ACW

RESOLUTION NUMBER Z-01-031

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

WHEREAS, Southstar Development Partners, Inc., represented by Russell P. Schropp filed an application on behalf of the property owner, Cascades by Levitt and Sons, Inc. to rezone a 158.5± acre parcel from AG-2 to RPD in reference to a project known as Indigo Isles; and

WHEREAS, a public hearing was advertised and held on August 9, 2001, before the Lee County Zoning Hearing Examiner, who gave full consideration to the evidence in the record for Case #DCI2001-00001; and

WHEREAS, a second public hearing was advertised and held on October 1, 2001, .before the Lee County Board of Commissioners, who 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 originally filed a request to rezone a 158.5± acre parcel from AG-2 to RPD to allow a mixed use residential development consisting of a maximum of 870 dwelling units with buildings not to exceed 45 feet in height. The property is located in the Suburban Future Land Use Category and is legally described in attached Exhibit A. The request is APPROVED SUBJECT TO the conditions and deviations specified in Sections B and C below.

SECTION B. CONDITIONS:

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

1. Development must be consistent with this zoning resolution and must comply with the Lee County LDC at time of local development order approval except as may be granted by deviation as part of this planned development. The one-page Master Concept Plan, dated October 24, 2001, stamped "Received by Lee County Attorney's Office" on October 25, 2001, is attached as Exhibit "C" and reflects the Board's approval. If further changes to the MCP are subsequently pursued, appropriate approvals will be necessary.

   Overall residential intensity may not exceed 3.5 dwelling units per acre. Development intensity within each Pod may not exceed the following:

   Pod A is permitted a maximum of 290 dwelling units.
   Pod B is permitted a maximum of 225 dwelling units

COPY

Pod C is permitted a maximum of 170 dwelling units, of which 60 must consist solely of single-family units on the easterly 250 feet of the Pod as shown on the plan.

Pod D is permitted a maximum of 125 dwelling units.

Pod E is permitted a maximum of 12 dwelling units.

Pod F may be developed with recreational facilities (including clubhouse, tennis courts, swimming pool, and related facilities), temporary sales and construction facilities, and a day care facility; provided, however, that any day care facility is limited to a maximum of 6,000 square feet of gross floor area.

2. a. Schedule of Uses

ACCESSORY USES AND STRUCTURES (LDC §§ 34-1171 et seq., 34-2441 *et seq.*, 34-1863, 34-2141 *et seq.*, and 34-3106)

ADMINISTRATIVE OFFICES [Note (1) of LDC 34-934]

CLUBS: Private (LDC Section 34-2111)

DAY CARE CENTER, CHILD, ADULT (limited to Pod F)

DWELLING UNIT (limited to location as discussed on the MCP in the Pod Development Alternatives and any conditions herein):

Single-family
Duplex
Two-family attached
Townhouse
Multiple-family building
Zero lot line

ENTRANCE GATES AND GATEHOUSE (LDC Section 34-1741 et seq.)

ESSENTIAL SERVICES (LDC §§ 34-1611 *et seq.*, and 34-1741 *et seq.*)

ESSENTIAL SERVICE FACILITIES [LDC Section 34-622(c)(13)]: Group I ONLY (LDC §§ 34-1611 *et seq.*, 34-1741 *et seq.*, and 34-2141 *et seq.*)

EXCAVATION: Water retention (LDC Section 34-1651)

FENCES, WALLS (LDC Section 34-1741)

HOME OCCUPATION (LDC Section 34-1771 *et seq.*)

MODELS:

Model home (LDC Section 34-1951 *et seq.*) (consistent with Condition 7)
Model unit (LDC Section 34-1951 *et seq.*) (consistent with Condition 7)

PARKING LOT:

Accessory
Temporary (LDC Section 34-2022)

REAL ESTATE SALES AND RENTAL OFFICE, (LDC §§ 34-1951 *et seq.*, and 34-3021) (Also see NOTE below)

NOTE: Real estate sales offices in residential areas are limited to sales of lots, homes or units within the development, except as may be permitted in section 34-1951 *et seq.* The location of, and approval for, the real estate sales office will be valid for a period of time not exceeding five years from the date the certificate of occupancy for the sales office is issued. The Director may grant one two-year extension at the same location.

RECREATIONAL FACILITIES:

Personal [subject to Note (1) of LDC Section 34-934]
Private, On-Site [subject to Note (1) of LDC Section 34-934]
SIGNS, in accordance with LDC Chapter 30
TEMPORARY USES (LDC Section 34-3041 *et seq.*)

b. Site Development Regulations

The project's property development regulations are set forth in Exhibit D attached hereto.

3. Prior to local development order approval, the potential Big Cypress fox squirrel nests on-site must be re-surveyed specifically for fox squirrel presence. The protected species survey must be prepared in accordance with LDC § 10-473 and submitted to the Division of Planning, Environmental Sciences, for review and approval. If the survey confirms fox squirrel use of the site, the developer must submit final management details in accordance with LDC § 10-474, including a phased exotic removal plan.

4. The developer must provide enhanced littoral zones consistent with those detailed in the Wading Bird Management Plan (attached Exhibit E) and the cross section in Lakes 9 and 11 delineated on the MCP. The enhanced littoral zones areas are designed to provide woodstork feeding areas with an 8:1 slope. The LDC required littoral planting must be planted within the 8:1 slope littoral shelf. The local development order plans must show the location of the 8:1 littoral shelf on the paving and grading, and landscaping plans. A cross section of the littoral shelf must also be provided.

5. Each development order application must show a running inventory of the number of dwelling units, including dry models, that have been built, are approved to be built, or are in the development order approval process. This information must be tract-specific for the entire development.

6. No excess excavated material may be removed from the site unless the developer can demonstrate to the Director of the Department of Community Development that the material to be removed is: 1) unsuitable material that cannot be used on-site; and 2) the material must be excavated to meet the minimum requirements necessary to accommodate a water management system on the site. The purpose of this condition is to prohibit the voluntary creation of excess fill material for use off-site.

7. Model units and homes are permitted in compliance with the following conditions:

   a. Administrative approval must be obtained. Administrative approval is subject to review and approval based upon potential negative impacts to nearby uses regarding, but not limited to, glare, noise, dust; and

   b. Each model must be a unique example. Multiple examples of the same unit are not permitted; and

   c. All model sites must be designated on the development order plans; and

d. Prior to model home construction, the lots upon which model homes will be constructed must be shown on a preliminary plat. The preliminary plat must be filed concurrently with the local development order application. The model homes must comply with the setbacks set forth in the property development regulations for the project; and

e. Dry models are permitted, but will be included within the running inventory of dwelling units required to be submitted by the developer pursuant to Condition 5.

8. Approval of this zoning request does not address mitigation of the project's vehicular or pedestrian traffic impacts. Additional conditions consistent with the Lee County LDC may be required to obtain a local development order.

9. Approval of this rezoning does not guarantee local development order approval. Future development order approvals must satisfy the requirements of the Lee Plan Planning Communities Map and Acreage Allocation Table, Map 16 and Table 1(b), and be reviewed for and found consistent with all other Lee Plan provisions.

10. a. The developer must provide a 30-foot-wide Type "F" buffer along the following project boundaries:

1). the south boundary of Pods D and E, along East Broadway; and

2). the west boundary of Pod D and the south side of the loop road, if necessary to buffer the existing single-family residence on the "out-parcel" from the traffic impacts of that internal road; and

3). the east boundary of Pod C.

These buffers are intended to protect the residents of the adjacent larger-lot, single family homes from the impacts that will be associated with the increased number of homes resulting from the small lot sizes proposed on these Pods.

b. The developer must provide Type "F" plantings along Koreshan Parkway within a 15 foot buffer area located outside the utility easement.

11. With the exception of the development of Pod E, no construction entrance is allowed on East Broadway. All other construction traffic associated with the development of the remainder of the project, specifically dump trucks, semi-trucks, large delivery vans, and other heavy equipment, are prohibited from using East Broadway for ingress or egress for the site.

12. Access to Broadway from Pod D is limited to an emergency access. Pod E will have an access to Broadway.

13. The right of way alignment proposed for Sandy Lane shown on the Master Concept Plan is not binding on the property owner to the south.

SECTION C. DEVIATIONS:

Deviation 1 seeks relief from the LDC § 10-296(b) Table 2 requirement to provide specifications for public maintained streets (collector streets minimum right-of-way width), to allow the Sandy Lane section through the project to have a right-of-way width equal to 80 feet. This deviation is APPROVED subject to the condition that the project must provide the storm water management for this segment of Sandy Lane at no cost to the county .

Deviation 2 seeks relief from the LDC § 10-329(e)(1)(a)(2) requirement to provide excavation setbacks of 50 feet adjacent to collector roads, to allow a minimum setback of 25 feet for Lakes 6 and 11 only. This deviation is APPROVED SUBJECT TO the condition that, at the time of local development order application, the developer demonstrates that there is adequate protection wherever this deviation is being used for wayward vehicles and there is sufficient buffering and fencing to mitigate this reduced setback.

Deviation 3 seeks relief from the LDC § 10-329(e)(1)(a) requirement to provide excavation setbacks of 50 feet from any property line, to allow a minimum setback of 25 feet provided that appropriate structural buffering is installed between the lake edge and the property line. This deviation is APPROVED SUBJECT TO the condition that, at the time of local development order application, the developer demonstrates there is sufficient buffering and fencing to mitigate the reduced setback.

Deviation 4 seeks relief from the LDC § 10-415(a) requirement to provide 40 percent open space, to allow the use of the open space and indigenous vegetation table attached as Exhibit F. This deviation is APPROVED SUBJECT TO the condition that, prior to local development order approval, the development order plans must include an open space table detailing how the required 40 percent common open space for the overall project will be met. Any parcel requiring open space [per LDC § 10-415(a)] must provide a minimum of 10 percent open space.

Deviation 5 seeks relief from the LDC § 10-415(b) requirement that at least 50 percent of the existing indigenous vegetation be preserved, to allow the developer to provide 1.82 acres of indigenous open space. This deviation is APPROVED SUBJECT TO the condition that the existing cypress and willow wetland, totaling 1.82 acres, are preserved to meet the indigenous open space requirement.

(NOTE: Deviations 6 through 9 were withdrawn by the applicant.)

Deviation 10 seeks relief from the LDC § 10-295 requirement to provide stubs to adjoining areas, to waive this requirement because private local streets with controlled admittance are proposed for each development pod and adjoining properties have direct access to the public arterial road network. This deviation is APPROVED SUBJECT TO the condition that street stub(s) must be provided to the parcel west of Pod D, if determined to be necessary by the Director at time of development order approval for Pod D.

Deviation 11 seeks relief from the LDC § 34-2015(2)c requirement that all parking spaces be accessible from a parking aisle and permits the stacking of vehicles only for single-family, duplex, two-family, and townhouses, to allow stacking of vehicles for a 4-unit multi-family product (Carriage Home), which has a specific garage and driveway appurtenant to each unit. This deviation is

APPROVED SUBJECT TO the condition that adequate sight (visibility) distance is maintained for each driveway for observation of on-coming vehicular or pedestrian traffic, and this distance is demonstrated at the time of local development order application.

SECTION D. EXHIBITS:

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

Exhibit A: The legal description
Exhibit B: Zoning Map (subject parcel identified with shading)
Exhibit C: The Master Concept Plan
Exhibit D: Property Development Regulations
Exhibit E: Wading Bird Management Plan
Exhibit F: Open Space and Indigenous Vegetation Table

SECTION E. FINDINGS AND CONCLUSIONS:

1. The applicant has proven entitlement to the rezoning by demonstrating compliance with the Lee Plan, the LDC, and other applicable codes and regulations.

2. The DCI rezoning, as conditioned:

   a. meets or exceeds the performance and locational standards set forth for the potential uses allowed by the request; and,

   b. is consistent with the densities, intensities and general uses set forth in the Lee Plan; and,

   c. is compatible with existing or planned uses in the surrounding area; and,

   d. will not place an undue burden upon existing transportation or planned infrastructure facilities and the site will be served by streets with the capacity to carry traffic generated by the development; and,

   e. will not adversely affect environmentally critical areas or natural resources.

3. The approval of this rezoning request satisfies the following criteria:

   a. the proposed use or mix of uses is appropriate at the subject location; and

   b. the recommended conditions to the concept plan and other applicable regulations provide sufficient safeguard to the public interest; and

   c. the recommended conditions are reasonably related to the impacts on the public interest created by or expected from the proposed development.

4. Urban services, as defined in the Lee Plan will be available and adequate to serve the proposed land use.

5. The approved deviations, as conditioned, enhance achievement of the planned development objectives, and preserve and promote the general intent of LDC Chapter 34, to protect the public health, safety and welfare.

The foregoing resolution was adopted by the Lee County Board of Commissioners upon the motion of Commissioner Judah, seconded by Commissioner Coy and, and when put to a vote, the result was as follows:

Robert P. Janes	Aye
Douglas R. St. Cerny	Aye
Ray Judah	Aye
Andrew W. Coy	Aye
John E. Albion	Aye

DULY PASSED AND ADOPTED this 1st day of October 2001.

ATTEST:
CHARLIE GREEN, CLERK

BY: _____
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: _____
Chairman

Approved as to form by:

_____
County Attorney's Office

RECEIVED
NOV 13 2001
MINUTES OFFICE

LEGAL DESCRIPTION
INDIGO ISLES

A parcel of land lying in Section 27 and Section 28, Township 46 South, Range 25 East, Lee County, Florida, being more particularly described as follows:

BEGINNING at the Northwest corner of the Northeast 1/4 of the Northeast 1/4 of said Section 28; run thence S.89°14'28"E., along the North line of said Northeast 1/4, 18.92 feet; thence along the South Right-of-Way line (150 feet wide) of Koreshan Boulevard as recorded in Official Records Book 2183, Page 3484 of the Public Records of Lee County, Florida for the following four courses: 1) S.86°13'11"E., 739.30 feet to a point on a curve; 2) Easterly, 1244.23 feet along the arc of a curve to the left having a radius of 11,575.00 feet and a central angle of 06°09'32" (chord bearing S.89°17'23"E., 1243.63 feet) to a point of tangency; 3) N.87°37'51"E., 1825.31 feet to a point of curvature; 4) Easterly, 148.25 feet along the arc of said curve to the right having a radius of 16,925.00 feet and a central angle of 00°30'07" (chord bearing N.87°52'55"E., 148.24 feet) to a point on the East line of the North 1/2 of the Northwest 1/4 of said Section 27; thence S.00°38'50"E., along said East line, 1235.47 feet to a point on the South line of the North 1/2 of the Northwest 1/4 of said Section 27; thence S.88°24'32"W., along said South line, 827.43 feet to a point on the East line of the West 1/2 of the East 1/2 of the West 1/2 of the Southeast 1/4 of the Northwest 1/4 of said Section 27; thence S.00°43'42"E., along said East line, 1252.17 feet to a point on the proposed North Right-of-Way line of Broadway Street; thence along said proposed North Right-of-Way line for the following two (2) courses: 1) S.87°57'00"W., 826.30 feet; 2) S.89°12'05"W., 330.43 feet to a point on the West line of the West 1/2 of the East 1/2 of the Southwest 1/4 of the Northwest 1/4 of said Section 27; thence N.00°48'33"W., along said West line, 1254.19 feet to a point on the South line of the North 1/2 of the Northwest 1/4 of said Section 27; thence S.88°24'32"W., along said South line, 330.97 feet to a point on the East line of the East 1/2 of the West 1/2 of the West 1/2 of the Southwest 1/4 of the Northwest 1/4 of said Section 27; thence S.00°49'57"E., along said East line, 1249.62 feet to a point on the proposed North Right-of-Way line of Broadway Street (lying 30 feet north of and parallel to the South line of the Northwest 1/4 of said Section 27); thence S.89°12'05"W., along said proposed North Right-of-Way line, 165.22 feet to a point on the West line of the East 1/2 of the West 1/2 of the West 1/2 of the Southwest 1/4 of the Northwest 1/4 of said Section 27; thence N.00°50'40"W., along said West line, 609.93 feet to a point on the South line of the Northerly 637.34 feet of the West 1/2 of the West 1/2 of the West 1/2 of the Southwest 1/4 of the Northwest 1/4 of said Section 27; thence S.88°21'53"W., 165.36 feet to the Southeast corner of the North 1/2 of the Southeast 1/4 of the Northeast 1/4 of said Section 28; thence N.89°56'55"W., along the South line of said North 1/2 of the Southeast 1/4 of the Northeast 1/4 of said Section 28, 597.20 feet to a point on the East Right-of-Way line (130-foot Right-of-Way) of Seaboard Coast Line Railway as recorded in Deed Book 66, Page 374 of the Public Records of Lee County, Florida and to a point on a curve; thence along said East Right-of-Way line for the following two (2) courses: 1) Northerly, 1030.23 feet along the arc of said curve to the left having a radius of 2929.90 feet and a central angle of 20°08'48" (chord bearing N.22°28'25"W., 1024.93 feet) to a point of tangency; 2) N.32°32'49"W., 658.87 feet to a point on the West line of the Northeast 1/4 of the Northeast 1/4 of said Section 28; thence N.00°42'39"W., along said West line, 426.84 feet to the POINT OF BEGINNING.

Containing 157.45 acres, more or less.

RECEIVED
MAR 14 2001
PERMIT COUNTER

SURVEYOR'S NOTES:

1. Reproductions of this drawing are not valid without the original signature and raised seal of a Florida Licensed Surveyor and Mapper.
2. This sketch does not represent a Boundary Survey.
3. Subject to easements, reservations and restrictions of record.
4. Bearings shown hereon are based on fixing the West line of the Northwest 1/4 of Section 27, Township 46 South, Rnge 25 East, Lee County, Florida, as N00°51'22"W.

LEGEND

PG	denotes page
ORB	denotes Official Records Book
R/W	denotes Right-of-Way

DCI 2001-00001

Applicant's Legal Checked
by gm 4/12/01

SEE SHEET 1 OF 2 FOR DESCRIPTION SKETCH.

CERTIFICATE OF AUTHORIZATION NO. LB 148

PREPARED BY: HEIDT & ASSOCIATES, Inc.
Tampa • Fort Myers
CIVIL ENGINEERING
PLANNING
SURVEYING
ENVIRONMENTAL PERMITTING
LANDSCAPE ARCHITECTURE
Fort Myers Office
6326 Presidential Ct.
Fort Myers, Florida 33919
Phone: 941-482-7275
FAX: 941-482-2103

DESCRIPTION SKETCH (Not a Survey)
INDIGO ISLES
Prepared For: SOUTHSTAR DEVELOPMENT PARTNERS, INC.

SHEET 2 OF 2	Dwn. JHM / Ck. RLH	DWG: WPFACT_SKETCH.DWG
	Date: 03-02-01	Order No.: SSD-KB-003
	SECTIONS 27 & 28, TOWNSHIP 46S, RANGE 25E LEE COUNTY, FLORIDA	

EXHIBIT II-B

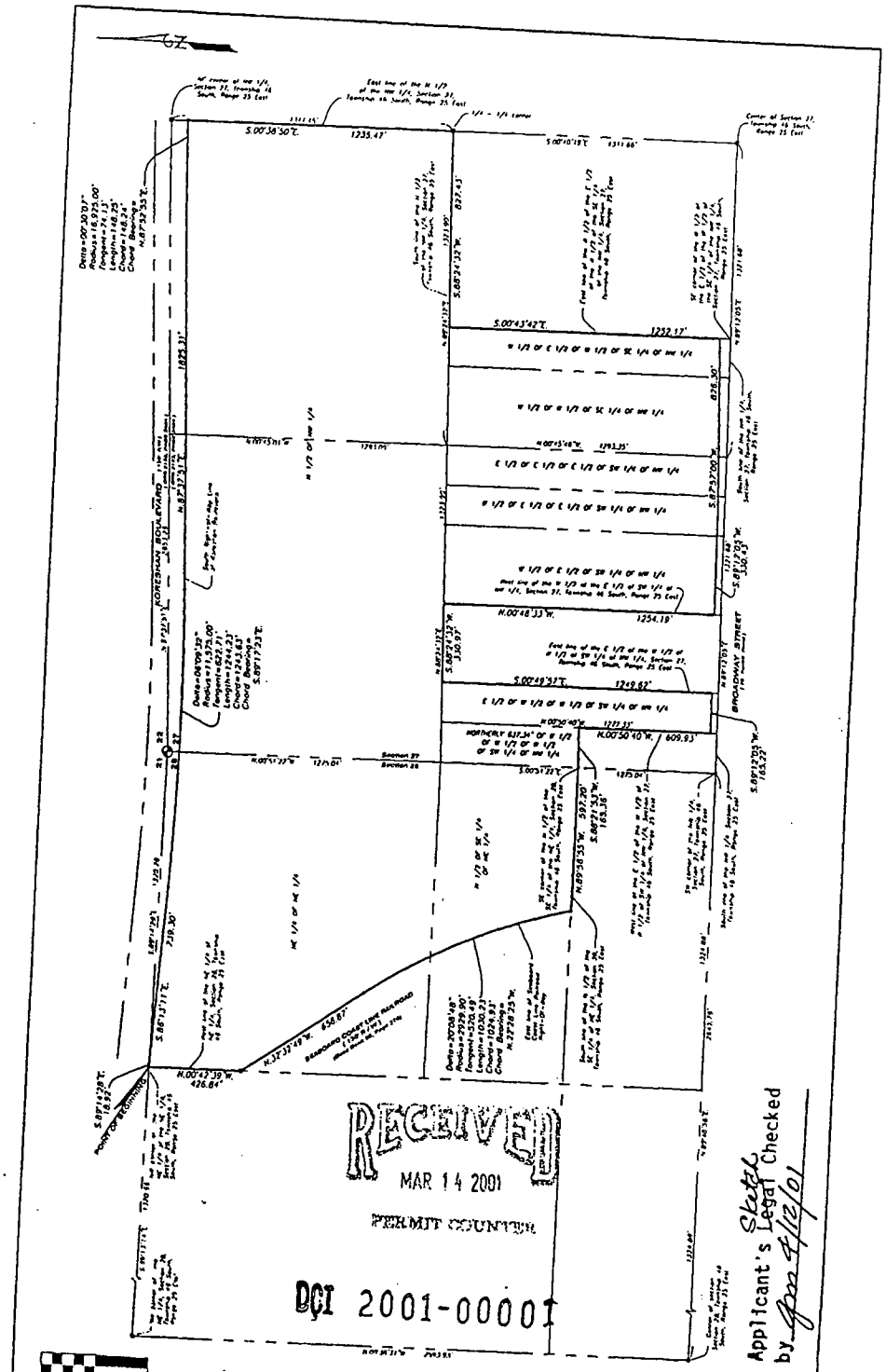

KORESHAN BOULEVARD
BROADWAY STREET
SEABOARD COAST LINE RAILROAD
POINT OF BEGINNING
RECEIVED
MAR 14 2001
PERMIT COUNTER
DCI 2001-00001
0 250 500
SCALE: 1"=500'
SEE SHEET 2 OF 2 FOR LEGAL DESCRIPTION, NOTES AND LEGEND.
PREPARED BY:
JUDITH H. McCARRIER
FLORIDA PROFESSIONAL SURVEYOR AND MAPPER NO. 6021
DATE: 3-2-01
Applicant's Legal Checked by Sketch 4/12/01
PREPARED BY: HEIDT & ASSOCIATES, Inc.
Tampa • Fort Myers
CIVIL ENGINEERING
PLANNING
SURVEYING
ENVIRONMENTAL PERMITTING
LANDSCAPE ARCHITECTURE
Fort Myers Office
6320 Presidential Ct.
Fort Myers, Florida 33919
Phone: 941-482-7275
FAX: 941-482 2103
CERTIFICATE OF AUTHORIZATION NO. LB 148
DESCRIPTION SKETCH (Not a Survey)
INDIGO ISLES
Prepared For: SOUTHSTAR DEVELOPMENT PARTNERS, INC.
SHEET 1 OF 2
Dwn. JHM
Ck. RLH
DWG: WPFACT_SKETCH.DWG
Date: 03-02-01
Order No.: SSD-KB-003
SECTIONS 27 & 28, TOWNSHIP 46S, RANGE 25E
LEE COUNTY, FLORIDA

EXHIBIT II-B

ZONING MAP

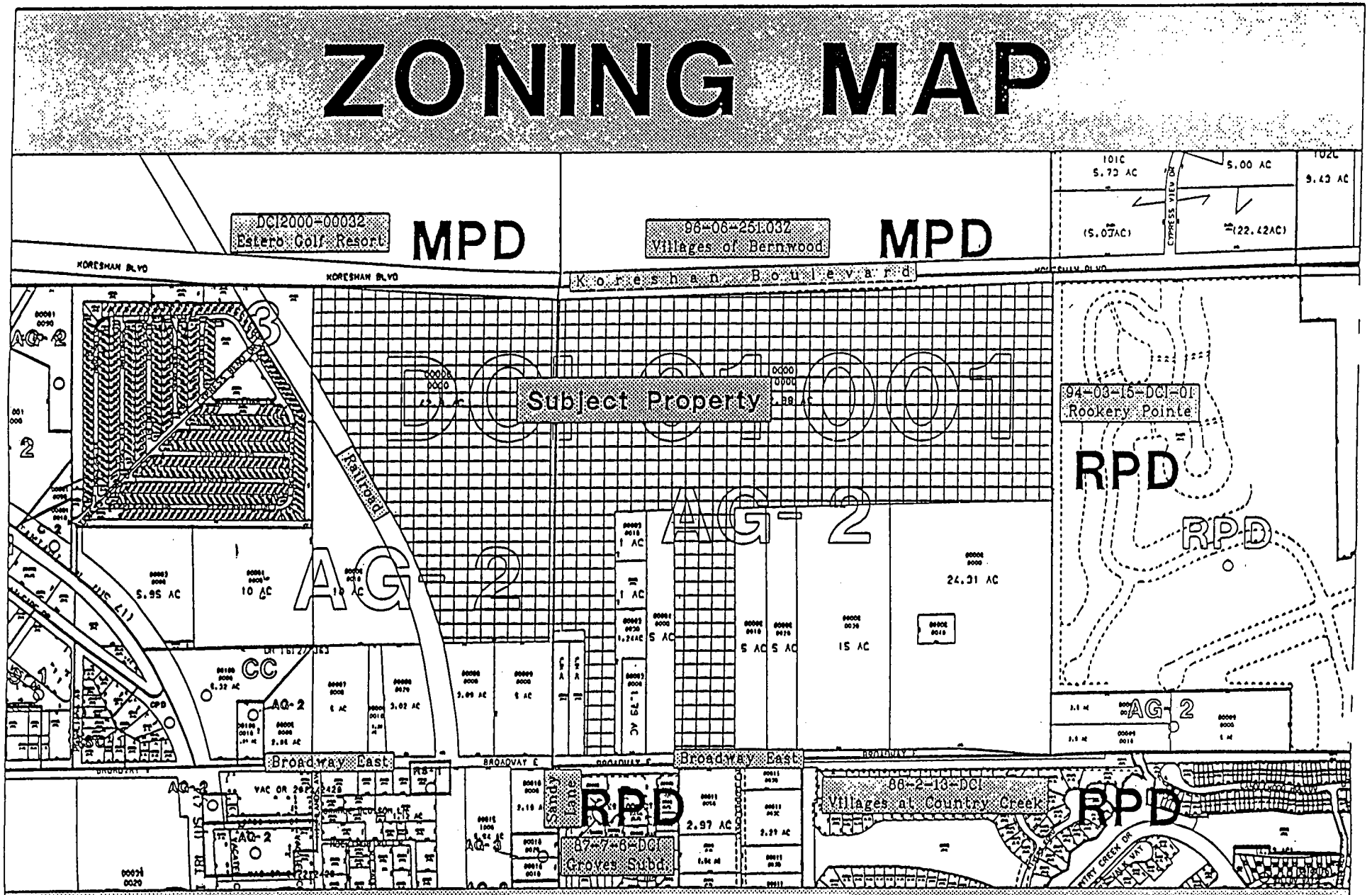


EXHIBIT B

4N

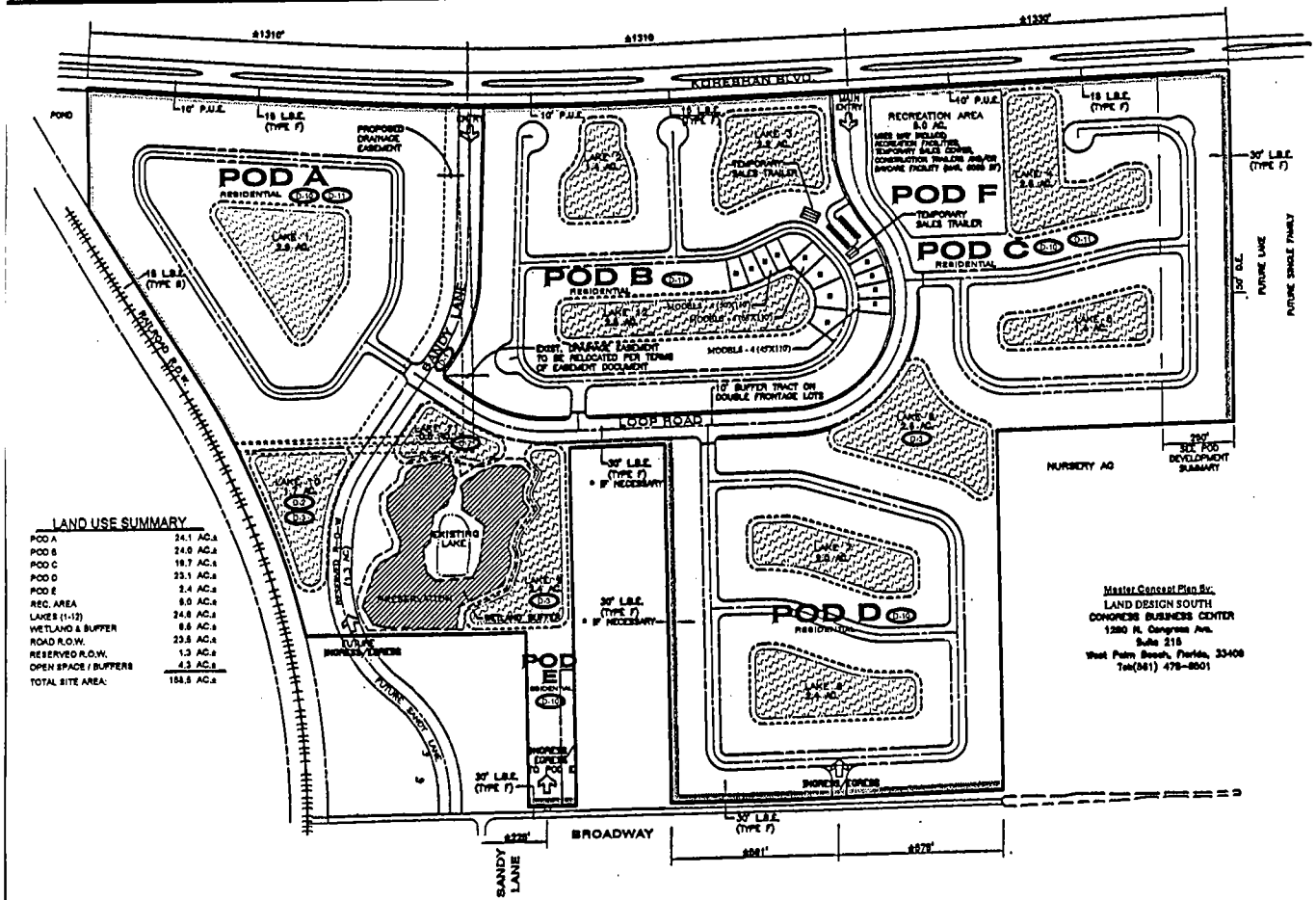
APPROVED

Master Concept Plan

Site Plan #01-031 Page 1 of 1

Subject to conditions in Resolution Z-01-031

Zoning Case #DCI2001-00001



LAND USE SUMMARY

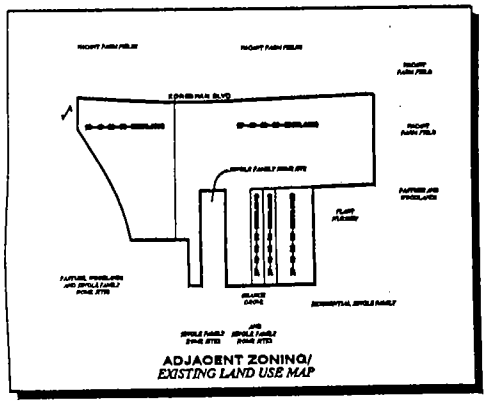
POD A	24.1 AC.±
POD B	24.0 AC.±
POD C	19.7 AC.±
POD D	23.1 AC.±
POD E	2.4 AC.±
REC. AREA	8.0 AC.±
LAKES (1-12)	24.8 AC.±
WETLAND & BUFFER	6.6 AC.±
ROAD R.O.W.	23.6 AC.±
RESERVED R.O.W.	1.3 AC.±
OPEN SPACE / BUFFERS	4.3 AC.±
TOTAL SITE AREA:	188.8 AC.±

NOTES:

1. No public transportation facilities are available and no facilities are proposed at this site, however access will be provided in accordance with LDC.
2. Project will be developed in phases within the project site. phase 1 will not exceed the combination of 225 single family units, 76 multi-family units and a sales center/temp. construction office. (Development of phase 1 is subject to the proposed product summary noted herein). Phase 2 will not exceed the cumulative total as specified in the Density Summary noted herein.
3. Type D landscape buffers may include fence and/or walls (max. 6 feet in height) at owners discretion.
4. Type B buffers shown may not be required if proposed multifamily use is converted to single family and provisions of LDC section 10-416 are met. If proposed single family pod(s) are converted to multi-family use, buffering will meet provisions of LCD section 10-416.
5. Internal project buffering will meet Land Development Code minimum requirements.
6. Fill may be removed offsite, in accordance with amended LDC Section 10-329.
7. The Daycare Facility, if developed, shall be no larger than 6000 SF and shall be limited to the 5 Acre Parcel labeled as Pod F.
8. Temporary Sales and or Construction Offices may utilize Septic and /or Holding Tanks.
9. Entry Gates and Gatehouses will only be provided on Private Roads and would not include Sandy Lane.

* A 30 foot wide Type F buffer shall be provided along the West boundary of Pod D and the South side of the Loop road, if necessary to buffer the existing Single Family Residence on the "outparcel" from the traffic impacts of that internal road.

Master Concept Plan By:
LAND DESIGN SOUTH
CONGRESS BUSINESS CENTER
1280 N. Congress Ave.
Suite 215
West Palm Beach, Florida, 33409
Tel:(561) 478-6601



ADJACENT ZONING/
EXISTING LAND USE MAP

(D-4) (D-5)

OPEN SPACE AND INDIGENOUS VEGETATION TABLE
(See Deviation Schedule)

	Acres	Open Space			Indigenous Vegetation		
		Required	Provided	Acres	Existing	Required	Provided
At 1 Acre	188.47	40%*	40%	85.36	1.31	1.31	1.31 (100%)

* 40% of all other undeveloped as defined in LDC 10-1102

Note 1: Area of Single Family and Multi-family development will be determined at time of Development Order Application.

Note 2: The open space requirement will be provided across the project as a whole with differing percentages of open space provided for each development area/pod.

RECEIVED BY
LEE CO. ATTORNEY
01 OCT 25 AM 8:49

(D-5) Indicates Deviation Item Number EXHIBIT IV-F

HEIST & ASSOCIATES, Inc.
Civil Engineers, Planners, Surveyors
Economic Analysts
2255 Vanderbilt Beach Road
Naples, Florida 33109
Phone 941/598-7145
Fax 941/598-7146

RPD MASTER CONCEPT PLAN

JOB NO. 980-KS-003
DESIGN RHH
DRAWN TDH
DATE 10-24-01
FILE RPD-PLAN

INDIGO ISLES
S27 & S28, T46S, R25E
LEE COUNTY, FLORIDA

PREPARED FOR SOUTHSTAR DEVELOPMENT PARTNERS, INC.

SHEET 2 OF 3 SHEETS

EXHIBIT C

EXHIBIT D

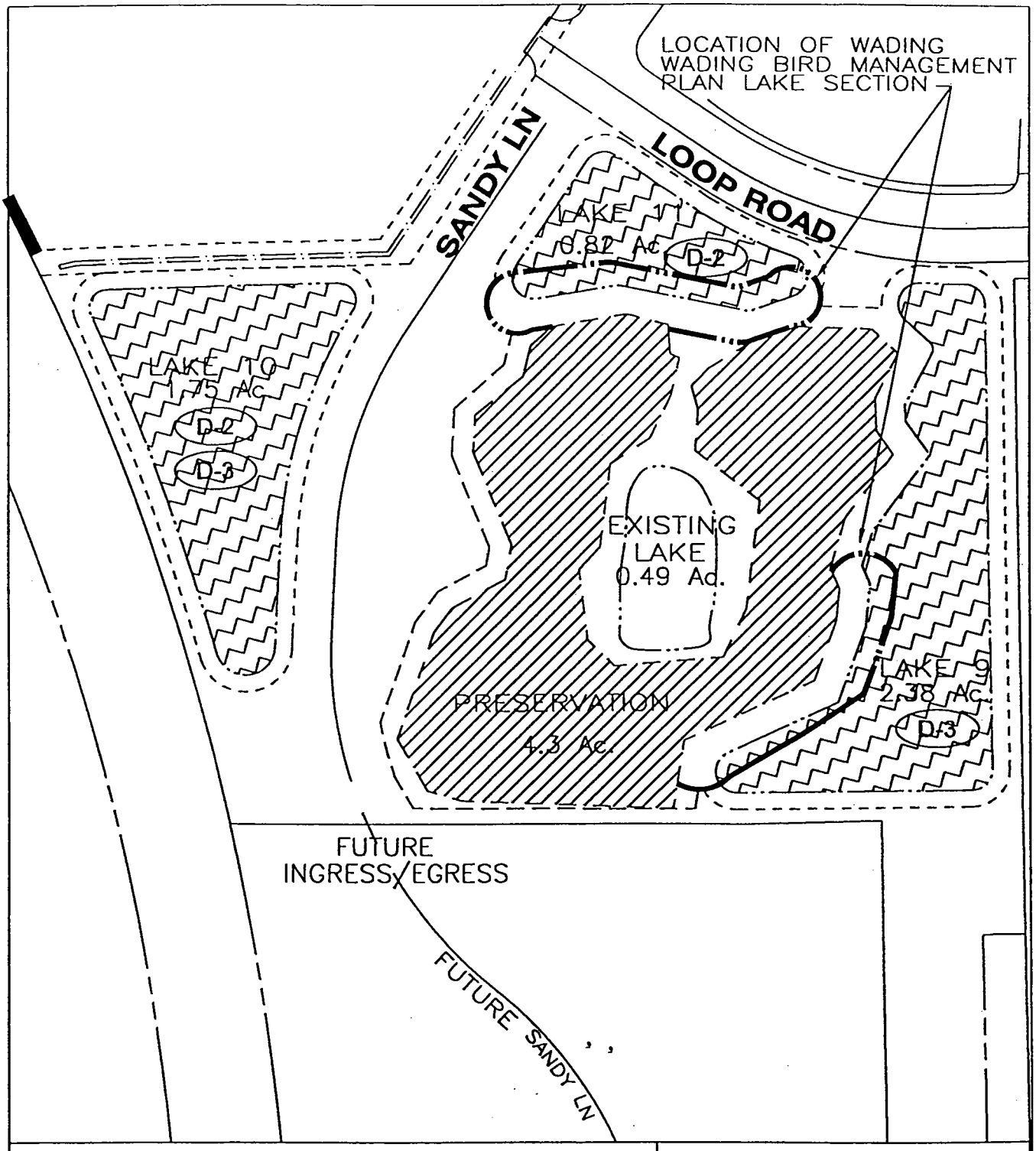
RESIDENTIAL PROPERTY DEVELOPMENT REGULATIONS

	MINIMUM LOT AREA AND DIMENSIONS			MINIMUM SETBACK (ft.)						
LAND USES	AREA (sq.ft.)	MINIMUM WIDTH (ft.)	MINIMUM DEPTH (ft.)	SIDE (ft.)	REAR (ft.)	FRONT (ft.)	WATER BODY (ft.)	MAXIMUM HEIGHT (ft.)	MINIMUM BUILDING SEPARATION (ft.)	MAXIMUM LOT COVERAGE (%)
Single Family Detached	4,000	40	100	5***	12**	20	20	35 or 2 stories	10	65
Zero Lot Line	2,000	40	80	0 or 7.5	10**	20	20	35 or 2 stories	7.5	65
Two Family Attached or Townhouse	2,000	22	80	0 or 10	10**	20	20	35 or 2 stories	10	65
Z Lots	4,000	40	100	0	10**	10	20	35 or 2 stories	10	65
Multi-Family	6,000	80	n/a	10	15**	20*	20	45 or 3 stories	½ Building Height	70
Accessory Structures	n/a	n/a	n/a	5	5**	20	5	n/a	n/a	n/a
Recreation, Sales Center, Daycare										

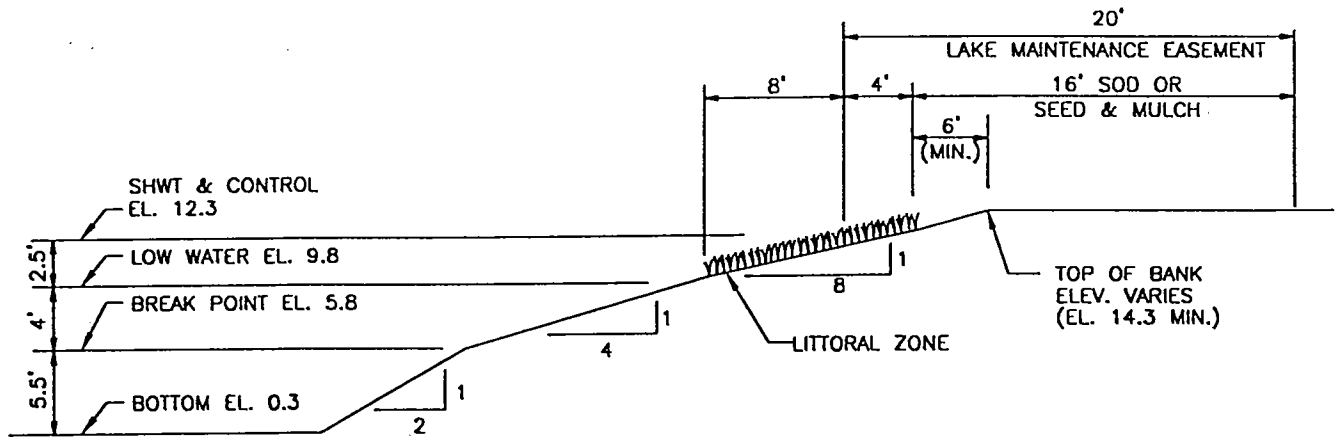
* As measured from the outermost edge of the curb or pavement of the adjacent roadway.

** Pertains to main structures only. Pool edge of water must be a minimum of 5 feet from the property line and pool decks, screened enclosures and accessory structures must be no less than 2 feet from the property line. (Except for Z lots, where the minimum pool deck, screened enclosure and accessory structure setback is 2 feet. The pool's edge of water may be 3 feet adjacent to a privacy wall.)

*** For corner lots, side yard setback shall be 15 feet minimum



WADING BIRD MANAGEMENT PLAN LAKE SECTION		PROJECT: INDIGO ISLES - LEE COUNTY FLORIDA
		APPLICANT: SOUTHSTAR DEVELOPMENT PARTNERS, INC.
JOB NO. : 680-KB-003	HEIDT & ASSOCIATES, Inc. Tampa ◆ Fort Myers	LOCATION : S 27, T 46S, R 26E
FILE NAME : WADING_BIRD_LAKE	Fort Myers Office 6326 PRESIDENTIAL COURT FORT MYERS, FLORIDA 33919 PHONE: 941-482-7276 FAX: 941-482-8103	DATE: 7-17-01 / SHEET 1 OF 1



LAKE SECTION

N.T.S.

WADING BIRD MANAGEMENT PLAN LAKE SECTION		PROJECT: INDIGO ISLES - LEE COUNTY FLORIDA
		APPLICANT: SOUTHSTAR DEVELOPMENT PARTNERS, INC.
JOB NO. : 880-KB-003	HEIDT & ASSOCIATES, Inc. Tampa • Fort Myers Fort Myers Office 6366 PRESIDENTIAL COURT FORT MYERS, FLORIDA 33919 PHONE: 941-482-7275 FAX: 941-482-2109	LOCATION : S 27, T 46S, R 25E
FILE NAME : WADING_BIRD_LAKE		DATE: 7-17-01 / SHEET 1 OF 1

EXHIBIT F

OPEN SPACE AND INDIGENOUS VEGETATION TABLE

	Acres	Open Space			Indigenous Vegetation		
		Required	Provided	Acres	Existing	Required	Provided
All Tracts	158.47	40%*	40%	63.38	1.82	1.82	1.82 (100%)

*40% of all other residential as defined in LDC 10-415(a)

NOTE 1: Area of Single Family and Multi-family development will be determined at time of Development Order Application.

NOTE 2: The open space requirement will be provided across the project as a whole with differing percentages of open space possible for each development order tract.

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PUB. WRKS. CNTR.
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