THE NEIGHBORHOOD COMPANY

May 20, 2026

Lee County Department of Community Development
Zoning Department
Attn.: Khalil Muhammad
P. O. Box 398
Fort Myers, FL 33902

Subject: **Rezoning Request #REZ2026-00003 (RS-1 to RS-5)**
15034 Briar Ridge Circle
Fort Myers, FL 33912
Strap # 32-45-25-03-00000.0260

Dear Khalil:

As discussed last week, we are assisting the Waichulis family with their Rezoning Application and companion Special Exception request to allow the noncommercial poultry raising and private horse stable uses on their property. Please accept this letter in response to your insufficiency comments dated March 13, 2026, for the above subject property. This letter outlines responses, in bold, to each comment. Please find the following list of information and materials that are being submitted electronically:

1. Project Request and Analysis Statement
2. Site Plan
3. Application – Page 1 Replacement
4. Signatures of Support from Surrounding Property Owners

In reply to your review comments, we offer the following responses in bold:

Environmental Review – Paige Carroll

1. Please revise narrative to clarify if there is environmentally critical or sensitive areas on the property to comply with LDC Section 34-145(d)(4)(a)(f) for rezoning.

   Response: The subject property is currently developed with a single-family residence and an accessory dwelling unit. Much of the property has been cleared and improved over the years. There are no known environmentally critical or sensitive areas on this developed property.

Legal Review – Richard Burris

Sec. 34-202(a). Submittal requirements for applications requiring public hearing. (7)18Certification of title and encumbrances. - No certification of title and encumbrances was submitted.

(7) Certification of title and encumbrances. Certification of title and encumbrances submitted for property subject to zoning approval must meet the following criteria:

a. Form. The certification of title must be in one of the following forms:

i. Title certificate or title opinion, no greater than 90 days old at the time of the initial application submittal. The title certification submittal must be either an opinion of

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title meeting the Florida Bar Standards prepared by a licensed Florida attorney or a certification of title/title certification prepared by a title abstractor or company.

ii. Title insurance policy with appropriate schedules, no greater than five years old at the time of the initial zoning case submittal and an affidavit of no change covering the period of time between issuance of the policy and the application date. If submission of a complete affidavit of no change is not possible, a title certificate, or title opinion must be submitted in the alternative.

b. Content. The certification of title must include, at a minimum, the following:

i. The name of the owner of the fee title.
ii. All mortgages secured by the property;
iii. All easements encumbering the property;
iv. The legal description of the property; and
v. The certification of title documentation must be unequivocal.

Response: A Certificate of Title was provided under separate cover, and this comment has been satisfied.

Natural Resources Review – William Lange

1. The request is located within the Six Mile Cypress Slough which is identified as a critical area for surface water management. Provide an analysis of Lee Plan Policy 125.1.4.

   Response: Please see the enclosed Project Request and Analysis Statement for our assessment of Lee Plan Policy 125.1.4.

2. Provide an analysis of Lee Plan Policy 61.3.6 and 61.3.11 and demonstrate that the new special exception request, if approved, will not degrade water quality pursuant to Lee Plan Goal 61 and any other relevant associated policies.

   Response: Please see the enclosed Project Request and Analysis Statement for our assessment of Lee Plan Policy 61.3.6 and 61.3.11.

Planning Review – Lindsay Karczewski

1. REZ2026-00003, Page 26/51: The property is within the Rural future land use category. Please provide an analysis of Lee Plan Policy 1.4.1.

   Response: Please see the enclosed Project Request and Analysis Statement for our assessment of Lee Plan Policy 1.4.1.

2. REZ2026-00003, Page 26/51: As a requirement of a rezone application, you must include an analysis of Lee Plan Policies 4.1.1 and 4.1.2 within your request statement.

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Response: Please see the enclosed Project Request and Analysis Statement for our assessment of Lee Plan Policy 4.1.1 and 4.1.2.

3. REZ2026-00003, Page 26/51: Please include an analysis of Lee Plan Policy 5.1.5.

   Response: Please see the enclosed Project Request and Analysis Statement for our assessment of Lee Plan Policy 5.1.5.

Zoning Review – Khalil Muhammad

1. Per LDC Section 34-202(b)3 – Please submit an analysis of the following Lee Plan goals, objectives, or policies.

   Lee Plan Policy 1.4.1

   Lee Plan Goal 5 to Policy 5.1.5

   Response: Please see the enclosed Project Request and Analysis Statement for our assessment of Lee Plan Policy 1.4.1 and Lee Plan Goal 5 to Policy 5.1.5.

We believe all the comments have been sufficiently addressed. We look forward to your review and are available to answer questions related to this resubmittal.

Sincerely,
The Neighborhood Company

Patrick Vanasse, AICP
Land Use Planner & Partner

cc: Susan & William Waichulis
File: #26007.01.01

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Lee County Community Development

APPLICATION FOR CONVENTIONAL REZONING PUBLIC HEARING UNINCORPORATED AREAS ONLY

Project Name: Waichulis Rezoning

Request:
- ☒ Rezoning from: RS1 To: RS5
- ☐ Variance included? ☐ **NO** ☐ **YES**[1] for:
- ☒ Special Exception included? ☐ **NO** ☒ **YES**[1] for: LDC Sec. 34-1292 Private Stable & Sec. 34-1294 Noncommercial Poultry
- ☐ Bonus Density included? ☐ **NO** ☐ **YES**[2] for: _____ Bonus Units

[1] *If **YES**, submit applicable application and fee*
[2] *If **YES**, submit additional fee required by LDC 2-147(A)(3)*

PART 1
APPLICANT/AGENT INFORMATION

A. Name of Applicant: William Waichulis
Address: 15034 & 15036 Briar Ridge Circle
City, State, Zip: Fort Myers, FL 33912
Phone Number: 239-872-5914 E-mail: Bwaichulis@PinkShell.com

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: The Neighborhood Company
Contact Person: Patrick Vanasse, AICP
Address: 5618 Whispering Willow Way
City, State, Zip: Fort Myers, FL 33908
Phone Number: 239-398-2016 Email: lt@theneighborhood.company

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

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: William & Susan Waichulis
Address: 15034/15036 Briar Ridge Circle
City, State, Zip: Fort Myers, FL 33912
Phone Number: 2369-872-5914 Email: Bwaichulis@PinkShell.com

AFFIDAVIT OF AUTHORIZATION

APPLICATION IS SIGNED BY INDIVIDUAL OWNER, APPLICANT, CORPORATION, LIMITED LIABILITY COMPANY (L.L.C.), LIMITED COMPANY (L.C.), PARTNERSHIP, LIMITED PARTNERSHIP, OR TRUSTEE

I, William Waichulis (name), as Owner (owner/title) of 15034/15036 Briar Ridge Circle (company/property), swear or affirm under oath, that I am the owner or the authorized representative of the owner(s) of the property and that:

1. I have full authority to secure the approval(s) requested and to impose covenants and restrictions on the referenced property as a result of any action approved by the County in accordance with this application and the Land Development Code;
2. All answers to the questions in this application and any sketches, data or other supplementary matter attached hereto and made a part of this application are honest and true;
3. I have authorized the staff of Lee County Community Development to enter upon the property during normal working hours for the purpose of investigating and evaluating the request made thru this application; and that
4. The property will not be transferred, conveyed, sold or subdivided unencumbered by the conditions and restrictions imposed by the approved action.

Notes:

- *If the applicant is a corporation, then it is usually executed by the corp. pres. or v. pres.*
- *If the applicant is a Limited Liability Company (L.L.C.) or Limited Company (L.C.)., then the documents should typically be signed by the Company's "Managing Member."*
- *If the applicant is a partnership, then typically a partner can sign on behalf of the partnership.*
- *If the applicant is a limited partnership, then the general partner must sign and be identified as the "general partner" of the named partnership.*
- *If the applicant is a trustee, then they must include their title of "trustee."*
- *In each instance, first determine the applicant's status, e.g., individual, corporate, trust, partnership, estate, etc., and then use the appropriate format for that ownership.*

Under penalties of perjury, I declare that I have read the foregoing Affidavit of Authorization and that the facts stated in it are true.

Signature

1/28/26
Date

**********NOTE: NOTARY PUBLIC IS NOT REQUIRED FOR ADMINISTRATIVE APPROVALS**********
ALL OTHER APPLICATION TYPES MUST BE NOTARIZED

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was sworn to (or affirmed) and subscribed before me by means of ☒ physical presence or ☐ online notarization, this 28 day of January, 20 26, by William Waichulis (name of person providing oath or affirmation), who is personally known to me or who has produced _____ (type of identification) as identification.

STAMP/SEAL

ASHLEY MPANZA
MY COMMISSION # HH 517647
EXPIRES: May 17, 2028

a. Mpanza
Signature of Notary Public

THE NEIGHBORHOOD COMPANY

I William Waichulis, as owner of property located at 15034 & 15036 Briar Ridge Circle, Fort Myers, FL 33912 identified by STRAP Number 32-45-25-03-00000.0260, hereby authorizes The Neighborhood Company regarding the above-referenced property to serve as agent for the Rezone (REZ2026-00003) and Special Exception (SEZ2026-00003) petitions.

By: _____
Print Name: William Waichulis
Title: Owner

STATE/PROVIDENCE OF Fl
CITY OF Fort Myers

The foregoing instrument was acknowledged before me by means of X physical presence or □ online notarization, this 19 day of May, 2026 by William Waichulis, as _____ of _____, on behalf of the company, who X is personally known to me OR □ has produced a(n) driver's license as identification.

(NOTARY STAMP)

ASHLEY MPANZA
MY COMMISSION # HH 517647
EXPIRES: May 17, 2028

_____
Notary Public, State of Florida
Print Name: Ashley Mpanza
My Commission Expires: 5/17/28

15034 BRIAR RIDGE CIRCLE

Rezone and Special Exception

Project Request and Analysis Statement

BACKGROUND AND REQUEST

The subject property is located at 15034 & 15036 Briar Ridge Circle, Fort Myers, FL 33912. The property is identified as Lot 26, part of Briar Ridge Subdivision, which was recorded in the Public Records of Lee County in Plat Book 33, Page 26 (STRAP # 32-45-25-03-00000.0260) and is approximately 3.25 acres.

The property owner has submitted a rezoning application (REZ2026-00003) and a companion Special Exception application (SEZ2026-00003) for the subject property. The requests are to rezone the subject property from Residential Single-Family-1 to Residential Single-Family-5 and for a Special Exception to allow non-commercial poultry raising and the ability to have a private horse stable.

This project request and analysis statement is being provided in response to staff comments dated March 13, 2026, and is meant to support both applications.

The subject property is within the Rural Future Land Use (FLUM) category and within the Residential Single-Family-1 zoning district. The standard density for the Rural category, pursuant to Policy 1.4.1, is one dwelling unit per acre. The site is currently developed with a single-family residence and an accessory dwelling unit as approved through Administrative Approval (ASV) ADD2019-00176.

As shown on the enclosed site plan (Exhibit A), the proposed chicken coop shall be located no closer than 100 feet to any dwelling unit under separate ownership per Land Development Code (LDC) Section 34-1294. Although the property owners do not own horses and have no current plans for a horse stable, should one be constructed, it will be placed in the hatched area depicted on the enclosed site plan. It is understood that should a stable be constructed or should the current accessory garage structure be converted to a stable, the appropriate permits will be obtained, LDC Section 34-1294 requirements will be met and appropriate setbacks will be provided.

REZONING APPROVAL CRITERIA

The proposed rezoning request from Residential Single-Family– 1 (RS-1) to Residential Single Family– 5 (RS-5) must be found consistent with the established rezoning criteria provided for in LDC Section 34-145(c)(3)(a) & (d)(4), which are addressed as follows:

LEE PLAN CONSISTENCY

FUTURE LAND USE ELEMENT:

POLICY 1.4.1: The Rural Future Land Use category are areas that are to remain predominantly rural - that is, low density residential, agricultural uses, and minimal non-residential land uses that are needed to serve the rural community. Natural resource extraction may be permitted in accordance with Policy 10.1.4. Maximum density in the Rural future land use category is one dwelling unit per acre (1 du/acre). See Policy 123.2.17 for a potential density incentive resulting from preservation and/or restoration of Rare and Unique Upland Habitat.

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Briar Ridge Subdivision was platted in 1979 and consists of 49 oversized lots with lower density consistent with the Rural Future Land Use designation. The subject property, which contains an existing residence constructed in 1988 and an accessory dwelling unit constructed in 2020, is consistent with the intent of POLICY 1.4.1 and the Rural Future Land Use category. The proposed rezoning will not increase the existing density and the property will remain consistent with the maximum permitted density of one dwelling unit per acre (1 du/acre). Furthermore, approval of the requested Special Exception will allow small scale non-commercial agricultural uses that are compatible with and the surrounding area, and consistent with the Comprehensive Plan's objective of preserving the predominantly rural character of this area.

***GOAL 4: GENERAL DEVELOPMENT STANDARDS**. Pursue or maintain land development regulations which protect the public health, safety and welfare, encourage creative site designs and balance development with service availability and protection of natural resources.*

STANDARD 4.1.1: WATER.

1. *Any new residential development that exceeds 2.5 dwelling units per gross acre, and any new single commercial or industrial development in excess of 30,000 square feet of gross leasable (floor) area per parcel, must connect to a public water system (or a "community" water system as that is defined by Fla. Admin. Code R. 62-550).*
2. *If the proposed development lies within the boundaries of a water utility's certificated or franchised service area, or Lee County Utilities' future potable water service area (see Map 4- A), then the development must be connected to that utility.*
3. *The developer must provide proof that the prior commitments of the water utility, plus the projected need of the developer, do not exceed the supply and facility capacity of the utility.*
4. *All waterline extensions to new development will be designed to provide minimum fire flows, as well as adequate domestic services as required by Fla. Admin. Code R. 62-555.*
5. *If a new development is located in a certificated or franchised service area, or Lee County Utilities' future potable water service area (see Map 4-A), and the utility cannot provide the service or cannot provide the service except at a clearly unreasonable cost to the developer, the developer is encouraged to petition the appropriate regulatory agency to contract the service area so that the development may establish its own community water system or invite another adjacent utility to expand its service area in order to provide the required service.*
6. *If a development lies outside any service area as described above, the developer may:*
   - *request that the service area of Lee County Utilities or an adjacent water utility be extended to incorporate the property;*
   - *establish a community water system for the development; or*
   - *develop at an intensity that does not require a community water system.*
7. *Lee County Utilities may provide potable water service to properties not located within the future water service area when such potable water service is found to benefit public health, safety, and welfare, including protection of Lee County's natural resources.*

The subject property is located within the Lee County Utilities potable water service area and is currently served by existing potable water infrastructure for the established residence and accessory dwelling unit. The proposed rezoning and Special Exception will not create a significant increase in potable water demand and will not require the extension of additional water service infrastructure to the site.

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STANDARD 4.1.2: SEWER.

1. *Any new residential development that exceeds 2.5 dwelling units per gross acre, and any new single commercial or industrial development that generates more than 5,000 gallons of sewage per day, must connect to a sanitary sewer system.*
2. *If the proposed development exceeds the thresholds listed above and lies within the boundaries of a sewer utility's certificated or franchised service area, or Lee County Utilities' future sanitary sewer service area (see Map 4-B), and that utility has sufficient capacity to provide minimum service to the development, then the development must connect to that sewer utility if there is existing infrastructure adequate to accept the effluents of the development within l/4 mile from any part of the development.*
3. *If there is not sufficient capacity nor adequate infrastructure within l/4 mile of the development, the developer must provide proof in the form of a clearly stated rejection of service.*
4. *If a new development is located in a certificated or franchised service area, or Lee County Utilities' future sanitary sewer service area (see Map 4-B), and the utility cannot provide the service, or cannot provide the service except at a clearly unreasonable cost to the developer, the developer may establish on a temporary basis a self-provided sanitary sewer facility for the development, to be abated when the utility extends service to the site. The developer may also petition the appropriate regulatory agency to contract the service area of the utility in order that another utility may be invited to provide the service.*
5. *If a development lies outside any service area as described above, the developer may:*
   - *request that the service area of Lee County Utilities or an adjacent sewer utility be expanded to incorporate the property;*
   - *establish a self-provided sanitary sewer system for the development;*
   - *develop at an intensity that does not require sanitary sewer service; or*
   - *if no more than 5000 gallons of effluent per day per parcel is produced, an individual sewage disposal system per Fla. Admin. Code R. 64E-6 may be utilized, contingent on approval by all relevant authorities.*
6. *Lee County Utilities may provide sanitary sewer service to properties not located within the future sewer service area when such sanitary sewer service is found to benefit public health, safety, and welfare, including protection of Lee County's natural resources.*
7. *Prohibit the installation of new onsite sewage treatment and disposal systems, as defined by State Statute, constructed within a basin management action plan area, a reasonable assurance plan, or a pollution reduction plan where connection to a publicly owned or investor-owned sewerage system is available as defined in F.S. 381.0065 (2)(a).*
8. *On lots of one acre or less within a basin management action plan area, a reasonable assurance plan, or a pollution reduction plan, where a publicly owned or investor-owned sewerage system is not available, the installation of enhanced nutrient-reducing onsite sewage treatment and disposal systems, as defined by State Statute, or other wastewater treatment systems that achieve at least 65 percent nitrogen reduction is required.*

The proposed rezone and Special Exception will not generate an increase in wastewater demand. The subject property is currently served through previously permitted, on-site septic systems associated with the existing single-family residence and accessory dwelling unit, and no additional wastewater infrastructure is proposed or required as part of this request.

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GOAL 5: RESIDENTIAL LAND USES. *To accommodate the projected population of Lee County in the year 2045 in appropriate locations, guided by the Future Land Use Map, and in attractive and safe neighborhoods with a variety of price ranges and housing types.*

OBJECTIVE 5.1: All development approvals for residential, commercial, and industrial land uses must be consistent with the following policies, the general standards under Goal 4, and other provisions of this plan.

POLICY 5.1.1: Residential developments requiring rezoning and meeting Development of County Impact (DCI) thresholds must be developed as Planned Developments except if located within the Mixed Use Overlay.

The rezone is for an existing and improved single-family residential lot. The primary use of the site as an established single-family residence will not change as a result of the rezoning and Special Exception requests. The proposed rezoning to RS-5 and companion Special Exception request will only allow limited, private, and non-commercial accessory uses compatible with large lot single-family subdivisions and will not affect the character, size and density of the property.

The rezoning of the property does not constitute a Development of County Impact and will not have a negative effect upon the health, safety and welfare of the citizens of Lee County or upon its natural resources and is consistent with Policy 5.1.1.

POLICY 5.1.2: Prohibit residential development where physical constraints or hazards exist or require the density and design to be adjusted accordingly. Such constraints or hazards include but are not limited to flood, storm, or hurricane hazards; unstable soil or geologic conditions; environmental limitations; aircraft noise; or other characteristics that may endanger the residential community.

Consistent with Policy 5.1.2 the established development on the subject property does not currently contain, nor is it anticipated to create physical constraints or hazards that may endanger the surrounding residential community.

POLICY 5.1.3: During the rezoning process, direct high-density residential developments to locations that are near employment and shopping centers; are close to parks and schools; and are accessible to mass transit and bicycle facilities.

The proposed rezone is will not permit high-density residential development. The primary use for the subject property will remain the same as it is currently, single-family residential, and will remain limited to 1 dwelling unit per acre thereby maintaining consistency with Policy 5.1.3.

POLICY 5.1.4: Residential development, except for caretaker residences, is prohibited in the Industrial Development, Commercial, and Tradeport future land use categories and in Airport Noise Zone B.

The subject property is not located within the Industrial Development, Commercial, and Tradeport future land use categories, nor is it within Airport Noise Zone B.

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.

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The subject property is consistent with Goal 5, Policies 5.1.1 through 5.1.5, in that it contains an established single-family residential use that will be maintained. Via the proposed rezoning to RS-5 and Special Exception the applicant seeks approval for non-commercial poultry raising and private horse stable uses. Those uses will be accessory to the primary residential use and will complement the large lot rural character of this property. These private agricultural uses are consistent with the goals, objectives, and policies of the Rural Future Land Use Category contained within the Lee Plan. Properties located south of the subject site, across Briarcliff Road, are zoned AG-2, and select properties to the north and west are zoned RS-5. The AG-2 zoning designation permits agricultural uses, and the RS-5 zoning designation allows both noncommercial poultry raising and private horse stables through Lee County's Special Exception process.

Additionally, the proposed use will not encroach upon nearby established residential development. Any future improvements will comply with applicable development regulations including but not limited to LDC Sections 34-1292 & 34-1294. The subject property is already developed and obtained the appropriate permits for construction of the single-family residential and accessory dwelling unit structures.

GOAL 61: PROTECTION OF WATER RESOURCES. *To protect the County's water resources through the application of innovative and sound methods of surface water management and by ensuring that the public and private construction, operation, and maintenance of surface water management systems are consistent with the need to protect receiving waters.*

POLICY 61.3.6: Require developments to provide surface water management systems, acceptable programs for operation and maintenance, and post-development runoff conditions that reflect the natural surface water flow rate, direction, quality, hydroperiod, and drainage basin.

The property subject to the proposed rezone is located within an improved subdivision with established surface water management. The approval of the Special Exception for non-commercial poultry and a private horse stable will have negligible impact on the lot's water management. Should any alterations of the site be necessary, the site is eligible under Section 403.814(12) of the Florida Statutes to file a Self-Certification for a "10-2" permit which grants general permits for the construction, alteration and maintenance of a stormwater management system serving a project that involves qualifying activities in uplands having less than 10 acres of total project area and less than two acres of impervious surface. It is estimated that the subject property has approximately 0.78 acres of impervious surface.

POLICY 61.3.11: Runoff must be routed through retention or detention areas and vegetated swales in order to reduce flow velocity, allow for percolation, and trap and remove suspended solids and pollutants.

The subject property associated with the rezoning and Special Exception requests is located within the established Briar Ridge Subdivision. The proposed accessory agricultural uses, consisting of non-commercial poultry raising and a potential private horse stable accessory to the existing single-family residence, will have negligible or no stormwater impacts on the site. Minimal site improvements are anticipated to accommodate these uses, and existing drainage patterns are expected to remain substantially unchanged. Stormwater runoff will continue to be conveyed through the existing retention and detention areas and vegetated swales serving the subdivision, consistent with the requirements and intent of Policy 61.3.11. Should the county have any runoff concerns those can be addressed at time of permitting.

GOAL 125: WATER QUALITY. *To ensure that water quality is maintained or improved for the protection of the environment and people of Lee County.*

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POLICY 125.1.4: Developments which have the potential of lowering existing water quality below state and federal water quality standards will provide standardized appropriate monitoring data.

The subject property associated with the requested rezoning is located within the established Briar Ridge Subdivision and is currently developed with an existing single-family residence and accessory dwelling unit, both of which were previously approved and constructed pursuant to applicable permitting requirements. The proposed rezoning and Special Exception requests will not generate impacts that would lower existing water quality below applicable state or federal standards. The proposed uses are limited in scale, intended for private, non-commercial purposes, and are accessory to the existing residential use of the property. Potential impacts resulting from those uses would be de minimus in nature.

Any minor site improvements or accessory structures associated with these uses will be reviewed, as applicable, during the permitting process to ensure compliance with all relevant stormwater management, environmental protection, and water quality regulations. In addition, manure management and general maintenance activities associated with the proposed agricultural accessory uses will be conducted in a manner consistent with applicable best management practices to avoid adverse impacts to adjacent properties or surrounding water resources. Accordingly, the proposed rezoning and Special Exception will not adversely affect public health, safety and existing water quality. No water quality monitoring should be necessary for the proposed accessory agricultural uses.

CONCLUSIONS AND FINDINGS

Pursuant to LDC Section 34-145 (d)(4)a, to recommend approval of the requested rezoning from RS-1 to RS-5, the Hearing Examiner must find:

1. **The request complies with the Lee Plan**
   The narrative provided demonstrates the requests' consistency and compliance with the Lee Plan as amended through December 2025.

2. **Meets this Code and other applicable County regulations or qualifies for deviations.**
   No deviations are requested through this application. The project will abide by applicable LDC regulations.

3. **Is compatible with existing and planned uses in the surrounding are.**
   As described above, the subject property is located within an existing subdivision, in an area of Lee County that is currently developed with oversized residential lots. The property to the south is zoned AG-2 and properties within the existing subdivision and to the west are zoned RS-5. Both zoning designations allow agricultural use as proposed through the Special Exception request. The Rural Future Land Use category designates areas to remain predominantly rural - that is, low density residential, agricultural uses, and minimal non-residential land uses that are needed to serve the rural community. The proposed rezone and Special Exception are consistent with this intent and support and the continued residential use of this property with complementary private agricultural uses.

   It should also be noted that the applicant has obtained letters of support from neighboring property owners demonstrating support from and compatibility with surrounding uses.

4. **Will provide access sufficient to support the proposed development intensity.**

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Primary access for the established single-family residence is located on Briar Ridge Circle with a secondary access from Briarcliff Road. The proposed rezone and Special Exception will not affect access to the property. No additional density or intensity is proposed as part of the rezone and Special Exception.

5. **The expected impacts on transportation facilities will be addressed by existing County regulations and conditions of approval.**
   There will be no additional impacts on Lee County's transportation facilities through the approval of the requested rezone and Special Exception applications. A waiver has been submitted for the TIS requirement.

6. **Will not adversely affect environmentally critical or sensitive areas and natural resources.**
   The subject property is located within a legally approved and long-established subdivision. The site is currently developed with an existing single-family residence and an accessory dwelling unit. Any improvements to the property will occur within already cleared areas, existing vegetation will not be disturbed and all applicable local and state regulations will be met. As such, the proposed requests will not adversely affect environmentally critical or sensitive areas and natural resources.

7. **Will be service by public services, defined in the lee Plan, if located in a Future Urban area category.**
   The subject property is currently served by LCU for water service and through previously permitted and constructed on-site septic system for sewer services. No additional services will be needed for the proposed rezone and special exception.

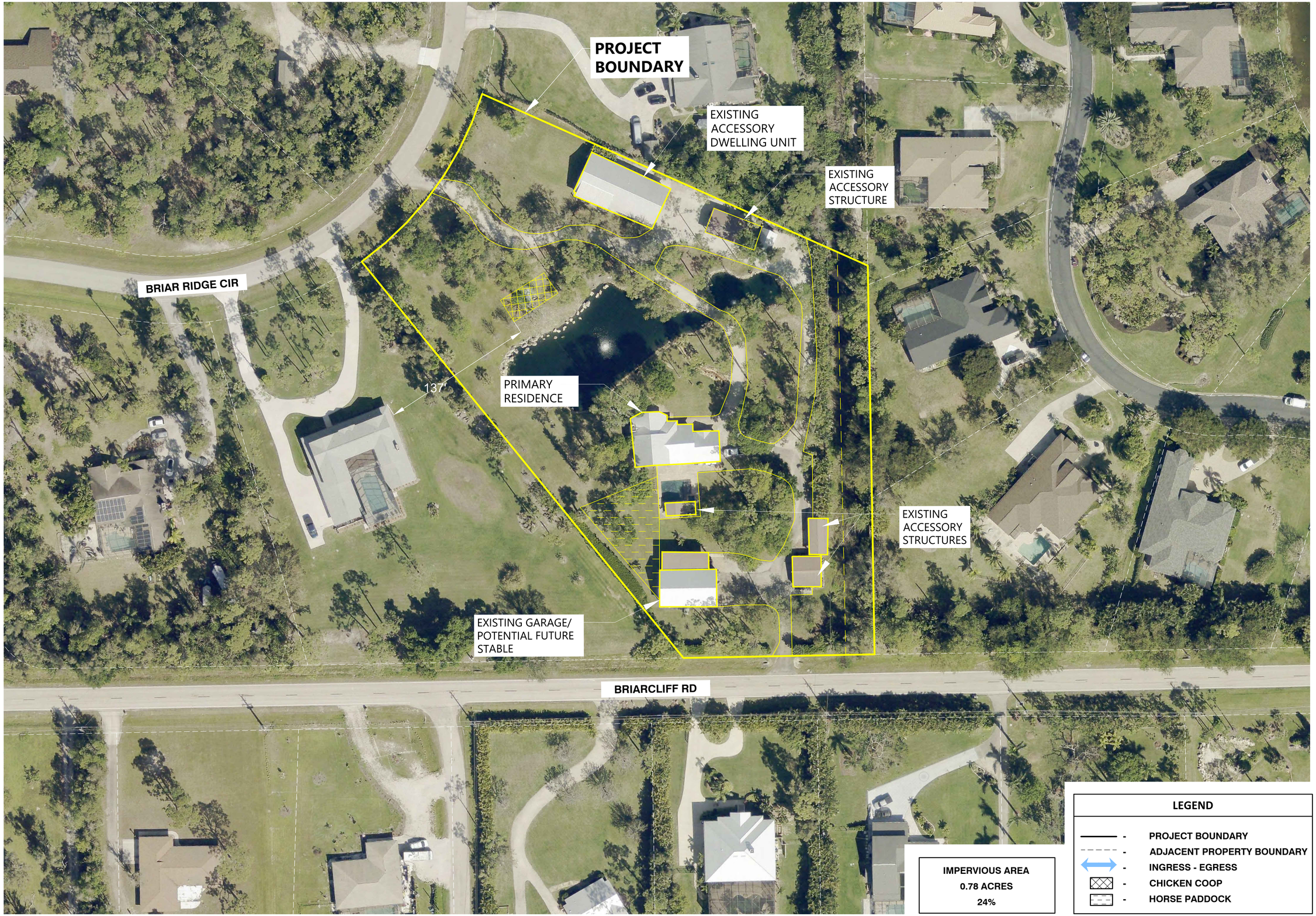
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As an adjacent property owner, I agree to the request for William and Susan Waichulis to rezone 3.32 acres from (RS-1) to (RS-5) with companion request for Special Exception pursuant to LDC Section 34-694 (Animals).

FIRST NAME	LAST NAME	ADDRESS	SIGNATURE
Anja	Kern	15054 Briar Ridge Cir FM	
Jay	COOPER	15055 " " " "	
Marjorie	Scott	15216 Briar Ridge Cir F.M.	
DAVID	SLAGLE	15090	
Smyrna	Calciano	15072 Briar Ridge Cir. FM, FL	
LAWRENCE	MCLAUGHLIN	7710 BRIARCLIFF RD FORT MYERS FL	
Denise	McLaughlin	7650 Briarcliff Rd FM, FL	
Bob	Meginnis	7621 Knightwing Circle	
Darlene	Meginnis	7621 Knightwing Circle	
David	Jeff	7590 Knightwing Circle	
Jennifer	Suroski	7581 Knightwing Cir	
Linda	Bang	7601 Knightwing Cir	
Ahmed	Abaalbaar	7610 Knight wing	
Nicole	Manning	7620 Knightwing Cir	
Taryn	Gillis	7561 Knightwing Circle	
Leyl	Chisholm	7541 Knightwing Cir FM	
FRANK	LECKLER	7540 BRIARCLIFF Rd. F.M.	
BARBARA	HAYMAN	15551 DOVELAND LN	
Lauren	Summerson	15601 Quail Trl	
Jerry	Christman	7430 Briar CLIFF FM.	
James	Smith	15099 BRIAR RIDGE CIR	
Denise	Philip 7510	7510 Briarcliff Rd	
Denise	Philip	2480 Briarcliff Rd	
Sabine	Lindblom	7600 Knightwing	
Mike	Wittmann	7610 Knightwing	
Amanda	Pering	7450 Briarcliff Road	
TERRI	ALT	15288 BRIAR RIDGE CR	
ROD	ALT	15288 BRIAR RIDGE CR	
DAVE	HOWARD	15414 BRIAR RIDGE CIR	
GARY	NOTTELMANN	7560 KNIGHTWING CIR	
MARCIA	MAINETTI	15831 Country Court	
JUDY	GLOCK	15601 DOVELAND LN. FM	
KATHIE	WESTLUND	15650 QUAIL TRAIL	
Jessica	Curry	15651 Quail Trl	
Edward	Switlik	15481 Briar Ridge Cir	
KRISTEN	TUCKER	15000 Briar Ridge Circle	

As an adjacent property owner, I agree to the request for William and Susan Waichulis to rezone 3.32 acres from (RS-1) to (RS-5) with companion request for Special Exception pursuant to LDC Section 34-694 (Animals).

FIRST NAME	LAST NAME	ADDRESS	SIGNATURE
John	Boland	15450 Briar Ridge Cir	
Kevin	Watkins	15798 Briar Ridge Cir	
David	Mahony	15726 BRIAR RIDGE CIR	
MARCELO	ZAUPA	15432 Briar Ridge C.	
Timothy	Pence	15018 Briar Ridge Cir.	
Kevin	Jones	15342 Briar Ridge Cir.	
Steve	George	15324 Briar Ridge Circle	
Logan	Parker	15331 Briar Ridge	
Anthony	Padovani	15360 Briar Ridge Ct, Ft	
Kathy	Fouts	15378 Briar Ridge Ct	
Ted	Lewis	7400 BRIARCLIFF Rd	
Scott	Mackie	15401 Sweetwater Ct.	
Kerry	Horne	15468 Briar Ridge Cr.	
David	Calandra	15051 Briar Ridge Cir.	
		15[illegible] Briarcliff Rd.	
Nicola	Jacob	6260 Briarcliff Rd.	
Corey	Doughty	15400 old Pine Ct	
Alton	Ford	6330 Briarcliff Rd	Alton Ford Dvm
Sarah	Garrison	15461 Blackhawk Dr.	
Noah	Stewart	15180 Briar Ridge	
April	Lavseng	15820 Country Ct	
Andy	McCarty	15940 Country ct	
Tyler	Ortengren	15620 Country Ct	
Sharon	Pitts	16171 Snapdragon Ln	
Megan	Lockard	15981 Country Ct	
Heather	Banks	15660 Wilderflower Dr.	Heather Banks
Jessica	Harrison	15950 Country Ct.	



IMPERVIOUS AREA
0.78 ACRES
24%

LEGEND

- PROJECT BOUNDARY
- ADJACENT PROPERTY BOUNDARY
- INGRESS - EGRESS
- CHICKEN COOP
- HORSE PADDOCK

0 40 80

#	REVISION	DRAWN	DATE

THE NEIGHBORHOOD COMPANY
5618 WHISPERING WILLOW WAY | FORT MYERS, FL 33908
WWW.THENEIGHBORHOOD.COMPANY

CLIENT: WAICHULIS RESIDENCE

PROJECT: 15034 & 15036 BRIAR RIDGE CIRCLE

TITLE: SPECIAL EXCEPTION SITE PLAN

PROJECT NO: 26007.01.01
DATE: 05/26
DRAWN: F.L.
DESIGN: K.G.
SHEET NUMBER: 1 OF 1