

ADMINISTRATIVE AMENDMENT (PD) ADD2024-00063

ADMINISTRATIVE AMENDMENT
LEE COUNTY, FLORIDA

WHEREAS, RVI Planning + Landscape Architecture filed an application for an administrative amendment on a Mobile Home and Recreational Vehicle Planned Development (MHPD/RVPD) known as Cypress Woods RV Resort to revise conditions of Resolution Z-20-027 pertaining to accessory uses in Phase 5 of the MHPD/RVPD including:

- **Condition 2.a**, Schedule of Uses, to include accessory use classifications “Outdoor Kitchen” and “Tiki Huts”.
- **Condition 2.b**, Property Development Regulations, to permit a 0-foot accessory rear yard setback when the rear lot line is abutting an Optional Recreation Area identified on the Master Concept Plan (MCP).
- **Condition 10**, Gazebos, to remove the 200 square foot maximum size limitation for gazebos in Phase 5.

on property more particularly described as:

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

ATTACHED AS EXHIBIT “A”

WHEREAS, the subject property is zoned Mobile Home and Recreational Vehicle Planned Development (MHPD and RVPD) and 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 property was originally rezoned by Resolution Z-94-025, with subsequent amendments in zoning actions PD-95-19, ADD2002-00111, ADD2003-00122, Resolution Z-03-057, ADD2004-00102, Resolution Z-11-021, ADD2019-00066, ADD2020-00049(A), Resolution Z-20-027, ADD2021-00158, ADD2022-00021, ADD2022-00108, ADD2022-00142 and ADD2023-00099; and

WHEREAS, Resolution Z-20-027 contains conditions of approval for the MHPD/RVPD District and supersedes all prior zoning actions pursuant to Section B., as amended by reference herein (see Exhibit “E”); and

WHEREAS, Condition 2.a. authorizes the use of “gazebos” as an approved accessory use subject to a 200 square foot maximum size limitation; and

WHEREAS, the use of gazebos on individual recreational vehicle sites and the 200 square foot size limitation originates from Administrative Amendment ADD2019-00066, as requested by the Cypress Woods RV Resort Home Owners Association, Inc.; and

WHEREAS, Resolution Z-20-027 codified prior relevant zoning conditions in order to unify previous conditions in a superseding zoning resolution; and

WHEREAS, the Lee County Land Development Code (LDC) identifies gazebos within Use Activity Group “Residential Accessory Uses” in Section 34-622(c)(42); and

WHEREAS, the LDC does not contain a definition for gazebos and the use is generally defined as an ornamental freestanding outdoor structure that is open-sided or screened, such as a pavilion structure; and

WHEREAS, the LDC does not contain architectural requirements for gazebos and, therefore, a gazebo may include an open-sided or screened tiki hut building design; and

WHEREAS Administrative Amendment ADD2021-00158, as codified by this approval, clarified development regulations for Phase 5 of the Cypress Woods RVPD and revised Condition 12 of Resolution Z-20-027, Accessory Setback; and

WHEREAS, Lee County Ordinance Number 22-12, adopted May 17, 2022, enacted regulatory amendments concerning the addition of “Casitas” as a permitted accessory building that may be developed in conjunction with non-transient recreational vehicle parks in the RVPD District; and

WHEREAS, Administrative Amendment ADD2022-00021 approved inclusion of the use of casitas in lieu of cabanas (previously limited to 600 square feet in size) on individual RV sites within Phase 5 of the Cypress Woods MHPD/RVPD without a specific size limitation; and

WHEREAS, the applicant requests to eliminate the specific size limitation for gazebos on individual RV lots, modify the accessory rear yard setback abutting optional recreation areas and recognize the use of outdoor kitchens (see Exhibit “B”); and

WHEREAS, gazebos will remain subject to property development regulations set forth in the planned development, as amended herein; and

WHEREAS, the applicant held a public information meeting at Cypress Woods Town Center on April 19, 2024 per LDC Section 33-1482 (see Exhibit “D”); and

WHEREAS, the subject application was initiated by the President of the Home Owners Association and accompanied by a letter of opinion from a licensed Florida attorney in accordance with LDC Section 34-201(a) (see Exhibit “C”); 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 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 subject to the following conditions:**

1. **Accessory Setbacks.** Condition 2.b of Zoning Resolution Z-20-027, as amended by ADD2021-00158, is hereby amended in underline format identifying new language 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 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
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Rear (Principal):	10/20 feet (20 foot rear setback for lots abutting developed RV lots in Phases 1-4)
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Rear (Accessory):	5 feet (0 feet from lake maintenance easement for waterfront lots, <u>and rear lot lines abutting optional recreation areas on the MCP)</u>
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Waterbody:	20 feet
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Maximum Lot Coverage:	50% (RV pad and roofed accessory structures)
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Maximum Building Height:	30 feet
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¹Consistent with LDC §34-1182.

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

2. **Gazebos**. Condition 10 of Zoning Resolution Z-20-027 is hereby amended in underline format identifying new language as follows:

10. *Gazebos*

One gazebo is permitted per RV lot. Gazebos must be unenclosed and cannot exceed 200 square feet (including overhangs) in Phases 1 through 4. Gazebos in Phase 5 are not subject to a square-footage limitation.

The term “Gazebo”, as permitted by this condition, includes open-sided or screened tiki hut designs and may include private outdoor kitchen facilities.

3. **ADD2021-00158**. Condition 12 of Zoning Resolution Z-20-027, as amended by **ADD2021-00158**, is incorporated in this resolution.

12. *Accessory Setback*

Phase 5 lots must provide at least 10 feet between RVs and accessory structures on the adjacent lot. The RV pad may be within 10 feet consistent with the MCP “Typical Lot Detail.”

4. **ADD2021-00158 is hereby null and void and replaced by this amendment resolution.**
5. **The terms and conditions of Resolution Z-20-027 and subsequent amendments thereto remain in full force and effect, except as amended herein.**
6. **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 6/21/2024

Anthony R. Rodriguez, AICP, CPM, Zoning Manager

Exhibits:

- A – Legal Description
- B – Applicant’s Narrative
- C – Application Initiation
- D – Public Information Session Summary
- E – Resolution Z-20-027



**EXHIBIT A
LEGAL DESCRIPTION**

**TRACTS A – F & LOTS 1-137, LAGUNA CARIBE PHASE 1, A SUBDIVISION,
LOCATED IN SECTION 11, TOWNSHIP 44 SOUTH, RANGE 25 EAST, ACCORDING
TO THE PLAT THEREOF ON FILE AND RECORDED IN INSTRUMENT NUMBER
2023000160379, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA.**

***REVIEWED
ADD2024-00063
Sophia Ludlam, GIS Planner
Lee County
5/3/2024***

Exhibit B



April 1, 2024

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

**Subject: Cypress Woods RVPD
Administrative Amendment – Narrative of Request**

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, ADD2022-00021, ADD2022-00108, ADD2022-00142, and ADD2023-00099 and is designated within the Urban Community future land use category. The site has a pending Planned Development Amendment, DCI2023-00030, to add "Casitas" to Phase 1-4 and "Maintenance Area" as an accessory use.

The Applicant is requesting the following changes pursuant to changes in market demand since the PD was adopted.

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

- Add the residential accessory use of "Tiki Huts";
- Add the residential accessory use of "Outdoor Kitchens";
- Remove the 200 square foot size limitation on "Gazebos"; and
- Add a reduced setback allowance for rear yards abutting option recreation area.

The Applicant is requesting the addition of "Tiki Huts" 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 a covered shade structure in a manner that is complementary to an active lifestyle. The Applicant is also requesting the addition of "Outdoor Kitchens" within RVPD Schedule of Uses as an accessory use to allow for additional space for cooking while activating outdoor space.

As identified in the staff initiated LDC amendment for “Tiki Huts” and “Outdoor Kitchens”, currently under consideration, there is an existing market demand for these types of accessory amenities within RV lots and approval of these uses will not create additional dwelling units within this RVPD.

The request to remove 200 square foot limitation for “Gazebos” in Phase 5 of the RVPD is to allow for greater flexibility in the design of “Gazebos”. The lots within the RVPD are restricted by setbacks and maximum lot coverage. Furthermore, 'Gazebos' must be architecturally compatible in terms of scale and proportion with the principal building; therefore, additional square footage restrictions are unnecessary.

The Applicant is also requesting the addition of a reduced setback allowance for rear yards abutting optional recreation area in Phase 5. The rear yard setback is mandated to create addition space buffers between primary structures; however, lots abutting optional recreation area do not need the additional buffer as there are no primary uses on said recreation areas.

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) 908-3408 or PKulak@RViPlanning.com.

Sincerely,

RVi Planning + Landscape Architecture



Patty Kulak
Project Manager

Enclosures

cc: Duane Truitt, Laguna Caribe at Cypress Woods, LLC

Exhibit C



May 13, 2024

Mr. Adam Mendez
Lee County Department of Community Development
1500 Monroe Street
Fort Myers, FL 33901

Re: Administrative Amendment
ADD2024-00063
Project Name: Cypress Woods RVPD

Dear Mr. Mendez:

The undersigned is a Director and President of the Laguna Caribe Homeowners Association, Inc. (LCHOA), which is presently under the control of the Developer of the Laguna Caribe community – L26 Development, LLC, on behalf of Laguna Caribe at Cypress Woods, LLC - that is the subject of the zoning administrative amendment application referenced above.

This ADD is to add the residential accessory use of “Tiki Huts”, add the residential accessory use of “Outdoor Kitchens”, remove the 200 square foot size limitation on “Gazebos”; and add a reduced setback allowance for rear yards abutting option recreation area.

I have the authority to act on behalf of LCHOA and have no objections to the proposed amendment.

Sincerely,

Duane J. Truitt
Partner, L26 Development, LLC
President, Laguna Caribe Homeowners Association, Inc.



**KILINSKI
VAN WYK**

Offices: Naples | Tallahassee | Tampa

517 E. College Avenue
Tallahassee, Florida 32301
877-350-0372

May 13, 2024

Via Electronic Mail

Mr. Adam Mendez
Lee County Department of Community Development
1500 Monroe Street
Fort Myers, FL 33901
Amendez@leegov.com

Re: Administrative Amendment
ADD2024-00063
Project Name: Cypress Woods RVPD

Dear Mr. Mendez:

The undersigned is legal counsel to Laguna Caribe at Cypress Woods, LLC ("Applicant") relative to matters concerning the Laguna Caribe Property Owners Association, Inc. (the "Association"), the homeowners' association of which the property related to the above application is subject.

This correspondence is provided in response to your letter to the Applicant, dated August 2, 2023, requesting additional information; specifically, the request for a letter of opinion of counsel in accordance with LDC Section 34-201(a)(1)f, as set forth in item 1b of your letter.

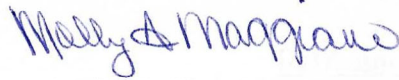
I have examined the Declaration of Covenants, Conditions and Restrictions of Laguna Caribe, recorded at Instrument No. 2023000160378 in the Official Records of Lee County, Florida (the "Declaration") along with the Bylaws of the Association attached as Exhibit C thereto (the "Bylaws" and, collectively with the Declaration, the "Governing Documents"). Based on my examination:

1. Applicant is the "Developer" under the Declaration.
2. The Developer has full authority to regulate all structures and improvements constructed on the property, and may adopt, rescind and amend guidelines relating thereto.
3. The Developer has the authority, so long as Developer owns any portion of the property, to seek and apply for amendments, modifications and deviations to, among other things, the pertinent zoning resolutions relating to the Cypress Woods RVPD.
4. The Developer has the authority to unilaterally amend the Declaration, as appropriate, to take into account any modifications or amendments to the development order and/or zoning resolutions relating to the Cypress Woods RVPD.

Based on the foregoing, it is my opinion that submission of the above-referenced Application for Administrative Amendment by Applicant does not violate: (i) any of the provisions of the Governing

Documents; (ii) any law regulating homeowners associations; or (iii) the rights of any homeowners derived from the Governing Documents, nor would approval of requested amendment by the County violate any such rights.

Very truly yours,



Molly A. Maggiano, Esq.
Florida Bar No. 11297

Exhibit D



**Cypress Woods Recreational Vehicle Planned Development
Administrative Amendment/Planned Development Amendment
Public Information Session Meeting Summary**

Friday, April 19, 2024 10:00 a.m.

Cypress Woods Clubhouse, 5415 Laguna Caribe Circle, Fort Myers, FL 33905

Cypress Woods RV Resort Homeowners Association, Inc. (Applicant) hosted their public informational session in accordance with Section 33-1482 of the Land Development Code on Friday, April 19, 2024. The meeting was held at the Cypress Woods Clubhouse at 10:00 AM.

The meeting was held for the pending Cypress Woods RVPD Administrative Amendment application (ADD2024-00063). The meeting notice was published in the News-Press on March 30, 2024. The Affidavit of Publication is attached as Exhibit "A".

The Applicant was present at the location until 10:30 a.m. No one from the public attended.



Florida
GANNETT

PO Box 631244 Cincinnati, OH 45263-1244

PROOF OF PUBLICATION

RVI Planning, Inc
28100 Bonita Grande DR # 305
Bonita Springs FL 34135-6221

STATE OF WISCONSIN, COUNTY OF BROWN

Before the undersigned authority personally appeared, who on oath says that he or she is the Legal Advertising Representative 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 Public Notices, was published on the publicly accessible website of Lee County, Florida, or in a newspaper by print in the issues of, on:

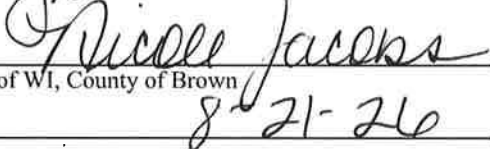
03/30/2024

Affiant further says that the website or newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.

Subscribed and sworn to before me, by the legal clerk, who is personally known to me, on 03/30/2024



Legal Clerk



Notary, State of WI, County of Brown

8-21-26

My commission expires

Publication Cost: \$116.92

Order No: 10013046

Customer No: 1126761

PO #:

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1

THIS IS NOT AN INVOICE!

Please do not use this form for payment remittance.

NICOLE JACOBS
Notary Public
State of Wisconsin

NOTICE OF PUBLIC INFORMATION MEETING

DATE: Friday, April 19, 2024

TIME: 10:00 AM

ADDRESS: Cypress Woods Clubhouse, 5415 Laguna Caribe Cir, Fort Myers, FL 33905

In accordance with the Caloosahatchee Shores Planning Community requirements of the Lee County Land Development 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 amend the Schedule of Uses to allow for residential accessory uses, including Tiki Huts and Outdoor Kitchens, and to remove the square footage limitation on Gazebos.

The purpose of the meeting is to educate community members and nearby landowners about the proposed development and to address any questions.

For questions please contact:

Duane Truitt

3001 Tamiami Tr N Suite 206

239-227-3929 OR dtruitt96@yahoo.com

March 30, 2024

Exhibit E

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.

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.

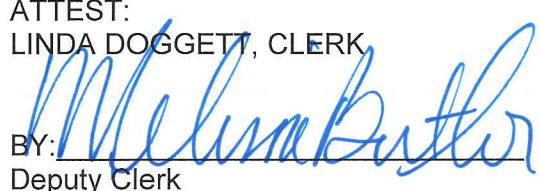
Commissioner Hamman made a motion to adopt the foregoing resolution, seconded by Commissioner Pendergrass. The vote was as follows:

Adopted by unanimous consent.

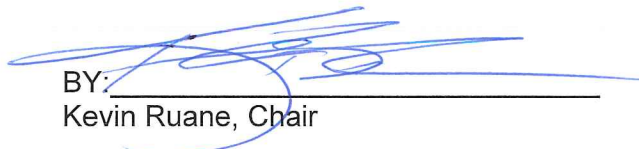
Kevin Ruane	Absent
Cecil Pendergrass	Aye
Raymond Sandelli	Aye
Brian Hamman	Aye
Frank Mann	Aye

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

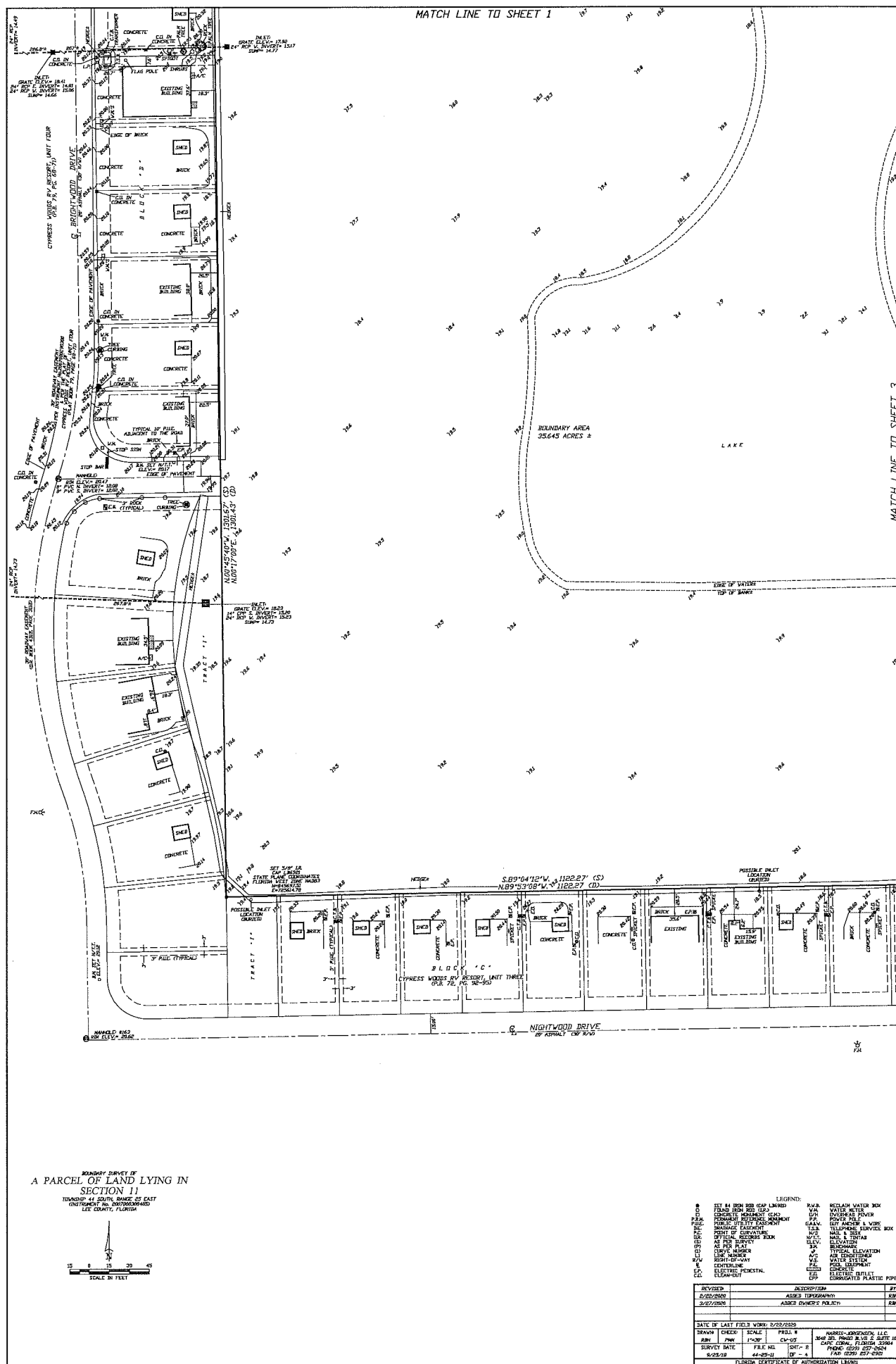
BY: 
Kevin Ruane, Chair

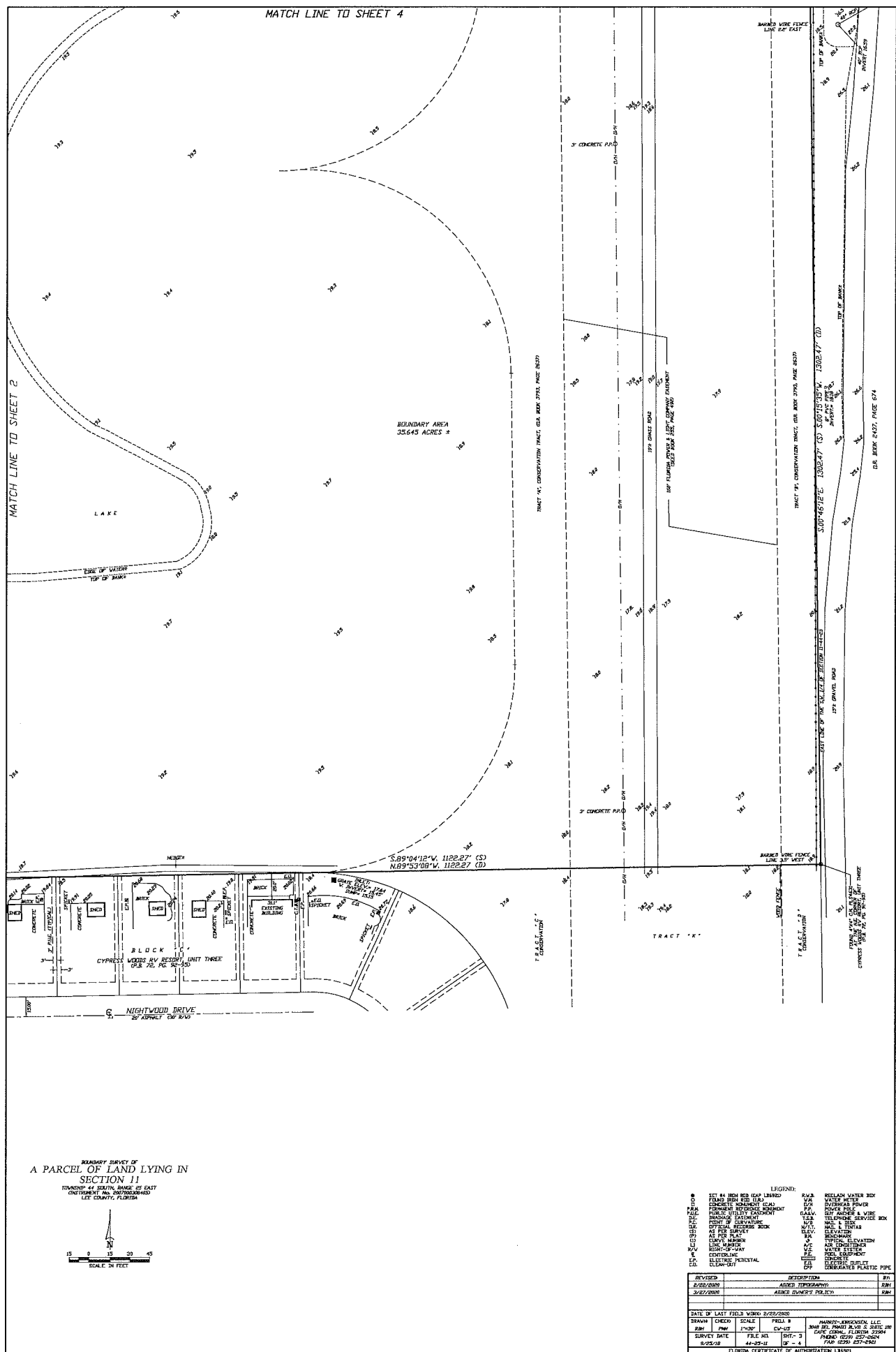


APPROVED AS TO FORM FOR THE
RELIANCE OF LEE COUNTY ONLY


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

RECEIVED
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
CONSTRUMENT NO. 2007000364040
LEE COUNTY, FLORIDA

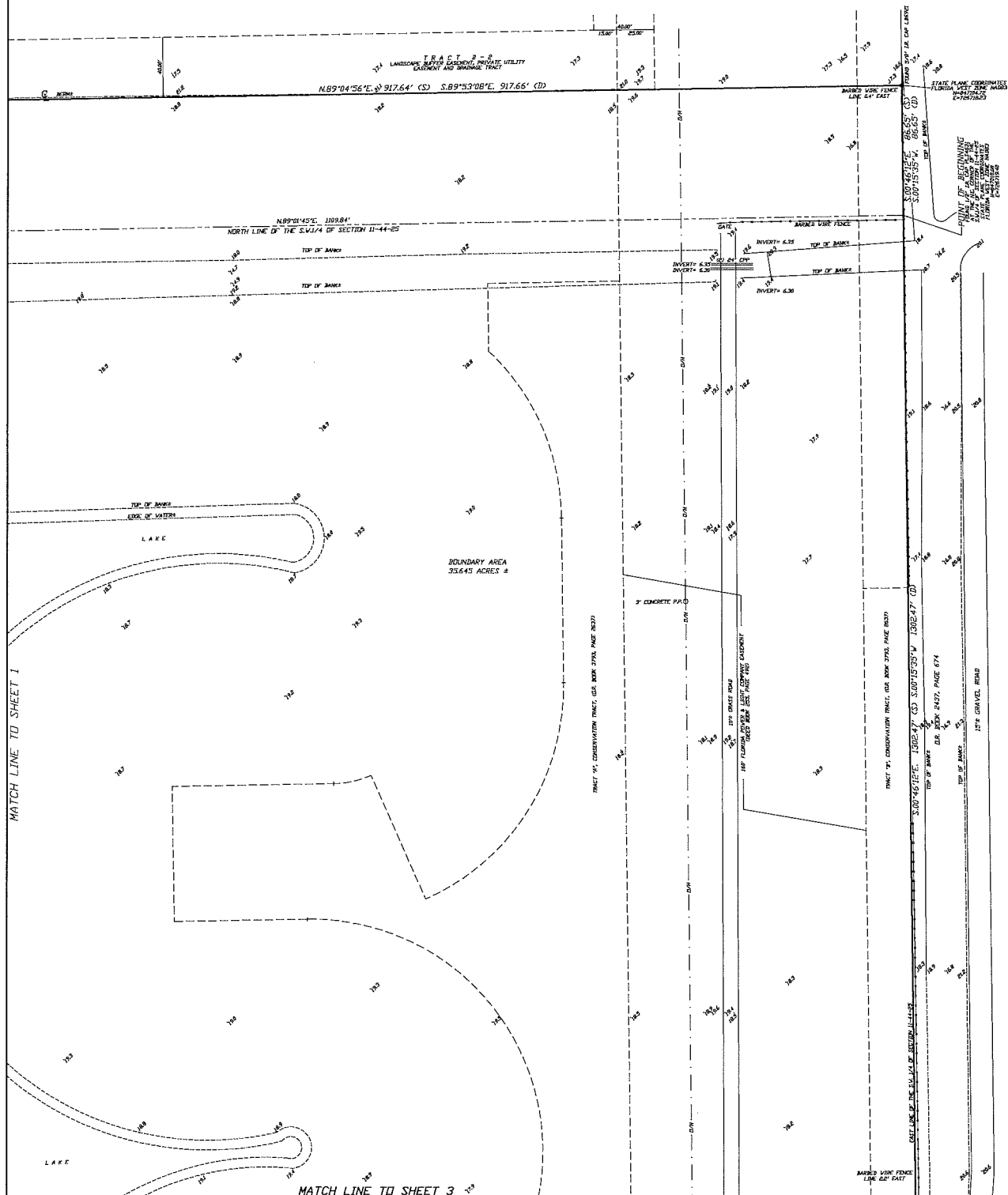
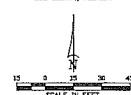


EXHIBIT 6



DCI2020-00002 Zoning

Legend

 Subject Parcel



0 500
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.)
LAKE = 726,812.66 S.F. (16.68 AC.)
NO. OF LOTS = 611 UNITS (533 R.V. SITES, 88 M.H. SITES)
GROSS DENSITY = 3.98 UNITS/AC.
BUILDING HEIGHT NOT TO EXCEED 35' OR 2 STORIES.

EXISTING MAN-MADE LAKE
RELOCATED TO MIN. 30' FROM
REAR LOT LINES

1.14 ACRE INDIGENOUS
RESTORATION AREA

Emergency
Access Road

N 89°08'12" E

640.00'

S 00°23'18" E

2621.33'

N 00°23'18" E

640.00'

S 00°23'18" E

2621.33'

N 00°23'18" E

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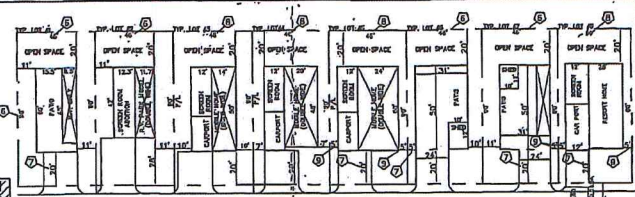
2621.33'

N 00°23'18" E

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MAY 15 2019

COMMUNITY DEVELOPMENT

EXHIBIT C



TYPICAL LOT DETAIL



TYP. LOT X-SEC.

SCHEDULE OF DEVIATIONS

- 1. A deviation from Section 15-10-1(1) of the Lee County Code to allow a maximum of 35 feet for a building height for a building with a maximum of 2 stories.
- 2. A deviation from Section 15-10-1(2) of the Lee County Code to allow a maximum of 35 feet for a building height for a building with a maximum of 2 stories.
- 3. A deviation from Section 15-10-1(3) of the Lee County Code to allow a maximum of 35 feet for a building height for a building with a maximum of 2 stories.
- 4. A deviation from Section 15-10-1(4) of the Lee County Code to allow a maximum of 35 feet for a building height for a building with a maximum of 2 stories.
- 5. A deviation from Section 15-10-1(5) of the Lee County Code to allow a maximum of 35 feet for a building height for a building with a maximum of 2 stories.
- 6. A deviation from Section 15-10-1(6) of the Lee County Code to allow a maximum of 35 feet for a building height for a building with a maximum of 2 stories.
- 7. A deviation from Section 15-10-1(7) of the Lee County Code to allow a maximum of 35 feet for a building height for a building with a maximum of 2 stories.
- 8. A deviation from Section 15-10-1(8) of the Lee County Code to allow a maximum of 35 feet for a building height for a building with a maximum of 2 stories.
- 9. A deviation from Section 15-10-1(9) of the Lee County Code to allow a maximum of 35 feet for a building height for a building with a maximum of 2 stories.
- 10. A deviation from Section 15-10-1(10) of the Lee County Code to allow a maximum of 35 feet for a building height for a building with a maximum of 2 stories.

TYPICAL LAKE SECTION

EXISTING ZONING

Approved as Exhibit C
MCP Page 1 of 3
Resolution # 2-11-021

DCI 2007-00078

INDIGENOUS OPEN SPACE

TYPE	ACTUAL	CREATED
1000	0.04 ACRES	0.04 ACRES
1100	1.27 ACRES	1.38 ACRES
1200	4.08 ACRES	6.08 ACRES
1300	16.70 ACRES	15.05 ACRES
TOTAL PROVIDED	21.09 ACRES	22.55 ACRES
TOTAL REQUIRED		30.30 ACRES

OPEN SPACE

COMMON AREA:
40 FEET PERIMETER BUFFER
40 FEET AROUND LAKE
LAKE
WETLAND CREATION (FUTURE)
OPEN SPACE AREA
TOTAL OPEN SPACE = 1,807,780 S.F. (41.24 AC.)
HURRICANE SHELTER (PER 1000 RESIDENTS)
TOTAL OPEN SPACE = 1,807,780 S.F. (41.24 AC.)

HISTORICAL RUNOFF

SCALE 1" = 50'

CYPRESS WOODS
R.V. RESORT

ORIGINAL ZONING # 2-11-021

MASTER CONCEPT PLAN

BARBOT, STEWART & ASSOCIATES, INC.

3378 EVANS AVENUE, FORT MYERS, FLORIDA 33901, PH. (813) 738-7333

DATE	REVISION	APPROVED BY	DATE	REVISION	APPROVED BY
02/15/14	REVISED FOR 02/15/14 SUFFICIENTLY CHANGING	JEL	02/15/14	REVISED FOR 02/15/14 SUFFICIENTLY CHANGING	JEL
04/17/14	REVISED FOR 04/17/14 SUFFICIENTLY CHANGING	JEL	04/17/14	REVISED FOR 04/17/14 SUFFICIENTLY CHANGING	JEL
07/17/14	REVISED FOR 07/17/14 SUFFICIENTLY CHANGING	JEL	07/17/14	REVISED FOR 07/17/14 SUFFICIENTLY CHANGING	JEL

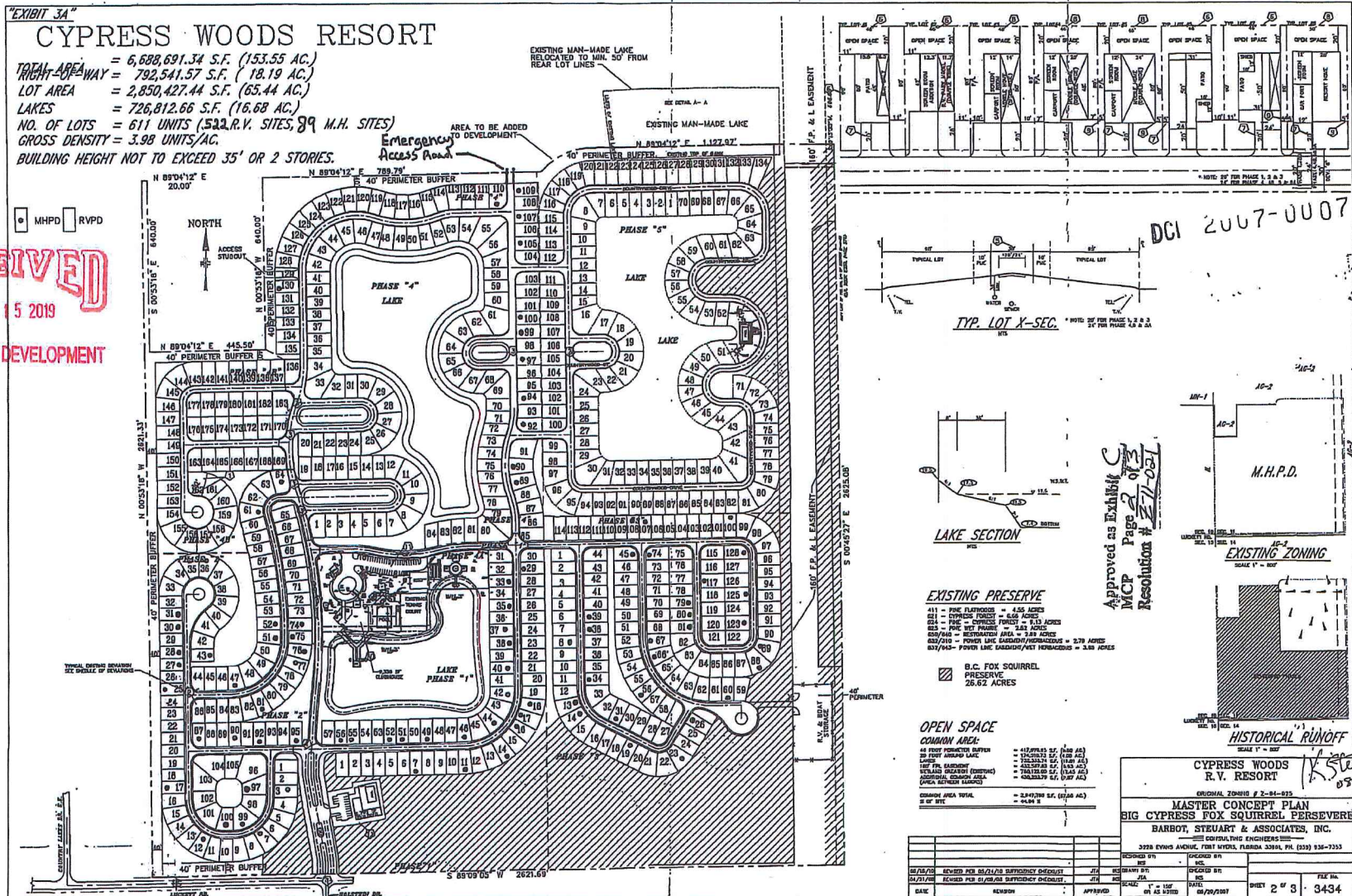
EXHIBIT C

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MAY 15 2019

COMMUNITY DEVELOPMENT

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 (522 R.V. SITES, 89 M.H. SITES)
GROSS DENSITY = 3.98 UNITS/AC.
BUILDING HEIGHT NOT TO EXCEED 35' OR 2 STORIES.



DCI 2007-00078

Approved as Exhibit C
MCP Page 2 of 3
Resolution # 27-051

CYPRESS WOODS
R.V. RESORT

MASTER CONCEPT PLAN
BIG CYPRESS FOX SQUIRREL PERSEVERE
BARBOT, STEUART & ASSOCIATES, INC.

3720 EVANS AVENUE, FORT MYERS, FLORIDA 33901, PH. (833) 936-7333

REVISIONS

NO.	DATE	DESCRIPTION	BY	CHKD.
1	04/27/2017	REVISION FOR SUBMITTAL	JLS	JLS
2	05/01/2017	REVISION FOR SUBMITTAL	JLS	JLS

DATE: 04/27/2017

BY: JLS

CHKD.: JLS

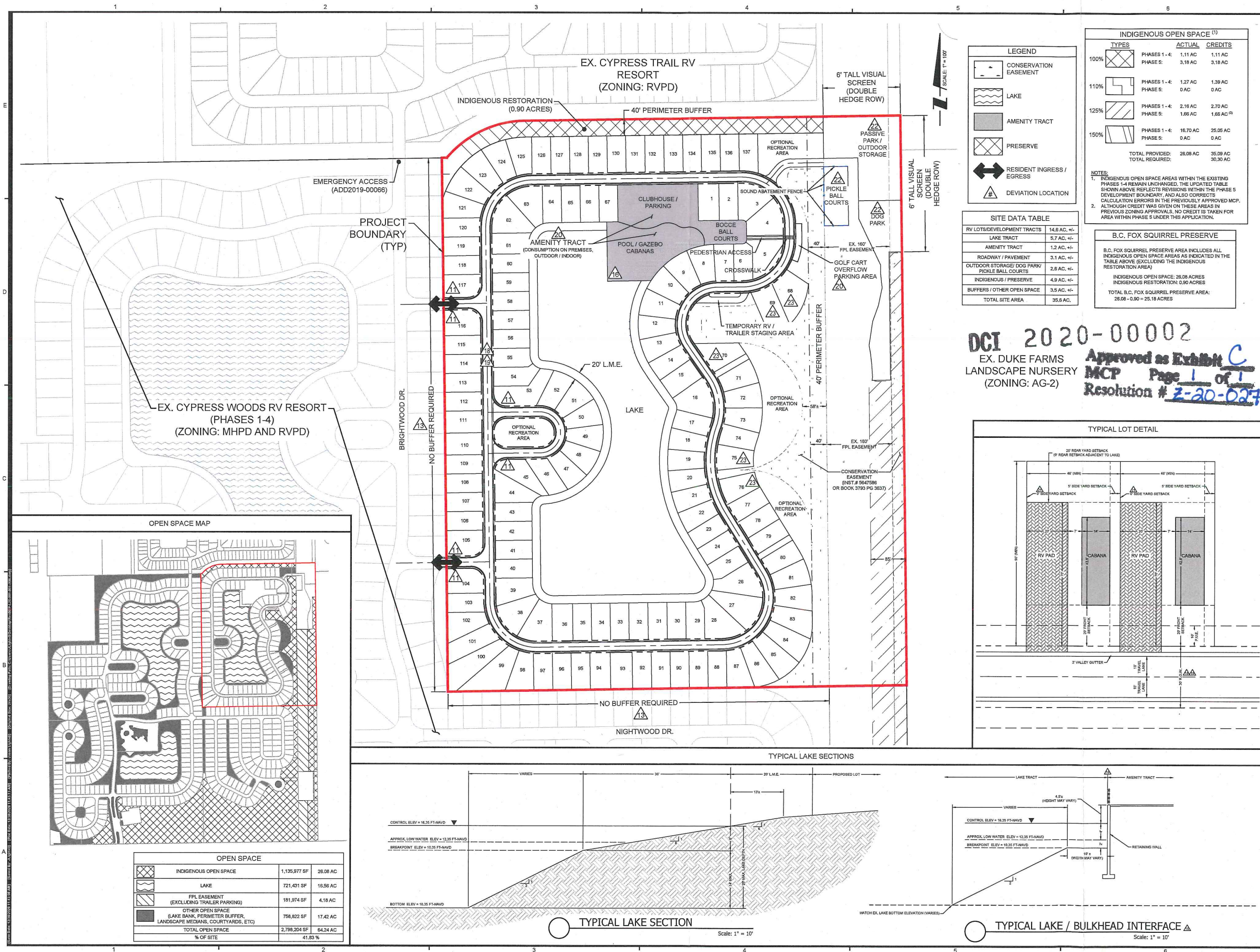
DATE: 05/01/2017

BY: JLS

CHKD.: JLS

SHEET 2 OF 3

3434

**CYPRESS WOODS RV RESORT PHASE 5 RECREATIONAL VEHICLE PLANNED DEVELOPMENT**

TITLE:

MASTER CONCEPT PLAN

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 #22 ADDED	07/13/20
4	SCHEDULE OF DEVIATIONS REMOVED PER COUNTY	06/05/20
5	REVISED PER STAFF REPORT	09/01/20
6	REVISED PER HIX CONDITIONS	12/30/20

NOTES:

PROFESSIONAL SEALS:

PROFESSIONAL ENGINEER: DANIEL C. HARTLEY
FLORIDA LICENSE NUMBER: 73943DATUM NOTE:
ALL ELEVATIONS ARE BASED ON NAVD 88
(NORTH AMERICAN VERTICAL DATUM OF 1988).

Bar Scale: 1" = 100'

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

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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AUG 23 2010

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

EXHIBIT D

ZVL2019-00095 Lee County ePlan

Southern Biomes, Inc.

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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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ZVL2019-00095 Lee County ePlan

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Ph: (239) 334-6766 - Geza 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 elliotii*) 10' w/min 2" dbh
 - 22 slash pine (*Pinus elliotii*) 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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AUG 23 2010

COMMUNITY DEVELOPMENT

DCX 2007-00078

ZVL2019-00095 Lee County ePlan

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Ph: (239) 334-6766 - Geri 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

RECEIVED

AUG 23 2010

ZVL2019-00095 Lee County ePlan

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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.

DCI 2007-00078