



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

Project Name: Kessler PD Amendment

Current Zoning: MPD

Deviation from 5-foot setback requirement to allow side setback of 4.9-feet from the north property line for existing 14 year old home at 17843

☒ Amendment to a PD or PUD to allow: Modena Road, Miromar Lakes, FL 33913.

☐ Final Plan Approval for: _____

1. Name of Applicant: Deborah B. Kessler

Contact Person: _____

Address: 17843 Modena Road, Miromar Lakes, FL 33913

Phone Number: 262-923-6444

E-mail Address: dbkess@hotmail.com

2. Relationship of Applicant to owner (check one) and provide [Affidavit of Authorization](#) form:

☒ Applicant is the sole owner of the property. [34-201; 34-204]

☐ Applicant has been authorized by the owner(s) to represent them for this action. [34-202; 34-204]

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

a. Company Name: Pavese Law Firm

Contact Person: Kathleen O. Berkey, Esq., AICP

Address: 1833 Hendry Street

City, State, Zip: Fort Myers, FL 33901

Phone Number: 239-336-6280 E-mail: kathleenberkey@paveselaw.com

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

Company Name: Sun Realty

Contact Persons: Jay Siegall and Ernie Benedetto

Address: 9933 St. Moritz Drive

Miromar Lakes, FL

Phone: 239-464-9700/239-444-3799

E-mail: jay@siegall.com/ernieb@softtitle.com

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

Name: Deborah B. Kessler Trust

Address: W162N5538 Westwind Drive

City, State, Zip: Menomonee Falls, WI 53051

Phone Number: 262-923-6444 E-mail: dbkess@hotmail.com

5. Disclosure of Interest [34-201; 34-204]:

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



6. STRAP Number(s) [34-204]:
15-46-25-06-0000B.0450
7. Street Address of Property: 17843 Modena Road, Miromar Lakes, FL 33913
8. Legal Description (must submit one):
☐ Legal description (metes and bounds) and sealed sketch of the legal description. [34-204]
OR
☒ Legal description (NO metes and bounds) if the property is located within a subdivision platted per F.S. Chapter 177, and is recorded in the Official Records of Lee County under Instruments or Plat Books. (Click [here](#) to see an example of a legal description with no metes and bounds.) [34-204]
Miromar Lakes Unit 4 (PB 70 PGS 48-51) BLK B Lot 45 – see plat attached
9. Lee Plan (Future Land Use) Designation [34-204]: University Community
10. Original Project Name: Miromar Lakes
11. Original Rezoning Resolution Number: Z-99-029
12. Subsequent Zoning Action Resolution/Case Numbers (if any): Please list all previous zoning and administrative actions (approvals and denials) on this project subsequent to original rezoning. Include Resolution Numbers and Case Numbers (provide added sheets, if necessary).

Z-13-020, 18JUN14, DRI2012-00021 & DCI2013-00008, APPROVAL TO AMEND THE DRI DEVELOPMENT ORDER AND THE MPD DISTRICT. W/CONDS.

Z-12-004 16APR12 DRI2011-00003 AND DCI2011-00016, APPROVAL FOR NOTICE OF PROPOSED CHANGE TO MIROMAR LAKES DRI AND AMEND EXISTING MPD ZONING RESOLUTION Z-02-072 TO ELIMINATE 12 ACRES, W/CONDS.

RESOLUTION NO. 11-10-05 APPV 4 YEAR EXT FOR CASE#DRI20011-00009 TO 31DEC2030

DRI2009-00003 27JAN2010, MIROMAR LAKES DRI, APPROVAL OF SB 360 EXTENSION FROM 2-16-2009 TO 2-16-2011

Z-02-072, DCI2001-00033 & DRI2001-00004, 16FEB04, NPOC TO AMEND MIROMAR LAKES DRI DEV ORDER & MIROMAR LAKES MPD.

DRI2003-00009, BLUESHEET #20031523, 27JAN04, APRV REQYEST FOR REHEARING OF THE BOARD DECISION IN ZONING CASE DRI2001-00004 & DCI2001-00033, MIROMAR LAKES DRI.

DRI2002-00006, 10DEC02, 1ST DEV ORD AMEND TO MIROMAR LAKES DRI DO, REVISE ADJUSTMENT RATE TO UNPAID BAL OF PROPORTIONATE SHARE ASSESSMENT; CONDS.

ADD2002-00138, 07OCT02, ADMIN APRVL FOR RELIEF AT 17984 MODENA ROAD IN MIROMAR LAKES MPD FM ZONING REGS IN Z-99-029; WITH LIMITS.

ADD2001-00125, 10/16/01, MIROMAR LAKES TIVOLI & ST MORITZ, FINAL ZONING PLAN APVL W COND.

ADD2001-00004, 2/16/01, ADMIN APVL TO AMEND THE MPD FOR THE RELOCATION OF AN ACCESS POINT ONTO BEN HILL GRIFFIN PKWY W COND.

Z-99-029, 95-01-028.03Z/04Z, 11.29.00, DBC FM AG-2 TO MPD W COND.

13. Development Order Numbers (if any): List all local development orders approved on this project. Please indicate the status of each development order (provide added sheets, if necessary).
DOS2001-00116

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

The subject property was built by Pulte Home Corporation in 2003 (RES2003-05200) and closed to the original purchaser in December of 2003. The original survey approved by and certificate of occupancy issued by Lee County show that the side setback from the north property line was the required 5-feet and the construction met all code requirements. While no changes have been made to the foot print of the structure since the time it was built, the December 2003 survey (enclosed) for the property's pool permit (POL2003-02570), approved by Lee County zoning on December 29, 2003 and issued by Lee County on January 12, 2004, shows that the side setback from the north property line is only 4.9-feet. The most recent survey (enclosed) also confirms a side setback encroachment of 1/10th of a foot. The encroachment is de minimis and was likely a result of a construction error, possible shifting and settling of the structure during the 13 years since the home was first constructed, or other inadvertent cause.

In light of the foregoing, the applicant respectfully requests a variance from the 5-foot north side setback requirement to allow for a side setback of 4.9-feet.

15. **Deviations:** If any relief is requested from the provisions of the Lee County Land Development Code (LDC), provide a **written explanation** of the specific relief requested (a schedule of deviations). Explain what conditions currently exist which warrant this request for relief from the regulations (a written justification for each of the requested deviations). Include specific references to any section (number{s} and name{s}) of the LDC from which relief is sought including why the requested relief is necessary and how it will affect the project. All deviation requests must be specifically keyed to the location on the Master Concept Plan or Final Plan. [34-373]
16. **Planning Community or Community Plan Area*:** San Carlos
 *If in Caloosahatchee Shores [33-1482], Captiva [33-1612], Estero [33-64], Lehigh Acres [33-1401], North Fort Myers [33-1532], North (Upper) Captiva [33-1711], or Page Park [33-1203], attach meeting summary from informational meeting.
17. **Approved Master Concept Plan (MCP):** Provide an APPROVED MCP and DETAILED DRAWINGS of any DEVIATIONS OR CHANGES BEING PROPOSED at a size of 24"x36". [34-204; 34-373]
18. **Proposed Final Plan (for Final Plan Approval applications only):** Provide a copy of the proposed Final Plan consistent with the approved Master Concept Plan and the approved Zoning Resolution at a size of 24"x36". This proposed Final Plan must show any DEVIATION(s) keyed on the plan to identify the location of the specific deviation. [34-204]

SUBMITTAL REQUIREMENT CHECKLIST

Clearly label your attachments as noted in bold below.

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

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

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

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

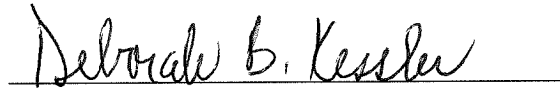
If it is determined that inaccurate or misleading information was provided to the county or the decision does not comply with the Land Development Code when rendered, then, at any time, the Director may issue a modified decision that complies with the Code or revoke the decision. If the approval is revoked,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

LETTER OF AUTHORIZATION

TO LEE COUNTY COMMUNITY DEVELOPMENT

The undersigned does hereby swear or affirm that she is the fee simple title holder and owner of record of property commonly identified as 17843 Modena Road, Miromar Lakes, FL 33913.

The property described herein is the subject of an application for zoning or development. I hereby designate Kathleen O. Berkey, Esquire as the legal representative of the property and as such, this individual is authorized to legally bind the owner of the property in the course of seeking the necessary approvals to develop. This authority includes but is not limited to the hiring and authorizing of agents to assist in the preparation of applications, plans, surveys, and studies necessary to obtain zoning and development approval on the site. This representative will remain the only entity to authorize development activity on the property until such time as a new or amended authorization is delivered to Lee County.


Owner (signature)

Deborah B. Kessler as Trustee for the Deborah B. Kessler Trust
Printed Name

AFFIDAVIT OF AUTHORIZATION

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

I, Deborah B. Kessler (name), as Trustee (owner/title) for Deborah B. Kessler Trust (company/property), swear or affirm under oath, that I am the owner or the authorized representative of the owner(s) of the property and that:

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

***Notes:**

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

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

Deborah B. Kessler
Signature

4-19-17
Date

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

STATE OF FLORIDA
COUNTY OF LEE

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

STAMP/SEAL

Signature of Notary Public

DISCLOSURE OF INTEREST AFFIDAVIT

BEFORE ME this day appeared Deborah B. Kessler as Trustee for the Deborah B. Kessler Trust, who, being first duly sworn and deposed says:

1. That I am the record owner, or a legal representative of the record owner, of the property that is located at 17843 Modena Road, Miromar Lakes, FL 33913 and is the subject of an Application for zoning action (hereinafter the "Property").

2. That I am familiar with the legal ownership of the Property and have full knowledge of the names of all individuals that have an ownership interest in the Property or a legal entity owning an interest in the Property.

3. That, unless otherwise specified in paragraph 6 below, no Lee County Employee, County Commissioner, or Hearing Examiner has an Ownership Interest in the Property or any legal entity (Corporation, Company, Partnership, Limited Partnership, Trust, etc.) that has an Ownership Interest in the Property or that has contracted to purchase the Property.

4. That the disclosure identified herein does not include any beneficial Ownership Interest that a Lee County Employee, County Commissioner, or Hearing Examiner may have in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, whose interest is for sale to the general public.

5. That, if the Ownership Interest in the Property changes and results in this affidavit no longer being accurate, the undersigned will file a supplemental Affidavit that identifies the name of any Lee County Employee, County Commissioner, or Hearing Examiner that subsequently acquires an interest in the Property.

6. Disclosure of Interest held by a Lee County Employee, County Commissioner, or Hearing Examiner.

Name and Address	Percentage of Ownership
N/A	

Under penalty of perjury, I declare that I have read the foregoing and the facts alleged are true to the best of my knowledge and belief.

Deborah B. Kessler
Property Owner

Deborah B. Kessler as Trustee for the Deborah B. Kessler
Trust
Print Name

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

STATE OF FLORIDA
COUNTY OF LEE

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

STAMP/SEAL

Signature of Notary Public

EXHIBIT 1

SUBDIVISION PLAT

MIROMAR LAKES - UNIT FOUR

A SUBDIVISION IN

SECTIONS 10, 11, 14 AND 15, TOWNSHIP 46 SOUTH, RANGE 25 EAST

LEE COUNTY, FLORIDA

THIS INSTRUMENT PREPARED BY:
JOHN R. ANDREWS & P.C.

Barraco
And Associates, Inc.

ONE, I-10 SOUTH, SUITE 200, TAMPA, FLORIDA 33606
TEL: 813-281-1111 FAX: 813-281-1112
WWW.BARRACOA.COM

RECORDING OFFICE OF LEE COUNTY, FLORIDA - INSTRUMENT NO. 2017-00059

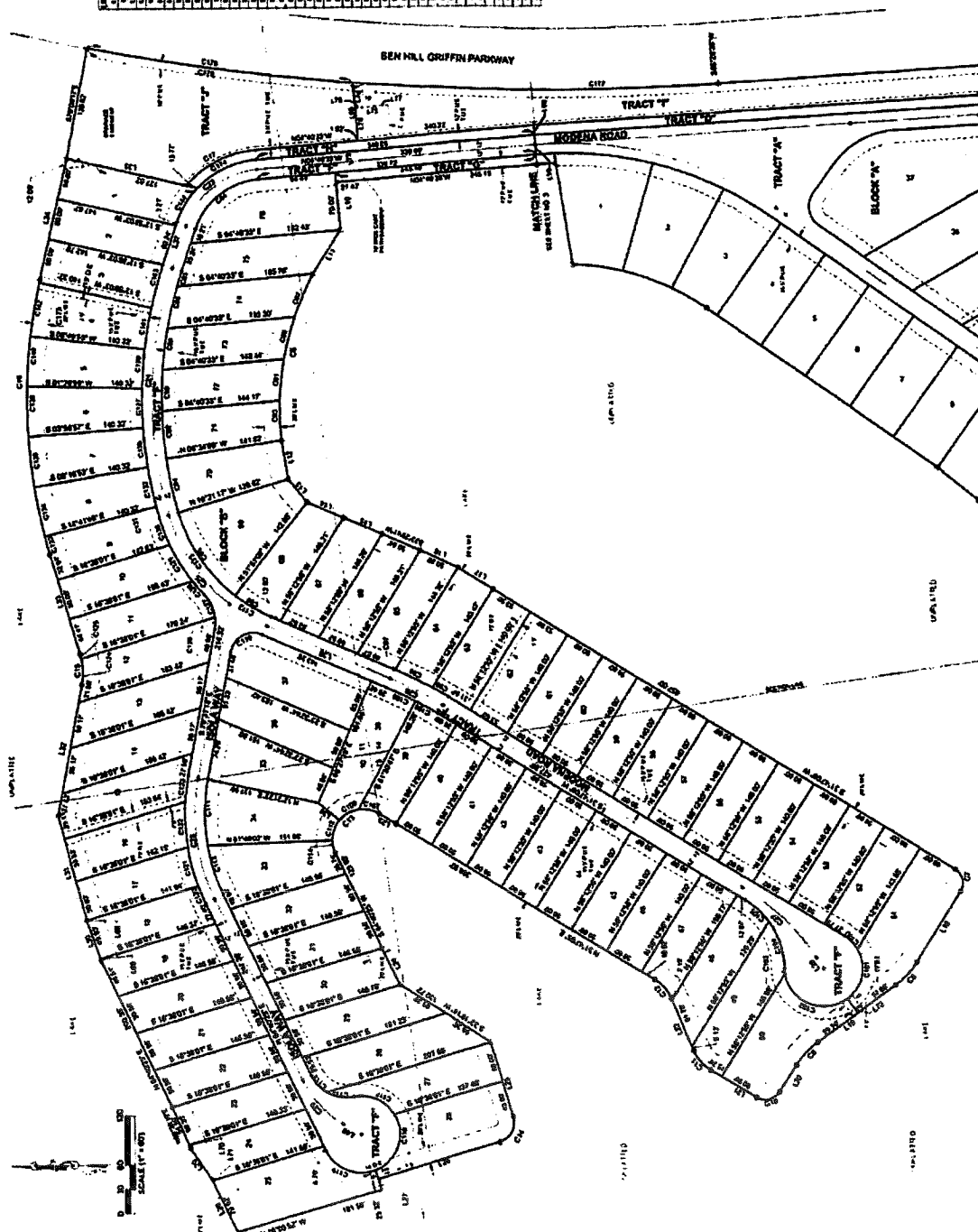
DESCRIPTION

A TRACT OF LAND, TO BE DIVIDED INTO 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 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2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146,

MIROMAR LAKES - UNIT FOUR

A SUBDIVISION IN
SECTIONS 10, 11, 14 AND 15, TOWNSHIP 46 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA

THIS INSTRUMENT PREPARED BY
JOHN R. AUGER & P.S.A.
Barraco
and Associates, Inc.
CIVIL ENGINEERS, ARCHITECTS AND LAND DEVELOPMENT CONSULTANTS
10000 W. BAYVIEW BLVD., SUITE 1000, MIAMI, FL 33147
TEL: 305-555-1111 FAX: 305-555-1112
E-MAIL: JRAUGER@BARRACOA.COM



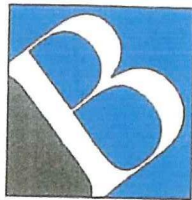
LINE TABLE

LINE	START	END	LENGTH	BEARING	AREA
1	100+00	100+50	50.00	S 89° 45' 00\"	1,000.00
2	100+50	101+00	50.00	S 89° 45' 00\"	1,000.00
3	101+00	101+50	50.00	S 89° 45' 00\"	1,000.00
4	101+50	102+00	50.00	S 89° 45' 00\"	1,000.00
5	102+00	102+50	50.00	S 89° 45' 00\"	1,000.00
6	102+50	103+00	50.00	S 89° 45' 00\"	1,000.00
7	103+00	103+50	50.00	S 89° 45' 00\"	1,000.00
8	103+50	104+00	50.00	S 89° 45' 00\"	1,000.00
9	104+00	104+50	50.00	S 89° 45' 00\"	1,000.00
10	104+50	105+00	50.00	S 89° 45' 00\"	1,000.00
11	105+00	105+50	50.00	S 89° 45' 00\"	1,000.00
12	105+50	106+00	50.00	S 89° 45' 00\"	1,000.00
13	106+00	106+50	50.00	S 89° 45' 00\"	1,000.00
14	106+50	107+00	50.00	S 89° 45' 00\"	1,000.00
15	107+00	107+50	50.00	S 89° 45' 00\"	1,000.00
16	107+50	108+00	50.00	S 89° 45' 00\"	1,000.00
17	108+00	108+50	50.00	S 89° 45' 00\"	1,000.00
18	108+50	109+00	50.00	S 89° 45' 00\"	1,000.00
19	109+00	109+50	50.00	S 89° 45' 00\"	1,000.00
20	109+50	110+00	50.00	S 89° 45' 00\"	1,000.00
21	110+00	110+50	50.00	S 89° 45' 00\"	1,000.00
22	110+50	111+00	50.00	S 89° 45' 00\"	1,000.00
23	111+00	111+50	50.00	S 89° 45' 00\"	1,000.00
24	111+50	112+00	50.00	S 89° 45' 00\"	1,000.00
25	112+00	112+50	50.00	S 89° 45' 00\"	1,000.00
26	112+50	113+00	50.00	S 89° 45' 00\"	1,000.00
27	113+00	113+50	50.00	S 89° 45' 00\"	1,000.00
28	113+50	114+00	50.00	S 89° 45' 00\"	1,000.00
29	114+00	114+50	50.00	S 89° 45' 00\"	1,000.00
30	114+50	115+00	50.00	S 89° 45' 00\"	1,000.00
31	115+00	115+50	50.00	S 89° 45' 00\"	1,000.00
32	115+50	116+00	50.00	S 89° 45' 00\"	1,000.00
33	116+00	116+50	50.00	S 89° 45' 00\"	1,000.00
34	116+50	117+00	50.00	S 89° 45' 00\"	1,000.00
35	117+00	117+50	50.00	S 89° 45' 00\"	1,000.00
36	117+50	118+00	50.00	S 89° 45' 00\"	1,000.00
37	118+00	118+50	50.00	S 89° 45' 00\"	1,000.00
38	118+50	119+00	50.00	S 89° 45' 00\"	1,000.00
39	119+00	119+50	50.00	S 89° 45' 00\"	1,000.00
40	119+50	120+00	50.00	S 89° 45' 00\"	1,000.00
41	120+00	120+50	50.00	S 89° 45' 00\"	1,000.00
42	120+50	121+00	50.00	S 89° 45' 00\"	1,000.00
43	121+00	121+50	50.00	S 89° 45' 00\"	1,000.00
44	121+50	122+00	50.00	S 89° 45' 00\"	1,000.00
45	122+00	122+50	50.00	S 89° 45' 00\"	1,000.00
46	122+50	123+00	50.00	S 89° 45' 00\"	1,000.00
47	123+00	123+50	50.00	S 89° 45' 00\"	1,000.00
48	123+50	124+00	50.00	S 89° 45' 00\"	1,000.00
49	124+00	124+50	50.00	S 89° 45' 00\"	1,000.00
50	124+50	125+00	50.00	S 89° 45' 00\"	1,000.00
51	125+00	125+50	50.00	S 89° 45' 00\"	1,000.00
52	125+50	126+00	50.00	S 89° 45' 00\"	1,000.00
53	126+00	126+50	50.00	S 89° 45' 00\"	1,000.00
54	126+50	127+00	50.00	S 89° 45' 00\"	1,000.00
55	127+00	127+50	50.00	S 89° 45' 00\"	1,000.00
56	127+50	128+00	50.00	S 89° 45' 00\"	1,000.00
57	128+00	128+50	50.00	S 89° 45' 00\"	1,000.00
58	128+50	129+00	50.00	S 89° 45' 00\"	1,000.00
59	129+00	129+50	50.00	S 89° 45' 00\"	1,000.00
60	129+50	130+00	50.00	S 89° 45' 00\"	1,000.00
61	130+00	130+50	50.00	S 89° 45' 00\"	1,000.00
62	130+50	131+00	50.00	S 89° 45' 00\"	1,000.00
63	131+00	131+50	50.00	S 89° 45' 00\"	1,000.00
64	131+50	132+00	50.00	S 89° 45' 00\"	1,000.00
65	132+00	132+50	50.00	S 89° 45' 00\"	1,000.00
66	132+50	133+00	50.00	S 89° 45' 00\"	1,000.00
67	133+00	133+50	50.00	S 89° 45' 00\"	1,000.00
68	133+50	134+00	50.00	S 89° 45' 00\"	1,000.00
69	134+00	134+50	50.00	S 89° 45' 00\"	1,000.00
70	134+50	135+00	50.00	S 89° 45' 00\"	1,000.00
71	135+00	135+50	50.00	S 89° 45' 00\"	1,000.00
72	135+50	136+00	50.00	S 89° 45' 00\"	1,000.00
73	136+00	136+50	50.00	S 89° 45' 00\"	1,000.00
74	136+50	137+00	50.00	S 89° 45' 00\"	1,000.00
75	137+00	137+50	50.00	S 89° 45' 00\"	1,000.00
76	137+50	138+00	50.00	S 89° 45' 00\"	1,000.00
77	138+00	138+50	50.00	S 89° 45' 00\"	1,000.00
78	138+50	139+00	50.00	S 89° 45' 00\"	1,000.00
79	139+00	139+50	50.00	S 89° 45' 00\"	1,000.00
80	139+50	140+00	50.00	S 89° 45' 00\"	1,000.00
81	140+00	140+50	50.00	S 89° 45' 00\"	1,000.00
82	140+50	141+00	50.00	S 89° 45' 00\"	1,000.00
83	141+00	141+50	50.00	S 89° 45' 00\"	1,000.00
84	141+50	142+00	50.00	S 89° 45' 00\"	1,000.00
85	142+00	142+50	50.00	S 89° 45' 00\"	1,000.00
86	142+50	143+00	50.00	S 89° 45' 00\"	1,000.00
87	143+00	143+50	50.00	S 89° 45' 00\"	1,000.00
88	143+50	144+00	50.00	S 89° 45' 00\"	1,000.00
89	144+00	144+50	50.00	S 89° 45' 00\"	1,000.00
90	144+50	145+00	50.00	S 89° 45' 00\"	1,000.00
91	145+00	145+50	50.00	S 89° 45' 00\"	1,000.00
92	145+50	146+00	50.00	S 89° 45' 00\"	1,000.00
93	146+00	146+50	50.00	S 89° 45' 00\"	1,000.00
94	146+50	147+00	50.00	S 89° 45' 00\"	1,000.00
95	147+00	147+50	50.00	S 89° 45' 00\"	1,000.00
96	147+50	148+00	50.00	S 89° 45' 00\"	1,000.00
97	148+00	148+50	50.00	S 89° 45' 00\"	1,000.00
98	148+50	149+00	50.00	S 89° 45' 00\"	1,000.00
99	149+00	149+50	50.00	S 89° 45' 00\"	1,000.00
100	149+50	150+00	50.00	S 89° 45' 00\"	1,000.00

CURVE TABLE					CHORD DATA
LINE	START	END	LENGTH	BEARING	AREA
1	100+00	100+50	50.00	S 89° 45' 00"	1,000.00
2	100+50	101+00	50.00	S 89° 45' 00"	1,000.00
3	101+00	101+50	50.00	S 89° 45' 00"	1,000.00
4	101+50	102+00	50.00	S 89° 45' 00"	1,000.00
5	102+00	102+50	50.00	S 89° 45' 00"	1,000.00
6	102+50	103+00	50.00	S 89° 45' 00"	1,000.00
7	103+00	103+50	50.00	S 89° 45' 00"	1,000.00
8	103+50	104+00	50.00	S 89° 45' 00"	1,000.00
9	104+00	104+50	50.00	S 89° 45' 00"	1,000.00
10	104+50	105+00	50.00	S 89° 45' 00"	1,000.00
11	105+00	105+50	50.00	S 89° 45' 00"	1,000.00
12	105+50	106+00	50.00	S 89° 45' 00"	1,000.00
13	106+00	106+50	50.00	S 89° 45' 00"	1,000.00
14	106+50	107+00	50.00	S 89° 45' 00"	1,000.00
15	107+00	107+50	50.00	S 89° 45' 00"	1,000.00
16	107+50	108+00	50.00	S 89° 45' 00"	1,000.00
17	108+00	108+50	50.00	S 89° 45' 00"	1,000.00
18	108+50	109+00	50.00	S 89° 45' 00"	1,000.00
19	109+00	109+50	50.00	S 89° 45' 00"	1,000.00
20	109+50	110+00	50.00	S 89° 45' 00"	1,000.00
21	110+00	110+50	50.00	S 89° 45' 00"	1,000.00
22	110+50	111+00	50.00	S 89° 45' 00"	1,000.00
23	111+00	111+50	50.00	S 89° 45' 00"	1,000.00
24	111+50	112+00	50.00	S 89° 45' 00"	1,000.00
25	112+00	112+50	50.00	S 89° 45' 00"	1,000.00
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27	113+00	113+50	50.00	S 89° 45' 00"	1,000.00
28	113+50	114+00	50.00	S 89° 45' 00"	1,000.00
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31	115+00	115+50	50.00	S 89° 45' 00"	1,000.00
32	115+50	116+00	50.00	S 89° 45' 00"	1,000.00
33	116+00	116+50	50.00	S 89° 45' 00"	1,000.00
34	116+50	117+00	50.00	S 89° 45' 00"	1,000.00
35	117+00	117+50	50.00	S 89° 45' 00"	1,000.00
36	117+50	118+00	50.00	S 89° 45' 00"	1,000.00
37	118+00	118+50	50.00	S 89° 45' 00"	1,000.00
38	118+50	119+00	50.00	S 89° 45' 00"	1,000.00
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56	127+50	128+00	50.00	S 89° 45' 00"	1,000.00
57	128+00	128+50	50.00	S 89° 45' 00"	1,000.00
58	128+50	129+00	50.00	S 89° 45' 00"	1,000.00
59	129+00	129+50	50.00	S 89° 45' 00"	1,000.00
60	129+50	130+00	50.00	S 89° 45' 00"	1,000.00
61	130+00	130+50	50.00	S 89° 45' 00"	1,000.00
62	130+50	131+00	50.00	S 89° 45' 00"	1,000.00
63	131+00	131+50	50.00	S 89° 45' 00"	1,000.00
64	131+50	132+00	50.00	S 89° 45' 00"	1,000.00
65	132+00	132+50	50.00	S 89° 45' 00"	1,000.00
66	132+50	133+00	50.00	S 89° 45' 00"	1,000.00
67	133+00	133+50	50.00	S 89° 45' 00"	1,000.00
68	133+50	134+00	50.00	S 89° 45' 00"	1,000.00
69	134+00	134+50	50.00	S 89° 45' 00"	1,000.00
70	134+50	135+00	50.00	S 89° 45' 00"	1,000.00
71	135+00	135+50	50.00	S 89° 45' 00"	1,000.00
72	135+50	136+00	50.00	S 89° 45' 00"	1,000.00
73	136+00	136+50	50.00	S 89° 45' 00"	1,000.00
74	136+50	137+00	50.00	S 89° 45' 00"	1,000.00
75	137+00	137+50	50.00	S 89° 45' 00"	1,000.00
76	137+50	138+00	50.00	S 89° 45' 00"	1,000.00
77	138+00	138+50	50.00	S 89° 45' 00"	1,000.00
78	138+50	139+00	50.00	S 89° 45' 00"	1,000.00
79	139+00	139+50	50.00	S 89° 45' 00"	1,000.00
80	139+50	140+00	50.00	S 89° 45' 00"	1,000.00
81	140+00	140+50	50.00	S 89° 45' 00"	1,000.00
82	140+50	141+00	50.00	S 89° 45' 00"	1,000.00
83	141+00	141+50	50.00	S 89° 45' 00"	1,000.00
84	141+50	142+00	50.00	S 89° 45' 00"	1,000.00
85	142+00	142+50	50.00	S 89° 45' 00"	1,000.00
86	142+50	143+00	50.00	S 89° 45' 00"	1,000.00
87	143+00	143+50	50.00	S 89° 45' 00"	1,000.00
88	143+50	144+00	50.00	S 89° 45' 00"	1,000.00
89	144+00	144+50	50.00	S 89° 45' 00"	1,000.00
90	144+50	145+00	50.00	S 89° 45' 00"	1,000.00
91	145+00	145+50	50.00	S 89° 45' 00"	1,000.00
92	145+50	146+00	50.00	S 89° 45' 00"	1,000.00
93	146+00	146+50	50.00	S 89° 45' 00"	1,000.00
94	146+50	147+00	50.00	S 89° 45' 00"	1,000.00
95	147+00	147+50	50.00	S 89° 45' 00"	1,000.00
96	147+50	148+00	50.00	S 89° 45' 00"	1,000.00
97	148+00	148+50	50.00	S 89° 45' 00"	1,000.00
98	148+50	149+00	50.00	S 89° 45' 00"	1,000.00
99	149+00	149+50	50.00	S 89° 45' 00"	1,000.00
100	149+50	150+00	50.00	S 89° 45' 00"	1,000.00

EXHIBIT 2

SURVEY



**BENCHMARK
LAND SERVICES, INC.**

1807 J. & C. Boulevard
Naples, Florida 34109
L.B. # 7502

Tel. 239-591-0778
Fax. 239-591-1195
www.benchmarklandservices.com

SKETCH OF BOUNDARY SURVEY

SURVEY #17786

Property Address:
17843 Modena Road
Miramar Lakes, FL 33913

Certified To: 03/21/2017
Clifford Miller II, South Florida Trust & Title
Company, Old Republic National Title Insurance
Company, IAB Financial and its successors and/or
assigns as their interests may appear.

Legal Description As Furnished:

Lot 45, Block "B", Miramar Lakes-Unit Four, according to the plat thereof as recorded in Plat Book 70, Page 48 through 51, Inclusive, of the Public Records of Lee County, Florida.

NO OTHER PERSON OR ENTITY MAY RELY ON THIS SURVEY.

AMENDED FLOOD ZONE INFORMATION: 03/21/2017

ADDED YARD REQUIREMENTS: 03/20/2017

DATE OF SURVEY: 03/18/2017

COMPLETION DATE: 03/20/2017

DRAWN BY: E.S.

CHECKED BY: K.S.

AMENDED CERTIFICATION: 03/21/2017

Flood Zone Information:

Community Number: 125124

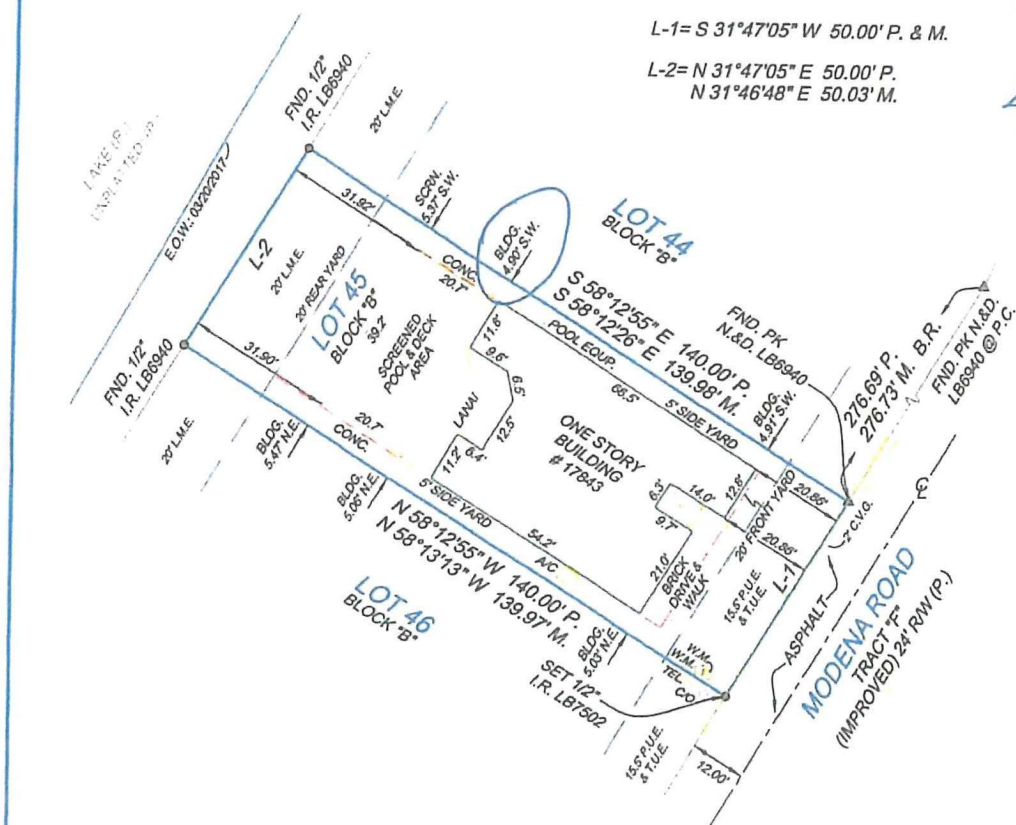
Panel: 0581 Suffix: F Effective Date: 08/28/2008

Flood Zone: AE BFE: 20' N.A.V.D. 1988

BEARINGS SHOWN HEREON ARE
BASED UPON A PLATTED BEARING OF
S 31°47'05" W FOR THE N.W. R/W OF
MODENA ROAD

L-1 = S 31°47'05" W 50.00' P. & M.

L-2 = N 31°47'05" E 50.00' P.
N 31°46'48" E 50.03' M.



- LEGAL DESCRIPTION PROVIDED BY OTHERS. NO EXAMINATION OF TITLE MADE BY SURVEYOR. THE LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR EASEMENTS OR OTHER RECORDED ENCUMBRANCES NOT SHOWN ON THE PLAT.
- THIS CERTIFICATION IS ONLY FOR THE LANDS DESCRIBED. IT IS NOT A CERTIFICATION OF TITLE, ZONING, EASEMENTS OR FREEDOM FROM ENCUMBRANCES OWNERSHIP, OR RIGHTS-OF-WAY.
- UNDERGROUND PORTIONS OF FOOTINGS, FOUNDATIONS OR OTHER IMPROVEMENTS WERE NOT LOCATED. WALL TIES ARE TO THE FACE OF THE WALL AND ARE NOT TO BE USED TO RECONSTRUCT BOUNDARY LINES.
- NOT VALID WITHOUT THE SIGNATURE & ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER. ONLY VISIBLE ENCROACHMENTS LOCATED.
- THIS SURVEY IS INTENDED FOR MORTGAGE OR REFERENCE PURPOSES ONLY, EXCLUSIVELY FOR THIS USE BY THOSE TO WHOM IT IS CERTIFIED. THIS SURVEY IS NOT TO BE USED FOR CONSTRUCTION, PERMITTING, DESIGN OR ANY OTHER USE WITHOUT WRITTEN CONSENT.
- ONLY IMPROVEMENTS SHOWN WERE LOCATED. FENCE OWNERSHIP NOT DETERMINED.
- DIMENSIONS ARE IN FEET AND DECIMALS THEREOF. NO EFFORT WAS MADE TO PROVIDE PLAT BOUNDARIES.
- PARCELS SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS, AND RIGHTS-OF-WAYS OF RECORD.
- WHEN LOCATION OF EASEMENTS OR RIGHTS-OF-WAY OF RECORD, OTHER THAN THOSE ON RECORDED PLATS, IS REQUIRED, THIS INFORMATION MUST BE FURNISHED TO THE SURVEYOR AND MAPPER, PER FLORIDA STATUTE 65-17.002 (MAY 1998) OF THE FLORIDA ADMINISTRATIVE CODE.
- ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
- PARCELS WERE SURVEYED FROM INFORMATION SUPPLIED BY THE CLIENT.
- IT IS THE RESPONSIBILITY OF THE OWNER AND/OR CONTRACTOR TO VERIFY FLOOD ZONE INFORMATION AND BUILDING RESTRICTIONS PRIOR TO ANY CONSTRUCTION.
- ELEVATIONS SHOWN HEREON ARE BASED UPON N.A.V.D. 1988.

B.R. BEARING REFERENCE
C. CALCULATED
C.U.V. CABLE TV RISER
C.U.V. COUNTY UTILITY ESM.
D.E. DRAINAGE EASEMENT
D.H. DRILL HOLE
E.E.C. ELECTRIC BOX
ENCL. ENCLOSURE
E.O.W. EDGE OF WATER
F.F. FINISHED FLOOR
F.D. FOUND
I.D. IDENTIFICATION
I.R. IRON ROD

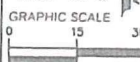
I.P. IRON PIPE
A.E. ACCESS EASEMENT
L.B. LAND SURVEYING BUSINESS
T.U.E. TECHNOLOGY UTILITY EASEMENT
L.C.U.E. LEE COUNTY UTILITY EASEMENT
H. FIELD MEASURED
M.E. LAKE MAINTENANCE EASEMENT
N.A.D. NAL & DEK
O.U.L. OVERHEAD LINE
P. PLAT
P.C. POINT OF CURVATURE
P.C.P. POINT OF COMPOUND CURVATURE
P.C.P. PERMANENT CONTROL POINT
P.K. PARKER-KALON NAL

P.I. POINT OF INTERSECTION
P.L.S. PROFESSIONAL LAND SURVEYOR
P.T. POINT OF TANGENCY
P.O.B. POINT OF BEGINNING
P.O.C. POINT OF COMMENCEMENT
P.R.C. POINT OF REVERSE CURVATURE
P.R.M. PERMANENT REFERENCE MONUMENT
P.U.E. PUBLIC UTILITY EASEMENT
R.W. RIGHT OF WAY
G.T. GRANGE TREE UTIL. ESM. UTIL. ESM.
I.E. IRRIGATION EASEMENT
T.B.M. TEMPORARY BENCH MARK
TEL. TELEPHONE FACILITIES
T.O.S. TOP OF BANK

POINTS OF INTEREST:

1. YARD REQUIREMENTS PER LEE COUNTY
BUILDING DEPARTMENT.

1 inch = 30' ft.



I hereby certify that A Survey of the hereon described property was made under my direction and meets the Minimum Technical Standards as per Chapter 5J-17.051 & .052 F.A.C., pursuant to section 472.027, Florida Statutes.

Kenneth Sarrio 03/21/2017
KENNETH SARRIO
Professional Surveyor and Mapper, PSM No. 6348 State of Florida

U.E. UTILITY EASEMENT
W.M. WATER METER
FENCE
EXISTING ELEVATION
PROPOSED ELEVATION
RADIAL
N.R. NON-RADIAL
C.V.G. CORIC VALLEY GUTTER
C.B. CATCH BASIN
S.D. STORM DRAIN
C.M. CONCRETE MONUMENT
C.D. CLEAN OUT

W.V. WATER VALVE
E.P. EDGE OF PAVEMENT
POWER POLE
WELL
EXISTING FIRE HYDRANT
I.R. IRON
CONCRETE MONUMENT
CATCH BASIN
B.M. BENCH MARK
LAMP POST
CENTER LINE
PLANT
N.A. NOT APPLICABLE

EXHIBIT 3

CERTIFICATE OF OCCUPANCY



Lee County, Florida
Division of Development Services
Certificate of Occupancy
Single Family
DUPLICATE

Date: 12/10/2003 PERMIT NUMBER: RES2003-05200

Owner Name and Address: PULTE HOME CORP
9148 BONITA BEACH RD STE 102 BONITA SPRINGS, FL 34

Job Address: 17843 MODENA RD

Contractor CGC044449 PULTE HOME CORPORATION
/Address: 9148 BONITA BCH RD #102
BONITA SPRINGS FL 34135

Description: SFR LOT-45 BLK-1

Project Name: MIROMAR LAKES

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

Zoning: MPD

Fire District: San Carlos

Flood Elevation:

Flood Zone: B

Type of Construction :

Occupancy Class : Residential

Use and Occupancy Classification:

Occupancy Load:

Sprinkler System Required:

Sprinkler System Provided:

Special Stipulations/Conditions:

This structure or portion thereof described above has been inspected for compliance of the Florida Building Code 5th Edition (2014) for the use and occupancy listed above.

BUILDING OFFICIAL

EXHIBIT 4
PERMITTING PLAN 2003

EXHIBIT 5

POOL PERMITTING SITE PLAN

1239 P.002/002 Sunset Pools