

WORKSHEET

BOARD OF COUNTY COMMISSIONERS

WEDNESDAY

April 8, 2026

STATUS	PLANNER	CASE#	CASE NAME
Transmittal MDJ	Kate Burgess	CPA2025-00012	Amenity Improvement Amendment
Adoption MDJ	Kate Burgess	CPA2024-00017	SR 31 Civic 10
Z-26-002 0 - participants JAA	MarySue Groth	DCI2025 00005	SR 31 Civic 10
Z-26-004 1 – participant DWH	Brianna Schroeder	DCI2025-00007	Park 41 / Caloosa Commons CPD/RPD
Z-25-024 1 – participant ALS	Elizabeth Workman	DCI2024-00006	SR 31 Caloosahatchee Ridge RPD
Z-26-001 4 – participants MDJ	Nicholas DeFilippo	DCI2023-00054	Port Phoenix Water Way Marina

ADMIN.: Brienne Cherry
CUTOFF: 03/13/2026

cc:DIST 1, DIST 2, DIST 3, DIST 4 and DIST 5, Marc Mora, David Harner, Mikki Rozdolski, Anthony Rodriguez, Lauren Schaefer, Sandra Kokotilo, Michael Jacob, Amanda Swindle, Joe Adams, Becky Sweigert, Beth Workman, Marcus Evans, Rob Price, Jillian Scholler, John Talmage, Dirk Danley Jr., Brandon Dunn, Janet Miller, Kate Burgess, MarySue Groth, Brianna Schroeder, Nicholas DeFilippo

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RESOLUTION NUMBER Z-26-001

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

WHEREAS, Safe Harbor Marinas filed an application on behalf of the property owner, Lee County, to rezone a 7.27± acre parcel from Commercial Planned Development (CPD) and Light Industrial (IL) to CPD in reference to Port Phoenix Water Way Marina; and

WHEREAS, a public hearing before the Lee County Zoning Hearing Examiner, Amanda L. Rivera, was advertised and held on January 8, 2026; and

WHEREAS, the Hearing Examiner gave full consideration to the evidence in the record for Case #DCI2023-00054 and recommended APPROVAL of the request; and

WHEREAS, a second public hearing was advertised and held on April 8, 2026 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 7.27± acre parcel from CPD and IL to CPD, to allow construction of a new commercial marina, including 44 wet slips, 239 dry slips, 20,610 square feet of marine accessory uses, and a 10,000 square foot restaurant.

The property is located in the Suburban and Public Facilities Future Land Use Categories 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). This zoning resolution supersedes Resolution Z-06-065.

1. Master Concept Plan (MCP) and Development Parameters

- a. MCP. Development must be substantially consistent with the one-page MCP entitled "Port Phoenix Safe Harbor Marinas," last revised 12/18/2025 (Exhibit C).
- b. Compliance with Lee Plan and LDC. Development must comply with the Lee Plan and LDC at the time of local development order approval, except as granted by deviation herein. Subsequent changes may require further zoning approval.

- c. Development Parameters. Development intensity is limited to a marina consisting of 44 wet slips and 239 dry slips and 30,610 square feet of subordinate commercial use floor area. The maximum building height is 57 feet.

2. Schedule of Uses and Property Development Regulations

a. Schedule of Uses

Marina (see Condition 4)
 ATM (Automatic Teller Machine)
 EMS, Fire, or Sheriff's Station
 Essential Services
 Essential Service Facilities, Group I
 Excavation: Water Retention
 Parking Lot: Accessory and Temporary
 Signs
 Marina Accessory Uses*:
 Administrative Offices
 Bar or Cocktail Lounge
 Bait and Tackle Shop
 Boats:
 Boat Parts Store
 Boat Rental
 Boat Repair and Service (see Condition 4)
 Boat Storage, Dry Exceeding 18 feet Above Grade (see Condition 8)
 Clubs, Private
 Consumption on Premises (see Condition 7 and Deviation 3)
 Gift and Souvenir Shop
 Marina Accessory Uses
 Recreation Facilities: Private – On site
 Rental Establishments, group I
 Storage, Indoor
 Storage, Open (see Condition 9)
 Temporary Uses
 Transportation Services, Group I
 Vehicle and Equipment Dealers, Group III

*Marina Accessory Uses may not commence prior to establishing the marina use.

b. Site Development Regulations

Minimum Lot Size:	20,000 square feet
Minimum Lot Width:	100 feet
Minimum Lot Depth:	100 feet

Minimum Setbacks, Maximum Building Height and Lot Coverage

Street:	25 feet
Side:	20 feet (see Deviation 9)
Waterbody:	25 feet (see Deviation 4)
Maximum Building Height:	
Dry Boat Storage Building	57 feet (see Condition 8)
All Other Uses	45 feet
Lot Coverage:	40 percent

3. Environmental Conditions

- a. Direct canal discharge of bilge water from watercraft being lifted/stored in the dry storage building is prohibited. Prior to development order approval, a surface water collection system must be designed to capture bilge water for appropriate treatment prior to any release into the canal.
- b. Required buffer trees must be no less than four (4) inches in diameter at 12 inches above the ground and no less than 16 feet in height at the time of planting. One-half (50 percent) of the required buffer trees along the northwest portion of the property must be Sabal Palms planted in clusters with staggered heights ranging from 12 feet in overall height to a maximum of 20 feet in overall height. Required landscape planting material must be of native species.

4. Marina Operation

- a. Boat repair and service are limited to the hours of 8:00 am through 5:00 pm, Monday through Saturday.
- b. No outdoor storage of boats or equipment is permitted. All boat service, repair, and maintenance must be done completely indoors. Boat service, repair and maintenance does not include boat preparation for storage or launch. Boat preparation may take place in the area south of the dry storage building.
- c. The storage and removal of boats or equipment from the boat storage building must be accomplished using the door on the south side of the dry storage building. The existing lift well located on the western portion of the property is limited to use for emergency purposes.

5. Marina Management Plan

Prior to local development order approval, Developer must submit a Marina Management Plan. The Marina Management Plan must assure no degradation of water quality resulting from marina operations and address the following:

- a. Spill and Contamination Contingency Plan: The Spill and Contamination Contingency Plan must address how runoff from fueling and maintenance activities will be collected and treated prior to discharge, describe measures to be employed to reduce contamination of water bodies from boat refueling and maintenance, and address emergency clean up procedures.
- b. Emergency Preparedness Plan: The Emergency Preparedness Plan must be prepared in accordance with Administrative Code 7-7.
- c. Educational Material and Signs: The developer must submit examples of educational materials and signs to be installed notifying residents/guests on manatee protection. The Developer must install educational signs prior to issuance of Certificate of Compliance on any part of the docking facility.

6. Boat Slips

This CPD approves a maximum of 44 wet and 239 dry slips. These numbers may be modified based on review and approval for compliance with the Lee County Manatee Protection Plan.

7. Consumption on Premises and Outdoor Entertainment

- a. Limits of COP. The sale/service of alcoholic beverages is restricted to the 17,150-square-foot red hatched COP areas depicted on the MCP and detailed on the “Consumption on Premise Exhibit” dated 6/10/2025 (Exhibit D). Attempts to reduce the approved 82.5-foot separation requires a public hearing.
- b. Time Limitation.
 - i. Indoor seating – limited to 10:00 a.m. until 12:00 a.m. Daily.
 - ii. Outdoor seating – limited to Sunday through Thursday, 10:00 a.m. until 9:00 p.m., and Friday and Saturday, 10:00 a.m. until 11:00 p.m.
- c. Live Entertainment/Amplified Sound. Outdoor entertainment is limited as follows:
 - i. Piped or recorded music (amplified/non-amplified) sound may not exceed a “conversational” level of volume in the outdoor seating area.
 - ii. Live entertainment is prohibited.
 - iii. Hours of operation for outdoor entertainment are limited to the hours identified in 7.b.ii above.
 - iv. Speakers and sound amplification devices must be oriented towards the building to minimize music conveyed off-site.

8. Building Height

The maximum height for the dry storage building on the MCP is 57 feet above base flood elevation. Other buildings/structures may not exceed 45 feet above base flood elevation.

9. Open Storage

Open storage is only permitted when associated with boat triage during emergency declarations.

10. Inlet Drive

Developer must mill and resurface Inlet Drive from Orange Grove Blvd to the project entrance, providing a new surface and consistent 20-foot width along the entire Inlet Drive corridor.

11. Development Permits

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 applicant 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 development.

SECTION C. DEVIATIONS

1. Internal Landscaping. Deviation (1) seeks relief from the LDC § 10-416(c)(2), which requires internal landscaping and end landscape islands within parking lot areas, to allow for an unobstructed parking lot area in the property's southwest corner. This deviation is APPROVED.
2. Buffers. Deviation (2) seeks relief from the LDC § 10-416(d)(6), which requires a 25-foot-wide buffer with an eight-foot wall setback 25 feet from the property line or a 30-foot-wide buffer with five trees and 18 shrubs per 100 linear feet when roads, drives, parking areas associated with nonresidential use are within 125 feet from an existing single-family residential subdivision or single-family residential lots. This deviation is APPROVED.

Deviation (2a) through (2f) are requested to provide alternative buffers to demonstrate compatibility and screening to meet Lee Plan Policies 5.1.5, 6.1.1, and 6.1.6. The following provides the itemized buffers and related deviation requests:

- a. Deviation (2a). To allow no buffer along the first 100-foot length of the entrance drive to the property.

This deviation is APPROVED.

- b. Deviation (2b). To allow the buffer along the southwest portion of the entrance drive to vary in width from 12 to 30 feet.
- c. Deviation (2c). To allow the buffer along the southeast portion of the entrance drive to vary in width from 4 to 33 feet.
- d. Deviation (2d). To allow the buffer along the west property line to vary in width from 9 to 15 feet.
- e. Deviation (2e). To allow an eight-foot-wide landscape buffer along the southwest property line.
- f. Deviation (2f). To allow a ten-foot-wide buffer along the north property line.

Deviations (2b) through (2f) are APPROVED SUBJECT TO that condition that development order plans must depict Type-F buffer plantings (ten trees per 100 linear feet and a double hedge row) with shrubs specified at 48 inches at installation and maintained at 60 inches. The width of each buffer must be consistent with deviations (2b) through (2f).

3. Height. Deviation (3) seeks relief from the LDC § 34-2175(b), which establishes a maximum building height of 45 feet above Base Flood Elevation within the Suburban Future Land Use category, to allow a maximum building height of 57 feet above Base Flood Elevation. This deviation is APPROVED.
4. Waterbody Setbacks. Deviation (4) seeks relief from the LDC § 34-2194(b), which requires buildings and structures to be setback a minimum of 25 foot from a canal, bay, or other water body, to allow for reduced setbacks for the placement of three structures.

- a. Deviation (4a). To allow a 4-foot waterbody setback for the Restaurant Building.
- b. Deviation (4b). To allow a 15-foot waterbody setback for the Marina Building.
- c. Deviation (4c). To allow a 12-foot waterbody setback for the Maintenance and Member Building.

This deviation is APPROVED.

- 5. Landscaping. Deviation (5) seeks relief from the LDC § 33-1543(a), which requires a 30-foot-wide buffer for high density or high intensity development abutting a subdivided lot in an existing large lot residential subdivision, to allow no buffer for the first 100 feet of drive into the property and to allow tapered buffers on both sides per Deviations (2a) and (2c). This deviation is APPROVED.
- 6. Angled Parking. Deviation (6) seeks relief from the LDC § 34-2016(4), which requires parking to be developed throughout the site utilizing the same degree of angle, to allow the use of varying angled parking. This deviation is APPROVED.
- 7. Parking Spaces. Deviation (7) seeks relief from the LDC § 34-2020(b), which requires a total of 287 parking spaces for the proposed development, to allow for a total of 214 parking spaces. This deviation is APPROVED SUBJECT TO the condition that when parking demand exceeds the provided parking spaces, Developer/Operator must provide an onsite valet parking service allowing vehicles to be stacked. Parking must remain onsite. Parking outside the property is prohibited.
- 8. Street Access. Deviation (8) seeks relief from the LDC § 10-291(2), which requires Inlet Drive, a local suburban local street, to meet the minimum standards outlined in the subject section, to allow for a 20-foot-wide roadway with sidewalk on one side. This deviation is APPROVED SUBJECT TO Condition 10.
- 9. Restaurant Setback. Deviation (9) seeks relief from the LDC § 34-935(b)(1)(b), which requires a minimum setback of 15 feet for structures/buildings from the development perimeter boundaries for CPD properties, to allow a 4-foot boundary setback for the proposed Restaurant Building. This deviation is APPROVED.
- 10. Suburban Street Design. Deviation (10) seeks relief from the LDC § 10-296(e)(2)h.5, which requires Inlet Drive, a local suburban local street, to meet the minimum standards outlined in the subject section, to allow for a 20-foot-wide roadway with sidewalk on one side. This deviation is APPROVED SUBJECT TO Condition 10.
- 11. Consumption on Premises. Deviation (11) seeks relief from the LDC § 34-1264(b)(1)(a), which states establishments offering alcoholic beverages for consumption on the premises may not be located within 500 feet of a dwelling unit under separate ownership, to allow a minimum separation distance of 82.5 feet. This deviation is APPROVED SUBJECT TO Condition 7.

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: Consumption on Premise Exhibit dated 6/10/2025

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, and finds that this request:

1. Complies with the Lee Plan. Lee Plan Goals 2, 4, 5, 6, 8, 30, 77, 101, 128, 158, 161, Objectives 2.1, 2.2, 4.1, 5.1, 6.1, 101.1, 101.3, 126.2, 158.2, 160.1, 161.1, and Policies 1.15, 1.1.8, 2.1.1, 2.1.2, 2.1.3, 2.2.1, 2.2.2, 5.1.5, 6.1.1, 6.1.2, 6.1.3, 6.1.4, 6.1.5, 6.1.6, 6.1.7, 101.1.1, 101.2.2, 101.3.2, 128.4.3, 128.4.4, 128.4.5, 128.4.6, 128.4.7, 128.4.8, 128.4.10, 128.4.11, 128.5.1, 128.5.3, 128.5.4, 128.5.7, 128.5.8, 128.5.15, 135.9.6, Lee Plan Maps 1-A, 1-B, 2-A, 1-H.
2. Meets the LDC or qualifies for deviations. LDC Chapters 2, 10, 33, and 34.
3. Compatible with existing or planned uses in the surrounding area. Lee Plan Objectives 2.1, 2.2, and Policies 1.1.5, 1.1.8, 5.1.5, 6.1.4, 135.9.5, 135.9.6; LDC §§ 34-411, 34-413.
4. Provides sufficient road access to support proposed development intensity. Lee Plan Objective 39.2, Policies 6.1.5, 39.6.4, 43.1.1, 158.3.1.
5. Expected impacts on transportation facilities will be addressed by County regulations and conditions of approval. Lee Plan Objective 39.1, Policies 38.1.1, 43.1.1, 128.4.13, 128.4.15, 158.3.1; LDC §§ 2-261 *et seq.*, 34-411.
6. Will not adversely affect environmentally sensitive areas or natural resources. Lee Plan Goals 6, 8, 30, 60, 61, 77, 128, Objectives 8.1, 77.2, 77.3, 126.2, 128.1, Policies 6.1.1, 6.1.6, 60.4.1, 60.4.2, 128.1.1, 128.1.2, 128.4.3, 128.4.4, 128.4.5, 128.4.6, 128.4.7, 128.4.8, 128.4.10, 128.4.11, 128.5.8, Standard 4.1.4.
7. Will be served by public services. Goals 2, 4, 6, Objectives 2.1, 2.2, 4.1, Policies 2.2.1, 6.1.4, Standards 4.1.1, 4.1.2.
8. Proposed uses are appropriate at the location. Lee Plan Goals 2, 4, 5, 6; Objectives 2.1, 2.2, Policies 1.1.5, 1.1.8, 2.1.1, 2.1.2, 5.1.5, 6.1.7, 6.1.8, 135.9.5, 135.9.6, 158.2.1, 160.1.3.
9. Conditions provide sufficient safeguards to the public interest and reasonably relate to impacts on the public's interest expected from the proposed development. Lee Plan Objective 126.2, Policies 5.1.5, 6.1.4, 53.1.5, 56.1.4, 135.9.5, 135.9.6; LDC §§ 34-377(a)(3), 34-411 and 34-932(c).

10. Deviations enhance achievement of the CPD and protect public health, safety, and welfare.

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.

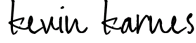
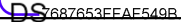
Commissioner Hamman made a motion to adopt the foregoing resolution, seconded by Commissioner Petrosky. The vote was as follows:

Adopted by unanimous consent.

Kevin Ruane	Aye
Cecil L. Pendergrass	Aye
David Mulicka	Aye
Brian Hamman	Aye
Trish Petrosky	Aye

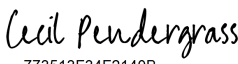
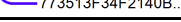
DULY PASSED AND ADOPTED this 8th day of April 2026.

ATTEST:
KEVIN C. KARNES
CLERK OF CIRCUIT COURT

Signed by:

BY: 
Deputy Clerk



BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

Signed by:

BY: 
Cecil L. Pendergrass, Chair

APPROVED AS TO FORM FOR THE
RELIANCE OF LEE COUNTY ONLY

Signed by:

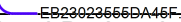
BY: 
Michael D. Jacob
Deputy County Attorney
County Attorney's Office

Exhibit A

HARRIS-JORGENSEN, LLC. 3048 DEL PRADO BLVD. S., SUITE 100 CAPE CORAL, FLORIDA 33904 PHONE: (239) 257-2624 FAX: (239) 257-2921	DRAWN:	CHECK:	SCALE	PROJ. #
	RBH	PMM	1"=120'	1687 INLET DR
	SKETCH DATE		FILE NO.	SHT.- 1
	10/16/25		45-25-19	OF - 2
FLORIDA CERTIFICATE OF AUTHORIZATION LB6921				

SKETCH TO ACCOMPANY DESCRIPTION:
A PARCEL OF LAND LYING IN TRACT "A" & "B", & A PORTION OF TRACT "D", WATERWAY ESTATES OF FORT MYERS UNIT 2,
(PLAT BOOK 12, PAGES 53-67)
SECTION 16, TOWNSHIP 44 SOUTH, RANGE 24 EAST,
PUBLIC RECORDS OF LEE COUNTY, FLORIDA
& A PARCEL OF LAND LYING IN SECTION 16,
TOWNSHIP 44 SOUTH, RANGE 24 EAST,
PUBLIC RECORDS OF LEE COUNTY, FLORIDA

- SKETCH / DESCRIPTION NOTES:**
1. BASIS OF BEARING SHOWN HEREON TAKEN FROM THE SOUTH LINE OF TRACT "B", AS BEING N.89°24'20"E.
 2. FIELD NOTES IN WATERWAY ESTATES UNIT 2.
 3. SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.
 4. THIS CERTIFICATION IS ONLY FOR LANDS DESCRIBED HEREON. IT IS NOT A CERTIFICATION OF TITLE, ZONING OR FREEDOM OF ENCUMBRANCES.
 5. THIS MAP/PLAT IS CONSIDERED SIGNED USING A DIGITAL SEAL IN ACCORDANCE WITH THE APPLICABLE STATE LAWS AND STATUTES FS 668.001-006; FS 668.50; FS 472.025; 5J-17.062, FLORIDA ADMINISTRATIVE CODE, STATE OF FLORIDA.
 6. THIS SKETCH IS INTENDED TO BE VIEWED AS AN 8 1/2" x 14", 120 SCALE DRAWING.

SEE EXHIBIT "A", SHEET 2 OF 2 FOR DESCRIPTION
THIS IS NOT A BOUNDARY SURVEY

SOUTHERLY PROLONGATION OF BLOCK 1
WATERWAY ESTATES OF FT MYERS UNIT 2
(PLAT BOOK 12, PAGE 64)
N.43°56'37"E. 21.04'
TRACT "D"
WATERWAY ESTATES OF FT MYERS UNIT 2
(PLAT BOOK 12, PAGES 63-67)
NON-INCLUSIVE PORTION
CONSERVATION EASEMENT
(O.R. BOOK 1575, PAGE 1478)

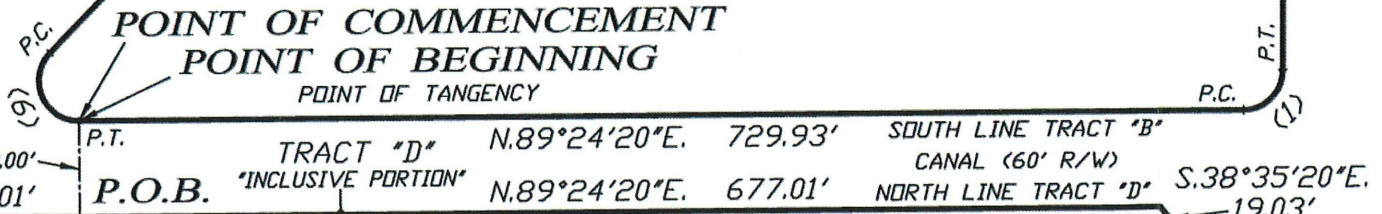
LOT 1
SEAFAN
ESTATES
(INSTRUMENT No.
2023000123710)

LOT 1
PLUMWOOD
ESTATES
(INSTRUMENT No.
2017000138675)

LOT 2
PLUMWOOD
ESTATES
(INSTRUMENT No.
2017000138675)

LOT 3
PLUMWOOD
ESTATES 2
(INSTRUMENT No.
2022000134147)

LOT 4
PLUMWOOD ESTATES 2
(INSTRUMENT No. 2022000134147)



CURVE TABLE

NO.	RADIUS	DELTA	ARC	CHORD	CHORD BEARING
1	25.00'	89°30'20"	39.05'	35.20'	N.44°39'10"E.
2	718.68'	05°47'17"	72.60'	72.57'	N.48°56'29"W.
3	25.00'	95°47'20"	41.80'	37.10'	N.03°57'03"W.
4	25.00'	83°14'22"	36.32'	33.21'	N.85°33'48"E.
5	668.68'	06°41'37"	78.12'	78.08'	S.49°24'00"E.
6	25.00'	134°32'17"	58.70'	46.12'	S.23°19'32"E.

- LEGEND:
- R/W RIGHT-OF-WAY
 - C CENTERLINE
 - P.O.C. POINT OF COMMENCEMENT
 - P.O.B. POINT OF BEGINNING
 - P.R.C. POINT OF REVERSE CURVATURE
 - P.C.C. POINT OF COMPOUND CURVATURE
 - P.C. POINT OF CURVATURE
 - P.T. POINT OF TANGENCY
 - (1) CURVE NUMBER

REVIEWED
Project: DCI2023-00054
By: Richard Burris
Dept: Legal Review
Date: 10/16/2025

DESCRIPTION TO ACCOMPANY SKETCH
EXHIBIT "A"

**A PARCEL OF LAND LYING IN TRACT "A" & "B",
& A PORTION OF TRACT "D",
WATERWAY ESTATES OF FORT MYERS UNIT 2,**

(PLAT BOOK 12, PAGES 53-67)
SECTION 16, TOWNSHIP 44 SOUTH, RANGE 24 EAST,
PUBLIC RECORDS OF LEE COUNTY, FLORIDA

& A PARCEL OF LAND LYING IN SECTION 16,

TOWNSHIP 44 SOUTH, RANGE 24 EAST,
PUBLIC RECORDS OF LEE COUNTY, FLORIDA

DESCRIPTION:

A PLOT OR PARCEL OF LAND LYING IN TRACT "A" AND "B", WATERWAY ESTATES OF FORT MYERS UNIT 2, AS RECORDED IN PLAT BOOK 12, PAGES 53 THROUGH 67, PUBLIC RECORDS OF LEE COUNTY, FLORIDA AND A PLOT OR PARCEL OF LAND LYING IN SECTION 16, TOWNSHIP 44 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA, SAID PLOT OR PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT OF TANGENCY ON THE SOUTH LINE OF THE AFORESAID TRACT "B", FOR THE POINT OF BEGINNING; THENCE RUN N.89°24'20"E. ALONG SAID SOUTH LINE TO A POINT OF CURVATURE FOR 729.93 FEET; THENCE RUN NORTHEASTERLY ALONG THE ARC OF A CURVE CONCAVE NORTHWESTERLY FOR 39.05 FEET, SAID CURVE HAVING THE FOLLOWING ELEMENTS, A RADIUS OF 25.00 FEET, A CENTRAL DELTA ANGLE OF 89°30'20", A CHORD THAT BEARS N.44°39'10"E. AND A CHORD DISTANCE OF 35.20 FEET TO A POINT OF TANGENCY; THENCE RUN N.00°06'00"W. ALONG THE EAST LINE OF THE AFORESAID TRACT "B" FOR 490.23 FEET; THENCE RUN S.89°54'00"W. FOR 309.45 FEET; THENCE RUN S.43°56'37"W. FOR 27.98 FEET; THENCE RUN N.59°32'51"W. FOR 102.84 FEET TO THE NORTHEASTERLY CORNER OF THE AFORESAID TRACT "A", SAID POINT LYING ON A NON TANGENT CURVE; THENCE RUN NORTHWESTERLY ALONG THE ARC OF A CURVE CONCAVE SOUTHWESTERLY FOR 72.60 FEET, SAID CURVE HAVING THE FOLLOWING ELEMENTS, A RADIUS OF 718.68 FEET, A CENTRAL DELTA ANGLE OF 05°47'17", A CHORD THAT BEARS N.48°56'29"W. AND A CHORD DISTANCE OF 72.57 FEET TO A POINT OF REVERSE CURVATURE; THENCE RUN NORTHWESTERLY ALONG THE ARC OF A CURVE CONCAVE NORTHEASTERLY FOR 41.80 FEET TO A POINT OF CUSP, SAID CURVE HAVING THE FOLLOWING ELEMENTS, A RADIUS OF 25.00 FEET, A CENTRAL DELTA ANGLE OF 95°47'20", A CHORD THAT BEARS N.03°57'03"W. AND A CHORD DISTANCE OF 37.10 FEET TO THE NORTHWESTERLY CORNER OF THE AFORESAID TRACT "A" AND SAID POINT LYING ON THE SOUTHEASTERLY RIGHT OF WAY LINE OF HARBOUR LANE (50 FEET WIDE); THENCE RUN S.43°56'37"W. ALONG SAID RIGHT OF WAY LINE TO THE SOUTHWESTERLY CORNER OF SAID TRACT "A" BEING A POINT OF CUSP AND POINT OF CURVATURE FOR 100.61 FEET; THENCE RUN NORTHEASTERLY ALONG THE ARC OF A CURVE CONCAVE SOUTHWESTERLY FOR 36.32 FEET, SAID CURVE HAVING THE FOLLOWING ELEMENTS, A RADIUS OF 25.00 FEET, A CENTRAL DELTA ANGLE OF 83°14'22", A CHORD THAT BEARS N.85°33'48"E. AND A CHORD DISTANCE OF 33.21 FEET TO A POINT OF COMPOUND CURVATURE; THENCE RUN SOUTHEASTERLY ALONG THE ARC OF A CURVE CONCAVE SOUTHWESTERLY FOR 78.12 FEET, SAID CURVE HAVING THE FOLLOWING ELEMENTS, A RADIUS OF 668.68 FEET, A CENTRAL DELTA ANGLE OF 06°41'37", A CHORD THAT BEARS S.49°24'00"E. AND A CHORD DISTANCE OF 78.08 FEET TO THE SOUTHEASTERLY CORNER OF SAID TRACT "A" AND A POINT OF TANGENCY, NOT RADIAL TO THE PREVIOUSLY DESCRIBED LINE; THENCE RUN S.32°33'43"E. FOR 102.84 FEET TO A POINT ON THE NORTHWESTERLY LINE OF THE AFORESAID TRACT "B"; THENCE RUN S.43°56'37"W. ALONG SAID LINE TO A POINT OF CURVATURE FOR 540.61 FEET; THENCE RUN SOUTHEASTERLY ALONG THE ARC OF A CURVE CONCAVE NORTHEASTERLY FOR 58.70 FEET, SAID CURVE HAVING THE FOLLOWING ELEMENTS, A RADIUS OF 25.00 FEET, A CENTRAL DELTA ANGLE OF 134°32'17", A CHORD THAT BEARS S.23°19'32"E. AND A CHORD DISTANCE OF 46.12 FEET TO THE POINT OF BEGINNING.

CONTAINS 302,277 SQUARE FEET OR 6.94 ACRES MORE OR LESS.

AND A PORTION OF TRACT "D", OF THE AFORESAID WATERWAY ESTATES OF FORT MYERS UNIT 2, AS RECORDED IN PLAT BOOK 12, PAGES 53 THROUGH 67, PUBLIC RECORDS OF LEE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT OF TANGENCY ON THE SOUTH LINE OF THE AFORESAID TRACT "B", THENCE RUN S.00°35'40"E., TO A POINT ALONG THE NORTH LINE OF THE AFORESAID TRACT "D", FOR 60.00 FEET, TO THE POINT OF BEGINNING; THENCE RUN N.89°24'20"E. SAID NORTH LINE, FOR 677.01 FEET; THENCE RUN S.38°35'20"E., FOR 19.03; THENCE RUN S.89°24'20"W. ALONG THE SOUTH LINE OF THE AFORESAID TRACT "D" TO POINT ALONG THE SOUTHERLY PROLONGATION OF BLOCK 1, OF THE AFORE SAID WATERWAY WAY ESTATES UNIT 2, FOR 962.49 FEET; THENCE RUN N.43°56'37"E. ALONG SAID PROLONGATION OF BLOCK 1 TO THE AFORESAID NORTH LINE OF TRACT "D", FOR 21.04 FEET; THENCE RUN N.89°24'20"E. ALONG SAID NORTH LINE, FOR 259.01 FEET, TO THE POINT OF BEGINNING.

CONTAINS 14,239 SQUARE FEET OR 0.33 ACRES MORE OR LESS.

BEARINGS ARE BASED ON THE SOUTH LINE OF THE AFORESAID TRACT "B", AS BEING N.89°24'20"E.

Phillip M Mould,
LS6515, State of
Florida

Digitally signed by Phillip M
Mould, LS6515, State of Florida
Date: 2025.10.16 13:05:49
-04'00'

REVIEWED

Project: DCI2023-00054

By: Richard Burris

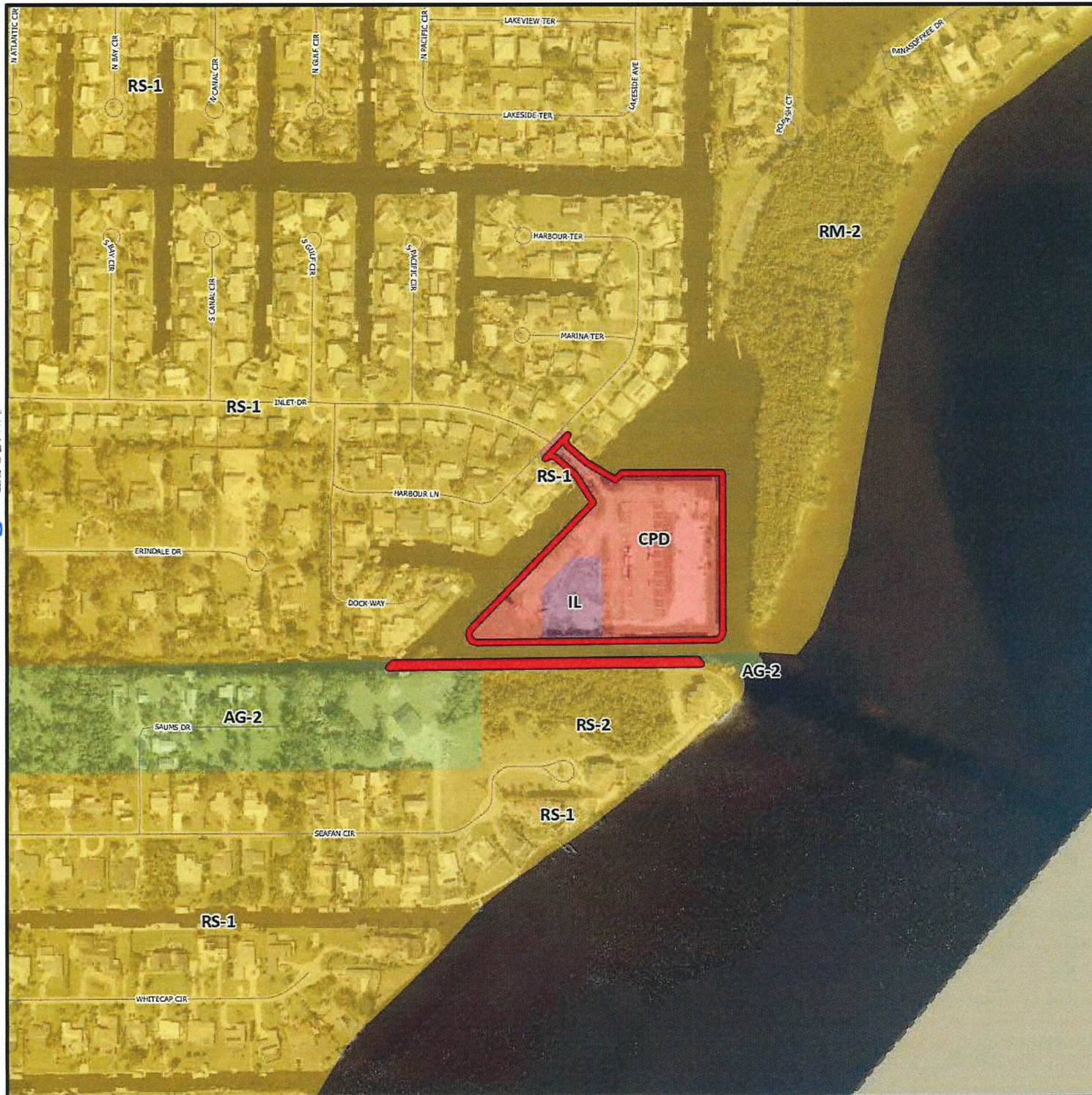
Dept: Legal Review

Date: 10/16/2025

PHILLIP M. MOULD
PROFESSIONAL SURVEYOR AND MAPPER, LS6515
OCTOBER 16, 2025

SHEET 2 OF 2
1687 INLET DR

EXHIBIT B

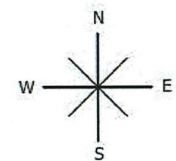


DCI2023-00054

Zoning

 Subject Property

 City Limits

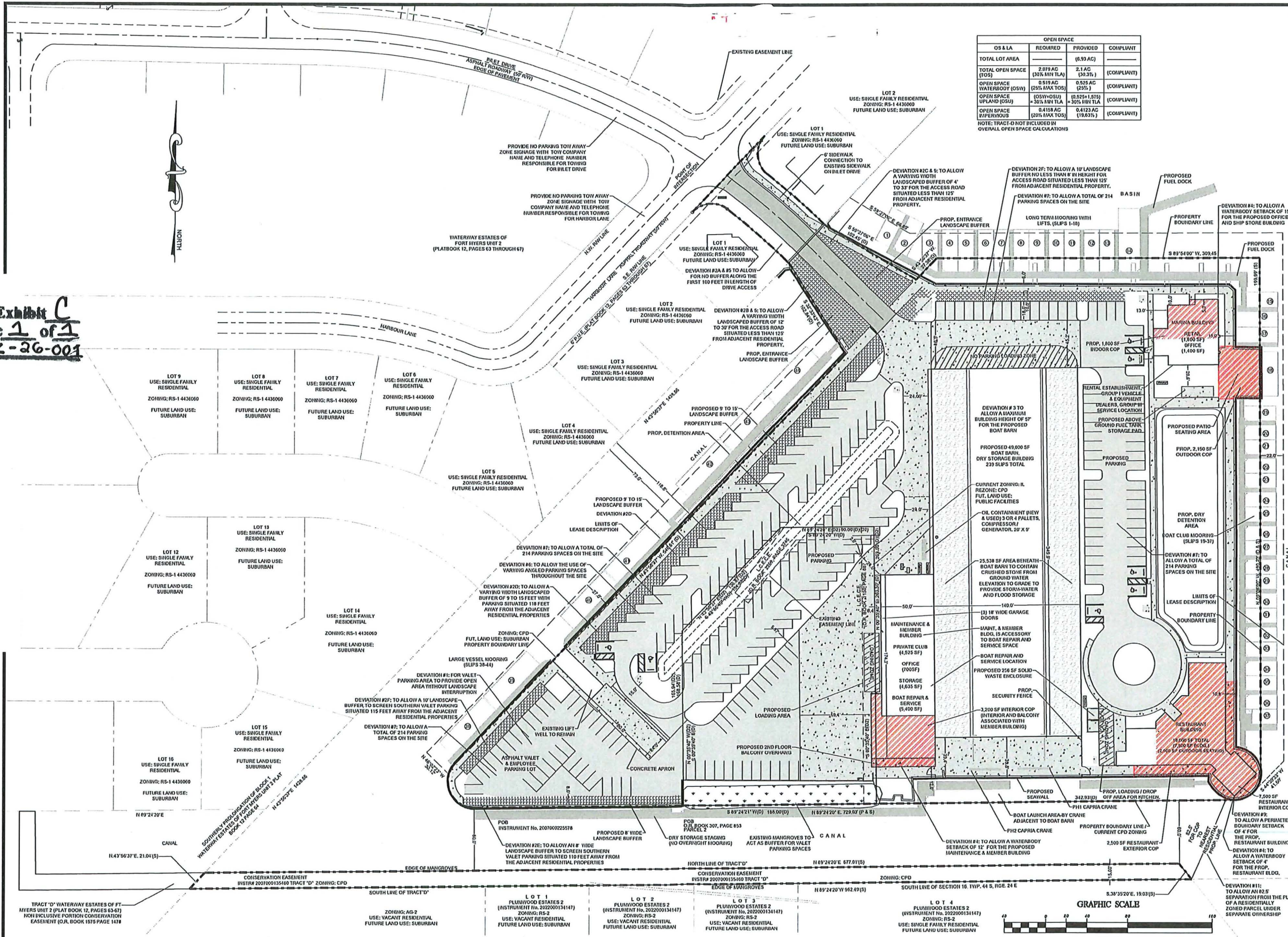


0 500
Feet



Approved as Exhibit C
MCP Page 1 of 1
Resolution # Z-26-001

EXHIBIT B-1



OPEN SPACE			
OS & LA	REQUIRED	PROVIDED	COMPLIANT
TOTAL LOT AREA		(6.93 AC)	
TOTAL OPEN SPACE (TOS)	2.079 AC (30% MIN TLA)	2.1 AC (30.3%)	(COMPLIANT)
OPEN SPACE WATERBODY (OSW)	0.519 AC (25% MAX TOS)	0.525 AC (23%)	(COMPLIANT)
OPEN SPACE UPLAND (OSU)	(OSW+OSU) = 50% MIN TLA	(0.525+1.575) = 50% MIN TLA	(COMPLIANT)
OPEN SPACE IMPERVIOUS	0.4158 AC (20% MAX TOS)	0.4123 AC (19.63%)	(COMPLIANT)

NOTE: TRACT-D NOT INCLUDED IN OVERALL OPEN SPACE CALCULATIONS

REVISIONS	DATE	BY
0. INITIAL SUB	12/12/23	TG
2. CITY CHITS	08/14/24	TG
3. CITY CHITS	12/09/24	TG
4. CITY CHITS	08/10/25	TG
5. CITY CHITS	08/21/25	TG
6. CITY CHITS	12/10/25	TG

SPEATH
ENGINEERING
SPEATH ENGINEERING, LLC - 311 BRICKELL AVE. 10TH FL.
MIAMI, FL 33131 - PHONE 305-594-4343

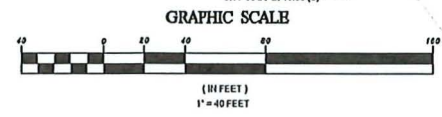
MASTER CONCEPT PLAN
FOR
PORT PHOENIX
SAFE HARBOR MARINAS
LEE COUNTY, FLORIDA

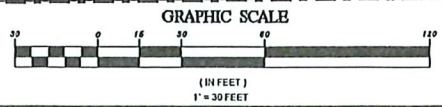
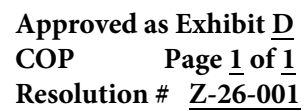


12/18/2025
THIS PLAN HAS BEEN ORIGINALLY SIGNED AND SEALED BY MATTHEW S. SPEATH, P.E., ON THE DATE ADJACENT TO THE SEAL. PRINTED COPIES OF THIS DOCUMENT ARE NOT CONSIDERED SIGNED AND SEALED AND THE SIGNATURE MUST BE VERIFIED ON ANY ELECTRONIC COPIES.
MATTHEW S. SPEATH, P.E.
LIC. #67675
FBPE # 31292

DRAWN	TCG
CHECK	MSS
DATE	12/18/25
SCALE	1" = 40'
PROJ. NO.	F22-56

SHEET:
MCP
1 OF 1





SHEET: CC
1 OF 1

Certificate Of Completion

Envelope Id: 46BA9B13-0473-400B-B2D2-34639212C0CC

Status: Completed

Subject: Routing Board Approved Resolution Z-26-001 for Port Phoenix Water Way Marina

Source Envelope:

Document Pages: 13

Signatures: 3

Envelope Originator:

Supplemental Document Pages: 1

Initials: 0

Lauren Schaefer

Certificate Pages: 5

AutoNav: Enabled

Stamps: 1

lschaefer@leegov.com

Envelopeld Stamping: Enabled

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4/16/2026 4:24:25 PM

lschaefer@leegov.com

Signer Events

Michael Jacob

mjacob@leegov.com

Deputy County Attorney

BOCC

Security Level: Email, Account Authentication (None)

Signature

Signed by:

Michael Jacob
EB23023555DA45F...

Signature Adoption: Pre-selected Style

Using IP Address: 208.89.76.205

Timestamp

Sent: 4/16/2026 4:29:21 PM

Viewed: 4/17/2026 8:16:17 AM

Signed: 4/17/2026 8:16:38 AM

Electronic Record and Signature Disclosure:

Not Offered via Docusign

Cecil Pendergrass

Dist2@leegov.com

County Commissioner- Chairman

Security Level: Email, Account Authentication (None)

Signed by:

Cecil Pendergrass
773513F34F2140B...

Signature Adoption: Pre-selected Style

Using IP Address:

2601:6c1:c001:17f0:fdfe:45f4:8931:d3f2

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Signed: 4/17/2026 12:47:17 PM

Electronic Record and Signature Disclosure:

Accepted: 4/8/2026 1:30:40 PM

ID: 1c4389c4-9b9a-4e34-b211-cc9639f6c651

Kevin Karnes

kkarnes@leeclerk.org

Security Level: Email, Account Authentication (None), Logged in

Signed by:

Kevin Karnes
7687653FFAF549B...



Signature Adoption: Pre-selected Style

Using IP Address: 198.184.170.4

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Signed: 4/23/2026 1:40:48 PM

Electronic Record and Signature Disclosure:

Accepted: 4/23/2026 1:40:34 PM

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In Person Signer Events

Signature

Timestamp

Editor Delivery Events

Status

Timestamp

Agent Delivery Events

Status

Timestamp

Intermediary Delivery Events	Status	Timestamp
Certified Delivery Events	Status	Timestamp
Carbon Copy Events	Status	Timestamp
Claudia Curtin ccurtin@leeclerk.org Latasha Seth lseth@leeclerk.org Melissa Butler mbutler@leeclerk.org Rachael Rumer Rrumer@leeclerk.org Deputy Clerk Signing Group: Minutes Security Level: Email, Account Authentication (None), Logged in Electronic Record and Signature Disclosure: Not Offered via DocuSign	COPIED	Sent: 4/17/2026 2:40:23 PM Viewed: 4/23/2026 2:38:00 PM
Lauren E. Schaefer lschaefer@leegov.com Legal Administrative Specialist Lee County BoCC Security Level: Email, Account Authentication (None) Electronic Record and Signature Disclosure: Not Offered via DocuSign	COPIED	Sent: 4/23/2026 1:40:49 PM Resent: 4/23/2026 1:40:55 PM Viewed: 4/24/2026 1:45:35 PM
Brie Cherry bcherry2@leegov.com Security Level: Email, Account Authentication (None) Electronic Record and Signature Disclosure: Not Offered via DocuSign	COPIED	Sent: 4/23/2026 1:40:50 PM Viewed: 4/28/2026 8:14:33 AM
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Anthony Rodriguez arodriguez4@leegov.com Security Level: Email, Account Authentication (None) Electronic Record and Signature Disclosure: Not Offered via DocuSign	COPIED	Sent: 4/23/2026 1:40:51 PM
Witness Events	Signature	Timestamp
Notary Events	Signature	Timestamp
Envelope Summary Events	Status	Timestamps
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Envelope Updated	Security Checked	4/17/2026 2:52:03 PM
Certified Delivered	Security Checked	4/23/2026 1:40:34 PM
Signing Complete	Security Checked	4/23/2026 1:40:48 PM
Completed	Security Checked	4/23/2026 1:40:51 PM

Payment Events	Status	Timestamps
Electronic Record and Signature Disclosure		

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- Until or unless you notify County Attorney as described above, you consent to receive exclusively through electronic means all notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you by County Attorney during the course of your relationship with County Attorney.