



APPLICATION TO AMEND A PLANNED DEVELOPMENT OR PUD and/or APPLICATION FOR FINAL PLAN APPROVAL IN UNINCORPORATED AREAS ONLY [LDC Section 34-380 or 34-1037]

Project Name: Positano at Miromar Lakes

Current Zoning: MPD

☐ Amendment to a PD or PUD to allow: _____

☒ Final Plan Approval for: (2)-20 unit mid rise multi-family buildings with parking on first floor.

1. **Name of Applicant:** Positano Investment of SWFL, LLC
Address: 10471 Via Lombardia Court
City, State, Zip: Ft. Myers, FL 33913
Phone Number: 239-209-1082
E-mail Address: onecane2003@yahoo.com

2. **Relationship of Applicant to owner (check one) and provide [Affidavit of Authorization](#) form:**
☐ Applicant is the sole owner of the property. [34-201; 34-204]
☐ Applicant has been authorized by the owner(s) to represent them for this action. [34-202; 34-204]

3. **Authorized Agent: (If different than applicant) Name of the person who is to receive all County-initiated correspondence regarding this application. [34-202; 34-204]**

a. **Company Name:** Hole Montes, Inc.
Contact Person: Charlie Krebs, P.E.
Address: 6200 Whiskey Creek Drive
City, State, Zip: Fort Myers, FL 33919
Phone Number: 239-985-1200 **Email:** charliekrebs@hmeng.com

b. **[Additional Agent\(s\)](#):** Provide the names of other agents that the County may contact concerning this application. [34-202; 34-204]

4. **Property owner(s): If multiple owners (corporation, partnership, trust, association), provide a list with owner interest. [34-201; 34-204]**

Name: Miromar Lakes LLC
Address: 10801 Corkscrew Road
City, State, Zip: Estero, FL 33928
Phone Number: 239-390-5150 **E-mail:** mgeschwendt

5. **Disclosure of Interest [34-201; 34-204]:**
☒ Attach [Disclosure of Interest](#) Form. [34-201; 34-204]

6. **STRAP Number(s) [34-204]:**
12-46-25-00-00001.0010 13-46-25-00-00001.0020

7. **Street Address of Property:** Access Undertermined - Miromar Lakes Parkway

LEE COUNTY COMMUNITY DEVELOPMENT
 PO BOX 398 (1500 MONROE STREET), FORT MYERS, FL 33902
 PHONE (239) 533-8585

8. Legal Description (must submit one):

☒ Legal description (metes and bounds) and sealed sketch of the legal description. **[34-204]**

OR

☐ Legal description (NO metes and bounds) if the property is located within a subdivision platted per F.S. Chapter 177, and is recorded in the Official Records of Lee County under Instruments or Plat Books. ([Click here](#) to see an example of a legal description with no metes and bounds.) **[34-204]**

9. Lee Plan (Future Land Use) Designation [34-204]: University Community

10. Original Project Name: Miromar Lakes

11. Original Rezoning Resolution Number: Z-99-029

12. Subsequent Zoning Action Resolution/Case Numbers (if any): Please list all previous zoning and administrative actions (approvals and denials) on this project subsequent to original rezoning. Include Resolution Numbers and Case Numbers (provide added sheets, if necessary).

Z-06-64
Z-10-019
Z-12-004
Z-02-029

13. Development Order Numbers (if any): List all local development orders approved on this project. Please indicate the status of each development order (provide added sheets, if necessary).

DOS2006-00005

14. Written Narrative: Provide a written narrative statement explaining exactly what is proposed.

15. Deviations: If any relief is requested from the provisions of the Lee County Land Development Code (LDC), provide a **written explanation** of the specific relief requested (a schedule of deviations). Explain what conditions currently exist which warrant this request for relief from the regulations (a written justification for each of the requested deviations). Include specific references to any section (number{s} and name{s}) of the LDC from which relief is sought including why the requested relief is necessary and how it will affect the project. All deviation requests must be specifically keyed to the location on the Master Concept Plan or Final Plan. **[34-373]**

16. Planning Community or Community Plan Area*: _____

*If in Caloosahatchee Shores **[33-1482]**, Captiva **[33-1612]**, Estero **[33-64]**, Lehigh Acres **[33-1401]**, North Fort Myers **[33-1532]**, North (Upper) Captiva **[33-1711]**, or Page Park **[33-1203]**, attach meeting summary from informational meeting.

17. Approved Master Concept Plan (MCP): Provide an APPROVED MCP and DETAILED DRAWINGS of any DEVIATIONS OR CHANGES BEING PROPOSED at a size of 24"x36". **[34-204; 34-373]**

18. Proposed Final Plan (for Final Plan Approval applications only): Provide a copy of the proposed Final Plan consistent with the approved Master Concept Plan and the approved Zoning Resolution at a size of 24"x36". This proposed Final Plan must show any DEVIATION(s) keyed on the plan to identify the location of the specific deviation. **[34-204]**

SUBMITTAL REQUIREMENT CHECKLIST

Clearly label your attachments as noted in bold below.

☒	Completed application [34-204]
☒	Filing Fee [34-204]
☒	Affidavit of Authorization Form [34-204; 34-202]
☐	Additional Agents [34-204; 34-202]
☒	Multiple Owners List (if applicable) [34-201; 34-204]
☒	Disclosure of Interest Form [34-204; 34-201]
☒	Legal description (must submit one) [34-204]
☒	Legal description (metes and bounds) and sealed sketch of legal description
	OR
☐	Legal description (NO metes and bounds) if the property is located within a subdivision platted per F.S. Chapter 177, and is recorded in the Official Records of Lee County under Instruments or Plat Books. (Click here to see an example of a legal description with no metes and bounds.)
☒	Previous Zoning Actions (if applicable)
☒	DO Numbers (if applicable)
☒	Narrative of Request [34-204]
☐	Schedule of Deviations (if applicable) [34-373]
☐	Meeting Summary (if applicable) [34-204]
☒	MCP and detailed drawings of any proposed deviations (if applicable) (24"x36") [34-204]
☒	Proposed Final Plan including deviations keyed to the plan (24"x36") [34-204]

Note: All information submitted with the application becomes a part of the public record and will be a permanent part of the file. Department staff will review this application for compliance with requirements of the Lee County Land Development Code. The applicant will be notified of any deficiencies.

Acceptance of an application for an administrative amendment in no way guarantees its approval. If the Director determines that the requested amendment is beyond the scope of Land Development Code Section 34-380 or 34-1036 and that a public hearing is necessary, then all fees paid toward the administrative application may be applied toward an application for public hearing.

The Director's decision on an administrative amendment is final and can not be appealed. In the event the Director denies the request, the applicant's only recourse is to apply for a public hearing. No fees paid for the administrative application will be refunded or applied towards the public hearing.

If it is determined that inaccurate or misleading information was provided to the county or the decision does not comply with the Land Development Code when rendered, then, at any time, the Director may issue a modified decision that complies with the Code or revoke the decision. If the approval is revoked, the applicant may acquire the necessary approvals by filing an application for public hearing in accordance with Chapter 34.

AFFIDAVIT OF AUTHORIZATION

APPLICATION IS SIGNED BY INDIVIDUAL OWNER, APPLICANT, CORPORATION, LIMITED LIABILITY COMPANY (L.L.C.), LIMITED COMPANY (L.C.), PARTNERSHIP, LIMITED PARTNERSHIP, OR TRUSTEE

I, Gustavo A. Parpal (name), as Vice President
(owner/title) of Positano Investment of SWFL, LLC. (company/property), swear or affirm under oath, that I am the owner or the authorized representative of the owner(s) of the property and that:

1. I have full authority to secure the approval(s) requested and to impose covenants and restrictions on the referenced property as a result of any action approved by the County in accordance with this application and the Land Development Code;
2. All answers to the questions in this application and any sketches, data or other supplementary matter attached hereto and made a part of this application are honest and true;
3. I have authorized 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; and that
4. The property will not be transferred, conveyed, sold or subdivided unencumbered by the conditions and restrictions imposed by the approved action.

*Notes:

- If the applicant is a corporation, then it is usually executed by the corp. pres. or v. pres.
- If the applicant is a Limited Liability Company (L.L.C.) or Limited Company (L.C.), then the documents should typically be signed by the Company's "Managing Member."
- If the applicant is a partnership, then typically a partner can sign on behalf of the partnership.
- If the applicant is a limited partnership, then the general partner must sign and be identified as the "general partner" of the named partnership.
- If the applicant is a trustee, then they must include their title of "trustee."
- In each instance, first determine the applicant's status, e.g., individual, corporate, trust, partnership, estate, etc., and then use the appropriate format for that ownership.

Under penalties of perjury, I declare that I have read the foregoing Affidavit of Authorization and that the facts stated in it are true.

[Signature]
Signature

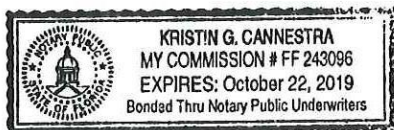
12/7/2015
Date

*****NOTE: NOTARY PUBLIC IS NOT REQUIRED FOR ADMINISTRATIVE APPROVALS*****
ALL OTHER APPLICATION TYPES MUST BE NOTARIZED

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was sworn to (or affirmed) and subscribed before me on Dec. 7, 2015 (date) by Gustavo A. Parpal (name of person providing oath or affirmation), who is personally known to me or who has produced KA (type of identification) as identification.

STAMP/SEAL



[Signature]
Signature of Notary Public