

GIS Tracking Sheet

Case No.: ADD 2001-00004

Intake Date: 1/9/01

Project Name: Mionar Dev. Corp in ref. to Mionar Lakes MPD

STRAP Number(s): see file

Planner Name: Jfo

Ext.

LEGAL DESCRIPTION VERIFICATION and INITIAL GIS MAPPING

Date: 2/15/01

INTAKE: N/A

LEGAL SUFFICIENT

☒ YES

☐ NO

Initials:

gm

If not, give brief explanation:

1 - 43[±] AC, 2 - 66[±] AC, 5 - .45[±] AC, 6 - 1.30[±] AC, 4 - 95.33[±] AC.,
3A - 478.96[±] AC, 3B - 397[±] AC, 7 - 89.08[±] AC

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:

If not, give brief explanation:

ADMINISTRATIVE AMENDMENT
LEE COUNTY, FLORIDA

WHEREAS, Miromar Development Corporation filed an application for administrative approval to a Mixed Use Planned Development (MPD) on a project known as Miromar Lakes MPD for the relocation of an access onto Ben Hill Griffin Parkway on property located on Ben Hill Griffin Boulevard, described more particularly as:

LEGAL DESCRIPTION: In Section 10, 11, 12, 13, 14, 15 & 23, Township 46 South, Range 25 East, Lee County, Florida:

See Legal Description (Attached as Exhibit A)

WHEREAS, the property was originally rezoned in case number 95-01-028.03Z 01.01 & 95-01-025.04Z 02.01 (with subsequent amendments in case numbers DOS2000-00026); and

WHEREAS, the access point formerly located adjacent to the area indicated as "Golf Club" is being relocated to the area indicated as "Golf Course Maintenance"; and

WHEREAS, approval of the relocated access is limited to right in/right out only due to the proximate development to the north; and

WHEREAS, future consideration of a full median opening will necessitate further review and consideration by the Lee County Department of Transportation and Lee County Development Services; 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 and the Lee County Department of Transportation in accordance with applicable regulations for compliance with all terms of the administrative approval procedures; and

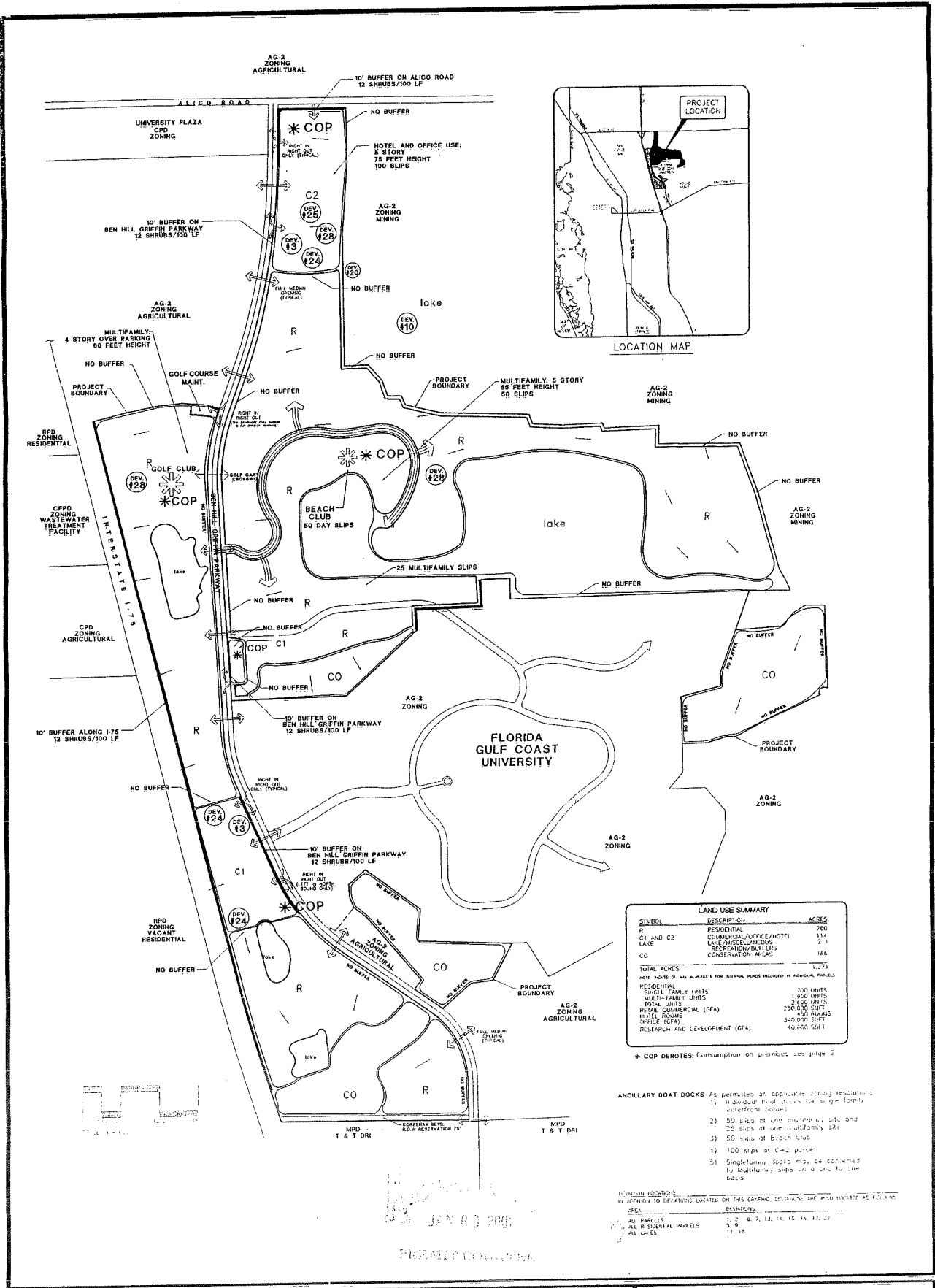
WHEREAS, it is found that the proposed amendment does not increase density or intensity within the development; does not decrease buffers or open space required by the LDC; does not underutilize public resources or infrastructure; does not reduce total open space, buffering, landscaping or preservation 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 a Mixed Use Planned Development (MPD) on a project known as Miromar Lakes MPD for the relocation of an access point onto Ben Hill Griffin Parkway for property located on Ben Hill Griffin Boulevard is **APPROVED subject to the following conditions:**

1. The Development must be in compliance with the amended Master Concept Plan, dated December 6, 2000, last revised December 12, 2000 and stamped received January 9, 2001. Master Concept Plan for ADD2001-00004 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. Other than the relocated access point, no other modifications to the previously adopted MCP have been authorized by the subject amendment.
3. Approval of the relocated access is limited to a right in/right out only. Approval of a future full median opening will require further review by Lee County Department of Transportation and Lee County Development Services. This may be granted administratively or at the time of local development order review.

DULY SIGNED this 16th day of February, A.D., 2001.

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



LAND USE SUMMARY		
SYMBOL	DESCRIPTION	ACRES
R	RESIDENTIAL	760
C1 and C2	COMMERCIAL/OFFICE/HOTEL	114
LAKE	LAKE/AMPHIBIOUS RECREATION/BUFFERS	211
CO	CONSERVATION AREAS	186
TOTAL ACRES		1,271
NOTE: ACRES OF ANY ALLEGED FOR JOINT/SHARED PLOTS INCLUDED IN ADJACENT PARCELS		
RESIDENTIAL		760 UNITS
SINGLE FAMILY UNITS		1,800 UNITS
MULTI-FAMILY UNITS		2,500 UNITS
TOTAL UNITS		4,300 UNITS
OFFICE (OFA)		250,000 SQ FT
OFFICE (OFA)		340,000 SQ FT
RESEARCH AND DEVELOPMENT (R&D)		40,000 SQ FT

* COP DENOTES: Consumption on premises see page 3

- ANCILLARY BOAT DOCKS: As permitted on applicable zoning resolutions:
- 1) Individual boat docks for single family waterfront homes.
 - 2) 50 slips at one multifamily site and 25 slips at one multifamily site.
 - 3) 50 slips at Beach Club.
 - 4) 100 slips at C-2 parcel.
 - 5) Singlefamily docks may be converted to Multifamily sites and vice versa.

LEGEND: LOCATION: IN REGION NO. DEVIATIONS LOCATED ON THIS GRAPHIC DEVIATIONS ARE ALSO LOCATED AT KEY PLAN

AREA	DEVIATIONS
ALL PARCELS	1, 2, 4, 7, 12, 14, 15, 16, 17, 24
ALL RESIDENTIAL PARCELS	1, 2, 9
ALL LAKES	11, 18

ADD 2001-00004

DEVIATIONS

- 1 Deviation from LDC Section 34-1864(d)(1) which restricts modal homes to a time limitation of three years; to allow modal homes within the Miromar Lakes development to be permitted until the buildout of the project in 2009.
- 2 Deviation from LDC Section 34-1864(d)(2) which restricts modal units within a townhouse or multiple-family building not to extend beyond the initial sale period for that phase; to allow for modal homes until project buildout in 2009.
- 3 Deviation from LDC Section 34-1283 (e), Section 34-1284(b) (1) a. 1. and Section 34-1284(b) (1) a. 2. which prohibits a package store or other establishment primarily engaged in the sale of alcoholic beverages for consumption on or off the premises from being located within 500 feet of any school (noncommercial), or dwelling unit or any other use primarily engaged in the sale of alcoholic beverages to allow a bar or cocktail lounge, package store and dwelling units in the Tract C-1 on the west side of Ben Hill Griffin Parkway. Any establishment primarily engaged in the sale of alcoholic beverages will be located a minimum of 500 feet from any residential unit located outside of this Tract C-1.
- 4 Withdrawn
- 5 Deviation from LDC Section 10-291(3)(b) (Access to Street) which requires, where practical, any residential development of at least 5+ acres to provide two (2) or more means of ingress and egress, to allow only one means of ingress and egress for those development parcels which are surrounded by golf course, water body or conservation area or any combination of these. A full size cul-de-sac will be provided in any parcels subject to this deviation. Prior to each local Development Order, the local Fire and Emergency Service will provide a letter of no objection to the single ingress and egress of these parcels.
- 6 Deviation from LDC Section 10-296(b), Table 3 which requires a right-of-way width of 35 feet for two-way closed drainage, rear lot drainage, or inverted crown, to allow a right-of-way width to coincide with the back of curb for local private roads. Where this deviation applies required drainage and utility easements will be located outside of the right-of-way and adequate provisions will be made for road drainage and utilities.
- 7 Deviation from LDC Section 10-296(d), Table 4(X)(c) which requires that wearing surfaces of local and access road for Class A development must be 1 1/2 inch asphaltic concrete to allow for cement concrete and/or decorative pavers within private local roadways within Miromar Lakes which equal or exceed the structural number of a standard Class A local road flexible pavement cross-section.
- 8 Withdrawn
- 9 Deviation from LDC Section 10-296(m)(4)(e) which allows privately maintained accessways which meet certain criteria as outlined in Item 4(e) to be exempt from minimum right-of-way widths as specified in 10-296(b), to permit access ways providing access up to 100 multi-family residential units to be exempt from the minimum roadway widths as specified in 10-296(b). The design and posted speed in these tracts will be 20 mph or less. This deviation applies to private access ways only. Where determined to be practical by the design engineer, traffic-calming devices as identified in the ITE Residential Street Design and Traffic Control book will be provided.
- 10 Deviation from LDC Section 10-329(a)(1)(a)(3) which requires a minimum 60' setback from water retention or detention excavation to any private property line under separate ownership, to permit a 0' setback along the property line between Miromar Lakes and Alcoa, Inc. in the north mining lake.
- 11 Deviation from LDC Section 10-328(a)(1)(a)(2) which requires a minimum 50 foot setback from water retention or detention excavation to any existing or property owner proposed right-of-way or easement for an arterial or collector street, to permit a 25 foot setback. The developer agrees to provide elements for the protection of wayward vehicles in accordance with this section and to provide a Type F curb in these locations.
- 12 Withdrawn
- 13 Deviation from LDC Section 10-355 which requires a 10 foot public utility easement on both sides of a roadway to require a public utility easement only on one side, provided that the utility companies state, in writing that the easement may be eliminated.
- 14 Deviation from LDC Section 10-413(b) which requires that open space be calculated as a percentage of development area to require open space based on the area of development excluding that portion of the development consisting of the existing mining lakes. The entire acreage of the existing mining lakes located on the east side of Ben Hill Griffin Parkway are exempt from open space requirements. These lakes will not be used to satisfy open space requirements on the site.
- 15 Deviation from LDC Sections 10-414 and 10-417(b)(2) which requires that no portion of a buffer area that consists of trees and shrubs be located in any easement, to allow planting trees and shrubs in easements. If any required buffer or landscape strip plantings installed within easements must be removed, then the developer or property owners' association will replace these plantings with like size and species at no expense to Lee County.
- 16 Deviation from LDC Section 10-413(c)(1) which requires 60% of the required open space to incorporate existing, indigenous vegetation, to allow all of the required indigenous vegetation to be provided in the Conservation Area shown on the Master Concept Plan and to allow all of the restored vegetation within the wetland slough to count toward the required indigenous vegetation requirement. A minimum of 166 acres of existing indigenous and restored/enhanced plant communities will be provided and preserved.
- 17 Deviation from LDC Sections 10-415(b)(1), 10-415(b)(2), and 10-415(c)(1), which prohibits the planting of trees and shrubs within any right-of-way to allow these plantings within right-of-ways of Miromar Lakes local private roads provided that the plantings are in compliance with LDC Section 34-3131(viability) and the plantings are maintained by the developer or property owners' association.
- 18 Deviation from LDC Section 10-418 (a)(2)(b) which requires a minimum number of native wetland herbaceous plants of one plant per linear foot of lake shoreline, to allow required plants in compliance with the Lake Shoreline Planting Plan that was submitted as a part of this zoning request. The herbaceous plant requirements per LDC Section 10-418 will be calculated on the entire length of the lake shoreline, including any bulkhead portions. Wetland trees and shrubs may be substituted for up to 50% of the total number of herbaceous plants required. One tree or two shrubs may be substituted for two herbaceous plants.
- 19 Withdrawn
- 20 Deviation from LDC Section 34-2194(c)(1)(a) which provides that the Board of County Commissioners may grant less stringent setbacks from bodies of water when the development surrounding the body of water is under unified control to allow the development of buildings and accessory structures within 10 feet of the mining lake adjacent to Tract C-2 while the development surrounding the entire body of water will not be under unified control of Miromar. The request is limited to a maximum of 1500 linear feet of lake frontage adjacent to this tract.
- 21 Withdrawn

- 22 Deviation from the LDC Section 10-285 which requires a minimum of 125 foot spacing between driveway access points to a local road, to allow two connections for each short cul-de-sac (eyebrow) at spacing less than 125 feet, provided that each eyebrow must be provided with signage indicating one-way traffic in a counter-clockwise direction, the minimum separation will be 50 feet and the deviation applies only to private local roads.
- 23 Withdrawn
- 24 Deviation from LDC Section 10-414(a) which requires commercial developments which adjoin existing residential development to provide a buffer including a fence or wall between the uses to allow the mixed use development within the University Village parcel to provide alternative means of separating uses including no buffers, fencing or walls.
- 25 Withdrawn
- 26 Withdrawn
- 27 Withdrawn

28 Deviation from LDC Sec.34-836 (9)(c) which provides for building height limitations according to the classification of property under the Lee Plan land use map to allow a maximum height exceeding 45 feet for three parcels within Miromar Lakes. The request allows the hotel and office use within the Town Center to have a maximum height of five stories or 75 feet and two multiple family parcels to exceed 45 feet. In the northernmost parcel west of Ben Hill Griffin Parkway, the request is for a limit of four stories over parking and 50 feet. The multiple family parcel associated with the Beach Club is proposed for 5 stories with a maximum height of 65 feet.

RESIDENTIAL PROPERTY DEVELOPMENT REGULATIONS													
These regulations apply to all of the areas labeled "R" on the Master Concept Plan													
LAND USES	Minimum Tract or Lot			Minimum Building Setback (ft)						Max # of Habitable Floors	Max Bldg Height (ft)	Min Bldg Separation (ft)	Max Lot Coverage
	Area (sq ft)	(ft)		Side Incl. Corner Lots (ft)	Rear (ft)	Side and Rear (ft)	Front ² (ft)	Water Body ³ (ft)					
		Depth (ft)	Width ¹ (ft)										
									Lots				
SINGLE FAMILY RESIDENTIAL USES													
Single Family Detached	5,500	70	50	5	20	10	10	12 ⁴ or 20	0 or 20	2	35	10	55%
Patio/Cluster Homes	3,500	70	35	5	10	10	10	12 ⁴ or 20	0 or 20	2	35	10	55%
Zero Lot Line, Single Family Attached or Townhouse	2,800	70	25	0 or 5	10	10	10	12 ⁴ or 20	0 or 20	2	35	0 or 10	55%
MULTI FAMILY RESIDENTIAL USES													
Duplex	4,000	70	40	5	10	10	10	12	0 or 20	3	45	10	55%
Multi-Family - Low Rise	8,000	100	80	10	20	10	10	20	0 or 20	3	45	10	55%
Multi-Family - Mid Rise	10,000	100	100	12 ⁴	30	10	10	30	0 or 20	5	65 ⁵	25	55%
Assisted Living Facility	10,000	100	100	12 ⁴	30	10	10	20	20	3	45	25	55%
CLUBHOUSE USES													
Clubhouse	n/a	n/a	n/a	5	20	10	10	n/a	0	n/a	n/a	10	n/a
ACCESSORY STRUCTURES													
Accessory Structures	n/a	n/a	n/a	5	10	10	0	n/a	0	n/a	n/a	n/a	n/a

COMMERCIAL PROPERTY DEVELOPMENT REGULATIONS														
These regulations apply to all permitted uses within the areas labeled "C-1" or "C-2" on the Master Concept Plan														
LAND USES	Minimum Tract or Lot			Minimum Building Setback (ft)					Water Body ³	Max # of Habitable Floors	Max Bldg Height (ft)	Min Bldg Separation (ft)	Max Lot Coverage	
	Area (sq ft)	(ft)		Side Incl. Corner Lots	Rear	Side and Rear	Front ²							
		Depth	Width ¹					C.O.						Golf Course
CONVENTIONAL DEVELOPMENT TRACTS														
Low-Rise	10,000	100	100	0 or 15	20	10	10	15	0 or 20	3	45	30	55%	
Hotel and Office Use	10,000	100	100	0 or 15	20	10	10	15	0 or 20	5	75 ⁵	50	55%	
LOTS WITHIN DEVELOPMENT TRACTS														
Low-Rise	1,300	85	20	0 or 5	0 or 20	10	0	15	0	3	45	10	45%	
Mid-Rise	1,300	65	20	0 or 5	0 or 20	10	0	15	0	6	70 ⁵	10	45%	
ACCESSORY STRUCTURES														
Accessory Structures	n/a	n/a	n/a	5	10	10	0	n/a	0	n/a	n/a	n/a	n/a	

Notes (apply to both Residential and Commercial Tables):

- ¹ Pie-shaped lots and flag lots are not required to meet minimum lot widths.
- ² Measured from back of curb where the back of curb is at the ROW or street easement.
- ³ A maximum of 1,500 linear feet of lake frontage will have a 0' setback for buildings and accessory uses.
- ⁴ See Sheet 1 of 2 for the location of buildings with heights exceeding 45 feet.
- ⁵ The 12' setback applies only to the non-garaged part of a house or for units with a side entry garage.

Rev. November 29, 1999

ADD 2001-00004

MIROMAR LAKES
A Planned Development
Lee County, Florida

LAND USE TABLES
Property Development Regulations

Florida Land Planning
1560 Matthew Drive, Suite E
Fort Myers, Florida 33907
813-437-9790 FAX 813-437-4466

Sheet 2 of 2

LIST OF USES

The definitions and list of permitted uses within the Groups refer to Lee County Development Code in effect as of the effective date of the zoning resolution.

RESIDENTIAL

PERMITTED USES AND STRUCTURES

Accessory Uses and Structures
Administrative Offices
Agricultural Uses and Agricultural Accessory Uses (limited to existing only and subject to Condition #33)
Assisted Living Facility - Density in accordance with Section 34-1494
Churches, Synagogues and other Places of Worship
Civic and Cultural Facilities
Club, Beach, private and public. Accessory uses including but not limited to:
Boat shops
Boat docks
Boat ramps
Consumption on premises including outdoor seating (subject to Condition #45)
Day care center
Fishing pier
Locker rooms
Food and beverage service
Specialty retail shops
School, commercial, limited to boating and water skiing
Rental or leasing establishment, Group I (limited to beach chairs, umbrellas, boats and other beach related items etc., excluding jet skis, wave runners, sea doos and other personal watercraft)
Personal services, limited to ATM, barber shop or beauty shop, photo agent, health club, steam bath and massage establishment.
Club, Country, private and public
Accessory uses including but not limited to:
Consumption on premises including outdoor seating (subject to Condition #45)
Personal services, limited to ATM, barber shop or beauty shop, health club, steam bath and massage establishment.
Pro shop
Tennis Courts
Continuing Care Facility
Cultural Facilities
Customary accessory uses and structures, including but not limited to private garages and swimming pools.
Dwelling Units
Single Family, detached
Duplex
Multi-family Building
Townhouse
Two family attached
Zero lot line
Dormitory
Day Care Centers child and adult (where compatible with adjacent uses)
Entrance Gates and Gatehouses
Essential Services
Essential Services Facilities, Group I
Excavation - Water Retention
Fraternity/House/Sortory House
Golf Courses, Golf Clubhouse, Golf Course Accessory and Associated Uses, including but not limited to:
Consumption on premises in the Clubhouse including outdoor seating on the Golf Course and in the Snack Bar at the ninth hole or other appropriate location
Cart carts
Food and Beverage Service
Locker rooms
Maintenance facility
Restrooms and other uses which are normal and accessory to the golf course
Snack Bar at the ninth hole or other appropriate location
Pro Shop
Specialty retail shops, accessory to clubhouse only
Restaurants (including outdoor seating)
Personal services, limited to ATM, barbershops or beauty shops, photo agents, health clubs, steam baths, massage and the like.
Helipad (subject to Condition #38)
Home Occupations (subject to standards in LDC Section 34-1772)
Model Homes, Model Units and Model Display Center, (limited to residential uses within Miromar Lakes)
Plant Nurseries
Real Estate Sales and Rental Office for Miromar Lakes project only
Recreation facilities, personal and private to include the following or other comparable uses:
Bike paths
Boardwalks
Swimming pools
Tennis Courts
Horseathos pits
Shuffleboard courts
Vila courts
Picnic areas
Jogging paths
Tennis Courts, Tennis Court Accessory Uses and Associated uses, including but not limited to:
Clubhouse
Consumption on Premises
Food and Beverage Service
Locker Rooms
Pro Shop
Restrooms and other uses which are normal and accessory to Tennis Courts
Snack Bar at an appropriate location
Specialty Retail Shops
Water Taxi/Stand
Any activity comparable in nature with the foregoing uses and which the Director of Lee County Department of Community Development determines to be compatible in the Miromar Lakes R District.
Recreational Hall, private
Residential accessory uses, including but not limited to:
Boat Docks, Private garages, carports and parking areas, Private swimming pools and enclosures, Private tennis courts
Signs in compliance with LDC Chapter 30

COMMERCIAL C-1

PERMITTED USES AND STRUCTURES

Accessory Uses and Structures customarily associated with the uses permitted in this district.
Administrative Offices
Agriculture Uses and Agricultural Accessory Uses (limited to existing only and subject to Condition #33)
Animals, Clinic
Assisted Living Facility
ATM (Automatic Teller Machine)
Automobile Service Station
Banks and Financial Establishments, Groups I and II
Bar and Cocktail Lounges
Bed and Breakfast
Broadcast Studio, Commercial Radio and Television
Business Services, Group I (excluding: bail bonding and blood donor, stations) and Group II
Car Wash
Caretaker Residence
Civic and Governmental Services
Cleaning and Maintenance Services
Clothing Stores
Clubs, Country, Commercial, Fraternal and Private. Accessory uses include but are not limited to the following:
Consumption on premises
Day Care Center
Food and beverage service
Restaurant(s) Standard Includes outdoor seating (subject to Condition #45)
Locker Rooms
Pro Shop
Personal services, limited to ATM, barbershops or beauty clubs, steam baths, massage and the like.
Snack Bar at an appropriate location
Specialty Retail Shops
Computer and Data Processing
Consumption on Premises
Continuing Care Facility
Convenience Food and Beverage Stores (limited to a total of three, one on each commercial tract)
Cultural Facilities
Day Care Center, Adult, Child
Department Store
Dormitories
Drive-Through Facility for any Permitted Use
Drug Store, Pharmacy
Dwelling Units Including:
Zero lot line
Duplex
Two family attached
Townhouse
Multi-family
Emergency Medical Service (ambulance station)
Entrance Gates and Gatehouses
Essential Services
Essential Service Facilities, Group I
Excavation: Water Retention
Fences, Walls
Food Stores, Group I and II
Fraternity/Sortory House
Gasoline Dispensing System, Special
Gift and Souvenir Shop
Hardware Store
Health Care Facility, Group I, II, III and IV
Helipad (subject to Condition #38)
Hobby, Toy, Game Shops
Home occupation
Hospice
Hotel, Motel and accessory uses including but are not limited to the following:
Consumption on premises
Food and beverage service
Restaurant(s), Standard Groups I, II, III (includes outdoor seating subject to Condition #45)
Specialty retail shops
Day care center
Personal services, limited to ATM, barbershops or beauty shops, photo agents, health clubs, steam baths, massage and the like.
Household and Office Furnishings, Groups I and II
Insurance Companies
Laundry or Dry Cleaning, Group I (excluding Plant)
Lawn and Garden Supply Store
Library
Medical Office
Model Homes, Model Units and Model Display Center (limited to residential uses within Miromar Lakes)
Non-Store Retailers, All Groups
Outdoor Display of Merchandise
Package Store (limited to one, subject to Condition #6)
Paint, Glass and Wallpaper
Parcel and Express Service
Parks, Public or Private, Groups I and II
Parking Lot: Accessory, Commercial, Garage, Public and Temporary (Subject to LDC Section 34-2022)
Personal Services:
Group I (Excluding Massage Establishments, Massage Parlors, Steam or Turken Baths)
Group II, Group IV (Excluding Escort Services, Palm Readers, Fortune Teller or Card Reader and Tattoo Parlors)
Pet Services
Pet Shop
Pharmacy
Photo Finishing Laboratory
Place of Worship
Plant Nurseries
Post Office
Printing and Publishing

Recreation - Personal

Recreation - Private, On-site, Off-site
Recreation Commercial: Groups I, II, III and IV
Recreation Hall
Religious Facilities
Rental and Leasing Establishments, Group I, II and III
Repair Shops, Groups I and II
Restaurant(s) Fast Food (includes outdoor seating subject to Condition #45)
Restaurant(s), Standard Groups I, II, III and IV (includes outdoor seating subject to Condition #45)
Schools, Commercial
Schools, Non-Commercial
Self Service Fuel Pumps and Stations
Signs
Social Services: Groups I, II and III
Specialty Retail Shops, Groups I, II, III and IV
Storage, indoor only
Studio
Taxi stand
Temporary Uses (LDC Section 34-3041)
Theater, indoor
Time Share Unit
Towers, communication, only when accessory to a permitted use (100 feet or less in height)
Used Merchandise Store: Groups I and II
Vanity Shop
Wholesale Establishment, Group III

Any commercial use or professional service which is comparable in nature with the foregoing uses and which the Director of Lee County Department of Community Development determines to be compatible in the Miromar Lakes C-1 district.

COMMERCIAL C-2

PERMITTED USES AND STRUCTURES

All of the permitted uses and structures listed for the C-1 Commercial District, excluding the following uses prohibited by the FAR Part 150 Study:
Assisted Living Facility
Bed and Breakfast
Caretaker Residence
Continuing Care Facility
Day Care Center
Dormitories
Dwelling Units
Fraternity/Sortory House
Health Care Facility, Group II, III and IV
Home occupation
Hospice
Library
Place of Worship
Religious Facilities
Schools, Commercial
Schools, Non-Commercial
Social Services: Group III
*This exclusion applies where the Southwest International Airport's FAR Part 150 study prohibits the uses.

The following additional uses are also permitted in the C-2 District:

Accessory Uses and Structures including Boat docking, and fueling facility, Boat rental and sale of fuel.
Auto Part Store
Boat Ramp
Boat Rental, Sale of Boat, Fuel and Related Supplies
Boating Schools and Clubs
Building Material Sales
Cold Storage, Pre-cooling, Warehouse and Processing Plant
Freight and Cargo Handling Establishments
Hotel, Motel additional accessory uses including but are not limited to the following:
Consumption on premises
Restaurant(s), Standard Groups I, II, III (includes outdoor seating subject to Condition #45)
Specialty retail shops
Fishing pier
Boat docking and Fueling Facility
Boat ramps
Boating clubs/seasons
Water skiing clubs/seasons
Boat and Vehicle Storage
Rental/leasing of inflatable, boats, cabanas, beach equipment, fishing rods, bicycles and the like.
Personal services, limited to ATM, barbershops or beauty shops, photo agents, health clubs, steam baths, massage and the like.
Motion Picture Production Studio
Research and Development Laboratories, Groups I, II, III and IV
Vehicle and Equipment Dealers, Groups II only
Water Skiing Schools and Clubs
Water Taxi/Stand

Any commercial use or professional service which is comparable in nature with the foregoing uses and which the Director of Lee County Department determines to be compatible in the Miromar Lakes C-2 district.

CONSERVATION AREA CO ADD 2001-00004

PERMITTED USES AND STRUCTURES

Interpretive centers, rain shelters, gazebos
Nature and foot trails including boardwalks and jogging paths
Piers, boardwalks and bridges to provide access from the uplands to the wetlands and to allow fishing piers, observation towers and golf cart crossings.
Recreational shelters, restroom facilities, passive parks, and picnic areas.
Signs
Water Management Facilities
Wildlife Management
Mitigation Activities
Accessory uses and structures customarily associated with the uses permitted in this district.
Other activities which are comparable in nature with the foregoing uses and which the Director of the Lee County Department determines to be compatible with the Miromar Lakes CO district.

OPEN SPACE & INDIGENOUS VEGETATION

Required Open Space

Open space requirements for Miromar Lakes will be met within Miromar Lakes.
Required open space will be calculated excluding the mining lakes from the base figure.

Required Open Space %

Residential Uses Residential uses will provide the open space % required by the LDC. The following are exempt from open space requirements: Single family residences on a single lot with a maximum lot size of 6,500 sq ft Duplex on a single lot with a minimum lot size of 7,500 square feet and two family attached each on an individual lot size of 3,750 square feet per unit.

Commercial Uses Commercial uses will provide the open space % required by the LDC. A minimum of 10% open space will be provided in all commercial tracts with the remaining open space provided in other tracts.

Mixed Uses Where a tract includes a mix of land uses, the required open space % will be prorated according to the extent of the uses within the tract.

Required Indigenous Vegetation

On a project-wide basis, Miromar Lakes will meet the indigenous vegetation percentage required by the LDC. Except for 2 1/2 acres of indigenous vegetation retained in and around the golf course rough, all of the required indigenous vegetation acreage for Miromar Lakes will be met within Miromar Lakes Conservation Area. Both existing indigenous vegetation and restored vegetation within Miromar Lakes Conservation Area will qualify to meet the Lee County indigenous vegetation requirements.

SITE DEVELOPMENT NOTES

- The locations of all access points into individual parcels are approximate and subject to change.
- The Master Concept Plan depicts the general development layout of Miromar Lakes. The Plan final land use patterns, circulation, access points, shoreline configuration, recreation and open space elements and other functional elements will be determined at the time of final Lee County department order permitting. Final shoreline configuration will be as approved by the ERP permitting process.
- The beach club, tennis club and golf clubhouse uses may each include up to 10,000 square feet of retail uses, which are ancillary to the residential uses and do not count against the approved total project commercial square footage.
- Commercial uses within an Assisted Living Facility are limited to a total floor area not to exceed ten (10) percent of the total residential area contained therein, exclusive of vehicular parking and service areas.
- Ancillary boating facilities within Miromar Lakes are limited to a maximum of 925 slips as follows:
Beach Club Multi-Family Parcel - 50 slips
South Lake Multi-Family Parcel - 25 slips
Beach Club - 50 slips
Town Center - 100 slips
Single Family Homes - Individual Docks for Waterfront Lots as applicable
*Should a parcel now planned for single family use be changed to a multi-family use, the individual docks for single family homes on the waterfront may be converted to multi-family slips on a one to one basis.
- Wetland lines are subject to jurisdictional determination.
- Consumption on premises including consumption in outdoor seating areas is allowed within the Miromar Lakes DRI hotels, motels, restaurants, clubs and fraternal membership organizations, golf clubhouse and golf halfway buildings, tennis club, indoor racquetball club, beach clubs, and the like, shopping centers, cocktail lounges and similar uses.
- Gatehouses are to be located in various locations in accordance with LDC 34-1749

Rev. November 29, 1999

MIROMAR LAKES
A Planned Development
Lee County, Florida

LAND USE TABLES
Permitted Land Uses, Site Development

Florida Land Planning
1560 Matthew Drive, Suite E
Fort Myers, Florida 33907
941-278-5222 fax 941-278-4466
Sheet 3 of

Banks Engineering, Inc.

Professional Engineers, Planners & Land Surveyors

DESCRIPTION OF A PARCEL OF LAND LYING IN
 SECTIONS 10, 11, 12, 13, 14, 15 & 23, TOWNSHIP 46 SOUTH, RANGE 25 EAST
 LEE COUNTY, FLORIDA
 (AREA "A")

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTIONS 10, 11, 12, 13, 14, 15 AND 23, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, BEING FURTHER BOUND AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 11, TOWNSHIP 46 SOUTH, RANGE 25 EAST; THENCE S.89°42'24"E. ALONG THE NORTH LINE OF SAID SECTION FOR 1994.63 FEET; THENCE S.01°01'21"W. FOR 110.01 FEET TO THE INTERSECTION OF THE EASTERLY RIGHT-OF-WAY OF BEN HILL GRIFFIN PARKWAY (150' WIDE) AND THE SOUTH RIGHT-OF-WAY OF ALICO ROAD AND THE **POINT OF BEGINNING**; THENCE S.89°42'24"E. ALONG SAID SOUTH RIGHT-OF-WAY OF ALICO ROAD FOR 1049.81 FEET; THENCE THE FOLLOWING THIRTY SIX (36) COURSES:

1)	S.01°00'21"E.	847.76'
2)	S.04°19'45"W.	1091.78'
3)	S.00°39'26"E.	1432.24'
4)	S.00°16'17"E.	606.52'
5)	N.88°47'46"E.	376.79'
6)	S.40°48'12"E.	322.81'
7)	S.19°01'17"E.	249.77'
8)	S.88°53'28"E.	216.94'
9)	S.24°26'51"E.	150.17'
10)	S.77°09'26"E.	573.01'
11)	S.88°10'13"E.	1363.08'
12)	S.19°42'28"E.	157.73'
13)	S.87°09'14"E.	469.81'
14)	N.88°02'24"E.	612.22'
15)	S.21°30'12"E.	81.17'
16)	N.88°10'32"E.	319.97'
17)	S.01°20'12"E.	595.28'
18)	N.79°32'52"W.	624.83'
19)	N.41°43'09"W.	264.16'
20)	S.80°32'44"W.	908.56'
21)	S.85°56'39"W.	711.03'
22)	N.88°44'59"W.	176.88'
23)	S.09°48'24"W.	488.79'
24)	S.81°56'19"E.	145.26'
25)	S.00°34'39"E.	820.49'

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26)	S.59°07'28"W.	349.34'
27)	S.86°00'53"W.	1140.64'
28)	N.06°38'29"W.	427.54'
29)	N.01°46'33"E.	839.75'
30)	S.85°52'30"W.	934.90'
31)	S.04°59'30"W.	714.95'
32)	S.05°05'22"W.	483.90'
33)	S.63°55'14"W.	291.35'
34)	S.84°13'33"W.	187.42'
35)	S.28°12'39"E.	143.38'
36)	N.89°07'51"E.	3150.88'

THENCE S.19°52'03"W. FOR 56.89 FEET TO THE NORTH LINE OF FLORIDA GULF COAST UNIVERSITY; THENCE ALONG SAID NORTH LINE THE FOLLOWING FIVE (5) COURSES:

1)	S.03°10'23"E.	430.66'
2)	S.88°17'12"W.	1027.72'
3)	S.01°42'48"E.	306.15'
4)	S.47°45'12"W.	1504.06'
5)	S.88°27'56"W.	1780.04'

TO THE SAID EAST RIGHT-OF-WAY LINE OF BEN HILL GRIFFIN PARKWAY (150' WIDE); THENCE N.03°31'24"W. ALONG SAID EAST RIGHT-OF-WAY FOR 3304.77 FEET TO THE BEGINNING OF A CURVE CONCAVED TO THE EAST HAVING A RADIUS OF 2925.00 FEET; THENCE NORTHERLY ALONG SAID CURVE AND SAID RIGHT-OF-WAY LINE THROUGH A CENTRAL ANGLE OF 23°44'13" FOR 1211.80 FEET; THENCE N.20°12'49"E. ALONG SAID RIGHT-OF-WAY FOR 473.55 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE WEST HAVING A RADIUS OF 10075.00 FEET; THENCE NORTHERLY ALONG SAID CURVE AND SAID RIGHT-OF-WAY LINE THROUGH A CENTRAL ANGLE OF 19°11'28" FOR 3374.60 FEET; THENCE N.01°01'21"E. FOR 909.75 FEET TO THE **POINT OF BEGINNING**.

BEARINGS ARE BASED ON THE SAID NORTH LINE OF SECTION 11, TOWNSHIP 46 SOUTH, RANGE 25 EAST, AS BEARING S.89°42'24"E.

SAID PARCEL SUBJECT TO EASEMENTS, RIGHTS-OF-WAY, RESTRICTIONS AND RESERVATIONS OF RECORD.

PARCELS CONTAINS 478.96 ACRES, MORE OR LESS.

DESCRIPTION PREPARED APRIL 16th, 1999.

TOGETHER WITH:

DESCRIPTION OF A 397 ACRE PARCEL BEING A PORTION OF SECTIONS 10, 11, 14, 15 AND 23, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA
(PREPARED BY WILSON, MILLER, BARTON & PEEK, INC.)

A PORTION OF SECTIONS 10, 11, 14, 15, AND 23, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 11; THENCE ALONG THE NORTH LINE OF SAID SECTION AND THE CENTERLINE OF ALICO ROAD, S.89°42'24"E. FOR 1919.62 FEET; THENCE ALONG THE CENTERLINE OF TREELINE AVENUE S.01°01'21"W. 1018.81 FEET TO A POINT OF CURVATURE; THENCE CONTINUE ALONG CENTERLINE OF TREELINE AVENUE SOUTHWESTERLY 3349.48 FEET ALONG SAID CENTERLINE AND THE ARC OF A CIRCULAR CURVE CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 10000.00 FEET THROUGH A CENTRAL ANGLE OF 19°11'28" AND BEING SUBTENDED BY A CHORD WHICH BEARS S.10°37'05"W. FOR 3333.84 FEET TO THE POINT OF TANGENCY; THENCE S.20°12'49"W. FOR 473.55 FEET; THENCE LEAVING SAID CENTERLINE N.69°47'11"W. FOR 75.00 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF TREELINE AVENUE AND THE **POINT OF BEGINNING** OF THE HEREIN DESCRIBED PARCEL; THENCE SOUTHWESTERLY 1273.94 FEET ALONG SAID WESTERLY RIGHT-OF-WAY LINE AND THE ARC OF A CIRCULAR CURVE CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 3075.00 FEET, THROUGH A CENTRAL ANGLE OF 23°44'13" AND BEING SUBTENDED BY A CHORD WHICH BEARS S.08°20'42"W. FOR 1264.85 FEET TO A POINT OF TANGENCY; THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE, S.03°31'24"E. FOR 3887.79 FEET TO A POINT OF CURVATURE; THENCE SOUTHEASTERLY 717.36 FEET ALONG SAID WESTERLY RIGHT-OF-WAY LINE AND THE ARC OF A CIRCULAR CURVE CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 2000.00 FEET, THROUGH A CENTRAL ANGLE OF 20°33'03" AND BEING SUBTENDED BY A CHORD WHICH BEARS S.13°47'56"E. FOR 713.52 FEET TO A POINT OF TANGENCY; THENCE S.24°04'07"E. FOR 1593.09 FEET TO A POINT OF CURVATURE; THENCE SOUTHERLY AND SOUTHEASTERLY, 1569.58 FEET ALONG SAID WESTERLY RIGHT-OF-WAY LINE AND THE ARC OF A CIRCULAR CURVE CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 2875.00 FEET, THROUGH A CENTRAL ANGLE OF 31°16'49" AND BEING SUBTENDED BY A CHORD WHICH BEARS S.39°42'52"E. FOR 1550.16 FEET TO A POINT OF TANGENCY; THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE, S.55°21'16"E. FOR 1684.71 FEET TO A POINT OF CURVATURE; THENCE SOUTHEASTERLY AND SOUTHERLY, 1260.95 FEET ALONG SAID WESTERLY RIGHT-OF-WAY LINE AND THE ARC OF A CIRCULAR CURVE CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 1325.00 FEET, THROUGH A CENTRAL ANGLE OF 54°31'33" AND BEING SUBTENDED BY A CHORD WHICH BEARS S.28°05'29"E. FOR 1213.90 FEET TO A POINT OF TANGENCY; THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE, S.00°49'43"E. FOR 600.19 FEET TO THE SOUTH LINE OF SECTION 23, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY FLORIDA; THENCE ALONG SAID SOUTH LINE, N.89°44'39"W. FOR 2921.79 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF INTERSTATE 75; THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE, N.18°17'51"W. FOR 955.62 FEET TO A POINT OF CURVATURE; THENCE NORTHWESTERLY 1211.97 FEET ALONG SAID EASTERLY RIGHT-OF-WAY LINE AND THE ARC OF A CIRCULAR CURVE CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 17026.80 FEET, THROUGH A CENTRAL ANGLE OF 04°04'42" AND BEING SUBTENDED BY A CHORD WHICH BEARS N.16°15'30"W. FOR 1211.72 FEET TO A POINT OF TANGENCY; THENCE CONTINUE

ALONG SAID EASTERLY RIGHT-OF-WAY LINE, N.14°13'09"W. FOR 9126.68 THENCE
LEAVING SAID LINE, N.76°08'54"E. FOR 527.61 FEET;
THENCE N.79°14'37"E. FOR 501.77 FEET;
THENCE N.84°36'26"E. FOR 384.54 FEET;
THENCE S.85°27'53"E. FOR 381.51 FEET;
THENCE S. 74°31'06"E. FOR 209.92 FEET TO THE **POINT OF BEGINNING** OF THE
PARCEL HEREIN DESCRIBED.

PARCEL CONTAINS 397 ACRES, MORE OR LESS.

S:\JOBS\11xx\1155\1155-087-DESC-AREA-A.wpd

Applicant's Legal Checked
by gm 2/15/01

CURVE DATA

Curve number 1

Radius= 10000.00
Delta= 19°11'28"
Arc= 3349.48
Chord= 3333.84
Chord Brg. S.10°37'05"W.

Curve number 3

Radius= 2000.00
Delta= 20°33'03"
Arc= 717.36
Chord= 713.52
Chord Brg. S.13°47'56"E.

Curve number 2

Radius= 3075.00
Delta= 23°44'13"
Arc= 1273.94
Chord= 1264.85
Chord Brg. S.08°20'42"W.

Curve number 4

Radius= 2875.00
Delta= 31°16'49"
Arc= 1569.58
Chord= 1550.16
Chord Brg. S.39°42'52"E.

SKETCH OF DESCRIPTION

OF
A PARCEL OF LAND LYING IN
SECTIONS 10, 11, 12, 13, 14, 15, & 23
TOWNSHIP 46 SOUTH, RANGE 25 EAST,
LEE COUNTY, FLORIDA



NOT TO SCALE

CURVE DATA

Curve number 5

Radius= 1325.00
Delta= 54°31'33"
Arc= 1260.95
Chord= 1213.90
Chord Brg. S.28°05'29"E.

Curve number 7

Radius= 2925.00
Delta= 23°44'13"
Arc= 1211.80
Chord= 1203.15
Chord Brg. N.08°20'42"E.

Curve number 6

Radius= 17026.80
Delta= 04°04'42"
Arc= 1211.97
Chord= 1211.72
Chord Brg. N.16°15'30"W.

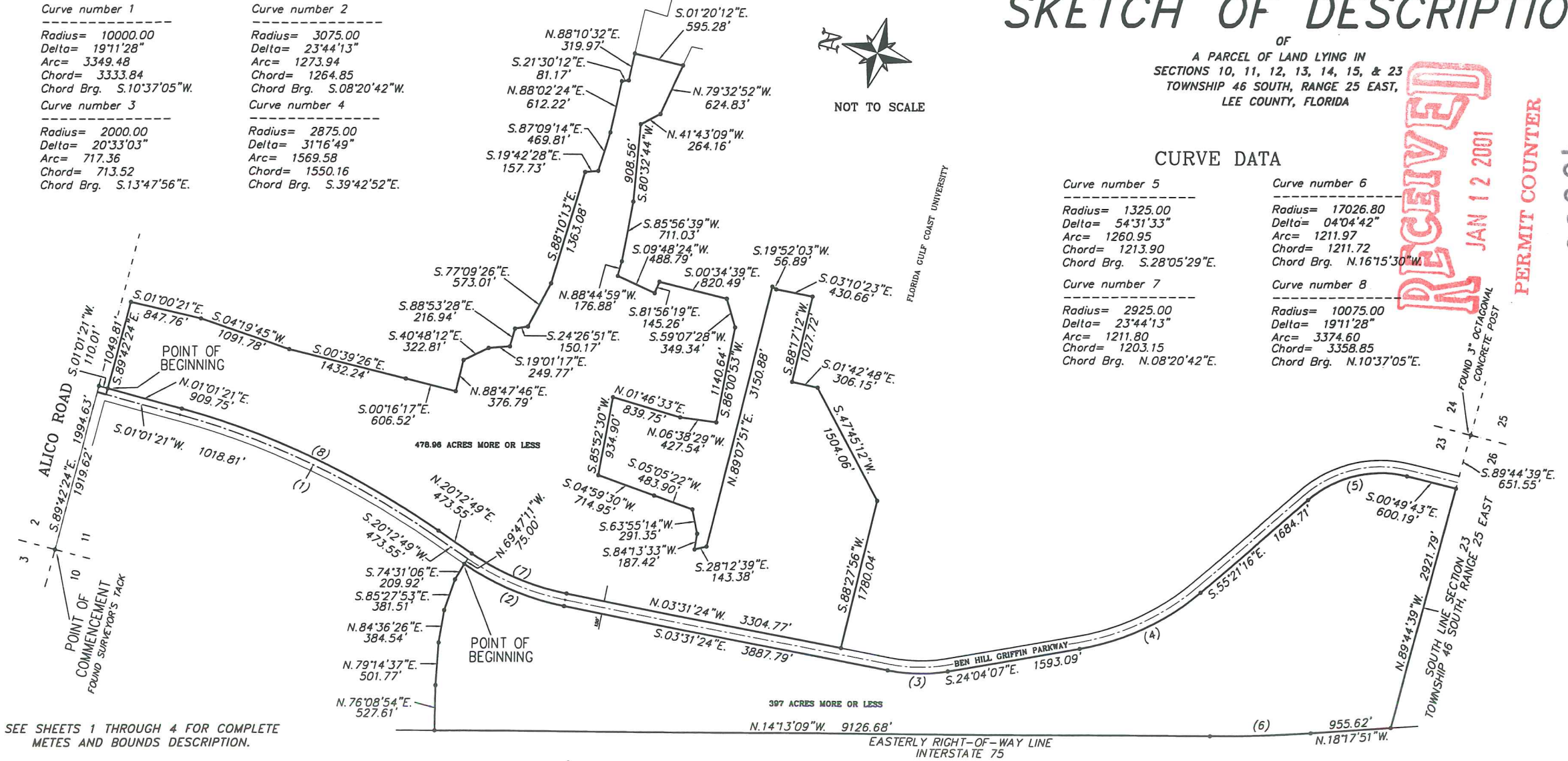
Curve number 8

Radius= 10075.00
Delta= 19°11'28"
Arc= 3374.60
Chord= 3358.85
Chord Brg. N.10°37'05"E.

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ADD 2001-00004
PAGE 5 OF 24



SEE SHEETS 1 THROUGH 4 FOR COMPLETE
METES AND BOUNDS DESCRIPTION.

THIS SKETCH OF DESCRIPTION
IS NOT A BOUNDARY SURVEY

Richard M. Ritz
RICHARD M. RITZ, R.L.S.
FLORIDA CERTIFICATION NO. 4009

- THIS SKETCH OF DESCRIPTION IS NOT VALID
WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED
SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

Applicant's Legal Checked
by gm 2/15/01

SHEET 5 OF 5

Banks Engineering, Inc.
ENGINEERING, SURVEYING & LAND PLANNING
FLORIDA BUSINESS CERTIFICATION NUMBER LB 8890
10501 SIX MILE CYPRESS PARKWAY - SUITE 104
FORT MYERS, FLORIDA 33912
(841) 939-5490

SKETCH OF DESCRIPTION
MIROMAR SUBDIVISION - AREA "A"
LEE COUNTY, FLORIDA

DATE	PROJECT NO.	DRAWING	DRAWN	CHECKED	SCALE	FILE NO. (S-T-R)
4-16-99	1155	DESC-1	RR	RR	NTS	46-25

Banks Engineering, Inc.

Professional Engineers, Planners & Land Surveyors

4

DESCRIPTION OF A PARCEL OF LAND
 LYING IN SECTIONS 12 AND 13,
 TOWNSHIP 46 SOUTH, RANGE 25 EAST,
 LEE COUNTY, FLORIDA
 (AREA "B")

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTIONS 12, AND 13, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, BEING FURTHER BOUND AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SECTION 11, TOWNSHIP 46 SOUTH, RANGE 25 EAST; THENCE S.89°42'24"E. ALONG THE NORTH LINE OF SAID SECTION FOR 1994.63 FEET; THENCE S.01°01'21"W. FOR 110.01 FEET TO THE INTERSECTION OF THE EASTERLY RIGHT-OF-WAY OF BEN HILL GRIFFIN PARKWAY (150' WIDE) AND THE SOUTH RIGHT-OF-WAY OF ALICO ROAD; THENCE S.89°42'24"E. ALONG SAID SOUTH RIGHT-OF-WAY OF ALICO ROAD FOR 1049.81 FEET; THENCE THE FOLLOWING FIFTEEN (15) COURSES:

- | | | |
|-----|---------------|----------|
| 1) | S.01°00'21"E. | 847.76' |
| 2) | S.04°19'45"W. | 1091.78' |
| 3) | S.00°39'26"E. | 1432.24' |
| 4) | S.00°16'17"E. | 606.52' |
| 5) | N.88°47'46"E. | 376.79' |
| 6) | S.40°48'12"E. | 322.81' |
| 7) | S.19°01'17"E. | 249.77' |
| 8) | S.88°53'28"E. | 216.94' |
| 9) | S.24°26'51"E. | 150.17' |
| 10) | S.77°09'26"E. | 573.01' |
| 11) | S.88°10'13"E. | 1363.08' |
| 12) | S.19°42'28"E. | 157.73' |
| 13) | S.87°09'14"E. | 469.81' |
| 14) | N.88°02'24"E. | 612.22' |
| 15) | S.21°30'12"E. | 81.17' |

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THENCE N.88°10'32"E. FOR 319.97 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE N.88°10'32"E. FOR 526.92 FEET; THENCE S.01°46'59"W. FOR 282.53 FEET; THENCE S.89°48'06"E. FOR 1264.46 FEET; THENCE S.20°09'57"E. FOR 832.50 FEET; THENCE S.15°43'44"E. FOR 1222.03 FEET; THENCE S.25°52'55"E. FOR 187.61 FEET; THENCE N.89°21'30"W. FOR 2130.63 FEET; THENCE N.06°34'37"W. FOR 526.71 FEET;

THENCE N.01°50'22"W. FOR 1210.85 FEET; THENCE N.79°32'52"W. FOR 242.93 FEET;
THENCE N.01°20'12"W. FOR 595.28 FEET TO THE **POINT OF BEGINNING**.

BEARINGS ARE BASED ON THE SAID NORTH LINE OF SECTION 11, TOWNSHIP 46
SOUTH, RANGE 25 EAST, AS BEARING S.89°42'24"E.

SAID PARCEL SUBJECT TO EASEMENTS, RIGHTS-OF-WAY, RESTRICTIONS AND
RESERVATIONS OF RECORD.

PARCELS CONTAINS 95.33 ACRES, MORE OR LESS.

DESCRIPTION PREPARED APRIL 16th, 1999

S:\JOBS\11xx\1155\1155-087-DESC-AREA-B.wpd

ACAD 1155\SURVEY\1155-DESC-2.DWG
WPD 1155 \1155-087-AREA-B.WPD

Applicant's Legal Checked
by gm 2/15/01

S:\JOBS\11xx\1155\SURVEY\SKETCH\1155_DESC-2.dwg Fri Apr 14 11:13:42 2000

SKETCH OF DESCRIPTION

OF
A PARCEL OF LAND LYING IN
SECTIONS 12 AND 13,
TOWNSHIP 46 SOUTH, RANGE 25 EAST,
LEE COUNTY, FLORIDA

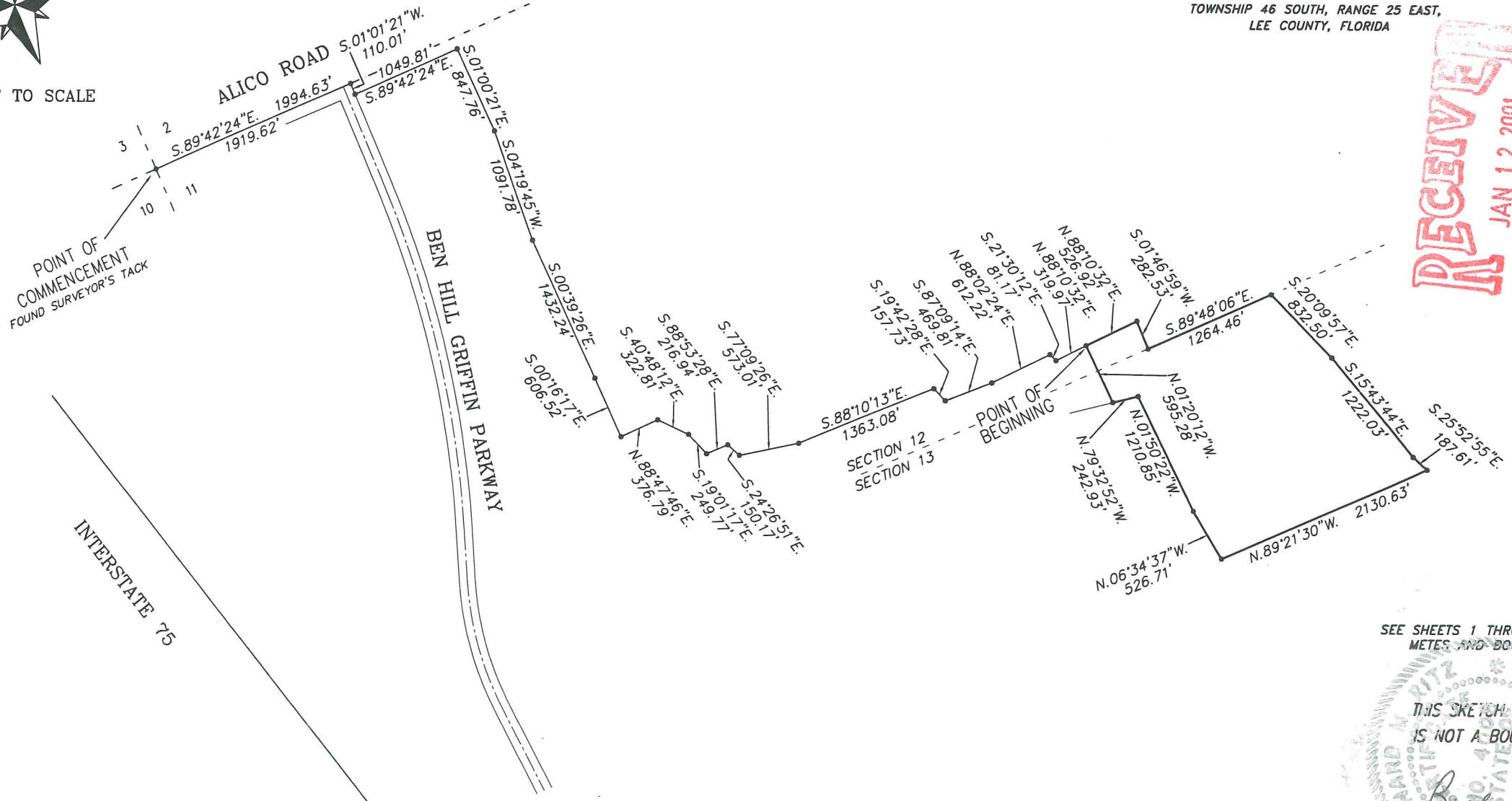
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PERMIT COUNTER

ADD 2001-00004

PAGE 8 OF 24



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SEE SHEETS 1 THROUGH 2 FOR COMPLETE
METES AND BOUNDS DESCRIPTION.

THIS SKETCH OF DESCRIPTION
IS NOT A BOUNDARY SURVEY

Richard M. Ritz
RICHARD M. RITZ, R.L.S.
FLORIDA CERTIFICATION NO. 4009

THIS SKETCH OF DESCRIPTION IS NOT VALID
WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED
SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

Sketch
Applicant's Legal Checked
by gm 2/15/01

SHEET 3 OF 3

Banks Engineering, Inc.
ENGINEERING, SURVEYING & LAND PLANNING
FLORIDA BUSINESS CERTIFICATION NUMBER LB 6690
10501 SIX MILE CYPRESS PARKWAY - SUITE 104
FORT MYERS, FLORIDA 33912
(941) 939-5490

SKETCH OF DESCRIPTION
MIROMAR SUBDIVISION - AREA "B"
LEE COUNTY, FLORIDA

NO.	DATE	REVISION	DESCRIPTION	BY

DATE	PROJECT NO.	DRAWING	DRAWN	CHECKED	SCALE	FILE NO. (S-T-R)
4-16-99	1155	DESC-2	RR	RR	NTS	SHT. 3 OF 3 46-25

WPD\1155\1155-087-AREA-B.WPD
ACAD\1155\SURVEY\1155_DESC-2.DWG

Banks Engineering, Inc.

Professional Engineers, Planners & Land Surveyors

ADD 2001-00004



DESCRIPTION OF A PARCEL OF LAND
LYING IN
SECTION 13, TOWNSHIP 46 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA
(AREA "C")

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTION 13, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, BEING FURTHER BOUND AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SECTION 11, TOWNSHIP 46 SOUTH, RANGE 25 EAST; THENCE S.89°42'24"E. ALONG THE NORTH LINE OF SAID SECTION FOR 1994.63 FEET; THENCE S.01°01'21"W. FOR 110.01 FEET TO THE INTERSECTION OF THE EASTERLY RIGHT-OF-WAY OF BEN HILL GRIFFIN PARKWAY (150' WIDE) AND THE SOUTH RIGHT-OF-WAY OF ALICO ROAD; THENCE S.89°42'24"E. ALONG SAID SOUTH RIGHT-OF-WAY OF ALICO ROAD FOR 1049.81 FEET; THENCE THE FOLLOWING TWENTY THREE (23) COURSES:

- | | | |
|-----|---------------|----------|
| 1) | S.01°00'21"E. | 847.76' |
| 2) | S.04°19'45"W. | 1091.78' |
| 3) | S.00°39'26"E. | 1432.24' |
| 4) | S.00°16'17"E. | 606.52' |
| 5) | N.88°47'46"E. | 376.79' |
| 6) | S.40°48'12"E. | 322.81' |
| 7) | S.19°01'17"E. | 249.77' |
| 8) | S.88°53'28"E. | 216.94' |
| 9) | S.24°26'51"E. | 150.17' |
| 10) | S.77°09'26"E. | 573.01' |
| 11) | S.88°10'13"E. | 1363.08' |
| 12) | S.19°42'28"E. | 157.73' |
| 13) | S.87°09'14"E. | 469.81' |
| 14) | N.88°02'24"E. | 612.22' |
| 15) | S.21°30'12"E. | 81.17' |
| 16) | N.88°10'32"E. | 846.89' |
| 17) | S.01°46'59"W. | 282.53' |
| 18) | S.89°48'06"E. | 1264.46' |
| 19) | S.20°09'57"E. | 832.50' |
| 20) | S.15°43'44"E. | 1222.03' |
| 21) | S.25°52'55"E. | 362.91' |
| 22) | S.00°07'13"E. | 16.50' |
| 23) | N.89°46'48"W. | 635.94' |

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TO THE POINT OF BEGINNING; THENCE THE FOLLOWING SIX (6) COURSES;

- 1) S.19°49'36"W. 375.30'
- 2) S.79°57'29"E. 18.29'
- 3) S.48°44'52"E. 10.14'
- 4) S.06°54'40"E. 50.09'
- 5) N.19°49'36"E. 438.44'
- 6) N.89°46'48"W. 53.08' TO THE POINT OF BEGINNING.

BEARINGS ARE BASED ON THE SAID NORTH LINE OF SECTION 11, TOWNSHIP 46 SOUTH, RANGE 25 EAST, AS BEARING S.89°42'24"E.

SAID PARCEL SUBJECT TO EASEMENTS, RIGHTS-OF-WAY, RESTRICTIONS AND RESERVATIONS OF RECORD.

PARCELS CONTAINS 0.45 ACRES, MORE OR LESS.

DESCRIPTION PREPARED APRIL 16th, 1999.

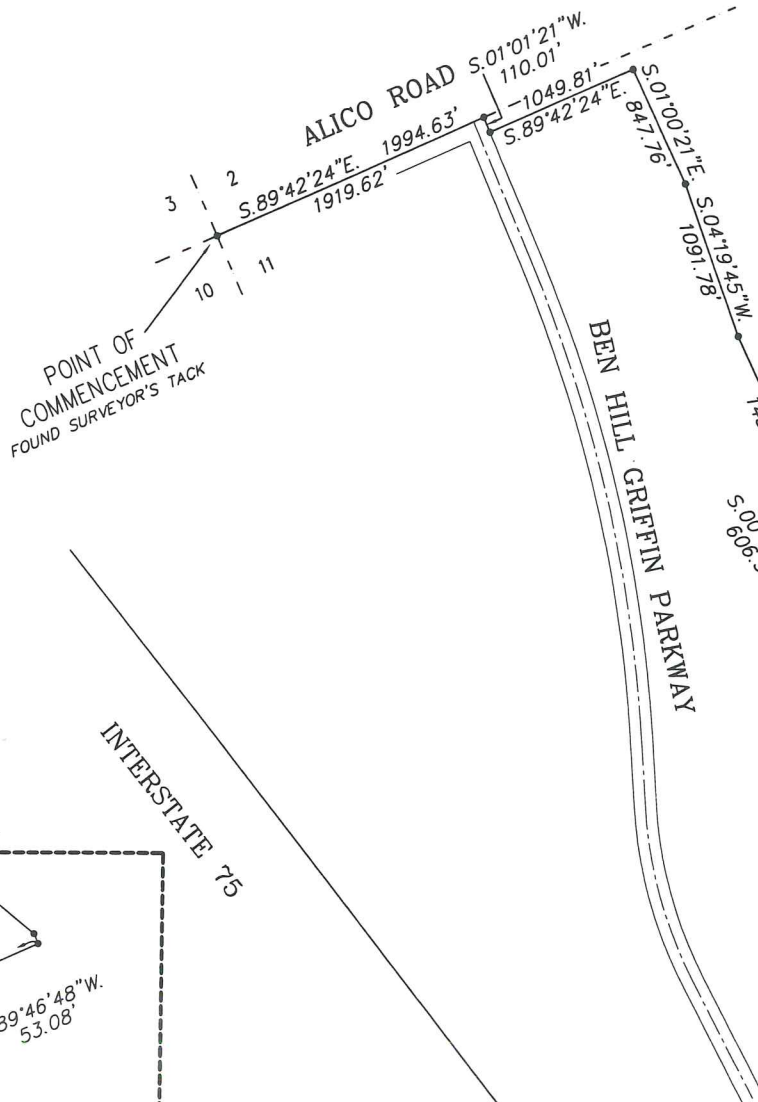
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FILE: ACAD\1155\SURVEY\DESC-6.DWG
FILE: WPD\1155\1155-087-DESC-AREA-C.WPD

Applicant's Legal Checked
by gm 2/15/01



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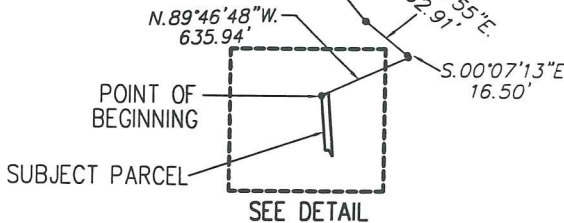
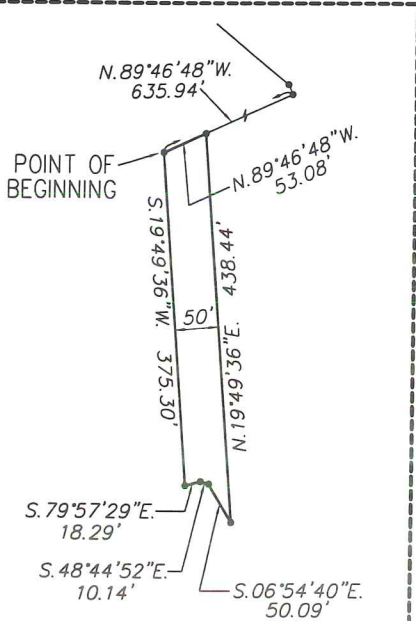


SKETCH OF DESCRIPTION

OF
A PARCEL OF LAND LYING IN
SECTION 13, TOWNSHIP 46 SOUTH, RANGE 25 EAST,
LEE COUNTY, FLORIDA

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PAGE 11 OF 24
PERMIT CENTER

DETAIL NOT TO SCALE



SEE SHEETS 1 THROUGH 2 FOR COMPLETE
METES AND BOUNDS DESCRIPTION.

THIS SKETCH OF DESCRIPTION
IS NOT A BOUNDARY SURVEY

Richard M. Ritz
RICHARD M. RITZ, R.L.S.
FLORIDA CERTIFICATION NO. 4009

- THIS SKETCH OF DESCRIPTION IS NOT VALID
WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED
SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

Sketch
Applicant's Legal Checked
by *gmn* 2/15/01

SHEET 3 OF 3

Banks Engineering, Inc.
ENGINEERING, SURVEYING & LAND PLANNING
FLORIDA BUSINESS CERTIFICATION NUMBER LB 6690
10501 SIX MILE CYPRESS PARKWAY - SUITE 104
FORT MYERS, FLORIDA 33912
(941) 939-5490

SKETCH OF DESCRIPTION
MIROMAR SUBDIVISION - AREA "C"
LEE COUNTY, FLORIDA

NO.	DATE	REVISION DESCRIPTION	BY

DATE	PROJECT NO.	DRAWING	DRAWN	CHECKED	SCALE	SHT.	OF	FILE NO. (S-T-R)
4-16-99	1155	DESC-6	RR	RR	NTS	3	OF 3	46-25

WPD\1155\1155-087-AREA-C.WPD
ACAD\1155\SURVEY\1155_DESC-6.DWG

ADD 2001-00004

Banks Engineering, Inc.

Professional Engineers, Planners & Land Surveyors

DESCRIPTION OF A PARCEL OF LAND
LYING IN SECTIONS , 13 AND 14,
TOWNSHIP 46 SOUTH, RANGE 25 EAST,
LEE COUNTY, FLORIDA
(EXHIBIT "J")

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTIONS 13, AND 14, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, BEING FURTHER BOUND AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SECTION 11, TOWNSHIP 46 SOUTH, RANGE 25 EAST; THENCE S.89°42'24"E. ALONG THE NORTH LINE OF SAID SECTION FOR 1994.63 FEET; THENCE S 01° 01' 21" W FOR 110.01 FEET TO THE INTERSECTION OF THE EASTERLY RIGHT-OF-WAY OF BEN HILL GRIFFIN PARKWAY (150' WIDE) AND THE SOUTH RIGHT-OF-WAY OF ALICO ROAD; THENCE S.89°42'24"E. ALONG SAID SOUTH RIGHT-OF-WAY OF ALICO ROAD FOR 1049.81 FEET; THENCE THE FOLLOWING TWENTY TWO (22) COURSES:

- | | | |
|-----|---------------|----------|
| 1) | S.01°00'21"E. | 847.76' |
| 2) | S.04°19'45"W. | 1091.78' |
| 3) | S.00°39'26"E. | 1432.24' |
| 4) | S.00°16'17"E. | 606.52' |
| 5) | N.88°47'46"E. | 376.79' |
| 6) | S.40°48'12"E. | 322.81' |
| 7) | S.19°01'17"E. | 249.77' |
| 8) | S.88°53'28"E. | 216.94' |
| 9) | S.24°26'51"E. | 150.17' |
| 10) | S.77°09'26"E. | 573.01' |
| 11) | S.88°10'13"E. | 1363.08' |
| 12) | S.19°42'28"E. | 157.73' |
| 13) | S.87°09'14"E. | 469.81' |
| 14) | N.88°02'24"E. | 612.22' |
| 15) | S.21°30'12"E. | 81.17' |
| 16) | N.88°10'32"E. | 846.89' |
| 17) | S.01°46'59"W. | 282.53' |
| 18) | S.89°48'06"E. | 1264.46' |
| 19) | S.20°09'57"E. | 832.50' |
| 20) | S.15°43'44"E. | 1222.03' |
| 21) | S.25°52'55"E. | 187.61' |
| 22) | N.89°21'30"W. | 283.67' |

RECEIVED
JAN 12 2001

PERMIT COUNTER

TO THE POINT OF BEGINNING; THENCE CONTINUE N.89°21'30"W. FOR 1846.96

FEET; THENCE THE FOLLOWING TWENTY ONE (21) COURSES;

1)	N.06°34'37"W.	526.71'
2)	N.01°50'22"W.	1210.85'
3)	N.79°32'52"W.	867.77'
4)	N.41°43'09"W.	264.16'
5)	S.80°32'44"W.	908.56'
6)	S.85°56'39"W.	711.03'
7)	N.88°44'59"W.	176.88'
8)	S.09°48'24"W.	488.79'
9)	S.81°56'19"E.	145.26'
10)	S.00°34'39"E.	820.49'
11)	S.59°07'28"W.	349.34'
12)	S.86°00'53"W.	1140.64'
13)	N.06°38'29"W.	427.54'
14)	N.01°46'33"E.	839.75'
15)	S.85°52'30"W.	934.90'
16)	S.04°59'30"W.	714.95'
17)	S.05°05'22"W.	483.90'
18)	S.63°55'14"W.	291.35'
19)	S.84°13'33"W.	187.42'
20)	S.28°12'39"E.	143.38'
21)	N.89°07'51"E.	3150.88'

THENCE S.19°52'03"W. TO THE NORTH LINE OF FLORIDA GULF COAST UNIVERSITY FOR 56.89 FEET; THENCE ALONG SAID NORTH LINE THE FOLLOWING THREE (3) COURSES:

1)	N.89°01'42"E.	450.42'
2)	S.00°58'18"E.	320.16'
3)	N.88°44'00"E.	3706.01'

THENCE S.89°46'48"E. FOR 277.99 FEET; THENCE N.00°43'41"W. FOR 176.03 FEET TO THE **POINT OF BEGINNING**.

BEARINGS ARE BASED ON THE SAID NORTH LINE OF SECTION 11, TOWNSHIP 46 SOUTH, RANGE 25 EAST, AS BEARING S.89°42'24"E.

SAID PARCEL SUBJECT TO EASEMENTS, RIGHTS-OF-WAY, RESTRICTIONS AND RESERVATIONS OF RECORD.

PARCELS CONTAINS 189.08 ACRES, MORE OR LESS.

DESCRIPTION PREPARED APRIL 16th, 1999.

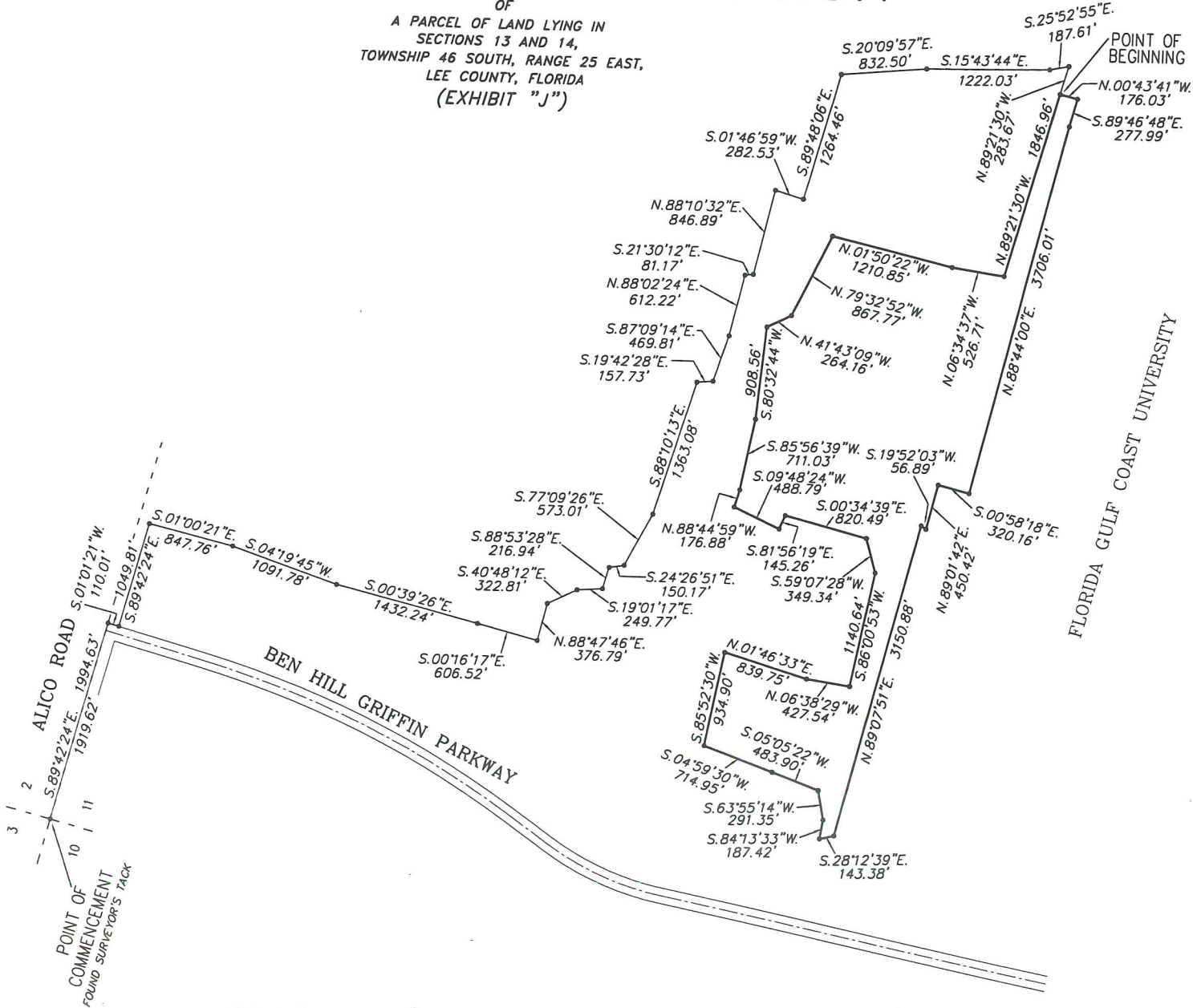
FILE: ACAD\1155\SURVEY\DESC-3.DWG
FILE: WPD\1155\1155-087-DESC-AREA-J.WPD

Applicant's Legal Checked
by gm 2/15/01



SKETCH OF DESCRIPTION

OF
A PARCEL OF LAND LYING IN
SECTIONS 13 AND 14,
TOWNSHIP 46 SOUTH, RANGE 25 EAST,
LEE COUNTY, FLORIDA
(EXHIBIT "J")



RECEIVED
JAN 12 2001

PERMIT COUNTER

ADD 2001-00004

PAGE 14 OF 24

SEE SHEETS 1 THROUGH 3 FOR COMPLETE
METES AND BOUNDS DESCRIPTION.

THIS SKETCH OF DESCRIPTION
IS NOT A BOUNDARY SURVEY

Richard M. Ritz
RICHARD M. RITZ, R.L.S.
FLORIDA CERTIFICATION NO. 4009

- THIS SKETCH OF DESCRIPTION IS NOT VALID
WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED
SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

Sketch
Applicant's Legal Checked
by *gm* 2/15/01

SHEET 4 OF 4

Banks Engineering, Inc.

ENGINEERING, SURVEYING & LAND PLANNING
FLORIDA BUSINESS CERTIFICATION NUMBER LB 6690
10501 SIX MILE CYPRESS PARKWAY - SUITE 104
FORT MYERS, FLORIDA 33912
(941) 939-5490

NO.	DATE	REVISION DESCRIPTION	BY

SKETCH OF DESCRIPTION
MIROMAR SUBDIVISION - EXHIBIT "J"
LEE COUNTY, FLORIDA

DATE	PROJECT NO.	DRAWING	DRAWN	CHECKED	SCALE	SHT.	FILE NO. (S-T-R)
4-16-99	1155	DESC-3	RR	RR	NTS	4 OF 4	46-25

ADD 2001-00004

DESCRIPTION OF A 66 ACRE PARCEL BEING A PORTION OF Section 13, Township 46 South, Range 25 East, Lee County, Florida

A portion of Section 13, Township 46 south, Range 25 east, Lee County, Florida more particularly described as follows:

COMMENCING at the Northwest corner of Section 11, Township 46 South, Range 25 East;
thence along the north line of said section and the centerline of Alico Road S.89°42'24"E. 1919.62 feet;
thence along the centerline of Treeline Avenue S.01°01'21"W. 109.05 feet; thence S.89°42'24"E. 75.00 feet to an intersection with the south right of way line of Alico Road and the east right of way of Treeline Avenue: thence along said southerly right of way line S.89°42'24"E. 1049.81 feet;
thence leaving said line S.1°00'21"E. 1635.40 feet to a point on a curve, point bearing S.84°01'34"W. from the center of said curve;
thence southeasterly 5221.22 feet along the arc of a non-tangential circular curve concave to the northeast having a radius of 3595.48 feet, having a central angle of 83°12'10" and being subtended by a chord which bears S.47°34'31"E. 4774.39 feet to a point on said curve;
thence N.89°01'32"E. 1282.53 feet;
thence S.01°46'59"W. 407.03 feet;
thence S.89°48'06"E. 1264.40 feet;
thence S.20°09'57"E. 832.58 feet;
thence S.15°43'44"E. 1222.03 feet;
thence S.25°52'55"E. 362.91 feet;
thence S.00°07'13"E. 16.50 feet;
thence N.89°46'48"W. 635.94 feet;
thence S.19°49'36"W. 375.30 feet to the POINT OF BEGINNING of the herein described parcel.
Thence S.79°57'29"E. 18.29 feet;
thence S.48°44'52"E. 10.14 feet;
thence S.06°54'40"E. 51.94 feet;
thence S.11°39'28"E. 34.33 feet;
thence S.04°51'39"E. 21.39 feet;
thence S.18°18'13"W. 25.87 feet;
thence N.82°50'47"W. 15.56 feet;
thence N.76°56'48"W. 27.40 feet;
thence S.02°11'29"W. 62.11 feet;
thence S.14°31'45"E. 24.66 feet;
thence S.14°49'53"E. 6.59 feet;
thence S.24°14'57"W. 30.44 feet;
thence S.87°22'03"E. 5.44 feet;
thence S.87°24'51"E. 19.39 feet;
thence S.87°20'13"E. 13.45 feet;
thence N.85°27'36"E. 25.27 feet;
thence N.85°27'17"E. 29.97 feet;
thence N.85°52'53"E. 61.78 feet;

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JAN 12 2001

PERMIT COUNTER

WILSON, MILLER, BARTON & PEEK, INC.

4571 Colonial Boulevard, Suite 200, Fort Myers, Florida 33912-1062 • Ph 941-939-1020 Fx 941-939-7479

Web Site: www.wilsonmiller.com

FL LIC # LC 0000170

E-mail: fortmyers@wilsonmiller.com

thence N.90°00'00"E. 52.88 feet;
 thence N.85°58'36"E. 250.30 feet;
 thence N.85°35'19"E. 86.13 feet;
 thence N.81°26'58"E. 44.56 feet;
 thence N.80°50'39"E. 69.13 feet;
 thence N.47°59'41"E. 29.61 feet;
 thence N.24°14'29"E. 48.25 feet;
 thence N.30°57'50"E. 12.03 feet;
 thence N.30°59'13"E. 26.46 feet;
 thence N.35°34'54"E. 18.90 feet;
 thence N.47°16'30"E. 38.97 feet;
 thence N.49°29'40"E. 20.30 feet;
 thence N.46°03'51"E. 57.11 feet;
 thence N.71°30'39"E. 20.89 feet;
 thence N.56°14'53"E. 16.09 feet;
 thence N.56°15'20"E. 201.37 feet;
 thence N.89°36'23"E. 304.60 feet;
 thence S.02°10'07"E. 1285.56 feet;
 thence N.79°13'23"W. 80.22 feet;
 thence S.56°32'16"W. 65.40 feet;
 thence S.11°37'49"W. 61.39 feet;
 thence S.43°47'29"E. 31.43 feet;
 thence S.65°22'51"W. 932.56 feet;
 thence S.62°02'33"W. 548.61 feet;
 thence N.84°00'27"W. 113.75 feet;
 thence S.73°01'40"W. 332.94 feet;
 thence S.88°47'09"W. 386.35 feet;
 thence N.01°12'51"W. 733.65 feet;
 thence N.75°24'23"E. 644.66 feet;
 thence N.02°55'16"W. 211.27 feet;
 thence N.19°49'36"E. 960.80 feet to the Point of Beginning for the herein described parcel.

Parcel contains 66 acres more or less.

Bearings are based on the north line of Section 11, Township 46 South, Range 25 East, Lee County, Florida and also being the centerline of Alico Road being S.89°42'24"E.

Prepare by:

WILSON, MILLER, BARTON & PEEK, INC.


 Alan W. Sadowski, Professional Surveyor & Mapper
 Florida Registration No. 4800

4-1-99
 Date

Not valid unless embossed with the Professional's seal.

W.O.: F0253-015-004 APPDP REF.: A-0253-144 Date: March 30, 1999

Applicant's Legal Checked

by gm 2/15/01

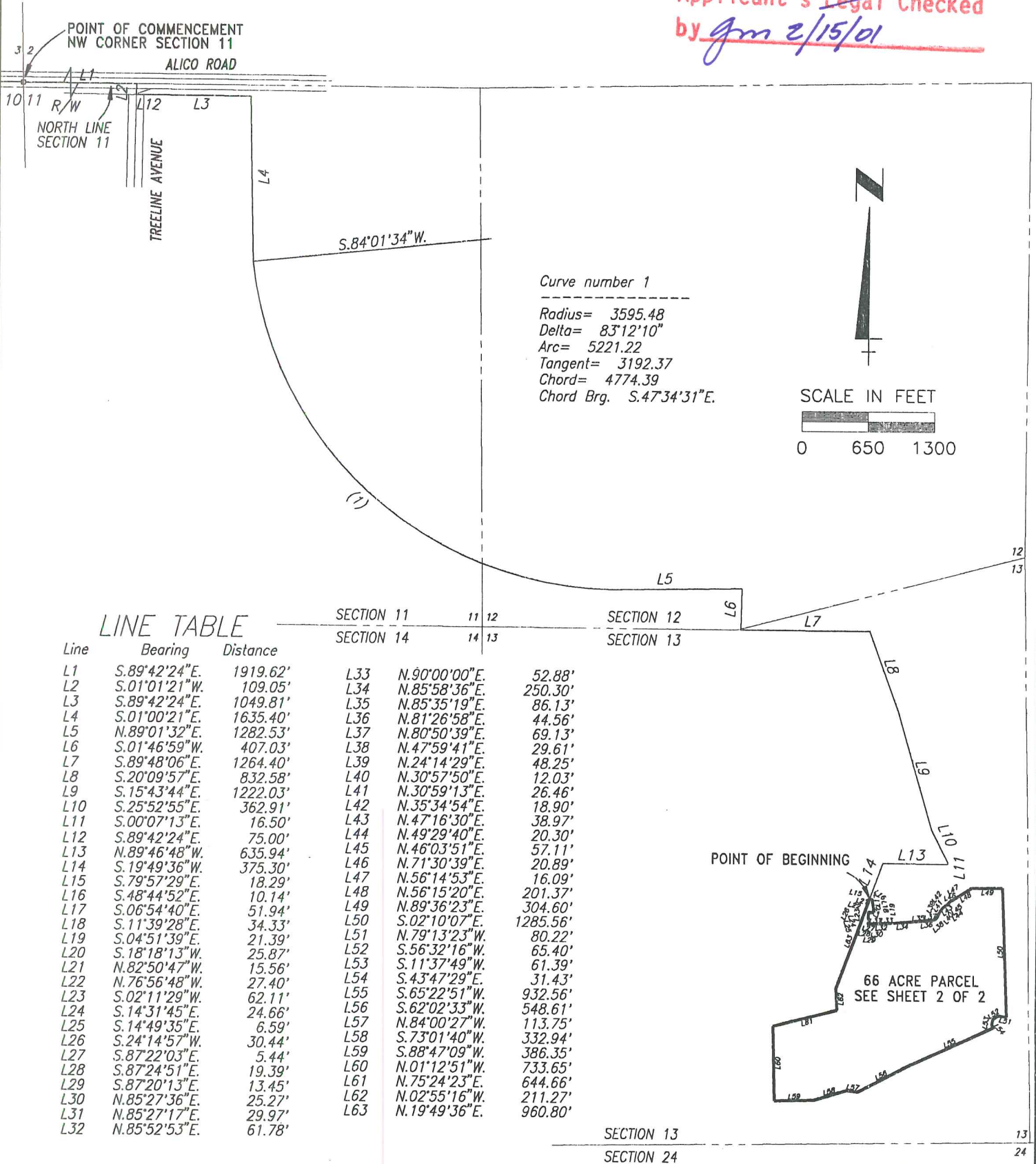
PAGE 16 OF 24

WILSON, MILLER, BARTON & PEEK, INC.

ENGINEERS • SURVEYORS • PLANNERS • ENVIRONMENTAL CONSULTANTS • LANDSCAPE ARCHITECTS • CONSTRUCTION MANAGERS
4571 Colonial Boulevard Fort Myers, Florida 33912 (941) 939-1020 Fax (941) 939-7479



Applicant's ^{Sketch} Legal Checked
by gm 2/15/01

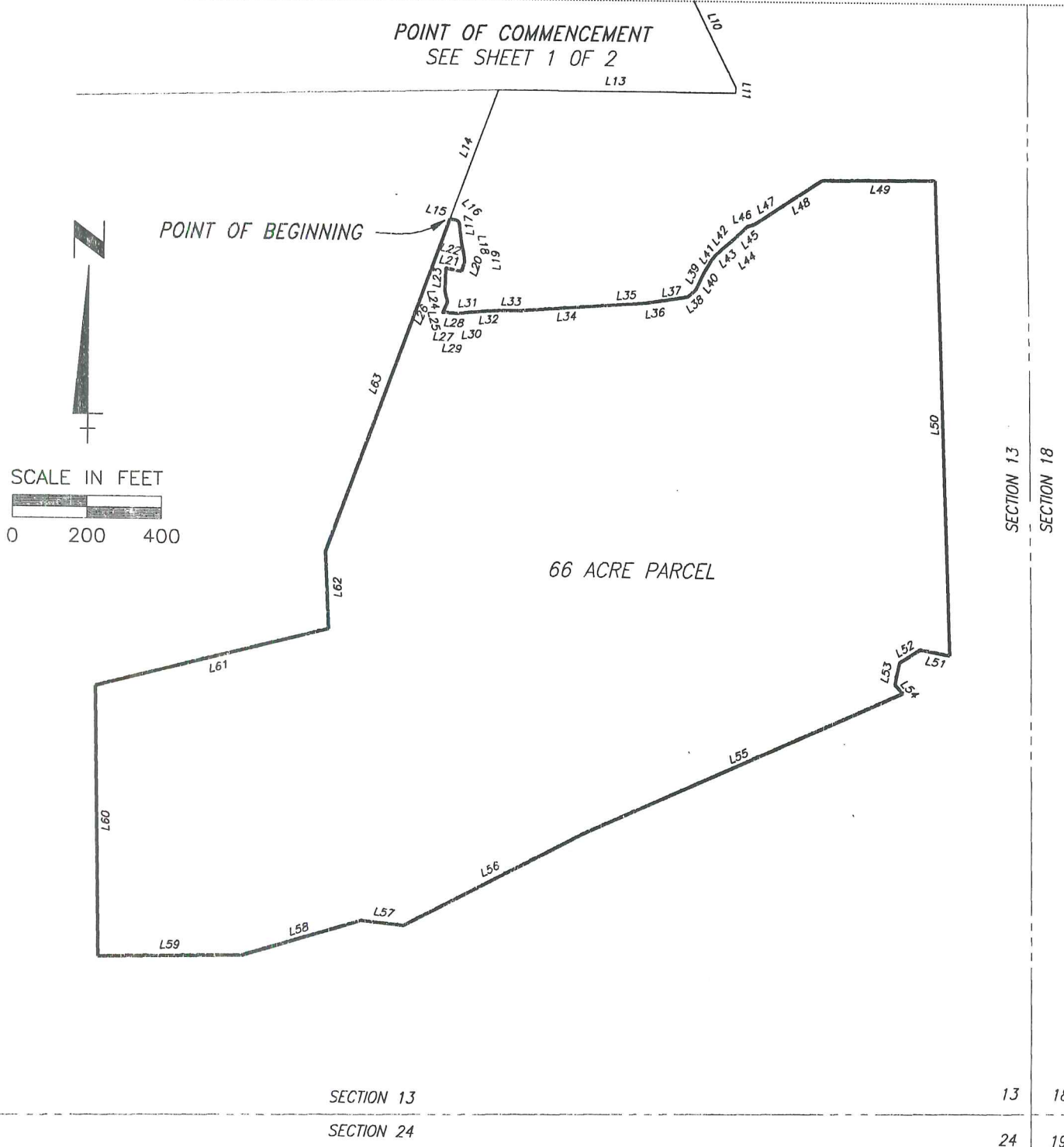


* * THIS IS NOT A SURVEY * * ADD 2001-00004

△REV NO.	REVISION	DATE	DRAWN BY	EMP. NO.	CHECKED BY	EMP. NO.
DATE: 3-30-99		CLIENT: ALICO INC.				
HORIZONTAL SCALE: 1"=1300'		4380 GULF SHORE BLVD. N., SUITE 808, NAPLES, FLORIDA				
VERTICAL SCALE: N/A		TITLE: SKETCH OF DESCRIPTION				
SEC: TWP: RGE: 13 46 25		66 ACRE PARCEL				
FIELD BOOK:		PART OF SECTION 13, TOWNSHIP 46 S., RANGE 25 E., LEE COUNTY, FLORIDA				
FIELD BOOK PAGE: Mar 30, 1999 -- 11:29:18		CROSS REFERENCE FILE NO.: DGUAGLIARDO\X:\SUR\F0253\0253e401.dwg 7496.v1	WORK ORDER NO.:	PROJECT NO.: F0253	SHEET NUMBER: 1 OF 2	FILE NO.: A-0253-144

WILSON, MILLER, BARTON & PEEK, INC.

ENGINEERS • SURVEYORS • PLANNERS • ENVIRONMENTAL CONSULTANTS • LANDSCAPE ARCHITECTS • CONSTRUCTION MANAGERS
4571 Colonial Boulevard Fort Myers, Florida 33912 (941) 939-1020 Fax (941) 939-7479



Applicant's ^{Sketch} Legal Checked
by gm 2/15/01

FOR LINE & CURVE TABLE
SEE SHEET 1 OF 2
RECEIVED
JAN 12 2001

* * THIS IS NOT A SURVEY * *

PERMIT CONTRACTOR

DATE: 3-30-99	CLIENT: ALICO INC. ADD 2001-00004 4380 GULF SHORE BLVD. N., SUITE 808, NAPLES, FLORIDA
HORIZONTAL SCALE: 1"=400'	TITLE: SKETCH OF DESCRIPTION 66 ACRE PARCEL PART OF SECTION 13, TOWNSHIP 46 S., RANGE 25 E., LEE COUNTY, FLORIDA
VERTICAL SCALE: N/A	CROSS REFERENCE FILE NO.: D:\GUA\LIARDO\X\SUR\F0253\0253e402.dwg 7496.V1
SEC: TWP: RGE: 13 46 25	WORK ORDER NO.: F0253
FIELD BOOK:	PROJECT NO.: 2 OF 2
FIELD BOOK PAGE: Mar 30, 1999 -- 13:42:12	SHEET NUMBER: A-0253-144

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JAN 12 2001

DESCRIPTION OF A 43 ACRE PARCEL BEING A PORTION OF
Sections 23 & 24, Township 46 South, Range 25 East, PERMIT COUNTER
Lee County, Florida

A portion of Sections 23 and 24, Township 46 South, Range 25 East, Lee County, Florida being more particularly described as follows:

COMMENCING at the Northwest corner of said Section 11;
thence along the north line of said Section and the centerline of Alico Road, S.89°42'24"E. 1919.62 feet;
thence along the centerline of Tree Line Avenue S.01°01'21"W. 1018.81 feet to a point of curvature;
thence continue along said centerline of Treeline Avenue, southwesterly 3349.48 feet along said centerline and the arc of a circular curve concave to the northwest, having a radius of 10000.00 feet, through a central angle of 19°11'28" and being subtended by a chord which bears S.10°37'05"W. 3333.84 feet to the point of tangency;
thence S.20°12'49"W. 473.55 feet to a point of curvature;
thence southwesterly 1242.87 feet along said center line and the arc of a circular curve concave to the southeast, having a radius of 3000.00 feet, through a central angle of 23°44'13" and being subtended by a chord which bears S.08°20'42"W. 1234.00 feet to a point of tangency;
thence along said center line, S.03°31'24"E. 3887.79 feet to a point of curvature;
thence southeasterly 690.46 feet along said center line and the arc of a circular curve concave to the northeast, having a radius of 1925.00 feet, through a central angle of 20°33'03" and being subtended by a chord which bears S.13°47'56"E. 686.76 feet to a point of tangency;
thence S.24°04'07"E. 1593.09 feet to a point of curvature;
thence southerly and southeasterly, 1141.84 feet along said center line and the arc of a circular curve concave to the northeast, having a radius of 2800.00 feet, through a central angle of 23°21'55" and being subtended by a chord which bears S.35°45'25"E. 1133.95 feet to a point on said curve;
thence leaving said center line, N.42°33'38"E. 105.59 feet
thence S.59°16'15"E. 92.63 feet;
thence N.38°37'17"E. 462.00 feet to the POINT OF BEGINNING of the herein described parcel.
thence N.20°50'23"W. 170.61 feet;
thence N.3°26'59"W. 196.02 feet;
thence N.49°19'44"E. 344.71 feet;
thence S.54°09'13"E. 1057.59 feet;
thence S.05°08'14"W. 497.67 feet;
thence S.87°48'55"E. 1464.61 feet;
thence S.27°22'23"W. 649.51 feet;
thence S.83°15'50"W. 340.40 feet
thence S.48°52'47"W. 591.95 feet to the northeasterly right of way line of Tree Line Avenue and a point on a curve;
thence northwesterly 114.20 feet along the arc of a curve and said northeasterly right of way line having a radius of 1475.00 feet, through a central angle of 04°26'09", and being subtended by a chord which bears N.53°08'11"W. 114.17 feet to the point of tangency;

WILSON, MILLER, BARTON & PEEK, INC.

4571 Colonial Boulevard, Suite 200, Fort Myers, Florida 33912-1062 • Ph 941-939-1020 Fx 941-939-7479

Web Site: www.wilsonmiller.com

FL Lic # LC-C000170

E-mail: fortmyers@wilsonmiller.com

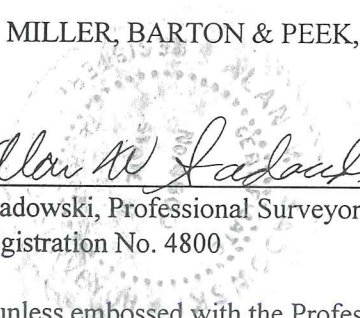
thence along said northeasterly right of way line N.55°21'16"W. 423.96 feet;
 thence leaving said line N.38°37'17"E. 180.43 feet;
 thence N.40°45'20"W. 1287.06 feet;
 thence N.51°22'43"W. 275.00 feet to the Point of Beginning for the herein described parcel.

Parcel contains 43 acres, more or less.

Bearings are based on the north line of Section 11, Township 46 South, Range 25 East, Lee County, Florida and also being the centerline of Alico Road being S.89°42'24"E.

Prepare by:

WILSON, MILLER, BARTON & PEEK, INC.


Alan W. Sadowski
 Alan W. Sadowski, Professional Surveyor & Mapper
 Florida Registration No. 4800

4-22-99
 Date

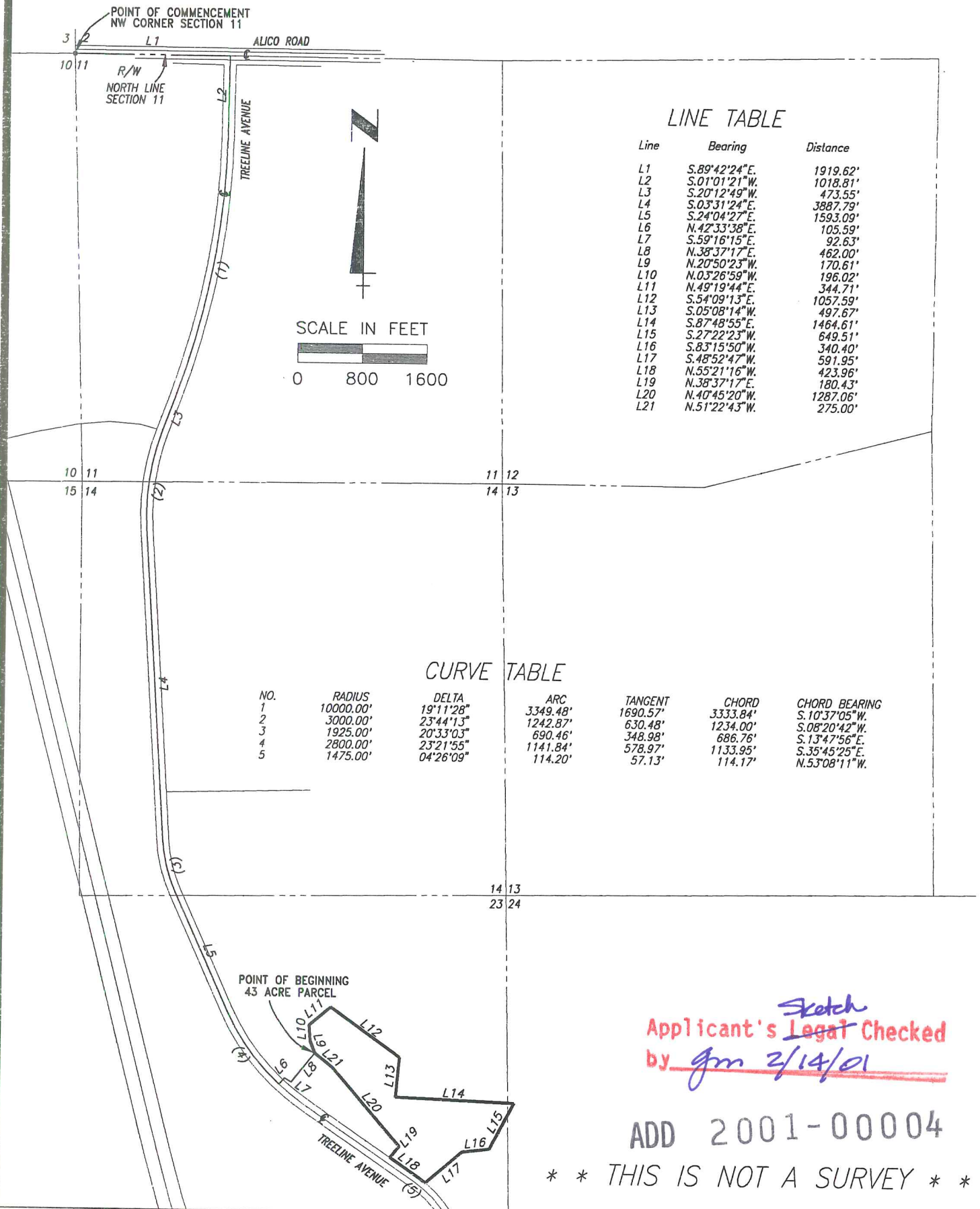
Not valid unless embossed with the Professional's seal.

W.O.: F0253-009-005 LSSLD
 REF.: A-0253-145
 DATE: April 1, 1999
 REVISED: April 22, 1999

Applicant's Legal Checked
 by gm 2/14/01

WILSON, MILLER, BARTON & PEEK, INC.

ENGINEERS • SURVEYORS • PLANNERS • ENVIRONMENTAL CONSULTANTS • LANDSCAPE ARCHITECTS • CONSTRUCTION MANAGERS
4571 Colonial Boulevard Fort Myers, Florida 33912 (941) 939-1020 Fax (941) 939-7479



△ REV NO.	REVISION	DATE	DRAWN BY	EMP. NO.	CHECKED BY	EMP. NO.
DATE: 3-30-99	CLIENT: ALICO INC. 4380 GULF SHORE BLVD. N., SUITE 808, NAPLES, FLORIDA					
HORIZONTAL SCALE: 1" = 1600'	TITLE: SKETCH OF DESCRIPTION 43 ACRE PARCEL PART OF SECTIONS 23 & 24, TOWNSHIP 46 S., RANGE 25 E., LEE COUNTY, FLORIDA					
VERTICAL SCALE: N/A						
SEC: TWP: RGE: 23,24 46 25						
FIELD BOOK:						
FIELD BOOK PAGE: Apr 01, 1999 - 08:24:43	CROSS REFERENCE FILE NO.: DGUAGLIARDO\X:\SUR\F0253\0253e501.dwg 7495.v1	WORK ORDER NO.:	PROJECT NO.:	SHEET NUMBER:	FILE NO.:	
			F0253	1 OF 1	A-0253-145	

Banks Engineering, Inc.

Professional Engineers, Planners & Land Surveyors

DESCRIPTION OF A PARCEL OF LAND
LYING IN
SECTION 13, TOWNSHIP 46 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA
(AREA "E")

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTION 13, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, BEING FURTHER BOUND AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SECTION 11, TOWNSHIP 46 SOUTH, RANGE 25 EAST; THENCE S.89°42'24"E. ALONG THE NORTH LINE OF SAID SECTION FOR 1994.63 FEET; THENCE S.01°01'21"W. FOR 110.01 FEET TO THE INTERSECTION OF THE EASTERLY RIGHT-OF-WAY OF BEN HILL GRIFFIN PARKWAY (150' WIDE) AND THE SOUTH RIGHT-OF-WAY OF ALICO ROAD; THENCE S.89°42'24"E. ALONG SAID SOUTH RIGHT-OF-WAY OF ALICO ROAD FOR 1049.81 FEET; THENCE THE FOLLOWING TWENTY ONE (21) COURSES:

1)	S.01°00'21"E.	847.76'
2)	S.04°19'45"W.	1091.78'
3)	S.00°39'26"E.	1432.24'
4)	S.00°16'17"E.	606.52'
5)	N.88°47'46"E.	376.79'
6)	S.40°48'12"E.	322.81'
7)	S.19°01'17"E.	249.77'
8)	S.88°53'28"E.	216.94'
9)	S.24°26'51"E.	150.17'
10)	S.77°09'26"E.	573.01'
11)	S.88°10'13"E.	1363.08'
12)	S.19°42'28"E.	157.73'
13)	S.87°09'14"E.	469.81'
14)	N.88°02'24"E.	612.22'
15)	S.21°30'12"E.	81.17'
16)	N.88°10'32"E.	846.89'
17)	S.01°46'59"W.	282.53'
18)	S.89°48'06"E.	1264.46'
19)	S.20°09'57"E.	832.50'
20)	S.15°43'44"E.	1222.03'
21)	S.25°52'55"E.	187.61'

RECEIVED
JAN 12 2001

PERMIT COUNTER

TO THE **POINT OF BEGINNING**; THENCE CONTINUE S.25°52'55"E. FOR 175.30 FEET;
THENCE THE FOLLOWING FOUR (4) COURSES;

- 1) S.00°07'13"E. 16.50'
- 2) N.89°46'48"W. 357.96'
- 3) N.00°43'41"W. 176.03'
- 4) S.89°21'30"E. 283.67' TO THE **POINT OF BEGINNING**.

BEARINGS ARE BASED ON THE SAID NORTH LINE OF SECTION 11, TOWNSHIP 46
SOUTH, RANGE 25 EAST, AS BEARING S.89°42'24"E.

SAID PARCEL SUBJECT TO EASEMENTS, RIGHTS-OF-WAY, RESTRICTIONS AND
RESERVATIONS OF RECORD.

PARCELS CONTAINS 1.30 ACRES, MORE OR LESS.

DESCRIPTION PREPARED APRIL 16th, 1999.

S:\JOBS\11xx\1155\1155-087-DESC-AREA-E.wpd

FILE: ACAD\1155\SURVEY\DESC-5.DWG
FILE: WPD\1155\1155-087-DESC-AREA-E.WPD

Applicant's Legal Checked
by gm 2/15/01



NOT TO SCALE

SKETCH OF DESCRIPTION

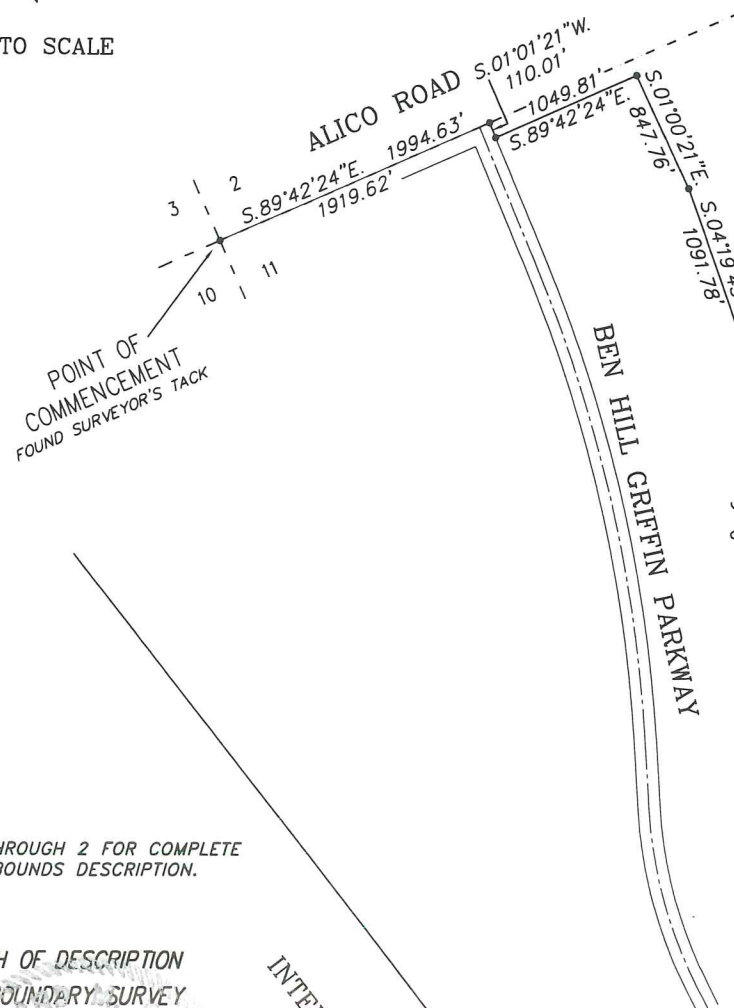
OF
A PARCEL OF LAND LYING IN
SECTION 13, TOWNSHIP 46 SOUTH, RANGE 25 EAST,
LEE COUNTY, FLORIDA

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ADD 2001-00004

PAGE 24 OF 24



SEE SHEETS 1 THROUGH 2 FOR COMPLETE
METES AND BOUNDS DESCRIPTION.

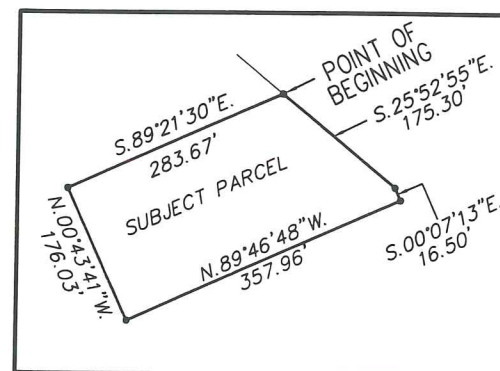
THIS SKETCH OF DESCRIPTION
IS NOT A BOUNDARY SURVEY

Richard M. Ritz
RICHARD M. RITZ, P.L.S.
FLORIDA CERTIFICATION NO. 4089

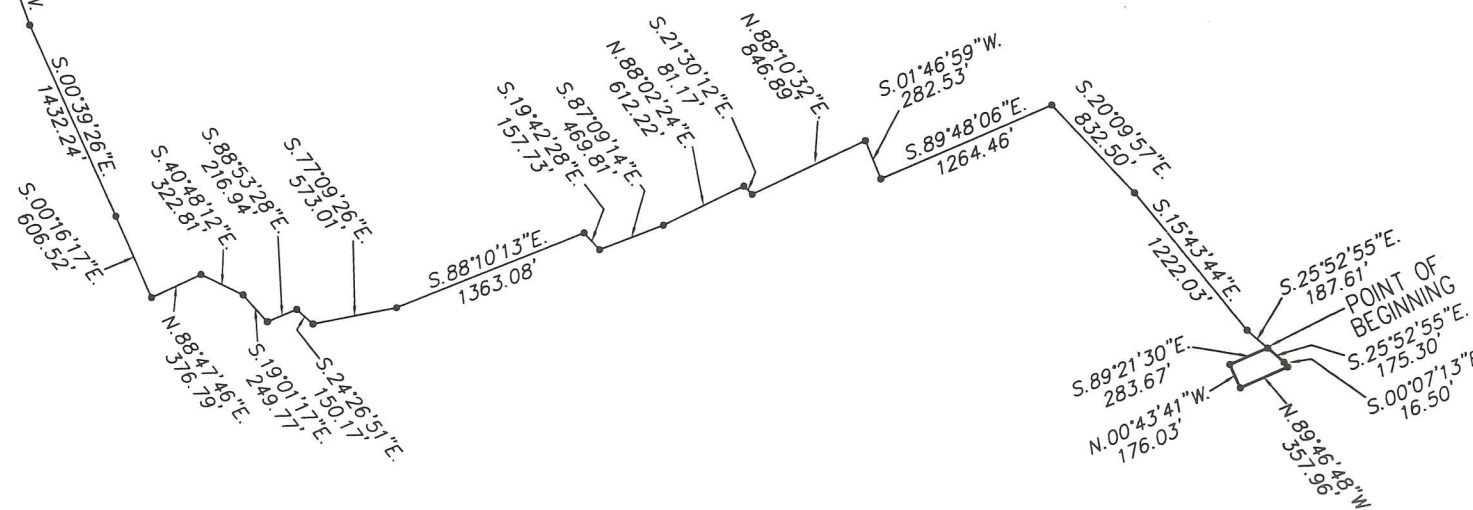
- THIS SKETCH OF DESCRIPTION IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

WPD\1155\1155-087-AREA-E.WPD
ACAD\1155\SURVEY\1155_DESC-5.DWG

INTERSTATE 75



DETAIL NOT TO SCALE



SEE DETAIL

Applicant's ^{sketch} Legal Checked
by Jm 2/15/01

SHEET 3 OF 3

Banks Engineering, Inc.

ENGINEERING, SURVEYING & LAND PLANNING
FLORIDA BUSINESS CERTIFICATION NUMBER LB 6690
10501 SIX MILE CYPRESS PARKWAY - SUITE 104
FORT MYERS, FLORIDA 33912
(941) 939-5490

MIROMAR SUBDIVISION — AREA "E"
LEE COUNTY, FLORIDA

DATE	PROJECT NO.	DRAWING	DRAWN	CHECKED	SCALE	FILE NO. (S-T-1)
4-16-99	1155	DESC-5	RR	RR	NTS	SHT. 3 OF 3 46-25

NO.	DATE	REVISION	DESCRIPTION	BY



LEE COUNTY

APPLICATION FOR ADMINISTRATIVE ACTION

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APPLICATION FOR:

☐ Administrative Variance (Sup A)	☐ Commercial Lot Split (Sup B)
☐ Consumption On Premises Per. (Sup C)	☐ Mini. Use Determination (Sup D)
☐ Ordinance Interpretation (Sup E)	☐ Relief for Desig. Hist. Res. (Sup F)
☐ Relief for Easement Encroachment (Sup G)	☒ Adm. Amend. PUD or PD (Sup H)
☐ Admin. Deviation from Chapter 10 (Sup I)	☐ Placement of Model Home/Unit or Model Display Center (Sup. J)
☐ Dock & Shoreline structures (Sup. K)	☐ Redevelopment District (Sup L)
☐ Final Plan Approval per Resolution: # _____	

Applicant's Name: MIROMAR DEVELOPMENT CORP., A FLORIDA CORPORATION;
MANAGING MEMBER; MIROMAR LAKES LLC Phone #:941-948-3666

Project Name: MIROMAR LAKES MPD
STRAP Number(s): 10-46-25-00-00001.0020, 11-46-25-00-00001.0040, 12-46-25-00-00001.0010,
13-46-25-00-00001.0020, 13-46-25-00-00001.0030, 13-46-25-00-00001.0040,
13-46-25-00-00001.0050, 14-46-25-00-00001.0000, 14-46-25-00-00001.0020,
15-46-25-00-00005.0000, 23-46-25-00-00001.0050 & 23-46-25-00-00001.0060

Application Form: ☒ Computer Generated* ☐ County Printed

* By signing this application, the applicant affirms that the form has not been altered.

Commission District: <u>05</u>	STAFF USE ONLY
Current Zoning: <u>MPD</u>	Land Use Classification: <u>Univ. Common</u>
Case Number: <u>ADD2001-00004</u>	Fee: <u>700.00</u>
Date of Application: <u>1/9/01</u>	Date Fee Paid: <u>700.00</u>
Intake by: <u>GMD</u>	Receipt Number: _____
Tracking System: ☒ Zone* _____ DSO**	

* Supplements "A" through "H" & "J through L" & Final Plan Approval only ** Supplement "I" only

LEE COUNTY
COMMUNITY DEVELOPMENT
P.O. BOX 398 (1500 MONROE STREET)
FORT MYERS, FLORIDA 33902
PHONE (941) 479-8585

PART I - GENERAL INFORMATION

1. APPLICANT'S NAME: **MIROMAR DEVELOPMENT CORP.; MANAGING MEMBER; MIROMAR LAKES LLC**
Please forward any correspondence for this application to Florida Land Planning, Inc. See Part I #3.
E-mail address: FLP1@Earthlink.net

2. Relationship of applicant to property:

☒ Owner ☐ Trustee
☐ Option holder ☐ Contract Purchaser
☐ Lessee ☐ Other (indicate): _____

If applicant is NOT the owner, submit a **Notarized Authorization Form** from the owner to the applicant.

3. AGENT'S NAME(S): (Use additional sheets if necessary):

This form was completed by: FLORIDA LAND PLANNING, INC. 1560 MATTHEW DRIVE, SUITE E FORT MYERS, FLORIDA 33907-1702 PH: 941-278-5222 FX: 941-278-4466 E-MAIL: FLP1@Earthlink.net	Client Attorney: NEALE MONTGOMERY, ESQUIRE PAVESE, HAVERFIELD, DALTON, HARRISON & 1833 HENDRY STREET (P.O. DRAWER 1507) FORT MYERS, FLORIDA 33902 PH: 941-336-6235 FX: 941-332-2243 E-MAIL: NealeMontgomery@PaveseLaw.com
--	---

4. TYPE OF REQUEST (please check one)

☐ Administrative Variance (requires supplement A)
☐ Commercial Lot Split (requires supplement B)
☐ Consumption On Premises (requires supplement C)
☐ Minimum Use Determination (requires supplement D)
☐ Ordinance Interpretation (requires supplement E)
☐ Relief for Designated Historic Resources (requires supplement F)
☐ Easement Encroachment (requires supplement G)
☒ Administrative Amendment to a PUD or Planned Development (requires supplement H)
☐ Administrative Deviation from Chapter 10 of the LDC (requires supplement I)
☐ Placement of Model Home/Unit or Model Display Center (requires supplement J)
☐ Dock & Shoreline Structure (requires supplement K)
☐ Redevelopment District (requires supplement L)
☐ Final Plan Approval (no supplement)

5. NATURE OF REQUEST (please print): To request the relocation of a full access median break point currently shown approximately 5,650 feet south of Alico Road on the approved MCP in Resolution Z-99-029 to allow for a right in/right out access point along Ben Hill Griffin Parkway at the entrance to the Golf Course Maintenance Facility located approximately 4,950 feet south of Alico Road. The applicant further request that this amendment provide an option to allow this access point to become a full access median break in the future should the applicant file a formal request to do so.

PART II - PROPERTY INFORMATION

Is this request specific to a particular tract of land? _____ NO X YES. If the answer is yes, please complete the following:

1. Is this action being requested as a result of a violation notice? X NO _____ YES.
 - a. If yes, date of notice: _____
 - b. Specific nature of violation: _____
2. Relationship of applicant to property: X Owner _____ Other (please Indicate): _____
3. Name of owner of property: **MIROMAR LAKES LLC**
Please forward any correspondence for this application to Florida Land Planning, Inc. See Part I #3.
4. Legal Description: Is property description clearly shown within a platted subdivision recorded in the official Plat Books of Lee County?
X NO. Attach a legible copy of the legal description and certified sketch of description as set out in chapter 61G 17-6.006, Florida Administrative Code.
____ YES. Property is identified as:
Subdivision Name: _____
Plat Book _____ Page _____ Unit _____ Block _____ Lot _____
5. STRAP NUMBER: **10-46-25-00-00001.0020, 11-46-25-00-00001.0040, 12-46-25-00-00001.0010, 13-46-25-00-00001.0020, 13-46-25-00-00001.0030, 13-46-25-00-00001.0040, 13-46-25-00-00001.0050, 14-46-25-00-00001.0000, 14-46-25-00-00001.0020, 15-46-25-00-00005.0000, 23-46-25-00-00001.0050 & 23-46-25-00-00001.0060**
6. Property Dimensions:
Area: _____ square feet or 1,271.12+/- acres.
Width along roadway: 17,384 feet. **ALONG BEN HILL GRIFFIN PARKWAY**
1,050 feet. **ALONG ALICO ROAD**
Depth: 17,384 feet.
7. Property Street Address: **BEN HILL GRIFFIN BLVD., ESTERO, FLORIDA 33913**
8. General Location Of Property: **EAST OF 1-75, SOUTH OF ALICO ROAD, ADJACENT TO ALICO ROAD AND BEN HILL GRIFFIN PARKWAY**

PART III

AFFIDAVIT

I, Jerry Schmoyer, certify that I am the owner or authorized representative of the property described herein, and that all answers to the questions in this application and any sketches, data or other supplementary matter attached to and made a part of this application, are honest and true to the best of my knowledge and belief. I also authorize the staff of Lee County Community Development to enter upon the property during normal working hours for the purpose of investigating and evaluating the request made thru this application.

[Signature]
Signature of owner or owner-authorized agent

12/5/00
Date

Jerry Schmoyer
Typed or printed name

STATE OF FLORIDA)
COUNTY OF LEE)

The foregoing instrument was certified and subscribed before me this 5th day of January, 2001, by Jerry Schmoyer x, who is personally known to me or who has produced _____ as identification.

(SEAL)

Judith M Seale
Signature of notary public

Judith M Seale
Printed name of notary public

 Judith M Seale
★ My Commission CC970854
Expires September 27 2004

ADD 2001-00004

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ADMINISTRATIVE ACTION REQUEST SUPPLEMENT H

ADMINISTRATIVE AMENDMENT TO A PUD OR PLANNED DEVELOPMENT

If the request is for an administrative amendment to a PUD or to a Planned Development please submit the "Application for Administrative Action" form and the following:

1. Original Project Name: **MIROMAR LAKES MPD**
2. Current Project Name: **MIROMAR LAKES MPD**
3. Original Rezoning Case Number: **95-01-028.03Z 01.01 & 95-01-028.04Z 02.01**
4. Subsequent Zoning Action Case Numbers (if any):

5. Development Order Project Numbers (if any):

Golf Course and Water Management only:

DOS 2000-00026

6. Date property was acquired by present owner(s):

September 7, 1999

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ADD 2001-00004

EXHIBIT I-B
COVENANT OF UNIFIED CONTROL
(for Miromar Lakes MPD Administrative Action to amend the MCP)

The undersigned do hereby swear or affirm that they are the fee simple title holders and owners of record of property commonly known by the following STRAP numbers:

14-46-25-00-00001.0000, 15-46-25-00-00005.0000, 11-46-25-00-00001.0040, 12-46-25-00-00001.0010, 13-46-25-00-00001.0020, 23-46-25-00-00001.0050, 14-46-25-00-00001.0020, 10-46-25-00-00001.0020, 13-46-25-00-00001.0030, 13-46-25-00-00001.0040, 13-46-25-00-00001.0050, 23-46-25-00-00001.0060.

The property described herein is the subject of an application for planned development zoning. We hereby designate **Neale Montgomery, Esquire & Florida Land Planning, Inc.** as the legal representatives of the property and as such, these individuals are authorized to legally bind all owners of the property in the course of seeking the necessary approvals to develop. This authority includes but is not limited to the hiring and authorization of agents to assist in the preparation of applications, plans, surveys, and studies necessary to obtain zoning and development approval on the site. This representative will remain the only entity to authorize development activity on the property until such time as a new or amended covenant of unified control is delivered to Lee County.

The undersigned recognize the following and will be guided accordingly in the pursuit of development of the project:

1. The property will be developed and used in conformity with the approved master concept plan including all conditions placed on the development and all commitments agreed to by the applicant in connection with the planned development rezoning.
2. The legal representative identified herein is responsible for compliance with all terms, conditions, safeguards, and stipulations made at the time of approval of the master concept plan, even if the property is subsequently sold in whole or in part, unless and until a new or amended covenant of unified control is delivered to and recorded by Lee County.
3. A departure from the provisions of the approved plans or a failure to comply with any requirements, conditions, or safeguards provided for in the planned development process will constitute a violation of the Land Development Code.
4. All terms and conditions of the planned development approval will be incorporated into covenants and restrictions which run with the land so as to provide notice to subsequent owners that all development activity within the planned development must be consistent with those terms and conditions.
5. So long as this covenant is in force, Lee County can, upon the discovery of noncompliance with the terms, safeguards, and conditions of the planned development, seek equitable relief as necessary to compel compliance. The County will not issue permits, certificates, or licenses to occupy or use any part of the planned development and the County may stop ongoing construction activity until the project is brought into compliance with all terms, conditions and safeguards of the planned development.


Jerry Schroyer, Vice President;
Miromar Development Corporation, a Florida Corporation
Managing Member, Miromar Lakes L.L.C.

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STATE OF FLORIDA)
COUNTY OF LEE)

Sworn to (or affirmed) and subscribed before me this 5th day of January 2001 by Jerry Schroyer
who is personally known to me or has produced _____ as identification.

(SEAL)



Judith M Seale

My Commission CC970854

Expires September 27 2004

Judith M Seale
Notary Public

Judith M Seale
(Name typed, printed or stamped)

FLORIDA LAND PLANNING, INC.

MEMORANDUM of TRANSMITTAL

ADD 2001-00004

9 January 2001

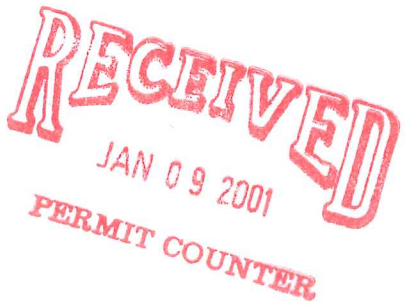
To: Walter McCarthy, P.E.; Director &
Jeff Jenkins, AICP; Senior Planner
Lee County Community Development
Development Services Division

From: A. Brian Bigelow, Senior Planner

Subject: Miromar Lakes Golf Maintenance Facility access;
Administrative Action Application to amend MCP.

via: Hand delivered on this date.

cc: Tim Byal, Vice President of Operations; Miromar Lakes
Neale Montgomery, Esquire; Pavese Law Firm (faxed with attachments)
Sam Marshall, P.E.; Banks Engineering Inc.
Carron Day, President



Please find attached an Application for Administrative Action to amend the Master Concept Plan for Miromar Lakes MPD. This application seeks to provide for a right-in/right-out access for the Golf Course Maintenance facility which is now being shown while eliminating a full median break access just south of this facility. Furthermore, this application requests that an option be granted that would allow Miromar a full median break access at this new right-in/right-out access location should they wish to make a formal request to do so.

Because Mr. Jenkins has expressed some concern over differences between the county's master copy of the currently approved MCP for this project and the MCP most recently submitted by Banks Engineering in their application for Final Plan Approval we are disclosing the differences below so these are understood to be the only changes we have intended. We have found agreement with Mr. Jenkins that these differences are acceptable.

1. Title block authors and wording differences.
2. North arrow above the scale on county's master MCP copy but included in the title block of the enclosed MCP.
3. Revision notes with numbers in triangles in lower left hand corner of the county's master MCP copy but not on the enclosed MCP.

4. Revision note numbers (in triangles) marking Wilson Miller's revisions through out the county's master MCP copy but not on the enclosed MCP.
5. FGCU internal roads and the connection to BHG Pkwy. for their north entrance through Miromar Lakes on the county's master MCP copy but not on the enclosed MCP.

If you have questions, please call.

From: "Florida Land Planning, Inc." <FLP1@earthlink.net>
To: Jeff Jenkins AICP <jjenkins@leegov.com>
Date: 1/16/01 10:51AM
Subject: Miromar Lakes

WELCOME BACK TO THE GRIND !!!

As for bizz-ness.....I wanted to point out the request Miromar is making to allow for the future option to make a full median break at the same place the Maint. Facility right-in/right-out is being proposed currently should they wish to do so in the future. Sam Marshall tells me that he attended a mtg. with Miromar reps. at Lee DOT offices where they discussed various transportation issues relative to the DO and this matter was discussed. Sam tells me there was agreement at that mtg. by those in attendance that the future option was viable. Sam told me Pete Eckenrode was at the mtg. and I think he mentioned Andy Getch. I'm letting you know this in advance of your review so you can approach Pete if necessary to confirm this previous approval for this portion of the request. This way, hopefully this app. can be expedited!!!

BOARD OF COUNTY COMMISSIONERS
LEE COUNTY, FLORIDA

No. 3066

DEVELOPMENT REVIEW RECEIPT

D.O.# _____ Date: _____

Received From: _____

for: ☐ PDO _____
☐ FDO _____
☐ Minor Change _____ ☐ Amendment _____
☐ Exemption _____
☐ Other _____

Paid by Cash: ☐ Check: ☐ Amount: 4,500.00

By: _____

DEVIATIONS

- 1 Deviation from LDC Section 34-1954(d)(1) which restricts model homes to a time limitation of three years; to allow model homes within the Miromar Lakes development to be permitted until the buildout of the project in 2009.
- 2 Deviation from LDC Section 34-1954(d)(2) which restricts model units within a townhouse or multiple-family building not to extend beyond the initial sale period for that phase; to allow for model homes until project buildout in 2009.
- 3 Deviation from LDC Section 34-1283 (e), Section 34-1284(b) (1) a. 1. and Section 34-1284(b) (1) a. 2. which prohibits a package store or other establishment primarily engaged in the sale of alcoholic beverages for consumption on or off the premises from being located within 500 feet of any school (noncommercial), or dwelling unit or any other use primarily engaged in the sale of alcoholic beverages to allow a bar or cocktail lounge, package store and dwelling units in the Tract C-1 on the west side of Ben Hill Griffin Parkway. Any establishment primarily engaged in the sale of alcoholic beverages will be located a minimum of 500 feet from any residential unit located outside of this Tract C-1.
- 4 Withdrawn
- 5 Deviation from LDC Section 10-291(3)(b) (Access to Street) which requires, where practical, any residential development of at least 5± acres to provide two (2) or more means of ingress and egress, to allow only one means of ingress and egress for those development parcels which are surrounded by golf course, water body or conservation area or any combination of these. A full size cul-de-sac will be provided in any parcels subject to this deviation. Prior to each local Development Order, the local Fire and Emergency Service will provide a letter of no objection to the single ingress and egress of these parcels.
- 6 Deviation from LDC Section 10-298(b), Table 3 which requires a right-of-way width of 35 feet for two-way closed drainage, rear lot drainage, or inverted crown, to allow a right-of-way width to coincide with the back of curb for local private roads. Where this deviation applies required drainage and utility easements will be located outside of the right-of-way and adequate provisions will be made for road drainage and utilities.
- 7 Deviation from LDC Section 10-298(d), Table 4(7)(c) which requires that wearing surfaces of local and access road for Class A development must be 1 1/2 inch asphaltic concrete to allow for cement concrete and/or decorative pavers within private local roadways within Miromar Lakes which equal or exceed the structural number of a standard Class A local road flexible pavement cross-section.
- 8 Withdrawn
- 9 Deviation from LDC Section 10-298(m)(4)(a) which allows privately maintained accessways which meet certain criteria as outlined in Item 4(a) to be exempt from minimum right-of-way widths as specified in 10-298(b), to permit access ways providing access up to 100 multi-family residential units to be exempt from the minimum roadway widths as specified in 10-298(b). The design and posted speed in these tracts will be 20 mph or less. This deviation applies to private access ways only. Where determined to be practical by the design engineer, traffic-calming devices as identified in the ITE Residential Street Design and Traffic Control book will be provided.
- 10 Deviation from LDC Section 10-329(e)(1)(a)(3) which requires a minimum 50' setback from water retention or detention excavation to any private property line under separate ownership, to permit a 0' setback along the property line between Miromar Lakes and Allico, Inc. in the north mining lake.
- 11 Deviation from LDC Section 10-329(e)(1)(a)(2) which requires a minimum 50 foot setback from water retention or detention excavation to any existing or property owner proposed right-of-way or easement for an arterial or collector street, to permit a 25 foot setback. The developer agrees to provide elements for the protection of wayward vehicles in accordance with this section and to provide a Type F curb in these locations.
- 12 Withdrawn
- 13 Deviation from LDC Section 10-355 which requires a 10 foot public utility easement on both sides of a roadway to require a public utility easement only on one side, provided that the utility companies state, in writing that the easement may be eliminated.
- 14 Deviation from LDC Section 10-413(b) which requires that open space be calculated as a percentage of development area to require open space based on the area of development excluding that portion of the development consisting of the existing mining lakes. The entire acreage of the existing mining lakes located on the east side of Ben Hill Griffin Parkway are exempt from open space requirements. These lakes will not be used to satisfy open space requirements on the site.
- 15 Deviation from LDC Sections 10-414 and 10-417(b)(2) f which requires that no portion of a buffer area that consists of trees and shrubs be located in any easement, to allow planting trees and shrubs in easements. If any required buffer or landscape strip plantings installed within easements must be removed, then the developer or property owners association will replace these plantings with like size and species at no expense to Lee County.
- 16 Deviation from LDC Section 10-413(c)(1) which requires 50% of the required open space to incorporate existing, indigenous vegetation, to allow all of the required indigenous vegetation to be provided in the Conservation Area shown on the Master Concept Plan and to allow all of the restored vegetation within the wetland slough to count toward the required indigenous vegetation requirement. A minimum of 186 acres of existing indigenous and restored/enhanced plant communities will be provided and preserved.
- 17 Deviation from LDC Sections 10-415(b)(1), 10-415(b)(2), and 10-415(c)(1), which prohibits the planting of trees and shrubs within any right-of-way to allow these plantings within right-of-ways of Miromar Lakes local private roads provided that the plantings are in compliance with LDC Section 34-3131(visibility) and the plantings are maintained by the developer or property owners association.
- 18 Deviation from LDC Section 10-418 (a)(2)(b) which requires a minimum number of native wetland herbaceous plants of one plant per linear foot of lake shoreline, to allow required plants in compliance with the Lake Shoreline Planting Plan that was submitted as a part of this zoning request. The herbaceous plant requirements per LDC Section 10-418 will be calculated on the entire length of the lake shoreline, including any bulkhead portions. Wetland trees and shrubs may be substituted for up to 50% of the total number of herbaceous plants required. One tree or two shrubs may be substituted for two herbaceous plants.
- 19 Withdrawn
- 20 Deviation from LDC Section 34-2194(c)(1)(a) which provides that the Board of County Commissioners may grant less stringent setbacks from bodies of water when the development surrounding the body of water is under unified control to allow the development of buildings and accessory structures within 0 feet of the mining lake adjacent to Tract C-2 while the development surrounding the entire body of water will not be under unified control of Miromar. The request is limited to a maximum of 1500 linear feet of lake frontage adjacent to this tract.
- 21 Withdrawn

22 Deviation from the LDC Section 10-285 which requires a minimum of 125 foot spacing between driveway access points to a local road, to allow two connections for each short cul-de-sac (eyebrows) at spacing less than 125 feet, provided that each eyebrow must be provided with signage indicating one-way traffic in a counter-clockwise direction, the minimum separation will be 80 feet and the deviation applies only to private local roads.

23 Withdrawn

24 Deviation from LDC Section 10 -414(a) which requires commercial developments which adjoin existing residential development to provide a buffer including a fence or wall between the uses to allow the mixed use development within the University Village parcel to provide alternative means of separating uses including no buffers, fencing or walls.

25 Withdrawn

26 Withdrawn

27 Withdrawn

28 Deviation from LDC Sec.34-935 (f)(3) which provides for building height limitations according to the classification of property under the Lee Plan land use map to allow a maximum height exceeding 45 feet for three parcels within Miromar Lakes. The request allows the hotel and office use within the Town Center to have a maximum height of five stories or 75 feet and two multiple family parcels to exceed 45 feet. In the northerly most parcel west of Ben Hill Griffin Parkway, the request is for a limit of four stories over parking and 80 feet. The multiple family parcel associated with the Beach Club is proposed for 5 stories with a maximum height of 65 feet.

RESIDENTIAL PROPERTY DEVELOPMENT REGULATIONS														
These regulations apply to all of the areas labeled "R" on the Master Concept Plan														
LAND USES	Minimum Tract or Lot			Minimum Building Setback (ft)						Max # of Habitable Floors	Max Bldg Height (ft)	Min Bldg Separation (ft)	Max. Lot Cover	
	Area (sq ft)	(ft)		Side Incl. Corner Lots (ft)	Rear (ft)	Side and Rear (ft)		Front ² (ft)	Water Body ³ (ft)					
		Depth (ft)	Width ¹ (ft)			Lots	C.O.							Golf Course
SINGLE FAMILY RESIDENTIAL USES														
Single Family Detached	5,500	70	50	5	20	10	10	12 ² or 20	0 or 20	2	35	10	55%	
Patio/Cluster Homes	3,500	70	35	5	10	10	10	12 ² or 20	0 or 20	2	35	10	55%	
Zero Lot Line, Single Family Attached or Townhouse	2,800	70	25	0 or 5	10	10	10	12 ² or 20	0 or 20	2	35	0 or 10	55%	
MULTI-FAMILY RESIDENTIAL USES														
Duplex	4,000	70	40	5	10	10	10	12	0 or 20	3	45	10	55%	
Multi-Family - Low Rise	6,000	100	80	10	20	10	10	20	0 or 20	3	45	10	55%	
Multi-Family - Mid Rise	10,000	100	100	12½	30	10	10	30	0 or 20	5	65 ⁴	25	55%	
Assisted Living Facility	10,000	100	100	12½	30	10	10	20	20	3	45	25	55%	
CLUBHOUSE USES														
Clubhouse	n/a	n/a	n/a	5	20	10	10	n/a	0	n/a	n/a	10	n/a	
ACCESSORY STRUCTURES														
Accessory Structures	n/a	n/a	n/a	5	10	10	0	n/a	0	n/a	n/a	n/a	n/a	

COMMERCIAL PROPERTY DEVELOPMENT REGULATIONS													
These regulations apply to all permitted uses within the areas labeled "C-1 or C-2" on the Master Concept Plan													
LAND USES	Minimum Tract or Lot			Minimum Building Setback (ft)						Max # of Habitable Floors	Max Bldg Height (ft)	Min Bldg Separation (ft)	Max. Lot Cover
	Area (sq ft)	(ft)		Side incl. Corner Lots	Rear	Side and Rear	Front ²	Water Body ³					
		Depth	Width ¹										
									Lots				
CONVENTIONAL DEVELOPMENT TRACTS:													
Low-Rise	10,000	100	100	0 or 15	20	10	10	15	0 or 20	3	45	30	55%
Hotel and Office Use	10,000	100	100	0 or 15	20	10	10	15	0 or 20	5	75 ⁴	50	55%
LOTS WITHIN DEVELOPMENT TRACTS:													
Low-Rise	1,300	65	20	0 or 5	0 or 20	10	0	15	0	3	45	10	45%
Mid-Rise	1,300	65	20	0 or 5	0 or 20	10	0	15	0	6	70 ⁴	10	45%
ACCESSORY STRUCTURES:													
Accessory Structures	n/a	n/a	n/a	5	10	10	0	n/a	0	n/a	n/a	n/a	n/a

Notes (apply to both Residential and Commercial Tables):

- ¹ Pie-shaped lots and flag lots are not required to meet minimum lot widths.
- ² Measured from back of curb where the back of curb is at the ROW or street easement.
- ³ A maximum of 1,500 linear feet of lake frontage will have a 0' setback for buildings and accessory uses.
- ⁴ See Sheet 1 of 3 for the location of buildings with heights exceeding 45 feet.
- ⁵ The 12' setback applies only to the non-garaged part of a house or for units with a side entry garage.

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MIROMAR LAKES
A Planned Development
Lee County, Florida

LAND USE TABLES
Property Development Regulations
and Deviations

Florida Land Planning
1560 Matthew Drive, Suite E
Fort Myers, Florida 33907
941-278-5222 fax 941-278-4466
e-mail flp@prodigy.net

LIST OF USES

The definitions and list of permitted uses within the Groups refer to Lee County Development Code in effect as of the effective date of the zoning resolution.

RESIDENTIAL

PERMITTED USES AND STRUCTURES

Accessory Uses and Structures

Administrative Offices

Agricultural Uses and Agricultural Accessory Uses (limited to existing only and subject to Condition #33)
Assisted Living Facility - Density in accordance with Section 34-1494

Churches, Synagogues and other Places of Worship

Civic and Cultural Facilities

Club, Beach, private and public. Accessory uses including but not limited to:

Bait shops

Boat docks

Boat ramps

Consumption on premises including outdoor seating(subject to Condition #46)

Day care center

Fishing pier

Locker rooms

Food and beverage service

Specialty retail shops

School, commercial, limited to boating and water skiing,

Rental or leasing establishment, Group I (limited to beach chairs, umbrellas, boats and other beach related items etc., excluding jet skis, wave runners, sea doos and other personal watercraft)

Personal services, limited to ATM, barber shop or beauty shop, photo agent, health club, steam bath and

message establishment.

Club, Country, private and public

Accessory uses including but not limited to:

Consumption on premises including outdoor seating(subject to Condition #46)

Personal services, limited to ATM, barber shop or beauty shop, health club, steam bath and

message establishment.

Pro shop

Tennis Courts

Continuing Care Facility

Cultural Facilities

Customary accessory uses and structures, including but not limited to private garages and swimming

pools.

Dwelling Units

Single Family, detached

Duplex

Multi-family Building

Townhouse

Two family attached

Zero lot line

Dormitory

Day Care Centers child and adult (where compatible with adjacent uses)

Entrance Gates and Gatehouses

Essential Services

Essential Services Facilities, Group I

Excavation - Water Retention

Fraternity House/Sorority House

Golf Courses, Golf Clubhouse, Golf Course Accessory and Associated Uses, including but not limited to:

Consumption on premises in the Clubhouse including outdoor seating on the Golf Course and in the

Snack Bar at the ninth hole or other appropriate location

Cart barns

Food and Beverage Service

Locker rooms

Maintenance facility

Restrooms and other uses which are normal and accessory to the golf course

Snack Bar at the ninth hole or other appropriate location

Pro Shop

Specialty retail shops, accessory to clubhouse only

Restaurant(s) including outdoor seating

Personal service, limited to ATM, barbershops or beauty shops, photo agents, health clubs, steam

baths, massage and the like.

Helistop (subject to Condition #38)

Home Occupations(subject to standards in LDC Section 34-1772)

Model Homes, Model Units and Model Display Center, (limited to residential uses within Miromar Lakes)

Plant Nurseries

Real Estate Sales and Rental Office for Miromar Lakes project only

Recreation facilities, personal and private to include the following or other comparable uses:

Fishing Piers

Boardwalks

Swimming pools

Tennis Courts

Horseshoe pits

Shuffleboard courts

Vita course

Picnic areas

Clubhouse

Consumption on Premises

Food and Beverage Service

Locker Rooms

Pro Shop

Restrooms and other uses which are normal and accessory to Tennis Courts

Snack Bar at an appropriate location

Specialty Retail Shops

Temporary Sales and/or Construction Office

Water Taxi/Stand

Any activity comparable in nature with the forgoing uses and which the Director of Lee County

Department of Community Development determines to be compatible in the Miromar Lakes R District.

Recreational Hall, private

Residential accessory uses, including but not limited to:

Boat Docks, Private garages, carports and parking areas, Private swimming pools and enclosures,

Private tennis courts

Signs in compliance with LDC Chapter 30

COMMERCIAL C-1

PERMITTED USES AND STRUCTURES

Accessory Uses and Structures customarily associated with the uses permitted in this district.

Administrative Offices

Agriculture Uses and Agricultural Accessory Uses (limited to existing only and subject to

Condition #33)

Animals, Clinic

Assisted Living Facility

ATM (Automatic Teller Machine)

Automobile Service Station

Banks and Financial Establishments, Groups I and II

Bar and Cocktail Lounge

Bed and Breakfast

Broadcast Studio, Commercial Radio and Television

Business Services, Group I (excluding: bail bonding and blood donor, stations)and Group II

Car Wash

Caretaker Residence

Civic and Governmental Services

Cleaning and Maintenance Services

Clothing Stores

Clubs, Country, Commercial, Fraternal and Private. Accessory uses include but are not

limited to the following:

Consumption on premises

Day Care Center

Food and beverage service

Restaurant(s) Standard includes outdoor seating (subject to Condition #46)

Locker Rooms

Pro Shops

Personal services, limited to ATM, barbershops or beauty clubs, steam baths, massage

and the like.

Snack Bar at an appropriate location

Specialty Retail Shops

Computer and Data Processing

Consumption on Premises

Continuing Care Facility

Convenience Food and Beverage Stores (limited to a total of three, one on

each commercial tract)

Cultural Facilities

Day Care Center, Adult, Child

Department Store

Dormitories

Drive-Through Facility for any Permitted Use

Drug Store, Pharmacy

Dwelling Units including:

Zero lot line

Duplex

Two family attached

Townhouse

Multi-family

Emergency Medical Service (ambulance station)

Entrance Gates and Gatehouses

Essential Services

Essential Service Facilities, Group I

Excavation: Water Retention

Fences, Walls

Food Stores, Group I and II

Fraternity/Sorority House

Gasoline Dispensing System, Special

Gift and Souvenir Shop

Hardware Store

Health Care Facility, Group I, II, III and IV

Helistop (subject to Condition #38)

Hobby, Toy, Game Shops

Home occupation

Hospice

Hotel, Motel and accessory uses including but are not limited to the following:

Consumption on premises

Food and beverage service

Restaurant(s), Standard Groups I, II, III (includes outdoor seating subject to Condition #46)

Specialty retail shops

Day care center

Personal services, limited to ATM, barbershops or beauty shops, photo agents, health

clubs, steam baths, massage and the like.

Household and Office Furnishings, Groups I and II

Insurance Companies

Laundry or Dry Cleaning, Group I (excluding Plant)

Lawn and Garden Supply Store

Library

Medical Office

Model Homes, Model Units and Model Display Center (limited to residential uses within

Miromar Lakes)

Non-Store Retailers, All Groups

Outdoor Display of Merchandise

Package Store (limited to one, subject to Condition #6)

Paint, Glass and Wallpaper

Parcel and Express Service

Parks, Public or Private, Groups I and II

Parking Lot: Accessory, Commercial, Garage, Public and

Temporary (Subject to LDC Section 34-2022)

Personal Services:

Group I

Group II (Excluding Massage Establishments, Massage Parlors, Steam or Turkish Baths)

Group III, Group IV (Excluding Escort Services, Palm Readers, Fortune Teller or Card

Reader and Tattoo Parlors)

Pet Services

Pet Shop

Pharmacy

Photo Finishing Laboratory

Place of Worship

Plant Nurseries

Post Office

Printing and Publishing

Recreation - Personal

Recreation - Private, On-site, Off-site

Recreation Commercial: Groups I, II, III and IV

Recreation Hall

Religious Facilities

Rental and Leasing Establishments, Group I, II and III

Repair Shops, Groups I and II

Restaurant(s) Fast Food (includes outdoor seating subject to Condition #46)

Restaurant(s), Standard Groups I, II, III and IV (includes outdoor seating subject to

Condition #46)

Schools, Commercial

Schools, Non-Commercial

Self Service Fuel Pumps and Stations

Signs

Social Services: Groups I, II and III

Specialty Retail Shops, Groups I, II, III and IV

Storage, indoor only

Studios

Taxi stand

Temporary Uses (LDC Section 34-3041)

Theater, indoor

Time Share Unit

Towers, communication, only when accessory to a permitted use (100 feet or less in height)

Used Merchandise Store: Groups I and II

Variety Store

Wholesale Establishment, Group III

Any commercial use or professional service which is comparable in nature with the forgoing

uses and which the Director of Lee County Department of Community Development

determines to be compatible in the Miromar Lakes C-1 district.

COMMERCIAL C-2

PERMITTED USES AND STRUCTURES

All of the permitted uses and structures listed for the C-1 Commercial District, excluding the

following uses prohibited by the FAR Part 160 Study*:

Assisted Living Facility

Bed and Breakfast

Caretaker Residence

Continuing Care Facility

Day Care Center

Dormitories

Dwelling Units

Fraternity/Sorority House

Health Care Facility, Group II, III and IV

Home occupation

Hospice

Library

Place of Worship

Religious Facilities

Schools, Commercial

Schools, Non-Commercial

Social Services: Group III

*This exclusion applies where the Southwest International Airport's FAR Part 160 study

prohibits the uses.

The following additional uses are also permitted in the C-2 District:

Accessory Uses and Structures including Boat docking, and fueling facility, Boat rental and

sale of fuel.

Auto Part Store

Boat Ramp

Boat Rental, Sale of Bait, Fuel and Related Supplies

Boating Schools and Clubs

Building Material Sales

Cold Storage, Pre-cooling, Warehouse and Processing Plant

Freight and Cargo Handling Establishments

Hotel, Motel additional accessory uses including but are not limited to the following:

Consumption on premises

Restaurant(s), Standard Groups I, II, III (includes outdoor seating subject to Condition #46)

Specialty retail shops

Fishing piers

Boat docking and Fueling Facility

Boat ramps

Boating clubs/lessons

Water skiing clubs/lessons

Boat and Vehicle Storage

Rentals/leasing of inflatables, boats, cabanas, beach equipment, fishing rods, bicycles and

the like.

Personal services, limited to ATM, barbershops or beauty shops, photo agents, health clubs,

steam baths, massage and the like.

Mini-Warehouse

Motion Picture Production Studio

Research and Development Laboratories, Groups I, II, III and IV

Vehicle and Equipment Dealers, Groups II only

Water Skiing Schools and Clubs

Water Taxi/Stand

Any commercial use or professional service which is comparable in nature with the forgoing

uses and which the Director of Lee County Development determines to be compatible in the

Miromar Lakes C-2 district.

CONSERVATION AREA CO

PERMITTED USES AND STRUCTURES

Interpretive centers, rain shelters, gazebos

Nature and foot trails including boardwalks and jogging paths

Paths, boardwalks and bridges to provide access from the uplands to the wetlands and to

allow fishing piers, observation towers and golf cart crossings.

Recreational shelters, restroom facilities, passive parks, and picnic areas.

Signs

Water Management Facilities

Wildlife Management

Mitigation Activities

Accessory uses and structures customarily associated with the uses permitted in this

district.

Other activities which are comparable in nature with the forgoing uses and which the

Director of the Lee County Department determines to be compatible with the Miromar

Lakes CO district.

OPEN SPACE & INDIGENOUS VEGETATION

Required Open Space

Open space requirements for Miromar Lakes will be met within Miromar Lakes.

Required open space will be calculated excluding the mining lakes from the base figure.

Required Open Space %

Residential Uses Residential uses will provide the open space % required by the LDC.

The following are exempt from open space requirements: Single family residence on a

single lot with a maximum lot size of 6,500 sq ft Duplex on a single lot with a minimum

lot size of 7,500 square feet and two family attached each on an individual lot size of

3,750 square feet per unit.