

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.

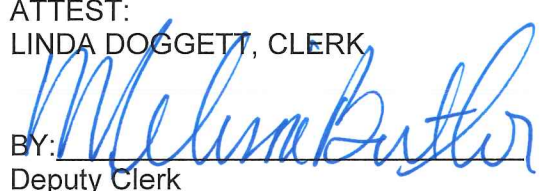
Commissioner Hamman made a motion to adopt the foregoing resolution, seconded by Commissioner Pendergrass. The vote was as follows:

Adopted by unanimous consent.

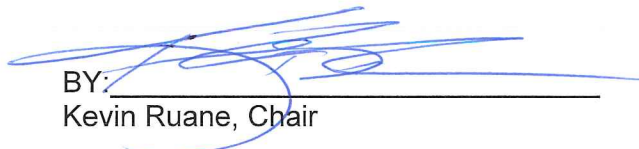
Kevin Ruane	Absent
Cecil Pendergrass	Aye
Raymond Sandelli	Aye
Brian Hamman	Aye
Frank Mann	Aye

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

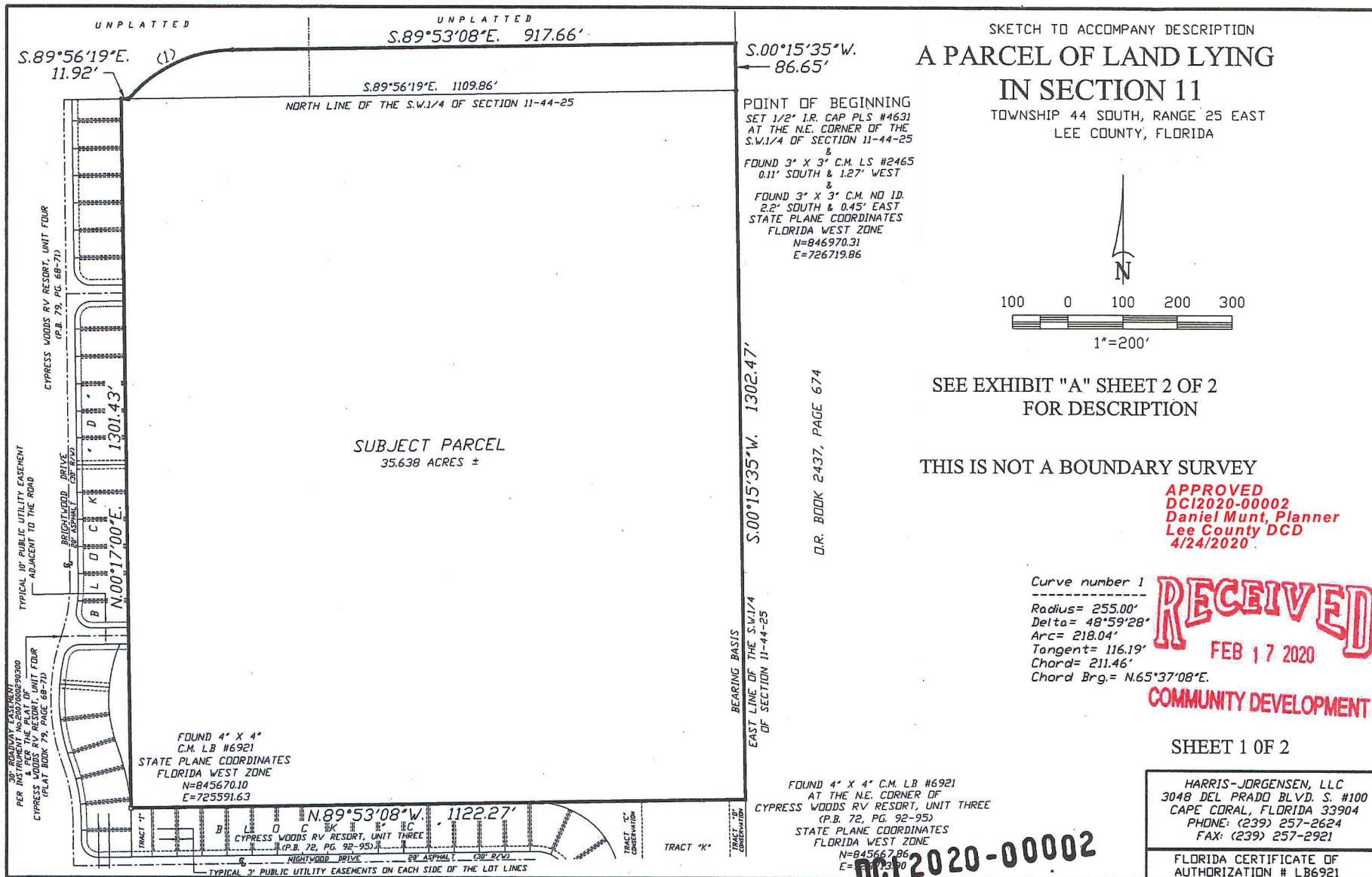


APPROVED AS TO FORM FOR THE
RELIANCE OF LEE COUNTY ONLY


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

RECEIVED
MINUTES OFFICE
NRS
2021 FEB -1 PM 2:47

EXHIBIT A



TELEPHONE RECORDS SECTION OF INVESTIGATIVE DIVISION

MATTERS PERTAINING TO OWNER'S POLICY
AT OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY
POLICY NO. DF6-3735952, DATED JANUARY 28, 1960 AT 436 PM

SCHEDULE B-II

ITEMS 1, 2, 3, 4, 5, 7, 8, 9, 12, 14, 16, 17, AND 18 ARE NOT SURVEY RELATED.

ITEM 6 DEED BOOK 255, PAGE 496, AS SHOWN HEREIN.

ITEM 10 OLD BOOK 3753, PAGE 2637, AS SHOWN HEREIN.

ITEM 11 OLD BOOK 4265, PAGE 3002, AS SHOWN HEREIN.

ITEM 12 INSTRUMENT NO. 2000-0000000000 AS SHOWN HEREIN.

ITEM 15 INSTRUMENT NO. 2000-0000000000, AS SHOWN HEREIN.

Curve number 1
 Radius= 255.00' (S & D)
 Delta= 48°59'28" (S & D)
 Arc= 218.04' (S & D)
 Chord= 211.46' (S & D)
 Chord Brg.= N.64°35'12"E. (S)
 Chord Brg.= N.65°37'08"E. (D)

2. BASIS OF BEARING DEPENDS THEREIN TAKEN FROM THE EAST LINE OF THE
 3. SECTION 16, T4S, R10E, S12E, BEING SURVEYED.
 4. 5. FILED NOTES IN SECTION 14-4-25.
 6. 6. THE SURVEYED BEING DEPENDS THEREIN TAKEN FROM THE EAST LINE OF THE
 7. SECTION 16, T4S, R10E, S12E, BEING SURVEYED.
 8. 9. CERTIFICATION OF TITLE, ZONE OF FREEDOM OF ENCUMBRANCES.
 9. THIS SURVEY IS BASED ON DUNN'S PLOT OF 1846 PUBLIC LANDS, NATIONAL
 10. ARCHIVES, WASHINGTON, D.C., MAP NO. 10,000,000, MAY 1846,
 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100. 101. 102. 103. 104. 105. 106. 107. 108. 109. 110. 111. 112. 113. 114. 115. 116. 117. 118. 119. 120. 121. 122. 123. 124. 125. 126. 127. 128. 129. 130. 131. 132. 133. 134. 135. 136. 137. 138. 139. 140. 141. 142. 143. 144. 145. 146. 147. 148. 149. 150. 151. 152. 153. 154. 155. 156. 157. 158. 159. 160. 161. 162. 163. 164. 165. 166. 167. 168. 169. 170. 171. 172. 173. 174. 175. 176. 177. 178. 179. 180. 181. 182. 183. 184. 185. 186. 187. 188. 189. 190. 191. 192. 193. 194. 195. 196. 197. 198. 199. 200. 201. 202. 203. 204. 205. 206. 207. 208. 209. 210. 211. 212. 213. 214. 215. 216. 217. 218. 219. 220. 221. 222. 223. 224. 225. 226. 227. 228. 229. 230. 231. 232. 233. 234. 235. 236. 237. 238. 239. 240. 241. 242. 243. 244. 245. 246. 247. 248. 249. 250. 251. 252. 253. 254. 255. 256. 257. 258. 259. 260. 261. 262. 263. 264. 265. 266. 267. 268. 269. 270. 271. 272. 273. 274. 275. 276. 277. 278. 279. 280. 281. 282. 283. 284. 285. 286. 287. 288. 289. 290. 291. 292. 293. 294. 295. 296. 297. 298. 299. 300. 301. 302. 303. 304. 305. 306. 307. 308. 309. 310. 311. 312. 313. 314. 315. 316. 317. 318. 319. 320. 321. 322. 323. 324. 325. 326. 327. 328. 329. 330. 331. 332. 333. 334. 335. 336. 337. 338. 339. 340. 341. 342. 343. 344. 345. 346. 347. 348. 349. 350. 351. 352. 353. 354. 355. 356. 357. 358. 359. 360. 361. 362. 363. 364. 365. 366. 367. 368. 369. 370. 371. 372. 373. 374. 375. 376. 377. 378. 379. 380. 381. 382. 383. 384. 385. 386. 387. 388. 389. 390. 391. 392. 393. 394. 395. 396. 397. 398. 399. 400. 401. 402. 403. 404. 405. 406. 407. 408. 409. 410. 411. 412. 413. 414. 415. 416. 417. 418. 419. 420. 421. 422. 423. 424. 425. 426. 427. 428. 429. 430. 431. 432. 433. 434. 435. 436. 437. 438. 439. 440. 441. 442. 443. 444. 445. 446. 447. 448. 449. 450. 451. 452. 453. 454. 455. 456. 457. 458. 459. 460. 461. 462. 463. 464. 465. 466. 467. 468. 469. 470. 471. 472. 473. 474. 475. 476. 477. 478. 479. 480. 481. 482. 483. 484. 485. 486. 487. 488. 489. 490. 491. 492. 493. 494. 495. 496. 497. 498. 499. 500. 501. 502. 503. 504. 505. 506. 507. 508. 509. 510. 511. 512. 513. 514. 515. 516. 517. 518. 519. 520. 521. 522. 523. 524. 525. 526. 527. 528. 529. 530. 531. 532. 533. 534. 535. 536. 537. 538. 539. 540. 541. 542. 543. 544. 545. 546. 547. 548. 549. 550. 551. 552. 553. 554. 555. 556. 557. 558. 559. 560. 561. 562. 563. 564. 565. 566. 567. 568. 569. 570. 571. 572. 573. 574. 575. 576. 577. 578. 579. 580. 581. 582. 583. 584. 585. 586. 587. 588. 589. 590. 591. 592. 593. 594. 595. 596. 597. 598. 599. 600. 601. 602. 603. 604. 605. 606. 607. 608. 609. 610. 611. 612. 613. 614. 615. 616. 617. 618. 619. 620. 621. 622. 623. 624. 625. 626. 627. 628. 629. 630. 631. 632. 633. 634. 635. 636. 637. 638. 639. 640. 641. 642. 643. 644. 645. 646. 647. 648. 649. 650. 651. 652. 653. 654. 655. 656. 657. 658. 659. 660. 661. 662. 663. 664. 665. 666. 667. 668. 669. 670. 671. 672. 673. 674. 675. 676. 677. 678. 679. 680. 681. 682. 683. 684. 685. 686. 687. 688. 689. 690. 691. 692. 693. 694. 695. 696. 697. 698. 699. 700. 701. 702. 703. 704. 705. 706. 707. 708. 709. 710. 711. 712. 713. 714. 715. 716. 717. 718. 719. 720. 721. 722. 723. 724. 725. 726. 727. 728. 729. 730. 731. 732. 733. 734. 735. 736. 737. 738. 739. 740. 741. 742. 743. 744. 745. 746. 747. 748. 749. 750. 751. 752. 753. 754. 755. 756. 757. 758. 759. 760. 761. 762. 763. 764. 765. 766. 767. 768. 769. 770. 771. 772. 773. 774. 775. 776. 777. 778. 779. 780. 781. 782. 783. 784. 785. 786. 787. 788. 789. 790. 791. 792. 793. 794. 795. 796. 797. 798

THIS SURVEY IS CERTIFIED TO
DUANE J. TRUETT
LEE COUNTY

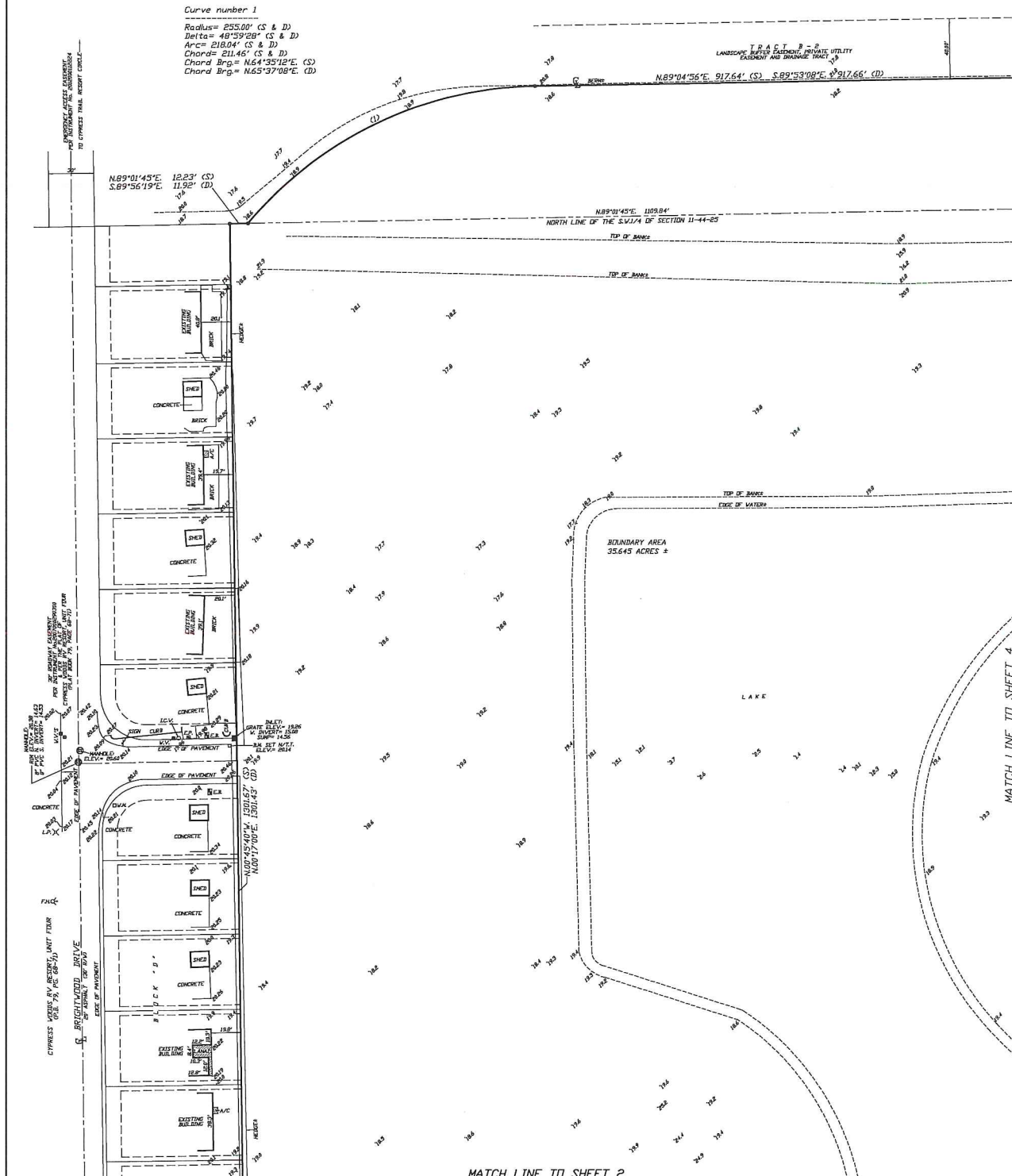
| | | |
|----------|----------|-----------------------|
| 592D | R.W.B. | RECLAIM WATER BOX |
| | W.M. | WATER METER |
| C/M | D/H | OVERHEAD POWER |
| LOADMENT | P.C.E. | POWER POLE |
| EXT | G.A.V. | GUY ANCHOR & WIRE |
| | T.S.R. | TELEPHONE SERVICE BOX |
| | N/D | NAIL & DISK |
| | N/T.T. | NAIL & TINTAB |
| | ELEV. | ELEVATION |
| | B.M. | BENCHMARK |
| | M/C | TYPICAL ELEVATION |
| | A/C | AIR CONDITIONER |
| | W.S. | WATER SYSTEM |
| | P.E. | POOL EQUIPMENT |
| | CONCRETE | CONCRETE |
| | E.O. | ELECTRIC OUTLET |

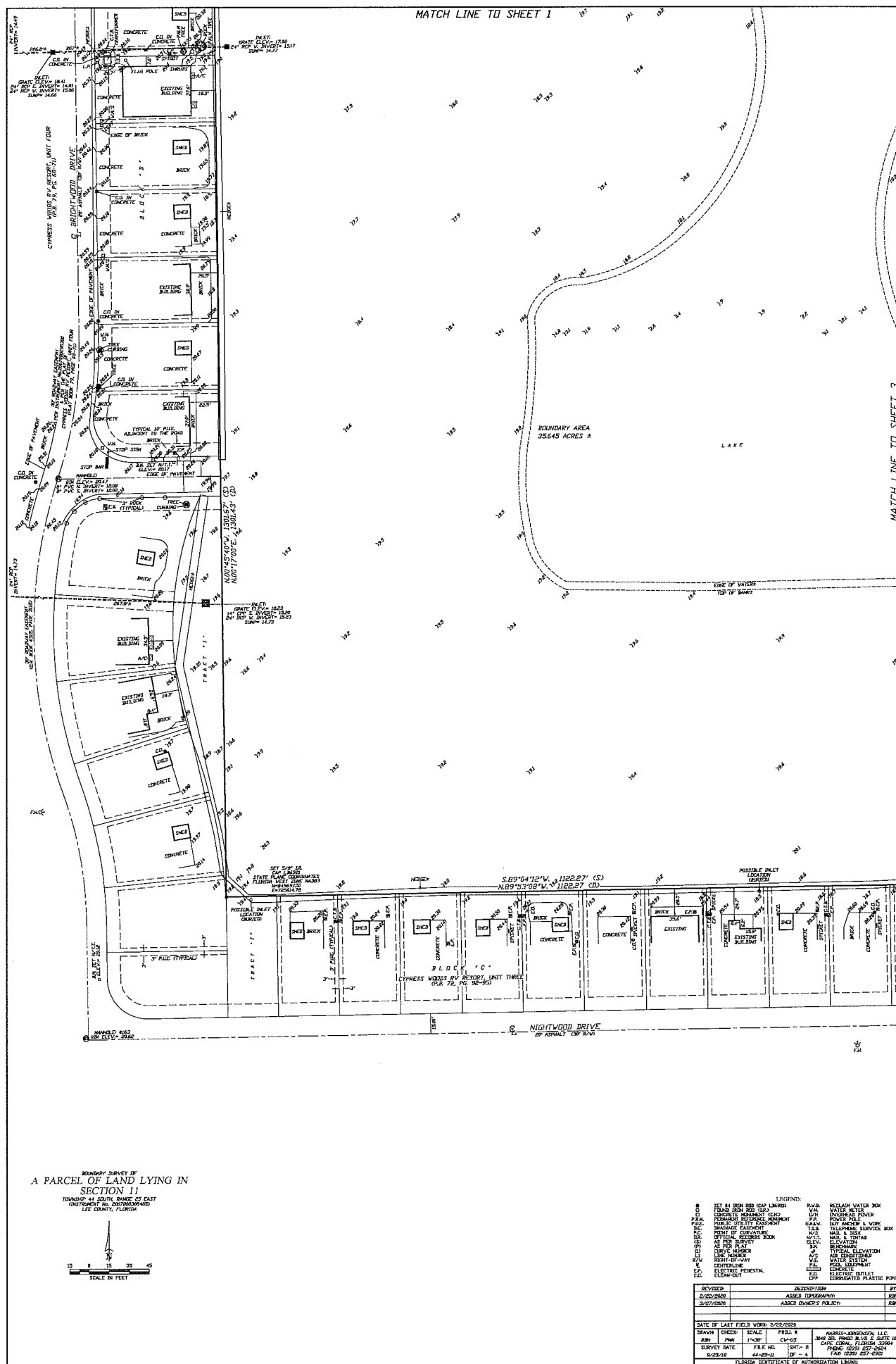
| | |
|--------|-----------------------|
| R.W.B. | RECLAIM WATER BOX |
| V.M. | RAIN WATER |
| P.S. | OVERHEAD POWER |
| G.A.V. | POWER CABLE |
| T.S.R. | GUY ANCHOR & WIRE |
| N/D | TELEPHONE SERVICE BOX |
| N.Y.T. | MAIL & DISK |
| ELEV. | MAIL & TINTAB |
| B.M. | ELEVATION |
| A/C | BENCHMARK |
| U.S. | TYPICAL ELEVATION |
| P.E. | AIR CONDITIONER |
| | WATER SYSTEM |
| | POOL EQUIPMENT |
| | CONCRETE |
| | ELECTRIC OUTLET |

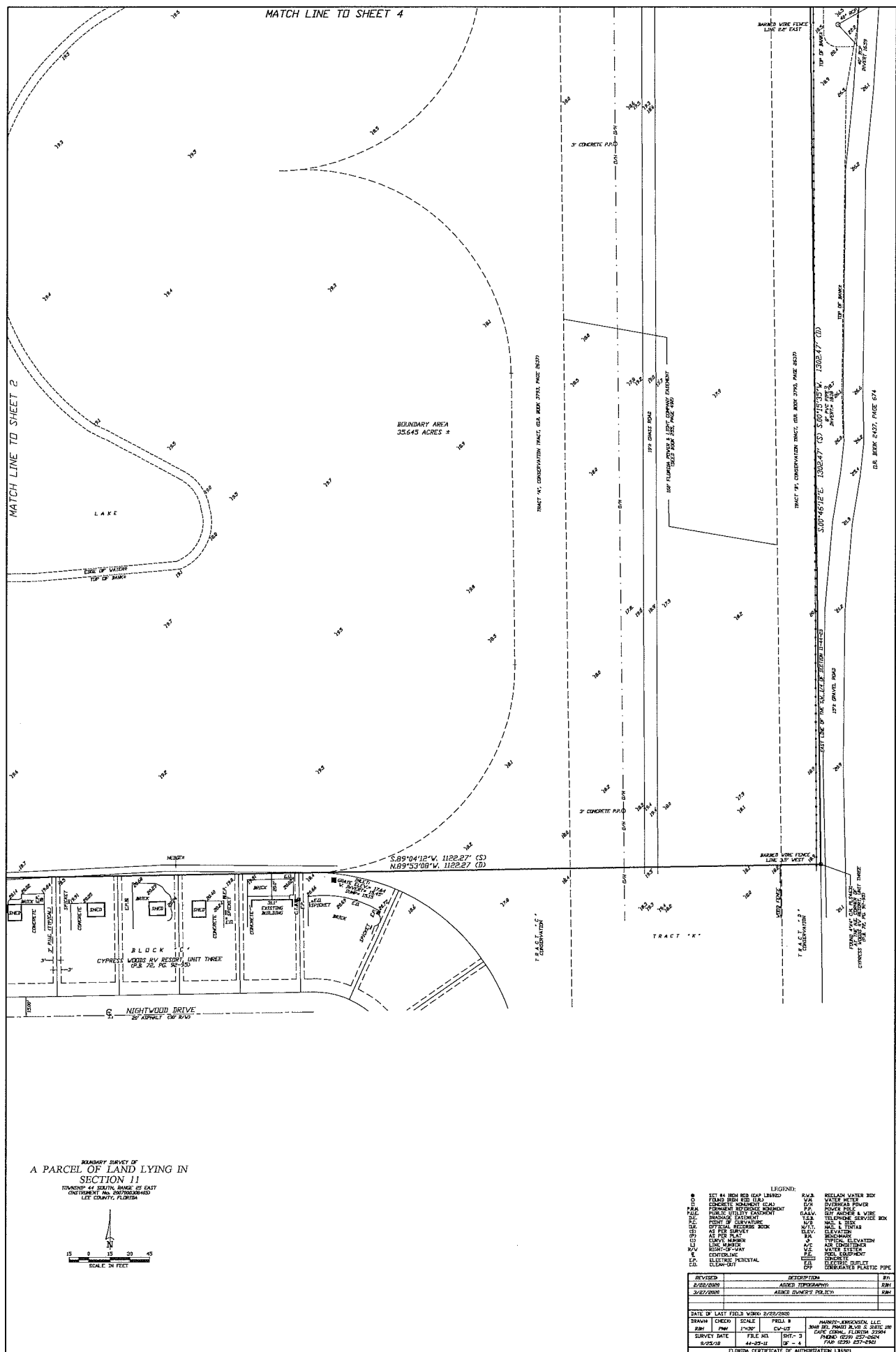
TOWNSHIP 14 SOUTH, RANGE 25 EAST
INSTRUMENT NO. 2007086368-105
LEE COUNTY, FLORIDA

15 0 15 30 45

DESCRIPTION: (PER OWNER'S POLICY)

[illegible]





BOUNDARY SURVEY OF
A PARCEL OF LAND LYING IN
SECTION 11
TOWNSHIP 44 SOUTH, RANGE 25 EAST
CONSTRUMENT NO. 2007000364040
LEE COUNTY, FLORIDA

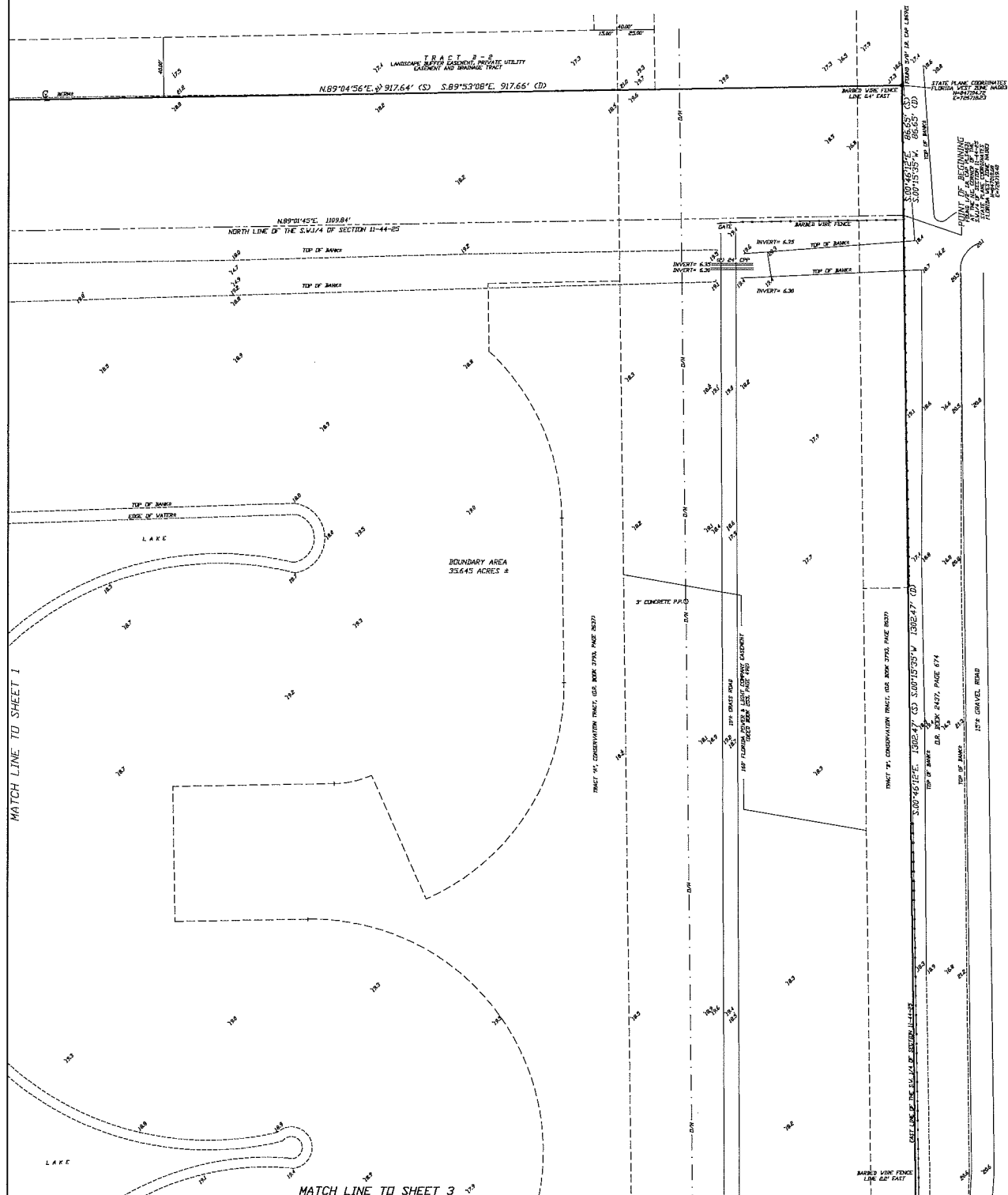
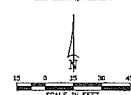


EXHIBIT 6



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 89°08'12" E

640.00'

S 00°23'18" E

2621.33'

N 89°08'12" E

640.00'

S 00°23'18" E

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N 89°08'12" E

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N 89°08'12" E

640.00'

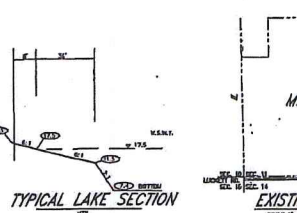
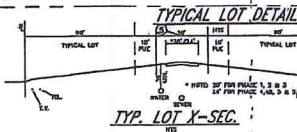
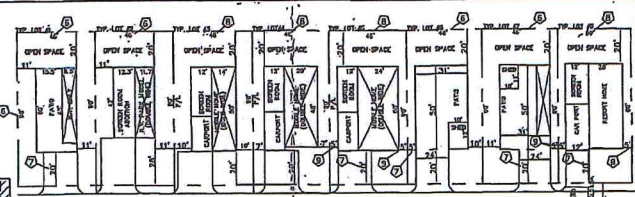
S 00°23'18" E

2621.33'

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MAY 15 2019

COMMUNITY DEVELOPMENT

EXHIBIT C



SCHEDULE OF DEVIATIONS

- 1. A deviation from Section 15-11-01 of the Lee County Code to allow a maximum of 35 feet for a building height in the R.V. zone.
- 2. A deviation from Section 15-11-02 of the Lee County Code to allow a maximum of 2 stories for a building height in the R.V. zone.
- 3. A deviation from Section 15-11-03 of the Lee County Code to allow a maximum of 35 feet for a building height in the M.H. zone.
- 4. A deviation from Section 15-11-04 of the Lee County Code to allow a maximum of 2 stories for a building height in the M.H. zone.
- 5. A deviation from Section 15-11-05 of the Lee County Code to allow a maximum of 35 feet for a building height in the R.V. zone.
- 6. A deviation from Section 15-11-06 of the Lee County Code to allow a maximum of 2 stories for a building height in the R.V. zone.
- 7. A deviation from Section 15-11-07 of the Lee County Code to allow a maximum of 35 feet for a building height in the M.H. zone.
- 8. A deviation from Section 15-11-08 of the Lee County Code to allow a maximum of 2 stories for a building height in the M.H. zone.
- 9. A deviation from Section 15-11-09 of the Lee County Code to allow a maximum of 35 feet for a building height in the R.V. zone.
- 10. A deviation from Section 15-11-10 of the Lee County Code to allow a maximum of 2 stories for a building height in the R.V. zone.

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 | 4.88 ACRES | 6.08 ACRES |
| 1300 | 16.70 ACRES | 15.58 ACRES |
| TOTAL PROVIDED | 12.87 ACRES | 23.08 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

CREATED AREA TOTAL = 1,807.80 S.F. (41.24 AC.)

2 S.F. SEC.

HURRICANE SHELTER (PER 1000 S.F. OF COVER (10-100))

RELOCATED EXISTING SHELTER = 1,127.97 S.F.

PROPOSED = 1,127.97 S.F.

HISTORICAL RUNOFF

SCALE 1" = 50'

CYPRESS WOODS R.V. RESORT

ORIGINAL ZONING # 2-11-025

MASTER CONCEPT PLAN

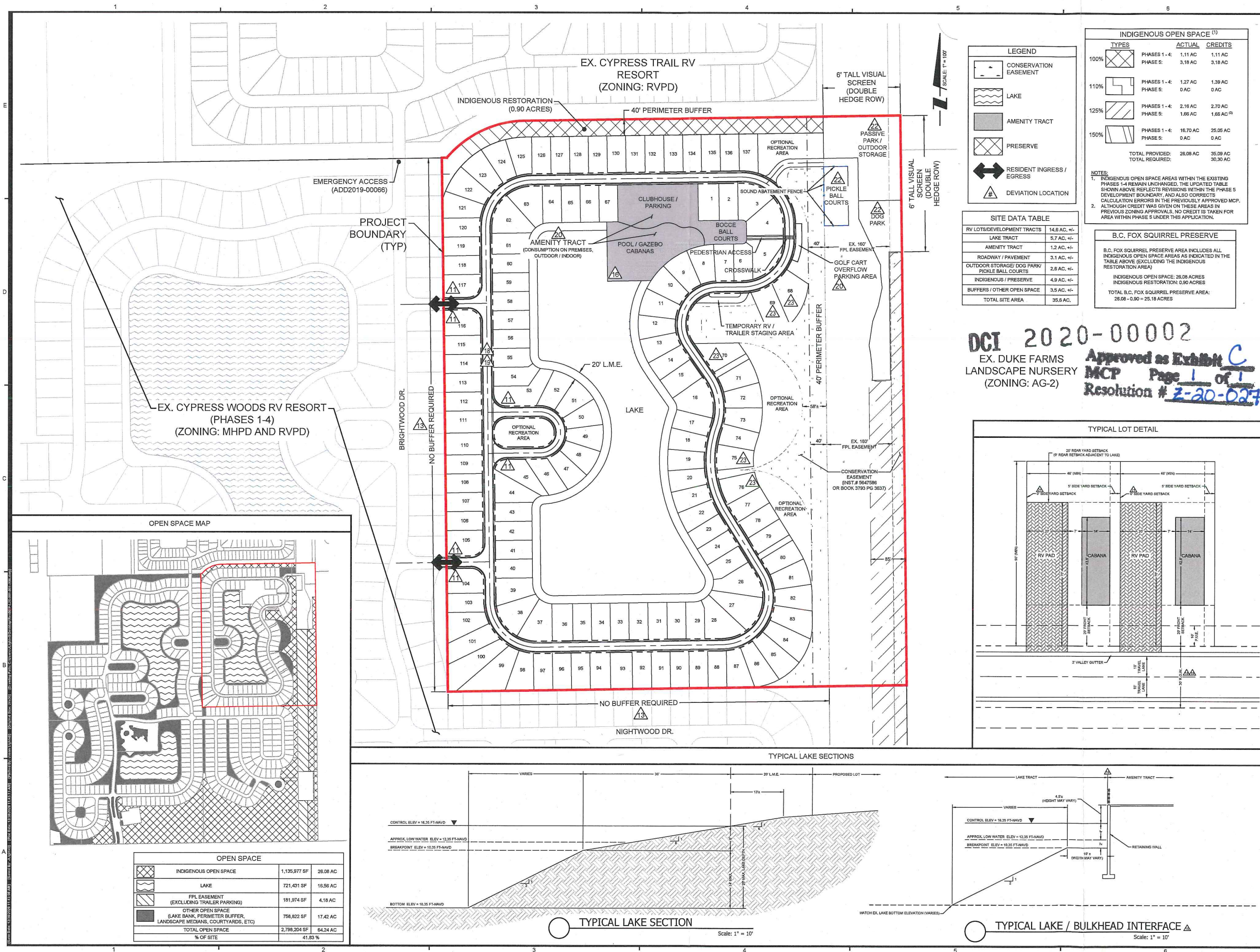
BARBOT, STEWART & ASSOCIATES, INC.

3378 EVANS AVENUE, FORT MYERS, FLORIDA 33909, PH. (813) 738-7333

| DATE | REVISION | APPROVED | DATE | REVISION | APPROVED |
|----------|--|----------|----------|--|----------|
| 02/15/14 | REVISED FOR 02/15/14 SUFFICIENTLY CHANGING | JEL | 02/15/14 | REVISED FOR 02/15/14 SUFFICIENTLY CHANGING | JEL |
| 02/15/14 | REVISED FOR 02/15/14 SUFFICIENTLY CHANGING | JEL | 02/15/14 | REVISED FOR 02/15/14 SUFFICIENTLY CHANGING | JEL |
| 02/15/14 | REVISED FOR 02/15/14 SUFFICIENTLY CHANGING | JEL | 02/15/14 | REVISED FOR 02/15/14 SUFFICIENTLY CHANGING | JEL |

EXHIBIT C

| | | | | | | | |
|----------|--|----------|--|---|-------------------|--|-------------------------|
| | | | | BARBOT, STEUART & ASSOCIATES, INC.
CONSULTING ENGINEERS
3278 DYING AVENUE, FORT MYERS, FLORIDA 33904, PH. (813) 938-7755 | | | |
| | | | | DESIGNED BY
MSL | CHECKED BY
MSL | | FILE NO.
3434 |
| | | | | REVISORY BY
JLA | CHECKED BY
MSL | | |
| | | | | SCALE: 1" = 150'
DATE: | SHEET 2 OF 3 | | |
| 06/10/78 | REVISED PER 05/14/78 SUFFICIENCY CHECKLIST | JLA | | | | | |
| 04/17/78 | REVISED PER 03/08/78 SUFFICIENCY CHECKLIST | JLA | | | | | |
| BLANK | REVISION | APPROVAL | | | | | |

**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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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.

1602 Woodford Ave., Fort Myers, FL 33901 - mail to: P.O. Box 50640, Fort Myers, FL 33994

Ph: (239) 334-6766 - Geza Wess de Czege, President - Fax: (239) 337-5028

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 - 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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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.

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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

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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