

ADMINISTRATIVE AMENDMENT (PD) ADD2017-00059

ADMINISTRATIVE AMENDMENT
LEE COUNTY, FLORIDA

WHEREAS, Deborah B. Kessler filed an application for an administrative amendment to a Mixed Use Planned Development on a project known as Kessler PD Amendment for a deviation from the required 5 foot side setback to allow a 4.9 foot side setback on property located 17843 Modena Road, Miromar Lakes, FL 33913, described more particularly as:

LEGAL DESCRIPTION: In Section 15, Township 46 South, Range 25 East, Lee County, Florida:

ATTACHED AS EXHIBIT "A"

WHEREAS, the property was originally rezoned in Resolution number Z-99-029 (with subsequent amendments in ADD2000-00111, ADD2001-00004, ADD2003-00151, Z-02-072, ADD2004-00033, ADD2004-00045, ADD2004-00054, ADD2004-00070, ADD2004-00074, ADD2004-00176, ADD2004-00177, ADD2004-00177A, ADD2004-00223, ADD2004-00253, ADD2005-00104, ADD2005-00134, ADD2006-00002, ADD2006-00004, ADD2005-00190, ADD2006-00009, Z-06-064, ADD2008-00130, ADD2008-00144, ADD2009-00026, ADD2010-00021, ADD2010-00055, Z-10-019, Z-12-004, ADD2012-00110, ADD2013-00045, Z-13-020, ADD2014-00213, ADD2015-00209, ADD2016-00025, ADD2016-00206, ADD2017-00036); and

WHEREAS, the subject property is located in the University Community Future Land Use Category as designated by the Lee Plan; 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 original development regulations required single family detached residential uses to have a minimum side setback of 5 feet, see Exhibit "B"; and

WHEREAS, the subject property was developed with a 1,705 square foot single family residence per RES2003-05200, reflecting the 5 foot setback, see Exhibit "C"; and

WHEREAS, the subject property also received approval for a pool and spa per POL2003-02570, also reflecting the 5 foot setback, see Exhibit "D"; and

WHEREAS, the applicant provided a revised sketch of boundary survey reflecting a 4.90 foot side setback due to a minor construction error, see Exhibit "E"; and

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

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

NOW, THEREFORE, IT IS HEREBY DETERMINED that the application for administrative approval for an amendment to a Mixed Use Planned Development for a deviation from the required 5 foot side setback to allow a 4.9 foot side setback is **APPROVED, subject to the following conditions:**

1. **Master Concept Plan for ADD2017-00059 is hereby APPROVED and adopted. A reduced copy is attached hereto, see Exhibit E.**
2. **Approval is limited to existing development, any future development must comply with the Code regulations in effect at the time.**
3. **The terms and conditions of the original zoning resolutions remain in full force and effect.**
4. **If it is determined that inaccurate or misleading information was provided to the County or if this decision does not comply with the LDC when rendered, then, at any time, the Zoning Manager 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.**

Duly passed, adopted, and electronically signed on 4/27/2017 by

Audra Ennis, Zoning Manager
Lee County Community Development

Exhibits:

- A – Legal Description
- B – Z-99-029
- C – RES2003-05200
- D – POL2003-02570
- E – Property Site Plan

EXHIBIT A

CASE NUMBER: ADD2017-00059

STRAP NUMBER

15-46-25-06-0000B.0450

REVIEWED
ADD2017-00059
Jessica Leatherman,
Planner
Lee County DCD
4/25/2017

Exhibit B

RESOLUTION NUMBER Z-99-029

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

WHEREAS, Neale Montgomery, Esquire, and Barbara Barnes-Buchanan filed an application on behalf of the owners of the property, Alico, Inc. and Miromar Lakes, L.L.C., to consider an Application for Development Approval (ADA) for a Development of Regional Impact (DRI) known as Miromar Lakes on 1,271.12± acres, State DRI #11-9798-142, and to rezone a 1,271.12±-acre parcel from Agricultural (AG-2) to Mixed Use Planned Development (MPD); and

WHEREAS, public hearings were advertised and held on May 5, 1999, and continued to May 18, 20, and 25, 1999, June 1 and 11, 1999, July 27 and 30, 1999, and August 3 and 18, 1999, before the Lee County Hearing Examiner who gave full consideration to the evidence in the record for Case #'s 95-01-028.03Z 01.01 and 95-01-028.04Z 02.01; and

WHEREAS, a second public hearing was advertised and held on November 29, 1999, before the Lee County Board of Commissioners, who gave full and complete consideration to the recommendations of the staff, the Hearing Examiner, the documents on record, and the testimony of all interested persons.

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

SECTION A. REQUEST:

The applicant filed a request to:

1. consider an ADA for a DRI known as Miromar Lakes on 1,271.12± acres, State DRI #11-9798-142; and
2. rezone a 1,271.12±-acre parcel from AG-2 to MPD to permit a maximum of 2,600 dwelling units, an 18-hole golf course and related ancillary uses, 250,000 square feet of retail floor area, 340,000 square feet of office floor area, 40,000 square feet of research and development floor area, and 450 hotel rooms and related ancillary uses, all not to exceed 75 feet in height, on 1,271.12± total acres of land.

The subject property is located in the University Community and Wetlands Land Use Categories. The legal description of the property is set forth in Exhibit A attached to this resolution. The request is APPROVED SUBJECT TO the conditions and deviations set forth in Section B below.

SECTION B. CONDITIONS AND DEVIATIONS:

The development of this site is subject to the Miromar Lakes DRI Development Order attached as Exhibit "G".

The site is further subject to the conditions and deviations set forth below:

1. a. Development must be consistent with the Master Concept Plan entitled "Miromar Lakes," prepared by Wilson, Miller, Barton and Peek, Inc., and Florida Land Planning Inc., dated March 4, 1998, and last revised November 29, 1999, and including the Alternative Mode Transportation Plan submitted at the public hearing, except as modified by the conditions below. The development of the project must also be in compliance with the approved DRI Development Order and Map H (prepared by Wilson, Miller, Barton and Peek, Inc., dated November 12, 1997, last revised November 29, 1999). Development must comply with the Lee County Land Development Code (LDC) at time of local development order approval, except as may be granted by deviation as part of this planned development. If changes to the Master Concept Plan are subsequently pursued, appropriate approvals will be necessary.
- b. (1) The table below identifies the development parameters used for the transportation analysis. These are generalized parameters that identify the extent of the DRI threshold uses permitted within the project. It also identifies other acreages that are required to be addressed in the DRI Development Order.

The Lee County zoning regulations provide for uses that are not DRI threshold uses, and uses that are more specific or descriptive than the generalized parameters used for the transportation analysis. This table is not meant to preclude the uses permitted by Condition II.A.2.; it is intended to identify the approved density and intensity limits for the DRI threshold uses. However, the uses permitted pursuant to Condition II.A.2. of this resolution are specifically limited by the Miromar Lakes DRI Development Order Condition II.D.1.a. That is to say, that while the approved zoning categories may allow a wider range of uses, from a DRI standpoint, the project impacts are based on the parameters and uses assumed in the transportation assessment for the DRI. The overall traffic at the project entrances based on the assumptions and the transportation assessment is estimated to be 3,931 P.M. peak hour trips. A change in the assumed uses or mix of uses that increases the external project traffic by 5 percent or more or that significantly changes the projected distribution and assignment of project traffic, so as to result in additional significantly and adversely impacted roadway links, will require a reevaluation of the DRI transportation impacts.

USE	PARAMETERS OF DEVELOPMENT	TOTAL UNITS	ACRES
Single-family Residential Multi Family Residential	700 du 1,900 du	2,600	760
Retail Commercial	250,000 sq ft (GFA)		114
Office*	340,000 sq ft (GFA)		
Research & Development*	40,000 sq ft (GFA)		
Hotel	450 rooms		
Lakes/Recreation/Buffers	Minimum approved		263
Conservation Areas	Minimum required		186

*The 340,000 square feet of office use may be converted to Research & Development uses on a 1-square-foot to 1.1-square-foot ratio, without the need for a Notice of Proposed Change (NOPC) or traffic reanalysis. If Applicant/Developer wants to adjust the proportionate share calculation based on a revised Traffic Impact Study (TIS), an NOPC is required.

- (2) The non-residential land uses are restricted by the Lee Plan to 10,000 square feet per acre. The non-residential acreage must be calculated using on and off-site open space, common areas and recreational areas (i.e., putting green at hotel, etc.) attributable to the non-residential areas. All non-residential buildings and acreage must be included in this limitation, including any non-residential ancillary uses. If multiple local development orders, including those for recreational uses, are requested, it is the developer's responsibility to provide cumulative totals of previous development order approvals and non-residential acreages prior to the issuance of the local development order requested.
 - (3) Final plan approval is required prior to the issuance of a local development order for the area designated C-1 located opposite the entrance to FGCU. Lee County Staff will evaluate the final plan to assure that the area contains a mix of residential, retail and office uses, and will not apply this condition to preclude recreational uses in the C-1 area.
- c. Final Plan Approval (FPA) will be required only when the parcel development includes vertical (structural) development or when additional deviations are requested. If FPA is required, then the Developer must file an application prior to, or simultaneous with, a local development order that proposes vertical development. The purpose of this process is to ensure that vertical development of Miromar Lakes is generally in compliance with the approved zoning resolution, Master Concept Plan and DRI Development Order, while at the same time allowing flexibility in response to changing development practices.

- d. The following information must be provided in the application for Final Plan Approval:
- 1) the type and amount of uses, i.e., the number of residential dwelling units, total or square feet of commercial uses, or other measures of intensity;
 - 2) an ongoing tabulation of the total number of residential dwelling units, commercial square footage, and other measures of intensity that have received local development order approval;
 - 3) location and dimensions of access points;
 - 4) location and dimensions of internal roadways;
 - 5) location and dimensions of buildings/structures and parking spaces/areas;
 - 6) setbacks and building heights;
 - 7) boundary of development tract;
 - 8) adjacent zoning and land uses;
 - 9) buffers and landscape strips required or proposed;
 - 10) open space, including an ongoing tabulation of required open space; and
 - 11) detail drawings showing the application of deviations.
2. The following limits apply to the project and uses:
- a. **Schedule of Uses**
See Exhibit "B": Schedule of Uses for Areas within Miromar Lakes.
 - b. **Site Development Regulations**
See Exhibit "C": Residential Property Development Regulations and Commercial Property Development Regulations.
3. Deviation (1) seeks relief from the LDC § 34-1954(d)(1) requirement to restrict model homes to a time limitation of three years, to allow model homes within the Miromar Lakes development to be permitted until the build out of the project in 2009. This deviation is APPROVED.
4. Deviation (2) seeks relief from the LDC § 34-1954(d)(2) requirement to restrict the sale period of model units within a townhouse or multiple family building to the initial sale period for that phase, to allow the model units until project buildout in 2009. This deviation is APPROVED.
5. Deviation (3) seeks relief from the LDC § 34-1263(e) requirement to prohibit 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, to allow a bar or cocktail lounge, package store and dwelling units on Tract C-1. This deviation is APPROVED, BUT IS LIMITED TO the Tract C-1 located on the **west** side of Ben Hill Griffin Parkway. Any establishment primarily engaged in the sale of alcoholic beverages for consumption on or off the premises must be located a minimum of 500 feet from any residential unit located outside of Tract C-1.

6. Deviation (4) - **WITHDRAWN AT HEARING**
7. Deviation (5) seeks relief from the LDC § 10-291(3)(b) requirement for any residential development of at least five± acres to provide, where practical, two or more means of ingress and egress, to allow only one means of ingress and egress for those development parcels that are surrounded by golf course, water body, or conservation areas or any combination of these. This deviation is **APPROVED, SUBJECT TO** the developer providing a full size cul-de-sac at each dead end, and letters of approval of the ingress and egress of each development parcel from the local Fire and Emergency Service District, prior to local development order approval.
8. Deviation (6) seeks relief from the LDC § 10-296(b), Table 3, requirement to provide a right-of-way width of 35 feet for a 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. This deviation is **APPROVED, PROVIDED** required drainage and utility easements are located outside of the right-of-way and adequate provisions are made for the road drainage and utilities.
9. Deviation (7) seeks relief from the LDC § 10-296, Table 4(7)(c) requirement that wearing surfaces for local and access road for Class A development must be 1½-inch asphaltic concrete of Florida Department of Transportation (FDOT) Type S-1, to allow for cement concrete and/or decorative pavers within private local roadways within Miromar Lakes. This deviation is **APPROVED** for local, private roads provided that the structural number of the proposed alternate cross-section will equal or exceed the structural number of a "standard" Class A local road flexible pavement cross-section.
10. Deviation (8) - **WITHDRAWN AT HEARING**
11. Deviation (9) seeks relief from the LDC § 10-296(m)(4)(a) provision allowing privately maintained accessways meeting criteria outlined in item 4(a) to be exempt from minimum right-of-way widths as specified in § 10-296(b), to permit access ways providing access for up to 100 residential units to be exempt from the minimum roadway widths as specified in § 10-296(b). This deviation is **APPROVED SUBJECT TO** the following conditions:
 - a. The design and posted speed will be 20 mph or less;
 - b. this deviation will apply to private access ways only; and
 - c. 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.
12. Deviation (10) seeks relief from the LDC § 10-329(e)(1)(a)(3) requirement to provide a minimum 50-foot setback from a water retention or detention excavation to any private property line under separate ownership, to allow a zero-foot setback. This deviation is **APPROVED, LIMITED TO** the property line contiguous to Miromar Lakes and Alico, Inc. in the north mining lake.

13. Deviation (11) seeks relief from the LDC § 10-329(e)(1)(a)(2) requirement to provide a minimum 50-foot setback from a 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. This deviation is APPROVED, SUBJECT TO the developer providing elements for the protection of wayward vehicles in accordance with this section and providing a Type "F" curb at these locations.
14. Deviation (12) - **WITHDRAWN AT HEARING**
15. Deviation (13) seeks relief from the LDC § 10-355 requirement to provide a 10-foot-wide public utility easement on both sides of a roadway, to allow the public utility easement on one side only. This deviation is APPROVED, PROVIDED the appropriate/applicable utility companies agree, in writing, to the elimination of the easement.
16. Deviation (14) seeks relief from LDC § 10-413(b) requirement to calculate open space 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. This deviation is APPROVED WITH THE FOLLOWING CONDITIONS: The entire acreage of the existing mining lakes located on the east side of Ben Hill Griffith Parkway is exempt from open space requirements. These lakes may not be used to satisfy open space requirements on the site.
17. Deviation (15) seeks relief from the LDC §§ 10-414 and 10-417(b)(2)f. requirement that no portion of a buffer area consisting of trees and shrubs be located in any easement, to allow planted buffers in easements. This deviation is APPROVED, PROVIDED THAT, if any required buffer or landscape strip plantings installed within easements must be removed, then the property owner's association or Uniform Community Development District (UCDD) must replace the plantings with like size and species at no expense to Lee County. This requirement must be clearly stated in each property owner's documents.
18. Deviation (16) seeks relief from the LDC § 10-413(c)(1) requirement that 50 percent of the required open space 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 permit all of the restored vegetation within the wetland slough to count toward the required indigenous vegetation requirement. This deviation is APPROVED, PROVIDED THAT existing indigenous preservation requirements will be met within the Conservation Areas shown on the Master Concept Plan, last revised August 16, 1999. The developer must provide and preserve a minimum of 186 acres of existing indigenous and restored/enhanced plant communities.
19. Deviation (17) seeks relief from LDC §§ 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 the rights-of-way. This deviation is APPROVED, LIMITED TO private, local roads, provided the plantings are in compliance with LDC § 34-3131(visibility), and are properly maintained by the developer or property owners' association.

20. Deviation (18) seeks relief from the LDC § 10-418(a)(2)(b) requirement to provide a minimum number of native wetland herbaceous plants per linear foot of lake shoreline, to allow required plants in compliance with the Lake Management Plan and Lake Shoreline Planting Plan that was submitted as part of this rezoning request. This deviation is **APPROVED, PROVIDED** herbaceous plant requirements per LDC § 10-418 are calculated on the entire length of the lake shoreline, including any bulkhead portions. The developer may substitute wetland trees and shrubs for up to 50 percent of the total number of herbaceous plants required, at a ratio of one tree or two shrubs for 10 herbaceous plants.
21. Deviation (19) - **WITHDRAWN AT HEARING**
22. Deviation (20) seeks relief from LDC § 34-2194(c)(1)(a), which provides that the Board of County Commissioners (BOCC) may grant less stringent setbacks from bodies of water when the development surrounding the entire body of water is under unified control, to allow the development of buildings and accessory structures within zero feet of the mining lake adjacent to Tract C-2 while the development surrounding the entire body of water will not be under the unified control of Miromar. This deviation is **APPROVED, LIMITED TO 1,500** linear feet of lake frontage adjacent to this tract.
23. Deviation (21) - **WITHDRAWN AT HEARING**
24. Deviation (22) seeks relief from the LDC § 10-285 requirement to provide 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 a spacing less than 125 feet. This deviation is **APPROVED SUBJECT TO** the following conditions:
- a. each "eyebrow" must be provided with signage indicating one-way traffic in a counter-clockwise direction;
 - b. the minimum separation will be 60 feet;
 - c. it applies only to private local roads; and
 - d. it is approved only for those typical situations including, but not limited to, those designated in the graphic submitted for this deviation.
25. Deviation (23) - **WITHDRAWN AT HEARING**
26. Deviation (24) seeks relief from the LDC § 10-414(a) requirement that commercial developments adjoining existing residential development provide a buffer including a fence or wall between the uses, to allow commercial developments to provide alternative means of separation that may include no buffers, fencing or walls. This deviation is **APPROVED** for the southern boundary of Tract C-2, and the internal areas of Tract C-1 (University Village) intended to contain a mixture of residential and commercial uses in a "town center" design.
27. Deviation (25) - **WITHDRAWN AT HEARING**

28. Deviation (26) - WITHDRAWN AT HEARING

29. Deviation (27) - WITHDRAWN AT HEARING

Note: Deviation (28) is addressed in Condition 50 below.

30. Hurricane Mitigation

- a. The developer must initiate the establishment of a property owners' or residents' association(s). The organization must provide an educational program on an annual basis, in conjunction with the staff of Emergency Management, which will provide literature, brochures and technical assistance for Hurricane Awareness/Preparedness Seminars, describing the risks of natural hazards. The intent of this recommendation is to provide a mechanism to educate residents concerning the actions they should take to mitigate the dangers inherent in these hazards.
- b. The developer must formulate an emergency hurricane notification and evacuation plan for the development, which will be subject to review and approval by the Lee County Office of Emergency Management prior to issuance of a local development order.
- c. The developer's proportionate share payment of \$10.9+ million for the development's impacts on the significantly and adversely impacted roadway network, including Alico Road, will adequately mitigate the development's hurricane evacuation impacts.

31. If access to this development or into portions of this development is through a security gate or similar device, which is not manned twenty-four hours a day, the security gate must be equipped with an override strip installed in a glass-covered box to be used by drivers of emergency vehicles to gain entry consistent with LDC § 34-1749.

32. If required by federal, state and/or local regulations:

- a. The purchaser/end user of any parcel that will be used to store, manufacture, or use hazardous materials, must contact the Lee County Office of Emergency Management Hazardous Material Representative, to discuss the proposed development in relation to the potential type, use, and storage of hazardous materials that will be located on the premises.
- b. The purchaser/end user must prepare or have available material safety data sheets (MSDS) and submit either copies of MSDS or a list of chemicals to the appropriate local fire district and to the Lee County Division of Public Safety.
- c. The purchaser/end user must establish an emergency notification system to be used in the event of a hazardous material release.

33. The Developer or his agent is entitled to continue *bona fide* agricultural uses already existing on the property; other agricultural uses may not be instituted except as permitted herein. No tree removal may occur unless the activity is reviewed and approved in accordance with all applicable Lee County regulations. Existing agricultural uses must be discontinued upon local development order approval for the individual tract or any phase identified in the development order.
34. All future land uses within Miromar Lakes must be consistent with the recommendations of the Federal Aviation Regulations Part 150 Noise Study for Southwest Florida International Airport adopted by the BOCC on February 1, 1995. Upon the adoption by the BOCC of regulations based on the 1995 Study, the developer will be subject to the adopted regulations, and not the adopted Study. The Study specifically provides that no residential living units, churches, libraries, schools, day care centers, hospitals, correctional institutions or nursing homes may be permitted within this area proposed for inclusion in Airport Noise Zone 3.
35. Commercial buildings, especially hotel and motel facilities located in the area proposed for inclusion in Airport Noise Zone 3, must consider the use of sound insulating materials.
36. As a condition of approval of a subdivision plat or issuance of a building permit for property located in the area proposed for inclusion in Airport Noise Zone 3, the applicant/owner must sign and record a noise and aviation easement to the county. The easement must authorize any and all aircraft noise on and overflights of the property that might occur during the operation of the Southwest Florida International Airport at present and future operational levels.
37. The development must comply with LDC § 34-1008 for tall structures including permanent buildings, antenna towers, and temporary construction cranes.
38. The development of helistop(s) within the Miromar Lakes MPD is subject to review and approval by the FDOT and the Lee County Port Authority.
39. Prior to local development order approval for property including Big Cypress Fox Squirrel habitat, the developer must amend the draft "Big Cypress Fox Squirrel Management Program", counter stamped July 6, 1998, to meet the requirements of the Department of Community Affairs and the Southwest Regional Planning Council. Evidence of the management plan approval must be provided. The finalized management plan must be adopted as part of the local development order.
40. Prior to issuance of a local development order for property including gopher tortoise habitat, a detailed gopher tortoise management plan must be submitted that provides for a minimum of 2.5 acres of habitat preservation appropriate for gopher tortoises within the golf course roughs. This plan must commit to excavation and subsequent relocation of recovered gopher tortoises and commensal species to the preserve areas and include details about how tortoises will be protected during construction activities. If the existing occupied gopher tortoise habitat is preserved and the relocation of tortoises is not necessary, the additional 2.5 acres of preservation within the golf course roughs is not required. However, if the developer obtains a relocation permit from the Florida Fish &

Wildlife Conservation Commission (FWC) [formerly the Florida Game & Fresh Water Fish Commission] or preserve the tortoise burrows in place, a gopher tortoise management plan per LDC § 10-474 is required.

41. Prior to local development order approval for property containing eastern indigo snakes or its habitat, copies of the educational materials pertaining to required protection measures for the eastern indigo snake must be provided. These materials must be distributed to construction workers conducting land clearing and excavation activities on the site prior to issuance of a vegetation removal permit. Notes to this effect must be on the development order plans. The educational materials must help in the identification of the eastern indigo snake and outline actions required if one is located. If an eastern indigo snake is located on the development site, a management plan in accordance with LDC § 10-474 must be provided to the Division of Planning, Environmental Sciences staff for review and approval.
42. At the time of local development order submittal, the "Miromar Lakes Snail Kite Management Plan" dated January 11, 1999 must be revised and provided for Division of Planning, Environmental Sciences review and approval. The plan must include a narrative about how cattails will be managed to allow more open waters within the borrow lakes to provide snail kite foraging areas. Commitments must be made to conduct the recommended management activities.
43. An American alligator management plan must be submitted for Division of Planning, Environmental Sciences staff review and approval prior to issuance of a local development order for property containing American alligators or its habitat. This plan must address temporary protection measures for protecting alligators during construction activities and long-term protection measures to reduce conflicts between alligators and lakeside residents.
44. Prior to issuance of a local development order for property containing least terns or its habitat, suitable habitat for least terns must be re-surveyed during the least tern nesting season (April - August). If least tern nesting is documented on the property, a management plan in accordance with LDC § 10-474 will be required.
45. The provision of open space must be consistent with the chart/table contained in the August 3, 1999 Memorandum from Applicant/Developer to Michael Pavese, attached hereto as Exhibit "D." The developer must demonstrate compliance with the overall open space requirement at each local development order submittal.
46. Outdoor seating in conjunction with consumption on premises is prohibited within 500 feet of a religious facility, school (noncommercial), day care center (child), park or dwelling unit under separate ownership except as approved by Deviation (3) or as an amendment to the MPD.
47. Additional conditions, with regard to vehicular or pedestrian traffic impacts, consistent with the Lee County LDC, may be required to obtain a local development order.
48. Approval of this rezoning does not give the developer an undeniable right to receive local development order approval. Future development order approvals must satisfy the

requirements of the Lee Plan Planning Communities Map and Acreage Allocations Table, Map 16 and Table 1(b).

49. This development must comply with all of the requirements of the LDC at the time of local development order approval, except as may be granted by deviations approved as part of this planned development.
50. Deviation (28) seeks relief from the LDC § 34-935(f)(3) requirement to provide 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. This deviation is APPROVED as depicted on the Master Concept Plan, last revised August 16, 1999.

SECTION D. EXHIBITS:

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

- Exhibit A. The legal description and STRAP numbers of the property (27-page Exhibit).
- Exhibit B. Schedule of Uses
- Exhibit C. Residential Property Development Regulations and Commercial Property Development Regulations
- Exhibit D. Chart/table contained in the August 3, 1999 Memorandum from Applicant/Developer to Michael Pavese
- Exhibit E. A reduced copy of the Miromar Lakes Master Concept Plan.
- Exhibit F. A map depicting the subject parcel (shaded) in relation to the surrounding area.
- Exhibit G. Miromar Lakes DRI Development Order

SECTION E. FINDINGS AND CONCLUSIONS:

1. The Applicant has proven entitlement to the MPD zoning district by demonstrating compliance with the Lee Plan, the Land Development Code, and other applicable codes and regulations.
2. The MPD zoning classification, as conditioned:
 - a. will meet or exceed all performance and locational standards set forth for the potential uses allowed in the district;
 - b. is consistent with the densities, intensities and general uses set forth in the Lee Plan;
 - c. is compatible with existing or planned uses in the surrounding area;
 - d. will not unduly burden existing transportation or planned infrastructure facilities and the site will be served by streets with the capacity to carry traffic generated by development; and
 - e. will not adversely affect environmentally critical areas or natural resources.
3. The proposed use or mix of uses is appropriate at the subject location.

4. The recommended conditions to the concept plan and other applicable regulations provide sufficient safeguard to the public interest, and the recommended conditions are reasonably related to the impacts on the public interest created by or expected from the proposed development.
5. Urban services, as defined in the Lee Plan, are available and adequate to serve the proposed land use.
6. The requested deviations enhance the achievement of the objectives of the planned development, and preserve and promote the general intent of Chapter 34, Land Development Code, to protect the public health, safety and welfare.

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

John E. Albion	Aye
Douglas R. St. Cerny	Aye
Andrew W. Coy	Aye
Ray Judah	Aye
John E. Manning	Aye

DULY PASSED AND ADOPTED this 29th day of November 1999.

ATTEST:
CHARLIE GREEN, CLERK

BY:

Charlie Green
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY:

John E. Albion
Chairman

Approved as to form by:

Donna Marie Collins
Donna Marie Collins
County Attorney's Office

MINUTES OFFICE

Ruth F.
FILED DEC 2 2 1999

Exhibit "A"
 27 Pages Total
 Legal Description

Parcel One

**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")
 (PREPARED BY BANKS ENGINEERING, INC.)**

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'
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) THENCE S 88° 27' 56" W FOR 1780.04 FEET 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, 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.3333.84 FEET TO THE POINT OF TANGENCY;
 THENCE S.20°12'49"W.473.55 FEET; THENCE LEAVING SAID CENTERLINE
 N.69°47'11"W75.00 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.1264.85 FEET TO
 A POINT OF TANGENCY; THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE,
 S.03°31'24"E.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.713.52 FEET TO A POINT OF TANGENCY;

THENCE S.24°04'07"E.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.1550.16 FEET TO A POINT OF TANGENCY; THENCE ALONG SAID
 WESTERLY RIGHT-OF-WAY LINE, S.55°21'16"E.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 $54^{\circ}31'33''$ AND BEING SUBTENDED BY A CHORD WHICH BEARS $S.28^{\circ}05'29''E.1213.90$ FEET TO A POINT OF TANGENCY; THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE, $S.00^{\circ}49'43''E.600.19$ FEET TO THE SOUTH LINE OF SECTION 23, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY FLORIDA; THENCE ALONG SAID SOUTH LINE, $N.89^{\circ}44'39''W.2921.79$ FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF INTERSTATE 75; THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE, $N.18^{\circ}17'51''W.955.62$ 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 $04^{\circ}04'42''$ AND BEING SUBTENDED BY A CHORD WHICH BEARS $N.16^{\circ}15'30''W.1211.72$ FEET TO A POINT OF TANGENCY; THENCE CONTINUE ALONG SAID EASTERLY RIGHT-OF-WAY LINE, $N.14^{\circ}13'09''W.9126.68$ THENCE LEAVING SAID LINE, $N.76^{\circ}08'54''E.527.61$ FEET;
THENCE $N.79^{\circ}14'37''E.501.77$ FEET;
THENCE $N.84^{\circ}36'26''E.384.54$ FEET;
THENCE $S.85^{\circ}27'53''E.381.51$ FEET;
THENCE $S.74^{\circ}31'06''E.209.92$ FEET TO THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED;

PARCEL CONTAINS 397 ACRES, MORE OR LESS.

PARCEL ONE
OR BK 02165 PG 1808

CURVE DATA

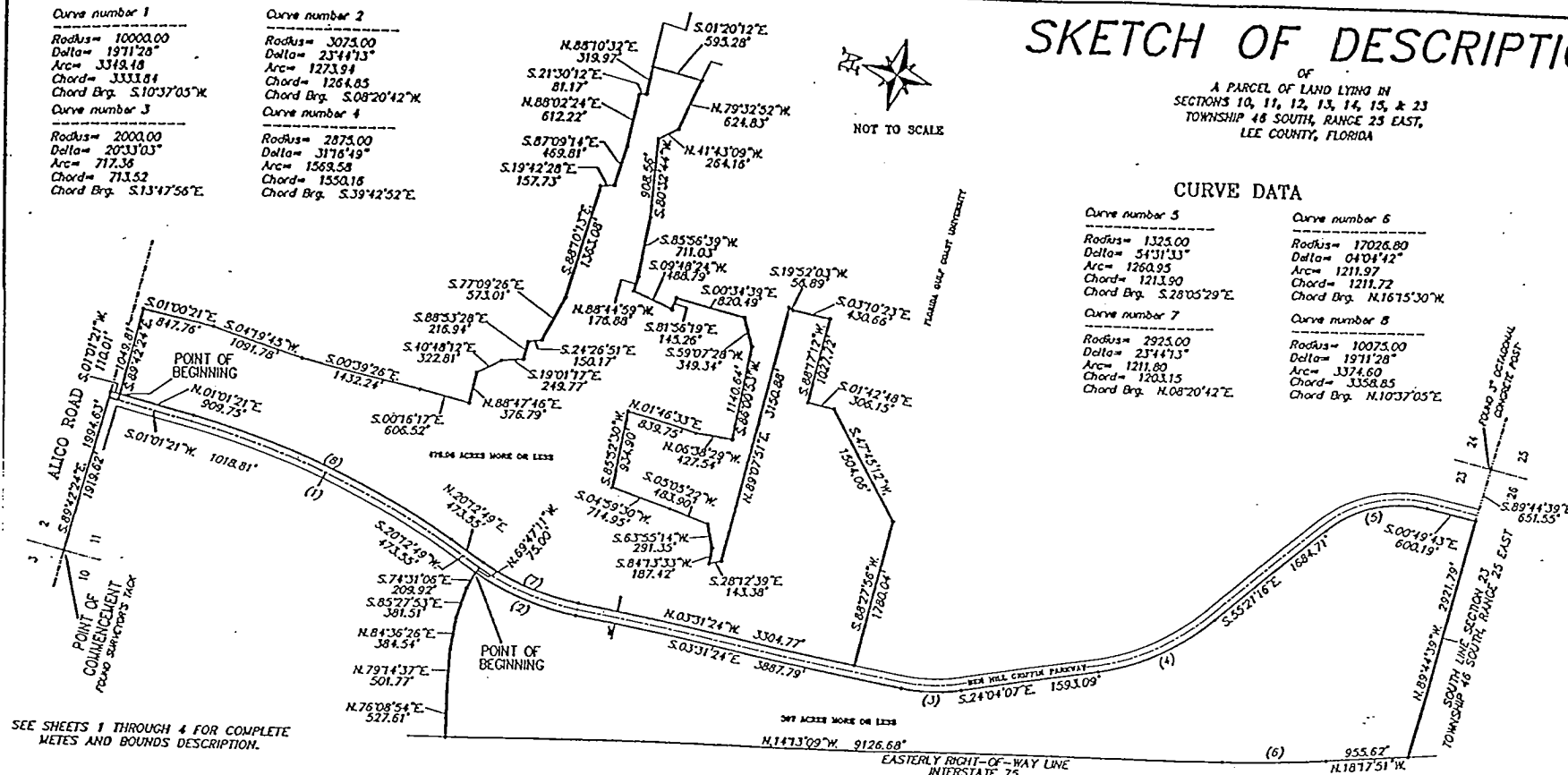
Curve number 1	Curve number 2
Radius= 10000.00	Radius= 3075.00
Delta= 1971'28"	Delta= 23'44'13"
Arc= 3319.18	Arc= 1273.94
Chord= 3333.84	Chord= 1264.85
Chord Brg. S.103'03"W	Chord Brg. S.08'20'42"W
Curve number 3	Curve number 4
Radius= 2000.00	Radius= 2875.00
Delta= 203'03"	Delta= 3176'49"
Arc= 717.36	Arc= 1569.58
Chord= 713.52	Chord= 1550.18
Chord Brg. S.13'47'56"E	Chord Brg. S.39'42'32"E

SKETCH OF DESCRIPTION

OF
A PARCEL OF LAND LYING IN
SECTIONS 10, 11, 12, 13, 14, 15, & 23
TOWNSHIP 48 SOUTH, RANGE 25 EAST,
LEE COUNTY, FLORIDA

CURVE DATA

Curve number 5	Curve number 6
Radius= 1325.00	Radius= 17026.80
Delta= 54'31'33"	Delta= 04'04'42"
Arc= 1260.95	Arc= 1211.97
Chord= 1213.90	Chord= 1211.72
Chord Brg. S.28'05'29"E	Chord Brg. N.16'15'30"W
Curve number 7	Curve number 8
Radius= 2925.00	Radius= 10075.00
Delta= 23'44'13"	Delta= 1971'28"
Arc= 1211.80	Arc= 3374.60
Chord= 1203.15	Chord= 3358.85
Chord Brg. N.08'20'42"E	Chord Brg. N.10'37'05"E



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 A BOUNDARY SURVEY
WITHOUT THE SIGNATURE AND SEAL OF A FLORIDA LICENSED SURVEYOR AND NOTARY

SHEET 5 OF 5

Planks Engineering, Inc.
ENGINEERING, SURVEYING & LAND PLANNING
FLORIDA BUSINESS CERTIFICATION NUMBER LB 8000
10006 SEE WALK CYPRUS PARKWAY - SUITE 104
FORT MYERS, FLORIDA 33912
(811) 828-6490

SKETCH OF DESCRIPTION
MIROMAR SUBDIVISION -
LEE COUNTY, FLORIDA

NO.	DATE	REVISION DESCRIPTION	BY
1	1-28-99	TEXT	RR
2	1-28-99	TEXT	RR

DATE	PROJECT NO.	DRAWING	DRAWN	CHECKED	SCALE	FILE NO.
1-28-99	1155	DESC-1	RR	RR	1/4" = 1'	11-1-99

Parcel Two

**DESCRIPTION OF A PARCEL OF LAND
LYING IN SECTIONS 12 AND 13,
TOWNSHIP 46 SOUTH, RANGE 25 EAST,
LEE COUNTY, FLORIDA
(AREA "B")
(PREPARED BY BANKS ENGINEERING, INC.)**

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'

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.

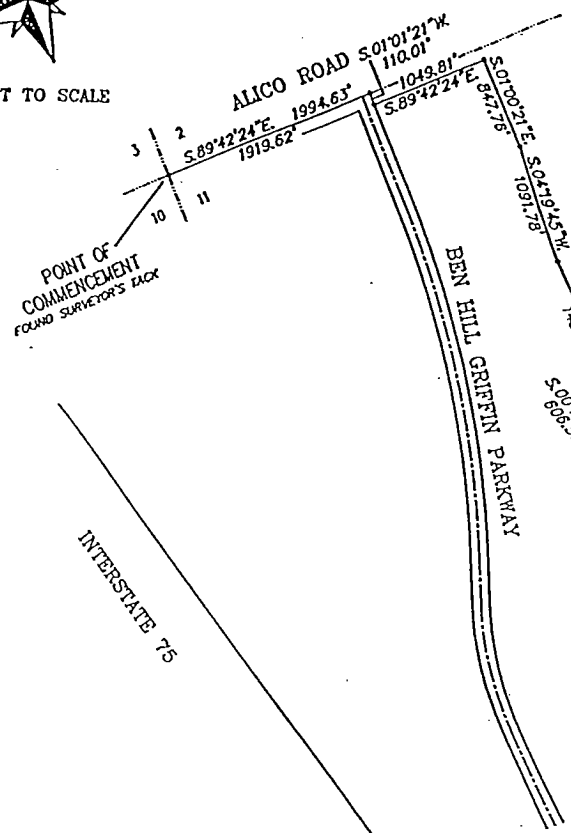
PARCELS CONTAINS 95.33 ACRES, MORE OR LESS.

DESCRIPTION PREPARED APRIL 16th, 1999



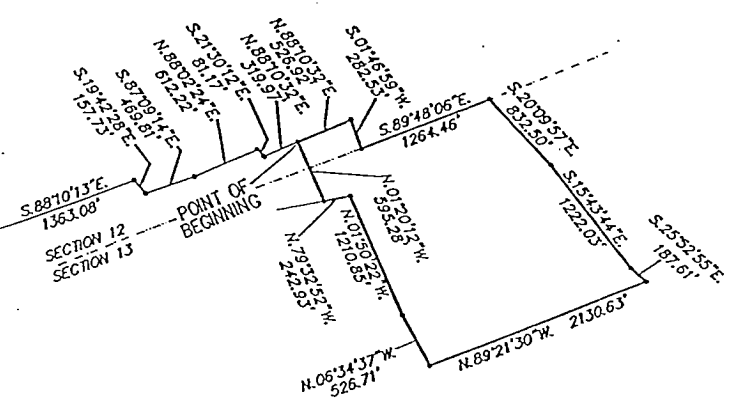
NOT TO SCALE

PARCEL TWO



SKETCH OF DESCRIPTION

OF
A PARCEL OF LAND LYING IN
SECTIONS 12 AND 13,
TOWNSHIP 48 SOUTH, RANGE 25 EAST,
LEE COUNTY, FLORIDA



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 COMPLETION AND THE SIGNATURE
SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

SHEET 3 OF 3

Banks Engineering, Inc.
ENGINEERING, SURVEYING & LAND PLANNING
FLORIDA SURVEYOR CERTIFICATION NUMBER 18 8080
1000 SIX MILE CYPRESS PARKWAY - SUITE 104
FORT MYERS, FLORIDA 33916
(811) 308-5100

SKETCH OF DESCRIPTION
MIROMAR SUBDIVISION -
LEE COUNTY, FLORIDA

NO.	DATE	REVISION DESCRIPTION	BY

DATE	PROJECT NO.	DRAWING	DATE	CHECKED	SCALE
4-18-08	1144				

DR BK 03165 PG 1811

Parcel Three

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

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'

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

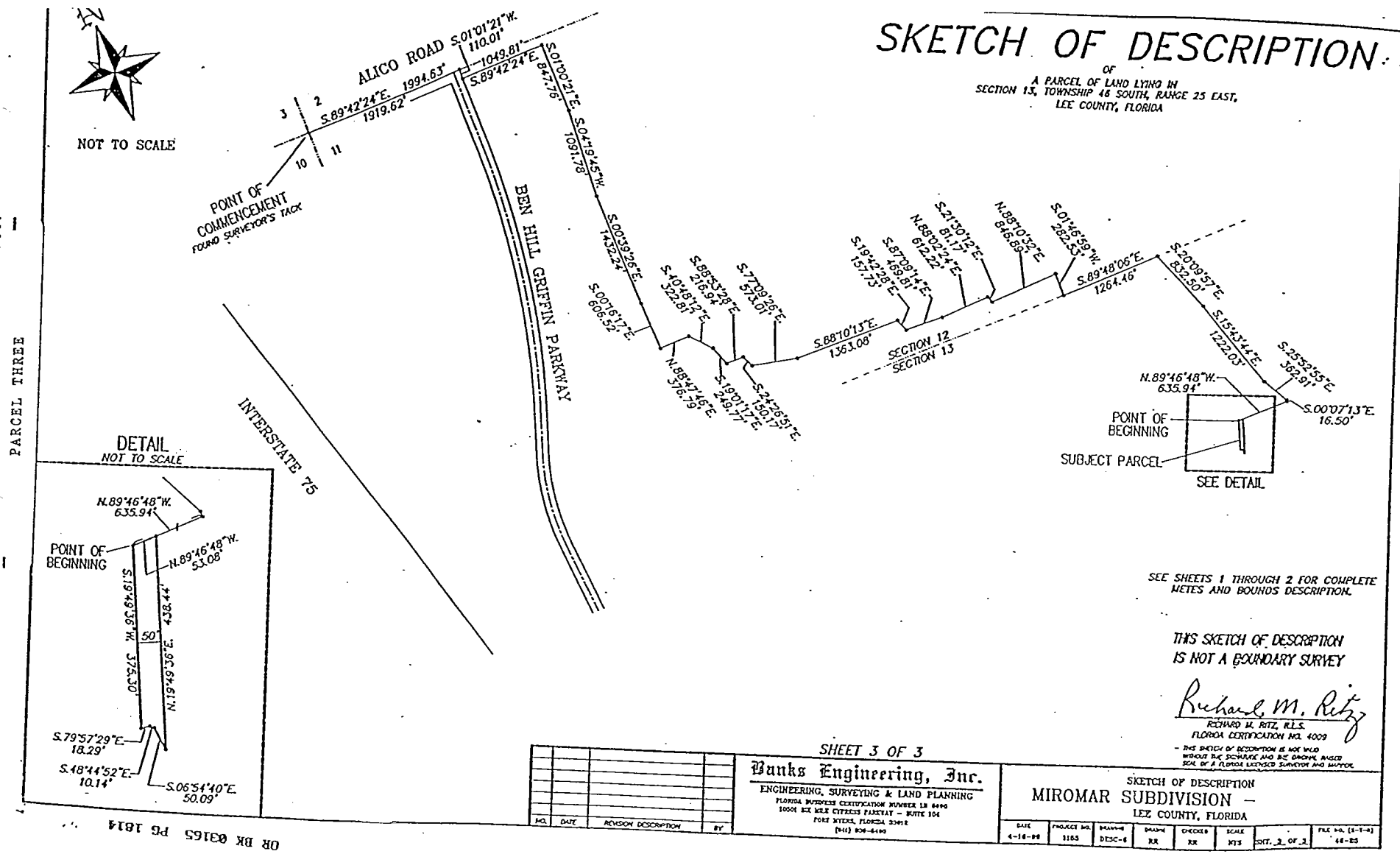
- 1) S 19° 49' 36" W 375.30'
- 2) S 79° 57' 29" E 18.29'
- 3) S 48° 44' 52" E 10.14'
- 4) S 06° 54' 40" E 50.09'
- 5) N 19° 49' 36" E 438.44'
- 6) N 89° 46' 48" W 53.08' TO THE POINT OF BEGINNING.

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.



OR BK 03165 PG 1814

Parcel Four

**DESCRIPTION OF A PARCEL OF LAND
LYING IN SECTIONS, 13 AND 14,
TOWNSHIP 46 SOUTH, RANGE 25 EAST,
LEE COUNTY, FLORIDA
(EXHIBIT "J")
(PREPARED BY BANKS ENGINEERING, INC.)**

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'

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.

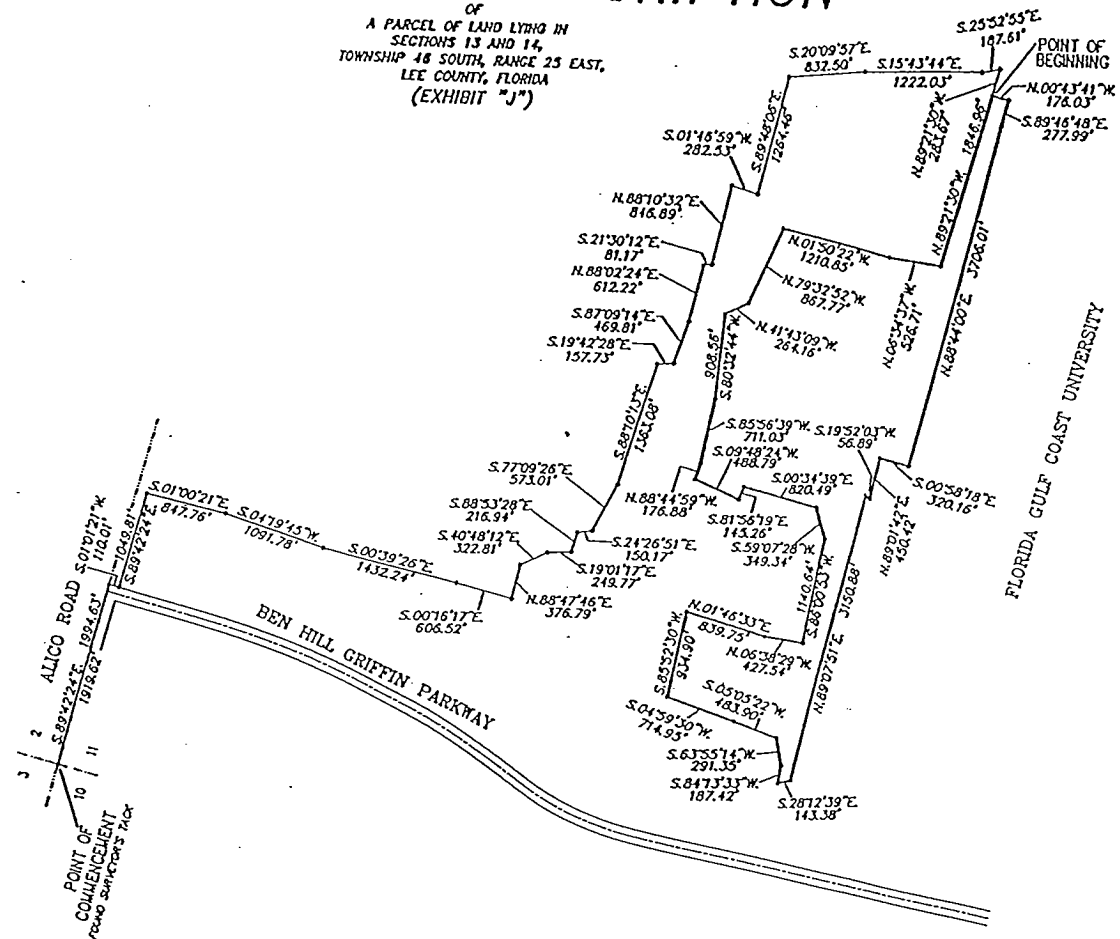


NOT TO SCALE

SKETCH OF DESCRIPTION

OF
A PARCEL OF LAND LYING IN
SECTIONS 13 AND 14,
TOWNSHIP 48 SOUTH, RANGE 25 EAST,
LEE COUNTY, FLORIDA
(EXHIBIT "J")

PARCEL FOUR



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 EX. ORIGNAL ANKED
SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

SHEET 4 OF 4

NO.	DATE	REVISION DESCRIPTION	BY

Banks Engineering, Inc.
ENGINEERING, SURVEYING & LAND PLANNING
FLORIDA BUSINESS CERTIFICATION NUMBER LB 8090
10001 SEE WALK CREEK PARKWAY - SUITE 104
FORT MYERS, FLORIDA 33912
(811) 808-3400

SKETCH OF DESCRIPTION
MIROMAR SUBDIVISION
LEE COUNTY, FLORIDA

DATE	PROJECT NO.	CLIENT	DRAWN	CHECKED	SCALE	SHT. # OF #	FILE NO. (S-T-F)
4-18-99	1155	DESC-0	RR	RR	MTS	14-23	14-23

OR BK 03165 PG 1818

Parcel Five

DESCRIPTION OF A 66 ACRE PARCEL BEING A PORTION OF
SECTION 13, TOWNSHIP 46 SOUTH, RANGE 25 EAST,
LEE COUNTY, FLORIDA

(PREPARED BY WILSON, MILLER, BARTON & PEEK, INC.)

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;
 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.

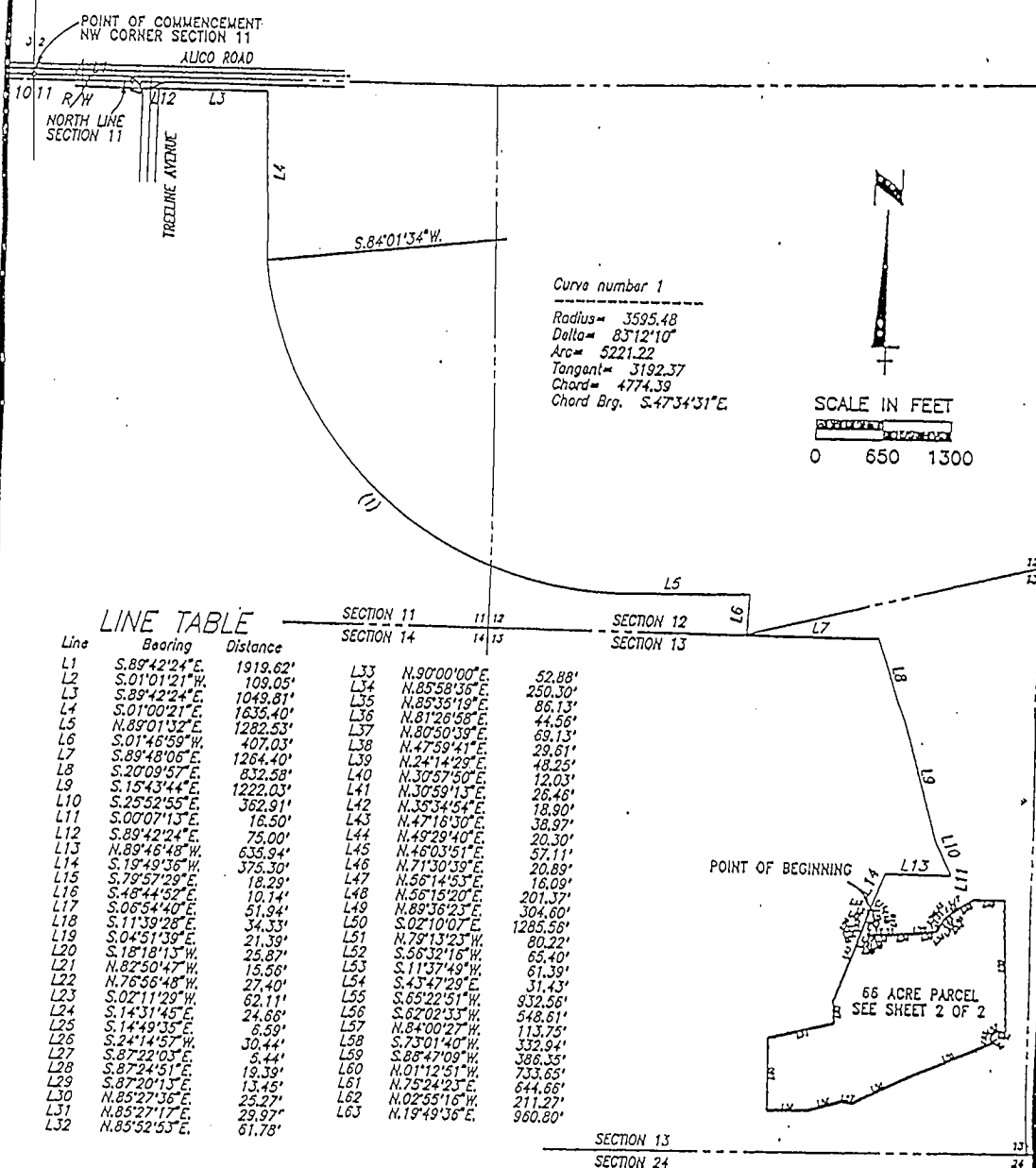
BEARINGS ARE BASED ON THE NORTH LINE OF SECTION 11, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA AND ALSO BEING THE CENTERLINE OF ALICO ROAD BEING S.89°42'24"E.

DATE: March 30, 1999.

PARCEL FIVE

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



* * THIS IS NOT A SURVEY * *

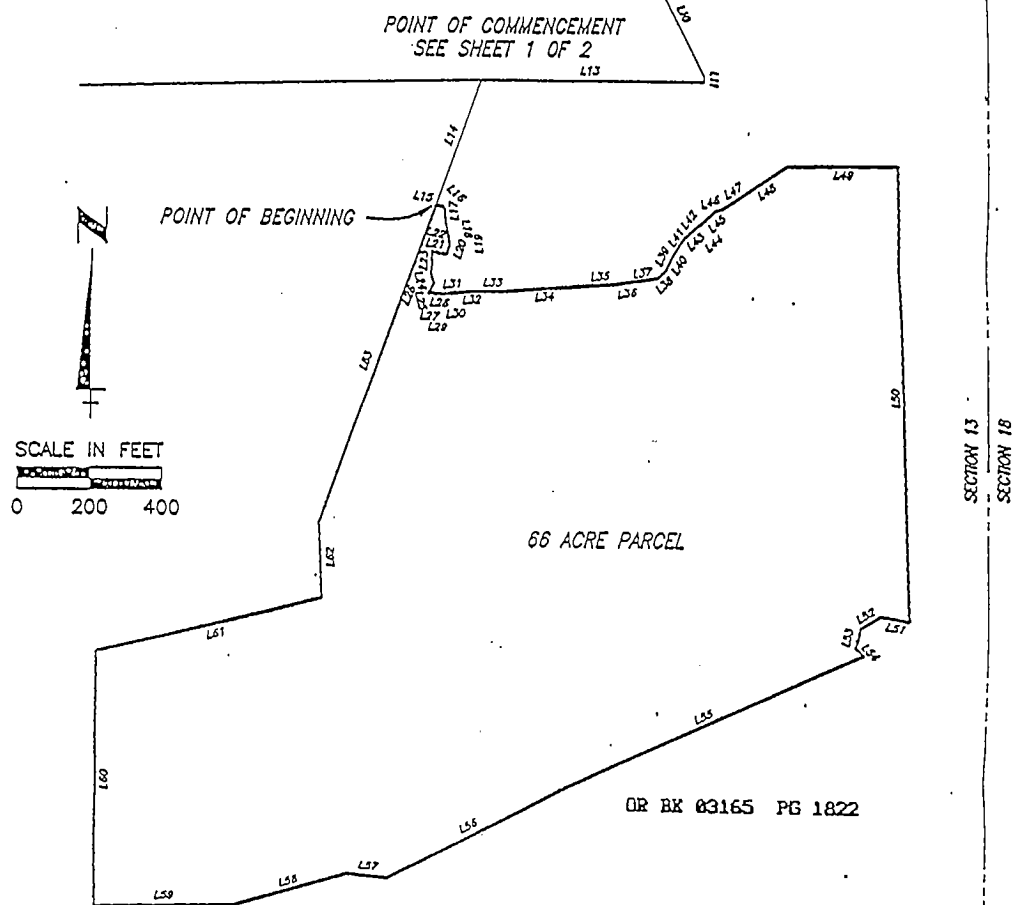
Δ REV NO.	REVISION	DATE	DRAWN BY	EXP. NO.	CHECKED BY	EXP. NO.
DATE:	CLIENT:					
3-30-99	ALICO INC.					
HORIZONTAL SCALE:	4380 GULF SHORE BLVD. N., SUITE 808, NAPLES, FLORIDA					
1" = 1300'	TITLE:					
VERTICAL SCALE:	SKETCH OF DESCRIPTION					
N/A	66 ACRE PARCEL					
SEC: TWP: RGE:	PART OF SECTION 13, TOWNSHIP 46 S., RANGE 25 E., LEE COUNTY, FLORIDA					
13 46 25	CROSS REFERENCE FILE NO.:					
FIELD BOOK:	DOUGLASSD00\X\SUR\F0253\0253+401.dwg					
FILED BOOK PAGE:	WORK ORDER NO.:	PROJECT NO.:	SHEET NUMBER:	FILE NO.:		
400 30, 1999 - 11:29:18	7496.v1	F0253	1 of 2	A-0253-144		

1281 Ed 99180 X6 80

PARCEL FIVE

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



FOR LINE & CURVE TABLE
SEE SHEET 1 OF 2

* * THIS IS NOT A SURVEY * *

DATE: 3-30-99	CLIENT: ALICO INC. 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	
SEC: TWP: RGE: 13 46 25	
FIELD BOOK:	
FIELD BOOK PAGE: Mor 30, 1999 - 13:42:12	CROSS REFERENCE FILE NO.: D:\GULF\AR\00\X\SUR\F0253\0253+02.dwg 7496.V1
WORK ORDER NO.:	PROJECT NO.:
F0253	2 of 2
SHEET NUMBER:	FILE NO.:
	A-0253-144

EXHIBIT "B"
Page 1 of 8

SCHEDULE OF USES

RESIDENTIAL "R"

PERMITTED PRINCIPAL 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 § 34-1494

Churches, Synagogues, and other Places of Worship

Club: Beach, private and public

Accessory uses including but not limited to:

Bait Shop

Boat Docks - as specified on Exhibit B - Property Development Regulations

Boat Ramp

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

Day Care Center

Fishing Pier

Food & Beverage Service

Locker Rooms

Personal Services, limited to ATM, barber shops & beauty shops, health club, steam bath and massage establishment)

Rental or leasing establishment, Group I, (limited to beach chairs, umbrellas, boats, and other beach related items etc., **excluding** jet skis, wave runners, seadoos and other similar personal water craft)

School, commercial, limited to boating and water skiing

Specialty Retail Shop

Club: Country, private and public

Accessory uses including but not limited to:

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

Food & Beverage Service -limited

Personal Services, limited to ATM, barber & beauty shops, health club, steam bath and massage establishment)

Pro Shop

Tennis Courts

Consumption on Premises, limited to within the clubhouse(s)

Continuing Care Facility

Cultural Facilities

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

Dwelling Units:

EXHIBIT "B"
Page 2 of 8

Single-family, detached
Duplex
Multiple Family Building
Townhouse
Two-Family attached
Zero lot line
Dormitory
Day Care Centers adult and child (when compatible with adjacent uses)
Entrance Gates and Gatehouse
Essential Services
Essential Service Facilities, Group I
Excavation - Water Retention
Fraternity House/Sorority House
Golf Courses, Golf Course Accessory uses, including but not limited to: Consumption on
premises
Cart barn
Clubhouse
Food and beverage service - limited
Locker Rooms
Maintenance Facility
Personal Services, (limited to ATM, barber shops & beauty shops, health club,
massage establishment accessory to the clubhouse)
Pro Shop
Snack Bar at the ninth hole or other appropriate location
Specialty Retail Shop, accessory to clubhouse only
Helistop (subject to Condition 38)
Home Occupations (subject to standards in LDC § 34-1772)
Model Homes, Model Units and Model Display Center and Speculative Homes(limited to
residential uses within Miromar Lakes)
Parking lot, accessory only to Model Homes, Model Units and Model Display
Center
Plant Nurseries (subject to Condition 33)
Public and private parks, playgrounds, play fields and commonly owned open space
Real Estate Sales and Rental office for Miromar Lakes project only
Recreational Facilities, personal and private, including but not limited to:
Fishing Piers Bike Paths
Boardwalks Nature Trails/Jogging Paths
Swimming Pools Boat Docks
Tennis Courts Boat Ramps
Horseshoe Pits Parks
Shuffleboard Courts Playground
Vita Course Bocce Courts
Picnic Areas
Recreational Hall, private
Residential Accessory Uses, including but not limited to:

EXHIBIT "B"
Page 3 of 8

Docks - As limited on Exhibit B - Property Development Regulations
Private garages, carports and parking areas
Private swimming pools and enclosures
Private tennis courts
Signs, in compliance with LDC Chapter 30
Temporary Sales and/or Construction Office
Water Taxi Stand

Any activity comparable in nature with the foregoing uses and which the Director of the Lee County Department of Community Development determines to be compatible in "R" District.

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 (limited to one, and subject to Condition 5)
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's 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 ATMs, barbershops or beauty clubs, steam baths, massage and the like

EXHIBIT "B"

Page 4 of 8

Restrooms and other uses which are normal and accessory to the
golf course
Snack Bar at an appropriate location
Specialty Retail Shops
Computer and Data Processing
Consumption on Premises (subject to Condition 5)
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, Groups I and II
Fraternity/Sorority House
Gasoline Dispensing System, Special
Gift and Souvenir Shop
Hardware Store
Health Care Facility, Groups 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
Restaurant(s), Standard Groups I, II, III and IV (includes outdoor seating, subject
to Condition 46)
Specialty retail shops
Day care center
Personal services, limited to ATMs, barbershops or beauty shops, photo agents,
health clubs, steam baths, massage and the like

EXHIBIT "B"

Page 5 of 8

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 the
Miromar Lakes project only)
Non-Store Retailers, All Groups
Outdoor Display of Merchandise
Package Store (limited to one, subject to Condition 5)
Paint, Glass and Wallpaper
Parcel and Express Service
Parks, Public, Groups I and II
Parking Lot:
 Accessory
 Commercial
 Garage, Public
 Temporary (subject to LDC § 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 (Subject to Condition 33)
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, Groups 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

EXHIBIT "B"
Page 6 of 8

Self Service Fuel Pumps
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 § 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 foregoing uses and which the Director of the 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
Continuing Care Facility
Caretakers Residence
Day Care Center, Adult, Child
Dormitories
Dwelling Units
Fraternity/Sorority House
Health Care Facility, Groups II, III and IV
Home occupation
Hospice
Library
Place of Worship
Religious Facilities
Schools, Commercial
Schools, Non-Commercial
Social Services: Group III
Time Share Unit

EXHIBIT "B"
Page 7 of 8

*This exclusion applies only where the FAR Part 150 study prohibits these 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

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

- Consumption on premises

- Restaurant(s), Standard Groups I, II, III and IV (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 ATMs, 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, Group 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 the Lee County Department of Community 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

EXHIBIT "B"

Page 8 of 8

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 of Community Development determines to be compatible with the Miromar Lakes "CO" district.

RESIDENTIAL PROPERTY DEVELOPMENT REGULATIONS

These regulations apply to all of the areas labeled "R" on the Master Concept Plan.

These regulations apply to all of the areas labeled													
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)			Side and Rear (ft)							
				Lots		C.O.	Golf Course						
SINGLE FAMILY RESIDENTIAL USES													
Single Family Detached	5,500	70	50	5	20	10	10	12 ⁵ or 20	0 or 20	2	35	10	55%
Patio/Cluster Homes	3,500	70	35	5	10	10	10	12 ⁵ 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 ⁵ 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

7/29/99

EXHIBIT "C"
PAGE 1 OF 2Hearing Examiner
EXHIBIT # B
95-01-028.03Z 01.01
95-01-028.04Z 02.01

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		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 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.

FLORIDA LAND PLANNING, INC.

3 August 1999

EXHIBIT "D"
PAGE 1 OF 2

MEMORANDUM

HEARING EXAMINER
EXHIBIT # *C*
95-01-028.032 01.01
95-01-028.042 02.01

To: Mike Pavese
From: Carron Day
Subject: Miromar Lakes - Open Space Table
via: Fax Only
cc: Jack Leeman, Miromar
Mike Ciccarone, Esq.

Neale Montgomery, Esq.
Bruce Rankin, Wilson Miller

The following is a copy of the Open Space and Indigenous Vegetation Table revised in the area highlighted in the copy you received this morning to eliminate the 7,500 square foot figure which was inadvertently included under two-family residential.

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.

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.

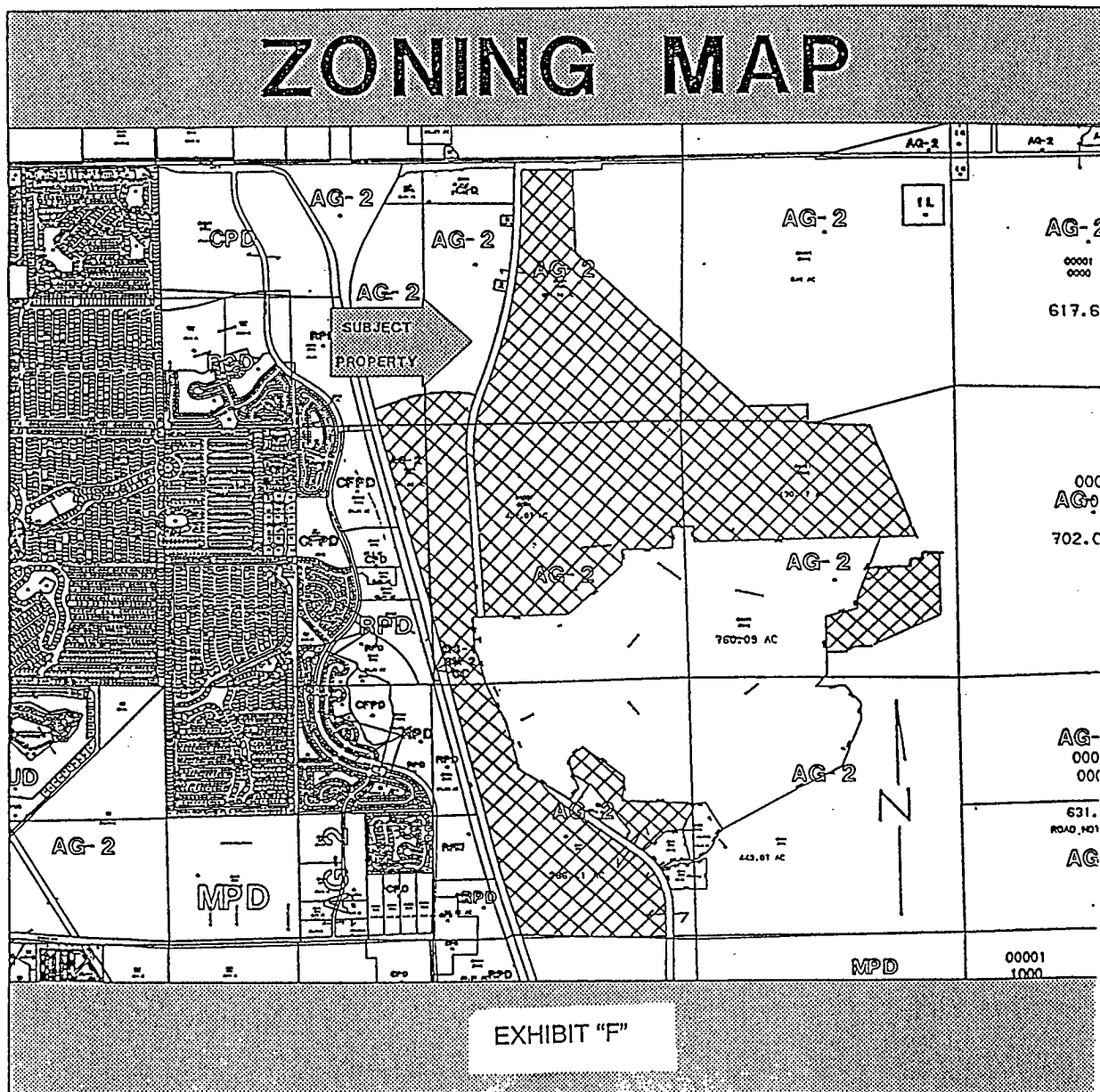
Required Indigenous Vegetation

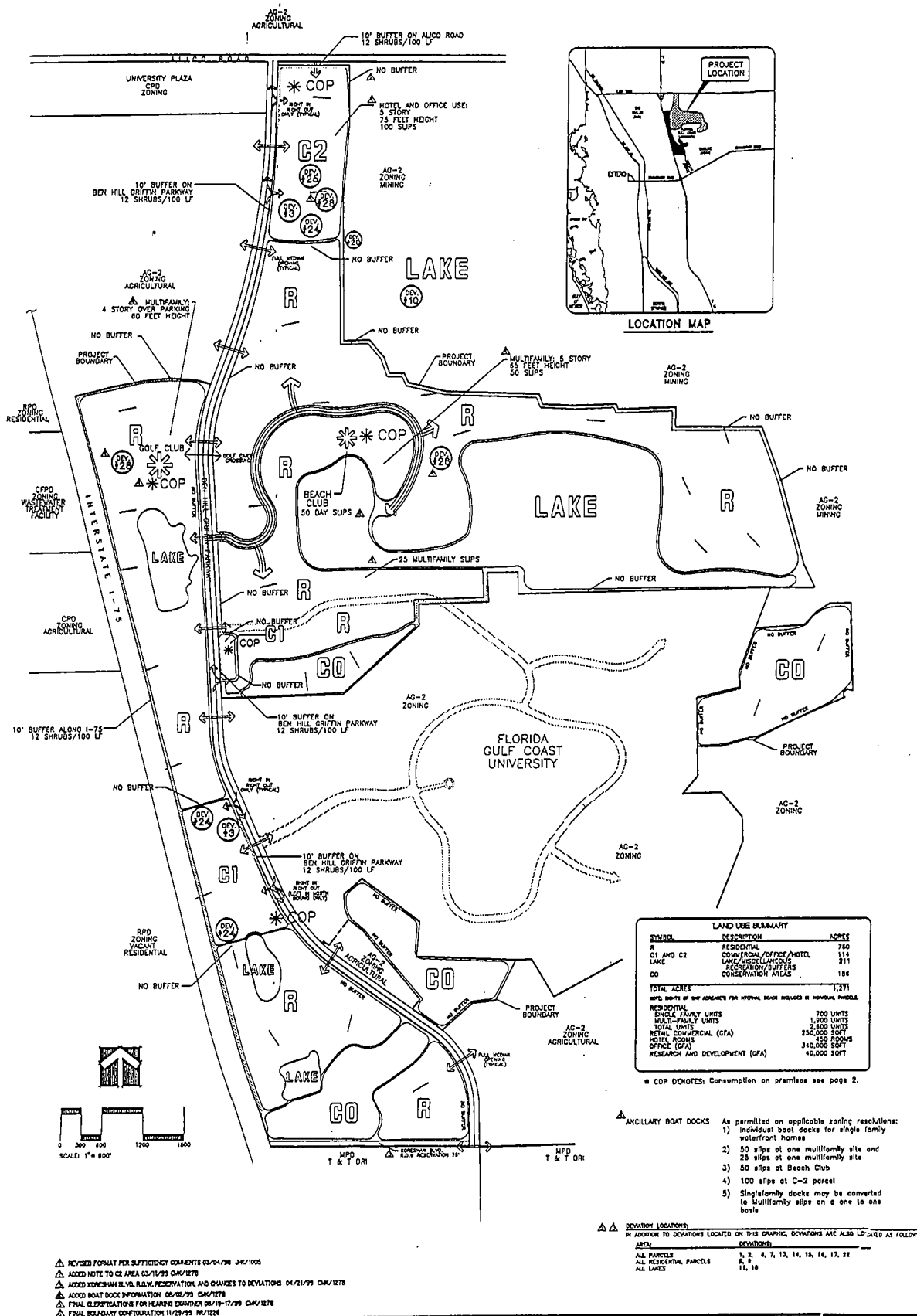
- On a project-wide basis, Miromar Lakes will meet the indigenous vegetation percentage required by the LDC.
- Except for 2 ½ acres of indigenous vegetation retained in and around the golf course rough, all of the required indigenous vegetation acreage for Miromar Lakes will be met within Miromar Lakes' Conservation Area.
- Both existing indigenous vegetation and restored vegetation within Miromar Lakes' Conservation Area will qualify to meet the County's indigenous vegetation requirements

SITE DEVELOPMENT NOTES

- 1 The locations of all access points into individual parcels are approximate and subject to change.
- 2 The Master Concept Plan depicts the property's general development layout. The Plan's final land use patterns, circulation, access points, shoreline configuration, recreation and open space areas and other functional elements will be determined at the time of final Lee County development order permitting. Final shoreline configuration will be as approved by the ERP permitting process.
- 3 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.
- 4 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.
- 5 Ancillary boating facilities within Miromar Lakes are limited 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.
- 6 Wetland lines are subject to jurisdictional determination.
- 7 Consumption on premises including consumption in outdoor seating areas is allowed within the Miromar Lakes DRI's hotels, motels, restaurants, clubs and fraternal membership organizations, golf clubhouses and golf halfway buildings, tennis club, indoor racquetball club, beach clubs, and the like, shopping centers, cocktail lounges and similar uses.
- 8 Gatehouses are to be located in various locations in accordance with LDC 34-1749





REVISED FORMAT PER SUFFICIENCY COMMENTS 03/04/2016 JHE/1005
 ADDED NOTE TO C2 AREA 03/15/2016 CHM/1278
 ADDED HOMEOWNERS ASSOCIATION AND CHANGES TO DEVIATIONS 04/21/2016 CHM/1278
 ADDED BOAT DOCK INFORMATION 06/02/2016 CHM/1278
 FINAL CLARIFICATIONS FOR HEARING CHAPTER 06/18/17/2016 CHM/1278
 FINAL BOARD APPROVAL 11/02/2016 HJ/1024

Scale: 1" = 600'

Sheet 1 of 3

MIROMAR LAKES DRI MASTER CONCEPT PLAN

PREPARED FOR: ALICO, INC.

EXHIBIT E
 PAGE 1 OF 2

WILSON MILLI

Planners • Environmental Consultants • Engineers
 Surveyors • Landscape Architects • Construction Mgr.
 WILSON, MILLER, SALTHER & PEEK, INC.
 6001 Central Expressway, Suite 100, Fort Myers, Florida 33907 Phone 813-938-0000 Fax 813-938-0001

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 34-1464
Churches, Synagogues and other Places of Worship
Child and Cultural Facilities
Club, Beach, private and public. Accessory uses including but not limited to:
Ball shops
Boat docks
Boat ramps
Consumption on premises including outdoor seating (subject to Condition #46)
Dry 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., including jet ski, wave runner, sea doo 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 #46)
Personal services, limited to ATM, barber shop or beauty shop, health club, steam bath and massage establishment
Pro Shop
Tennis Courts
Confining 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)
Eriksen 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
Beach 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
Beach Bar at the ninth hole or other appropriate location
Pro Shop
Specialty retail shops, accessory to clubhouse only
Restaurant(s) including outdoor seating
Personal services, limited to ATM, barbershops or beauty shops, photo agents, health clubs, steam bath, massage and the like
Helipad (subject to Condition #34)
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 Offices for Miromar Lakes project only
Recreation facilities, personal and private to include the following or other compatible uses:
Fishing Piers
Boatbuses
Swimming pools
Tennis Courts
Homesite pro
Brick/stone courts
Playgrounds
Volley courts
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
Beach Bar at an appropriate location
Specialty Retail Shops
Temporary Sales and/or Construction Office
Water Treatment
Any activity compatible 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.
Residential accessory uses, including but not limited to:
Boat Docks, Private garages, carports and parking areas, Private swimming pools and enclosures, where levels of use are consistent with the R District.
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 Use and Agricultural Accessory Uses (limited to existing only and subject to Condition #33)
Animals, CNA
Assisted Living Facility
ATM (Automated Teller Machine)
Automotive Service Station
Bar and Financial Establishments, Groups I and II
Bar and Cocktail Lounge
Bar and Breakfast
Broadband Studio, Commercial Radio and Television
Business Services, Group I (excluding: ball bonding and blood donor, stations) and Group II
Car Wash
Caretaker Residence
Child and Governmental Services
Cleaning and Maintenance Services
Clothing Stores
Club, 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 Shop
Personal services, limited to ATM, barbershops or beauty clubs, steam bath, massage and the like.
Snack Bar at an appropriate location
Specialty Retail Shops
Computer and Data Processing
Consumption on Premises
Confining Care Facility
Convenience Food and Beverage Stores (limited to a total of three, one on each commercial lot)
Cultural Facilities
Dry 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 Oil and Petroleum Shop
Hardware Store
Health Care Facility, Group I, II, III and IV
Helipad (subject to Condition #34)
Hobby, Toy, Game Shops
Home occupation
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
Dry clean center
Personal services, limited to ATM, barbershops or beauty shops, photo agents, health club, steam bath, 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
Libraries
Medical Office
Model Homes, Model Units and Model Display Center (limited to residential uses within Miromar Lakes)
Non-Store Restaurants, All Groups
Outdoor Display of Merchandise
Package Store (limited to one, subject to Condition #6)
Paint, Clean and Wash
Parcel and Express Service
Parks, Public or Private, Groups I and II
Parking Lot Accessory, Commercial, Garage, Public and Temporary (subject to LDC Section 34-3022)
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
Retail and Leasing Establishments, Group I, II and III
Retail 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
Studio
Tee stand
Temporary Uses (LDC Section 34-3041)
Theater, Indoor
Towers, communication, only when accessory to a permitted use (100 feet or less in height)
Used Merchandise Store: Groups I and II
Volley Store
Wholesale Establishment, Group III

Any commercial use or professional service which is compatible 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 160 Study:
Assisted Living Facility
Bed and Breakfast
Caretaker Residence
Confining Care Facility
Dry Care Center
Dormitories
Dwelling Units
Fraternity/Sorority House
Health Care Facility, Group I, II and IV
Home occupation
Hospital
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 Boat, Fuel and Related Supplies
Boiling 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 pier
Boat docking and Fueling Facility
Boat ramps
Boiling schools/clubs
Water selling distribution
Boat and Vehicle Storage
Rental/leasing of inflatable, boats, canoes, beach equipment, fishing rods, bicycles and the like.
Personal services, limited to ATM, barbershops or beauty shops, photo agents, health clubs, steam bath, 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 Treatment

Any commercial use or professional service which is compatible 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

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, observation towers and golf cart crossings.
Recreational shelters, restroom facilities, passive parks, and picnic areas.
Signs
Water Management Facilities
Wildlife Management
Wetland Activities
Accessory uses and structures customarily associated with the uses permitted in this district.
Other activities which are compatible 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 residence on a single lot with a maximum lot size of 6,600 sq ft; Duplex on a single lot with a minimum lot size of 7,600 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 use, 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 2,172 acres of indigenous vegetation retained in and around the golf course, 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 location 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 pattern, circulation, access points, shoreline configuration, recreation and open space areas and other functional elements will be determined at the time of final Lee County development order permitting. Final shoreline configuration will be 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 use, which are ancillary to the residential uses and do not count against the approved total project's 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 Watercraft 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 Hotel, motel, restaurant, club and fraternal membership organizations, golf clubhouse and golf hallway buildings, tennis club, indoor recreational club, beach club, and the like, shopping centers, cocktail lounges and similar uses.
- Gatehouses are to be located in various locations in accordance with LDC 34-1749

MIROMAR LAKES
A Planned Development
Lee County, Florida

LAND USE TABLES
Permitted Land Uses, Site Development
Notes and Open Space Regulations
EXHIBIT E

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

DEVIATION#

1 Deviation from LDC Section 34-196(4)(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 34-196(4)(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 34-1263 (a), Section 34-1264(b) (1) a, 1, and Section 34-1264(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 800 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 800 feet from any residential unit located outside of the Tract C-1.

4 Withdrawn

6 Deviation from LDC Section 10-290(3)(b) (Access to Street) which requires, where practical, any residential development of at least 50 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 out-of-lot will be provided in any parcels subject to this deviation. Prior to each local Development Order, the local Fire and Emergency Services will provide a letter of no objection to the single ingress and egress of these parcels.

8 Deviation from LDC Section 10-290(3), Table 3 which requires a right-of-way width of 36 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 10-290(4), Table 4(7)(c) which requires that wearing surfaces of local and access road for Class A development must be 11.0 inch asphalt concrete or 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

8 Deviation from LDC Section 10-290(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 10-290(3), to permit access ways providing access up to 100 multi-family residential units to be exempt from the minimum roadway widths as specified in 10-290(3). 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 10-320(a)(1)(a)(3) which requires a minimum 60' setback from water retention or detention excoriation to any private property line under separate ownership, to permit a 0' setback along the property line between Miromar Lakes and Jdo, Inc. in the north mixing lake.

11 Deviation from LDC Section 10-320(a)(1)(a)(3) which requires a minimum 80 foot setback from water retention or detention excoriation 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 roadway vehicles in accordance with this section and to provide a Type F curb in these locations.

12 Withdrawn

13 Deviation from LDC Section 10-356 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 mixing lakes. The entire acreage of the existing existing 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.

16 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 located within easements must be removed, then the developer or property owner association will replace these plantings with the 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 retained vegetation within the wetland slope to count toward the required indigenous vegetation requirement. A minimum of 180 acres of existing indigenous and restored/functional plant communities will be provided and preserved.

17 Deviation from LDC Sections 10-416(b)(1), 10-416(b)(2), and 10-416(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 34-131(1)(b)(1) and the plantings are maintained by the developer or property owner association.

18 Deviation from LDC Section 10-416 (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 the zoning request. The herbaceous plant requirements per LDC Section 10-416 will be calculated on the entire length of the lake shoreline, including any built-out portions. Wetland trees and shrubs may be substituted for up to 60% 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 34-2184(c)(1)(a) which provides that the Board of County Commissioners may grant less stringent setbacks when the development surrounding the body of water is under unified control to allow the development of buildings and accessory structures within 6 feet of the mixing 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 1000 linear feet of lake frontage adjacent to this tract.

21 Withdrawn

22 Deviation from the LDC Section 10-296 which requires a minimum of 125 foot spacing between driveway access points to a local road, to allow two accessways for each short cut-de-vo (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 80 feet and the deviation applies only to private local roads.

23 Withdrawn

34 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.

35 Withdrawn

36 Withdrawn

37 Withdrawn

26 Deviation from LDC Section 34-606 (7)(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 60 feet. The multiple family parcel associated with the Beach Club is proposed for 6 stories with a maximum height of 66 feet.

RESIDENTIAL PROPERTY DEVELOPMENT REGULATIONS														
These regulations apply to all of the areas indicated 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* (ft)	Water Body (ft)					
		Depth	Width			C.O.	Golf Course							
SINGLE-FAMILY RESIDENTIAL USES														
Single Family Detached	5,500	70	50	5	20	10	10	12' or 20'	0 or 20'	2	35	10	55%	
Patio/Cluster Homes	3,500	70	35	5	10	10	10	12' 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' 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	12x	30	10	10	30	0 or 20'	5	65'	25	55%	
Assisted Living Facility	10,000	100	100	12x	30	10	10	20	20	3	45	25	50%	
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	

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	Water Body				
		Depth	Width			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'	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	8	70'	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.

MIROMAR LAKES
A Planned Development
Lee County, Florida

LAND USE TABLES
Property Development Regulations
and Deviations
EXHIBIT F

Florida Land Planning
1660 Mathew Drive, Suite E
Fort Myers, Florida 33907
941-278-5222 fax 941-278-4466
e-mail: flp@prodigy.net

Parcel Six

**DESCRIPTION OF A 43 ACRE PARCEL BEING A PORTION OF
SECTIONS 23 & 24, TOWNSHIP 46 SOUTH, RANGE 25 EAST,
LEE COUNTY, FLORIDA
(PREPARED BY WILSON, MILLER, BARTON & PEEK, INC.)**

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;
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.

DATE: April 1, 1999.

REVISED: April 22, 1999.

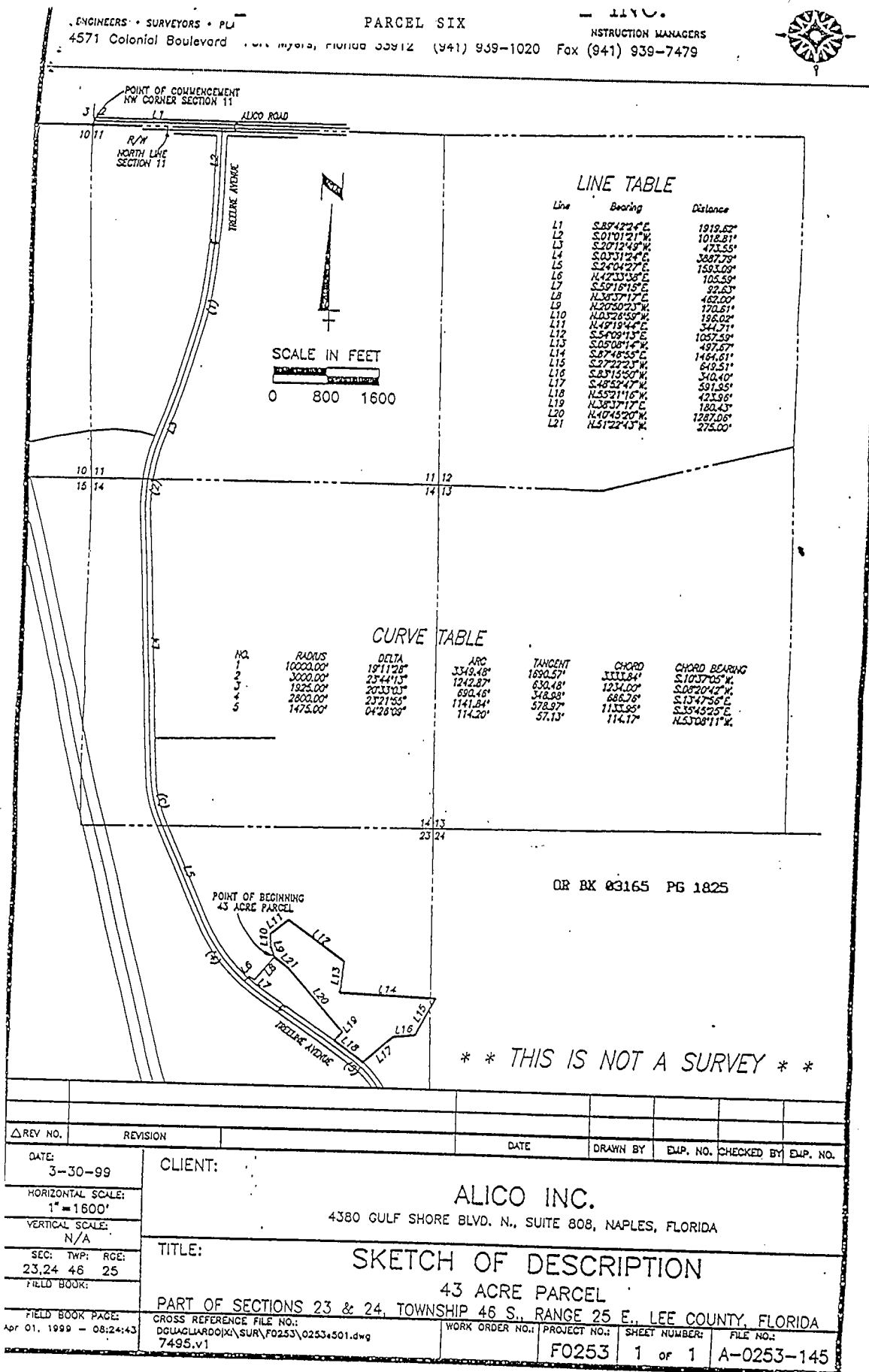
ENGINEERS • SURVEYORS • P.L.L.C.

PARCEL SIX

- 1110 -

4571 Colonial Boulevard, Fort Myers, Florida 33912 (941) 939-1020 Fax (941) 939-7479

INSTRUCTION MANAGERS



Parcel Seven

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Parcel Eight

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

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'

TO THE POINT OF BEGINNING; THENCE CONTINUE S 25° 52' 55" E FOR 175.30 FEET;

THENCE THE FOLLOWING THREE (3) COURSES;

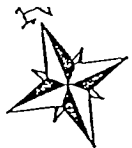
- 1) S 00° 07' 13" E 16.50
- 2) N 89° 46' 48" W 357.96
- 3) N 00° 43' 41" W 176.03
- 4) S 89° 21' 30" E 283.67 TO THE POINT OF BEGINNING.

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.

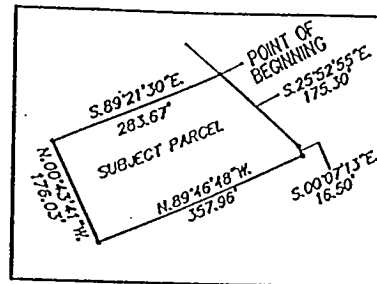
DESCRIPTION PREPARED APRIL 16th, 1999.



NOT TO SCALE

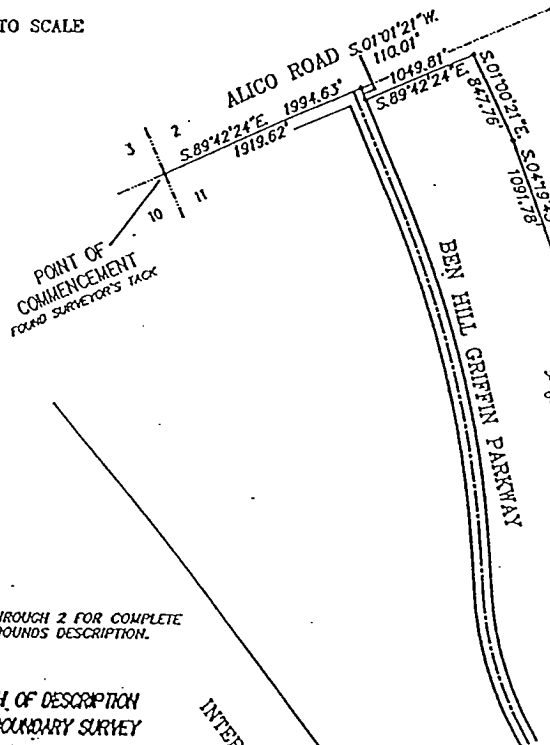
SKETCH OF DESCRIPTION

OF
A PARCEL OF LAND LYING IN
SECTION 13, TOWNSHIP 16 SOUTH, RANGE 23 EAST,
LEE COUNTY, FLORIDA



DETAIL NOT TO SCALE

PARCEL EIGHT



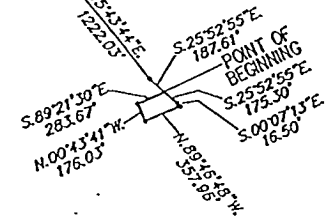
SEE SHEETS 1 THROUGH 2 FOR COMPLETE
METES AND BOUNDS DESCRIPTION.

THIS SKETCH OF DESCRIPTION
IS NOT A BOUNDARY SURVEY

Richard M. Ritz
RICHARD M. RITZ, R.L.S.
FLORIDA CERTIFICATION NO. 6009

THIS SKETCH OF DESCRIPTION IS NOT A BOUNDARY SURVEY
AND DOES NOT REPRESENT THE ACTUAL BOUNDARIES OF THE PARCEL
DEPENDING UPON THE LOCATION OF THE POINT OF BEGINNING AND THE
LOCATION OF THE POINT OF COMMENCEMENT AND THE LOCATION OF THE
POINT OF BEGINNING AND THE LOCATION OF THE POINT OF COMMENCEMENT
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INTERSTATE 75



SEE DETAIL

SHEET 3 OF 3

Banks Engineering, Inc.

ENGINEERING, SURVEYING & LAND PLANNING
FLORIDA SURVEYOR CERTIFICATION NUMBER 18 0044
10404 BOX MILE CYPRESS PARKWAY - SUITE 104
FORT MYERS, FLORIDA 33904
(813) 836-6446

SKETCH OF DESCRIPTION
MIROMAR SUBDIVISION
LEE COUNTY, FLORIDA

DATE	PROJECT NO.	SHOWN	CHANGES	SCALE	EXT.	FILE NO.
4-18-18	1105	DEMO-8	RE	RE	EXT. 2 OF 3	44-18

LEGAL DESCRIPTION

STRAP NUMBERS

The applicant has indicated the STRAP #'s of the subject property are:

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

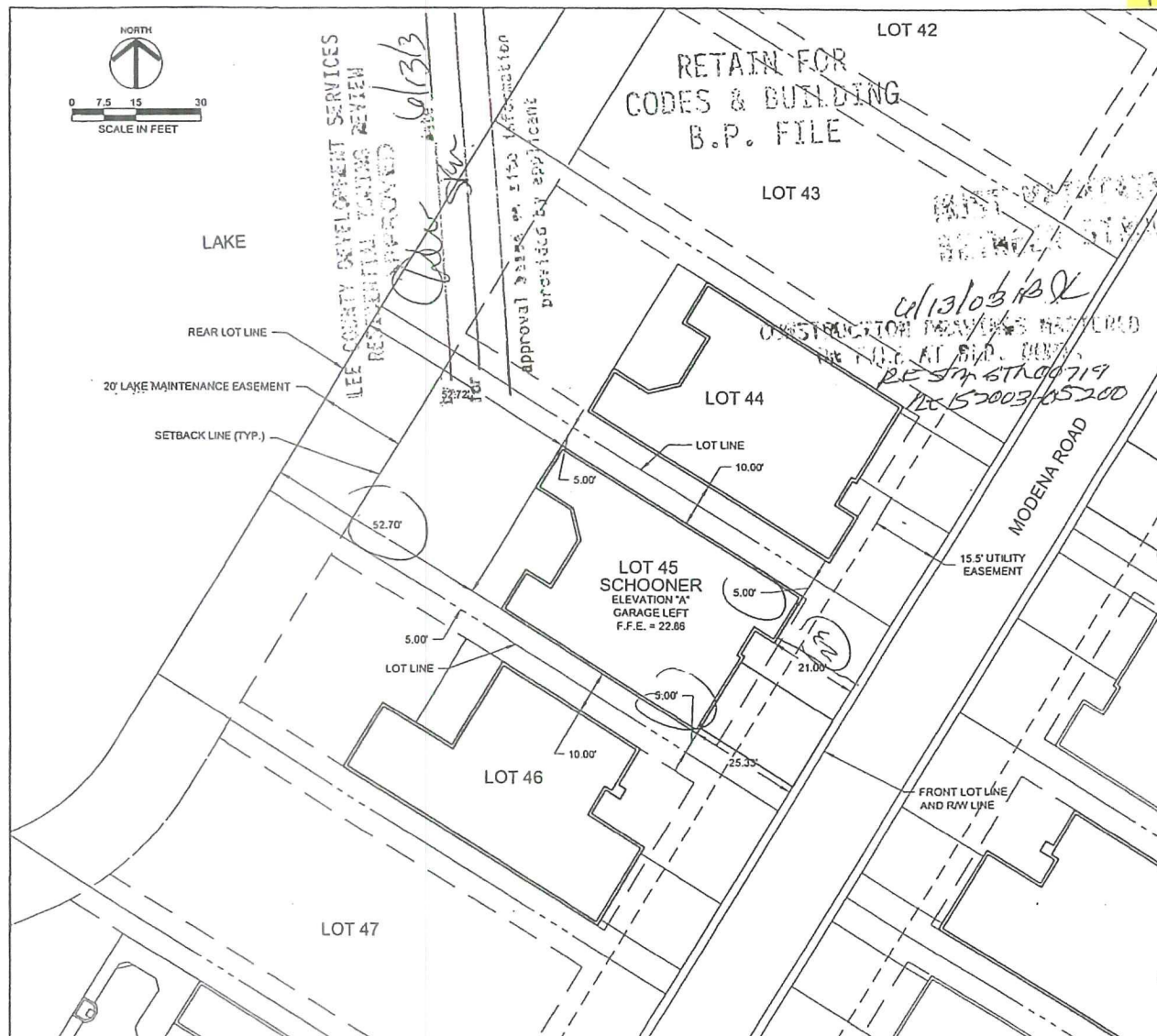
23-46-25-00-00001.0050

23-46-25-00-00001.0060

24-46-25-00-00001.0000.

Exhibit C

RES2003-05200



GENERAL NOTES:

SITE APPROVED UNDER LEE CO. DEVELOPMENT ORDER DOS2001-00118
THE BUILDING FOOTPRINT SHOWN HEREON REPRESENTS THE FOUNDATION ONLY AND WAS PROVIDED TO B.A.I. IN AUTOCAD FORMAT BY ALLIANCE DESIGN GROUP.

LOT SUMMARY

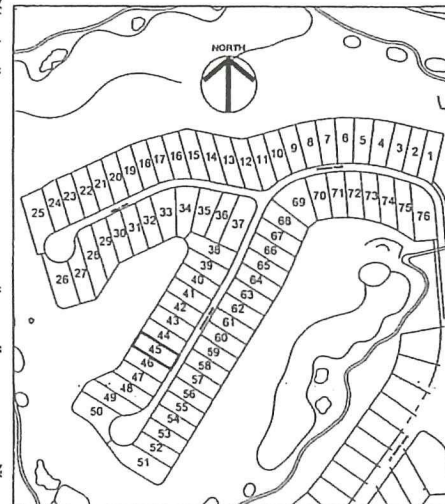
LOT AREA	7,000± S.F.
HOUSE FOOTPRINT	2,198± S.F.
POOL & DECK	328± S.F.
DRIVEWAY	458± S.F.
OPEN SPACE:	4,018± S.F.

SITE DEVELOPMENT DATA:

20' MIN. FRONT SETBACK TO RAWLINE (BACK OF CURB)
10' MIN. REAR SETBACK TO PROPERTY LINE (GOLF COURSE)
20' MIN. REAR SETBACK TO WATER BODY
5' MIN. SIDE SETBACK
35' HEIGHT LIMIT (2-STORIES)
10' MIN. BUILDING SEPARATION (MEASURED TO WALL)
PARCEL ADDRESS: MODENA ROAD
STRAP NO.
FINISHED FLOOR ELEVATION = 21.50 MIN. (22.0 OR 12" ABOVE ADJACENT ROADWAY RECOMMENDED)
NOTE: ALL SETBACKS MEASURED TO WALL

FEMA FLOOD ZONE:

ACCORDING TO F.J.R.M. COMMUNITY PANEL 125124 0475 B, PANEL NOT PRINTED - NO SPECIAL FLOOD HAZARD AREAS.



SITE LOCATION MAP

Barraco
and Associates, Inc.
CIVIL ENGINEERS, LAND SURVEYORS
AND PLANNERS AND CONSULTANTS
www.barraco.net
3211 MAGNOLIA BOULEVARD
FORT MYERS, FLORIDA 33902-2900
PHONE (239) 441-3170
FAX (239) 441-3193
FLORIDA CERTIFICATE OF AUTHORIZATION
ENGINEERING 1261 - SURVEYING LB-8640

Pulte
Homes

PLATE HOME CORPORATION
4514 OLIVE HIGHWAY
SUITE 250
TAMPA, FLORIDA 33634
PHONE (813) 265-3243
FAX (813) 265-3247
WWW.PULTEHOMES.COM

TIVOLI
at
MIROMAR LAKES

SECTIONS 16, 17, 18 & 19
TOWNSHIP 48 SOUTH
RANGE 22 EAST
LEE COUNTY, FLORIDA

NOT VALID WITHOUT SIGNED SEAL, SIGNATURE AND DATE

25 EQUIPMENT, BARRIER AND SADDON TIE, INC.

CONNECTIONS (OWNED) TO LANDSCAPE USE POLYMER

FILE NAME: TIVOLI.DWG

LOCATION: 12511240475B (TAMPA) 1/1/04

DATE: 6-10-2003 3:11 PM

DESIGN BY: JASON BONE

DESIGN BY: TIVOLI.DWG

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Exhibit D

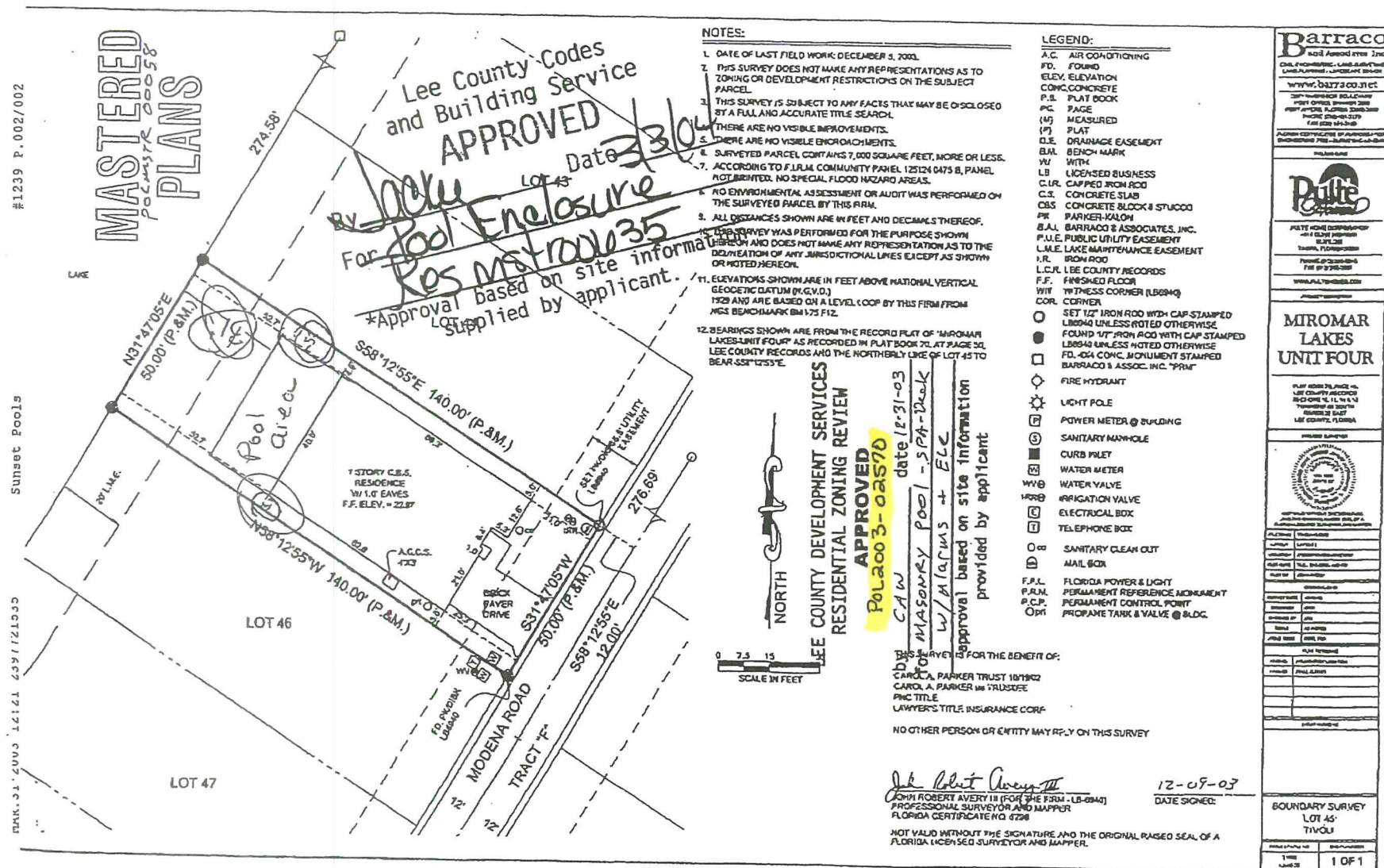


Exhibit E

