DCI2011-00001
CYPRESS WOOD RV RESORT ASSOC
BCCR11-10-01 Extension
(master # DCI2007-00078)

Case was originally submitted as an SB1752 ext. but on 5/22/12, planner, Nettie Richardson had them amend their extension to a BCCR11-10-01 ext.

(master # DCI2007-00078)

GIS Tracking Sheet

Case No.: DCI 2011-00001

Intake Date: January 3, 2011

Project Name: Cypresswoods RV Resort Assoc.

STRAP Number(s): 11-44-25-00-00002.101A

Planner Name: Nettie Richardson Ext. 38786

LEGAL DESCRIPTION VERIFICATION and **INITIAL GIS MAPPING**

Date: **INTAKE:**

LEGAL SUFFICIENT ☐ YES ☐ NO Initials:

If not, give brief explanation:

MAP UPDATE following **FINAL ACTION**

Date:

☐ Hearing Examiner Decision ☐ Board of County Commissioner's Resolution

☐ Administrative Approval ☐ Blue Sheet

Zoning Notes:

MAP UPDATED ☑YES ☐NO Initials: NL

If not, give brief explanation:

LEE COUNTY
SOUTHWEST FLORIDA

239-533-8585

May 23, 2012

AVI HARPAZ
HARP MANAGEMENT LLC
5551 LUCKETT ROAD
FORT MYERS FL 33905

Re: CYPRESS WOOD RV RESORT ASSOC
BCCR11-10-01 Extension (F)
DCI2011-00001

Dear AVI HARPAZ:

In accord with BCCR11-10-01, development permits meeting certain criteria are entitled to one 4-year extension from the existing/initial permit expiration date. Accordingly, the effectiveness of the Master Concept Plan identified in Zoning Resolution, Z-11-021, DCI2007-00078, CYPRESS WOOD RV RESORT ASSOC, is hereby extended for the following:
APPROVAL OF A 4 YEAR EXTENSION FROM DECEMBER 19, 2011 TO DECEMBER 19, 2021 FOR CYPRESS WOODS RV RESORT.

No additional extensions under BCCR11-10-01 may be granted for the above-referenced development permit. All underlying conditions of the zoning resolution remain in full force and effect. Failure to comply with zoning conditions may result in enforcement action as provided under Florida law and local regulations.

This extension applies only to the specific approvals identified above. If your project requires additional development permits or authorizations to continue construction, you are required to obtain the necessary approvals, including related permit extensions. If you hold other permits or authorizations that qualify for an extension under BCCR11-10-01, you must file a specific request for each qualifying development permit.

If you have any questions, please do not hesitate to contact me.

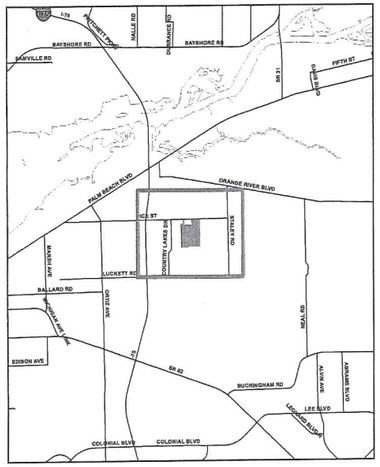
Sincerely,

Department of Community Development
Division of Zoning

Pam Houck

Pam Houck
Director

Kenora Holdings
DCI2009-00014



Legend

- Lee County Zoning
- Subject Property

N
W E
S

0 260 520
Feet

This map drawn for visual purposes only.
Not to be used for official zoning map.

Prepared by:
Lee County DCD
Mapped August, 2011
2010 Photograph

STAFF'S EXHIBIT # 1
01/12/2011

2.1 acres
amend RVPD/MHPD

Dec. 19, 2011

RESOLUTION NUMBER Z-11-021

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

WHEREAS, Cypress Woods V, LLC filed an application on behalf of the property owner, Kenora Holdings LLC, to rezone 2.102 acres (total legally described area 35.64± acres, Phase V) by amending the existing Recreational Vehicle Planned Development/Mobile Home Planned Development (RVPD/MHPD) zoning to include an additional 2.102 acres that will be rezoned from Agriculture District (AG-2) to Recreational Vehicle Planned Development/Mobile Home Planned Development (RVPD/MHPD) in reference to Cypress Woods RV Resort; and

WHEREAS, a public hearing before the Lee County Zoning Hearing Examiner was advertised and held on October 12, 2011; and

WHEREAS, the Hearing Examiner gave full consideration to the evidence in the record for Case #DCI2007-00078 and recommended approval with conditions of the Request; and

WHEREAS, a second public hearing was advertised and held on December 19, 2011 before the Lee County Board of Commissioners; and,

WHEREAS, the Lee County Board of Commissioners gave full and complete consideration to the recommendations of the staff, the Hearing Examiner, the documents on record and the testimony of all interested persons.

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

SECTION A. REQUEST

The applicant filed a request to rezone 2.102 acres (total legally described area 35.64± acres, Phase V) by amending the existing RVPD/MHPD zoning for Cypress Woods R.V. Resort to include an additional 2.102 acres that will be rezoned from AG-2 to RVPD/MHPD to allow an additional 18 lots within the resort. The property is located in the Urban Community Future Land Use Category and is legally described in attached Exhibit A. The request is APPROVED, SUBJECT TO the conditions and deviations specified in Sections B and C below.

SECTION B. CONDITIONS:

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

1. Development of this project must be consistent with the 3-page Master Concept Plan (MCP) entitled "Cypress Woods R.V. Resort," prepared by Barbot, Steuart & Associates, Inc., last revised 08/16/10 and date-stamped "AUG 23 2010," and attached hereto as Exhibit C, except as modified by the conditions below. Development must comply with all requirements of the LDC at time of local development order approval, except as may be

12-19-11 Z

granted by deviation as part of this planned development. If changes to the MCP are subsequently pursued, appropriate approvals will be necessary.

The overall project is limited to a maximum total of 611 mobile home and recreational vehicle units. Development may not exceed any Development of Regional Impact threshold contained in Florida Statutes, without first obtaining approval of an Application for Development Approval.

2. Property Development Regulations

Lots within this development shall be developed in accordance with the following Property Development Regulations:

Minimum Lot Area and Dimensions:

Area:	4,140 square feet
Width:	46 feet
Depth:	90 feet

Minimum Setbacks:

Street:	20 feet
Side Street:	10 feet [Deviation (4)]
Side:	10 feet (for a recreational vehicle) 5 feet (for mobile home)*
Rear:	20 feet
Water Body:	25 feet

3. Mobile Home/Recreational Vehicle

The developer or subsequent master owner association must provide on or before December 31st of each year an accounting of the total number of lots existing within the development. The accounting must also provide the number of lots used for recreational vehicle and mobile home use. At no time may the number of lots exceed that permitted in Condition 1, nor may the number of recreational vehicles exceed 599. Lots permitted for mobile home use by Lee County, may not subsequently be used by a recreational vehicle.

4. Onsite Shelter

The on-site Hurricane Shelter provision for this development must be consistent with the commitment on the approved MCP.

5. Utilities

The development must be connected to a public or private central water system and a public or private central sewage disposal system.

6. Traffic Impacts

This zoning approval does not signify that the project's traffic impacts have been mitigated.

Additional conditions may be required at the time of issuance of a local development order per the Development Standards Ordinance or other Lee County Ordinance.

7. Allocation Table

Approval of this rezoning does not give the developer the undeniable right to receive any local development order approval that exceeds the year 2010 Overlay use allocation, if such allocation exists, for the applicable district.

8. Fox Squirrel Preserve Area & Northern Buffer

All areas shown on the MCP as fox squirrel preserve must be shown and labeled as such on any plans submitted for local development order approval, any golden polypody found on trees within development areas must be relocated to preserve areas wherever feasible.

Prior to local development order approval for Phase V, the landscape plans must depict restoration for the northern buffer in substantial compliance with the Habitat Restoration and Maintenance Guidelines (date-stamped "Received August 23, 2010" and attached as Exhibit D).

9. Solid Waste Management

This development must be consistent with LDC §10-261 and Solid Waste Ordinance #08-10 for the pick-up/disposal of solid waste and recyclables. The minimum area required for, and specific locations of, these facilities will be reviewed at the time of local development order application.

10. Open Space

The overall project must provide a minimum of 67.66 acres of open space for all phases of the project in substantial compliance with the MCP.

11. Indigenous Open Space

The project must provide a minimum of 36.64± acres of indigenous open space with credits for all phases of the project in conceptual compliance with the approved MCP.

12. Indigenous Maintenance and Management Plan

Prior to local development order approval for Phase V, the Applicant must submit a maintenance and management plan for the proposed Indigenous Preserve Areas as per the LDC §10-415(b)(4) for Division of Environmental Sciences review and approval.

13. Landscape Plans

Prior to local development order approval for Phase V, the landscape plans must be in substantial compliance with the Habitat Restoration and Maintenance Guidelines and depict:

- the planting of slash pines (Pinus elliotti var densa), dahoon holly (Ilex cassine), laurel oak (Quercus laurifolia) and live oaks (Quercus virginiana), planted an average 15-feet on center; and,
- 75 percent of the trees planted 10-feet in height, two-inch caliper; and,
- 25 percent of the trees planted 16-feet in height, three-four-inch caliper; and,
- shrubs consistent with the restoration plan, planted in scattered clusters one-gallon container size, three feet on center; and,
- a five-year monitoring report must be provided to ensure that the habitat restoration is successful.

14. Conveyance Ditch and Easement

Prior to local development order approval for Phase V, the Development Order plans must demonstrate that the location of the conveyance ditch and associated easement are not located within the 40-foot-wide area depicted as the Big Cypress Fox Squirrel buffer/preserve area. Per the Habitat and Restoration Plan the 40-foot-wide buffer/preserve areas must be restored in its entirety.

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 Allocations Table, Map 16 and Table 1(b).

SECTION C. DEVIATIONS:[1]

1. Deviation (1) seeks relief from the LDC §14-298(c) requirement to provide for the development of the "TZ" area as indicated on the MCP. This deviation is APPROVED, SUBJECT TO the proposed mitigation plan, titled "Cypress Woods Monitoring and Maintenance Plan" submitted by Boylan Environmental Consultants, Inc., zoning counter stamped and dated May 18, 1995 (Exhibit E). Mitigation must follow the phasing presented in these documents and all monitoring reports must be submitted to the Lee County Division of Environmental Sciences within thirty days of the scheduled monitoring events.

2. Deviation (2) was previously DENIED.

3. Deviation (3) seeks relief from the LDC §10-714.b. requirement to provide a 90-foot turn out radius to 30 feet. This deviation is APPROVED, SUBJECT TO the developer providing a paved/stabilized surface with a minimum radius of 42 feet and, in addition, providing an unobstructed clear zone with a 48-foot radius (6 feet clear zone beyond driving range).

4. Deviation (4) seeks relief from the LDC §34-2192(a) requirement to allow a reduction in the street setback from 20 feet to 5 feet on the "side" lot line for corner lots. This deviation is APPROVED, SUBJECT TO the terms of Condition 2.

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1 Deviations 1 through 17, inclusive, were previously approved or denied by the Board of County Commissioners in prior zoning actions for the Cypress Woods R.V. Resort Recreational Vehicle Planned Development/Mobile Home Planned Development (RVPD/MHPD).

5. Deviation (5) seeks relief from the LDC §§ 10-285.a., 10-285.a., Table 1, and 10-296.j. requirement to provide 125 feet of street intersection separation, to 100 feet. This deviation APPROVES up to 100 feet of street intersection separation and also permits the location of a temporary emergency access to the west of the approved access point in this deviation, in accordance with Deviation 6.

6. Deviation (6) seeks relief from the LDC §10-291.3 requirement to allow only one entrance for a development of more than 5 acres. This deviation is APPROVED, SUBJECT TO the condition that a temporary emergency access point shall be constructed from Luckett Road, into the project site, for the use of emergency vehicles only. This temporary access point shall remain in place until such time as a permanent emergency access point is constructed, or until this development provides a permanent functioning interconnection with an adjoining property. The temporary access point shall be constructed in accordance with the LDC as administered by the Division of Development Services.

7. Deviation (7) seeks relief from the LDC §§ 10-296(b) and 10-296, Table 3, requirement of a 45-foot right-of-way for a local street with open drainage, to permit a local street with 30 feet of right-of-way and open drainage. This deviation is APPROVED, SUBJECT TO the condition that the typical lot cross section demonstrates that the drainage performs adequately by showing the slab placement at the Development Order stage.

8. Deviation (8) seeks relief from the LDC §34-939(b)(6) requirement of a 5,000-square-foot minimum lot, to provide a 4,140-square-foot minimum (46 feet x 90 feet). This deviation is APPROVED, SUBJECT TO Condition 2 herein.

9. Deviation (9) seeks relief from the LDC §34-939(b)(7)c. requirement of a side setback of 10 feet and a street (right-of-way) setback of 25 feet to permit a side setback of 5 feet and a street (right-of-way) setback of 20 feet in the non-transient section of the park. This deviation is APPROVED, provided that these setbacks are in conformance with the requirements of Condition 2 and all side setbacks apply to all portions of the structure or unit, including overhangs.

   Deviation (9.a) seeks relief from the LDC §34-939(b)(3) requirement to permit an access road through the perimeter buffer to the storage area. This deviation is APPROVED, subject to Condition 8.

10. Deviation (10) seeks relief from the LDC §34-736 requirement of a 5,000-square-foot minimum lot (50 feet x 100 feet) to provide a 4,140-square-foot minimum lot (46 feet x 90 feet). This deviation is APPROVED, SUBJECT TO the requirements of Condition 2.

11. Deviation (11) seeks relief from the LDC §34-736 requirement of a side setback of 7 feet to permit a side setback of 5 feet. This deviation is APPROVED, SUBJECT TO the setbacks in Condition 2.

12. Deviation (12) seeks relief from the LDC §§ 34-2222(1) and 10-254(b) requirement to allow the corner lots to be the same size as the other lots within the development (and not have an additional 15 feet of width). This deviation is APPROVED, SUBJECT TO the requirements of Condition 2.

13. Deviation (13) seeks relief from the LDC §10-295 requirement to eliminate the requirement for street stubs to adjacent properties. This deviation is APPROVED, SUBJECT TO the following condition:

> Deviation 13 is hereby approved with the condition that a temporary emergency access point shall be constructed from Luckett Road, into the project site, for the use of emergency vehicles only. This temporary access point shall remain in place until such time as an adjoining development provides a permanent functioning interconnection with their property.

14. Deviation (14) seeks relief from the LDC §34-939(b)(3) requirement to eliminate the requirement for a buffer between a recreational vehicle park and adjacent property interior to the site. This deviation is APPROVED for the interior portion of the site, only.

15. Deviation (15) seeks relief from the LDC §34-935(a)(I) requirement to eliminate the requirement that a new recreational vehicle park be not less than 20 acres in size. This deviation is APPROVED.

16. Deviation (16) seeks relief from the LDC §§ 34-2194(b) and (c) requirement of 25-foot water body setback to allow a zero-foot setback in order to permit the construction of a clubhouse, deck, pier and gazebo 90 feet into the artificial body of water. This deviation is APPROVED, SUBJECT TO substantial compliance with the proposed construction of the clubhouse and related facilities on the approved Plan entitled "Cypress Woods, R.V. Resort Clubhouse Area Dev. Order Plans; Drainage, Parking & Site Dim. Plan," dated 04-14-03, stamped received AUG 21, 2003 attached as Exhibit F; and subject to the requirement that the water body setback must not adversely impact any open space requirement, wetland vegetation plantings, or other buffering, landscaping, or preservation areas or requirements.

17. Deviation (17) seeks relief from the LDC §34-2020 requirement of a total of 135 parking spaces for the two clubhouse facilities to allow only 44 off-street parking spaces. This deviation is APPROVED, SUBJECT TO the reservation of Lots 85 and 86 (Phase "4") and Tract I (Phase "3", which lies immediately east of Lots 85 and 86, Phase "4"), for the use of overflow parking only, and may not be used as a recreational vehicle or mobile home site. Upon the sale of the last lot (site), in the last Phase of this development, if the Applicant can adequately demonstrate during the season of the highest occupancy of the development that the overflow parking areas were not needed, the two lots can then be used for recreational vehicle or mobile home sites, as provided for in this planned development. A reduced copy of a Plan entitled "Cypress Woods R.V. Resort Phases "IV," IVA, & IVB," date-stamped "Received SEP 08, 2003" depicting these parcels is attached hereto as Exhibit G.

18. Deviation (18) seeks relief from the LDC §34-935(a)(1) requirement of a minimum of 5 acres of land for expanding an existing recreational vehicle park, to allow an expansion of 2.1± acres. This deviation is APPROVED.

SECTION D. EXHIBITS AND STRAP NUMBER:

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

Exhibit A: Legal description of the property
Exhibit B: Zoning Map (with the subject parcel indicated)
Exhibit C: The Master Concept Plan
Exhibit D: Habitat Restoration and Maintenance Guidelines
Exhibit E: Cypress Woods Monitoring and Maintenance Plan
Exhibit F: Cypress Woods R.V. Resort Clubhouse Area Dev. Order Plans (Drainage, Parking & Site Dim. Plan)
Exhibit G: Cypress Woods R.V. Resort Phases IV, IVA & IVB

The applicant has indicated that the STRAP numbers for the subject property are: 11-44-25-00-00002.101A and 11-44-25-00-00014.0020

SECTION E. FINDINGS AND CONCLUSIONS:

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

2. The rezoning, as approved:

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

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

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

   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 rezoning satisfies the following criteria:

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

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

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

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

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

John Manning	Absent
Brian Bigelow	Aye
Ray Judah	Aye
Tammara Hall	Aye
Frank Mann	Aye

DULY PASSED AND ADOPTED this 19th day of December, 2011.

ATTEST:
CHARLIE GREEN, CLERK

BY: Marcia Wilson
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: _____
John Manning, Chair

Approved as to form by:

_____
Michael D. Jacob
Assistant County Attorney
County Attorney's Office

RECEIVED
MINUTES OFFICE

2012 JAN 17 PM 1:06

EXHIBIT A

DCI 2007-00078

DESCRIPTION:

A TRACT OR PARCEL OF LAND LYING IN SECTION 11, TOWNSHIP 44 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER (S.W.1/4) OF THE AFORESAID SECTION 11; THENCE RUN S.00°15'35"W. ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER (S.W.1/4) FOR 1302.47 FEET TO THE NORTHEAST CORNER OF CYPRESS WOODS RV RESORT, UNIT THREE, AS RECORDED IN PLAT BOOK 72, PAGES 92 THROUGH 95, PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE RUN N.89°53'08"W. ALONG THE NORTH LINE OF CYPRESS WOODS RV RESORT, UNIT THREE FOR 1122.27 FEET; THENCE RUN N.00°17'00"E. FOR 1301.43 FEET TO A POINT ON THE NORTH LINE OF THE AFORESAID SOUTHWEST QUARTER (S.W.1/4); THENCE RUN S.89°56'19"E. ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER (S.W.1/4) FOR 11.92 FEET TO A POINT ON A ON TANGENT CURVE; THENCE RUN NORTHEASTERLY FOR 218.04 FEET ALONG THE ARC OF A CURVE CONCAVE SOUTHEASTERLY, WITH A RADIUS OF 255.00 FEET, A DELTA OF 48°59'28", A CHORD BEARING OF N.65°37'08"E. AND A CHORD DISTANCE OF 211.46 FEET TO A POINT OF TANGENCY; THENCE RUN S.89°53'08"E. FOR 917.66 FEET TO A POINT ON THE EAST LINE OF THE NORTHWEST QUARTER (N.W.1/4) OF THE AFORESAID SECTION 11; THENCE RUN S.00°15'35"W. ALONG SAID EAST LINE FOR 86.65 FEET TO THE POINT OF BEGINNING.

SAID TRACT CONTAINS 35.638 ACRES, MORE OR LESS.

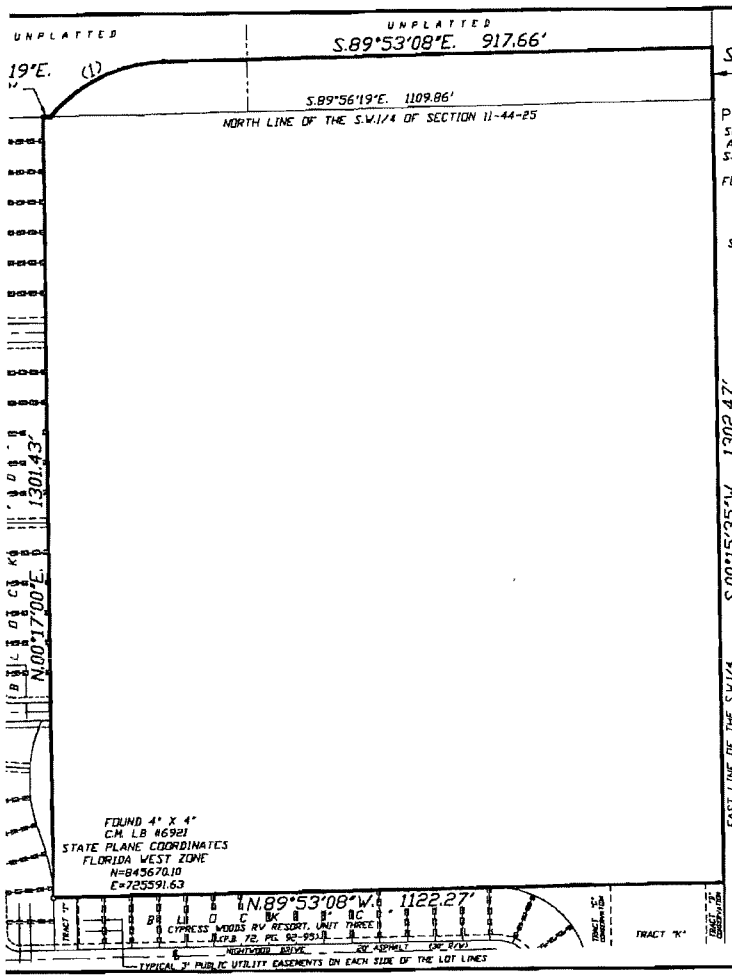
JOHN B. HARRIS
PLS #4631
JULY 1, 2011

RECEIVED
JUL 1 2011
COMMUNITY DEVELOPMENT

6 7/14/11

APPROVED
LEGAL

CW-U5



S.00°15'35"W.
86.65'

POINT OF BEGINNING
SET 1/2" I.R. CAP PLS #4631
AT THE N.E. CORNER OF THE
S.W.1/4 OF SECTION 11-44-25
&
FOUND 3" X 3" C.M. LS #2465
0.11' SOUTH & 1.27' WEST
&
FOUND 3" X 3" C.M. NO ID.
2.2' SOUTH & 0.45' EAST
STATE PLANE COORDINATES
FLORIDA WEST ZONE
N=846970.31
E=726719.86

S.00°15'35"W. 1302.47'

O.R. BOOK 2437, PAGE 674

EAST LINE OF THE S.W.1/4 OF SECTION 11-44-25

2007-00078

FOUND 4" X 4" C.M. LB #6921
AT THE N.E. CORNER OF
CYPRESS WOODS RV RESORT, UNIT THREE
(P.B. 72, PG. 92-95)
STATE PLANE COORDINATES
FLORIDA WEST ZONE
N=845667.86
E=726713.90

SKETCH OF DESCRIPTION

A PARCEL OF LAND LYING IN SECTION 11

TOWNSHIP 44 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA

APPROVED
LEGAL

DESCRIPTION:

A TRACT OR PARCEL OF LAND LYING IN SECTION 11, TOWNSHIP 44 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER (S.W.1/4) OF THE AFORESAID SECTION 11; THENCE RUN S.00°15'35"W. ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER (S.W.1/4) FOR 1302.47 FEET TO THE NORTHEAST CORNER OF CYPRESS WOODS RV RESORT, UNIT THREE, AS RECORDED IN PLAT BOOK 72, PAGES 92 THROUGH 95, PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE RUN N.89°53'08"W. ALONG THE NORTH LINE OF CYPRESS WOODS RV RESORT, UNIT THREE FOR 1122.27 FEET; THENCE RUN N.00°17'00"E. FOR 1301.43 FEET TO A POINT ON THE NORTH LINE OF THE AFORESAID SOUTHWEST QUARTER (S.W.1/4); THENCE RUN S.89°56'19"E. ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER (S.W.1/4) FOR 11.92 FEET TO A POINT ON A ON TANGENT CURVE; THENCE RUN NORTHEASTERLY FOR 218.04 FEET ALONG THE ARC OF A CURVE CONCAVE SOUTHEASTERLY, WITH A RADIUS OF 255.00 FEET, A DELTA OF 48°59'28", A CHORD BEARING OF N.65°37'08"E. AND A CHORD DISTANCE OF 211.46 FEET TO A POINT OF TANGENCY; THENCE RUN S.89°56'19"E. FOR 917.66 FEET TO A POINT ON THE EAST LINE OF THE NORTHWEST QUARTER (N.W.1/4) OF THE AFORESAID SECTION 11; THENCE RUN S.00°15'35"W. ALONG SAID EAST LINE FOR 86.65 FEET TO THE POINT OF BEGINNING.

SAID TRACT CONTAINS 35.638 ACRES, MORE OR LESS.

APPROVED
LEGAL 7/14/11

Curve number 1

Radius= 255.00'
Delta= 48°59'28"
Arc= 218.04'
Tangent= 116.19'
Chord= 211.46'
Chord Brg.= N.65°37'08"E.

N

100 0 100 200 300
SCALE: IN FEET

REVISED	DESCRIPTION	BY
7/12/07	UPDATE SURVEY	FBH
1/10/09	REVISE SURVEY	FBH
7/20/10	REVISE SKETCH	FBH

July 8, 2011.

JOHN B. HARRIS, PSM
FLORIDA LAND SURVEYOR #4631

DRAWN		SCALE	PROJ. #
FBH	JBH	1"=200'	CW-US
SKETCH DATE		FILE NO	SHT.- 1
12/21/06		44-25-11	OF - 1

HARRIS + JORGENSEN, INC.
2706 S.E. SANTA BARBARA PLACE
CAPE CORAL, FLORIDA
PHONE: (941) 772-9339
FAX : (941) 772-1315

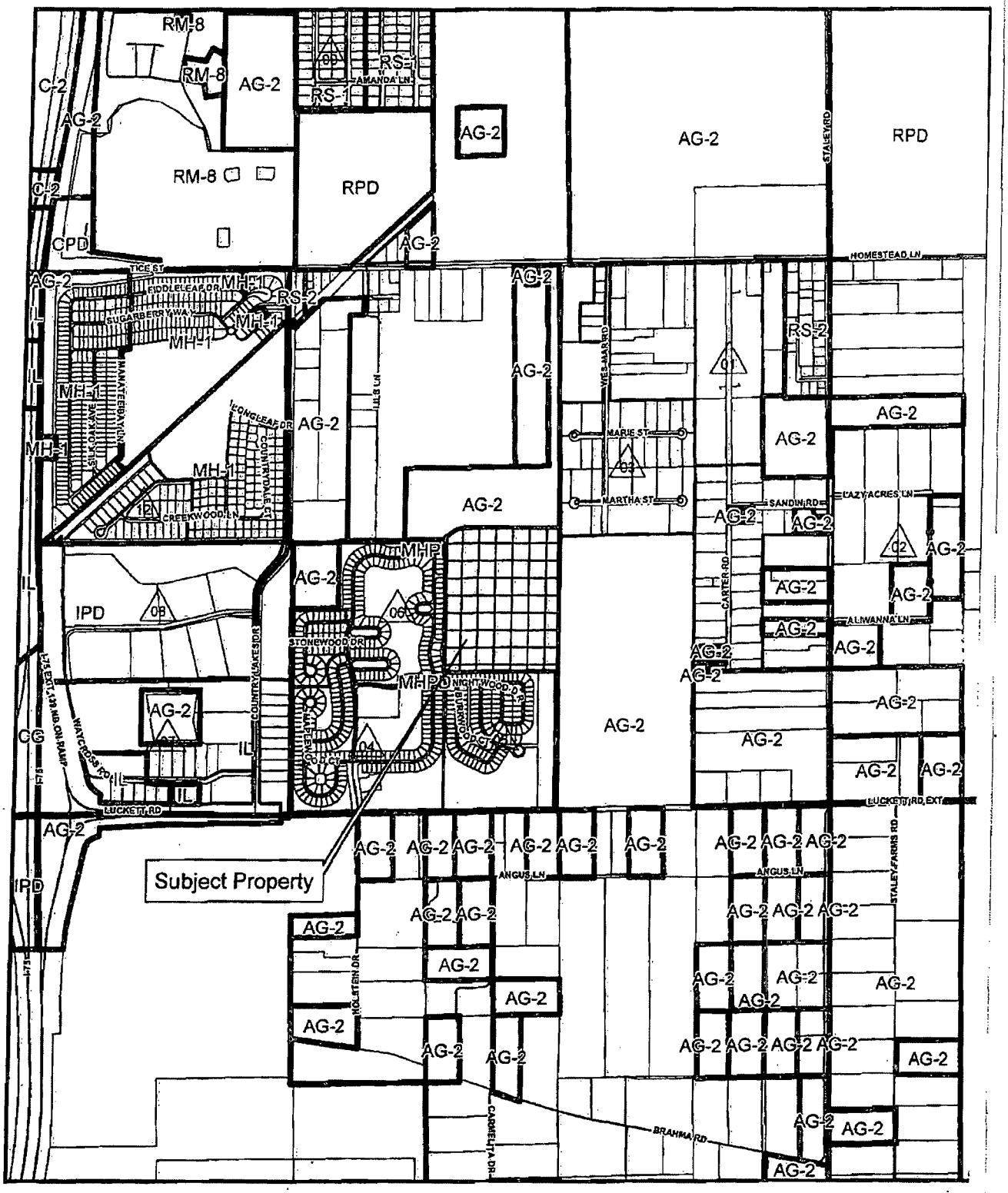
FLORIDA CERTIFICATE OF AUTHORIZATION # LB 6921

Exhibit B

DCI2007-00078

Zoning Map

9/12/2011



RESOLUTION NUMBER Z-11-022

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

WHEREAS, an application was filed by the property owner, Kenora Holdings, LLC., to rezone a 95.7± acre parcel from Agricultural (AG-2) to Recreational Vehicle Planned Development (RVPD) in reference to Kenora Holdings, LLC Rezoning; and

WHEREAS, a public hearing before the Lee County Zoning Hearing Examiner, Richard A. Gescheidt, was advertised and held on October 12, 2011. At the conclusion of the hearing, the Hearing Examiner left the record open and requested Staff and the Applicant to submit written submissions to his Office on or before October 31, 2011 and November 30, 2011; and

WHEREAS, the Hearing Examiner gave full consideration to the evidence in the record for Case #DCI2009-00014 and recommended APPROVAL of the Request; and

WHEREAS, a second public hearing was advertised and held on December 19, 2011 before the Lee County Board of Commissioners; and,

WHEREAS, the Lee County Board of Commissioners gave full and complete consideration to the recommendations of the staff, the Hearing Examiner, the documents on record and the testimony of all interested persons.

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

SECTION A. REQUEST

The applicant filed a request to rezone 95.7+/- acres from AG-2 to RVPD, to permit a maximum of 499 lots with accessory uses, including but not limited to food stores, personal services, recreation facilities, and open storage. Potable water and sanitary sewer services will be provided by Lee County Utilities. No development blasting is proposed.

The property is located in the Urban Community Future Land Use Category and is legally described in attached Exhibit A. The request is APPROVED, SUBJECT TO the conditions and deviations specified in Sections B and C below.

SECTION B. CONDITIONS:

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

1. Master Concept Plan/Development Parameters

Development of this project must be consistent with the two-page Master Concept Plan (MCP) entitled "Kenora Holdings," prepared by Barbot, Steuart and Associates, Inc., page

12-19-11 Z

1 date stamped received OCT 28 2011, last revised 8-8-11, and page 2 date stamped received AUG 18 2011, last revised 8-8-11 and attached hereto as Exhibit C, except as modified by the conditions below. 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 MCP are subsequently pursued, appropriate approvals will be necessary.

This development must comply with all requirements of the Lee County 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 MCP are subsequently pursued, appropriate approvals will be necessary.

This rezoning allows a maximum of 499 non-transient Recreational Vehicle (RV) lots with associated accessory and subordinate uses including limited commercial uses.

2. Uses and Site Development Regulations

The following Limits apply to the project and uses:

a. Schedule of Uses

Accessory Uses and structures
Administrative Office
Consumption on premises (limited to the clubhouse indoor and outdoor)
Entrance Gate or Gatehouse, in conformance with Lee County LDC §34-1748
Essential Services
Essential Services Facility, Group I
Excavation, Water Retention
Fences, walls
Food Stores, Group I (limited to use by park residents and guests and located internal to the park)
Model Homes, Unit, Display Center
Park - trailers and park - models
Personal Services, Group I (limited to use by park residents and guests and located internal to the park)
Recreational Facilities, Private On-site
Recreational Vehicles
Signs, in conformance with Lee County LDC Chapter 30
Storage,
- Open (must be located as depicted on the attached MCP and limited to storage of recreational vehicles, trailers, boats, and other vehicles and goods belonging to park residents)
- Indoor (limited to one storage shed per individual lot not to exceed 120 square feet in area)

Temporary uses: Limited to construction trailers and contractors' storage units during construction, temporary sales center, and special and social events intended primarily for parks' residents and guests within the Amenities Center Tract

b. Site Development Regulations

Minimum development perimeter setback: 40 feet

RV Lots:

Setbacks for principal and accessory structures:

Street Setback (Private)	20 feet
Street Setback for corner lots (Private)	One full street setback and one at 50 percent of the required street setback
Side Setback	5 feet
Rear Setback	20 feet
Minimum Lot Size	2,700 square feet
Minimum Lot Width	30 feet
Minimum Lot Depth	90 feet
Maximum Height	35 feet
Maximum Lot Coverage	53 percent

Clubhouse:

Minimum lot size:	20, 000 square feet
Minimum lot width	100 feet
Minimum lot depth	200 feet

Setbacks for principal and accessory structures:

Minimum side setback	7.5 feet
Minimum rear setback	20 feet
Minimum street setback	20 feet
Maximum building height	35 feet
Maximum lot coverage	40 percent

3. Environmental Conditions

A. Prior to local development order approval, the development order plans must delineate a minimum of ±41.67 acres of open space for the project in substantial compliance with the approved MCP.

B. Prior to local development order approval, the development order plans must delineate a minimum of ±15.33 acres of indigenous open space with credits in substantial compliance with the approved MCP.

C. Prior to development of boardwalks or walking trails, the development order plans must indicate coordination with the Division of Environmental Sciences Staff to minimize impacts to native vegetation during installation proposed within the indigenous preserve.

D. The applicant must provide a 40-foot-wide buffer per Lee County LDC §34-939 (b)(3) between the indigenous preserve and storage area to screen the compactor pad from adjacent uses.

E. Prior to local development order approval, the landscape plans must depict enhanced buffer plantings along each side of the entrance to the RV park to include:

- a 20-foot-wide plantable area, with ten native canopy trees per 100 linear feet, two-inch caliper and a double staggered hedgerow; and,
- the buffer plantings must meet the minimum requirements of an eight-foot-high vegetative screen; and,
- the 20-foot-wide plantable area must be outside of any utility easements.

F. The MCP must depict a 40-foot-wide buffer with an eight-foot-high vegetative visual screen around the entire perimeter of the property.

G. Prior to local development order approval, the development order plans may indicate that the southern buffer be planted in less than one-half the width of the buffer. A maintenance plan must be established for the conveyance ditches that traverse the southern and eastern property line. The maintenance plan must demonstrate that the ditches will maintain hydrologic capacity in perpetuity for offsite flow.

4. Right-of-Way Width

A deviation from Lee County LDC §10-296 to allow a 30-foot right-of-way (ROW) with accompanying drainage on the bordering RV lots may be approved as a part of an Administrative Amendment to the approved zoning resolution should the drainage design be approved as a part of the formal review of the South Florida Water Management District as part of the development order process.

5. Vehicular/Pedestrian Impacts

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.

6. Lee Plan Consistency

Approval of this zoning request 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), be reviewed for, and found consistent with, the retail commercial standards for site area, including range of gross floor area, location, tenant mix and general function, as well as all other Lee Plan provisions.

7. Concurrency

Approval of this rezoning does not constitute a finding that the proposed project meets the concurrency requirements set forth in Lee County LDC Chapter 2 and the Lee Plan. The developer is required to demonstrate compliance with all concurrency requirements prior to issuance of a local development order.

8. Agricultural:

Agricultural Uses: Existing bona fide agricultural uses on this site are allowed:

A. Bona fide agricultural uses consisting of "livestock grazing" that were in existence when the application for this project was filed may continue in the areas depicted on Exhibit D until such time as a local development order is approved for the area that contains these uses.

B. Clearing or injury of native trees and/or other native vegetation, including understory, in agricultural areas is prohibited. Existing areas of bona fide agricultural use that include existing grass pasture(s) may be mowed but may not be cleared or expanded. This prohibition of clearing or expansion is not intended to preclude County approved requests for removal of invasive exotic vegetation. Violations of this condition will require restoration in accordance with Lee County LDC §10-423.

C. Prior to issuance of a local development order for the portion that contains the agricultural use, the property owners must provide written proof, subject to approval by the County Attorney's Office, of the following:

(1) Termination of all agricultural use on any portion of the property included in the development order application/approval. Proof must include a sworn affidavit from the person or entity holding title to the subject property that specifically provides:

(a) the date the agricultural uses ceased;

(b) the legal description of the property subject to the development order approval;

(c) an affirmative statement that the owner acknowledges and agrees that all agricultural uses are illegal and prohibited on the property and that the owner covenants with the County that they will not allow any such uses on the property unless and until the property is re-zoned to permit such uses; and,

(d) that the affidavit constitutes a covenant between the owner and the County that is binding on the owner and their assignees and successors in interest.

The covenant must be properly recorded in the public records of the County at the owner's expense.

(2) Termination of the agricultural tax exemption for any portion of the property included in the development order application/approval. Proof as to termination must include a copy of the request to terminate the tax exemption provided to the Property Appraiser.

9. Solid Waste Management

As part of any local development order approval for vertical development, the development order plans must include facilities in compliance with Lee County LDC §10-261 and Solid Waste Ordinance #08-10 for the pick-up/disposal of solid waste and recyclables. The minimum area required for, and specific locations of these facilities will be reviewed at the time of local development order application.

10. Sidewalk

An internal sidewalk system no less than five feet in width must be built at least on one side of every road within the development. All internal sidewalks must be interconnected. When deemed appropriate, the Community Development Director may approve an alternate sidewalk system.

11. Platting Requirement

If the development is subdivided, a subdivision plat in accordance with Florida State Statute Chapter 177 will be required at local development order submission.

12. Future Development Areas

All areas marked as "Future Development Area" on the MCP must be sodded and can only be used for open space and passive recreational uses. No structures or improvements, whether temporary or permanent, shall be allowed in those areas, without obtaining appropriate approvals.

13. Drainage Easement and Buffers

At the time of local development order for the site, the applicant must demonstrate that the drainage ditch and maintenance easement on the southern property line will not occupy more than 50 percent of the perimeter buffer.

14. Golf Cart Parking

A maximum of 21 golf cart parking spaces must be provided in the clubhouse area. These golf cart spaces will replace 21 automobile parking spaces, as reduced by 50 percent by Deviation #5. The size of each golf cart parking space must be no less than 6x9 feet.

15. Temporary Sales Center

A temporary sales center shall be allowed for an initial period of five years. A two-year extension may be granted administratively. Any extension for more than the initial total approval of seven years shall require a Special Exception approval in accordance with Lee County LDC §34-145(c). The parking lot for this use may be graveled; however, the handicap parking space must be paved with a smooth, dust free hard surface.

16. Interconnection with Cypress Woods Development to the South

An emergency only interconnection with Cypress Woods MPD to the south is required. This

interconnection to the south must be provided as part of Phase I and must be completed and operational prior to the issuance of a Certificate of Completion for the first RV pad.

17. Notice to Future Property Owners

Notice to all future property owners must be recorded by the developer in the public records prior to the issuance of a local development order, allowing construction of the access to the development. The notice must articulate the emergency access plan and provide information as to where a copy of this plan may be obtained from the developer or developer's successor.

18. Restrictions on Leasing and Leasing Conditions for More Than Six Months:

The developer, future property owners and/or the Property Owners' Association for the development, representing lots owners, must as part of their recorded rules and regulations, or other owners' documents, incorporate a provision restricting property owners from leasing the subject lots to a tenant for longer than six-months per year.

SECTION C. DEVIATIONS:

1. Deviation (1) seeks relief from the LDC §10-291(3) requirement to provide commercial or industrial development of more than ten acres must provide more than one means of ingress and egress for the development, to allow the project to be constructed with only one divided ingress and egress point. This deviation is APPROVED SUBJECT TO obtaining an emergency only interconnection with Cypress Woods MPD to the south, as set forth in Condition 17 above.

2. Deviation (2) seeks relief from the LDC §10-296(b) requirement to provide a 45-foot right-of-way for local streets with open drainage, to allow local streets with 30 feet right-of-way and open drainage. This deviation is DENIED, SUBJECT TO Condition 5 above, which would allow for the deviation to be approved administratively in the future, if deemed appropriate.

3. Deviation (3) seeks relief from LDC §34-939(b)(6) requirement to provide non-transient parks shall have a minimum recreational vehicle site size of 5,000 square feet per unit, excluding all internal roads or access drives, to allow a minimum vehicle site size of 2,700 square feet per unit. This deviation is APPROVED.

4. Deviation (4) seeks relief from LDC §34-2020(4)(o)(2) requirement to provide one parking space per 100 square feet of floor area for the clubhouse, to allow one parking space per 200 square foot of the clubhouse floor area. This deviation is APPROVED SUBJECT TO Condition 16 above.

5. Deviation (5) seeks relief from LDC §34-939(b)(3) requirement to provide a 40-foot-wide landscape buffer around the entire perimeter of the park, to allow a 20-foot-wide buffer at the project entrance. This deviation is APPROVED.

6. Deviation (6) seeks relief from LDC §10-185 Table 1 requirement to provide a 330-foot intersection separation on collector roads, to allow 118 feet minimum separation. This deviation is APPROVED.

7. Deviation (7) seeks relief from LDC §34-2017(o) requirement to provide high turnover parking lots to be paved with a dust-free, all-weather surface, to allow the parking lot for the proposed temporary sales center to comply with the low turnover parking lot surface requirement of the LDC. This deviation is APPROVED SUBJECT TO Condition 16 above.

8. Deviation (8) seeks relief from LDC §10-295 requirement to provide street stubs to adjacent property where deemed appropriate by the Community Development Director, to allow no street stubs. This deviation is APPROVED. This Deviation relates to Deviation 1, which allows only one point of ingress and egress, and an emergency access point which will require street stubs to adjacent property.

SECTION D. EXHIBITS AND STRAP NUMBER:

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

Exhibit A: Legal description of the property
Exhibit B: Zoning Map (with the subject parcel indicated)
Exhibit C: The Master Concept Plan

The applicant has indicated that the STRAP number for the subject property is: 11-44-25-00-00002.101A

SECTION E. FINDINGS AND CONCLUSIONS:

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

2. The rezoning, as approved:

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

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

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

   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 rezoning satisfies the following criteria:

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

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

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

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

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

John Manning	Absent
Brian Bigelow	Aye
Ray Judah	Aye
Tammara Hall	Aye
Frank Mann	Nay

DULY PASSED AND ADOPTED this 19th day of December, 2011.

ATTEST:
CHARLIE GREEN, CLERK

BY: Marcia Wilson
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: J Manning
John Manning, Chair

Approved as to form by:

Michael D. Jacob
Assistant County Attorney
County Attorney's Office

RECEIVED
MINUTES OFFICE

2012 JAN 17 PM 1:07

EXHIBIT "A"

DESCRIPTION:

A TRACT OR PARCEL OF LAND LYING IN THE NORTHWEST QUARTER (N.W.1/4) OF SECTION 11, TOWNSHIP 44 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER (N.W.1/4) OF THE AFORESAID SECTION 11; THENCE RUN S.00°15'35"W. ALONG THE EAST LINE OF SAID NORTHWEST QUARTER (N.W.1/4) FOR 30.00 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF TICE STREET (60.00 FEET WIDE) AND THE POINT OF BEGINNING; THENCE CONTINUE S.00°15'35"W. ALONG THE EAST LINE OF SAID NORTHWEST QUARTER (N.W.1/4) FOR 2518.35 FEET; THENCE RUN N.89°53'08"W. FOR 917.66 FEET TO A POINT OF CURVATURE; THENCE RUN SOUTHWESTERLY FOR 218.04 FEET ALONG THE ARC OF A CURVE CONCAVE SOUTHEASTERLY, WITH A RADIUS OF 255.00 FEET, A DELTA OF 48°59'28", A CHORD BEARING OF S.65°37'08"W. AND A CHORD DISTANCE OF 211.46 FEET TO A POINT OF NON-TANGENCY ON THE SOUTH LINE OF THE AFORESAID NORTHWEST QUARTER (N.W.1/4); THENCE RUN N.89°56'19"W. ALONG THE SOUTH LINE OF SAID NORTHWEST QUARTER (N.W.1/4) FOR 692.64 FEET; THENCE RUN N.00°14'52"E. FOR 2109.49 FEET; THENCE RUN N.05°20'02"E. FOR 83.93 FEET; THENCE RUN EAST FOR 200.00 FEET; THENCE RUN NORTH FOR 407.00 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF THE AFORESAID TICE STREET; THENCE RUN EAST ALONG SAID SOUTH RIGHT-OF-WAY LINE FOR 150.00 FEET; THENCE RUN SOUTH FOR 490.56 FEET; THENCE RUN EAST FOR 668.48 FEET; THENCE RUN N.00°15'35"E. FOR 493.57 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF THE AFORESAID TICE STREET; THENCE RUN EAST ALONG THE SAID SOUTH RIGHT-OF-WAY LINE FOR 466.64 FEET; THENCE RUN S.00°15'35"W. FOR 150.00 FEET; THENCE RUN EAST FOR 120.00 FEET; THENCE RUN N.00°15'35"E FOR 150.00 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF SAID TICE STREET; THENCE RUN EAST FOR 190.00 FEET TO THE POINT OF BEGINNING.

SAID TRACT CONTAINS 95.704 ACRES, MORE OR LESS.

BEARINGS ARE BASED ON THE NORTH LINE OF THE NORTHWEST QUARTER (N.W.1/4) OF THE AFORESAID SECTION 11 AS BEING EAST.

JOHN B. HARRIS
PLS #4631
JUNE 3, 2011

APPROVED
LEGAL
6/9/11
CB

RECEIVED
JUN 09 2011
COMMUNITY DEVELOPMENT

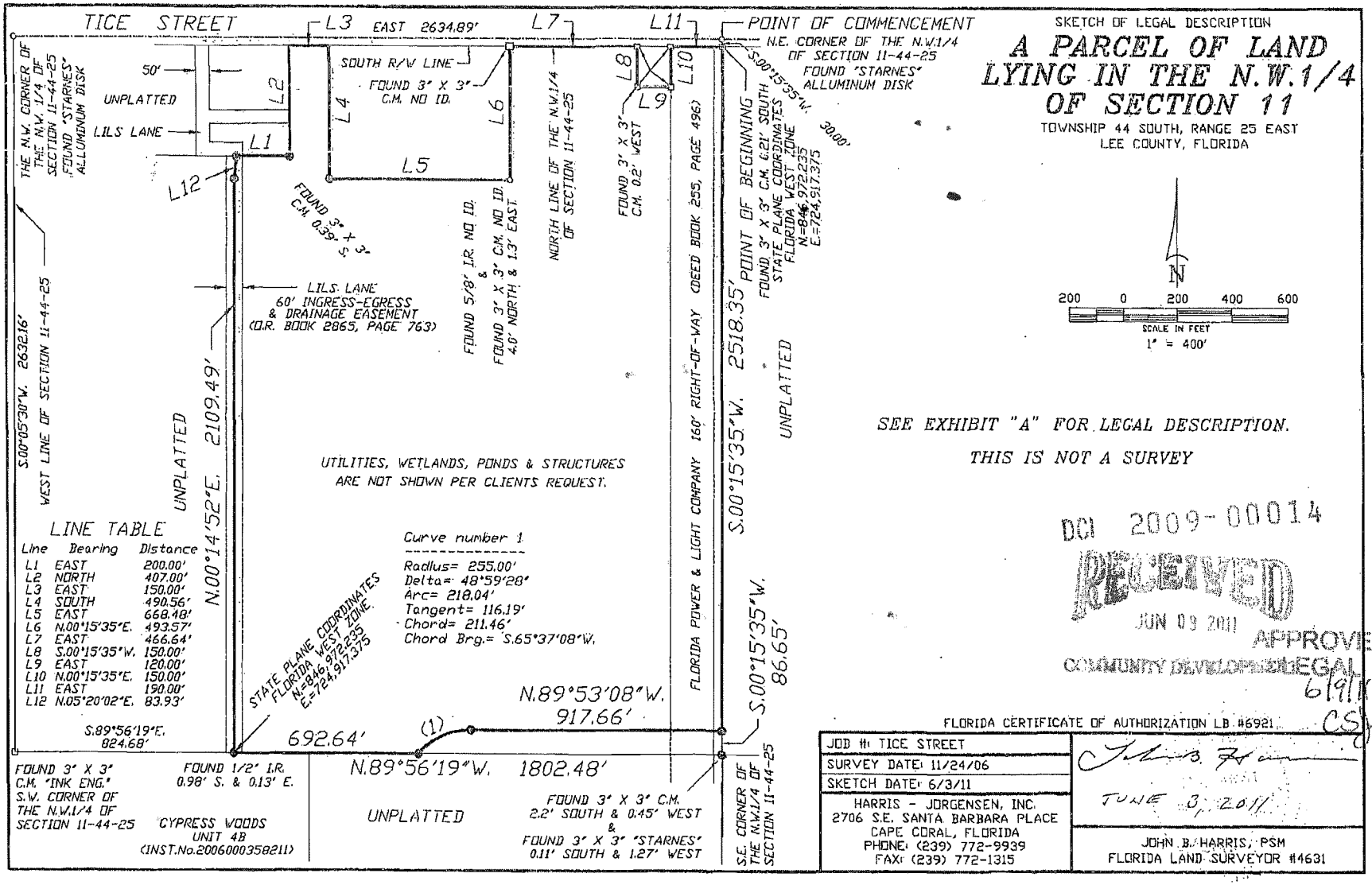
TICE STREET

DCI 2009-00014

SKETCH OF LEGAL DESCRIPTION

A PARCEL OF LAND LYING IN THE N.W.1/4 OF SECTION 11

TOWNSHIP 44 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA



SEE EXHIBIT "A" FOR LEGAL DESCRIPTION.

THIS IS NOT A SURVEY

LINE TABLE

Line	Bearing	Distance
L1	EAST	200.00'
L2	NORTH	407.00'
L3	EAST	150.00'
L4	SOUTH	490.56'
L5	EAST	668.48'
L6	N.00°15'35"E.	493.57'
L7	EAST	466.64'
L8	S.00°15'35"W.	150.00'
L9	EAST	120.00'
L10	N.00°15'35"E.	150.00'
L11	EAST	190.00'
L12	N.05°20'02"E.	83.93'

DCI 2009-00014

RECEIVED
JUN 09 2011
COMMUNITY DEVELOPMENT

APPROVED
LEGAL
6/9/11
CS

FLORIDA CERTIFICATE OF AUTHORIZATION LB #6921

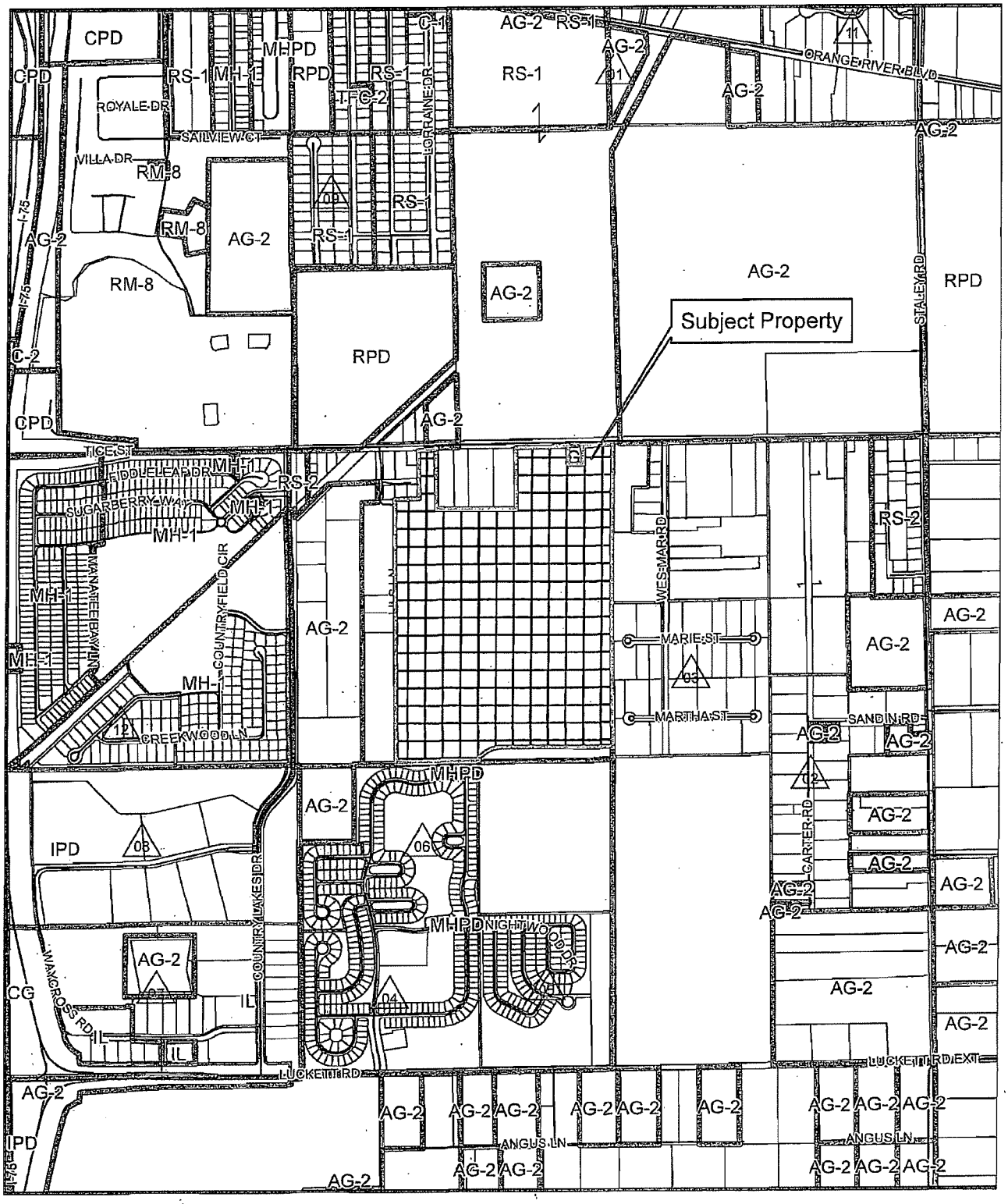
JOB #: TICE STREET	
SURVEY DATE: 11/24/06	
SKETCH DATE: 6/3/11	
HARRIS - JORGENSEN, INC. 2706 S.E. SANTA BARBARA PLACE CAPE CORAL, FLORIDA PHONE: (239) 772-9939 FAX: (239) 772-1315	JUNE 3, 2011 JOHN B. HARRIS, PSM FLORIDA LAND SURVEYOR #4631

Exhibit B

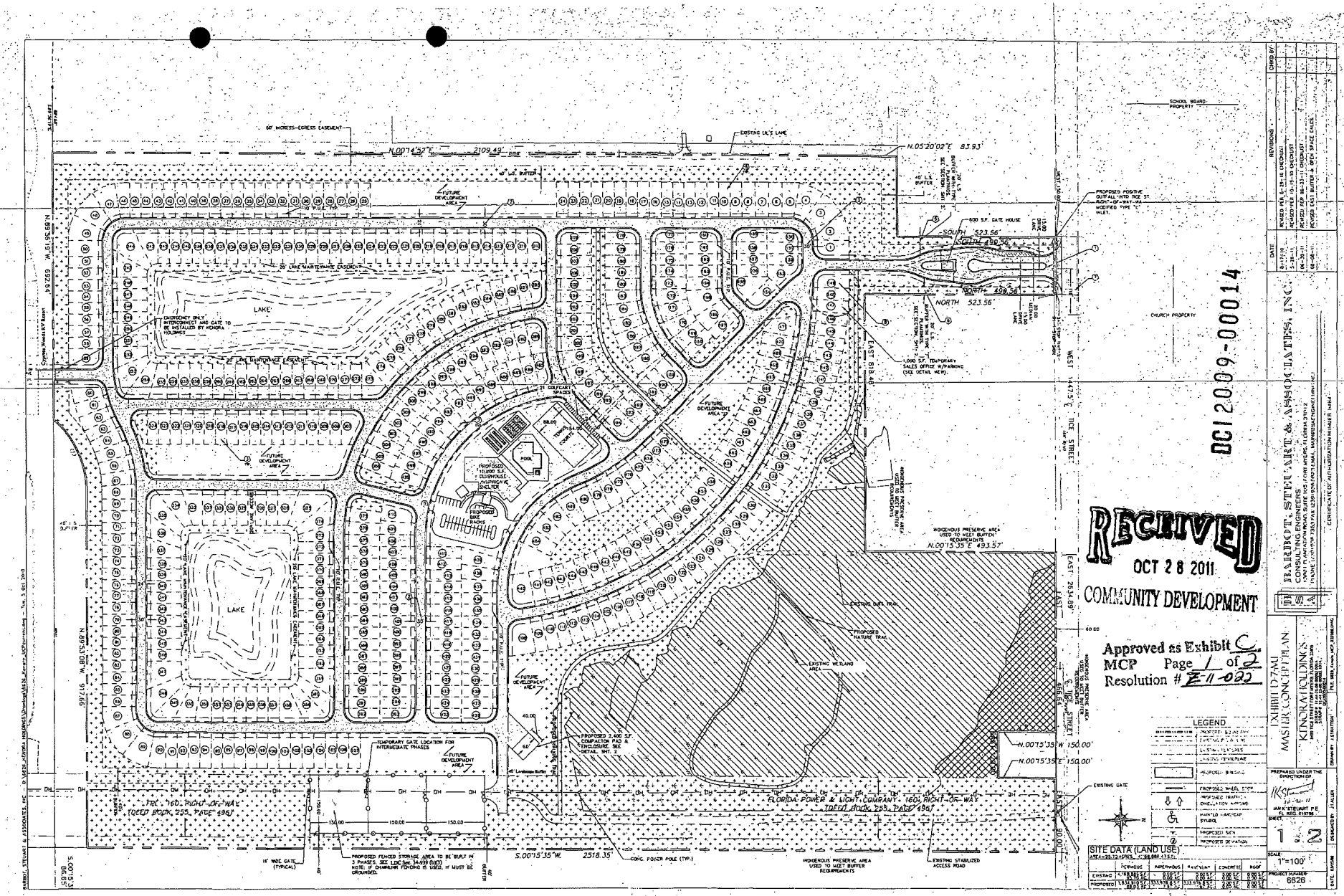
DCI2009-00014

Zoning Map

8/24/2011



500 250 0 500 1,000 Feet


KINDRA HOLDINGS
MASTER CONCEPT PLAN
BARBOPT, STEUART & ASSOCIATES, INC.
CONSULTING ENGINEERS
JACK STEUART P.E.
SCALE 1"=100'
PROJECT NUMBER 6626
SITE DATA (LAND USE)
LEGEND
LAKE
FUTURE DEVELOPMENT AREA
POOL
PROPOSED 10,000 S.F. CLUBHOUSE, MAINTENANCE SHELTER
PROPOSED 2,400 S.F. COMPACTION PAD & ENCLOSURE. SEE DETAIL SHT. 2
TEMPORARY GATE LOCATION FOR INTERMEDIATE PHASES
FLORIDA POWER & LIGHT COMPANY - 160' RIGHT-OF-WAY
(DEED BOOK 255, PAGE 496)
INDIGENOUS PRESERVE AREA USED TO MEET BUFFER REQUIREMENTS
EXISTING STABILIZED ACCESS ROAD
EXISTING BUFF. TRAIL
PROPOSED NATURE TRAIL
EXISTING WETLAND AREA
EXISTING GATE
SCHOOL BOARD PROPERTY
CHURCH PROPERTY
S.00°15'35"W. 2518.35'
N.00°15'35"E 493.57'
N.00°15'35"W 150.00'
N.00°15'35"E 150.00'
N.05°20'02"E 83.93'
N.00°14'52"E 2109.49'
N.89°53'08"W 917.66'
N.89°53'08"W 692.64'
EAST 919.60'
NORTH 523.56'
SOUTH 523.56'
DCI2009-00014
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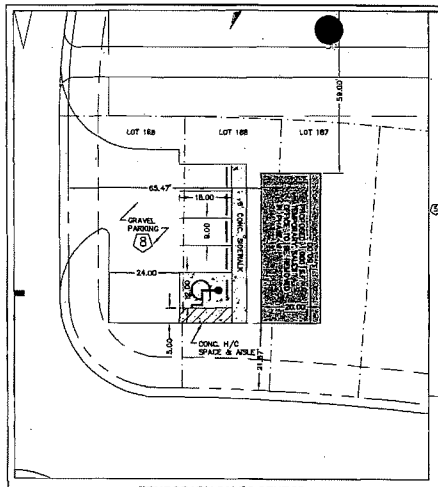
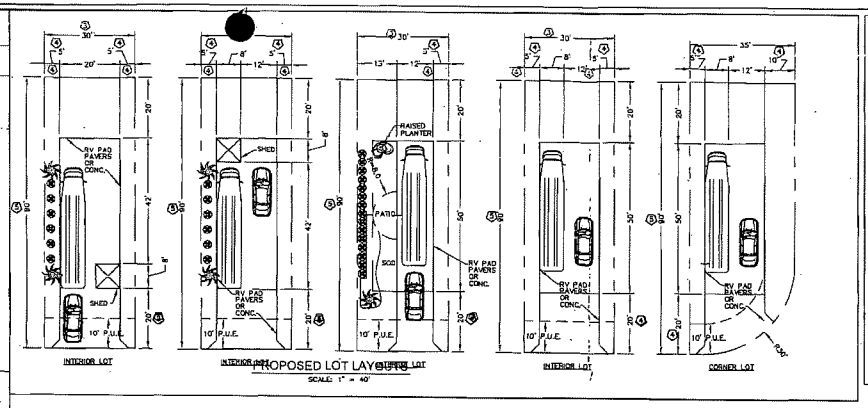
OCT 28 2011
COMMUNITY DEVELOPMENT
Approved as Exhibit C
MCP Page 1 of 2
Resolution # Z11-022
EXHIBIT C



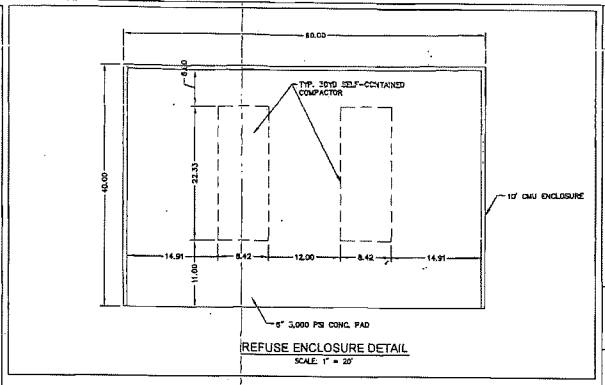
TEMPORARY SALES CENTER

SCALE: 1" = 40'



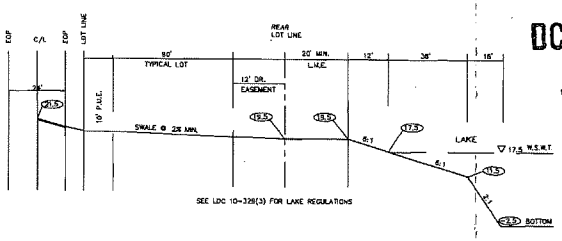
PROPOSED LOT LAYOUT

SCALE: 1" = 40'



REFUSE ENCLOSURE DETAIL

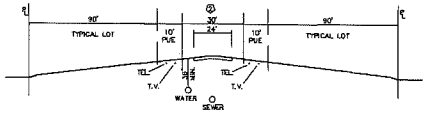
SCALE: 1" = 20'



SEE LDC 10-329(3) FOR LAKE REGULATIONS

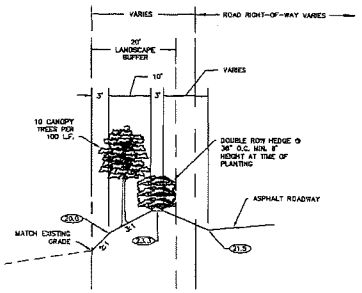
LAKE SECTION

NOT TO SCALE



TYP. LOT X-SECTION

NOT TO SCALE



TYP. BUFFER SECTION @ ENTRY

NOT TO SCALE

DCI2009-00014

RECEIVED

AUG 18 2011

COMMUNITY DEVELOPMENT

Approved as Exhibit C
MCP Page 2 of 2
Resolution # Z-11-022

OPEN SPACE CALCULATIONS:

OPEN SPACE REQUIRED BASED ON PROJECT ZONING
OTHER RESIDENTIAL 40%

PROJECT ZONED: RVPD
TOTAL AREA: 4,168,986.47 S.F. / 95.7 ACRES
TOTAL AREA x PERCENTAGE = OPEN SPACE AREA REQUIRED
95.7 x 0.40 = 38.28 ACRES

50% OF THE REQUIRED OPEN SPACE FOR LARGE PROJECTS MUST BE PROVIDED IN THE FORM OF INDIGENOUS PRESERVE AREA
38.28 ACRES x 0.50 = 19.14 ACRES

OPEN SPACE REQUIRED: 38.28 AC. TOTAL
19.14 AC. GENERAL
19.14 AC. INDIGENOUS

OPEN SPACE PROVIDED: 41.87 AC. TOTAL
26.37 AC. GENERAL
15.30 AC. INDIGENOUS (SEE CREDIT CALCS BELOW)

GENERAL OPEN SPACE
INDIGENOUS OPEN SPACE
WETLAND AREA

INDIGENOUS OPEN SPACE :

TYPES	ACTUAL	CREDITS	TOTAL
	12.68 ACRES	100%	12.68 ACRES
	1.79 ACRES	135%	2.42 ACRES
(TYPES 414-UPLANDS)			

TOTAL REQUIRED: 19.14 ACRES

TOTAL PROVIDED: 14.47 ACRES ACTUAL/ 15.30 ACRES WITH CREDIT
NOTE: A SUBSTANTIAL PORTION OF THIS PROPERTY IS DEVELOPED PASTURLAND WITH VERY MINIMAL VEGETATION. ALL EXISTING INDIGENOUS VEGETATION AHS BEEN PRESERVED WHERE POSSIBLE.

OPEN SPACE BREAK DOWN:

40 FOOT PERIMETER BUFFER	= 231,020.07 SF. /	5.30 AC.
20 FOOT AROUND LAKE PERIMETER	= 72,358.94 SF. /	1.66 AC.
LAKES	= 203,178.80 SF. /	4.66 AC.
160' FPL EASEMENT	= 320,880.11 SF. /	7.37 AC.
GENERAL AREA	= 320,564.90 SF. /	7.36 AC.
INDIGENOUS OPEN SPACE	= 666,468.00 SF. /	15.30 AC.*
OPEN SPACE TOTAL	= 1,815,360.62 SF. /	41.87 AC.
% OF SITE	= 43.54 %	

*NOTE: INDIGENOUS AREA INCLUDES 135% CREDIT (SEE ABOVE)

SITE DEVELOPMENT DATA

TOTAL AREA	= 4,168,986.47 S.F. (95.70 AC.)	
RIGHT-OF-WAY	= 72,201.16 S.F. (1.66 AC.)	
LOT AREA	= 1,546417.3 S.F. (35.5 AC.)	
LAKES	= 198,887.51 S.F. (4.52 AC.)	
NO. OF LOTS	= 499 UNITS	
GROSS DENSITY	= 5.2 UNITS/AC.	

HURRICANE SHELTER (PER LDC SECTION 10-258)

REQUIRED HURRICANE SHELTERS = (2.4)(499)(20)(45SQ)=10,778.4 S.F.
PROVIDED = 10,800 S.F.(PROPOSED CLUBHOUSE)

REFUSE CALCULATIONS:

ESTIMATES BASED ON SWA OF PALM BEACH COUNTY 1997 RESIDENTIAL GENERATION STUDY

BASED ON A RATE OF 42.42 POUNDS/WEEK/UNIT

THE FOLLOWING CONVERSION RATES WERE USED:
- 1 CUBIC FOOT = 9 LBS OF WASTE
- 1 CUBIC YARD = 27 CUBIC FEET

42.42 LBS/UNIT * 499 UNITS = 21,168 LBS/WEEK

21,168 LBS/WEEK * (1 CU. FT/9 LBS) * (1 CU. YD/27 CU. FT.) =87 CU. YDS/WEEK

REFUSE SPACE PROVIDED TO ACCOMODATE 2 - 30 YD. TRASH COMPACTORS (240 YD. TOTAL CAPACITY)

SCHEDULE OF DEVIATIONS

1. A DEVIATION FROM SECTION LDC 10-291(3) TO ALLOW A DIVIDED, MULTI-LANE ACCESS TO SERVE AS A TWO MEANS OF EGRESS.
2. A DEVIATION OF SECTION TABLE 3 OF LDC 10-296 WHICH REQUIRES A 45 FOOT RIGHT-OF-WAY FOR A LOCAL STREET WITH OPEN DRAINAGE TO PERMIT A LOCAL STREET WITH 30 FEET OF RIGHT-OF-WAY AND OPEN DRAINAGE.
3. A DEVIATION FROM SECTION LDC 34-938(b)(6)(b) WHICH REQUIRES A 5,000 SQUARE FOOT MINIMUM LOT TO PROVIDE A 2,700 SQUARE FOOT MINIMUM (30 FEET x 90 FEET).
4. A DEVIATION FROM SECTION LDC 34-939(a)(7)(c)) WHICH REQUIRES A SIDE SETBACK OF 10 FEET AND A STREET (RIGHT-OF-WAY) SETBACK OF 25 FEET TO PERMIT A SIDE SETBACK OF 5 FEET AND A STREET (RIGHT-OF-WAY) SETBACK OF 20 FEET FOR INTERIOR LOTS AND A FRONT SETBACK OF 10 FEET FOR CORNER LOTS IN A NON-TRANSIENT PARK.
5. DEVIATION FROM SECTION 34-2020(4)(a)2 WHICH REQUIRE 1 SPACE PER 100 S.F. OF FLOOR AREA FOR THE PROPOSED CLUB HOUSE TO ALLOW 1 SPACE PER 200 S.F. OF FLOOR AREA.
6. DEVIATION FROM SECTION 34-939(b)(3) WHICH WOULD REQUIRE A 40' WIDE LANDSCAPED BUFFER AROUND THE PERIMETER OF THE PARK TO ALLOW 20' AT THE PROJECT ENTRANCE.
7. DEVIATION FROM SECTION 10-295, TABLE 1 WHICH REQUIRES A 330' INTERSECTION SEPARATION ON COLLECTOR ROADS TO ALLOW a 118' MINIMUM SEPARATION.
8. DEVIATION FROM SECTION 34-2017(a) WHICH REQUIRES HIGH TURNOVER PARKING LOTS TO BE PAVED WITH A DUST-FREE, ALL-WEATHER SURFACE TO ALLOW THE PARKING LOT FOR THE PROPOSED TEMPORARY SALES CENTER TO COMPLY WITH SECTION 34-2017(b) FOR LOW TURNOVER PARKING LOTS.
9. DEVIATION FROM SECTION 10-295 WHICH REQUIRES STREET STUBS TO ADJACENT PROPERTY WHERE DEEMED APPROPRIATE BY THE DEVELOPMENT SERVICES DIRECTOR TO PROVIDE NO STREET STUBS.

PROPERTY DEVELOPMENT REGULATIONS:

SETBACKS:
- STREET = 20'
- SIDE = 5'
- REAR = 20'

MINIMUM LOT SIZE:
- WIDTH = 30'
- DEPTH = 90'
- AREA = 2,700 SF.

LOT COVERAGE:
- MAXIMUM = 53%

BUILDING HEIGHT:
- MAXIMUM = 35'

DATE	REVISIONS	CHKD BY
9-17-10	REVISED PER 5-26-10 CHECKLIST	
5-26-11	REVISED PER 10-15-11 CHECKLIST	
6-28-11	REVISED PER 5-23-10 CHECKLIST	
8-8-11	REVISED EAST BUFFER & OPEN SPACE CALCS.	

BARBOT, STEUART & ASSOCIATES, INC.
CONSULTING ENGINEERS
2400 SW 50TH TERRACE, SUITE 108, FORT MYERS, FLORIDA 33912
PHONE: (239) 939-7353 FAX: (239) 939-0823 EMAIL: MAIN@BSAENGINEERING.NET
CERTIFICATE OF AUTHORIZATION NUMBER: 5464

EXHIBIT D-7-M2
MASTER CONCEPT PLAN

KENORA HOLDINGS
846 TICE STREET FORT MYERS, FLORIDA 33905
STRAP # 11-43-26-00000.0014
STRAP # 11-43-26-00000.0024
LOCATED IN SECTION 11, TOWNSHIP 43 S., RANGE 26 E.

DRAWN BY: J.STRATTON
FILE: KENORA MCP 2009DAFINAL

PREPARED UNDER THE DIRECTION OF:
IAN K STEUART, P.E.
FL. REG. #15746

SHEET: 2 OF 2

SCALE: AS NOTED

PROJECT NUMBER: 6626

DATE: 10/22/09

DESIGNED BY: J.T. ALLEN

IKSteuart
08-16-11

1 51 acres
amend MHPD + RVPD

Dec. 2003
5
" 2008

RESOLUTION NUMBER Z-03-057

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

WHEREAS, an application was filed by Cypress Woods R.V. Resort Associates to amend the existing MHPD and RVPD district in reference to Cypress Woods RV Resort; and

WHEREAS, a public hearing was advertised and held on October 23, 2003, before the Lee County Zoning Hearing Examiner, who gave full consideration to the evidence in the record for Case #DCI2002-00062; and

WHEREAS, a second public hearing was advertised and held on December 15, 2003, 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 the existing Mobile Home Planned Development (MHPD) and Recreational Vehicle Planned Development (RVPD) district to reduce the overall number of units allowed within the development from 684 to 647 units; change the allowed mixture of units to a maximum of 599 recreational vehicle sites and a minimum of 48 mobile home sites; and revise or clarify certain conditions within the planned development.

The property is located in the Urban Community AND Wetlands Future Land Use Category and is legally described in attached Exhibit A. The request is APPROVED SUBJECT TO the conditions and deviations specified in Sections B and C below.

SECTION B. CONDITIONS:

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

1. All Conditions and Deviations of Resolution Z-94-025 and Administrative Amendments PD-95-019 and ADD 2002-00111 remain in full force and effect, except as amended by this zoning action. Regarding ADD2003-00122:

   (a) The approval of Deviations 1 and 2 of that action remain in effect.

   (b) Condition 1 related to approval of Deviation 1 remains in effect.

COPY

(c) Condition 2 (with the exception of the approved number and type of units) remains in effect.

(d) Conditions 3 through 6 remain in effect.

2. Condition 1 of Resolution Z-94-025 and Condition 2 of Administrative Action PD-95-019 are hereby replaced with the following language:

> The development of this project must be consistent with the three-page Master Concept Plan entitled "Cypress Woods R.V. Resort, Master Concept Plan," stamped received June 04, 2003, last revised May 05, 2003, (attached as Exhibit "C") except as modified by the conditions below. This development must comply with all requirements of the Lee County LDC at time of 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.

This project is limited to a maximum total of 647 mobile home and recreational vehicle units, consisting of a maximum of 599 recreational vehicle units and a minimum of 48 mobile home units at project build-out. No changes to these maximum totals may be permitted without an amendment of this planned development through the public hearing process.

3. Condition 7 (Resolution Z-94-025) is amended to eliminate the requirement for a fence in any future phase/section of the development. Where the fence is existing and required as part of the existing development approval, the fence must be continued and maintained in good condition.

4. 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 Allocations Table, Map 16 and Table 1(b).

SECTION C. DEVIATIONS:

The Applicant has withdrawn the two requested deviations originally filed with this case; they are no longer necessary as they were approved by Administrative Amendment ADD2003-00122. The Deviations approved in Resolution Z-94-025 remain in full force and effect.

SECTION D. EXHIBITS AND STRAP NUMBER:

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

Exhibit A: The legal description of the property
Exhibit B: Zoning Map (subject parcel identified with shading)
Exhibit C: Master Concept Plan (Stamped Received June 24, 2003)
Exhibit D: Resolution Z-94-025
Exhibit E: Administrative Amendment PD 95-019
Exhibit F: Administrative Amendment ADD 2002-0011
Exhibit G: Administrative Amendment ADD 2003-00122

The applicant has indicated that the STRAP number for the subject property is:
11-44-25-00-00014.0000

SECTION E. FINDINGS AND CONCLUSIONS:

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

2. The rezoning, 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 rezoning satisfies the following criteria:

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

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

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

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

The foregoing resolution was adopted by the Lee County Board of Commissioners upon the motion of Commissioner Judah, seconded by Commissioner Coy 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 15th day of December 2003.

ATTEST:
CHARLIE GREEN, CLERK

BY: Cindy Morrison
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: Vice-Chairman
FOR: John E. Albion, Chairman

Approved as to form by:

Joan C. Henry, Assistant County Attorney
County Attorney's Office

2003 DEC 22 AM 11:45

DESCRIPTION:

A parcel or tract of land lying in the Southwest Quarter (S.W.1/4) of Section 11, Township 44 South, Range 25 East, Lee County, Florida, described as follows:

Commencing at the Southwest corner of the Southwest Quarter (S.W.1/4) of the aforesaid Section 11; thence run N.00°53'18"W. along the West line of the Southwest Quarter (S.W.1/4) of said Section 11 for 25.00 feet to the North line of Luckett Road (50 feet wide) and the point of beginning; thence continue N.00°53'18"W. along the West line of the Southwest Quarter (S.W.1/4) of said Section 11 for 2621.45 feet to Northwest corner of said Southwest Quarter (S.W.1/4); thence run N.89°01'53"E. for 20.00 feet to the Northwest corner of lands described in Official Record Book 1848, Page 3142 of the Public Records of Lee County, Florida; thence run S.00° 53'18"E. along the West line of said lands for 640.00 feet; thence run N.89°01'53"E. along the South line of said lands for 445.50 feet; thence run N.00°53'18"W. along the East line of said lands for 640.00 feet to the Northeast corner of said lands and the North line of the Southwest Quarter (S.W.1/4) of the aforesaid Section 11; thence run N.89°01'53"E. along the North line of the Southwest Quarter (S.W.1/4) of said Section 11 for 2161.66 feet to the Northeast corner of the Southwest Quarter (S.W.1/4) of said Section 11; thence run S.00°46'12"E. along the East line of the Southwest Quarter (S.W.1/4) of said Section 11 for 2626.95 feet to the North line of the aforesaid Luckett Road; thence run S.89°09'05"W along the North line of said Luckett Road for 2621.74 feet to the point of beginning.

Said tract contains 151.559 acres, more or less and is subject to easements, restrictions and reservatons of record.

Bearings are based on the West line of the Southwest Quarter (S.W.1/4) of the aforesaid Section 11 as being N.00°53'18"W.

John B. Harris
P.S.M. #4634
October 23, 2002

Applicant's Legal Checked
by 15JUL03

RECEIVED
JUL 15 2003
PERMIT COUNTER

DCI 2002-00062

EXHIBIT A
LEGAL DESCRIPTION
Property located in Lee County, Florida

ZONING MAP

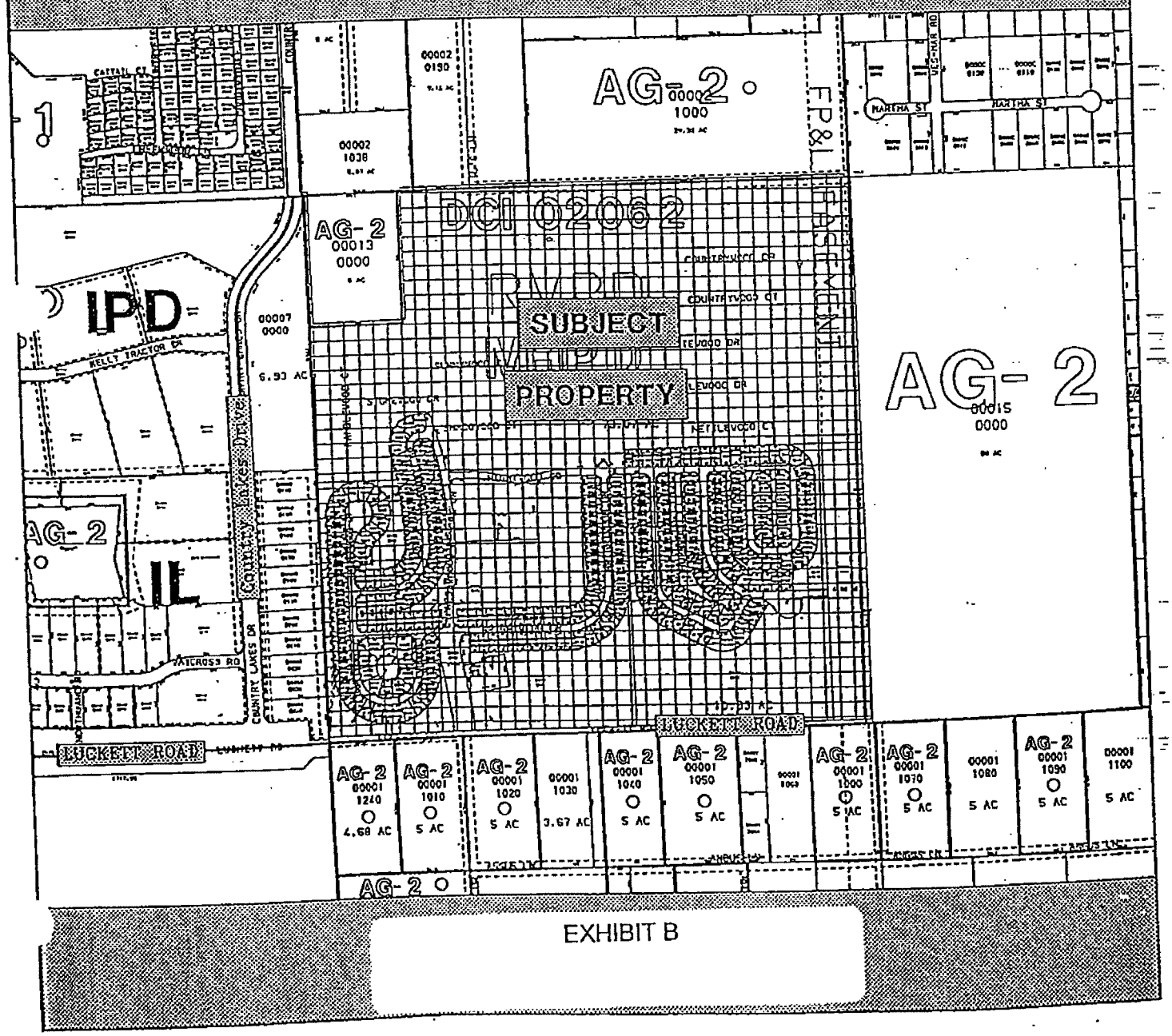


EXHIBIT B

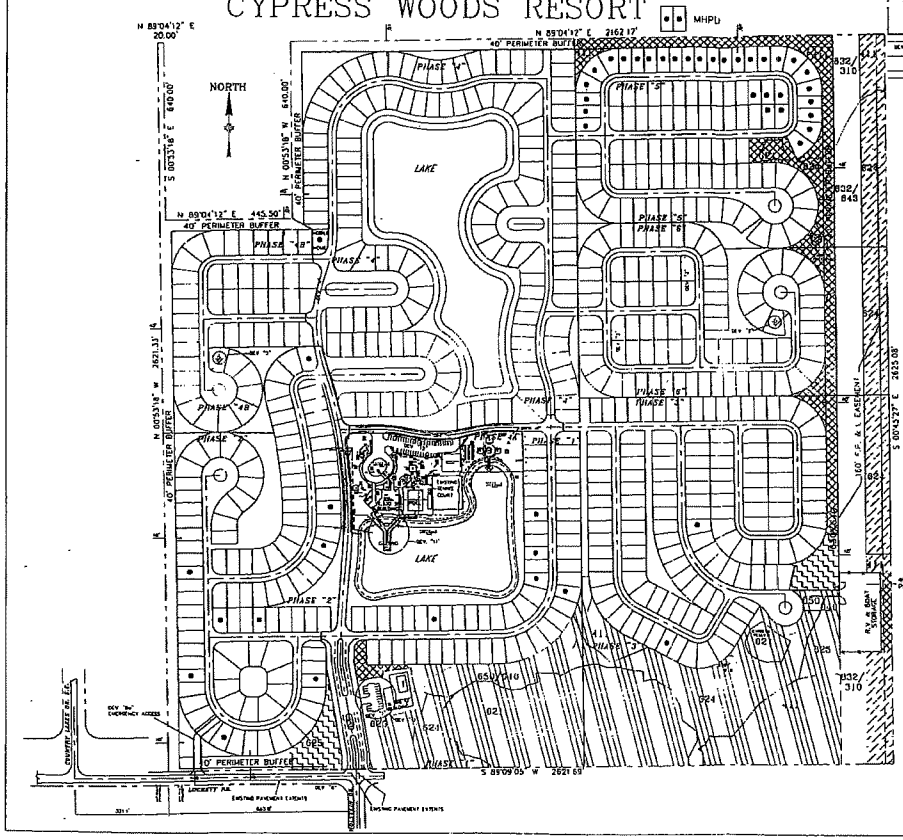
"EXHIBIT 3A"

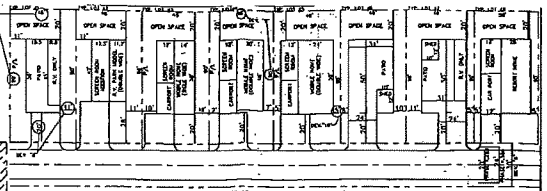
TOTAL AREA = 6,599,945.82 S.F. (151.514 AC.)
RIGHT-OF-WAY = 807,098.92 S.F. (18.528 AC.)
LOT AREA = 2,985,036.10 S.F. (68.27 AC.)

LAKE = 525,521.97 S.F. (12.064 AC.)
NO. OF LOTS = 647 UNITS (MAX. 599 R.V. SITES, MIN 48 M.H. SITES)
GROSS DENSITY = 4.270 UNITS/AC.

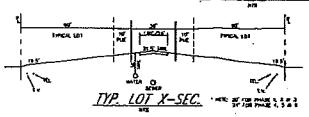
BUILDING HEIGHT NOT TO EXCEED 35' OR 2 STORIES.

CYPRESS WOODS RESORT

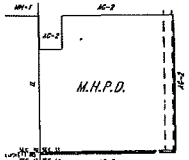




TYPICAL LOT DETAIL



TYP. LOT X-SEC.



EXISTING ZONING

FLUCC'S CODE

411 = PINE FLATWOODS	= 4.55 ACRES
421 = EXPOSED FORESTS	= 4.88 ACRES
424 = PINE - CYPRESS FORESTS	= 9.13 ACRES
510 = STREAMS & WATERWAYS	= 1.00 ACRES
520/9 = RESERVOIRS AREA	= 3.69 ACRES
832/310 = POWERLINE EASEMENT/RR/MISCELLANEOUS	= 2.79 ACRES
832/843 = POWERLINE EASEMENT/NET MISCELLANEOUS	= 3.89 ACRES

INDIGENOUS OPEN SPACE

FLUCC'S	ACTUAL	CREDITS
1001	4.44 ACRES	4.44 ACRES
1122	1.27 ACRES	1.34 ACRES
1234	4.88 ACRES	8.08 ACRES
1500	18.70 ACRES	20.20 ACRES
TOTAL PROVIDED:	29.29 ACRES	34.04 ACRES
TOTAL REQUIRED:		34.04 ACRES

OPEN SPACE

COMMON AREA:

- 761,204.38 S.F. (17.47 AC.)
- 1,118,218.59 S.F. (25.68 AC.)
- 1,223,243.87 S.F. (28.08 AC.)
- 141,363.24 S.F. (3.24 AC.)
- 1,142,203.56 S.F. (26.22 AC.)
- 1,117,117.50 S.F. (25.65 AC.)
- 2,504,917.00 S.F. (57.52 AC.)
- 14.84 %

COMMON AREA TOTAL = 8,008,319.14 S.F. (183.86 AC.)
% OF SITE = 30.09 %

HURRICANE SHELTER

(PER LDC SECTION 34-1246)

REQUIRED HURRICANE SHELTER PROVIDED = (7,252.84 ft²)(0.75)(0.5)(2)=1,630.75 S.F.
= 18,279 S.F.

SCHEDULE OF USES (RVPD)

RECREATIONAL VEHICLES
PARK TRAILERS
RECREATIONAL OFFICE
RECREATIONAL FACILITIES, PERSONAL
SERVICE STORE - GROUP "A"
OUTDOOR SALE OR DISPLAY
SEASONAL SERVICES TARGETS, GROUP "A"
CAMPGROUND
WATER RETENTION
MODEL HOME, UNIT, DISPLAY CENTER
SIGNS
SIGNS
VEHICLE AND EQUIPMENT DEALERS, GROUP "A"
(RESTRICTED TO RECREATIONAL VEHICLES ONLY)
ACCESSORY USES:
FOOD SERVICE - GROUP "A"
PERSONAL SERVICE - GROUP "A"
CONSIGNMENT ON PREMISES
SIGNAGE:
INDOOR
OPEN (LIMITED TO RECREATIONAL VEHICLES, TRAILERS, BOATS, AND OTHER VEHICLES AND GOODS BELONGING TO PARK RESIDENTS)

SCHEDULE OF USES (MHPD)

MOBILE HOME
RECREATION, WATER RETENTION
MODEL HOME, UNIT, DISPLAY CENTER
RECREATIONAL FACILITIES, PERSONAL
SIGNS
SERVICES
SEASONAL SERVICES FACILITIES, GROUP "A"
ACCESSORY USES
FOOD STORES - GROUP "A"
PERSONAL SERVICES - GROUP "A"
CONSIGNMENT ON PREMISES
SIGNAGE
INDOOR
OPEN (LIMITED TO RECREATIONAL VEHICLES, TRAILERS, BOATS, AND OTHER VEHICLES AND GOODS BELONGING TO PARK RESIDENTS)

EXISTING GENERAL DEVIATIONS:

1. A DEVIATION FROM SECTION 6.0.0 OF ORDINANCE 86-49 TO ALLOW FOR THE DEVELOPMENT OF THE "RV" AREA AS INDICATED ON THE MASTER CONCEPT PLAN (NO LONGER APPLICABLE, NO VARIANCE (DEVIATION))

2. A DEVIATION FROM SECTION 7.0.10.6 OF THE DEVELOPMENT STANDARDS ORDINANCE (PRIOR LDC 34-1111) WHICH REQUIRES A 30 FOOT SUM-OUT BUFFER NO. 3 (VARIANCE)

3. A DEVIATION FROM SECTION 7.0.10.8.3 OF THE LEE COUNTY ZONING ORDINANCE (PRIOR LDC 34-1111 & 34-1271), AND SECTION 7.0.3.1 OF THE DEVELOPMENT STANDARDS ORDINANCE (PRIOR LDC 34-1111) WHICH REQUIRES 75 FEET FOR THE FRONT SUM-OUT AND THE REAR YARDS TO BE 50 FEET IN THE DEVELOPMENT AND TO ALLOW A REDUCTION IN THE SMALLEST DIMENSION FROM 75 FT. TO 0 FT. IN THE "RV" LOT LINE FOR SINGLE CORNER LOTS (DEVIATION) (VARIANCE) (PRIOR LDC 34-1271 & 34-1111 & 7.0.3.1 OF THE LEE DEVELOPMENT STANDARDS ORDINANCE (PRIOR LDC 34-1111) WHICH REQUIRES 100 FEET OF SINGLE INTERSECTION SEPARATION TO 100 FEET

3. A DEVIATION FROM SECTION 7.0.3.1 OF THE LEE DEVELOPMENT ORDINANCE (PRIOR LDC 34-1111) TO ALLOW 264.1 LINEAL FEET OF ACCESS AND CONTROL FOR A DEVELOPMENT OF MORE THAN 300 ACRES.

4. A DEVIATION OF SECTION 6.0.2.3 AND TABLE 1-2-3 OF THE DEVELOPMENT STANDARDS ORDINANCE (PRIOR TABLE 2 OF LDC(D-2)) WHICH REQUIRES A 50 FOOT WIDE BUFFER ALONG THE EASTERN LINE OF THE SITE, WITH 25 FEET OF THE BUFFER TO BE PROVIDED ON THE EAST SIDE OF THE EASTERN LINE AND 25 FEET ON THE WEST SIDE OF THE EASTERN LINE

EXISTING RVPD DEVIATIONS:

7. A DEVIATION FROM SECTION 6.0.0.2.1 AND 2.2.2 (PRIOR LDC 34-1271) OF LEE COUNTY ZONING REGULATIONS WHICH REQUIRES A 5,000 SQUARE FOOT MINIMUM LOT TO PROVIDE A 4,140 SQUARE FOOT MINIMUM (46 FOT X 90 FEET).

8. A DEVIATION FROM SECTION 6.0.0.2.1 AND 2.2.2 (PRIOR LDC 34-1271) WHICH REQUIRES A SIDE SETBACK OF 15 FEET ABUTTING A STREET (PRIOR LDC 34-1271) OF 7.5 FEET TO PERMIT A SIDE SETBACK OF 5 FEET ABUTTING A STREET (PRIOR LDC 34-1271) OF 20 FEET FOR A PORCH/SUNROOM (2 FOT).

9. A DEVIATION FROM SECTION 6.0.0.2.1 AND 2.2.2 (PRIOR LDC 34-1271) OF THE ZONING ORDINANCE (PRIOR LDC 34-1271) TO PERMIT AN ACCESS AND MAINTAIN THE PERIMETER BUFFER.

EXISTING MHPD DEVIATIONS:

9. A DEVIATION FROM SECTION 6.0.0.2.1 AND 2.2.2 (PRIOR LDC 34-1271) OF LEE COUNTY ZONING REGULATIONS WHICH REQUIRES A 5,000 SQUARE FOOT MINIMUM LOT (100 FT X 50 FT) TO PROVIDE A 4,140 SQUARE FOOT MINIMUM LOT (46 FT X 90 FEET).

10. A DEVIATION FROM SECTION 6.0.0.2.1 AND 2.2.2 (PRIOR LDC 34-1271) WHICH REQUIRES A SIDE SETBACK OF 7 FEET TO PERMIT A SIDE SETBACK OF 5 FEET.

NEW GENERAL DEVIATIONS:

11. A DEVIATION FROM SECTION 34-1264(8)(D) OF THE LDC TO PERMIT A WATER RELATED USE (I.E. CLUBHOUSE, POOL, PIER AND CABINS) IN CONJUNCTION WITH A MOBILE HOME PARK, AND TO ALLOW THE USE IN THE RP AND RS GENERAL CONDITIONAL USE ZONE, SUBJECT TO TRADE PERFORMANCE TO THE EXCEPTION PROVIDED IN 34-1264(8)(b)(ii)

12. DEVIATION FROM SECTION 34-2020(D)(3 WHICH WOULD REQUIRE 120 SPACES FOR THE TWO CLUBHOUSES (CAN PROVIDE 111 SPACES)

APPROVED
Date: 03-05-96
Rev. 1
Date: 5-03-96
Rev. 2
Date: 6-17-96
Case: DCI2002-00062

RECEIVED
JUN 04 2003
COMMUNITY DEVELOPMENT

CYPRESS WOODS
R.V. RESORT

MASTER CONCEPT PLAN

BARBOT, STEUART & ASSOCIATES, INC.
CONSULTING ENGINEERS
3238 EVANS AVENUE, FORT MYERS, FLORIDA 33901, PH. (239) 936-7333

DATE	REVISION	APPROVED
05/05/95	ADDED LIST OF DEVIATIONS	JWS
01/01/96	REVISED TRIPLETS, ADDED DEVIATIONS & SHELTER CALCS	JWS

DESIGNED BY: RGB/RCJ/RS
DRAWN BY: RC/RJ/RS
CHECKED BY: JWS/RCJ
CHECKED BY: RS/RC/DPB
SCALE: 1" = 100' OR AS NOTED
DATE: MARCH 13, 1995
SHEET 1 OF 3
JOB NO. 3434

EXHIBIT IV-A-1

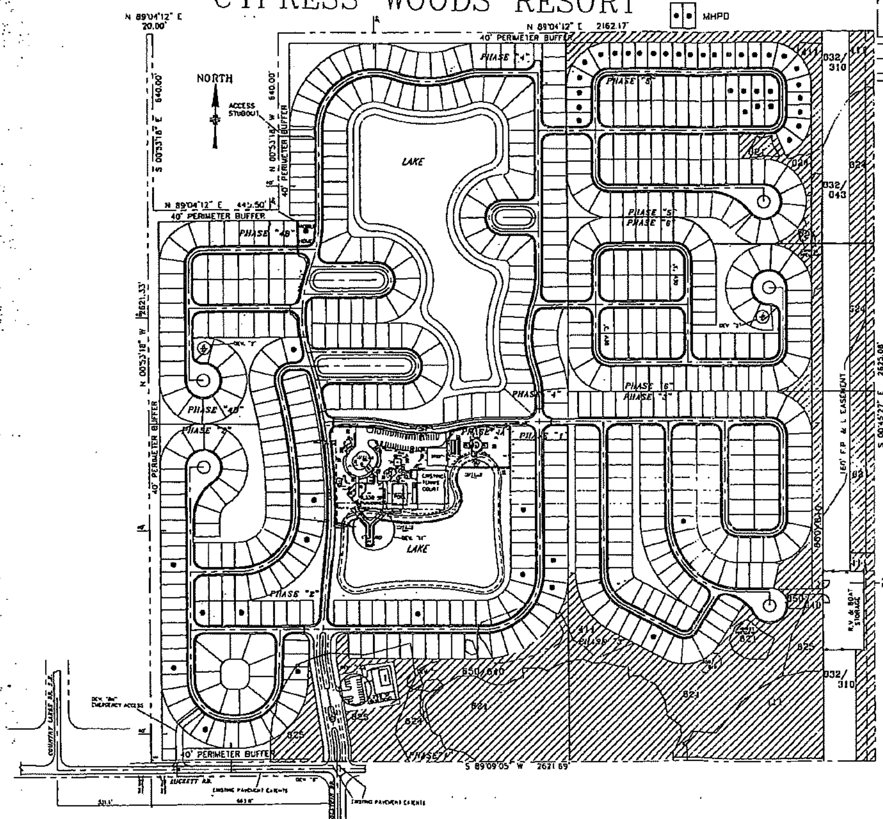
EXHIBIT C

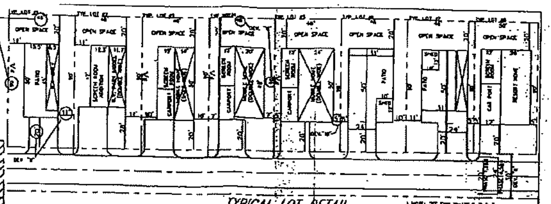
"EXIBIT 3A"

TOTAL AREA = 6,599,945.82 S.F. (151.514 AC.)
RIGHT-OF-WAY = 807,098.92 S.F. (18.528 AC.)
LOT AREA = 2,985,036.10 S.F. (68.27 AC.)
LAKE = 525,521.97 S.F. (12.064 AC.)
NO. OF LOTS = 647 UNITS (MAX. 599 R.V. SITES, MIN. 48 M.H. SITES)
GROSS DENSITY = 4.270 UNITS/AC.

BUILDING HEIGHT NOT TO EXCEED 35' OR 2 STORIES

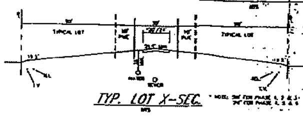
CYPRESS WOODS RESORT



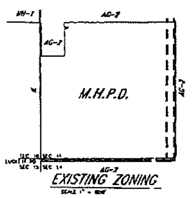


TYPICAL LOT DETAIL

NOTE: 30' FOR PHASE 1, 2 & 3; 24' FOR PHASE 4, 5 & 6



TYP. LOT X-SEC



EXISTING ZONING

SCALE 1" = 600'

SCHEDULE OF USES (RVPD)

RECREATIONAL VEHICLES
PARK TRAILERS
ADMINISTRATIVE OFFICE
RECREATIONAL FACILITIES, PERSONAL
ENTRANCE GATE OR GATEHOUSE
ESSENTIAL SERVICES FACILITY, GROUP "I"
EXCAVATION, WATER RETENTION
MODEL HOME, UNIT, DISPLAY CENTER
SIGNS
BOATS
VEHICLE AND EQUIPMENT DEALERS, GROUP "III"
(RESTRICTED TO RECREATIONAL VEHICLES ONLY)
ACCESSORY USES
FOOD STORES – GROUP "I"
PERSONAL SERVICES – GROUP "I"
CONSUMPTION ON PREMISES
STORAGE:
INDOOR
OPEN (LIMITED TO RECREATIONAL VEHICLES, TRAILERS, BOATS, AND OTHER VEHICLES AND GOODS BELONGING TO PARK RESIDENTS)

SCHEDULE OF USES (MHPD)

MOBILE HOME
EXCAVATION, WATER RETENTION
MODEL HOME UNIT, UNIT, DISPLAY CENTER
RECREATIONAL FACILITIES, PERSONAL
SIGNS
ESSENTIAL SERVICES FACILITIES, GROUP "I"
ACCESSORY USES
FOOD STORES – GROUP "I"
PERSONAL SERVICES – GROUP "I"
CONSUMPTION ON PREMISES
STORAGE:
INDOOR
OPEN (LIMITED TO RECREATIONAL VEHICLES, TRAILERS, BOATS, AND OTHER VEHICLES AND GOODS BELONGING TO PARK RESIDENTS)

EXISTING GENERAL DEVIATIONS:

1. [illegible]

2. [illegible]

3. [illegible]

4. [illegible]

5. [illegible]

6. [illegible]

EXISTING RVPD DEVIATIONS:

7. [illegible]

8. [illegible]

8a. [illegible]

EXISTING MHPD DEVIATIONS:

9. [illegible]

10. [illegible]

NEW GENERAL DEVIATIONS:

DCI 2002-00062

11. [illegible]

12. [illegible]

EXISTING PRESERVE

[illegible]

▨ B.C. FOX SQUIRREL PRESERVE 26.94 ACRES

APPROVED
Master Concept Plan
03-057 Page 2 of 3
DCI2002-00062

OPEN SPACE

COMMON AREA:

[illegible]

COMMON AREA TOTAL [illegible]

HURRICANE SHELTER

[illegible]

RECEIVED
JUN 04 2003
COMMUNITY DEVELOPMENT

CYPRESS WOODS
R.V. RESORT

MASTER CONCEPT PLAN
BIG CYPRESS FOX SQUIRREL PRESEVRE

BARBOT, STEUART & ASSOCIATES, INC.
CONSULTING ENGINEERS
3220 EVANS AVENUE, FORT MYERS, FLORIDA 33901, PH. (813) 936-7353

DATE	REVISION	APPROVED	
[illegible]	REMOVE CROSS SECTION	[illegible]	[illegible]
[illegible]	ADDED FROM DEVIATIONS, PER [illegible]	[illegible]	[illegible]
[illegible]	REVISED TYP. LOT, ADDED DEVIATION & SHELTER CALCS	[illegible]	[illegible]

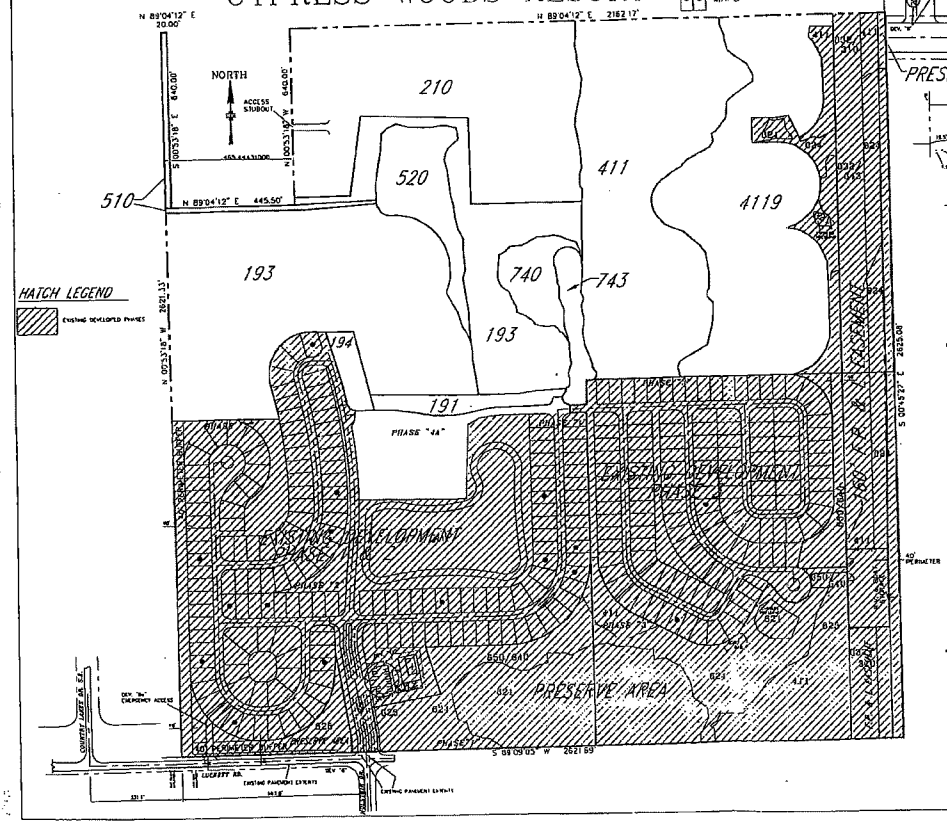
SCALE: 1" = 150' OR AS NOTED
DATE: MARCH 13, 1995
SHEET 2 OF 3
FILE No. 3434

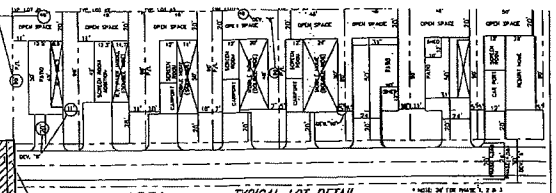
"EXHIBIT 3A"

TOTAL AREA = 6,599,945.82 S.F. (151.514 AC.)
RIGHT-OF-WAY = 807,098.92 S.F. (18.528 AC.)
LOT AREA = 2,985,036.10 S.F. (68.27 AC.)
LAKE = 525,521.97 S.F. (12.064 AC.)
NO. OF LOTS = 647 UNITS (MAX. 599 R.V. SITES, MIN. 48 M.H. SITES)
GROSS DENSITY = 4.270 UNITS/AC.

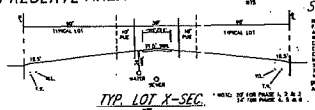
BUILDING HEIGHT NOT TO EXCEED 35' OR 2 STORIES.

CYPRESS WOODS RESORT

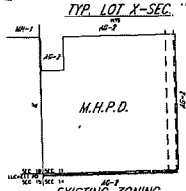




TYPICAL LOT DETAIL



TYP. LOT X-SEC.



EXISTING ZONING

EXISTING CONDITIONS FOR PHASE 4-6

CODE	DESCRIPTION	ACRES
181	BAHIA GRASS FIELD	.92
1821	UNDEVELOPED RURAL AREA	19.93
1841	UNDEVELOPED LANDY TEMPORARY IN STORAGE	8.81
310	PASTURELAND	12.29
411	PINE - SAW PALMETTO FOREST	13.49
4119	MELALEUCA - PINE FOREST	1.54
510	DRAINAGE DITCH	.60
520	LAKE	1.54
530	DISTURBED AREA	1.30
743	SPOILED AREA	1.00
TOTAL:		64.00

EXISTING PRESERVE AREA

411 - PINE FLATWOODS = 4.55 ACRES
521 - CYPRESS FOREST = 8.06 ACRES
529 - PINE - CYPRESS FOREST = 5.13 ACRES
529 - PINE WET PRAIRIE = 5.51 ACRES
530/640 - RESTORATION AREA = 3.69 ACRES
832/1110 - POWERLINE EASEMENT/NOXIOUS = 3.79 ACRES
832/642- POWERLINE EASEMENT/WET NOXIOUS = 3.69 ACRES

OPEN SPACE

COMMON AREA:

100 FOOT PERIMETER BUFFER	= 303,024.38 S.F. (6.95 AC.)
50 FOOT GROUND LAKE	= 175,009.17 S.F. (4.018 AC.)
LAKE	= 525,521.97 S.F. (12.064 AC.)
MHP EASTERN LAND (PHASE 1)	= 140,914.08 S.F. (3.236 AC.)
WETLAND CREATION	= 268,272.00 S.F. (6.16 AC.)
RESTORATION (COMMON AREA)	= 334,149.15 S.F. (8.0057 AC.)
(WALK BETWEEN BUILDINGS)	
COMMON AREA TOTAL	= 1,811,891.00 S.F. (41.60 AC.)
% OF S.M.	= 40% %

HURRICANE SHELTER (PER LDC SECTION 10-294)

REQUIRED HURRICANE SHELTER = (1,293X3+2X4)X(10+12)/10 FT S.F.
PROVIDED = 16,178 S.F.

DATE	REVISION	APPROVED	
06/05/95	REVISED CROSS SECTION	MHS	U.S.
06/06/95	ADDED FINAL DEVIATIONS PER LDC REVIEW	MHS	U.S.
06/21/95	REVISED TYP. LOTS, ADDED DEVIATIONS & SHELTER CALCS	MHS	U.S.

SCHEDULE OF USES (RVPD)

PERMITTED USES:
RV SITES
ACCESSORY USES:
PARK OFFICE
RECREATIONAL FACILITIES, PERSONAL
POOL
LAUNDRY
RETAIL AND EMPLOYEE RESALES, GROUP "B"
(RESTRICTED TO RECREATIONAL VEHICLES ONLY)
ACCESSORY USES:
TOTS SCHOOL - GROUP "A"
RECREATION SERVICES - GROUP "B"
CONCESSIONS OR PRIVILEGES
STORAGE:
WOODS
NEW CLASSIFIED TO RECREATIONAL VEHICLES, TRAILERS, BOATS,
AND OTHER VEHICLES AND GOODS BELONGING TO PARK RESIDENTS

SCHEDULE OF USES (MHPD)

MOBILE HOME
RECREATIONAL WATER RECREATION
RECREATIONAL FACILITIES, PERSONAL
POOL
LAUNDRY
RETAIL AND EMPLOYEE RESALES, GROUP "B"
ACCESSORY USES:
TOTS SCHOOL - GROUP "A"
RECREATION SERVICES - GROUP "B"
CONCESSIONS OR PRIVILEGES
STORAGE:
WOODS
NEW CLASSIFIED TO RECREATIONAL VEHICLES, TRAILERS, BOATS,
AND OTHER VEHICLES AND GOODS BELONGING TO PARK RESIDENTS

EXISTING GENERAL DEVIATIONS:

1. A DEVIATION FROM SECTION 3.03 OF ORDINANCE 89-17 TO ALLOW FOR THE DEVELOPMENT OF THE "MH" AREA AS INDICATED ON THE MASTER CONCEPT PLAN, ON LONGER APPROVALS, NO MORE COMMENTS
2. A DEVIATION FROM SECTION 3.01.A.5 OF THE LEE COUNTY ZONING ORDINANCE, ORDINANCE 86-2 AS AMENDED, AND SECTION 7.03.A OF THE LEE COUNTY SUBDIVISION ORDINANCE TO ALLOW THE SUMMER STAY USE TO BE USE PER PRIVATE ROAD
3. A DEVIATION FROM SECTION 202.1.B.3.c OF THE LEE COUNTY ZONING ORDINANCE, ORDINANCE 86-2 AS AMENDED, AND SECTION 7.03.A OF THE LEE COUNTY SUBDIVISION ORDINANCE TO ALLOW THE SUMMER STAY USE TO BE USE PER PRIVATE ROAD
4. A DEVIATION FROM SECTION 3.2, 3.7.A.5 & 1.08.1 OF THE LEE COUNTY ZONING ORDINANCE, ORDINANCE 86-2 AS AMENDED, AND TABLE 1(B) OF THE LEE COUNTY SUBDIVISION ORDINANCE, ORDINANCE 86-17 AS AMENDED, TO ALLOW THE "PARK" LOT LINE FOR THE "RV" LOTS TO BE 20 FT., 15 FT., 10 FT., OR 5 FT. AND THE "PARK" LOT LINE FOR THE "MH" LOTS TO BE 20 FT., 15 FT., OR 5 FT.
5. A DEVIATION FROM SECTION 3.2, 3.7.A.5 & 1.08.1 OF THE LEE COUNTY ZONING ORDINANCE, ORDINANCE 86-2 AS AMENDED, AND TABLE 1(B) OF THE LEE COUNTY SUBDIVISION ORDINANCE, ORDINANCE 86-17 AS AMENDED, TO ALLOW THE "PARK" LOT LINE FOR THE "RV" LOTS TO BE 20 FT., 15 FT., OR 5 FT. AND THE "PARK" LOT LINE FOR THE "MH" LOTS TO BE 20 FT., 15 FT., OR 5 FT.
6. A DEVIATION FROM SECTION 3.03 AND TABLE 3-1 OF THE DEVELOPMENT STANDARDS ORDINANCE, ORDINANCE 86-17 AS AMENDED, TO ALLOW THE DEVELOPMENT ORDINANCE FOR A DEVELOPMENT OF MORE THAN 100 ACRES
7. A DEVIATION OF SECTION 3.03.3 AND TABLE 3-1 OF THE DEVELOPMENT STANDARDS ORDINANCE, ORDINANCE 86-17 AS AMENDED, TO ALLOW A 40 FOOT RIGHT-OF-WAY FOR A LOCAL STREET WITH OPEN DRAINAGE, TO REPLACE A LOCAL STREET WITH 50 FEET OF RIGHT-OF-WAY AND OPEN DRAINAGE.

EXISTING RVPD DEVIATIONS:

2. A DEVIATION FROM SECTION 34.2.B.4.(C) AND (E) UNDER LDC 34-2(B)(2)(C)(1) OF LEE COUNTY, ZONING ORDINANCE, WHICH REQUIRES A 5,000 SQUARE FOOT MINIMUM LOT TO PROVIDE A 4,140 SQUARE FOOT MINIMUM (-18 FEET x 90 FEET).
3. A DEVIATION FROM SECTION 34.2.B.4.(E)(2)(C)(1) UNDER LDC 34-2(B)(2)(C)(1) OF LEE COUNTY, ZONING ORDINANCE, WHICH REQUIRES A 50 FOOT WIDE PRIVATE ROAD TO BE REDUCED TO A 30 FOOT WIDE PRIVATE ROAD WITHOUT THE REQUIREMENT OF A 10 FOOT WIDE DIRECT PARKING SPACE OF 10 FEET FOR A NON-PARALLEL PARK.
4. A DEVIATION FROM SECTION 34.2.B.2 OF THE ZONING ORDINANCE, WHICH REQUIRES THE PURPOSE AN ADDITIONAL ROAD THROUGH THE PROPERTY WITH

EXISTING MHPD DEVIATIONS:

5. A DEVIATION FROM SECTION 34.93 UNDER LDC 34-1393 OF LEE COUNTY, ZONING ORDINANCE, WHICH REQUIRES A 5,000 SQUARE FOOT MINIMUM LOT TO PROVIDE A 4,140 SQUARE FOOT MINIMUM LOT
6. A DEVIATION FROM SECTION 34.93.B UNDER LDC 34-1393 WHICH REQUIRES A 20 FT. SETBACK OF 7 FEET TO PLACE A 6 FT. SETBACK OF 3 FEET.

NEW GENERAL DEVIATIONS:

11. A DEVIATION FROM SECTION 34-1(B)(2)(B) OF THE LEE COUNTY ZONING ORDINANCE, ORDINANCE 86-2 AS AMENDED, TO PERMIT A 20 FT. SETBACK FOR THE "RV" LOTS AND TO ALLOW THE CONTINUED USE OF THE EXISTING ORDINANCE WITH THE "RV" SETBACK AND TO ALLOW THE USE OF THE ORDINANCE WITH THE "MH" SETBACK AS SHOWN ON THE MASTER CONCEPT PLAN.
12. DEVIATION FROM SECTION 34-1020(2)(a)2 WHICH WOULD REQUIRE 135 SPACES FOR THE TWO CLUBHOUSE FACILITIES TO PROVIDE 41 SPACES.

CYPRESS WOODS R.V. RESORT	
MASTER CONCEPT PLAN EXHIBIT III-A	
BARBOT, STEUART & ASSOCIATES, INC. CONSULTING ENGINEERS 3920 EVANS AVENUE, FORT MYERS, FLORIDA 33901, PH. (239) 936-7255	
DESIGNED BY: DJ/LEC/MS	DRAWN BY: MS/LEC/DJ
CHECKED BY: MHS	DATE: MARCH 13, 1995
SCALE: 1" = 100' OR AS NOTED	SHEET 3 OF 3
FILE NO. 3434	

RECEIVED JUN 06 1995 DEVELOPMENT

GM 2002-00062

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

WHEREAS, Cypress Woods RV Associates, in reference to Cypress Woods, has properly filed an application for a rezoning from Mobile Home Planned Development district to Mobile Home Planned Development and Recreational Vehicle Planned Development; and

WHEREAS, the subject property is located at 10251 Luckett Road, described more particularly as:

LEGAL DESCRIPTION: In Section 11, Township 44 South, Range 25 East, Lee County, Florida:

A parcel or tract of land lying in the Southwest Quarter (SW1/4) of Section 11, Township 44 South, Range 25 East, Lee County, Florida, which parcel or tract is described as follows:

Commencing at the Southwest corner of said Southwest Quarter (SW1/4) of said Section 11;
THENCE run N00°53'18"W along the West line of said Quarter Section for 25.00 feet to the North line of a 50 foot road described in County Commission Minute Book 11, Page 306 of the Public Records of Lee County, Florida, and the POINT OF BEGINNING of the herein described lands.
From said POINT OF BEGINNING continue N00°53'18"W along said West line for 2,621.33 feet to the Northwest corner of said Southwest Quarter (SW1/4);
THENCE run N89°04'12"E along the North line of said Quarter Section for 20.00 feet to the Northwest corner of lands described in Official Record Book 1848, Page 3142 of the Public Records of said Lee County, Florida;
THENCE run S00°53'18"E along the West line of description in said Official Record Book and page for 640.00 feet to the Southwest corner of said lands;
THENCE run N89°04'12"E along the South line of said lands for 445.50 feet to the Southeast corner of said lands;
THENCE run N00°53'18"W along the East line of said land 640.00 feet to the Northeast corner of said lands and the North line of said Southwest Quarter (SW1/4);
THENCE run N89°04'12"E along said North line for 2,162.17 feet to the Northeast corner of said Southwest Quarter (SW1/4);
THENCE run S00°45'27"E along the East line of said Southwest Quarter (SW1/4) for 2,625.08 feet to the North line of the aforementioned 50 foot road described in County commission Minute Book 11, Page 396;
THENCE run S89°09'05"W along the North line of said road for 2,621.69 feet to the POINT OF BEGINNING.

Said parcel or tract containing 151.51397 acres, more or less.

WHEREAS, the applicant has indicated the property's current STRAP number is 11-44-25-00-00014.0000; and

WHEREAS, proper authorization has been given to Humphrey & Knott, P.A., by Cypress Woods RV Resort Associates, the fee simple owner of the subject parcel, 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 Hearing Examiner, with full consideration of all the evidence available; and the Lee County Hearing Examiner fully reviewed the matter in a public hearing held on June 14, 1994 and subsequently continued to July 8, 1994; and

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

EXHIBIT "D"

of County Commissioners gave full and complete consideration to the recommendations of the staff, the Hearing Examiner, 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 WITH CONDITIONS a rezoning from Mobile Home Planned Development to Mobile Home Planned Development and Recreational Planned Development.

The rezoning and Master Concept Plan, which deviate from certain Lee County Standards, are subject to the following conditions:

1. The development and use of the subject property shall be in substantial compliance with the approved Master Concept Plan entitled "Cypress Woods R.V. Resort" (File No. 3434, last revised 4/04/94, stamped received April 08, 1994) as prepared by Barbot, Steuart & Associates, Inc., except as may be modified by the conditions herein. Total units shall not exceed that indicated on the Master Concept Plan.

2. Lots within this development shall be developed in accordance with the following Property Development Regulations:

   Minimum Lot Area and Dimensions:

Area:	4,140 square feet
Width:	46 feet
Depth:	90 feet

   Minimum Setbacks:

Street:	20 feet
Side Street:	10 feet [Deviation (4)]
Side:	10 feet (for a recreational vehicle)
	5 feet (for a mobile home)
Rear:	20 feet
Water Body:	25 feet

3. Prior to the approval of any plat subdividing the subject property or any condominium plat, the developer shall provide a list of lots contained within the plat. This list shall consist of the lot or parcel number and the designation of the lot as a RVPD or MHPD lot or parcel. This designation shall be substantially in compliance with the designation of the lots as shown on the approved Master Concept Plan.

4. The developer or individual lot owner may apply as part of an Administrative Amendment Approval to amend the designation of a lot from RVPD to MHPD within this planned development. No approval shall be granted for a change from MHPD to RVPD.

5. As committed to on the approved Master Concept Plan by the applicant, on-site shelter provision and open space shall be developed in accordance with these commitments.

6. Since the Land Development Code Section 34-939(b)(2) requires all new recreational vehicle parks to connect to public or private water and central sewer system, this entire project shall be required to comply with this requirement.

7. Along the western and southern perimeters of the proposed development the buffering requirements of Section 34-939(b)(3) of the Land Development Code (LDC) shall be complied with. As offered by the applicant, along the northern property line within the proposed 40-foot-wide buffer, a minimum double "D" buffer with fence will be provided. This means within the buffer, twice the number of trees and shrubs required by LDC Section 10-414(c) shall be required for compliance. Furthermore, the buffering shall be in accordance with Note 2, of Table 1 of LDC Section 10-414, which exists at the time of Development Review. This vegetative buffer shall be to the outside of the proposed fence and visible from the abutting property. And along the eastern portion of the site, on either side of the power line easement, the developer shall comply with Section 34-939(b)(3) buffering requirements along with a fence. The fence location shall be consistent with the locational requirements noted above.

8. Prior to the approval of a local Development Order, the developer shall supply a letter from Florida Power & Light indicating that they have reviewed and have no objection to the plans to develop a storage area for boats and recreational vehicle units within the existing power line easement.

9. This zoning approval does not signify that the project's traffic impacts have been mitigated. Additional conditions may be required at the time of issuance of a local Development Order per the Development Standards Ordinance or other Lee County Ordinance.

10. Approval of this rezoning does not give the developer the undeniable right to receive any local Development Order approval that exceeds the Year 2010 Overlay use allocation, if such allocation exists, for the applicable district.

11. A Gopher Tortoise Management Plan must be submitted and approved at the time of local Development Order application for the first phase of development. All areas shown on the Master Concept Plan as fox squirrel preserve must be shown and labeled as such on any plans submitted for local Development Order approval. Any golden polypody found on trees within development areas must be relocated to preserve areas wherever feasible.

12. Deviation (1) is a request to deviate from Section 6.03 of Ordinance 86-21 [Section 14-298(c) of the LDC] for the development of the "TZ" area as indicated on the Master Concept Plan. Deviation (1) is hereby APPROVED subject to the proposed mitigation plan submitted by Tropical Environmental Consultants (TEC), dated December 6, 1993, and further amended and clarified by TEC in correspondence addressed to George Parker of DNRM, dated March 7, 1994 and June 22, 1994. Mitigation must follow the phasing presented in these documents.

13. Deviation (2) is hereby DENIED.

14. Deviation (3) is a request to deviate from Appendix 9.9B of the DSO (Section 10-714.b. of the LDC) which requires a 90 foot turn-out radius to 30 feet. Deviation (3) is hereby APPROVED subject to the developer providing a paved/stabilized surface with a minimum radius of 42 feet and, in addition, shall provide an unobstructed clear zone of 48-foot radius (6 feet clear zone beyond driving range).

15. Deviation (4) is a request to deviate from Section 202.18.B.2.a. of the Zoning Ordinance [LDC Section 34-2192(a)] to allow a reduction in the street setback from 20 feet to 5 feet on the "side" lot line for corner lots. Deviation (4) is hereby APPROVED as provided for in Condition 2.

16. Deviation (5) is a request to deviate from Section 9.D, 9.0.10, and Table 9-1 of the DSO (Sections 10-285.a., 10-285.a Table 1, and 10-296.j.) which requires 125 feet of street intersection separation, to 100 feet. Deviation (5) is hereby APPROVED to 100 feet. Approval of this deviation shall also permit the location of a temporary emergency access, yet to be located, to the west of the approved access point in this deviation, in accordance with Deviation (6).

17. Deviation (6) is a request to deviate from Section 9.J.3 of the DSO (Section 10-291.3 of the LDC) to allow only one entrance for a development of more than 5 acres. Deviation (6) is hereby APPROVED with the condition that a temporary emergency access point shall be constructed from Luckett Road, into the project site, for the use of emergency vehicles only. This temporary access point shall remain in place until such time as a permanent emergency access point is constructed, or until this development provides a permanent functioning interconnection with an adjoining property. The temporary access point shall be constructed in accordance with the Land Development Code as administered by the Division of Development Services.

18. Deviation (7) is a request to deviate from Section 9.0.2 and Table 9-3 of the DSO (Sections 10-296.b and 10-296 Table 3 of the LDC) which require a 45-foot right-of-way for a local street with open drainage, to permit a local street with 30 feet of right-of-way and open drainage. Deviation

(7) is hereby APPROVED subject to the condition that the typical lot cross section exhibits, subject to the approval by the Division of Development Services, that the drainage performs adequately showing the slab placement at the time of Development Order submittal.

19. Deviation (8) is a request to deviate from Section 480.05.D.2.f of the Zoning Regulations [LDC Section 34-939(b)(6)] which requires a 5,000 square foot minimum lot to provide a 4,140 square foot minimum (46 feet x 90 feet). Deviation (8) is hereby APPROVED subject to Condition 2.

20. Deviation (9) is a request to deviate from Zoning Regulations Section 480.05.D.2.g.3.) [LDC Section 34-939(b)(7)c.] which requires a side setback of 10 feet and a street (right-of-way) setback of 25 feet, to permit a side setback of 5 feet and a street (right-of-way) setback of 20 feet in the non-transient section of the park. Deviation (9) is hereby APPROVED provided that these setbacks are in conformance with the requirements of Condition 2 and all side setbacks apply to all portions of the structure or unit, including overhangs.

21. Deviation (9.a) is a request to deviate from Zoning Ordinance Section 480.05.D.2.c [LDC Section 34-939(b)(3)] to permit an access road through the perimeter buffer to the boat storage area. Deviation (9.a.) is hereby APPROVED subject to Condition 8.

22. Deviation (10) is a request to deviate from Table 423.B. of the Zoning Regulations [LDC Section 34-736] which requires a 5,000 square foot minimum lot (50 feet x 100 feet) to provide a 4,140 square foot minimum lot (46 feet x 90 feet). Deviation (10) is hereby APPROVED subject to the requirements of Condition 2.

23. Deviation (11) is a request to deviate from Table 423.B. [LDC Section 34-736] which requires a side setback of 7 feet, to permit a side setback of 5 feet. Deviation (11) is hereby APPROVED subject to the setback in Condition 2.

24. Deviation (12) is a request to deviate from Section 202.18.D.1. of the Zoning Ordinance [LDC Section 34-2222(1) and Section 10-254 (b)], to allow the corner lots to be the same size as the other lots within the development (and not have an additional 15 feet of width). Deviation (12) is hereby APPROVED subject to the requirements of Condition 2.

25. Deviation (13) is a request to deviate from Section 9.N. of the DSO [LDC Section 10-295] to eliminate the requirement for street stubs to adjacent properties. Deviation (13) is hereby DENIED and left to the discretion of the Director of the Division of Development Services, in accordance with the Land Development Code.

26 Deviation (14) is a request to deviate from LDC Section 34-939(b)(3) to eliminate the requirement for a buffer between a recreational vehicle park and adjacent property interior to the site. Deviation (14) is hereby APPROVED for the interior portion of the site, only. Buffering the perimeter of the entire development shall be in accordance with Condition 7.

27. Deviation (15) is a request to deviate from LDC Section 34-935(a)(1) to eliminate the requirement that a new recreational vehicle park be not less than 20 acres in size. Deviation (15) is hereby APPROVED.

Site Plan 94-025 is attached hereto and incorporated herein by reference, as a reduced copy of the Master Concept Plan.

The following findings and conclusions were made in conjunction with this approval of Mobile Home Planned Development and Recreational Vehicle Planned Development zoning:

A. That the predominant uses of the surrounding property, makes approval of the RVPD/MHPD, as conditioned, appropriate.

B. That the RVPD/MHPD, as conditioned, will not have an adverse impact on the intent of the Land Development Code.

C. That the RVPD/MHPD, as conditioned, is consistent with the goals, objectives, policies, and intent of the Lee Plan, and with the densities, intensities and general uses set forth for the proposed use.

D. That the RVPD/MHPD, as conditioned, meets or exceeds all performance and locational standards set forth for the proposed use.

E. That the RVPD/MHPD, as conditioned, will protect, conserve, preserve all protected and endangered species, natural habitat and vegetation, in accordance with the Lee Plan and other Lee County development regulations.

F. That the RVPD/MHPD, as conditioned, will be compatible with existing or planned uses and will not cause damage, hazard, nuisance, or other detriment to persons or property.

G. That the RVPD/MHPD, as conditioned, will not place an undue burden upon existing transportation or other services and facilities, and will be served by streets with the capacity to carry traffic generated by the development.

H. That the residential uses, as conditioned, will be in compliance with all applicable general zoning provisions and supplemental regulations pertaining to the use, as set forth elsewhere in the Land Development Code.

I. That the proposed use is appropriate on the subject property and in the vicinity of the subject property.

J. That the recommended conditions are reasonably related to the impacts expected from or created by the proposed development.

K. That the recommended conditions and other Lee County development regulations provide sufficient safeguards to the public health, safety and welfare.

L. That the deviations, as conditioned, enhance the achievement of the objectives of the RVPD/MHPD and preserve and promote the protection of the public health, safety and welfare.

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

John E. Manning	Aye
Douglas R. St. Cerny	Nay
Ray Judah	Nay
Franklin B. Mann	Aye
John E. Albion	Aye

DULY PASSED AND ADOPTED this 15th day of August, A.D., 1994.

ATTEST:
CHARLIE GREEN, CLERK

BY: _____
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: _____
Chairman

Approved as to form by:

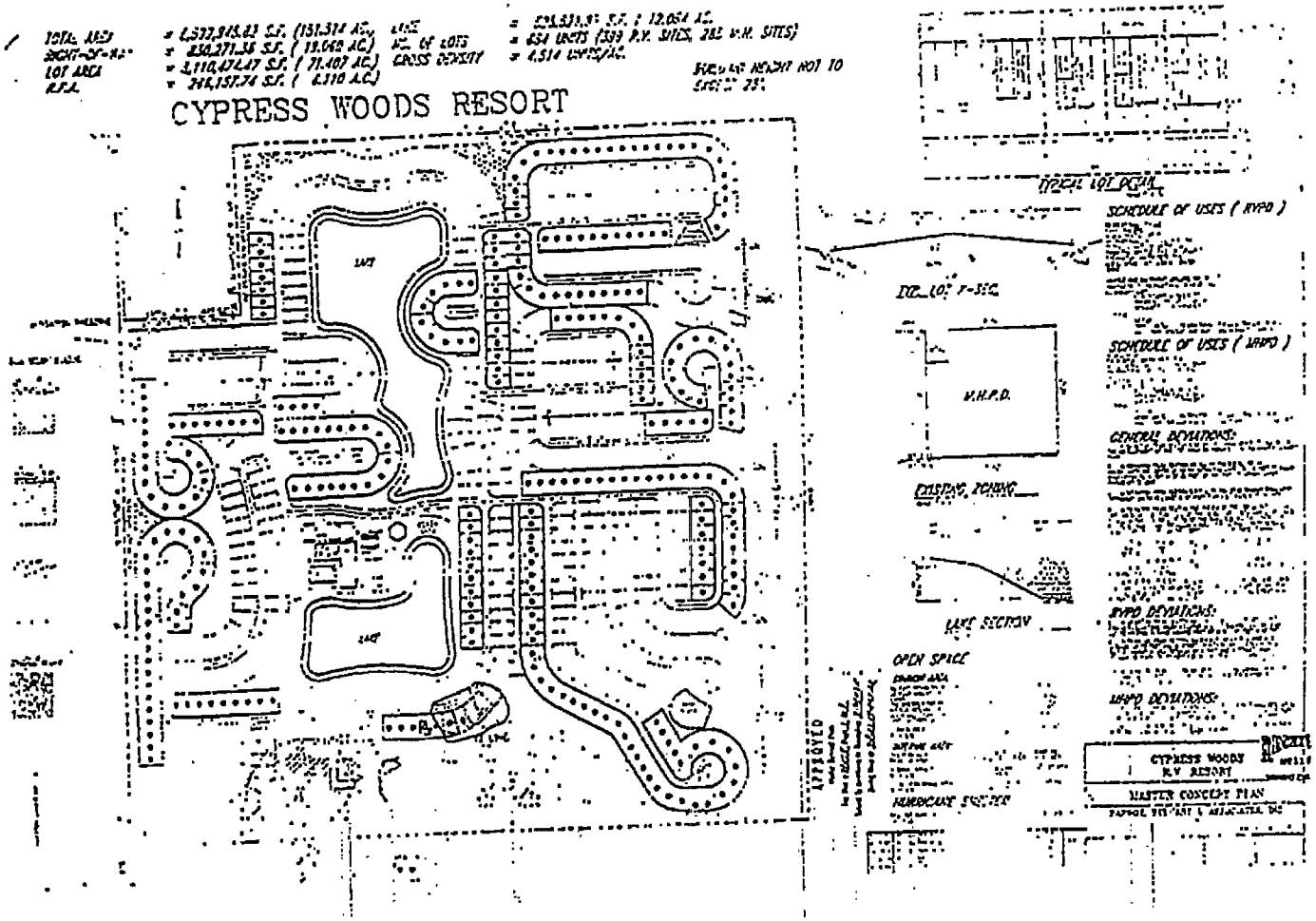
_____
County Attorney's Office

FILED

AUG 25 1994

_____

CYPRESS WOODS RESORT



ADMINISTRATIVE AMENDMENT
LEE COUNTY, FLORIDA

WHEREAS, Cypress Woods RV Associates, has filed an application for administrative approval of an amendment to a Mobile Home Planned Development and Recreational Vehicle Planned Development on a project known as Cypress Woods Resort. The amendment provides for:

1. A reduction in dwelling units from 684 to 671;

2. Reconfiguration of the wetland preservation area to provide a flowway in accordance with South Florida Water Management District permit;

3. An increase in fox squirrel preserve of 0.13 acre;

4. Relocation of the RV and Boat Storage area internal to the site; and

5. Addition of a permanent access point to Luckett Road in accordance with the zoning approval.

The property is located at 10251 Luckett Road, described more particularly as:

LEGAL DESCRIPTION: In Section 11, Township 44 South, Range 25 East, Lee County, Florida:

A parcel or tract of land lying in the Southwest Quarter (SW¼) of Section 11, Township 44 South, Range 25 East, Lee County, Florida, which parcel or tract is described as follows:

Commencing at the Southwest corner of said Southwest Quarter (SW¼) of said Section 11;
THENCE run N00°53'18"W along the West line of said Quarter Section for 25.00 feet to the North line of a 50 foot road described in County Commission Minute Book 11, Page 306 of the Public Records of Lee County, Florida, and the POINT OF BEGINNING of the herein described lands.
From said POINT OF BEGINNING continue N00°53'18"W along said West line for 2,621.33 feet to the Northwest corner of said Southwest Quarter (SW¼);
THENCE run N89°04'12"E along the North line of said Quarter Section for 20.00 feet to the Northwest corner of lands described in Official Record Book 1848, Page 3142 of the Public Records of said Lee County, Florida;

Continued ...

THENCE run S00°53'18"E along the West line of description in said Official Record Book and page for 640.00 feet to the Southwest corner of said lands;
THENCE run N89°04'12"E along the South line of said lands for 445.50 feet to the Southeast corner of said lands;
THENCE run N00°53'18"W along the East line of said land 640.00 feet to the Northeast corner of said lands and the North line of said Southwest Quarter (SW¼);
THENCE run N89°04'12"E along said North line for 2,162.17 feet to the Northeast corner of said Southwest Quarter (SW¼);
THENCE run S00°45'27"E along the East line of said Southwest Quarter (SW¼) for 2,625.08 feet to the North line of the aforementioned 50 foot road described in County commission Minute Book 11, Page 396;
THENCE run S89°09'05"W along the North line of said road for 2,621.69 feet to the POINT OF BEGINNING.

Said parcel or tract containing 151.51397 acres, more or less.

WHEREAS, the property was originally rezoned in case number 94-06-14-DCI-02; and

WHEREAS, the Lee County Land Development Code provides for certain administrative changes to planned development master concept 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, the proposed amendment does not result in an increase in density nor an underutilization of public resources and public infrastructure and does not reduce total of open space, buffering, landscaping and preservation areas, or adversely impacts surrounding land uses; and

WHEREAS, the proposed amendment provides for changes to the interior of the development.

NOW, THEREFORE, IT IS HEREBY DETERMINED that the application for administrative approval for an amendment to the Mobile Home Planned Development Recreational Vehicle Planned Development zoning as described in the preamble is APPROVED.

Approval is subject to the following conditions:

1. Subject to the proposed mitigation plan, titled "Cypress Woods Monitoring and Maintenance Plan" submitted by Boylan Environmental Consultants, Inc., zoning counter stamped and dated

May 18, 1995. Mitigation must follow the phasing presented in these documents and all monitoring reports must be submitted to the Lee County Division of Environmental Sciences within thirty days of the scheduled monitoring events. This plan supersedes the TEC mitigation plan referenced in Condition 12 of Resolution Z-94-025.

2. Site Plan PD-95-019 is hereby APPROVED and adopted. A reduced copy is attached hereto.

3. All remaining terms and conditions of the original zoning resolution, Resolution Z-94-025, remain in full force and effect.

DULY SIGNED this 14th day of June, A.D., 1995.

BY: Mary Gibbs
Mary Gibbs, Director
Department of Community Development

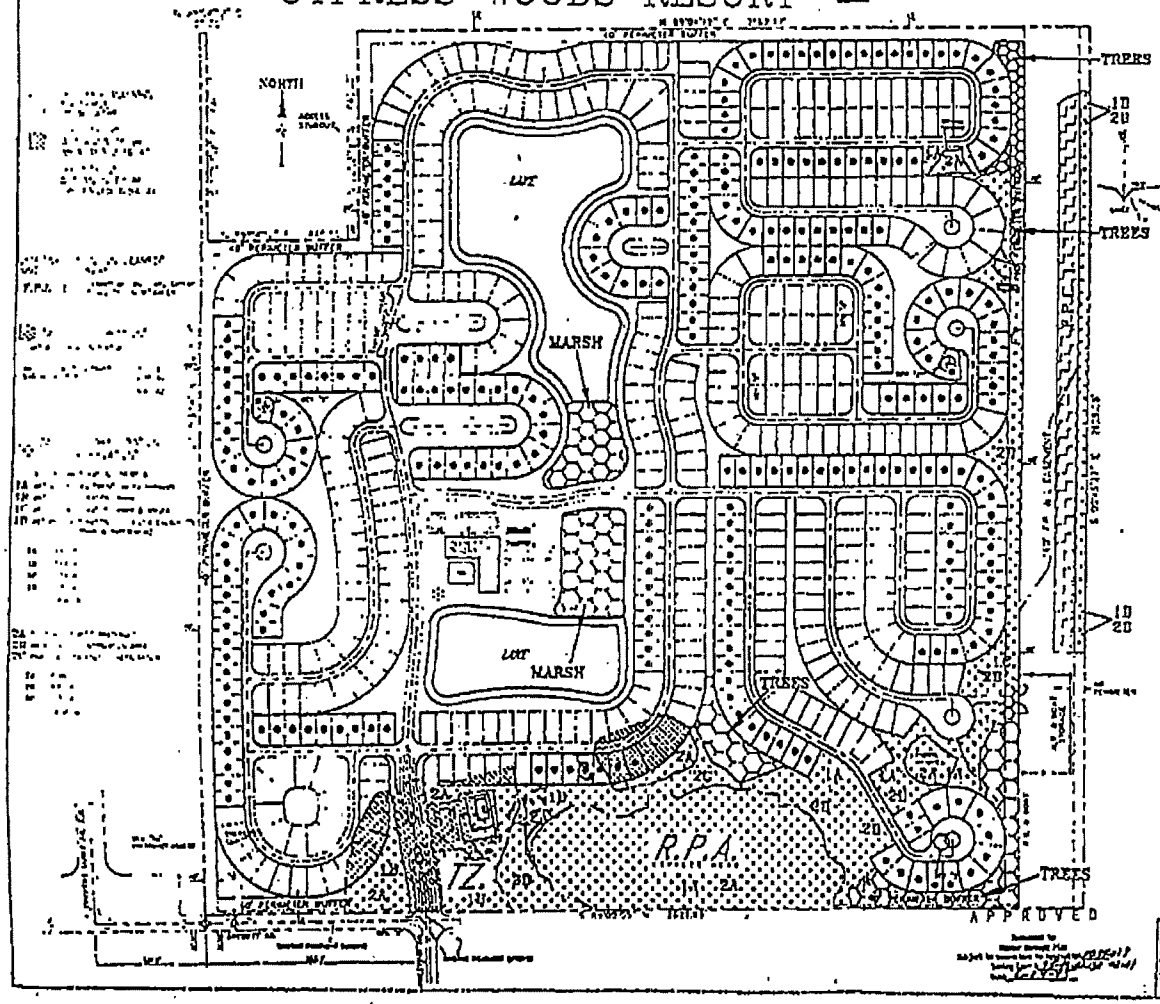
"EXHIBIT 3A"

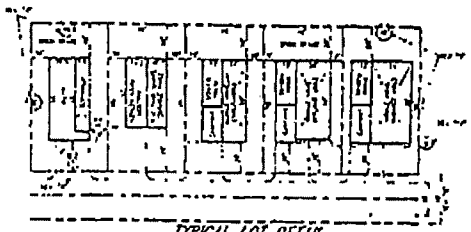
TOTAL AREA	= 6,599,945.82 S.F. (151.514 AC.)	LAKE	= 525,521.97 S.F. (12.064 AC.)
RIGHT-OF-WAY	= 830,271.36 S.F. (19.060 AC.)	NO. OF LOTS	= 671 UNITS (392 R.V. SITES, 279 M.H. SITES)
LOT AREA	= 3,043,520.84 S.F. (69.87 AC.)	GROSS DENSITY	= 4.428 UNITS/AC.
R.P.A.	= 266,157.74 S.F. (6.110 A.C.)		

BUILDING HEIGHT NOT TO EXCEED 25'.

CYPRESS WOODS RESORT

MHPD



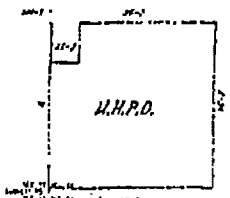


TYPICAL LOT DETAIL

SCHEDULE OF USES (RVPD)

TYP. LOT X-SEC.

SCHEDULE OF USES (MHPD)



EXISTING ZONING

GENERAL DEVIATIONS:

RVPD DEVIATIONS:

MHPD DEVIATIONS:

LAKE SECTION

OPEN SPACE

COMMON AREA:

INTERNAL AREA:

HURRICANE SHELTER

PROJECT # 15-5-14-14 03
PROJECT TYPE

RECEIVED

CYPRESS WOODS
R.V. RESORT

MASTER CONCEPT PLAN

ELKNOT, STEUART & ASSOCIATES, INC.

3434

ADMINISTRATIVE AMENDMENT
LEE COUNTY, FLORIDA

WHEREAS, Barbot, Steuart, & Associates, Inc. filed an application for administrative approval to a Mobile Home Planned Development on a project known as Cypress Woods R.V. Resort - Phase V on property located at 5551 Luckett Road for:

1. A lot reconfiguration for Phase 5 to decrease the number of lots from 184 to 183 lots.

2. A decrease in the size of the proposed clubhouse from 15, 600 square feet to 9,053 square feet and increase the existing clubhouse, at the entrance to the development, from 4,445 square feet to 6,799 square feet.

3. An increase in the square footage provided for hurricane shelters from 15,600 square feet to 15,852 square feet shared between the proposed clubhouse (9,053 square feet) and existing clubhouse (6,799 square feet).

4. Relocation of lots with "dot notation" that differentiate between recreational vehicle lots and mobile home lots to that shown on the revised master concept plan.

5. A reduction in the total number of recreational vehicle and mobile home sites from 671 units to 647 units.

WHEREAS, the property has been recently surveyed and the legal description revised to more accurately describe the perimeter boundary more particularly as follows:

LEGAL DESCRIPTION: In Section 11, Township 44 South, Range 25 East, Lee County, Florida:

See attached **Exhibit "A".**

WHEREAS, the property was originally rezoned in case number 94-06-14-DCI-02 with subsequent amendments in case numbers 95-03-166.13A 02.01, and 95-01-116.00D; 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

EXHIBIT "F"

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 Mobile Home Planned Development is **APPROVED** to:

1. Reconfigure Phase 5 to decrease the number of lots from 184 to 183 lots.

2. Decrease the proposed clubhouse from 15,600 square feet to 9,053 square feet and increase the existing clubhouse, at the entrance to the development, from 4,445 square feet to 6,799 square feet.

3. Increase the square footage provided for hurricane shelters from 15,600 square feet to 15,852 square feet shared between the proposed clubhouse (9,053 square feet) and the existing clubhouse (6,799 square feet).

4. Relocate lots with "dot notation" that differentiate between recreational vehicle lots and mobile home lots to that shown on the revised master concept plan.

5. Reduce the total number of recreational vehicle and mobile home sites from 671 units to 647 units.

Approval is subject to the following conditions:

1. The Development must be in compliance with the amended Master Concept Plan, dated March 13, 1995, last revised 9/26/02, and stamped received by community development on September 25, 2002. Master Concept Plan for ADD2002-00111 is hereby APPROVED and adopted. A reduced copy is attached hereto.

2. The terms and conditions of the original zoning resolutions remain in full force and effect, except as amended herein.

DULY SIGNED this 25th day of October, A.D., 2002.

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

ADD 2002-00111

DESCRIPTION:

A parcel or tract of land lying in the Southwest Quarter (S.W.1/4) of Section 11, Township 44 South, Range 25 East, Lee County, Florida, described as follows:

Commencing at the Southwest corner of the Southwest Quarter (S.W.1/4) of the aforesaid Section 11; thence run N.00°53'18"W. along the West line of the Southwest Quarter (S.W.1/4) of said Section 11 for 25.00 feet to the North line of Luckett Road (50 feet wide) and the point of beginning; thence continue N.00°53'18"W. along the West line of the Southwest Quarter (S.W.1/4) of said Section 11 for 2621.45 feet to Northwest corner of said Southwest Quarter (S.W.1/4); thence run N.89°01'53"E. for 20.00 feet to the Northwest corner of lands described in Official Record Book 1848, Page 3142 of the Public Records of Lee County, Florida; thence run S.00° 53'18"E. along the West line of said lands for 640.00 feet; thence run N.89°01'53"E. along the South line of said lands for 445.50 feet; thence run N.00°53'18"W. along the East line of said lands for 640.00 feet to the Northeast corner of said lands and the North line of the Southwest Quarter (S.W.1/4) of the aforesaid Section 11; thence run N.89°01'53"E. along the North line of the Southwest Quarter (S.W.1/4) of said Section 11 for 2161.66 feet to the Northeast corner of the Southwest Quarter (S.W.1/4) of said Section 11; thence run S.00°46'12"E. along the East line of the Southwest Quarter (S.W.1/4) of said Section 11 for 2626.95 feet to the North line of the aforesaid Luckett Road; thence run S.89°09'05"W along the North line of said Luckett Road for 2621.74 feet to the point of beginning.

Said tract contains 151.559 acres, more or less and is subject to easements, restrictions and reservatons of record.

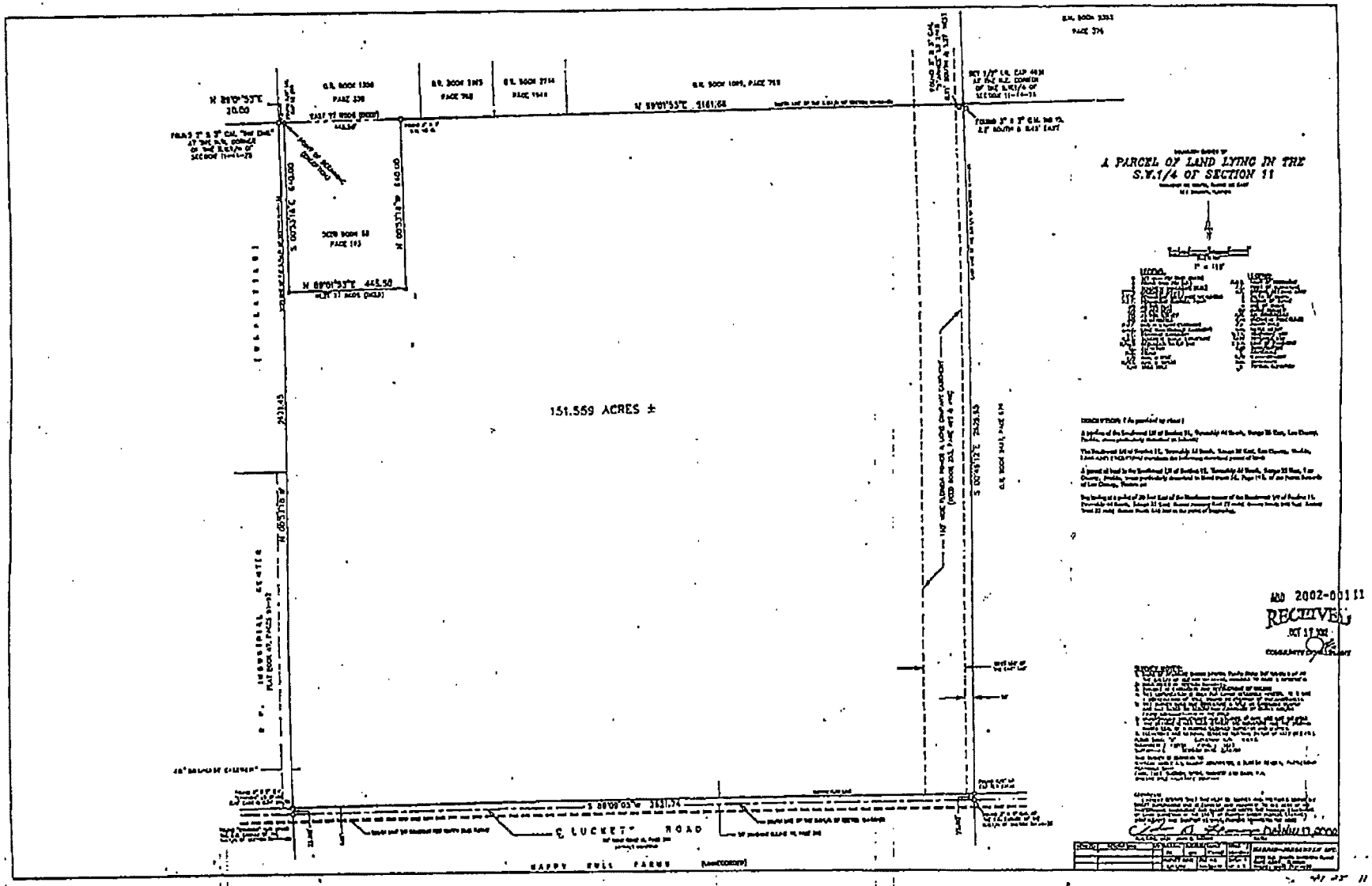
Bearings are based on the West line of the Southwest Quarter (S.W.1/4) of the aforesaid Section 11 as being N.00°53'18"W.

John B. Harris
P.S.M.#4631
October 23, 2002

RECEIVED
OCT 23 2002
COMMUNITY DEVELOPMENT

ADD 2002-00111
~~ADD 2002-00115~~

Applicant's Legal Checked
by Gm 10/23/02


A PARCEL OF LAND LYING IN THE
S.W.1/4 OF SECTION 11
151.559 ACRES ±
LUCKETT ROAD
HAPPY HILL FARMS
ADD 2002-00111
RECEIVED

"EXHIBIT 3A"

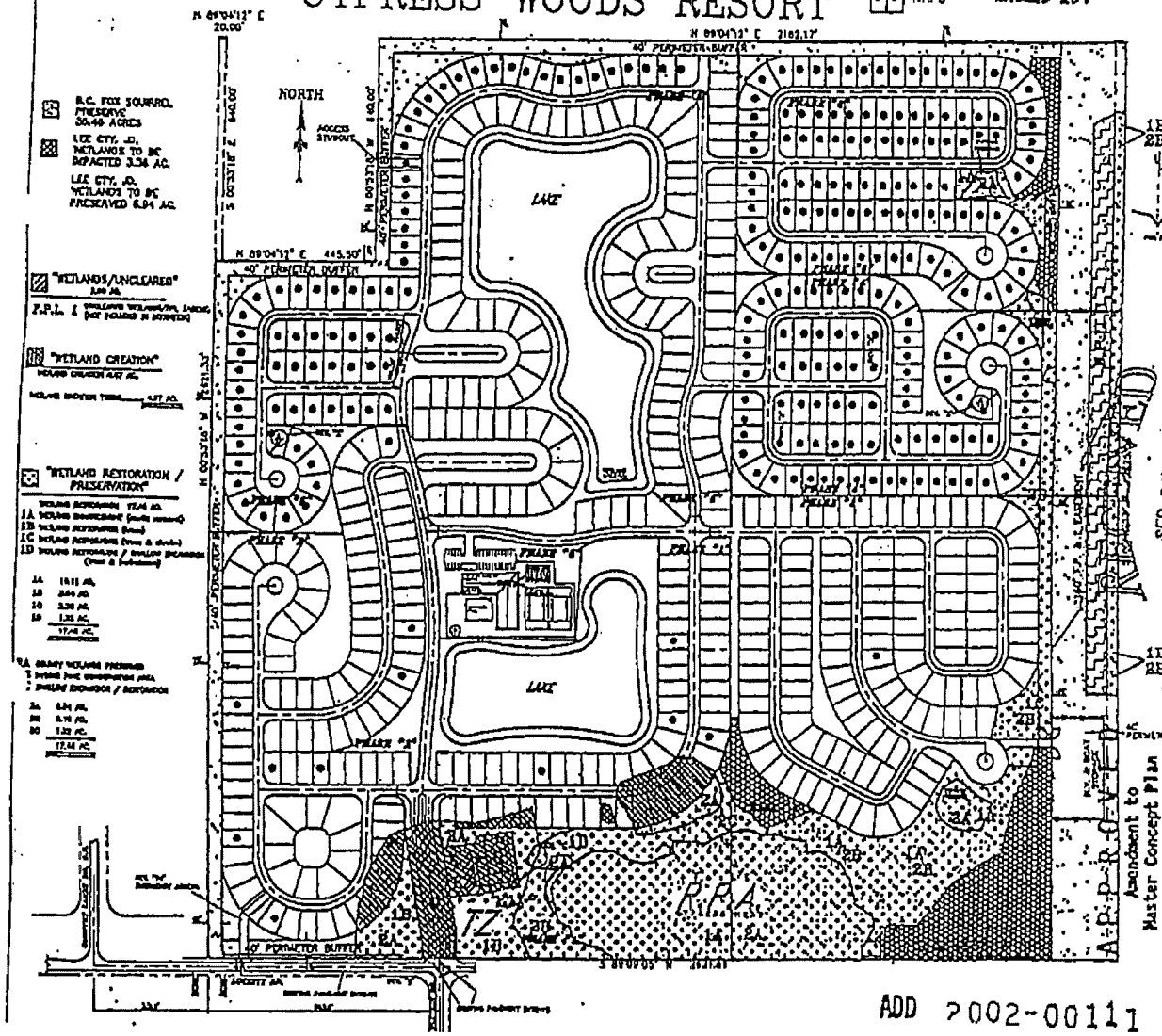
TOTAL AREA = 6,599,945.82 S.F. (151.514 AC.)
RIGHT-OF-WAY = 807,098.92 S.F. (18.528 AC.)
LOT AREA = 2,985,036.10 S.F. (68.27 AC.)
R.P.A. = 266,157.74 S.F. (6.110 A.C.)

LAKE = 525,521.97 S.F. (12.064 AC.)
NO: OF LOTS = 647 UNITS (374 R.V. SITES, 273 M.H. SITES)
GROSS DENSITY = 4.270 UNITS/AC.

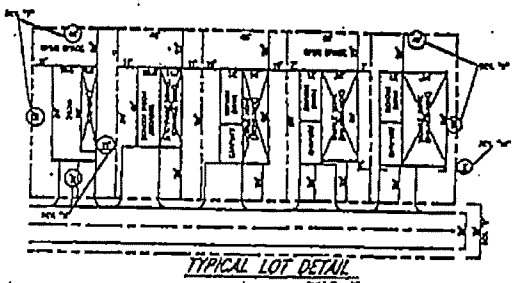
CYPRESS WOODS RESORT

NHPD

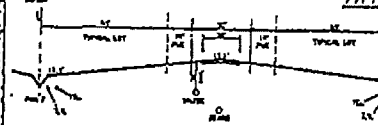
BUILDING HEIGHT NOT TO EXCEED 25'.



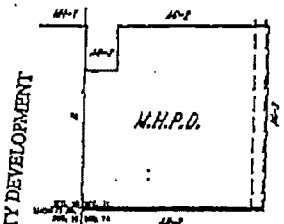
ADD 2002-00111



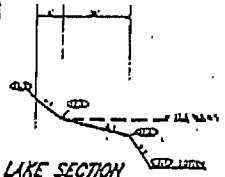
TYPICAL LOT DETAIL



TYP. LOT X-SEC.



EXISTING ZONING



LAKE SECTION

COMMUNITY DEVELOPMENT

SCHEDULE OF USES (RVPD)

SCHEDULE OF USES (MHPD)

GENERAL DEVIATIONS:

RVPD DEVIATIONS:

MHPD DEVIATIONS:

'OPEN SPACE'

COMMON AREA

NATURAL AREA

HURRICANE SHELTER

CYPRESS WOODS
R.V. RESORT

MASTER CONCEPT PLAN

BARBOT, STEWART & ASSOCIATES, INC.

3434

ADMINISTRATIVE AMENDMENT
LEE COUNTY, FLORIDA

WHEREAS, Cypress Woods RV Resort Associates filed an application for administrative approval to a Mobile Home Planned Development and Recreational Vehicle Planned Development on a project known as Cypress Woods RV Resort **to add the following two deviations from the Lee County Land Development Code (LDC) and adjust the Master Concept Plan per Condition 4 of Resolution Z-94-025:**

1. **A Deviation seeking relief from LDC Section 34-2194(b) and (c) which requires a 25 foot water body setback; to allow a zero foot setback in order to permit the construction of a clubhouse, deck, pier and gazebo 90 feet into the artificial body of water.**

2. **A Deviation seeking relief from LDC Section which requires a total of 135 parking spaces for the two clubhouse facilities; to allow only 44 off-street parking spaces.**

The subject property is located at 5551 Luckett Road, described more particularly as:

LEGAL DESCRIPTION: In Section 11, Township 44 South, Range 25 East, Lee County, Florida:

See Exhibit A

WHEREAS, the property was originally rezoned in case number 94-06-14 DCI-02 (with subsequent amendments in case numbers Z-94-025, Z-87-075, Z-91-088, ZAB-8431, ZAB-84-1-31, 95-03-166.13A, AA-PD-95-19, ADD2002-00111, DOS2003-00073, DOS95-01-116.00D, LDO98-06-045.12L & LDO98-06-074.11L); 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 add the following two deviations from the Lee County Land Development Code (LDC) and adjust the Master Concept Plan per Condition 4 of Resolution Z-94-025:

1. A Deviation seeking relief from LDC Section 34-2194(b) and (c) which requires a 25 foot water body setback; to allow a zero foot setback in order to permit the construction of a clubhouse, deck, pier and gazebo 90 feet into the artificial body of water.

2. A Deviation seeking relief from LDC Section which requires a total of 135 parking spaces for the two clubhouse facilities; to allow only 44 off-street parking spaces.

These requests are APPROVED, subject to the following conditions:

1. The Development must be in compliance with the amended Master Concept Plan, stamped received AUG 21, 2003. Master Concept Plan for ADD2003-00122 is hereby APPROVED and adopted. A reduced copy is attached hereto.

   Additionally, the approval of Deviation 1 of this Administrative Amendment is subject to substantially complying with the proposed construction of the clubhouse and related facilities on the approved Plan entitled, Cypress Woods, R.V. Resort Clubhouse Area Dev. Order Plans; Drainage, Parking & Site Dim. Plan; dated 04-14-03, stamped received AUG21, 2003. A reduced copy is attached hereto.

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

3. The approved density and intensity of this project must remain consistent with ADD2002-00111 which allowed a maximum of 647 units, consisting of not more than 374 R.V. sites and not more than 273 M. H. sites.

   Condition 4 of Resolution Z–94-025 is also hereby amended to read:

   The dots on the approved Master Concept Plan designating which lots/parcels can only be occupied by a mobile home may be administratively (not to be confused with the requirement for an administrative amendment) moved from any vacant lot/parcel (donor lot/parcel) to another lot/parcel provided that the donor lot or parcel has never been occupied by a mobile home since the inception of this planned development. Once a lot/parcel is occupied by a mobile home, it can only be replaced with another mobile home.

4. The approval of the deviation from the water body setback must not adversely impact any open space requirement; wetland vegetation plantings; or other buffering, landscaping, or preservation areas or requirments.

5. The approval of the parking deviation is subject to the reservation of Lots 85 and 86 (Phase "4") and Tract I (Phase "3", which lies immediately east of Lots 85 and 86, Phase "4") for the use of overflow parking only. These may not be used as a recreational vehicle or mobile home site. Upon the sale of the last lot (site) in the last Phase of this development, if the applicant can adequately demonstrate during the season of the highest occupancy of the development that the overflow parking areas were not needed, the two lots can then be used for recreational vehicle or mobile home sites as provided for in this planned development. A reduced copy of a Plan entitled Cypress Woods R.V. Resort Phase "IV", IVA, & IVB, stamped received SEP 08, 2003 depicting these parcels is attached hereto.

6. A development order must be submitted within 90 days of the approval that includes a a littoral planting plan which details a created hardwood wetland and marsh area within the lake adjacent to Cypress Woods Resort Drive. The planting must include at a minimum 50 native wetland trees (minimum 6-foot height; 7-gallon container size) and 1000 native herbaceous wetland plants (minimum 4 species; 2-inch liner size) clustered within the area shown on Attachment 1.

DULY SIGNED this 18th day of September, A.D., 2003.

BY: Pam Houck

Pam Houck, Director
Division of Zoning
Department of Community Development

DESCRIPTION:

A parcel or tract of land lying in the Southwest Quarter (S.W.1/4) of Section 11, Township 44 South, Range 25 East, Lee County, Florida, described as follows:

Commencing at the Southwest corner of the Southwest Quarter (S.W.1/4) of the aforesaid Section 11; thence run N.00°53'18"W. along the West line of the Southwest Quarter (S.W.1/4) of said Section 11 for 25.00 feet to the North line of Luckett Road (50 feet wide) and the point of beginning; thence continue N.00°53'18"W. along the West line of the Southwest Quarter (S.W.1/4) of said Section 11 for 2621.45 feet to Northwest corner of said Southwest Quarter (S.W.1/4); thence run N.89°01'53"E. for 20.00 feet to the Northwest corner of lands described in Official Record Book 1848, Page 3142 of the Public Records of Lee County, Florida; thence run S.00°53'18"E. along the West line of said lands for 640.00 feet; thence run N.89°01'53"E. along the South line of said lands for 445.50 feet; thence run N.00°53'18"W. along the East line of said lands for 640.00 feet to the Northeast corner of said lands and the North line of the Southwest Quarter (S.W.1/4) of the aforesaid Section 11; thence run N.89°01'53"E. along the North line of the Southwest Quarter (S.W.1/4) of said Section 11 for 2161.66 feet to the Northeast corner of the Southwest Quarter (S.W.1/4) of said Section 11; thence run S.00°46'12"E. along the East line of the Southwest Quarter (S.W.1/4) of said Section 11 for 2626.95 feet to the North line of the aforesaid Luckett Road; thence run S.89°09'05"W along the North line of said Luckett Road for 2621.74 feet to the point of beginning.

Said tract contains 151.559 acres, more or less and is subject to easements, restrictions and reservatons of record.

Bearings are based on the West line of the Southwest Quarter (S.W.1/4) of the aforesaid Section 11 as being N.00°53'18"W.

John B. Harris
P.S.M. #4631
October 23, 2002

Applicant's Legal Checked
by 15JUL03

RECEIVED
JUL 15 2003
PERMIT COUNTER

DCI 2002-00062

EXHIBIT A

Aug. 1994

RESOLUTION NUMBER Z-94-025

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

WHEREAS, Cypress Woods RV Associates, in reference to Cypress Woods, has properly filed an application for a rezoning from Mobile Home Planned Development district to Mobile Home Planned Development and Recreational Vehicle Planned Development; and

WHEREAS, the subject property is located at 10251 Luckett Road, described more particularly as:

LEGAL DESCRIPTION: In Section 11, Township 44 South, Range 25 East, Lee County, Florida:

A parcel or tract of land lying in the Southwest Quarter (SW1/4) of Section 11, Township 44 South, Range 25 East, Lee County, Florida, which parcel or tract is described as follows:

Commencing at the Southwest corner of said Southwest Quarter (SW1/4) of said Section 11;
THENCE run N00°53'18"W along the West line of said Quarter Section for 25.00 feet to the North line of a 50 foot road described in County Commission Minute Book 11, Page 306 of the Public Records of Lee County, Florida, and the POINT OF BEGINNING of the herein described lands.
From said POINT OF BEGINNING continue N00°53'18"W along said West line for 2,621.33 feet to the Northwest corner of said Southwest Quarter (SW1/4);
THENCE run N89°04'12"E along the North line of said Quarter Section for 20.00 feet to the Northwest corner of lands described in Official Record Book 1848, Page 3142 of the Public Records of said Lee County, Florida;
THENCE run S00°53'18"E along the West line of description in said Official Record Book and page for 640.00 feet to the Southwest corner of said lands;
THENCE run N89°04'12"E along the South line of said lands for 445.50 feet to the Southeast corner of said lands;
THENCE run N00°53'18"W along the East line of said land 640.00 feet to the Northeast corner of said lands and the North line of said Southwest Quarter (SW1/4);
THENCE run N89°04'12"E along said North line for 2,162.17 feet to the Northeast corner of said Southwest Quarter (SW1/4);
THENCE run S00°45'27"E along the East line of said Southwest Quarter (SW1/4) for 2,625.08 feet to the North line of the aforementioned 50 foot road described in County commission Minute Book 11, Page 396;
THENCE run S89°09'05"W along the North line of said road for 2,621.69 feet to the POINT OF BEGINNING.

Said parcel or tract containing 151.51397 acres, more or less.

151 acres
MHPD + RVPD

WHEREAS, the applicant has indicated the property's current STRAP number is 11-44-25-00-00014.0000; and

WHEREAS, proper authorization has been given to Humphrey & Knott, P.A., by Cypress Woods RV Resort Associates, the fee simple owner of the subject parcel, 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 Hearing Examiner, with full consideration of all the evidence available; and the Lee County Hearing Examiner fully reviewed the matter in a public hearing held on June 14, 1994 and subsequently continued to July 8, 1994; and

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

of County Commissioners gave full and complete consideration to the recommendations of the staff, the Hearing Examiner, 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 WITH CONDITIONS a rezoning from Mobile Home Planned Development to Mobile Home Planned Development and Recreational Planned Development.

The rezoning and Master Concept Plan, which deviate from certain Lee County Standards, are subject to the following conditions:

1. The development and use of the subject property shall be in substantial compliance with the approved Master Concept Plan entitled "Cypress Woods R.V. Resort" (File No. 3434, last revised 4/04/94, stamped received April 08, 1994) as prepared by Barbot, Steuart & Associates, Inc., except as may be modified by the conditions herein. Total units shall not exceed that indicated on the Master Concept Plan.

2. Lots within this development shall be developed in accordance with the following Property Development Regulations:

   Minimum Lot Area and Dimensions:

Area:	4,140 square feet
Width:	46 feet
Depth:	90 feet

   Minimum Setbacks:

Street:	20 feet
Side Street:	10 feet [Deviation (4)]
Side:	10 feet (for a recreational vehicle)
	5 feet (for a mobile home)
Rear:	20 feet
Water Body:	25 feet

3. Prior to the approval of any plat subdividing the subject property or any condominium plat, the developer shall provide a list of lots contained within the plat. This list shall consist of the lot or parcel number and the designation of the lot as a RVPD or MHPD lot or parcel. This designation shall be substantially in compliance with the designation of the lots as shown on the approved Master Concept Plan.

4. The developer or individual lot owner may apply as part of an Administrative Amendment Approval to amend the designation of a lot from RVPD to MHPD within this planned development. No approval shall be granted for a change from MHPD to RVPD.

5. As committed to on the approved Master Concept Plan by the applicant, on-site shelter provision and open space shall be developed in accordance with these commitments.

6. Since the Land Development Code Section 34-939(b)(2) requires all new recreational vehicle parks to connect to public or private water and central sewer system, this entire project shall be required to comply with this requirement.

7. Along the western and southern perimeters of the proposed development the buffering requirements of Section 34-939(b)(3) of the Land Development Code (LDC) shall be complied with. As offered by the applicant, along the northern property line within the proposed 40-foot-wide buffer, a minimum double "D" buffer with fence will be provided. This means within the buffer, twice the number of trees and shrubs required by LDC Section 10-414(c) shall be required for compliance. Furthermore, the buffering shall be in accordance with Note 2, of Table 1 of LDC Section 10-414, which exists at the time of Development Review. This vegetative buffer shall be to the outside of the proposed fence and visible from the abutting property. And along the eastern portion of the site, on either side of the power line easement, the developer shall comply with Section 34-939(b)(3) buffering requirements along with a fence. The fence location shall be consistent with the locational requirements noted above.

8. Prior to the approval of a local Development Order, the developer shall supply a letter from Florida Power & Light indicating that they have reviewed and have no objection to the plans to develop a storage area for boats and recreational vehicle units within the existing power line easement.

9. This zoning approval does not signify that the project's traffic impacts have been mitigated. Additional conditions may be required at the time of issuance of a local Development Order per the Development Standards Ordinance or other Lee County Ordinance.

10. Approval of this rezoning does not give the developer the undeniable right to receive any local Development Order approval that exceeds the Year 2010 Overlay use allocation, if such allocation exists, for the applicable district.

11. A Gopher Tortoise Management Plan must be submitted and approved at the time of local Development Order application for the first phase of development. All areas shown on the Master Concept Plan as fox squirrel preserve must be shown and labeled as such on any plans submitted for local Development Order approval. Any golden polypody found on trees within development areas must be relocated to preserve areas wherever feasible.

12. Deviation (1) is a request to deviate from Section 6.03 of Ordinance 86-21 [Section 14-298(c) of the LDC] for the development of the "TZ" area as indicated on the Master Concept Plan. Deviation (1) is hereby APPROVED subject to the proposed mitigation plan submitted by Tropical Environmental Consultants (TEC), dated December 6, 1993, and further amended and clarified by TEC in correspondence addressed to George Parker of DNRM, dated March 7, 1994 and June 22, 1994. Mitigation must follow the phasing presented in these documents.

13. Deviation (2) is hereby DENIED.

14. Deviation (3) is a request to deviate from Appendix 9.9B of the DSO (Section 10-714.b. of the LDC) which requires a 90 foot turn-out radius to 30 feet. Deviation (3) is hereby APPROVED subject to the developer providing a paved/stabilized surface with a minimum radius of 42 feet and, in addition, shall provide an unobstructed clear zone of 48-foot radius (6 feet clear zone beyond driving range).

15. Deviation (4) is a request to deviate from Section 202.18.B.2.a. of the Zoning Ordinance [LDC Section 34-2192(a)] to allow a reduction in the street setback from 20 feet to 5 feet on the "side" lot line for corner lots. Deviation (4) is hereby APPROVED as provided for in Condition 2.

16. Deviation (5) is a request to deviate from Section 9.D, 9.O.10, and Table 9-1 of the DSO (Sections 10-285.a., 10-285.a Table 1, and 10-296.j.) which requires 125 feet of street intersection separation, to 100 feet. Deviation (5) is hereby APPROVED to 100 feet. Approval of this deviation shall also permit the location of a temporary emergency access, yet to be located, to the west of the approved access point in this deviation, in accordance with Deviation (6).

17. Deviation (6) is a request to deviate from Section 9.J.3 of the DSO (Section 10-291.3 of the LDC) to allow only one entrance for a development of more than 5 acres. Deviation (6) is hereby APPROVED with the condition that a temporary emergency access point shall be constructed from Luckett Road, into the project site, for the use of emergency vehicles only. This temporary access point shall remain in place until such time as a permanent emergency access point is constructed, or until this development provides a permanent functioning interconnection with an adjoining property. The temporary access point shall be constructed in accordance with the Land Development Code as administered by the Division of Development Services.

18. Deviation (7) is a request to deviate from Section 9.O.2 and Table 9-3 of the DSO (Sections 10-296.b and 10-296 Table 3 of the LDC) which require a 45-foot right-of-way for a local street with open drainage, to permit a local street with 30 feet of right-of-way and open drainage. Deviation

(7) is hereby APPROVED subject to the condition that the typical lot cross section exhibits, subject to the approval by the Division of Development Services, that the drainage performs adequately showing the slab placement at the time of Development Order submittal.

19. Deviation (8) is a request to deviate from Section 480.05.D.2.f of the Zoning Regulations [LDC Section 34-939(b)(6)] which requires a 5,000 square foot minimum lot to provide a 4,140 square foot minimum (46 feet x 90 feet). Deviation (8) is hereby APPROVED subject to Condition 2.

20. Deviation (9) is a request to deviate from Zoning Regulations Section 480.05.D.2.g.3.) [LDC Section 34-939(b)(7)c.] which requires a side setback of 10 feet and a street (right-of-way) setback of 25 feet, to permit a side setback of 5 feet and a street (right-of-way) setback of 20 feet in the non-transient section of the park. Deviation (9) is hereby APPROVED provided that these setbacks are in conformance with the requirements of Condition 2 and all side setbacks apply to all portions of the structure or unit, including overhangs.

21. Deviation (9.a) is a request to deviate from Zoning Ordinance Section 480.05.D.2.c [LDC Section 34-939(b)(3)] to permit an access road through the perimeter buffer to the boat storage area. Deviation (9.a.) is hereby APPROVED subject to Condition 8.

22. Deviation (10) is a request to deviate from Table 423.B. of the Zoning Regulations [LDC Section 34-736] which requires a 5,000 square foot minimum lot (50 feet x 100 feet) to provide a 4,140 square foot minimum lot (46 feet x 90 feet). Deviation (10) is hereby APPROVED subject to the requirements of Condition 2.

23. Deviation (11) is a request to deviate from Table 423.B. [LDC Section 34-736] which requires a side setback of 7 feet, to permit a side setback of 5 feet. Deviation (11) is hereby APPROVED subject to the setback in Condition 2.

24. Deviation (12) is a request to deviate from Section 202.18.D.1. of the Zoning Ordinance [LDC Section 34-2222(1) and Section 10-254 (b)], to allow the corner lots to be the same size as the other lots within the development (and not have an additional 15 feet of width). Deviation (12) is hereby APPROVED subject to the requirements of Condition 2.

25. Deviation (13) is a request to deviate from Section 9.N. of the DSO [LDC Section 10-295] to eliminate the requirement for street stubs to adjacent properties. Deviation (13) is hereby DENIED and left to the discretion of the Director of the Division of Development Services, in accordance with the Land Development Code.

26 Deviation (14) is a request to deviate from LDC Section 34-939(b)(3) to eliminate the requirement for a buffer between a recreational vehicle park and adjacent property interior to the site. Deviation (14) is hereby APPROVED for the interior portion of the site, only. Buffering the perimeter of the entire development shall be in accordance with Condition 7.

27. Deviation (15) is a request to deviate from LDC Section 34-935(a)(1) to eliminate the requirement that a new recreational vehicle park be not less than 20 acres in size. Deviation (15) is hereby APPROVED.

Site Plan 94-025 is attached hereto and incorporated herein by reference, as a reduced copy of the Master Concept Plan.

The following findings and conclusions were made in conjunction with this approval of Mobile Home Planned Development and Recreational Vehicle Planned Development zoning:

A. That the predominant uses of the surrounding property, makes approval of the RVPD/MHPD, as conditioned, appropriate.

B. That the RVPD/MHPD, as conditioned, will not have an adverse impact on the intent of the Land Development Code.

C. That the RVPD/MHPD, as conditioned, is consistent with the goals, objectives, policies, and intent of the Lee Plan, and with the densities, intensities, and general uses set forth for the proposed use.

D. That the RVPD/MHPD, as conditioned, meets or exceeds all performance and locational standards set forth for the proposed use.

E. That the RVPD/MHPD, as conditioned, will protect, conserve, preserve all protected and endangered species, natural habitat and vegetation, in accordance with the Lee Plan and other Lee County development regulations.

F. That the RVPD/MHPD, as conditioned, will be compatible with existing or planned uses and will not cause damage, hazard, nuisance, or other detriment to persons or property.

G. That the RVPD/MHPD, as conditioned, will not place an undue burden upon existing transportation or other services and facilities, and will be served by streets with the capacity to carry traffic generated by the development.

H. That the residential uses, as conditioned, will be in compliance with all applicable general zoning provisions and supplemental regulations pertaining to the use, as set forth elsewhere in the Land Development Code.

I. That the proposed use is appropriate on the subject property and in the vicinity of the subject property.

J. That the recommended conditions are reasonably related to the impacts expected from or created by the proposed development.

K. That the recommended conditions and other Lee County development regulations provide sufficient safeguards to the public health, safety and welfare.

L. That the deviations, as conditioned, enhance the achievement of the objectives of the RVPD/MHPD and preserve and promote the protection of the public health, safety and welfare.

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

John E. Manning	Aye
Douglas R. St. Cerny	Nay
Ray Judah	Nay
Franklin B. Mann	Aye
John E. Albion	Aye

DULY PASSED AND ADOPTED this 15th day of August, A.D., 1994.

ATTEST:
CHARLIE GREEN, CLERK

BY: Mary Armstrong
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: Ray Judah
Chairman

Approved as to form by:

County Attorney's Office

FILED

AUG 25 1994

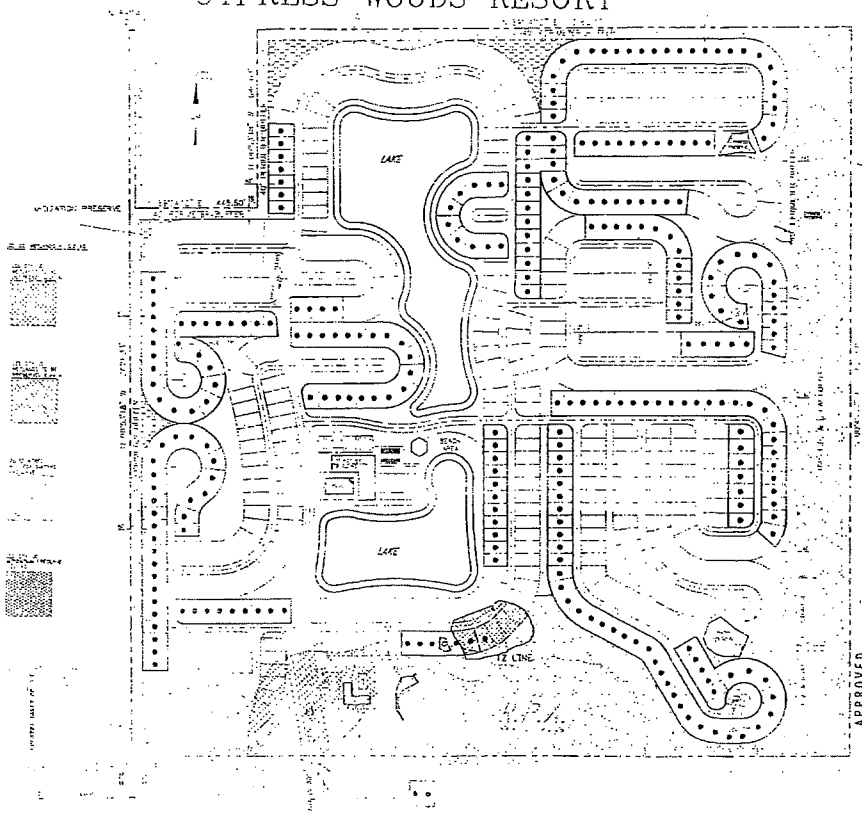
CLERK CIRCUIT COURT
BY M. Armstrong D.C.

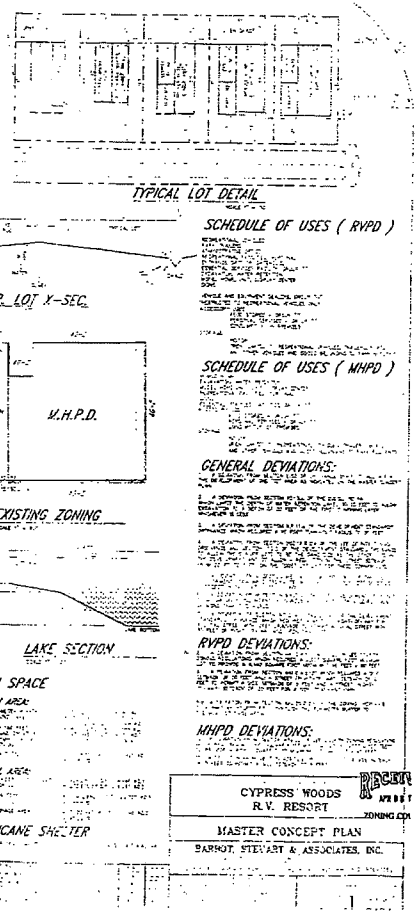
TOTAL AREA = 6,599,945.82 S.F. (151.514 AC.)
RIGHT-OF-WAY = 830,271.36 S.F. (19.060 AC.)
LOT AREA = 3,110,474.47 S.F. (71.407 AC.)
R.F.A. = 266,157.74 S.F. (6.110 A.C.)

LAKE = 525,521.97 S.F. (12.064 AC.)
NO. OF LOTS = 684 UNITS (399 R.V. SITES, 285 M.H. SITES)
GROSS DENSITY = 4.514 UNITS/AC.

BUILDING HEIGHT NOT TO EXCEED 25'.

CYPRESS WOODS RESORT





SCHEDULE OF USES (RVPD)

SCHEDULE OF USES (MHPD)

GENERAL DEVIATIONS:

RVPD DEVIATIONS:

MHPD DEVIATIONS:

APPROVED
Master Concept Plan
Site Plan # 88-CC-C, Proj. # N.A.
Subject to conditions in Resolution 2-2-88-LU-PC-42
Zoning Case # 2-2-88-LU-PC-42

CYPRESS WOODS
R.V. RESORT

MASTER CONCEPT PLAN

BARNOT, STEWART & ASSOCIATES, INC.

RECEIVED
ZONING CO

37.00 BILLED

May 1987

RESOLUTION NUMBER Z-87-075

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS

OF LEE COUNTY, FLORIDA

2287258

WHEREAS, Lee County Joint Venture d/b/a Cypress Woods Mobile Home Park has properly filed an application for:

A rezoning from AG-2 to Mobile Home Planned Development, to permit the development of a 667 unit mobile home development with mobile homes not to exceed 12 feet and the clubhouse not to exceed 35 feet in height above average grade, on 154 total acres of land. The proposed development will also include lakes, passive and active recreation areas, a clubhouse, and storage area.

NOTE:

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

(1) Minimum setback between structures and a section line of 75 feet (202.15.B.3.a), to 55 feet between Sections 10 and 11;

154 acres MHPD

(2) Minimum setback between structures and a quarter section line of 60 feet (202.15.B.3.b), to 55 feet for the north/south line in Section 11;

(3) Minimum lot width of 50 feet, lot depth of 100 feet and lot area of 5000 square feet (439.02.A), to a minimum lot width of 45 feet, lot depth of 94.5 feet, and lot area of 4252.5 square feet; and

(4) Requirement that lands identified as meeting the criteria for Resource Protection Areas and Transition Zones (Ordinance 86-31, Section 6.03) be used for specific uses, to instead be developed for residential uses; and

WHEREAS, the subject property is located at the end of Luckett Road, east of I-75, described more particularly as:

LEGAL DESCRIPTION: In Section 11, Township 44 South, Range 25 East, Lee County, Florida:

A portion of the southwest one-quarter of Section 11, Tonwship 44 South, Range 25 East, Lee County, Florida more particularly described as follows:

The southwest one-quarter of Section 11, Township 44 South, Range 25 East, LESS and excepting therefrom the following described parcel of land:

A parcel of land in the southwest one-quarter of Section 11, Township 44 South, Range 25 East, Lee County, Florida, more particularly described in Deed Book 58 at Page 192 of the Public Records of Lee County, Florida, as:

"Beginning at a point Twenty (20) feet East of the Northwest corner of the Southwest Quarter (1/4) of Section Eleven (11), Township Forty-four (44) South, of Range Twenty-five (25) East, thence running East Twenty-seven (27) rods, thence South Six Hundred Forty (640) feet, thence West Twenty-seven (27) rods, thence North Six Hundred Forty (640) feet to the point of beginning."

5-11-87

WHEREAS, the applicant has indicated the property's current STRAP number is 11-44-25-00-00014.0000; and

WHEREAS, proper authorization has been given to Lee County Joint Venture, by Dan H. Ruhl, Jr. and Barbara I. Ruhl, the owners of the subject parcel, 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 and recommended approval with conditions, based on the analysis contained in the Staff Report of April 1, 1987, and the testimony given at the April 6, 1987, Planning and Zoning Commission Hearing; 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:

LEGISLATIVE HISTORY:

> This is a request for rezoning from AG-2 to Mobile Home Planned Development for a 154 acre tract located north of Luckett Road and east of I-75, to develop 667 mobile homes with active and passive recreation areas, a clubhouse, and a storage area. The Master Concept Plan also depicts a cypress dome area of nearly ten acres which will be preserved. The subject property, along with adjacent property to the north and south, is located in the "Central Urban" land use category. With a proposed density of 4.33 units per acre, (which is slightly below the 5-10 unit per acre range for the Central Urban category), this development would be more compatible than a more intense use, and could also provide a transition between the adjacent "Industrial Interchange" area to the west and the "Rural" area immediately east of the subject property, and therefore is consistent with the Lee Plan.

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 to Mobile Home Planned Development, to permit the development of a 667 unit mobile home development with mobile homes not to exceed 12 feet and the clubhouse not to exceed 35 feet in height above average grade, on 154 total acres of land. The proposed development will also include lakes, passive and active recreation areas, a clubhouse, and storage area.

This rezoning approval is subject to the following conditions:

1. The following uses <u>only</u> shall be permitted (Uses listed below are those described in the Lee County Zoning Ordinance, as it may be amended from time to time):

   All "Permitted Uses" and "Special Exceptions" of the Mobile Home Residential Districts (Section 439.B.1).

2. Mobile homes are limited to a height of one story. No other buildings or structures shall exceed 35 feet in height.

3. Preservation and mitigation shall be in accordance with the Cypress Woods Concept Plan, Sheet 3 of 4 submited November 14, 1986, on file with the Zoning and Development Review Division, except as modified by the conditions herein.

   a) To mitigate the encroachment of 7.1 acres of Transition Zone (3.4 acres wet prairie plus 3.7 acres hydric flatwood), the developer shall create 5.1 acres of wet prairie plus 2 acres of lake littoral zones for a total of 7.1 acres of created Transition Zone. Prior to final development order approval, a timetable for the creation of wetlands shall be provided, subject to approval by the Department of Community Development.

   b) The upland areas to be used for the creation of wet prairie areas shall be appropriately scraped, contoured and sufficiently planted with wetland vegetation similar to that found within the wet prairie areas currently existing on the site. The top soil of the wet prairie areas to be developed shall be utilized as mulching for the created wet prairie areas. The specific plan for the creation of the wet prairies shall be subject to approval by the Department of Community Development.

   c) Planting of the lake littoral zones shall be accomplished with trees and shrubs on twenty-five (25) foot centers and emergent aquatics on five (5) foot centers. The lake littoral zone planting plan shall be subject to approval by the Department of Community Development.

   d) All exotic vegetation shall be removed from the entire site prior to issuance of a Certificate of Completion. Exotic vegetation within the wetland preservation areas shall be removed by hand except areas which are so heavily invaded by exotic vegetation (greater than 50%) that mechanical removal will be permitted. Prior to final development order approval, the areas where mechanical removal of exotic vegetation will be permitted within the wetland preservation areas shall be field flagged and approved by the Department of Community Development.

   e) A maintenance program shall be implemented by the developer to control the re-invasion of exotic vegetation in the wetland preservation areas, the newly created wetlands and the upland preservation areas. This program shall be in effect for a minimum of three (3) years and is subject to approval by the Department of Community Development.

   f) The developer shall utilize a minimum of seventy-five percent (75%) native vegetation for landscaping throughout the entire site. The native vegetation shall have a guaranteed eighty percent (80%) survival rate for a period of no less than three (3) years.

g) Pric to final development order a oval, the developer shall submit a tree survey and site plan that provides for the location of trees to be preserved on the proposed development site, subject to approval by the Department of Community Development.

h) Prior to final development order approval, the developer shall submit a wetland planting plan for planting on the berm adjacent to the Cypress preservation area, which shall be subject to approval by the Department of Community Development.

4. The developer shall provide a letter from Florida Power & Light Company, prior to preliminary development order approval, indicating that they have reviewed the Master Concept Plan and do not object to the proposed uses shown in the power easement.

5. The developer shall pave the proposed pathway to provide a smooth all-weather surface for use as a bicycle/walking path.

6. Prior to approval of a preliminary development order, the developer shall submit a hurricane preparedness plan which has been approved by the Lee County Division of Emergency Management. This plan, which shall be implemented by a homeowners' or residents' association(s), shall consist of procedures to be followed in the event of a hurricane emergency.

7. The developer shall dedicate any additional right-of-way for Luckett Road deemed necessary by the County Department of Transportation and Engineering, prior to preliminary development order approval.

8. The development of this property shall be in accordance with the four page Master Concept Plan prepared by Community Design & Development (last revised November 1, 1986, except sheet 3 last revised April 8, 1987 and sheet 4 last revised November 7, 1986), except as modified by the conditions herein. Approval of this plan does not relieve this development from conformance with all applicable state or local development regulations, except for the deviations approved as part of this development.

9. Deviations (1) through (2) are hereby approved. Deviation (3) is approved subject to the limitation that all lots less than 5,000 square feet shall be limited to single-wide mobile homes. Deviation (4) is approved, subject to the mitigation in Condition 3.

Site Plan 87-075 is attached hereto and incorporated herein by reference, as a reduced copy of the Master Concept Plan.

The following findings of fact were made in conjunction with this approval of MHPD zoning:

1. The proposed mix of uses is appropriate at the subject location;

2. Sufficient safeguards to the public interest are provided by the recommended conditions to the Master Concept Plan; and

3. The recommended conditions are reasonably related to the impacts on the public's interest created by or expected from the proposed development.

4. Approval of the requested deviations enhances the objectives of the planned development without interfering with the general intent of the zoning regulations in protecting the public health, safety and welfare.

The foregoing Resolution was adopted by the Lee County Board of County Commissioners upon a motion by Commissioner Bigelow, and seconded by Commissioner Fussell and, upon being put to a vote, the result was as follows:

Porter J. Goss	Absent
Charles L. Bigelow, Jr.	Aye
Mary Ann Wallace	Nay
Bill Fussell	Aye
Donald D. Slisher	Absent

DULY PASSED AND ADOPTED this 11th day of May, A.D., 1987.

OFF REC 1921 PG 4499

ATTEST:
CHARLIE GREEN, CLERK

BY: Lisa L. Pierce
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: Bill Fussell
Chairman

Approved as to form by:

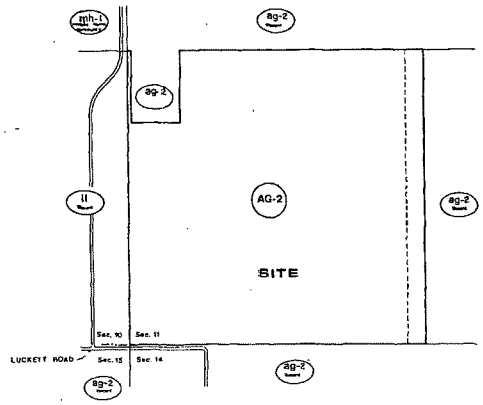
County Attorney's Office

FILED
JUN 1 1987
CLERK CIRCUIT COURT
BY Lisa L. Pierce D.C.

CYPRESS WOODS

LEGEND

MH ---- MOBILE HOME
AG ---- AGRICULTURAL
IL ---- INDUSTRIAL



ZONING PLAN

Adjacent Owners within 372 feet of site line

1	[illegible]	[illegible]	[illegible]
2	[illegible]	[illegible]	[illegible]
3	[illegible]	[illegible]	[illegible]
4	[illegible]	[illegible]	[illegible]
5	[illegible]	[illegible]	[illegible]
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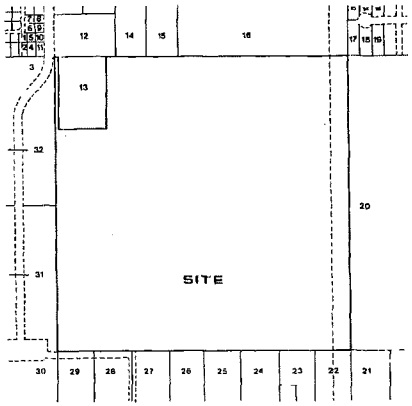
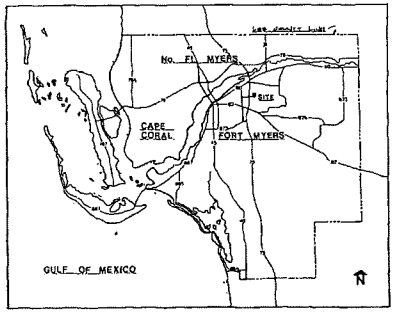
LEGEND

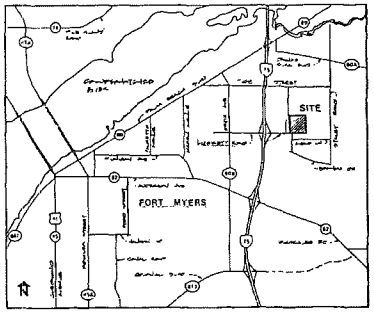
57 ---- [illegible] (SEE LAND OWNERS SCHEDULE)



ADJACENT OWNERS PLAN



COUNTY MAP

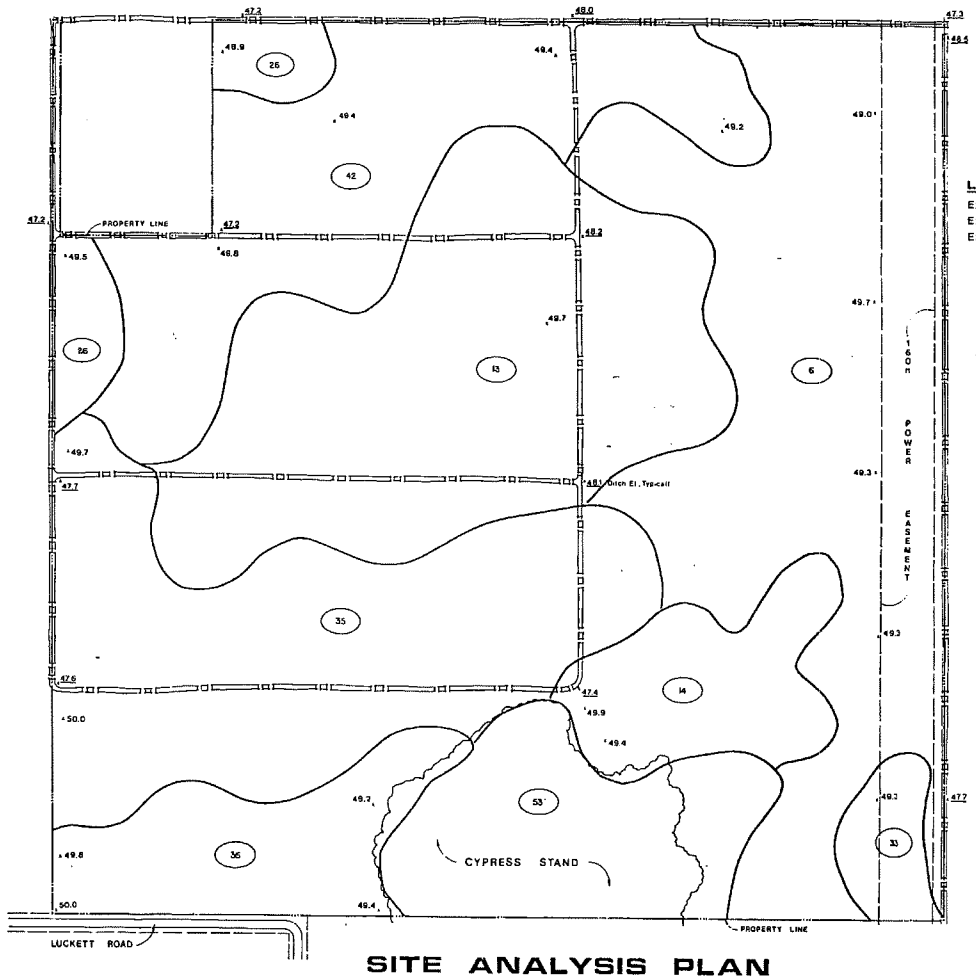


SITE LOCATION MAP

P 7-11-11 DCI
Z-87-075

OFF REC 1921 PG 4501

CYPRESS WOODS



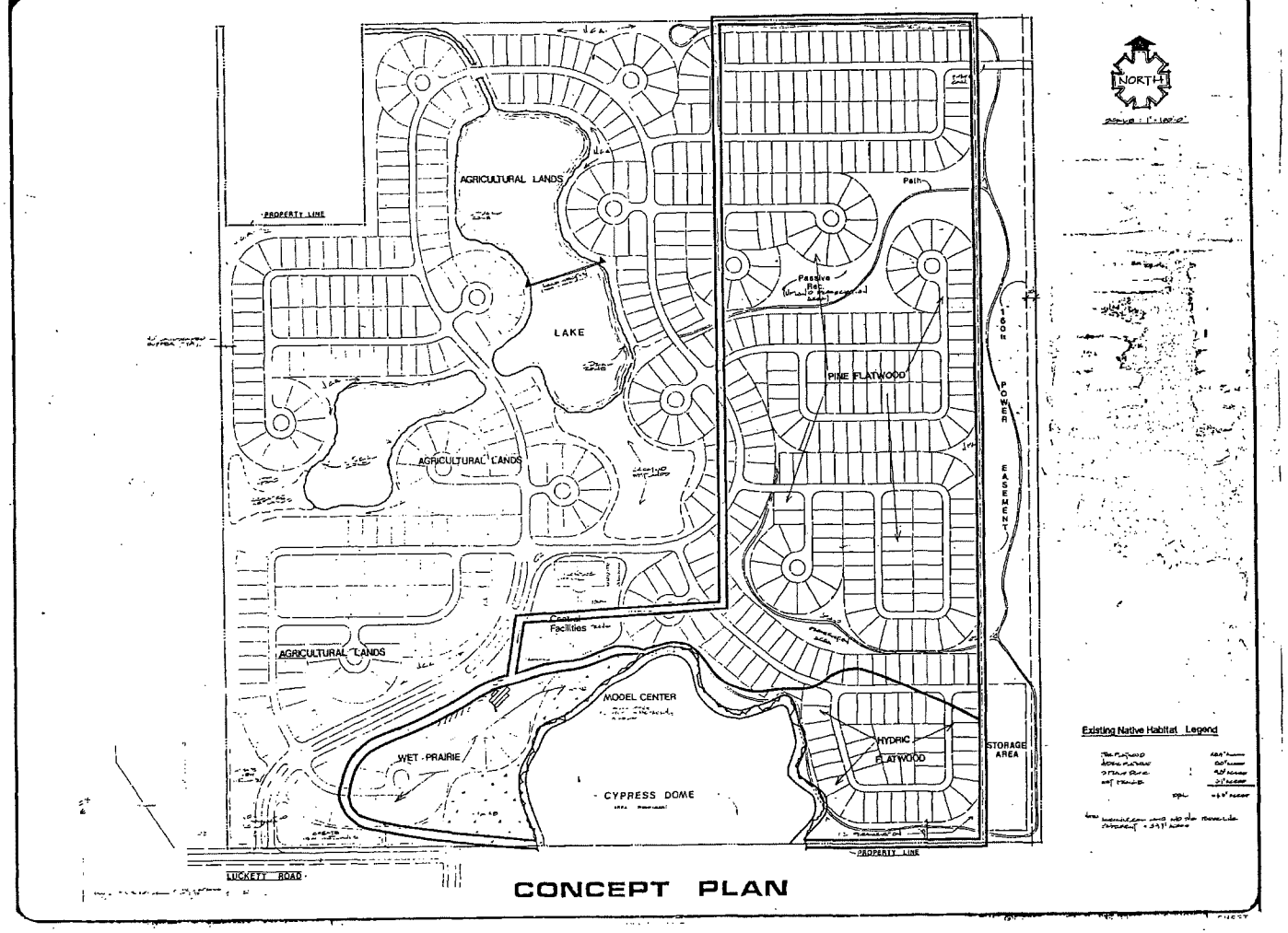
LEGEND

Exist. Ditch
Exist. Ditch Elev. x48.2
Exist. Spot Elev. x49.7

SITE ANALYSIS PLAN

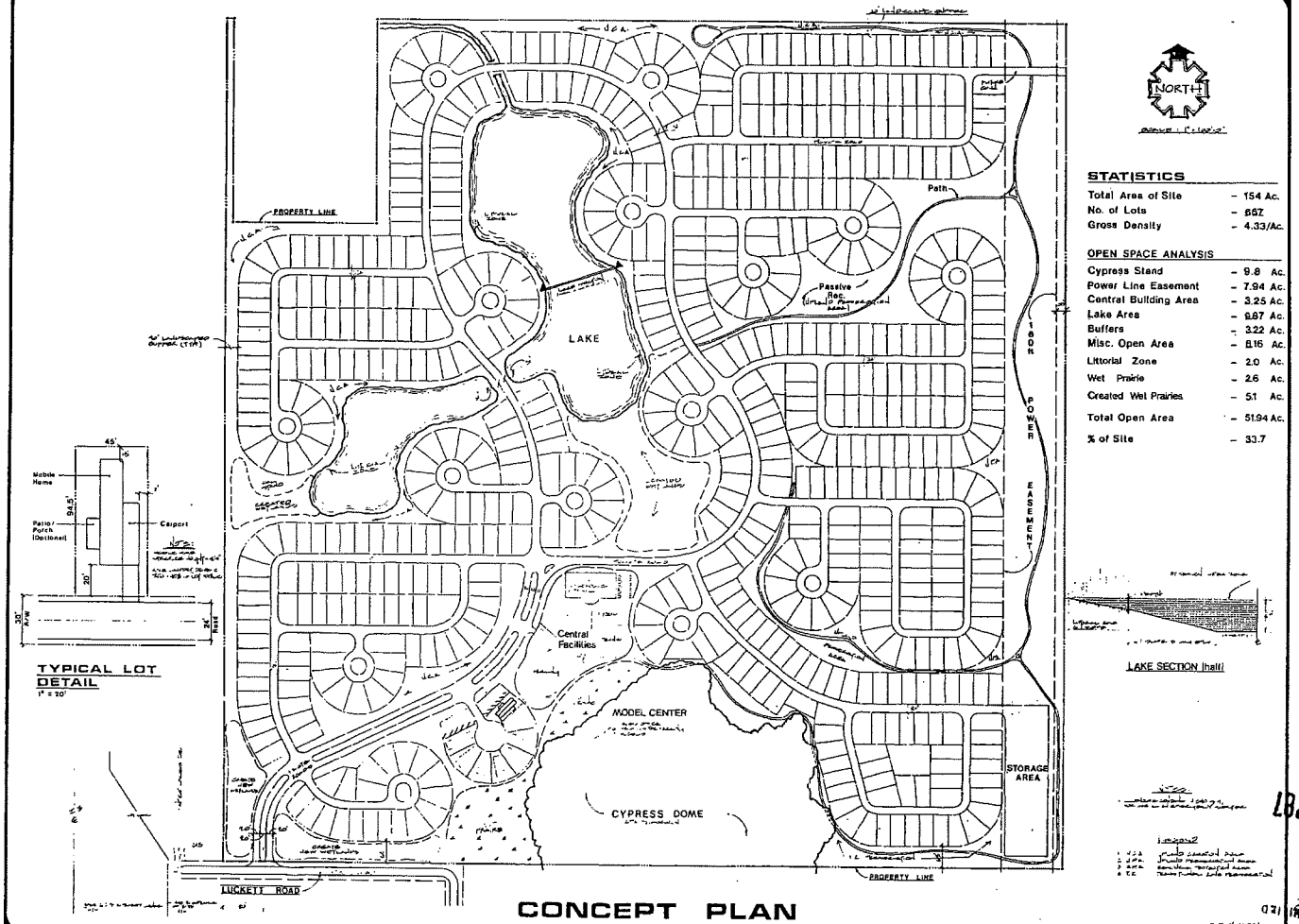
SHEET

CYPRESS WOODS



CONCEPT PLAN

CYPRESS WOODS



STATISTICS

Total Area of Site	– 154 Ac.
No. of Lots	– 667
Gross Density	– 4.33/Ac.

OPEN SPACE ANALYSIS

Cypress Stand	– 9.8 Ac.
Power Line Easement	– 7.94 Ac.
Central Building Area	– 3.25 Ac.
Lake Area	– 9.87 Ac.
Buffers	– 3.22 Ac.
Misc. Open Area	– 8.16 Ac.
Littorial Zone	– 2.0 Ac.
Wet Prairie	– 2.6 Ac.
Created Wet Prairies	– 51 Ac.
Total Open Area	– 51.94 Ac.
% of Site	– 33.7

CONCEPT PLAN

Lee County Property Appraiser

Tax Year 2010

Next Lower Parcel Number Next Higher Parcel Number Tax Estimator Tax Bills Print

Property Data for Parcel 11-44-25-00-00002.101A

Owner Of Record

KENORA HOLDINGS LLC
5551 LUCKETT RD
FORT MYERS FL 33905

Site Address

5468 TICE ST
FORT MYERS FL 33905

Legal Description

PAR IN NW 1/4 AS DESC IN INST#2007000013058 + INST#2008000005437

Classification / DOR Code

GRAZING LAND CLASS II / 61

[Viewer] Tax Map [Print]

[Pictometry Aerial Viewer]

Image of Structure

Photo Date January of 2010

+ Taxing Authorities

+ Sales / Transactions

+ Parcel Numbering History

Lee County Property Appraiser

Tax Year 2010

Next Lower Parcel Number Next Higher Parcel Number Tax Estimator Tax Bills Print

Property Data for Parcel 11-44-25-00-00014.0020

Owner Of Record

CYPRESS WOODS V LLC
5551 LUCKETT RD
FORT MYERS FL 33905

Site Address

ACCESS UNDETERMINED
FORT MYERS FL 33905

Legal Description

PARCEL IN NE 1/4 OF SW 1/4
DESC IN INST#2007000308405

Classification / DOR Code

VACANT RESIDENTIAL / 00

[Viewer] Tax Map [Print]

[Pictometry Aerial Viewer]

Property Values (2010 Tax Roll)

Just	418,506
Assessed	418,506
Portability Applied	0
Assessed SOH	418,506
Taxable	418,506
Building	0
Building Features	Incl. in bldg value
Land	418,506
Land Features	Incl. in land value

Exemptions

Homestead	0
Additional Homestead	0
Widow	0
Widower	0
Disability	0
Wholly	0
Senior	0
Agriculture	0

Attributes

Land Units of Measure	AC
Total Number of Land Units	35.64
Frontage	0
Depth	0
Total Number of Buildings	0
Total Bedrooms	0
Total Bathrooms	0
Total Buildings Sq Ft	0
1st Year Building on Tax Roll	0
Historic District	No

ZONE NOTES QUERY REPORT

ZONE NOTES ID: ZONE:MHPD:012679
ZONING: MHPD
STRAP: 11-44-25-00-00014.0020

ADD2004-00102, 27JULY04,AMEND MHPD TO REDUCE PHASES & LOTS, ADD LAKE;CONDS.
Z-03-057, DCI2002-00062, 15DEC03, APRVL TO AMEND MHPD & RVPD TO REDUCE
OVERALL # OF UNITS & CHANGE ALLOWED MIXTURE OF UNITS; CONDS & DEVIATIONS.
ADD2003-00122, 17SEPT03, APRVL TO ADJUST MCP & ADD TWO DEVIATIONS;CONDS.
ADD2002-00111,25OCT02, APRVL TO AMEND MHPD CYPRESS WOODS PHASE V;W CONDS.
AA-PD-95-19, 95-03-166.13A, RVPD/MHPD, 6/14/95, ADM APPV TO REDUCE DU FM
684 TO 671, RECONFIG WETLANDS, SUBJ TO CONDS.
rezoned Z-87-75, FM AG-2 TO MHPD W/STIPS. HEAR #87-4-11 (DCI).
NOTICE OF REVACATION, PRE APVL FOR PUD GRANTED INRESOL ZAB-84-1-31 DCI
HAS EXPIRED & PROP REVERTS TO PREVIOUS ZONING OF AG-2, PER MEMO
FM MICHAEL KLOEHN, DIR DATED 4-21-86.
ZAB-84-31, 84-1-31 DCI, DBC FM AG TO PRE PUD, W/COND. (AG-2, AS CONVERTED).
Z-91-088, 87-4-11-DCI(a) APVD A REAFFIRMATION OF THE VACATED MHPD MASTER
Z-91-088, 87-04-11-DCI. MASTER CONCEPT PLAN IS VACATED AND SHALL
BE NULL & VOID UNTIL SUCH TIME A NEW CONCEPT PLAN IS SUBMITTED
& APVD.OR 2151 PG 0656.
Z-87-075, 87-04-11-DCI, MASTER CONCEPT PLAN IS VACATED AND SHALL BE
NULL & VOID UNTIL SUCH TIME A NEW CONCEPT PLAN IS SUBMITTED
& APVD.OR 2151 PG 0656.
Z-94-025, 94-06-14-DCI-02, MHPD/RVPD, DBC FM MHPD TO MHPD & RVPD,
SUBJ TO CONDS.

LEE COUNTY
SOUTHWEST FLORIDA

239-533-8585

January 05, 2010

AVI HARPAZ
CYPRESS WOODS RV RESORT
5551 LUCKETT ROAD
FORT MYERS FL 33905

Re: CYPRESS WOODS RV RESORT - PH 4
Senate Bill 360 Extension (F)
DOS2003-00186

Dear AVI HARPAZ:

In accord with Senate Bill 360 (SB360) and Lee County Resolution 09-06-22, development permits meeting certain criteria are entitled to one 2-year extension from the existing/initial permit expiration date. Accordingly, development order DOS2003-00186, CYPRESS WOODS RV RESORT - PH 4, is hereby extended for the following:

Approved for the completion of the Development Order for a 135 lot mobile home and recreational vehicle park (phase "IV") and related site improvements as described in the approval letter dated December 10, 2003, amendments dated January 10, 2005 and March 14, 2006 and minor change dated January 6, 2005. The new Development Order expiration date is December 10, 2011 as extended. (CNC2003-02576)

No additional extensions under SB360 may be granted for this Development Order. All underlying conditions of the development order remain in full force and effect. All required surety documents and agreements must remain in place and valid throughout the duration of the Development Order.

This extension applies only to the specific approvals identified above. If your project requires additional development permits or authorizations to continue construction, you are required to obtain the necessary approvals, including related permit extensions. If you hold other permits or authorizations that qualify for an extension under SB360, you must file a specific request for each qualifying development permit.

If you have any questions, please do not hesitate to contact me.

Sincerely,

Department of Community Development
Division of Development Services

Mary Gibbs for

Peter J. Eckenrode
Director

Richardson, Nettie

From: Ken Notturno [KNotturno@harpdevelopment.com]
Sent: Tuesday, May 22, 2012 10:48 AM
To: Richardson, Nettie
Subject: Cypress Woods Phase V

Dear Ms. Richardson:

Per our conversation of yesterday, we are requesting an extension for approvals for Cypress Woods V, LLC for an additional four years in addition to the six years from the approval of December 19, 2011 to December 19, 2021 pursuant to Resolution 11-10-01 adopted by the Lee County Commissioners. We had previously paid fees to the County and they should be applied to this request. In the event you need anything additional for this request please do not hesitate to communicate with the undersigned.

Kenneth Notturno

For Cypress Woods V, LLC, a Florida limited liability company
Kenneth Notturno
Vice-President
Harp Development LLC
5551 Luckett Road
Fort Myers, FL 33905
239.333.3233 Office
239.333.3238 Direct Dial
239.333.2197 Fax
239.784.4296 Cell

CYPRESS WOODS RV RESORT ASSOCIATES
5551 LUCKETT ROAD
FORT MYERS, FLORIDA 33905
239-333-3233 OFFICE
239-694-4969 FAX

December 9, 2010

Lee County
Department of Community Development
1500 Monroe Street
Fort Myers, Florida 33901

RE: Senate Bill 1752 permit extensions

Dear Sir/Madam;
Please find attached our request to extend the following permits under senate bill 1752:
DOS2003-00186 - Ph 1 Thru Ph 4
~~DOS2006-00276~~ – adding 120 RV lots – Finaled - DID NOT EXTEND
DCI2011-00001 DCI2007-00078 – rezoning 2.5 acres (14 lots Ph 5A)
Thank You for your help in this matter

Respectfully

Cypress Woods RV Resorts Associates
By:
Avi Harpaz
President

RECEIVED
JAN 03 2011
DCI 2011-00001
COMMUNITY DEVELOPMENT

LEE COUNTY

Fee History

Case #: DCI2011-00001

PERMIT RECEIVED DATE: **1/3/2011**

Case #:	**DCI2011-00001**
Property Owner	**KENORA HOLDINGS LLC**
Property Address	**5468 TICE ST FORT MYERS 3390**
Contractor	
License Number	
Fax Number	

Permit Description APPLICATION FOR Senate Bill 1752 extension of RVPD/MHPD zoning for Cypress Woods RV

Description	Fees	Paid	Date Paid	Due
SB 1752 Extension Fee	200.00			200.00

Total Fees: $200.00 **Paid:** $ 0.00 **TOTAL REMAINING DUE:** **$200.00**

Documents Required for Pick-up:

You can track your application on line at www.lee-county.com/econnect and insert your case number DCI2011-00001

Princing, Jamie

From: Stewart, Kara
Sent: Thursday, January 06, 2011 9:46 AM
To: Hollingsworth, Susan; Princing, Jamie
Subject: FW: Check Replacement for SB1752

Hey Susan and Jamie, these two apps are good, I just would prefer not to have to do a refund if possible, you should feel comfortable proceeding, if the applicant does not come in on Monday I will process the overpayment....thanks

Kara Lyn Stewart
Lee County Community Development
Manager, Permitting Systems
239-533-8373
239-461-4342 (fax)
stewartk@leegov.com

From: Lasich, Deborah
Sent: Thursday, January 06, 2011 9:21 AM
To: Stewart, Kara
Subject: Check Replacement for SB1752

Good Morning,

FYI - The customer for SB1752 will be in on Monday December 10th to swap out checks for DOS2003-00186 and DCI2011-00001.

Debbie Lasich
Permit Representative

874-11-DCI May 11, 1987 Z-87-075
MHPD - 154 ac.

94-06-14-DCI-02 Aug. 15, 1994 Z-94-025
MHPD / RVPD - 151 ac.

DCI2002-00062 Dec. 15, 2003 Z-03-57
amend Z-94-025 (reduce units change mix of MH + IV)

151 ac.

DCI2007-00078 Dec. 19, 2011 Z-11-21
add 2.1 ac to MHPD / RVPD

6
17
.4
2021-

DCI2009-00014 Dec. 19, 2011 Z-11-22
RVPD - 95 ac

call + offer 4 year ext. to

left message - May 21 @ 9:30

11-44-25-00 - 14.0020 - 35 acres
" 2.101A - 95 acres

Z-87-75 - AG-2 to MHPD - 1.54 acres
Z-94-025 - rezone MHPD to MHPD + RVPD - 151 acres
Z-03-57 - Dec. 15, 2003 - 151 acres
amend MHPD + RVPD
Z-94-025.

amend MHPD/RVPD +
DCI 2007-00078 - rezone 2 acres to MHPD - Z-11-021
Dec. 19, 2011