

ADMINISTRATIVE AMENDMENT (PD) ADD2022-00021

ADMINISTRATIVE AMENDMENT
LEE COUNTY, FLORIDA

WHEREAS, Laguna Caribe at Cypress Woods, LLC filed an application for an administrative amendment to a Recreational Vehicle Planned Development on a project known as Cypress Woods RVPD Phase 5, to revise the Master Concept Plan typical lot details, include the accessory use of Casitas, and remove the size limitation pertaining to cabanas on property described more particularly as:

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

ATTACHED AS EXHIBIT "A"

WHEREAS, the subject property is located in the Urban Community Future Land Use Category as designated by the Lee Plan; and

WHEREAS, the property was originally rezoned to RVPD in Resolution Z-94-025 (with subsequent amendments in case number PD-95-019, ADD2002-00111, ADD2003-00122, Resolution Z-03-057, ADD2004-00102, ADD2010-00013, Resolution Z-11-021, ADD2019-00066, Resolution Z-20-027, ADD2020-00049A and ADD2021-00158); and

WHEREAS, ADD2021-00158 amended Resolution Z-20-027 to clarify the development regulations in Phase 5 of Cypress Woods RVPD (see Exhibit "D"); and

WHEREAS, Resolution Z-20-027 supersedes all previous zoning resolutions and included cabanas as a permitted accessory use to a recreational vehicle lot, subject to a 600 square-foot size limitation (see Exhibit D); and

WHEREAS, Lee County Ordinance Number 22-12, adopted May 17, 2022, enacted regulatory amendments concerning the addition of "Casitas" as a permitted use obtainable within non-transient recreational vehicle parks in the RVPD Districts; and

WHEREAS, the applicant proposes to include the use of casitas within Phase 5 of the Cypress Woods RVPD, a non-transient recreational vehicle park (see Exhibit "B"); and

WHEREAS, Casita is defined by Land Development Code (LDC) Section 34-2 as "an accessory building located on an individual recreational vehicle lot which may contain sleeping and sanitary facilities and a kitchen and is used for habitation by the occupants of the recreational vehicle occupying the lot"; and

WHEREAS, supplemental regulations pertaining to casitas are provided for in LDC Section 34-1179, including the Director's authority to administratively amend RVPD districts to include casitas, where cabanas are currently listed in the approved schedule of uses; and

WHEREAS, these supplemental regulations do not include a maximum casita size and the Board of County Commissioners has expressed the appropriateness of a casita's size limitation being subject only to the existing property development regulations established by the Cypress Woods RVPD; and

WHEREAS, the difference between a cabana and a casita is that a cabana prohibits the use of cooking and sleeping accommodations, and requires a recorded covenant to that effect; and

WHEREAS, pursuant to LDC Section 34-1179(e)(6), casitas may be administratively included to the approved schedule of uses in lieu of cabanas; and

WHEREAS, the applicant has revised the 1-Page Master Concept Plan Entitled "Cypress Woods RV Resort Phase 5 Recreational Vehicle Planned Development" in order to correct the Typical Lot Detail inset, which includes the addition of the use of a casita and a separation note within a typical lot, and removes dimensions from the accessory structure (see Exhibit "C"); and

WHEREAS, the elimination of previously approved accessory structure size limitations requires the maximum permitted lot coverage to remain unchanged, as approved by Resolution Z-20-027, in order to meet the criteria for administrative approval established in LDC Section 34-174(j)(2); and

WHEREAS, the applicant conducted a publicly advertised information session within the Caloosahatchee Shores Community Plan area in compliance with LDC Section 33-1482 (see Exhibit "E"); and

WHEREAS, the Lee County Land Development Code provides for certain administrative changes to planned development master concept plans and planned unit development final development plans; and

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

WHEREAS, it is found that the proposed amendment, as conditioned, 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 Recreational Vehicle Planned Development is **APPROVED**.

Approval is subject to the following conditions:

- 1. Development within Phase 5 of Cypress Woods RV Resort must be in compliance with the amended 1-Page Master Concept Plan, entitled "Cypress Woods RV Resort Phase 5 Recreational Vehicle Planned Development" dated January of 2016, last revised 06/14/2022, attached hereto as Exhibit "C."**
- 2. Condition 2.a of Resolution Z-20-027 is hereby amended in strike-through and underline below:**

Phase 5 only:

Accessory Uses and Structures, including:

~~Cabanas (maximum 600 square feet)~~

Casitas (Consistent with LDC §34-1179)

Club, Private, On-site with the following accessory uses:

Consumption on Premises, indoor and outdoor

Food and Beverage Services, Limited

Personal Services, Group I Only

Community Gardens

Essential Services

Fences and Walls

Parking Lot, Accessory

Real Estate Sales Office

Recreational Facilities, Private, On-site

Storage, Open (limited to trailers, boats and other vehicles/goods of RVPD residents;

Storage of RVs is not permitted)

- 3. The request to modify the lot coverage approved by Z-20-027 is DENIED.**
- 4. The terms and conditions of the original zoning resolutions remain in full force and effect, except as amended herein.**
- 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 6/21/2022

Anthony R. Rodriguez, AICP, Zoning Manager

Exhibits

Exhibit A: Legal Description

Exhibit B: Applicant's Request Statement

Exhibit C: Phase 5 Amended Master Concept Plan

Exhibit D: ADD2021-00158 and Z-20-027

Exhibit E: Public Information Session Summary

DESCRIPTION TO ACCOMPANY SKETCH
EXHIBIT "A"

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 (SW1/4) OF THE AFORESAID SECTION 11; THENCE RUN S.00°46'12"E. ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER (SW1/4) 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 S.89°04'12"W. ALONG THE NORTH LINE OF SAID CYPRESS WOODS RV RESORT, UNIT THREE FOR 1122.27 FEET; THENCE RUN N.00°45'40"W. FOR 1301.67 FEET TO A POINT ON THE NORTH LINE OF THE AFORESAID SOUTHWEST QUARTER (SW1/4); THENCE RUN N.89°01'45"E. ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER (SW1/4) FOR 12.23 FEET TO A POINT ON A 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.64°35'12"E. AND A CHORD DISTANCE OF 211.46 FEET TO A POINT OF TANGENCY; THENCE RUN N.89°04'56"E. FOR 917.64 FEET TO A POINT ON THE EAST LINE OF THE NORTHWEST QUARTER (NW1/4) OF THE AFORESAID SECTION 11; THENCE RUN S.00°46'12"E. ALONG SAID EAST LINE FOR 86.65 FEET TO THE POINT OF BEGINNING.

SAID TRACT CONTAINS 35.638 ACRES, MORE OR LESS.

Phillip M Mould,
P.S.M. 6515
State of Florida

Digitally signed by Phillip
M Mould, P.S.M. 6515
State of Florida
Date: 2022.02.14 10:36:43
-05'00'

PHILLIP M MOULD
LS6515
SEPTEMBER 14, 2020

THIS MAP/PLAT IS CONSIDERED SIGNED USING A DIGITAL SEAL IN ACCORDANCE WITH THE APPLICABLE STATE LAWS AND STATUTES FS 668.001-006; FS 668.50; FS 472.025; 5J-17.062, FLORIDA ADMINISTRATIVE CODE, STATE OF FLORIDA.

Exhibit B



February 14, 2022

Mr. Anthony Rodriguez, AICP
Zoning Manager
Lee County Community Development
1500 Monroe Street
Fort Myers, FL 33901

**Subject: Cypress Woods RVPD
Administrative Amendment**

Dear Mr. Rodriguez:

On behalf of Laguna Caribe at Cypress Woods, LLC (Applicant), enclosed please find an application for an Administrative Amendment to a Planned Development in regard to Phase 5 of the Cypress Woods RVPD.

The 35.7+/-acre subject property (AKA Laguna Caribe) is located north of Lockett Road and east of Interstate 75 in the northeast corner of the Cypress Woods RV Resort. The Property is zoned Recreational Vehicle Planned Development (RVPD) per Z-20-027, as amended by ADD2021-00158 and is designated within the Urban Community future land use category.

The Applicant is requesting the following changes pursuant to changes in market demand since the PD was adopted, as well as recent County-initiated Land Development Code amendments to allow for accessory structures with cooking and sleeping facilities within RVPD zoning districts.

Specifically, the Applicant is requesting the following changes via this amendment:

- Add the accessory use of “Casitas”;
- Remove the 600 square foot size limitation on “Cabanas”; and
- Exclude RV pads in the calculation lot coverage.

The Applicant is requesting the addition of “Casitas” within RVPD Schedule of Uses as an accessory use as it would allow the occupant of the RV lot the flexibility to enjoy the comfort of an expanded living space in a manner that is complementary to an active lifestyle.

As identified in the staff initiated LDC amendment for “casitas”, currently under consideration, there is an existing market demand for this type of accessory amenity within RV lots and approval of this use is will not create additional dwelling units within this RVPD.

The other changes are necessitated from the supplementary regulations in the LDC amendment that further limit casita size and other site parameters.

The request to remove 600 square foot limitation for “Cabanos” in this RVPD is to allow for greater flexibility in the design of “cabanos” and to be more in line with the proposed LDC amendment for “Casitas” which provides for a maximum of 900 SF. Similar to the casitas, the “cabanos” are restricted by height and setback restrictions and maximum lot coverage restrictions in place within this RVPD. Therefore, further square footage restrictions are unnecessary.

The request to remove RV pads from being calculated towards the maximum lot coverage within this RVPD is to be more in line with how the Lee County LDC defines lot coverage within various districts which is vertical structures and not inclusive of pavement. Within the PUD District, LDC Sec 34-1040(f), lot coverage is identified as the total lot coverage of all building and structures. Furthermore, within the RV zoning district maximum lot coverage is specific to recreational vehicles and appurtenance. Examples provided of appurtenances include only roofed structures such as carports and/or storage shed. Non-vertical paved areas are not included as part of the lot coverage for both districts which most closely apply to the subject RVPD.

The footnote to include the RV pad in the lot coverage calculation was proffered before it was known that Staff would enact a maximum square footage for RV accessory structures.

In accordance with LDC §34-380, this amendment request does not propose an increase to height, density or intensity within the development. Similarly, the amendment will not result in the substantial underutilization of public resources and infrastructure committed to the support of the development, will not reduce required open space, buffering, landscaping and preservation areas, and will not adversely impact surrounding land uses. Therefore, this internal adjustment of development standards can be approved administratively.

Based upon this application’s compliance with all other conditions in Z-20-027, the Lee Plan, and thresholds set forth in §34-380, the Applicant respectfully requests staff approval of the proposed administrative amendment. The Applicant is scheduling the required community meeting per the Caloosahatchee Shores Community Planning Area requirements and will provide Staff with the meeting summary immediately following the meeting.

Should staff have any questions or require any additional information, please contact me directly at (239) 908-3421 or JMedina@RViPlanning.com.

Sincerely,

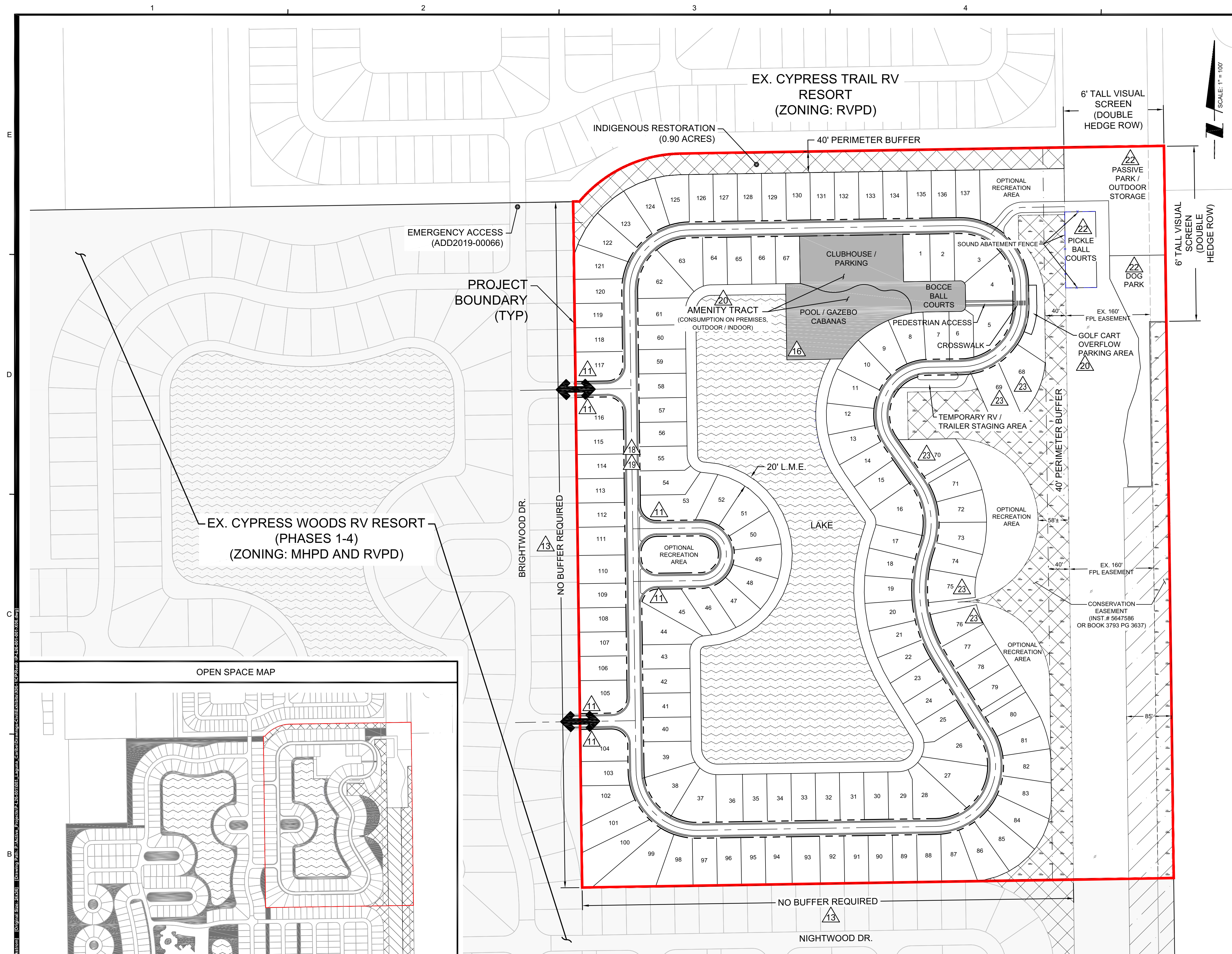
RVi Planning + Landscape Architecture

A handwritten signature in blue ink, appearing to read 'J. Medina', with a stylized flourish extending to the right.

Josephine Medina, AICP
Project Manager

Enclosures

cc: Duane Truitt, Laguna Caribe at Cypress Woods, LLC
Dan Hartley, P.E., Peninsula Engineering



LEGEND		
	CONSERVATION EASEMENT	
	LAKE	
	AMENITY TRACT	
	PRESERVE	
	RESIDENT INGRESS / EGRESS	
	DEVIATION LOCATION	

SITE DATA TABLE	
RV LOTS/DEVELOPMENT TRACTS	14.6 AC. +/-
LAKE TRACT	5.7 AC. +/-
AMENITY TRACT	1.2 AC. +/-
ROADWAY / PAVEMENT	3.1 AC. +/-
OUTDOOR STORAGE / DOG PARK / PICKLE BALL COURTS	2.6 AC. +/-
INDIGENOUS / PRESERVE	4.9 AC. +/-
BUFFERS / OTHER OPEN SPACE	3.5 AC. +/-
TOTAL SITE AREA	35.6 AC.

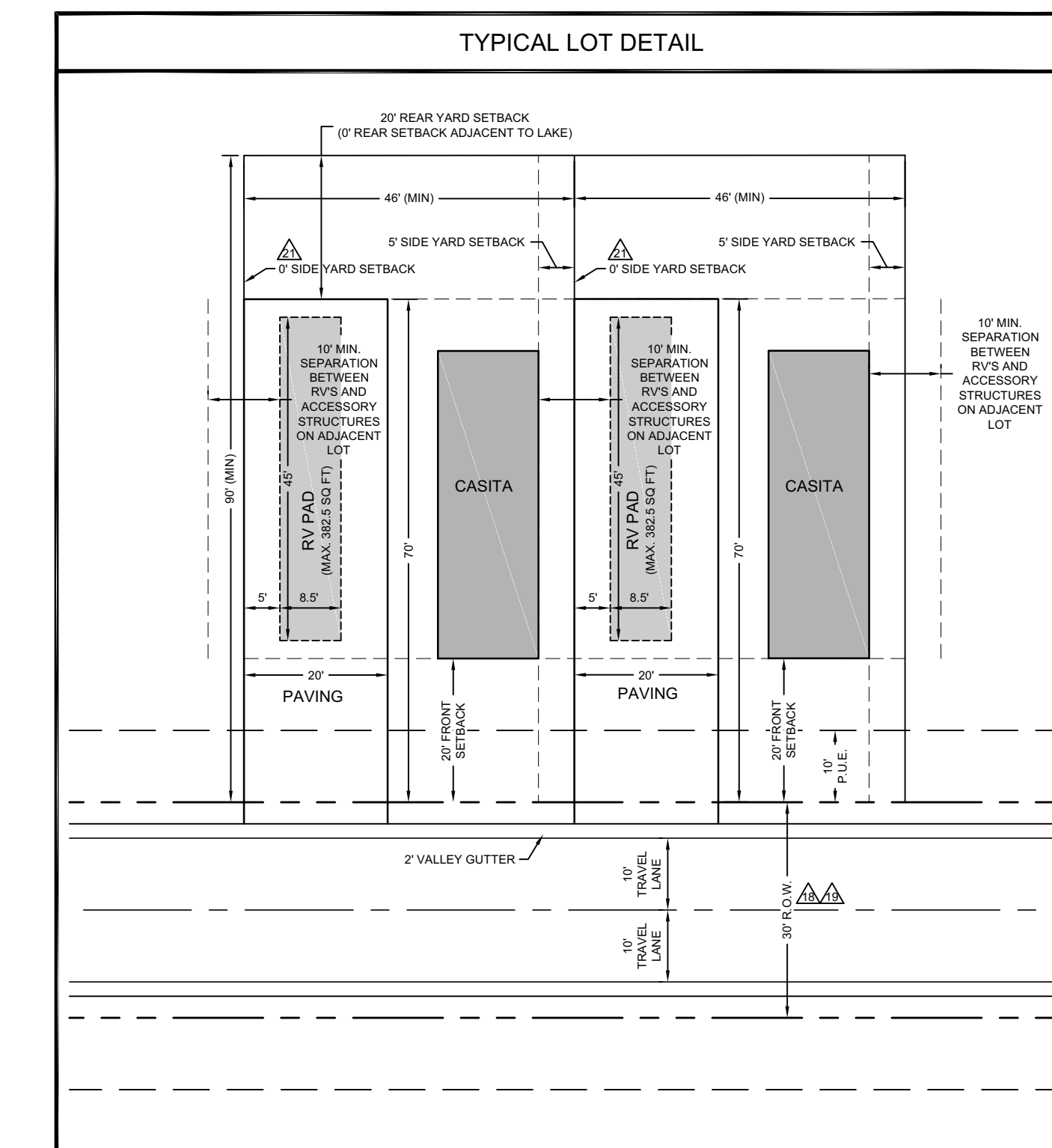
INDIGENOUS OPEN SPACE ⁽¹⁾		
TYPES	ACTUAL	CREDITS
100%	PHASES 1 - 4: 1.11 AC PHASE 5: 3.18 AC	1.11 AC 3.18 AC
110%	PHASES 1 - 4: 1.27 AC PHASE 5: 0 AC	1.39 AC 0 AC
125%	PHASES 1 - 4: 2.16 AC PHASE 5: 1.66 AC	2.70 AC 1.66 AC ⁽²⁾
150%	PHASES 1 - 4: 16.70 AC PHASE 5: 0 AC	25.05 AC 0 AC
TOTAL PROVIDED:		26.08 AC
TOTAL REQUIRED:		30.30 AC

NOTES:
1. INDIGENOUS OPEN SPACE AREAS WITHIN THE EXISTING PHASES 1-4 REMAIN UNCHANGED. THE UPDATED TABLE SHOWN ABOVE REFLECTS REVISIONS WITHIN THE PHASE 5 DEVELOPMENT BOUNDARY, AND ALSO CORRECTS CALCULATION ERRORS IN THE PREVIOUSLY APPROVED MCP.
2. ALTHOUGH CREDIT WAS GIVEN ON THESE AREAS IN PREVIOUS ZONING APPROVALS, NO CREDIT IS TAKEN FOR AREA WITHIN PHASE 5 UNDER THIS APPLICATION.

B.C. FOX SQUIRREL PRESERVE	
B.C. FOX SQUIRREL PRESERVE AREA INCLUDES ALL INDIGENOUS OPEN SPACE AREAS AS INDICATED IN THE TABLE ABOVE (EXCLUDING THE INDIGENOUS RESTORATION AREA)	
INDIGENOUS OPEN SPACE: 26.08 ACRES INDIGENOUS RESTORATION: 0.90 ACRES	
TOTAL B.C. FOX SQUIRREL PRESERVE AREA: 26.08 - 0.90 = 25.18 ACRES	

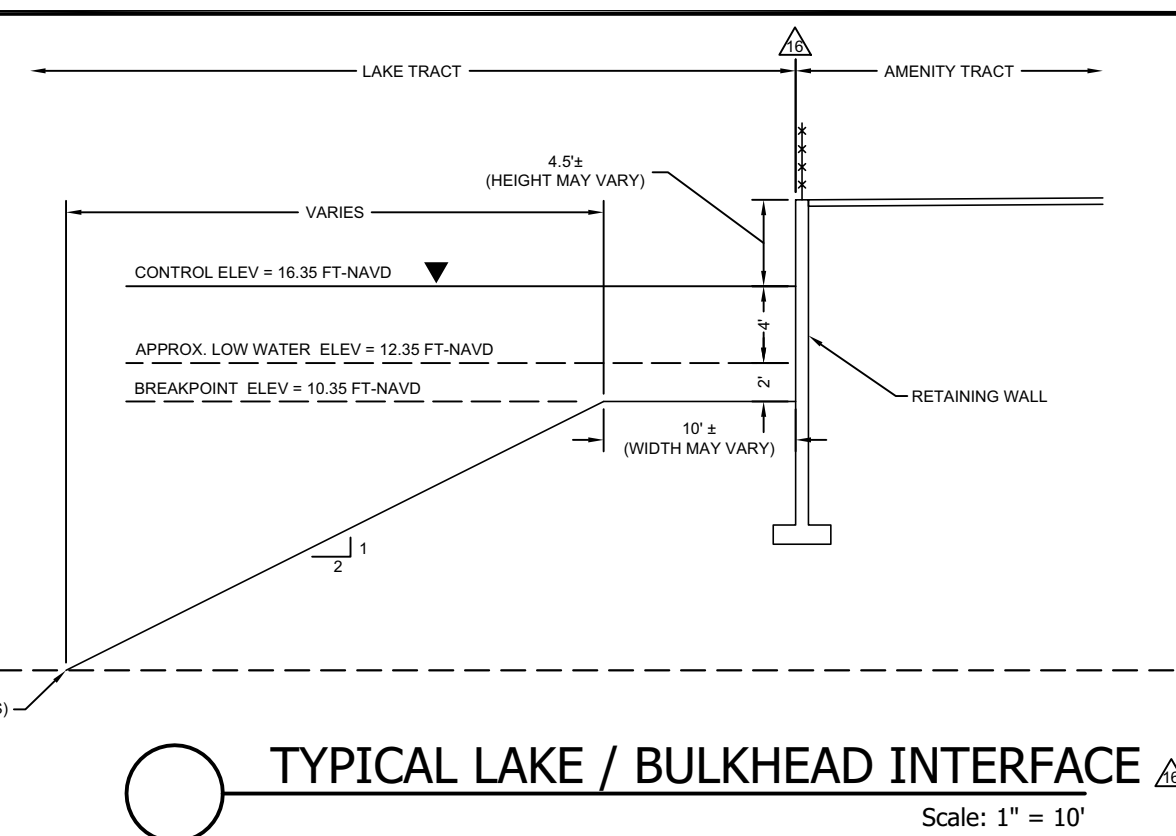
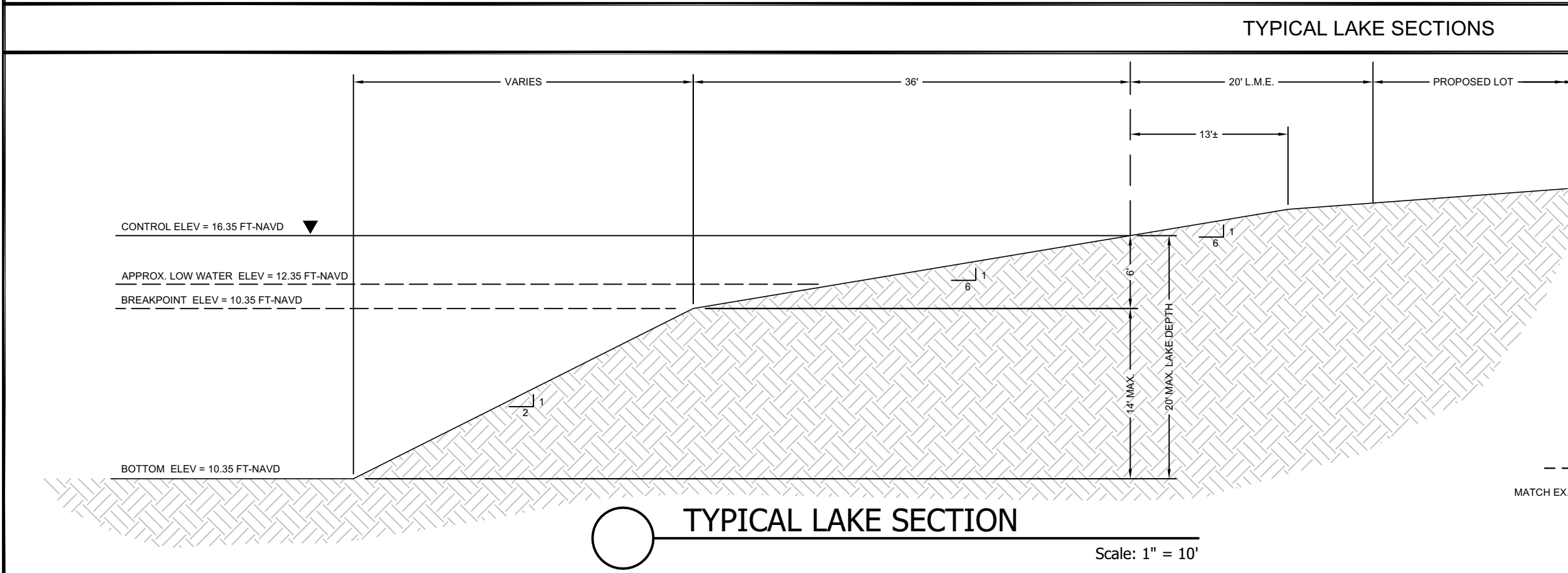
EX. DUKE FARMS
LANDSCAPE NURSERY
(ZONING: AG-2)

Exhibit C



OPEN SPACE MAP

OPEN SPACE		
	INDIGENOUS OPEN SPACE	1,135,977 SF 26.08 AC
	LAKE	721,431 SF 16.56 AC
	FPL EASEMENT (EXCLUDING TRAILER PARKING)	181,974 SF 4.18 AC
	OTHER OPEN SPACE (LAKE BANK, PERIMETER BUFFER, LANDSCAPE MEDIANS, COURTYARDS, ETC)	758,822 SF 17.42 AC
TOTAL OPEN SPACE		2,798,204 SF 64.24 AC
% OF SITE		41.83 %



PENINSULA ENGINEERING

CIVIL ENGINEERING · LANDSCAPE ARCHITECTURE · ENVIRONMENTAL CONSULTING · LAND PLANNING · SITE PLANNING · CONSTRUCTION MANAGEMENT · OWNER REPRESENTATIVE

2600 Golden Gate Parkway
Naples, Florida 34105
Phone: 239.403.6700 Fax: 239.261.1797
Email: info@pen-eng.com Website: www.pen-eng.com
Florida Engineering Certificate of Authorization #202275
Florida Landscape Certificate of Authorization #LC26000632

PROJECT:

CYPRESS WOODS RV RESORT PHASE 5 RECREATIONAL VEHICLE PLANNED DEVELOPMENT

OWNER/CLIENT/CONSULTANT:

LAGUNA CARIBE AT CYPRESS WOODS, LLC

REVISIONS:

No.	Revision:	Date:
1	REVISED PER COUNTY COMMENTS	3/27/20
2	REVISED PER COUNTY COMMENTS	05/18/20
3	DEVIATION #23 ADDED	07/13/20
4	SCHEDULE OF DEVIATIONS REMOVED PER COUNTY	08/05/20
5	REVISED PER STAFF REPORT	09/01/20
6	REVISED PER HEX CONDITIONS	12/30/20
7	CORRECTED TYPICAL LOT DETAIL	09/22/21
8	ADDED "CASITA" TO TYPICAL LOT DETAIL	02/11/22
9	REVISED TYPICAL LOT DETAIL	06/14/22

NOTES:

PROFESSIONAL SEALS:

PROFESSIONAL ENGINEER: DANIEL C. HARTLEY
FLORIDA LICENSE NUMBER: 73943

DATUM NOTE:
ALL ELEVATIONS ARE BASED ON NAVD 88 (NORTH AMERICAN VERTICAL DATUM OF 1988).

Bar Scale: 1" = 100'

0 20 50 100 200 300'

SEC: 11 TWP: 44 RGE: 25E
City: FORT MYERS County: LEE
Designed by: CURTIS WICKSTROM
Drawn by: CURTIS WICKSTROM
Date: JAN. 2016
Horizontal Scale: 1" = 200'
Vertical Scale: N.T.S.
Project Number: P-L26-001-001
File Number: P-L26-002-001-X06

Sheet Number: 4 of 4

Exhibit D

ADMINISTRATIVE AMENDMENT (PD) ADD2021-00158

ADMINISTRATIVE AMENDMENT LEE COUNTY, FLORIDA

WHEREAS, Laguna Caribe at Cypress Woods, LLC filed an application for an administrative amendment to a Recreational Vehicle Planned Development on a project known as Cypress Woods RVPD Phase 5 to amend and clarify the Development Regulations for Phase 5 on property located at Cypress Woods RV Resort, described more particularly as:

LEGAL DESCRIPTION: In Section 01, Township 44 South, Range 25 East, Lee County, Florida:

ATTACHED AS EXHIBIT "A"

WHEREAS, the property was originally rezoned in by Resolution Z-94-025 (with subsequent amendments in resolution numbers PD-95-019, ADD2002-00111, ADD2003-00122; Z-03-057, ADD2004-00102, ADD2010-00013, Z-11-021, ADD2019-00066, and ADD2020-00049A), all of which were rescinded and replaced with Resolution Z-20-027; and

WHEREAS, the subject property is located in the Urban Community Future Land Use Category as designated by the Lee Plan; and

WHEREAS, the Lee County Land Development Code provides for certain administrative changes to planned development master concept plans and planned unit development final development plans; and

WHEREAS, the applicant requested to amend the Development Regulations for Phase 5 to clarify the side setback for RV pad and accessory structures; and

WHEREAS, Condition #12 of Resolution Z-20-027 creates further confusion about the setback for accessory structures located on the same lot as opposed to the ones on the adjacent lots, and creates a conflict with the Development Regulations for Phase 5; 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 surrounding land uses.

NOW, THEREFORE, IT IS HEREBY DETERMINED that the application for administrative approval for an amendment to Recreational Vehicle Planned Development to

amend and clarify the Development Regulations for Phase 5 is **APPROVED** subject to the following conditions:

1. The terms, conditions and Master Concept Plan of the original Zoning Resolution (Z-20-027) remain in full force and effect, except as amended herein.
2. Development regulations of the Zoning Resolution Z-20-027 for Phase 5 is hereby amended as follows:

Phase 5:

Minimum Lot Area and Dimensions: RV Lots

Lot Area: 4,140 square feet

Width: 46 feet

Depth: 90 feet

Minimum Setbacks: RV Lots

Street: 20 feet

Side Street: 10 feet (see Deviation 4)

Side: ~~0/5 feet (for RV or accessory structure to the side lot line);~~ 0 feet for RV pad to the side lot line, and 5 feet for accessory structures to the side lot line
10 feet between parked RVs and accessory structures on adjacent lot²

Rear (Principal): 10/20 feet (20 foot rear setback for lots abutting developed RV lots in Phases 1-4)

Rear (Accessory): 5 feet (0 feet from lake maintenance easement for waterfront lots)

Waterbody: 20 feet

Maximum Lot Coverage: 50% (RV pad and roofed accessory structures)

Maximum Building Height: 30 feet

¹Consistent with LDC §34-1182.

²RV Pads may be within 10 feet of accessory structures consistent with MCP "Typical Lot Detail"

3. Condition 12 of the zoning Resolution Z-20-027 is hereby amended as follows:

12. Accessory Setback

Phase 5 lots must provide at least 10 feet between ~~principal structures, accessory structures, and RVs~~ and accessory structures on the adjacent lot parked on site. The RV pad may be within 10 feet consistent with the MCP "Typical Lot Detail."

- 4. If it is determined that inaccurate or misleading information was provided to the County or if this decision does not comply with the LDC when rendered, then, at any time, the Zoning Manager may issue a modified decision that complies with the Code or revoke the decision. If the approval is revoked, the applicant may acquire the necessary approvals by filing an application for public hearing in accordance with Chapter 34.**

Duly passed, adopted, and electronically signed on 1/10/2022

Anthony R. Rodriguez, AICP, Zoning Manager

Attachments: Exhibit "A" Legal Description
Exhibit "B" Resolution Z-20-027

EXHIBIT A

CASE NUMBER: ADD2021-00158

STRAP NUMBER

11-44-25-00-00014.0020

***REVIEWED
ADD2021-00158
Hunter Searson, GIS
Planner
Lee County Government
10/20/2021***

RESOLUTION NUMBER Z-20-027

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

WHEREAS, the property owner, Laguna Caribe at Cypress Woods, LLC, filed an application, in reference to Cypress Woods RV Resort Recreational Vehicle and Mobile Home Planned Development (RVPD/MHPD), to amend the following:

- Reconfigure the Master Concept Plan and correct preserve acreages;
- Increase Phase 5 lots from 134 to 137 (no net increase to overall 611 RVPD unit count);
- Allow zero lot lines and reduce waterfront setbacks;
- Add deviations for setbacks, accessory use locations, and parking; and
- Allow residential accessory uses, including "casitas" with cooking facilities.

WHEREAS, a public hearing before the Lee County Zoning Hearing Examiner, Amanda L. Rivera, was advertised and held on September 10, 2020; and

WHEREAS, the Hearing Examiner gave full consideration to the evidence in the record for Case #DCI2020-00002 and recommended APPROVAL of the Request with conditions; and

WHEREAS, a second public hearing was advertised and held on December 16, 2020 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 a 35.64± acre parcel to amend the following:

- Reconfigure the Master Concept Plan (MCP) and correct preserve acreages;
- Increase Phase 5 lots from 134 to 137 (no net increase to overall 611 RVPD unit count);
- Allow zero lot lines and reduce waterfront setbacks;
- Add deviations for setbacks, accessory use locations, and parking; and
- Allow residential accessory uses, including "casitas" with cooking facilities.

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.

Exhibit "B"

SECTION B. CONDITIONS:

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

This zoning resolution codifies and supersedes Resolution Z-94-025, PD-95-019, ADD2002-00111, ADD2003-00122, Z-03-057, ADD2004-00102, ADD2010-00013, Z-11-021, ADD2019-00066, and ADD2020-00049(A).

1. Development of this project must be substantially consistent with the 3-page MCP entitled "Cypress Woods R.V. Resort", prepared by Barbot, Steuart & Associates, Inc., date stamped received May 15, 2019, and the 1-page MCP entitled "Cypress Woods RV Resort Phase 5 Recreational Vehicle Planned Development", prepared by Peninsula Engineering, received January 25, 2021, and attached hereto as Exhibit C, except as modified by the conditions below.

Development must comply with all requirements of the LDC and Lee Plan at time of local development order approval, except as may be granted by deviation as part of this planned development. If changes to the MCP, conditions, or deviations are subsequently pursued, appropriate approvals will be necessary.

The overall RVPD is limited to 611 mobile home and RV units. 137 RV lots are permitted in Phase 5.

2. Uses and Site Development Regulations

- a. Schedule of Uses

- Phases 1-5:**

- Accessory Uses

- Consumption on Premises

- Food Stores, Group I

- Gazebos (maximum 200 square feet)(Condition 10)

- Personal Services, Group I

- Administrative Offices

- Entrance Gates or Gatehouse

- Essential Services Facility, Group I

- Excavation, Water Retention

- Mobile Homes

- Model Home, Unit, Display Center

- Park Trailers

- Recreational Facilities, Personal

- Recreational Vehicles

- Signs

- Storage

- Indoor

- Open, Phases 1-4 only (Limited to RVs, trailers, boats, and other vehicles/goods belonging to park residents)

- Tents

- Vehicle and Equipment Dealers, Group "IV" (RVs only)

Phase 5 only:

Accessory Uses and Structures, including:

Cabanas (maximum 600 square feet)¹

Club, Private, On-site with the following accessory uses:

Consumption on Premises, indoor and outdoor

Food and Beverage Services, Limited

Personal services, Group I only

Community Gardens

Essential Services

Fences and Walls

Parking lot, Accessory

Real Estate Sales Office

Recreational Facilities, Private, On-site

Storage, Open (limited to trailers, boats, and other vehicles/goods of RVPD residents; Storage of RVs is not permitted)

b. Site Development Regulations

Phases 1-4:

Minimum Lot Area and Dimensions

Lot 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 RVs)

5 feet (for Mobile Homes)

Rear: 20 feet

Water Body: 25 feet

Phase 5:

Minimum Lot Area and Dimensions: RV Lots

Lot Area: 4,140 square feet

Width: 46 feet

Depth: 90 feet

Minimum Setbacks: RV Lots

Street: 20 feet

Side Street: 10 feet (see Deviation 4)

Side: 0/5 feet (for RV or accessory structure to the side lot line);

10 feet between parked RVs and accessory structures²

Rear (Principal): 10/20 feet (20 foot rear setback for lots abutting developed RV lots in Phases 1-4)

¹ Consistent with LDC §34-1182.

² RV pads may be within 10 feet of accessory structure consistent with MCP "Typical Lot Detail."

Rear (Accessory): 5 feet (0 feet from lake maintenance easement for waterfront lots)

Waterbody: 20 feet

Maximum Lot Coverage: 50% (RV pad and roofed accessory structures)

Maximum Building Height: 30 feet

Minimum Lot Area and Dimensions: Amenity Tract

Lot Area: 10,000 square feet

Width: 100 feet

Depth: 100 feet

Minimum Setbacks: Amenity Tract

Street: 20 feet

Side (Principal): 10 feet

Side (Accessory): 5 feet

Rear (Principal): 10 feet

Rear (Accessory): 5 feet

Waterbody: 0 feet

Maximum Lot Coverage: 45% (RV pad and roofed accessory structures)

Maximum Building Height: 45 feet

3. Onsite Shelter:

The on-site Hurricane Shelter must be consistent with the commitment on the MCP.

4. Utilities:

Development must connect to a public or private central water system and a public or private sewage disposal system.

5. Fox Squirrel Preserve Area & Northern Buffer:

Development order plans must depict Fox Squirrel Preserve areas consistent with the MCP. Developer must relocate golden polypody found on trees within development areas to preserve areas.

Landscape plans must include a 0.90 acre restoration planting plan in substantial compliance with the Restoration and Maintenance Plan prepared by Southern Biomes dated June 9, 2009 (Exhibit D) along the Phase 5 northern property line prior to issuance of a Phase 5 development order. Developer must submit an indigenous management plan for required indigenous open space and restoration areas.

Developer must complete restoration of the 0.90 acres along the Phase 5 northern property line in compliance with the Restoration and Maintenance Plan prepared by Southern Biomes dated June 9, 2009 (Exhibit D) prior to issuance of a Certificate of Compliance for Phase 5 infrastructure.

6. Open Space:

The overall project must provide 64.24 acres minimum of open space for all phases of the project in substantial compliance with the MCP.

7. Indigenous Open Space:

The project must provide 35.09 acres minimum of indigenous open space with credits for all phases of the project in conceptual compliance with the MCP.

8. Indigenous Maintenance and Management Plan:

Developer must submit a Maintenance and Management Plan for Indigenous Preserve areas for Division of Environmental Sciences approval with Phase 5 development order application.

9. Landscape Plans:

Phase 5 landscape plans must be in substantial compliance with the Habitat Restoration and Maintenance Guidelines and depict:

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

10. Gazebos:

One gazebo is permitted per RV lot. Gazebos must be unenclosed and cannot exceed 200 square feet (including overhangs).

11. Overflow Golf Cart Parking Area:

Access to the Phase 5 amenity tract from the overflow parking area must include a paved sidewalk, painted crosswalk, and appropriate roadway signage.

12. Accessory Setback:

Phase 5 lots must provide at least 10 feet between principal structures, accessory structures, and RVs parked on site. The RV pad may be within 10 feet consistent with the MCP "Typical Lot Detail."

13. Perimeter Buffer:

Prior to development order approval depicting perimeter buffer plantings with the Florida Power and Light (FPL) easement, developer must submit the FPL Easement Agreement stating buffer plantings may be installed in the easement.

14. Vegetation Removal Permit:

Developer must provide "Notification of FPL Facilities" FPL Form 360 prior to commencement of construction within the easement or to issuance of a vegetation removal permit for Phase 5.

15. Easement Landscape Maintenance:

Developer must replace required vegetation within the easement area. Failure to replace vegetation consistent with this zoning approval will result in a Code violation.

SECTION C. DEVIATIONS:

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 mitigation plan titled "Cypress Woods Monitoring and Maintenance Plan" submitted by Boylan Environmental Consultants, Inc., stamped and dated May 18, 1995. 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) is 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 of 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.
5. Deviation (5) 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 time of Development Order stage.
6. Deviation (6) 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.
7. Deviation (7) 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 setbacks are in conformance with Condition 2 and all side setbacks apply to all portions of the structure or unit, including overhangs.
8. Deviation (8) seek relief from the LDC §34-939(b)(3) requirement to permit an access road through the perimeter buffer to the boat storage area. This deviation is APPROVED SUBJECT TO Condition 8.

9. Deviation (9) 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 Condition 2.
10. Deviation (10) seeks relief from the LDC §34-7361 requirement of a side setback of 7 feet, to permit a side setback of 5 feet. This deviation is APPROVED SUBJECT TO Condition 2.
11. Deviation (11) seeks relief from the LDC §§ 34-2222(1) and 10-254(b) requirements to allow 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 Condition 2.
12. Deviation (12) seeks relief from the LDC §10-295 to eliminate the requirement for street stubs to adjacent properties. This deviation is APPROVED.
13. Deviation (13) seeks relief from the LDC §34-939(b)(3) 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.
14. Deviation (14) seeks relief from the LDC Section §34-935(a)(I) to eliminate the requirement that a new recreational vehicle park be not less than 20 acres in size. This deviation is APPROVED.
15. Deviation (15) seeks relief from the LDC Section §§ 34-2194(b) and (c) requirements of a 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 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.
16. Deviation (16) seeks relief from the LDC §34-2020 requirement of 135 parking spaces for the two clubhouse facilities, to allow 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 the 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 Phase "IV", IVA, & IVB, stamped received SEP 08, 2003 depicts these parcels.
17. Deviation (17) seeks relief from the LDC §34-935(a)(1) requirement of a minimum of 5 acres of land necessary to expand an existing recreational vehicle park, to allow an expansion of 2.1+/- acres. This deviation is APPROVED.

Deviations 18 through 24 apply only to Phase 5:

18. Deviation (18) seeks relief from the LDC §10-296(b) Table 2 requirement of a 40 foot right-of-way with open drainage for a privately maintained local street to allow for a 30 foot right-of-way with closed drainage. This deviation is APPROVED.
19. Deviation (19) seeks relief from the LDC §10-296(b) Table 8 requirement of planting strips and sidewalks to allow for a privately maintained right-of-way with no planting strip or sidewalk. This deviation is APPROVED.
20. Deviation (20) seeks relief from the LDC §34-2015(1) requirement for all parking spaces to be located on the same premises as the use they serve, to allow 16 golf cart parking spaces within 200 feet of the amenity tract. This deviation is APPROVED SUBJECT TO Condition 11.
21. Deviation (21) seeks relief from the LDC §34-939(b)(7)(c) requirement of a minimum 10 foot set back from each side and rear recreational vehicle lot, to allow a 0 foot setback for the side and rear lot line of all rear recreational vehicle lots. This deviation is APPROVED SUBJECT TO Condition 12.
22. Deviation (22) seeks relief from the LDC §34-939(b)(3) requirement that all recreational vehicle parks have a perimeter buffer area at least 40 feet wide adjacent to and completely around the boundary of the site, to allow accessory uses outside of the proposed buffer. This deviation is APPROVED SUBJECT TO Conditions 13, 14, and 15.
23. Deviation (23) seeks relief from the LDC §10-415(b)(1)(c) requirement of a 20 foot minimum setback from indigenous vegetation and trees and 30 foot setback for indigenous plant communities subject to fire, to allow a 20 foot minimum setback from upland preserve lots 68-70 and 75-76. This deviation is APPROVED.
24. Deviation (24) is WITHDRAWN.

SECTION D. EXHIBITS:

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

SECTION E. FINDINGS AND CONCLUSIONS:

Based upon its review, the Board of County Commissioners adopts the recommendation of the Hearing Examiner, including the following findings and conclusions:

1. *As conditioned herein*, the proposed rezoning to RVPD:
 - a. Complies with the Lee Plan. See, Lee Plan Vision Statement Paragraph 4 (Fort Myers Shores Planning Community), Lee Plan Goals 2, 4, 5, 21, 39,

- Objectives 2.2, and Policies 1.1.4, 5.1.5, 61.3.6, 135.1.3, 135.1.9, 158.1.9, 158.1.10; Lee Plan Maps 1, 16.
- b. Complies with the LDC and other County regulations. *See*, LDC Chapters 10 and 34; LDC §33-1480 *et. seq.*
 - c. Is compatible with existing and planned uses in the area. *See*, Lee Plan Policies 1.1.4, 2.1.1, 2.1.2, 2.2.1, 5.1.5, 135.1.9; LDC §§ 34-411(c), (i), and (j).
 - d. Will not adversely affect environmentally critical areas and natural resources. *See*, Lee Plan Goal 77, Objectives 4.1, 77.1, and LDC §34-411(h).
 - e. Will be served by urban services. *See*, Lee Plan Glossary, Maps 6, 7, Goal 2; Objectives 2.1, 2.2, 4.1, 53.1, 56.1; Policies 2.2.1, 5.1.3, 135.9.7 and Standards 4.1.1 and 4.1.2; LDC §34-411(d).
2. The MCP reflects sufficient access to support the intensity of development. In addition, County regulations and conditions of approval will address expected impacts to transportation facilities. *See*, Lee Plan Goal 39, Objective 39.1; LDC §34-411(d).
 3. The proposed mix of uses is appropriate at the proposed location. *See*, Lee Plan Policies 1.1.4, 2.1.1, 5.1.3, 5.1.5, and 135.1.9.
 4. The recommended conditions are sufficient to protect the public interest and reasonably relate to the impacts expected from the development. *See*, Lee Plan Policies 5.1.5, 135.9.6; *See also*, LDC Chapters 10, 33 and 34.
 5. As conditioned herein, the deviations:
 - a. Enhance the objectives of the planned development; and
 - b. Promote the intent of the LDC to protect the public health, safety, and welfare. *See*, LDC §34-377(b)(4).

SECTION F. SCRIVENER'S ERRORS

The Board intends that this resolution can be renumbered or relettered and typographical errors that do not affect the intent and are consistent with the Board's action can be corrected with the authorization of the County Manager or his designee, without the need for a public hearing.

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

Adopted by unanimous consent.

Kevin Ruane	Absent
Cecil Pendergrass	Aye
Raymond Sandelli	Aye
Brian Hamman	Aye
Frank Mann	Aye

DULY PASSED AND ADOPTED this 16th day of December 2020.

ATTEST:
LINDA DOGGETT, CLERK

BY: 
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

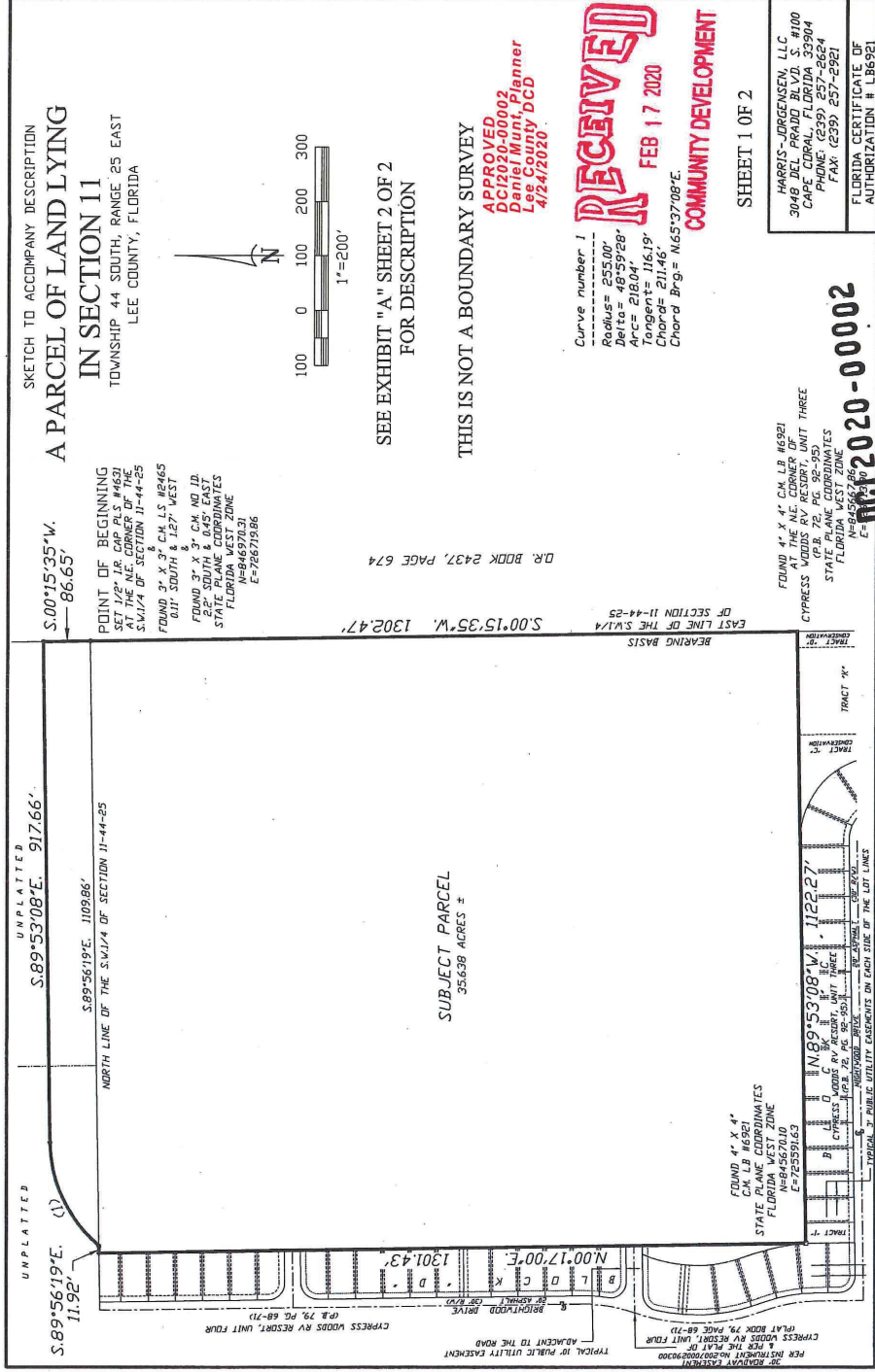
BY: 
Kevin Ruane, Chair

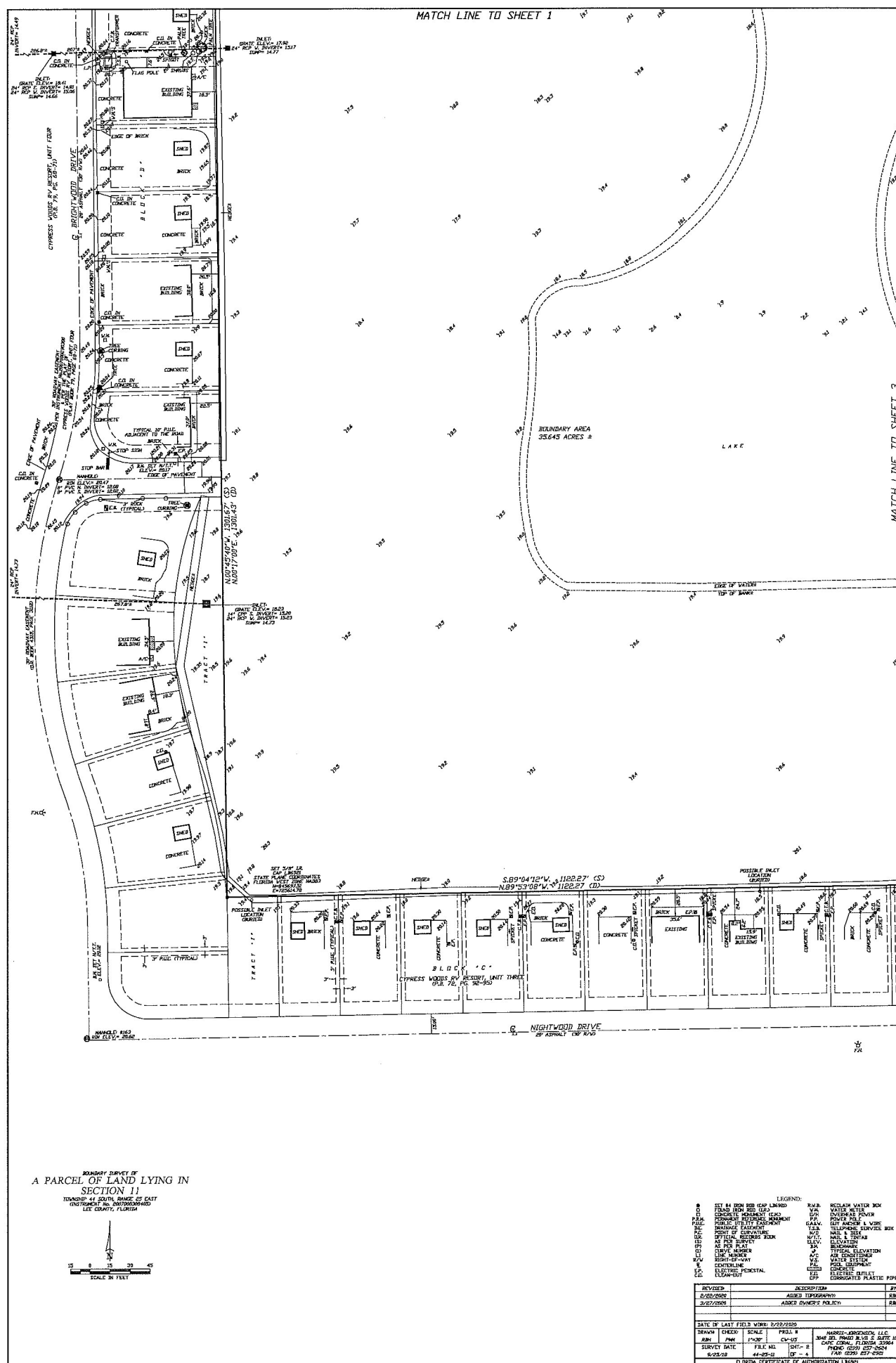


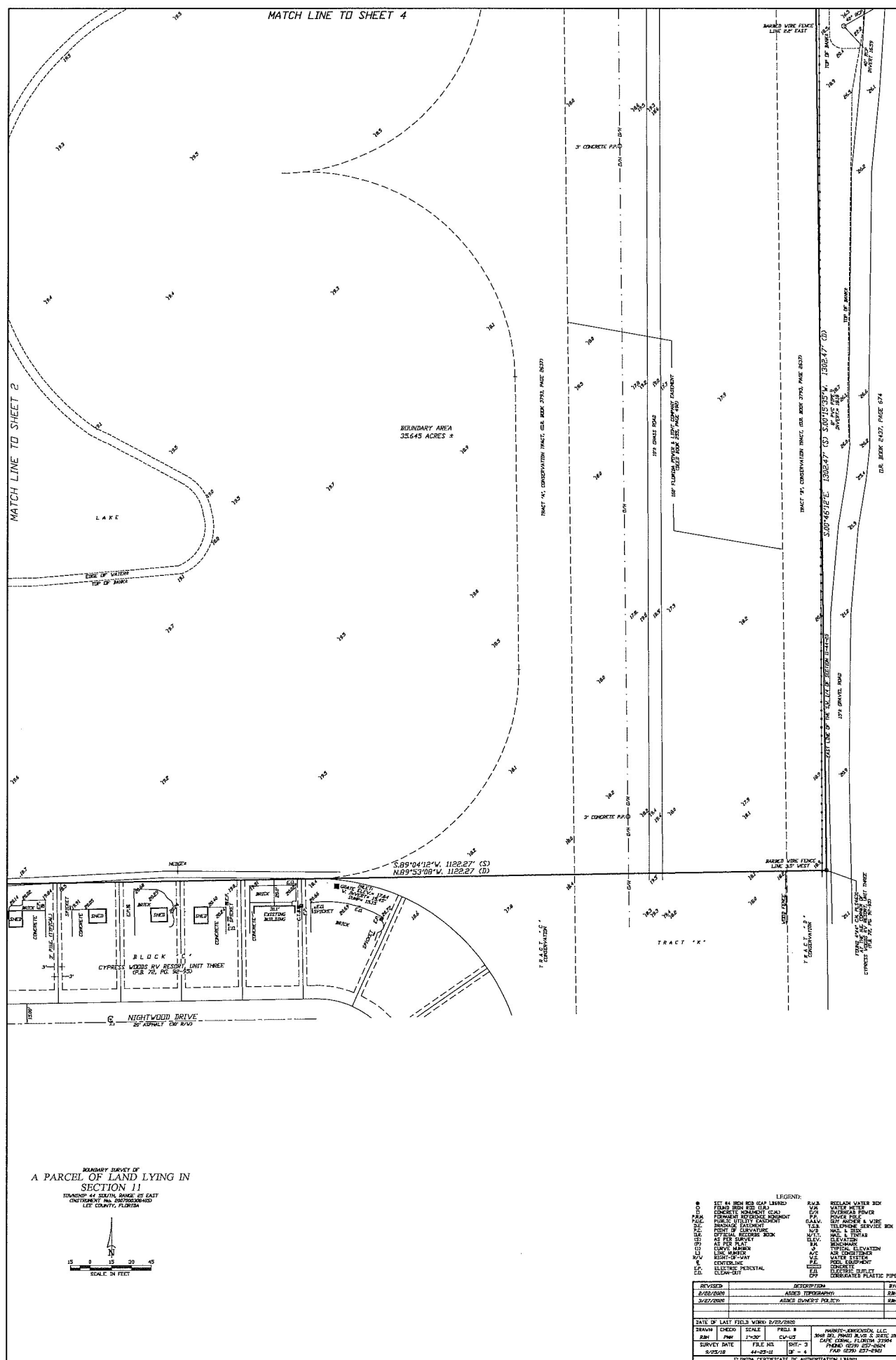
APPROVED AS TO FORM FOR THE
RELIANCE OF LEE COUNTY ONLY


Joseph A. Adams
Assistant County Attorney
County Attorney's Office

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MINUTES OFFICE
NRS
2021 FEB -1 PM 2:47







BOUNDARY SURVEY OF
A PARCEL OF LAND LYING IN
SECTION 11
TOWNSHIP 44 SOUTH, RANGE 25 EAST
CONTRIBUTOR NO. 20670002684053
LEE COUNTY, FLORIDA

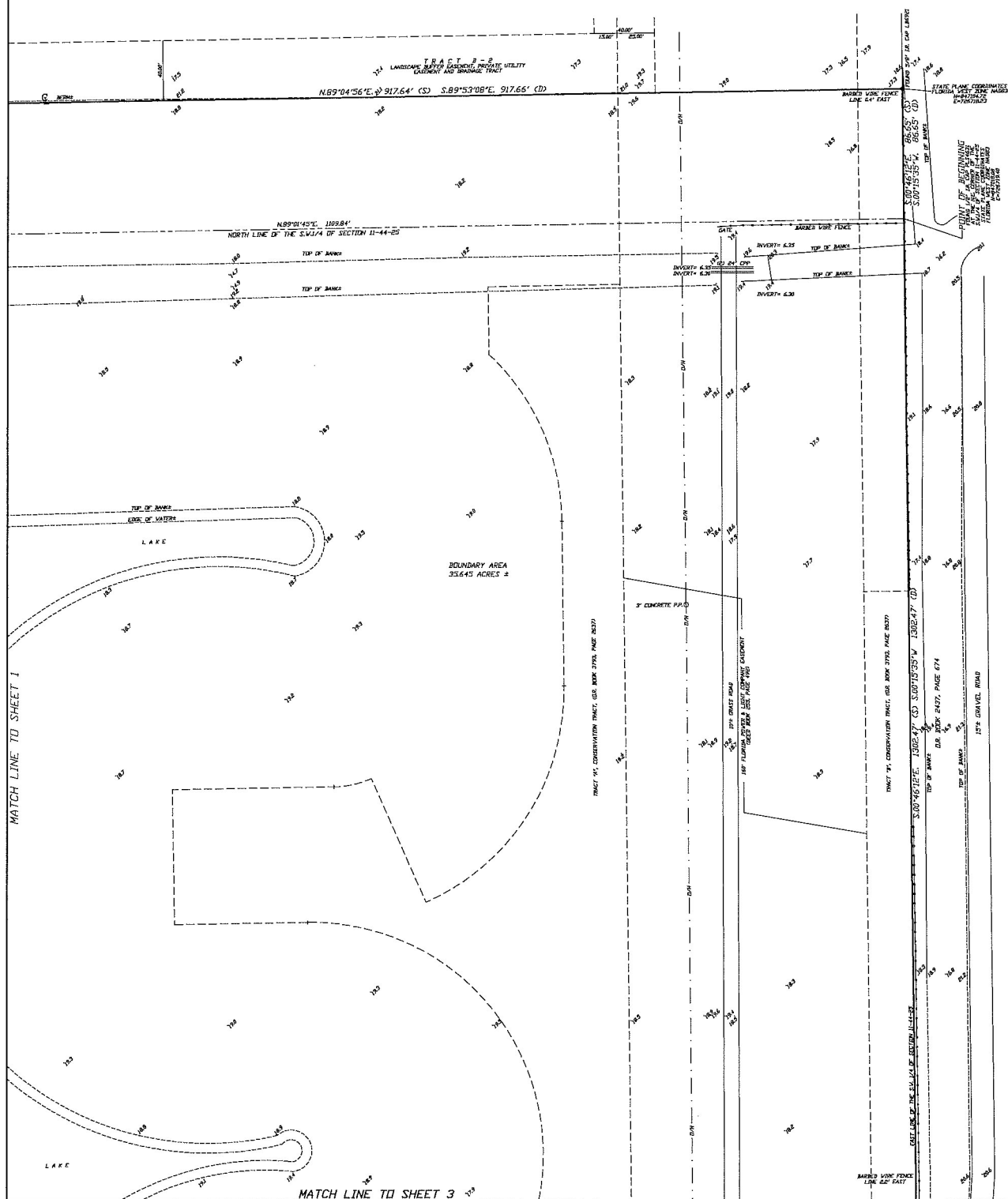
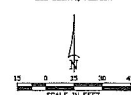


EXHIBIT
B



**DCI2020-00002
Zoning**

Legend

 Subject Parcel



0 500
Feet



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COMMUNITY DEVELOPMENT

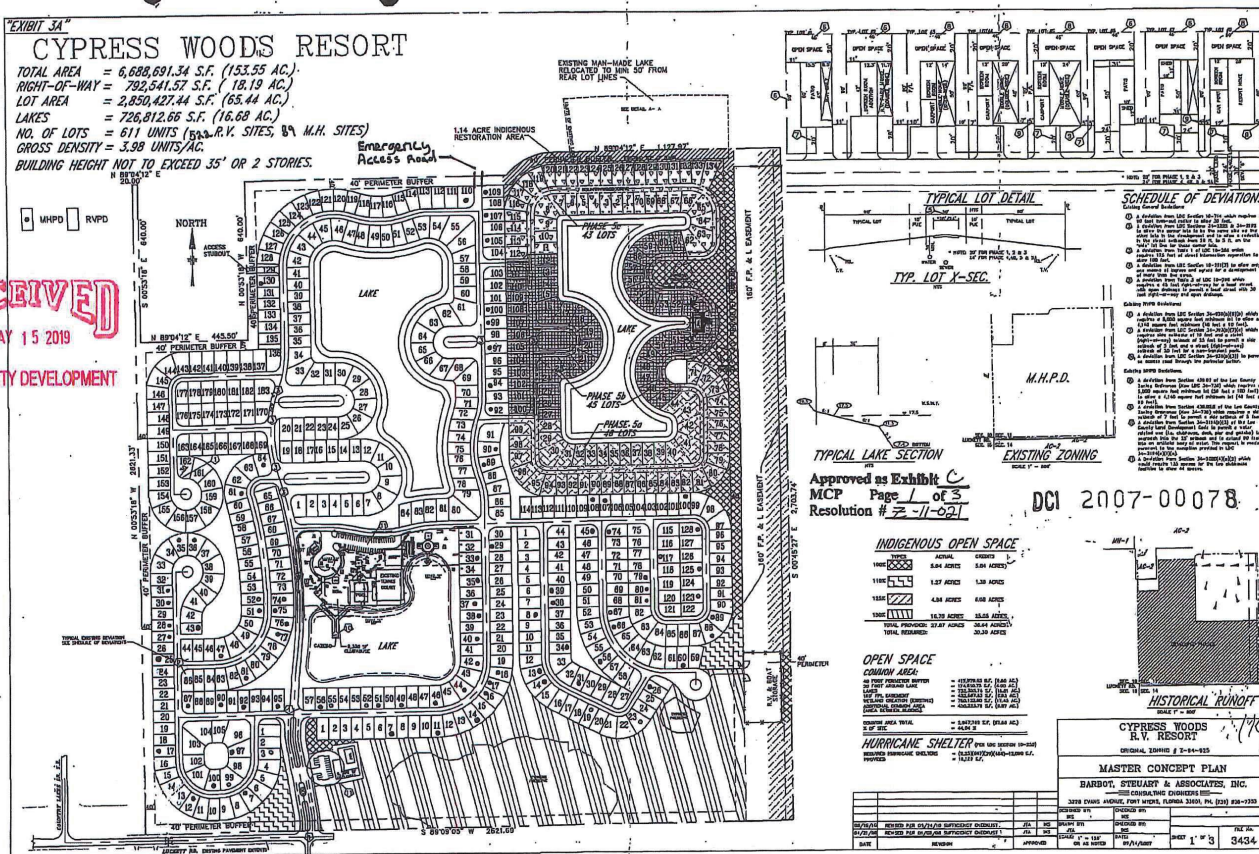


EXHIBIT C

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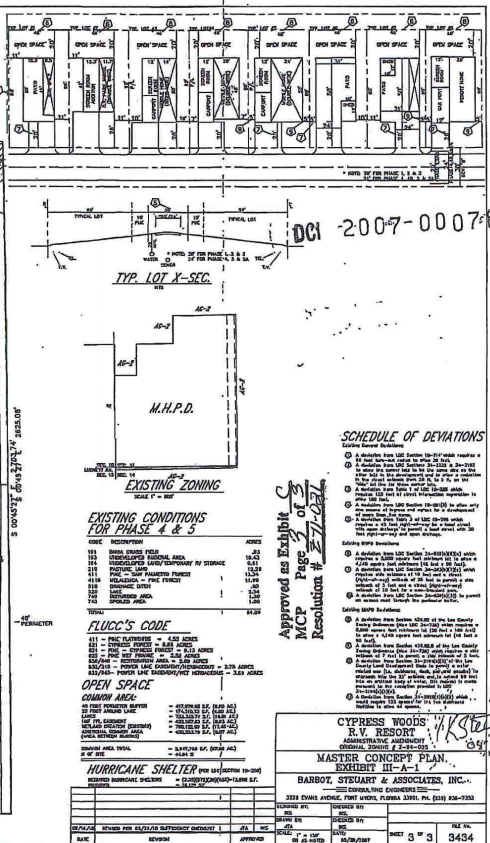
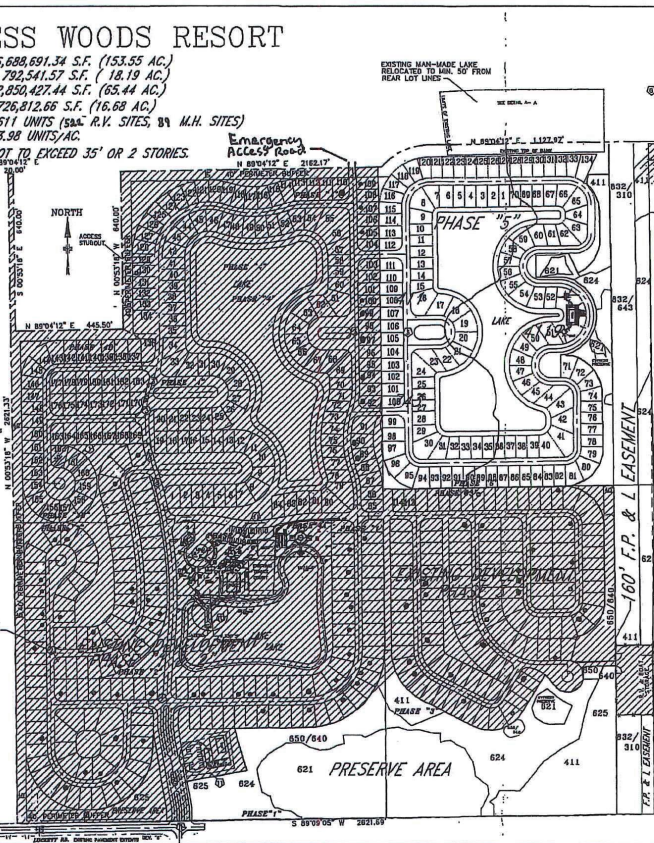
EXHIBIT 3A CYPRESS WOODS RESORT

TOTAL AREA = 6,638,691.34 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 = 726,812.88 S.F. (16.68 AC.)
NO. OF LOTS = 611 UNITS (84% R.V. SITES, 16% M.H. SITES)
GROSS DENSITY = 3.98 UNITS/AC.
BUILDING HEIGHT NOT TO EXCEED 35' OR 2 STORIES.

MHPD RVPD

HATCH LEGEND

EXISTING DEVELOPED PAVED



ZVL2019-00095 Lee County ePlan

Habitat Restoration and Maintenance Guidelines

for the

Cypress Woods RV Resort Phase V

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

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

Prepared for:

Cypress Woods RV Resort
5551 Luckett 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 Weiss de Czeglé, President - Fax: (239) 337-5028

ZVL2019-00095 Lee County ePlan

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Habitat Restoration & Management Guidelines
Section 11, T44E, R25S, Lee County, Florida

Cypress Woods RV Resort Phase V

Lockett Road
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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Ph: (239) 334-6766 - Giza Wass de Czege, President - Fax: (239) 337-5028

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 ellottii*) 10' w/min 2" dbh
 - 22 slash pine (*Pinus ellottii*) 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 cassina*) 10' w/min 2" dbh
 - 2 dahoon holly (*Ilex cassina*) 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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Ph: (239) 334-6766 - Geza Weiss de Czege, President - Fax: (239) 337-5028

Habitat Restoration & Management Guidelines
Section 11, T44E, R25S, Lee County, FloridaCypress Woods RV Resort Phase V - Luckett Road
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 76% 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, caeserweed, 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.

DCI 2007-00078

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AUG 23 2010

ZVL2019-00095 Lee County ePlan

Southern Biomes, Inc.

1601 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

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

RECEIVED

AUG 23 2010

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.



Exhibit E

**Cypress Woods Recreational Vehicle Planned Development
Administrative Amendment (ADD2022-00021)
Public Information Session Meeting Summary**

Wednesday, April 20, 4:00 p.m.

Cypress Woods Town Center, 10100 Nightwood Drive, Fort Myers, FL 33905

Laguna Caribe at Cypress Woods, LLC (Applicant) and their consultant team hosted their public informational session in accordance with Section 33-1482 of the Land Development Code on Wednesday, April 20, 2022. The meeting was held at the Cypress Woods Town Center at 4:00 PM.

The meeting was held for the pending Cypress Woods RVPD Administrative Amendment application (ADD2022-00021). The meeting notice was published in the News-Press on March 28, 2022. The Affidavit of Publication is attached as Exhibit "A".

There were approximately 18 attendees present including the consulting team and the Applicant. Alexis Crespo (agent) introduced the application, and together with the Applicant explain the request to add the "casitas" use to Phase 5 of Cypress Woods and the difference between the "casitas" and the "cabanas" use. It was noted that the footprint size of "casitas" would be controlled by existing development regulations such as minimum setbacks, maximum lot coverage, and maximum height.

Comments raised from the attendees included: if lots would be required to have RVs on them, whether "casitas" could be sublet, how many models would be available and how would architectural design be controlled. There was discussion on the ability to add the "casitas" use to other phases of the Cypress Woods.

Following public comment, the Applicant thanked the attendees. The meeting concluded at 4:21 PM.

The News-Press media group

news-press.com A GANNETT COMPANY

Attn:

**WALDROP ENGINEERING
28100 BONITA GRANDE DR
BONITA SPRINGS, FL 34135**

STATE OF FLORIDA COUNTY OF LEE:

Before the undersigned authority personally appeared

Sarah Bertelsen, 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

Notice of Meetings

In the Twentieth Judicial Circuit Court was published in said
newspaper editions dated or by publication on the newspaper's
website, if authorized, on:

03/28/2022

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 2022, by
legal clerk who is personally known to me.

Sah Bet
Affiant

Vicky Felty
Notary State of Wisconsin, County of Brown

My commission expires

of Affidavits: 1

This is not an invoice

VICKY FELTY
Notary Public
State of Wisconsin

NOTICE OF PUBLIC INFORMATION MEETING

DATE: Wednesday, April 20, 2022

TIME: 4:00 PM

ADDRESS: Cypress Woods Town Center,
10100 Nightwood Drive, Fort Myers, FL
33905

In accordance with the Caloosahatchee
Shores Planning Community require-
ments of the Lee County Land Develop-
ment Code, the Applicant, Laguna
Caribe at Cypress Woods, LLC., will be
presenting information to the public
on the following request:

Administrative Amendment to the
Cypress Woods RV Resort Recreational
Vehicle Planned Development (RVPD),
Phase 5, to allow design flexibility and
residential accessory uses, including
"casitas."

The purpose of the meeting is to edu-
cate community members and nearby
landowners about the proposed devel-
opment and to address any questions.

For questions please contact:

RV Planning, c/o Josephine Medina
28100 Bonita Grande Drive, Suite 305,
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