groups I-IV
Pet Services
Pet Shop
Pharmacy
Place of Worship
Plant Nursery
Post Office
Printing and Publishing
Real Estate Sales Office
Recreational Facilities, Commercial Groups I, III, IV
Religious Facilities
Rental or Leasing Establishment, Groups I-IV
Repair Shops, Groups I-V
Research and Development Laboratories, Groups I, II, & IV
Restaurant, Fast Food
Restaurants, Groups I-IV
Retail and Wholesale Sales, when clearly incidental and subordinate to a permitted principal use on the same premises
Schools:
    Commercial
    Noncommercial
Signs
Specialty Retail Shops, Groups I-IV
Storage, Indoor
Storage, Open (limited to accessory to permitted principal use)

Studios
Temporary Uses
Theater, Indoor or Outdoor (Drive-In)
Used Merchandise Stores, Groups I, II
Variety Store
Vehicle and Equipment Dealers, Groups I-V
Warehouse:
    Hybrid
    Mini Warehouse
    Public
Wholesale Establishments, Groups I, III

b. Site Development Regulations

Minimum Lot Size:	10,000 square feet
Minimum Lot Width:	100 feet
Minimum Lot Depth:	100 feet

Minimum Setbacks, Maximum Building Height and Lot Coverage

Arterial Street:	50 feet
Private Street	15 feet
Side:	10 feet
Rear:	25 feet
Waterbody	25 feet
Maximum Building Height:	45 feet (see Condition 11)
Lot Coverage:	50 percent

3. Open Space and Indigenous Preservation

Development order plans must depict open space areas substantially consistent with the approved MCP. Open space and indigenous preservation areas must meet or exceed the following minimums:

Total Open Space: 4.43 acres
Indigenous Preservation (within open space): minimum 2.87 acres

4. Water Quality Monitoring

Development Order submittals must include the attached Water Quality Monitoring Plan (Exhibit D) with the following modifications:

a. The Water Quality Monitoring Plan must specify surface water quality monitoring locations. Surface water quality monitoring sites must be located at each proposed outfall.

b. Annual monitoring reports must include a comparison of State surface water quality standards, plots of parameters, and recommendations. Results must be reported as an Electric Data Deliverable (EDD), in a format approved by the Division of Natural Resources.

Developer may request to amend water quality monitoring and reporting schedule after five years of meeting or exceeding state water quality monitoring standards The request must be in writing and subject to approval by the Division of Natural Resources.

5. Conservation Easement

The property owner must record a conservation easement over indigenous preserve areas prior to the first development order approval. Conservation easements must be dedicated to a maintenance entity and provide third party enforcement rights to Lee County or another public agency acceptable to the County.

6. Utility Connections

Development must connect to public utilities for water and wastewater services.

7. State and Federal Permits

a. Generally. County development permits do not create rights to obtain permits from state or federal agencies and do not create liability on the part of the County if the developer fails to obtain requisite approvals or fulfill obligations imposed by state/federal agencies or if applicant undertakes actions resulting in a violation of state or federal law. Developer must obtain applicable state/federal permits prior to commencing construction.

b. State Wetland Permits. Developer may not commence construction on development impacting wetlands until issuance of required state permits. Development activity must comply with state wetland permits and applicable local development permits.

If the State does not approve wetland impacts or if State wetland permits are not consistent with proposed wetland impacts reflected in County development permits, Developer must amend County development permit approvals to achieve consistency with state wetland permits, and applicable Lee Plan and LDC regulations.

8. Agricultural Use

Existing bona fide agricultural uses may continue in compliance with the following:

a. Continuation of Agricultural Use. Bona fide agricultural uses (grazing) in existence at the time the zoning application was filed and depicted on Exhibit E may continue until approval of the first County development order for the project area containing those uses.

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

c. Written Documentation. Upon approval of a local development order for vertical development and prior to the issuance of a vegetation removal permit, the property owner must provide written proof, subject to approval by the County Attorney's Office, of the following:

i. Affidavit. Termination of agricultural use on portions of the property included in the development order. The written submittals must include an affidavit from the person/entity holding title to the property that provides:

(1) Date the agricultural uses ceased.

(2) Legal description of the property subject to the development order for vertical development.

(3) Affirmative statement that the owner acknowledges and agrees all agricultural uses are illegal and prohibited on the property and that the owner covenants with Lee County that they will not allow agricultural use on the property unless the property is rezoned to permit agricultural uses.

(4) A statement that the affidavit constitutes a covenant between the owner and Lee County binding on the owner, their assignees, and successors in interest.

(5) The covenant must be properly recorded in the public records of Lee County at the owner's expense.

ii. Termination. Termination of the agricultural tax exemption on the portion of the property included in the subject development order. Proof of termination must include a copy of the Request to Terminate the Tax Exemption provided to the Property Appraiser.

9. North Olga Design Standards

Development Orders and building permits must comply with LDC Design Standards for the North Olga Planning Community. Departures from landscaping, signage and architectural regulations in those standards may be approved through a public hearing amendment.

10. Coastal High Hazard Area

Development order submittals must include calculations quantifying the flood storage volume provided by wetlands within the Coastal High Hazard Area and demonstrate equal compensatory flood storage volume within the project on the engineer plans.

11. Tract "D" Building Height

a. Maximum building heights on Tract "D" may not exceed 35 feet within 50 feet of the southern MCP boundary.

b. Beyond this 50-foot setback area, building heights may increase to a maximum of 45 feet, provided the building incorporates a tiered or stepped height transition to maintain compliance with the 50-foot setback area.

c. This height limitation and associated transition requirement will be null and void if, at the time of Development Order approval, residential uses on the property immediately south of the ingress/drainage easement abutting Tract "D:" (1) have been discontinued and (2) the property has been rezoned to permit nonresidential uses.

SECTION C. DEVIATIONS

1. Excavation Setback. Deviation (1) seeks relief from the LDC § 10-329(d)(1)a.3., which requires a minimum setback of 50 feet between new excavations and a private property line under separate ownership, to allow a minimum excavation setback of 30 feet. This deviation is APPROVED SUBJECT TO consistency with the MCP.

2. Required Street Access. Deviation (2) seeks relief from the LDC § 10-291(3), which requires commercial developments greater than 10 acres to provide more than one point of ingress/egress, to allow a single point of ingress/egress onto State Road 31. This deviation is APPROVED.

3. Landscape Standards – South Property Boundary.
Deviation (3A) seeks relief from the LDC § 10-416(d)(3), which requires a Type C or F buffer where proposed commercial abuts a single-family use, to allow a 15-foot-wide Type D buffer along the southern property boundary.

Deviation (3B) seeks relief from the LDC § 10-416(d)(6), which requires a landscape buffer consisting of an eight-foot-high solid wall or wall with a berm installed 25 feet from a shared property line with five trees and 18 shrubs per 100 linear feet, or a 30-foot-wide Type F buffer with a hedge set back of a minimum of 20 feet, to allow a 15-foot-wide Type D buffer along the southern property boundary.

Deviations (3A) and (3B) are APPROVED SUBJECT TO the following conditions:

a. Development order plans must depict enhancements to the Type D buffer along the southern boundary line of MCP Tract D as follows:

   i. Maintain the required continuous hedge at a minimum height of 60 inches at maturity.

   ii. Install a continuous, opaque fence or wall at least six feet in height, set back a minimum of 15 feet from the southern boundary of MCP Tract D.

b. The above condition will be null and void if, at the time of Development Order approval, the residential uses on the property immediately south of the ingress/drainage easement abutting Tract "D" are discontinued and the property rezoned to permit nonresidential uses.

SECTION D. EXHIBITS

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

Exhibit A: Legal description of the property
Exhibit B: Zoning Map (with the subject parcel indicated)
Exhibit C: The Master Concept Plan
Exhibit D: Water Quality Monitoring Plan
Exhibit E: Agricultural Use Affidavit

SECTION E. FINDINGS AND CONCLUSIONS

Based upon its review, the Board of County Commissioners adopts the recommendation of the Hearing Examiner, including the following findings and conclusions:

1. The requested CPD complies with the Lee Plan. *See* Lee Plan Goals 2, 4, 6, 27, 29, 60, 61, 77, 124, 125, 135, 158, 159; Objectives 1.4, 4.1, 6.1, 27.3, 29.1, 29.2, 29.7, 77.2, 77.3, 158.2, 158.3, Policies 2.1.2, 2.2.1, 5.1.5, 6.1.1, 6.1.3, 6.1.4, 6.1.6, 17.3.3, 17.3.4, 27.1.1, 27.1.2, 27.1.6, 27.1.18, 29.1.1, 29.2.1, 29.7.2,126.2.1, 135.9.6, 158.3.1; Lee Plan Maps 1-A, 1-B, 2-A, 4-A, 4-B, and Table (b).

2. As conditioned herein, the CPD zoning designation:

   a. Meets LDC standards and other regulations or qualifies for deviations.

   b. Is compatible with existing and planned uses in the surrounding area. Lee Plan Policies 2.1.2, 5.1.5, 6.1.4, 135.1.9, 135.9.6.

   c. Will provide access to support the proposed development intensity. Lee Plan Objective 39.1, Policies 2.2.1, 39.1.1, 39.2.2.

   d. Existing regulations and conditions of approval address expected impacts on transportation facilities. Lee Plan Policies 6.1.5, 135.9.6; LDC §§ 2-265 *et seq.*, 10-7(b).

   e. Will not adversely affect environmentally critical areas or natural resources. Lee Plan Goals 60, 61, 77, 124, 125, Objectives 29.7, 60.4, 61.2, 77.3, 125.1, 126.2, Policies 6.1.6, 27.1.1, 29.1.1, 29.7.2, 29.7.3, 60.4.3, 61.3.1, 61.3.6, 61.3.11, 77.3.1, 77.3.2, 77.3.3, 77.3.4, 123.1.1, 123.2.15, 124.1.1, 125.1.2, 125.1.3, 125.1.4, 126.2.1, 135.9.6, and Standard 4.1.4; and

   f. Will be served by public services and infrastructure including public water and sewer, paved streets, police, fire and emergency services, and surface water management. Lee Plan Goals 2, 4, 6, 53, 56, 70, Objectives 2.1, 2.2, 4.1, 5.1, 6.1, 53.1, 56.1, 66.1; Policies 2.2.1, 65.2.1, and Standards 4.1.1, 4.1.2.

3. The proposed uses are appropriate at the location. Lee Plan Goals 2, 6, 11, Objectives 2.1, 2.2, Policies 2.1.1, 2.1.2, 5.1.5, 6.1.4, 6.1.8, 135.1.9.

4. The recommended conditions of approval and county regulations provide sufficient safeguards to protect the public interest. Lee Plan Policies 5.1.5, 6.1.4, 135.9.5, 135.9.6; LDC §§ 34-145(d)(4) a.2.b), 34-377(a)(3), 34-411, 34-932, 34-936.

5. Recommended conditions are reasonably related to impacts expected from the proposed development. LDC §§ 34-932, 34-936.

6. The deviations recommended for approval:

    a. Enhance the objectives of the planned development; and

    b. Protect public health, safety, and welfare. LDC §§ 34-373(a)(9), 34-377(a)(4).

SECTION F. SCRIVENER'S ERRORS

The Board intends that this resolution can be renumbered or relettered and typographical errors that do not affect the intent and are consistent with the Board's action can be corrected with the authorization of the County Manager or designee, without the need for a public hearing.

Commissioner Hamman made a motion to adopt the foregoing resolution, seconded by Commissioner Ruane. The vote was as follows:

Adopted by unanimous consent.

Kevin Ruane	Aye
Cecil L. Pendergrass	Aye
David Mulicka	Aye
Brian Hamman	Aye
Vacant	___

DULY PASSED AND ADOPTED this 3rd day of December 2025.

ATTEST:
KEVIN C. KARNES
CLERK OF CIRCUIT COURT

BY: _____
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: _____
Cecil L. Pendergrass, Chair

BOARD OF COUNTY COMMISSIONERS SEAL LEE COUNTY, FLORIDA

APPROVED AS TO FORM FOR THE
RELIANCE OF LEE COUNTY ONLY

_____
Joseph A. Adams
Assistant County Attorney
County Attorney's Office

FOR:

DATE: 4-8-23

PHONE: (239) 543-3335

SHEET ___ OF ___

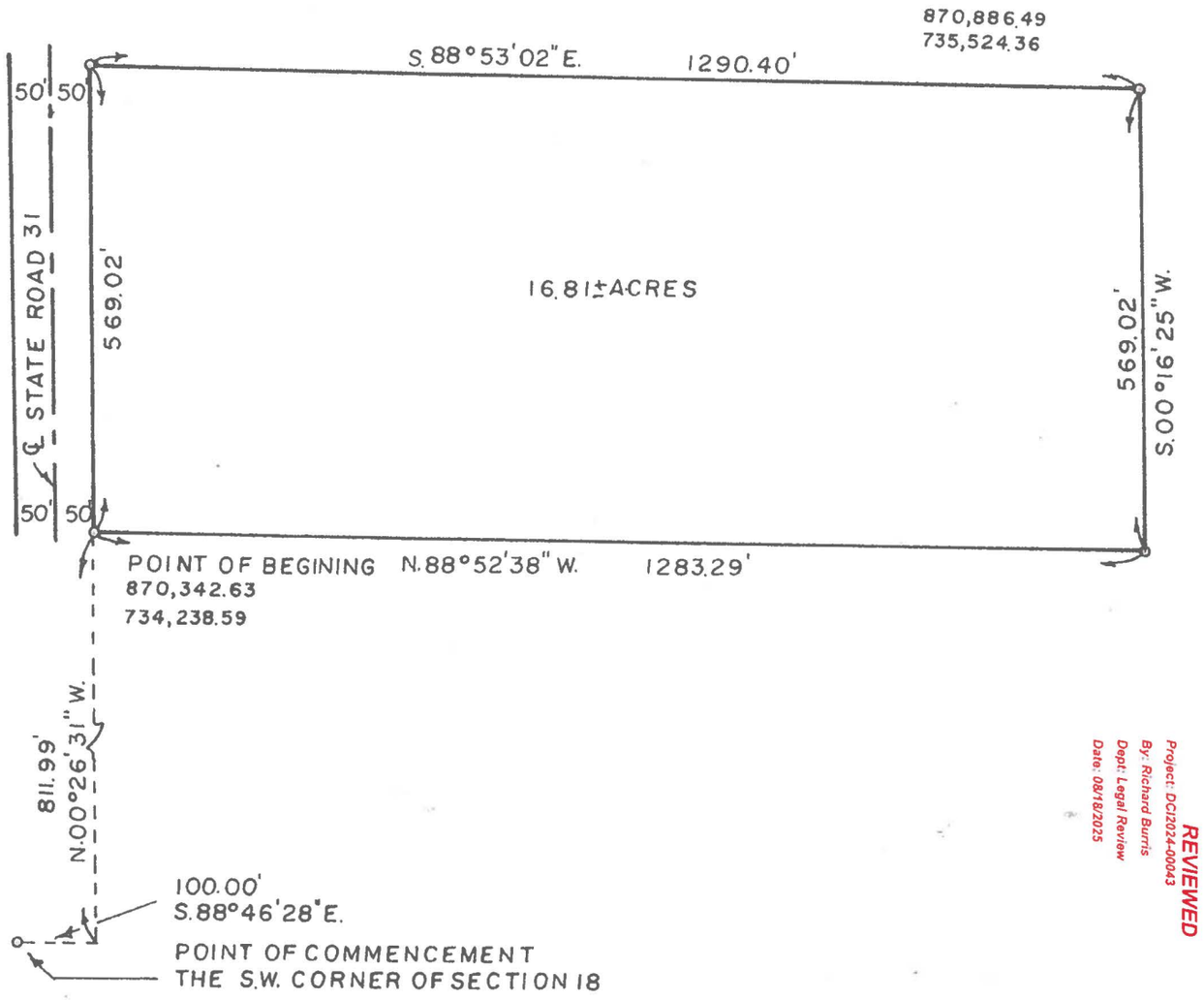
I HEREBY CERTIFY THAT THIS SKETCH AS SHOWN IS A TRUE REPRESENTATION OF THE PARCEL HEREON DESCRIBED AS TO THE BEST OF MY KNOWLEDGE AND BELIEF.

JAMES R. STARNES P.L.S. 4869
PROFESSIONAL LAND SURVEYOR
STATE OF FLORIDA.

JAMES R. STARNES CERTIFICATE NO. 4869 STATE OF FLORIDA REGISTERED LAND SURVEYOR

NOTE: (1). THIS SKETCH IS NOT A SURVEY.
(2). THIS SKETCH IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

SCALE: 1" = 200'



LEGAL DESCRIPTION AS PER INST. 2016000015912
A TRACT OR PARCEL OF LAND LYING IN SECTION 18, TOWNSHIP 43 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 18, SAID CORNER LYING ON THE WESTERLY RIGHT-OF-WAY LINE OF STATE ROAD 31, (100 FEET WIDE), THENCE RUN S 88°46'28" E FOR 100.00 FEET TO THE EASTERLY RIGHT-OF-WAY OF SAID STATE ROAD 31 (BASIS OF BEARINGS), THENCE RUN N 00°26'31" W ALONG SAID EASTERLY RIGHT-OF-WAY LINE FOR 811.99 FEET TO THE POINT OF BEGINNING TO THE HEREIN DESCRIBED PARCEL:

FROM SAID POINT OF BEGINNING CONTINUE RUNNING N 00°26'31" W ALONG SAID RIGHT-OF-WAY LINE FOR 569.02 FEET; THENCE RUN S 88°53'02" E FOR 1290.40 FEET; THENCE RUN S 00°16'25" W FOR 569.02 FEET; THENCE RUN N 88°52'38" W FOR 1283.29 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 16.81 ACRES, MORE OR LESS.

THE COORDINATES AS SHOWN HERE ON ARE BASED ON THE FLORIDA WEST ZONE 1983/1990 ADJUSTMENT.

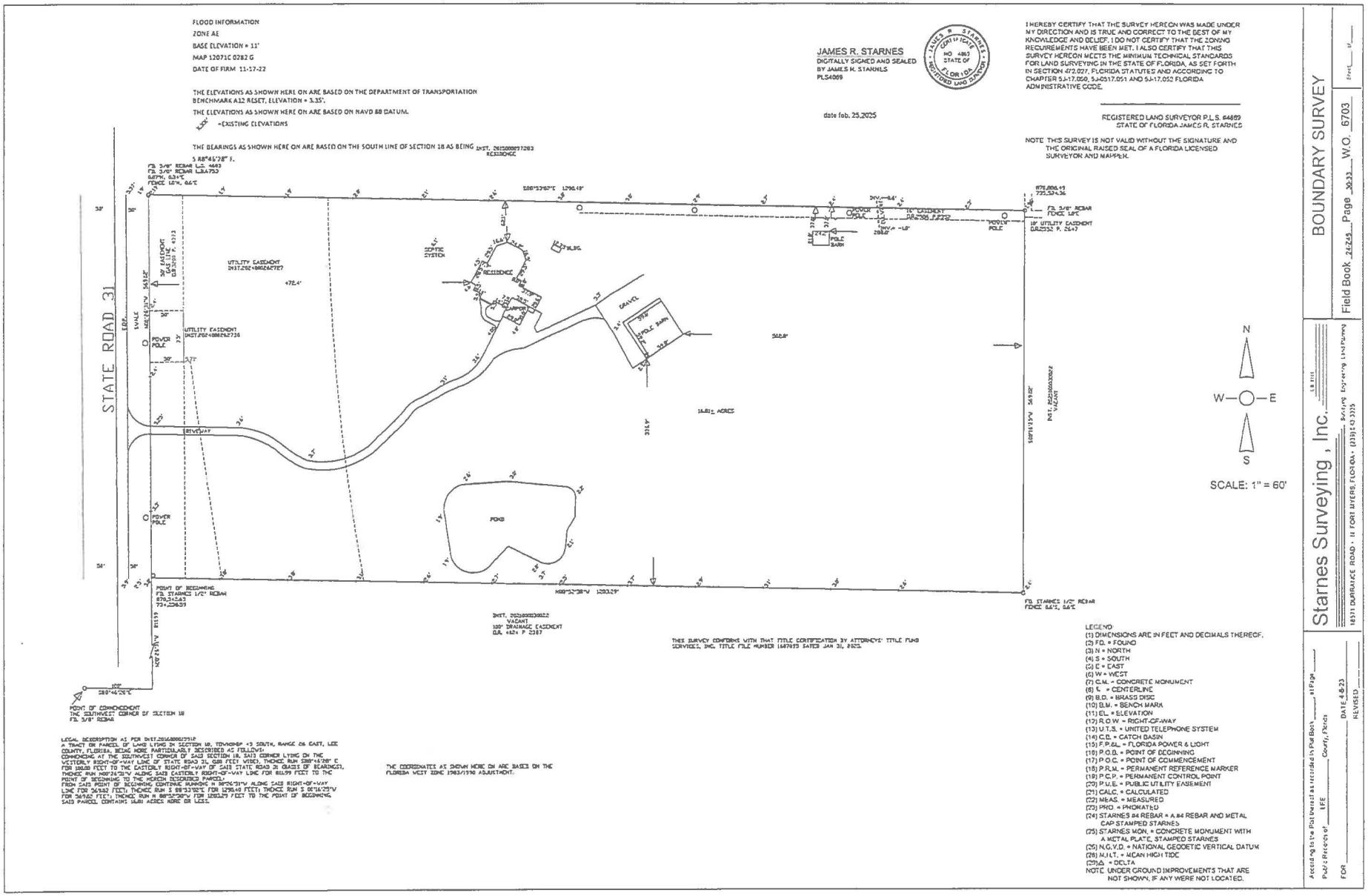
REVIEWED
Project: DCI2024-00043
By: Richard Burris
Dept: Legal Review
Date: 08/18/2025

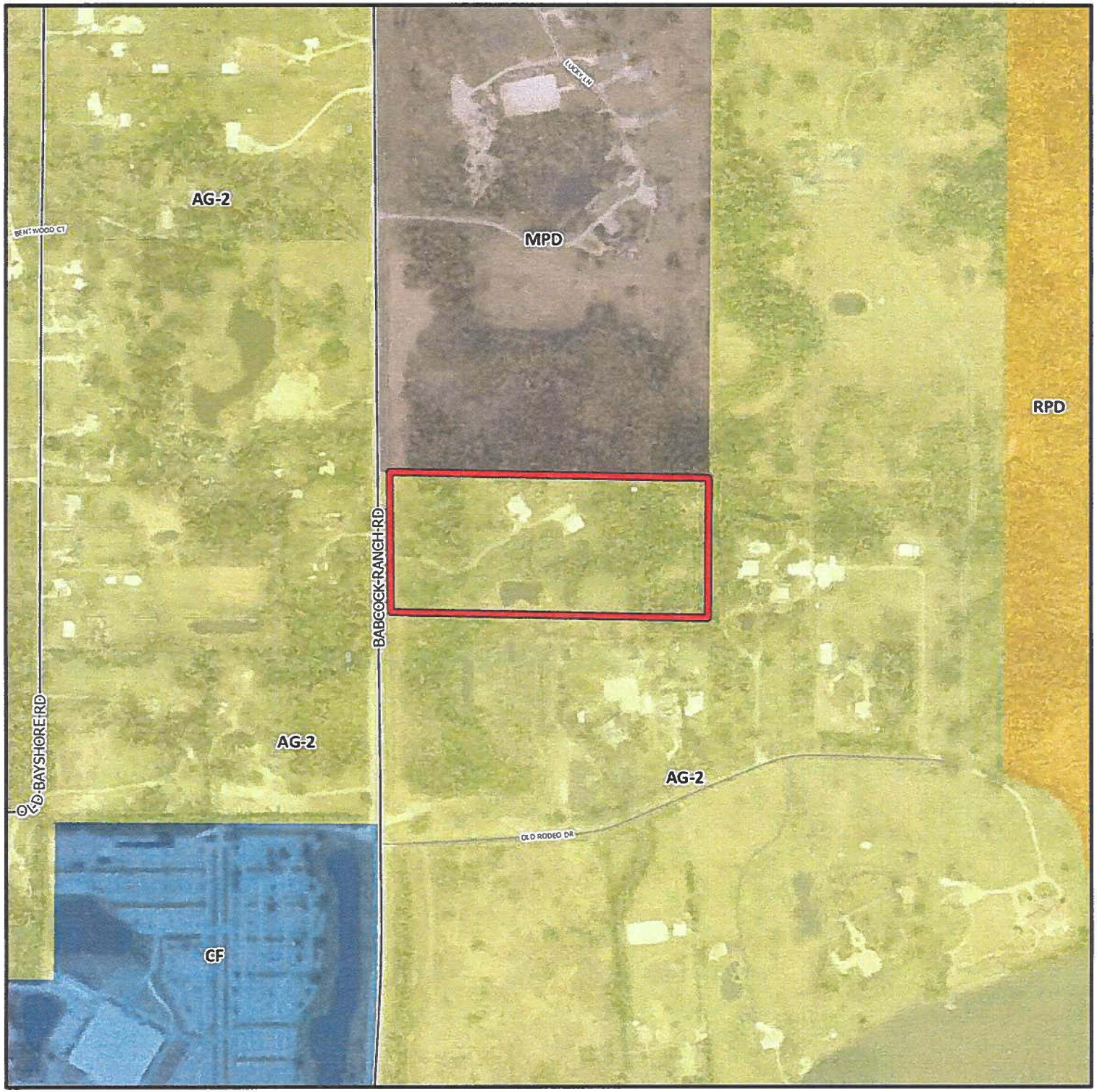
Starnes Surveying, Inc. L.B. 6766
SURVEYING · ENGINEERING · LAND PLANNING
18571 DURRANCE RD · N. FT. MYERS, FL. 33917

CERTIFIED SKETCH

FIELD BOOK 25-248 W.O. NUMBER 6703
PAGE 30-33

EXHIBIT A


STATE ROAD 31
FLOOD INFORMATION
ZONE AE
BASE ELEVATION = 11'
MAP 12071C 0282 G
DATE OF FIRM 11-17-22
THE ELEVATIONS AS SHOWN HERE ON ARE BASED ON THE DEPARTMENT OF TRANSPORTATION BENCHMARK A12 RESET, ELEVATION = 3.35'.
THE ELEVATIONS AS SHOWN HERE ON ARE BASED ON NAVD 88 DATUM.
=EXISTING ELEVATIONS
THE BEARINGS AS SHOWN HERE ON ARE BASED ON THE SOUTH LINE OF SECTION 18 AS BEING S 88°46'28" E.
JAMES R. STARNES
DIGITALLY SIGNED AND SEALED BY JAMES R. STARNES
PLS4089
date feb. 25,2025
I HEREBY CERTIFY THAT THE SURVEY HEREON WAS MADE UNDER MY DIRECTION AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. I DO NOT CERTIFY THAT THE ZONING REQUIREMENTS HAVE BEEN MET. I ALSO CERTIFY THAT THIS SURVEY HEREON MEETS THE MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYING IN THE STATE OF FLORIDA, AS SET FORTH IN SECTION 472.027, FLORIDA STATUTES AND ACCORDING TO CHAPTER 5J-17.050, 5J-017.051 AND 5J-17.052 FLORIDA ADMINISTRATIVE CODE.
REGISTERED LAND SURVEYOR P.L.S. 64089 STATE OF FLORIDA JAMES R. STARNES
NOTE THIS SURVEY IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
FD 3/8" REBAR FENCE LCS. 4693
FD 3/8" REBAR L.B.A.7753
0.07'N, 0.31'E
FENCE 1.0'W, 0.6'E
S88°53'02"E 1290.48'
878,866.93
725,534.36
FD 3/8" REBAR FENCE 1.0'E
16' UTILITY EASEMENT O.R. 2532 P. 2647
POOL
POOL POLE
POLE BARN
UTILITY EASEMENT INST.2021480826727
472.4'
30' EASEMENT O.R. 2532 P. 2647
SEPTIC SYSTEM
RESIDENCE
WELL
GRAVEL
POLE BARN
UTILITY EASEMENT INST.2021480826736
POWER POLE
DRIVEWAY
500.8'
14.81± ACRES
INST. 2025000030022 VACANT
S89°14'34"E 1293.29'
POND
POINT OF BEGINNING FD STARNES 1/2" REBAR
878,334.43
725,238.53
INST. 2025000030022 VACANT
100' DRAINAGE EASEMENT O.R. 4624 P. 2387
FD STARNES 1/2" REBAR FENCE 0.6'E, 0.6'E
N00°12'39"W 1319.59'
POINT OF COMMENCEMENT THE SOUTHWEST CORNER OF SECTION 18 FD 5/8" REBAR
N
W
E
S
SCALE: 1" = 60'
LEGAL DESCRIPTION AS PER INST.2016000017312:
A TRACT OR PARCEL OF LAND LYING IN SECTION 18, TOWNSHIP 43 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 18, SAID CORNER LYING ON THE WESTERLY RIGHT-OF-WAY LINE OF STATE ROAD 31, 66 FEET WIDE; THENCE RUN S88°46'28"E FOR 100.00 FEET TO THE EASTERLY RIGHT-OF-WAY OF SAID STATE ROAD 31 (BASIS OF BEARINGS); THENCE RUN N00°26'31"W ALONG SAID EASTERLY RIGHT-OF-WAY LINE FOR 811.59 FEET TO THE POINT OF BEGINNING TO THE HEREIN DESCRIBED PARCEL;
FROM SAID POINT OF BEGINNING CONTINUE RUNNING N 00°26'31"W ALONG SAID RIGHT-OF-WAY LINE FOR 369.32 FEET; THENCE RUN S 88°53'02"E FOR 1290.48 FEET; THENCE RUN S 01°16'23"W FOR 369.60 FEET; THENCE RUN N 88°53'02"W FOR 1293.29 FEET TO THE POINT OF BEGINNING.
SAID PARCEL CONTAINS 14.81 ACRES MORE OR LESS.
THE COORDINATES AS SHOWN HERE ON ARE BASED ON THE FLORIDA WEST ZONE 1983/1990 ADJUSTMENT.
THIS SURVEY CONFORMS WITH THAT TITLE CERTIFICATION BY ATTORNEYS' TITLE FUND SERVICES, INC. TITLE FILE NUMBER 16478913 DATED JAN 31, 2025.
LEGEND
(1) DIMENSIONS ARE IN FEET AND DECIMALS THEREOF.
(2) F.O. = FOUND
(3) N = NORTH
(4) S = SOUTH
(5) E = EAST
(6) W = WEST
(7) C.M. = CONCRETE MONUMENT
(8) ℄ = CENTERLINE
(9) B.D. = BRASS DISC
(10) B.M. = BENCH MARK
(11) EL. = ELEVATION
(12) R.O.W. = RIGHT-OF-WAY
(13) U.T.S. = UNITED TELEPHONE SYSTEM
(14) C.B. = CATCH BASIN
(15) F.P.&L. = FLORIDA POWER & LIGHT
(16) P.O.B. = POINT OF BEGINNING
(17) P.O.C. = POINT OF COMMENCEMENT
(18) P.R.M. = PERMANENT REFERENCE MARKER
(19) P.C.P. = PERMANENT CONTROL POINT
(20) P.U.E. = PUBLIC UTILITY EASEMENT
(21) CALC. = CALCULATED
(22) MEAS. = MEASURED
(23) PRO. = PRORATED
(24) STARNES #4 REBAR = A #4 REBAR AND METAL CAP STAMPED STARNES
(25) STARNES MON. = CONCRETE MONUMENT WITH A METAL PLATE, STAMPED STARNES
(26) N.G.V.D. = NATIONAL GEODETIC VERTICAL DATUM
(27) M.H.T. = MEAN HIGH TIDE
(28) Δ = DELTA
NOTE UNDER GROUND IMPROVEMENTS THAT ARE NOT SHOWN, IF ANY WERE NOT LOCATED.
BOUNDARY SURVEY
Field Book 24295 Page 30-32 W.O. 6703
Sheet ___ of ___
Starnes Surveying, Inc. LB 3115
Surveying Engineering Land Planning
18371 DURRANCE ROAD • N. FORT MYERS, FLORIDA • (239) 543-3335
According to the Plat thereof as recorded in Plat Book ___ at Page ___
Public Records of ___ LEE ___ County, Florida
FOR ___
DATE 4-8-25
REVISED ___



DCI2024-00043

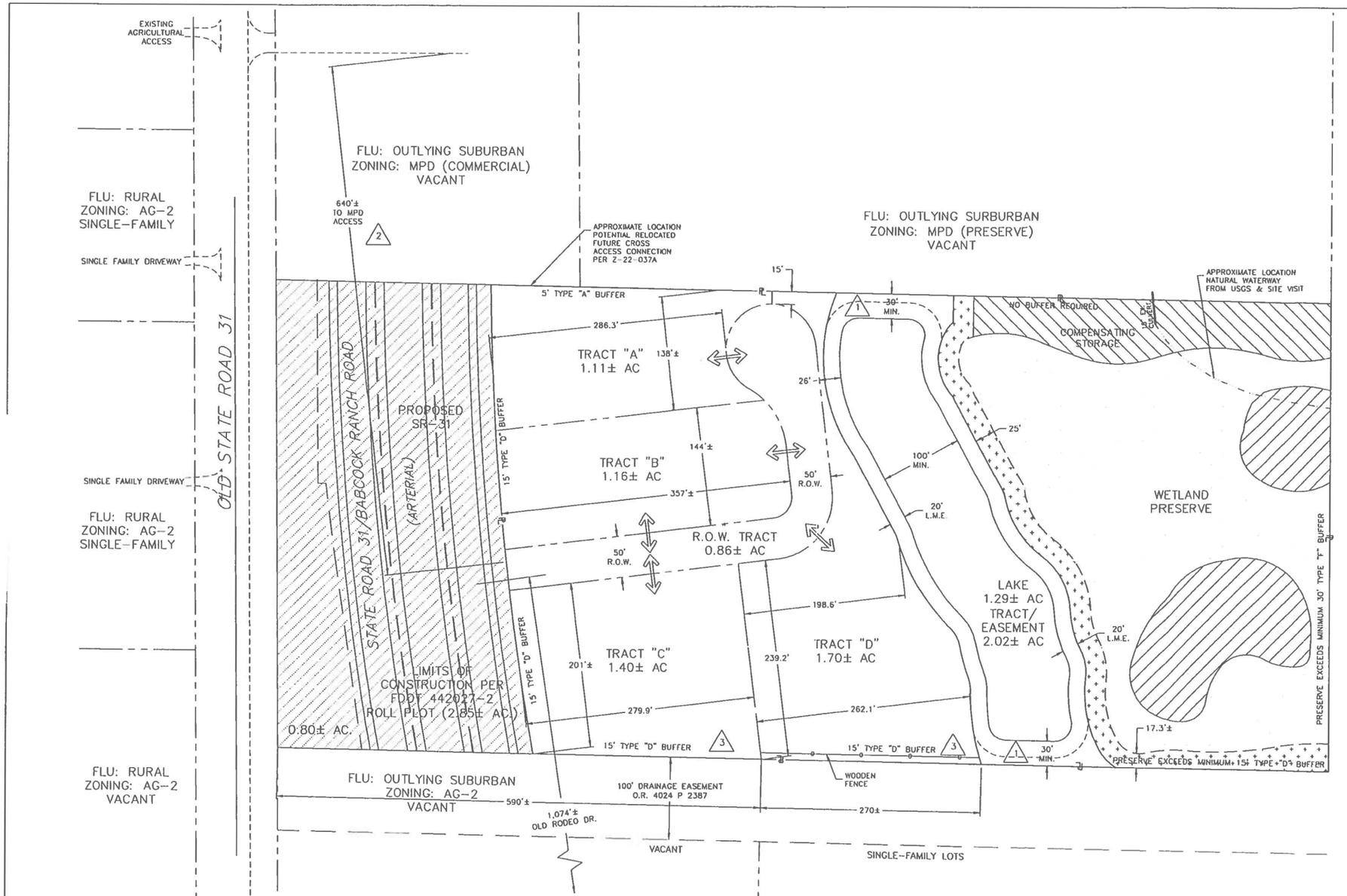
Zoning

Subject Property

N
W
E
S

0 500 1,000
Feet

Lee County
Southwest Florida



LEGEND:

- = WETLAND PRESERVE (INDIGENOUS) = 2.87± AC.
- = WETLAND PRESERVE (NON INDIGENOUS) = 0.91± AC.
- = COMPENSATING STORAGE = 0.65± AC. INCLUDING 0.35± AC. WETLAND CREATION
- = UPLAND BUFFER/BERM
- = DEVIATION
- = ACCESS POINT
- = *APPROXIMATE FDOT S.R.31 IMPACT AREA AND DESIGN SHOWN IS PRELIMINARY AND SUBJECT TO CHANGE PENDING FINALIZATION OF DESIGN PLANS

Approved as Exhibit C
MCP Page 1 of 2
Resolution # Z-25-023

NOTES:

1. SITE AREA: POST S.R.31 IMPACT AREA (16.81±AC.-3.65±AC.*) 13.16±AC.
2. THIS PLAN IS CONCEPTUAL IN NATURE AND IS SUBJECT TO MODIFICATION DUE TO REGULATORY AGENCY PERMITTING REQUIREMENTS.
3. MAXIMUM HEIGHT 45 FEET.
4. SERVICE AREAS MUST BE LOCATED AND SHIELDED CONSISTENT WITH LDC SECTION 10-610 UNLESS A DEVIATION IS REQUESTED.

ATWELL
866.850.4200 www.atwell-group.com
10511 SIX MILE CYPRESS PKWY, SUITE101
FORT MYERS, FL 33966
239.939.5490

MASTER CONCEPT PLAN

SINGLETARY CPD

LEE COUNTY, FLORIDA

PREPARED FOR: STEVE SINGLETARY

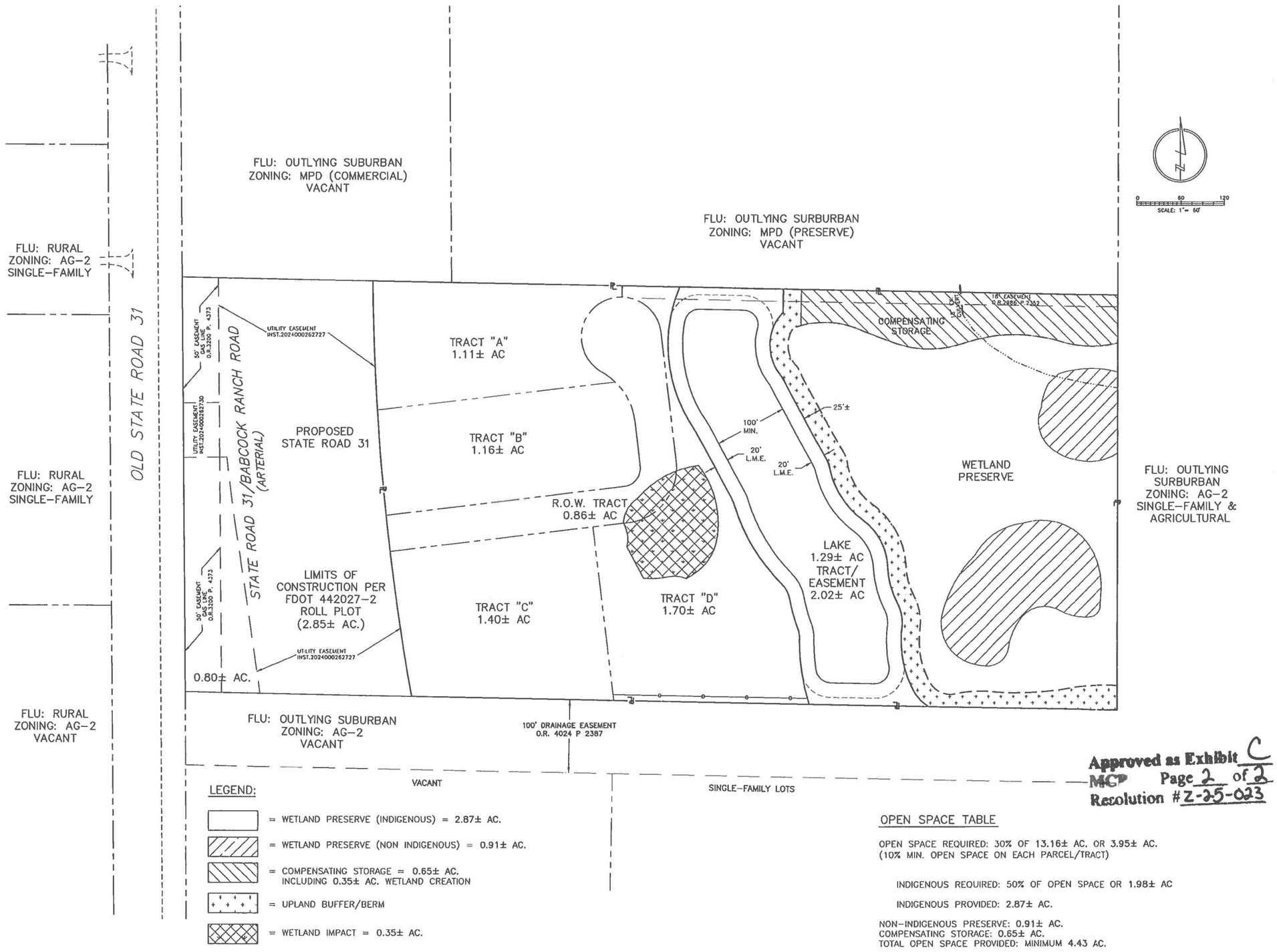
NO.	DATE	REVISION DESCRIPTION	BY
1	3/1/2025	1st SUFFICIENCY	SEH
2	10/27/2025	48-HR NOTICE	SEH

811 Know what's below. Call before you dig.

ALL UTILITIES ARE SHOWN BASED ON THE INFORMATION AVAILABLE TO THE ENGINEER. THERE IS NO GUARANTEE THAT ALL UTILITIES ARE SHOWN OR THAT THE LOCATION, DEPTH AND SIZE OF EACH FACILITY IS CORRECT. THE CONTRACTOR IS RESPONSIBLE FOR CONTACTING ALL UTILITIES AND SERVICE AREAS PRIOR TO CONSTRUCTION

DRAFTED BY:	DESIGNED BY:	REVIEWED BY:
JLS	IRL	SEH
PROJECT NUMBER: 24003215	COMPLETION DATE: 10/28/2024	SURVEY DATUM:
BOOK AND PAGE:		

SHEET 1 of 2



LEGEND:

= WETLAND PRESERVE (INDIGENOUS) = 2.87± AC.

= WETLAND PRESERVE (NON INDIGENOUS) = 0.91± AC.

= COMPENSATING STORAGE = 0.65± AC.
INCLUDING 0.35± AC. WETLAND CREATION

= UPLAND BUFFER/BERM

= WETLAND IMPACT = 0.35± AC.

Approved as Exhibit C
MCP Page 2 of 2
Resolution #Z-25-023

OPEN SPACE TABLE

OPEN SPACE REQUIRED: 30% OF 13.16± AC. OR 3.95± AC.
(10% MIN. OPEN SPACE ON EACH PARCEL/TRACT)

INDIGENOUS REQUIRED: 50% OF OPEN SPACE OR 1.98± AC

INDIGENOUS PROVIDED: 2.87± AC.

NON-INDIGENOUS PRESERVE: 0.91± AC.
COMPENSATING STORAGE: 0.65± AC.
TOTAL OPEN SPACE PROVIDED: MINIMUM 4.43 AC.

ATWELL
866.850.4200 www.atwell-group.com
10511 SIX MILE CYPRESS PKWY, SUITE101
FORT MYERS, FL 33966
239.939.5490

OPEN SPACE & EASEMENT EXHIBIT

SINGLETARY CPD

LEE COUNTY, FLORIDA

PREPARED FOR:
STEVE SINGLETARY

NO.	DATE	REVISION DESCRIPTION	BY
1	3/1/2025	1st SUFFICIENCY	SDH
2	10/27/2025	48-HR NOTICE	SDH

811 Know what's below. Call before you dig.

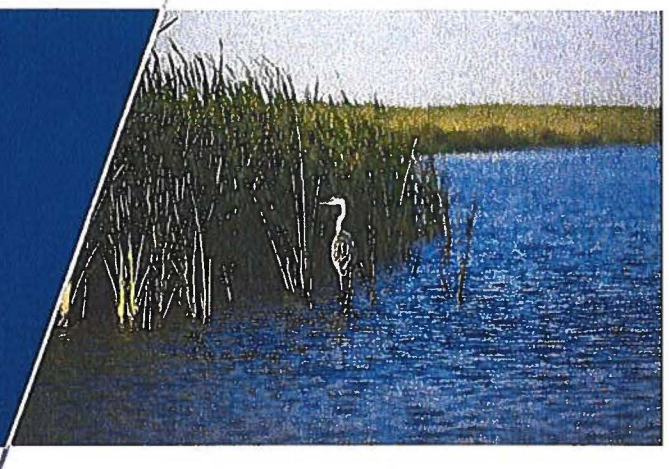
ALL UTILITIES ARE SHOWN BASED ON THE INFORMATION PROVIDED BY THE RESPECTIVE OWNERS. THERE IS NO GUARANTEE ALL FACILITIES ARE SHOWN OR THAT THE LOCATION SHOWN IS EXACT. IT IS THE CONTRACTOR'S RESPONSIBILITY TO CONTACT THE CONSTRUCTION IS RESPONSIBLE FOR LOCATING AND PROTECTING ALL UTILITIES (2002) PRIOR TO CONSTRUCTION.

DRAFTED BY:	DESIGNED BY:	REVIEWED BY:
JLS	TRL	SDH
PROJECT NUMBER:	COMPLETION DATE:	SURVEY DATUM:
Z4003215	3/1/2025	
BOOK AND PAGE:		

SHEET
2 of 2

Water Quality Monitoring Plan

Singletary Commercial Planned Development DCI2024-00043



PREPARED FOR:

SAGE ENTITLEMENTS, LLC
97 NICKAJACK NORTH
SANTA ROSA BEACH, FLORIDA 32459

JULY 2025

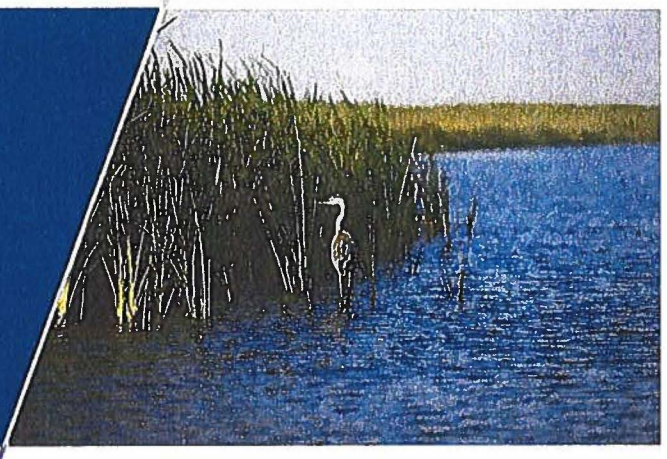
APEX

13620 Metropolis Avenue, Suite 110
Fort Myers, Florida 33912
O 239.204.5300 ◊ F 866.398.2426
https://apexcos.com/

EXHIBIT D

Water Quality Monitoring Plan

Singletary Commercial Planned Development DCI2024-00043



APEX®

JULY 2025

Michael Jessich
Project Manager

Veronica Buccieri

Roni Buccieri
Staff Scientist

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SECTION 2	GOALS AND OBJECTIVES	2
SECTION 3	MONITORING SITES	3
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Figure 2	Aerial Map Showing Project Footprint
Figure 3	Pertinent Features of the Project Including Proposed Surface Water Monitoring Site

TABLES

Table 1	Proposed Monitoring Parameters and Schedule

1.0 INTRODUCTION AND BACKGROUND

The Singletary Commercial Planned Development project is an approximately 17-acre proposed commercial development located within Section 18, Township 43 South, Range 26 East, Lee County, Florida. The Singletary Commercial Planned Development (Project) proposed development is located east of State Road 31, Lee County, Florida. ***Figure 1*** and **Figure 2** includes a regional location and aerial map showing the project boundaries.

The project is currently seeking approval to change the zoning category from Agricultural (AG-2) to Commercial Planned Development (CPD) for a maximum of 210,000 square feet of commercial development (DCI2024-00043). The project is proposing to outfall into a natural waterway for conveyance and ultimate discharge into an impaired waterways. This Water Quality Monitoring Plan is prepared in accordance with Lee Plan policies 125.1.2 and 125.1.4 and in response to Lee County Comment Letter dated April 23, 2025 (Natural Resources Review Comment 1).

2.0 GOALS AND OBJECTIVES

This Water Quality Monitoring Plan (WQMP) provides a response to the Lee County Comment Letter dated April 23, 2025, Comment 1 of the Natural Resources Review section regarding the proposed outflow to the natural waterway that conveys water through several properties prior to discharging into an impaired waterway (Caloosahatchee River). Specifically, the goal of this monitoring plan is to ensure that the proposed development does not introduce contaminants into impaired watersheds identified by the Florida Department of Environmental Protection. The objective of the monitoring program is to quantify the existing water quality conditions onsite and to establish actions that will be taken to improve water quality should degradation be detected through monitoring efforts. The first task to reach that objective is identification of the locations of outfalls and establishment of the water quality monitoring parameters and schedule for the program. Another objective of the monitoring plan is to provide documentation of the monitoring program results to the Lee County Division of Natural Resources (LCDNR) through regular reporting and data transfer so that the water quality database maintained by Lee County can more accurately identify and characterize any contribution of contaminants to the Waters of State of Florida.

The Water Quality Monitoring Plan will be initiated to establish baseline conditions for the project site and to quantify potential impacts of the proposed commercial development. The Water Quality Monitoring Plan includes sampling locations, sampling frequency, reporting requirements, evaluations of the water quality within the project site, and a contingency plan.

The project will include a stormwater management lake that is hydraulically connected to the Water Table Aquifer. The proposed irrigation system will consist of stormwater harvesting from the stormwater management system with these withdrawals re-supplied by groundwater. The proposed source of groundwater to supplement lake withdrawals will be fresh to mildly brackish groundwater from the Sandstone Aquifer. Actual percentages of lake and groundwater withdrawals will be determined during the water use permitting process with the South Florida Water Management District (SFWMD). However, the combination of any use of mildly brackish groundwater and fresh stormwater will maintain a chloride level of less than 200 mg/l in compliance with SFWMD policy, and which will meet all applicable permitting criteria prior to withdrawals.

3.0 MONITORING SITES

The existing topography of the project site generally directs stormwater runoff from the north to the southeast to natural low-lying wetland preserves areas onsite. Development plans for the project include two proposed Master Concept Plans (Options) which indicate the stormwater drainage plan for a single proposed outfall control structure where water can flow out of the proposed stormwater management system and leave the project site.

The approximate location of the outfall control structure (CS-1) is identified in **Figure 3**. Flow leaving the proposed lake system from CS-1 will ultimately discharge to the east of the project through undetermined flow paths/sheet flow for outfall into a natural waterway that conveys water through several properties beyond the project boundary and ultimately discharges to the Caloosahatchee River and/or associated tributaries.

The proposed Water Quality Monitoring Plan includes the installation of a shallow piezometer downgradient of the outfall structure CS-1 to record stage elevations and obtain surface water samples, respectively. Sampling at CS-1 is proposed at the downstream end of the outfall structure. The piezometers will be equipped with electronic water level transducers set to record water levels every 24 hours. The water level elevations will be referenced to the North American Vertical Datum of 1988 (NAVD 88). Proposed sampling locations at the individual control structures, CS-1 are shown in **Figure 3** for the respective Master Concept Plan option proposed.

4.0 PARAMETERS AND REPORTING SCHEDULE

The proposed monitoring parameter list is provided in **Table 1**. Monitoring includes a baseline sampling event prior to construction commencement followed by semi-annual events. The semi-annual sampling events are proposed to occur twice per year during the wet season (June through October). The early wet season monitoring event is proposed to occur in June while the late wet season event is proposed to occur in October. The monitoring will include stage measurements using previously established benchmarks (piezometers) and the discharge condition will be recorded as either a "yes or no" depending on whether water is flowing through the control structures at the time of sampling.

Table 1. Proposed Monitoring Parameters and Schedule

Surface Water Monitoring Parameter	Minimum Detection Level (MDL)	Units	Analysis Type
Discharge Condition	NA	Yes or No	Field
Stage	0.01	Feet (NAVD)	Field
Turbidity	0.01	NTU	Field
Specific Conductance	2	umhos/cm	Field
pH	0.01	S.U.	Field
Dissolved Oxygen	0.1	mg/L	Field
Temperature	0.1	C	Field
Total Kjedahl Nitrogen (TKN)	0.1	mg/L	Laboratory
Total Nitrogen	0.1	mg/L	Laboratory
Chlorophyll A	1.0	mg/m^3	Laboratory
Nitrite	0.01	mg/L	Laboratory
Nitrate	0.01	mg/L	Laboratory
Total Phosphorus	0.05	mg/L	Laboratory
Hardness (as $CaCO_3$)	N/A	mg/L	Laboratory
Chloride	1.0	mg/L	Laboratory
Iron	0.20	mg/L	Laboratory
Copper	1.0	µg/L	Laboratory

Quality Assurance

Water samples will be collected and handled following protocols contained in Florida Department of Environmental Protection (FDEP) Quality Assurance Rule F.A.C. 62-160 and adopted as the 2014 FDEP Standard Operating Procedures for Field Activities (DEP-SOP-001/01), effective April 16, 2018, or as updated. Water Quality samples will be collected at surface water monitoring stations shown in **Figure 3**. One field blank and a field duplicate will be collected during each sampling event for quality assurance purposes. A chain of custody form(s) and laboratory analysis reports will be provided in corresponding annual reports.

Water samples will be tested by a certified laboratory under the National Environmental Laboratory Accreditation Program (NELAP) using approved test methods and QA testing requirements (i.e., blanks, sample duplicates, surrogates, matrix spikes etc.) as contained in F.A.C 62-160 QA Rules.

Water Monitoring Reporting and Analysis

An annual report which will include a comparison of State water quality standards, plots of parameters, and any conclusions or recommendations will be provided to the Division of Natural Resources annually for at least 5 years. The monitoring reports will be submitted once per year (or dependent upon priority of concerning data and/or incidents), as an Electric Data Deliverable (EDD) in a comma delimited text format approved by the Lee County Division of Natural Resources in their approved format within 60 days of receipt of laboratory reports from two wet season monitoring events during the reporting period. The reports will include a continuous hydrograph of the recorded water leve6s and updated tables of the semi-annual water quality sampling results. Conclusions and recommendations will be based on applicable target levels, statistical analyses, and trends of measured constituents.

Results of surface water sampling will be compared to applicable State Water Quality Standards based on F.A.C. Chapter 62-302.530, if listed and deviation from the initial baseline sampling will be analyzed for potential negative impacts and corrected if necessary. Parameters that do not have numeric target levels will be evaluated for trends. The surface water laboratory results will undergo statistical analysis for the development of conclusions and recommendations within the annual reports.

Water Quality Monitoring will continue for a minimum of 5 years from the date of completion of the stormwater management system. After 5 years of meeting or exceeding state water quality monitoring standards, the developer may amend or discontinue water quality monitoring and reporting after written requests, review, and approval by Lee County Division of Natural Resources.

5.0 CONTINGENCY PLAN

Should indications of water levels or water quality concerns be identified by exceedances of target levels, deviations from baselines, or through statistical trend analyses, site conditions will be reviewed for possible onsite and offsite incidents that could be attributed to elevated readings. If no incident or cause can be identified, the samples will be re-collected and re-analyzed for the parameter of concern. Following any re-sampling event, the Applicant will coordinate with the LCDNR to aid in identifying potential causes and potential needs to modify monitoring parameters, frequency, and/or reporting. If resampling shows water quality concerns, Lee County will be notified to discuss potential corrective actions.

Potential investigative and corrective actions may include:

- Review potential nearest upgradient facility lakes
- Review and revision of lake management, stormwater management, and landscape fertilizer application procedures and schedules
- Include additional surface water sampling sites
- Notification to impacted residents and applicable authorities as needed

In the unforeseen event that any significant surface and/or groundwater impacts are identified as a result of a hydrocarbon spill or pesticide/herbicide application at the subject property, the Developer or designee will notify the Director of the Lee County Natural Resources Division within no more than 12 hours (or next business day). If a spill or release "presents an immediate threat to human health and/or the environment" then the FDEP Office of Emergency Response (OER) will be contacted with 24 hours. Guidance outlining the definition of a release as well as reporting procedures is presented in the OEW webpage located at: http://www.dep.state.fl.us/per/reportable_incident.htm.

The Developer or their successor(s) will coordinate contamination assessment and remediation efforts with Lee County and will comply with applicable local, state, and federal permitting requirements. The initial phase of the remediation plan will consider the actions outlined in Section 4 and may consist of additional temporary monitoring wells installed to the short-term temporal monitoring or potential subsurface impacts and to evaluate the horizontal and the vertical distribution of the impacted area. Based on the findings of the initial phase, if necessary, a more comprehensive assessment may be required.

FIGURES

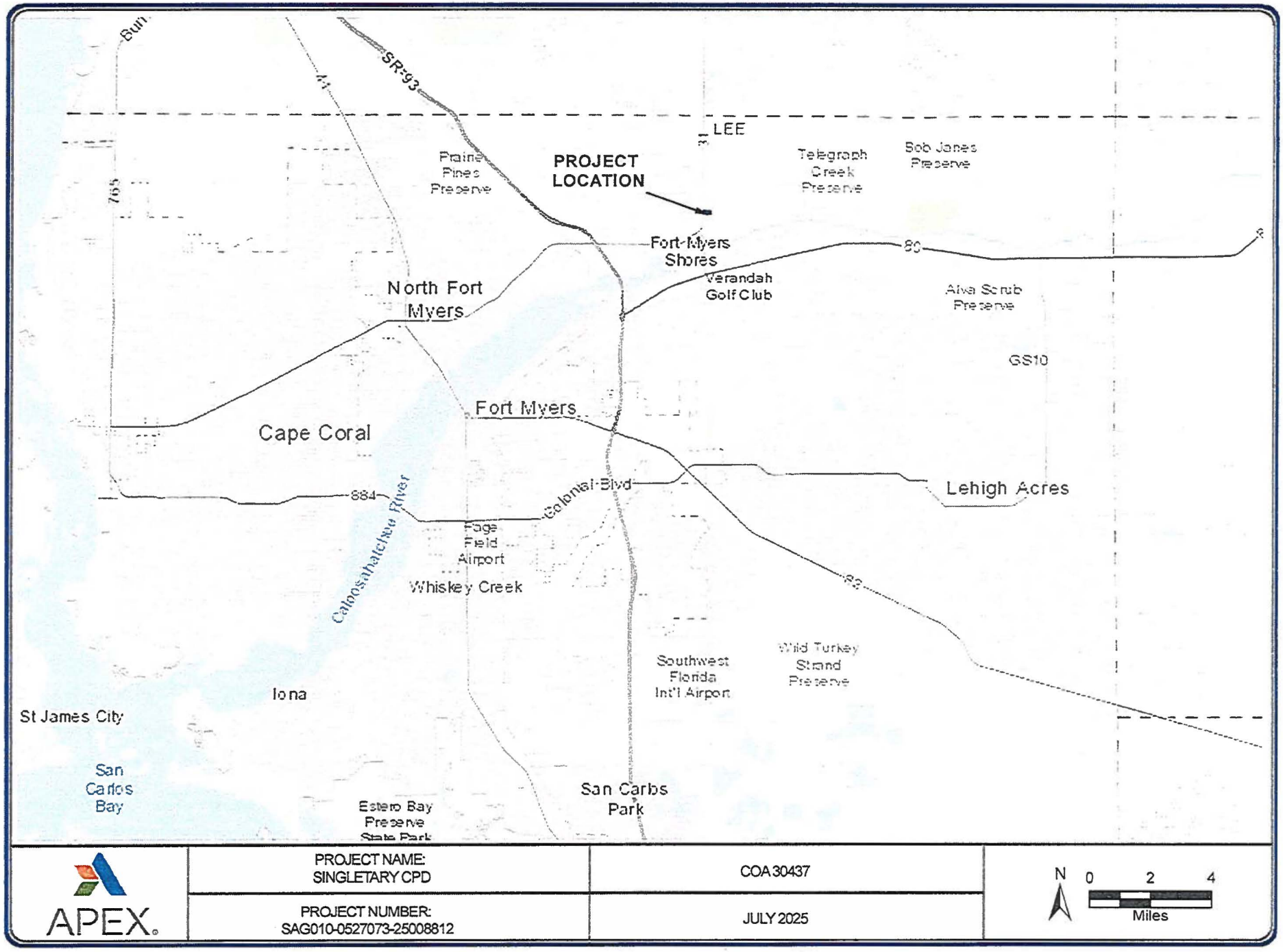

FIGURE 1. REGIONAL LOCATION MAP

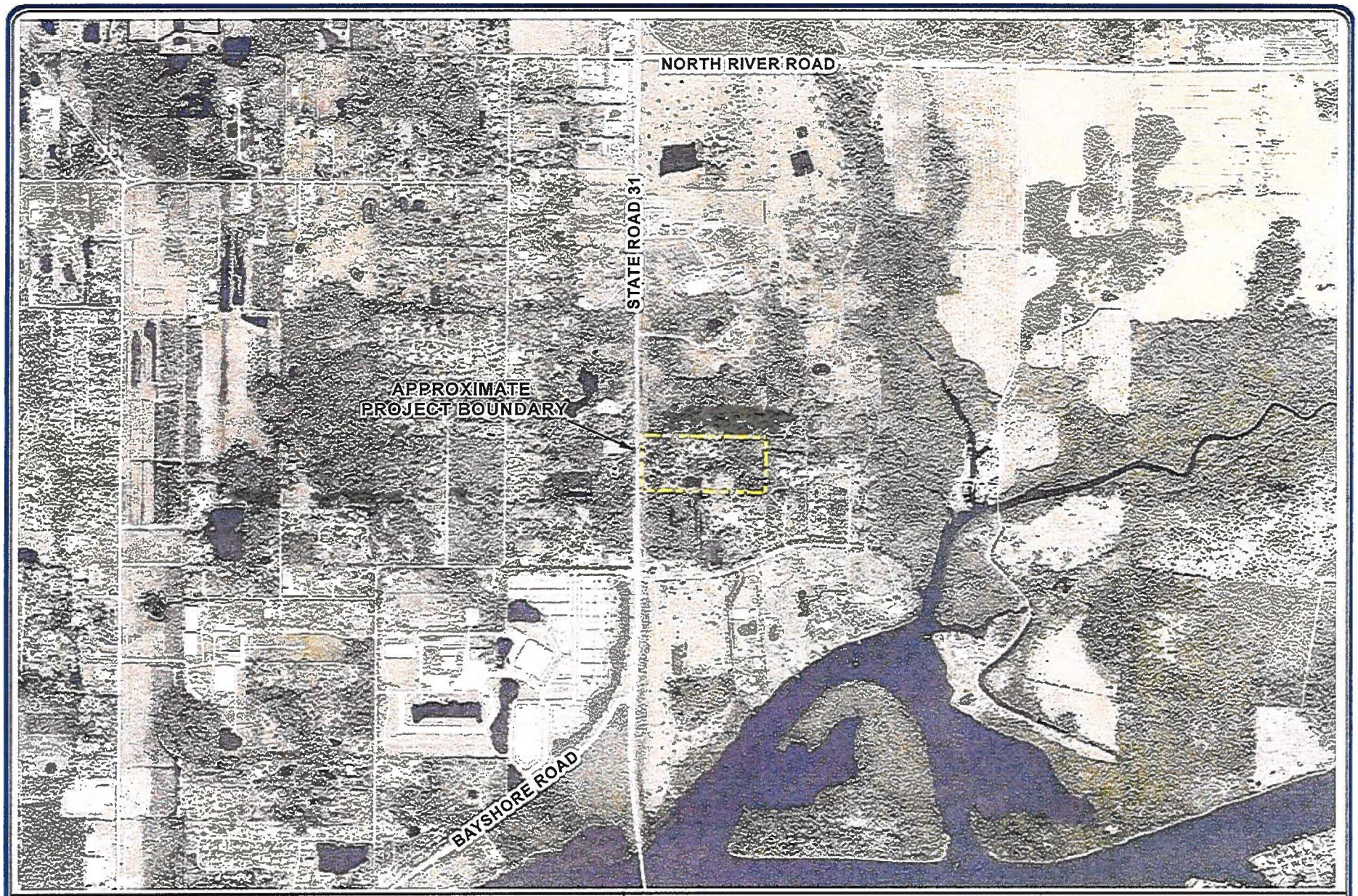

FIGURE 2. AERIAL MAP SHOWING PROJECT FOOTPRINT

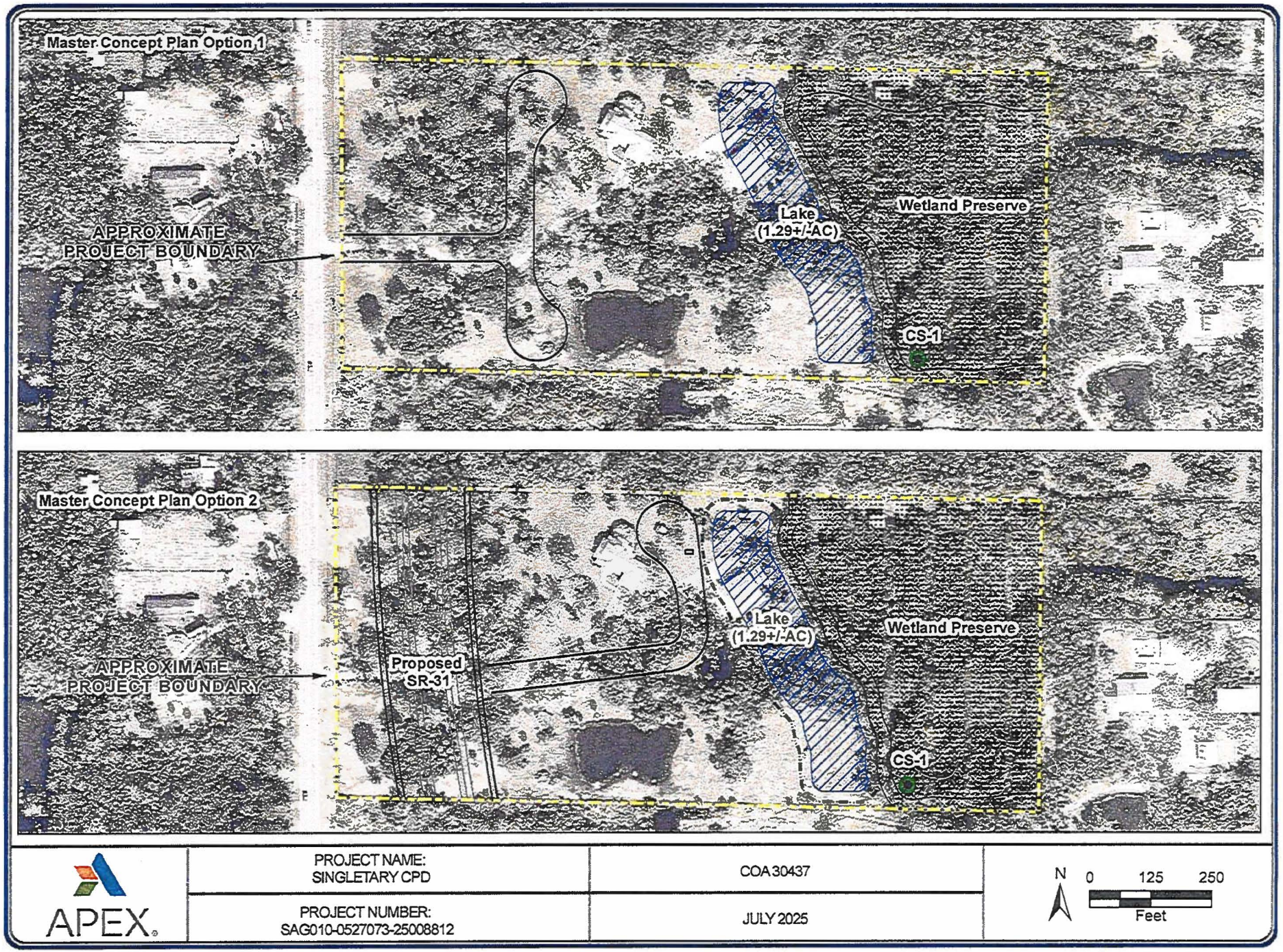

FIGURE 3. PERTINENT FEATURES OF THE PROJECT INCLUDING PROPOSED SURFACE WATER MONITORING SITE

BONA FIDE
AGRICULTURAL USES
AT TIME OF ZONING APPLICATION

I, R. Stephen Singletary as fee simple property owner, after having been duly sworn in accordance with law, hereby depose and say:

A bona fide agricultural use, livestock grazing exists on the property known as 18200 State Road 31, Alva, FL 33920 and was in existence at the time this application for this project was filed.

The entire 16.81 acres of the parcel (as described in the attached Exhibit A) is utilized for livestock grazing.

BAYSHORE FARMS INC
Company Name (if applicable)

STEVE SINGLETARY
Signature

RICHARD STEVE SINGLETARY (PRES)
Richard Stephen Singletary
Printed Name & Title

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was acknowledged before me by means of
☒ physical presence or ☐ online notarization,
This 21st Oct (date) by Steve Singletary as Manager, of
Bayshore Farms Inc. (name of company),
a FL (state) limited liability company, on behalf of the company, who is personally known to me or has produced _____ (type of identification) as identification.

Michael Williams
Notary Signature

Michael Williams
Notary Printed Name (or Stamped)

Title: Notary

Serial Number: HH399630

MICHAEL WILLIAMS
MY COMMISSION # HH 399630
EXPIRES: August 9, 2027

EXHIBIT E