

The following resolution was adopted by the Lee County Zoning Board upon motion by Zoning Board Member Ross, and seconded by Zoning Board Member Bishop, and upon poll of the members present the vote was as follows:

Thomas C. Smith	AYE	Robert Terrell	ABSENT
Thad Taylor	NAY	Truman A. Morris	NAY
Chuck Ross	AYE	CLYDE BOWLES	NAY
Monty Bishop	AYE		

WHEREAS Alan C. Freeman has requested a

change in zoning from AG to RS-1, RM-2 and CG with a Special Exception for Model Homes within the RS-1 areas and a variance from the section and 1/4 section line setbacks.

SUBJECT PROPERTY: (SEE ATTACHED)

WHEREAS, A Public Hearing of the Lee County Zoning Board was duly advertised and held as required by law, and after hearing all interested parties, after being duly sworn, and upon due and proper consideration having been given to the matter,

NOW THEREFORE BE IT RESOLVED by the Lee County Zoning Board, Lee County, Florida, that the petition be denied due to a tie vote

UPON APPEAL, the following resolution was offered by Commissioner Averill, and seconded by Commissioner Rodda, and upon poll of the members present the vote was as follows:

Mike Roeder	AYE
Harry Rodda	AYE
Roland Q. Roberts	AYE
Wade H. Scaffa	AYE
Ernest Averill	AYE

WHEREAS, an appeal was filed by an aggrieved person and a Public Hearing of the Lee County Commissioners was duly advertised and held, as required by law, this Board after reviewing the records and the motion made by the Zoning Board and having given an opportunity to all interested persons to be heard, after being duly sworn, and upon due and proper consideration having been given to this matter, NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners, Lee County, Florida, that the motion of the Zoning Board be upheld and deny the original application and instead grant AG to RS-1 with a cap of four units per acre, RM-2 and CC with a Special Exception for model homes within the RS-1 area; A Special Exception for an automobile service station - minor repairs in the CC area, a variance for the section and quarter-section line setbacks and to be based on the Development Order and all the Regional and Local recommendations and stipulations made at this time.

PASSED AND ADOPTED THIS 26 DAY OF January, 1981 by the Lee County Zoning Board.
PASSED AND ADOPTED THIS 16 DAY OF February, 1981 by the Lee County Commissioner.

LEGAL DESCRIPTION
ALAN C. FREEMAN
81-1-1 (DRI)
Z-81-47

SUBJECT PROPERTY: All that part of the SE 1/4 of Section 10, lying W of the R/W of SR 93 (I-75); that part of the SW 1/4 of Section 14, lying W of the R/W of SR 93 (I-75); that part of the E 1/2 of Section 15 lying W of SR 93 (I-75); NE 1/4 of Section 22 and that part of the NW 1/4 of Section 23, lying W of SR 93 (I-75) containing 495.0 acres, more or less, in TWP. 46S, Rge. 25E, Lee County, Florida.

DEVELOPMENT ORDER 81-1

DEVELOPMENT ORDER AND ZONING RESOLUTION
OF
LEE COUNTY BOARD OF COUNTY COMMISSIONERS

WHEREAS, ALAN C. FREEMAN, has filed an Application for Development Approval (ADA) pursuant to F.S. 380.06, for a Development of Regional Impact (DRI) known as the "Villages of San Carlos" to be located on a parcel more particularly described in Exhibit "A" attached and an application for rezoning of the lands described in Exhibit "A" in accordance with the ADA pursuant to the Lee County Zoning Regulations;

WHEREAS, the ADA contemplates a development including the following proposed land use plan and dwelling units:

Total Project Acres	495	100%
Residential Acres	351	70.9%
Single Family	465	143
Medium Density	664	78
High Density	2671	130
Commercial Acres	15	3.0%
Retail Sales and Services	15	
Institutional Acres	20	4.1%
Elementary School	20	
Public Facilities (Inclusive of Utilities easements and roads)	53	10.7%
Open Space (Inclusion of Parks, Recreation Lakes and Drainage)	56	11.3%

and depicted in the master development map attached hereto as exhibit "B".

WHEREAS, on February 16, 1981, the Board of County Commissioners at an open public meeting in accordance with F.S. 380.06(7) considered the ADA, the recommendations of the Southwest Florida Regional Planning Council, the recommendations of the Lee County Staff and the action of the Lee County Zoning Board and the comments and testimony submitted at the hearing;

The Board of County Commissioners finds and determines:

A. The application is in accordance with Section

380 06(b). Florida Statutes.

B. The development is not in an area designated an area of critical concern pursuant to the provisions of Section 380 05- Florida Statutes.

C. The development is consistent with the land development regulations of Lee County.

NOW, THEREFORE BE IT RESOLVED that:

1. The Application for Development Approval of Alan C. Freeman for the Villages of San Carlos as described in Exhibit "A" attached is approved subject to:

a. The findings and recommendations of the Southwest Florida Regional Planning Council's staff. which findings and recommendations are attached as Exhibit "B" and are by reference incorporated herein; and

b. Single family densities within the development shall not exceed four (4) units per acre; and

c. The commercial uses permitted within the development shall be only those permitted under the zoning classification CC under the zoning regulations of Lee County-Florida. in effect on the date of this Order; provided- however- full or partial service gasoline stations (limited to minor repairs only) shall also be permitted; and

d. The fire station and school site shall be permitted uses in accordance with the development plan submitted with the ADA; and

e. With respect to regional recommendation A(4). the words "to the satisfaction of the county" are added following the phrase "representatives of the transit system "

f. The developers obligation for signalization or improvement to the intersection of U S 41 and San Carlos Blvd. pursuant to regional recommendation D(1) shall equal the percentage of total traffic trips through the intersection that originates within the Villages of San Carlos based on actual traffic counts.

g. The developers obligation to contribute to the construction of a fire station pursuant to local recommendation II b (?) shall be as outlined in the letter of San Carlos Park Fire Department to Mike Kloehn dated Sept-24- 1980 and shall not exceed \$55-000.

2 The subject property be and the same is hereby rezoned to RS-1 and RM-2 for a total of 3800 residential units with a special exception for model homes and CC with a special exception for a service station in accordance with the

development plan submitted with the ADA and subject to the conditions set forth in paragraphs 1a through 1d above and a variance from section line and quarter section line setbacks.

DATED this 16th day of February, 1981.

LEE COUNTY BOARD OF COUNTY COMMISSIONERS

By: Roland D. Roberts
Roland Roberts, Chairman

ATTEST:

SAL GERACI, CLERK

BY: Lois Kurtz, D.C.

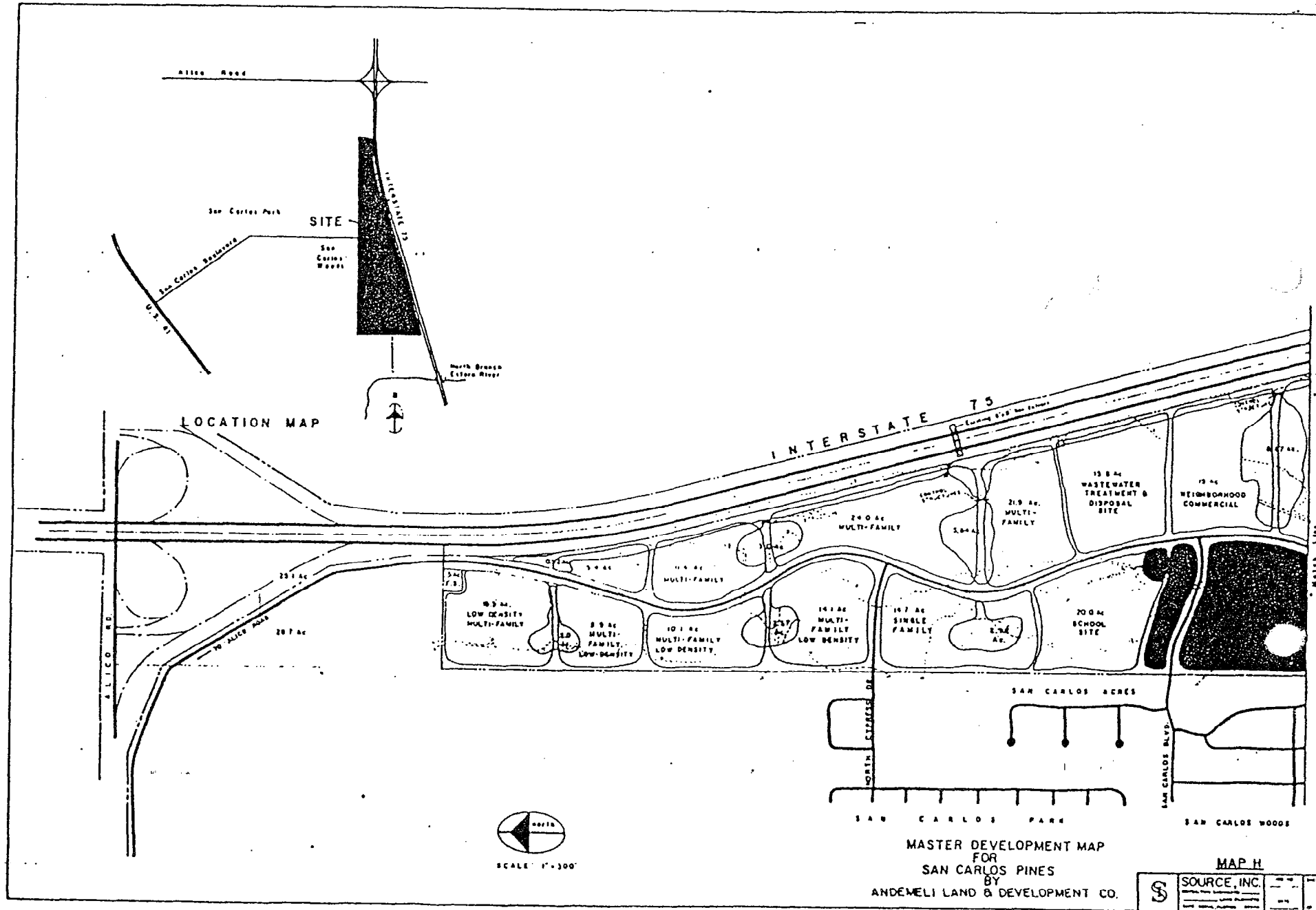
APPROVED AS TO FORM

By Thomas M. Brundstetter
OFFICE OF COUNTY ATTORNEY

LEGAL DESCRIPTION

VILLAGES OF SAN CARLOS

All: That part of the S.E. 1/4 of Section 10, lying West of the right-of-way of State Road 93 (I-75); that part of the S.W. 1/4 of Section 14, lying West of the right-of-way of State Road 93 (I-75); that part of the East 1/2 of Section 15 lying West of State Road 93 (I-75); N.E. 1/4 of Section 22 and that part of the N.W. 1/4 of Section 23, lying West of State Road 93 (I-75), containing 495.0 acres, more or less, in Township 46 South, Range 25 East, Lee County, Florida.



SWFRPC'S STAFF FINDINGS AND RECOMMENDATIONS

REGIONAL

IT IS THE RECOMMENDATION OF THE SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL THAT THE PROPOSED PROJECT BE APPROVED SUBJECT TO THE FOLLOWING CONDITIONS,

A. ENERGY

The proposed project would increase energy demands of the Region and would have a function of stress similar to that in other "all electric" developments. The applicant has indicated that to reduce energy consumption in the development, bike paths and walkways will connect residential areas with the school, recreation areas and the commercial area. In addition, the applicant has indicated that native vegetation will be retained to the maximum extent feasible.

RECOMMENDATIONS

- 1) Any DRI Development Order issued by Lee County shall contain the provision stating that plat approval for the proposed development be contingent upon the developer demonstrating to the satisfaction of the Lee County Energy Officer that he has included the bike path and walkway system and preserved the natural vegetation as outlined in the ADA.
- 2) Any DRI Development Order issued by Lee County shall contain the provision stating that plat approval for the proposed development be contingent upon the developer demonstrating to the satisfaction of the Lee County Energy Officer that he has considered the following in site design: The percentage of the project area covered by parking lots, streets, pavement, concrete, rock landscaping or similar materials shall be kept to the lowest feasible amount while still providing necessary access and meeting requirements for the public health, safety and welfare. Where such materials are required, trees, vegetation and other means shall be used to obtain the maximum feasible shading - especially during the cooling season.
- 3) Any DRI Development Order issued by Lee County shall contain the provision stating that the proposed development shall not have any deed restrictions prohibiting the use of alternative energy devices such as solar collectors and clotheslines (except when necessary to protect the public health, safety and welfare).

- 4) Any DRI Development Order issued by Lee County shall contain the provision stating that if the Lee County Area Transit System extends service to the development prior to the termination of Phase III, the developer will provide shelters and benches as mutually agreed upon with representatives of the transit system.

B. HOUSING

The proposed development will provide residential units for sale at a lower price than is usual within the Lee and Collier County housing markets and will increase opportunities for home ownership for those residents with income below the area median income.

RECOMMENDATION

Any DRI Development Order issued by Lee County shall contain a provision to encourage the developer to participate in federal mortgage assistance programs.

C. WATER QUALITY

The reduction of surface water impacts from this project is important since the receiving water body of the drainage system is the Estero River, which empties into the Estero Bay State Aquatic Preserve. The applicant has proposed an erosion control plan and a drainage system with best management practices which should effectively reduce potential water quality impacts on the Estero River.

RECOMMENDATION

Any DRI Development Order issued by Lee County shall contain the provision stating that prior to construction of the project, the applicant must apply to the SFWMD for a Surface Water Management Permit.

D. TRANSPORTATION

The proposed project will impact U.S. 41, I-75, Alico Road and Corkscrew Road.

RECOMMENDATION

- 1) Any DRI Development Order issued by Lee County shall contain the provision stating that the applicant shall meet with representatives of the County and San Carlos Park to determine the proportion of costs that each would be required to pay for signalization and stacking of lanes at the intersection of U.S. 41 and San Carlos Boulevard.
- 2) Any DRI Development Order issued by Lee County shall contain the provision stating that the applicant or some other agency shall be required to provide stacking lanes and signalization at the intersections between the north-south access road and Alico Road prior to the institution of Phase II and between the north-south access road and Corkscrew Road as a required element of Phase III's development plan.

SWFRPC'S STAFF FINDINGS AND RECOMMENDATIONS

LOCAL

IT IS THE RECOMMENDATION OF THE SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL THAT THE PROPOSED PROJECT BE APPROVED ONLY AFTER CONSIDERATION OF THE FOLLOWING CONDITIONS;

I. ENVIRONMENTAL AND NATURAL RESOURCES

A. Air Quality

Due to the large increase in vehicular traffic, the proposed project is expected to have significant air quality impacts.

RECOMMENDATIONS

- 1) Any DRI Development Order issued by Lee County should contain the provision stating that the applicant shall utilize particulate emission reduction techniques during each construction phase of the project.
- 2) Any DRI Development Order issued by Lee County should contain the provision stating that the applicant apply for a Complex Source Permit from the Florida Department of Environmental Regulation for each roadway that exceeds the appropriate vehicle trip threshold.

B. WETLANDS

The South Florida Water Management District has indicated that changes in to the project's water management system will be necessary in order to ensure the preservation of the 24 acre cypress dome as a viable wetland.

RECOMMENDATIONS

- 1) Any DRI Development Order issued by Lee County should contain the provision stating that prior to permit application to the South Florida Water Management District, the applicant shall redesign the water management system to the District's satisfaction in order to ensure preservation of the 24 acre cypress dome.
- 2) Any DRI Development Order issued by Lee County should contain the provision stating that after development of the project has begun, the conditions of the cypress dome will be monitored so that potential impacts of improper water management or pollutant impacts of stormwater runoff can be mitigated before any serious damage occurs to the preserve.

II. PUBLIC SERVICES

A. EDUCATION

The proposed project would have a significant impact upon the Lee County School system by adding a minimum of 2,470 students by project completion. The additional students would require sizeable outlays in operation costs and capital funds.

RECOMMENDATION

Any DRI Development Order issued by Lee County should contain the provision stating that the applicant dedicate to the School Board, at the time mutually agreeable to the School Board and the applicant, the 20 acre site identified in the ADA to be used for the construction of a school facility.

B. FIRE PROTECTION

To adequately service the project, the San Carlos Park Fire Department has indicated that it will be necessary to build, man, and equip a fire station on the project site. The Lee County Fire Official has indicated that certain design considerations will have to be included.

RECOMMENDATIONS

- 1) Any DRI Development Order issued by Lee County should contain the provision that the 1/2 acre site reserved by the applicant for a fire station be dedicated to the San Carlos Park Fire District at a time mutually agreeable to both the applicant and the District.
- 2) Any DRI Development Order issued by Lee County should contain the provision that the Applicant fund the construction of a fire station on the 1/2 acre site to the specifications of the San Carlos Park Fire District as stated by the District in their letters of August 22nd, 1980 to Mr. Alan C. Freeman and September 24, 1980 to Mr. Mike Kloehn (appendix pp. 46-49).
- 3) Any DRI Development Order issued by Lee County should contain the provision that the applicant incorporate the requirements of the Fire Official into the subject project (Copy of these requirements in the appendix, pg. 50).

C. RECREATION AND OPEN SPACE

The applicant has indicated that an adequate amount of park and open space will be provided in the development in conjunction with a multi-use taxing district, the Lee County Division of Community Services or a homeowners association.

RECOMMENDATIONS

- 1) Any DRI Development Order issued by Lee County should contain the provision stating that prior to development the applicant shall meet with representatives from the Lee County School Board and the Lee County Division of Community Services to determine which agency will be responsible for the development and maintenance of the ten acre school based community center.
- 2) Any DRI Development Order issued by Lee County should contain the provision stating that based on the aforementioned meeting, the applicant shall dedicate the 10 acre parcel to the appropriate agency at the time mutually agreeable to both the applicant and that agency.
- 3) Any DRI Development Order issued by Lee County should contain the provision that prior to Phase I, the present land owners should either establish a homeowner association or petition the Lee County Commission to create a multi-use taxing district to support the developments recreation areas other than the school based community center.

III. PUBLIC FACILITIES

A. WATER SUPPLY

The applicant has stated that the potable water demand for the proposed project will reach 1.17 MGD by project buildout in 1995. In its review of the ADA the South Florida Water Management District has indicated that San Carlos Utilities appears to have an adequate water supply to provide water to the Villages of San Carlos until 1990.

RECOMMENDATION

Any DRI Development Order issued by Lee County should contain the provision stating that prior to the start of Phase III (1990), the applicant demonstrate to the satisfaction of the South Florida Water Management District that an adequate water supply exists for that phase.

B. WASTEWATER MANAGEMENT

The applicant has indicated that a 950,000 gallon per day wastewater treatment plant will be constructed on site. Until that plant is constructed, an existing 28,000 gallon per day plant will serve in the interim.

RECOMMENDATION

Any DRI Development Order should contain the provision stating that the phases of the proposed 950,000 gallon per day plant be completed prior to the time the interim plant or interim phases reach capacity.

C. TRANSPORTATION

The proposed project will necessitate the construction of a north-south access road and the four-laning of San Carlos Boulevard. It should be noted that the four-laning of San Carlos Boulevard would occur in a residential neighborhood, with direct driveway access to the road.

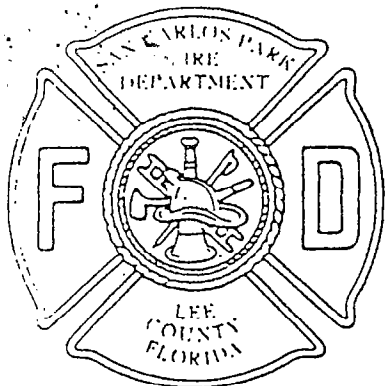
RECOMMENDATIONS

- 1) Any DRI Development Order issued by Lee County should contain the provision stating that the applicant or some other agency be required to construct the north-south access road from its site north to Alico Road prior to the institution of Phase II and south to Corkscrew Road as a required element of Phase III's development plan.
- 2) Any DRI Development Order issued by Lee County should contain the provision stating that the applicant meet with representatives of Lee County and San Carlos Park to determine the proportion of costs that each would be required to pay for the four-laning of San Carlos Boulevard.

IV. OTHER

A. FISCAL

There are several alternatives available to the applicant to minimize the fiscal impacts of the project. These recommendations have been outlined in their appropriate sections.



SAN CARLOS PARK FIRE DEPARTMENT
SAN CARLOS PARK • FORT MYERS • FL. 33908

August 22nd, 1980.

Mr. Allan C. Freeman
5 Brynwood Lane
Ft. Myers, Fla. 33908

Dear Mr. Freeman,

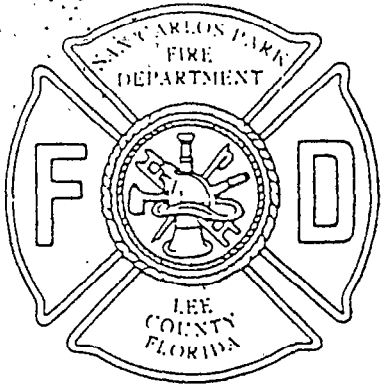
Having given this matter a great deal of thought, I wish to present the following points for your consideration in order to provide adequate fire and rescue protection for your San Carlos Pines development without placing too great a burden on the taxpayers of this Fire District.

Suggested Developer Responsibilities:

- A) Land Requirement: the suggested $\frac{1}{2}$ acre lot should suffice to adequately house the fire station with the necessary parking spaces.
- B) Fire Station: That there be a two (2) bay station erected by the developer to Fire Department specifications during the early part of 1982 when the Low Multi-Family dwelling construction commences.
- C) Working Relationships: That there be a close working relationship with the developer and this department as the area is developed through the various phases until completion in 1995.

Suggested Fire Department Responsibilities:

- A) Protection: That the San Carlos Park Fire Department will provide fire protection and rescue service for this new development.
- B) Equipment: That the San Carlos Park Fire Department equip the new station and supply the fire fighting apparatus consisting of a Class A pumper/tanker truck and a rescue unit.
- C) Staffing: That the full-time manning of the new station be in accordance with the National Fire Protection Agency recommendation of $1\frac{1}{4}$ of one man per 1,000 people. Upon completion of this development the full-time staffing should consist of 5 or more firefighters.



SAN CARLOS PARK FIRE DEPARTMENT
SAN CARLOS PARK • FORT MYERS • FL. 33908

-2-

- D) Inspections and Prevention: That the San Carlos Park Fire Department carry out an active inspection and fire prevention program and that every effort will be made to have community involvement by active use of volunteers for firefighters in addition to the full-time staff.

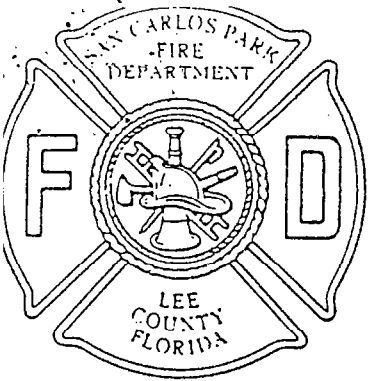
Due to the need for an immediate answer as to Fire Department requirements it must be understood that these proposals are subject to final approval by the Board of Fire Commissioners of the San Carlos Park Fire District at their next regularly scheduled meeting on Thursday, September 11th, 1980.

Trusting that this meets with your approval and looking forward to many years of working closely together, I remain

Yours in service,

Karl J. Drews (Chief)
San Carlos Park Fire Department.

cc/file
Board
Building Dept.



SAN CARLOS PARK FIRE DEPARTMENT

SAN CARLOS PARK • FORT MYERS • FL. 33908
Route 11 Box 700

September 24th, 1980.

RECEIVED

SEP 26 1980

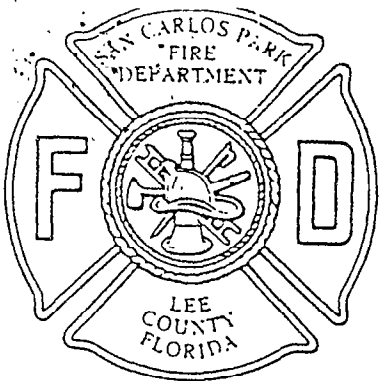
S.W. FLORIDA REGIONAL
PLANNING COUNCIL

Mr. Mike Kloehn
S.W. Fla. Region Planning Commission
121 W. 1st Street
Fort Myers, Fla. 33901

Dear Mr. Kloehn,

As per our telephone conversation of the other day, here are the facts and figures you requested in order to facilitate your study of the San Carlos Pines development :

1. Land requirements & costs : As I am not up-to-date on the prices in the area to be developed, it is very difficult to assign a actual \$ value to the property but the lot should be at least $\frac{1}{2}$ acre or more in size to allow for future expansion as well as sufficient parking spaces.
2. The actual station : The station can be built in stages as the area develops. It is suggested that the living area, office space etc. and one bay be constructed in early 1982 and then additional bay(s) may be added in the future as more space is needed to house the required apparatus. A conservative estimate for a 2-bay station with living quarters would be around \$ 55,000 at today's prices. The Fire Department should be allowed to provide the floor plan as there are definite requirements to meet our needs.
3. Population growth and staffing requirements: As the area develops the number of staff will grow proportionately. The total cost of a certified full-time firefighter is around \$ 12,000 per annum to the department and the NFPA recommends $1\frac{1}{4}$ fireman per 1,000 population. According to Table 24-1, Growth Schedule for San Carlos Pines, population should be approaching the 1,000 mark by the end



SAN CARLOS PARK FIRE DEPARTMENT
SAN CARLOS PARK • FORT MYERS • FL. 33908

-2-

of 1982 and the station should certainly be established by that time. It must be noted at this point that in order for the residents of this development to benefit by our current class 6 rating ISO, this has a definite effect on their fire insurance premiums, the station should be manned during 1982. The resulting rate reduction, better and faster fire & rescue response time as well as developer involvement in community development will be a definite sales factor.

4. Equipment costs to the department : The approximate cost of a fully equipped fire truck (Class A pumper) runs anywhere from \$ 60,000 to \$ 80,000 per unit, depending upon specifications and equipment carried.

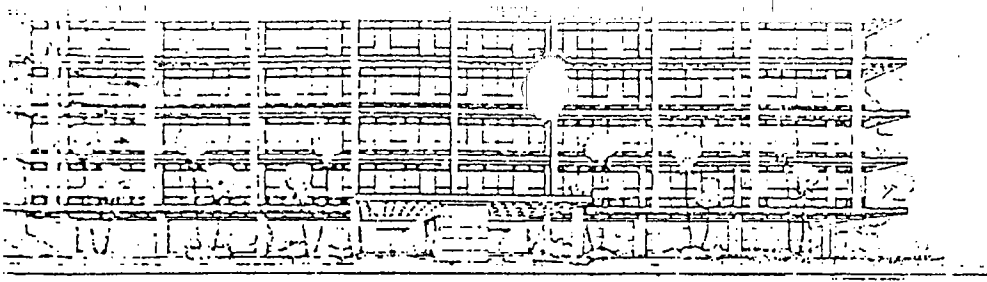
Please feel free to call me at the station 481-6513 should you have any further questions or if I can be of any assistance to you. Trusting that this meets with your approval, I remain

Yours in service,

Karl J. Draws (Chief)

San Carlos Park Fire Department.

c/file



County of Lee

FORT MYERS, FLORIDA
33902

BOARD OF COUNTY COMMISSIONERS

MRS. LAVON WISHER
COUNTY ADMINISTRATOR

SAL GERACI
CLERK

JAMES G. YAEGER
ATTORNEY

RECEIVED
OCT 6
TELEPHONE 813-335-2111

S.W. FLORIDA REGIONAL
PLANNING COUNCIL
October 3, 1980

P. O. BOX 398

DOUG TAYLOR
DISTRICT ONE

HARRY E. RODDA
DISTRICT TWO

ROLAND "RO" ROBERTS
DISTRICT THREE

WADE H. SCAFFE
DISTRICT FOUR

DICK STEELE
DISTRICT FIVE

Mr. Mike Kloehn
Southwest Florida Regional Planning Council
2121 West First Street
Fort Myers, Florida 33901

Re: Village of San Carlos

Dear Mike:

Fire protection requirements for this proposed project would be as follows:

1. A water service main minimum 16-inch should be installed as the main feeder to this project.
2. Single family development areas within this project shall have water mains of 8-inch in diameter minimum with 750 g.p.m. fire flow.
3. Multi-family and commercial development areas within this project shall have water mains sized a minimum of 8-inch only if they are looped and complete a gridiron and meet the minimum flow of 1500 g.p.m.
4. The water system shall be completely looped and no deadend mains shall be installed.
5. Fire hydrants shall be installed so that no structure shall be more than 500-feet from a hydrant. This distance shall be measured by road feet.
6. Fire hydrants and water mains shall be installed and functional prior to any construction of buildings in each phase.



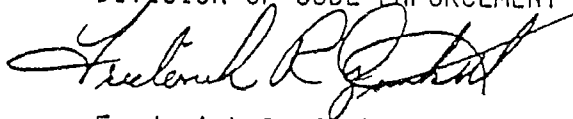
Mr. Mike Kloehn
Page 2
October 3, 1980

7. The number and location of fire hydrants shall be approved by the fire official prior to any installation.
8. Provisions shall be made by the developer with the fire department serving this area, to ensure that adequate fire equipment and fire station arrangement are supplied.
9. Since this project is planned for a phased development spanning approximately twenty years, code requirements are subject to change. Lee County is contemplating code changes concerning water mains, fire flow, and fire hydrant spacing. This project now comes under current regulations, but subsequent phases would be subject to these future code changes.

If there are any questions, please advise.

Sincerely,

DIVISION OF CODE ENFORCEMENT



Frederick R. Gutknecht
Lee County Fire Official

FRG/pp

Copy to: Steven M. Weisberg
Div. of Community Development