ADMINISTRATIVE AMENDMENT
LEE COUNTY, FLORIDA

WHEREAS, Colonial Oaks Homeowners Association, Inc. filed an application for administrative approval to a Residential Planned Development on a project known as Colonial Walk South Gate Proposal to allow the relocation of the existing gate and two (2) deviations on property located at Colonial Oaks RPD, described more particularly as:

LEGAL DESCRIPTION: In Section 34, Township 46 South, Range 25 East, Lee County, Florida:

See Exhibit "A"

WHEREAS, the property was originally rezoned to Residential Planned Development (RPD) by Resolution Z-88-294, see Exhibit "B" (with subsequent amendments by Resolution Z 01-017 and Z-01-017A, see Exhibits "C" and "D"; and

WHEREAS, the subject property is located in the Suburban Future Land Use Category as designated by the Lee Plan; and

WHEREAS, Colonial Oaks was approved for a maximum of 100 single-family residential dwelling units not to exceed 35 feet in height on 28.99± acres of land; and

WHEREAS, Entrance gates and gatehouses were listed as a permitted use in the Schedule of Uses; and

WHEREAS, Development Order DOS2001-00082 was approved on October 11, 2001, see Exhibit "E" for a 100 lot subdivision for single family residences with streets, utilities, stormwater management facilities, a 1,620+/- square foot building for a recreation center, a swimming pool, a 700+/- square foot building for a temporary sales office, a 100+/- square foot building for a guard house, and related site improvements; and

WHEREAS, on January 11, 2002, DOS2001-00082 was amended to allow a temporary construction trailer on Lot 6 of Block 4, see Exhibit "F"; and

WHEREAS, on March 4, 2002, DOS2001-00082 was amended to allow changes to the entrance, add signs and allow a guard gate on Colonial Walk South by Lot 2 of Block 4 and Lot 1 of Block 3, see Exhibit "G"; and

WHEREAS, on June 18, 2002, Colonial Oaks was platted and recorded in Plat Book 71 at Pages 60 thru 62, see Exhibit "H"; and

WHEREAS on January 9, 2006, a complaint was received from a residence that the gate created an ingress/egress nuisance. Colonial Oaks was issued a code violation (VIO2006-00132).The County investigated the complaint and closed the case as no violation was found; and

WHEREAS in May of 2006, the Home Owners Association (HOA) hired a contractor to change the gate arms on the guard gate. On June 13, 2006, Permit FNC2006-01014 was issued to replace the lift arms on the gate with electric swing gates; and

WHEREAS, in 2007, Permit FNC2006-01014 expired as neither the contractor nor the HOA requested the final inspection of the swing gates; and

WHEREAS on February 21, 2011, code violation (VIO2011-02341) was issued to Colonial Oaks for the expiration of permit FNC2006-01014. This case has been heard by the Lee County Hearing Examiner who has continued the case to May 21, 2012; and

WHEREAS on January 30, 2012, the HOA applied for a Limited Development Order (LDO2012-00026) to relocate the existing gate on Colonial Walk South, to approximately 36 feet south of the centerline intersection of Horne Lane, see Exhibit "I". The LDO is pending the approval of this ADD; and

WHEREAS, the relocation of the gate is the result of a concern from the property owner of Lot 2 in Block 4 with regard to backing out of the driveway. The new location will alleviate this concern; however the new location requires two (2) deviations from:

1. Section 34-1748(1) d. which requires a minimum of five vehicles or one vehicle per dwelling unit, whichever is less, to pull safely off the intersecting public or private street while waiting to enter, to allow no stacking area; and

2. Section 34-1748(5) which requires a paved turn-around with sufficient radius to accommodate a U-turn for a single unit truck (SU) vehicle as specified in the AASHTO Green Book current addition, to allow a 24 foot radius to accommodate a passenger vehicle, see Exhibit "J".

WHEREAS, the applicant submitted traffic counts, see Exhibit "K" that demonstrates that stacking of vehicles at this location is not an issue due to the low volume of traffic at the location of the gate; and

WHEREAS, Lee County Development Services reviewed the traffic counts and turn-around radius and found the deviations will not create a health, safety, or welfare issue for the traveling public, see Exhibit "L"; and

WHEREAS, Estero Fire Rescue reviewed the relocation of the gate and offered a letter of no objection, see Exhibit "M"; and

WHEREAS, pursuant to Section 8.3 of the Declarations of Covenants, Conditions and Restrictions for Colonial Oaks together with Subsections 4.2(H) and (J), see Exhibit "N", allows the HOA to seek approval of Master Concept Plan Amendment and Limited Review Development Order without membership approval for the relocation of the gate; and

WHEREAS, the County Attorney reviewed the Declarations of Covenants, Conditions and Restrictions for Colonial Oaks and found the HOA is empowered to act upon this request; and

WHEREAS, on February 21, 2012 a HOA meeting was held to discuss the gate issue where it was voted to support the gate relocation, see Exhibit "O"; and

WHEREAS, the applicant submitted a petition and letters of support from the residents of Colonial Oaks for the relocation of the gate, see Exhibit "P"; and

WHEREAS, the relocation of the gate and deviations were reviewed by the Estero Community Planning Panel (ECPP) who offered an email of no objection, see Exhibit "Q"; and

WHEREAS, the Lee County Land Development Code provides for certain administrative changes to planned development master concept plans and planned unit development final development plans; and

WHEREAS, the subject application and plans have been reviewed by the Lee County Department of Community Development in accordance with applicable regulations for compliance with all terms of the administrative approval procedures; and

WHEREAS, it is found that the proposed amendment does not increase density or intensity within the development; does not decrease buffers or open space required by the LDC; does not underutilize public resources or infrastructure; does not reduce total open space, buffering, landscaping or preservation areas; and does not otherwise adversely impact on surrounding land uses.

NOW, THEREFORE, IT IS HEREBY DETERMINED that the application for administrative approval for an amendment to Residential Planned Development for Colonial Walk South Gate Proposal to allow the relocation of the existing gate and the deviations are **APPROVED.**

Approval is subject to the following conditions:

1. **The Development must be in compliance with the site plan, dated April 9, 2012. The site plan for ADD2012-00031 is hereby APPROVED and adopted. A reduced copy is attached hereto as Exhibit "I".**

2. **The terms and conditions of the original zoning resolutions remain in full force and effect.**

DULY SIGNED this 30th day of April, A.D., 2012.

BY: _____
Pam Houck, Director
Division of Zoning
Department of Community Development

Exhibits:
A – Legal Description
B – Resolution Z-88-294
C – Resolution Z – 01-017
D – Resolution Z – 01-017A
E – DOS2001-00082
F - DOS2001-00082, as amended
G – DOS2001-00082, as amended
H – Plat Book 71 Pages 60 thru 62
I – Site Plan dated April 9, 2012
J – Turn around analysis
K - Traffic counts from March 20, 2012 thru March 22, 2012
L - Email from Rob Price dated April 23, 2012
M – Letter from Estero Fire Rescue dated March 15, 2012
N - Declarations of Covenants, Conditions and Restrictions
O – Minutes from February 21, 2012
P – Petitions of support
Q – Email from ECPP dated April 4, 2012

Description

All of Tract 'R1', Colonial Oaks, according to a map or plat thereof, recorded in Plat Book 71 at page 60, of the Public Records of Lee County, Florida, lying in Section 35, Township 46 South, Range 25 East.

4.12.12
APPROVED
LEGAL

ADD2012-00031

EXHIBIT A

Prepared by:
N.Gluck, Lee County
Zoning and Development Review
PO Box 398
Fort Myers, FL 33901

2603439

RESOLUTION NUMBER Z-88-294

OR2050

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS

OF LEE COUNTY, FLORIDA

PG4088

WHEREAS, Patrick K. Daltroff and Ronald F. Mixon, Trustees, in reference to Estero Lake Estates, has properly filed an application for a rezoning from AG-2 and RS-1 to Residential Planned Development, to permit development of 82 single-family homes, not to exceed 35 feet above average grade, on 28.99 total acres of land. The proposed development will include a temporary construction and sales office, models, residential accessory uses, and signs in compliance with the Lee County Sign Ordinance.

NOTE: If approved, the Master Concept Plan will deviate from the following Lee County standards:

(1) Deviation from the required 12 foot excavation depth for water retention (Section 518.B), to confining layer or 25 feet, whichever is greater;

(2) Deviation from the 75 foot section line setback (Section 202.15.B.3.b.1.), to allow 60 feet for accessory structures and 70 feet for principal structures;

(3) Deviation from street setback (Section 202.15.B.2.a.) from required 1/2 right-of-way plus 30 feet, to allow 1/2 right-of-way plus 25 feet;

(4) Deviation from D.S.O. Section C.3.f requirement that streets shall provide access to adjoining property, to allow access as shown on the Master Concept Plan;

(5) Deviation from Section 434.02 side yard setbacks from 7.5 feet measured from property line to overhang, to allow 7.5 feet measured from building wall;

(6) Deviation from Section 434.02 a waterbody setback from 25 feet, to allow 20 feet on all lots adjacent to lake;

(7) Deviation from Section 431.C.4.e which requires that development provide 1/4 acre per 55 dwelling units or fraction thereof for a private neighborhood park, to allow developer to pay funds in lieu of;

(5744L/64)

10-12-88

EXHIBIT B

(8) Deviatio.. from D.S.O. Section D-1.7 wh. requires asphaltic concrete, to permit paver blocks at entrance;

(9) Deviation from D.S.O. Section E.6.a.(3) requirement that individual sewage disposal systems not be located closer than 100 feet from the high water mark, to allow a setback of 75 feet, in accordance with HRS Chapter 10D-6 for a lake;

(10) Deviation from D.S.O. Section E.6.a.(6) requirement that no lot shall be developed that is less than 10,890 square feet, to allow green area in road right-of-way to be counted towards the 10,890 square feet minimum as in accordance with HRS Chapter 10D-6;

(11) Deviation from street setback (Section 202.15.B.2.a.) from required 1/2 right-of-way plus 25 feet, to allow 1/2 right-of-way plus 10 feet for accessory structures and 1/2 right-of-way plus 20 feet for principal structures; and

(12) Deviation from DSO Section A.6.b and Section 434.02 requirement that the lot width be measured from the minimum required street setback line, to allow the lot width to be measured from the midpoint of the side lot lines.

(13) Deviation from DSO Section D.7.d.(3)(c)(i) which would modify the requirement that water lines constructed in an external loop have intersecting water mains at a maximum distance of 1,500 feet, to only meet this requirement to obtain the required fire flow.

WHEREAS, the subject property is located at 21701 River Ranch Road, described more particularly as:

LEGAL DESCRIPTION: In Section 34, Township 46 South, Range 25 East, Lee County, Florida:

PARCEL 1

A parcel of land situated in the State of Florida, County of Lee, Section 34, Township 46 South, Range 25 East, and further bounded and described as follows:

The South Half (S 1/2) of Lot 27, the South Half (S 1/2) of Lot 28 and all of Lots 29 and 30, all being in Block C of FLORIDA GULF LAND COMPANY'S SUBDIVISION, according to the map or plat thereof recorded in Plat Book 1 at Page 59 of the Public Records of Lee County, Florida. LESS that portion of the property described in those instruments recorded in the Public Records of Lee County, Florida as follows: O.R. Book 1031, Page 1861; O.R. Book 1480, Page 1923; O.R. Book 1457, Page 1713; and in O.R. Book 1457, Page 1714.

SUBJECT TO easements for roads, streets and utilities as granted by instrument recorded in O.R. Book 60, Page 73 and subject to that right-of-way for ingress and egress over and across the East 20 feet of Lots 29 and 30, Block C of FLORIDA GULF LAND COMPANY'S SUBDIVISION, according to the map or plat thereof recorded in Plat Book 1 at page 59 as granted by instrument recorded in O.R. Book 1274, Page 1418.

PARCEL 2

A parcel of land situated in the State of Florida, County of Lee, Section 34, Township 46 South, Range 25 East, and further bounded and described as follows:

Beginning at the Southeast corner of the North One-half (N 1/2) of Lot 28, Block C of the Florida Gulf Land Company's Subdivision, according to the map or plat thereof recorded in Plat Book 1 at Page 59 of the Public Records of Lee County, Florida, said point also being the principal POINT OF BEGINNING; THENCE N.00°23'59"W. along

OR2050 PG4089

the East lin. of said Lot 28, Block C, . 61.57 feet; THENCE N.89°38'37"W. parallel with and 61.57 feet North of the South line of the North One-half (N 1/2) of Lot 28 and Lot 27, Block C of said subdivision for 664.41 feet to the West line of the North One-half (N 1/2) of Lot 27, Block C of said Florida Gulf Land Company's Subdivision; THENCE S.00°31'25"E. along said West line for 61.57 feet to the Southwest corner of said North One-half (N 1/2) of Lot 27, Block C of said subdivision; THENCE S.89°38'37"E. along the South line of the said North One-half (N 1/2) of Lot 27 and Lot 28, Block C of said subdivision for 664.28 feet to the POINT OF BEGINNING.
Described parcel contains 0.94 acres, more or less.

Bearings based on the East line of Section 34 as bearing N.00°09'04"W.

Subject to easements, restrictions, reservations and right-of-way of record.

Subject to an easement over the West 33 feet and over the South 33 feet as recorded in Official Records Book 60 at Page 73 of the Public Records of Lee County, Florida.

OR2050

PG4090

WHEREAS, the applicant has indicated the property's current STRAP numbers are 31-46-25-01-00023.0000 and 31-46-25-01-00023.0210; and

WHEREAS, proper authorization has been given to Thomas M. Brondstetter, Esquire of Brondstetter, Winesett, Avery, DuPree & Whigham, P.A., by Patrick T. Daltroff, Trustee, to act as agent to pursue this zoning application; and

WHEREAS, a public hearing was legally and properly advertised and held before the Lee County Planning and Zoning Commission, with full consideration of all the evidence available to the Planning and Zoning Commission; and

WHEREAS, the Lee County Planning and Zoning Commission fully reviewed the matter in a public hearing held on October 3, 1988; and

WHEREAS, a public hearing was legally and properly advertised and held before the Lee County Board of County Commissioners; and

WHEREAS, in the legislative process the Lee County Board of County Commissioners gave full and complete consideration to the recommendations of the staff, the Planning and Zoning Commission, the documents on file with the county, and the testimony of all interested persons.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS, that the Board of County Commissioners does hereby APPROVE a rezoning from AG-2 and RS-1 to Residential Planned Development, to permit development of 82 single-family homes, not to exceed 35 feet above average grade, on 28.99 total acres of land. The proposed development will include a temporary construction and sales office, models, residential accessory uses, and signs in compliance with the Lee County Sign Ordinance.

Approval is subject to the following conditions:

1. The development of this property shall be in accordance with the one-page Master Concept Plan; titled "29 acre parcel," prepared by Bean, Whitaker, Lutz and Barnes, Inc. (Plan dated June 30, 1988, revised July, August and September of 1988 and received October 31, 1988), except as may be modified by the conditions herein. Approval of this request does not exempt the applicant from compliance with all development regulations, except as specifically approved herein.

2. The schedule of uses includes all those uses permitted by right in the Residential Single-Family Districts (RS) of the Zoning Ordinance (as amended from time to time), plus the following: temporary sales and construction office(s) and model home(s). Any additional requested uses shall require an amendment.

3. The development shall comply with the Comprehensive Plan policies regarding the provision of sewer service prior to issuance of any development order.

4. The applicant shall initiate the establishment of a homeowners' or residents' association to provide an educational program for hurricane preparedness.

5. The established homeowners' or residents' association shall maintain an education program for hurricane preparedness. The program shall consist of annually describing the risks of the hurricane hazards to the residents, as well as the actions to mitigate the dangers which these hazards present.

6. At the completion of development construction or each phase thereof, a development representative shall contact Lee County Emergency Medical Service to discuss: 1) the designation of emergency helicopter landing zones and 2) the accessibility of the EMS unit.

7. Deviation (1) is APPROVED WITH THE CONDITION that the excavation not exceed the confining layer or a maximum depth of 25 feet, whichever occurs first. Prior to issuance of a final development order, the developer will provide test borings to establish at what depth the confining layer is reached. Deviation (3) is APPROVED for a street setback modification for Corlico Road WITH THE CONDITION that it is for 1/2 right-of-way plus 25 feet; Deviation (4) is APPROVED WITH THE CONDITION that the street stub be redesigned to create an approximate 90 degree "tee" intersection just west of lot #82. Deviation (7) is APPROVED WITH THE CONDITION that a sum equal to the value of 1/4 acre of land shall be paid prior to the construction of any improvements and shall be made to the appropriate Community Parks Impact Fee District. In addition, no credit against impact fees will be allowed for this payment. Deviation (8) is APPROVED WITH THE CONDITION that the applicant execute "hold harmless" and "maintenance" agreements for affected segments, prior to final plan approval; Deviation (12) is APPROVED FOR ONLY LOTS 48, 49, 69 and 70, as shown on the site plan; Deviation (13) is APPROVED WITH THE CONDITION that adequate fire flows be provided; Deviations (5), and (6) are APPROVED as shown on the Master Concept Plan. Deviation (2) is DENIED; deviations (9) and (10) are APPROVED, and deviation (11) is APPROVED for 1/2 right-of-way plus 25 feet.

Site Plan 88-294 is attached hereto and incorporated herein by reference, as a reduced copy of the Master Concept Plan.

OR2050 PG4091

The following findings of fact were made in conjunction with this approval of Residential Planned Development zoning:

a) All recommended conditions are reasonably related to the impacts on the public's interest created by, or expected from the proposed development;
b) Sufficient safeguards to the public interest are provided by the recommended conditions to the Master Concept Plan and by other applicable regulations;

c) The general intend of these regulations to protect the public health, safety, and welfare is preserved and promoted;

d) The deviations recommended for approval with conditions will enhance the development and will not negatively affect the public health, safety, and welfare; and

e) The proposed uses are, as limited by the conditions herein, appropriate at the subject location.

The foregoing Resolution was adopted by the Lee County Board of County Commissioners upon a motion by Commissioner Ray Judah, and seconded by Commissioner John E. Manning and, upon being put to a vote, the result was as follows:

John E. Manning	AYE
Charles L. Bigelow, Jr.	ABSENT
Ray Judah	AYE
Bill Fussell	AYE
Donald D. Slisher	ABSENT

DULY PASSED AND ADOPTED this 12th day of December, A.D., 1988.

ATTEST:
CHARLIE GREEN, CLERK

BY: _____
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: _____
Chairman

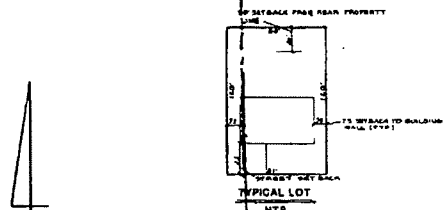
Approved as to form by:

_____
County Attorney's Office

FILED
JAN 21 89
CLERK CIRCUIT COURT
BY _____ D.C.

OR2050 PG1092

OR2050 PG4093

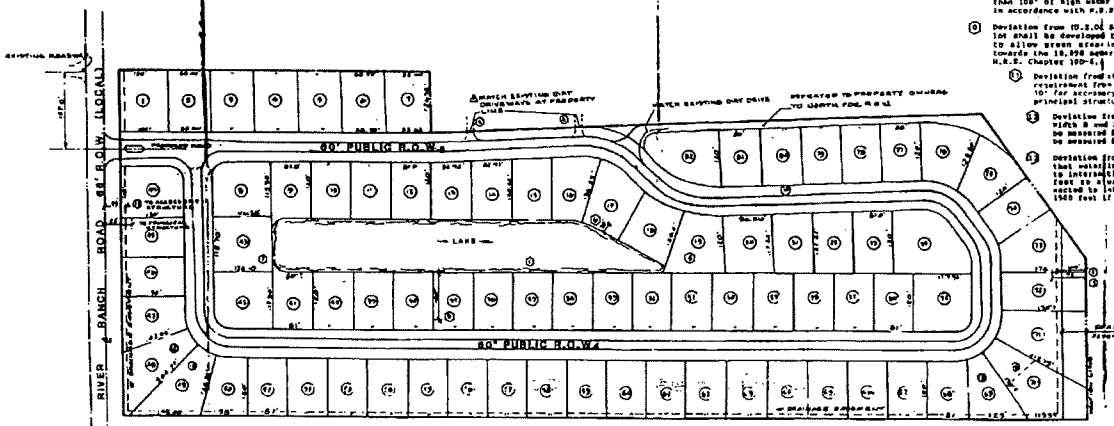


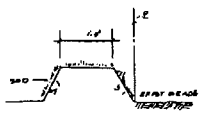
SCHEDULE OF USES

- Temporary Construction Office
- Temporary Sales Office
- Models (Section 9233) with sales to be located at the developers discretion throughout the development as construction occurs.
- Dwelling Units - Conventional Single Family Building
- Excavation, Water Retention (Section 518)
- Modification of Section Line or Street Setbacks (Section 202.15.B.2.3 and 202.15.B.3): See deviation request for section line and street setback modifications.
- Signs which are in compliance with the Lee County Sign Ordinance.
- All residential accessory uses.
- Maximum of 92 residential lots
- Maximum building height 35'

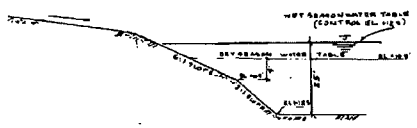
SCHEDULE OF DEVIATIONS

1. Deviation from (Section 518.B) maximum excavation depth required for water retention from 12' to the first confining layer or 25' whichever is greater.
2. Deviation from section line setback (Section 202.15.B.3.B.1) requirement from 75' to 60' for accessory structures and 30' for principal structures.
3. Deviation from street setback (Section 202.15.B.3.A) requirement from required 1/2 R.O.W. + 30' to 1/2 R.O.W. + 10' for accessory structures and 1/2 R.O.W. + 20' for principal structures.
4. Deviation from (D.S.O. Section C.).F) requirement that streets shall provide access to adjoining property to allow access as shown on the Master Concept Plan.
5. Deviation from (Section 436.02) requirement that side yard setbacks be 7.5' measured from property line to overhang to allow 7.5' measured from building wall.
6. Deviation from (Section 436.02) requirement of 25' setback from water body to allow setback of 20' to water body on all lots adjacent to lake.
7. Deviation from (Section 631.C.4.a) requirement that developments provide 1/4 acre per 55 dwelling units or fraction thereof for a private neighborhood park to allow developer to pay funds in lieu of.
8. Deviation form (D.S.O. Section D-1.7) requirement to permit pavers block at entrance. The applicant shall execute maintenance and hold harmless agreements with Lee County.
9. Deviation from (D.S.O. Section E.4.a.(1)) requirement that individual sewage disposal systems not be located closer than 100' of high water mark to allow the setback of 75' as in accordance with H.R.S. Chapter 10D-6 for a lake.
10. Deviation from (D.S.O. Section E.6.a(6)) requirement that no lot shall be developed that is less than 10,000 square feet to allow green area in road right-of-way to be counted towards the 10,000 square feet minimum as in accordance with H.R.S. Chapter 10D-6.
11. Deviation from street setback (Section 202.15.B.2.a) requirement from required 1/2 R.O.W. + 25' to 1/2 R.O.W. + 10' for accessory structures and 1/2 R.O.W. + 20' for principal structures.
12. Deviation from (D.S.O. Section A...) and Section 1000, Lot Width B and Section 436.02) requirements that the lot width be measured from the minimum required street setback line to be measured from the midpoint of the side lot lines.
13. Deviation from (D.S.O. Section 0.7.d(3)(c)(1)) requirement that waterline be constructed in an external loop connected to intersection separated at a maximum distance of 1500 feet as a watermain constructed in an external loop connected to intersecting watermains at a maximum distance of 1500 feet if required to obtain the required fire flow.

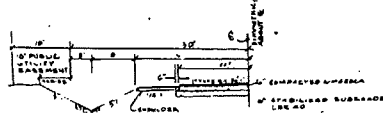




TYPICAL PERIMETER BERM
NTS



TYPICAL LAKE CROSS-SECTION
NTS



TYPICAL ROAD CROSS-SECTION
A-A

APPROVED
Master Concept Plan
Site Plan # 88-39E Page 1 of 1
Subject to conditions in Resolution Z-89-039
Zoning Case # 88-10-120.01

RECEIVED
OCT 31 1989
ZONING COUNTER

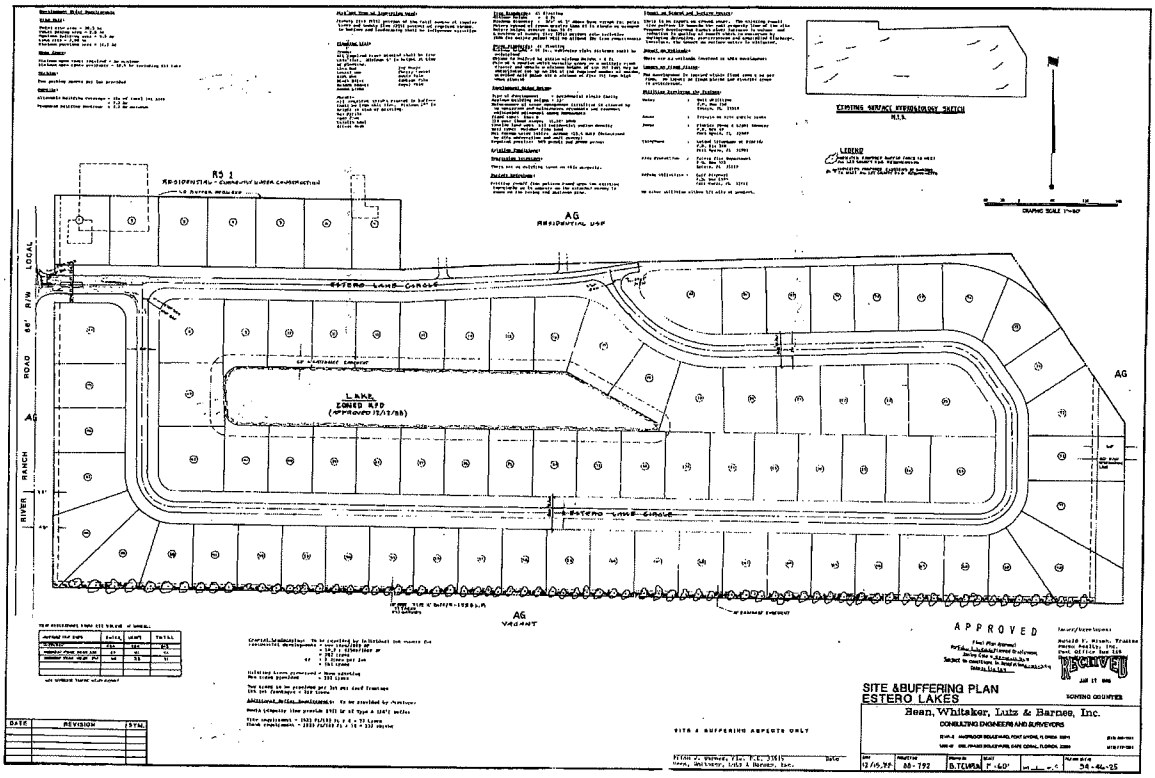
PRINTED
OCT 31 1989

29 ACRE PARCEL
MASTER CONCEPT PLAN

Bean, Whitaker, Lutz & Barnes, Inc.
CONSULTING ENGINEERS AND SURVEYORS
13451 S. MADISON BOULEVARD FORT MYERS, FLORIDA 33919 (813) 481-1381
1335 D DEL PRADO BOULEVARD CAPE CORAL, FLORIDA 33909 (813) 772-1381

DATE	PROJECT NO.	DRAWN	SCALE	SHEET	FILE NO.
9-20-88	88-732	TWB	1" = 60'	1 of 1	88-42-25

FEB 24 8 44 AM '89
JOHN E. MELCHER, CLERK
FORT MYERS, FLORIDA


RS-1
RESIDENTIAL SUBDIVISION CONSTRUCTION
AG
RESIDENTIAL USE
ESTERO LAKE CIRCLE
LAKE
ZONED RPD
(APPROVED 11/17/88)
AG
VACANT
AG
AG
LOCAL
66' R/W
ROAD
RANCH
RIVER
EXISTING SURFACE HYDROLOGY SKETCH
N.T.S.
LEGEND
GRAPHIC SCALE 1"=60'
APPROVED
RECEIVED
JAN 17 1989
SITE &BUFFERING PLAN
ESTERO LAKES
Bean, Whitaker, Lutz & Barnes, Inc.
CONSULTING ENGINEERS AND SURVEYORS
SITE & BUFFERING ASPECTS ONLY
DATE
REVISION
BY
12/19/88
88-792
B.TEMPLIN
1"=60'
34-46-25

RESOLUTION NUMBER Z-01-017

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

WHEREAS, an application was filed by the property owner, Worthington Group of Southwest Florida, Inc., to amend a Residential Planned Development (RPD), in reference to Colonial Lakes; and,

WHEREAS, a public hearing was advertised and held on April 4, 2001, before the Lee County Zoning Hearing Examiner, who gave full consideration to the evidence in the record for Case # DCI 2000-00086; and

WHEREAS, a second public hearing was advertised and held on May 21, 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 filed a request to amend a Residential Planned Development (RPD) to permit a maximum of 100 single-family residential dwelling units, not to exceed 35 feet in height, on 28.99± total acres of land. The property is located in the Suburban Land Use Category and legally described in attached Exhibit A.

After consideration of the evidence and testimony, the Board of County Commissioners remanded this request to the Hearing Examiner for further and expedited consideration as to the following limited issues:

1. The cumulative effects of a 20' Easement near the easterly boundary of the development project.

2. The cumulative effects of drainage impacts.

3. The cumulative effects of traffic impacts on River Ranch Road and Three Oaks Parkway.

4. The cumulative effects of blasting on surrounding areas.

EXHIBIT C

The foregoing resolution was adopted by the Lee County Board of Commissioners upon the motion of Commissioner Ray Judah, seconded by Commissioner Robert P. Janes and, upon being put to a vote, the result was as follows:

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

DULY PASSED AND ADOPTED this 21st day of May, 2001.

ATTEST:
CHARLIE GREEN, CLERK

BY: _____
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: _____
Vice-Chairman

Approved as to form by:

_____
County Attorney's Office

RECEIVED
MAY 23
MINUTES OFFICE

EXHIBIT A
LEGAL DESCRIPTION
Property located in Lee County, Florida

LEGAL DESCRIPTION

(PREPARED BY SURVEYOR)

COMMENCING FROM THE SE CORNER OF SECTION 34, TOWNSHIP 46S, RANGE 25E, THENCE;
N 00°09'04" W, A DISTANCE OF 1320.33 FEET TO THE POINT OF BEGINNING, THENCE;
N 89°39'36" W, A DISTANCE OF 1326.15 FEET TO A POINT, THENCE;
N 89°39'36" W, A DISTANCE OF 662.83 FEET TO A POINT, THENCE;
N 00°31'25" W, A DISTANCE OF 713.80 FEET TO A POINT, THENCE;
S 89°38'37" E A DISTANCE OF 664.83 FEET TO A POINT, THENCE;
S 00°23'59" E, A DISTANCE OF 126.59 FEET TO A POINT, THENCE;
N 88°03'13" E, A DISTANCE OF 1118.71 FEET TO A POINT, THENCE;
S 34°51'12" E, A DISTANCE OF 368.95 FEET TO A POINT, THENCE;
S 00°09'04" E, A DISTANCE OF 330.08 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 28.820 ACRES OF LAND MORE OR LESS

Applicant's Legal Checked
by gm 3/6/01

The applicant has indicated that the STRAP number for the subject property is:
34-46-25-01-0000C.0270

RESOLUTION NUMBER Z-01-017A

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

WHEREAS, an application was filed by the property owner, Worthington Group (fka Melinda Brondstetter, Trustee), to amend a Residential Planned Development (RPD) in reference to Colonial Lakes; and

WHEREAS, the initial public hearing was advertised and held on April 4, 2001, before the Lee County Zoning Hearing Examiner, who gave full consideration to the evidence in the record for Case #DCI2000-00086; and

WHEREAS, a second public hearing was held on May 21, 2001, before the Board of County Commissioners who, based upon all testimony and evidence in the record, remanded the case to the Hearing Examiner for further consideration as to:

1. The cumulative effects of a 20-foot easement near the easterly boundary of the development project;

2. The cumulative effects of drainage impacts;

3. The cumulative effects of traffic impacts on River Ranch Road and Three Oaks Parkway;

4. The cumulative effects of blasting on surrounding areas; and

WHEREAS, a third public hearing was advertised and held on June 14, 2001, before the Lee County Hearing Examiner, with written submittals made through July 27, 2001, on the remanded issues.

WHEREAS, a fourth public hearing was advertised and held on September 17, 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 in the record and the testimony of all interested persons.

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

SECTION A. REQUEST

The applicant filed a request to amend an RPD to permit a maximum of 100 single-family residential dwelling units, not to exceed 35 feet in height, on 28.99± total acres of land.

EXHIBIT D

The property is located in the Suburban Land Use Category and legally described in attached Exhibit A. This request is APPROVED, SUBJECT TO the conditions specified in Section B below.

SECTION B. CONDITIONS

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

A. **CONDITIONS:**[1]

1. The development of this project must be consistent with the one-page Master Concept Plan entitled "Colonial Lakes - Zoning Concept Plan," prepared by Vanasse & Daylor, L.L.P., last revised 6-27-01, stamped "Received Jun 27 2001," except as modified by the conditions below. This development must comply with all requirements of the LDC at time of local development order approval except as may be granted by deviation as part of this planned development. If changes to the Master Concept Plan are subsequently pursued, appropriate approvals will be necessary.

2. The following limits apply to the project and uses:

   a. Schedule of Uses

   Residential Areas
   Accessory Uses and Structures, [§ 34-934, Note (1), §§ 34-1171, *et. seq.*, 34-2441 *et. seq.*, 34-1863, 34-2141 *et. seq.*]
   Dwelling Unit
   Single-Family
   Zero Lot Line
   Two-Family Attached
   Entrance Gates and Gatehouses
   Essential Services, Group I [§ 34-1611 *et. seq.*, 34-1741 *et. seq.*]
   Essential Service Facilities [§ 34-622(c)(13)]
   Group I [§ 34-934, Note (1), § 34-1611 *et. seq.*, 34-1741 *et. seq.*, 34-2141 *et. seq.*]
   Excavation
   Water Retention [§ 34-1651] [does not include the removal of excavated material from the site]
   Fences, Walls [§ 34-934 Note (1), § 34-1741 *et. seq.*]
   Home Occupation [§ 34-934 Note (1), § 34-1771 *et. seq.*]
   Models
   Display Center
   Model Home [§ 34-1951 *et. seq.*]

[1]Conditions have been renumbered based on the remand proceedings, and no longer follow the sequence of the original Staff Report.

Model Unit [§ 34-1951 *et. seq.*]
Real Estate Sales Office, in accordance with § 34-934 Note (23)
Recreational Facilities
Personal [§ 34-934 Note (1)]
Private - On-Site [§ 34-934 Note (1)]
Residential Accessory Uses [§ 34-622(c)(42)]
Signs, in accordance with Chapter 30 [§ 34-934 Note (1)]
Temporary Construction Trailer [§ 34-934 Note (1), § 34-3044]

Open Space / Recreation Areas
Uses permitted in § 34-983, except § 34-983(1)h. - Single-Family dwellings and their customary accessory uses
Entrance Gates and Gatehouses
Excavation
Water Retention [§ 34-1651] [does not include the removal of excavated material from the site]
Fences, Walls [§ 34-934 Note (1), § 34-1741 *et. seq.*]
Fishing Piers
Parking Lot
Accessory
Open Space
Recreational Facilities
Personal [§ 34-934 Note (1)]
Private - On-Site [§ 34-934 Note (1)]
Signs, in accordance with Chapter 30 [§ 34-934 Note (1)]

b. Site Development Regulations

Minimum Setbacks	
Streets	
Single-Family	20 feet
Zero Lot Line	20 feet
Two-Family Attached	20 feet
Community Facilities (Park)	15 feet
Residential Accessory Uses and Structures	20 feet
Side	
Single-Family	5 feet
Zero Lot Line	0 / 10 feet
Two-Family Attached	0 / 5 feet
Community Facilities	7.5 feet
Residential Accessory Uses and Structures	5 feet
Corner	
Single-Family	7.5 feet
Zero Lot Line	7.5 feet
Two-Family Attached	7.5 feet
Community Facilities	N/A

Residential Accessory Uses and Structures	7.5 feet
Rear	
Single-Family	15 feet
Zero Lot Line	15 feet
Two-Family Attached	15 feet
Community Facilities	20 feet
Residential Accessory Uses and Structures	5 feet
Water Body	
Single-Family	20 feet
Zero Lot Line	25 feet
Two-Family Attached	25 feet
Community Facilities	20 feet
Residential Accessory Uses and Structures	
Pools, Decks, Screen Enclosures	20 feet*
Docks, Ramps, Fishing Piers, Gazebos	0 feet*
* Unless Modified by Approved Deviations	
Minimum Lot Area	
Single-Family	6,254 sq. ft.
Zero Lot Line	5,500 sq. ft.
Two-Family Attached	3,750 sq. ft.
Community Facilities	N/A
Residential Accessory Uses and Structures	N/A
Minimum Lot Width	
Single-Family	50 feet
Zero Lot Line	50 feet
Two-Family Attached	40 feet
Community Facilities	N/A
Residential Accessory Uses and Structures	N/A
Maximum Building Height	35 feet

The Master Concept Plan must be in compliance with the property development standards set forth above.

3. The existing native trees within single-family residential lots along the northern project border must be retained and incorporated into the overall site design to the maximum extent possible. Native trees located outside of roads or lakes must remain intact and in good condition during construction of the infrastructure to the maximum extent possible. All retained trees must be adequately barricaded to discourage encroachment during construction activities.

4. To the extent possible, stormwater management structures, along the northern property line, should be designed and constructed to retain large native trees.

5. Prior to any development order approval, a gopher tortoise management plan (which includes a permanent relocation area in the southwestern corner of the property as designated on the MCP, the type of Florida Fish & Wildlife Conservation Commission permit to be acquired), must be submitted to and approved by the Lee County Division of Planning / Environmental Sciences Staff.

6. Prior to local development order approval, the plans must show the location of the bulkheads to confirm that no more than 30 percent of each lake shoreline consists of bulkhead or riprap. Lakes where bulkheads are proposed must be designed to provide one linear foot of compensatory littoral zone with an 8:1 slope for each linear foot of bulkhead. Land Development Code required littoral plants must be clustered within the 8:1 slope portion of the lake.

7. The development may not consist of more than 100 residential units.

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).

10. This development must comply with all of the requirements of the LDC at the time of local development order approval, except as may be granted by deviations approved as part of this planned development.

11. The access to Three Oaks Parkway is limited to a right-in/right-out only, provided adequate sight distances to the north and south are maintained for southbound vehicles on Three Oaks Parkway extension and for vehicles utilizing the Tucker easement or project's entranceway, and stop signs or appropriate traffic control devices are installed at the intersection of the Tucker easement and the project's entrance roadway.

12. Drainage outfall for the Colonial Lakes site will be to the eastern boundary of the project site and will tie into the 42-inch RCP proposed in the Three Oaks Parkway extension drainage plans. The Applicant will obtain the appropriate permits from the South Florida Water Management District, Lee County Development Services (the development order) and Lee County Department of Transportation (the right-of-way permit).

13. Blasting is prohibited in the development of this project.

B. <u>DEVIATIONS:</u>

1. Deviation 1 seeks relief from the LDC § 10-296 Table 4(7)(c)2 requirements to establish minimum specifications for local and access street wearing surfaces, to allow decorative pavers on private, internal roads within the development. The alternative design is

requested by the applicant for the private, internal streets in the development. This deviation is APPROVED, SUBJECT TO the condition that no portion of the decorative pavers are located in any public right-of-way.

2. Deviation 2 seeks relief from the LDC § 10-329(e)(4) requirement to provide that excavation bank slopes be no greater than four horizontal to 1 vertical (4:1). The Applicant proposes to allow a maximum of 30 percent bank slope on any lake edge to incorporate bulkheads and to conform to South Florida Water Management District permits. This deviation is APPROVED, SUBJECT TO Condition 6.

3. Deviation 3 seeks relief from the LDC § 34-2474(b)(6) requirement to provide that recreation halls and ancillary facilities be located at least 40 feet from any residential dwelling, to allow a minimum setback of 15 feet from any on-site residential dwelling. This deviation is APPROVED, SUBJECT TO the condition that any proposed buildings meet the required 40-foot minimum separation from any residential dwelling.

4. Deviation 4 seeks relief from the LDC § 10-421(a)(5) requirement to provide no trees in a required buffer area be located in any easement, to allow required shrubs in easements, provided that any plants removed shall be replaced with material of equal or greater size, and that development order plans reflect the locations of shrubs and any potentially affected utilities within the easement boundaries. This deviation is APPROVED, SUBJECT TO the condition outlined in this paragraph.

5. Deviation 5 seeks relief from the LDC § 34-2194(c)(3)b. requirement to provide a minimum 10-foot setback for a non-seawalled artificial body of water, to allow the construction of recreational/amenity structures at the lake control elevation. This deviation is APPROVED, SUBJECT TO the recreational or residential amenity structures limitations.

6. Deviation 6 seeks relief from the LDC § 10-355 requirement to provide a 10-foot-wide utility easement on both sides of a street, to allow the utility easement on one side only. This deviation is APPROVED, SUBJECT TO the applicant submitting letters of no objection from all serving utilities before issuance of any development orders on the subject property.

7. Deviation 7 seeks relief from the LDC § 10-285(a) requirement to provide a connection separation along arterial streets of 660 feet, to allow a connection separation of 312 feet from the fire station proposed access point for the proposed southern right-in/right-out access point on the proposed Three Oaks Parkway extension. This deviation is APPROVED.

8. Deviation 8 seeks relief from the LDC § 10-285 requirement to provide a connection separation along collector streets of 330 feet, to allow a connection separation of 76 feet for the existing Horne Lane access point on River Ranch Road from Block Lane, and to allow a connection separation of 188 feet for the separation from Horne Lane access point on River Ranch Road from Road Runner Court. This deviation is APPROVED.

9. Deviation 9 seeks relief from the LDC §10-416(d)(6) requirement to provide a wall when a

roadway is constructed within 125 feet of residential lots, to allow a modified Type "F" buffer, instead of a wall. The modified Type "F" buffer shall include 10 trees per 100 linear feet, and a double hedge row. The hedge row will be installed at 24 inches (of height) and must be maintained at 60 inches (of height) within three years of installation. Further, the modified Type "F" buffer is reduced in width from 30 feet to 15 feet, measured to back of curb, and the required plants may be provided as allowed in Deviation 4 above. This deviation is APPROVED, SUBJECT TO the conditions outlined in this paragraph.

10. Deviation 10 seeks relief from the LDC §10-418(a)(1) requirements to provide the shorelines of stormwater ponds be sinuous in configuration to provide increased length and diversity of littoral zone, to allow the stormwater pond to be constructed as reflected on the Master Concept Plan. This deviation is APPROVED, SUBJECT TO the following conditions:

    a. The slope of the littoral shelf shall not be a consistent slope, and shall range between 6:1 and 4:1; and

    b. The minimum number of required wetland herbaceous plants is two plants per linear foot of lake; and

    c. Between 50 and 75 percent of the required wetland herbaceous plants shall be converted to trees, with one 10-foot-tall or two 5-foot-tall or three 3-foot-tall trees being equivalent to 10 herbaceous plants; and

    d. Required plant material shall be planted in clusters to visually break up the lake edge; and

    e. A wetland or upland area shall be retained in the western 0.25 acres of the lake (as depicted as aqua scape on the Master Concept Plan) to provide alternative habitat and increased water quality. The required herbaceous littoral plantings may be placed within this area, provided it is not constructed as an upland area.

11. Deviation 11 seeks relief from the LDC §10-285(b) requirement to provide a 100-foot separation between an access road and a public roadway, to allow that 20-foot-wide easement (Tucker easement) to remain at its present location adjacent to Three Oaks Parkway extension, and intersecting with the project's entrance roadway. This deviation is APPROVED, SUBJECT TO adequate sight distances north and south of the intersection are maintained, and stop signs or other appropriate traffic control devices are installed at the intersection of the Tucker easement and the project's entrance roadway.

SECTION C. EXHIBITS

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

Exhibit A: The legal description and STRAP number of the property.
Exhibit B: Zoning Map (subject parcel identified with crosshatching)
Exhibit C: Master Concept Plan

SECTION D. FINDINGS AND CONCLUSIONS:

1. The applicant has proven entitlement to the amendment by demonstrating compliance with the Lee Plan, the LDC, and any other applicable code or regulation.

2. The amendment, as approved:

   a. meets or exceeds all 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 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 amendment satisfies the following criteria:

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

   b. The recommended conditions will be compatible with the existing and planned uses will protect the health, safety and welfare of the residents of that community.

   c. The recommended conditions to the Master Concept Plan are reasonably related to the impacts anticipated from the proposed development, and, with other regulations, will provide sufficient safeguar to the public interest.

4. Urban services, as defined in the Lee Plan, are, or 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.

6. Blasting is inconsistent with the Lee Plan and incompatible due to proximity of homes in the neighborhood.

7. Preservation of gopher tortoise habitat through a permanent tortoise relocation is necessary to comply with the Lee Plan.

The foregoing resolution was adopted by the Lee County Board of Commissioners upon the motion of Commissioner Andrew W. Coy, seconded by Commissioner Ray Judah and, upon being 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 17th day of September, 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
SEP 20 2001
MINUTES OFFICE

EXHIBIT "A"
Legal Description

PARCEL IN
SECTION 34, TOWNSHIP 46 SOUTH, RANGE 25 EAST

A TRACT OR PARCEL OF LAND LYING IN SECTION 34, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, BEING ALL OF LOT 29, BLOCK C, AND PARTS OF LOTS 27, 28 & 30, BLOCK C OF FLORIDA GULF LAND COMPANY SUBDIVISION AS RECORDED IN PLAT BOOK 1 AT PAGE 59 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, AND A PARCEL OF LAND DESCRIBED IN OFFICIAL RECORD BOOK 2110 AT PAGE 3255 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, WHICH TRACT OR PARCEL IS FURTHER DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 34, TOWNSHIP 46 SOUTH, RANGE 25 EAST; THENCE N 00°09'04" W ALONG THE EAST LINE OF SAID SECTION 34 FOR 1321.02 FEET TO THE SOUTHEAST CORNER OF SAID LOT 29, BLOCK C, OF FLORIDA GULF LAND COMPANY SUBDIVISION AND THE POINT OF BEGINNING; THENCE N 89°39'36" W ALONG THE SOUTH LINE OF LOTS 29, 28, & 27, BLOCK C OF FLORIDA GULF LAND COMPANY SUBDIVISION FOR 1988.54 FEET TO THE SOUTHWEST CORNER OF SAID LOT 27, BLOCK C; THENCE N 00°31'25" W ALONG THE WEST LINE OF SAID LOT 27, BLOCK C FOR 713.80 FEET TO THE NORTHWEST CORNER OF THE SAID PARCEL OF LAND AS RECORDED IN OFFICIAL RECORD BOOK 2110 AT PAGE 3255; THENCE S 89°38'37" E ALONG THE NORTH LINE OF SAID PARCEL OF LAND AS RECORDED IN OFFICIAL RECORD BOOK 2110 AT PAGE 3255 AND THE SOUTH LINE OF SPRING RIDGE SUBDIVISION AS RECORDED IN PLAT BOOK 42 AT PAGES 54 & 55, FOR 664.38 FEET TO THE NORTHEAST CORNER OF SAID PARCEL OF LAND AS RECORDED IN OFFICIAL RECORD BOOK 2110 AT PAGE 3255 AND THE SOUTHEAST CORNER OF SPRING RIDGE SUBDIVISION; THENCE S 00°23'59" E ALONG THE EAST LINE OF SAID PARCEL OF LAND AS RECORDED IN OFFICIAL RECORD BOOK 2110 AT PAGE 3255 AND THE WEST LINE OF A PARCEL OF LAND RECORDED IN OFFICIAL RECORD BOOK 1032 AT PAGE 1861 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, FOR 126.59 FEET; THENCE N 86°45'18" E ALONG THE SOUTH LINE OF SAID PARCEL RECORDED IN OFFICIAL RECORD BOOK 1032 AT PAGE 1861 FOR 165.20 FEET; THENCE N 88°16'42" E ALONG THE SOUTH LINE OF PARCELS RECORDED IN OFFICIAL RECORD BOOK 1457 AT PAGE 1713 AND OFFICIAL RECORD BOOK 1457 AT PAGE 1714 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, FOR 953.54 FEET; THENCE S 34°51'12" E ALONG THE WESTERLY LINE OF A PARCEL OF LAND RECORDED IN OFFICIAL RECORD BOOK 1480 AT PAGE 1923 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, FOR 368.95 FEET TO THE NORTHEAST CORNER OF SAID LOT 29, BLOCK C OF FLORIDA GULF LAND COMPANY SUBDIVISION; THENCE S 00°09'04" E ALONG THE EAST LINE OF SAID LOT 29, BLOCK C, FOR 330.08 FEET TO THE POINT OF BEGINNING.
CONTAINING 28.86 ACRES, MORE OR LESS

The applicant has indicated that the STRAP number for the subject property is: 34-46-25-01-0000C.0270

ZONING MAP

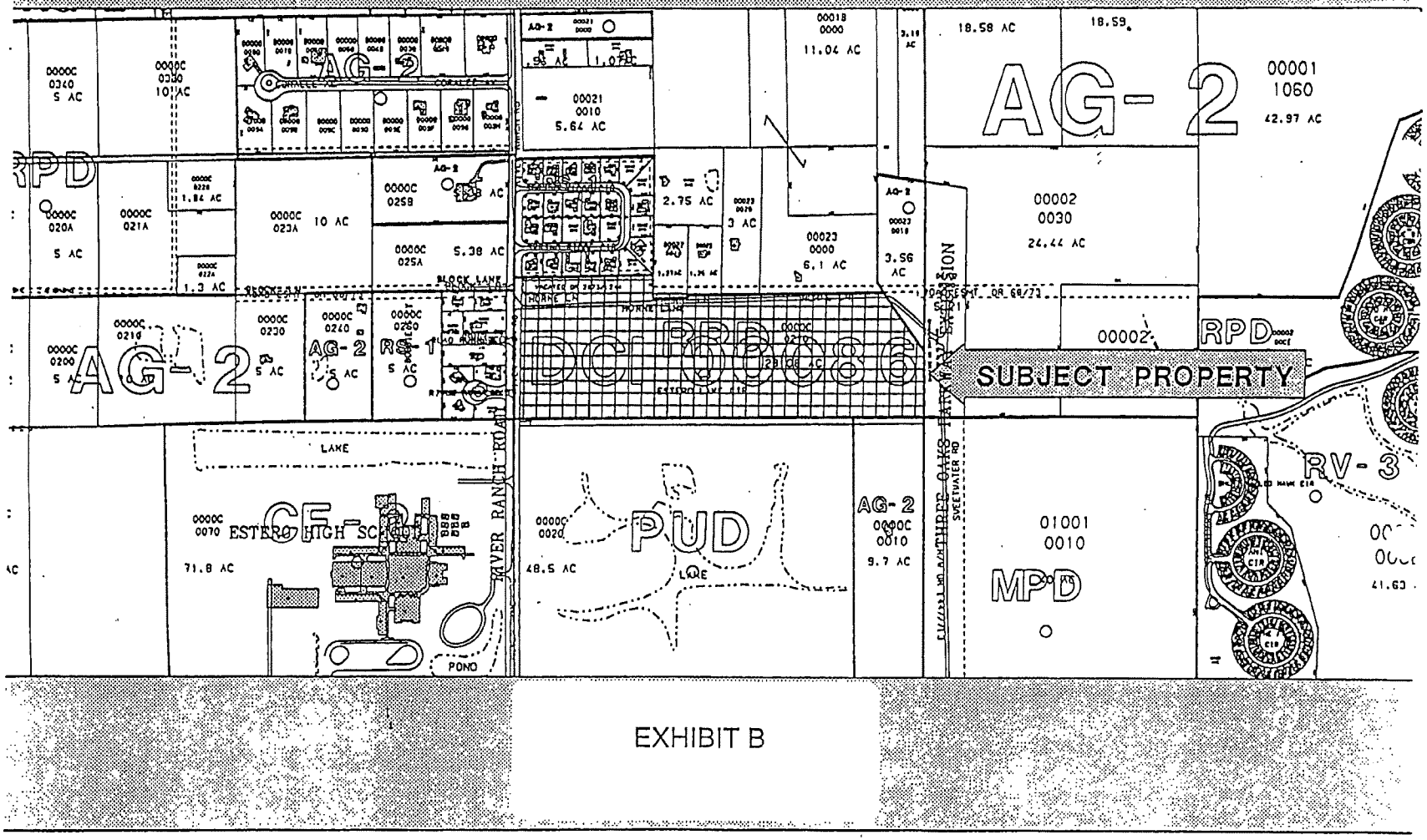
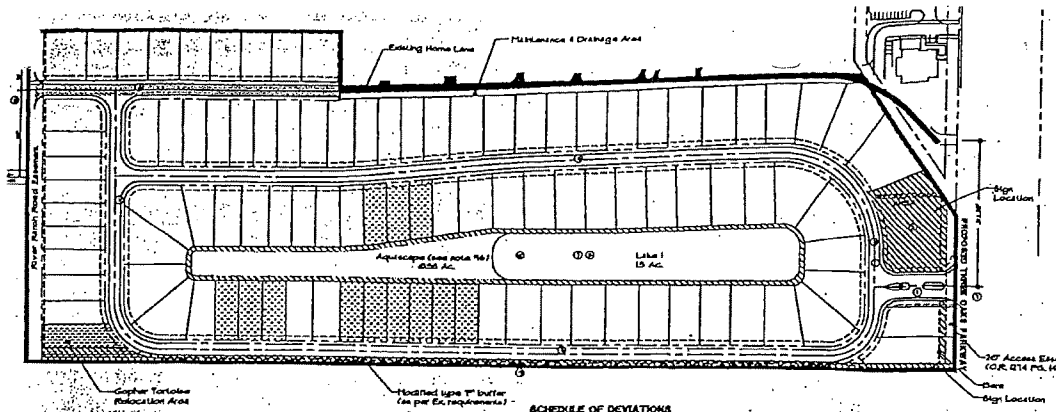


EXHIBIT B



PROJECT SUMMARY

Project Area:	+- 38.6 Acres
Required Open Space:	4.4 Acres (11.5 Ac. x .4 = As per Section 10-415(a))
Min. Preserve Indigenous Vegetation:	0 Ac. - No Indigenous Exists (As per Section 10-416(b))
Open Space Provided:	4.78 Ac.

SURROUNDING ZONING AND LAND USES

Zoned:	EXISTING LAND USES:	
North:	RS-1, AG-1	Single Family, Vacant
South:	AG-2, PUD	Approve Residential and Existing Agriculture
East:	AG-2	Proposed Three Oaks Parkway Extension
West:	RS-1, CPD	Single Family, Estero High School, River Ranch Road

LAND USE AND DEVELOPMENT PROGRAM SUMMARY

PARCEL	AREA (+/-)	PERMITTED USES (Ch. 34)	DEVELOPMENT PROGRAM	
			Density	Notes
Residential	34.2 +/- Acres	Residential Uses as specified in Ch. 34 of Permitted Uses.	164 Units	Proposed density is not above the permitted residential density of 6 dwelling units per gross acre - as permitted by the Suburban land use category.
Recreational Area	1 Ac.	Recreational uses specified in the list of Permitted Uses.	Not Applicable	The proposed recreational uses are intended for the residents and guests of the Colonial Lakes development. Typical uses including tennis courts, pools, lake and parking are proposed.
Roads	4.8 +/- Ac.	Not Applicable	Not Applicable	
Lakes	2.8 Ac.	All open space uses	Not Applicable	May also be in Recreational Area
Common Area	5.8 +/- Ac.	All Open Space Uses	Not Applicable	Includes buffers and common areas
TOTAL	38.6 Ac.			

PROPERTY DEVELOPMENT REGULATIONS

LAND USE	MIN. LOT AREA SQ. FT.	MIN. LOT WIDTH	MIN. LOT DEPTH	MAX. LOT COVERAGE	SETBACKS (1) Front	Side	Corner	Rear	Water	MAX. HT/STU	STORIES	MIN. LIVING AREA
RESIDENTIAL:												
Single Family	6,250	50	80	45%	20	5	15	25	20	35	2	1
Zero Lot Line	5,000	40	80	45%	20	0/10	15	25	20	35	2	1
Two Family Attached	7,500	60	80	45%	20	0/5	15	25	20	35	2	1
COMMUNITY FACILITIES												
Recreational Area	N/A	N/A	0	45%	0	10	N/A	20	20	35	1	N/A
ACCESSORY STRUCTURES (RESIDENTIAL)												
Pools, Decks, Screen Enclosures	N/A	N/A	20	N/A	20	5	5	5	20'	N/A	N/A	N/A
Docks, Ramps, Piers, Gazebos	N/A	N/A	20	N/A	20	0	0	0	0'	N/A	N/A	N/A

Note: (1) Setbacks unless otherwise established by approved deviations.

Up to 50% of all residential lots will include open spaces for zero lot line, open space requirements.

OPEN SPACE TABLE

LAND USE	SFC NUMBER	REQUIRED OPEN SPACE	OPEN SPACE SQ FEET PROVIDED
RESIDENTIAL (Single Family)	10	50% = 8.72	50% = 8.72
RESIDENTIAL (Zero Lot Line)	7.51	40% = 13.36	40% = 13.36
RESIDENTIAL (Duplex)	8.10	40% = 12.96	40% = 12.96
RECREATIONAL	7.00	40% = 2.80	40% (2.80 Ac.) = 2.80
ROAD RIGHT-OF-WAY	0.0	0.00 - 0.00	0.00 - 0.00
TOTAL		38.6 Ac.	4.78 Ac.

+- 38.6 Ac. x 40% = 15.44 Ac. - 10.66 Ac. (Lakes) = 4.78 Ac.

+- 38.6 Ac. x 50% = 19.3 Ac. - 10.66 Ac. (Lakes) = 8.64 Ac.

Note: 50% of residential lots will include open spaces for zero lot line, open space requirements.

SCHEDULE OF DEVIATIONS

1. Deviation from LDC Section 10-296 Table 4(A)(2) which establishes minimum specifications for street wearing surfaces, to allow decorative pavers on private, internal roads within the development, provided that no portion of the decorative pavers be located in any public right-of-way. No Exhibit required.
2. Deviation from LDC Section 10-329(E)(4) which requires that excavation bank slopes be no greater than 4:1, to allow the project to conform to SFWMD permits. The intent of this deviation is to allow a minimum of 30% of any lake edge to incorporate bulkheads. No Exhibit required.
3. Deviation from LDC Section 34-1474(b)(2)a.1 which requires that recreation centers and ancillary facilities be located at least 60 feet away from any residential dwelling units, to allow a minimum setback of 15 feet from any on-site residential unit, provided that buildings meet the required 40-foot minimum separation from any residential dwelling.
4. Deviation from LDC Section 10-416(d)(7) that requires that no portion of a buffer area that consists of trees and shrubs be located in any easements to allow planted buffers in easements, provided that any plants removed shall be replaced with material of equal or greater size, and that the development order plans reflect the locations of the shrubs and any potentially affected utilities within the easement boundaries.
5. Deviation from LDC Section 34-2154(a)(3)a. which requires a 50 foot setback for non-residential ancillary bodies of water. This deviation would eliminate the setback to allow recreational/amenity structures to be placed at the lake's control elevation.
6. Deviation from LDC Section 10-354 that requires a 10' public utility easement on both sides of a roadway to allow the public utility easement on one side only.
7. Deviation from LDC Section 10-285(a) that requires the connection of streets with arterial facilities to have a minimum centerline separation of 660', to allow for a separation of 30' to the proposed southern "right in/right out" access point on Three Oaks Parkway Extension into the Fire Station.
8. Deviation from LDC Section 10-285(a) that requires the connection of streets with collector facilities to have a minimum centerline separation of 330', to allow for a separation of 16' from the existing Home Lane access point on River Ranch Road to Block Road, and 155' from Home Lane to Road Runner.
9. Deviation from LDC Section 10-612(2)a) which requires a wall when a roadway is constructed within 25' of residential lots, to allow a modified type 'F' buffer, instead of a wall, as per HEX recommendation.
10. Deviation to seek relief from the LDC § 10-418(2)(b) requirement, for the addition of stormwater ponds to be shown in construction to provide increased length and diversity of littoral zone, to allow the as-constructed pond to be constructed as reflected on the Master Concept Plan.

SCHEDULE OF USES

RESIDENTIAL

- Accessory Uses and Structures
- Dwelling Units
  - Single Family
  - Zero Lot Line
  - Two Family Attached
- Entrance Gates and Gatehouses
- Essential Services, Group I
- Excavation - Water Retention (not to include the removal of excavated material from the site)
- Fences, Walls
- Home Occupation
- Model Home, Unit 4 Display Center
- Recreational Facilities, Personal
  - Private (on-site)
- Residential Accessory Uses
- Signs (as per Chapter 30)
- Temporary Construction Trailer
- Temporary Sales Center

RECREATIONAL AREA

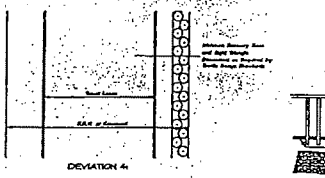
- All uses permitted in Section 34-983 (except single family uses)
- Entrance Gates and Gatehouses
- Fences, Walls
- Excavation, water retention (not to include the removal of excavated material from the site)
- Parking Lot, Ancillary
- Open Space
- Recreational Facilities, Personal
  - Private (on-site)
  - Buildings ancillary to Recreational Facilities
- Signs (as per Chapter 30)

STRAP NUMBERS

34-46-25-00-00002.0010

SITE DEVELOPMENT NOTES

1. This is a request for a rezoning from RPD to RPD. The Land use category is Suburban, and the property is currently vacant.
2. The total Residential unit count may not exceed 164 units. The gross density is within the permitted density of the Suburban land use category.
3. The proposed access to Three Oaks Parkway is a right in/right out only road, and has been designed in cooperation with the Estero Fire District.
4. This site has previously been cleared for agricultural purposes. No indigenous vegetation exists on site and therefore, as per LDC Section 10-416(b) there is no requirement for indigenous vegetation preservation.
5. The house to the north of the subject property will continue to have access to River Ranch Road through Home Lane. Alternative access is also accommodated in conjunction with the signalized intersection at the Three Oaks Fire Station.
6. This master concept plan is general in nature and may be modified to reflect environmental conditions, easements, utilities and changes in market. All acreages are approximate and subject to slight adjustment.
7. The project berrers shall meet or exceed the requirements set forth in Section 10-416.
8. All exotic vegetation shall be removed from the development area according to a removal schedule established as part of the Development Order. The site shall be maintained free of exotics in perpetuity.
9. All uses will conform to the off street parking regulations in Section 34-3020 of the LDC.
10. With the exception of private driveways, all internal street connections shall be spaced according to Section 10-285(a)1. Access road intersection spacing shall be a minimum of 660'.
11. Drainage will be accommodated through the use of swales and/or retention areas. The location of a lake or pond may be refined without amending the MCP based on detailed site engineering and compliance with all setback requirements set forth herein.
12. Maximum lot coverage is limited to 45%.
13. Up to 50% of all residential lots will include open spaces to meet open space requirements.
14. All but 1.1 acres of the total residential area will be developed as lots greater than 6,500 sq. ft. The lots greater than 6,500 sq. ft. will not generate an open space requirement.
15. At development order the appropriate traffic control devices will be provided at the intersection of the Three Oaks Parkway entry and the adjacent easement.
16. Aquascape, referred as a vegetated area adjacent to or connecting water quality lakes that will store water during the wet season and may be dry during the dry season.
17. The easiest section of Home Lane will act as the base along the north side of the property as shown on the Master Concept Plan.
18. The gopher tortoise relocation area is marked on the MCP at the lot in the south west corner of the site in an area that will be maintained for gopher tortoises as conditioned in the zoning resolution.
19. Home Lane will continue to provide access to River Ranch Road through the northeast corner of Colonial Lakes where it will be paved as shown. Other than the parking as shown, access to Home Lane by adjacent parcels will remain unchanged.



LEGEND

- Illustrates the only lots that do not exceed 6,500 square feet, and are therefore required to provide open space. The area is 1.1 acres, and requires 0.8 acres of open space.
- Illustrates the common open space provided within the proposed development.
- Illustrates existing Home Lane.
- Illustrates Home Lane to be paved.
- Bore
- Property Boundary

SCALE: 1" = 100'

APPROVED
Master Concept Plan
Site Plan dated 01-01-01
Page 1 of 1
Subject to conditions in Resolution Z-01-017
Zoning Case Number

RECEIVED
JUN 27 2001
COMMUNITY DEVELOPMENT

#	DATE	BY	REVISIONS
1	3-16-01	DRC	REVISED ZONING CONCEPT PLAN
2	3-23-01	DRC	REVISED ZONING CONCEPT PLAN
3	4-13-01	DRC	REVISED ZONING CONCEPT PLAN
4	4-23-01	DRC	REVISED ZONING CONCEPT PLAN

DRAWN: JMA
CHECKED: DRC
APPROVED: DRC
SCALE: 1" = 100'
DATE: 1-11-01

VANASSE & DAYLOR, LLP
ENGINEERS • PLANNERS • SURVEYORS
12730 New Brittany Blvd.
Fort Myers, FL 33907
Phone: (941) 768-0600
Fax: (941) 768-0344

COLONIAL HOMES
4578 BRITTANY DR.
FT. MYERS, FL 33912

RIVER RANCH ROAD
LEE COUNTY, FL

COLONIAL LAKES - ZONING CONCEPT PLAN
EXHIBIT N-4, N-5 & N-6

Project No. 2010.1
DCI 2000100086

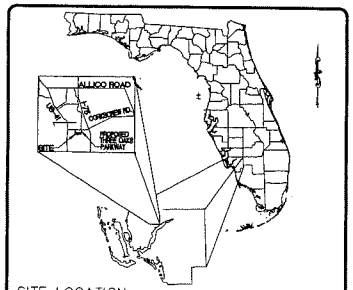
CONSTRUCTION SITE PLANS

FOR

COLONIAL LAKES

SECTION 34, TWP 46S, RGE 25E
LEE COUNTY, FLORIDA
for

COLONIAL HOMES
12631 WESTLINKS DRIVE UNIT 1
FORT MYERS, FLORIDA 33913
(941) 561-6666

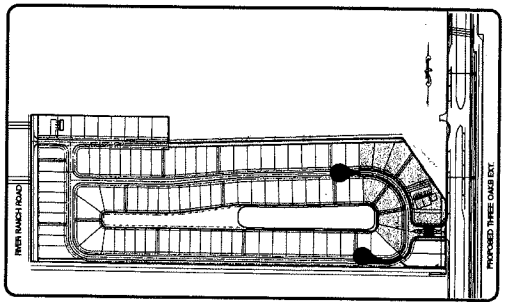


SITE LOCATION
LEE COUNTY
SECTION 34
TOWNSHIP 46 S
RANGE 25 E

LOCATION MAP

DRAWING INDEX

1) COVER SHEET
2) GENERAL NOTES AND LEGEND
3) MASTER GRADING, PAVING, AND DRAINAGE PLAN
4) MASTER UTILITY PLAN
5) STRIPING PLAN
⚠ 5A) MASTER PHASING PLAN
6) PLAN AND PROFILE INDEX
7-10) COLONIAL WALK NORTH AND SOUTH PLAN AND PROFILE STA. 0+00 TO STA. 41+00
11) HORNE LANE PLAN AND PROFILE STA. 0+00 TO STA. 7+00
12) COLONIAL POINT PLAN AND PROFILE STA. 0+00 TO STA. 3+00
13-14) MASTER PAVING, GRADING AND DRAINAGE DETAILS
15) SEWER DETAILS
16) WATER DETAILS



SITE MAP

VEGETATION PERMIT REQUIRED PRIOR TO ANY SITE WORK
Protective barricades must be constructed and inspected prior to permit issuance. Please contact Division of Planning - Environmental Sciences Program (941) 479-8585.

PLEASE NOTE:
Final Development Order does not confer approval for signage

REMOVAL OF EXCAVATED FILL MATERIAL FROM THE SITE IS NOT AUTHORIZED

UTILITY PERMIT REQUIRED
Plan is not approved for location or placement of utilities. All work in county rights-of-way and easements must be permitted prior to commencing work.

Development Order
Number DOS2001-00093
Approved on 10/11/01
Slips: Yes
CNC2001-01291
Reviewer Signature
Division of Development Services Section

DOS 2001-00093
RECEIVED
SEP 24 2001
Dup 10-03-01
COMMUNITY DEVELOPMENT

Development Order Approval does not guarantee that the plans will not be required to meet subsequent changes in state or federal law. Nor does it relieve the applicant of the responsibility to comply with all other applicable laws and regulations.

HENRY J. HARDMAN
FL. PE # 56099
9/19/01

No.	Date	Revision
1	7-01	REVISIONS PER COUNTY COMMENTS

Community Engineering Services, Inc
9200 Bonita Beach Road — Bonita Springs, Florida 34135
(941) 495-0009
EB-0005813

EXHIBIT E

LEGEND

- STORM BOX
- JUNCTION BOX
- END SECTION
- SHEET FLOW
- SWALE
- SANITARY SEWER CLEAN OUT
- SANITARY SEWER MANHOLE
- SANITARY LIFT STATION
- SINGLE SEWER SERVICE
- DOUBLE SEWER SERVICE
- GATE VALVE
- FIRE HYDRANT ASSEMBLY
- 90° BEND
- 45° BEND
- 22 1/2° BEND
- 11 1/4° BEND
- TEE FL
- VERTICAL BEND
- SINGLE WATER SERVICE
- DOUBLE WATER SERVICE
- HIGH POINT (HP)
- LOW POINT (LP)
- STRUCTURE LABEL (VG #)
- LOT NUMBER (#)
- EXIST. STRUCTURE LABEL (S/S)
- TEMPORARY MAIN END/BLOW OFF
- BRICK PAVERS
- BIKE PATH
- HANDICAP
- STRAIGHT ARROW
- RIGHT TURN ARROW
- LEFT STRAIGHT ARROW
- RIGHT STRAIGHT ARROW
- LANE MARKER
- LANE MARKER
- TWO WAY LEFT ARROW
- LEFT STRAIGHT RIGHT ARROW
- LEFT RIGHT ARROW
- LEFT TURN ARROW
- STOP SIGN AND STOP BAR
- FLAG NOTE (XX / XX)
- PROPOSED ELEVATION (XXX)
- PROPOSED ELEVATIONS BY OTHERS (XXX)
- EXISTING ELEVATIONS
- PHASE 1
- BENCH MARK
- LARGE TORTOISE PRESERVE
- MINIMIZED TORTOISE PRESERVE

ABBREVIATIONS

DE	DRAINAGE EASEMENT	LS	LIFT STATION
DAE	DRAINAGE AND ACCESS EASEMENT	CI	CURB INLET
LME	LAKE MAINTENANCE EASEMENT	FI	FIELD INLET
LBE	LANDSCAPE BUFFER EASEMENT	PUE	PUBLIC UTILITY EASEMENT
UE	UTILITY EASEMENT	ROW	RIGHT-OF-WAY
IE	INVERT ELEVATION	HP	HIGH POINT
CB	CATCH BASIN	LP	LOW POINT
JB	JUNCTION BOX	EL	ELEVATION
FM	FORCE MAIN	MES	MITERED END SECTION
WM	WATER MAIN	FES	FLARED END SECTION
RCP	REINFORCED CONCRETE PIPE	ES	END SECTION
PVC	POLYVINYL CHLORIDE PIPE	MH	MANHOLE
AARV	AUTOMATIC AIR RELEASE VALVE	CL	CENTER LINE
MARV	MANUAL AIR RELEASE VALVE	BL	BASE LINE
CS	CONTROL STRUCTURE	PL	PROPERTY LINE
VI	VALLEY INLET	LF	LINEAR FEET
CIR	CIRCULAR	FH	FIRE HYDRANT ASSEMBLY
ELIP	ELLIPTICAL	MJ	MECHANICAL JOINT
BM	BENCH MARK	NGVD	NATIONAL GEODETIC VERTICAL DATUM
N	NORTH	VPI	VERTICAL POINT OF INTERSECTION
S	SOUTH	STA	STATION
E	EAST	PI	PARKING INLET
W	WEST	RPM	REFLECTIVE PAVEMENT MARKER
		VG	VALLEY GUTTER
		M	MODEL
		FM	FUTURE MODEL

LAND USE

OPEN SPACE	1.9 AC.
R.O.W.	4.9 AC.
LAKE	1.5 AC.
AQUA SCAPE	0.97 AC.
RESIDENTIAL	19.6 AC.

MINIMUM LOT SETBACKS

FRONT	25'
BACK TO MAIN STRUCTURE	20'
SIDES	5' (50' WIDE LOTS) 6' (65' WIDE LOTS)

⚠ SURROUNDING ZONING AND LAND USES

ZONING	EXISTING LAND USE
NORTH – RS-1, AG-2 SOUTH – AG-2, PUD EAST – AG-2 WEST – RS-1, CFPD	NORTH – S.F. VACANT SOUTH – APPROVE RESIDENTIAL AND EXISTING AGRICULTURE EAST – PROPOSED THREE OAKS PARKWAY EXTENTION WEST – SINGLE FAMILY, ESTERO HIGH SCHOOL, RIVER RANCH ROAD

UTILITIES TO SERVE PROJECT

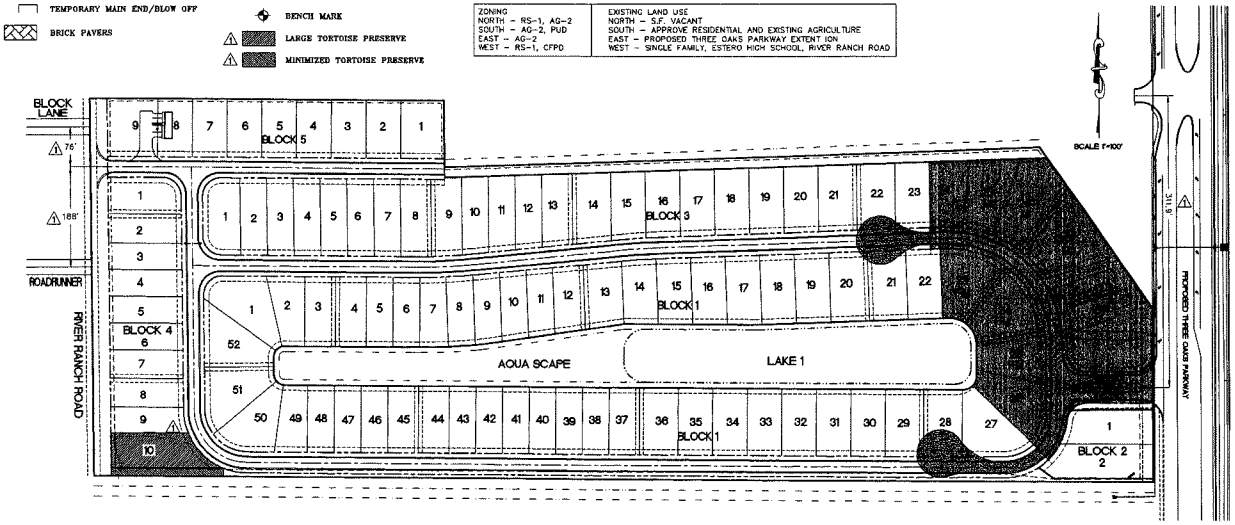
FLORIDA POWER & LIGHT
15834 WINKLER ROAD
FT. MYERS, FL 33908
(941)332-9294

SPRINT FLORIDA, INC.
P.O. BOX 370
FT. MYERS, FL 33902
(941)336-2014

GULF ENVIRONMENTAL SERVICES
19910 S. TAMIAMI TRAIL
FT. MYERS, FL 33908
(941)498-1000

MEDIA ONE
26880 OLD US 41 RD.
BONITA SPRINGS, FL 34135
(941)793-3577

FLORIDA RECYCLING
2465 HIGHLAND AV.
FT. MYERS, FL 33916
(941)332-8500



GENERAL NOTES:

1) COLONIAL LAKES IS ZONED RPD.
2) AVERAGE WET SEASON WATER TABLE IS 12.5' NGVD 1929 (CONTROL ELEVATION).
3) THIS SITE IS SITUATED IN FLOOD ZONE "B", HAVING NO BASE FLOOD ELEVATION, PER THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP #125124 0475 B, NOT PRINTED
⚠ 4) ALL ELEVATIONS ARE BASED ON N.G.V.D. OF 1929.
5) MINIMUM PERIMETER BERM ELEVATION IS (15.50')
(25 YEAR – 3 DAY STORM EVENT) EL.=15.5
6) MINIMUM ROAD ELEVATION IS (15.00' NGVD 1928.)
(5 YEAR – 1 DAY STORM EVENT) EL.=14.3
7) MINIMUM FINISHED FLOOR ELEVATION IS (16.50' NGVD 1929.)
(100 YEAR – 3 DAY STORM EVENT)
⚠ 8) MAXIMUM BUILDING HEIGHT IS 35 FEET ABOVE FINISH GRADE.
9) SITE IS SAFE FOR BUILDING PURPOSES BASED ON REVIEW OF FEMA FLOOD MAPS AND U.S.D.S. SOIL MAP FOR LEE COUNTY, HOWEVER NO SUBSOIL TESTING HAS BEEN PERFORMED.
10) THERE ARE NO COASTAL SETBACK LINES.
11) PROJECT SHOULD NOT CAUSE ADVERSE IMPACTS TO GROUND AND SURFACE WATER.
12) ALL LANDSCAPING PER LEE COUNTY LAND DEVELOPMENT CODE STANDARD.
13) WATER AND SEWER LINE CONSTRUCTION TO BE PERFORMED TO GULF ENVIRONMENTAL SERVICES, INC. SPECIFICATIONS.
14) ALL INVASIVE EXOTICS SHALL BE REMOVED FROM SITE AS SPECIFIED IN LEE COUNTY LDC SECTION 10-420(f) AND SHALL BE MAINTAINED FREE OF INVASIVE EXOTICS IN PERPETUITY. EXOTIC AND NUISANCE SPECIES WOULD BE SELECTIVELY REMOVED. MELALEUCA WOULD BE KILLED IN PLACE AND TREATED WITH AN APPROVED HERBICIDE. (SEE TABLE BELOW)
15) ALL CONSTRUCTION METHODS AND MATERIALS TO MEET LEE COUNTY LDC STANDARDS AND SPECIFICATIONS AND F.D.O.T. STANDARD SPECIFICATIONS FOR ROAD CONSTRUCTION.
16) CONTRACTOR IS TO COORDINATE WITH ENGINEER, DEVELOPER AND UTILITY CO FOR LOCATIONS, TYPES AND SIZES OF EXISTING UNDERGROUND UTILITIES (PRIOR TO CONSTRUCTION)
17) ALL OPEN SPACE AREAS SHALL BE SODDED OR SEEDED AND MULCHED.
18) ALL ROADWAY CONSTRUCTION MATERIALS AND METHODS SHALL BE IN ACCORDANCE WITH ALL APPLICABLE LEE COUNTY LAND DEVELOPMENT CODE AND F.D.O.T. STANDARDS & SPECIFICATION.
19) IT IS THE CONTRACTORS RESPONSIBILITY TO REPLACE ANY EXISTING LANDSCAPING (I.E. SOD, BUSHES, TREES, ETC.) AND/OR SPRINKLER PIPE, SPRINKLER HEADS OR OTHER UTILITIES OR PIPES DAMAGED OR REMOVED DURING CONSTRUCTION SHALL BE REPAIRED AND/OR REPLACED AT CONTRACTORS EXPENSE.
20) IT IS THE CONTRACTORS RESPONSIBILITY TO FIELD LOCATE AND VERIFY ANY EXISTING UTILITIES.
21) ALL WATER MAINS IN UNPAVED AREAS SHALL BE AWWA C-900 DR18 CLASS 150 PVC AND IN PAVED AREAS OR CONFLICT CROSSINGS AWWA C900 CLASS 200 DR14 PVC (COLOR TO BE BLUE).
22) ALL GRAVITY SEWER LINES SHALL BE ASTM D3034 SDR 26 PVC.
23) ALL CONDUITS REQUIRED FOR UTILITY INSTALLED PRIOR TO STREET/PAVEMENT CONSTRUCTION.
24) ALL DUMPSTER AREA CONSTRUCTION TO BE IN ACCORDANCE WITH APPLICABLE LEE COUNTY L.D.C. STANDARDS.
25) A BLUE REFLECTOR IS REQUIRED AT THE ROAD CENTERLINE OPPOSITE OF EACH FIRE HYDRANT.
26) ALL ROADS ARE TO BE PRIVATELY OWNED.
27) PROPOSED MODEL LOTS: BLOCK 3 – 25, 26, 27
PROPOSED FUTURE MODEL LOTS: BLOCK 1 – 23, 24, 25
⚠ 28) MAXIMUM NUMBER OF DWELLING UNITS IS 100.

SPECIES TO BE REMOVED

COMMON NAME	SCIENTIFIC NAME
MELALEUCA, PAPER TREE	MELALEUCA QUINQUENERVIA
BRAZILIAN PEPPER, FLORIDA HOLLY	SCHINUS TEREBINTHIFOLIUS
AUSTRALIAN PINES	ALL CASUARINA SPECIES
EARLEAF ACACIA	ACACIA AURICULIFORMIS
DOWNY ROSEMYRTLE	RHODOMYRTUS TOMENTOSUS
TROPICAL SODA APPLE	SOLANUM VIARUM

PLAN AND PROFILE GENERAL NOTES:

CLEARANCE – WHEN THE MINIMUM 18" SEPARATION CAN NOT BE MAINTAINED CLASS 200 AWWA C-900 PVC SHALL BE REQUIRED FOR A MINIMUM DISTANCE OF 10 FEET EACH SIDE OF THE CROSSING WITH ADDITIONAL BEDDING REQUIREMENT PER GULF ENVIRONMENTAL SERVICES AND LEE COUNTY L.D.C.
A MINIMUM OF 10' HORIZONTAL SEPARATION SHALL BE MAINTAINED BETWEEN WATERMAIN AND FORCEMAIN, SANITARY SEWER, EFFLUENT, STORM DRAIN.

DEFLECTION – DEFLECTION OF POTABLE, EFFLUENT AND FORCE MAIN LINES SHALL NOT EXCEED 80% OF MANUFACTURER'S RECOMMENDED MAXIMUM DEFLECTION.
ALL VERTICAL MAIN DEFLECTIONS SHALL BE CLASS 200 AWWA C-900 PVC FOR A MINIMUM DISTANCE OF 10' EACH SIDE OF CONFLICT.
ALL VERTICAL MAIN DEFLECTIONS SHALL CONSIST OF 45° MJ RESTRAINED BENDS.

ALIGNMENT – FITTINGS SHALL BE USED TO MAINTAIN PLAN ALIGNMENT WITHIN 15" OF PLAN CENTERLINE OF MAIN. CONTRACTOR SHALL PREPARE RECORD DRAWINGS OF ALL FITTINGS NOT SHOWN ON THIS PLAN.

CONDUITS – ALL UTILITY CONDUITS (I.E. POTABLE, POWER, CATV, ETC.) SHALL EXTEND A MINIMUM OF 5 FEET BEYOND SIDEWALK OR OTHER IMPROVEMENT AND CAPPED AND MARKED IN ACCORDANCE WITH GULF ENVIRONMENTAL SERVICES AND LEE COUNTY L.D.C.

LDC
OCT 11 2001
APPROVED HENRY J. HARDMAN
FL. PE # 56099

date 2-00
drawn JWH
file name: SHEET-2
job COL. LAKES

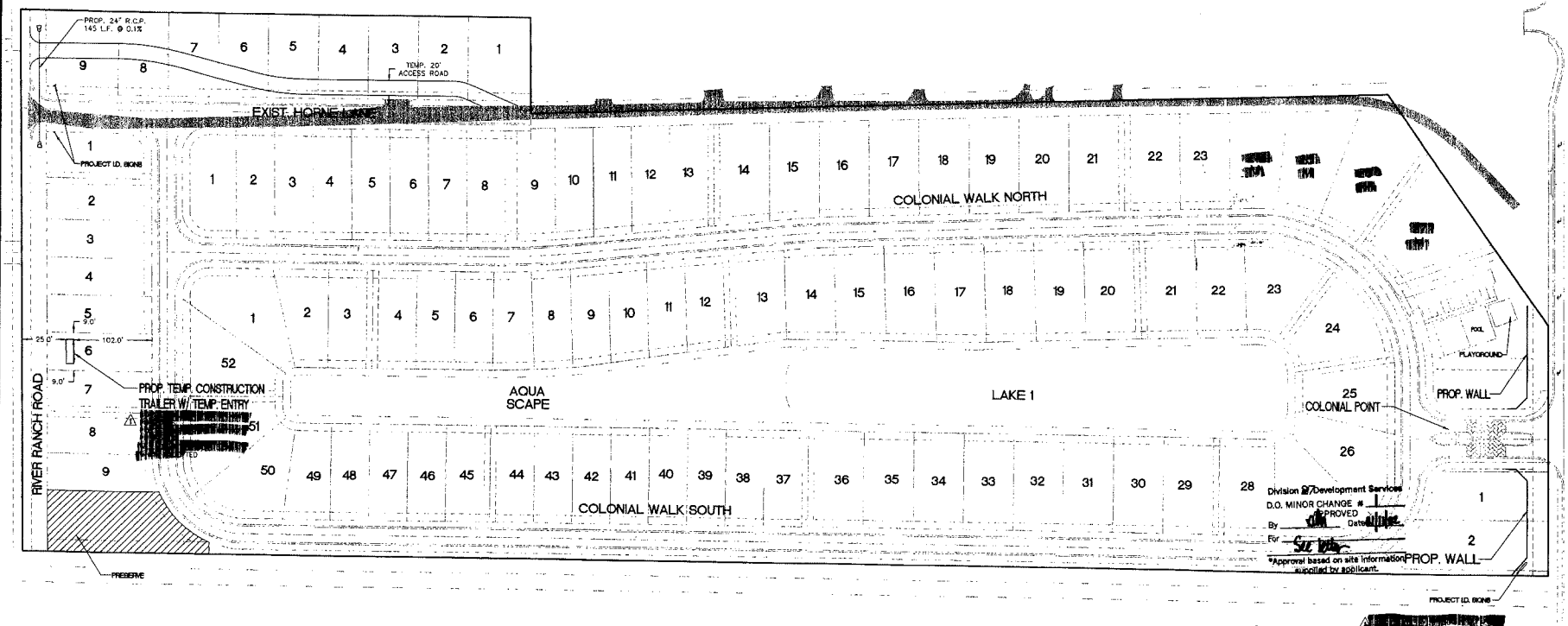
No	Date	Revisions
⚠1	7/01	REVISIONS PER LEE COUNTY COMMENTS

COMMUNITY ENGINEERING SERVICES, INC.
Civil Engineering • Surveying • Project Management
EB-0006613
9200 Bonita Beach Road Suite 213
Bonita Springs, Florida 34135
Telephone (941) 495-0009 Fax (941) 495-7934

GENERAL NOTES AND LEGEND
OF
COLONIAL LAKES
FOR
COLONIAL HOMES
12631 WESTLINK DRIVE UNIT 1
FT. MYERS, FL 33913
PHONE: (941) 561-6666

scale: N.T.S.
SHEET 2 OF 16
date 9/14/01

1. CONSTRUCT A TEMPORARY 8" LIMEROCK (LBR) ROAD 20' WIDE. SEE PLAN FOR LOCATION
2. SET UP APPROPRIATE SIGNS ALONG RIVER RANCH ROAD AND BARRICADES IN EXISTING HORNE LANE TO REDIRECT TRAFFIC.
3. CONSTRUCT SANITARY SEWER, STORM SEWERS AND WATER LINE IN NEW ALIGNMENT OF HORNE LANE.
4. INSTALL NEW CURBING AND PAVEMENT FOR THE NEW ALIGNMENT OF HORNE ROAD.
5. REMOVE THE TEMPORARY ROAD.



Division of Development Services
D.O. MINOR CHANGE # 01-00082
APPROVED
By _____ Date 1-14-02
For _____
*Approval based on site information supplied by applicant.

RECEIVED
JAN 07 2002
COMMUNITY DEVELOPMENT

HENRY J. HARDMAN
FL. PE # 56099

EXHIBIT F

date 11-04-01
drawn JWH
file name SITE
job COL_OAKS

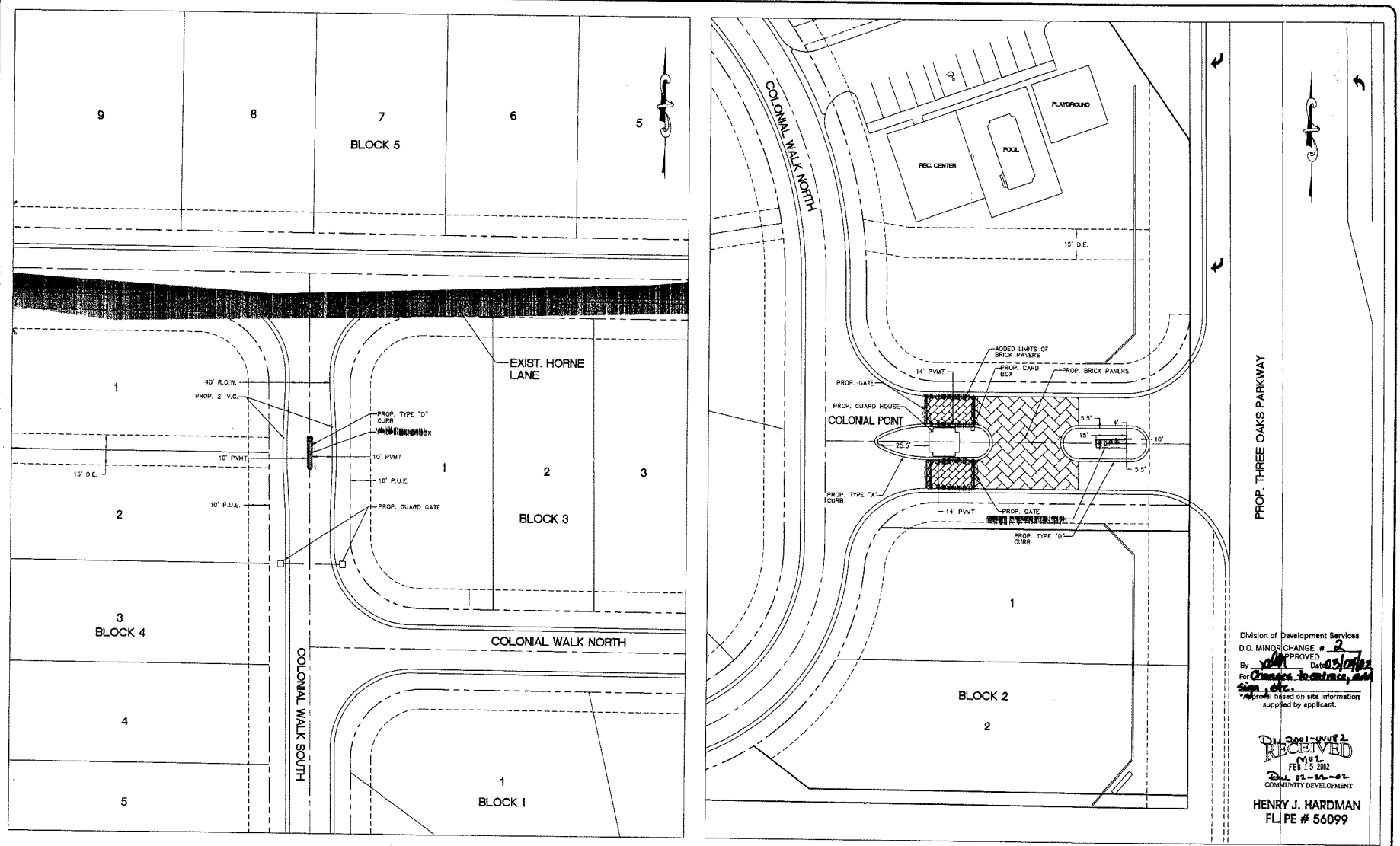
No	Date	Revisions
1	12-01	REVISIONS PER LEE COUNTY

COMMUNITY ENGINEERING SERVICES, INC.
Civil Engineering • Surveying • Project Management
EB-0006613
9200 Bonita Beach Road Suite 213
Bonita Springs, Florida 34135
Telephone (941) 495-0009 Fax (941) 495-7934

SITE PLAN
OF
COLONIAL OAKS
FOR
COLONIAL HOMES
12631 WESTLINKS DRIVE UNIT 1
FT. MYERS FL. 33913
PHONE (941)561-6666

scale: 1"=60'
NA
SHEET
1 OF 2

date 11/4/01



Division of Development Services
D.O. MINOR CHANGE # 2
APPROVED
By [signature] Date 03/04/02
For Changes to entrance, wall sign, etc.
*Approval based on site information supplied by applicant.

RECEIVED
FEB 15 2002
COMMUNITY DEVELOPMENT

HENRY J. HARDMAN
FL. PE # 56099

EXHIBIT G

date 2-12-21
drawn JWH
file name: MINOR CHANGE
lab COL_OAKS

No.	Date	Revisions

COMMUNITY ENGINEERING SERVICES, INC.
Civil Engineering • Surveying • Project Management
EB-0006613
1342 Colonial Boulevard, Suite C-24

MINOR CHANGE PLANS
OF
COLONIAL OAKS
FOR
COLONIAL HOMES

scale: 1"=20'
SHEET

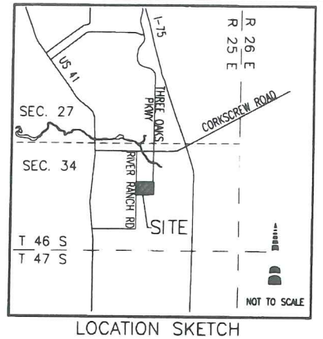
COLONIAL OAKS

A REPLAT OF A LOT 29, BLOCK C, AND PARTS OF LOTS 27, 28 & 30, BLOCK C OF FLORIDA GULF LAND COMPANY SUBDIVISION AS RECORDED IN PLAT BOOK 1, PAGE 59, AND A PORTION OF SECTION 34, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA

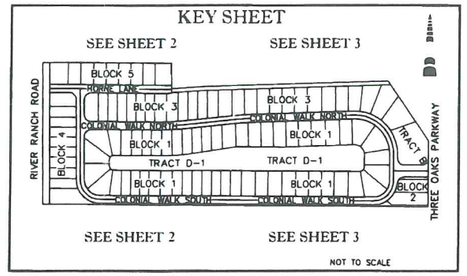
PLAT BOOK 71, PAGE 60

SHEET 1 OF 3

THIS INSTRUMENT PREPARED BY :
COMMUNITY ENGINEERING SERVICES, INC.
LB #6572
KEY WEST PROFESSIONAL CENTER
1342 COLONIAL BOULEVARD, SUITE C-24
FORT MYERS, FLORIDA 33907
TELEPHONE (941) 936-9777 FAX (941) 936-0064



LOCATION SKETCH



NOTICE:

LANDS DESCRIBED IN THIS PLAT MAY BE SUBDIVIDED BY THE DEVELOPER WITHOUT THE ROADS, DRAINAGE, WATER AND SEWER FACILITIES BEING ACCEPTED FOR MAINTENANCE BY LEE COUNTY. ANY PURCHASER OF A LOT IN THIS SUBDIVISION IS ADVISED TO DETERMINE WHETHER THE LOT MAY BE SUBJECT TO ASSESSMENT OR CALLED UPON TO BEAR A PORTION OR ALL OF THE EXPENSE OF CONSTRUCTION, MAINTENANCE OR IMPROVEMENT OF ROADS, DRAINAGE, WATER AND SEWER FACILITIES.

NOTICE:

THIS PLAT, AS RECORDED IN GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL IN NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.

DEDICATION:

KNOW ALL MEN BY THESE PRESENTS THAT COLONIAL HOMES, INC., A FLORIDA CORPORATION, OWNER OF THE LANDS DESCRIBED HEREON HAS CAUSED THIS PLAT OF COLONIAL OAKS, A REPLAT OF LOT 29, BLOCK C, AND PARTS OF LOTS 27, 28 & 30, BLOCK C OF FLORIDA GULF LAND COMPANY SUBDIVISION AS RECORDED IN PLAT BOOK 1, PAGE 59, PUBLIC RECORDS OF LEE COUNTY, FLORIDA, AND A PORTION OF SECTION 34, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, A SUBDIVISION LOCATED IN SECTION 34, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, TO BE MADE AND DOES HEREBY DEDICATE THE FOLLOWING:

1. DEDICATE TO THE COLONIAL OAKS COMMUNITY ASSOCIATION, INC., A FLORIDA CORPORATION NOT FOR PROFIT, ITS SUCCESSORS AND ASSIGNS,

   A. TRACT R-1 FOR ROAD RIGHTS-OF-WAY PROVIDING INGRESS AND EGRESS AND DRAINAGE, SUBJECT TO PUBLIC UTILITY EASEMENTS AS DEDICATED AND DEPICTED HEREIN.

   B. A NONEXCLUSIVE EASEMENT FOR WATER MANAGEMENT, MAINTENANCE AND DRAINAGE OVER ALL DRAINAGE EASEMENTS (D.E.) AND LAKE MAINTENANCE EASEMENTS (L.M.E.) AS A NONEXCLUSIVE EASEMENT FOR THE PURPOSE OF CONSTRUCTION, INSTALLATION, MAINTENANCE AND OPERATION OF THESE FACILITIES

   C. TRACT D FOR WATER MANAGEMENT, MAINTENANCE, AND DRAINAGE.

   D. TRACT B, FOR RECREATION AREA.

   E. TRACTS A & C FOR OPEN SPACE.

   F. TRACT E FOR ACCESS, UTILITY AND DRAINAGE.

   G. TRACT H FOR LANDSCAPE BUFFER.

   H. WALL AND SIGN EASEMENTS.

2. DEDICATE TO ANY STATE LICENSED FRANCHISED CABLE TV PROVIDER, ITS SUCCESSORS, ASSIGNS AND SUBSIDIARIES, A NONEXCLUSIVE UTILITY EASEMENT OVER ALL AREAS INDICATED AS PUE'S AS INDICATED ON THE PLAT FOR THE PURPOSE OF CONSTRUCTION, INSTALLATION, MAINTENANCE AND OPERATION OF CABLE TELEVISION SERVICES, PROVIDED NO SUCH CONSTRUCTION, INSTALLATION, MAINTENANCE AND OPERATION OF CABLE TELEVISION SERVICE SHALL INTERFERE WITH FACILITIES AND SERVICES OF FLORIDA POWER AND LIGHT COMPANY (OR ANY OTHER APPLICABLE ENTITY) AND SHALL BE SUBJECT TO AND NOT INCONSISTENT WITH USE BY LEE COUNTY OR THE LEE COUNTY WATER-SEWER DISTRICT AS A UE IN THE EVENT THE FRANCHISEE, ITS SUCCESSORS, ASSIGNS AND SUBSIDIARIES DAMAGE THE FACILITIES OF ANOTHER PUBLIC UTILITY, LEE COUNTY OR THE LEE COUNTY WATER-SEWER DISTRICT, THE FRANCHISEE, ITS SUCCESSORS AND ASSIGNS SHALL BE SOLELY RESPONSIBLE FOR SAID DAMAGES.

3. DEDICATES TO THE PUBLIC,

   A. TRACT F FOR ROADWAY, DRAINAGE AND PUBLIC UTILITIES.

   B. ALL PUBLIC UTILITY EASEMENTS (P.U.E.) TO ALL PUBLIC UTILITIES, FOR THE PURPOSE OF INSTALLATION AND MAINTENANCE OF THEIR FACILITIES, SOLELY FOR PUBLIC UTILITY PURPOSES, INCLUDING, BUT NOT LIMITED TO, TELEPHONE, CABLE AND ELECTRIC PURPOSES.

4. RESERVES TO ITSELF, TRACT G FOR GOPHER TORTOISE PRESERVE.

5. DEDICATES TO FLORIDA POWER & LIGHT, UTILITY EASEMENT SHOWN ALONG LOT 2 BLOCK 2 AS INDICATED BY F.P.L.C.E.

6. DEDICATES TO GULF ENVIRONMENTAL SERVICES, THE GULF ENVIRONMENTAL SERVICE UTILITY EASEMENT (G.E.S.U.E.) FOR THE PURPOSE OF CONSTRUCTION, INSTALLATION, MAINTENANCE AND OPERATION OF ITS SANITARY FACILITIES.

Tamela D Pearcock
WITNESS:
PRINT NAME: Tamela D. Pearcock

WITNESS:
PRINT NAME: CHARLES J. GLEASON JR.

COLONIAL HOMES, INC.
A FLORIDA CORPORATION
BY: _____
ALAN S. FARRIOR
PRESIDENT

ACKNOWLEDGMENT:

STATE OF FLORIDA)
ALABAMA)
COUNTY OF LEE (MONTGOMERY)

THE FOREGOING DEDICATION WAS ACKNOWLEDGED BEFORE ME THIS 20 DAY OF JUNE, 2002, BY ALAN S. FARRIOR, PRESIDENT OF COLONIAL HOMES, INC., ON BEHALF OF THE COMPANY HE IS PERSONALLY KNOWN TO ME OR WHO HAS _____ AS IDENTIFICATION.

Stacey G Dillard
NOTARY PUBLIC
PRINT NAME: STACEY G. DILLARD
MY COMMISSION EXPIRES: 5/26/2004

(SEAL)

APPROVAL:

THIS PLAT IS ACCEPTED AND APPROVED BY THE BOARD OF COUNTY COMMISSIONERS, LEE COUNTY, FLORIDA THIS 18th DAY OF June, 2002.

CHAIRMAN OF THE BOARD
PRINT NAME: ROBERT P. JANES

CLERK OF THE COURT
PRINT NAME: Charlie Green

COUNTY ATTORNEY
PRINT NAME: John C. Henry

DIRECTOR, DIVISION OF DEVELOPMENT SERVICES
PRINT NAME: PETER J. ECHEVARRIA

DIRECTOR, DEPARTMENT OF COMMUNITY DEVELOPMENT
PRINT NAME: MARY GIBBS

BOARD (SEAL)

REVIEW BY THE DESIGNATED COUNTY PSM DETERMINED THAT THIS PLAT CONFORMS TO THE REQUIREMENTS OF F.S. CH. 177, PART I.

PRINT NAME: Alan Davis
TITLE: C.C.P.S.M.

NOTES:

1. DIMENSIONS SHOWN ARE IN FEET AND DECIMAL PARTS THEREOF.
2. ALL CURVES ARE CIRCULAR.
3. ALL LOT LINES ON CURVES ARE RADIAL UNLESS NOTED OTHERWISE.
4. BEARINGS ARE BASED ON THE EAST LINE OF THE SOUTHEAST ONE QUARTER OF SECTION 34, TOWNSHIP 46 SOUTH, RANGE 25 EAST, AS BEARING S.00°09'04" E.
5. A 10 FOOT PUBLIC UTILITY EASEMENT IS RESERVED ADJACENT TO ALONG ALL ROADWAY TRACTS.

5493727

CLERK'S CERTIFICATION:

I HEREBY CERTIFY THAT THE ATTACHED PLAT OF COLONIAL OAKS, A REPLAT OF LOT 29, BLOCK C, AND PARTS OF LOTS 27, 28 & 30, BLOCK C OF FLORIDA GULF LAND COMPANY SUBDIVISION AS RECORDED IN PLAT BOOK 1, PAGE 59, PUBLIC RECORDS OF LEE COUNTY, FLORIDA, AND A PORTION OF SECTION 34, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, A SUBDIVISION LOCATED IN SECTION 34, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, WAS FILED FOR RECORD AT 3:30 P.M. THIS 1st DAY OF July, 2002, AND DULY RECORDED IN PLAT BOOK 71 AT PAGES 60 THROUGH 62 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

NAME: CHARLIE GREEN
CLERK OF THE CIRCUIT COURT IN AND FOR LEE COUNTY, FLORIDA

SEAL

DESCRIPTION:

A TRACT OR PARCEL OF LAND LYING IN SECTION 34, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, BEING ALL OF LOT 29, BLOCK C, AND PARTS OF LOTS 27, 28 & 30, BLOCK C OF FLORIDA GULF LAND COMPANY SUBDIVISION AS RECORDED IN PLAT BOOK 1 AT PAGE 59 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, AND A PARCEL OF LAND DESCRIBED IN OFFICIAL RECORD BOOK 2110 AT PAGE 3255 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, WHICH TRACT OR PARCEL IS FURTHER DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 34, TOWNSHIP 46 SOUTH, RANGE 25 EAST; THENCE N 00°09'04" W ALONG THE EAST LINE OF SAID SECTION 34 FOR 1321.02 FEET TO THE SOUTHEAST CORNER OF SAID LOT 29, BLOCK C, OF FLORIDA GULF LAND COMPANY SUBDIVISION AND THE POINT OF BEGINNING; THENCE N 89°39'36" W ALONG THE SOUTH LINE OF LOTS 29, 28, & 27, BLOCK C OF FLORIDA GULF LAND COMPANY SUBDIVISION FOR 1988.54 FEET TO THE SOUTHWEST CORNER OF SAID LOT 27, BLOCK C; THENCE N 00°31'25" W ALONG THE WEST LINE OF SAID LOT 27, BLOCK C FOR 713.80 FEET TO THE NORTHWEST CORNER OF THE SAID PARCEL OF LAND AS RECORDED IN OFFICIAL RECORD BOOK 2110 AT PAGE 3255; THENCE S 89°33'37" E ALONG THE NORTH LINE OF SAID PARCEL OF LAND AS RECORDED IN OFFICIAL RECORD BOOK 2110 AT PAGE 3255 AND THE SOUTH LINE OF SPRING RIDGE SUBDIVISION AS RECORDED IN PLAT BOOK 42 AT PAGES 54 & 55, FOR 664.38 FEET TO THE NORTHEAST CORNER OF SAID PARCEL OF LAND AS RECORDED IN OFFICIAL RECORD BOOK 2110 AT PAGE 3255 AND THE SOUTHEAST CORNER OF SPRING RIDGE SUBDIVISION; THENCE S 00°23'59" E ALONG THE EAST LINE OF SAID PARCEL OF LAND AS RECORDED IN OFFICIAL RECORD BOOK 2110 AT PAGE 3255 AND THE WEST LINE OF A PARCEL OF LAND RECORDED IN OFFICIAL RECORD BOOK 1032 AT PAGE 1861 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, FOR 128.59 FEET; THENCE N 86°45'18" E ALONG THE SOUTH LINE OF SAID PARCEL RECORDED IN OFFICIAL RECORD BOOK 1032 AT PAGE 1861, FOR 165.20 FEET; THENCE N 88°16'42" E ALONG THE SOUTH LINE OF PARCELS RECORDED IN OFFICIAL RECORD BOOK 1457 AT PAGE 1713, AND OFFICIAL RECORD BOOK 1457 AT PAGE 1714 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, FOR 953.54 FEET; THENCE S 34°51'12" E ALONG THE WESTERLY LINE OF A PARCEL OF LAND RECORDED IN OFFICIAL RECORD BOOK 1480 AT PAGE 1923 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, FOR 368.95 FEET TO THE NORTHEAST CORNER OF SAID LOT 29, BLOCK C OF FLORIDA GULF LAND COMPANY SUBDIVISION; THENCE S 00°09'04" E ALONG THE EAST LINE OF SAID LOT 29, BLOCK C, FOR 330.08 FEET TO THE POINT OF BEGINNING.

CONTAINING 28.86 ACRES , MORE OR LESS

SURVEYOR'S CERTIFICATION:

I HEREBY CERTIFY THAT THE ATTACHED PLAT OF COLONIAL OAKS, A REPLAT OF LOT 29, BLOCK C, AND PARTS OF LOTS 27, 28 & 30, BLOCK C OF FLORIDA GULF LAND COMPANY SUBDIVISION AS RECORDED IN PLAT BOOK 1, PAGE 59, PUBLIC RECORDS OF LEE COUNTY, FLORIDA, AND A PORTION OF SECTION 34, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, A SUBDIVISION LOCATED IN SECTION 34, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, WAS PREPARED UNDER MY DIRECTION AND SUPERVISION, AND COMPLIES WITH ALL THE REQUIREMENTS OF CHAPTER 177, PART 1, FLORIDA STATUTES. I FURTHER CERTIFY THAT THE PERMANENT REFERENCE MONUMENTS (PRM'S) HAVE BEEN PLACED AT THE LOCATIONS SHOWN ON THIS PLAT.

COMMUNITY ENGINEERING SERVICES, INC., LB 6572
KEY WEST PROFESSIONAL CENTER
1342 COLONIAL BOULEVARD, SUITE C-24
FORT MYERS, FLORIDA 33907

DATE: 6/21/02

DENIS J. O'CONNELL, JR., P.S.M. – FLORIDA CERTIFICATE NO. 5107

STATE OF FLORIDA

RECEIVED
APR 09 2012
COMMUNITY DEVELOPMENT

ADD 2012-00031

D.O.S. # 2001-00082

AA-3.D.2

EXHIBIT H

PLAT BOOK 71, PAGE 61

SHEET 2 OF 3

COLONIAL OAKS

A REPLAT OF A LOT 29, BLOCK C, AND PARTS OF LOTS 27, 28 & 30, BLOCK C OF FLORIDA GULF LAND COMPANY SUBDIVISION AS RECORDED IN PLAT BOOK 1, PAGE 59, AND A PORTION OF SECTION 34, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA

THIS INSTRUMENT PREPARED BY :
COMMUNITY ENGINEERING SERVICES, INC.
LB #6572
KEY WEST PROFESSIONAL CENTER
1342 COLONIAL BOULEVARD, SUITE C-24
FORT MYERS, FLORIDA 33907
TELEPHONE (941) 936-9777 FAX (941) 936-0064

LEGEND

- ■ = 4"X4" CONCRETE MONUMENT LB# 6572
- (1) = CURVE NUMBER
- L4 = LINE NUMBER
- D.E. = DRAINAGE EASEMENT
- U.E. = UTILITY EASEMENT
- P.U.E. = PUBLIC UTILITY EASEMENT
- L.M.E. = LAKE MAINTENANCE EASEMENT
- P.B. = PLAT BOOK
- PG. = PAGE (S)
- (A.U. & D.E.) = ACCESS UTILITY AND DRAINAGE EASEMENT
- (R.D. & U.E.) = ROADWAY DRAINAGE AND UTILITY EASEMENT
- I.D. = IDENTIFICATION
- G.E.S.U.E. = GULF ENVIRONMENTAL SERVICES UTILITY EASEMENT

NOTES:

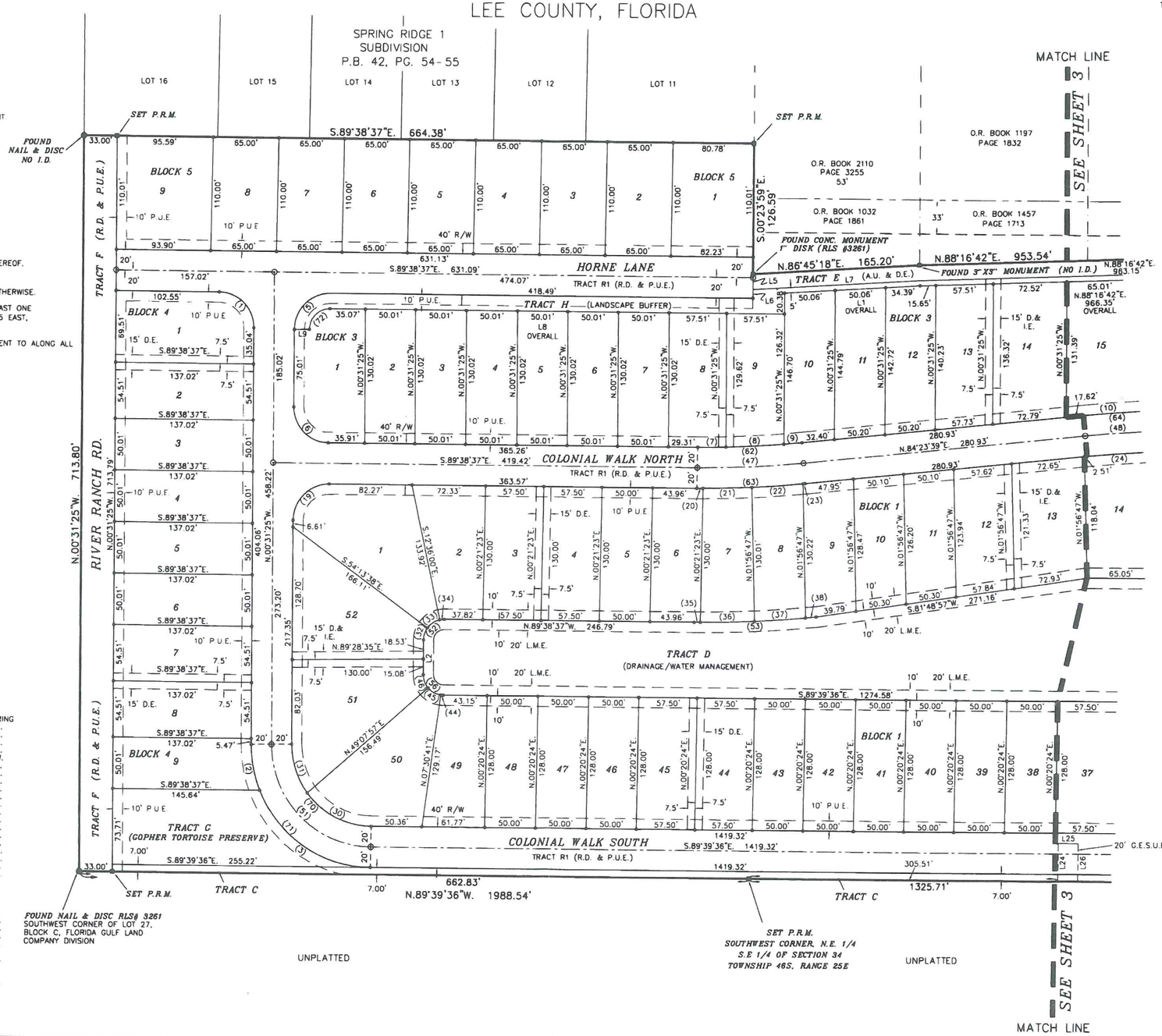
1. DIMENSIONS SHOWN ARE IN FEET AND DECIMAL PARTS THEREOF.
2. ALL CURVES ARE CIRCULAR.
3. ALL LOT LINES ON CURVES ARE RADIAL UNLESS NOTED OTHERWISE.
4. BEARINGS ARE BASED ON THE EAST LINE OF THE SOUTHEAST ONE QUARTER OF SECTION 34, TOWNSHIP 46 SOUTH, RANGE 25 EAST, AS BEARING S.00°09'04" E.
5. A 10 FOOT PUBLIC UTILITY EASEMENT IS RESERVED ADJACENT TO ALONG ALL ROADWAY TRACTS.

LINE TABLE

Line	Bearing	Distance
L1	N.86°45'18"E.	134.50'
L2	N.00°31'25"W.	33.61'
L5	N.00°23'59"W.	15.02'
L6	N.00°23'59"W.	8.40'
L7	N.86°45'18"E.	165.75'
L8	S.89°38'37"E.	450.12'
L9	N.89°28'35"E.	15.00'
L24	N.00°20'24"E.	37.00'
L25	S.89°39'36"E.	20.00'
L26	S.00°20'24"W.	37.00'

CURVE TABLE

NO.	RADIUS	DELTA	ARC	CHORD	CHORD BEARING
1	35.00'	89°07'12"	54.44'	49.12'	S.45°05'01"E.
2	120.00'	21°51'07"	45.77'	45.49'	S.11°26'58"E.
3	120.00'	67°17'04"	140.92'	132.96'	S.56°01'04"E.
4	120.00'	21°53'27"	45.85'	45.57'	S.78°42'53"E.
5	35.00'	90°52'48"	55.52'	49.88'	S.44°54'59"W.
6	35.00'	89°07'12"	54.44'	49.12'	S.45°05'01"E.
7	995.00'	01°37'26"	28.20'	28.20'	N.89°32'40"E.
8	995.00'	03°18'52"	57.56'	57.55'	N.87°04'31"E.
9	995.00'	01°01'27"	17.78'	17.78'	N.84°54'22"E.
10	1005.00'	02°42'40"	47.55'	47.55'	N.85°44'59"E.
19	35.00'	90°52'48"	55.52'	49.88'	N.44°54'59"E.
20	1035.00'	00°20'03"	6.04'	6.04'	S.89°48'38"E.
21	1035.00'	02°42'20"	48.87'	48.87'	N.88°40'10"E.
22	1035.00'	02°48'13"	50.64'	50.64'	N.85°54'54"E.
23	1035.00'	00°07'09"	2.15'	2.15'	N.84°27'13"E.
24	965.00'	03°39'34"	61.63'	61.62'	N.86°13'26"E.
30	80.00'	52°53'16"	73.85'	71.25'	N.63°12'58"W.
31	80.00'	36°14'55"	50.61'	49.77'	N.18°38'52"W.
32	20.00'	36°17'47"	12.67'	12.46'	N.17°37'28"E.
33	20.00'	41°37'38"	14.53'	14.21'	N.56°35'11"E.
34	20.00'	12°57'23"	4.52'	4.51'	N.83°52'41"E.
35	1165.00'	00°17'49"	6.04'	6.04'	S.89°47'31"E.
36	1165.00'	02°39'38"	54.10'	54.09'	N.88°43'45"E.
37	1165.00'	02°29'25"	50.63'	50.63'	N.86°09'14"E.
38	1165.00'	00°30'53"	10.47'	10.47'	N.84°39'05"E.
44	20.00'	07°10'17"	2.50'	2.50'	N.86°04'28"W.
45	20.00'	41°37'17"	14.53'	14.21'	N.61°40'41"W.
46	20.00'	40°20'38"	14.08'	13.79'	N.20°41'44"W.
47	1015.00'	05°57'44"	105.82'	105.58'	S.87°22'31"W.
48	985.00'	03°39'34"	62.91'	62.90'	N.86°13'26"E.
51	100.00'	89°08'11"	155.57'	140.35'	N.45°05'31"W.
52	20.00'	90°52'48"	31.72'	28.50'	N.44°54'59"E.
53	1165.00'	05°57'44"	121.23'	121.18'	S.87°22'31"W.
56	20.00'	89°08'11"	31.11'	28.07'	N.45°05'30"W.
62	995.00'	05°57'44"	103.54'	103.50'	S.87°22'31"W.
63	1035.00'	05°57'44"	107.70'	107.66'	S.87°22'31"W.
64	1005.00'	03°39'34"	64.19'	64.18'	N.86°13'26"E.
70	80.00'	89°08'11"	124.46'	112.28'	N.45°05'31"W.
71	120.00'	89°08'11"	186.69'	168.42'	N.45°05'30"W.
72	20.00'	90°52'48"	31.72'	28.50'	N.44°54'59"E.



ADD 2012-00031
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COMMUNITY DEVELOPMENT

D.O.S. # 2001-00082

COLONIAL OAKS

A REPLAT OF A LOT 29, BLOCK C, AND PARTS OF LOTS 27, 28 & 30, BLOCK C OF FLORIDA GULF LAND COMPANY SUBDIVISION AS RECORDED IN PLAT BOOK 1, PAGE 59, AND A PORTION OF SECTION 34, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA

PLAT BOOK 71, PAGE 62

SHEET 3 OF 3

THIS INSTRUMENT PREPARED BY :
COMMUNITY ENGINEERING SERVICES, INC.
LB #6572
KEY WEST PROFESSIONAL CENTER
1342 COLONIAL BOULEVARD, SUITE C-24
FORT MYERS, FLORIDA 33907
TELEPHONE (941) 936-9777 FAX (941) 936-0064

LEGEND

■ = 4"X4" CONCRETE MONUMENT LB# 6572
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(R.D. & U.E.) = ROADWAY DRAINAGE AND UTILITY EASEMENT
(W. & S.E.) = WALL & SIGN EASEMENT
(D.E.) = DRAINAGE EASEMENT
I.D. = IDENTIFICATION
F.P.L.C.E. = FLORIDA POWER & LIGHT COMPANY EASEMENT

NOTES:

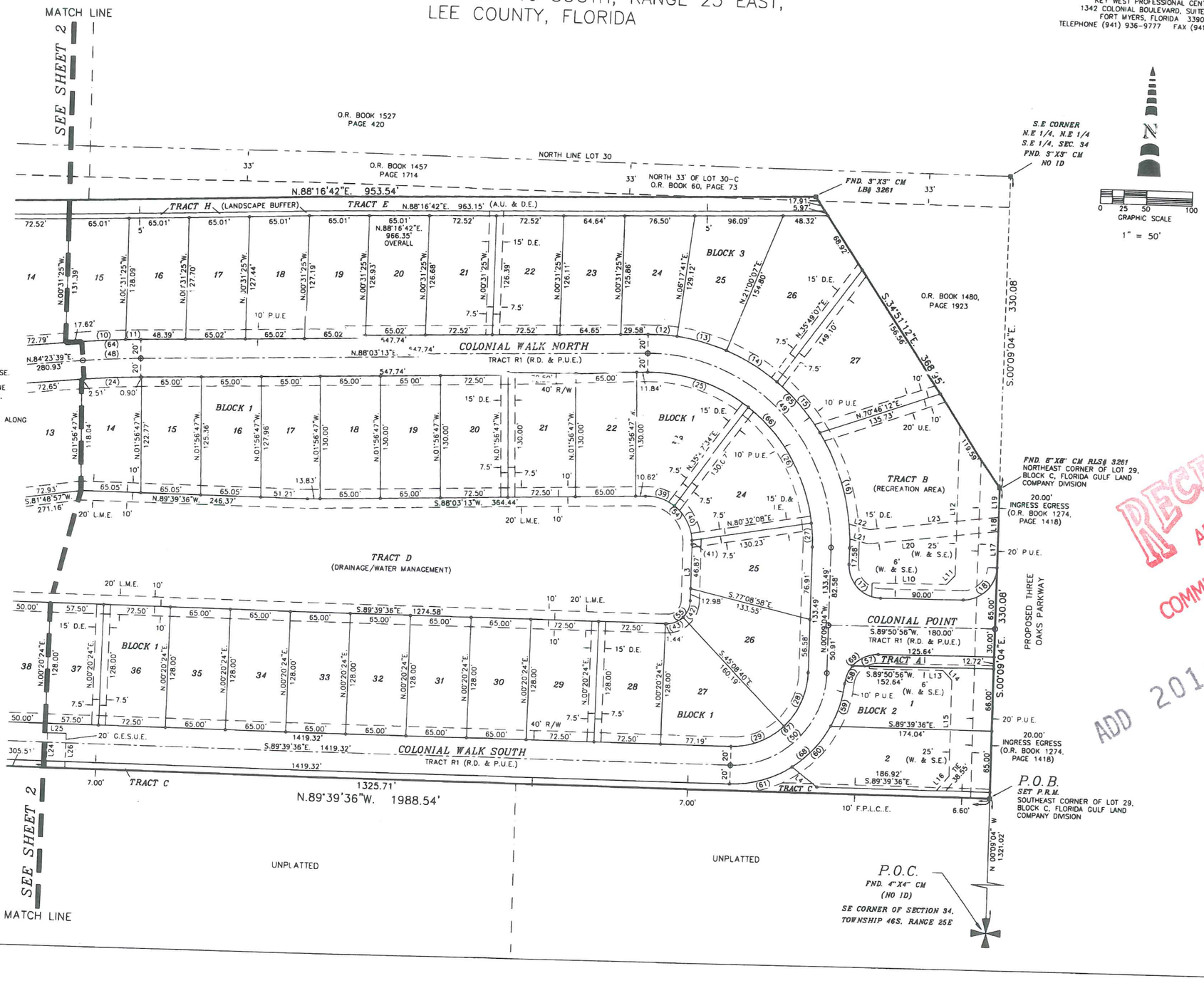
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5. A 10 FOOT PUBLIC UTILITY EASEMENT IS RESERVED ADJACENT TO ALONG ALL ROADWAY TRACTS.

LINE TABLE

Line	Bearing	Distance
L3	S.00°09'04"E.	59.85'
L4	N.52°34'09"W.	34.31'
L10	N.89°50'56"E.	80.06'
L11	N.44°50'56"E.	13.59'
L12	N.00°09'04"W.	159.14'
L13	N.89°50'56"E.	79.55'
L14	S.45°09'04"E.	14.31'
L15	S.00°09'04"E.	102.01'
L16	S.40°32'33"W.	20.78'
L17	N.00°09'04"W.	38.50'
L18	N.00°09'04"W.	15.10'
L19	N.00°09'04"W.	31.16'
L20	S.83°16'54"W.	141.04'
L21	N.76°52'12"W.	20.64'
L22	S.76°52'12"E.	22.84'
L23	N.83°16'54"E.	140.15'
L24	N.00°20'24"E.	37.00'
L25	S.89°39'36"E.	20.00'
L26	S.00°20'24"W.	37.00'

CURVE TABLE

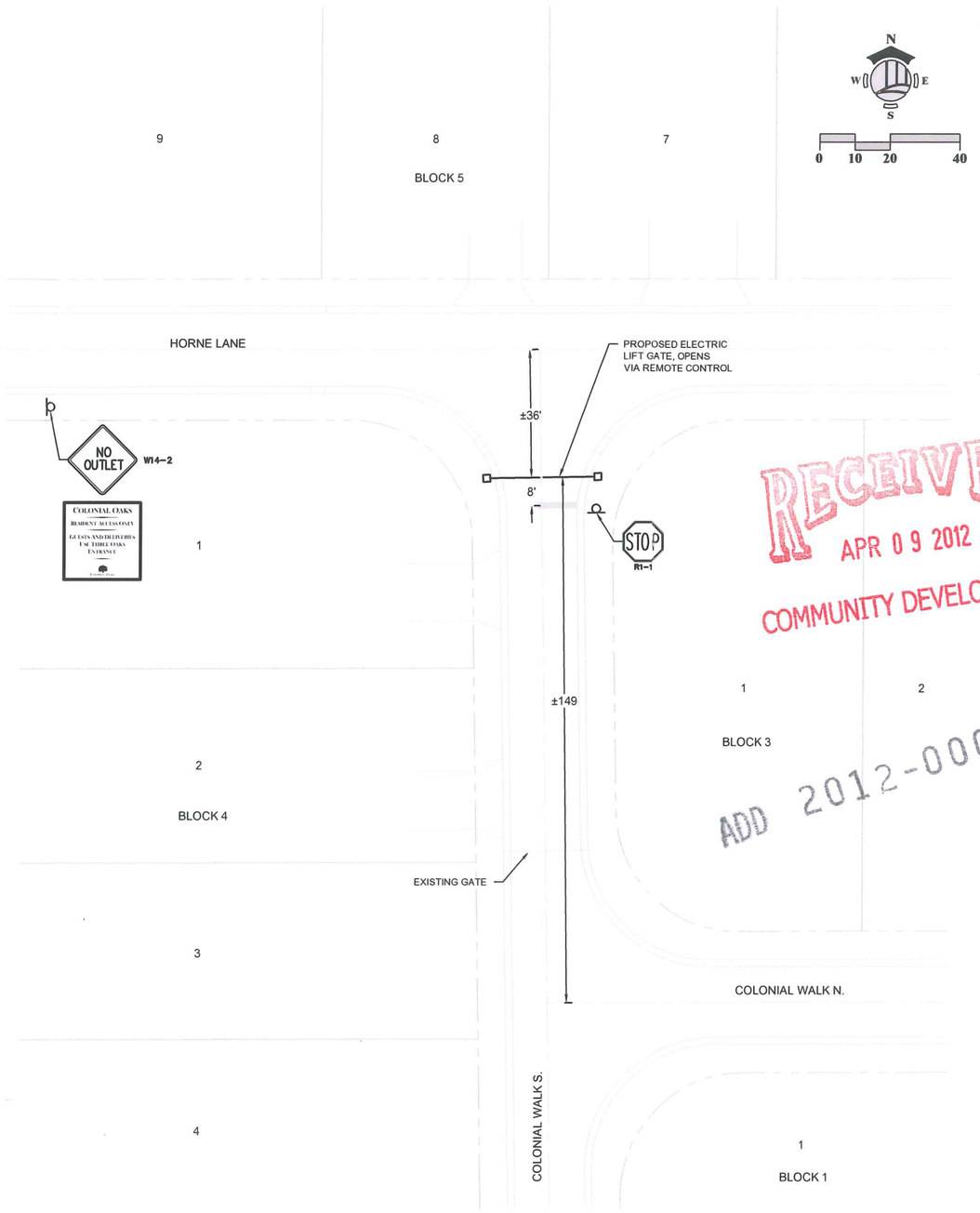
NO.	RADIUS	DELTA	ARC	CHORD	CHORD BEARING
10	1005.00'	02°42'40"	47.55'	47.55'	N.85°44'59"E.
11	1005.00'	00°56'54"	16.63'	16.63'	N.87°34'46"E.
12	220.00'	08°14'28"	31.64'	31.62'	S.87°49'33"E.
13	220.00'	14°42'26"	56.47'	56.32'	S.76°21'06"E.
14	220.00'	16°46'13"	64.39'	64.16'	S.60°36'47"E.
15	220.00'	18°40'01"	71.68'	71.36'	S.42°53'40"E.
16	220.00'	33°24'36"	128.29'	126.48'	S.16°51'22"E.
17	35.00'	90°00'00"	54.98'	49.50'	N.45°09'04"W.
18	35.00'	90°00'00"	54.98'	49.50'	N.44°50'56"E.
24	965.00'	03°39'34"	61.63'	61.62'	N.86°13'26"E.
25	180.00'	37°42'17"	118.45'	116.33'	S.71°05'39"E.
26	180.00'	45°58'09"	144.42'	140.57'	S.31°15'26"E.
27	180.00'	08°07'17"	25.51'	25.49'	S.04°12'43"E.
28	80.00'	45°45'58"	63.90'	62.22'	S.22°43'55"W.
29	80.00'	44°43'30"	62.45'	60.87'	S.67°58'39"W.
39	50.00'	38°59'30"	34.03'	33.37'	S.73°42'11"E.
40	50.00'	49°04'13"	42.82'	41.53'	S.29°40'19"E.
41	50.00'	04°59'09"	4.35'	4.35'	S.02°38'38"E.
42	25.00'	45°00'24"	19.64'	19.14'	S.22°21'08"W.
43	25.00'	45°29'04"	19.85'	19.33'	S.67°35'52"W.
48	985.00'	03°39'34"	62.91'	62.90'	N.86°13'26"E.
49	200.00'	91°47'43"	320.43'	287.24'	S.46°02'56"E.
50	100.00'	90°29'28"	157.94'	142.03'	S.45°05'40"W.
54	50.00'	93°02'52"	81.20'	72.57'	S.46°40'30"E.
55	25.00'	90°29'28"	39.48'	35.51'	S.45°05'40"W.
57	35.00'	50°27'51"	30.83'	29.84'	S.64°37'01"W.
58	35.00'	34°19'14"	20.97'	20.65'	S.22°13'29"W.
59	120.00'	22°46'29"	47.70'	47.39'	S.16°27'06"W.
60	120.00'	28°42'01"	60.11'	59.48'	S.42°11'21"W.
61	120.00'	33°48'02"	70.79'	69.77'	S.73°26'23"W.
64	1005.00'	03°39'34"	64.19'	64.18'	N.86°13'26"E.
65	220.00'	91°47'43"	352.47'	315.96'	S.46°02'56"E.
66	180.00'	91°47'43"	288.38'	258.52'	S.46°02'56"E.
67	80.00'	90°29'28"	126.35'	113.62'	S.45°05'40"W.
68	120.00'	85°18'32"	178.60'	162.57'	S.47°42'08"W.
69	35.00'	84°47'04"	51.79'	47.19'	N.47°27'24"E.



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APR 09 2012
COMMUNITY DEVELOPMENT
ADD 2012-00031

D.O.S. # 2001-00082





RECEIVED
APR 0 9 2012
COMMUNITY DEVELOPMENT

ADD 2012-00031

APPROVED
Plan
Subject to Case # ADD2012-00031
Date 4/30/2012

EXHIBIT I

ensite
2401 FIRST STREET, SUITE 201
FORT MYERS, FLORIDA 33901
PH: (239)-226-0024 - FX: (239)-226-0094
EB-26544 CA-LC26000374

COLONIAL OAKS
HOME OWNERS
ASSOCIATION

COLONIAL OAKS
LEE COUNTY, FLORIDA

REVISIONS

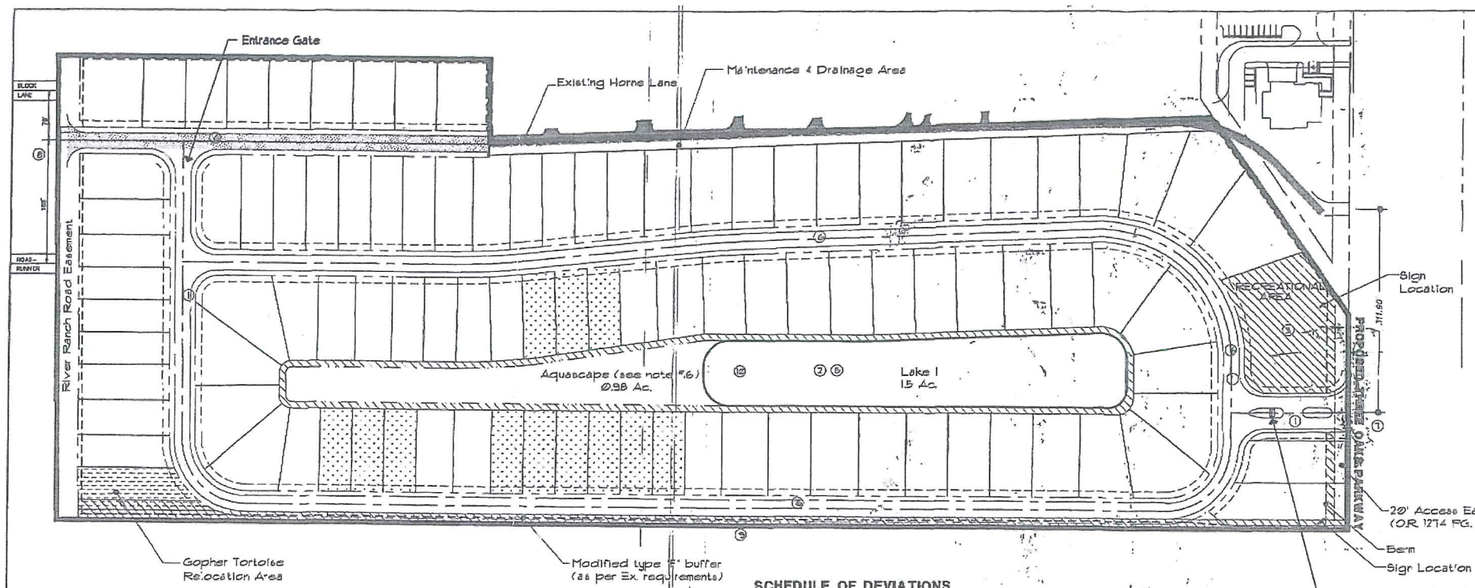
NO.	DESCRIPTION	DATE
R1		
R2		
R3		
R4		
R5		
R6		

DATE:	12-09-11
PROJECT NO.	1171-01
FILE NO.	1179-01-SITE.dwg
SCALE:	AS NOTED

SITE PLAN

EXHIBIT B

P:\Projects\1171 Compass Group\1171-01 Colonial Oaks Code Violation\CAD \1171-01-AER_SITE-03-22-12.dwg (11X17 Exhibit B) brentg Apr 09, 2012 - 10:25am



PROJECT SUMMARY

Project Size:	+/- 28.8 Acres
Required Open Space:	4.4 Acres (11.0 Ac. x .4 - As per Section 10-415(a))
Min. Required Indigenous Vegetation:	0 Ac. - No indigenous Exists (As per Section 10-415(b))
Open Space Provided:	4.78 Ac.

SURROUNDING ZONING AND LAND USES

ZONING:	EXISTING LAND USES:
North: RS-1, AG-2	Single Family, Vacant
South: AG-2, PUD	Approve Residential and Existing Agriculture
East: AG-2	Proposed Three Oaks Parkway Extension
West: RS-1, CFPD	Single Family, Estero High School, River Ranch Road

LAND USE AND DEVELOPMENT PROGRAM SUMMARY

PARCEL	AREA	PERMITTED USES WIDTH	DEVELOPMENT PROGRAM Intensity	Notes
Residential	18.2 +/- Acres	Residential Uses as specified in List of Permitted Uses.	100 Units	Proposed density is well within the permitted residential density of 6 dwelling units per gross acre - as permitted by the Suburban land use category.
Recreational Area	.7 Ac.	Recreational uses specified in the list of Permitted Uses.	Not Applicable	The proposed recreational uses are intended for the residents and guests of the Colonial Lakes development. Typical uses including tennis courts, pools, trail and parking are permitted.
Roads	4.5 +/- Ac.	Not Applicable	Not Applicable	
Lakes	2.8 Ac.	All open space uses	Not Applicable	May allow bulk heads as per Dev. 7
Common Area	2.6 +/- Ac.	All Open Space Uses	Not Applicable	Includes buffers and common areas
TOTAL	28.8 Ac.			

PROPERTY DEVELOPMENT REGULATIONS

LANDUSE	MIN. LOT AREA SQ. FT.	MIN. LOT WIDTH	MIN. LOT DEPTH	MAX. LOT COVERAGE	SETBACKS (FT) Road	Side	Corner	Rear	Water	MAX. HT/FT	STORIES	MIN. OPEN SPACE
RESIDENTIAL												
Single Family	6,254	50	110	45%	20	5	7.5	15	20	35	2	
Zero Lot Line	5,500	50	110	45%	20	0/10	7.5	15	25	35	2	
Two-Family Attached	3,750	40	110	45%	20	0/5	7.5	15	25	35	2	**
COMMUNITY FACILITIES												
Recreational Area	N/A	N/A	15	25%	15	7.5	N/A	20	20	35	2	N/A
ACCESSORY STRUCTURES (RESIDENTIAL)												
Pools, Decks, Screen Enclosures	N/A	N/A	20	N/A	20	5	5	5	25'	N/A	N/A	N/A
Docks, Ramps, Fishing Piers, Gazebos	N/A	N/A	20	N/A	20	5	5	5	0'	N/A	N/A	N/A

* Unless modified by approved deviations.

** Up to 10% of all residential lots will include open space to meet open space requirements.

OPEN SPACE TABLE

LAND USE	EST. ACRES	REQUIRED OPEN SPACE	OPEN SPACE TO MEET REQUIREMENT
RESIDENTIAL < 6,500 sq. ft.	1.5	10% - 0.15	10% - 0.15*
RESIDENTIAL > 6,500 sq. ft.	11.8	40% - 1.76*	10% - 1.76*
COMMON AREA/OPEN SPACE	2.24	40% - 0.76	100% - 2.24
RECREATIONAL AREA	0.76	40% - 0.30	-
LAKES	1.5	40% - 0.60	25% of req. - 0.38
ROAD/EASEMENTS	4.5	40% - 1.80	-
TOTALS	28.8 Ac.	4.4	4.78 Ac.

* Up to 10% of residential lots will include open space to meet open space requirements.

SCHEDULE OF DEVIATIONS

1. Deviation from LDC Section 10-256 Table 4(7)(c)2 which establishes minimum specifications for street wearing surfaces, to allow decorative pavers or private, internal roads within the development, provided that no portion of the decorative pavers be located in any public right-of-way. No Exhibit required.
2. Deviation from LDC Section 10-329(E)(4) which requires that excavation bank slopes be no greater than 4:1, to allow the project to conform to SFWMD permits. The intent of this deviation is to allow a maximum of 30% of any lake edge to incorporate bulkheads. No Exhibit required.
3. Deviation from LDC Section 34-2474(b)(6), which requires that recreation centers and ancillary facilities be located at least 40 feet away from any residential dwelling units, to allow a minimum setback of 15 feet from any on-site residential unit, provided that buildings meet the required 40-foot minimum separation from any residential dwelling.
4. Deviation from LDC Section 10-421(a)(5) that requires that no portion of a buffer area that consists of trees and shrubs be located in any easements to allow planted buffers in easements, provided that any plants removed, shall be replaced with material of equal or greater size, and that the development order plans reflect the locations of the shrubs and any potentially affected utilities within the easement boundaries.
5. Deviation from LDC Section 34-2194(c)(3)b. which requires a 10 foot setback for non-seawalled artificial bodies of water. This deviation would eliminate the setback to allow recreational/amenity structures to be placed at the lake's control elevation.
6. Deviation from LDC Section 10-355 that requires a 10' public utility easement on both sides of a roadway to allow the public utility easement on one side only.
7. Deviation from LDC Section 10-285(a) that requires the connection of streets with arterial facilities to have a minimum centerline separation of 660', to allow for a separation of 312' to the proposed southern 'Right In/Right out' access point on Three Oaks Parkway Extension into the Fire Station.
8. Deviation from LDC Section 10-285(a) that requires the connection of streets with collector facilities to have a minimum centerline separation of 330', to allow for a separation of 76' from the existing Horne Lane access point on River Ranch Road to Block Road, and 188' from Horne Lane to Road Runner.
9. Deviation from LDC Section 4(6)(c)(6) which requires a wall when a roadway is constructed within 125' of residential lots, to allow a modified type "F" buffer, instead of a wall, as per HEX recommendation.
10. Deviation 10 seeks relief from the LDC § 10-418(a)(2) requirement for the shorelines of stormwater ponds to be sinuous in construction to provide increased length and diversity of littoral zone, to allow the stormwater pond to be constructed as reflected on the Master Concept Plan.

SCHEDULE OF USES

RESIDENTIAL

Accessory Uses and Structures
Dwelling Units
- Single Family
- Zero Lot Line
- Two Family Attached

Entrance Gates and Gatehouses
Essential Services, Group I
Excavation - Water Retention (not to include the removal of excavated material from the site)
Fences, Walls
Home Occupation
Model Homes, Unit & Display Center
Recreational Facilities, Personal, Private (on-site)
Residential Accessory Uses
Signs (as per Chapter 30)
Temporary Construction Trailer
Temporary Sales Center

RECREATIONAL AREA

All uses permitted in Section 34-983 (except single family uses)
Entrance Gates and Gatehouses
Fences, Walls
Excavation, Water retention. (not to include the removal of excavated material from the site)
Parking Lot, Ancillary
Open Space
Recreational Facilities, Personal
- Private (on-site)
- Buildings ancillary to Recreational Facilities

Signs (as per Chapter 30)

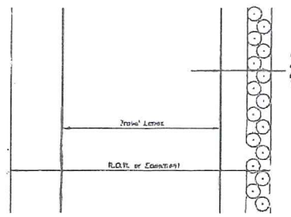
STRAP NUMBERS

34-46-25-01-50000.0070

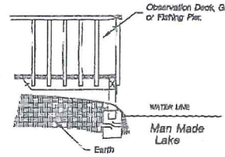
SITE DEVELOPMENT NOTES

1. This is a request for a rezoning from RPD to RPD. The Land use category is Suburban, and the property is currently vacant.
2. The total Residential unit count may not exceed 100 units. The gross density is within the permitted density of the Suburban land use category.
3. The proposed access to Three Oaks Parkway is a right in/right out entrance, and has been designed in cooperation with the Estero Fire District.
4. This site has previously been cleared for agricultural purposes. No indigenous vegetation exists on site and therefore, as per LDC Section 10-415(b) there is no requirement for indigenous vegetation preservation.
5. The homes to the north of the subject property will continue to have access to River Ranch Road through Horne Lane. Alternative access is also accommodated in conjunction with the signalized intersection at the Three Oaks Fire Station.
6. This master concept plan is general in nature and may be modified to reflect environmental conditions, easements, utilities and changes in the market. All acreages are approximate and subject to slight adjustment.
7. The project buffers shall meet or exceed the requirements set forth in Section 10-416.
8. All exotic vegetation shall be removed from the development area according to a removal schedule established as part of the Development Order. The site shall be maintained free of exotics in perpetuity.
9. All uses will conform to the off street parking regulations in Section 34-2020 of the LDC.
10. With the exception of private driveways, all internal street connections shall be spaced according to Section 10-285(a). Access road intersection spacing shall be a minimum of 660'.
11. Drainage will be accommodated through the use of swales and/or retention areas. The location of a lake or pond may be refined without amending the MCP based on detailed site engineering, and compliance with all setback requirements set forth herein.
12. Maximum lot coverage is limited to 45%.
13. Up to 10% of all residential lots will include open space to meet open space requirements.
14. All but 1.7 acres of the total residential area will be developed as lots greater than 6,500 sq. ft. The lots greater than 6,500 sq. ft. will not generate an open space requirement.
15. At development order the appropriate traffic control devices will be provided at the intersection of the Three Oaks Parkway entry and the adjacent easement.
16. Aquascape is defined as a vegetated area adjacent to or connecting water quality lakes that will store water during the wet season and may be dry during the dry season.
17. The eastern section of Horne Lane will act as the berm along the north side of the property as shown on the Master Concept Plan.
18. The gopher tortoise relocation area is marked on the MCP at the lake in the south west corner of the site in an area that will be monitored for gopher tortoises as conditioned in the zoning resolution.
19. Horne Lane will continue to provide access to River Ranch Road through the northwest corner of Colonial Lakes where it will be paved as shown. Other than the paving as shown, access to Horne Lane by adjacent parcels will remain unchanged.

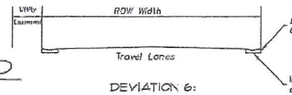
APPROVED
Master Concept Plan
Site Plan # DI-017A Page 1 of 1
Subject to conditions in Resolution Z-01-017A
Case # DCI 2000-00086



DEVIATION 4:



DEVIATION 5:

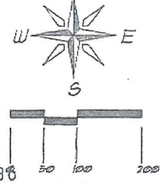


DEVIATION 6:

RECEIVED
JUN 27 2001
COMMUNITY DEVELOPMENT

LEGEND

- Illustrates the only lots that do not exceed 6,500 square feet, and are therefore required to provide open space. This area is 1.7 acres, and requires 68 acres of open space.
- Illustrates the common open space provided with the proposed development.
- Illustrates existing Horne Lane.
- Illustrates Horne Lane to be paved.
- Berm
- Property Boundary



DCI 2000-00086

SCALE: 1" = 100'

NO.	DATE	BY	REMARKS
1	3-14-01	DBD	REVISED ZONING CONCEPT PLAN
2	5-23-01	YCN	REVISED ZONING CONCEPT PLAN
3	6-21-01	JN	REVISED ZONING CONCEPT PLAN
4	6-27-01	DD	REVISED ZONING CONCEPT PLAN
5	3-23-12		AMENDED BY ENSITE, INC. TO SHOW GATE ACCESS

NOTE: The information shown on these plans is subject to change in the permitting process to meet all requirements of governmental agencies.

SCALE:	1" = 100'
DRAWN:	BKH 5-21-01
CHECKED:	DBD 5-21-01
APPROVED:	DEC 5-21-01

APPROVED
Plan
Subject to Case # ADD2012-00031
Date 4/30/2012

PREPARED FOR: COLONIAL HOMES, 8576 BRITTANIA DR., FT. MYERS, FL 33912

PROJECT LOCATION: RIVER RANCH ROAD, LEE COUNTY, FL

VANASSE & DAYLOR, LLP, 12730 New Brittany Blvd., Suite 800, Fort Myers, Fl 33907, 239.334.3063
Transportation • Landscape Architecture • Civil Engineering • Environmental Sciences
Planning • Surveying • Fax: 561-697-4905 • email: info@VHDLaw.com

PROJECT NO: 8C345
FILE NO: 8C345-MCPA

COLONIAL LAKES - ZONING CONCEPT PLAN
EXHIBIT IV-C, IV-E-1, IV-G & IV-H
ENSITE EXHIBIT H-3.C

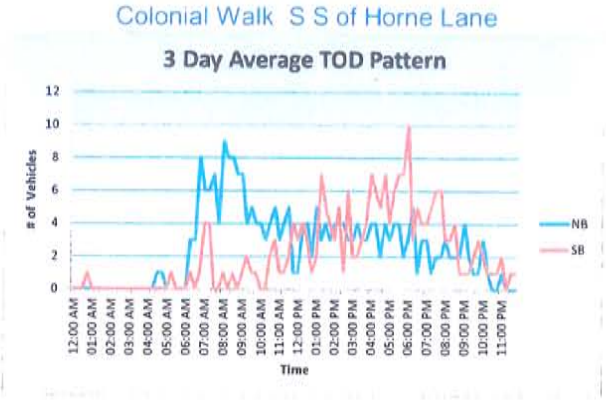
Sheet No. 1 of 1

Colonial Walk S S of Horne Lane
Lee County
Start Date: 3/20/2012

FTE

8250 Pascal Dr
Ph# (800) 639 2818
Punta Gorda, FL 33950

Time	Tuesday		Wednesday		Thursday		3 Day Average	
	NB	SB	NB	SB	NB	SB	NB	SB
12:00 AM	0	0	0	0	0	0	0	0
12:15 AM	0	0	0	0	0	0	0	0
12:30 AM	0	0	0	0	0	0	0	0
12:45 AM	0	0	0	3	0	0	0	1
01:00 AM	0	0	0	0	0	0	0	0
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06:15 AM	4	0	0	0	6	2	3	1
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06:45 AM	9	0	11	0	3	2	8	1
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09:45 AM	7	0	2	2	3	0	4	1
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10:45 AM	1	6	11	1	4	2	5	3
11:00 AM	0	3	4	1	5	0	3	1
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ADD 2012-00031

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APR 09 2012
DEVELOPMENT

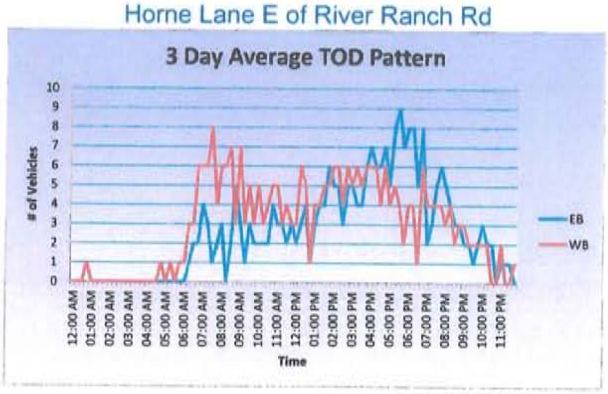
EXHIBIT J

Horne Lane E of River Ranch Rd
Lee County
Start Date: 3/20/2012

8250 Pascal Dr
Ph# (800) 639 2818
Punta Gorda, FL 33950

Time	Tuesday		Wednesday		Thursday		3 Day Average	
	EB	WB	EB	WB	EB	WB	EB	WB
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03:00 PM	4	6	6	7	4	2	5	5
03:15 PM	2	4	4	10	6	3	4	5
03:30 PM	7	5	3	8	3	2	4	5
03:45 PM	7	7	6	6	5	5	6	6
04:00 PM	4	3	8	8	10	8	7	6
04:15 PM	5	4	7	10	5	4	6	6
04:30 PM	4	3	4	4	9	5	6	4
04:45 PM	7	4	10	7	5	6	7	6
05:00 PM	4	3	6	2	6	6	5	4
05:15 PM	8	7	10	4	6	4	8	5
05:30 PM	4	1	14	6	9	6	9	4
05:45 PM	6	2	9	3	6	2	7	2
06:00 PM	8	5	6	5	9	2	8	4
06:15 PM	7	4	7	2	11	7	8	4
06:30 PM	5	1	3	2	7	1	5	1
06:45 PM	10	6	8	7	6	6	8	6
07:00 PM	3	7	3	5	1	1	2	4
07:15 PM	6	4	2	4	2	3	3	4
07:30 PM	7	8	2	1	7	4	5	4
07:45 PM	5	3	5	6	7	3	6	4
08:00 PM	2	6	6	3	6	1	5	3
08:15 PM	5	4	3	5	3	3	4	4
08:30 PM	4	1	1	1	4	4	3	2
08:45 PM	3	3	3	1	2	4	3	3
09:00 PM	0	2	1	1	4	6	2	3
09:15 PM	1	1	3	4	1	0	2	2
09:30 PM	0	0	1	2	1	5	1	2
09:45 PM	2	1	3	4	2	2	2	2
10:00 PM	1	2	2	2	6	3	3	2
10:15 PM	2	2	4	2	0	1	2	2
10:30 PM	1	0	2	0	3	0	2	0
10:45 PM	0	1	1	0	0	0	0	0
11:00 PM	1	2	1	1	2	3	1	2
11:15 PM	1	0	1	1	1	0	1	0
11:30 PM	1	1	0	0	1	0	1	0
11:45 PM	0	0	0	0	1	2	0	1
Total	235	267	250	300	278	290	252	286

Horne Lane E of River Ranch Rd



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COMMUNITY DEVELOPMENT

Estero Fire Rescue
21500 Three Oaks Parkway
Estero, Florida 33928
(239) 390.8000
(239) 390.8020 (Fax)
www.esterofire.org

March 15, 20112

Mr. Michael O'Dea
Vice President
Colonial Oaks Homeowners Association

Re: Relation of Gate

Mr. O'Dea,

This letter will serve as approval by Estero Fire Rescue of the relocation of the Horne Lane/Colonial Walk gate.

Please note that the existing EVAC Gate Access system will also have to relocated and remain operational.

If I may be of any further help please contact me at 239-390-8000.

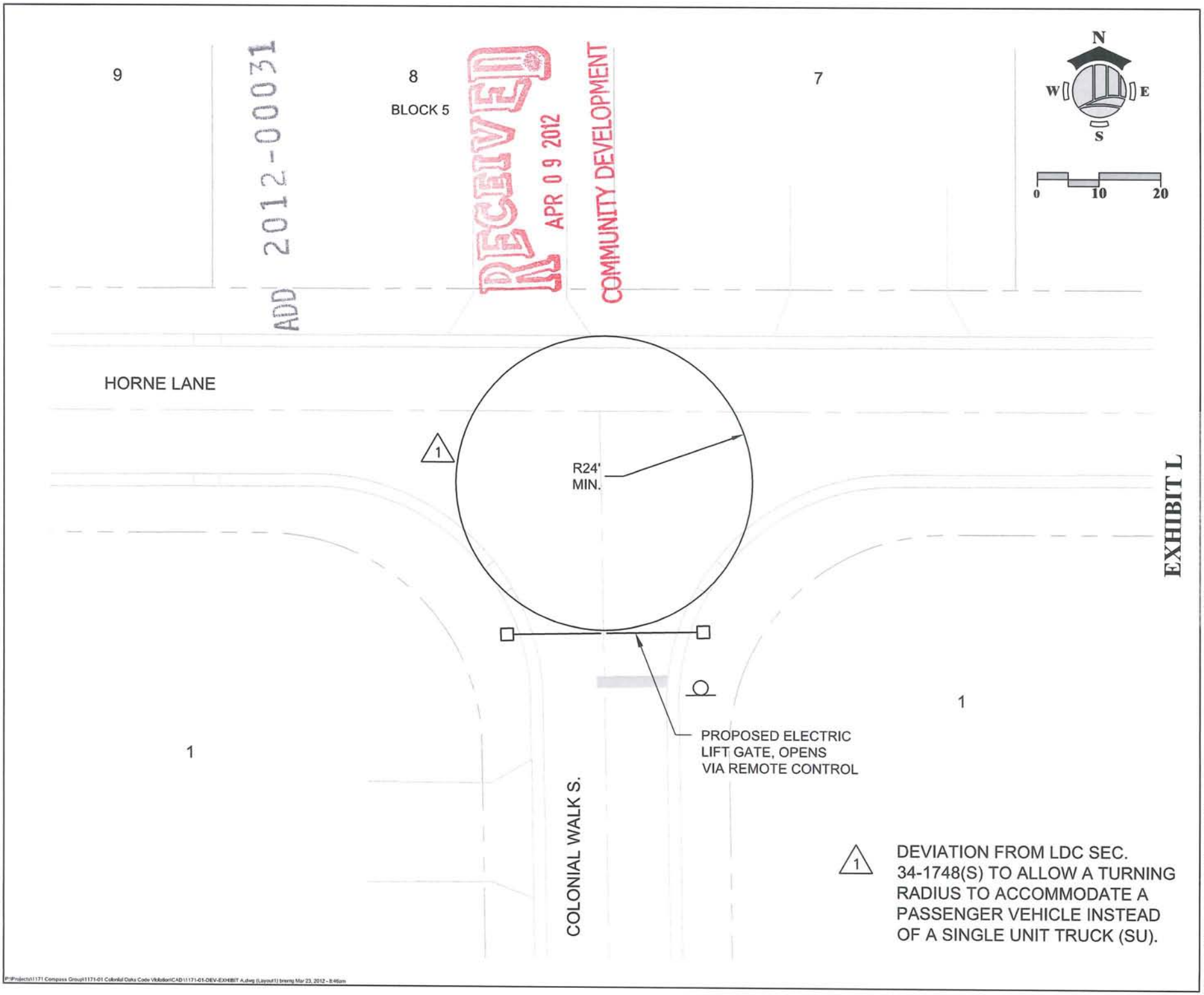
Respectfully,

Phillip Green
Division Chief of Prevention

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COMMUNITY DEVELOPMENT

EXHIBIT K



ensite

COLONIAL OAKS HOMEOWNERS ASSOCIATION

COLONIAL OAKS
LEE COUNTY, FLORIDA

REVISIONS

NO.	DESCRIPTION	DATE
R1		
R2		
R3		
R4		
R5		
R6		

DATE:	03-22-12
PROJECT NO.	1171-01
FILE NO.	1117-01-DEV.dwg
SCALE:	AS NOTED

SITE PLAN

EXHIBIT A

P:\Projects\1171 Compass Group\1171-01 Colonial Oaks Code Violation\CAD\1171-01-DEV-EXHIBIT A.dwg (Layout1) breng Mar 23, 2012 - 8:46am

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(A) the collection of assessments;

(B) the collection of other charges which members are obligated to pay;

(C) the enforcement of the Governing Documents;

(D) the enforcement of the rules and regulations of the Community Association;

(E) in an emergency, when waiting to obtain the approval of the members creates a substantial risk of irreparable injury to the Association or its members; or

(F) filing a compulsory counterclaim.

4. **COMMUNITY ASSOCIATION MEMBERSHIP VOTING RIGHTS.** Every owner of record legal title to a Lot or Living Unit within the Community shall be a member of the Community Association as further defined in Section 4.1 below. The Declarant shall hold Declarant membership as provided for in Section 4.1(B) below. Membership is appurtenant to, and may not be separated from, ownership of a Lot or Living Unit. The rights, powers, duties and privileges of members shall be as set forth in this Declaration, and in the Articles of Incorporation and Bylaws of the Community Association.

4.1 **Classes of Membership**. The Community Association will initially have two (2) classes of voting membership, as follows:

(A) Regular Members. Regular Members shall be the Owners of Lots or Units within the Community.

(B) Declarant Member. The Declarant shall be a member. Declarant membership and voting rights shall cease to exist at the Turnover Meeting described in Section 8 of the Bylaws, but all of the Declarant's other rights and privileges as the Declarant, as set forth elsewhere in this Declaration or in the Bylaws, shall continue as long as the Declarant holds any property within the Community for sale in the ordinary course of business. If the Declarant conveys undeveloped property within the Community to a successor developer, the Declarant may assign its Declarant membership and/or some or all of its voting rights and privileges to the successor developer.

4.2 **Community Association Rights and Easements**. Members in good standing have the non-exclusive right to use the Common Areas subject to:

OR BOOK 03678 PAGE 0776

Exhibit M

(A) The right of the Community Association, by and through its Board of Directors, to adopt the annual budget and to determine the annual assessments to be paid by members;

(B) The right of the Community Association, by and through its Board of Directors, to charge any admission, use, or other fees for any Common Areas as the Board may deem appropriate. The fees may be higher for non-owners than for owners;

(C) The right of the Community Association, by and through its Board of Directors, to suspend a member's right to use Common Areas for the period during which any assessment or charge against the member's Lot or Living Unit remains unpaid and past due, and for a reasonable period during or after any infraction of the Community Association's rules and regulations;

(D) The right of the Community Association, by and through its Board of Directors, to dedicate or transfer all or any part of the Common Areas to any governmental agency, public authority, or utility.

(E) The right of the Community Association, by and through its Board of Directors, to grant easements over, across or through the Common Areas;

(F) The right of the Community Association, by and through its Board of Directors, to open the Common Areas for use by non-members of the Community Association, or non-owners.

(G) The right of the Community Association, by and through its Board of Directors, with the prior assent of a two-thirds (2/3rds)of the voting interests, to borrow money for the purpose of improving the Common Areas, and in aid thereof, to mortgage Common Areas;

(H) The right of the Community Association, by and through its Board of Directors, to take such steps as are reasonably necessary to protect the Common Areas;

(I) The right of the Community Association, by and through its Board of Directors, to close or restrict access to the Common Areas for limited periods of time to conduct special events, including those intended primarily to benefit the Developer or its sales efforts;

OR BOOK 03678 PAGE 0777

(J) The right of the Community Association, by and through its Board of Directors, to regulate parking and traffic on the private roads within the Community, including without limitation the use of access gates or speed bumps;

(K) The provisions of this Declaration, the Articles of Incorporation and Bylaws of the Community Association; and any rules and regulations governing use and enjoyment of the Common Areas adopted by the Community Association;

(L) The right of the Community Association to dedicate or transfer ownership or control of all or any part of the Common Areas to any other governmental agency, public authority, or utility.

So long as there is a Declarant member, any and all rights of members, and any and all restrictions, limitations, conditions and rules and regulations that a member shall be subject to, shall not be amended without the consent of the Declarant.

4.3 Delegation of Use Rights In Common Areas. Guests accompanied by a member shall have the right to use the Common Areas, but only to the extent provided in Section 2.6 of the Bylaws, or in the Community Association's rules and regulations, and subject to the conditions, limitations and restrictions as may be stated therein. The Community Association may issue guest passes to bona fide guests of owners when not personally accompanied by the member. If the Community Association permits a member to delegate his/her use rights in Common Areas to his/her guests, then a fee may be imposed, which fee may be charged in an amount which is not necessarily limited by or related to the cost of processing the delegation. Each member shall be financially and legally responsible to the Community Association for the actions and debts to the Community Association of any person to whom the member has delegated his right to use the Common Areas. The member may not delegate the obligation to pay Community Association assessments. Upon the lease of a Lot or Living unit to which a membership is appurtenant, the lessor may retain the right to use the membership, in which case the tenant shall have no such rights. If a member delegates his privileges to a tenant residing in his Living Unit, the member shall not be entitled to use of the facilities, except as a guest of another member, during the period of the delegation.

4.4 Separation of Ownership. The ownership of a Lot, and the ownership of the Living Unit constructed thereon, may not be separated or separately conveyed, nor may any person who does not own record legal title to at least one Lot, Living Unit, Tract or Parcel hold membership in the Community Association.

5. GENERAL COVENANTS AND USE RESTRICTIONS. The Community may be used for those purposes provided in the Zoning or Development Order. Declarant reserves the right and the power to assign and reassign various land uses within the Community in accordance with the Zoning or Development Order, or any amendments thereto, and where reasonably necessary and advisable, to inaugurate and implement variations from, modifications to, or amendments of the Zoning or Development Order and any other governmental plans, land development regulations, development orders and development permits applicable to the Community.

OR BOOK 03678 Pg. 0778

LIMITATION, REPRESENTATIONS OR WARRANTIES OF MERCHANTABILITY OR FITNESS FOR ANY PARTICULAR PURPOSE, AND REPRESENTATIONS OR WARRANTIES REGARDING THE CONSTRUCTION, DESIGN, ADEQUACY OF SIZE OR CAPACITY IN RELATION TO THE UTILIZATION, DATE OF COMPLETION OR THE FUTURE ECONOMIC PERFORMANCE OR OPERATIONS OF, OR THE MATERIALS, FURNITURE OR EQUIPMENT WHICH WILL BE USED IN, THE COMMON AREAS AND FACILITIES. AT THE TIME OF CONVEYANCE, DECLARANT SHALL TRANSFER OR ASSIGN TO THE COMMUNITY ASSOCIATION, WITHOUT RECOURSE, ALL EXISTING WARRANTIES IT RECEIVED FROM MANUFACTURERS AND SUPPLIERS RELATING TO ANY OF THE FACILITIES WHICH ARE ASSIGNABLE.

8.3 Maintenance and Alteration. The Community Association is responsible for the maintenance, repair, replacement, insurance, protection and control of all Common Areas is responsible for, in accordance with all applicable laws, and shall keep the same in good, safe, clean, attractive and sanitary condition, and in good working order at all times. After control of the Community Association has been turned over to the members, there shall be no material alterations of or substantial additions to the Community Common Areas costing more than $25,000, in the aggregate during any fiscal year unless first approved by a majority of the voting interests of the members of the Community Association. However, if work that is reasonably necessary to meet the Community Association's obligations under the first sentence of this Section 8.4 also constitutes a material alteration or substantial addition, no prior membership approval is required.

8.4 Partition, Subdivision and Encumbrance. Except as hereinafter provided, after legal title to the Common Areas, or any portion thereof, becomes vested in the Community Association, the Common Areas shall not be abandoned, partitioned, subdivided, alienated, released, transferred, hypothecated, or otherwise encumbered, without first obtaining the approval of not less than two-thirds (2/3rds) of the voting interests. The foregoing shall not be construed to limit the authority of the Declarant or the Community Association through its Board of Directors to grant such easements over, across and through the Common Areas, as may be necessary for the effective and efficient operation of the facilities or for the general benefit of the members; nor is it intended to interfere with the transfer of title to the Common Areas as contemplated in Section 8.7. Nothing herein shall be construed to prohibit judicial partition of any Lot, Unit, Tract or Parcel owned in co-tenancy.

8.5 Community Association's Rights and Powers. No Common Areas shall be used in violation of any rule or regulation or other requirement of the Community Association established pursuant to the provisions of this Declaration or the Bylaws.

OR BOOK 03678 PAGE 0797

COLONIAL OAKS

February 21, 2012
(Closed Meeting)

Colonial Oaks Association Board Budget Meeting Minutes
Minutes taken by Karen Bain

Members in Attendance: Karen Bain, Teri Nies, Michael O'Dea, Lori Sheerin, Barb Williams
Attorney by phone: Sarah Spector, Becker-Poliakoff

- Meeting was called to order and a Quorum was established
- Motion to approve the minutes for December 15, 2011 and January 9, 2012 was made by Lori Sheerin, and seconded by Mike O'Dea. Motion passed. Ratify this action at the next open meeting.
- Mike updated us on the progress of the back gate and what the next few steps would be. Some discussion on this matter was done to make sure everyone understood what the next few steps may be.
- A motion was made to affirm board support for the gate relocation proposals currently under review by Teri Nies and Lori Sheerin seconded it. Motion passed.
- Lori Sheerin motion to adjourn meeting Mike O'Dea Seconded, meeting adjourned

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COMMUNITY DEVELOPMENT

EXHIBIT N

COLONIAL OAKS COMMUNITY ASSOCIATION, INC.

Approval of Gate Relocation Proposal

Pursuant to Lee County Administrative Code Number AC-11-4, as owners of property located at 9805 Colonial Walk South, Estero FL 33928, the undersigned hereby agree(s) to relocation of the entrance gate currently situated north of the intersection of Colonial Walk South and Colonial Walk North adjacent to the property located at 9805 Colonial Walk South (the "Gate").

I/We understand that the Colonial Oaks Community Association, Inc. (the "Association") intends to seek approval from Lee County to relocate the Gate so as to abate an outstanding code violation associated with the Gate identified as Case Number VIO2011-02341. The Association has proposed to relocate the Gate to the intersection of Horne Lane and Colonial Walk South at a location approximately 8 (eight) feet north of the stop sign at the end of Colonial Walk South, as set forth in Exhibit "A" (the "Plan").

I/We understand that my/our approval of the Plan is necessitated by the fact that my/our property is considered an "affected residence" pursuant to AC-11-4, in that the relocation of the Gate will affect my/our property in a way that the Gate, in its current location, does not.

I/We further understand that my/our approval of the Plan will be considered binding unless and until significant material changes to the Plan are required. For the purposes of this document, significant material changes are limited to changes to the physical location of the gate in excess of 3 (three) feet. I/We understand that engineering concerns and county requirements may entail slight adjustments to the final location of the gate.

I/We understand that the plan to relocate the Gate will be implemented only if (a) all Affected Property Owners agree to the Plan, (b) the Association Board of Directors agree to the plan and (c) if the Association working with County officials are able to obtain all necessary exceptions and variances required by the Plan.

Christopher Gosnell

Date: 2/19/2012

Phyllis Gosnell

Date: 2/19/2012

12-00031

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COMMUNITY DEVELOPMENT

EXHIBIT O

COLONIAL OAKS COMMUNITY ASSOCIATION, INC.

Approval of Gate Relocation Proposal

Pursuant to Lee County Administrative Code Number AC-11-4, as owner(s) of property located at 9799 Colonial Walk South, Estero FL 33928, the undersigned hereby agree(s) to relocation of the entrance gate currently situated north of the intersection of Colonial Walk South and Colonial Walk North adjacent to the property located at 9805 Colonial Walk South (the "Gate").

I/We understand that the Colonial Oaks Community Association, Inc. (the "Association") intends to seek approval from Lee County to relocate the Gate so as to abate an outstanding code violation associated with the Gate identified as Case Number VIO2011-02341. The Association has proposed to relocate the Gate to the intersection of Horne Lane and Colonial Walk South at a location approximately 8 (eight) feet north of the stop sign at the end of Colonial Walk South, as set forth in Exhibit "A" (the "Plan").

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I/We understand that the plan to relocate the Gate will be implemented only if (a) all Affected Property Owners agree to the Plan, (b) the Association Board of Directors agree to the plan and (c) the Association, working with County officials, are able to obtain all necessary exceptions and variances required by the Plan.

Stacy Rubsam

Date: 2/21/12

Elizabeth Draxten

Date: 2/22/12

ADD 2012-00031

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COMMUNITY DEVELOPMENT

COLONIAL OAKS COMMUNITY ASSOCIATION, INC.

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By our signature below, we hereby agree to relocation of the Gate, regardless of type and eventual location, and further offer our full support to the duly elected Board of Directors of the Association with respect to any and all action taken to maintain the status quo as a gated community so as to ensure the continued safety of the Community and its residents.

	Print Name	Signature	Address
1.	Neil Shecrallah		9622 Horne Lane
2.	Michelle Liza		9876 Colonial Walk N.
3.	Michael Mendez		9938 Colonial Walk South
4.	Candace Farmer		9828 Colonial Walk N.
5.	CHARLES BAIN		9978 COLONIAL WALK N
6.	Mark Sheerin		9915 Colonial Walk N.
7.	Peter Hendrickson		9844 Colonial Walk N.
8.	Brad Ackerman		9864 Colonial Walk N
9.	Mike Chiarmonte		9929 Colonial Walk N.
10.	Cynthia Cobb		9858 Colonial Walk N
11.	Patricia Cullinan		9863 Colonial Walk N
12.	Benjamin Bell		9876 Colonial Walk N
13.			9854 Colonial Walk N
14.			9900 Colonial Walk N
15.			9899 COLONIAL NORTH
16.			9936 Colonial Walk North
17.	Michael J. O'Dea		9984 Colonial Walk North
18.	Teri Nies		9983 Colonial Walk N.
19.	HARVEY KAHN		9989 COLONIAL WALK N
20.	ALAN KAHN		9905 COLONIAL WALK N

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COMMUNITY DEVELOPMENT

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	Print Name	Signature	Address
1.	Judith Weimer	Judith Weimer	9972 Colonial Walk N
2.	SANDRA KENT	Sandra Kent	9878 Colonial Walk S
3.	James McKinney	James McKinney	9911 Colonial Walk N
4.	MARY & KAY LEHMAN		9882 COLONIAL WALK N
5.	Sue Garneau	Sue Garneau	9998 Colonial Walk S.
6.	PAT DESANTIS	Pat DeSantis	9959 Colonial Walk N
7.	TOM DE SANTIS		9959 Colonial Walk N
8.	Sonny James		9935 Colonial Walk N.
9.	Sandy James	Sandy James	9938 Colonial Walk N
10.	Shirley Harrington	Shirley Harrington	9996 Colonial walk S.
11.	DOROTA NEFF		9980 Colonial walk S.
12.	MICHAEL NEFF		9980 Colonial Walk S.
13.	ALAN KAN		9905 Colonial W. North
14.	ARTHUR A. ALLEVA	Arthur A. Alleva	9908 COLONIAL WALK S.
15.	Ronald Lewis	Ronald P. Lewis	9974 Colonial WALK S.
16.	Connie L. Lewis	Connie L. Lewis	9974 Colonial Walk S
17.	JOE RICCIO		9954 COLONIAL WALK N
18.	Robert Atmore	Robert Atmore	9968 Colonial Walk So.
19.	Alejandro Garibay		9962 Colonial Walk S
20.	Diane Shecrallah	Diane Shecrallah	9627 Horne Lane

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	Print Name	Signature	Address
1.	GARY FRANK REICH		9930 COLONIAL WALK N
2.	SHARON RAE REICHER		9930 Colonial Walk, N
3.	William Michael Kugler		9923 Colonial Walk N
4.	Deborah McLevith		9852 Colonial Walk N.
5.	John Ross		9888 Colonial W N.
6.	Katherine Sullivan		9846 Colonial Walk N
7.	ALAN KAHN		9842 COLONIAL WALK S
8.	Noreen Douglas		9920 Colonial Walk S
9.	Ray Woods		9914 Colonial Walk South
10.	Gary Falkenberg		9847 Colonial Walk South
11.	Reise Livingins		9841 Colonial Walk South
12.	DAVID SCHMITT		9890 Colonial Walk South
13.	Nicholas Vaccarella		9840 Colonial Walk North
14.	NATHAN JOHNSON		9823 COLONIAL WALK S.
15.	William Vecchio		9817 Colonial Walk S
16.	Jeanette Bishara		9917 Colonial Walk North
17.	VIRGINIA TAYLOR		9924 COLONIAL WALK NORTH
18.	ALAN Cardell		9942 Colonial Walk North
19.	Sharon Doerr		9948 Colonial Walk North
20.		THANH Duong	9872 Colonial Walk S

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with respect to any and all action taken to maintain the status quo as a gated community so as to ensure the continued safety of the Community and its residents.

	Print Name	Signature	Address
1.	Christine Dugar	Christine Dugar	9857 Colonial Walk N.
2.	J. Michael Dugar	J. Michael Dugar	9857 Colonial Walk N
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COMMUNITY DEVELOPMENT

Case # VIO2011-02341

Colonial Oaks Community Association Board of Directors

Thank you,

* Note that written communication to and from county employees are included under Florida public records law. If you wish to keep your addresses out of the public record, use phone or fax instead.

2120 Main Street
Fort Myers, FL 33901

ADD 2012-00031

COLONIAL OAKS COMMUNITY ASSOCIATION, INC.

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	Print Name	Signature	Address
1.	Dombrowski		9839 Colonial Walk N.
2.	Karin		Estero 33928
3.	SANTOS DEGOLADO		9628 HORNE LN.
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COMMUNITY DEVELOPMENT

8 of 8

COLONIAL OAKS COMMUNITY ASSOCIATION, INC.

Approval of Gate Relocation Proposal

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	Print Name	Signature	Address
1.	Bertrand Higgins	Bertrand Higgins	9860 Colonial Walk S
2.	Karen Bagosy	Karen Bagosy	9902 Colonial Walk S
3.	Bill Harley	Bill Harley	9793 Colonial Walk S.
4.	LARRY MASON	Larry Mason	9893 - Colonial walk N
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	Print Name	Signature	Address
1.	Adrienne Shelton		9906 Colonial Walk N Estero Fla 33928
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APR 09 2012
COMMUNITY DEVELOPMENT

COLONIAL OAKS COMMUNITY ASSOCIATION, INC.

Approval of Gate Relocation Proposal

We, the undersigned, as owners of property located in the Colonial Oaks community (the "Community"), understand that the Colonial Oaks Community Association, Inc. (the "Association") intends to seek approval from Lee County to relocate the rear entrance gate currently situated north of the intersection of Colonial Walk South and Colonial Walk North adjacent to the property located at 9805 Colonial Walk South (the "Gate"). We further understand that the type of gate installed and its specific location will ultimately depend on the approval granted by Lee County.

By our signature below, we hereby agree to relocation of the Gate, regardless of type and eventual location, and further offer our full support to the duly elected Board of Directors of the Association with respect to any and all action taken to maintain the status quo as a gated community so as to ensure the continued safety of the Community and its residents.

	Print Name	Signature	Address
1.	JOHN DERANGO	JDR	9811 COLONIAL WALK S
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ACTIVE: 3610906.1

ADD 2012-00031

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APR 09 2012

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	Print Name	Signature	Address
1.	ROTH IRENA	I. ROS	9556 Colonial Walk S, 33913
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	Print Name	Signature	Address
1.	JASON WEISH		9905 COLONIAL WALK S
2.	ERIN POWERS	Erin Powers	9918 Colonial Walk N
3.	CHRISTA BURKS	C. Burks	9941 Colonial Walk N
4.	Toni Connolly	Toni Connolly	9999 Colonial Walk S.
5.	Kevin Reilly	Kevin Reilly	9896 Colonial Walk S.
6.	Tara Sadonis	Tara Sadonis	9842 Colonial Walk S.
7.	TRAVIS KAUBARS		9964 HORNE LANE
8.	BARB Williams	Barb Williams	9966 Col. W. N.
9.	MARUFA RAHMAN	M. Rahman	9854 C.O.S. Estero FL-33928
10.	LORI LAWSON	Lori Lawson	9634 HORNE LN
11.	LAWRENCE ELLIS	Lawrence Ellis	9662 HORNE LN
12.	KEVIN O'DONNELL	Kevin O'Donnell	9668 Horne LN
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RENTORS

OWNERS

E 8160 N

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COMMUNITY DEVELOPMENT

ADD 2012-00031

7 Renters + 5 owners

ACTIVE: 3610906_1

Richardson, Nettie

From: Price, Robert
Sent: Monday, April 23, 2012 1:43 PM
To: Richardson, Nettie
Cc: Eckenrode, Peter
Subject: RE: Colonial Oaks ADD2012--00031

Nettie,

I have reviewed the traffic counts that were supplied by the Applicant for the Colonial Oaks ADD request. The location of the proposed gate will not allow for the sufficient 5 vehicle stacking area, and there is no ability to provide a full turnaround in conformance with the Land Development Code. However, the location of the gate was strategically selected in an effort to provide passenger cars that ability to perform a turnaround maneuver at the intersection of Horne Lane and Colonial Walk S without leaving the pavement and driving into a property owner's yard.

Additionally, Staff is not concerned with the lack of the stacking area based on the traffic volumes that exist on Horne Lane. Based on the counts, during the majority of the day there is less than one (1) vehicle per minute on Horne Lane. In other words, there is very little consistent traffic flow on Horne Lane, so the drivers that are forced to perform the turnaround maneuver have plenty of time to complete the maneuver without adversely impacting the existing traffic on Horne Lane. There will be signage placed on Horne Lane to warn drivers of the gate in an effort to minimize the amount of turnaround traffic.

Based on these items, Staff is confident that approving the gate at the proposed location on Colonial Walk S just to the south of Horne Lane will not create a health, safety, and welfare issue for the traveling public.

Rob

Robert L. Price, PE
Senior Engineer
Lee County Development Services
(239) 533-8355
RPrice@leegov.com

From: Richardson, Nettie
Sent: Monday, April 23, 2012 10:22 AM
To: Price, Robert
Cc: Eckenrode, Peter
Subject: Colonial Oaks ADD2012--00031

Rob,

I need a memo from you saying that the relocation of the gate based on the 3 day traffic counts provided by the applicant does not warrant the need of the 5 vehicle stacking requirement or something like that....if you need copies of the counts, let me know. Thanks.

Nettie Richardson
Principal Planner
Lee County Zoning
1500 Monroe Street
Fort Myers, Florida 33901

EXHIBIT P

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COMMUNITY DEVELOPMENT

From: Jack Lienesch
To: Shellie Johnson
Cc: Beverly MacNellis; Greg Toth; Jeff Maas; John Goodrich; Judy Beach; Neal Noethlich; Ned Dewhirst; Paul Roberts; Roger Strelow; Pam Houck
Subject: Re: Colonial Oaks Information
Date: Wednesday, April 04, 2012 5:32:27 PM

Q

Shellie --

Although our planning panel is not in complete agreement on how Colonial Oaks is proposing to solve their traffic cut-through issue, most of us are OK with it. So I will tell Pam Houck that we have no objection to your proposal via this email.

Regards,

-- Jack Lienesch, Chairman
ECPP

On Mon, Apr 2, 2012 at 8:44 AM, Shellie Johnson <ShellieJ@en-site.com> wrote:

> Mr. Dewhirst:
>
> You are correct. The applicant is requesting two deviations from Section 34-1748. The request is to reduce the required 100-foot setback from the intersection of Horne Lane and Colonial Walk to 36 feet, and to allow turnaround room for a passenger vehicle (a car) instead of the required SV vehicle, which is a small box truck-type vehicle. Placement of the gate between the two most easterly residents could not be accommodated without creating maneuverability issues for these two residents.
>
> The applicant has been working with county staff on this project for five years and has finally agreed upon the proposed solution. The HOA has received sign-off by a majority, including the two most easterly property owners that are most affected. Additionally, we have provided traffic counts to the county that demonstrate a very low level of traffic at this intersection/entry, to further substantiate the reduction in stacking area. All of these efforts have been closely coordinated with county staff.
>
> ADD 2012-00031
>
> The MCP does allow for gates, however the current MCP does not call them out. The original MCP shows a different roadway configuration with only a single ingress/egress to the subdivision. I am not sure of the reason for the amendment that added the entry point at Horne Lane, however from reading the Resolution, it appears that there was a need to avoid congestion issues on Three Oaks Parkway. See attached MCP's.
>
> I cannot speak to the stop bar/stop sign but feel confident that county staff will direct this

placement once we are able to apply for the development permit.

We have had multiple meetings with county staff to resolve this issue, including LDOT, Development Review and Zoning and are anxious to finally have come up with a solution that everyone is comfortable with.

Please let me know if you have any further questions.

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Thanks,

Shellie Johnson, AICP

EnSite, Inc.

From: Ned Dewhirst [mailto:ndewhirst@oakbrookco.com]
Sent: Friday, March 30, 2012 7:50 PM
To: Jack Lienesch; Beverly MacNellis; Greg Toth; Jeff Maas; John Goodrich; Judy Beach; Neal Noethlich; Paul Roberts; Roger Strelow
Cc: Shellie Johnson
Subject: RE: Colonial Oaks Information

Jack: My comments:

- You reference the amendment is from Sec 34-1748 (S); I think you mean (5).
- I assume Colonial Oaks is a RPD. What does the zoning and MCP say re gates and their location? A copy of the zoning RPD would be helpful.
- How does this proposed location meet the rest of the LCD Sec 34-1748 ie min 100' from intersection; stacking for 5 vehicles; not to interfere with individual driveways? It would appear you will need more than just the one deviation unless you are relying on (1) d.5. Has Pete/Mary made an opinion?
- Have all the homes near this intersection outside the gate been contacted and they are comfortable with occasional bottle-necks with trucks having to maneuver the lack of turning radii?
- Is it advisable to have a stop bar/stop sign just south of the exiting gate? It seems like most are located after going thru a gate for safety reasons.

- Have you reviewed with LDOT and /or Dev Review as to this proposed location/design?

I understand the intent and need; however it seems like the development originally was not designed for a gate which makes this a challenge.

From: Jack Lienesch [mailto:jacklienesch@gmail.com]
Sent: Wednesday, March 28, 2012 8:03 PM
To: Beverly MacNellis; Greg Toth; Jeff Maas; John Goodrich; Judy Beach; Neal Noethlich; Ned Dewhirst; Paul Roberts; Roger Strelow
Cc: shellieJ@en-site.com
Subject: Fwd: Colonial Oaks Information

Everyone --

This is a proposed administrative amendment to install a gate inside Colonial Oaks to prevent cut through traffic from River Ranch from using their subdivision as a more direct access to Three Oaks Boulevard. There is a lot of background history on this issue which is not really germane to our mission -- the County wants us to review it and as far as I can tell, nothing that is being proposed is visible from either road. I am suggesting you review what is proposed and email me back with your opinion. Residents have agreed, fire department has agreed and I'm suggesting we should say we support the initiative. Apparently there is a time issue, as Shellie does not wish to wait until our April meeting to get this going.

Regards,

-- Jack Lienesch

---------- Forwarded message ----------
From: **Shellie Johnson** <ShellieJ@en-site.com>
Date: Wed, Mar 28, 2012 at 4:05 PM
Subject: Colonial Oaks Information
To: "jacklienesch@gmail.com" <jacklienesch@gmail.com>

Jack:

Attached are the three images that I sent you last week plus an aerial that shows

the proposed gate location and the typical cut-thru traffic that is in need of being addressed. Through all of the reiterations on this project, I realize that I gave you the wrong gate location. Initially, the location was proposed between the two driveways, but has since been relocated to the north of the driveway of the first house on Colonial Walk.

Thanks for your assistance with this. Please let me know if there are any questions.

Shellie Johnson, AICP

EnSite

2401 First Street, Suite 201

Fort Myers, FL 33901

CELL/TEXT: (239) 898-0125

OFFICE: (239) 226-0024

FAX: (239) 226-0094

ShellieJ@en-site.com

www.en-site.com

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ADD 2012-00031

Think Green.

Please consider the environment before printing this e-mail.

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