

ADMINISTRATIVE AMENDMENT (PD) ADD2019-00066

ADMINISTRATIVE AMENDMENT
LEE COUNTY, FLORIDA

WHEREAS, Cypress Woods RV Resort Home Owners Association, Inc. filed an application for an administrative amendment to a Mobile Home and Recreational Vehicle Planned Development on a project known as Cypress Woods RV Resort to add a residential accessory structure use to recreational vehicle sites and update the three-page Master Concept Plan (MCP) approved by Resolution Z-11-021 as follows:

1. Add the use of a Gazebo (Unenclosed roofed accessory structures) on individual recreational vehicle sites.

2. Revise the MCP to remove the emergency access road from Luckett Road and to depict a permanent emergency access interconnection to Cypress Trail RV Park via Brightwood Drive.

3. Revise the MCP to accurately demonstrate the current allocation of mobile home and recreational vehicle lots within the planned development in accordance with Condition 3 of Z-11-021.

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

ATTACHED AS EXHIBIT "A"

WHEREAS, the property was originally rezoned in case number Z-94-025 (with subsequent amendments in case number PD-95-019, ADD2002-00111, ADD2003-00122, DCI2002-00062/Z-03-057, ADD2004-00102, ADD2010-00013, and DCI2007-00078/Z-11-021); and

WHEREAS, the subject property is located in the Urban Community and Wetlands Future Land Use Categories as designated by the Lee County Comprehensive Plan (Lee Plan); and

WHEREAS, the subject property is zoned Mobile Home Planned Development (MHPD) and Recreational Vehicle Planned Development (RVPD); and

WHEREAS, the Lee County Land Development Code (LDC) provides for certain administrative changes to planned development master concept plans and planned unit development final development plans and their auxiliary documents; and

WHEREAS, Cypress Woods RV Resort is a non-transient recreational vehicle and mobile home park; and

WHEREAS, the applicant requests to add the use of gazebos (unenclosed roofed accessory structures) on individual RV sites (see Exhibit "C"); and

WHEREAS, LDC Section 34-1179 establishes use and size regulations for similar accessory structures in non-transient RV parks such as sheds and carports; and

WHEREAS, the applicant has provided an updated three-page MCP to remove the emergency access road traversing through Lot B14, and to demonstrate the current allocation of mobile home and recreational vehicle lots within the planned development in accordance with Condition 3 of Z-11-021 (see Exhibit "B"); and

WHEREAS, Tice Fire and Rescue District has provided a letter of no objection regarding removal of the emergency access road from the MCP as the current secondary emergency road is Brightwood Drive, which is closer in proximity to Tice Road (see Exhibit "D"); and

WHEREAS, the subject property is located in the Caloosahatchee Shores Planning Community, requiring one publicly advertised information session within the boundaries of the planning community prior to obtaining approval of administrative amendments and deviations; and

WHEREAS, a publicly advertised information session was held at 5551 Luckett Road on April 19th, 2019 to discuss the proposed amendments to the Planned Development and receive input from the interested parties and the public regarding the request (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 the Mobile Home and Recreational Vehicle Planned Development is **APPROVED**.

Approval is subject to the following conditions:

1. **Development must be in substantial compliance with the amended three-page Master Concept Plan MCP entitled "Cypress Woods R.V. Resort." date-stamped "May 15 2019" attached hereto as Exhibit "B".**

2. **Gazebos are limited to one per RV site and must be unenclosed. Gazebos may not exceed 200 square feet in total area including any overhangs, and must comply with the required property development regulations for the planned development.**
3. **The terms and conditions of the original zoning resolutions remain in full force and effect, except as amended herein. Any further development must comply with the LDC.**
4. **Lots permitted for mobile home use by Lee County may not be subsequently used as a recreational vehicle site.**
5. **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 6/5/2019 by

Audra Ennis, Zoning Manager
Lee County Community Development

Exhibits

Exhibit A: Legal Description

Exhibit B: Master Concept Plan

Exhibit C: Request Narrative

Exhibit D: Tice Fire and Rescue District Letter of No Objection

Exhibit E: Public Information Session Summary

Exhibit F: Z-11-021

REVIEWED
ADD2019-00066
Daniel Munt, Planner
Lee County DCD
5/28/2019

EXHIBIT A

CASE NUMBER: ADD2019-00066

LEGAL DESCRIPTION

**ALL THE LANDS DESCRIBED IN CYPRESS WOODS RV RESORT
UNIT ONE, ACCORDING TO THE PLAT THEREOF AS RECORDED
IN PLAT BOOK 65, PAGES 85 THROUGH 89, PUBLIC RECORDS OF
LEE COUNTY, FLORIDA, AND;**

**ALL THE LANDS DESCRIBED IN CYPRESS WOODS RV RESORT
UNIT THREE ACCORDING TO THE PLAT THEREOF AS RECORDED
IN PLAT BOOK 72, PAGES 92 THROUGH 95, PUBLIC RECORDS OF
LEE COUNTY, FLORIDA, AND;**

**ALL THE LANDS DESCRIBED IN CYPRESS WOODS RV RESORT
UNIT FOUR, ACCORDING TO THE PLAT THEREOF AS RECORD IN
PLAT BOOK 79, PAGES 68 THROUGH 71, PUBLIC RECORDS OF
LEE COUNTY, FLORIDA, AND;**

**ALL THE LANDS DESCRIBED IN CYPRESS WOODS RV RESORT
UNIT FOUR B, ACCORDING TO THE PLAT THEREOF AS
RECORDED IN INSTRUMENT NUMBER 2006000358211, PUBLIC
RECORDS OF LEE COUNTY, FLORIDA, AND;**

**A PARCEL OF LAND THAT IS NOT PLATTED, IDENTIFIED BY STRAP
NUMBER 11-44-25-00014.0020**

Exhibit C

APPLICATION TO AMEND A PLANNED DEVELOPMENT OR PUD CYPRESS WOODS RV RESORT HOME OWNERS ASSOCIATION, INC

QUESTION 14

NARRATIVE

The members of Cypress Woods RV Resort Home Owners, Inc., are comprised of 605 lots of which 471 are developed lots. Manufactured Homes sit on 89 of these 471 developed lots. 5551 Lockett Road, Inc owns an additional 134 lots, which may be developed in the future (Strap # 11-44-25-00-00014). Recreational vehicles (RV's) sit on the remaining 382 developed lots.

We are a non-transient 5-star RV resort, with amenities, such as two swimming pools, tennis & pickle ball courts, Shuffleboard, Welcome Center and a Town Center. There are many high-end Class A Motor Coaches with a value over \$2 million dollars, as well as 5th Wheel RV's of a minimum of 28 feet with no more than 50 ft. No Class B RV's or tent camping are allowed. RV's must be modern, commercially manufactured and presentable in looks and repair and positioned on the Lot's concrete pad.

The average lot value is \$103,000 with a range from \$81,500 to \$147,000. Manufactured home average value is \$ 214,200 with a range from \$200,000 to \$227,000. Most members spend between 6 to 9 months in the resort. There are approximately 60 full time residents in the resort.

Rentals are allowed yet are rented on a seasonal basis; many of the renters return year after year. Rentals are spread via word of mouth or can appear on a master list kept by a member of the association. There are no-transient renters allowed in the resort- we do not rent on a per night basis nor are we advertised as such. The association does not have a rental program.

Minimum Lot Area & Dimensions

Area:	4140 square feet
Width:	46 feet

Depth: 90 feet

Minimum Setbacks:

Street: 20 feet

Side Street: 10 feet, except for corner lots, which is 5 feet

Side: 10 feet, for a recreational vehicle

5 feet, for a manufactured home

Rear: 20 feet

Water Body: 25 feet

The members would like to allow a 12' x 16' unenclosed accessory structure to be placed on the RV lots sometimes called a gazebo but wish not to limit such.

873 votes from members of the association have approved this request which constitutes 86.9% of total votes for owners. 5551 Lockett Road, Inc. has 4 votes for each of the 134 undeveloped remaining lots, for a total of 536 votes. 1007 votes represent the total ownership interest in the community. (See Exhibit A-Log of Members agreeing to such a structure).

Members of the HOA have expressed a desire to have the "unenclosed accessory structure" available for their individual lots. Members are very social and spend many hours outdoors with frequent entertaining. The ability to add an unenclosed accessory structure would provide shelter from the elements and to allow more entertainment space.

An unenclosed accessory structure, if the Planned Development Map is adjusted, to allow:

- Such unenclosed accessory structure will be placed, as requested by members of the association, on RV lots;
- Members who wish to add such a structure on their individual lot, will be required to adhere to current set back requirements, as previously established by the Master Plan;

- Members who wish to add such a structure on their individual lot, will be required to meet all permitting requirements set forth by Lee County;
- Will meet or exceed all performance and locational standards set for the potential uses allowed by the request;
- Does not decrease buffers or open space required by the LDC;
- Does not underutilize public resources or infrastructure;
- Does not reduce total open space nor impede common areas currently existing;
- Is consistent with the densities, intensities and general uses set forth in the Lee Plan
- Is compatible with existing or planned uses in the surrounding areas;
- Will not place an undue burden upon existing transportation or planned infrastructure facilities and will be served by the streets currently in place with the capacity to carry traffic generated within the development;
- Does not adversely impact surrounding land uses;
- Will not adversely affect environmentally critical areas or natural resources.

RV's, no matter what size, are really providing limited living space for two in our very social resort, yet many owners need additional space to entertain, and this unenclosed accessory structure will provide the needed, sheltered, outside space.

Exhibit D

**TICE FIRE & RESCUE DISTRICT
FIRE PREVENTION & INSPECTIONS BUREAU**

Ted Ross Jr.
Fire Chief
(239) 694-2380
tross@ticefire.com

9351 Workmen Way
Ft. Myers, FL 33905
Fax (239) 694-7399
www.ticefire.com

April 16, 2018

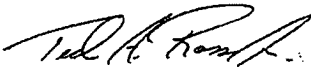
Tina Swanson, CAM
5551 Luckett Road
Fort Myers, FL 33905

RE: Cypress Woods RV Resort
Emergency Access Road

To whom it may concern,

The Master Concept Plan for Cypress Woods RV Resort shows an Emergency Access Road located in the Southwest section of the property. This road was the original access to the construction office and secondary means of access during the construction phase. The current secondary access road is located on Brightwood Drive on the North side of the property adjacent to Cypress Trail RV Resort.

The original road is no longer in use. A residential home is located on Lot #13 which makes the road impassable. The Tice Fire & Rescue District does not object to the installation of a storage building located in this area.. If you have any questions, please contact me at (239) 694-2380.



Ted Ross
Fire Chief

Mission Statement

To regulate codes and standards, to seek voluntary compliance, first thru education and then to use enforcement tools as necessary to reduce risks by eliminating hazards.

Exhibit E

APPLICATION TO AMEND A PLANNED DEVELOPMENT OR PUD CYPRESS WOODS RV RESORT HOMEOWNERS ASSOCIATION, INC

MEETING SUMMARY

- **LOG OF RESIDENT OF CYPRESS WOODS HOMEOWNERS ASSOCIATION, INC ATTENDEES**
- **LOG OF NON-RESIDENTS OF CYPRESS WOODS HOMEOWNERS ASSOCIATION, INC ATTENDEES**
- **LEGAL NOTICE OF MEETING IN NEWS PRESS, DATED 4/19/2019**
- **NOTARIZED COPY OF LEGAL NOTICE FROM NEWS PRESS STATING THIS IS A PAPER OF GENERAL CIRCULATION WHICH MEETS THE REQUIREMENT OF NOTIFICATION TO THE PUBLIC.**

CYPRESS WOODS RV RESORT HOMEOWNERS ASSOCIATION, INC.

APPLICATION TO AMEND A PLANNED DEVELOPMENT OR PUD

SUMMARY OF MEETING

DATE: 5/9/2019
TIME: 6:00 PM
LOCATION: CYPRESS WOODS RV RESORT, TOWN CENTER
5551 LUCKETT ROAD
FORT MYERS, FL 33905

Public notice advertised Community Information session within the Caloosahatchee Shored Planning Community, was given by a "Legal Notice" in the News Press on 4/19/2019 which is a general circulation daily and which covers the Caloosahatchee Shored Planning Community.

There were 29 Residents of Cypress Woods and 3 Board of Directors (Judy Lawrence VP, Randy Payne Director & Emily Ross Campos Director). There were no non-residents attending. Attached are the sign in logs for each category.

The meeting was called to order at 6:01 PM by Vice President of the Board of Directors, Judy Lawrence. Judy provided a general overview of the purpose of the meeting and the project. Judy then asked for any questions from the audience. There were 3 individuals who asked questions; 1) what is the time frame for disposition of this application from the county; 2) clarification of why we are asking for an "unenclosed accessory structure" rather than just a gazebo; 3) what would be the next step once we finds out the results of this application.

Cypress Woods RV Resort Homeowners Association, Inc. Board of Directors will pursue the answers to these questions by:

- A) Asking the Land Development Office what is the normal processing time for results of an application;
- B) Provided an explanation of why we are asking for an "unenclosed accessory structure" rather than just a gazebo to give each owner the flexibility to stick build an unenclosed structure rather than trying to retro-fit an existing metal or wood gazebo that might not meet county codes or permitting.

- C) Pursue the question with the appropriate Lee County officials to find out what the next process will be if we are approved to allow "unenclosed accessory structure" on our lots.

The meeting was adjourned at 6:20 PM.

Respectfully,

A handwritten signature in black ink that reads "Emily J. Ross Campos". The signature is written in a cursive, flowing style.

Emily J Ross Campos, Director

Cypress Woods RV Resort Homeowners Association, Inc.

The News-Press
media group
news-press.com A GANNETT COMPANY

Attn:
EMILY ROSS CAMPOS
5551 LUCKETT ROAD
FORT MYERS, FL 33905

NOTICE OF PUBLIC MEETING
MAY 9, 2019 at 6:00 pm
Cypress Woods RV Resort
5551 Lockett Road,
Fort Myers, FL 33905
Informational Session on Associations
Application to Amend a PUD to allow
unenclosed accessory structure
AD# 3496545 Apr. 19, 2019

STATE OF FLORIDA COUNTY OF LEE:

Before the undersigned authority personally appeared
Debbie Davis, who on oath says that he or she is a
Legal Assistant of the News-Press, a daily newspaper
published at Fort Myers in Lee County, Florida; that the
attached copy of advertisement, being a Legal Ad in the
matter of

Legal Notices

In the Twentieth Judicial Circuit Court was published in
said newspaper in the issues of:

04/19/19

Affiant further says that the said News-Press is a paper
of general circulation daily in Lee County and published
at Fort Myers, in said Lee County, Florida, and that the
said newspaper has heretofore been continuously
published in said Lee County, Florida each day and has
been entered as periodicals matter at the post office in
Fort Myers, in said Lee County, Florida, for a period of
one year next preceding the first publication of the
attached copy of advertisement; and affiant further says
that he or she has never paid nor promised any person,
firm or corporation any discount, rebate, commission or
refund for the purpose of securing this advertisement for
publication in the said newspaper.

Sworn to and Subscribed before me this 19th of April
2019, by Debbie Davis who is personally known to me.

Affiant

Notary



MEETING SIGN IN FOR 5/9/2019 APPLICATION TO AMEND PLANNED DEVELOPMENT OR PUD

SIGN IN

RESIDENTS OF CYPRESS WOODS RV RESORT

5551 LUCKETT ROAD, FORT MYERS, FL 33905

PLEASE SIGN NAME		LOT NUMBER
William Campos		D-131
Darryl Lawrence		B-36
Tom Kroulik		B-3
Nancy Payne		B-28
Grace Johnston		B-7
Debbie May		D-165
Spring Hill		D-133
Phil N.Y.		B-29
Patricia Young		C-66
Bruce Young		C-66
Rene Brown		D-175
Mike Brown		D-175
Donie Baker		B-99

MEETING SIGN IN FOR 5/9/2019 APPLICATION TO AMEND PLANNED DEVELOPMENT OR PUD

SIGN IN

RESIDENTS OF CYPRESS WOODS RV RESORT

5551 LUCKETT ROAD, FORT MYERS, FL 33905

PLEASE SIGN NAME		LOT NUMBER
Paul J. Brun		C-11
Bill Schwab		B-52
Emerson + Rose Smith		C-29
Tom + Sandi Richie		D-132
RICHARD BENSON		A-44
Howard Anderson		A-44
John Genovese		D-60
Rich Lloyd		D-120
Hille Custer		D-103
Donald V. Custer		D-103
WILLIAM WOODWARD		D-77
Vern + Dee Westphal		D-130
Evelyn Ware		B-43

MEETING SIGN IN FOR 5/9/2019 APPLICATION TO AMEND PLANNED DEVELOPMENT OR PUD

SIGN IN

RESIDENTS OF CYPRESS WOODS RV RESORT

5551 LUCKETT ROAD, FORT MYERS, FL 33905

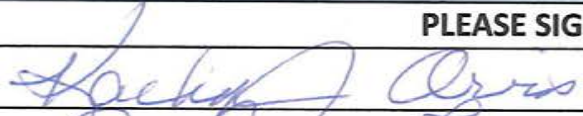
PLEASE SIGN NAME		LOT NUMBER
	Vicki Aguirre	B-87
	Jeff Landry	D99
	John Landry	B-100

Exhibit F

RESOLUTION NUMBER Z-11-021

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

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

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

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

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

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

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

SECTION A. REQUEST

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

SECTION B. CONDITIONS:

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

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

12-19-11 Z

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

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

2. Property Development Regulations

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

Minimum Lot Area and Dimensions:

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

Minimum Setbacks:

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

3. Mobile Home/Recreational Vehicle

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

4. Onsite Shelter

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

5. Utilities

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

6. Traffic Impacts

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

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

7. Allocation Table

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

8. Fox Squirrel Preserve Area & Northern Buffer

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

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

9. Solid Waste Management

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

10. Open Space

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

11. Indigenous Open Space

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

12. Indigenous Maintenance and Management Plan

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

13. Landscape Plans

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

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

14. Conveyance Ditch and Easement

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

Approval of this rezoning does not guarantee local development order approval. Future development order approvals must satisfy the requirements of the Lee Plan Planning Communities Map and Acreage Allocations Table, Map 16 and Table 1(b).

SECTION C. DEVIATIONS:¹

1. Deviation (1) seeks relief from the LDC §14-298(c) requirement to provide for the development of the "TZ" area as indicated on the MCP. This deviation is APPROVED, SUBJECT TO the proposed mitigation plan, titled "Cypress Woods Monitoring and Maintenance Plan" submitted by Boylan Environmental Consultants, Inc., zoning counter stamped and dated May 18, 1995 (Exhibit E). Mitigation must follow the phasing presented in these documents and all monitoring reports must be submitted to the Lee County Division of Environmental Sciences within thirty days of the scheduled monitoring events.
2. Deviation (2) was previously DENIED.
3. Deviation (3) seeks relief from the LDC §10-714.b. requirement to provide a 90-foot turn out radius to 30 feet. This deviation is APPROVED, SUBJECT TO the developer providing a paved/stabilized surface with a minimum radius of 42 feet and, in addition, providing an unobstructed clear zone with a 48-foot radius (6 feet clear zone beyond driving range).
4. Deviation (4) seeks relief from the LDC §34-2192(a) requirement to allow a reduction in the street setback from 20 feet to 5 feet on the "side" lot line for corner lots. This deviation is APPROVED, SUBJECT TO the terms of Condition 2.

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

5. Deviation (5) seeks relief from the LDC §§ 10-285.a., 10-285.a., Table 1, and 10-296.j. requirement to provide 125 feet of street intersection separation, to 100 feet. This deviation APPROVES up to 100 feet of street intersection separation and also permits the location of a temporary emergency access to the west of the approved access point in this deviation, in accordance with Deviation 6.
6. Deviation (6) seeks relief from the LDC §10-291.3 requirement to allow only one entrance for a development of more than 5 acres. This deviation is APPROVED, SUBJECT TO the condition that a temporary emergency access point shall be constructed from Luckett Road, into the project site, for the use of emergency vehicles only. This temporary access point shall remain in place until such time as a permanent emergency access point is constructed, or until this development provides a permanent functioning interconnection with an adjoining property. The temporary access point shall be constructed in accordance with the LDC as administered by the Division of Development Services.
7. Deviation (7) seeks relief from the LDC §§ 10-296(b) and 10-296, Table 3, requirement of a 45-foot right-of-way for a local street with open drainage, to permit a local street with 30 feet of right-of-way and open drainage. This deviation is APPROVED, SUBJECT TO the condition that the typical lot cross section demonstrates that the drainage performs adequately by showing the slab placement at the Development Order stage.
8. Deviation (8) seeks relief from the LDC §34-939(b)(6) requirement of a 5,000-square-foot minimum lot, to provide a 4,140-square-foot minimum (46 feet x 90 feet). This deviation is APPROVED, SUBJECT TO Condition 2 herein.
9. Deviation (9) seeks relief from the LDC §34-939(b)(7)c. requirement of a side setback of 10 feet and a street (right-of-way) setback of 25 feet to permit a side setback of 5 feet and a street (right-of-way) setback of 20 feet in the non-transient section of the park. This deviation is APPROVED, provided that these setbacks are in conformance with the requirements of Condition 2 and all side setbacks apply to all portions of the structure or unit, including overhangs.

Deviation (9.a) seeks relief from the LDC §34-939(b)(3) requirement to permit an access road through the perimeter buffer to the storage area. This deviation is APPROVED, subject to Condition 8.
10. Deviation (10) seeks relief from the LDC §34-736 requirement of a 5,000-square-foot minimum lot (50 feet x 100 feet) to provide a 4,140-square-foot minimum lot (46 feet x 90 feet). This deviation is APPROVED, SUBJECT TO the requirements of Condition 2.
11. Deviation (11) seeks relief from the LDC §34-736 requirement of a side setback of 7 feet to permit a side setback of 5 feet. This deviation is APPROVED, SUBJECT TO the setbacks in Condition 2.
12. Deviation (12) seeks relief from the LDC §§ 34-2222(1) and 10-254(b) requirement to allow the corner lots to be the same size as the other lots within the development (and not have an additional 15 feet of width). This deviation is APPROVED, SUBJECT TO the requirements of Condition 2.

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

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

14. Deviation (14) seeks relief from the LDC §34-939(b)(3) requirement to eliminate the requirement for a buffer between a recreational vehicle park and adjacent property interior to the site. This deviation is APPROVED for the interior portion of the site, only.
15. Deviation (15) seeks relief from the LDC §34-935(a)(l) requirement to eliminate the requirement that a new recreational vehicle park be not less than 20 acres in size. This deviation is APPROVED.
16. Deviation (16) seeks relief from the LDC §§ 34-2194(b) and (c) requirement of 25-foot water body setback to allow a zero-foot setback in order to permit the construction of a clubhouse, deck, pier and gazebo 90 feet into the artificial body of water. This deviation is APPROVED, SUBJECT TO substantial compliance with the proposed construction of the clubhouse and related facilities on the approved Plan entitled "Cypress Woods, R.V. Resort Clubhouse Area Dev. Order Plans; Drainage, Parking & Site Dim. Plan," dated 04-14-03, stamped received AUG 21, 2003 attached as Exhibit F; and subject to the requirement that the water body setback must not adversely impact any open space requirement, wetland vegetation plantings, or other buffering, landscaping, or preservation areas or requirements.
17. Deviation (17) seeks relief from the LDC §34-2020 requirement of a total of 135 parking spaces for the two clubhouse facilities to allow only 44 off-street parking spaces. This deviation is APPROVED, SUBJECT TO the reservation of Lots 85 and 86 (Phase "4") and Tract I (Phase "3", which lies immediately east of Lots 85 and 86, Phase "4"), for the use of overflow parking only, and may not be used as a recreational vehicle or mobile home site. Upon the sale of the last lot (site), in the last Phase of this development, if the Applicant can adequately demonstrate during the season of the highest occupancy of the development that the overflow parking areas were not needed, the two lots can then be used for recreational vehicle or mobile home sites, as provided for in this planned development. A reduced copy of a Plan entitled "Cypress Woods R.V. Resort Phases "IV," IVA, & IVB," date-stamped "Received SEP 08, 2003" depicting these parcels is attached hereto as Exhibit G.
18. Deviation (18) seeks relief from the LDC §34-935(a)(1) requirement of a minimum of 5 acres of land for expanding an existing recreational vehicle park, to allow an expansion of 2.1± acres. This deviation is APPROVED.

SECTION D. EXHIBITS AND STRAP NUMBER:

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

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

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

SECTION E. FINDINGS AND CONCLUSIONS:

1. The applicant has proven entitlement to the rezoning by demonstrating compliance with the Lee Plan, the LDC, and any other applicable code or regulation.
2. The rezoning, as approved:
 - a. meets or exceeds all performance and locational standards set forth for the potential uses allowed by the request;
 - b. is consistent with the densities, intensities and general uses set forth in the Lee Plan;
 - c. is compatible with existing or planned uses in the surrounding area;
 - d. will not place an undue burden upon existing transportation or planned infrastructure facilities and will be served by streets with the capacity to carry traffic generated by the development; and
 - e. will not adversely affect environmentally critical areas or natural resources.
3. The rezoning satisfies the following criteria:
 - a. the proposed use or mix of uses is appropriate at the subject location;
 - b. the recommended conditions to the concept plan and other applicable regulations provide sufficient safeguard to the public interest; and
 - c. the recommended conditions are reasonably related to the impacts on the public interest created by or expected from the proposed development.

4. Urban services, as defined in the Lee Plan, are, or will be, available and adequate to serve the proposed land use.
5. The approved deviations, as conditioned, enhance achievement of the planned development objectives, and preserve and promote the general intent of LDC Chapter 34, to protect the public health, safety and welfare.

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

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

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

ATTEST:
CHARLIE GREEN, CLERK

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: Marcia Wilson
Deputy Clerk

BY: John Manning
John Manning, Chair



Approved as to form by:

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

RECEIVED
MINUTES OFFICE

2012 JAN 17 PM 1:06

EXHIBIT A

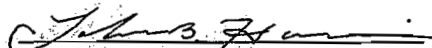
DCI 2007-00078

DESCRIPTION:

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

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

SAID TRACT CONTAINS 35.638 ACRES, MORE OR LESS.


JOHN B. HARRIS
PLS #4631
JULY 1, 2011

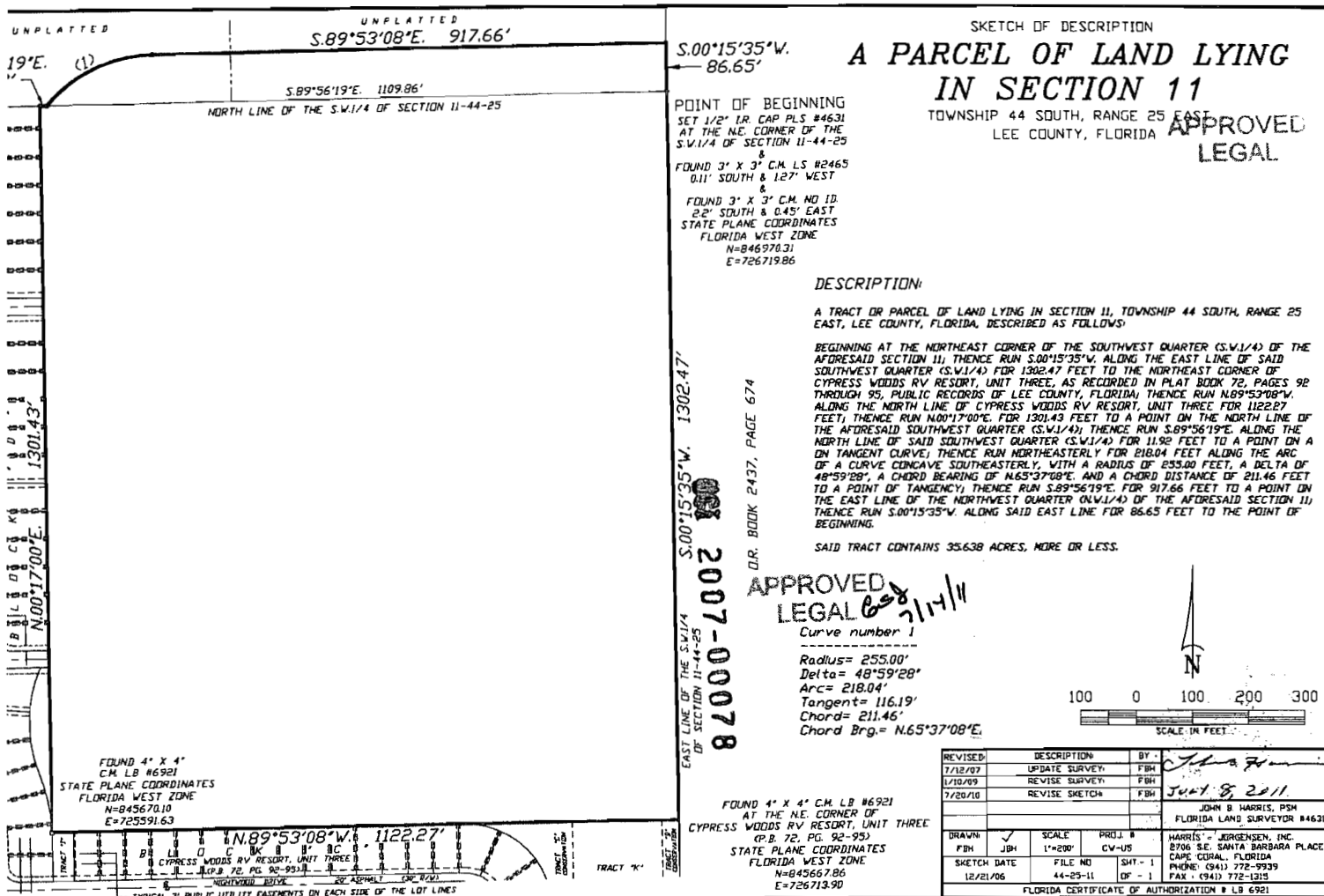
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JUL 1 2011

COMMUNITY DEVELOPMENT

628
7/14/11

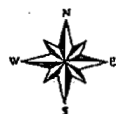
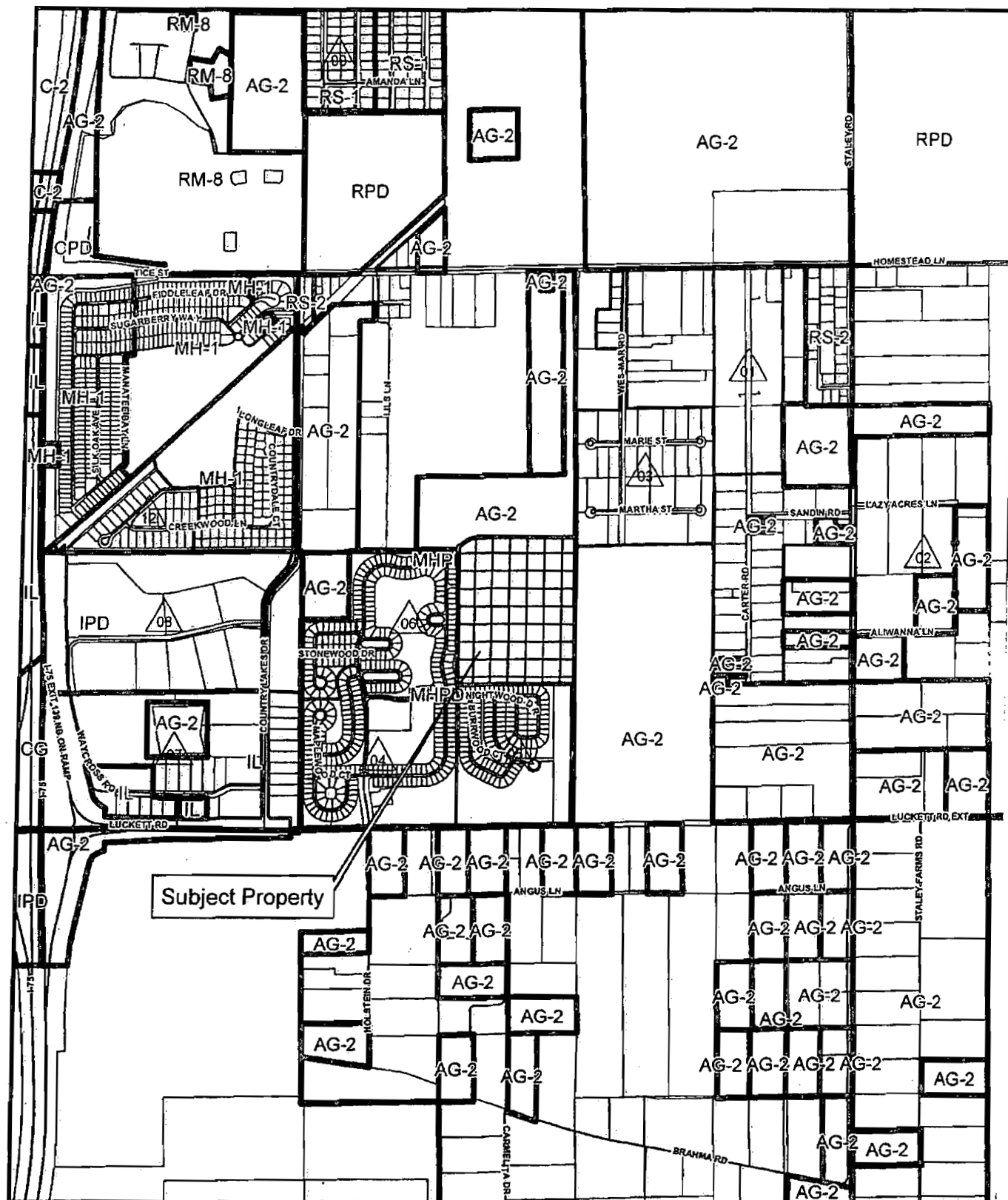
APPROVED
LEGAL

CW-U5



9/12/2011

DCI2007-00078

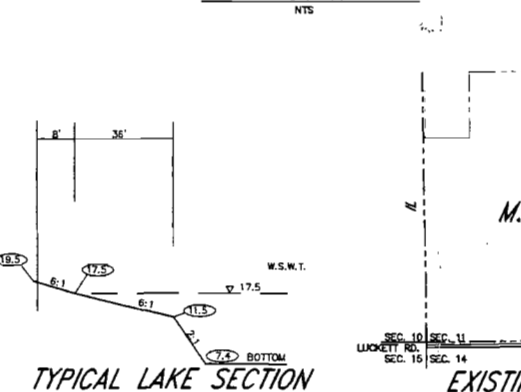
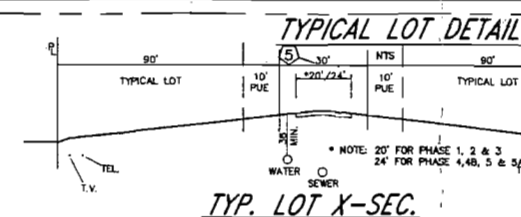
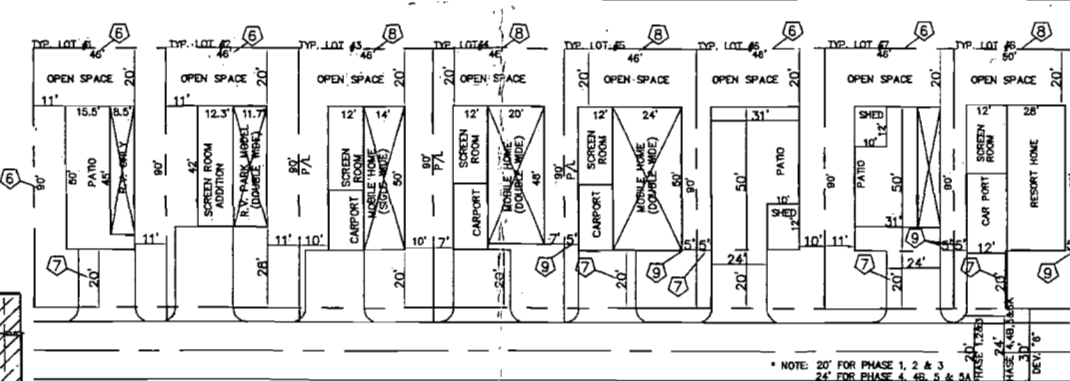
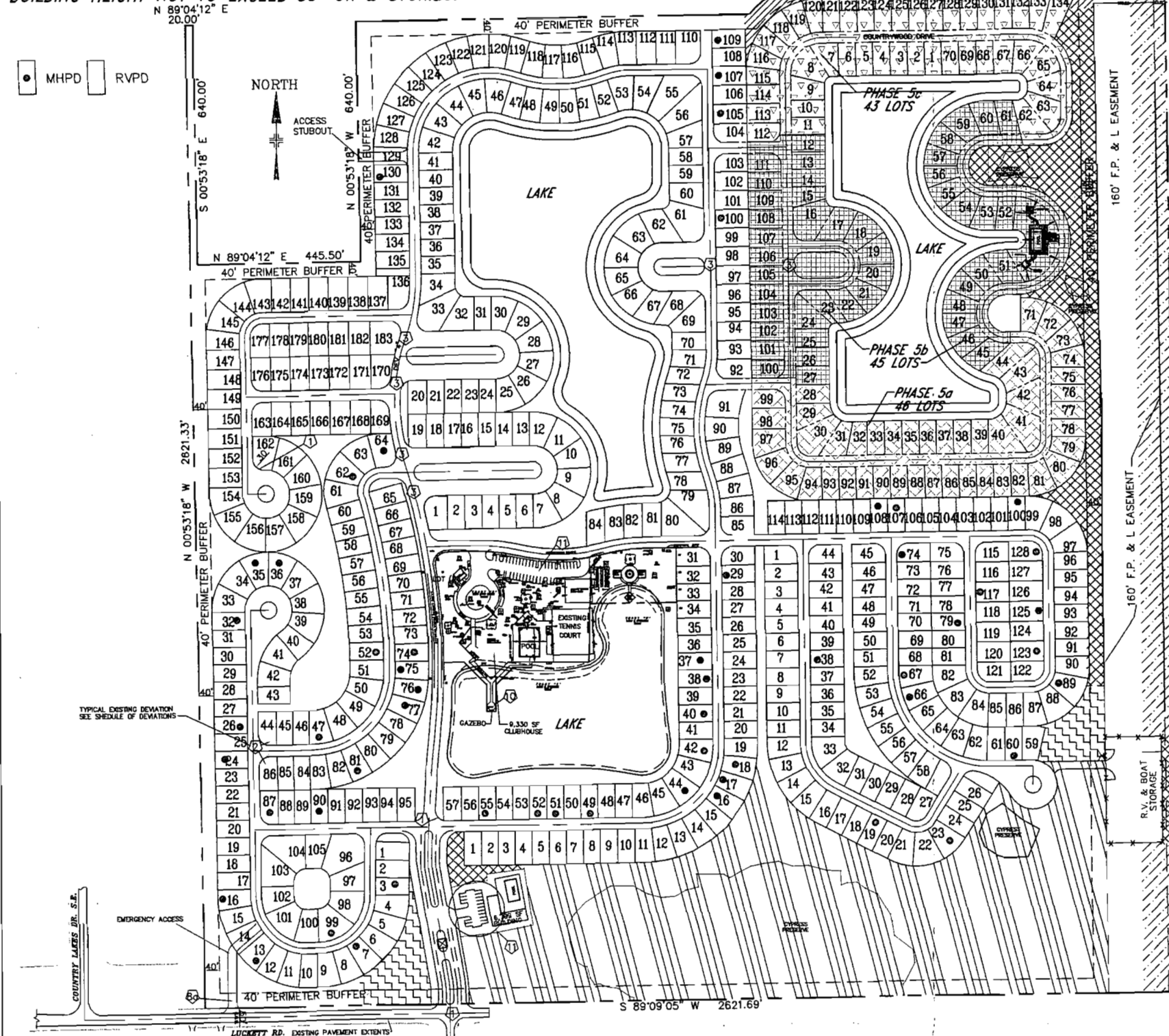


1,500 750 0 1,500 3,000 Feet

"EXHIBIT 3A"

CYPRESS WOODS RESORT

TOTAL AREA = 6,688,691.34 S.F. (153.55 AC.)
 RIGHT-OF-WAY = 792,541.57 S.F. (18.19 AC.)
 LOT AREA = 2,850,427.44 S.F. (65.44 AC.)
 LAKES = 726,812.66 S.F. (16.68 AC.)
 NO. OF LOTS = 611 UNITS (563 R.V. SITES, 48 M.H. SITES)
 GROSS DENSITY = 3.98 UNITS/AC.
 BUILDING HEIGHT NOT TO EXCEED 35' OR 2 STORIES.



Approved as Exhibit C
 MCP Page 1 of 3
 Resolution # Z-11-021

INDIGENOUS OPEN SPACE

TYPES	ACTUAL	CREDITS
100%	5.04 ACRES	5.04 ACRES
110%	1.27 ACRES	1.39 ACRES
125%	4.86 ACRES	6.08 ACRES
150%	16.70 ACRES	25.05 ACRES
TOTAL PROVIDED:	27.87 ACRES	36.64 ACRES
TOTAL REQUIRED:		30.30 ACRES

OPEN SPACE

COMMON AREA:	
40 FOOT PERIMETER BUFFER	= 417,978.55 S.F. (9.60 AC.)
20 FOOT AROUND LAKE	= 174,510.73 S.F. (4.00 AC.)
LAKES	= 732,335.74 S.F. (16.81 AC.)
160' TPL EASEMENT	= 432,887.83 S.F. (9.93 AC.)
WETLAND CREATION (EXISTING)	= 760,122.00 S.F. (17.45 AC.)
ADDITIONAL COMMON AREA (AREA BETWEEN BLOCKS)	= 430,223.79 S.F. (9.87 AC.)
COMMON AREA TOTAL	= 2,847,760 S.F. (67.66 AC.)
% OF SITE	= 44.04 %

HURRICANE SHELTER (PER LDC SECTION 10-250)
 REQUIRED HURRICANE SHELTERS = (2.25)(567)(20)(480)=12,090 S.F.
 PROVIDED = 16,129 S.F.

SCHEDULE OF DEVIATIONS

- Existing General Deviations:
- A deviation from LDC Section 10-714 which requires a 80 foot turn-out radius to allow 30 feet.
 - A deviation from LDC Sections 34-2222 & 34-2192 to allow the corner lots to be the same size as the other lots in the development and to allow a reduction in the street setback from 20 ft. to 5 ft. on the wide lot line for these corner lots.
 - A deviation from Table 1 of LDC 10-285 which requires 125 feet of street intersection separation to allow 100 feet.
 - A deviation from LDC Section 10-291(3) to allow only one means of ingress and egress for a development of more than five acres.
 - A deviation from Table 3 of LDC 10-296 which requires a 45 foot right-of-way for a local street with open drainage to permit a lead street with 30 foot right-of-way and open drainage.
- Existing RVPD Deviations:
- A deviation from LDC Section 34-939(b)(6)(b) which requires a 5,000 square foot minimum lot to allow a 4,140 square foot minimum lot (46 feet x 90 feet).
 - A deviation from LDC Section 34-393(b)(7)(c) which requires side setbacks of 10 feet and a street (right-of-way) setback of 25 feet to permit a side setback of 5 feet and a street (right-of-way) setback of 20 feet for a non-invasive park.
 - A deviation from LDC Section 34-931(b)(3) to permit an access road through the perimeter buffer.
- Existing MHPD Deviations:
- A deviation from Section 430.02 of the Lee County Zoning Ordinance (Now LDC 34-736) which requires a 5,000 square foot minimum lot (50 feet x 100 feet) to allow a 4,140 square foot minimum lot (46 feet x 90 feet).
 - A deviation from Section 34-736 which requires a side setback of 7 feet to permit a side setback of 5 feet.
 - A deviation from Section 34-2194(b)(3) of the Lee County Land Development Code to permit a water related use (i.e. clubhouse, deck, pier and gazebo) to encroach into the 25' setback and to extend 90 feet into an artificial body of water. This request is made pursuant to the exception provided in LDC 34-2194(c)(1)(a).
 - A deviation from Section 34-2020(a)(x)(2) which would require 135 spaces for the two clubhouse facilities to allow 44 spaces.

DCI 2007-00078

AUG 23 2010

COMMUNITY DEVELOPM

HISTORICAL RUNOFF

SCALE 1" = 800'

CYPRESS WOODS
R.V. RESORT

ORIGINAL ZONING # Z-94-025

MASTER CONCEPT PLAN

BARBOT, STEUART & ASSOCIATES, INC.

CONSULTING ENGINEERS

3228 EVANS AVENUE, FORT MYERS, FLORIDA 33901, PH. (239) 936-7353

DESIGNED BY:	IKS	CHECKED BY:	IKS
DRAWN BY:	JTA	CHECKED BY:	IKS
DATE:	08/16/10	SCALE:	1" = 120' OR AS NOTED
REVISION	04/21/08	APPROVED	09/14/2007
DATE	08/16/10	FILE NO.	3434

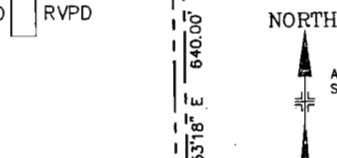
EXHIBIT C

"EXHIBIT 3A"

CYPRESS WOODS RESORT

TOTAL AREA = 6,688,691.34 S.F. (153.55 AC.)
 RIGHT-OF-WAY = 792,541.57 S.F. (18.19 AC.)
 LOT AREA = 2,850,427.44 S.F. (65.44 AC.)
 LAKES = 726,812.66 S.F. (16.68 AC.)
 NO. OF LOTS = 611 UNITS (563 R.V. SITES, 48 M.H. SITES)
 GROSS DENSITY = 3.98 UNITS/AC.
 BUILDING HEIGHT NOT TO EXCEED 35' OR 2 STORIES.

MHPD RVPD



TYPICAL EXISTING DEVIATION
 SEE SCHEDULE OF DEVIATIONS

COUNTRY LAKES DR. S.E.

EMERGENCY ACCESS

LUCKETT RD.

BOLSTIN DR.

EXISTING MAN-MADE LAKE
 RELOCATED TO MIN. 50' FROM
 REAR LOT LINES

AREA TO BE ADDED
 TO DEVELOPMENT

EXISTING MAN-MADE LAKE

N 89°04'12" E 1,127.97'

40' PERIMETER BUFFER

201211223242512627282930313233134

LAKE

LAKE

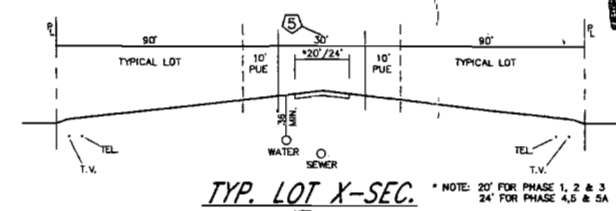
EXISTING PRESERVE

411 - PINE FLATWOODS = 4.55 ACRES
 621 - CYPRESS FOREST = 6.66 ACRES
 624 - PINE - CYPRESS FOREST = 9.13 ACRES
 625 - PINE WET PRAIRIE = 2.52 ACRES
 650/640 - RESTORATION AREA = 2.89 ACRES
 632/310 - POWER LINE EASEMENT/HERBACEOUS = 2.79 ACRES
 632/643 - POWER LINE EASEMENT/WET HERBACEOUS = 3.89 ACRES

B.C. FOX SQUIRREL
 PRESERVE
 26.62 ACRES

OPEN SPACE

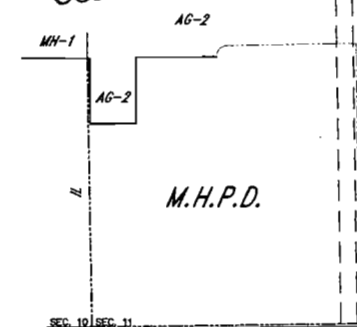
COMMON AREA:
 40 FOOT PERIMETER BUFFER = 417,979.85 S.F. (9.60 AC.)
 20 FOOT AROUND LAKE = 174,510.73 S.F. (4.00 AC.)
 LAKE = 732,335.74 S.F. (16.81 AC.)
 160' FPL EASEMENT = 432,587.83 S.F. (9.93 AC.)
 WETLAND CREATION (EXISTING) = 760,122.00 S.F. (17.45 AC.)
 ADDITIONAL COMMON AREA (AREA BETWEEN BLOCKS) = 430,223.79 S.F. (9.87 AC.)
 COMMON AREA TOTAL = 2,947,780 S.F. (67.66 AC.)
 % OF SITE = 44.04 %



LAKE SECTION

NTS

COMMUNITY DEVELOPMENT



HISTORICAL RUNOFF

SCALE 1" = 800'

CYPRESS WOODS
 R.V. RESORT

ORIGINAL ZONING # Z-94-025

MASTER CONCEPT PLAN BIG CYPRESS FOX SQUIRREL PERSEVERE

BARBOT, STEUART & ASSOCIATES, INC.

CONSULTING ENGINEERS
 3228 EVANS AVENUE, FORT MYERS, FLORIDA 33901, PH. (239) 936-7353

DESIGNED BY: IKS	CHECKED BY: IKS	FILE NO.
DRAWN BY: JTA	CHECKED BY: IKS	
DATE 08/16/10	REVISION REVISED PER 05/24/10 SUFFICIENCY CHECKLIST	
DATE 04/21/08	REVISION REVISED PER 01/06/08 SUFFICIENCY CHECKLIST	
DATE	REVISION	APPROVED
SCALE: 1" = 150' OR AS NOTED	DATE: 05/29/2007	SHEET 2 OF 3
		3434

DCI 2007-00078

APR 23 2010

Approved as Exhibit C
 MCP Page 2 of 3
 Resolution # Z-11-081

08-18-10

"EXHIBIT 3A"

CYPRESS WOODS RESORT

TOTAL AREA = 6,688,691.34 S.F. (153.55 AC.)
 RIGHT-OF-WAY = 792,541.57 S.F. (18.19 AC.)
 LOT AREA = 2,850,427.44 S.F. (65.44 AC.)
 LAKES = 726,812.66 S.F. (16.68 AC.)
 NO. OF LOTS = 611 UNITS (563 R.V. SITES, 48 M.H. SITES)
 GROSS DENSITY = 3.98 UNITS/AC.
 BUILDING HEIGHT NOT TO EXCEED 35' OR 2 STORIES.

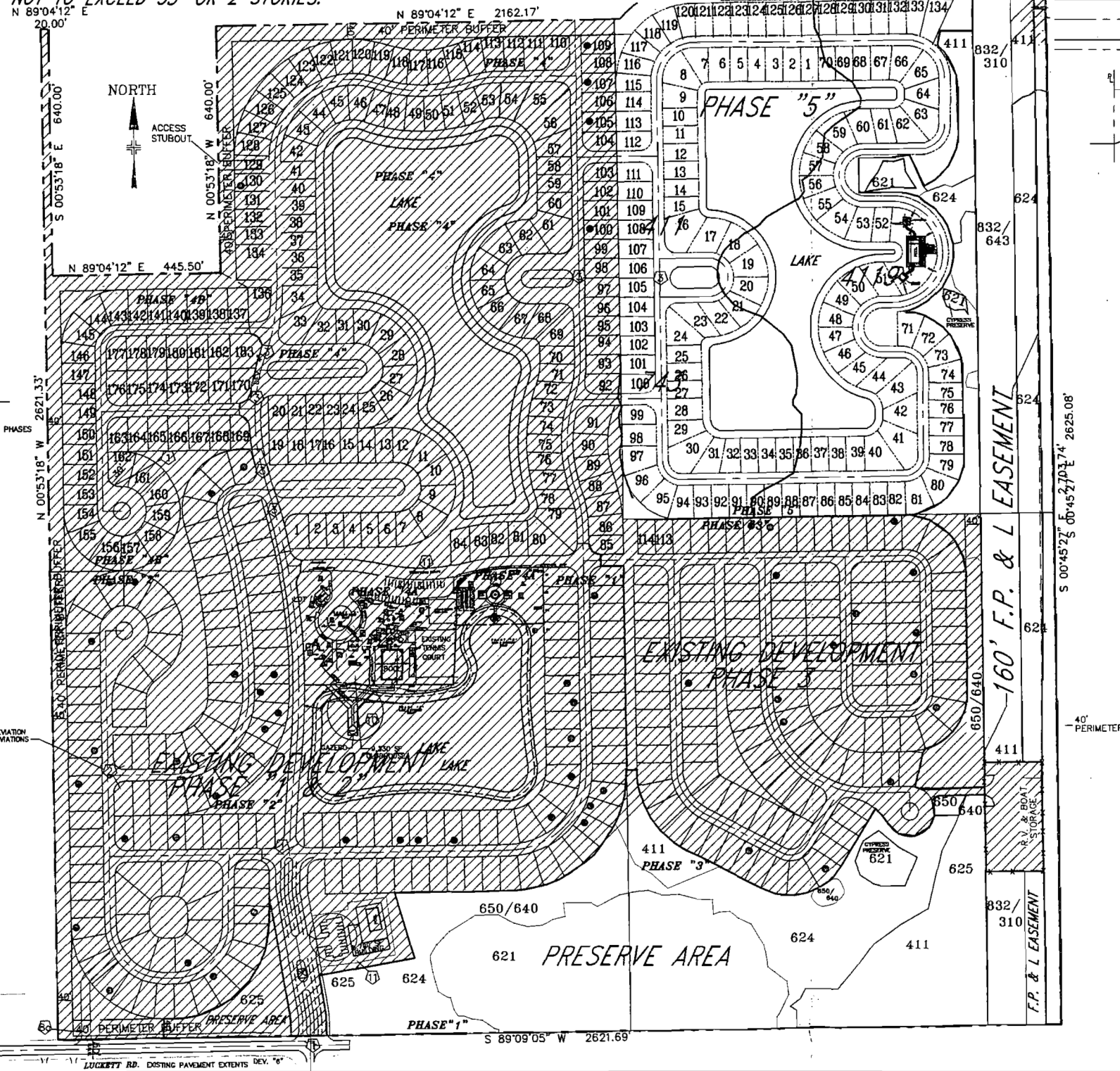
MHPD RVPD

HATCH LEGEND

EXISTING DEVELOPED PHASES

TYPICAL EXISTING DEVIATION
 SEE SCHEDULE OF DEVIATIONS

COUNTRY LAKES DR. S.F.



EXISTING MAN-MADE LAKE
 RELOCATED TO MIN. 50' FROM
 REAR LOT LINES

SEE DETAIL A-A

N 89°04'12" E 1,127.97'

EXISTING TOP OF BANK

201 211 221 231 241 251 261 271 281 291 301 311 321 331 341

PHASE "5"

PHASE "4"

PHASE "3"

PHASE "2"

PHASE "1"

PHASE "0"

PHASE "0"

PHASE "0"

PHASE "0"

PHASE "0"

PHASE "0"

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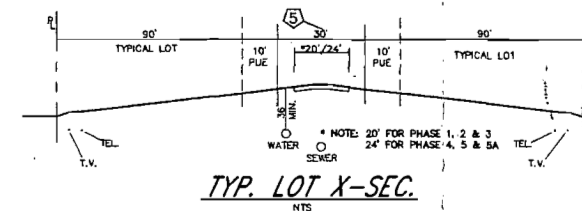
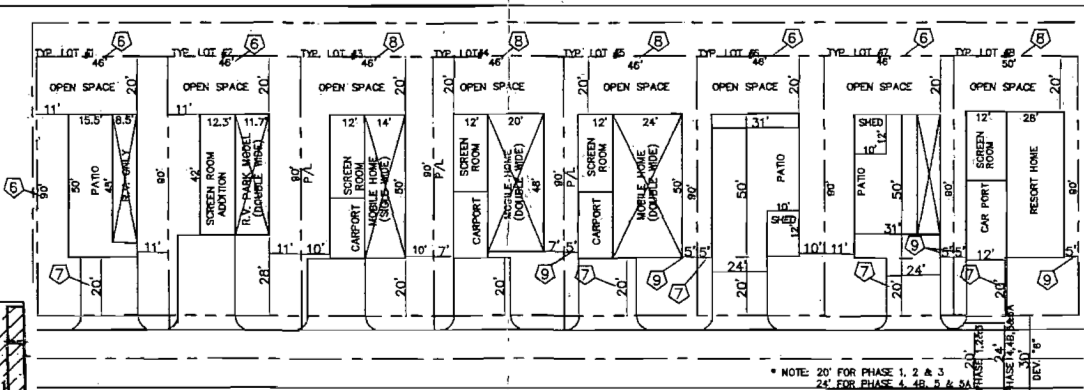
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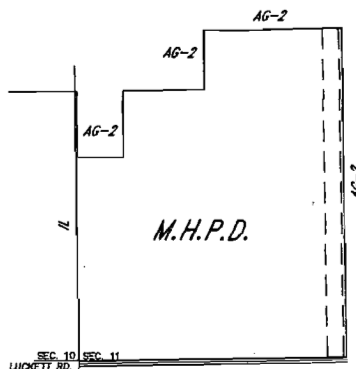
PHASE "0"

PHASE "0"



TYP. LOT X-SEC.

NTS



EXISTING ZONING

SCALE 1" = 800'

EXISTING CONDITIONS FOR PHASE 4 & 5

CODE	DESCRIPTION	ACRES
191	BAHA GRASS FIELD	.83
193	UNDEVELOPED RURAL AREA	18.43
194	UNDEVELOPED LAND/TEMPORARY RV STORAGE	0.81
210	PASTURE LAND	12.26
411	PINE - SAW PALMETTO FOREST	13.34
411B	MELALEUCA - PINE FOREST	11.89
510	DRAINAGE DITCH	.60
520	LAKE	2.54
740	DISTURBED AREA	1.30
743	SPOILED AREA	1.00
TOTAL:		64.00

FLUCC'S CODE

411 - PINE FLATWOODS	= 4.55 ACRES
621 - CYPRESS FOREST	= 6.86 ACRES
624 - PINE - CYPRESS FOREST	= 9.13 ACRES
625 - PINE WET PRAIRIE	= 2.52 ACRES
650/640 - RESTORATION AREA	= 2.69 ACRES
832/310 - POWER LINE EASEMENT/HERBACEOUS	= 2.78 ACRES
832/643 - POWER LINE EASEMENT/WET HERBACEOUS	= 3.69 ACRES

OPEN SPACE

COMMON AREA:	
40 FOOT PERIMETER BUFFER	= 417,879.85 S.F. (9.60 AC.)
20 FOOT AROUND LAKE	= 174,510.73 S.F. (4.00 AC.)
LAKES	= 726,812.66 S.F. (16.68 AC.)
160' FPL EASEMENT	= 732,335.74 S.F. (16.81 AC.)
WETLAND CREATION (EXISTING)	= 432,587.83 S.F. (9.93 AC.)
ADDITIONAL COMMON AREA (AREA BETWEEN BLOCKS)	= 780,122.00 S.F. (17.83 AC.)
	= 430,223.79 S.F. (9.87 AC.)
COMMON AREA TOTAL	= 2,647,780 S.F. (67.66 AC.)
% OF SITE	= 44.04 %

HURRICANE SHELTER (PER LDC SECTION 10-258)

REQUIRED HURRICANE SHELTERS	= (2.25)(672)(20)(150) = 13,808 S.F.
PROVIDED	= 16,128 S.F.

DESIGNED BY:	IKS	CHECKED BY:	IKS
DRAWN BY:	JTA	CHECKED BY:	IKS
DATE:	08/16/10	DATE:	05/29/2007
REVISION		APPROVED	
FILE NO.	3434		

DCI 2007-00078

AUG 23 2010

COMMUNITY DEVELOPMENT

SCHEDULE OF DEVIATIONS

Existing General Deviations:

- A deviation from LDC Section 10-714 which requires a 90 foot turn-out road to allow 30 feet.
- A deviation from LDC Sections 34-222 & 34-2182 to allow the corner lots to be the same size as the other lots in the development and to allow a reduction in the street setback from 20 ft. to 5 ft. on the "wide" lot line for these corner lots.
- A deviation from Table 1 of LDC 10-286 which requires 125 feet of street intersection separation to allow 100 feet.
- A deviation from LDC Section 10-291(3) to allow only one means of ingress and egress for a development of more than five acres.
- A deviation from Table 3 of LDC 10-296 which requires a 45 foot right-of-way for a local street with open drainage to permit a local street with 30 feet right-of-way and open drainage.

Existing RVPD Deviations:

- A deviation from LDC Section 34-939(b)(6)(b) which requires a 5,000 square foot minimum lot to allow a 4,140 square foot minimum (46 feet x 90 feet).
- A deviation from LDC Section 34-38(b)(7)(c) which requires side setbacks of 10 feet and a street (right-of-way) setback of 25 feet to permit a side setback of 5 feet and a street (right-of-way) setback of 20 feet for a non-transient park.
- A deviation from LDC Section 34-250(b)(3) to permit an access road through the perimeter buffer.

Existing MHPD Deviations:

- A deviation from Section 439.02 of the Lee County Zoning Ordinance (Now LDC 34-736) which requires a 5,000 square foot minimum lot (50 feet x 100 feet) to allow a 4,140 square foot minimum lot (46 feet x 90 feet).
- A deviation from Section 439.02.B of the Lee County Zoning Ordinance (Now 34-736) which requires a side setback of 7 feet to permit a side setback of 5 feet.
- A deviation from Section 34-2184(b)(3) of the Lee County Land Development Code to permit a water related use (i.e. clubhouse, deck, pier, and gazebo) to encroach into the 25' setback and to extend 80 feet into an artificial body of water. This request is made pursuant to the exception provided in LDC 34-2184(c)(1)(a).
- A deviation from Section 34-202(a)(2) which would require 135 spaces for the two clubhouse facilities to allow 44 spaces.

CYPRESS WOODS

R.V. RESORT

ADMINISTRATIVE AMENDMENT

ORIGINAL ZONING # 2-94-025

MASTER CONCEPT PLAN

EXHIBIT III-A-1

BARBOT, STEUART & ASSOCIATES, INC.

CONSULTING ENGINEERS

3228 EVANS AVENUE, FORT MYERS, FLORIDA 33901, PH. (239) 936-7353

DESIGNED BY: IKS

CHECKED BY: IKS

DRAWN BY: JTA

CHECKED BY: IKS

SCALE: 1" = 150'

DATE: 05/29/2007

SHEET 3 OF 3

FILE NO. 3434

Exhibit D

Habitat Restoration and Maintenance Guidelines

for the

Cypress Woods RV Resort Phase V

Sections 11, T44S, R25E, Lockett Road, Lee County, Florida

March 27, 2008
Revised: Dec. 4, 2008
June 9, 2009

Prepared for:

Cypress Woods RV Resort
5551 Lockett Road.
Fort Myers, FL 33905
(239) 694-2191
FAX: (239) 691-4969

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COMMUNITY DEVELOPMENT

conducted by

DCI 2007-00078

Southern Biomes, Inc.

1602 Woodford Ave., Fort Myers, FL 33901 - mail to: P.O. Box 50640, Fort Myers, FL 33994
Ph.: (239) 334-6766 - Geza Wass de Czege, President - Fax: (239) 337-5028

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Habitat Restoration & Management Guidelines - Cypress Woods RV Resort Phase V - Lockett Road
Section 11, T44E, R25S, Lee County, Florida Revised: June 9, 2009**A. FOX SQUIRREL HABITAT RESTORATION GUIDELINES**

1. **RESTORATION SITE DESCRIPTION:** The subject restoration site is a forty foot wide buffer area located in the northeastern portion of the development, extending for approximately 800 feet east to the pine flatwoods buffer adjacent to the powerline easement. The previously existing forested buffer was unintentionally cleared and will be restored to meet Lee County Code, Sec. 14-384: Restoration standards, and the Sec. 10-420 Plant materials standards. The plantings will be according to Lee County's Department of Community Development, Division of Environmental Sciences indigenous habitat restoration area planting guidelines.

2. **HABITAT RESTORATION EXECUTIVE SUMMARY:** To help restore the habitat, slash pines and scattered live oaks will be planted an average of 15' on center, with 75% of the trees being a minimum 10' tall with two-inch caliper at 12 inches above ground, and the remaining 25% a minimum 16' tall with a 3-4 inch caliper, to provide more diversity sizes. Trees will be planted in random order so as not to appear as growing in rows. Shrubs will be limited to scattered clusters of saw palmetto, wax myrtle, beautyberry, gallberry and muhly grass, planted around selected tree clusters. Shrubs and groundcover vegetation must be in minimum one-gallon container, and clustered at an average of three feet (3') on center, to mimic pine flatwoods savanna habitat.

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Habitat Restoration & Management Guidelines, Cypress Woods RV Resort Phase V, Lockett Road,
Section 11, T44E, R25S, Lee County, Florida

Revised: June 9, 2009

Habitat Restoration Plant List

- One hundred ten (110) trees, of which no more than 75% are to be 10' tall, minimum 2 inch caliper trees, and at least 25% are >16' tall, minimum 3 inch caliper trees. All trees are to be planted in random order on average 15' centers:
 - 68 slash pine (*Pinus elliottii*) 10' w/min 2" dbh
 - 22 slash pine (*Pinus elliottii*) 16' w/min 3" dbh
 - 6 live oak (*Quercus virginiana*) 10' w/min 2" dbh
 - 2 live oak (*Quercus virginiana*) 16' w/min 3" dbh
 - 4 laurel oak (*Quercus laurifolia*) 10' w/min 2" dbh
 - 2 laurel oak (*Quercus laurifolia*) 16' w/min 3" dbh
 - 4 dahoon holly (*Ilex cassine*) 10' w/min 2" dbh
 - 2 dahoon holly (*Ilex cassine*) 16' w/min 3" dbh
- Three thousand four hundred sixty six (3,466) in 1 gallon containerized shrubs & herbaceous species, randomly clustered within tree clusters, on 3' center:
 - 1000 saw palmetto (*Serenoa repens*)
 - 500 wax myrtle (*Myrica sp.*)
 - 500 beautyberry (*Callicarpa americana*)
 - 466 gallberry (*Ilex glabra*)
 - 1000 muhly grass (*Muhlenbergia sp.*)

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Habitat Restoration & Management Guidelines - Cypress Woods RV Resort Phase V - Luckett Road
Section 11, T44E, R25S, Lee County, Florida Revised: June 9, 2009**RESTORATION AREA SITE PREPARATION, MAINTENANCE AND MONITORING****GUIDELINES:**

1. Restoration areas are to be graded to natural elevations of adjacent pine flatwoods uplands, and harrowed to remove all ruts from the planting areas.
2. Eradicate any torpedograss, primrose willow, or any other exotic or nuisance vegetation prior to replanting, with an approved systemic herbicide, and establish an annual eradication program to maintain the area free of exotic species, and the nuisance species to less than 2% coverage.
3. Replant restoration areas with plant species and quantities as designated in the plant list provided in the Habitat Restoration Plant List (approx. 31,200 sq. ft.).
 - One hundred ten (110) trees, with no more than 75% at least 10' tall, 2 inch caliper and the remaining trees >16' tall, with minimum 3 inch caliper, planted in clusters of 3-5, on average 15' centers.
 - Three thousand four hundred sixty six (3,466) 1 gallon containerized shrubs, cluster 3' o.c.
4. Maintain a semi-annual exotic plant control the first year, and an annual control thereafter, in perpetuity, to treat the exotic vegetation resprouting with an approved herbicide, and manually remove any seedlings. Conduct activities during the winter and spring dry season.
5. Signage shall be placed at each end of the indigenous preserve area to identify and protect the preserve during and after construction. The signs shall be no closer than ten feet from adjacent property lines; be limited to a maximum height of four feet and a maximum size of two square feet, stating: "Preserve Area" (in large letters), "Please do not cut or damage any plants unless authorization by permit, or obtained in writing by Lee County Community Development" (in small letters). See example attached with these guidelines.
6. Provide Lee County with an annual monitoring report, for 5 years, including plant survival data and qualitative narrative describing the vegetative changes within the mitigation area. Include the following:
 - a. Provide three fixed point photo station' panoramic photograph analyses at selected locations.
 - c. Narrative report of exotics invasion, and removal success.
 - d. Plant survival data and revegetation success data, including quantitative data, natural recruitment success, exotic invasion, general condition, and recommendations.
7. Mitigation success criteria are as follows:
 - a. The area is maintained free of exotic plants, as defined by the Florida Exotic Pest Plant Council, with no more than 2% coverage at any one time (including but not limited to melaleuca, Brazilian pepper, Australian pine, etc.), and the number of exotic plants eradicated each year has been greatly reduced.
 - b. All nuisance plant species (torpedograss, primrose willow, caesarweed, dog fennel, etc.) constitute no more than 5% of the total plant coverage.
 - c. There is an 80% survival rate of the planted vegetation and at least 80% coverage of the planted area by indigenous native vegetation at the end of the third year of monitoring.
 - d. There is a continual increase in indigenous plant species composition throughout the five year monitoring period.

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Habitat Restoration & Management Guidelines, Cypress Woods RV Resort Phase V, Luckett Road,
Section 11, T44E, R25S, Lee County, Florida

Revised: June 9, 2009

Preserve Area Sign Sample

Preserve Area

No Dumping

No Cutting

No Disturbing

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COMMUNITY DEVELOPMENT

Please do not cut or damage any plants unless authorization by permit, or obtained in writing by Lee County Community Development.

Please Help Keep it Natural!!

NOTE: Typical sign dimensions may range from 9" x 12" to 12" x 18" (vertical or horizontal), but should not exceed 288 sq. inches.

Cypress Woods Monitoring and Maintenance Plan

The wetland mitigation program involves several different activities. These include creation of 2.35 acres of marsh, 3.12 acres of mixed pine and cypress forest, 1.32 acres of shallow excavation, restoration of 6.02 acres of wetlands and enhancement of 9.61 acres of wetlands. Details of these specific mitigation activities, mitigation goals, monitoring programs and maintenance plans are outlined below.

Wetland Enhancement

Wetland enhancement includes the selective removal of exotics from existing wetlands. Baseline wetland monitoring will be conducted in the wetland enhancement areas. A transect, photo point and staff gauge will be located through the enhancement area. The location of the transect is shown on the attached Planting and Monitoring Overview Plan. Wetland enhancement will then begin which will include the selective removal of exotic vegetation. The exotic removal will consist of selective application of an approved herbicide. Small trees will be clipped and the stem painted with herbicide. Larger trees will be deeply scored and the herbicide applied to the wound. The wetland enhancement program will be done in Phase 1 of the development. Specific time frames are outlined in the attached mitigation schedule. Monitoring will be conducted for five years and will include the following parameters:

- Panoramic Photographs
- Water Level Measurements
- Description of Vegetation Composition and Percent Coverage
- Survival Rate of Planted Vegetation
- Percent Cover with Nuisance Species
- Percent Cover with Exotic Species
- Summary of Wildlife Utilization
- Summary of Wetland Maintenance Performed to Date

The goal of the enhancement is to achieve a 0% aerial coverage with exotics. Maintenance will include annual control to prevent any re invasion by exotics.

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ZONING COUNTER

PROJECT # 95-03-166.13A.02-04
PROJECT TYPE 04

Wetland Restoration

Wetland restoration includes the mechanical removal of exotics, regrading any areas disturbed by exotic removal to natural ground level, and replanting with native aquatic non nuisance species. Clearing will occur in the dry season, to minimize erosion and turbidity. Of the total restoration area (6.02 acres), 2.38 acres will be replanted with trees and shrubs and 3.64 acres will be planted with trees. Clearing will be maintained outside the drip lines of any pine or cypress trees located within this area. Specific details of the planting plan are outlined below. Plantings will occur at the end of the rainy season. The locations of the restoration and planting areas are shown on the attached Planting and Monitoring Overview Plan. Once the plantings are installed, baseline monitoring will be conducted. The specific dates for the restoration and monitoring activities are outlined in the attached mitigation schedule. Annual monitoring will be conducted thereafter for five years. The monitoring will include the following parameters:

- Panoramic Photographs
- Water Level Measurements
- Description of Vegetation Composition and Percent Coverage
- Survival Rate of Planted Vegetation
- Percent Cover with Nuisance Species
- Percent Cover with Exotic Species
- Summary of Wildlife Utilization
- Summary of Wetland Maintenance Performed to Date

The goal of the restoration effort is to achieve an 80% coverage with native, non-nuisance aquatic species, less than 10% coverage by nuisance species and 0 % coverage by exotics. Maintenance will be conducted on a semi annual basis. Exotic control will be done as necessary and supplemental plantings will be installed to maintain an 80% survival rated of planted material.

Tree Plantings

Tree planting will be a 70% mixture of cypress and slash pine. Other plantings will include a minimum of three of the following species:

- Cabbage Palm
- Laurel Oak
- Red Maple
- Dahoon Holly
- Swamp Bay

Spacing of the trees will be on 25 foot centers. The trees will be 3 gallon size.

Shrub Plantings

Shrub planting will be on 20 foot centers. Shrubs will be a minimum of 2 to 3 gallon size. A minimum of three of the following species will be planted:

- Wax Myrtle
- Cocoplum
- Salt Bush
- Swamp Hibiscus
- Gallberry

Wetland Restoration / Shallow Excavation

North of the cypress wetland is an area heavily invaded by melaleuca. This area (1.32 acres), will be regraded to a depth of 3 feet in the center and then sloped to match the existing wetland grade. The center of the area will be planted with herbaceous species and the perimeter planted with trees. Clearing will be maintained outside the drip lines of any pine or cypress trees located within this area. Specific details of the planting plan are outlined below. Plantings will occur at the end of the rainy season. The location of the shallow excavation area is shown on the attached Planting and Monitoring Overview Plan. Once the plantings are installed, time zero monitoring will be conducted. The specific dates for the restoration and monitoring activities are outlined in the attached mitigation schedule. Annual monitoring will be conducted thereafter for five years. The monitoring will include the following parameters:

- Panoramic Photographs
- Water Level Measurements
- Description of Vegetation Composition and Percent Coverage
- Survival Rate of Planted Vegetation
- Percent Cover with Nuisance Species
- Percent Cover with Exotic Species
- Summary of Wildlife Utilization
- Summary of Wetland Maintenance Performed to Date

The goal of the restoration effort is to achieve an 80% coverage with native, non-nuisance aquatic species, less than 10% coverage by nuisance species and 0 % coverage by exotics. Maintenance will be conducted on a semi annual basis. Exotic control will be done as necessary and supplemental plantings will be installed to maintain an 80% survival rated of planted material.

Tree Plantings

Tree planting will be a 70% mixture of cypress and slash pine. Other plantings will include a minimum of three of the following species:

- Cabbage Palm
- Laurel Oak
- Red Maple
- Dahoon Holly
- Swamp Bay

Spacing of the trees will be on 25 foot centers. The trees will be 3 gallon size.

Herbaceous Plantings

Herbaceous plantings will be a minimum size of 2 inch liners. Plantings will be installed on 5 foot centers. Species will include a minimum of three of the following:

- Cordgrass
- Saw Grass
- Pickerelweed
- Arrowhead
- Water Hyssop
- Scirpus sp.
- Swamp Lily
- Spike Rush

Marsh Creation

The plan includes the creation of two areas of marsh in the interior lakes. The southern marsh will be created in Phase 1 of the mitigation while the northern marsh will be created in Phase 2 of the mitigation plan. - The area will be constructed and then revegetated with herbaceous plantings. The details of the plantings are outlined below. The locations of the marsh creation areas are shown on the attached Planting and Monitoring Overview Plan. Once the plantings are installed, time zero monitoring will be conducted. The specific dates for the creation and monitoring activities are outlined in the attached mitigation schedule. Annual monitoring will be conducted thereafter for five years. The monitoring will include the following parameters:

- Panoramic Photographs
- Water Level Measurements
- Description of Vegetation Composition and Percent Coverage
- Survival Rate of Planted Vegetation
- Percent Cover with Nuisance Species
- Percent Cover with Exotic Species
- Summary of Wildlife Utilization
- Summary of Wetland Maintenance Performed to Date

The goal of the creation effort is to achieve an 80% coverage with native, non-nuisance aquatic species, less than 10% coverage by nuisance species and 0 % coverage by exotics. Maintenance will be conducted on a semi annual basis. Exotic control will be done as necessary and supplemental plantings will be installed to maintain an 80% survival rated of planted material.

Herbaceous Plantings

Herbaceous plantings will be a minimum size of 2 inch liners. Plantings will be installed on 5 foot centers. Species will include a minimum of three of the following:

- Yellow Canna
- Umbrella Grass
- Cordgrass
- Blue Flag
- Beak Rush
- Spike Rush
- spider Lily
- Swamp Lily
- Saw Grass
- Water Hyssop
- White Water Lily
- Fire Flag
- Yellow Water Lily
- Floating Hearts
- Pickerelweed
- Arrowhead

Impact Assessment

FLUCCS	% Exotics	Total AC	Impact	Mit. Ratio	Mit. required
411/424 Hydric pine flatwoods/ melaleuca invaded	> 95	19.12	12.99	.5:1	6.50
411/424 Hydric pine flatwoods/ melaleuca invaded	80	5.34	2.75	.5:1	1.38
411/424 Hydric pine flatwoods/ melaleuca invaded	50	1.46	.88	1:1	.88
621 Cypress forest	< 10	6.38	0	0	0
621/424 Cypress invaded by melaleuca	60	4.19	.96	1:1	.96
6446 Flag pond	< 10	.54	0	0	0
Totals		37.03	17.58	.5:1	9.72

Mitigation Analysis

FLUCCS	% Exotics	Enhance	Mit. Ratio	Mit. provided
Wetland Restoration				
411/424 Hydric pine flatwoods/ melaleuca invaded*	> 95	1.25	.5:1	.63
411/424 Hydric pine flatwoods/ melaleuca invaded**	> 95	2.38	.75:1	1.79
411/424 Hydric pine flatwoods/ melaleuca invaded*	80	2.39	.5:1	1.20
Wetland Enhancement				
411/424 Hydric pine flatwoods/ melaleuca invaded	50	.50	0	0
621 Cypress forest	< 10	6.38	0	0
621/424 Cypress invaded by melaleuca	60	2.19	0	0
6446 Flag pond	< 10	.54	0	0
Wetland Restoration/Shallow Excavation				
411/424 Hydric pine flatwoods/ melaleuca invaded	80	.20	.5:1	.10
621/424 Cypress invaded by melaleuca	60	1.12	.5:1	.56
Wetlands within FPL Easement***				
Not included in mitigation, but where mechanical exotic removal will occur		2.50		
Subtotals		19.45		
Wetland Creation (5.47 AC)				
From uplands-adjacent to lakes			1:1	2.35
From uplands			1:1	3.12
From Uplands-lake littoral zones			0	(+/-1.8)***
Totals				9.75

*Denotes plantings within wetland restoration area (trees)- see "Planting & Monitoring Overview"

**Denotes increased plantings within wetland restoration area (trees & shrubs)- see "Planting & Monitoring Overview"

***Not included in total mitigation

M60F14

Phase 1: All wetland creation areas except the marsh in the northern lake, all restoration and enhancement activities.

TIME SCHEDULE FOR COMPLETION OF MITIGATION/MONITORING ACTIVITIES	
ACTIVITY	COMPLETION DATE
Submit baseline monitoring report (Preservation/Enhancement Areas)	September 1, 1995
Excavation of southern lake	December 1, 1995
Grading of creation/restoration areas	December 1, 1995
Planting of creation/restoration areas	January 1, 1996
Complete initial exotic removal in preservation/enhancement areas	January 1, 1996
Construction of fence/structural buffer	February 1, 1996
Submit time zero monitoring report	February 1, 1996
Submit legal description of conservation areas	September 1, 1995
Submit recorded legal document(s)	September 1, 1995
Submit first monitoring report	February 1, 1997
Submit second monitoring report	February 1, 1998
Submit third monitoring report	February 1, 1999
Submit fourth monitoring report	February 1, 2000
Submit fifth monitoring report	February 1, 2001
A separate time schedule for completion of mitigation and monitoring activities should be submitted for each mitigation plan. The following schedule contains typical activities for most mitigation plans. Additions and/or deletions to this schedule should be noted as appropriate.	

Phase 2: Marsh creation in northern lake.

TIME SCHEDULE FOR COMPLETION OF MITIGATION/MONITORING ACTIVITIES	
ACTIVITY	COMPLETION DATE
Excavation of northern lake	December 1, 1999
Grading of remaining marsh creation area	December 1, 1999
Planting of remaining marsh creation area	January 1, 2000
Submit time zero monitoring report	February 1, 2000
Submit legal description of conservation areas	September 1, 1999
Submit recorded legal document(s)	September 1, 1999
Submit first monitoring report	February 1, 2001
Submit second monitoring report	February 1, 2002
Submit third monitoring report	February 1, 2003
Submit fourth monitoring report	February 1, 2004
Submit fifth monitoring report	February 1, 2005
A separate time schedule for completion of mitigation and monitoring activities should be submitted for each mitigation plan. The following schedule contains typical activities for most mitigation plans. Additions and/or deletions to this schedule should be noted as appropriate.	

ENVIRONMENTAL ASSESSMENT OF EXISTING LAND USES / HABITAT TYPE

EXISTING LAND USE / HABITAT TYPE AND PROPOSED STATUS					
CATEGORY	ID #	FLUCCS CATEGORY	ACREAGE	QUALITY	PROPOSED STATUS
Abandoned Ag Lands		261	71.6	Fair	Impacted
Pine Flatwoods		411	34.74	25% Exotics	Impacted
Melaleuca/Pine		411/424	19.12	95% Exotics	Impacted/Restored
			5.34	80% Exotics	Impacted/Restored
			1.46	50% Exotics	Impacted/Enhanced
Melaleuca/Cypress		424/621	4.19	60% Exotics	Impacted/Enhanced
Slash Pine/Oak/Saw Palmetto		434	1.12	60% Exotics	Impacted/Enhanced
Dead Slash Pine		435	.86	Poor	Impacted
Cypress		621	6.38	Good	Enhanced
Flag Pond		6446	.54	Good	Enhanced
FPL Easement		832	6.16	Disturbed	Preserved

Submit an environmental assessment of the project site which includes information on wetlands and rare or unique upland habitat and indicate the proposed status of each area. Categories include Wetlands, Uplands, Unique Uplands, Non-Functional Wetlands. In addition to the table, a habitat communities map should be submitted which utilizes the Florida Land Use and Cover Classification System (FLUCCS).

ENDANGERED OR THREATENED SPECIES / SPECIES OF SPECIAL CONCERN		
	FGFWFC	USFWS
LISTED SPECIES	See attached species survey	Coordinate through COE application
USE TYPE (ie. nesting, foraging)		
CONTACT PERSON		
ISSUES/RESOLUTION		

Provide information on any endangered or threatened species or species of special concern status on the project site. Include particular uses of the site by listed species (e.g. roosting, nesting, feeding). Document relevant communications with the Florida Game & Fresh Water Fish Commission (FGFWFC) or U.S. Fish & Wildlife Service (USFWS) regarding E/T/SSC species use of the site.

WETLAND INVENTORY					
	CYPRESS	MARSH	TRANSITIONAL	MIX FOREST	TOTAL
TOTAL WETLANDS (AC)	6.38	.54	0	30.11	37.03
WETLANDS PRESERVE (AC)/ENHANCED	6.38	.54	0	2.69	9.61
WETLANDS IMPACTED (AC)	0	0	0	17.99	17.99
WETLANDS DISTURBED (AC)	0	0	0	0	0
WETLANDS IMPROVED (AC)/RESTORED	0	0	0	6.02	6.02
WETLANDS CREATED (AC)	0	2.35	0	3.12	5.47
OTHER UPLAND COMPENSATION: N/A					

HAVE ANY OF THESE AREAS BEEN INCLUDED IN ANY PREVIOUS AUTHORIZATIONS FROM THE SFWMD? IF SO, PLEASE INDICATE APPLICATION / PERMIT NUMBERS:

Not applicable.

A SEPARATE TABLE SHOULD BE FILLED OUT FOR ONSITE AREAS AND OFFSITE AREAS. CATEGORIES ARE DEFINED AS FOLLOWS:	
PRESERVED	NO FILL OR EXCAVATION PROPOSED, NO CLEARING OF DESIRABLE WETLAND SPECIES, NO DEWATERING OR OTHER LOWERING OF THE WATER TABLE, ADEQUATE BUFFER PROVIDED AND PRE-DEVELOPMENT HYDROLOGY MAINTAINED.
IMPACTED	ALTERED AS PART OF THIS PROPOSAL BY FILL, EXCAVATION, CLEARING, DEWATERING OR OTHER LOWING OF THE WATER TABLE.
DISTURBED	TEMPORARY IMPACT TO WETLAND SUCH AS CLEARING, INSTALLATION OF PIPE OR OTHER UTILITY LINE AFTER WHICH SITE WILL BE REGRADED TO ITS PREVIOUS ELEVATION, REPLANTED IF NECESSARY AND/OR ALLOWED TO REVEGETATE. TEMPORARY DEWATERING (LESS THAN 90 DAYS).
IMPROVED	RE-ESTABLISHMENT OF HYDROPERIOD, REPLANTING, AND/OR EXOTIC PLANT REMOVAL TO ENHANCE AN EXISTING WETLAND.
CREATED	ESTABLISHMENT OF A WETLAND IN AN AREA WHICH WAS PREVIOUSLY UPLAND OR LAND USE CATEGORY OTHER THAN WETLANDS. TECHNIQUES INCLUDE EXCAVATION AND PLANTING, VERTICAL RELOCATION, MULCHING, ETC.

STATUS OF OTHER AGENCY WETLAND RESOURCE PERMITTING			
	FDER	USACOE	LOCAL GOVERNMENT
Status	Exemption Issued	Under Review	DO Approval Pending
File #	36-00070-D	199406291(IP-AW)	95-01-116.00D
# Ac Jurisdictional	0	37.03	
# Ac Impacted	0	17.58	7.1
Contact Person	Jamie McCormick	Angela Walker	George Parker

STATUS OF PROJECT UNDER ESL (ENVIRONMENTALLY SENSITIVE LANDS) PROGRAM(S)	
CREW	Not applicable
CARL	Not applicable
P2000	Not applicable
SAVE OUR RIVERS	Not applicable
LOCAL GOVT	Not applicable
ONS*	Not applicable

* Outstanding Natural System from Lower West Coast Water Supply Planning Program.

MITIGATION INFORMATION

This table should be filled out for each wetland preservation / creation / restoration area and/or for each upland preservation / compensation area as appropriate:

The project impacts are outlined in the attached impact analysis. The plan calls for impacting 18.16 acres of wetlands requiring 10.21 acres of mitigation.

The mitigation plan is outlined in the mitigation analysis. The mitigation plan includes the following:

- Removal of Exotics and revegetation of 6.02 acres of preserve for a credit of 3.62 acres
- Wetland Enhancement through exotic removal through shallow excavation of 1.32 acres of wetlands for 0.66 acres of credit
- Wetland Creation of 5.47 acres for a credit of 5.47 acres
- Removal of Exotics from 9.2 acres of wetlands for 0.0 acres of credit.
- Planted Lake Littoral Zones (1.8 acres) for 0.0 acres of mitigation credit

Documentation for 80% exotics in SW corner of Cypress Woods:

1. Each plot was 30' x 30'.
2. Only individuals over 4' tall were counted.

Original Plot 30' x 30' = 75% cover

Plot #2:

Tree type	# observed
Slash pine	5
Wax Mytle	2
Melaleuca	20
Total	27
Percent Cover	74%

Plot #3:

Tree type	# observed
Slash pine	2
Wax Mytle	1
Melaleuca	77
Total	80
Percent Cover	96%

Plot #4:

Tree type	# observed
Slash pine	6
Wax Mytle	0
Melaleuca	37
Total	43
Percent Cover	86%

Average % cover = $75 + 74 + 86 + 96 = 331 / 4 = 83 \%$

*Cypress Woods
Management Plan for Big Cypress Fox Squirrel Habitat*

*Prepared By
Boylan Environmental Consultants, Inc.*

The attached drawing shows the area that will be maintained and managed as habitat after development is completed. Approximately 29.9 acres of habitat will be maintained and enhanced.

Before each phase of construction, the development area will be surveyed for the presence of any fox squirrel nests. Any nests found will be marked in the field. Lee County DNR staff will be contacted to verify the activity status of nests located. Should any active nests be found all construction activities will be maintained 125' feet from the tree until the nest is deemed inactive. The limits of this buffer area will be marked in the field with red barricade fencing. Once the nest is deemed inactive the barricade will be removed and the work will be completed inside the buffer area.

The 29.9 acres of habitat to be maintained on site will consist mainly of cypress wetlands, mixed pine and cypress forest and the cleared FP&L easement. An extensive exotic removal program will be implemented in these areas. The plan will include both selective treatment of exotics with approved herbicides and mechanical clearing with extensive revegetation in the eastern most heavily invaded areas. The specific details of the exotic removal and replanting plan are included in the wetland mitigation program.

This area will be monitored for five years. It is anticipated all the exotic removal within the wetland mitigation/fox squirrel habitat will be completed during the first phase of development. A monitoring and maintenance program will then be implemented for five years. Monitoring will be done on an annual basis and will include the following parameters; percent cover with native species, survival rate of planted materials, observations of wildlife utilization and notes of any maintenance needed to be performed the following year. Panoramic photos will be taken to document the quality of the management areas. Maintenance will include any necessary supplemental planting and continued exotic treatment, as necessary.

*Cypress Woods
Management Plan for Gopher Tortoise Habitat*

*Prepared By
Boylan Environmental Consultants, Inc.*

The listed species survey indicated the presence of one gopher tortoise burrow on site. Approximately 30 days before construction begins on phase 1 of the development the burrow will be checked for signs of activity. Lee County DNR staff will be notified of the status of the burrow. If the burrow is found to be active, a relocation request for the tortoise will be submitted to the Florida Game and Fresh Water Fish Commission. The request will be to move the tortoise to one of the open space areas along the western property boundary. This area is depicted on the attached drawing. Approximately 0.53 acres will be maintained as habitat. The existing community contains abandoned farm lands supporting scattered laurel oaks, cabbage palms and Brazilian pepper.

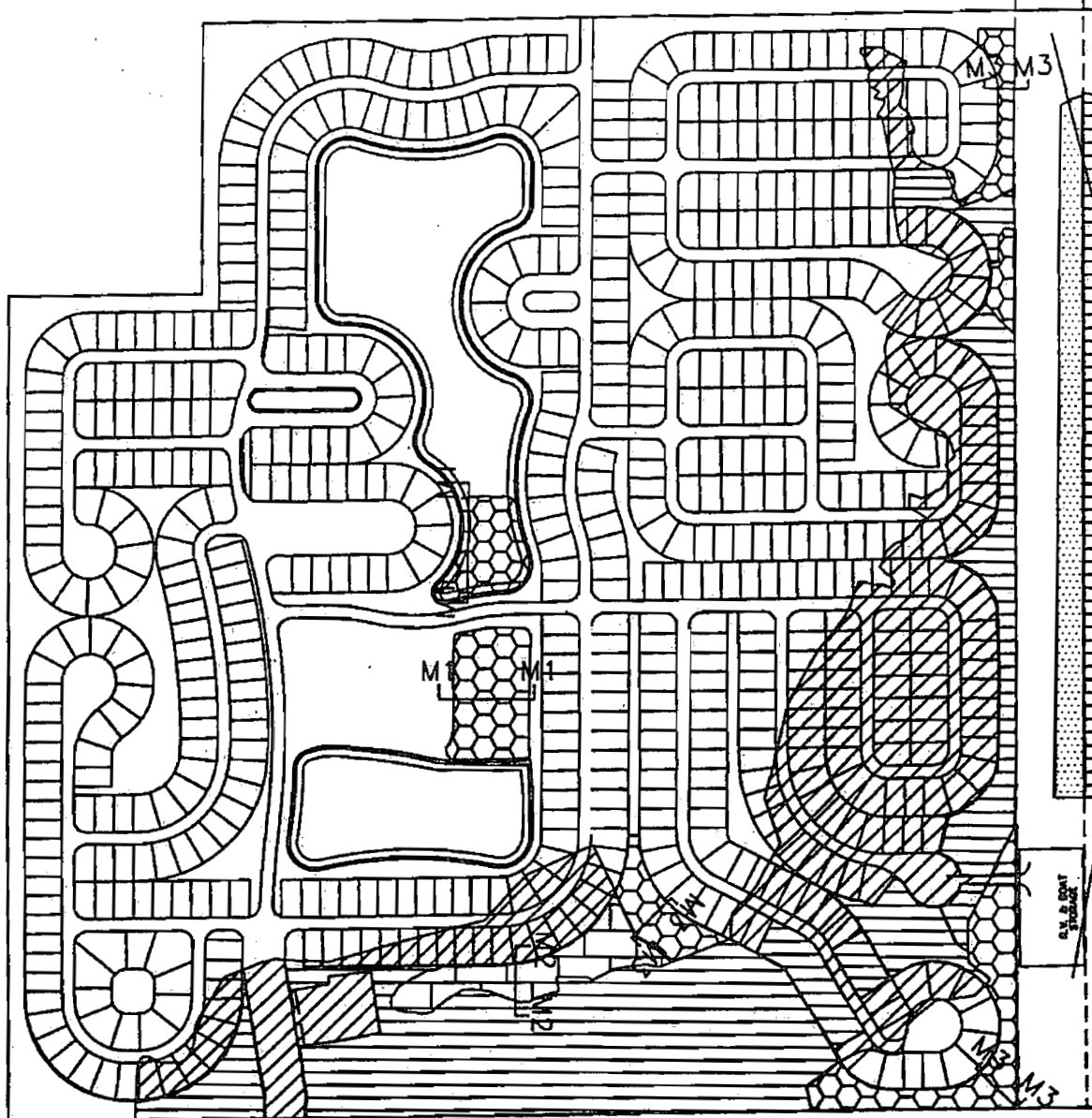
Once relocation approval is received from the FGFWFC the following activities will occur:

The area will be cleared of all exotics and then mowed. Chicken wire fencing will be erected around the perimeter of the area to contain the tortoise and a starter burrow will be excavated. The tortoise burrow will then be excavated and the tortoise relocated to the starter burrow. Construction would then begin on phase 1 of the development. The fencing would remain in place during the construction in phase 1.

A monitoring and maintenance program will be implemented in the habitat management area for 5 years. The monitoring will document the status of the burrow and the quality of the habitat. The report will summarize the quality of the vegetative community, along with the extent of any exotic or nuisance vegetation. Maintenance will include semi annual mowing and annual treatment of any exotic or nuisance species.



FILL		17.58 AC
SHALLOW EXC.		1.32 AC
ENHANCEMENT/RESTORATION		15.63 AC
CREATION		5.47 AC
FPL WETLANDS		2.50 AC



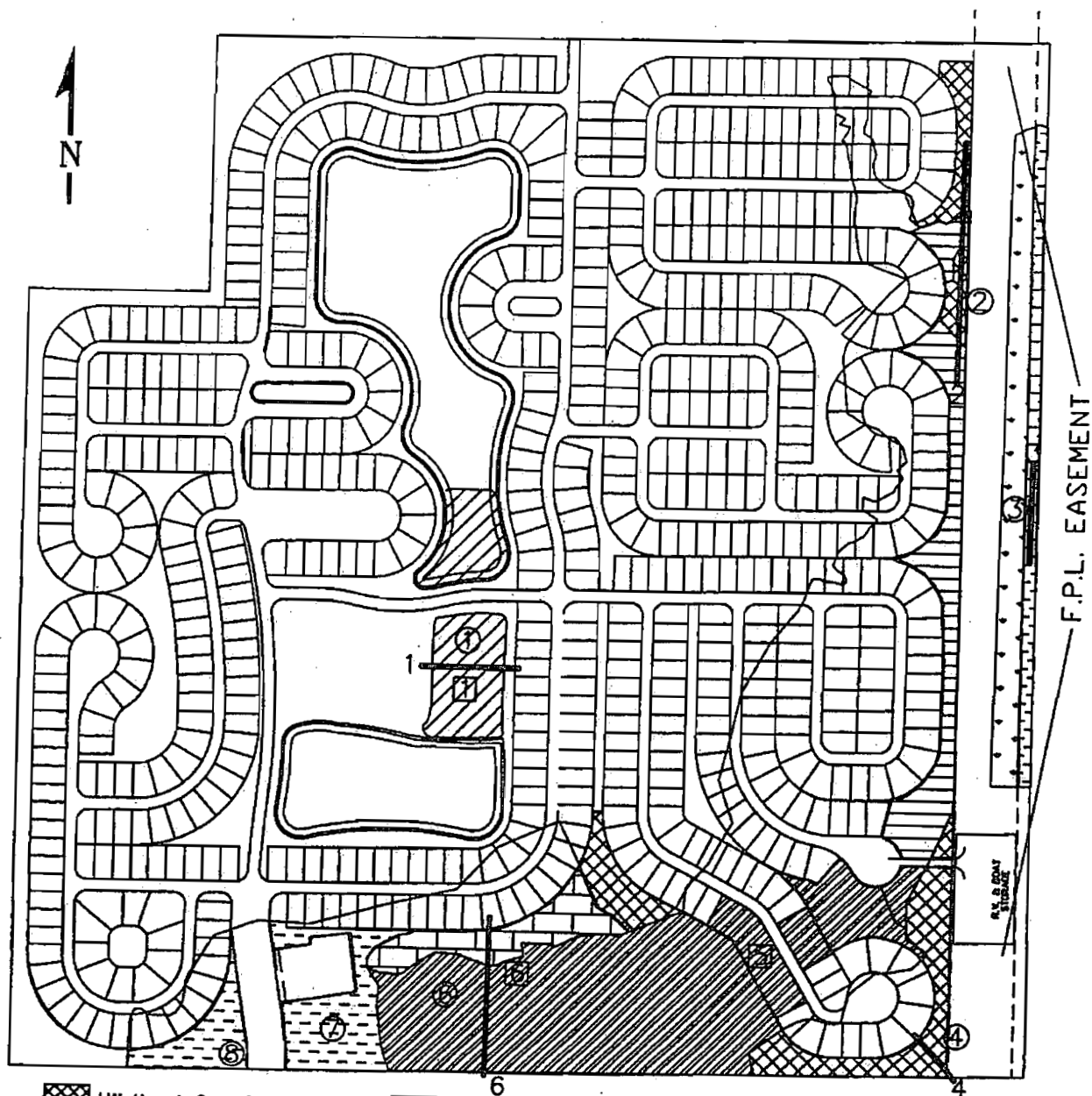
F.P.L. EASEMENT

JOB NO.
940085
SHEET
OF 11

Cypress Woods
Wetland Overview

SCALE 1"=400'
DATE 02/09/95
FILE NAME Hatching
DRAWN BY J.S.

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Wetland Creation
Trees 3.12 AC

Wetland Restoration
Trees & Shrubs 2.38 AC

Wetland Enhancement
Exotic Removal 9.61 AC

Wetland Restoration/Shallow Excavation
Trees & Herbaceous 1.32 AC

Wetland Restoration
Trees 3.64 AC

Marsh Creation
Herbaceous 2.35 AC

Uncleared wetlands within FPL easement--Not included in mitigation
2.50 AC

Transect location

Photopoint Location

Staff Gauge Location

JOB NO.
940065
SHEET 2
OF 11

Cypress Woods
Planting & Monitoring
Overview

SCALE 1"=400'
DATE 05/08/95
FILE NAME 3434001
DRAWN BY J.S.

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FT. MYERS, FL 33912
813-768-0600

Planting Plan:

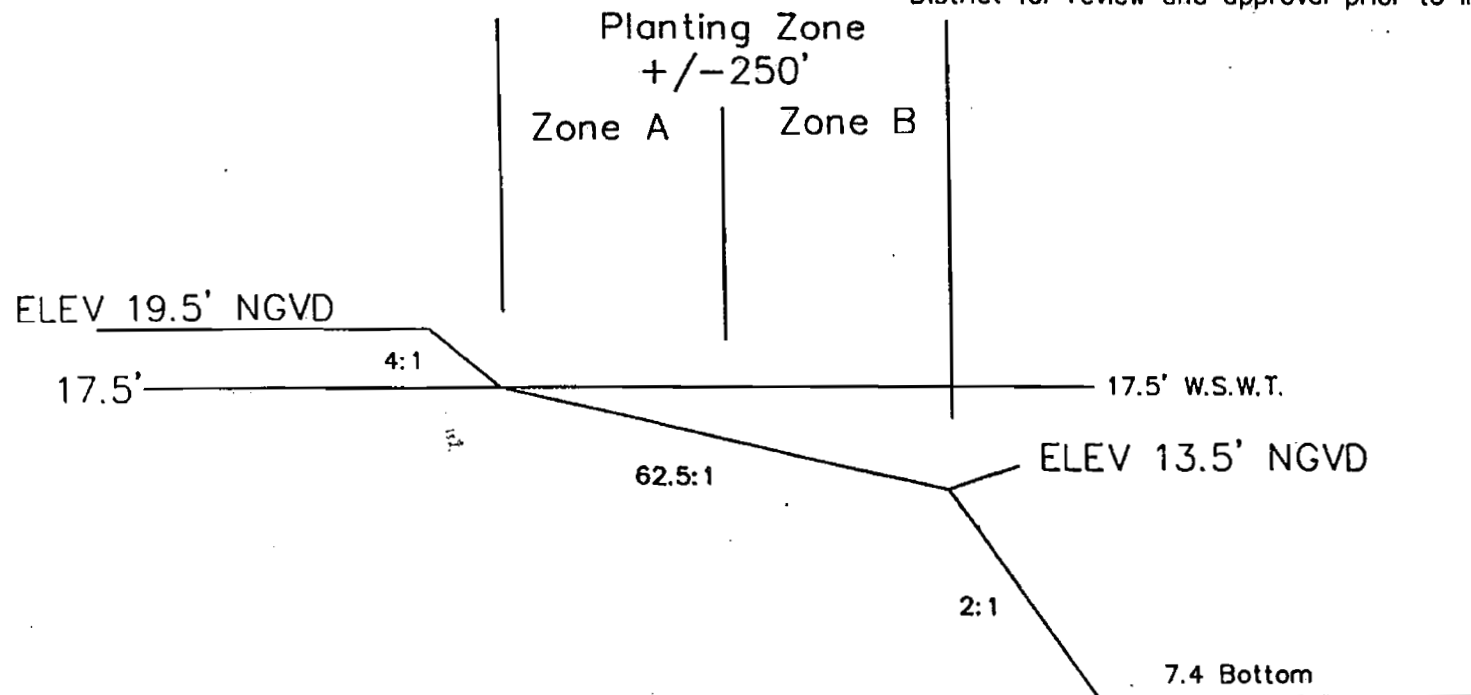
Zone A will be planted with herbaceous native aquatic species spaced on 5' centers. Species will include at least 3 (depending on availability) of the following:

Yellow Canna	Spike Rush
Umbrella Grass	Spider Lily
Cordgrass	Swamp Lily
Blue Flag	Saw Grass
Beak Rush	Water Hyssop

Zone B will be planted with herbaceous native aquatic species spaced on 5' centers. Species will include at least 3 (depending on availability) of the following:

White Water Lily	Floating Hearts
Fire Flag	Pickeralweed
Yellow Water Lily	Arrowhead

Substitutions to the above will be submitted to the District for review and approval prior to installation.



JOB NO.
940085
SHEET 3
OF //

Cypress Woods
Cross Section M1
North Marsh

SCALE	N.T.S.	REVISIONS
DATE	11/18/94	05/11/95
FILE NAME	9465xs1	
DRAWN BY	J.S.	

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Planting Plan:

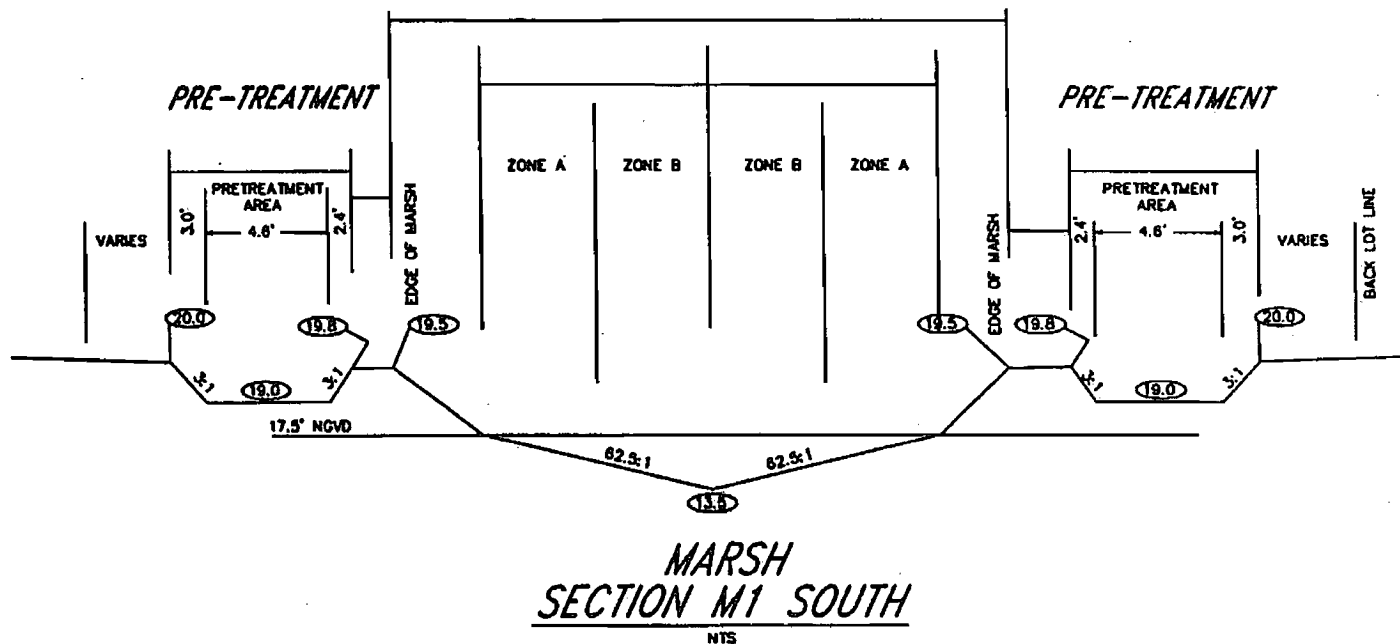
Zone A will be planted with herbaceous native aquatic species spaced on 5' centers. Species will include at least 3 (depending on availability) of the following:

Yellow Canna	Spike Rush
Umbrella Grass	Spider Lily
Cordgrass	Swamp Lily
Blue Flag	Saw Grass
Beak Rush	Water Hyssop

Zone B will be planted with herbaceous native aquatic species spaced on 5' centers. Species will include at least 3 (depending on availability) of the following:

White Water Lily	Floating Hearts
Fire Flag	Pickeralweed
Yellow Water Lily	Arrowhead

Substitutions to the above will be submitted to the District for review and approval prior to installation.



JOB NO.
940085
SHEET 4
OF 11

Cypress Woods
Cross Section M1
South Marsh

SCALE	N.T.S.	REVISIONS
DATE	11/18/94	05/11/95
FILE NAME	9465xs1	
DRAWN BY	J.S.	

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Zone A

Zone A will be revegetated with trees planted on 25' centers. Species will include (depending on availability) at least 3 of the following:

Cabbage Palm Bald Cypress
Laurel Oak Slash Pine
Red Maple
Popash
Dahoon Holly

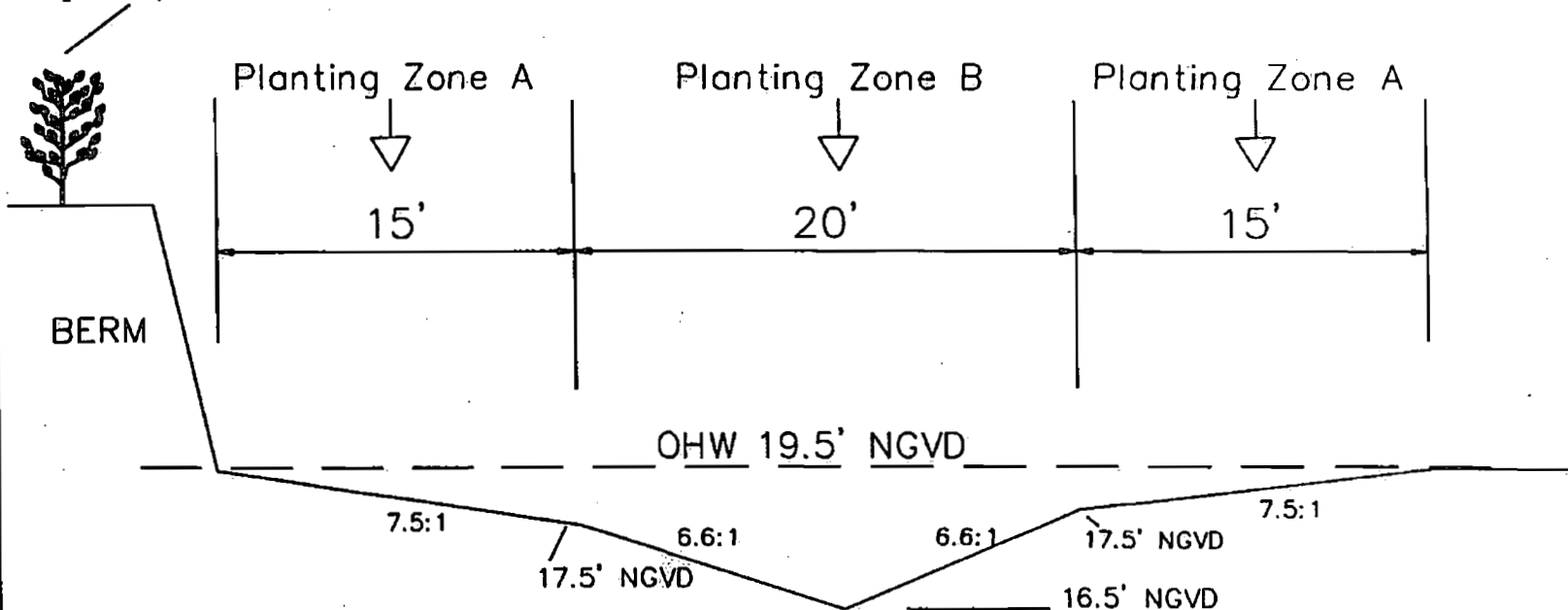
Substitutions to the above will be submitted to the District for review and approval prior to installation.

Zone B

Zone B will be planted with herbaceous native aquatic species spaced on 5' centers. Species will include (depending on availability) at least 3 of the following:

Cordgrass
Saw grass
Pickerelweed
Arrowhead
Water Hyssop
Swamp Lily

Hedge row\buffer



JOB NO.
940065
SHEET 5
OF //

Cypress Woods
Typical Cross Section
M2

SCALE N.T.S
DATE 11/18/94
DESIGN
DRAWN BY J.S.

REVISIONS
02/20/95
05/11/95

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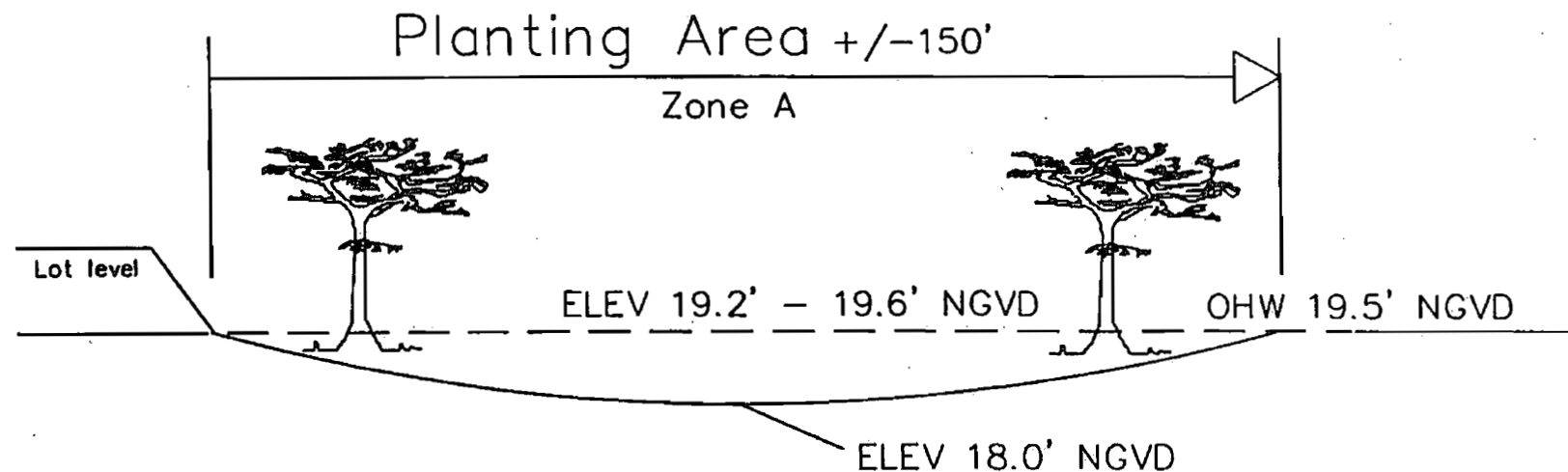
Planting Plan:

Zone A

Zone A will be revegetated with trees planted on 25' centers.
Tree plantings will be a 70 percent mixture of slash pine and bald cypress. The remaining 30 percent will include at least 3 of the following:

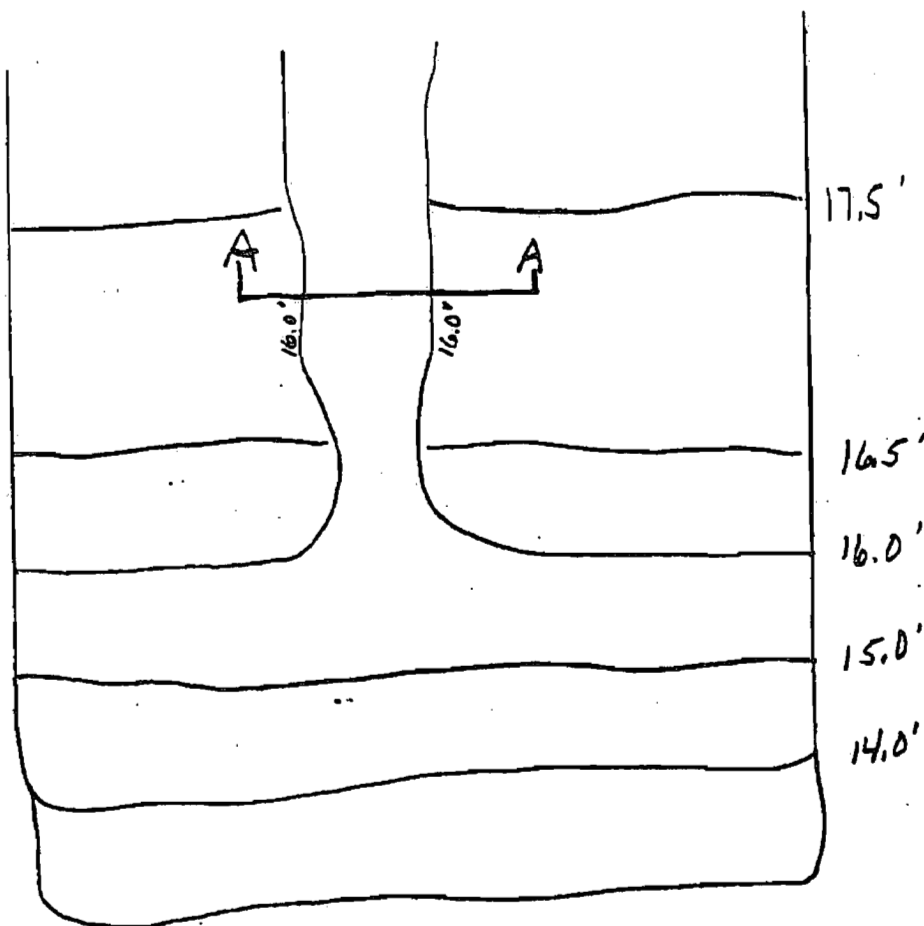
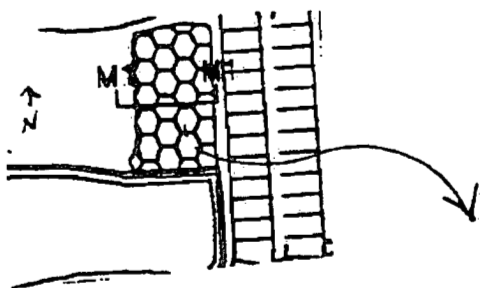
Cabbage Palm	Swamp Bay
Laurel Oak	Popash
Red Maple	Dahoon Holly

Substitutions to the above will be submitted to the District for review and approval prior to installation.

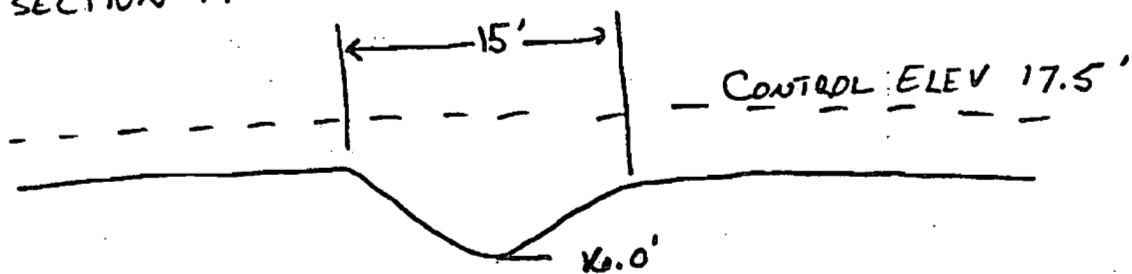


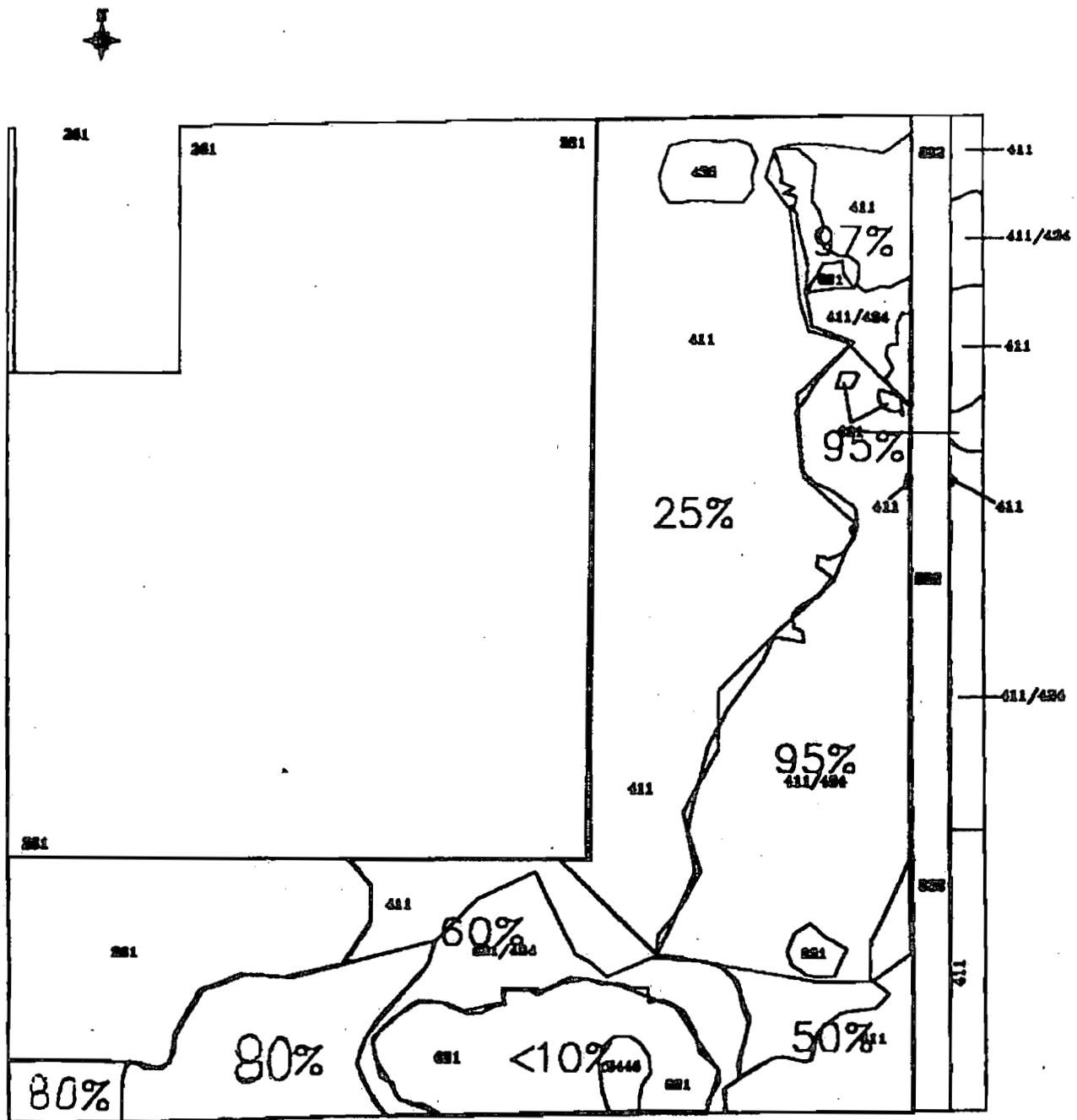
JOB NO. 940065 SHEET 6 OF //	Cypress Woods Typical Cross Section M3	SCALE	N.T.S.	REVISIONS	BOYLAN ENVIRONMENTAL CONSULTANTS, INC. 12665 METRO PKWY., STE. A FT. MYERS, FL 33912 (813) 768-0600
		DATE	11/18/94	02/13/95	
		DESIGN		05/11/95	
		DRAWN BY	J.S.		

MARSH CREATION DETAIL - Section 1

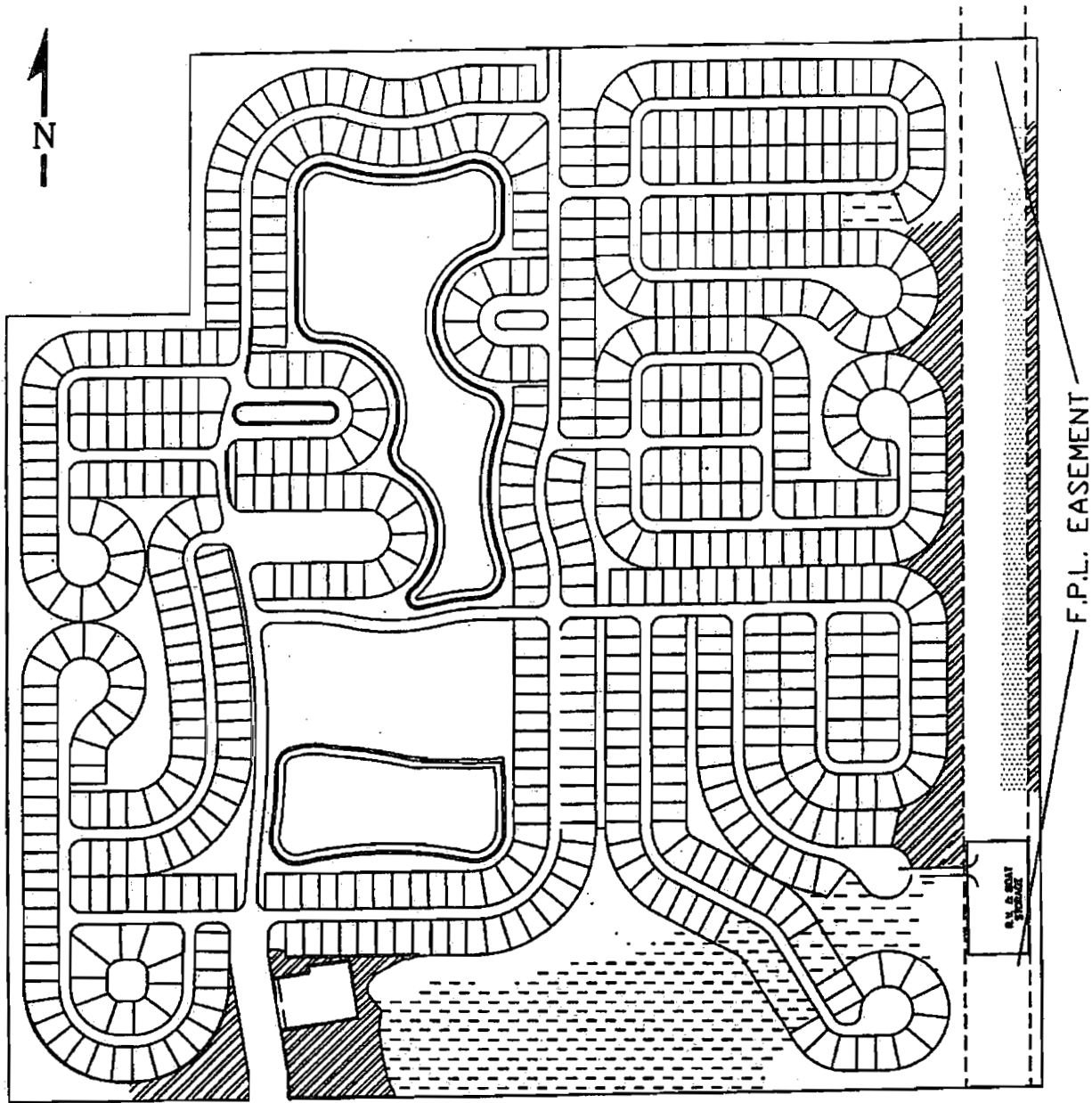


CROSS SECTION A





JOB NO. 940065 SHEET 8 OF 11	Cypress Woods Percent Exotics MELALEUCA	SCALE 1"=400' DATE 11/22/94 DRAWN BY J.S.	BOYLAN ENVIRONMENTAL CONSULTANTS, INC. 12665 METRO PKWY., STE. A FT. MYERS, FL 33912 813-768-0600
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 MECHANICAL EXOTIC REMOVAL
WETLAND RESTORATION

 SELECTIVE EXOTIC REMOVAL
WETLAND ENHANCEMENT

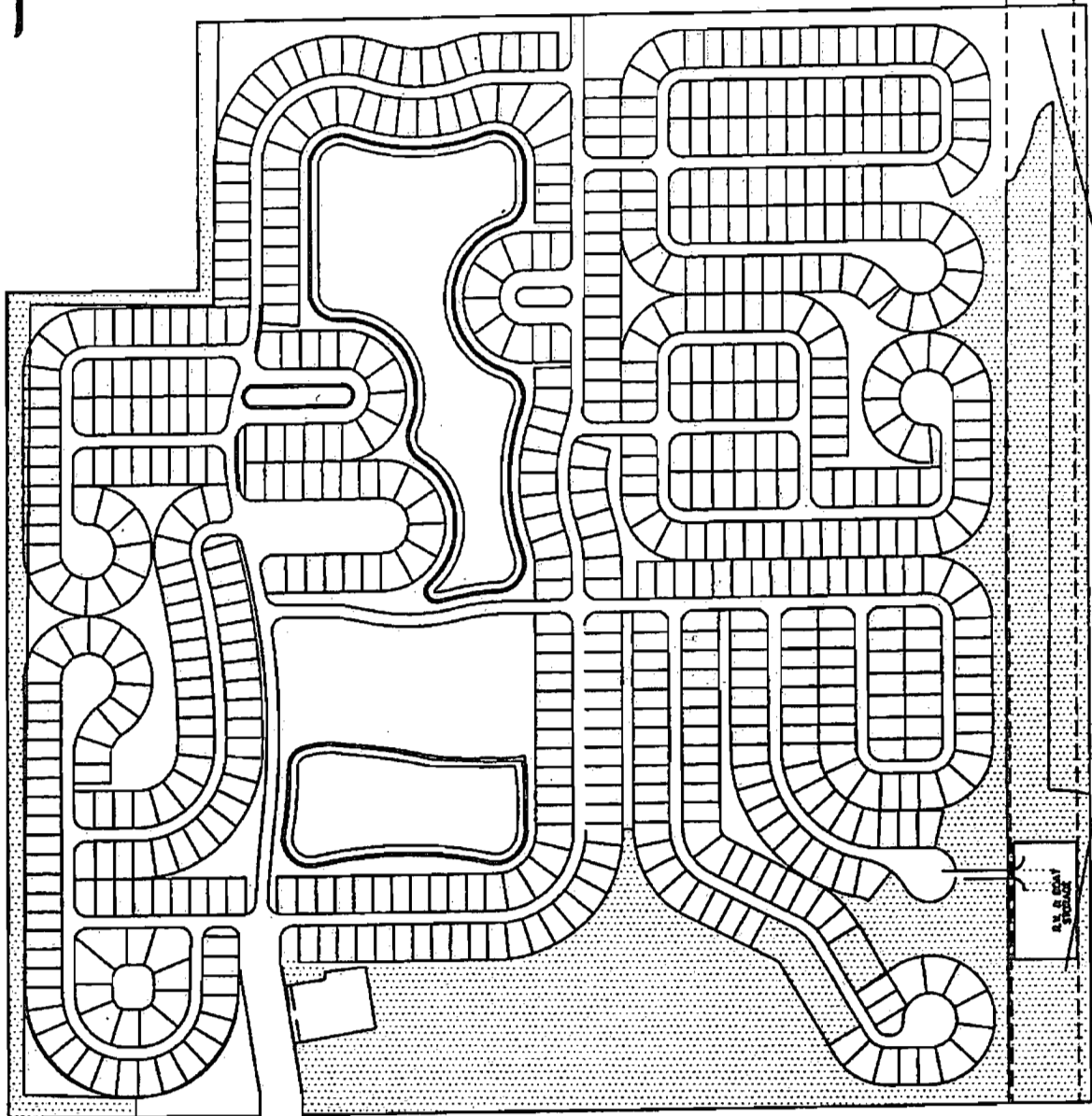
 MECHANICAL EXOTIC REMOVAL
NOT INCLUDED IN MITIGATION

JOB NO.
940065
SHEET 9
OF 11

Cypress Woods
Exotic Removal

SCALE	1" = 400'
DATE	02/09/95
FILE NAME	Exotic-rem
DRAWN BY	J.S.

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 Big Cypress Fox Squirrel Preserve
Approx. 30.31 AC

F.P.L. EASEMENT

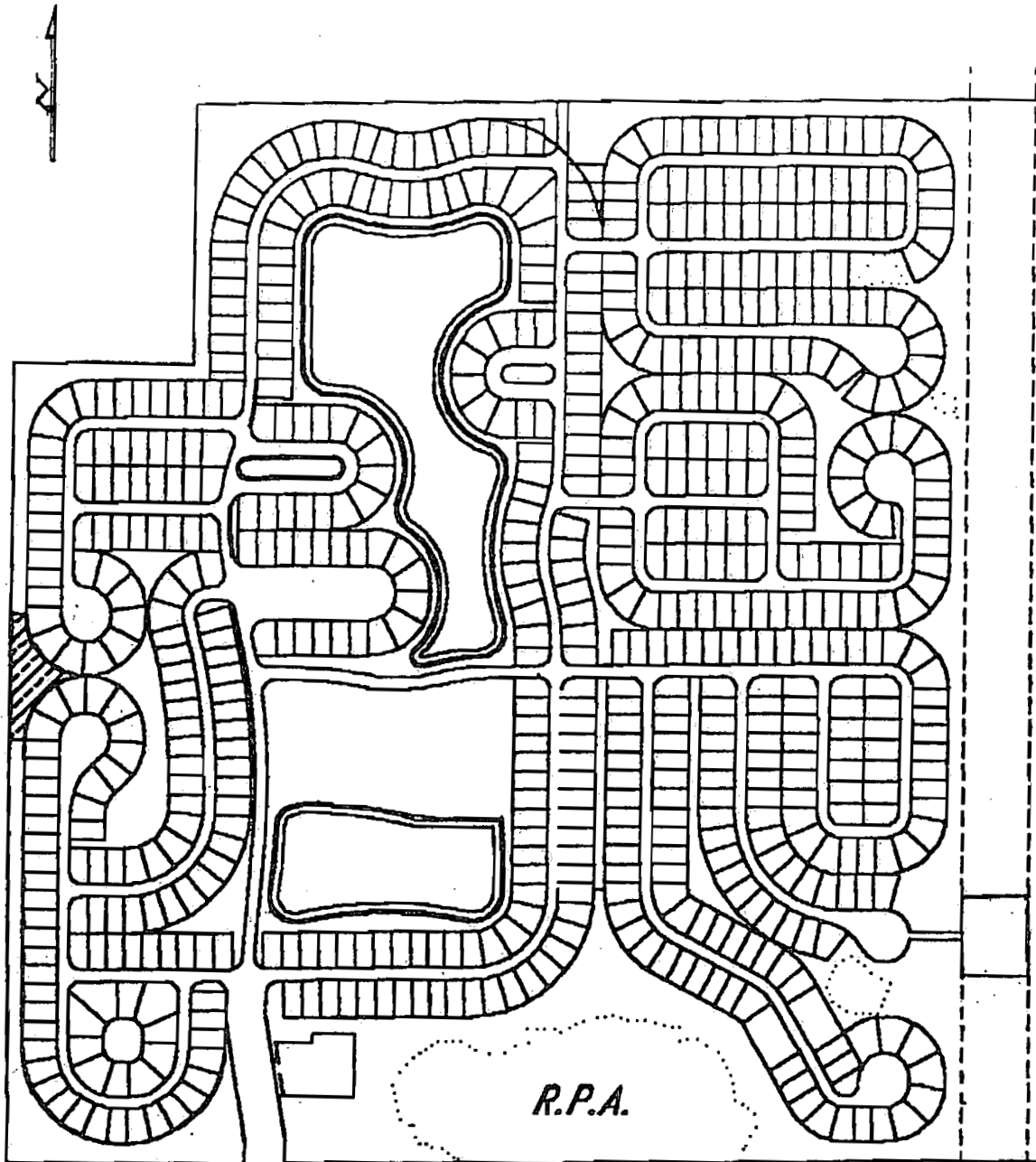
BIG CYPRESS FOX SQUIRREL PRESERVE

JOB NO.
940063
SHEET 10
OF 11

Cypress Woods
Big Cypress Fox
Squirrel Preserve

SCALE	1"=400'
DATE	05/11/95
FILE NAME	squirrel
DRAWN BY	J.S.

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HABITAT MANAGEMENT AREA
FOR GOPHER TORTOISE

JOB NO. 940065 SHEET // OF //	Cypress Woods Management Plan Gopher Tortoise	SCALE 1"=400'	BOYLAN ENVIRONMENTAL CONSULTANTS, INC. 12665 METRO PKWY., STE. A FT. MYERS, FL 33912 813-768-0600
		DATE 02/16/95	
		DESIGN	
		DRAWN BY J.S.	

