

Lee County, Florida
DEPARTMENT OF COMMUNITY DEVELOPMENT
ZONING SECTION
STAFF REPORT

Case Number: DCI2023-00051
Case Name: South Seas Island Resort MPD
Case Type: Planned Development Rezoning
Area to be Rezoned: ±120.5 Acres
Sufficiency Date: November 1, 2024
Hearing Date: February 14, 2025¹

REQUEST:

RVi Planning + Landscape Architecture, on behalf of WS SSIR Owner, LLC, has filed an application to rezone ±120.5 acres from Residential Multiple-Family (RM-2), Two-Family Conservation (TFC-2) and Marine Commercial (CM) to Mixed use Planned Development (MPD) to permit a maximum of 193 multi-family dwelling or timeshare units and 435 hotel rooms with common infrastructure and resort amenities.

SUMMARY:

The subject property consists of ±120.5 acres located within a 304-acre development known as South Seas Island Resort (hereafter “the Resort”). Administrative Interpretation ADD2002-00098 summarizes the remaining undeveloped units and development standards within the Resort. The subject property is in the boundary of the Captiva Community Plan Area per Lee Plan Map 2-A. Land Development Code (LDC) Section 33-1611(e) exempts South Seas Island Resort from the Captiva Community Plan Area regulations, unless otherwise specified. South Seas Island Resort is defined in Land Development Code (LDC) Section 33-1614 and depicted in LDC Appendix I, Map 18.

The MPD zoning proposes two hotel tracts comprised of five acres, three multi-family/timeshare tracts comprised of 20.4 acres, and 41.5 acres of preservation area. The remaining 54 acres is proposed to be devoted to infrastructure and amenities for residents and hotel guests of the Resort. The request, if approved, will reduce density, increase hotel room intensity and building heights. Staff recommends **APPROVAL** of a MPD zoning with conditions and deviations found in Attachment E of this report.

HISTORY OF PROPERTY:

The property’s RM-2 and TFC-2 zoning designations are associated with Zoning Resolution Z-73-202, which rezoned 304 acres in 1973 from “Two-Family Residence” (RU-2) and “Multiple Family Hotel and Motel” (RU-3) zoning districts to **“RU-3 with a PUD concept as a guid[e] with a special limitation of 3 units per acre and special permit for up to 5 acres of commercial development.”**

¹ February 20 and 21 are also reserved for public hearings if necessary to complete the Hearing Examiner’s record.

In 1973, a “PUD” or Planned Unit Development concept did not exist in the County’s zoning regulations. Subsequently, the 1978 codification of zoning regulations first introduced the PUD District and also converted the zoning districts in effect at that time into the modern naming conventions largely still utilized today. RU-2 was converted to RM-1 in 1978. After September of 1985, no application for the approval of a preliminary PUD development plan was accepted. Thereafter, all new PUDs must have been approved and administered under Article IV of this chapter and Division 9 of LDC Chapter 34 (planned developments). In 1986, RM-1 was converted to Two-Family Conservation (TFC-2), and RU-3 was converted to Residential Multiple-Family (RM-2), as it remains today. If the subject property was developed in accordance with its underlying TFC-2 and RM-2 Zoning designations, development of the subject property would be permitted subject to Lee County Land Development Code (LDC) Sections 34-691 through 34-695 establish the property development and use regulations for the TFC-2 District (see Attachment 1 for TFC-2 Use Regulations). Lee County Land Development Code (LDC) Sections 34-711 through 34-715 establish the property development and use regulations for the RM-2 District (see Attachment 2 for RM-2 Use Regulations).

Zoning Resolution Z-90-091: In 1990, the Lee County Board of County Commissioners initiated, and then approved (in 1991) a rezoning from RM-1² and RM-2 to Marine Commercial (CM) on land covering both marinas previously developed within the South Seas Island Resort.

Administrative Interpretation ADD2002-00098: Administrative Interpretation ADD2002-00098 was issued July 30, 2002, to assess the quantity of existing and remaining units associated with Resolution Z-73-202, and to establish the process to amend³ the Administrative Interpretation and its attendant development standards.⁴ This Interpretation also aimed to summarize, clarify and consolidate prior approvals. The Administrative Interpretation was not a rezoning or local development order approval (see Attachment Q). Notwithstanding the fact that the Administrative Interpretation was not a development order or permit, previous property owners have developed in accordance with the guidance provided in ADD2002-00098. However, the current conventional zoning districts on the subject property are the effective zoning designations as approved by the Board of County Commissioners.

The Administrative Interpretation identifies 272 units on the 120.5 acres subject to this rezoning request, with the following area names and number of units:

- Harborview - 107 Hotel Rooms
- Employee Housing - 140 Dwelling Units
- Harborview Villas - 25 Dwelling Units

² During adoption of Resolution Z-90-091, the “RM-1” District had already been converted to Two-Family Conservation (TFC-2) with adoption of the County’s 1986 zoning regulations, effective August 1, 1986. The reference to the RM-1 District in this 1991 resolution is therefore assumed to be in error.

³ ADD2002-00098 establishes the process to amend South Seas Resort with the same process set forth for planned unit developments in LDC §34-1038.

⁴ The Administrative Interpretation (ADD2002-00098) includes reference to open space, landscaping, building setbacks, building height, traffic impact, parking and other development standards, which are listed beginning on Page 12 of 16 of Attachment Q.

Administrative Amendments to the Administrative Interpretation were approved between 2003 and 2014 and did not involve a change in density or intensity. These amendments are summarized in Table 2 of the Applicant's Request Narrative (see Page 4 [*Request Statement*] of Attachment F). Following damage from Hurricane Ian in 2022, the remaining hotel rooms at Harborview were demolished.

CHARACTER OF THE AREA:

South Seas Island Resort is a large resort located on a barrier island known as Captiva Island. The Resort is accessed from the terminus of Captiva Drive, which serves as the main Road providing access throughout Captiva Island. Captiva Island is characterized by residential estate zoning, hotels/resorts, and the Andy Rosse Lane commercial core.

Many of the existing dwelling units available within the Resort and within the residential estate zoning areas are available for short-term rental (see Attachment V). Additionally, the existing hotels/resorts are all developed at greater than three hotel rooms per acre. The Andy Rosse Lane commercial core contains a mixture of commercial, residential, and hotel uses at varying intensities and densities.⁵

As a large destination resort located at the northern end of Captiva, the character of South Seas Island Resort is distinct from the rest of the island. The entrance of the Resort is separated from the remainder of Captiva Island by Captiva Drive's final bend, commercial lands, and approximately 20 acres of Rauschenberg Foundation⁶ owned property.

South Seas Plantation Road stretches approximately 2 miles northward from its intersection with Captiva Drive, fronting various internal condominiums, timeshares, and residential housing types before reaching Lands' End Village, a 68-unit condominium carved into the resorts golf course in 1985. Natural vegetation is sparse along segments of South Seas Planation Road following damage sustained by hurricanes over the past couple of years, and redevelopment of former amenities and buildings are underway.

Except for the southern development boundary, property immediately surrounding the subject property is within the 304 acres that comprise South Seas Island Resort and are subject to Resolution Z-73-202 and ADD2002-00098. These areas are zoned Residential Multiple-Family (RM-2) and Two-Family Conservation (TFC-2) and are in the Outlying Suburban and Wetlands Future Land Use Map categories. Additional descriptions of these lands are provided for in the Master Concept Plan Analysis beginning on Page 8.

⁵ Sunset Captiva RPD is located in the Andy Rosse Lane commercial core and is developed at approximately six units per acre.

⁶ The Robert Rauschenberg Foundation hosts residencies at the Foundation's New York headquarters and at the artist's former Captiva, Florida home and studio. These residencies are designed to provide time and space for research and artistic experimentation across the disciplines. *Robert Rauschenberg Foundation Website:* <https://www.rauschenbergfoundation.org/residencies>

South

Property to the south, across Captiva Drive (see Attachment C), is located in the Outlying Suburban Future Land Use Category and includes:

- Commercial (C-1): Chadwick's Square and the U.S Post Office (Special Commercial Office (CS-1)).
- Residential Single-Family (RS-1) and Two-Family Conservation (TFC-2): Two single-family residences gulf side near Alison Hagerup Beach Park.
- Commercial (C-1): Property owned by the Robert Rauschenberg Foundation with two single-family residences and one currently under construction. Cattycorner from these cottages, the foundation also owns approximately 10 acres of Two-Family Conservation (TFC-2) zoned property across Captiva Drive on Pine Island Sound, which shares a common a boundary with the subject property. The TFC-2-zoned property includes the Fish House at the Rauschenberg Estate, which is built onto a seaward dock and currently holds a Lee County historic designation (HDC2014-00002). The upland buildings are also used by the foundation.

AVAILABILITY OF PUBLIC SERVICES:

Public services are defined by the Lee Plan as “the requisite services, facilities, capital improvements, and infrastructure necessary to support growth and development.” The following details the level of public services currently serving the subject property:

Public water and sewer: The subject property is located within the Island Water Association (IWA) potable water franchise area. Potable water lines are in operation adjacent to the property with available capacity. This letter of availability, utility demand analysis, and corresponding waiver approval⁷ are sufficient for zoning consideration, as expanded in the Lee Plan Analysis herein (see Attachment R). The property is located within the Florida Governmental Utility Authority (FGUA) wastewater franchise area. Wastewater disposal service is available to the subject property with sufficient capacity to accommodate the request (also attached as Attachment R).

Paved streets and roads: The subject property is bound externally by Captiva Drive, a two-lane County-maintained major collector road according to Administrative Code AC-11-1. South Seas Plantation Road is a paved private roadway providing access to South Seas Island Resort.

Police, fire, and emergency services: The subject property is located in the Captiva Island Fire Control District, stationed at 14981 Captiva Drive, approximately 0.25 miles from the southern boundary of the project. This station also contains Lee County EMS dispatch (Medic #42). The Lee County Sheriff's Office (LCSO) serves the subject property, with the nearest substation located at 5400 South Seas Plantation Drive, internal to the resort.

⁷ See GEN2024-00223 and Utility Demand Analysis as part of Attachment R of this report.

Schools: The subject property is located in the Lee County School District. Hotel and timeshare units do not impact school capacity. The request to reduce density has a reduced impact on Lee County School District.

ANALYSIS:

Baseline Development Standards

The development standards applicable to the property subject to this rezoning request are located in Table 1. Table 1 provides the property development regulations for new construction listed in ADD2002-00098 compared to the development regulations proposed by this request. The purpose of the comparison is to provide a baseline for comparison of existing regulations to those requested as part of this application. While the property is zoned RM-2 and TFC 2, the property has developed with the parameters outlined in ADD2002-00098. The baseline analysis utilizes ADD2002-00098 as the outline for the development parameters. Although ADD2002-00098 is not a development permit, and it did not authorize development, it is an appropriate starting point for reviewing the proposed rezoning application.

Table 1: Building Development Regulations & Development Type

	Administrative Interpretation	Proposed MPD
Height	Lesser of 42 feet above sea level or 35 feet above grade	45 feet above lowest minimum habitable floor elevation
Lot Dimensions	None	Minimum Lot Area: 4,500 SF 2,000 SF for accessory tracts
Lot Coverage	None	75% (90% for Tract A-1)
Perimeter Setback	Variable: 10 – 20 Feet	Variable: 15 – 22.5 Feet (1)
Public Street Setback	25 Feet	25 feet
Private Street Setback	10 feet (2)	10 feet (2)
Waterbody Setback	25/50 (3)	25/50 (3)
Development Type	272 Dwelling/Timeshare Units or Hotel Rooms	193 Dwelling/Timeshare Units and 435 Hotel Rooms

- (1) Perimeter setback distance equal to half the height of the building or 15 feet, whichever is greater. See Deviations #11A & #11B and Condition 9.d. in Attachment E for exceptions.
- (2) As measured from nearest edge of private street pavement.
- (3) The proposed request will reduce the minimum waterbody setback from the Gulf of Mexico is 50 feet and 25 feet for all other waterbodies. See Condition 2.b. in Attachment E for MPD exceptions in Docking Facility Tracts.

The request is to reduce density⁸ and increase hotel room intensity⁹, in addition the proposed property development regulations seek to increase the maximum permitted height. Land Development Code Section 34-1802(4)d. requires applicants proposing hotels through the planned development zoning process to demonstrate that the height, traffic generation and other attributes of intensity are compatible with the surrounding area and consistent with the Lee Plan. The planned

⁸ *Density* means “an existing or projected relationship between numbers of dwelling or housing units and land area” (See LDC §34-2, Definitions). Also see Lee Plan Glossary, Chapter XIV.
⁹ *Intensity* means “a measurement of the degree of customarily nonresidential uses based on use, size, impact, bulk, shape, height, coverage, sewage generation, water demand, traffic generation or floor area ratios” (See LDC §34-2, Definitions).

development process requires this demonstration with a Master Concept Plan depicting the location and orientation of buildings, as well as proposed property development regulations, and infrastructure capacity analyses to establish findings that the hotel intensity corresponds with the land in question. In addition to compatibility considerations, site design features such as building height, setbacks, required open space, buffering, stormwater management areas, and parking impact the potential buildable areas and building volume. The applicant proposes to mitigate impacts of the request, in part, by removing the commercial marinas, restaurants and meeting space currently open to the general public to limit these uses to only hotel guests and residents of the Resort.

FINDING. The subject property accounts for ±120.5 acres or approximately 40 percent of the South Seas Island Resort. The requested allocation of hotel intensity is 435 rooms and is limited to (3) habitable building stories sited on 5 cumulative acres. As a mixed-use development, the commercial portion of the project will share approximately 96 acres of common MPD amenities and infrastructure, including available central water and sewer, preservation areas, and open space with the residential component of the collective 120.5-acres subject to this request. Under ADD2002-00098, hotel uses are permitted throughout the Resort and provides a mechanism to convert dwelling units to hotel rooms. Therefore, the hotel intensity proposed by this request corresponds to the degree of land and infrastructure in question, and with conditions attached hereto as Attachment E, staff finds the request will be compatible with the surrounding area (as further analyzed in this report). Other measures of intensity, such as traffic generation and water and sewer demand are found to be consistent with applicable zoning requirements in the succeeding analysis.

The residential component of the request is regarded in a similar light. Buildings housing 193 multi-family or timeshare units are to be dispersed across 20.4 acres of designated residential building tracts in the planned development. The density is consistent with the density ranges afforded by the designated Lee Plan future land use categories. The residential tracts abut existing multi-family and timeshare units, which are two-and three-story buildings above unhabitable space below. The larger of the proposed multi-family building is situated on Tract B, in the southern portion of the Resort, where adjacent three-story condominiums throughout this area accumulate 322 total dwelling units. Due to the potential height (further described below) and mass of the building on Tract B, additional separation from the development perimeter is necessary for compatibility. Therefore, staff finds that the proposed residential uses, as conditioned, will be compatible based on fit and similarity with the surrounding area. The applicant's requested building setbacks are nearly identical to those listed in ADD2002-00098 (Attachments F [*Property Development Regulations*] and Q).

Building Height

The request is to increase maximum permitted building height from the lesser of 35 feet above the grade surrounding the foundation of the building or 42 feet above sea level, to 45 feet (3 habitable stories maximum) above the required flood elevation. The existing standards do not take into account mandatory flood elevation. The volume of buildings under the existing standard is increasingly compressed with the maximum height remaining static as the lowest minimum habitable floor elevation increases through revisions to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRM), and the Florida Building Code (FBC).

In 2023, the Lee County Board of County Commissioners amended the LDC pursuant to Ordinance 23-22, to adjust building height regulations to take into consideration build back efforts throughout Lee County in recognition of new flood regulations (see Attachment U). LDC Section 34-2175 establishes that the Outlying Suburban Future Land Use category permits buildings at 45 feet in building height. The applicant is requesting the ability to build three stories with the measurement of height beginning at the lowest minimum habitable floor elevation for which a building permit may be issued, which is consistent with the LDC¹⁰. The LDC accounts for barrier island conditions with these provisions. Several three-story buildings currently exist in the Resort.

Three (3) primary variables establish the required elevation of a building above grade (ground level) in order to determine starting point of the proposed 45-foot building height measurement: **Coastal R Monument Marker**, **Coastal A Zone**, and **AE Zone**. The AE and Coastal A zones are established by the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRM). The R Monuments are established by the Florida Department of Environmental Protection (FDEP). Generally, height is measured to the highest point of a flat roof, or to the mean height level between the eaves and ridge of gable, hip or other similar pitched roof. Minor exceptions are provided for ornamental and necessary mechanical functions (See LDC Sections 34-2171 through 34-2175). The findings below provide a basis for the estimated building height, as measured from the ground.

1. In “**AE**” Zones on the subject property, the grade ranges from approximately 2.5 to 5 feet above sea level and the required FEMA elevation is 7 feet above sea level. The Florida Building Code (FBC) requires an additional foot of elevation above the minimum flood requirement (freeboard), bringing the first minimum habitable floor elevation to 8 feet, which is roughly 3 to 5.5 feet above grade in these areas to begin the measurement. In the southern resort area, the AE Zone commencement is applicable to the hotel building on Tract A-1 and amenity/support Tracts A, C and L-1. In the northern area, AE Zone commencement appears applicable to the multi-family/timeshare buildings on Tract E and restaurant on Tract G. These buildings may range between approximately 48 to 51 feet above grade with minor ornamental/mechanical exceptions provided for in the LDC.
2. In “**Coastal A**” Zones on the subject property, the grade ranges from approximately 3 feet above sea level and the required FEMA elevation is 7 feet above sea level. The FBC requires an additional foot of elevation above the minimum flood requirement (freeboard), bringing the first minimum habitable floor elevation to 8 feet, which is roughly 5 feet above grade in these areas. The Coastal A areas are designated as areas of “limited wave action” (LiMWA), and the LDC provides for optional increased resiliency¹¹, whereby the building may be elevated a maximum of 4 feet above the minimum required first habitable floor elevation with a corresponding height increase. Buildings depicted in the Coastal A zone on the MCP (see “LiMWA” demarcation, Attachment D) are in the northern area of the subject property (Tract I-1 and amenity/support Tracts I, F-1 and F). These buildings may be approximately 54 feet above grade with minor ornamental/mechanical exceptions provided for in the LDC.

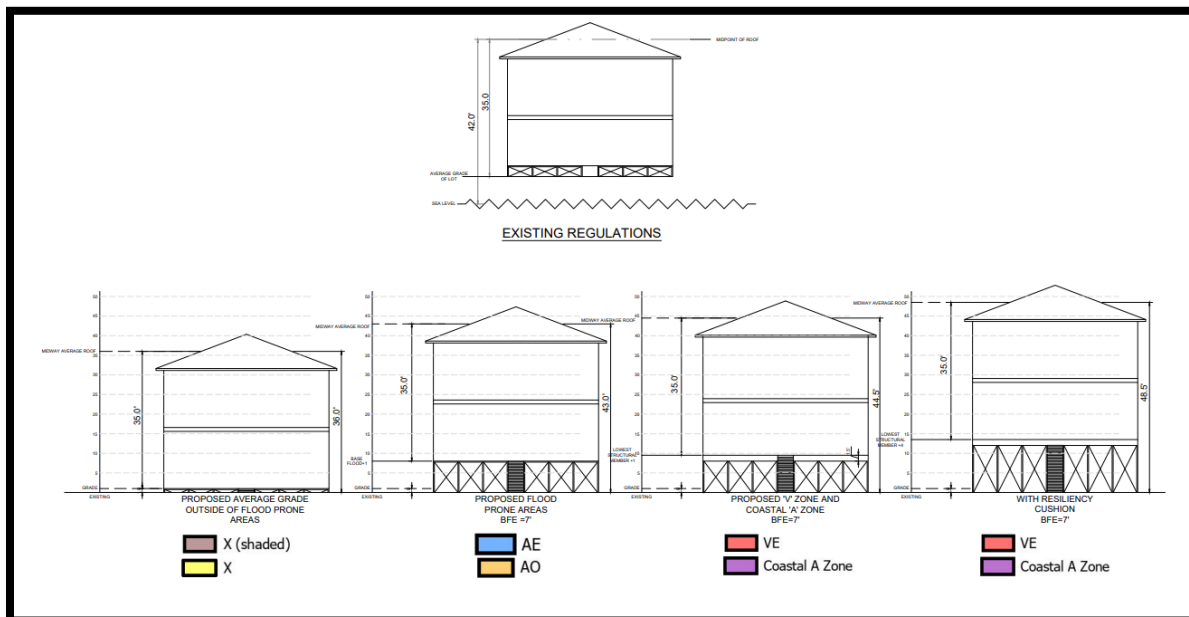
¹⁰ See LDC §34-2171(b) and LDC §34-2172

¹¹ See LDC §34-2172, Exceptions to height limitations for resiliency.

- For buildings that extend seaward of the 1991 Coastal Construction Control Line (CCCL), FDEP establishes a lowest minimum horizontal member elevation based on the nearest **Coastal R Monument Marker** to the structure. This elevation requirement is 17.46 feet above sea level. Typically, the first minimum habitable floor is 18 to 24 inches above the surface of the lowest horizontal member.¹² In the south area, the grade is approximately 4 feet above sea level in the areas with development depicted seaward of the CCCL on the MCP (Residential Tract B). In the north area, the grade is approximately 5 feet above sea level in the areas with development depicted seaward of the CCCL on the MCP (Residential Tract H). This places the 45-foot height commencement at roughly 15 to 16 feet above ground in these areas. These buildings may be approximately 60 feet above grade with minor ornamental/mechanical exceptions provided for in the LDC.

Tract B abuts the southern boundary of the Resort (Captiva Drive). Given the potential height, staff recommends Condition 9.d, requiring increased setbacks for development of buildings on Tract B. Attachment X of this report includes two renderings of a two-story hotel, set back 25 feet from the Captiva Drive Right-of-way, at a building height of 35 feet above grade. Sightlines are from Captiva Drive, as well as from the beach. The building is visible from both sightlines at the current maximum building height of 35 feet. Without appropriate setback conditions to enhance compatibility with surrounding uses, a building 60 feet above grade could negatively impact the surrounding properties. See Illustration 1 below:

Illustration 1: South Seas Island Resort Building Height Exhibit



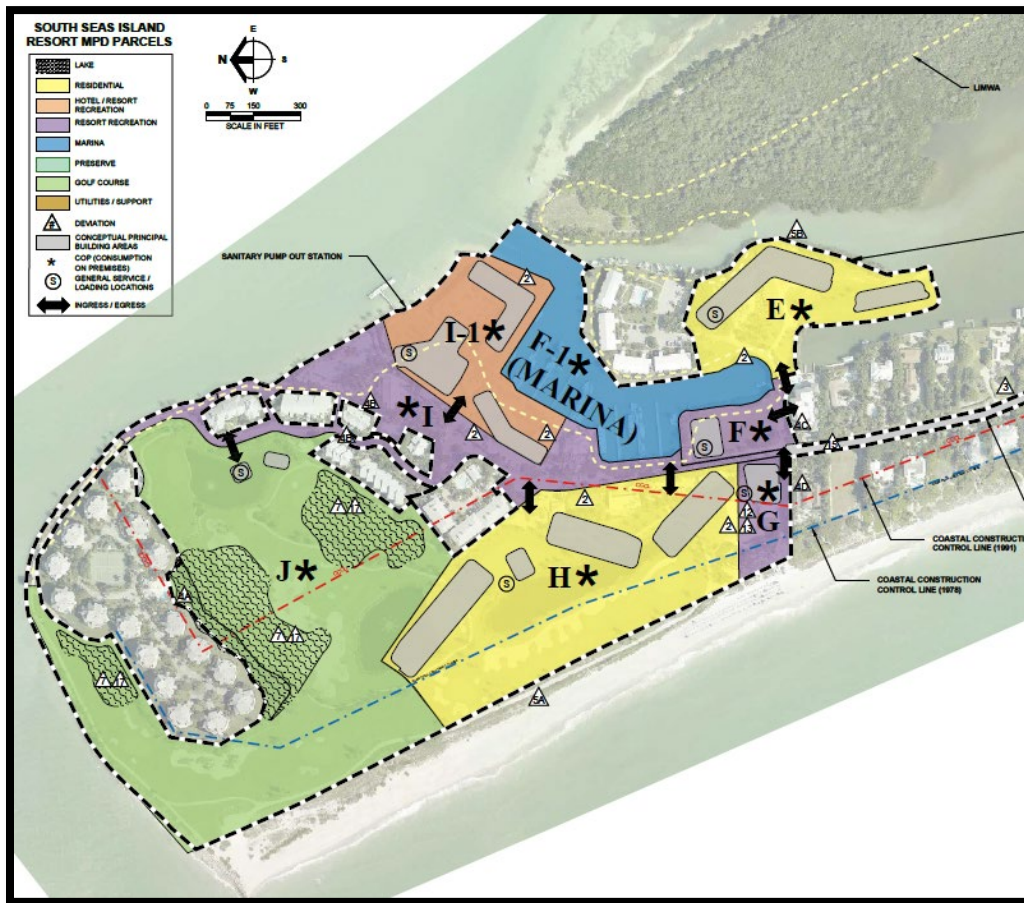
(see Attachment Z for Enlarged Composite Exhibit)

¹² This element of the buildings design is determined by the engineer designing the building.

Master Concept Plan

The proposed MCP includes seven pages to sufficiently depict information necessary to evaluate the request (see Attachment D). Certain areas of the MCP are under concurrent local development order review or approval under the terms of the existing zoning requirements, as expanded on below. For the purpose of this analysis, the planned development is comprised of three primary areas: North Resort, Central Utility, and South Resort. Figure 1 below depicts the North Resort Area on Page 2 of the MCP, while Figures 2 and 3 depict the Central Utility and South Resort Area, respectively.

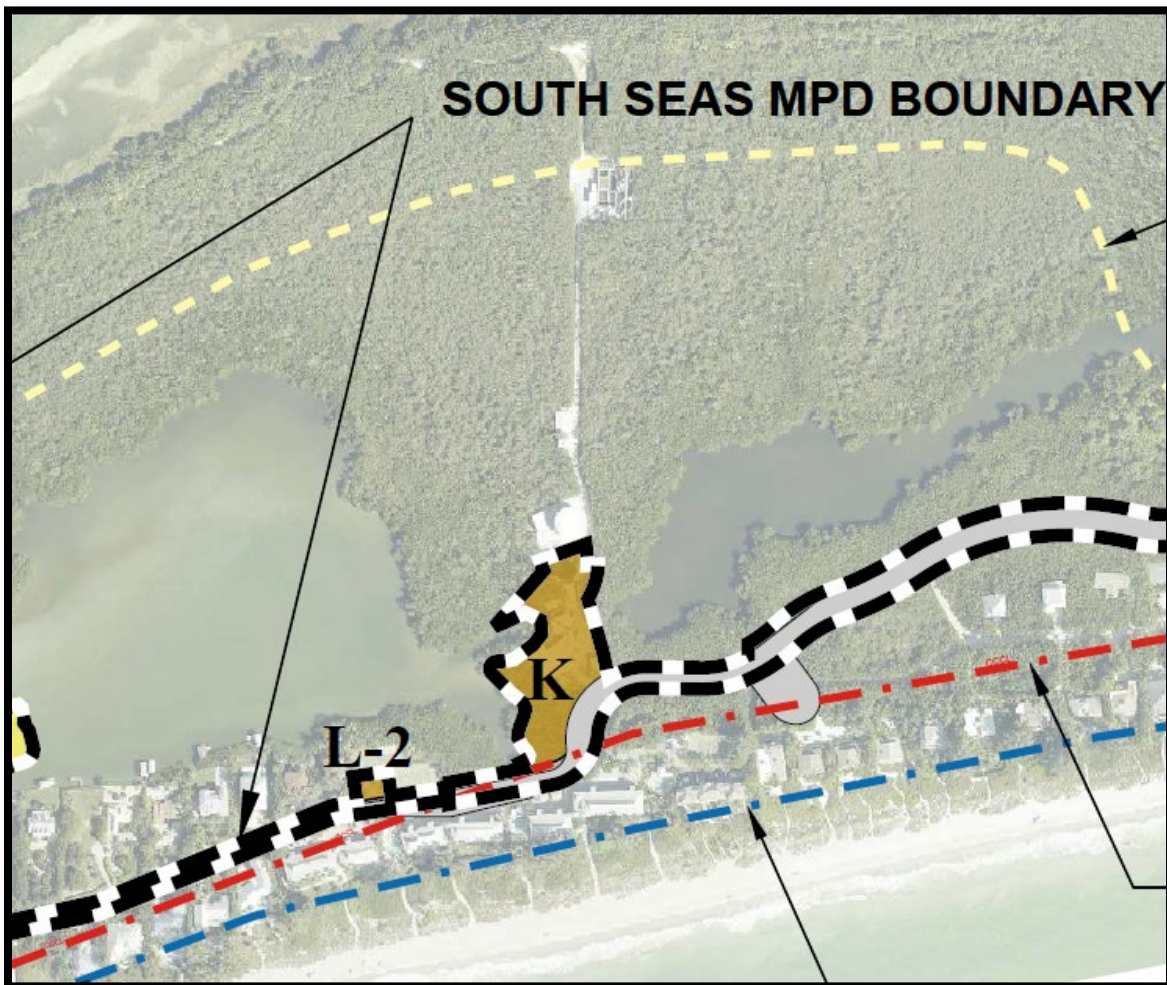
Figure 1: North Resort Area (Master Concept Plan, Page 2 of 7)



No new uses within the North Resort Area are proposed, however, the existing commercial marina (Tract F-1) will be converted to a private recreation facility, which will not accommodate outside guests, see Attachment E (Condition 8). Development of **Tract G** with a restaurant is currently underway in accordance with local development order DOS2022-00196 (see Attachment S). The one-story restaurant includes ±6,740 square feet of indoor floor area and ±3,615 square feet of exterior deck and abuts a single-family residence to the south. Development of **Tract F** with a resort spa facility is currently underway with DOS2024-00087 (see Attachment S). The three-story spa facility includes ±32,563 feet of total building area. **Tract I** includes a segment of South Seas Plantation Road, and aerials depict three resort swimming pools in this area and several resort

buildings, formerly including amenities such as restaurants in this tract. **Tracts H and E** depict the future location of multi-family buildings, with the buildings on Tract H oriented in a manner that considers the location of the Gulf-facing South Seas Club Condominium building to the east. **Tract I-1** depicts the future location of hotel buildings on 2.25 acres. **Tract F-1** depicts the existing marina, which is proposed to be restricted as a private multi-slip docking facility and private on-site recreational amenity limited to guests of the resort and property owners and guests of properties within South Seas Island Resort that are not subject to this zoning action. The marina tract shares a boundary with the Marina Villas Condominium. Elimination of the commercial marina entitlement reduces project intensity by revoking use from the general public not staying within the resort. The reconfigured golf course is depicted within Tract J, which includes the configuration of existing lakes as approved by development order DOS2022-00196 (see Attachment S). The tract abuts several existing timeshares and Land's End village at the northernmost end of the island.

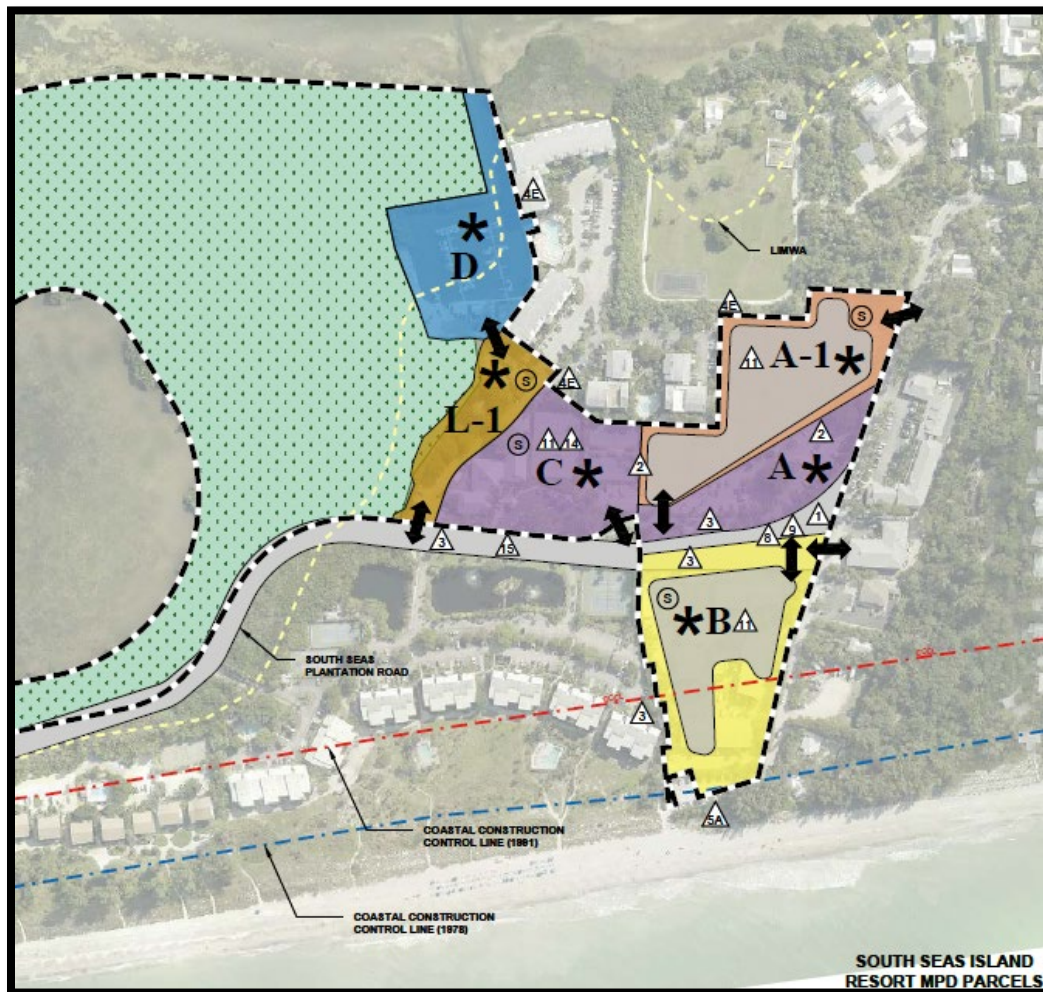
Figure 2: Central Utility (Master Concept Plan, Page 2 of 7)



The Central Utility Area is currently developed with all of the uses proposed by this request. No residential uses are proposed in this area. Buildings and structures on **Tracts K and L-2** are anticipated to remain and include resort services, maintenance and office buildings, an existing

cellular tower, and water tank (see Attachment B). Nearby are the Plantation Beach Club condos and Sandrift subdivision across South Seas Plantation Road.

Figure 3: South Resort Area (Master Concept Plan, Page 3 of 7)



No new uses within the South Resort Area are proposed, however, the existing commercial marina (Tract D) will be converted to a private recreation facility, which will not accommodate outside guests, see Attachment E (Condition 8). **Tract B** depicts the future location of a multi-family building. **Tract A-1** depicts the future location of a hotel building on 2.75 acres. Tract A-1 is currently anchored by a public-facing commercial building (Chadwick's), surrounded by the originally allocated 5-acres of commercial land. **Tracts A** and **C**, between the proposed hotel and multi-family building, were largely former parking areas and tennis court facilities. These tracts are proposed to contain resort amenities. Namely, **Tract C** is under development in accordance with development order DOS2023-00182 for development of a water park amenity limited to guests of the collective 304-acre resort (see Attachment S). **Tract D** depicts the limits of the existing marina, which is also proposed to be restricted as a private multi-slip docking facility serving as a private on-site recreational amenity limited to guests of the resort.

Redevelopment of **Tract L-1** is under development authorized by development order DOS2023-00118, which proposes a ±2,335 square-foot one-story building, and a separate ±5,300 square-foot one-story building to be utilized for owner relations and office buildings on the north side of the Bayside Villas access road. This area is currently developed with similar boundaries and redevelopment retains the parking area, stormwater management area and generator enclosure, see Attachment S.

Tracts within the South Resort Area abut Tennis and Bayside Villas, and Sunset Beach Villas, which contain 322 dwelling units in three-story multi-family buildings.

Schedule of Uses

The applicant's proposed schedule of uses is attached as Attachment G of this report and includes three proposed principal uses: (1) **Multiple-Family** (2) **Timeshare**, and (3) **Hotel/Motel**. The memorialization of existing principal uses in the Utility Tract include, **Communication Facility, Wireless** (cell tower) and **Essential Services, Groups I and II** (water tank). The remaining uses are ancillary or accessory uses¹³ limited to guests occupying a hotel, timeshare or multiple-family dwelling unit within the South Seas Island Resort.¹⁴ Staff recommends a modified schedule of uses in the recommended conditions of approval¹⁵ to clearly distinguish principal and accessory uses contemplated in this request. No new principal uses are proposed with this request. The recommended schedule of uses is consistent with typical resort uses.

Proposed Deviations

Deviation means "a departure from a specific regulation of the LDC or other applicable regulation or code, when requested as part of a planned development in accordance with LDC Section 34-373(a)(9), based on the findings established in LDC Section 34-377(a)(4)." Each deviation must enhance the achievement of the objectives of the planned development and preserve and promote the general intent of the LDC to protect the public health, safety and welfare. The applicant has provided a schedule of deviations with corresponding justifications found in Attachment F [see *Deviations and Justifications*] of the report.

Deviation #1:

Seeks relief from LDC §10-291(3), which requires residential developments of more than five (5) acres and commercial developments greater than 10 acres to provide more than one means of ingress and egress for the development, to allow one access point to the MPD. The proposed Master Concept Plan includes direct ingress and egress onto Captiva Drive from Tract A-1. This is in addition to the existing primary resort access provided by South Seas Plantation Road. This deviation is unnecessary based on multiple means of ingress and egress onto Captiva Drive from the MPD (see

¹³ Uses intended to support the Resort, including but not limited to amenities such as: bait and tackle shop, bar or cocktail lounge, convenience food and beverage store, day care center, rental and leasing establishment (see Attachment G).

¹⁴ See last sentence of Page 4 of 22, Applicant's Request Statement (Attachment F).

¹⁵ See Attachment E, Staff Recommended Conditions of Approval.

MCP Sheet 3 of 7, Attachment D). Staff finds the request meets the requirements of LDC Section 10-291(3) and recommends **WITHDRAWAL** of Deviation #1.

Deviation #2 through #5 and #16:

Deviations #2 through #5 seek relief from landscape buffer standards internal and external to the MPD. Deviation 16 seeks relief from the general mulching requirement to allow instead allow crushed shell. Environmental Staff have reviewed these deviations and provided an analysis and recommendation with Attachment K of this report. Staff recommends **APPROVAL** of Deviations #2, #3, #4A, #4B, #4D, #4E, #5, #5A, #7 and #16, and finds that the requested deviations enhance the objectives of the planned development and protect public health, safety, and welfare. Staff recommends **WITHDRAWAL** of Deviation #4C because the existing Type-D buffer complies with the LDC. The recommendation for these deviations is also consolidated in Attachment E of this report.

Deviation #6:

Seeks relief from LDC §34-2015, which requires required parking spaces to be provided on the same premises as the use they serve, to allow for required parking to be provided across the entirety of the MPD, as opposed to exclusive to each tract. The applicant justifies this request by noting that the proposed distribution of required parking across the entire resort has existed under the terms of the existing approval. Staff acknowledges the integrated resort trolley and alternate modes of transportation available to serve the development; however, in staff's opinion, the distribution of required parking across tracts should be limited to within the respective North, Central and South Resort Areas previously described. These areas are each separated by approximately a mile and the proposed hotel room intensification associated to this request should enact a less open-ended standard to prevent parking required on Tracts A-1 and B to be located two miles down South Seas Plantation Road, a shared private facility.

Staff recommends **APPROVAL** of Deviation #6, with the following condition:

"All required off-street parking must be located on a MPD recipient tract within 500 feet of the principal use tract."

The deviation approval, as conditioned, furthers the enhancement of the objectives of the planned development and promotes public health, safety and welfare by reducing trip lengths within the Resort, which reduces the potential for conflict between vehicles, bicycles and pedestrians along South Seas Plantation Road.

Deviation #7:

Seeks relief from LDC §10-329(d)(4), which requires lake banks to be sloped at a 6:1 ratio from the top of bank to a water depth of two feet below the dry season water table; to allow for a minimum ratio of 4:1 slope for existing lakes only. Staff recommends **APPROVAL** of Deviation #7, limited to existing approved lakes within the MPD. The deviation enhances the achievement of the planned development to preserving the existing lakes and is consistent with the LDC by limiting the deviation to existing only.

Deviation #8:

Seeks relief from LDC §30-281, which limits signage on Captiva Island to 10 feet in width, 10 feet in height and 100 square feet in sign face area, to allow for a sign that is 26 feet in width, 6 feet in height and 156 square feet in sign face area, to be located in the entry median on South Seas Plantation Road. The applicant has provided a sign exhibit demonstrating the aesthetic impact of the proposed sign (see Exhibit D of Attachment F). Staff finds the scale and location of the monument sign to be appropriate contextually and consistent with the purpose and intent of county signage regulations.

Staff recommends **APPROVAL** of Deviation #8 subject to the following condition:

“The monument-style ground-mounted identification sign must be in substantial compliance with Deviation Exhibit D (Attachment F) and is limited to the location depicted by deviation marker on the MCP within the South Seas Plantation Road entry median.”

Deviation #9:

Seeks relief from LDC §30-5(8), which prohibits banners, pennants or other flying paraphernalia, except an official federal, State or County flag, and one symbolic flag not to exceed 15 square feet in area for each institution or business, to allow for a 96 square-foot South Seas flag at the entry. The applicant has provided a sign exhibit demonstrating the aesthetics of the flag (see Exhibit D of Attachment F). Staff finds the scale and location of the flag to be appropriate commensurate and consistent with the purpose and intent of county signage regulations.

Staff recommends **APPROVAL** of Deviation #9 subject to the following condition:

“The monument-style ground-mounted identification flag must be in substantial compliance with Deviation Exhibit D (Attachment F) and is limited to the location depicted by deviation marker on the MCP within the South Seas Plantation Road entry median.”

Deviation #10:

Seeks relief from LDC §10-261, which requires certain dimensional requirements for dumpster enclosures, to allow for roll out totes as an alternative waste disposal container. The applicant requests continuation of the current method for solid waste disposal within the resort, which relies on roll out totes for trash collection in lieu of dumpsters. South Seas operations include a sanitation team that picks up trash and recycling and transports the waste to two (2) central locations on-site. These locations include compactors for waste and a cardboard compactor.

Staff recommends **APPROVAL** of Deviation #10 subject to following condition.

“All solid waste and recyclable materials must be transported internally without spillage and with service frequency levels of at least one time per week for each compactor to avoid potential nuisance accumulation.”

Deviation #11A:

Seeks relief from LDC §34-935(b)(1), which requires all buildings and structures maintain a setback from the development perimeter a distance equal to the greater of 15 feet or half the building height or structure, to allow for a minimum principal structure setback of 15 feet for Tracts A and B, and no setback for accessory structures on Tracts C and K. The applicant requests to integrate the proposed uses with existing resort uses consistent with pre-Hurricane Ian conditions. The 0-foot accessory setbacks requested on Tract C, interfacing with the Tennis Villas condominium boundary, is limited to pool cabanas and shade structures. Further, the deviation pertaining to principal structures is proposed where the proposed multi-family building and hotel abut existing multi-family under separate ownership.

Staff recommends **APPROVAL** of Deviation #11A, subject to following condition.

“Accessory buildings or structures on Tract C are limited to a deviation reduction allowing a 10-foot minimum perimeter setback in order to establish the landscape buffer required of Deviation 4E. Accessory buildings or structures may not exceed 20 feet in height unless a perimeter setback not less than half the height of the structure is provided.”

Deviation #11B:

Seeks relief from LDC §34-935(b)(1), which requires all buildings and structures maintain a setback from the development perimeter a distance equal to the greater of 15 feet or equal to half the building height or structure, to allow for the existing location of the 170-foot-tall wireless communication facility on Tract K.

Staff recommends **APPROVAL** of Deviation #11B, subject to Condition 12 of Attachment E.

Deviation #11C:

Seeks relief from LDC §34-935(b)(1), which requires all buildings and structures maintain a setback from the development perimeter a distance equal to the greater of 15 feet or half the building height or structure, to allow for a minimum principal structure setback of 15 feet for Tracts A-1 and B.

Staff recommends **DENIAL** of Deviation #11C in connection with Tracts A-1 and B-1. LDC Section 34-411(k) provides that where the proposed planned development is surrounded by existing development or land use with which it is not compatible or which is of a significant higher or lower intensity of use (plus or minus ten percent of the gross floor area per acre if a commercial or industrial land use, or plus or minus 20 percent of the residential density), the design emphasis will be to separate and mutually protect the planned development and its environs.

The proposed 45-foot maximum building height on Tracts A-1 and B would require a development perimeter setback of 22.5 feet (a difference of 7.5 feet from the alternate standard proposed). Given the increased intensity, including building height and massing, staff cannot support a deviation from the LDC standard on Tracts A-1 and B as it does not preserve and promote the general intent of the LDC to achieve compatibility. Furthermore, staff recommended Deviation 9.d. of Attachment E would

require enhanced setbacks from Captiva Drive for development on Tract B for development exceeding 35 feet in building height.

Deviation #12:

Seeks relief from LDC §30-281, which (1) limits roof signage on Captiva Island to certain conventional zoning districts; and (2) limits roof signage to 10 feet in width, 10 feet in height and 100 square feet in sign copy area, to allow for two (2) roof signs that are 27.2 feet in width and 4.5 feet in height (122.4 square feet in area), for a total 245 square feet in sign copy area on the restaurant structure on Tract G. Staff finds that the location and size of the roof-mounted sign compliments the building it is proposed to be affixed to and not injurious to the neighborhood.

Staff recommends **APPROVAL** of Deviation #12 subject to the following condition

“The roof-mounted signage pertaining to Tract G must be in substantial compliance with Deviation Exhibits F (see Attachment F).”

Deviation #13:

Seeks relief from LDC §30-281, which (1) limits wall-mounted signage on Captiva Island to certain conventional zoning districts; and (2) limits wall-mounted signage to 10 feet in width, 10 feet in height and 100 square feet in sign copy area, to allow for five (5) mural signs that are 14.25 feet in width and 9.5 feet in height (135.4 square feet in area), for a total 736 square feet in sign copy area on the Beach House structure on Tract G. Staff finds that the location and size of the mural-mounted signs compliment the building it is proposed to be affixed to and not injurious to the neighborhood.

Staff recommends **APPROVAL** of Deviation #13 subject to the following condition:

“The wall-mounted mural signs pertaining to Tract G must be in substantial compliance with Deviation Exhibits G (see Attachment F).”

Deviation #14:

Seeks relief from LDC §30-281, which (1) limits wall-mounted signage on Captiva Island to certain conventional zoning districts; and (2) limits wall-mounted signage to 10 feet in width, 10 feet in height and 100 square feet in sign copy area, to allow for six (6) mural signs of various sizes depicted in the Deviation Exhibit, for a total 470 square feet in sign copy area on two sides of the recreation building at the water park on Tract C.

Staff recommends **APPROVAL** of Deviation #14 subject to the following condition:

“The mural sign copy area located on Tract C must be in substantial compliance with Deviation Exhibit H (Attachment F).”

Deviation #15:

Seeks relief from LDC §10-296, which requires certain design standards for local roadways with open drainage in Future Suburban Areas, to allow the standards reflected in Deviation Exhibit I (Attachment F). The Development Services Section has reviewed the deviation request and has found that the deviation request, as conditioned, meets the established review criteria (see Attachment Y). The information provided by the applicant did not include the established ROW or access easement width or provide an engineering assessment of the roadway condition for South Seas Plantation Road. However, based on the long-established use, the active maintenance operations, and the necessity of a well maintained accessway to provide an attractive resort community; the roadway will continue to be maintained and is sufficient to conditionally recommend approval of the request. Staff recommends the follow condition:

Staff recommends **APPROVAL** of Deviation #15, subject to the following conditions.

1. The applicant must submit a development order that depicts “Bicycle May Use Full Lane” (R4-11) signs, where applicable along South Seas Plantation Road, in accordance with the requirements of the Manual of Uniform Traffic Control Devices, current edition, within 180 days of approval of this rezoning.
2. The applicant must submit an engineering report with the development order for bicycle signage that details the roadway condition of South Seas Plantation Road. The report must identify any areas of pavement failure, evidence of site-specific crash patterns, and identify the right-of-way or access easement widths provided.

Deviation #17:

Seeks relief from LDC §10-329(d)(1)a.3., which requires excavations for water retention to be set back a minimum of 50 feet from any private property line under separate ownership; to allow for a 0-foot-setback for existing lakes. Staff finds that the requested deviation enhances the objectives of the planned development and protects public health, safety, and welfare.

Staff recommends **APPROVAL** of Deviation #17.

Deviation #18:

Seeks relief from LDC §10-291(2), which requires all development to abut and have access to a public or private street designed, and constructed or improved, to meet the standards in Section 10-296; to allow for internal tracts to have access from accessways and streets not constructed or improved to meet standards in LDC Section 10-296. Deviation 15 already addresses the standards of South Seas Plantation Road. Granting a deviation for future roads within MPD tracts is premature. The design of future roads should be analyzed at time of local development order in accordance with LDC Section 10-104.

Staff recommends **WITHDRAWAL** of Deviation #18 based on the approval of Deviation #15.

Review Criteria

LDC Section 34-145 establishes the review criteria for rezoning requests. Before recommending approval of a rezoning request, the Hearing Examiner must find the request:

- a) Complies with the Lee Plan;
- b) Meets the Land Development Code and other applicable County regulations or qualifies for deviations;
- c) Is compatible with existing and planned uses in the surrounding area;
- d) Will provide access sufficient to support the proposed development intensity;
- e) The expected impacts on transportation facilities will be addressed by existing County regulations and conditions of approval;
- f) Will not adversely affect environmentally critical or sensitive areas and natural resources; and
- g) Will be served by urban services, defined in the Lee Plan, if located in a Future Urban Area category.

For Planned Development rezoning requests, the Hearing Examiner must also find:

- a) The proposed use or mix of uses is appropriate at the proposed location;
- b) The recommended conditions provide sufficient safeguards to the public interest and are reasonably related to the impacts on the public's interest expected from the proposed development; and
- c) That each requested deviation:
 - 1) Enhances the achievement of the objectives of the planned development; and
 - 2) Preserves and promotes the general intent of this Code to protect the public health, safety and welfare.

The applicant has provided a narrative that addresses the proposed rezoning with analysis of the applicable criteria (see Attachment F). The following provides staff's analysis of the request, as measured by the established criteria.

Compliance with the Lee Plan

The subject property is located in the Captiva Community Plan Area and Outlying Suburban and Wetlands future land use categories. **Policy 1.3.2** establishes that the Outlying Suburban category "is characterized by its peripheral location in relation to established urban areas. In general, this category is rural in nature or contains existing low-density development. Some of the requisite infrastructure needed for higher density development is planned or in place. Industrial land uses

are not permitted. The standard density range is from one dwelling unit per acre (1 du/acre) to three dwelling units per acre (3 du/acre).” **Policy 1.5.1** establishes “permitted land uses in Wetlands consist of very low-density residential uses and recreational uses that will not adversely affect the ecological functions of wetlands.” While generally stated, some Outlying Suburban areas in Lee County may be rural in nature, the context of South Seas Island Resort and surrounding development patterns on the Island are not rural. The request seeks to preserve Wetland areas and continue the residential and commercial uses permitted within the Outlying Suburban future land use category.

As a Mixed Use Planned Development, project acreage is prorated based on the acreages of principal commercial and residential tracts. With approximately 20 acres of principal residential tracts and 5 acres of principal commercial tracts, the MPD principal use tracts are 80 percent residential and 20 percent commercial (see Attachment I). Therefore, the remaining 54.2 acres of Outlying Suburban areas and 41.6 acres of saltwater Wetlands are prorated at 80 percent residential. Based on the prorating of the density calculation **130.08 dwelling units** are derived from the 54.2 acres of Outlying Suburban future land use category and **1.66 dwelling units** are derived from the 41.6 acres of saltwater wetlands. The principal residential tracts (20.44 acres) are calculated at 100 percent to derive **61.32 dwelling units**, for a total permissible density of **193.06 dwelling units**. No density is derived from the five acres designated for commercial use or the portions of the project prorated for commercial use. The proposed project gross density is approximately 1.9 dwelling units per acre.¹⁶ The development pattern of the surrounding upland area includes densities at the higher range or exceeding three dwelling units an acre along Andy Rosse Lane. The requisite infrastructure is available as further analyzed in this report and staff finds the request is consistent with the density and allowable uses in the Wetlands and Outlying Suburban future land use categories. Therefore, Staff finds the proposed MPD zoning is **CONSISTENT** with **Policies 1.3.2 and 1.5.1**.

Policy 5.1.2 prohibits residential development where physical constraints or hazards exist **or** requires the density and design to be adjusted accordingly. Such constraints or hazards include but are not limited to flood, storm, or hurricane hazards. Under the current zoning, the subject property is entitled up to 272 multi-family dwelling units; the request seeks to reduce density to 193 units and increase commercial entitlements. Additionally, future residential development will be subject to new building code design requirements and flood-resistant development standards which will reduce flood and hurricane hazards consistent with Policy 5.1.2.

Policy 5.1.5 is to “protect existing and future residential areas from any encroachment of **uses** that are potentially destructive to the character and integrity of the residential environment. Requests for conventional rezonings will be denied in the event that the buffers provided in the LDC, Chapter 10, are not adequate to address potentially incompatible **uses** in a satisfactory manner. If such **uses** are proposed in the form of a Planned Development or special exception and generally applicable

¹⁶ The total number of units (193) divided by the total land area contributing density (97.04) acres results in a total project density of ±1.98 dwelling units per acre. It should be noted that unlike freshwater wetlands, saltwater wetlands may not be calculated at the upland future land use density standard when preserved (see Lee Plan Table 1(b), Footnote 8).

development regulations are deemed to be inadequate, conditions will be attached to minimize or eliminate the potential impacts or, where no adequate conditions can be devised, the application will be denied altogether. The LDC will continue to require appropriate buffers for new developments.”

As previously discussed, the proposed rezoning does not introduce any new principal uses not already approved or existing on site. The uses requested through the proposed rezoning are part of the character of this particular residential environment. Staff finds the request, as conditioned, is **CONSISTENT** with and **Policies 5.1.2 and 5.1.5**.

Goal 11 encourages mixed use developments that integrate multiple land uses, public amenities and utilities at various scales and intensities. The subject property has been recognized as a multi-modal mixed use resort development since its inception. The request to rezone to Mixed Use Planned Development continues to allow a mix of uses consistent with the resort’s original identity. Staff finds the request to be **CONSISTENT** with **Goal 11**.

Goal 23 Captiva Community Plan: “The goal of the Captiva Community Plan is to protect the coastal barrier island community’s natural resources such as beaches, waterways, wildlife, vegetation, water quality, dark skies and history. This goal will be achieved through environmental protections and land use regulations that preserve shoreline and natural habitats, enhance water quality, encourage the use of native vegetation, maintain the mangrove fringe, limit noise, light, water, and air pollution, create mixed use development of traditionally commercial properties, and enforce development standards that maintain the historic low-density residential development pattern of Captiva.”

In 2023, the Lee County Board of County Commissioners amended the Lee Plan pursuant to Ordinance 23-33 to remove references to one and two-story building heights and specific dates that did not take into consideration build back efforts in recognition of new flood regulations (see Attachment W). Ordinance 23-33 accounts for barrier island conditions affecting future development.

Objective 23.1 and its attendant policies pertain to protection of natural resources, such as upland habitat, mangroves and other wetlands, and estuaries, as well as water quality and beach and shore preservation. Nothing proposed in the application will allow new impacts to mangroves, wetlands, or upland indigenous areas. Additionally, all new buildings will meet minimum flood elevations and be constructed to current wind speed requirements leading to improved building/housing stock. Required minimum flood elevations are discussed in greater detail in the Building Height Section of this report. The new buildings, built to more stringent standards, will be less likely to cause damage to surrounding natural resources in the event of future storm events. The proposed MCP demonstrates that no upland indigenous areas currently exist on the subject property and mangroves and other wetlands will continue to be preserved. Staff finds the request to be **CONSISTENT** with **Objective 23.1**.

Policy 23.2.4: Historic Development Pattern. “Limit development to that which is in keeping with the historic development pattern on Captiva including the designation of historic resources and the rehabilitation or reconstruction of historic structures. The historic development pattern on Captiva is comprised of [1] low-density residential dwelling units, as defined in LDC, Chapter 10, [2] minor commercial development and [3] South Seas Island Resort” (*Enumerated parentheses, and*

underline/emboldened text for emphasis). These areas are described below and identified on Attachment C:

1. The low-density residential dwelling units are generally located at the southern end of Captiva and extend along Captiva Drive and to the commercially zoned properties along Andy Rosse Lane. These properties are typically zoned RSC-2, TFC-2 and RM-2.
2. The commercial areas of Captiva are along Andy Rosse Lane and along the west and south sides of Captiva Drive, north of Andy Rosse. These properties are zoned C-1, CP, CT, CS-1, and CPD.
3. The South Seas Island Resort is generally located north of Captiva Drive and extends about 2 miles to the north, to the northern end of Captiva Island. The South Seas Island Resort has historically contained a mixture of single-family, multi-family, commercial uses, and resort amenities. The South Seas Island Resort represents approximately 46.5 percent of the land on Captiva Island and is separated from the low-density residential dwelling units by the commercial areas along Andy Rosse Lane and Captiva Drive.

Staff acknowledges that there are existing uses on Captiva that are not recognized by this policy, including other resorts.¹⁷ In addition, Captiva is characterized generally as a resort destination with many of the existing dwelling units available for short-term rental (see Attachment V). Nevertheless, a plain reading of the policy is that South Seas Island Resort is differentiated from remainder of Captiva Island. The proposed rezoning will allow the continued use of the property as a resort, following the historic development pattern on Captiva. Staff finds the request to be **CONSISTENT** with **Policy 23.2.4**. Based on the above analysis staff finds the request to be consistent with **Goal 23**.

Land Development Code Compliance

County regulations which are not specifically departed from as part of this planned development request will apply to the balance of applicable LDC, Code of Ordinances and Administrative Code provisions. If future deviations are proposed, each will be evaluated with established LDC review criteria.

Land Development Code (LDC) Section 33-1611(e) exempts South Seas Island Resort from the Captiva Community Plan Area regulations. Ordinance 23-22 specifically removed ADD2002-00098 as a limitation on South Seas Island Resort's exemption.

Staff finds the planned development rezoning request will be in compliance with the LDC, including and not limited to regulations pertaining to:

- Use, including supplemental regulations;
- LDC Chapter 10 Development Standards; and
- Division 9 of Article VI, Chapter 34, Planned Development Districts.

¹⁷ Jensen's on the Gulf, Tween Waters Inn, Captiva Island Inn, and Jensen's Captiva Marina & Cottages.

Compatibility with existing and planned uses in the surrounding area

Compatible means “in describing the relation between two land uses, buildings or structures, or zoning districts, the state wherein those two things exhibit either a positive relationship based on fit, similarity or reciprocity of characteristics, or a neutral relationship based on a relative lack of conflict (actual or potential) or on a failure to communicate negative or harmful influences one to another.”¹⁸

No new principal uses are proposed with this request. The maximum building height requested is compatible with the surrounding areas, as conditioned, based on the prevalence of similarly situated multiple-family buildings that have existed for decades.

The project hotel intensity is concentrated in appropriate areas where commercial and hotel uses previously existed within the resort. Nearby timeshares and dwelling units, which are not subject to this application, operate as vacation rentals, which function similarly to a hotel use. Lee County Tax Collector’s data suggests that high rates of existing dwelling units within the Resort and in Captiva Island generally, are utilized as vacation rentals.¹⁹ The proposed mixture of multiple-family, timeshare, and hotel uses are consistent with the total project multi-family or timeshare density of 1.98 units per acre is clustered in appropriate areas commensurate with the adjacent existing internal development.

Further steps to promote compatibility include:

- Limiting requested internal and external buffer and perimeter setback deviations;
- Prohibiting utilization of the LDC provision allowing additional height where additional setbacks are provided;²⁰
- Establishing a reduced height for accessory buildings and structures on amenity tracts; and
- Establishing specialized development standards on Tract B.

Sufficiency of Access and Transportation Impacts

The request currently proposes to maintain two vehicular access points on Captiva Drive. The property has sufficient access opportunities to the internal and external road network. The applicant has also provided a traffic impact statement (TIS) concerning the trip generation expected by the project (see Attachment L). Department of Transportation staff has issued a memorandum concerning the project’s transportation impacts (see Attachment M). In summary, all roadway sections analyzed will continue to operate at an acceptable Level of Service “D” with

¹⁸ See “Compatibility” LDC §34-2, Definitions.

¹⁹ See Applicant’s 2023 Tax Roll Data as Attachment V and see Applicant’s Captiva Historical Development Pattern Narrative, Page 1 of 5 (Attachment F).

²⁰ See Condition 9 and LDC §34-2174.

the project in A.M. and P.M. weekday peak hours. Therefore, the project will not have a detrimental impact on the surrounding roadway system.

No adverse impacts to environmentally critical or sensitive areas and natural resources

Environmental and Natural Resources staff have reviewed the request and issued respective staff reports analyzing the request and providing recommended conditions of approval concerning protected species and surface water quality monitoring to support the required findings and other features (see Attachments J and K). In summary, all future development within the MPD is proposed on previously cleared lands. Therefore, the request, as conditioned, will not disturb environmentally critical or sensitive areas or natural resources. Flood and wind resistant redevelopment is a positive impact to environmentally critical areas by reducing vulnerability, less debris after storm events.

Will be served by urban services, defined in the Lee Plan, if located in a Future Urban area category

As noted, and defined above, the subject property is located within a future suburban area. The subject property has adequate access to public services to accommodate the proposed development, as conditioned herein. Future improvements required as part of development order approval will further improve urban services and pedestrian facilities.

Supplemental Planned Development Criteria

Staff finds the proposed development to be consistent with the following additional criteria:

- a) The proposed use or mix of uses is appropriate at the proposed location;
- b) The recommended conditions provide sufficient safeguards to the public interest and are reasonably related to the impacts on the public's interest expected from the proposed development; and
- c) The requested deviations, as conditioned:
 - 1) Enhance the achievement of the objectives of the planned development; and
 - 2) Preserve and promote the general intent of this Code to protect the public health, safety and welfare

CONCLUSION:

Based upon an analysis of the application and the standards for approval of planned development rezonings, staff finds the request to be consistent with the established review criteria. The proposed MPD District provides the property owner with a clear and unambiguous zoning entitlement to develop and redevelop the existing resort. The rezoning is consistent with the Outlying Suburban and Wetlands Future Land Use categories, the Captiva Community Plan, and other applicable goals, objectives, and policies of the Lee Plan.

ATTACHMENTS:

- A. Expert Witness Information
- B. Legal Description, Sketch and Boundary Survey
- C. Aerial, Future Land Use, and Current Zoning Maps
- D. Master Concept Plan
- E. Development Regulations, Conditions and Deviations
- F. Applicant's Submittals
 - Project Narrative
 - Historic Development Pattern
 - Property Development Regulations
 - Surface Water Management Narrative
 - South Seas Emergency Preparedness Plan
 - South Seas Economic Impact
 - Deviations & Justifications
 - Deviation Exhibits A through I
- G. Applicant's Schedule of Uses
- H. Applicant's Building Height Exhibit
- I. Applicant's Density Calculation
- J. Natural Resources Staff Report
- K. Environmental Staff Report
- L. Applicant's Traffic Impact Statement
- M. Lee County Dept. of Transportation Memorandum
- N. Resolution Z-73-202
- O. Resolution Z-90-091
- P. Jones-Murphy Memo
- Q. Administrative Interpretation ADD2002-00098
- R. Utility Letters of Availability
 - IWA (including approved waiver)
 - FGUA
- S. Development Order Development Order Composite Exhibit
 - DOS2022-00196
 - DOS2023-00118
 - DOS2023-00182
 - DOS2024-00087
- T. GEN2024-00350 – Easements on MCP
- U. Lee County Ordinance 23-22
- V. Lee County Tax Collector's Homestead Data
- W. Lee County Ordinance 23-33
- X. Sightline Exhibits of Tract B on MCP
- Y. Lee County Development Services Staff Memorandum
- Z. South Seas Island Resort Building Height Exhibit

EXHIBITS:

- 1. TFC-2 Use and Development Regulations
- 2. RM-2 Use and Development Regulations

ATTACHMENT A

LEE COUNTY STAFF EXPERT WITNESS INFORMATION
PROVIDED PURSUANT TO AC-2-6

Case Numbers: DCI2023-00051
Project Name: South Seas Island Resort MPD
Hearing Examiner Date: February 14, 2025

Adam Mendez, Planner, Principal, Zoning, 1500 Monroe Street, Fort Myers, FL 33901

- Previously qualified as an expert witness in the Lee County Land Development Code, the Lee Plan, zoning, and land use planning. Current resume is on file with the Hearing Examiner.
- Report and documents are submitted with the Staff Report for this case. Additional documents that may be relied upon and used as evidence during the hearing include: the Lee County Land Development Code, the Lee Plan, and documentation submitted by the applicant as part of the subject application.

Beth Workman, Planner, Principal, Zoning, 1500 Monroe Street, Fort Myers, FL 33901

- Previously qualified as an expert witness by the Lee County Hearing Examiner. Current resume is on file with the Hearing Examiner.
- Seeking to be qualified as an expert witness in the Lee County Land Development Code, the Lee Plan, zoning, environmental and land use planning.
- Report and documents are submitted with the Staff Report for this case. Additional documents that may be relied upon and used as evidence during the hearing include: the Lee County Land Development Code, the Lee Plan, and documentation submitted by the applicant as part of the subject application.

Anthony R. Rodriguez, AICP, Zoning Manager, Zoning, 1500 Monroe Street, Fort Myers, FL 33901

- Previously qualified as an expert witness by the Lee County Hearing Examiner. Current resume is on file with the Hearing Examiner.
- Seeking to be qualified as an expert witness in the Lee County Land Development Code, the Lee Plan, zoning, and land use planning.
- Report and documents are submitted with the Staff Report for this case. Additional documents that may be relied upon and used as evidence during the hearing include: the Lee County Land Development Code, the Lee Plan, and documentation submitted by the applicant as part of the subject application.

Robert Price, P.E., Director, Development of Transportation, 1500 Monroe Street, Fort Myers, FL 33901

- Previously qualified as an expert witness by the Lee County Hearing Examiner. Current resume is on file with the Hearing Examiner.

- Seeking to be qualified as an expert witness in Traffic Engineering and Transportation Planning.
- Report and documents are submitted with the Staff Report for this case. Additional documents that may be relied upon and used as evidence during the hearing include: the Lee County Land Development Code; the Lee Plan; and documentation submitted by the applicant as part of the subject application.

Brian Roberts P.E., Manager, Development Services 1500 Monroe Street, Fort Myers, FL 33901

- Previously qualified as an expert witness by the Lee County Hearing Examiner. Current resume is on file with the Hearing Examiner.
- Seeking to be qualified as an expert witness in the Lee County Land Development Code, Lee Plan, zoning, civil engineering and land use planning.
- Report and documents are submitted with the Staff Report for this case. Additional documents that may be relied upon and used as evidence during the hearing include: the Lee County Land Development Code; the Lee Plan; and documentation submitted by the applicant as part of the subject application.

Brandon Dunn, Planning Manager, Zoning, 1500 Monroe Street, Fort Myers, FL 33901

- Previously qualified as an expert witness by the Lee County Hearing Examiner. Current resume is on file with the Hearing Examiner.
- Seeking to be qualified as an expert witness in the Lee County Land Development Code, the Lee Plan, zoning, and land use planning.
- Report and documents are submitted with the Staff Report for this case. Additional documents that may be relied upon and used as evidence during the hearing include: the Lee County Land Development Code, the Lee Plan, and documentation submitted by the applicant as part of the subject application.

ATTACHMENT B

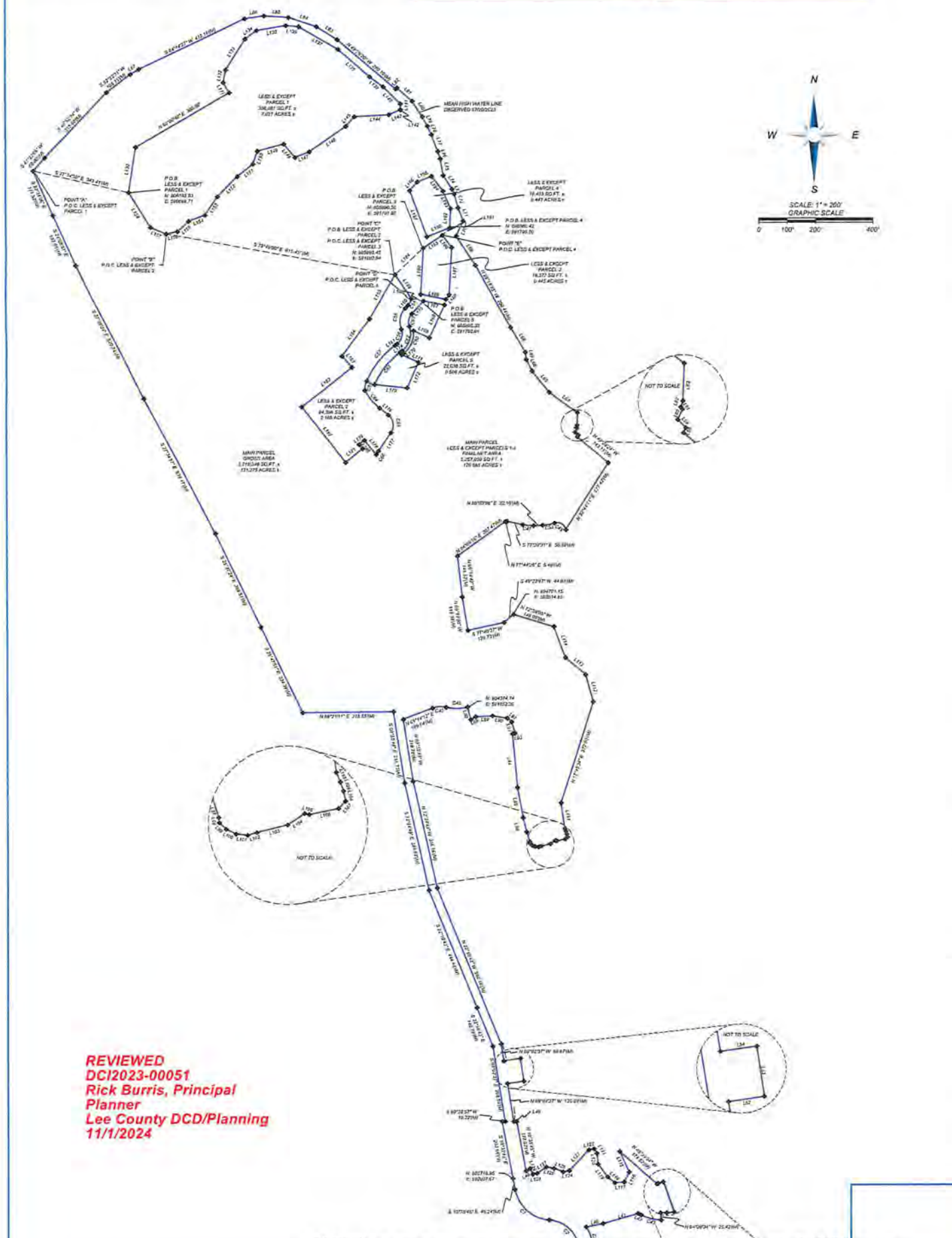
SKETCH AND DESCRIPTION

14830 CAPTIVA DRIVE
CAPTIVA ISLAND, LEE COUNTY, FLORIDA 33924

DESCRIPTION

Main parcel description and detailed descriptions for parcels less than one acre, including bearings, distances, and curve data.

SKETCH



LEGEND & SYMBOLS

- List of symbols for boundary corners, points of commencement, points of beginning, and boundary lines.

LINE TABLE

Table with columns for Line, Bearing, Distance, and Station. It lists 122 line segments along the boundary with their respective bearings and distances.

CURVE TABLE

Table with columns for Curve, Arc Length, Radius, Chord Bearing, and Chord Length. It lists 23 curves with their respective geometric data.

REVIEWED DCI2023-00051 Rick Burris, Principal Planner Lee County DCD/Planning 11/1/2024

This is not a survey. Includes project information, a disclaimer, and the logo for Blew & Associates, P.A.


ALTA/NSPS LAND TITLE SURVEY

14830 CAPTIVA DRIVE

CAPTIVA ISLAND, LEE COUNTY, FLORIDA 33924

NOTES CORRESPONDING TO SCHEDULE B

- 1 - RESTRICTIONS, IF ANY, ON THE INSURED'S ABILITY TO CONSTRUCT NEW IMPROVEMENTS ON THE LAND OR TO RECONSTRUCT EXISTING IMPROVEMENTS, AFTER DESTRUCTION OR DEMOLITION AS A RESULT OF THE COASTAL CONSTRUCTION CONTROL LINE ALONG THE GULF OF MEXICO, REVISED PLAT, RECORDED IN PLAT BOOK 48, PAGES 15 THROUGH 34, AS AMENDED BY THE ADMINISTRATIVE RULE AMENDMENT RECORDED IN OFFICIAL RECORD BOOK 2224, PAGE 1010, PUBLIC RECORDS OF LEE COUNTY, FLORIDA. COVERAGE FOR THIS ITEM IS EXCLUDED FROM ANY OF THE FOLLOWING ALTA ENDORSEMENTS: 9.06, 9.2-06, 9.3-06 AND 9.5-06. (AS TO PARCELS A AND C) (AFFECTS: APPROXIMATE LOCATION SHOWN HEREON)
- 2 - TERMS, CONDITIONS AND EASEMENT SET FORTH IN EASEMENT RECORDED IN O.R. BOOK 22, PAGE 486, PUBLIC RECORDS OF LEE COUNTY, FLORIDA. (AS TO PARCEL A) (AFFECTS: AS SHOWN)
- 3 - RESERVATIONS OF THE TRUSTEES OF THE INTERNAL IMPROVEMENT FUND OF THE STATE OF FLORIDA, AND THEIR SUCCESSORS, AS TO AN UNDIVIDED THREE-FOURTHS INTEREST IN ALL THE PHOSPHATE, MINERALS AND METALS THAT ARE OR MAY BE IN, ON OR UNDER THE SAID ABOVE DESCRIBED LANDS, AND AN UNDIVIDED ONE-HALF INTEREST IN, AND TITLE IN AND TO AN UNDIVIDED ONE-HALF INTEREST IN ALL THE PETROLEUM THAT IS OR MAY BE IN OR UNDER THE SAID ABOVE DESCRIBED LAND AS SET FORTH IN DEED NO. 23860 (1439-39) RECORDED IN O.R. BOOK 246, PAGE 138, PUBLIC RECORDS OF LEE COUNTY, FLORIDA. NOTE: THE RIGHT OF ENTRY AND EXPLORATION RUNNING WITH THE ABOVE RESERVATION OF AN INTEREST IN PHOSPHATE, MINERALS, METALS, AND/OR PETROLEUM HAS BEEN RELEASED BY FLORIDA STATUTE 270.11(2). (AS TO PARCEL A) (AFFECTS: PLOTTED AS SHOWN IN APPROXIMATE LOCATION)
- 4 - RESERVATIONS OF THE TRUSTEES OF THE INTERNAL IMPROVEMENT FUND OF THE STATE OF FLORIDA, AND THEIR SUCCESSORS, AS TO AN UNDIVIDED THREE-FOURTHS INTEREST IN ALL THE PHOSPHATE, MINERALS AND METALS THAT ARE OR MAY BE IN, ON OR UNDER THE SAID ABOVE DESCRIBED LANDS, AND AN UNDIVIDED ONE-HALF INTEREST IN, AND TITLE IN AND TO AN UNDIVIDED ONE-HALF INTEREST IN ALL THE PETROLEUM THAT IS OR MAY BE IN OR UNDER THE SAID ABOVE DESCRIBED LAND AS SET FORTH IN DEED NO. 25038 (2194-38) RECORDED IN O.R. BOOK 572, PAGE 14, PUBLIC RECORDS OF LEE COUNTY, FLORIDA. NOTE: THE RIGHT OF ENTRY AND EXPLORATION RUNNING WITH THE ABOVE RESERVATION OF AN INTEREST IN PHOSPHATE, MINERALS, METALS, AND/OR PETROLEUM HAS BEEN RELEASED BY FLORIDA STATUTE 270.11(2). (AS TO PARCEL A) (AFFECTS: PLOTTED AS SHOWN IN APPROXIMATE LOCATION)
- 5 - RESERVATIONS BY THE UNITED STATES OF AMERICA, AS CONTAINED IN PATENT RECORDED IN O.R. BOOK 827, PAGE 83, PUBLIC RECORDS OF LEE COUNTY, FLORIDA. (AS TO PARCEL A LANDS IN GOVERNMENT LOT 3, SECTION 15) (UNABLE TO ACCURATELY PLACE PARCEL AREA WITHIN LOT 3 SHOWN HEREON)
- 6 - RIGHT OF WAY EASEMENT GRANTED TO LEE COUNTY ELECTRIC CO-OPERATIVE, INC., RECORDED IN O.R. BOOK 832, PAGE 374, PUBLIC RECORDS OF LEE COUNTY, FLORIDA. (AS TO PARCEL A) (AFFECTS: CONTAINS NO PLOTTABLE ITEMS)
- 7 - TERMS, CONDITIONS AND EASEMENTS SET FORTH IN GRANT OF EASEMENT RECORDED IN O.R. BOOK 981, PAGE 730, AS AFFECTED BY AMENDED GRANT OF EASEMENT RECORDED IN O.R. BOOK 1906, PAGE 3868, AND BY GRANT OF EASEMENT RECORDED IN O.R. BOOK 1948, PAGE 607, AS ASSIGNED BY ASSIGNMENTS OF EASEMENTS RECORDED IN O.R. INSTRUMENT #2013000079782 AND O.R. INSTRUMENT #2013000079784, PUBLIC RECORDS OF LEE COUNTY, FLORIDA. (AS TO PARCEL A AND D) (O.R. BOOK 981, PG 730 AFFECTS, AS SHOWN ALSO PARCEL D PARCEL IV) (O.R. BOOK 1906, PG 3868 AFFECTS, AS SHOWN ALSO PARCEL D PARCEL IV) (O.R. BOOK 1906, PG 3868 AFFECTS, AS SHOWN ALSO PARCEL A PARCEL III ALSO PARCEL D PARCEL IV)
- 8 - RIGHT OF WAY EASEMENT GRANTED TO LEE COUNTY ELECTRIC CO-OPERATIVE, INC., RECORDED IN O.R. BOOK 1102, PAGE 728, PUBLIC RECORDS OF LEE COUNTY, FLORIDA. (AS TO PARCEL A) (AFFECTS: CONTAINS NO PLOTTABLE EASEMENT ITEMS)
- 9 - 30-FOOT ROAD EASEMENT CONTAINED IN DECLARATION OF CONDOMINIUM FOR MARINA VILLAS RECORDED IN O.R. BOOK 1106, PAGE 1881, PUBLIC RECORDS OF LEE COUNTY, FLORIDA. (AS TO PARCEL A) (AFFECTS: APPROXIMATE LOCATION SHOWN DOCUMENT IS ILLEGIBLE)
- 10 - RIGHT OF WAY EASEMENT GRANTED TO LEE COUNTY ELECTRIC CO-OPERATIVE, INC., RECORDED IN O.R. BOOK 1150, PAGE 897, PUBLIC RECORDS OF LEE COUNTY, FLORIDA. (AS TO PARCEL A) (DOES NOT AFFECT)
- 11 - RIGHT OF WAY EASEMENT GRANTED TO LEE COUNTY ELECTRIC CO-OPERATIVE, INC., RECORDED IN O.R. BOOK 1271, PAGE 2163, PUBLIC RECORDS OF LEE COUNTY, FLORIDA. (AS TO PARCEL A) (AFFECTS: A PORTION OF PARCEL A, PARCEL I, CONTAINS NO PLOTTABLE ITEMS)
- 12 - RIGHT OF WAY EASEMENT GRANTED TO LEE COUNTY ELECTRIC CO-OPERATIVE, INC., RECORDED IN O.R. BOOK 1271, PAGE 2166, PUBLIC RECORDS OF LEE COUNTY, FLORIDA. (AS TO PARCEL A) (DOES NOT AFFECT)
- 13 - EASEMENTS TO THE LEE COUNTY ELECTRIC CO-OPERATIVE, INC., AS CONTAINED IN THE RESOLUTION VACATING ROADWAY EASEMENTS NO. 78-9-25, DATED AUGUST 23, 1978, RECORDED SEPTEMBER 22, 1978, IN O.R. BOOK 1301, PAGE 725, PUBLIC RECORDS OF LEE COUNTY, FLORIDA. (PARCELS A AND C) (AFFECTS: AS SHOWN)
- 14 - TERMS, COVENANTS AND CONDITIONS SET FORTH IN LEE COUNTY ORDINANCE NO. 78-7 RECORDED IN O.R. BOOK 1409, PAGE 1306, PUBLIC RECORDS OF LEE COUNTY, FLORIDA. (AS TO PARCELS C AND B) (AFFECTS: BLANKET IN NATURE)
- 15 - RIGHT OF WAY EASEMENT GRANTED TO LEE COUNTY ELECTRIC CO-OPERATIVE, INC., RECORDED IN O.R. BOOK 1507, PAGE 1106, PUBLIC RECORDS OF LEE COUNTY, FLORIDA. (AS TO PARCEL A) (AFFECTS: AS SHOWN)
- 16 - EASEMENT GRANTED TO THE ISLAND WATER ASSOCIATION, INC., RECORDED IN O.R. BOOK 1656, PAGE 3960, AS AFFECTED BY EASEMENT RECORDED IN O.R. BOOK 1760, PAGE 414, AND EASEMENT RECORDED IN O.R. BOOK 1767, PAGE 2907, PUBLIC RECORDS OF LEE COUNTY, FLORIDA. (AS TO PARCEL A) (AFFECTS: AS SHOWN)
- 17 - RIGHT OF WAY EASEMENT GRANTED TO UNITED TELEPHONE COMPANY OF FLORIDA, RECORDED IN O.R. BOOK 1770, PAGE 1147, PUBLIC RECORDS OF LEE COUNTY, FLORIDA. (AS TO PARCEL A) (AFFECTS: APPROXIMATE LOCATION SHOWN HEREON)
- 18 - TERMS, COVENANTS AND CONDITIONS SET FORTH IN RESOLUTION NO. 28-84-199 OF THE ZONING BOARD OF LEE COUNTY, FLORIDA, RECORDED IN O.R. BOOK 1776, PAGE 3425, PUBLIC RECORDS OF LEE COUNTY, FLORIDA. (AS TO PARCEL B) (AFFECTS: A PORTION OF PARCEL B, PARCEL I)
- 19 - GRANT OF EASEMENT TO BAYSIDE VILLAS CONDOMINIUM ASSOCIATION, INC. AND TENNIS VILLAS CONDOMINIUM ASSOCIATION, INC., RECORDED IN O.R. BOOK 1846, PAGE 813, PUBLIC RECORDS OF LEE COUNTY, FLORIDA. (AS TO PARCEL A) (AFFECTS: AS SHOWN)
- 20 - ROADWAY AND UTILITY EASEMENTS RESERVED DEED RECORDED IN O.R. BOOK 1846, PAGE 3924, PUBLIC RECORDS OF LEE COUNTY, FLORIDA. (AS TO PARCEL A) (AFFECTS: BLANKET IN NATURE OVER PARCEL A)
- 21 - CORRECTORY PRIVATE EASEMENT GRANTED TO SOUTH SEAS PLANTATION DEVELOPMENT COMPANY, INC., RECORDED IN O.R. BOOK 1848, PAGE 1618, PUBLIC RECORDS OF LEE COUNTY, FLORIDA. (AS TO PARCEL A) (AFFECTS: AS SHOWN)
- 22 - GRANT OF EASEMENT TO SOUTH SEAS PLANTATION COMPANY RECORDED IN O.R. BOOK 1848, PAGE 1835, AS ASSIGNED BY ASSIGNMENTS OF EASEMENTS RECORDED IN O.R. INSTRUMENT #2013000079782 AND O.R. INSTRUMENT #2013000079784, PUBLIC RECORDS OF LEE COUNTY, FLORIDA. (AS TO PARCEL A) (AFFECTS: AS SHOWN, AS PARCEL A, PARCEL IV)
- 23 - GRANT OF EASEMENT TO SOUTH SEAS PLANTATION COMPANY RECORDED IN O.R. BOOK 1848, PAGE 1837, AS ASSIGNED BY ASSIGNMENTS OF EASEMENTS RECORDED IN O.R. INSTRUMENT #2013000079782, AND O.R. INSTRUMENT #2013000079784, PUBLIC RECORDS OF LEE COUNTY, FLORIDA. (AS TO PARCEL A) (O.R. BOOK 1848, PG. 1837 AFFECTS, AS SHOWN ALSO PARCEL A PARCEL VIII)
- 24 - TERMS, COVENANTS AND CONDITIONS SET FORTH IN RESOLUTION NO. 87-5 SETTING FORTH THE BOUNDARIES OF THE CAPTIVA EROSION PREVENTION DISTRICT RECORDED IN O.R. BOOK 1939, PAGE 268, AS AFFECTED BY INTERLOCAL AGREEMENT RECORDED IN O.R. BOOK 2839, PAGE 1317, AND RELEASE OF LIEN RECORDED IN O.R. BOOK 2872, PAGE 146, PUBLIC RECORDS OF LEE COUNTY, FLORIDA. (AS TO PARCELS B AND D) (AFFECTS: BLANKET IN NATURE)
- 25 - CONSERVATION EASEMENT GRANTED TO FLORIDA DEPARTMENT OF ENVIRONMENTAL REGULATION RECORDED IN O.R. BOOK 1983, PAGE 4023, PUBLIC RECORDS OF LEE COUNTY, FLORIDA. (AS TO PARCEL A) (AFFECTS: AS SHOWN)
- 26 - TERMS, CONDITIONS AND EASEMENTS SET FORTH IN EASEMENT AGREEMENT RECORDED IN O.R. BOOK 2002, PAGE 4158, PUBLIC RECORDS OF LEE COUNTY, FLORIDA. (AS TO PARCEL A) (AFFECTS: CONTAINS NO PLOTTABLE ITEMS)
- 27 - TERMS, CONDITIONS AND EASEMENTS SET FORTH IN EASEMENT AGREEMENT RECORDED IN O.R. BOOK 2002, PAGE 4160, PUBLIC RECORDS OF LEE COUNTY, FLORIDA. (AS TO PARCEL A) (AFFECTS: CONTAINS NO PLOTTABLE ITEMS)
- 28 - TERMS, CONDITIONS AND EASEMENTS SET FORTH IN EASEMENT AGREEMENT RECORDED IN O.R. BOOK 2011, PAGE 3245, PUBLIC RECORDS OF LEE COUNTY, FLORIDA. (AS TO PARCEL A) (AFFECTS: CONTAINS NO PLOTTABLE ITEMS)
- 29 - TERMS, CONDITIONS AND EASEMENTS SET FORTH IN EASEMENT AGREEMENT RECORDED IN O.R. BOOK 2011, PAGE 3281, PUBLIC RECORDS OF LEE COUNTY, FLORIDA. (AS TO PARCEL A) (AFFECTS: CONTAINS NO PLOTTABLE ITEMS)
- 30 - TERMS, CONDITIONS AND EASEMENTS SET FORTH IN EASEMENT AGREEMENT RECORDED IN O.R. BOOK 2013, PAGE 3702, PUBLIC RECORDS OF LEE COUNTY, FLORIDA. (AS TO PARCEL A) (AFFECTS: AS SHOWN)
- 31 - TERMS AND PROVISIONS OF THAT CERTAIN RESERVATION OF EASEMENT RECORDED IN O.R. BOOK 2168, PAGE 1701, PUBLIC RECORDS OF LEE COUNTY, FLORIDA. (AS TO PARCEL D) (AFFECTS: AS SHOWN ALSO PARCEL D PARCELS II & III)
- 32 - LEE COUNTY MANDATORY GARBAGE COLLECTION ASSESSMENT ORDINANCE NO. 86-14 RECORDED IN O.R. BOOK 2189, PAGE 3281, AND AMENDED BY ORDINANCE NO. 86-38 RECORDED IN O.R. BOOK 2189, PAGE 3334, PUBLIC RECORDS OF LEE COUNTY, FLORIDA. (AS TO PARCELS B AND C) (AFFECTS: CONTAINS NO PLOTTABLE ITEMS)
- 33 - TERMS AND CONDITIONS AND PERPETUAL, NON-EXCLUSIVE EASEMENT CONTAINED IN GRANT OF EASEMENT RECORDED IN O.R. BOOK 2260, PAGE 2310, PUBLIC RECORDS OF LEE COUNTY, FLORIDA. (AS TO PARCEL A) (APPEARS TO AFFECTS, LOCATION OF SAID EASEMENT IS VAGUE OVER A PROPOSED FORCED MAIN)
- 34 - CONSERVATION EASEMENT GRANTED TO THE FLORIDA DEPARTMENT OF ENVIRONMENTAL REGULATION RECORDED IN O.R. BOOK 2384, PAGE 1197, PUBLIC RECORDS OF LEE COUNTY, FLORIDA. (AS TO PARCEL A) (AFFECTS: PLOTTED AND SHOWN IN APPROXIMATE LOCATION)
- 35 - ZONE OF PROTECTION EASEMENT GRANTED TO LAND'S END VILLAGE CONDOMINIUM ASSOCIATION, INC., RECORDED IN O.R. BOOK 2393, PAGE 2589, PUBLIC RECORDS OF LEE COUNTY, FLORIDA. (AS TO PARCEL A) (AFFECTS: APPROXIMATE LOCATION SHOWN HEREON)
- 36 - REPLACEMENT ROADWAY AND UTILITY EASEMENT GRANTED TO LAND'S END VILLAGE CONDOMINIUM ASSOCIATION, INC., RECORDED IN O.R. BOOK 2393, PAGE 2594, PUBLIC RECORDS OF LEE COUNTY, FLORIDA. (AS TO PARCEL A) (AFFECTS: AS SHOWN)
- 37 - ROADWAY AND UTILITY EASEMENT GRANTED TO ALL UNIT OWNERS OF SEABREEZE AT SOUTH SEAS PLANTATION, A CONDOMINIUM, RECORDED IN O.R. BOOK 2446, PAGE 3851, PUBLIC RECORDS OF LEE COUNTY, FLORIDA. (AS TO PARCEL A) (AFFECTS: AS SHOWN)
- 38 - TERMS AND CONDITIONS OF A NON-EXCLUSIVE 6 FOOT WALKWAY EASEMENT CONTAINED IN EASEMENT AGREEMENT RECORDED IN O.R. BOOK 2914, PAGE 2491, PUBLIC RECORDS OF LEE COUNTY, FLORIDA. (AS TO PARCEL A) (AFFECTS: AS SHOWN, ALSO PARCEL A, PARCEL II)
- 39 - EASEMENT RECORDED IN O.R. BOOK 3038, PAGE 3073, AS ASSIGNED BY ASSIGNMENTS OF EASEMENTS RECORDED IN O.R. INSTRUMENT #2013000079782 AND O.R. INSTRUMENT #2013000079784, PUBLIC RECORDS OF LEE COUNTY, FLORIDA. (AS TO PARCEL A) (AFFECTS: APPROXIMATE LOCATION SHOWN HEREON)
- 40 - TERMS AND CONDITIONS OF THE AMENITIES ACCESS AGREEMENT BETWEEN MERISTAR SS PLANTATION COMPANY, L.L.C. AND PLANTATION DEVELOPMENT, LTD., A FLORIDA LIMITED PARTNERSHIP RECORDED IN O.R. BOOK 3993, PAGE 1440, PUBLIC RECORDS OF LEE COUNTY, FLORIDA. (AS TO PARCEL A) (AFFECTS: CONTAINS NO PLOTTABLE ITEMS, AGREEMENT ALLOWS PARTY A DESCRIBED IN EXHIBIT A IN SAID DOCUMENT TO USE THE AMENITIES OF PARCEL A. SEE DOCUMENT FOR PARTICULARS)
- 41 - TERMS AND CONDITIONS OF THE MEMORANDUM OF AGREEMENT BETWEEN PLANTATION DEVELOPMENT, LTD. AND MERISTAR S.S. PLANTATION COMPANY, L.L.C. RECORDED IN O.R. BOOK 4228, PAGE 2748, PUBLIC RECORDS OF LEE COUNTY, FLORIDA. (AS TO PARCEL A) (DOES NOT AFFECT, ALSO PARCEL A, LESS & EXCEPT PARCEL 6 AS SHOWN)
- 42 - ROADWAY AND UTILITY EASEMENT (PLANTATION EAST DRIVE) (20 FEET WIDE) AS DESCRIBED IN SCHEDULE A, PARCEL A PARCEL IV. (AFFECTS: AS SHOWN ALSO PARCEL A PARCEL IV)
- 43 - EASEMENT GRANTED TO THE ISLAND WATER ASSOCIATION, INC., RECORDED IN O.R. INSTRUMENT #2008000089744, PUBLIC RECORDS OF LEE COUNTY, FLORIDA. (AS TO PARCEL A) (AFFECTS: APPROXIMATE LOCATION SHOWN, VAGUE POINTS OF BEGINNING)
- 44 - TERMS, COVENANTS AND CONDITIONS SET FORTH IN DEVELOPMENT AGREEMENT DISCLOSED BY MEMORANDUM OF AGREEMENT BETWEEN PLANTATION DEVELOPMENT, LTD. AND MERISTAR SUB 53, L.L.C., RECORDED IN O.R. INSTRUMENT #2008000084295, PUBLIC RECORDS OF LEE COUNTY, FLORIDA. (AS TO PARCEL A) (AFFECTS: CONTAINS NO PLOTTABLE ITEMS)
- 45 - TERMS, COVENANTS, CONDITIONS AND EASEMENTS SET FORTH IN UNRECORDED POOL AGREEMENT EVIDENCED BY MEMORANDUM OF AGREEMENT RECORDED IN O.R. INSTRUMENT #2007000282386, PUBLIC RECORDS OF LEE COUNTY, FLORIDA. (AS TO PARCEL A) (AFFECTS: CONTAINS NO PLOTTABLE ITEMS)
- 46 - TERMS, COVENANTS, CONDITIONS AND EASEMENT SET FORTH IN MAINTENANCE EASEMENT AGREEMENT RECORDED IN O.R. INSTRUMENT #2007000282397, PUBLIC RECORDS OF LEE COUNTY, FLORIDA. (AS TO PARCEL A) (AFFECTS: APPROXIMATE LOCATION SHOWN HEREON ALSO PARCEL A PARCEL IX)
- 47 - TERMS, COVENANTS AND CONDITIONS SET FORTH IN UNRECORDED CONSTRUCTION AND LICENSE AGREEMENT EVIDENCED BY MEMORANDUM OF CONSTRUCTION AND LICENSE AGREEMENT RECORDED IN O.R. INSTRUMENT #2006000290872, AS ASSIGNED TO SBA TOWERS IX, LLC BY ASSIGNMENT AND ASSUMPTION OF LICENSE AGREEMENT RECORDED IN O.R. INSTRUMENT #2016000121139, PUBLIC RECORDS OF LEE COUNTY, FLORIDA. (AS TO PARCEL A) (AFFECTS: AS SHOWN)
- 48 - TERMS, COVENANTS AND CONDITIONS OF THE SOVEREIGNTY SUBMERGED LANDS LEASE RENEWAL AND MODIFICATION TO INCREASE SQUARE FOOTAGE, NO. 36053235, BY AND BETWEEN BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND OF THE STATE OF FLORIDA AND BRE/SOUTH SEAS RESORT OWNER L.L.C., A DELAWARE LIMITED LIABILITY COMPANY, RECORDED OCTOBER 26, 2011, IN O.R. INSTRUMENT #2011000292765, AS EXTENDED BY UNRECORDED SOVEREIGNTY SUBMERGED LANDS LEASE RENEWAL DATED JANUARY 29, 2016, PUBLIC RECORDS OF LEE COUNTY, FLORIDA. (AS TO PARCEL A PARCEL VII) (AFFECTS: AS SHOWN)
- 49 - SOUTH FLORIDA WATER MANAGEMENT DISTRICT NOTICE OF ENVIRONMENTAL RESOURCE OR SURFACE WATER MANAGEMENT PERMIT RECORDED IN O.R. INSTRUMENT #201200083866, PUBLIC RECORDS OF LEE COUNTY, FLORIDA. (AS TO PARCEL A) (AFFECTS: PARCEL A PARCEL I, CONTAINS NO PLOTTABLE ITEMS)
- 50 - THE NATURE, EXTENT, OR EXISTENCE OF RIPARIAN RIGHTS, IF ANY, APPURTENANT TO THE INSURED LAND ARE NEITHER GUARANTEED NOR INSURED, AND THE RIPARIAN RIGHTS OF OTHERS AS THE SAME MAY AFFECT SAID LAND ARE HEREBY EXCEPTED. (AS TO PORTIONS OF PROPERTY ABUTTING MARINA AND BRYANT BAYOUS (AS TO PARCEL A) (NOT SURVEY RELATED)
- 51 - RIGHTS OF THE UNITED STATES GOVERNMENT TO THAT PART OF THE LAND, IF ANY, BEING ARTIFICIALLY FILLED IN LAND IN WHAT WAS FORMERLY NAVIGABLE WATERS ARISING BY REASON OF THE UNITED STATES GOVERNMENT CONTROL OVER NAVIGABLE WATERS IN THE INTEREST OF NAVIGATION AND COMMERCE. (NOT SURVEY RELATED)
- 52 - THIS POLICY EXCLUDES FROM COVERAGE ADVERSE OWNERSHIP CLAIMS BY THE STATE OF FLORIDA TO THOSE PORTIONS OF THE PROPERTY DESCRIBED IN SCHEDULE 'A' HEREIN THAT COMPRISE SOVEREIGNTY LANDS (INCLUDING WITHOUT LIMITATION SUBMERGED, FILLED AND ARTIFICIALLY EXPOSED LANDS) THAT (I) HAVE NOT BEEN PREVIOUSLY CONVEYED OR TRANSFERRED BY THE STATE, OR (II) ARE LEGALLY EXCLUDED FROM PRIOR STATE CONVEYANCES OF OTHER TYPES OF LANDS. (NOT SURVEY RELATED)
- 53 - THE RIGHTS, IF ANY, OF THE PUBLIC TO USE AS A PUBLIC BEACH OR RECREATION AREA ANY PART OF THE LAND LYING BETWEEN THE BODY OF WATER ABUTTING THE SUBJECT PROPERTY AND THE NATURAL LINE OF VEGETATION, BLUFF, EXTREME HIGH WATER LINE, OR OTHER APPARENT BOUNDARY LINES SEPARATING THE PUBLICLY USED AREA FROM THE UPLAND PRIVATE AREA. (NOT SURVEY RELATED)
- 54 - ANY LOSS OR DAMAGE OCCASIONED BY CLAIMS, DEMANDS OR MEMBERSHIP RIGHTS ASSERTED BY PARTIES IN INTEREST IN THE LAND DESCRIBED ON SCHEDULE A THAT WOULD PREVENT THE INSURED HEREIN FROM OPERATING THE LAND IN ANY MANNER OTHER THAN AS A GOLF COURSE. (AS TO PARCEL A) (NOT SURVEY RELATED)
- 55 - TERMS, COVENANTS, CONDITIONS AND OTHER MATTERS CONTAINED IN ANY UNRECORDED LEASE(S) AND ALL RIGHTS THEREUNDER OF THE LESSEE(S) AND OF ANY PERSON CLAIMING BY, THROUGH OR UNDER THE LESSEE(S). (NOT SURVEY RELATED)
- 56 - INTENTIONALLY DELETED.
- 57 - INGRESS EGRESS EASEMENT CONTAINED IN DECLARATION OF CONDOMINIUM OF PLANTATION HOUSE, A CONDOMINIUM, RECORDED IN O.R. BOOK 1970, PAGE 43, PUBLIC RECORDS OF LEE COUNTY, FLORIDA. (AS TO PARCEL A) (AFFECTS: AS SHOWN)
- 58 - RECORDED NOTICE OF ENVIRONMENTAL RESOURCE PERMIT WITH SOUTH FLORIDA WATER MANAGEMENT DISTRICT RECORDED IN O.R. INSTRUMENT #2020000231150, PUBLIC RECORDS OF LEE COUNTY, FLORIDA. (AS TO PARCEL A) (AFFECTS: AS SHOWN)
- 59 - NOTICE OF DEVELOPMENT ORDER APPROVAL RECORDED IN O.R. INSTRUMENT #2021000057489, PUBLIC RECORDS OF LEE COUNTY, FLORIDA. (AS TO PARCEL A)



**BLEW
& ASSOCIATES, P.A.**

Surveying
Engineering
Mapping

SURVEYOR JOB NUMBER:
23-4592

SURVEY DRAWN BY:
CT - 07/31/2023

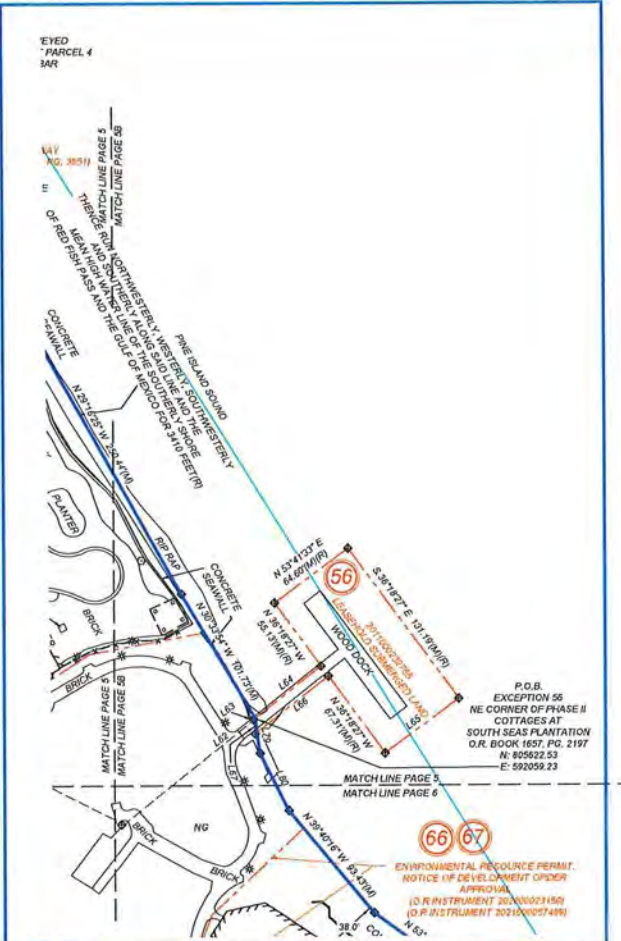
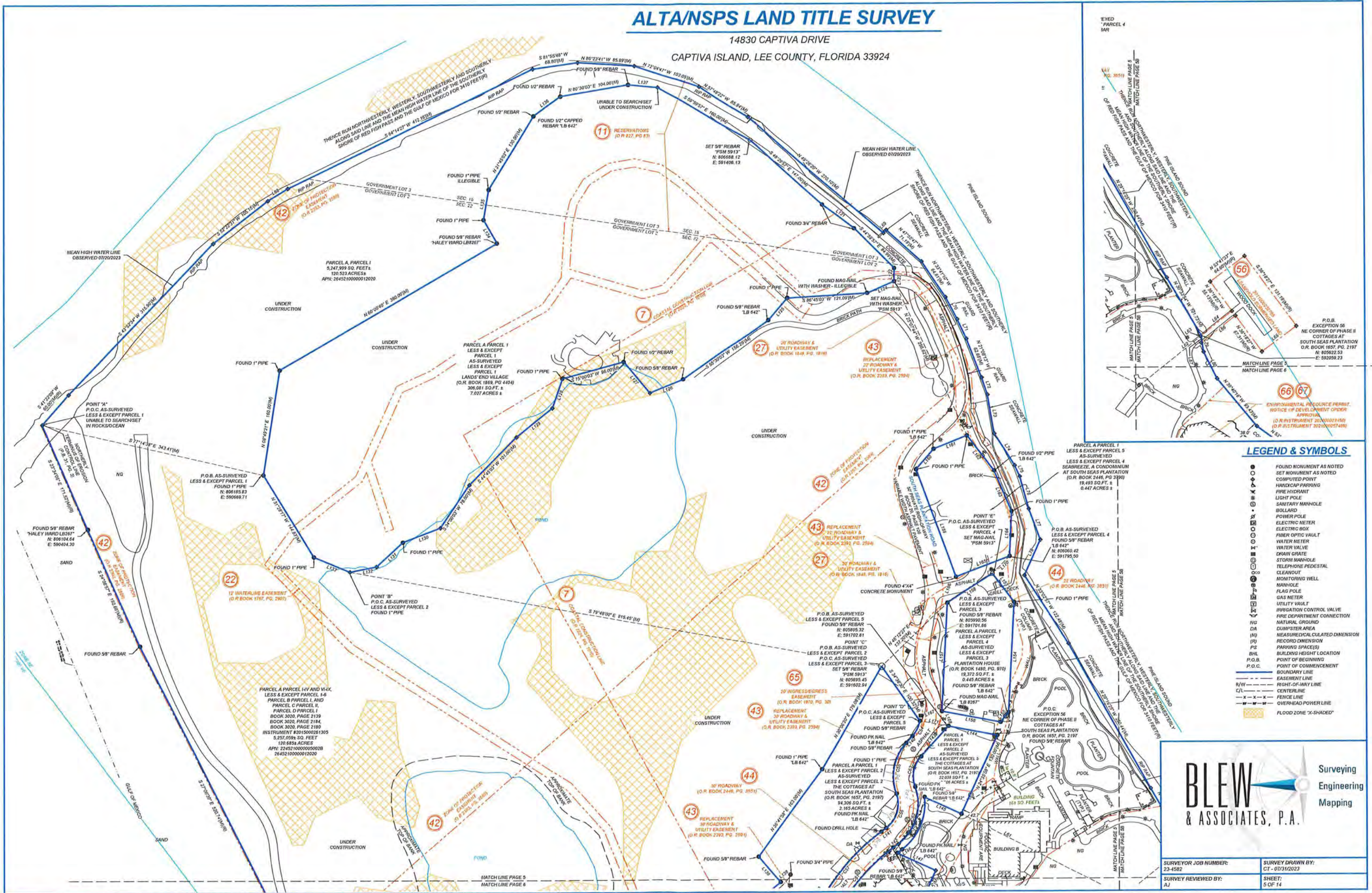
SURVEY REVIEWED BY:
AJ

SHEET:
4 OF 14

ALTANSPS LAND TITLE SURVEY

14830 CAPTIVA DRIVE

CAPTIVA ISLAND, LEE COUNTY, FLORIDA 33924



LEGEND & SYMBOLS

- FOUND MONUMENT AS NOTED
- SET MONUMENT AS NOTED
- COMPUTED POINT
- HATCH CAP FARMING
- FIRE HYDRANT
- LIGHT POLE
- SANITARY MANHOLE
- BOLLARD
- POWER POLE
- ELECTRIC METER
- ELECTRIC BOX
- FIBER OPTIC VAULT
- WATER METER
- WATER VALVE
- DRAIN GRATE
- STORM MANHOLE
- TELEPHONE PEDESTAL
- CLEANOUT
- MONITORING WELL
- MANHOLE
- FLAG POLE
- GAS METER
- UTILITY VAULT
- IRRIGATION CONTROL VALVE
- FIRE DEPARTMENT CONNECTION
- NG NATURAL GROUND
- DA DUMPSTER AREA
- (H) MEASUREMENT RELATED DIMENSION
- (R) RECORD DIMENSION
- (PS) PARKING SPACE(S)
- (BHL) BUILDING HEIGHT LOCATION
- (P.O.B.) POINT OF BEGINNING
- (P.O.C.) POINT OF COMMENCEMENT
- BOUNDARY LINE
- EASEMENT LINE
- R/W --- RIGHT-OF-WAY LINE
- C/L --- CENTERLINE
- - - - - FENCE LINE
- - - - - OVERHEAD POWER LINE
- FLOOD ZONE "X-SHADED"

BLEW & ASSOCIATES, P.A.

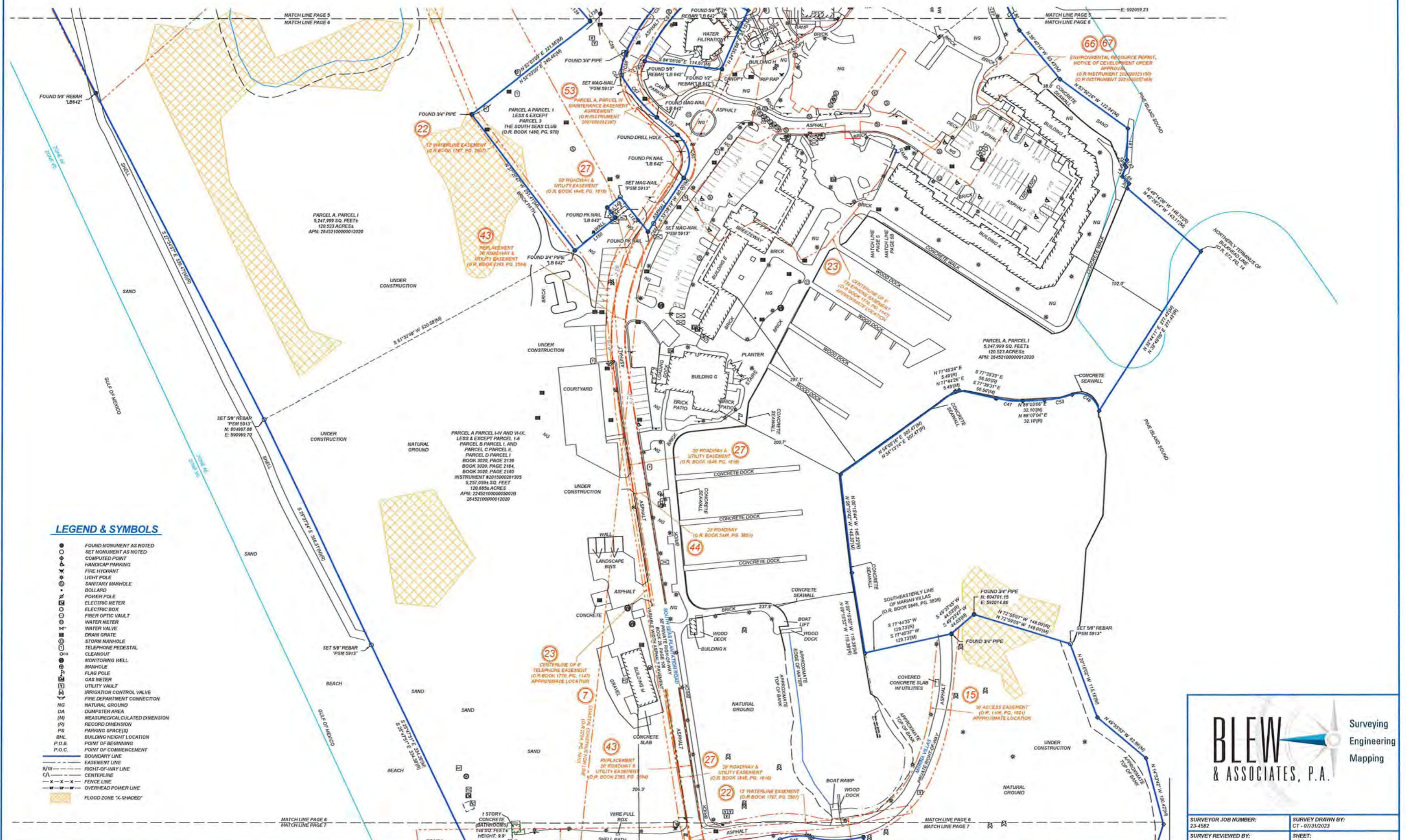
Surveying
Engineering
Mapping

SURVEYOR JOB NUMBER: 23-4582	SURVEY DRAWN BY: CT - 07/31/2023
SURVEY REVIEWED BY: AJ	SHEET: 6 OF 14

ALTANSPS LAND TITLE SURVEY

14830 CAPTIVA DRIVE

CAPTIVA ISLAND, LEE COUNTY, FLORIDA 33924



LEGEND & SYMBOLS

- FOUND MONUMENT AS NOTED
- SET MONUMENT AS NOTED
- ⊕ COMPUTED POINT
- ⊙ HANDICAP PARKING
- ⊙ FIRE HYDRANT
- ⊙ LIGHT POLE
- ⊙ SANITARY MANHOLE
- ⊙ BOLLARD
- ⊙ POWER POLE
- ⊙ ELECTRIC METER
- ⊙ ELECTRIC BOX
- ⊙ FIBER OPTIC VAULT
- ⊙ WATER METER
- ⊙ WATER VALVE
- ⊙ DRAIN GRATE
- ⊙ STORM MANHOLE
- ⊙ TELEPHONE PEDESTAL
- ⊙ CLEANDUT
- ⊙ MONITORING WELL
- ⊙ MANHOLE
- ⊙ FLAG POLE
- ⊙ GAS METER
- ⊙ UTILITY VAULT
- ⊙ IRRIGATION CONTROL VALVE
- ⊙ FIRE DEPARTMENT CONNECTION
- NG NATURAL GROUND
- DA DUMPSTER AREA
- (M) MEASURED/CALCULATED DIMENSION
- (R) RECORD DIMENSION
- PS PARKING SPACE(S)
- BHL BUILDING HEIGHT LOCATION
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT
- BOUNDARY LINE
- EASEMENT LINE
- R/W --- RIGHT-OF-WAY LINE
- C/L --- CENTERLINE
- - - - - FENCE LINE
- OVERHEAD POWER LINE
- ⊘ FLOOD ZONE "X-SHADED"



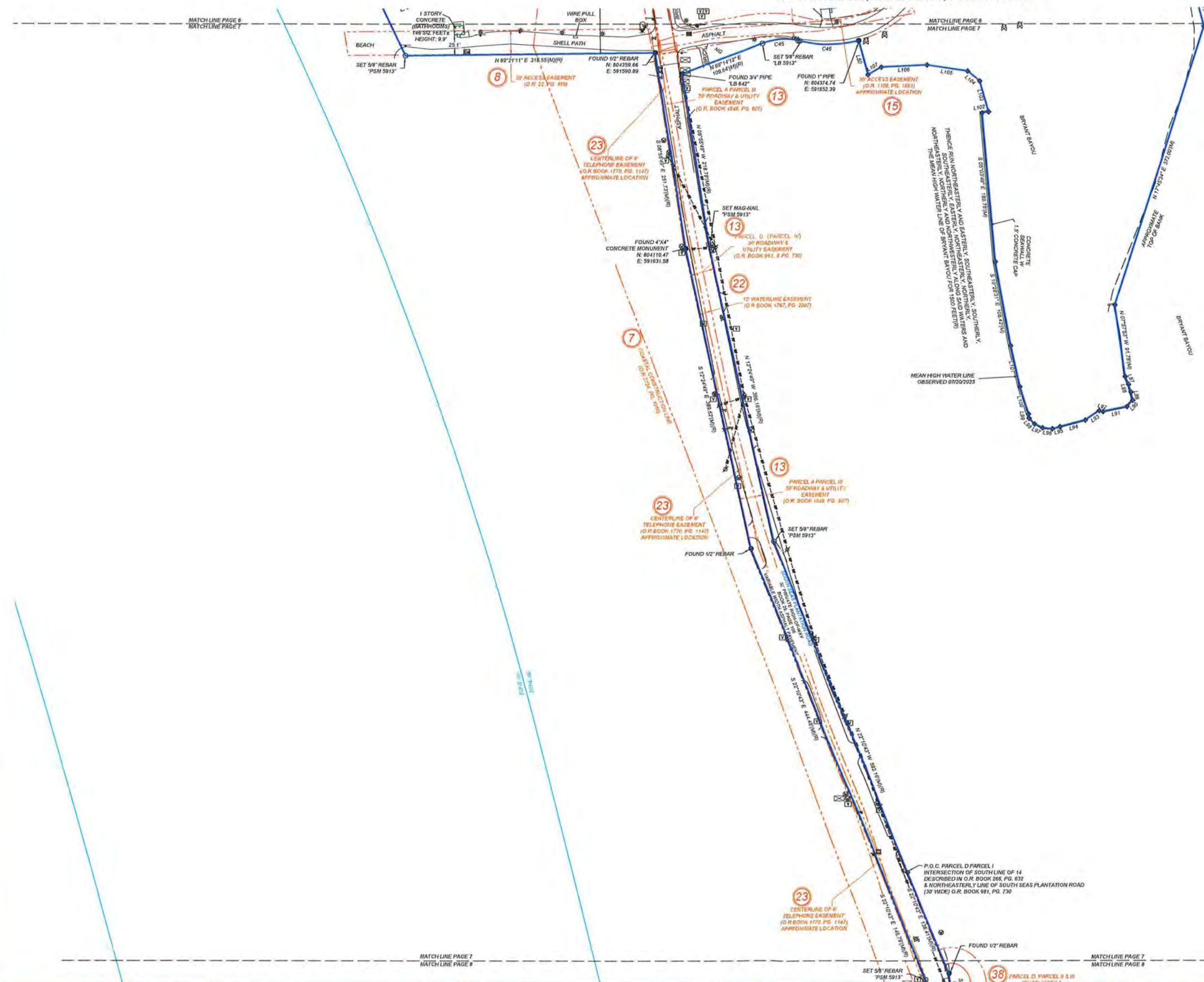
BLEW & ASSOCIATES, P.A.

Surveying
Engineering
Mapping

SURVEYOR JOB NUMBER: 23-4582	SURVEY DRAWN BY: CT - 07/31/2023
SURVEY REVIEWED BY: AJ	SHEET: 6 OF 14

ALTAN/SPS LAND TITLE SURVEY

14830 CAPTIVA DRIVE
CAPTIVA ISLAND, LEE COUNTY, FLORIDA 33924



LEGEND & SYMBOLS

- FOUND MONUMENT AS NOTED
- SET MONUMENT AS NOTED
- COMPUTED POINT
- HANDBOOK PARKING
- FIRE HYDRANT
- LIGHT POLE
- SANITARY MANHOLE
- BOLLARD
- POWER POLE
- ELECTRIC METER
- ELECTRIC BOX
- FIBER OPTIC VAULT
- WATER METER
- WATER VALVE
- DRAIN GRATE
- STORM MANHOLE
- TELEPHONE PEDESTAL
- CLEANOUT
- MONITORING WELL
- MANHOLE
- FLAG POLE
- GAS METER
- UTILITY VAULT
- IRRIGATION CONTROL VALVE
- FIRE DEPARTMENT CONNECTION
- NATURAL GROUND
- NG
- DUMPSTER AREA
- (M) MEASURED/CALCULATED DIMENSION
- (R) RECORD DIMENSION
- (PS) PARKING SPACE(S)
- BHL BUILDING HEIGHT LOCATION
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT
- BOUNDARY LINE
- - - EASEMENT LINE
- · - · - RIGHT-OF-WAY LINE
- · - · - CENTERLINE
- x - x - FENCE LINE
- - - OVERHEAD POWER LINE
- FLOOD ZONE 'X-SHADED'

BLEW & ASSOCIATES, P.A. Surveying
Engineering
Mapping

SURVEYOR JOB NUMBER: 23-4582	SURVEY DRAWN BY: CT - 07/31/2023
SURVEY REVIEWED BY: AJ	SHEET: 7 OF 14

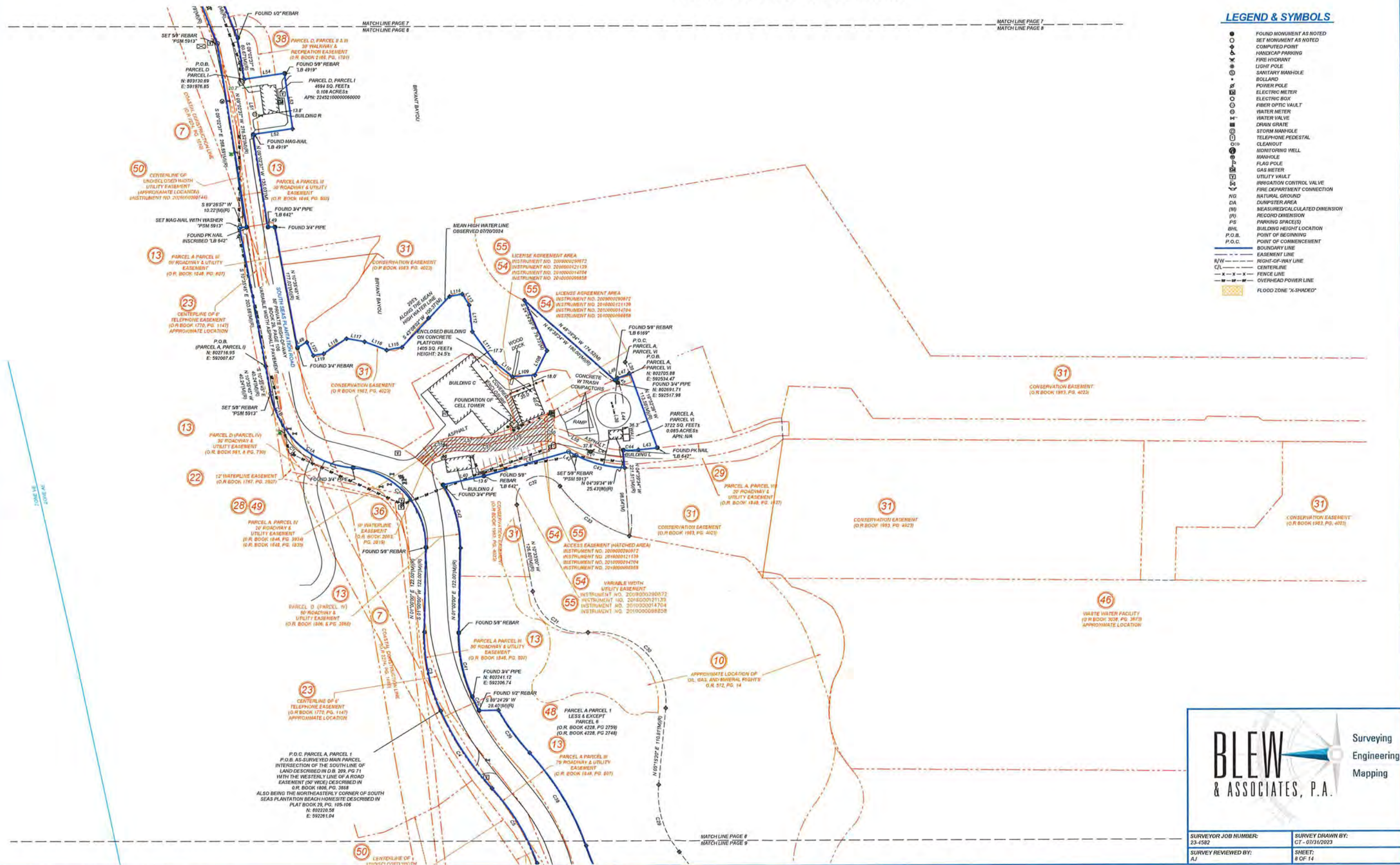
ALT/NSPS LAND TITLE SURVEY

14830 CAPTIVA DRIVE

CAPTIVA ISLAND, LEE COUNTY, FLORIDA 33924

LEGEND & SYMBOLS

- FOUND MONUMENT AS NOTED
- SET MONUMENT AS NOTED
- COMPUTED POINT
- HANDCAP PARKING
- FIRE HYDRANT
- LIGHT POLE
- SANITARY MANHOLE
- BOLLARD
- POWER POLE
- ELECTRIC METER
- ELECTRIC BOX
- FIBER OPTIC VAULT
- WATER METER
- WATER VALVE
- DRAIN GRATE
- STORM MANHOLE
- TELEPHONE PEDESTAL
- CLEANOUT
- MOUNTING WELL
- MANHOLE
- FLAG POLE
- GAS METER
- UTILITY VAULT
- UTILITY VAULT
- IRRIGATION CONTROL VALVE
- FIRE DEPARTMENT CONNECTION
- NG NATURAL GROUND
- DA DUMPSTER AREA
- (M) MEASURED/CALCULATED DIMENSION
- (R) RECORD DIMENSION
- PS PARKING SPACE(S)
- BHL BUILDING HEIGHT LOCATION
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT
- BOUNDARY LINE
- EASEMENT LINE
- R/W --- RIGHT-OF-WAY LINE
- CL --- CENTERLINE
- - - - - FENCE LINE
- - - - - OVERHEAD POWER LINE
- FLOOD ZONE 'X-SHADED'

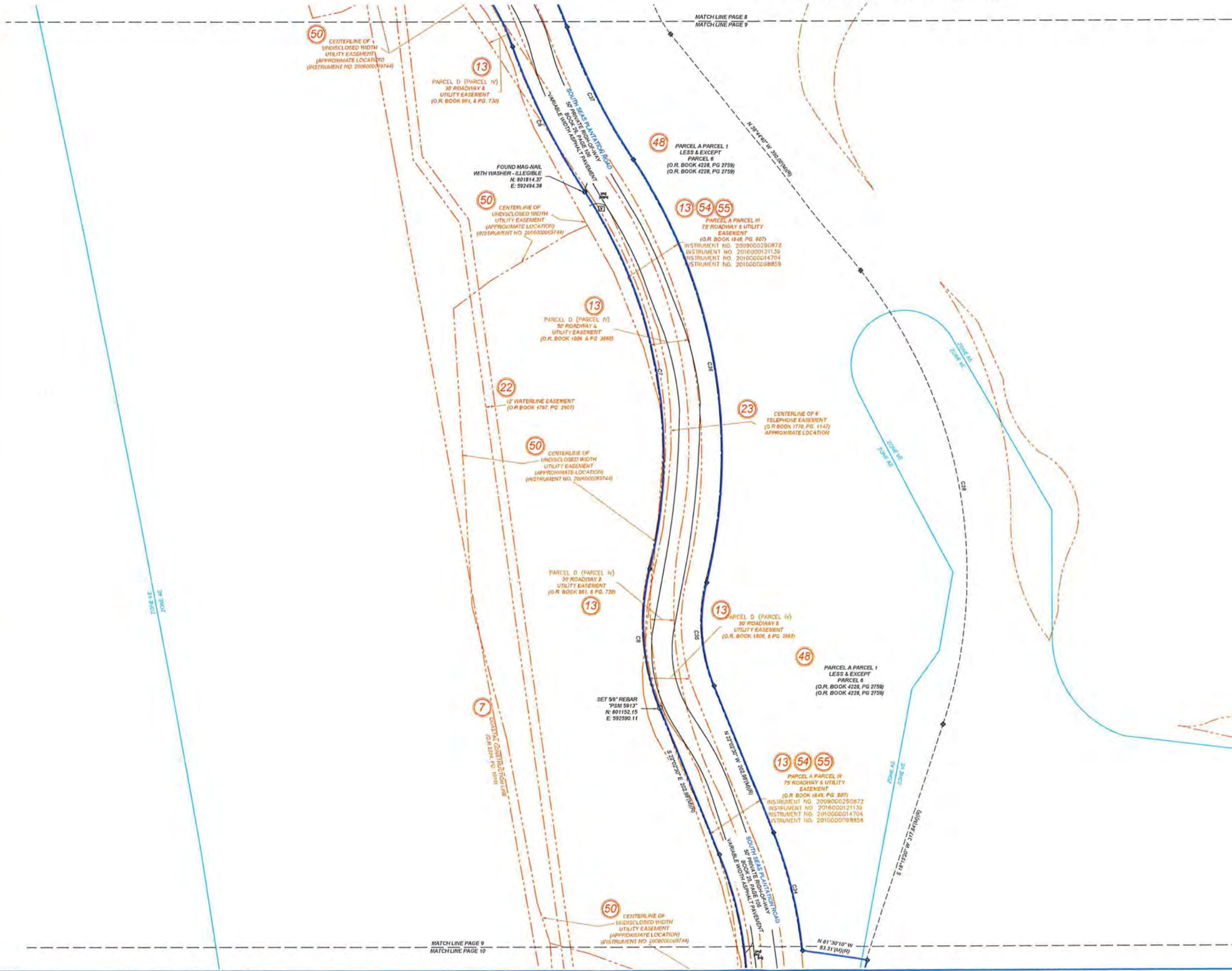


SURVEYOR JOB NUMBER: 23-4582	SURVEY DRAWN BY: CT - 07/31/2023
SURVEY REVIEWED BY: AJ	SHEET: 8 OF 14

ALT/NSPS LAND TITLE SURVEY

14830 CAPTIVA DRIVE

CAPTIVA ISLAND, LEE COUNTY, FLORIDA 33924



LEGEND & SYMBOLS

- FOUND MONUMENT AS NOTED
- SET MONUMENT AS NOTED
- ⊕ COMPUTED POINT
- ♿ HANDICAP PARKING
- ⊕ FIRE HYDRANT
- ⊕ LIGHT POLE
- ⊕ SANITARY MANHOLE
- ⊕ BOLLARD
- ⊕ POWER POLE
- ⊕ ELECTRIC METER
- ⊕ ELECTRIC BOX
- ⊕ FIBER OPTIC VAULT
- ⊕ WATER METER
- ⊕ WATER VALVE
- ⊕ DRAIN GRATE
- ⊕ STORM MANHOLE
- ⊕ TELEPHONE PEDESTAL
- ⊕ CLEANOUT
- ⊕ MONITORING WELL
- ⊕ MAN-HOLE
- ⊕ FLAG POLE
- ⊕ GAS METER
- ⊕ UTILITY VAULT
- ⊕ IRRIGATION CONTROL VALVE
- ⊕ FIRE DEPARTMENT CONNECTION
- NG NATURAL GROUND
- DA DUMPSTER AREA
- (M) MEASURED/CALCULATED DIMENSION
- (R) RECORD DIMENSION
- PS PARKING SPACE(S)
- BHL BUILDING HEIGHT LOCATION
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT
- BOUNDARY LINE
- - - EASEMENT LINE
- R/W RIGHT-OF-WAY LINE
- C/L CENTERLINE
- x - x - FENCE LINE
- - - x - - OVERHEAD POWER LINE
- ⊠ FLOOD ZONE "X-SHADED"



SURVEYOR JOB NUMBER: 23-4582	SURVEY DRAWN BY: CT - 07/31/2023
SURVEY REVIEWED BY: AJ	SHEET: 9 OF 14

ALTA/NSPS LAND TITLE SURVEY

14830 CAPTIVA DRIVE

CAPTIVA ISLAND, LEE COUNTY, FLORIDA 33924



LEGEND & SYMBOLS

- FOUND MONUMENT AS NOTED
- SET MONUMENT AS NOTED
- COMPUTED POINT
- ♿ HANDICAP PARKING
- ⚡ FIRE HYDRANT
- ⚡ LIGHT POLE
- ⊕ SANITARY MANHOLE
- ⊕ BOLLARD
- ⊕ POWER POLE
- ⊕ ELECTRIC METER
- ⊕ ELECTRIC BOX
- ⊕ FIBER OPTIC VAULT
- ⊕ WATER METER
- ⊕ WATER VALVE
- ⊕ DRAIN GRATE
- ⊕ STORM MANHOLE
- ⊕ TELEPHONE PEDESTAL
- ⊕ CLEANOUT
- ⊕ MONITORING WELL
- ⊕ MANHOLE
- ⊕ FLAG POLE
- ⊕ GAS METER
- ⊕ UTILITY VAULT
- ⊕ IRRIGATION CONTROL VALVE
- ⊕ FIRE DEPARTMENT CONNECTION
- NG NATURAL GROUND
- DA DUMPSTER AREA
- (M) MEASURED/CALCULATED DIMENSION
- (R) RECORD DIMENSION
- PS PARKING SPACE(S)
- BHL BUILDING HEIGHT LOCATION
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT
- BOUNDARY LINE
- - - EASEMENT LINE
- R/W --- RIGHT-OF-WAY LINE
- CL --- CENTERLINE
- - - - - FENCE LINE
- - - - - OVERHEAD POWER LINE
- ⊕ FLOOD ZONE "X-SHADED"



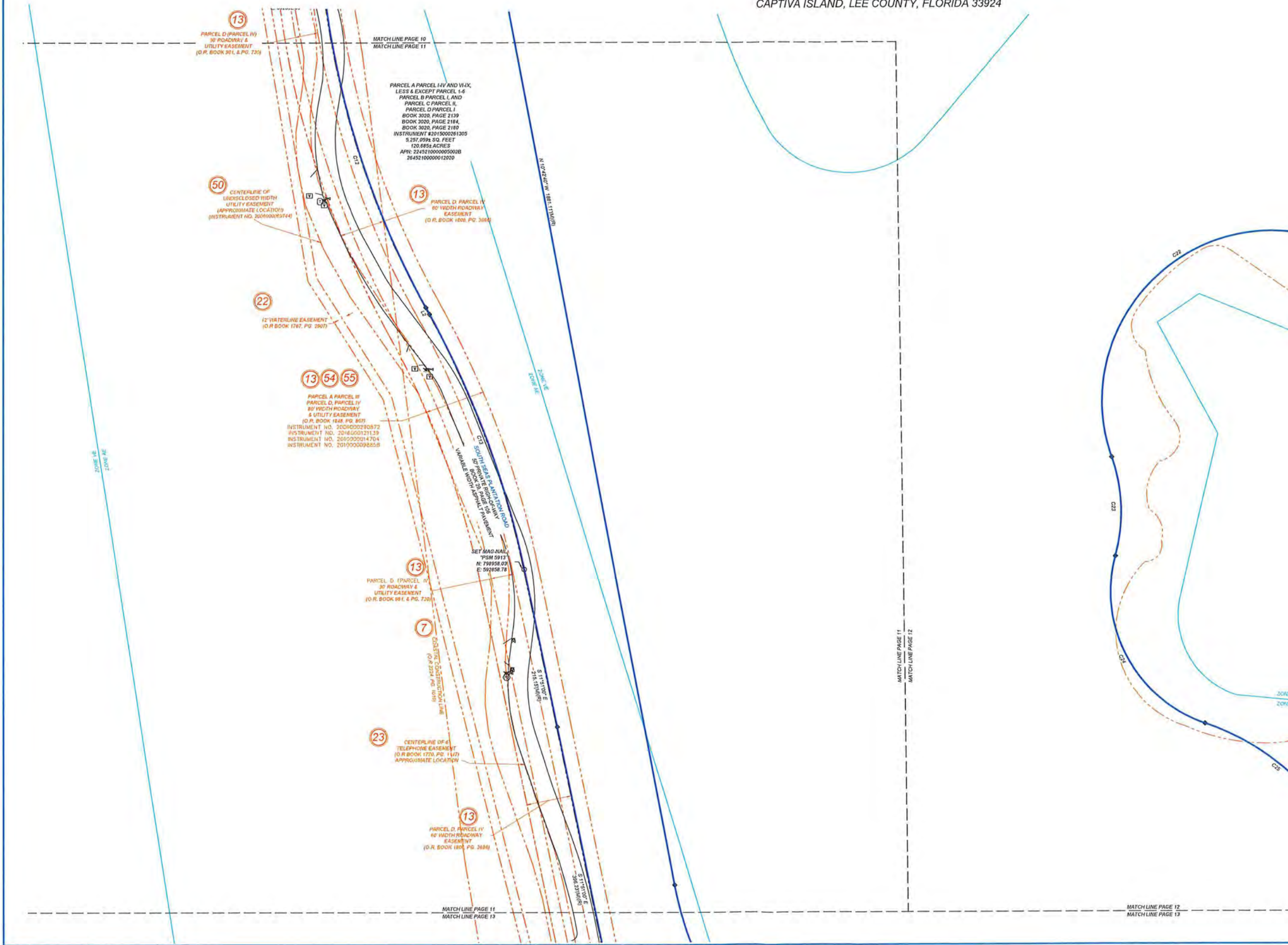
Surveying
Engineering
Mapping

SURVEYOR JOB NUMBER: 23-4582	SURVEY DRAWN BY: CT - 07/31/2023
SURVEY REVIEWED BY: AJ	SHEET: 10 OF 14

ALTANSPS LAND TITLE SURVEY


14830 CAPTIVA DRIVE

CAPTIVA ISLAND, LEE COUNTY, FLORIDA 33924



LEGEND & SYMBOLS

- FOUND MONUMENT AS NOTED
- SET MONUMENT AS NOTED
- COMPUTED POINT
- HANDICAP PARKING
- FIRE HYDRANT
- LIGHT POLE
- SANITARY MANHOLE
- BOLLARD
- POWER POLE
- ELECTRIC METER
- ELECTRIC BOX
- FIBER OPTIC VAULT
- WATER METER
- WATER VALVE
- DRAIN GRATE
- STORM MANHOLE
- TELEPHONE PEDESTAL
- CLEANOUT
- MONITORING WELL
- MANHOLE
- FLAG POLE
- GAS METER
- UTILITY VAULT
- IRRIGATION CONTROL VALVE
- FIRE DEPARTMENT CONNECTION
- NATURAL GROUND
- DA DUMPSTER AREA
- (M) MEASURED/CALCULATED DIMENSION
- (R) RECORD DIMENSION
- (PS) PARKING SPACE(S)
- BHL BUILDING HEIGHT LOCATION
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT
- BOUNDARY LINE
- - - EASEMENT LINE
- N/W --- RIGHT-OF-WAY LINE
- CL --- CENTERLINE
- x - x - FENCE LINE
- - - OVERHEAD POWER LINE
- █ FLOOD ZONE "X-SHADED"



BLEW
& ASSOCIATES, P.A.

Surveying
Engineering
Mapping

SURVEYOR JOB NUMBER: 23-4582	SURVEY DRAWN BY: CT - 07/31/2023
SURVEY REVIEWED BY: AJ	SHEET: 11 OF 14

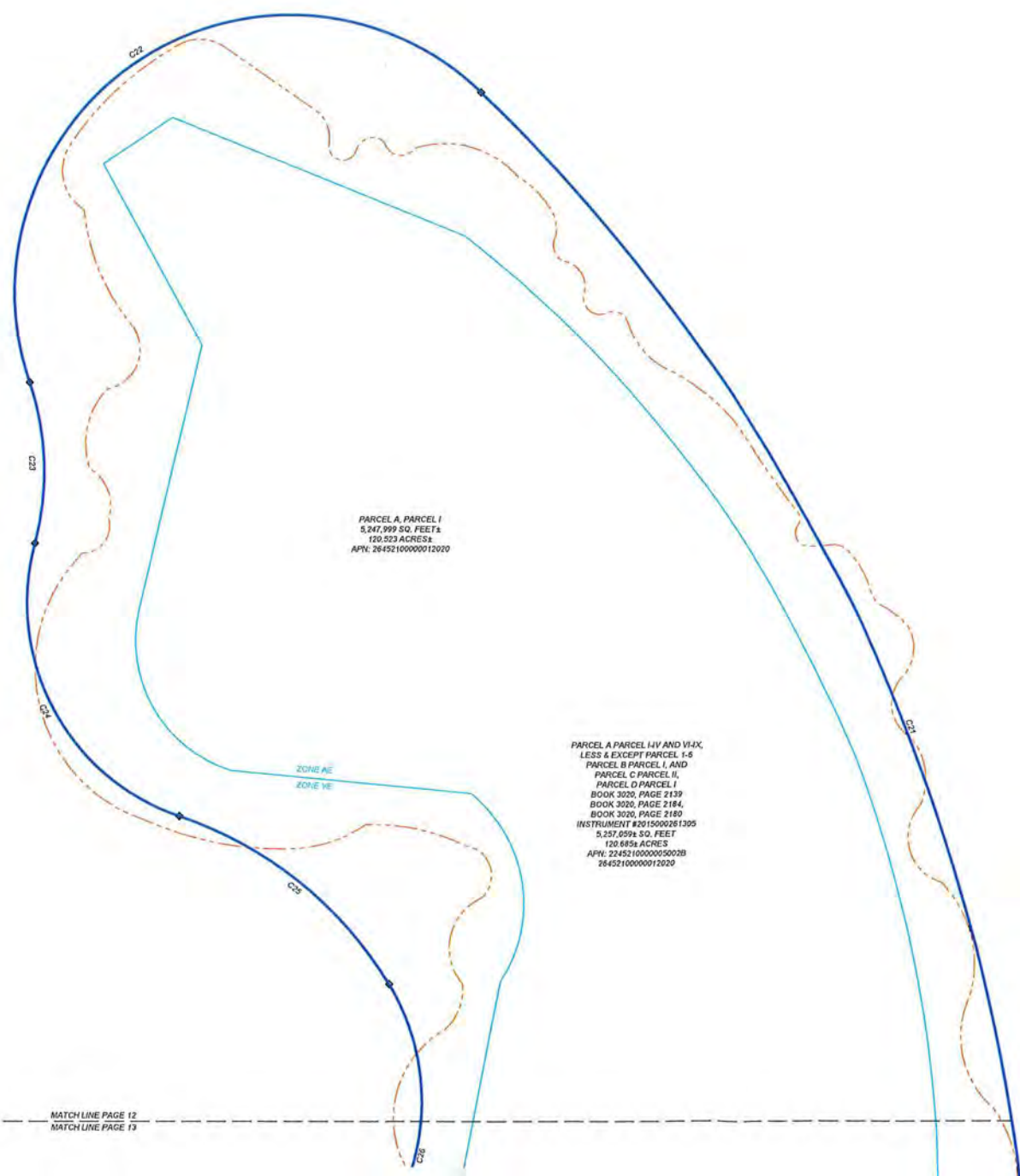
ALTANSPS LAND TITLE SURVEY

14830 CAPTIVA DRIVE

CAPTIVA ISLAND, LEE COUNTY, FLORIDA 33924

LEGEND & SYMBOLS

- FOUND MONUMENT AS NOTED
- SET MONUMENT AS NOTED
- COMPUTED POINT
- ⊕ HANDICAP PARKING
- ⊕ FIRE HYDRANT
- ⊕ LIGHT POLE
- ⊕ SANITARY MANHOLE
- ⊕ BOLLARD
- ⊕ POWER POLE
- ⊕ ELECTRIC METER
- ⊕ ELECTRIC BOX
- ⊕ FIBER OPTIC VAULT
- ⊕ WATER METER
- ⊕ WATER VALVE
- ⊕ DRAIN GRATE
- ⊕ STORM MANHOLE
- ⊕ TELEPHONE PEDESTAL
- ⊕ CLEANOUT
- ⊕ MONITORING WELL
- ⊕ MANHOLE
- ⊕ FLAG POLE
- ⊕ GAS METER
- ⊕ UTILITY VAULT
- ⊕ IRRIGATION CONTROL VALVE
- ⊕ FIRE DEPARTMENT CONNECTION
- NG NATURAL GROUND
- DA DUMPSTER AREA
- (M) MEASURED/CALCULATED DIMENSION
- (R) RECORD DIMENSION
- PS PARKING SPACE(S)
- BHL BUILDING HEIGHT LOCATION
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT
- BOUNDARY LINE
- - - EASEMENT LINE
- R/W --- RIGHT-OF-WAY LINE
- CL --- CENTERLINE
- x - x - FENCE LINE
- - - OVERHEAD POWER LINE
- ⊕ FLOOD ZONE "X-SHADED"



PARCEL A, PARCEL I
5,247,999 SQ. FEET
120.523 ACRES
APN: 26452100000012020

PARCEL A, PARCEL I, IV AND VI, X,
LESS & EXCEPT PARCEL I-5
PARCEL B, PARCEL I, AND
PARCEL C, PARCEL II,
PARCEL D, PARCEL I
BOOK 3020, PAGE 2139
BOOK 3020, PAGE 2184
BOOK 3020, PAGE 2189
INSTRUMENT #2015000261305
5,257,699± SQ. FEET
120.659± ACRES
APN: 22452100000050028
26452100000012020

MATCH LINE PAGE 11
MATCH LINE PAGE 12

MATCH LINE PAGE 12
MATCH LINE PAGE 13

BLEW

& ASSOCIATES, P.A.

Surveying
Engineering
Mapping

SURVEYOR JOB NUMBER: 234582	SURVEY DRAWN BY: CT - 07/31/2023
SURVEY REVIEWED BY: AJ	SHEET: 12 OF 14

ALTANSPS LAND TITLE SURVEY

14830 CAPTIVA DRIVE

CAPTIVA ISLAND, LEE COUNTY, FLORIDA 33924



LEGEND & SYMBOLS

- FOUND MONUMENT AS NOTED
- SET MONUMENT AS NOTED
- COMPUTED POINT
- HANDICAP PARKING
- FIRE HYDRANT
- LIGHT POLE
- SANITARY MANHOLE
- BOLLARD
- POWER POLE
- ELECTRIC METER
- ELECTRIC BOX
- FIBER OPTIC VAULT
- WATER METER
- WATER VALVE
- DRAIN GRATE
- STORM MANHOLE
- TELEPHONE PEDESTAL
- CLEANOUT
- MONITORING WELL
- MANHOLE
- FLAG POLE
- GAS METER
- UTILITY VAULT
- IRRIGATION CONTROL VALVE
- FIRE DEPARTMENT CONNECTION
- NATURAL GROUND
- DA DUMPSTER AREA
- (M) MEASURED CALCULATED DIMENSION
- (R) RECORD DIMENSION
- PS PARKING SPACE(S)
- BHL BUILDING HEIGHT LOCATION
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT
- BOUNDARY LINE
- EASEMENT LINE
- R/W RIGHT-OF-WAY LINE
- CL CENTERLINE
- X-X-X FENCE LINE
- OVER-HEAD POWER LINE
- FLOOD ZONE "X-SHADED"

PARCEL A PARCEL I-IV AND V-H-X
LESS & EXCEPT PARCEL I-6
PARCEL B PARCEL I, AND
PARCEL C PARCEL II,
PARCEL D PARCEL I
BOOK 3020, PAGE 2139
BOOK 3020, PAGE 2184,
BOOK 3020, PAGE 2189
INSTRUMENT #2015000261305
5,247,999 SQ. FEET
120.523 ACRES
APN: 26452100000012020

PARCEL A, PARCEL I
5,247,999 SQ. FEET
120.523 ACRES
APN: 26452100000012020

NOT TO SCALE

BLEW & ASSOCIATES, P.A. Surveying
Engineering
Mapping

SURVEYOR JOB NUMBER: 23-1582	SURVEY DRAWN BY: CT - 07/31/2023
SURVEY REVIEWED BY: AJ	SHEET: 13 OF 14

ALTANSPS LAND TITLE SURVEY

14830 CAPTIVA DRIVE

CAPTIVA ISLAND, LEE COUNTY, FLORIDA 33924



LEGEND & SYMBOLS

- FOUND MONUMENT AS NOTED
- SET MONUMENT AS NOTED
- ⊕ COMPUTED POINT
- ⊖ HANDICAP PARKING
- ⊙ FIRE HYDRANT
- ⊙ LIGHT POLE
- ⊙ SANITARY MANHOLE
- ⊙ BOLLARD
- ⊙ POWER POLE
- ⊙ ELECTRIC METER
- ⊙ ELECTRIC BOX
- ⊙ FIBER OPTIC VAULT
- ⊙ WATER METER
- ⊙ WATER VALVE
- ⊙ DRAIN GRATE
- ⊙ STORM MANHOLE
- ⊙ TELEPHONE PEDESTAL
- ⊙ CLEANOUT
- ⊙ MONITORING WELL
- ⊙ MANHOLE
- ⊙ FLAG POLE
- ⊙ GAS METER
- ⊙ UTILITY VAULT
- ⊙ IRRIGATION CONTROL VALVE
- ⊙ FIRE DEPARTMENT CONNECTION
- NG NATURAL GROUND
- DA DUMPSTER AREA
- (M) MEASURED/CALCULATED DIMENSION
- (R) RECORD DIMENSION
- (PS) PARKING SPACE(S)
- BHL BUILDING HEIGHT LOCATION
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT
- BOUNDARY LINE
- - - EASEMENT LINE
- R/W RIGHT-OF-WAY LINE
- C/L CENTERLINE
- x - x - FENCE LINE
- - - OVERHEAD POWER LINE
- ⊘ FLOOD ZONE 'X-SHADED'

BLEW & ASSOCIATES, P.A.

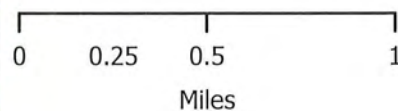
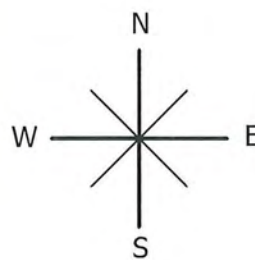
Surveying
Engineering
Mapping

SURVEYOR JOB NUMBER: 23-4582	SURVEY DRAWN BY: CT - 01/31/2023
SURVEY REVIEWED BY: AJ	SHEET: 14 OF 14

Captiva

Legend

-  Residential
-  Commercial
-  Community Facilities
-  South Seas Island Resort

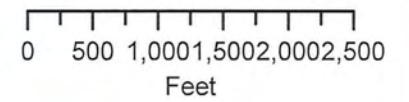
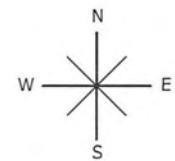


Map Generated
July 2024

DCI2023-00051



Aerial

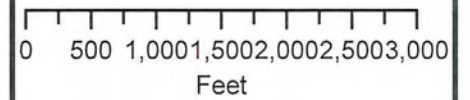
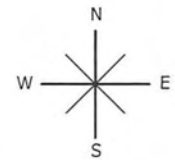
 Subject Property



DCI2023-00051

Future Land Use

-  Subject Property
-  Outlying Suburban
-  Wetlands




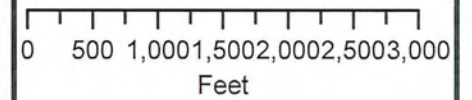
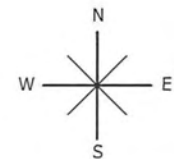
Lee County, FL, Maxar



DCI2023-00051

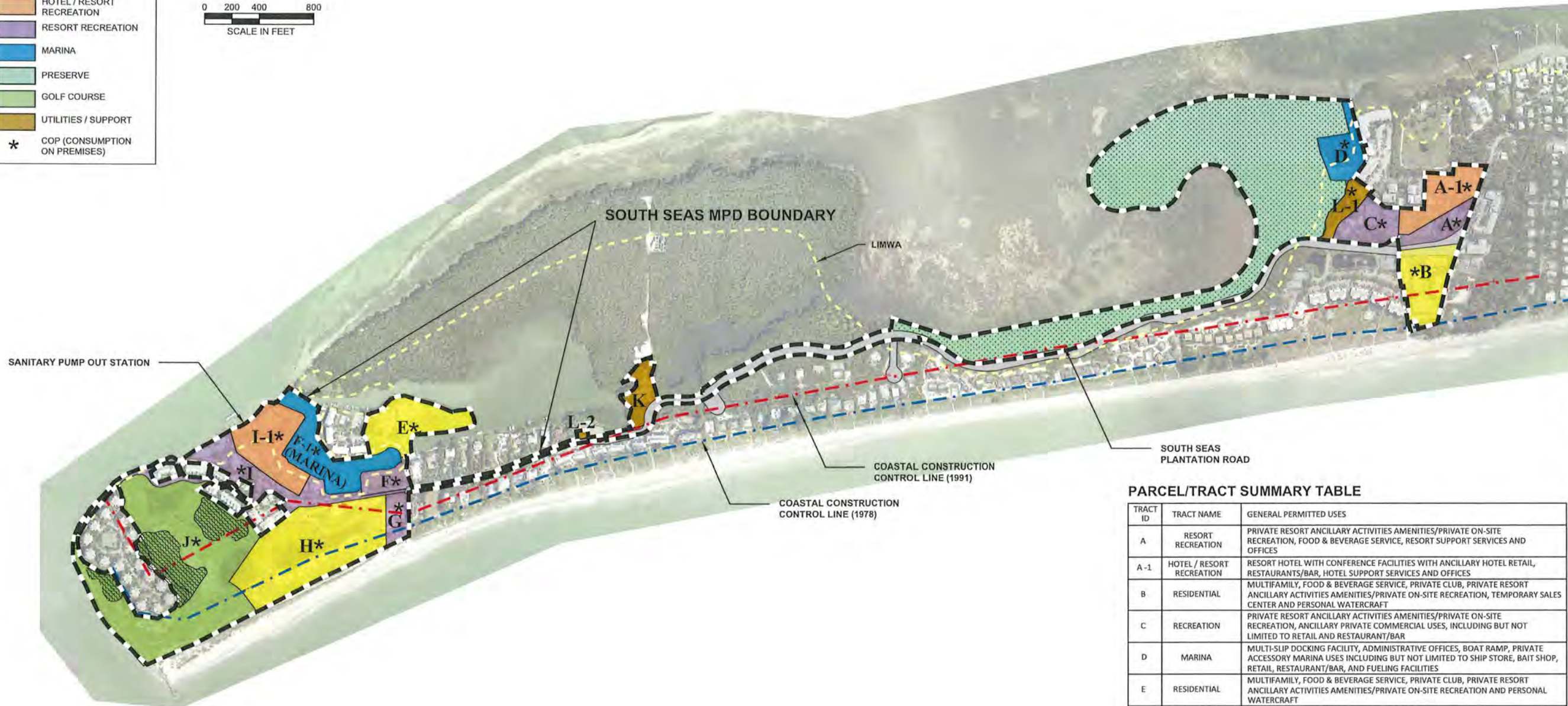
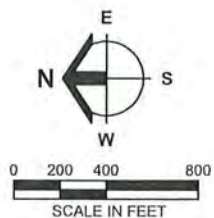
Zoning

 Subject Property



SOUTH SEAS ISLAND RESORT MPD PARCELS

-  LAKE
-  RESIDENTIAL
-  HOTEL / RESORT RECREATION
-  RESORT RECREATION
-  MARINA
-  PRESERVE
-  GOLF COURSE
-  UTILITIES / SUPPORT
-  * COP (CONSUMPTION ON PREMISES)



WS SSIR
OWNER, LLC.

1031 W. MORSE BLVD. SUITE 350
WINTER PARK, FL 32789

SOUTH SEAS ISLAND RESORT MPD

LEE COUNTY, FLORIDA

THIS PLAN IS PRELIMINARY AND INTENDED FOR CONCEPTUAL PLANNING PURPOSES ONLY.

SITE LAYOUT AND LAND USE INTENSITIES OR DENSITIES MAY CHANGE SIGNIFICANTLY BASED UPON SURVEY, ENGINEERING, ENVIRONMENTAL AND / OR REGULATORY CONSTRAINTS AND / OR OPPORTUNITIES.

DRAWING NOT VALID WITHOUT SEAL, SIGNATURE AND DATE
© COPYRIGHT 2024, BARRACO AND ASSOCIATES, INC.
REPRODUCTION, CHANGES OR ASSIGNMENTS ARE PROHIBITED

FILE NAME: 24000201.DWG
LOCATION: J524000/DWG/ZONING/L
PLOT DATE: WED, 12-18-2024 - 11:45 AM
PLOT BY: ALYSSA FONTAINE

CROSS REFERENCED DRAWINGS

PLAN REVISIONS

PLAN STATUS

OVERALL MASTER CONCEPT PLAN

PROJECT / FILE NO. **24000** SHEET NUMBER **1 OF 7**

PARCEL/TRACT SUMMARY TABLE

TRACT ID	TRACT NAME	GENERAL PERMITTED USES
A	RESORT RECREATION	PRIVATE RESORT ANCILLARY ACTIVITIES AMENITIES/PRIVATE ON-SITE RECREATION, FOOD & BEVERAGE SERVICE, RESORT SUPPORT SERVICES AND OFFICES
A-1	HOTEL / RESORT RECREATION	RESORT HOTEL WITH CONFERENCE FACILITIES WITH ANCILLARY HOTEL RETAIL, RESTAURANTS/BAR, HOTEL SUPPORT SERVICES AND OFFICES
B	RESIDENTIAL	MULTIFAMILY, FOOD & BEVERAGE SERVICE, PRIVATE CLUB, PRIVATE RESORT ANCILLARY ACTIVITIES AMENITIES/PRIVATE ON-SITE RECREATION, TEMPORARY SALES CENTER AND PERSONAL WATERCRAFT
C	RECREATION	PRIVATE RESORT ANCILLARY ACTIVITIES AMENITIES/PRIVATE ON-SITE RECREATION, ANCILLARY PRIVATE COMMERCIAL USES, INCLUDING BUT NOT LIMITED TO RETAIL AND RESTAURANT/BAR
D	MARINA	MULTI-SLIP DOCKING FACILITY, ADMINISTRATIVE OFFICES, BOAT RAMP, PRIVATE ACCESSORY MARINA USES INCLUDING BUT NOT LIMITED TO SHIP STORE, BAIT SHOP, RETAIL, RESTAURANT/BAR, AND FUELING FACILITIES
E	RESIDENTIAL	MULTIFAMILY, FOOD & BEVERAGE SERVICE, PRIVATE CLUB, PRIVATE RESORT ANCILLARY ACTIVITIES AMENITIES/PRIVATE ON-SITE RECREATION AND PERSONAL WATERCRAFT
F	RESORT RECREATION	PRIVATE RESORT ANCILLARY ACTIVITIES AMENITIES/PRIVATE ON-SITE RECREATION, ANCILLARY PRIVATE COMMERCIAL USES INCLUDING BUT NOT LIMITED TO RETAIL, RESORT CONFERENCE FACILITIES, SHIP STORE, RESTAURANT/BAR, SUPPORT OFFICES, VEHICLE/CART CHARGING, AND PERSONAL WATERCRAFT
F1	MARINA	MULTI-SLIP DOCKING FACILITY, ADMINISTRATIVE OFFICES, BOAT RAMP, PRIVATE ACCESSORY MARINA USES INCLUDING BUT NOT LIMITED TO SHIP STORE, BAIT SHOP, RETAIL, RESTAURANT/BAR, AND FUELING FACILITIES
G	RESORT RECREATION	PRIVATE RESORT ANCILLARY ACTIVITIES AMENITIES /PRIVATE ON -SITE RECREATION, ANCILLARY PRIVATE COMMERCIAL USES INCLUDING BUT NOT LIMITED TO RESTAURANTS/BAR, RETAIL, WATER SPORTS RENTAL, PERSONAL WATERCRAFT
H	RESIDENTIAL	MULTIFAMILY, FOOD & BEVERAGE SERVICE, PRIVATE CLUB, PRIVATE RESORT ANCILLARY ACTIVITIES AMENITIES/PRIVATE ON -SITE RECREATION, TEMPORARY SALES CENTER, PERSONAL WATERCRAFT AND TIMESHARE UNITS
I	RESORT RECREATION	PRIVATE RESORT ANCILLARY ACTIVITIES AMENITIES /PRIVATE ON -SITE RECREATION, ANCILLARY PRIVATE COMMERCIAL USES INCLUDING BUT NOT LIMITED TO RETAIL, RESORT CONFERENCE FACILITIES, SHIP STORE, RESTAURANT/BAR, SUPPORT OFFICES, VEHICLE/CART CHARGING, AND PERSONAL WATERCRAFT
I-1	HOTEL / RESORT RECREATION	RESORT HOTEL WITH CONFERENCE FACILITIES WITH ANCILLARY HOTEL RETAIL, RESTAURANTS / BAR, HOTEL SUPPORT SERVICES AND OFFICES
J	GOLF	13-HOLE GOLF COURSE, PRIVATE ON-SITE RECREATION, ANCILLARY PRIVATE COMMERCIAL USES INCLUDING RETAIL, RESTAURANT / BAR, FOOD & BEVERAGE SERVICE AND GOLF MAINTENANCE
K	MAINTENANCE	ESSENTIAL SERVICES & UTILITIES, OFFICES, RESORT SUPPORT SERVICES, VEHICLE/CART CHARGING, PERSONAL WATERCRAFT, AND WIRELESS COMMUNICATION FACILITIES
L-1	RESORT SUPPORT	OFFICE ANCILLARY TO RESORT & RESIDENTIAL USES
L-2	MAINTENANCE / RESORT SUPPORT	ESSENTIAL SERVICES & UTILITIES, OFFICES, RESORT SUPPORT SERVICES, VEHICLE/CART CHARGING, FOOD TRUCK AND PERSONAL WATERCRAFT

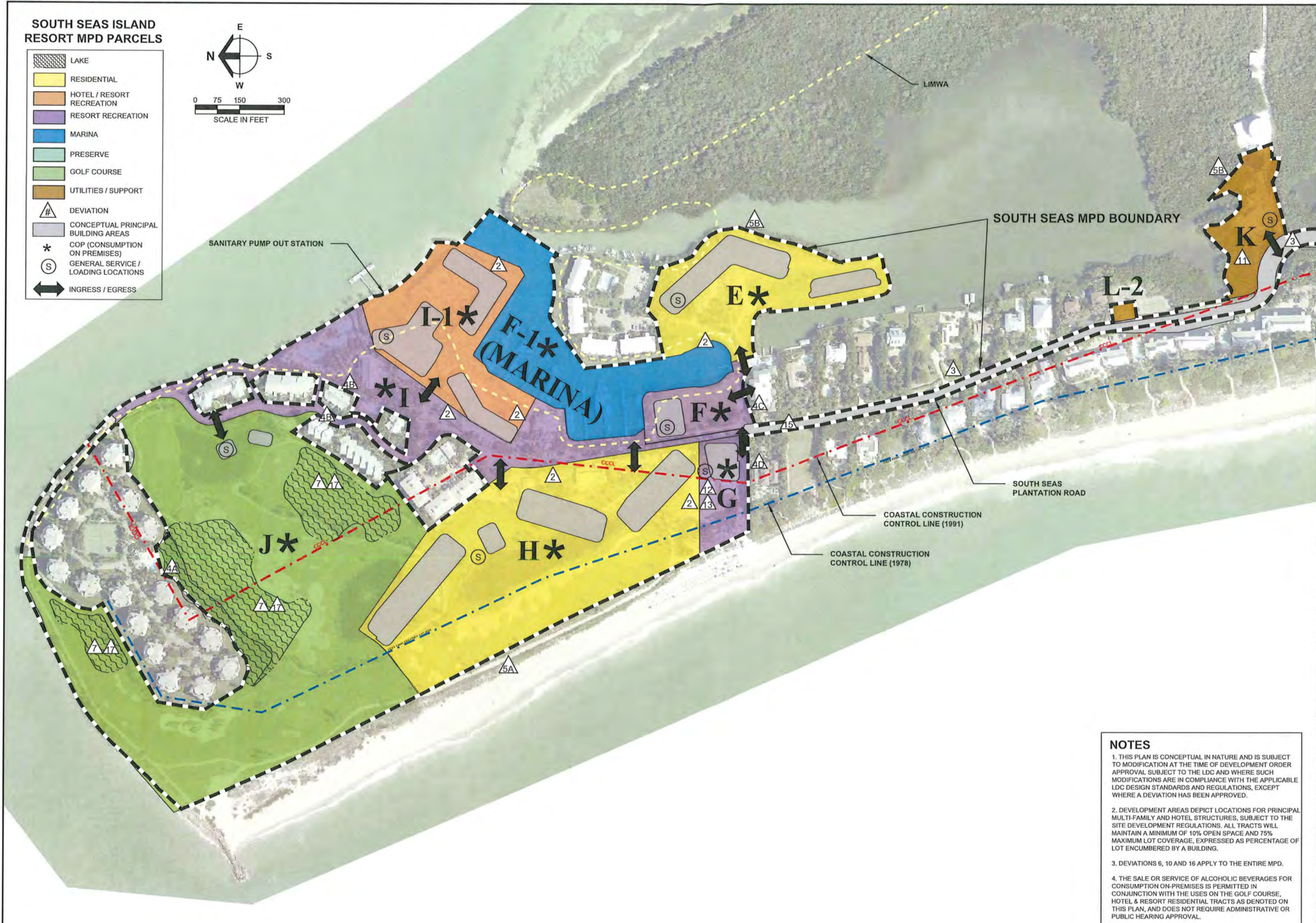
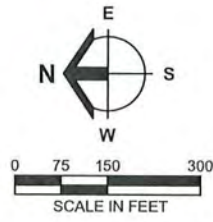
LAND USE SUMMARY		
LAND USE	TRACT ID	TRACT ACREAGE
RESIDENTIAL TRACTS		
	B	4.17
	E	4.60
	H	11.64
	SUB-TOTAL	20.4 AC
RESORT/RECREATION/MARINA/INFRA STRUCTURE TRACTS		
	A	2.94
	C	2.68
	D	2.49
	F	1.44
	F1	5.09
	G	1.38
	I	8.33
	J	22.36
	K	1.68
	L-1	1.38
	L-2	0.11
	Right Of Way	4.35
	SUB-TOTAL	84.2 AC
COMMERCIAL TRACTS		
	A-1	2.75 AC
	I-1	2.25 AC
	SUB-TOTAL	5.0 AC
	(Residential/Resort/Recreation/Commercial)	79.6
	Saltwater Preserve/Open Space	41.8
	MPD TOTAL	121+/- AC

NOTES

- THIS PLAN IS CONCEPTUAL IN NATURE AND IS SUBJECT TO MODIFICATION AT THE TIME OF DEVELOPMENT ORDER APPROVAL SUBJECT TO THE LDC AND WHERE SUCH MODIFICATIONS ARE IN COMPLIANCE WITH THE APPLICABLE LDC DESIGN STANDARDS AND REGULATIONS, EXCEPT WHERE A DEVIATION HAS BEEN APPROVED.
- DEVELOPMENT AREAS DEPICT LOCATIONS FOR PRINCIPAL MULTI-FAMILY AND HOTEL STRUCTURES, SUBJECT TO THE SITE DEVELOPMENT REGULATIONS. ALL TRACTS WILL MAINTAIN A MINIMUM OF 10% OPEN SPACE AND 75% MAXIMUM LOT COVERAGE, EXPRESSED AS PERCENTAGE OF LOT ENCLUMBERED BY A BUILDING.
- DEVIATIONS 6, 10 AND 16 APPLY TO THE ENTIRE MPD.
- THE SALE OR SERVICE OF ALCOHOLIC BEVERAGES FOR CONSUMPTION ON-PREMISES IS PERMITTED IN CONJUNCTION WITH THE USES ON THE GOLF COURSE, HOTEL & RESORT RESIDENTIAL TRACTS AS DENOTED ON THIS PLAN, AND DOES NOT REQUIRE ADMINISTRATIVE OR PUBLIC HEARING APPROVAL.

SOUTH SEAS ISLAND RESORT MPD PARCELS

- LAKE
- RESIDENTIAL
- HOTEL / RESORT RECREATION
- RESORT RECREATION
- MARINA
- PRESERVE
- GOLF COURSE
- UTILITIES / SUPPORT
- DEVIATION
- CONCEPTUAL PRINCIPAL BUILDING AREAS
- COP (CONSUMPTION ON PREMISES)
- GENERAL SERVICE / LOADING LOCATIONS
- INGRESS / EGRESS



Barraco
and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING
www.barraco.net
2271 MCGREGOR BLVD., SUITE 100
POST OFFICE DRAWER 2800
FORT MYERS, FLORIDA 33902-2800
PHONE (239) 461-3170
FORT MYERS | PANAMA CITY BEACH
FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 7995 - SURVEYING LB-6940

WS SSIR
OWNER, LLC.

1031 W. MORSE BLVD. SUITE 350
WINTER PARK, FL 32789

PROJECT DESCRIPTION
SOUTH SEAS ISLAND RESORT MPD
LEE COUNTY, FLORIDA

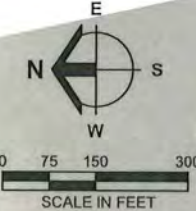
THIS PLAN IS PRELIMINARY AND INTENDED FOR CONCEPTUAL PLANNING PURPOSES ONLY.
SITE LAYOUT AND LAND USE INTENSITIES OR DENSITIES MAY CHANGE SIGNIFICANTLY BASED UPON SURVEY, ENGINEERING, ENVIRONMENTAL AND / OR REGULATORY CONSTRAINTS AND / OR OPPORTUNITIES.

DRAWING NOT VALID WITHOUT SEAL, SIGNATURE AND DATE
© COPYRIGHT 2024, BARRACO AND ASSOCIATES, INC.
REPRODUCTION, CHANGES OR ASSIGNMENTS ARE PROHIBITED
FILE NAME: 24000201.DWG
LOCATION: J:\24000\DWG\ZONING\1
PLOT DATE: WED. 12-18-2024 - 11:48 AM
PLOT BY: ALYSSA FONTAINE

PLAN REVISIONS	
PLAN STATUS	

MASTER
CONCEPT PLAN
NORTH
PROJECT / FILE NO. 24000 SHEET NUMBER 2 OF 7

- NOTES**
1. THIS PLAN IS CONCEPTUAL IN NATURE AND IS SUBJECT TO MODIFICATION AT THE TIME OF DEVELOPMENT ORDER APPROVAL SUBJECT TO THE LDC AND WHERE SUCH MODIFICATIONS ARE IN COMPLIANCE WITH THE APPLICABLE LDC DESIGN STANDARDS AND REGULATIONS, EXCEPT WHERE A DEVIATION HAS BEEN APPROVED.
 2. DEVELOPMENT AREAS DEPICT LOCATIONS FOR PRINCIPAL MULTI-FAMILY AND HOTEL STRUCTURES, SUBJECT TO THE SITE DEVELOPMENT REGULATIONS. ALL TRACTS WILL MAINTAIN A MINIMUM OF 10% OPEN SPACE AND 75% MAXIMUM LOT COVERAGE, EXPRESSED AS PERCENTAGE OF LOT ENCUMBERED BY A BUILDING.
 3. DEVIATIONS 6, 10 AND 16 APPLY TO THE ENTIRE MPD.
 4. THE SALE OR SERVICE OF ALCOHOLIC BEVERAGES FOR CONSUMPTION ON-PREMISES IS PERMITTED IN CONJUNCTION WITH THE USES ON THE GOLF COURSE, HOTEL & RESORT RESIDENTIAL TRACTS AS DENOTED ON THIS PLAN, AND DOES NOT REQUIRE ADMINISTRATIVE OR PUBLIC HEARING APPROVAL.



Barraco
and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING
www.barraco.net
2271 MCGREGOR BLVD., SUITE 100
POST OFFICE DRAWER 2800
FORT MYERS, FLORIDA 33902-2800
PHONE (239) 461-3170
FORT MYERS | PANAMA CITY BEACH
FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 7995 - SURVEYING LB-6940

WS SSIR
OWNER, LLC.

1031 W. MORSE BLVD. SUITE 350
WINTER PARK, FL 32789

PROJECT DESCRIPTION

**SOUTH SEAS
ISLAND
RESORT
MPD**

LEE COUNTY, FLORIDA

THIS PLAN IS PRELIMINARY AND
INTENDED FOR CONCEPTUAL
PLANNING PURPOSES ONLY.

SITE LAYOUT AND LAND USE
INTENSITIES OR DENSITIES MAY
CHANGE SIGNIFICANTLY BASED
UPON SURVEY, ENGINEERING,
ENVIRONMENTAL AND / OR
REGULATORY CONSTRAINTS AND /
OR OPPORTUNITIES.

DRAWING NOT VALID WITHOUT SEAL, SIGNATURE AND DATE
© COPYRIGHT 2024, BARRACO AND ASSOCIATES, INC.
REPRODUCTION, CHANGES OR ASSIGNMENTS ARE PROHIBITED

FILE NAME: 24000201.DWG
LOCATION: J:\24000\DWG\ZONING\I
PLOT DATE: WED, 12-18-2024 - 11:47 AM
PLOT BY: ALYSSA FONTANE

CROSS REFERENCED DRAWINGS

PLAN REVISIONS

PLAN STATUS

**MASTER
CONCEPT PLAN
SOUTH**

PROJECT / FILE NO.	SHEET NUMBER
24000	3 OF 7

**SOUTH SEAS ISLAND
RESORT MPD PARCELS**

- RESIDENTIAL
- HOTEL / RESORT RECREATION
- RESORT RECREATION
- MARINA
- PRESERVE
- GOLF COURSE
- UTILITIES / SUPPORT
- DEVIATION
- CONCEPTUAL PRINCIPAL BUILDING AREAS
- COP (CONSUMPTION ON PREMISES)
- GENERAL SERVICE / LOADING LOCATIONS
- INGRESS / EGRESS

NOTES

1. THIS PLAN IS CONCEPTUAL IN NATURE AND IS SUBJECT TO MODIFICATION AT THE TIME OF DEVELOPMENT ORDER APPROVAL SUBJECT TO THE LDC AND WHERE SUCH MODIFICATIONS ARE IN COMPLIANCE WITH THE APPLICABLE LDC DESIGN STANDARDS AND REGULATIONS, EXCEPT WHERE A DEVIATION HAS BEEN APPROVED.
2. DEVELOPMENT AREAS DEPICT LOCATIONS FOR PRINCIPAL MULTI-FAMILY AND HOTEL STRUCTURES, SUBJECT TO THE SITE DEVELOPMENT REGULATIONS. ALL TRACTS WILL MAINTAIN A MINIMUM OF 10% OPEN SPACE AND 75% MAXIMUM LOT COVERAGE, EXPRESSED AS PERCENTAGE OF LOT ENCUMBERED BY A BUILDING.
3. DEVIATIONS 6, 10 AND 16 APPLY TO THE ENTIRE MPD.
4. THE SALE OR SERVICE OF ALCOHOLIC BEVERAGES FOR CONSUMPTION ON-PREMISES IS PERMITTED IN CONJUNCTION WITH THE USES ON THE GOLF COURSE, HOTEL & RESORT RESIDENTIAL TRACTS AS DENOTED ON THIS PLAN, AND DOES NOT REQUIRE ADMINISTRATIVE OR PUBLIC HEARING APPROVAL.

Barraco
and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING
www.barraco.net
2271 MCGREGOR BLVD., SUITE 100
POST OFFICE DRAWER 2800
FORT MYERS, FLORIDA 33902-2800
PHONE (239) 461-3170
FORT MYERS | PANAMA CITY BEACH
FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 7995 - SURVEYING LB-6940

WS SSIR
OWNER, LLC.

1031 W. MORSE BLVD. SUITE 350
WINTER PARK, FL 32789

PROJECT DESCRIPTION

**SOUTH SEAS ISLAND
RESORT MPD**

LEE COUNTY, FLORIDA

THIS PLAN IS PRELIMINARY AND
INTENDED FOR CONCEPTUAL
PLANNING PURPOSES ONLY.

SITE LAYOUT AND LAND USE
INTENSITIES OR DENSITIES MAY
CHANGE SIGNIFICANTLY BASED
UPON SURVEY, ENGINEERING,
ENVIRONMENTAL AND / OR
REGULATORY CONSTRAINTS AND /
OR OPPORTUNITIES.

DRAWING NOT VALID WITHOUT SEAL, SIGNATURE AND DATE
© COPYRIGHT 2024, BARRACO AND ASSOCIATES, INC.
REPRODUCTION, CHANGES OR ASSIGNMENTS ARE PROHIBITED

FILE NAME: 24000201.DWG
LOCATION: J:\24000\DWG\ZONING\I
PLOT DATE: WED, 12-18-2024 - 11:47 AM
PLOT BY: ALYSSA FONTAINE

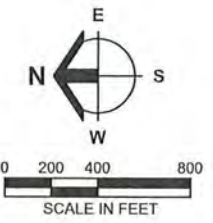
CROSS REFERENCED DRAWINGS

PLAN REVISIONS

PLAN STATUS

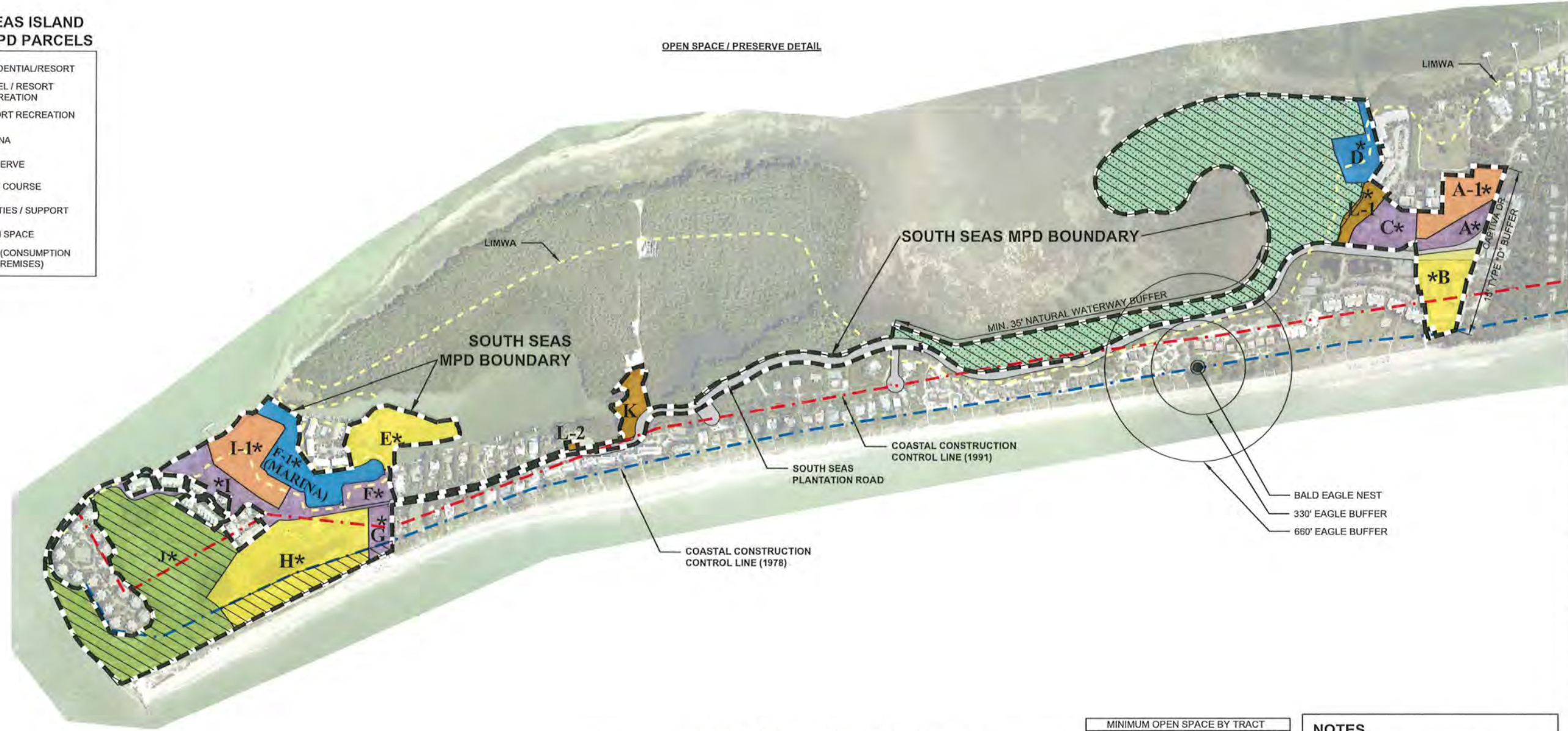
OPEN SPACE/
PRESERVE
EXHIBIT

PROJECT / FILE NO. SHEET NUMBER
24000 4 OF 7



**SOUTH SEAS ISLAND
RESORT MPD PARCELS**

- RESIDENTIAL/RESORT
- HOTEL / RESORT RECREATION
- RESORT RECREATION
- MARINA
- PRESERVE
- GOLF COURSE
- UTILITIES / SUPPORT
- OPEN SPACE
- * COP (CONSUMPTION ON PREMISES)



OPEN SPACE & INDIGENOUS PRESERVATION SUMMARY	
TOTAL ACREAGE	120.5 AC
RESIDENTIAL ACREAGE	115.5 AC
NON-RESIDENTIAL ACREAGE	5.00 AC
OPEN SPACE SUMMARY	
RESIDENTIAL OPEN SPACE REQUIRED	46.2 AC (115.5 AC x 40%)
NON-RESIDENTIAL OPEN SPACE REQUIRED	1.5 AC (5 AC X 30%)
TOTAL OPEN SPACE REQUIRED	47.7 AC
TOTAL OPEN SPACE PROVIDED	62.41 AC
INDIGENOUS PRESERVE	39.83 AC
GOLF COURSE	22.58 AC
INDIGENOUS PRESERVE SUMMARY	
INDIGENOUS PRESERVE REQUIRED	23.85 AC (47.7 x 50%)
INDIGENOUS PRESERVE PROVIDED	39.83 AC

- (1) A MAXIMUM OF 25% OF THE OPEN SPACE AREA MAY BE COMPRISED OF LAKE AREA.
- (2) A MAXIMUM OF 20% OF THE GOLF COURSE MAY BE IMPERVIOUS SURFACE.
- (3) A MINIMUM OF 10% OPEN SPACE WILL BE PROVIDED ON ALL INDIVIDUAL TRACTS/LOTS.

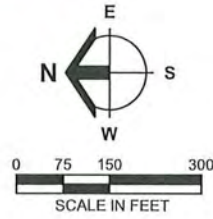
MINIMUM OPEN SPACE BY TRACT		
TRACT	ACREAGE	MIN. OPEN SPACE
A	2.94 AC	0.295
A-1	2.75 AC	0.275
B	4.17 AC	0.417
C	2.68 AC	0.268
D	2.49 AC	0.249
E	4.60 AC	0.46
F	1.44 AC	0.144
F1	5.09 AC	0.509
G	1.38 AC	0.138
H	11.64 AC	1.164
I	8.33 AC	0.833
I-2	0.11 AC	0.011
I-1	2.25 AC	0.225
J	22.36 AC	2.236
K	1.68 AC	0.168
L	1.38 AC	0.138
MIN. OPEN SPACE INTERNAL TO TRACTS		7.53 AC

NOTES

- THIS PLAN IS CONCEPTUAL IN NATURE AND IS SUBJECT TO MODIFICATION AT THE TIME OF DEVELOPMENT ORDER APPROVAL SUBJECT TO THE LDC AND WHERE SUCH MODIFICATIONS ARE IN COMPLIANCE WITH THE APPLICABLE LDC DESIGN STANDARDS AND REGULATIONS, EXCEPT WHERE A DEVIATION HAS BEEN APPROVED.
- DEVELOPMENT AREAS DEPICT LOCATIONS FOR PRINCIPAL MULTI-FAMILY AND HOTEL STRUCTURES, SUBJECT TO THE SITE DEVELOPMENT REGULATIONS. ALL TRACTS WILL MAINTAIN A MINIMUM OF 10% OPEN SPACE AND 75% MAXIMUM LOT COVERAGE, EXPRESSED AS PERCENTAGE OF LOT ENCUMBERED BY A BUILDING.
- DEVIATIONS 6, 10 AND 16 APPLY TO THE ENTIRE MPD.
- THE SALE OR SERVICE OF ALCOHOLIC BEVERAGES FOR CONSUMPTION ON-PREMISES IS PERMITTED IN CONJUNCTION WITH THE USES ON THE GOLF COURSE, HOTEL & RESORT RESIDENTIAL TRACTS AS DENOTED ON THIS PLAN, AND DOES NOT REQUIRE ADMINISTRATIVE OR PUBLIC HEARING APPROVAL.

SOUTH SEAS ISLAND RESORT MPD PARCELS

- RESIDENTIAL/RESORT
- HOTEL / RESORT RECREATION
- RESORT RECREATION
- MARINA
- PRESERVE
- GOLF COURSE
- UTILITIES / SUPPORT
- OPEN SPACE
- # DEVIATION
- * COP (CONSUMPTION ON PREMISES)



Barraco
and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING
www.barraco.net
2271 MCGREGOR BLVD., SUITE 100
POST OFFICE DRAWER 2800
FORT MYERS, FLORIDA 33902-2800
PHONE (239) 461-3170
FORT MYERS | PANAMA CITY BEACH
FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 7995 - SURVEYING LB-6940

WS SSIR
OWNER, LLC.

1031 W. MORSE BLVD. SUITE 350
WINTER PARK, FL 32789

PROJECT DESCRIPTION

SOUTH SEAS ISLAND RESORT MPD

LEE COUNTY, FLORIDA

THIS PLAN IS PRELIMINARY AND INTENDED FOR CONCEPTUAL PLANNING PURPOSES ONLY.

SITE LAYOUT AND LAND USE INTENSITIES OR DENSITIES MAY CHANGE SIGNIFICANTLY BASED UPON SURVEY, ENGINEERING, ENVIRONMENTAL AND / OR REGULATORY CONSTRAINTS AND / OR OPPORTUNITIES.

DRAWING NOT VALID WITHOUT SEAL, SIGNATURE AND DATE
©COPYRIGHT 2024, BARRACO AND ASSOCIATES, INC.
REPRODUCTION, CHANGES OR ASSIGNMENTS ARE PROHIBITED

FILE NAME: 24000201.DWG
LOCATION: J:\24000\DWG\ZONING\I
PLOT DATE: WED, 12-18-2024 - 11:49 AM
PLOT BY: ALYSSA FONTAINE

CROSS REFERENCED DRAWINGS

PLAN REVISIONS

PLAN STATUS

BUFFER
EXHIBIT
NORTH

PROJECT / FILE NO. **24000** SHEET NUMBER **5 OF 7**



- LEGEND**
- INTERNAL BUFFER DEVIATION 2
 - RIGHT-OF-WAY BUFFER DEVIATION 3
 - EXTERNAL BUFFER DEVIATION 4 (A-E)
 - NATURAL WATERWAY BUFFER DEVIATION 5 (A-B)

- NOTES**
1. THIS PLAN IS CONCEPTUAL IN NATURE AND IS SUBJECT TO MODIFICATION AT THE TIME OF DEVELOPMENT ORDER APPROVAL SUBJECT TO THE LDC AND WHERE SUCH MODIFICATIONS ARE IN COMPLIANCE WITH THE APPLICABLE LDC DESIGN STANDARDS AND REGULATIONS, EXCEPT WHERE A DEVIATION HAS BEEN APPROVED.
 2. DEVELOPMENT AREAS DEPICT LOCATIONS FOR PRINCIPAL MULTI-FAMILY AND HOTEL STRUCTURES, SUBJECT TO THE SITE DEVELOPMENT REGULATIONS. ALL TRACTS WILL MAINTAIN A MINIMUM OF 10% OPEN SPACE AND 75% MAXIMUM LOT COVERAGE, EXPRESSED AS PERCENTAGE OF LOT ENCUMBERED BY A BUILDING.
 3. DEVIATIONS 6, 10 AND 16 APPLY TO THE ENTIRE MPD.
 4. THE SALE OR SERVICE OF ALCOHOLIC BEVERAGES FOR CONSUMPTION ON-PREMISES IS PERMITTED IN CONJUNCTION WITH THE USES ON THE GOLF COURSE, HOTEL & RESORT RESIDENTIAL TRACTS AS DENOTED ON THIS PLAN, AND DOES NOT REQUIRE ADMINISTRATIVE OR PUBLIC HEARING APPROVAL.

Barraco
and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING
www.barraco.net
2271 MCGREGOR BLVD., SUITE 100
POST OFFICE DRAWER 2800
FORT MYERS, FLORIDA 33902-2800
PHONE (239) 461-3170
FORT MYERS | PANAMA CITY BEACH
FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 7995 - SURVEYING LB-6940

WS SSIR
OWNER, LLC.

1031 W. MORSE BLVD. SUITE 350
WINTER PARK, FL 32789

PROJECT DESCRIPTION

**SOUTH SEAS ISLAND
RESORT
MPD**

LEE COUNTY, FLORIDA

THIS PLAN IS PRELIMINARY AND
INTENDED FOR CONCEPTUAL
PLANNING PURPOSES ONLY.

SITE LAYOUT AND LAND USE
INTENSITIES OR DENSITIES MAY
CHANGE SIGNIFICANTLY BASED
UPON SURVEY, ENGINEERING,
ENVIRONMENTAL AND / OR
REGULATORY CONSTRAINTS AND /
OR OPPORTUNITIES.

DRAWING NOT VALID WITHOUT SEAL, SIGNATURE AND DATE
© COPYRIGHT 2024, BARRACO AND ASSOCIATES, INC.
REPRODUCTION, CHANGES OR ASSIGNMENTS ARE PROHIBITED

FILE NAME: 24000201.DWG
LOCATION: J:\240000\DWG\ZONING\N
PLOT DATE: WED, 12-18-2024 - 11:49 AM
PLOT BY: ALYSSA FONTAINE

CROSS REFERENCED DRAWINGS

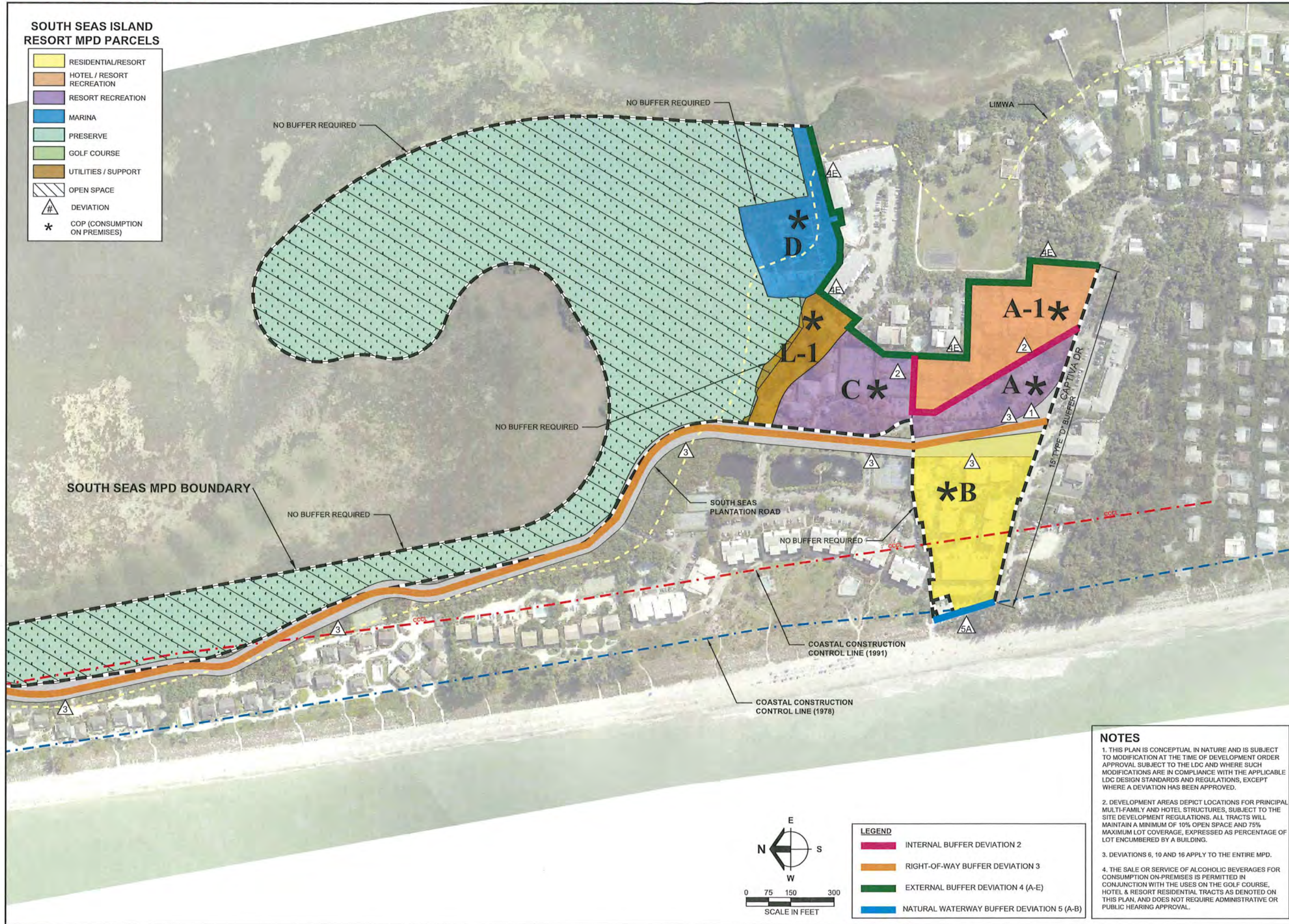
PLAN REVISIONS

NO.	DESCRIPTION

PLAN STATUS

**BUFFER
EXHIBIT
SOUTH**

PROJECT / FILE NO. **24000** SHEET NUMBER **6 OF 7**



**SOUTH SEAS ISLAND
RESORT MPD PARCELS**

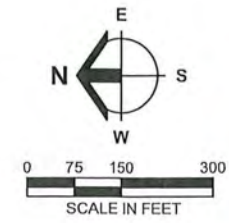
- RESIDENTIAL/RESORT
- HOTEL / RESORT RECREATION
- RESORT RECREATION
- MARINA
- PRESERVE
- GOLF COURSE
- UTILITIES / SUPPORT
- OPEN SPACE
- # DEVIATION
- * COP (CONSUMPTION ON PREMISES)

LEGEND

- INTERNAL BUFFER DEVIATION 2
- RIGHT-OF-WAY BUFFER DEVIATION 3
- EXTERNAL BUFFER DEVIATION 4 (A-E)
- NATURAL WATERWAY BUFFER DEVIATION 5 (A-B)

NOTES

- THIS PLAN IS CONCEPTUAL IN NATURE AND IS SUBJECT TO MODIFICATION AT THE TIME OF DEVELOPMENT ORDER APPROVAL SUBJECT TO THE LDC AND WHERE SUCH MODIFICATIONS ARE IN COMPLIANCE WITH THE APPLICABLE LDC DESIGN STANDARDS AND REGULATIONS, EXCEPT WHERE A DEVIATION HAS BEEN APPROVED.
- DEVELOPMENT AREAS DEPICT LOCATIONS FOR PRINCIPAL MULTI-FAMILY AND HOTEL STRUCTURES, SUBJECT TO THE SITE DEVELOPMENT REGULATIONS. ALL TRACTS WILL MAINTAIN A MINIMUM OF 10% OPEN SPACE AND 75% MAXIMUM LOT COVERAGE, EXPRESSED AS PERCENTAGE OF LOT ENCUMBERED BY A BUILDING.
- DEVIATIONS 6, 10 AND 16 APPLY TO THE ENTIRE MPD.
- THE SALE OR SERVICE OF ALCOHOLIC BEVERAGES FOR CONSUMPTION ON-PREMISES IS PERMITTED IN CONJUNCTION WITH THE USES ON THE GOLF COURSE, HOTEL & RESORT RESIDENTIAL TRACTS AS DENOTED ON THIS PLAN, AND DOES NOT REQUIRE ADMINISTRATIVE OR PUBLIC HEARING APPROVAL.



WS SSIR
OWNER, LLC.

1031 W. MORSE BLVD. SUITE 350
WINTER PARK, FL 32789

PROJECT DESCRIPTION

**SOUTH SEAS ISLAND
RESORT MPD**

LEE COUNTY, FLORIDA

THIS PLAN IS PRELIMINARY AND
INTENDED FOR CONCEPTUAL
PLANNING PURPOSES ONLY.

SITE LAYOUT AND LAND USE
INTENSITIES OR DENSITIES MAY
CHANGE SIGNIFICANTLY BASED
UPON SURVEY, ENGINEERING,
ENVIRONMENTAL AND / OR
REGULATORY CONSTRAINTS AND /
OR OPPORTUNITIES.

DRAWING NOT VALID WITHOUT SEAL, SIGNATURE AND DATE
© COPYRIGHT 2024, BARRACO AND ASSOCIATES, INC.
REPRODUCTION, CHANGES OR ASSIGNMENTS ARE PROHIBITED

FILE NAME: 24000201.DWG
LOCATION: J:\24000\DWG\ZONING\1
PLOT DATE: WED, 12-18-2024 - 11:49 AM
PLOT BY: ALYSSA FONTAINE

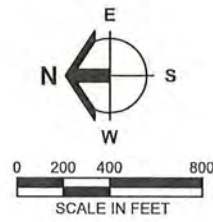
CROSS REFERENCED DRAWINGS

PLAN REVISIONS	

PLAN STATUS

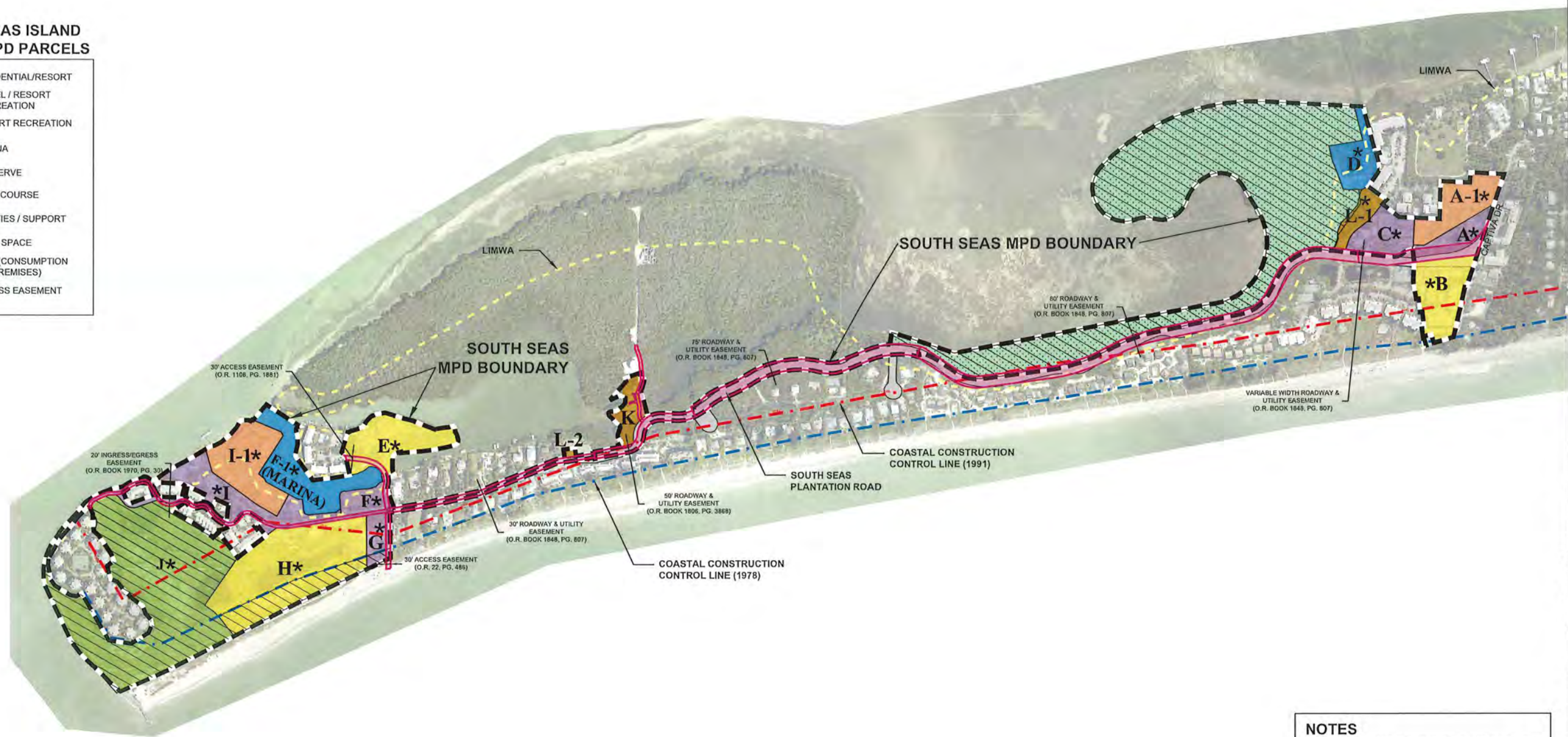
**ACCESS & ROADWAY
EASEMENT
EXHIBIT**

PROJECT / FILE NO.	SHEET NUMBER
24000	7 OF 7



**SOUTH SEAS ISLAND
RESORT MPD PARCELS**

- RESIDENTIAL/RESORT
- HOTEL / RESORT RECREATION
- RESORT RECREATION
- MARINA
- PRESERVE
- GOLF COURSE
- UTILITIES / SUPPORT
- OPEN SPACE
- * COP (CONSUMPTION ON PREMISES)
- ACCESS EASEMENT



NOTES

1. THIS PLAN IS CONCEPTUAL IN NATURE AND IS SUBJECT TO MODIFICATION AT THE TIME OF DEVELOPMENT ORDER APPROVAL SUBJECT TO THE LDC AND WHERE SUCH MODIFICATIONS ARE IN COMPLIANCE WITH THE APPLICABLE LDC DESIGN STANDARDS AND REGULATIONS, EXCEPT WHERE A DEVIATION HAS BEEN APPROVED.
2. DEVELOPMENT AREAS DEPICT LOCATIONS FOR PRINCIPAL MULTI-FAMILY AND HOTEL STRUCTURES, SUBJECT TO THE SITE DEVELOPMENT REGULATIONS. ALL TRACTS WILL MAINTAIN A MINIMUM OF 10% OPEN SPACE AND 75% MAXIMUM LOT COVERAGE, EXPRESSED AS PERCENTAGE OF LOT ENCUMBERED BY A BUILDING.
3. DEVIATIONS 6, 10 AND 16 APPLY TO THE ENTIRE MPD.
4. THE SALE OR SERVICE OF ALCOHOLIC BEVERAGES FOR CONSUMPTION ON-PREMISES IS PERMITTED IN CONJUNCTION WITH THE USES ON THE GOLF COURSE, HOTEL & RESORT RESIDENTIAL TRACTS AS DENOTED ON THIS PLAN, AND DOES NOT REQUIRE ADMINISTRATIVE OR PUBLIC HEARING APPROVAL.

Conditions

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

(1) Master Concept Plan and Development Parameters

- a. Master Concept Plan. Development of the subject property must be substantially consistent with the seven-page Master Concept Plan Entitled "South Seas Island Resort MPD, last revised 12/18/2024 and attached hereto as Attachment D.
- b. Development Parameters. Development is limited to a maximum of 193 multiple-family dwelling units or timeshare units, and 435 hotel rooms with common infrastructure and resort amenities. The maximum building height is 45 feet.
- c. Compliance with Lee Plan and LDC. Development must comply with all the requirements of the LDC at the time of local development order approval, except as may be granted by deviation as part of this planned development. Subsequent amendments to the Master Concept Plan or its auxiliary documentation attached thereto are subject to the planned development amendment process established by the Land Development Code.

(2) Schedule of Uses and Property Development Regulations

a. Schedule of Uses

RESIDENTIAL TRACTS (B, E & H)

Accessory uses and structures: (see Condition 8)

Consumption on premises, including outdoor seating (see Condition 7)

Club, private

Food and beverage service, limited

Home occupation

Multi-slip docking facility (see Condition 11)

Parking lot, accessory

Real estate sales office

Recreational facilities, private on-site

Restaurants, Groups I, II and III

Caretaker's residence (limited to 2 within the entire MPD)

Dwelling unit:

Multiple-family building

Entrance gates and gatehouses

Essential services facilities, Group I

Excavation, water retention

Fences, walls

Model display center

Signs

Timeshare units (limited to a density equivalent of 1 dwelling unit:1 timeshare unit regardless of number of bedrooms)

HOTEL (TRACTS A-1 & I-1)

Accessory uses and structures: (see Condition 8)

- Bait and tackle shop
- Bar or cocktail lounge
- Consumption on premises, including outdoor seating (see Condition 7)
- Convenience food and beverage store, no gas pumps
- Cultural facilities
- Day care center, child
- Food and beverage service, limited
- Gift and souvenir shop
- Home occupation
- Multi-slip docking facility (see Condition 11)
- Parking lot, accessory and temporary
- Personal services (Groups I and II limited to ATM, barber or beauty shop, health club and massage establishment)
- Pet services
- Rental or leasing establishments, Group I only
- Recreational facilities, private on-site
- Restaurants, Groups I, II and III
- Specialty retail shop, Groups I and II
- Transportation services, Groups I and II

Entrance gates and gatehouses

Essential services facilities, Group I

Excavation, water retention

Fences, walls

Hotel/motel, limited to 435 rooms for the entire MPD (see Condition 10)

Signs

RESORT RECREATION (TRACTS A, C, F, G & I)

Accessory uses and structures: (see Condition 8)

- Bait and tackle shop
- Bar or cocktail lounge
- Consumption on premises, including outdoor seating (see Condition 7)
- Convenience food and beverage store, no gas pumps
- Cultural facilities
- Day care center, child
- Food and beverage service, limited
- Gift and souvenir shop
- Home occupation
- Multi-slip docking facility (see Condition 11)
- Parking lot, accessory and temporary
- Personal services (Groups I and II limited to ATM, barber or beauty shop, health club and massage establishment)
- Pet services
- Rental or leasing establishments, Group I only
- Recreational facilities, private on-site
- Restaurants, Groups I, II and III
- Specialty retail shop, Groups I and II

Transportation services, Groups I and II
Entrance gates and gatehouses
Essential services facilities, Group I
Excavation, water retention
Fences, walls
Signs

GOLF COURSE (TRACT J)

Accessory uses and structures: (see Condition 8)

Bait and tackle shop
Bar or cocktail lounge
Consumption on premises, including outdoor seating (see Condition 7)
Convenience food and beverage store, no gas pumps
Club, private
Food and beverage service, limited
Gift and souvenir shop
Golf course
Golf course driving range
Maintenance facility
Parking lot, accessory and temporary
Personal services (Groups I and II limited to ATM, barber or beauty shop,
health club and massage establishment)
Rental or leasing establishments, Group I only
Recreational facilities, private on-site
Restaurants, Groups I, II and III
Specialty retail shop, Groups I and II
Storage, open

Entrance gates and gatehouses
Essential services facilities, Group I
Excavation, water retention
Fences, walls
Signs

DOCKING FACILITIES (TRACTS D & F-1)

Accessory uses and structures: (see Condition 8)

Bait and tackle shop
Bar or cocktail lounge
Boat Ramp, limited to one on Tract D only
Consumption on premises, including outdoor seating (see Condition 7)
Convenience food and beverage store
Club, private
Food and beverage service, limited
Gasoline dispensing system
Gift and souvenir shop
Maintenance facility
Parking lot, accessory and temporary
Personal services (Groups I and II limited to ATM, barber or beauty shop,
health club and massage establishment)
Rental or leasing establishments, Group I only
Recreational facilities, private on-site
Restaurants, Groups I, II and III

- Specialty retail shop, Groups I and II
- Storage, indoor
- Transportation services, Groups I and II
- Caretaker's residence (limited to 2 within the entire MPD)
- Entrance gates and gatehouses
- Essential services facilities, Group I
- Excavation, water retention
- Fences, walls
- Multi-slip docking facility (see Condition 11)
- Signs
- Temporary uses

UTILITY & SUPPORT SERVICE TRACTS (K, L-1 & L-2)

- Accessory uses and structures: (see Condition 8)
 - Parking lot, accessory and temporary
 - Storage, open
- Entrance gates and gatehouses
- Essential services facilities, Group I and II (excluding sewage disposal or treatment facilities, solid waste transfer station, private, on-site)
- Excavation, water retention
- Fences, walls
- Maintenance facility
- Wireless communications facility (see Condition 12)
- Signs

b. Property Development Regulations

Minimum Lot Area and Dimensions

Lot Area:	4,500 square feet (2,000 square feet for accessory use tracts)
Lot Width:	N/A
Lot Depth:	N/A

Minimum Building Setbacks and Maximum Building Heights:

Street, public	25 feet
Street, private	10 feet (see Condition 3.c)
Waterbody, artificial	No setback
Waterbody (principal buildings):	25 feet (no setback for accessory buildings within docking facility tracts)
Waterbody, Gulf of Mexico	50 feet
Other building setbacks:	See Condition 3
Maximum building height:	45 feet (see Condition 9)
Lot coverage:	75 percent (Tract A-1 90 percent)

Building separation: 10 feet unless a greater separation is required by building/fire code

(3) Building Setbacks

Except as provided for waterbody and street setbacks in Condition 2.b.:

- a. Internal. There is no minimum building or structure setback required from lot lines internal to the MPD boundary provided building separation and all other applicable development regulations are met.
- b. External. All building or structure setbacks from the development perimeter will be classified as perimeter setbacks. All buildings and structures must be set back from the development perimeter a distance equal to the greater of 15 feet or one-half the height of the building or structure, whichever is greater. Building or structure height is as measured in accordance with the LDC. Exceptions to this condition are provided below:
 - i. The location of buildings or structures authorized by Deviations #11A and #11B.
 - ii. Existing development abutting the development perimeter abutting publicly or quasi-publicly owned land.
 - iii. Existing development on Tract L-2.
- c. Internal Street.
 - i. Internal street setbacks are measured from the edge of road pavement.
 - ii. No internal street setback is required for the security building, signs, walls, building overhangs and other entrance features which do not contravene LDC vehicle visibility requirements.
 - iii. This condition will not be construed as to authorizing a building or structure to encroach into a street easement when contrary to the purpose or terms of that easement.

(4) Open Space and Indigenous Preservation

Open space and indigenous preservation must be substantially consistent with the Open Space/Preserve Exhibit attached as Page 4 of 7 of the Master Concept Plan attached hereto as Attachment D. Individual development tracts must include a minimum of 10 percent open space.

(5) Protected Species

- a. Migratory Birds and Wading Birds. The development order plans for buildings within the MPD must be reviewed by Environmental Sciences staff for the utilization of window treatment to reduce or break up window panel reflection to decrease potential bird strikes. Examples of acceptable window treatment include the use of non-reflective tinting, ultraviolet reflective decals, exterior sunshades, or similar treatments as accepted by Environmental Sciences staff.
- b. Southern Bald Eagle. Prior to local development order approval, the developer must adhere to the attached Bald Eagle Management Plan dated February 2024 (Attachment K, Exhibit I) for all proposed impacts within 660 feet of the bald eagle nest. The 660-foot buffer zone and the activities and restrictions outlined in the bald eagle management plan must be shown on the development order plans.
- c. Florida Bonneted Bat and Red-Cockaded Woodpecker. Prior to the issuance of a Vegetation Removal Permit for Tract E, the applicant must submit updated inspection reports for the cavity trees to ensure protection for the Florida Bonneted Bat and Red-Cockaded Woodpecker.
- d. Sea Turtles. All buildings within the subject property must demonstrate compliance with LDC Section 14-76 for exterior lighting only. All buildings within the Sea Turtle Lighting District must also comply with window and lighting requirements per LDC Section 14-76.

(6) Redfish Pass Buffer

The north property line abutting Redfish Pass (extending from the Gulf of Mexico to Pine Island Sound) must include a buffer containing seven Cabbage Palms and five Coconut Palms per 100 linear feet.

(7) Consumption on premises

Consumption on premises (COP) is permitted as indicated by asterisks on the Master Concept Plan, subject to the following conditions:

- a. Residential Tracts B, E & H. COP is permitted on residential tracts in conjunction with a restaurant, private club and/or limited food and beverage service.
- b. Hotel and Resort Tracts (excluding Utilities/Support Tracts). COP is permitted on hotel and resort tracts in conjunction with customary accessory resort uses as indicated in Condition 2.a.

- c. Noise/Hours of Operation. COP hours of operation are subject to the Lee County Alcoholic Beverage Ordinance 76-09, and Lee County Noise Control Ordinance 14-18, as amended by Ordinances 22-10 and 23-05, or as may be amended from time to time.

Staff note: The MCP must be revised to remove the COP asterisk to from Tract L-1 for consistency with staff recommendation.

(8) Accessory uses and buildings

- a. The primary uses approved with this MPD include hotel/motel, timeshare unit, dwelling unit: multiple-family building, essential service facilities, Group II (as limited in the schedule of uses), and wireless communication facility.
- b. Customary accessory uses and structures which are not listed in the schedule of uses may be permitted provided the uses are clearly incidental and subordinate to the permitted principal use.
- c. All accessory resort uses are limited to hotel guests and residents of South Seas Island Resort.

(9) Building and Structure Height

- a. Height Limitation. The building and structure heights specified herein may not be exceeded without obtaining approval through the public hearing process. The provisions of LDC Section 34-2174 (additional permitted height when increased setbacks provided) may not be utilized within the planned development.
- b. Resiliency. Buildings located within "V Zones", or within a "Coastal A Zone," as depicted on the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRM), may increase the height of the lowest minimum habitable floor for which a building permit may be issued by a maximum of four (4) feet and exceed the applicable height limitation of 45 feet proportionally.
- c. Exception to height limitations for certain structural/ornamental elements. Purely ornamental structural appurtenances and appurtenances necessary for mechanical or structural functions may extend above the roof peak of a building provided that the total area dedicated to the exceedance of these elements, as measured by drawing a rectangle around the perimeter of the area(s) of the exceedances, equals 20 percent or less of the total roof area. In no case shall these appurtenances exceed 6 feet above the maximum permitted building height.

- d. Tract B. Development on Tract B within 25 feet of the Captiva Drive right-of-way is limited to 35 feet in height. Any development exceeding 35 feet in height must be set back from Captiva Drive by one foot for every one foot in excess of 35 feet.
- e. Amenity Tracts. Buildings located on the amenity and resort recreation tracts are limited to 35 feet in height. Recreational structures such as slides and similar structures are not considered buildings.

(10) Hotel/Motel

The development of a hotel/motel buildings on the subject property are subject to the following conditions:

- a. Expansion. Hotels/motel development is limited to Tracts A-1 and I-1 as depicted on the MCP. Any proposed expansion of the designated hotel/motel tract acreage or relocation of a hotel/motel structure onto separate tracts requires approval through the public hearing process.
- b. Banquet Halls. Meeting space and banquet halls are limited to 40,000 square feet collectively within the MPD and must be located on Hotel Tracts A-1 or I-1. Use of these facilities is limited to hotel guests renting hotel rooms and residents of South Seas Island Resort.
- c. Unit Distribution. No more than 50 percent of the maximum permitted hotel rooms may be located on Tract I-1.

(11) Lock-off Accommodations

- a. Where lock-off accommodations are provided, as defined, each "keyed room" will be calculated as a separate dwelling unit or hotel room.

(12) Boat Slips

- a. Prior to local development order approval for the expansion or reconfiguration of docking facilities, the developer must provide a current Manatee Protection Plan (MPP) evaluation.
- b. Prior to local development order approval for the expansion or reconfiguration of docking facilities, the developer must depict and number all proposed and existing boat slips on the development order plans. The South Seas Island Resort MPD is limited to a maximum of 645 boat slips. This number may be

modified based on review and approval by Lee County for compliance with the Lee County Manatee Protection Plan.

(13) Existing Wireless Communications Facility

LDC §33-1627(b) and §34-2175(a)(2) recognize the existing wireless communications facility located on Tract K, approved by Cases SEZ2009-00005 and VAR2009-00009, and this planned development approval does not affect the existing approval. Modification or replacement requests will be processed in accordance with the LDC regulations in effect at the time of the request.

(14) Development Tracking/Parameters

- a. A cumulative land development summary table must be included with development order submittals. Developer must submit a report/tabulation with every development order application itemizing:
 - i. Number of hotel rooms proposed by the development order application.
 - ii. Number of dwelling units proposed by the development order application.
 - iii. Number of boat slips proposed by the development order application.
 - iv. Intensity and type of resort amenities proposed by the development order application.
 - v. Cumulative total number of hotel rooms, dwelling units, boat slips, and resort amenities permitted by previous development order approvals or development orders under concurrent review.
 - vi. Remaining number of hotel rooms, dwelling units, and boat slips available for future development.

Deviations

Deviation #1:

Seeks relief from LDC §10-291(3), which requires residential developments of more than five (5) acres and commercial developments greater than 10 acres to provide more than one means of ingress and egress for the development, to allow one access point to the MPD. The proposed Master Concept Plan includes direct ingress and egress onto Captiva Drive from Tract A-1. This is in addition to the existing primary resort access provided by South Seas Plantation Road.

This deviation is **WITHDRAWN**.

Deviation #2:

Seeks relief from LDC §10-416(d), which requires buffering whenever different uses abut, to allow no buffering between internal uses.

This deviation is **APPROVED** subject to the following condition:

No internal buffers are required between the following tracts:

- a. Hotel Tract I-1 and Recreation Tract I*
- b. Hotel Tract I-1 and Marina Tract F-1*
- c. Residential/Resort Tract H and Recreation Tracts F, G, and I*
- d. Hotel Tract A-1 and Recreation Tracts A and C.*

Deviation #3:

Seeks relief from LDC §10-416(d), which requires a 15-foot-wide Type-D buffer that includes five trees per 100 linear feet and a double hedge, to allow the indigenous preservation along the east side of South Seas Plantation Road to meet the buffer requirements and to allow no buffer along the west side of South Seas Plantation Road.

This deviation is **APPROVED** subject to the following condition:

A Type-D buffer is not required abutting South Seas Plantation Road, except for Tract G (Beach House restaurant). The building perimeter plantings abutting the Beach House restaurant must provide screening abutting South Seas Plantation Road which consist of native groundcovers, grasses, and trees in accordance with the building perimeter requirements per LDC Section 10-416(b).

Deviation #4A:

Seeks relief from LDC §10-416(d), which requires a Type-C or Type-F buffer between the golf course tract (Tract J) and Lands' End Condominium, to allow the continuation of no buffer between these uses.

This deviation is **APPROVED**.

Deviation #4B:

Seeks relief from LDC §10-416(d), which requires a Type-C or Type-F buffer between Tract I and the timeshare units to the north, to allow the continuation of no buffer between these uses.

This deviation is **APPROVED**.

Deviation #4C:

Seeks relief from LDC §10-416(d)(6), which requires a Type-D buffer between Tract F and a 30-foot-wide street easement, to allow no buffer.

This deviation is **WITHDRAWN**.

Deviation #4D:

Seeks relief from LDC §10-416(d), which requires a Type-C or Type-F buffer between Tract G and a single-family residence to the south, to allow ten trees per 100 linear feet.

this deviation is **APPROVED** subject to the following condition:

The south property line of Tract G must provide ten trees per 100 linear feet within the 30-foot-wide landscape and access buffer easement. The buffer trees must be installed to allow access to the beach.

Deviation #4E:

Seeks relief from LDC §10-416(d), which requires a Type-C or Type-F buffer between Tracts A-1, D1 and L1 and abutting multi-family developments under separate ownership to the east, to allow no buffers.

This deviation is **APPROVED** subject to the following condition:

Prior to the issuance of a development order on Tracts C and A-1, the development order plans must depict a ten-foot-wide buffer along the entire property line of Tracts C and A-1 abutting property under separate ownership. The required planting content must include five trees per 100 linear feet and a single hedge. Trees must meet the specifications per LDC Section 10-420. Shrubs must be specified at five feet in height installed four feet on center and maintained at eight feet in height. If a fence or wall is proposed, the fence or wall must be setback ten feet from the development perimeter.

Deviation #5A:

Seeks relief from LDC §10-416(d)(9), which requires a certain 50-foot-wide natural waterway buffer, to allow the previously approved dune restoration plantings along the Gulf of Mexico to serve as the buffer.

This deviation is **APPROVED** subject to the following condition:

Prior to the issuance of a development order for Tracts B, G, H, or J, the development order plans must depict a 15-foot-wide planting area consisting of 94 native shrubs and 170 groundcover. Existing native vegetation may be used to meet the buffer requirements.

Deviation #5B:

Seeks relief from LDC §10-416(d)(9), which requires a certain 50-foot-wide natural waterway buffer, to allow the native mangrove fringe areas along Tracts E and K to serve as the required buffer.

This deviation is **APPROVED**.

Deviation #6:

Seeks relief from LDC §34-2015, which requires required parking spaces to be provided on the same premises as the use they serve, to allow for required parking to be provided across the entirety of the MPD, as opposed to exclusive to each tract.

This deviation is **APPROVED** subject to the following condition:

All required off-street parking must be located on a MPD recipient tract within 500 feet of the principal use tract.

Deviation #7:

Seeks relief from LDC §10-329(d)(4), which requires lake banks to be sloped at a 6:1 ratio from the top of bank to a water depth of two feet below the dry season water table, to allow for a minimum ratio of 4:1 slope for existing lakes only.

This deviation is **APPROVED** subject to the following condition:

This deviation is limited to existing approved lakes within the MPD.

Deviation #8:

Seeks relief from LDC §30-281, which limits signage on Captiva Island to 10 feet in width, 10 feet in height and 100 square feet in sign face area, to allow for a sign that is 26 feet in width, 6 feet in height and 156 square feet in sign face area, to be located in the entry median on South Seas Plantation Road.

This deviation is **APPROVED** subject to the following condition:

The monument-style ground-mounted identification sign must be in substantial compliance with Deviation Exhibit D and is limited to the location depicted by deviation marker on the MCP within the South Seas Plantation Road entry median.

Deviation #9:

Seeks relief from LDC §30-5(8), which prohibits banners, pennants or other flying paraphernalia, except an official federal, State or County flag, and one symbolic flag not to exceed 15 square feet in area for each institution or business, to allow for a 96 square-foot South Seas flag at the entry.

This deviation is **APPROVED** subject to the following condition:

The identification flag must be in substantial compliance with Deviation Exhibit D and is limited to the location depicted by deviation marker on the MCP within the South Seas Plantation Road entry median.

Deviation #10:

Seeks relief from LDC §10-261, which requires certain dimensional requirements for dumpster enclosures, to allow for roll out totes as an alternative waste disposal container.

This deviation is **APPROVED** subject to the following condition:

All solid waste and recyclable materials must be transported internally without spillage and with service frequency levels of at least one time per week for each compactor to avoid potential nuisance accumulation.

Deviation #11A:

Seeks relief from LDC §34-935(b)(1), which requires all buildings and structures maintain a setback from the development perimeter a distance equal to the greater of 15 feet or half the building height or structure, to allow for no setback for accessory structures on Tracts C, K and J.

This deviation is **APPROVED** subject to the following condition:

Accessory buildings or structures on Tract C are limited to a deviation reduction allowing a 10-foot minimum perimeter setback in order to establish the landscape buffer required of Deviation 4E. Accessory buildings or structures may not exceed 20 feet in height unless a perimeter setback not less than half the height of the structure is provided

Deviation #11B:

Seeks relief from LDC §34-935(b)(1), which requires all buildings and structures maintain a setback from the development perimeter a distance equal to the greater of 15 feet or half the building height or structure, to allow for the existing location of the 170-foot tall wireless communication facility on Tract K.

This deviation is **APPROVED** subject to Condition 12.

Deviation #11C:

Seeks relief from LDC §34-935(b)(1), which requires all buildings and structures maintain a setback from the development perimeter a distance equal to the greater of 15 feet or half the building height or structure, to allow for a minimum principal structure setback of 15 feet for Tracts A-1 and B.

This deviation is **DENIED**.

Staff note: Deviation 11 must be separated into 11A, 11B and 11C on the Master Concept Plan to align with staff recommendation.

Deviation #12:

Seeks relief from LDC §30-281, which (1) limits roof signage on Captiva Island to certain conventional zoning districts; and (2) limits roof signage to 10 feet in width, 10 feet in height and 100 square feet in sign copy area, to allow for two (2) roof signs that are 27.2 feet in width and 4.5 feet in height, for a total of 245 square feet of sign copy area on the restaurant structure on Tract G.

This deviation is **APPROVED** subject to the following condition:

The roof-mounted signage and mural signs pertaining to Tract G must be in substantial compliance with Deviation Exhibit F.

Deviation #13:

Seeks relief from LDC §30-281, which (1) limits wall-mounted signage on Captiva Island to certain conventional zoning districts; and (2) limits wall-mounted signage to 10 feet in width, 10 feet in height and 100 square feet in sign copy area, to allow for five (5) mural signs that are 14.25 feet in width and 9.5 feet in height, for a total 736 square feet in sign copy area on the Beach House structure on Tract G.

This deviation is **APPROVED** subject to the following condition:

The mural signs pertaining to Tract G must be in substantial compliance with Deviation Exhibit G.

Deviation #14:

Seeks relief from LDC §30-281, which (1) limits wall-mounted signage on Captiva Island to certain conventional zoning districts; and (2) limits wall-mounted signage to 10 feet in width, 10 feet in height and 100 square feet in sign copy area, to allow for six (6) mural signs of various sizes depicted in the Deviation Exhibit, for a total 470 square feet in sign copy area on two sides of the recreation building at the water park on Tract C.

This deviation is **APPROVED** subject to the following condition:

The mural sign copy area located on Tract C must be in substantial compliance with Deviation Exhibit H.

Deviation #15:

Seeks relief from LDC §10-296, which requires the certain specifications for privately maintained local roadways with open drainage in Suburban Future Land Use categories, to allow the standards reflected in Deviation Exhibit I.

This deviation is **APPROVED** subject to the following conditions:

- (1) *The applicant must submit a development order that depicts “Bicycle May Use Full Lane” (R4-11) signs, where applicable along South Seas Plantation Road, in accordance with the requirements of the Manual of Uniform Traffic Control Devices, current edition, within 180 days of approval of this rezoning.*
- (2) *The applicant must submit an engineering report with the development order for bicycle signage that details the roadway’s condition. The report must identify any areas of pavement failure, evidence of site-specific crash patterns, and identify the right-of-way or access easement widths provided.*

Deviation #16:

Seeks relief from LDC §10-420, which requires a two-inch minimum layer of mulch or other recycled materials around all newly installed trees, shrubs, and groundcover plantings, to allow for crushed shell as an alternative material to mulch.

This deviation is **APPROVED** subject to the following condition:

All required landscape plants must be native and salt tolerant.

Deviation #17:

Seeks relief from LDC §10-329(d)(1)a.3, which requires excavations for water retention to be set back a minimum of 50 feet from any private property line under separate ownership; to allow for a 0-foot-setback for existing lakes.

This deviation is **APPROVED**.

Deviation #18:

Seeks relief from LDC§10-291(2), which requires all development to abut and have access to a public or private street designed and constructed or improved to meet the standards in Section 10-296, to allow for internal tracts to have access from accessways and streets not constructed or improved to meet standards in LDC Section 10-296.

This deviation is **WITHDRAWN**.



SOUTH SEAS ISLAND RESORT MPD Request Statement

REVISED DECEMBER 2024

I. REQUEST

WS SSIR Owner, LLC ("Applicant") requests to rezone several properties totaling 120.5-acres within property commonly known as the South Seas Resort from Residential Multi-family (RM-2), Residential Two-Family Conservation (TFC-2), and Commercial Marine (CM) per Administrative Interpretation 2002-00098, to a unified Mixed Use Planned Development (MPD) zoning district.

The maximum proposed development will include 193 dwelling units and 435 hotel rooms (limited to 5 acres), along with private resort-oriented recreational uses. The maximum proposed building height is 45' per LDC Sections 34-2171-34-2175. Private non-residential uses and amenities will only be available to residents and guests of the resort.

The proposed rezoning will provide a current and cohesive development plan for the present-day South Seas Resort, which was substantially damaged by Hurricane Ian in September 2022, and will establish development regulations that are consistent with the current Land Development Code with a duly adopted Master Concept Plan, deviations and conditions as described in further detail below.

II. EXISTING CONDITIONS

The South Seas Resort Property owned by WS SSIR Owner, LLC ("Subject Property") is comprised of approximately 120.5 acres located on the northern terminus of Captiva Island. The Subject Property is partially developed with a wide range of resort uses including 107 hotel units, private resort amenities and recreational uses, a marina, and meeting facilities.

The 107-key hotel has been demolished due to hurricane damage and exceeding the FEMA 50% rule as a result of the LIMWA line being added to the FEMA flood maps, which occurred after Hurricane Ian's landfall.

In addition to the 107 hotel units constructed to date (and substantially damaged by the hurricane), the Subject Property is allocated 140 dwelling units (previously employee housing units but now demolished) and 25 undeveloped dwelling units per ADD2002-00098, as explained in Section III below.

The Subject Property is accessed from Captiva Drive, a two-lane county-maintained collector roadway. The site is zoned RM-2, TFC-2, and CM with a Future Land Use (FLU) classification of Outlying Suburban and Wetlands. It is important to note the underlying zoning districts are inconsistent with the original RU-3 zoning and Interpretation ADD2002-00098 and were county-initiated without input from the property owners. The Property is within the Coastal High Hazard Area per Lee Plan Map 5-A, the Water Dependent Overlay per Lee Plan Map 1-H, and the Captiva Planning Community per Lee Plan Map 1-B. While located within the Captiva Planning Community, the Subject Property is expressly exempt from the Captiva Planning Community Regulations per LDC Section 33-1611. The exemption was further clarified in Ordinance No. 23-22.

FEMA Flood Maps show a flood zone range for the property including zones VE, Coastal A Zone, AE, and X with the majority of the upland property being located in flood zone AE.

The majority of the Subject Property is impacted/disturbed by existing resort development. Vegetated areas largely consist of “Mangrove Fringe” per the Florida Land Use, Cover and Forms Classification System (FLUCFCS) Map contained in the attached Environmental Report prepared by Pennoni. The surrounding land use pattern generally consists of a mix of open water (Gulf of Mexico and Chadwick Bayou), single-family and multifamily residential uses within the SSRD, state-owned conservation lands, a wastewater treatment plant owned by FGUA, and residential and resort uses located outside the Resort along Captiva Drive. Table 1 below provides an inventory of the surrounding future land uses, zoning districts and existing land uses.

Table 1: Inventory of Surrounding Lands

	FUTURE LAND USE	ZONING	EXISTING LAND USE
NORTH	N/A	AG-2	Undeveloped/Gulf of Mexico
SOUTH	Outlying Suburban	C-1; TFC-2; RS-1	Single-Family Residential, Multifamily Residential
EAST	Outlying Suburban	RM-2; TFC-2; CM	Wetlands, Chadwick Bayou, Single-Family Residential
WEST	Outlying Suburban	TFC-2	Open Space, Gulf/Bay, Single-Family Residential, Multifamily Residential

III. PROPERTY HISTORY

The 120.5+/-acre Subject Property was zoned and developed as part of the larger ± 304-acre South Seas Resort by the South Seas Plantation Company with a mix of resort, residential, recreational, marina, and supportive commercial commonly known as the South Seas Island Resort.

Initial development of the South Seas Resort as a hotel/resort began in the early 1930's with the development of a 60-room hotel and 9-hole golf course pursuant to RU-3 and RU-2 zoning regulations in place at the time. As demonstrated in historical zoning documents, the South Seas Resort was permitted for 3,900 dwelling units based upon the underlying zoning districts and lack of a Comprehensive Plan with a future land use map and density restrictions.

In 1973, the South Seas Resort was rezoned per Resolution Z-73-202, which changed the zoning from “RU-3 and RU-2 to RU-3 using a PUD Concept Plan as a guide with special limitation of 3 units per acre (912 total units) and special permit for up to 5 acres of commercial property”. A memorandum attached to the signed resolution acknowledged, “the petition submitted will result in a downzoning from 3,900 units to 912 units but will provide flexibility of development by allowing cluster concepts under an overall RU-3 type zoning”. The memorandum further noted the merits of the development concept, including substantial preserve areas, on-site commercial uses to provide for daily needs of visitors and residents, low traffic volumes, and a centralized wastewater treatment facility and potable water system.

The Master Development Plan (MDP) attached to the 1973 zoning resolution sited a 120-room hotel, an 18-hole golf course and 792 residential units across the following use areas:

- The “Resort” area was located in the northern portion of the property containing a hotel, golf course, marina, restaurant and a planned tennis complex.
- “Golf Villas” were located south of the Resort area in the eastern portions of the site, east of South Seas Plantation Road and west of the Chadwick Bayou.
- “Beach Homes” and “Beach Villas” were located south of the Resort area and on the west side of South Seas Plantation Road.
- “Tennis Villas” were sited in the southern end of the development, alongside the 5-acres of commercial and employee housing.

The MDP also provided for preservation areas and included mangrove shoreline and a 20-acre “Plantation Preserve”.

In 1978, Zoning Ordinance Z-1 (1978 Ordinance) was approved by the Lee County Board of County Commissioners, effectively re-writing the zoning regulations for the entirety of Lee County, including establishment of the RM-2 and PUD zoning district county-wide. The 1978 Ordinance converted the RU-3 zoning district to the RM-2 zoning district. The 1978 zoning regulations also eliminated the hotel and resort uses that were permitted in the RU-3 zoning district. Additionally, the 1978 Ordinance did not convert any standard zoning districts to a PUD zoning district.

In 1985, an update to the Master Development Plan was submitted to the County which provided as-builts for the developed portions of the Resort and proposed a plan for the final phases of the development – contemplated to take 3 to 5 years to complete.

Over the years the Resort has been treated as a PUD without having been legally zoned as a PUD. The rationale for treating the property this way was the condition on the zoning, and the fact that the approval occurred prior to the establishment of Lee County PUD regulations. Over the years, these modifications to the MDP exacerbated the convoluted nature of how the County regulated the Resort. The Resort had conventional zoning which called into question the legality of what had been constructed under conventional zoning that was inconsistent with the conventional zoning.

In 2002, The Lee County Board of County Commissioners requested the Director of the Department of Community Development and the County Attorney to summarize and clarify the then current status of development for the Resort. The staff relied on provisions that gave the staff the authority to interpret and apply LDC provisions (Section 2-1 and 34-172(b), LDC) to create the Administrative Interpretation 2002-00098 (ADD2002-00098) noted previously. Section 2-1, LDC, is attached hereto. It appears that the Director exceeded the authority provided in Section 201, LDC. Section 34-172(b), LDC allows the Director to interpret ambiguous provisions of the LDC consistent with rules of statutory construction. This section does not permit the property to be rezoned administratively. The ADD sought to create the SSRMDP and the rules associated therewith. This document created or perpetuated an inappropriate blurring of hotel units and residential units when it allocated the allowed 912 units on a per-parcel basis.

The ±120.5-acre Subject Property (for the purposes of this MPD rezoning petition) was allocated 107 developed hotel units, 140 employee housing units, and 25 undeveloped units within the Harborview Villas parcel within the project per the ADD.

Subsequent to issuance of the ADD, a number of other zoning actions to further modify the SSRD (a district created by the ADD) were filed per Table 2 below.

Table 2: SSRD Zoning Actions

Resolution No.	Summary of Request	Status
ADD2017-00178	Approval for Consumption on Premises converting indoor seating to outdoor seating at Doc Ford's restaurant	Approved
ADD2015-00015	Administrative Interpretation challenging the ability to approve ADD2014-00203 administratively	Denied
ADD2014-00203	Redistribution and redevelopment of the 140 employee housing units and construction of a 5,000 SF spa	Approved
ADD2008-00082	Redistribution and redevelopment of the 140 employee housing units and construction of a 5,000 SF spa	Voided by ADD2014-00203
ADD2006-00041	Allow replacement of a building with setback encroachments relating to Captiva Cruises	Approved
Z-05-013B	Amend the MDP to allocate 6 unused units to Harbour Pointe and allow for bridge crossing and associated wetland impacts	Approved
ADD2003-00077A	Reallocation of one (1) unbuilt unit to the "Beach Homesite" area	Approved

The above table further reinforces the problems associated with the Director's creation of the SSRD, as evidenced through Administrative Interpretations challenging the Administrative Amendments authorized by the Community Development Director. It should also be noted that the county created additional challenges when the county unilaterally filed, processed and approved a rezoning to Commercial Marine (CM) without the consent of the property owner.

The Subject Property was acquired by the current owner, WS SSIR Owner, LLC in September 2021. One year after the acquisition, on September 28, 2022 Hurricane Ian made landfall on the Gulf Coast of Florida causing severe devastation and destruction to Lee County, the entirety of the structures, golf course, marina and amenities on the Subject Property were damaged. The lack of power after the storm caused further damage due to mold and other factors. The resort has not fully re-opened to the public due to the extent of damage incurred. The golf course is currently being redeveloped per DOS2022-00193, and a development order is under review to allow for modifications to the golf course design and a beach house building per ADD2022-00193A02.

Based upon the necessity to redevelop the entirety of the applicant's property, along with the questionable legal and procedural validity of the ADD2002-00098, the Applicant filed a MPD rezoning petition to create a valid and unambiguous zoning district and to provide a clear path for redevelopment. The necessity to rezone the subject property to effectuate post-Ian redevelopment is further memorialized via the County's Motion to Dismiss relating to Case No. 24-CA-2674 filed on May 15, 2024, which states the Administrative Interpretation is not a zoning action and is in effect contract zoning.

IV. PROPOSED MIXED USE PLANNED DEVELOPMENT

The proposed MPD requests redevelopment of a maximum of 193 multi-family dwelling units (a reduction of 79 units from the allowable unit count per ADD2002-00098), 435 hotel rooms (limited to 5 acres of the site), a 13-hole golf course, two (2) marinas allowed for up to 645 boat slips per the Manatee Protection Plan, ancillary meeting facilities, and private, on-site recreational and resort amenities for residents and hotel guests only.

The attached MCP depicts the location of the proposed land uses, access, preserve and open space. The MPD will be accessed from Captiva Drive via a gated entry with gatehouse. The southern area, closest to the entrance, will be redeveloped with multi-family residential buildings, along with active and passive, private recreational amenities for the applicant's residents and guests. Beach access for the resort will also be accommodated in the southern portion of the project.

The parcels will be redeveloped with marinas (consistent with the County's Manatee Protection Plan), two hotels totaling 435-rooms on 5 acres, with ancillary resort uses and amenities, golf course and the remainder of the multi-family dwelling units. This area will also include extensive beach access and ancillary buildings and resort amenities focused on the Subject Property's prime western waterfront facing the Gulf of Mexico.

Lands located between the southern and northern development areas will be maintained as preserve areas as well as a parcel for maintenance buildings and related uses. These areas will meet or exceed the LDC requirements for both open space and indigenous preservation, as tabulated on the MCP. In fact, the MPD exceeds open space requirements by 14.7+/-acres, an 30% increase over the LDC requirements.

Internal and external buffering will remain consistent with existing development conditions for South Seas Resort, or in certain instances are enhancements to existing conditions. Where these standards do not meet the buffering requirements set forth in LDC Section 10-416, deviations have been requested to allow for a cohesive development footprint and enhanced connectivity between the various use areas.

Parking will be accommodated for the various uses, pursuant to deviations that support the "park once" concept as explained in the Schedule of Deviations and Justification narrative. The parking requirements acknowledge the "park once" concept, where residents and guests arriving by vehicle will park or valet upon arrival and utilize the resort's expansive bicycle/pedestrian network to move between uses, as well as resort transportation such a guest trolleys and golf carts. The reduced parking will reduce unnecessary impervious areas and maximize the land for resort and recreational uses on this island site.

The maximum building height requested is 45 feet, per LDC Sections 34-2171 through 34-2175, amended per Ordinance 23-22. This height will accommodate the redevelopment of existing structures to their current height/number of stories.

The proposed MPD will uphold the intent of the environmental protections approved in the original rezoning and further memorialized in the ADD. Specifically, the MPD provides clustered open space and indigenous preserve in excess of the LDC requirements and consistent with open space areas shown on the ADD Master Development Plan. The shoreline and waterway buffers outlined in the ADD are reflected on the proposed MCP and provides for preservation of shoreline and mangrove areas. The development remains clustered in small areas that were impacted by the historical development. The proposed density and intensity is also commensurate with the ADD (as the hotel uses are sited within the 5 acres already approved for commercial land uses in the ADD). The intensity of the hotel and the recreational amenities and support services associated with the hotel is consistent with the RU-3 zoning district that laid the foundation for the resort.

The proposed development will continue to be compatible with the existing lands within South Seas that are developed with residential uses and under separate ownership based upon the proposed development standards and height limitations. The proposed redevelopment will also provide an enhancement to the previous resort amenities for the benefit of existing and future residents/guests, increased resiliency and floodproofing, significant economic benefit, and a modern development

program that will restore the vision of South Seas Island Resort as Lee County's premier resort property.

V. PUBLIC INFRASTRUCTURE

The Subject Property will continue to be served by the requisite public and private infrastructure to serve the proposed development program in compliance with the Lee Plan and LDC.

The Property is intersected by South Seas Plantation Road, a private road connecting to Captiva Drive. Access will not be modified with the proposed MPD. An updated traffic study has been provided which evaluated the multi-family dwelling units and hotel/motel units proposed.

The results of the traffic study demonstrate the impacted roadways will continue to operate at an acceptable Level of Service (LOS) upon buildout of the development, projected by 2028. In fact, upon buildout of the MPD, Captiva Drive will operate at a LOS "D", whereas the recommended minimum LOS standard for the road is "E". The study assumed a 2% growth rate, compounded annually, which is greater than the historical growth trends on the island. The traffic study also utilized traffic data collected prior to Hurricane Ian to represent more typical conditions.

The Property is located within the Island Water Association which is a member-owned potable water utility providing service to Sanibel and Captiva Islands. The Florida Governmental Utility Authority (FGUA) provides wastewater treatment for the South Seas Resort. Letters of availability have been provided demonstrating the capacity to serve the proposed densities and intensities. Electricity is provided by Lee County Electric Cooperative (LCEC).

The Subject Property will continue to be served by Lee County for police protection, EMS and schools. The Captiva Island Fire Control District will provide fire protection via their station located at 14981 Captiva Dr., less than one-half mile from the Subject Property. The fire department utilizes the access to the beach located within the resort for public safety purposes. The hotel/motel units do not generate school students. A sheriff sub-station is located within South Seas. The resort coordinates with various government agencies that use the marina from time to time.

VI. RESILIENCY

In September of 2022, the "Captiva Island Vulnerability Assessment and Adaption Plan" was completed by the coastal engineering firm BRIZAGA. This report was funded for the benefit of Captiva Island as a whole, even though the Applicant cannot benefit from any financial grants as a private land owner.

The report analyzes hazards and risks on Captiva Island and helped to direct the proposed redevelopment. Detailed projections of potential sea level rise, storm-surge, and resulting flooding are just one of the ways in which the development has prepared to ensure it rebuilds in a resilient manner. Due to the vulnerability of building in a coastal area, the redevelopment effort has focused on using natural infrastructure to reduce storm impacts, elevating structures to ensure habitable areas are above all state and federal projections of flooding or wave action, and designing structures to be ready to use solar energy to allow for a quicker recovery after future storms.

As recommended by BRIZAGA, the property is using natural infrastructure as its first line of defense. Natural infrastructure is the concept of using improved natural areas and features to reduce flooding, erosion, and runoff. On the western portion of the property, the development is reducing the footprint of the golf course to create an expanded naturally vegetated beach and dune barrier. Additionally, the entire golf course has been redesigned to elevate the tee boxes and allow the water features

and greens to serve as one large stormwater feature during flooding events. Together, these improvements will reduce erosion, flooding of structures, and better prevent runoff.

While improved natural infrastructure will assist with the protection of the property from storm events, the most important resilience principle in any coastal structure is proper elevation. The habitable structures within the development have been carefully designed to ensure the lowest structure of any habitable floor is elevated above any state or federal projection of flooding or wave action. Recent storms through Florida's coastal areas have shown that compliance with Florida's building code and elevating structures above potential storm surge is critical for coastal construction.

Lastly, the concept of resilience focuses not only on escaping damage from storms, but also on recovering quickly. Restored power is a critical element in timely recovery from a storm and is also key to avoiding additional damage due to mold within structures. The habitable structures are being designed within the property to safely use solar or be able to easily accept solar in the future. This includes insuring areas where solar can be installed are protected from wind and storm debris. Together, the property's resilience efforts have it poised to become one of the most resilient coastal developments in southwest Florida.

VII. LEE PLAN COMPLIANCE

The following is an analysis of the MPD's consistency with goals, objectives and policies of the Lee County Comprehensive Plan (Lee Plan).

FUTURE LAND USE ELEMENT

POLICY 1.1.6: The Outlying Suburban future land use category is characterized by its peripheral location in relation to established urban areas. In general, this category is rural in nature or contains existing low-density development. Some of the requisite infrastructure needed for higher density development is planned or in place. Industrial land uses are not permitted. The standard density range is from one dwelling units per acre (1 du/acre) to three dwelling units per acre (3 du/acre). Bonus densities are not allowed.

The Property is located in the Outlying Suburban Future Land Use (FLU) classification, as shown in the attached Future Land Use Map. The request includes 193 multi-family dwelling units and 435 hotel rooms, along with accessory, private and recreational uses.

The range of uses is permissible within this future land use category, as demonstrated by the historical development of the site. The program represents low-density/intensity development in consideration of the substantial preserve areas on-site, as well as property previously conveyed to the federal government. The density proposed is limited to the 193 dwelling units, a reduction from the 272 units vested per ADD2002-00098.

Hotel units are permissible use in this category and are treated as intensity per LDC Section 34-1801(4)(d). The LDC does not count a hotel/motel use towards overall "residential" density calculations.

For the purposes of this division, a hotel/motel is defined as a building, or group of buildings on the same premises and under single control, consisting of ten or more sleeping rooms kept, used, maintained or advertised as, or held out to the public to be, a place where sleeping accommodations are supplied for pay to transient guests or tenants. Hotels/motels must be registered with the Department of Revenue as a

bona fide hotel/motel operation and are required to pay the levied tourist development tax promulgated by the County. Hotels/motels that are not registered with the Department of Revenue or do not pay the tourist tax will be subject to the density limitations and property development regulations for multiple-family buildings.

The proposed density, as calculated/documentated in this application, is consistent with the maximum density permitted by the underlying Outlying Suburban FLU, applicable to the entirety of Captiva. This consistency with modern density calculations (and that excludes saltwater wetlands and non-residential areas, while prorating shared infrastructure and amenities) is a demonstration of the project's compatibility with surrounding development pattern.

This is based upon the following Lee Plan definition guiding density calculations:

Lee Plan Definition:

DENSITY – The number of residential dwelling or housing units per gross acre (du/acre). Densities specified in this plan are gross residential densities. For the purpose of calculating gross residential density, the total acreage of a development includes those lands to be used for residential uses, and includes land within the development proposed to be used for streets and street rights of way, utility rights-of-way, public and private parks, recreation and open space, schools, community centers, and facilities such as police, fire and emergency services, sewage and water, drainage, and existing man-made waterbodies contained within the residential development. Lands for commercial, office, industrial uses, natural water bodies, and other non-residential uses must not be included in the density calculation, unless otherwise stated in this plan.

The density calculation uses the acreage of principal development area (20 acres of residential and 5 acres of commercial/hotel) to calculate the ratio of land area attributed to the ancillary resort/recreational uses that can be used for density calculation purposes. Resort/recreation areas and the corresponding acreages are clearly delineated on the MCP, and include: golf course, water management, recreation, resort support, maintenance, rights-of-way and other resort accessory uses.

Based on this definition, 80% of the net principal development tracts are residential (20 residential acreage of the 25 net principal acres), and the remaining 20%, or 5 acres, are commercial. Accordingly, 20% of the resort/recreation acreage cannot be used for density calculation purposes, while the remaining 80% can generate density per the Lee Plan definition.

The proposed height of 45' tall buildings (3 habitable stories over 1 story of parking) is consistent with the maximum standard building height for the Outlying Suburban FLU contained in LDC Section 34-935(f). The Applicant is not seeking any additional height allowances permitted via increased common open space.

Thus, the proposed MPD is consistent with the above policy.

POLICY 1.5.1: Permitted land uses in Wetlands consist of very low-density residential uses and recreational uses that will not adversely affect the ecological functions of wetlands. All development in Wetlands must be consistent with Goal 124 of this plan. The maximum

density is one dwelling unit per twenty acres (1 du/20 acre) except as otherwise provided in Table 1(a) and Chapter XIII of this plan.

The proposed South Seas Resort MPD only proposes residential uses within upland areas of the site. Identified wetland areas are proposed to be utilized as preserve/open space and no new wetland impacts are proposed. The proposed MPD is consistent with Policy 1.5.1 of the Lee Plan.

POLICY 1.6.5: The Planning Districts Map and Acreage Allocation Table (Map 1-B and Table 1(b)) depict the proposed distribution, extent, and location of generalized land uses through the Plan's horizon. Acreage totals are provided for land in each Planning District in unincorporated Lee County. No development orders or extensions to development orders will be issued or approved by Lee County that would allow the acreage totals for residential, commercial or industrial uses contained in Table 1(b) to be exceeded. This policy will be implemented as follows:

- 1. For each Planning District the County will maintain a parcel-based database of existing land use.**
- 2. Project reviews for development orders must include a review of the capacity, in acres, that will be consumed by buildout of the development order. No development order, or extension of a development order, will be issued or approved if the acreage for a land use, when added to the acreage contained in the updated existing land use database, exceeds the limitation established by Table 1(b) regardless of other project approvals in that Planning District.**
- 3. When updating the Lee Plan's planning horizon, a comprehensive evaluation of the Planning Districts Map and Acreage Allocation Table will be conducted.**

Table 1(b) currently allocates a maximum of 429 acres for residential development in the Outlying Suburban Future Land Use Category within the Captiva Planning Community. Only a portion of the ±120.5-acre subject property is allocated for multi-family residential uses. Thus, the proposed MPD is well below the established threshold for residential in this area of the County.

OBJECTIVE 2.1: DEVELOPMENT LOCATION. Contiguous and compact growth patterns will be promoted through the rezoning process to contain urban sprawl, minimize energy costs, conserve land, water, and natural resources, minimize the cost of services, prevent development patterns where large tracts of land are by-passed in favor of development more distant from services and existing communities.

The proposed rezoning and MPD will allow for a compact infill redevelopment pattern in an area intended for resort-oriented development, as demonstrated by existing approvals and development on the site. Water, wastewater, transportation and other required services and infrastructure are available to serve the project, as demonstrated through this application. The proposed addition of hotel rooms on the site will help to finance additional resiliency and sound building practices, while efficiently using the investment in public and private infrastructure to serve development the Resort. Development within the project is clustered on existing uplands and provides for open space/preserve of environmentally sensitive coastal lands, representing a compact development footprint. The property is vested for development per Table 1(b) of the Lee Plan.

OBJECTIVE 2.2: DEVELOPMENT TIMING. Direct new growth to those portions of the Future Urban Areas where adequate public facilities exist or are assured and where compact and

contiguous development patterns can be created. Development orders and permits (as defined in F.S. 163.3164(7)) will be granted only when consistent with the provisions of Sections 163.3202(2)(g) and 163.3180, Florida Statutes and the county's Concurrency Management Ordinance.

As noted above, the Subject Property is currently developed and is contiguous to developed properties on Captiva Island. Thus, the petition does not propose development of new undeveloped lands. Additionally, proposed development is low-density infill and represents logical and efficient growth within the Outlying Suburban FLUC on Captiva Island. The Property is serviced by the Island Water Association and the Florida Governmental Utility Authority with electricity provided by Lee County Electric Cooperative (LCEC). Therefore, the proposed MPD and rezone fully complies with the above policy's intent to direct new growth to appropriate Future Urban Areas of the County.

POLICY 2.2.1: Rezoning and Development of Regional Impact proposals will be evaluated as to the availability and proximity of the road network; central sewer and water lines; community facilities and services such as schools, EMS, fire and police protection, and other public facilities; compatibility with surrounding land uses; and any other relevant facts affecting the public health, safety, and welfare.

The road network will operate at an acceptable LOS following the buildout of the proposed MPD.

Centralized water and sewer services are available to serve the proposed densities and intensities. The development will continue to be served by Lee County School District, EMS, Captiva Fire Control District, and the Lee County Sheriff's Office.

The development will continue to be compatible with residential uses internal to South Seas via the proposed location of uses and design standards that largely mirror the approved standards in the ADD that apply to other properties inside South Seas..

STANDARD 4.1.1: WATER. Any new residential development that exceeds 2.5 dwelling units per gross acre, and any new single commercial or industrial development in excess of 30,000 square feet of gross leasable (floor) area per parcel, must connect to a public water system (or a "community" water system as that is defined by Fla. Admin. Code R 62-550).

While the development does not exceed 2.5 du/acre based on the vested units and acreage of the Subject Property, the proposed MPD is serviced by the Island Water Association. The enclosed letter of availability demonstrates adequate capacity to serve the proposed development.

STANDARD 4.1.2: SEWER. Any new residential development that exceeds 2.5 dwelling units per gross acre, and any new single commercial or industrial development that generates more than 5,000 gallons of sewage per day, must connect to a sanitary sewer system.

While the development does not exceed 2.5 du/acre based on the vested units and acreage of the Subject Property, the proposed MPD is serviced by the Florida Governmental Utility Authority. The enclosed letter of availability demonstrates adequate capacity to serve the proposed development.

POLICY 5.1.1: Residential developments requiring rezoning and meeting Development of County Impact (DCI) thresholds must be developed as planned developments except if located within the Mixed-Use Overlay.

The Application is to rezone several properties to a unified Major Planned Development in accordance with this policy.

POLICY 5.1.2: Prohibit residential development where physical constraints or hazards exist or require the density and design to be adjusted accordingly. Such constraints or hazards include but are not limited to flood, storm, or hurricane hazards; unstable soil or geologic conditions; environmental limitations; aircraft noise; or other characteristics that may endanger the residential community.

While portions of the Property are located in the Coastal High Hazard Area (CHHA), the proposed MPD requests 193 multi-family units, reflecting a 79-unit reduction to the 272 residential units permitted by the 1973 rezoning and ADD 2002-00098. The proposed MPD clusters development within the upland areas of the Property and preserves wetland habitats. All onsite development shall be in accordance with, meet, or exceed all applicable building codes and FEMA regulations.

POLICY 5.1.5: Protect existing and future residential areas from any encroachment of uses that are potentially destructive to the character and integrity of the residential environment. Requests for conventional rezonings will be denied in the event that the buffers provided in Chapter 10 of the Land Development Code are not adequate to address potentially incompatible uses in a satisfactory manner. If such uses are proposed in the form of a planned development or special exception and generally applicable development regulations are deemed to be inadequate, conditions will be attached to minimize or eliminate the potential impacts or, where no adequate conditions can be devised, the application will be denied altogether. The Land Development Code will continue to require appropriate buffers for new developments.

The request is intended to update the existing Resort by way of a rezone to a Planned Development for the applicant's South Seas property. The project will remain a self-contained, full service resort with hotel rooms, residential units, golf course, marina and private ancillary uses including food and beverage service/restaurants, recreational amenities and supportive office space.

These uses have coexisted within South Seas for decades, including lands owned by the Applicant and the internal privately owned timeshares, condominiums and single-family homes. The resort uses including golf course, pools, marinas, sport courts, and restaurants have long been integrated with internal residential uses that are not subject to this MPD zoning request.

It is important to note, in regards to internal residential compatibility, that all units in South Seas are permitted for nightly rental, including timeshares, multi-family and single-family residences. Thus, all units in the resort can function and have functioned in the same commercial manner as the proposed hotel uses. Furthermore, the lands within the Resort owned by others are not low density OR residential in character, occupancy, scale and/or function due to the nightly rentals.

In terms of proposed uses area in the MPD, the hotel building will be reconstructed on the tract where it historically existed. Thus, the surrounding residents will continue to abut hotel

uses. A new hotel building is proposed on the site where the conference facilities previously existed. Thus, the internal property owners in this area will continue to abut commercial uses.

Specifically, proposed hotel rooms are sited on Tracts I-1 and A-1 on the MCP. Tract A-1 does not directly abut any existing residential uses under separate ownership. The abutting Recreation Tract I interfaces with timeshare units owned by others, which is similar intensity and type of use when contrasted with the proposed hotel. This integration of on-site recreation and "off-site" timeshares in South Seas will continue to be compatible land uses. Conditions are proposed to limit consumption on premises (COP) of alcoholic beverages and associated outdoor entertainment to further address compatibility between resort uses and existing residences under separate ownership.

Relating to traffic and compatibility, the number of hotel rooms on the northern tract will not significantly change the historical traffic flow of pre-lan conditions given the previously existing hotel function on the tract was surrounded by transient multifamily and timeshare properties that historically rent on a nightly basis.

In terms of the redevelopment, building height is limited to a maximum 3 stories over parking/45 feet above the lowest minimum permitted habitable floor, which is consistent with many existing buildings owned by others in South Seas. As outlined in detail in the Captiva Historical Development Pattern Narrative, Lands End and Tennis Villas are 3 stories over parking/resort services, and Bayside Villas and Beach Villas are 4 stories over parking/resort services inclusive of habitable loft space. Thus, the height of the proposed development is consistent and compatible with the internal residential uses in South Seas.

The Captiva Historical Development Pattern Narrative also describes the built form of other hotels and condominiums on Captiva Island outside the South Seas property. This data outlines several existing developments built to 4 stories inclusive of ground floor parking, including Tween Waters and Sunset Captiva Condo. Thus, the proposed scale and height of proposed building will be compatible and commensurate to the built form throughout Captiva Island. It is important to note as the island has redeveloped over the years, single-family homes have consistently increased in height and scale due to increasing land costs and market demand. Thus, many single-family homes that exist in Captiva today meet or exceed the proposed maximum building height in this MPD. Data from the Property Appraiser and AIRDNA - Airbnb VRBO indicates as much as 70% of these homes are short term rentals and function as hotel units from an intensity standpoint.

The MPD provides development standards, such as maximum lot coverage and open space, to ensure the continued green space throughout the project.

A Type D buffer is provided along the south side of the property abutting Captiva Drive to screen views from properties outside of South Seas. Buffers between the proposed MPD boundary and residential uses within South Seas owned by others are largely provided in accordance with the LDC, except where recreational areas abut existing units/buildings. These units benefit from the recreational amenities and the proposal is not a departure from existing conditions intended to integrate uses in a resort context.

In sum, the proposed design standards and binding MCP will ensure compatibility with the internal and external residential uses on Captiva Island. The proposed form of development and building height is consistent with existing hotels, condominiums and single-family homes throughout South Seas and Captiva as a whole. The requisite infrastructure is available to support the proposed density and intensity. Open space and preserve areas will meet or

exceed the LDC. The zoning conditions and LDC requirements have adequately addressed any potential impacts on adjacent uses.

POLICY 5.1.6: Maintain development regulations that require high-density, multi-family, cluster, and mixed-use developments to have open space, buffering, landscaping, and recreation areas appropriate to their density and design.

The proposed MPD provides clustered residential development and non-residential uses (hotel/resort) surrounded by passive and active recreational uses, open space and preserve areas. The MPD preserves existing wetland and mangrove areas and meets the LDC requirements for open space.

GOAL 6: COMMERCIAL LAND USES. To permit orderly and well-planned commercial development at appropriate locations within the County.

POLICY 6.1.1: All applications for commercial development will be reviewed and evaluated as to:

- 1. Traffic and access impacts (rezoning and development orders);***
- 2. Landscaping and detailed site planning (development orders);***
- 3. Screening and buffering (Planned Development rezoning and development orders);***
- 4. Availability and adequacy of services and facilities (rezoning and development orders);***
- 5. Impact on adjacent land uses and surrounding neighborhoods (rezoning);***
- 6. Proximity to other similar centers (rezoning); and***
- 7. Environmental considerations (rezoning and development orders).***

The proposed commercial hotel uses are contained in the 5 acres historically permitted for commercial uses per the original RU-3 zoning district and ADD2002-00098. All other non-residential uses are ancillary resort uses to serve guests and residents. The enclosed TIS demonstrates the additional trips generated by the hotel will not cause Captiva Road to fall below the recommended Level of Service standard of LOS "E".

The MPD proposes to maintain the internal landscaping requirements required by the ADD to provide for a cohesive and integrated resort community. The external right-of-way buffer along Captiva Road will be provided in accordance with the LDC.

The project will be served by the existing public roadway network, as well as utilities provided by FGUA and IWA. IWA has provided a letter of availability for the 435 hotel rooms proposed through the MPD. IWA is committed to serve the South Seas Resort as permitted by the ADD, which historically allocated 272 units to the MPD subject property. As noted above, the Applicant is requesting a lesser number of **193 units, or a 79-unit reduction.**

The adjacent lands are developed with resort residential uses, many of which are used as short-term rentals. These uses have co-existed with the South Seas Resort hotel uses, recreational amenities, marinas and other ancillary uses since the area's development in the mid-1970's. The proposed MPD will allow buildback of the resort uses in the form of a MPD as the owner is no longer able to amend the ADD. The character, size, scale and scope of uses will not be altered and will continue to be compatible with the surrounding land uses.

As detailed in the environmental reports and management plans, dune restoration plans, and open space/preserve data on the MCP, the MPD will meet or exceed the LDC criteria for

environmental protection. Moreover, the developer will obtain all required permits from applicable state and federal agencies.

POLICY 6.1.7: Prohibit commercial developments from locating in such a way as to open new areas to premature, scattered, or strip development; but permit commercial development to infill on small parcels in areas where existing commercial development would make a residential use clearly unreasonable.

The proposed MPD will allow for the redevelopment of existing hotel and ancillary resort uses on an infill, impacted site. Redevelopment of the resort uses will continue to be compatible with surrounding and adjacent commercial uses. The MPD rezoning will not open a new area to premature or scattered commercial land uses and will support economic development and resiliency for Captiva and Lee County as a whole.

POLICY 6.1.11: Encourage the upgrading or revitalization of deteriorating commercial areas, but prohibit the expansion or replacement of commercial uses which are inappropriately located or that have an adverse impact on surrounding residential and non-residential uses. Such revitalization includes, but is not limited to: store-front renewal, sign control, and the provision of common parking areas and consolidated access.

The proposed will allow for predictable and logical redevelopment of aged resort uses that have been substantially damaged by Hurricane Ian. The redevelopment will allow for revitalization and upgrading of the Subject Property in full compliance with this policy. Additionally, the redevelopment will ensure compatibility with surrounding residential uses through sensitive site design, consolidated access, and a “park once” model in which guests circulate throughout the site by trolley, golf cart, or bike.

GOAL 23: CAPITVA COMMUNITY PLAN. The goal of the Captiva Community Plan is to protect the coastal barrier island community’s natural resources such as beaches, waterways, wildlife, vegetation, water quality, dark skies, and history. This goal will be achieved through environmental protections and land use regulations that preserve shoreline and natural habitats, enhance water quality, encourage the use of native vegetation, maintain the mangrove fringe, limit noise, light, water, and air pollution, create mixed use development of traditionally commercial properties, and enforce development standards that maintain the historic low-density residential development pattern of Captiva.

The MPD will follow applicable land use regulations adopted pursuant to this goal.

OBJECTIVE 23.1: PROTECTION OF NATURAL RESOURCES. To continue the long-term protection and enhancement of wetland habitats, water quality, native upland habitats (including rare and unique habitats), and beaches on Captiva.

The proposed MPD maintains the existing wetland areas and preserves the mangrove areas located around the property, in compliance with Objective 23.1. The water quality will continue to be evaluated as part of ERP modifications.

POLICY 23.1.1: Mangrove Fringe. Consider development regulations that will provide additional protection to the shoreline, including mangrove fringe, to the greatest extent possible.

The proposed South Seas Resort MPD preserves the mangrove areas identified in the 1973 concept plan associated with the RU-3 zoning.

POLICY 23.1.3: Estuarine and Wetland Resources. Continue to support the protection of estuarine and wetland resources and wildlife habitat on Captiva.

The proposed South Seas MPD preserves the wetland areas near the Chadwick Bayou identified on the 1973 concept plan provided with the zoning and is in compliance with Policy 23.1.3.

POLICY 23.1.4: Continue to support the effort of the Captiva Erosion Prevention District, a beach and shore preservation authority under provisions of Chapter 161, Florida Statutes, to preserve, protect and maintain Captiva's beaches using environmentally responsible methods.

The MPD is within the Captiva Erosion Prevention District (CEPD) and South Seas has continually supported the CEPD as an active participant and the largest contributing tax payer. The Applicant owns most of the property known as Allison Hagerup public beach parking. The parking lots revenues go to the CEPD and are used to supplement the beach nourishment for Captiva every 8-10 years.

Additionally, the MPD includes a conceptual dune restoration plan to mitigate erosion and will continue to secure all required state and federal permits relating to shoreline protection and mitigation of development impacts.

Commercial uses are not proposed seaward of the 1978 CCCL.

POLICY 23.2.3: Building Heights. Maintain building height regulations that account for barrier island conditions, such as mandatory flood elevation and mean-high sea level, for measuring height of buildings and structures.

The MPD proposes a maximum building height of 45', per LDC Sections 34-2171 through 34-2175, to allow for resiliency and a common measurement of building height in all coastal areas. The height will allow for redevelopment of the existing structures that contain three (3) habitable stories.

POLICY 23.2.6: Variances and Deviations. Variances and/or deviations from the current development standards will not be permitted unless they meet all of the specific requirements for variances and deviations set forth in the LDC.

A limited number of deviations are being requested for the proposed MPD. All deviations requested meet the requirements set forth in the LDC.

POLICY 23.2.7: Alternative Transportation. Support integration of pedestrian and bicycle facilities into the transportation network to make Captiva safer for pedestrians, golf carts and bicyclists and to reduce automobile dependence and the need for increased parking facilities.

Pedestrian and bicycle paths exist and will continue to serve residents and guests of the South Seas Resort. Additionally, the resort utilizes trolley services and golf carts to provide multiple modes of mobility within the development.

POLICY 23.2.9: Dark Skies. Limit light pollution and light trespass on Captiva in order to protect wildlife from any detrimental effects and for the benefit of Captiva residents and visitors.

In accordance with Policy 23.2.9, outdoor lighting will be properly assessed and limited to protect wildlife from any detrimental effects at the time of local Development Order review.

OBJECTIVE 23.4: PUBLIC PARTICIPATION. Opportunities for public input will be provided during the comprehensive plan amendment and rezoning processes.

POLICY 23.4.1: Public Informational Meeting. The owner or agent applying for an amendment to Captiva community-specific provisions in the Lee Plan or LDC must conduct one public informational meeting. The applicant is fully responsible for providing the meeting space, providing advance notice of the meeting, and providing security measures as needed. The meeting must be held within the community plan boundary. Advance notice of the meeting must be disseminated in a community-based media outlet, physically posted at the post office and provided in writing to citizen groups and civic associations within the community that are registered with Lee County for notification of pending Lee Plan or LDC amendments. The notice must be available and posted at least one week prior the scheduled meeting date. At the meeting, the agent will provide a general overview of the amendment for any interested citizens. Subsequent to this meeting, the applicant must provide County staff with a meeting summary document that contains the following information: the date, time, and location of the meeting; a list of attendees; a summary of the concerns or issues that were raised at the meeting; and the applicant's response to any issues that were raised. This information must be submitted to the County before an application for a project can be found sufficient. Zoning Public Informational Meetings: Zoning related public information meetings will be required as provided in the LDC.

Pursuant to Ordinance 23-22, which amended the LDC, the application in question is not required to have a public information meeting. The Applicant has hosted two (2) community meetings with South Seas and Captiva residents in April and November 2024 to inform them of the project.

COMMUNITY FACILITIES & SERVICES ELEMENT

POLICY 59.1.3: Maintain floodplain regulations in accordance with the most recently adopted Flood Insurance Rate Map (FIRM) and other available sources.

The proposed project is located within flood zones VE and AE of the FEMA Flood Zone Map. All new construction will meet or exceed current building code and FEMA standards for the corresponding flood zones.

POLICY 60.1.1: Require design of surface water management systems to protect or enhance the groundwater.

A surface water management system is proposed which will provide water quality treatment before discharging into Chadwick Bayou and the Gulf of Mexico. All required state permits will be obtained prior to site development activities. Please also refer to the Surface Water Management Narrative included in this application.

POLICY 60.1.2: Incorporate, utilize, and where practicable restore natural surface water flowways and associated habitats.

There are no flow-ways present on the subject Property.

POLICY 60.4.1: Encourage new developments to design surface water management systems with Best Management Practices including, but not limited to, filtration marshes, grassed swales planted with native or Florida Friendly Landscaping vegetation, retention/detention lakes with enlarged littoral zones, preserved or restored wetlands, and meandering flowways.

The proposed MPD includes a surface water management plan that complies with all LDC design standards.

CONSERVATION & COASTAL MANAGEMENT ELEMENT

POLICY 101.1.1: Require that development within the Coastal High Hazard Area be compatible with natural systems, such as, water retention and purification, wildlife habitat, primary productivity, and defense against coastal flooding.

The MCP preserves mangrove fringe areas and provides on-site stormwater management to protect and enhance the natural systems. Additional stormwater retention is proposed to provide additional resiliency to protect the built and natural environment, as an improvement over existing conditions.

POLICY 101.1.2: Protect and conserve the following environmentally sensitive coastal areas: wetlands, estuaries, mangrove stands, undeveloped barrier islands, beach and dune systems, aquatic preserves, wildlife refuges, undeveloped tidal creeks and inlets, critical wildlife habitats, benthic communities, and marine grass beds.

As required by Lee Plan Policy 101.1.2, the site plan protects environmentally sensitive areas through the preservation and enhancement of 39.83 acres of on-site wetland/mangrove habitat.

POLICY 101.3.1: Protect shoreline development in V zones from coastal erosion, wave action, and storms with natural systems, setbacks, and/or beach re-nourishment, rather than by seawalls or other hardened structures which tend to hasten beach erosion. Repairs of lawfully constructed, functional, hardened structures as defined in Chapter 161, F.S. may be allowed subject to applicable state and local review and approval.

The MPD includes a conceptual dune restoration plan to provide for beach protection of shoreline in compliance with this policy.

POLICY 101.3.2: Restrict development in the Coastal High Hazard Area to uplands except as needed for the provision of public facilities.

The Property is located within the Coastal High Hazard Area. Development is only proposed for upland areas of the Property.

POLICY 101.3.4: Encourage new residential development, as required by the Land Development Code, to provide continuing information to residents concerning hurricane evacuation and shelters.

South Seas Resort will communicate information concerning hurricane evacuation and shelters to guests and maintain a Hurricane Evacuation Plan. The 193 multi-family units requested through this MPD rezoning are vested per ADD2002-00098, thus the application will not increase the amount of residential development on the Subject Property. The resort preemptively evacuated all personnel and guests from the Property prior to Hurricane Ian in 2022 and Helene and Milton in 2024. Additionally, South Seas management can control hotel reservations ahead of a predicted storm, thereby reducing the number of guests on the island.

POLICY 101.3.4: Encourage new residential development, as required by the LDC, to provide continuing information to residents concerning hurricane evacuation and shelters.

The Applicant will continue to educate residents, guests, and employees on hurricane evacuation policies and procedures and provide information as necessary on shelters in the event of a storm. The Resort has successfully evacuated guests from Hurricanes Charlie, Irma, Idalia, and Ian.

POLICY 123.2.4: Encourage the protection of viable tracts of sensitive or high-quality natural plant communities within developments.

The proposed MPD preserves existing wetland and mangrove areas onsite.

POLICY 123.2.10: Require that development adjacent to aquatic and other nature preserves, wildlife refuges, and recreation areas be designed to protect the natural character and public investment in these areas.

The MPD includes a Master Concept Plan providing for preservation of all on-site mangroves, providing total indigenous preservation in excess of LDC requirements. The MCP also demonstrates the 35' wide shoreline buffer per the ADD and existing, post-development conditions. No new impacts to shoreline vegetation is proposed by this rezoning petition. The beach area is proposed for dune restoration with the planting plan provided as justification for the project. When combined, these design parameters and commitments provide protection of the natural preserves and wildlife area within the MPD.

OBJECTIVE 123.5: LOGGERHEAD SEA TURTLES. Continue the sea turtle protection program to minimize the disorientation of sea turtles along the Gulf beaches.

South Seas Resort will enforce compliance with the Sea Turtle lighting requirements during Sea Turtle nesting season to mitigate the detrimental effects of lights to hatchlings. The Resort will incorporate proper signage and information in order to educate guests on the importance of reduced lighting levels and hazard mitigation.

POLICY 125.1.2: New development and additions to existing development must not degrade surface and ground water quality.

The proposed MCP reduces the total amount of turf on the golf course and repairs the majority of the landscaping lost to Hurricane Ian with native species. New development will replace portions of the existing substandard water management system with modern water management systems, designed in accordance with current County and State standards. Redevelopment required due to Hurricane Ian destruction, will, when possible, improve the existing surface water management system, again which was designed decades ago for existing development.

POLICY 125.1.3: The design, construction, and maintenance of artificial drainage systems must provide for retention or detention areas and vegetated swale systems that minimize nutrient loading and pollution of freshwater and estuarine systems.

The proposed MPD provides for onsite detention/retentions areas, located around the golf course area, to minimize nutrient loading and pollution of freshwater and estuarine systems.

POLICY 125.1.4: Developments which have the potential of lowering existing water quality below state and federal water quality standards will provide standardized appropriate monitoring data.

The MPD includes a condition to provide for water quality monitoring to ensure water quality standards are met. Additionally, the site will obtain a development order demonstrating compliance with the Lee County standards, as well as an Environmental Resource Permit

POLICY 126.1.4: Development designs must provide for maintaining or improving surface water flows, groundwater levels, and lake levels at or above existing conditions.

Via the on-site stormwater management, state and LDC review criteria, and compliance with the proposed water quality monitoring conditions, the MPD will comply with the above policy.

OBJECTIVE 128.5: The County will utilize the following criteria in evaluating the design of new marinas (or expansion of wet slip facilities at existing marinas) in order to minimize negative impacts; detailed regulations on these subjects may be contained in the County's development regulations.

The above objective and supportive policies provide a listing of regulatory and non-regulatory standards for new and expanded marinas. While the Applicant has no specific plans for the marina expansion and redevelopment at this time, it is anticipated that marina areas will be upgraded in the future. At such time, the marina locations must comply with those depicted on the MPD Master Concept Plan and Schedule of Uses, the Manatee Protection Plan limitations, and all Lee Plan and Land Development Code requirements.

ECONOMIC DEVELOPMENT ELEMENT

OBJECTIVE 158.2: Lee County will maintain and develop programs which are designed to expand and enhance the tourism industry.

The proposed MPD will support redevelopment of the largest resort in Lee County with marketable and financially viable uses, densities, and intensities. The proposed MPD will allow for predictable and clear standards to govern this property long-term, which in turn serves tourists and supports this important industry.

As detailed in the enclosed Fiscal and Economic Impact Analysis, the proposed MPD will support significant tourist-based job growth and income growth compared to the pre-lan conditions on the property as follows:

- 813 permanent, onsite resort jobs, an increase of 413 permanent jobs.
- 1,918 total permanent jobs in Lee County, an increase of 1,106 permanent jobs.
- An annual permanent, onsite resort labor income of \$48.0 million, an annual increase of \$34.4 million.

- An annual permanent total labor income in Lee County of \$100.5 million, an increase of \$67.6 million.

OBJECTIVE 158.4: Lee County, in coordination with the Horizon Council and other appropriate entities, will maintain programs which are designed to encourage the retention and expansion of the County's existing economic base.

South Seas Island Resort is a major employer and industry for the local economy. Redevelopment of the Subject Property with a mix of uses and development program that modernizes the resort, enhances resiliency to withstand future weather events, and increase the amenities and value of the land are in direct compliance with this objective.

As outlined in the enclosed Fiscal and Economic Impact Analysis, upon buildout and stabilization, the South Seas Resort is projected to generate the following tax revenue in direct support of creating healthy economic base for Lee County.

- A property tax base of \$827.5 million for Lee County, an increase of over \$783 million.
- Lee County annual property tax revenues of \$3.0 million, an annual increase of \$2.8 million.
- Annual property tax revenues for Lee County taxing jurisdictions of \$11.6 million, an annual increase of \$11.0 million.
- Annual Lee County Tourist Tax revenue of \$7.2 million, an overall annual increase of \$3.5 million.

VIII. DECISION-MAKING COMPLIANCE

In accordance with LDC Section 34-145(d)(4)(a)1, the data and analysis provided in the enclosed application demonstrate that the request meets or exceeds the following:

a) Complies with the Lee Plan;

The proposed Planned Development is consistent with the provisions of the Lee Plan, as described in this narrative. The proposed residential and resort uses are consistent with allowable uses in the Outlying Suburban future land use category. As vested for the parcels owned by the property owner/applicant, the 193 dwelling units will not exceed the 3 du/acre permitted in Outlying Suburban, based on the current Lee Plan density calculation provisions, nor is an increase in residential density proposed in the Coastal High Hazard Area as directed by various policies in the Lee Plan. The hotel uses are permissible in Outlying Suburban, will be in direct compliance with Lee Plan policies relating to economic development, and are not treated as density pursuant to LDC Section 34-1802 and the Lee Plan.

b) Meets this Code and other applicable County regulations or qualifies for deviations;

A limited number of deviations are being requested to support existing built conditions on the Subject Property and the intended development program. The deviation will allow for continuation of vested design standards set forth in ADD2002-00098. The deviations are detailed in the attached Deviation Justification Narrative and demonstrate compliance with the criteria set forth in LDC Section 34-373(a)(9).

c) Is compatible with existing and planned uses in the surrounding area;

The proposed Master Concept Plan is consistent with the concept plan that was submitted with the 1973 zoning application. The MPD proposes a consistent mix of residential,

hotel/resort, and private, on-site recreational uses that are complementary to the surrounding area and will provide enhanced amenities to those residents within the MPD and those subject to the ADD. Building height is limited to 45 feet measured per LDC Sections 34-2171 through 34-2175, which is generally consistent with the heights/stories that currently exist on the site. The uses and form of development will mimic the historical development pattern but modernized to meet current market demand and built to current state and federal standards. Thus, the MPD will have a positive impact on the surrounding area.

d) Will provide access sufficient to support the proposed development intensity;

Access to the Property is provided via Captiva Drive, a two-lane collector roadway. The Traffic Impact Statement prepared by TR Transportation Consultants, Inc. further shows that the surrounding infrastructure is supportive of the proposed density and intensity and roads will continue to operate at an acceptable Level of Service upon build out of the proposed MPD.

e) The expected impacts on transportation facilities will be addressed by existing County regulations and conditions of approval.

Please see the Traffic Impact Statement prepared by TR Transportation Consultants, Inc. Impacted roadways will continue to operate at an acceptable Level of Service upon build out of the proposed development.

f) Will not adversely affect environmentally critical or sensitive areas and natural resources; and

The South Seas Resort MPD utilized existing uplands for redevelopment of residential and resort uses. Existing preserve areas will remain undeveloped to ensure protection of all environmentally sensitive areas.

g) Will be served by urban services, defined in the Lee Plan, if located in a Future Urban area category.

The South Seas Resort MPD will be served by all required public and private infrastructure, as detailed in this application.

Further, it is also consistent with the review criteria for planned developments;

a) The proposed use or mix of uses is appropriate at the proposed location;

The RU-3 zoning approved in 1973 permitted the mix of uses provided for in the MPD. The hotel, restaurant, and other amenity uses are not permitted under the RM-2 and TFC-2 zoning. Although a new MPD is proposed, the overall uses for the property will not change. The proposed MPD lawfully reinstates the hotel uses in addition to residential dwelling units that are less than the number of dwelling units originally anticipated. The proposed ancillary resort and recreational spaces will only be open to guests and residents of the Resort, and not the general public.

b) The recommended conditions provide sufficient safeguards to the public interest and area reasonably related to the impacts on the public's interest expected from the proposed development.

The Applicant will work with staff on conditions to provide sufficient safeguards for public interests.

c) **If the application includes deviations pursuant to section 34-373(a)(9), that each requested deviation:**

- 1) Enhances the achievement of the objectives of the planned development; and**
- 2) Preserves and promotes the general intent of this Code to protect the public health, safety and welfare.**

A limited number of deviations are being requested to support the intended development program and memorialize existing built conditions as permitted design standards for the project. These are detailed in the Deviation Justification Narrative. These deviations have mirror approved development standards per ADD2002-00098 and are supported by analysis to ensure no adverse effects to the surrounding areas are consistent with the objectives of a planned development district.

IX. CONCLUSION

The proposed South Seas Island Resort MPD will allow for the Subject Property to be redeveloped in accordance with market demand with enhanced resiliency and modern amenities to serve future residents and guests. The Subject Property represents the largest resort property in Lee County and will serve as a driver of economic development to benefit Captiva, Lee County and the Southwest Florida region.

The development standards mirror those approved in current Administrative Interpretation and will maintain compatibility with residential uses internal to the Resort as well as those uses outside the resort. Building height is carefully limited to the LDC regulations outlined in Sections 34-2171 through 34-2175 to allow build back of the existing building heights and habitable stories. The development incorporates important resiliency measures to ensure longevity of the investment by the property owner, as well as broader benefit to Captiva Island and Lee County. The request is consistent with the Lee Plan and the LDC, including the review criteria for Rezones and Planned Developments. The applicant respectfully requests approval of this petition.



SOUTH SEAS ISLAND RESORT MPD

Captiva Historical Development Pattern Narrative

REVISED DECEMBER 2024

Captiva Island (AKA Captiva Planning Community) comprises 4,800+/-acres and includes the islands of Captiva Island, Upper Captiva Island, Cayo Costa Island, Useppa Island, Buck Key, and Cabbage Key and the surrounding smaller islands.

The Lee Plan Vision Statement emphasizes the Community is highly seasonal and tourist-oriented with a dynamic mix of commercial and resort uses as follows:

"Although Captiva itself is a seasonal resort community, in comparison to the other islands in this community it is the center of activity. Due to the nature of this community, residents must satisfy their major commercial and industrial needs outside of this community. Conversely, the commercial aspects of the Captiva Community are utilized by many residents and tourists from outside of the Community. The population of Captiva is not expected to greatly change by 2030. Furthermore, the area will look much as it does today in the absence of a major hurricane or other natural disaster."

The following is data and analysis relating to the built form and character, density and intensity on Captiva Island, both within and outside the South Seas Island Resort. This information supports the analysis that the existing residential entitlements, as well as proposed hotel/resort uses, provide for the compatible and resilient redevelopment of the subject property following Hurricane Ian at densities and scales commensurate with existing development patterns on the Island.

This data has been obtained from the Lee County Property Appraiser, Lee County Community Development, including the back-up data submitted for the Captiva Community Plan Update, and AIRDNA - Airbnb VRBO data.

- **Captiva Island Existing Densities/Built Form**

The Captiva Planning Community is predominantly designated as Outlying Suburban future land use allowing up to 3 du/acre, with the balance of lands designated as Wetlands and Outer Islands. The Island's development pattern generally encompasses residential, resort/hotel residential and tourist-oriented retail commercial and institutional uses concentrated in the Island's "village center" proximate to Andy Rosse Lane and Captiva Drive.

The southern end of the island is predominantly residential lots flanking both sides of Captiva Drive. While these residential properties are largely developed with single-family detached dwellings, the homes are prevalently used as short-term rentals. Data obtained from AIRDNA - Airbnb VRBO in February 2024 indicates 755 units on Captiva are active short term rental listings. **Considering the Island contains approximately 1,100 parcels in total, almost 70% of the housing stock is utilized for short terms rentals in peak season.**

Lee County's 2017 analysis of the Captiva Plan notes the impact that the short-term rental market has on the perceived density/intensity on the Island as follows:

"Density" and "intensity" are used throughout the County Plan (and are defined in its glossary), with density speaking chiefly to the number of dwelling units per specific unit of land, and intensity addressing restrictions and regulations applicable to the development of

land. On Captiva, often the issues of density and intensity converge because many of Captiva's residential properties have been designed for use as vacation rentals during times when the owner is not in residence (which can be a significant part of the year in some neighborhoods).

When the owner is in residence, these units function as single-family homes with the appropriate and expected traffic and parking needs, living patterns and solid waste, wastewater generation of a single family living in a home.

When being used as rentals, however, all of these residential attributes are more intensely used - as one would expect when they are used as housing as part of a vacation where more extended families or other groups gather in one place. Traffic may be higher due to more arrivals and departures, as well as when vacationers head off and return by car for the day's activities. Demand for parking spaces increases for the same reasons - more people, more traffic, more activity. The living patterns reflect larger groups and vacation times (more varied hours, more likelihood of late-night outdoor activities). And certainly, the waste generated (solid or water) reflects the increased use by more people.

When a Captiva home is redeveloped with six to eight bedrooms and six to eight bathrooms (as is common on the island now), and is being rented to vacationers for a majority of the year, these properties are operating as de facto commercial entities, and are required to pay the appropriate taxes and frequently to hold the necessary licenses similar to other vacation rental enterprises in the community."

Thus, while single-family homes are the predominant dwelling type in Captiva, the majority are used as short term rentals, and are in effect a much higher density/intensity than a typical dwelling unit.

Moving northward through Captiva the development pattern shifts to more direct tourist-oriented uses. There are several existing hotel properties along Captiva Drive developed prior to the Lee Plan and Captiva community planning area development regulations contained in Chapter 33 of the Land Development Code (LDC). These properties range in densities from 8 to 27 du/acre based upon the property size and room count as shown in Table 1 below. These hotels also range in height from 2 stories above 1 floor of parking to 3 stories over parking, entirely consistent with the proposed height for the South Seas MPD.

Table 1: Captiva Island Condo/Hotel Densities & Height

Development Name	Acreage	Unit Count	Density	No. of Stories
Sunset Captiva Condo	1.3 AC	10 UNITS	8 DU/AC	4 stories ⁽¹⁾
Tween Waters	10.5 AC	137 UNITS	13 DU/AC	3 stories ⁽²⁾
Captiva Island Inn	1.3 AC	18 UNITS	14 DU/AC	3 stories ⁽²⁾
Jensen's on the Gulf	0.26 AC	7 UNITS	27 DU/AC	3 stories ⁽²⁾
Jensen's Twin Palm Cottages & Marina Resort	1.2 AC	14 UNITS	12 DU/AC	1 story ⁽³⁾

- (1) 3 habitable stories over 1 floor of parking
- (2) 2 habitable stories over 1 floor of parking
- (3) 1 story/slab on grade.

Towards the midpoint of the Island is the historical village core centered at Andy Rosse Lane and Captiva Drive, containing a mix of single-family homes, multi-family buildings, hotels, restaurants/bars, marina, and retail stores.

The density of dwellings used as short-term rentals are extremely prevalent in this area - with entire blocks of houses listed/posted as rental units. **Several buildings in this village area, including Captiva Island Inn and the Royal Shell Real Estate building (built in 1997), are 3 stories in height. The Sunset Captiva Condominium (built in 1982), which is advertised for rental minimums of 7 days, is located at the southern end of the village core and is a total of 4 stories (3 stories over parking).**

Thus, density/intensity increases towards the northern limits of the Island approaching South Seas and is a visible mix of uses including hotels, multi-family and single-family residential, short-term rentals, and commercial uses, with several building between 3 and 4 stories in height.

- **South Seas Existing Densities/Built Form**

To the north of the village is the entrance to South Seas Resort property. **Of the Island's approximately 1,100 parcels, just over 50% of those parcels are located within South Seas Island Resort.** Thus, the resort's character and form have and will continue to influence the built environment on Captiva.

Development in the resort began in the 1960's and evolved over time to an integrated mix of multi-family and single-family residential uses, timeshares, hotels, resort amenities including recreation, restaurants and bars, a golf course and marina.

Over 350 units within the gates of South Seas are in buildings that are three-stories over parking, for a total of 4 stories. That accounts for 55% of the built residential density in South Seas today (and pre-Hurricane Ian). These buildings were built between 1978 and 1985, demonstrating that the historical development pattern of three-stories over parking/resort uses dates back over 46 years.

Correspondingly, the net densities on internal tracts within South Seas range from approximately 1 to 29 du/acre, demonstrating the broad range of product types, size and scale of the built form in the community. Table 2 below for summary of internal net densities and building heights as further evidence of the built form.

Table 2: South Seas Densities & Height

Tract/Development Name	Acreage	Unit Count	Net Density	No. of Stories ⁽¹⁾
Lands End	6.8 AC	68 DU	10 DU/AC	4 stories
Bayside Villas	4.2 AC	102 DU	24 DU/AC	5 stories ⁽²⁾
Tennis Villas (Sunset & III)	2.6 AC	60 DU	23 DU/AC	4 stories
Beach Villas (Gulf I)	9.3 AC	120 DU	13 DU/AC	4-5 stories ⁽²⁾
Beach Cottages	7.68 AC	26 DU	3.4 DU/AC	3 stories ⁽³⁾
Beach Homes	18.5 AC	33 DU	1.8 DU/AC	3 stories ⁽³⁾
Beach Homesites	23.24 AC	26 DU	1.1 DU/AC	3 stories ⁽³⁾
Sandrift	1.06 AC	4 DU	3.8 DU/AC	3 stories ⁽³⁾
Plantation Beach Club	10.46 AC	56 DU	5.4 DU/AC	3 stories ⁽³⁾
Plantation Bay Villas	0.82 AC	4 DU	4.9 DU/AC	3 stories ⁽³⁾

Marina Villas	2.79 AC	40 DU	14.3 DU/AC	3 stories ⁽³⁾
Harbourview Villas	0.34 AC	10 DU	29.4 DU/AC	3 stories ⁽³⁾
South Seas Club	1.03 AC	24 DU	23.3 DU/AC	3 stories ⁽³⁾
Cottages at South Seas Plantation	0.9	14 DU	15.6 DU/AC	3 stories ⁽³⁾
Plantation House	0.19	12 DU	63.2 DU/AC	3 stories ⁽³⁾
Seabreeze	0.42	8 DU	19.0 DU/AC	3 stories ⁽³⁾

- (1) 3 habitable stories over 1 floor of parking
- (2) 4 habitable stories over 1 floor of parking
- (3) 2 stories over 1 floor parking

- **South Seas Proposed Densities/Built Form**

The proposed height of 45' tall buildings (3 habitable stories over 1 story of parking) is consistent and compatible with the range of built heights on Captiva today, both internal and external to South Seas as outlined above. The development remains clustered on existing/impacted tracts and is designed in a manner that disperses the hotel rooms and multi-family units throughout the site. Thus, the density and intensity will be spread amongst multiple tracts to avoid monolithic structures, densities and intensities, thereby maintaining the compatibility with existing/historical conditions, which have similar structures from the northern most point of Captiva to the area around the front entry of the resort closest to the village.

The proposed density, as calculated/documentated in this application, is consistent with the maximum density permitted by the underlying Outlying Suburban FLU, applicable to the entirety of Captiva. This consistency with modern density calculations (and that excludes saltwater wetlands and non-residential areas, while prorating shared infrastructure and amenities) is a demonstration of the project's compatibility with surrounding development pattern. This is based upon the following Lee Plan definition guiding density calculations:

Lee Plan Definition:

DENSITY – The number of residential dwelling or housing units per gross acre (du/acre). Densities specified in this plan are gross residential densities. For the purpose of calculating gross residential density, the total acreage of a development includes those lands to be used for residential uses, and includes land within the development proposed to be used for streets and street rights of way, utility rights-of-way, public and private parks, recreation and open space, schools, community centers, and facilities such as police, fire and emergency services, sewage and water, drainage, and existing man-made waterbodies contained within the residential development. Lands for commercial, office, industrial uses, natural water bodies, and other non-residential uses must not be included in the density calculation, unless otherwise stated in this plan.

The density calculation uses the acreage of principal development area (20 acres of residential and 5 acres of commercial/hotel) to calculate the ratio of land area attributed to the ancillary resort/recreational uses that can be used for density calculation purposes. Resort/recreation areas and the corresponding acreages are clearly delineated on the MCP, and include: golf course, water management, recreation, resort support, maintenance, rights-of-way and other resort accessory uses.

Based on this definition, 80% of the net principal development tracts are residential (20 residential acreage of the 25 net principal acres), and the remaining 20%, or 5 acres, are commercial.

Accordingly, 20% of the resort/recreation acreage cannot be used for density calculation purposes, while the remaining 80% can generate density per the Lee Plan definition.

- **Conclusion**

The existing built densities/intensities throughout the Island represent intensive clustering and higher density than permitted by the Lee Plan in the case of existing hotels and condominiums.

The single-family dwellings on Captiva are predominantly short-term rentals based on recent data from Air B n B and VRBO, as well as analysis performed by Lee County Planning Staff in support of updates to the Captiva Community Plan.

The proposed height of 45' tall buildings (3 habitable stories over 1 story of parking) is consistent and compatible with the range of built heights that exist on Captiva today, both internal and external to South Seas, and many have been in place since 1978.

The proposed density, as calculated/documentated in this application, is consistent with the maximum density permitted by the underlying Outlying Suburban FLU, applicable to the entirety of Captiva.

The proposed MPD will be compatible with and complimentary to the existing development pattern on Captiva Island.



**South Seas Island Resort MPD
Property Development Regulations**

REVISED DECEMBER 2024

Minimum Dimensions

Min. Lot/Parcel Size: 4,500 SF (Principal Use Tracts) and 2,000 SF (Accessory/Amenity Tracts)

Min. Lot/Parcel Width: N/A

Min. Lot/Parcel Depth: N/A

Maximum Lot Coverage: 75% *expressed as percentage of lots/tracts encumbered by a building. Does not include non-roofed structures, parking area, and other impervious recreational use areas, except that Tract A-1 may be up to 90% lot coverage.

Minimum Setbacks

Captiva Drive Southwest – 25' (measured to edge of right-of-way)

South Seas Road – 10' (measured to edge of pavement, excluding security building, signs, walls and other entrance features, when consistent with LDC site visibility requirements)

Internal Driveways – No minimum setbacks required

Building to MPD External Property Line:

- Minimum 10' with minimum 6' high wall and vegetation buffer
- Minimum 15' with minimum 6' high wall or vegetation buffer
- Minimum 20' without wall or vegetation buffer

Building to MPD Internal Property Line/Tract Line – no minimum setback required.

Building to Bay Waters – 25' setback from mean high tide line

Building to Waters of Gulf of Mexico – 50' from mean high tide line

Building to Natural or Manmade Lake, Pond, Bayou, Canal, or Marina – 0' subject to LDC Section 10-418.

Building Separation – 10' separation unless additional separation is required by Building/Fire Code

Accessory Structures including Fences and Walls

- No minimum setback for walls or structures 8' or less in height above grade.
- For walls or structures over 8' in height above grade, the setback shall be the same as set forth above for Buildings, except as to water bodies where there will be no setbacks required.
- There shall be no minimum required separation between walls and accessory structures or one accessory structure to another.
- Setbacks for existing wireless communication facilities are in accordance with SEZ2009-00005 and VAR2009-00009.

Building Height: The maximum proposed building height is 45' per Chapter 34 of the LDC, Section 34-2171 through 34-2175, except for additional height for wireless communication facilities in accordance with SEZ2009-00005 and VAR2009-00009.

Open Space: or 51% or 62 acres (with 10% minimum open space provided on each parcel/tract)

Waterway Buffers:

Bay Waterway Buffer: Average of 35 feet (except to the extent that the existing South Seas Road or Bay Drive currently encroach into this buffer and where deviations are approved for Tracts I-1, E and K). Where it is within or proximate to approved development areas, the natural buffer may be subject to a number of existing small openings as necessary for helicopter, vehicular, boat, pedestrian and/or utility access, and trimming in accordance with state standards for mangrove trimming where permitted. See also Deviations.

Per ADD2002-00098, there is no buffer required along the bay waters extending from the southeasterly tip of the Harbour Pointe site continuing access the marina entrance channel and along the bay water to Redfish Pass. See also Deviations.

SUPPLEMENT D EXHIBITS

Part 10.A.1. Surface Water Management Narrative

The following is a written description of the proposed South Seas Island Resort Surface Water Management Concept:

- A. Run-off characteristics of the property in its existing state:

The South Seas Island Resort (SSIR) is an existing resort community which has been developed over the past several decades, beginning prior to the implementation of modern stormwater water management systems and continued to be modified subject to requirements of the South Florida Water Management District (SFWMD) primarily in the 1970's and 1980's. The majority of the subject property is served by a surface water management system completed decades ago and includes wet and dry retention and detention areas which may be improved using current surface water management concepts and standards.

- B. In general terms, the drainage concept proposed, including the outfall to canals or natural water bodies, including how drainage flow from adjacent properties will be maintained.

The existing stormwater management system will be maintained and when possible improved in accordance with Lee County and SFWMD standards. All new developments will be designed implementing modern stormwater management systems.

- C. The retention features (including existing natural features) that will be incorporated into the drainage system and legal mechanisms, which will guarantee their maintenance.

The landowner will remain the responsible entity for maintenance and operation of the existing stormwater management system and proposed revisions/additions.

- D. How will existing natural features be preserved? Include an estimate of the ranges of existing and post development water table elevations where appropriate.

All existing natural features are to remain. Some previously developed lands will be rebuilt following devastating damage due to Hurricane Ian. Any new development will occur within the current development footprint. The ground water table is directly related to tidal elevations within this barrier island.

- E. The requirements for fill material proposed post development for other than building pads.

Due to FEMA requirements, all buildings will be structurally elevated requiring no additional fill. Any fill which may be required for infrastructure will be borrowed from onsite sources.

- F. If the property is subject to seasonal inundation or is subject to inundation by extreme swollen, by the rains of a 100-year storm event, indicate the measures that will be taken to mitigate the effects of expected flooding.

The property is a barrier island and is subject to inundation due to storm surge. Due to the soil types and physical characteristics of the barrier island, rainfall storm events will not produce flooding of buildings or infrastructure.



South Seas



Emergency Preparedness
Plan 2024

List of Maps & Appendixes

Appendix A..... DEPARTMENT HURRICANE ACTION PLANS

Appendix B..... GUEST NOTIFICATION DOCUMENTS & SCRIPTS

Appendix C.....EVACUATION CHECKLIST

Location Map.....61 & 62

Site Map.....63

DRAFT

TABLE OF CONTENTS

Last Revision to This Document: 1/21/2024

List of Maps & Appendixes.....2

Table of Contents.....3

HAP Emergency Contacts.....5

Emergency Preparedness Plan Overview.....8

Progression of Advisories for Severe Weather.....12

Tropical Systems HAP Activation Levels.....13

Recovery Plan.....20

Mitigation Plan.....21

Area & Incident Command Structure.....23

HERT Designation.....24

HERT Structure.....25

Damage Assessment Level Guide.....26

Inter-local Agreement with Lee County.....28

Re-Entry Staging Areas and Means.....30

IHR Communication Plan.....31

Departmental Check Lists

Accounting.....27

Engineering.....28

F&B/Conference Services/Commissary.....29

Front Office.....31

Golf/Horticulture/Fleet.....32

Housekeeping.....33

Human Resources.....34

Information Technology.....35

Owner Relations.....36

Purchasing.....37

Real Estate.....38

Recreation.....39

Retail.....43

Security.....45

Yacht Harbor & Marina.....47

Concessionaires.....49

Glossary & References.....58

Guest Notification – Instructions

Tropical Weather Advisory Letter & Script – Green.....52

Tropical Weather Advisory Letter & Script – Yellow.....52

Mandatory Evacuation Advisory Letter & Script – Red53

HAP EMERGENCY CONTACT LIST

Leadership Team (LT)

General Manager	Shawn Farrell	239-872-0434	sfarrell@southseas.com
Resort Manager			
Director of Sale & Marketing	Verdell Ekberg	936-525-8084	vekberg@southseas.com
Director of Owner Relations	Marina Bloetz	239-284-5232	mbloetz@southseas.com
Director of Human Resources			
Director of Food & Beverage			
Director of Finance			
Director of Engineering	Chris Schu	727-647-5412	cschu@southseas.com

Hospitality Emergency Response Operations (HERO) Team

Accounting Controller	Kyle Brown	205-520-6797	kbrown@southseas.com
Assistant Director of Engineering		239-220-0794	
Facilities Manager	Nathan Quesnberry		
Director of Convention Services			
Director of Front Office			
Director of Housekeeping			
IT Manager	Bob Alvarez	847-778-5070	ralvarez@southseas.com
Director of Landscape & Golf	David Foster	239-707-1323	dfoster@southseas.com
Director of Recreation			
Director of Retail			
Director of Revenue Management			
Director of Outlets	Gabriel Flores	239-284-9077	gflores@southseas.com
Fleet Manager / Head Mechanic	Matt Ranieri	239-872-0465	mranieri@southseas.com
Harbormaster	Charles Martz	239-229-2052	cmartz@southseas.com
Security Manager	Keith Glynn	239-340-1472	kglynn@southseas.com
Security Manager			
Stewarding Manager			
Manager on Duty	Resort Phone	239-340-1215	rphone@southseas.com
Security on Duty	Resort Phone	239-478-0855	rphone@southseas.com

Local Emergency Resources

SSIR Team Member Information Hotline	1-833-782-7115
Captiva Fire	239-472-9494
Lee County Sheriff Department	239-477-1000
Lee County Electrical Cooperative (LCEC)	1-800-559-2356 or 239-656-2300
US Water, Lift Stations (sewer system)	239-368-1615
Island Water (potable water)	239-472-1502 239-472-2113
Lee County Public Safety Facebook	https://www.facebook.com/LeePublicSafety
Lee Country Emergency Management	https://www.leegov.com/publicsafety/emergencymanagement

Association & Concessionaire Emergency Contact List Resort Associations & Hilton Grand Vacation

Company	Contact	Primary	Secondary	Email
Island Management	Sarah Doherty	239-745-1940	239-472-5020	sarah@islandmgmt.com
Hilton Grand Vacation	Nancy Dean	239-322-0697		nancy.dean@hgv.com
Lands End & Sea Breeze	Lucinda Carter	239-292-9393	239-395-5821	lucinda.carter@sunstream.com

On Premise Vendors Company

Sunny Island Adventure				
Captiva Cruises	Bob Rando	239-565-0932	239-340-9785	bobrando@captivacruises.com

Vendor Recovery Support

Company	Contact	Primary	Secondary	Email
Acra Electric	Robert Greco	239-980-8200	239-542-1624	Robert@acraelectricinc.com
Agilysys (POS support)	Mat Shope	800-327-7088	contract # IG1273311	matt.shope@agilysys.com
Amerigas (Propane)	Jeff Anthony	239-209-8173	239-994-9289	
Avis Plumbing	Tony Cotter	239-233-2966	239-542-4421	tony@avisplumbing.com
Avis Plumbing	Randy Shultz		239-542-4421	randy@avisplumbing.com
Best Building Systems (GC)	Will Smith	239-770-6029		bestbuildingsystems@gmail.com
Brittania Electric	John Rieselman	239-940-9765	239-277-1881	john@brittaniaelectric.com
Brittania Electric	Gilbet Garcia	239-785-9489	239-277-1881	gilerto@brittaniaelectric.com
Could 5 (guest internet)	Could 5	877-241-2516	Reference # 2394725111	noc@cloud5.com
Coastal Fire Protection (fire sprinkler services)	Henry Cuevas	239-651-9280	239-318-7912	admin@coastalfireinc.com
Comcast	Chad Cremaer	239-963-7528	239-318-1018	Chad_Creamer@comcast.com
Dickey Tree Service	John Dickey	239-851-2318		dickeybros@gmail.com
Fyr Fytr (fire alarm services)	Brett Miller	239-481-5737		bmiller@fyrfyterinc.com
Guardian Fueling Technologies	Donovan Correa	239-229-4354		
M7 (IT support) `	M7	888-366-5001		help@m7services.com
Metro PSI (Golf Pump Station)	Cory Seidl	239-229-7590	239-573-9700	metropumpingsystem@gmail
Native Landscaping	John Johnson	239-340-3216		nativeoutdoorservices@comcast.net
Portable Air (Generator & AC's)	Erik Thornton	321-412-7468	321-482-0330	erik@portableac.com
Seminal Petroleum (Fuel)	Paul Samsonite	239-784-3444	239-262-4124	
Servpro	Shawn	615-717-5515		
Shift4 (credit card device support)	Shift4	888-276-2108		support@shift4.com
SMS HOST (pms support)	SMS Support	702-560-6900		support@springermiller.com
Spatco (Fuel Dispensers)		239-731-6766		
Stoke Marine (Docks)	Tony Wallis	239-218-1275	239-215-4051	tony@stokesmarine.com
Sunbelt Equipment Rental	Mark Verbic	239-309-9794	239-7683636	mark.verbic@sunbeltrentals.com
ThyssenKrupp Elevator	Alyssa Donahoo	850-480-3783	239-334-2511	alyssa.donahoo@tkelevartor.com
Walsh Landscaping	Bob Walsh	239-980-1574	239-980-1205	robert@rswalsh.com

Third Party Rental Agencies

Company	Contact	Primary	Secondary	Email
Dream Vacation	Ryan E Block	239-472-1715		rblock@dreamvaycay.com
Royal Shell	Laurel Burnsed	239-325-3588		laurel@royalshell.com
Rosen Vacation	Palmer Rosen	239-410-7115		palmer@rosenrealestate.com
Suarez Family Properties	Ken Suarez	239-313-8044	239-322-0242	ken@kensuarez.com austin@estatementllc.com

EMERGENCY PREPAREDNESS PLAN

Introduction:

The South Seas Resort is located at 5400 Plantation Road, Captiva Island, Florida 33924-6000, (239)872-0434. The resort is comprised of a mixture of condominiums (811), hotel (555) rooms and resort amenities located throughout a 120 acre property. The average daily census of residents, guests and employees is 3,500 persons.

The property falls outside the Coastal High Hazard Area (CHHA) currently designated by FEMA, in which the FEMA maps have been recently updated and are effective as of *October 7, 2021*, to reflect more current storm surge affects.

The property is situated in a Special Flood Hazard areas of Zones: VE-8, Costal AE- 7 &13, AE -,7,8 & 9 and a small portion which is X. The finished first-floor elevation of any newly constructed building at this location will be required to be a minimum of 1-foot above the FIRM zone BFE designated. The current building code (FBC ICC 2020) and minimum elevation requirements for this project provide significantly increased structural reinforcing elements to enhance resilience against the potential impacts of hurricanes and flooding.

Because this property is on a Barrier Island it is susceptible to all levels of Storm Surge as shown in the SLOSH (Sea, Lake, Overland Surges from Hurricanes) model developed by the National Weather Services, the whole resort is in a Lee County Evacuation Zone A and could be subject to a mandatory evacuation when under threat of any level of Tropical Storm or Hurricane.

This Plan contains specific information for the South Seas Resort and is intended to be used in conjunction with the Current Lee County "All Hazards Guide" and specific instructions from the Lee County Emergency Management Department.

General Manager (Primary Contact and Key POC during an Emergency):
Mr. Shawn Farrell - 239-872-0434, sfarrel@southseas.com

Developer:

Timbers Company

Mr. David Henson (Development Manager) – 407-775-2068 (Direct),
dhenson@timberscompany.com

HURRICANE ACTION PLAN OVERVIEW

The Strategic Plan

The purpose of this plan is to outline the actions required to provide safety, preparedness, response, recovery, and mitigation before, during and after an emergency event such as a tropical storm system impact to the area. To ensure the wellbeing of personnel, guests, resort unit owners, and the business operations of South Seas Island Resort.

Mission Statement

It is the mission of South Seas Island Resort Emergency Preparedness Plan and Hurricane Action Plan is to respond safely to impending emergencies , particularly tropical cyclones, up to and including the evacuation and closure of the facilities. The number one goal is to ensure the safety of guests, resort personnel, and all on premise vendors and partners of the resort. A major objective of the HAP is to lessen the impact to the physical property through preparedness and mitigating, to allow a quick recovery of business operations in a post disaster event.

Plan Review and Revisions

- Annually, on March 1st 90 days prior to the start of tropical cyclone season the head of Security and Engineering will convene to review this HAP impending season. All recommended changes will be submitted to the SSIR Leadership Team for review and approval by April 1st.
- SSIR Leadership Team to review and approve updates by April 30th.
- Hurricane Action Plan review to be held with all LT and HERO team members the first week of May. Any updates and or changes from any or all of these reviews will be updated on the document by June 1st. The document will also need to be reviewed and updated if any of the following are to occur.
 - Local and State Regulatory Changes
 - New Hazards are Identified or Existing Hazards Change
 - Resources or Organizational Structures Change
 - After Tests, Drills, or Exercises
 - When the Plan is Activated
 - Infrastructure Changes
 - Funding or Budget Level Changes.

Hurricane Action Plan Team Structure

Leadership Team (LT):

- All Executive Committee Members

Hospitality Emergency Response Operations Team (HERO)

- Key role department heads and managers throughout the resort with oversight of resort functions that are paramount to the success of executing our emergency action plans, and recovery.

Recovery Team One (R1)

- LT
- HERO Team
- Security
- Engineering
- Landscaping
- Sanitation
- Culinary

Recovery Team Two (R2)

- Owner Relations
- Housekeeping (partial)
- Marina
- Recreation Pool & Beach
- Stewarding

Recovery Team Three (R3)

- Accounting
- Front Office
- Profit Ops
- F&B
- Retail

Activation of Hurricane Action Plan

The identification of a potentially threatening tropical cyclone forecast will trigger or invoke the HAP. The escalation of the HAP will be dependent upon current and impending tropical cyclone activity. Notifications to guests, team members and owners will begin at a minimum of every 24 hours once a storm system has been forecasted to impact Southwest Florida.

Tropical System is Projected to Impact SWFL

The Leadership Team will convene immediately after the morning operations meetings to review the storms' current and future track. LT to review existing and future occupancies, group business impacts, and determine HAP activation level.

Communications Overview

Internal Communication: LT and department heads will communicate storm updates to team members through standup meetings and departmental HAP updates. Human Resources to activate Employee Emergency Hotline which will be updated every 24 hours.

Inhouse Guest Communication: Guest will be notified via voicemail blast, Kipsu messaging and guest service personnel. The sales team will communicate directly with any in-house group business contacts.

Future Guest Reservations: Profit Ops and Sales team will communicate to all future guests via the resorts website, call center, and social media platforms as to how the storm system is impacting resort operations. If no penalty cancellations are triggered Profit Ops will notify all resort operational teams and begin tracking impacts to occupancies. Sales will review all contracts for group business arriving within the storms projected track.

Unit Owners Communication: Owner Relations to activate SSIR Owner Emergency Hotline which will be updated every 24 hours. Additional notification to be sent updating owners on mitigation efforts put in place as the storm system escalates.

Supplier and Vendor Notification: Will be handled by departments.

Media Relations: All media notification and or responses should be directed to our General Manager or Director of Sales and Marketing.

Corporate Notification: LT to establish a designated time each morning to give status updates to Corporate Team.

Progression Of Advisories for Severe Weather

Tropical Depression

A tropical cyclone that has maximum sustained surface winds (one-minute average) of 38 mph (33 knots) or less.

Tropical Storm Watch

A Tropical Storm Watch is issued when a tropical cyclone containing winds of 34 to 63 kt (39 to 73 mph) or higher poses a possible threat, generally within 48 hours. These winds may be accompanied by storm surge, coastal flooding, and/or river flooding.

A tropical storm watch does not mean that tropical storm conditions will occur. It only means that these conditions are possible.

Tropical Storm Warning

A Tropical Storm Warning is issued when sustained winds of 34 to 63 kt (39 to 73 mph) or higher associated with a tropical cyclone are expected in 36 hours or less. These winds may be accompanied by storm surge, coastal flooding, and/or river flooding.

Hurricane Watch

A Hurricane Watch is issued when a tropical cyclone containing winds of 64 kt (74 mph) or higher poses a possible threat, generally within 48 hours. These winds may be accompanied by storm surge, coastal flooding, and/or river flooding.

Hurricane Warning

A Hurricane Warning is issued when sustained winds of 64 kt (74 mph) or higher associated with a tropical cyclone are expected in 36 hours or less. These winds may be accompanied by storm surge, coastal flooding, and/or river flooding. A hurricane warning can remain in effect when dangerously high water or a combination of dangerously high water and exceptionally high waves continue, even though winds may be less than hurricane force.

Tropical Systems HAP Activation Levels

Green Activation Level - A Tropical System is Developing with Possible Impact to the Resort

Update team member emergency contact sheet

Redistribute Employee & Owner Hotline numbers to remind team members / owners where to call for updates if the storm continues to track towards the resort

Departments should start reviewing checklist and taking necessary inventories

Yellow Activation Level - The Resort is Within a Tropical System Watch Advisory

All Managers: Start daily written storm log documenting mitigation efforts taken with relation to storm tracking

Update Hotlines to reflect current conditions and openings every 24 hours

Initiate departmental hurricane action plans

Start tracking cancelations and impact to occupancy with regards to both business interruption as well as schedules

Sales to review all in-house group business and future groups that have arrival dates within the storms current tracking. Track and update contingency plans with the leadership team

Voluntary guest early departures without penalty. If evacuation looks emanate early departure should be encouraged

Prepare and review procedures if an evacuation order is put in place

Orange Activation Level - The Resort is Within a Tropical System Warning Advisory

Update Hotlines to reflect current conditions and openings every 24 hours

Escalate departmental hurricane action plans. Start implementing procedures for possible resort closure

Monitor Lee County Emergency Management System for evacuation order for the barrier islands.

Mandatory Evacuation Ordered by Lee County:

- Reservations are no longer being accepted
- Resort Guests must evacuate within 6 hours of notification.
- Non-essential team members are released immediately once completing departmental action plan responsibilities
- Office closer procedures are implemented

• Photograph all existing conditions of the office, equipment, and building. Save and back up on Teams or similar cloud-based storage.

• Leadership Team plan for evacuation to establish an offsite command center

Red Activation Level - Evacuation and Closure of the Resort

Update Hotlines to reflect current conditions and openings every 24 hours

Any personnel other than Leadership Team and HERO Team are immediately released or told not to report for shifts

All electricity, water, and gas services to remaining departments/facilities are shut down

Security makes a final patrol of the property to ensure all building and structures have been lock and are secure

A final LT meeting is held at established command center, closure update communicated to Corporate Team

Post tropical cyclone vendor lists are activated

A: Hazards Analysis

While tropical weather is the most likely event to affect the South Seas Property, the area is also vulnerable to other emergency events, including tornadoes and water spouts, flooding, major fires/wildfires, hazardous material incidents, airport/aircraft accidents, terrorism, pandemic, civil unrest, and collateral effects from disasters and emergencies from other parts of Florida such as a mass migration from an East Coast evacuation or Caribbean refugee event.

South Seas Island Resort is most likely to be impacted by tropical cyclones. Each year from June 1 through November 30. Current meteorological forecasts indicate that there is a higher-than-average probability of being directly affected by tropical cyclones during the current 20-year period. The storm surge associated with tropical cyclones is a leading cause of death and damage. Wind produces airborne debris, causing structural damage, as well as the potential for physical injuries/death. Losses of personnel and/or physical structures can extend the recovery period, directly affecting the viability and profitability of the resort. South Seas Island Resort has an established Leadership Team (LT) as well as Hospitality Emergency Response Operations (HERO) Team to prepare, respond and recover from emergencies and business disruption.

SSIR L.T. and H.E.R.O Teams are equipped with all necessary safety materials and support equipment, including but not limited to radios, emergency kits, vehicles, generators, power tools, etc. The Leadership Team has established relationships and

mutual aid agreements with the Lee County Emergency Management, City of Sanibel, Lee County Sheriff, Captiva Fire Control District and State Emergency Response Teams.

B: Vulnerability Assessment

South Seas Island Resort resides on the northern tip of Captiva Island, off the Coast of Lee County. The resort is vulnerable to flooding from extreme downpours and storm surge due to some of its property being at sea level and its structures being constructed to current code, at Base Flood Elevation plus 1 foot (BFE+1). There is only some protection from wind damage due to a significant lack of “old” foliage and mangrove density. Additionally, the resort is only accessible via one road in or out of the area.

1. Facility Analysis:
 2. Facility Description:
 3. Number of buildings spread over 330 acres.
 4. Number of employees on full staff is approximately 450.
 5. Facility construction consists of concrete and wooden frame structures.
 6. Types of Security Access Controls and Safety Controls in use are Welcome Gate, card keys / hard keys, etc.
 7. Sprinkler and fire suppression systems are located throughout the resort.
- The causeway may be closed at sustained wind speeds of 40 mph or storm surge that makes the low-lying causeway islands impassable.

C. Business Impact Analysis

The critical functions that have been identified in the Business Impact Analysis are:

Accounting

Human Resources

Purchasing

Information Technology & Owner Relations/Association Management

Communications with Personnel, Owners, and Timbers Corporate

The priorities in the recovery period are to get IT, Accounting, Human Resources, Purchasing, Owner Relations, and the Communication & Information Center up and running within the first 48 hours.

Emergency Operations/ Response

A. Roles and Responsibilities

Developed by the Secretary of Homeland Security by Presidential Directive, the National Incident Management System (NIMS) integrates effective practices in emergency preparedness and response into a comprehensive national framework for incident management. The NIMS will enable HERT responders at all levels to work together more effectively to manage incidents no matter what the cause, size, or complexity. As of 2005, the Department of Homeland Security has also instituted the National Response Plan (NRP) that outlines the specific responsibilities of the various agencies involved in responding to a disaster of national significance at the state and federal levels.

The benefits of the NIMS and NRP systems will be significant:

- Standardized organizational structures, processes and procedures;
- Standards for planning, training & exercising, and personnel qualification standards;
- Equipment acquisition and certification standards;
- Interoperable communications processes, procedures and systems;
- Information Management Systems and supporting technologies, voice & data communications systems, information systems, data display systems and specialized technologies.

Leadership and Team Structures

a. Normal

Please refer to Attachments 3 & 4, the Property Specific Organizational Charts.

b. Key Leadership

Delegation of Authority, please refer to Attachment 5, the Incident Command Structure. Area Commander

Planning & Operations Chief (2)

Security & Safety Chief (2)

Allocation Chief (2)

Logistics Chief (2)

Administration Chief (2)

Personnel

Accounting

Communication & Information Center

Purchasing

IHR Updates Incident

Director (6)

Operations Coordinator (6)

Administration Coordinator (6)

c. Emergency Management

Refer to Attachment 7 for the visual representation of the Hospitality Emergency Response Team structure.

Hospitality Emergency Response Team (HERT)

This team is made up of department directors, executive team members, and specific managers. The purpose of this team is to provide guidance, planning and support for preparation, response, recovery, and mitigation efforts in the event of a tropical cyclone affecting Southwest Florida.

Core Department Teams

Teams of 2 – 4 people designated by each department director, to support the communication process, and assist in the preparation, response, and recovery efforts as part of the first response teams. These teams will provide assistance with telephone trees and act as the information designee at the assigned department staging areas.

Business Continuity Team (BCT)

Consisting of the Administration Chief(s), Human Resources, Purchasing, Accounting, IT, Retail, Owner Relations, and Association Management. The BCT is responsible for establishing the Command Center prior to a tropical cyclone, as well as re-establishing business operations after a tropical cyclone. This will include getting the servers up and running; communicating with IHR Corporate offices; contacting necessary vendors; and establishing the Personnel Team and Communication and Information Center.

Personnel Team (PT)

Consisting primarily of the Human Resource Core Team, and allocated personnel as needed. The Personnel Team is responsible for accounting for all personnel post tropical cyclone, working with corporate HR to provide necessary information to personnel, tracking personnel work shifts for payroll purposes, and contacting personnel to return to work during the recovery period.

Communication & Information Center (CIC)

Consisting primarily of the Front Office Core Team, Owner Relations Core Team, and allocated personnel as needed. The CIC will be responsible for answering the questions of resort personnel and resort owners via multiple media sources (phones, websites, etc.). They will be kept apprised of the recovery process, corporate decisions regarding personnel and the property, and pertinent Owner Relations/Association Management information. They will be provided the information/tools necessary to assist resort personnel that have been displaced due to storm damage.

Advance Team (HERT-A)

Consisting of 14 – 18 Golf/Horticulture personnel that are trained to operate debris-clearing equipment. Upon being given access to the property by the Captiva Unified Command, the A-Team will initially only clear the main resort road and designated side roads leading to electrical hubs, the water treatment plant, communication tower, and any other specific access roads. All side roads, parking lots, and other resort areas will be cleared upon direction from the Planning & Operations Chief after the Captiva Fire Control District has completed their assessments. Once they are finished with assessing the resort and association buildings, the A-Team will be complimented with other personnel to continue the recovery process.

Recovery 1 (R1)

Consisting of primarily members from Horticulture, Engineering, Security, and those necessary personnel to compliment the CDTs. The focus of the R1 team is to establish the Ground Zero Command Center, food, and beverage service from the most viable outlet, evaluate the availability of accommodations, and personal hygiene facilities. (Clearing, Securing and Returning to Normal Operations) The R1 team is comprised of approximately 30 – 40 personnel.

Recovery 2 (R2)

Consisting of an expanded R1 team to continue the recovery process. The Area Commander, Logistics Chief, Safety/Security Chief and Planning/Operations Chief will determine when to expand. The R2 team is comprised of approximately 50 – 70 personnel.

Recovery 3 (R3)

Consisting of an expanded R2 team to continue the recovery process. The Area Commander, Logistics Chief, Allocation Chief, Safety/Security Chief and Planning/Operations Chief will determine when to expand. The R2 team is comprised of approximately 80 – 125 personnel, and upon the assessment of the Area Commander, Logistics Chief, Allocation Chief, Safety/Security Chief and Planning/Operations Chief, the BCT may begin to return to the property to assume business operations.

Recovery Plan.

Strategy for Business Restoration

Prior to a tropical cyclone reaching landfall on the west coast of Florida, the designated departments (Human Resources, IT, Accounting, Purchasing, and Owner Relations) will evacuate the property in advance of closure to establish the Command Center at the Food and Beverage Office. All necessary equipment will be readied for resumption of critical business operations post cyclone event. Post landfall all HERT personnel will convene at the Food and Beverage Office to establish first shifts for the assigned Chiefs, as well as ready the strategy for reentry the A-Team. The Human Resource Director will designate the Personnel Team, and the CIC team. All HERT members will provide the Personnel Team with their requests for personnel, they will not directly contact them unless in conjunction or at the direction of the Personnel Team. CDT's will report to their staging areas to provide communication and support to their department's personnel. The Personnel Team will provide the Security Team with a daily list of personnel that have been called back to work. The Security Team will be in possession of all Hurricane Passes and will sign them out at the start of each day at the designated staging area, and then back in at the end of each day. This sign in/out sheet will be returned to the Personnel Team at the end of each day and a new one will be issued at that time for the following day. Re-entry of the property will follow the HERT structure. Re-entry staging areas and means are covered in Attachment 12.

Interlocal Agreements

South Seas Island Resort has a signed Interlocal Agreement with Lee County, entered and signed by the Lee County Board of County Commissioners. (See Attachment 11)

Mitigation Plan

- A. Benefits of Mitigation
- B. Risk Assessment
- C. Protecting Human Resources
 - 1. Employee Training
 - 2. Awareness and Reporting Policies
 - 3. Employee Preparedness
 - 4. Employee Support Programs
 - 5. Payroll and Cash Advances
 - 6. Flexible / Reduced Work Hours/ Telework
 - 7. Identification/ Passes
 - 8. Traumatic Stress: Crisis Counseling
 - 9. Tetanus & Hepatitis vaccinations
- D. Security Issues
 - 1. Procedures For Visitors and Deliveries
 - 2. Restricting Access
- E. Property Damage Mitigation: Facility Protection
 - 1. Flood
 - 2. Wind
 - 3. Fire
- F. Protection of Vital Records and Data
 - 1. Protection of Data – Backups, Software and Policies
 - 2. Vital Records
- G. Insurance
 - Insurance mitigation is handled by Timbers Corporate.
- H. Short-and Long-Range Mitigation Initiatives/Timeline for Implementation
- I. Program Maintenance and Assessment
- J. Training, Drills and Exercise - All personnel must be certified in CPR/First Aid. Human resources will conduct Training and Exercises.

Re-Entry Staging Areas and Means

- BY LAND

- o Staging area will be Sanibel Outlets on Summerlin Road
- o Designated vehicles will be convoyed to the property
- o Each vehicle will clearly display their Sanibel Tropical cyclone Pass hang tag

- BY SEA

- o Each HERT member will have clipped to their person their HERT ID and Sanibel Hurricane Pass
- o Staging Area A will be the City of Fort Myers boat ramp located across the street from the Harborside Convention Center in Downtown Fort Myers
- o Staging Area B (in the event of storm surge rendering Downtown Fort Myers inaccessible) will be TBD.

Timbers Communication Plan

Timbers Hurricane Hotline (for reporting property status): TBD

Critical Steps

1. General Manager to communicate property status with Timbers Corporate Communications.
2. Designate a property spokesperson: General Manager and/or Director of Sales & Marketing, to speak if/as necessary with press; remind staff that only designated spokesperson speaks to press.
3. Identify pertinent local contact information, including emergency operations center, state tourism, convention bureau.
4. Prepare pre- and post-hurricane staff and guest communication template.
5. Communicating post-hurricane status with Timbers Corporate Communications, in an effort to keep Timbers executives, sister properties and sales teams – and press if/as necessary, aware of property status.
6. SSIR to identify point person responsible for reporting property status and conditions to Timbers Corporate Communications (i.e., evacuation, damage, property open/closed, rooms available). Point person to provide e-mail and cell phone number to Corporate Communications.

Property point person to report storm status and conditions

Report frequency:

1. Pre-hurricane: if evacuation is required.
2. Post-hurricane: every morning by 9 a.m. or as frequently as conditions change, beginning as soon as telephone or e-mail access is available.

Report status by phone or e-mail:

- Property name
- Name of person calling in status report
- Date and time of status report
- Whether or not property is open to guests
- If property is closed, why (lack of electricity, water damage, etc.) and anticipated re-opening date/time if/as appropriate
- If property is open, state how many rooms are available and indicate whether or not services/facilities are limited – and if so, what are the limitations (limited F&B, no activities, etc.) Example, Phone Report:

“Bahia Mar Beach Resort.

Anne Horsley.

September 4, 8:45 a.m.

Property is open to guests.

We have 54 rooms available for reservations.

We have limited amenities. No tennis and no beach access today.”

OR,

Timbers Property Status E-mail: Tad.

Subject line: Hurricane Status, Property Message:

- Property open or closed to guests
- If closed, why (lack of electricity, water damage, etc.)
- Anticipated re-opening date/time if/as appropriate
- If open, number of rooms available
- If open, whether or not services are limited (what services are available)

Report Status by E-mail, continued Example, E-mail Report:

Subject: Hurricane Status, BRRC

Message:

Closed to guests.

Closed due to lack of electricity.

Power restored this morning; anticipate re-opening at 11 a.m. tomorrow, Sept. 5.

Upon re-opening, will have 750 rooms available for reservations.

Limited amenities: no golf until further notice.

3. Timbers CorpCom to collect status/condition and re-distribute internally. Status reports available internally:
 - a. Timbers Hotline: TBD (to be assigned by June 1)
 - b. Reports recorded each morning or as frequently as conditions change. Callers follow prompt to hear recorded message.
 - c. E-blast: Distributed to:
 1. Timbers Executives
 2. Sales Leadership
 3. Area PR Directors/onsite PR/MarCom
 4. PR Agencies - CorpCom will also communicate with press if/as appropriate.
4. Timbers CorpCom to provide:
 - a. VAS Call Center with appropriate messaging to respond to questions about the post-hurricane condition of IHR properties
 - b. Sales Leadership with appropriate messaging to respond to post-hurricane questions and/or communicate
 - c. with third parties if/as appropriate
 - d. National PR agency and/or press with appropriate responses
5. Area PR Directors or designated agency to use Timbers CorpCom Director reports to provide:
 - a. Property call centers with appropriate messaging to respond to questions about post-hurricane conditions. See "Staff/Guest Communication" for standard messaging
 - b. State Tourism and local Convention and Visitors Bureau with appropriate status reports
 - c. Area PRs: confirm correct contact information for your state and local tourism agencies, and have the information available where you can easily access it out-of-office
 - d. Local/area media with appropriate responses/status reports
6. Timbers CorpCom Director to work with VAS Call Center and IHR Sales Leadership team to monitor guest/client inquiries and draft/distribute communication for VAS and sales team use if/as necessary

7. Area PR Directors to work with property GM, call center and sales team to monitor guest/client inquiries and draft/distribute communication for GM, call center and sales team use if/as necessary. Area PRs: Establish a connection with a credible, local meteorologist and confirm his/her correct contact information so that you can use him/her as a resource for advance weather warnings and as a reference in developing call center messaging. Make certain you also have rapport and correct contact information for the local Emergency Operations Center's public information officer, who can help you receive and disseminate pertinent information.

8. Timbers CorpCom Director to post if/as necessary, post-hurricane property status on IHR website.

9. Area PR Directors to coordinate if/as necessary, posting of post-hurricane property status on property website.

Post status only if property is open and there is confusion about the property's status OR if damage is so substantial that property will remain closed for an extended period of time. If property is closed temporarily, sales team and call center will clarify with appropriate responses to specific inquiries (no need to post status on website).

Accounting

Green Activation Level

Attend all managers meeting Hurricane Action Plan Review meeting the first week of May.

Update team member emergency contacts and submit a copy HR prior to June 1st

Host a departmental HAP meeting or incorporate departmental responsibilities during standup meetings

Ensure all team members have access to Team Member Recourses found on the public drive for storm preparation.

Yellow Activation Level

Review team member emergency contact list and submit updated copy to HR

Start daily written storm log documenting mitigation efforts taken with relation to storm tracking

Review storm preparedness & recovery inventories, ensure all necessary par levels are in stock

Secure all checks

Organize open accounts payable

Organize all month end reporting

Send out the cash receipts on a scheduled Brinks day.

Take excess cash to the bank by designated manager

Deposit all daily receipts

Pull any house bank not need for use in the next 48 hours.

Compile and backup payroll master files

Open account receivable

Collect and secure licenses

Stage equipment if evacuation were to be ordered

Orange Activation Level

All outlets return banks to accounting to be counted and stored as they are shut down.

Remove all equipment and files to higher elevations

Unplug all electronics

Move all electronics to elevated location and cover with plastic bags

Release all non-essential personnel

Photograph the office, equipment, and building. Save and back up on Teams or similar cloud-based storage.

LT and HERO team to report to new command center once office is secured

Red Activation Level

Notify any needed vendors of resort closure.

Initiate call tree and depart resort.

Engineering

Green Activation Level

Attend all managers meeting Hurricane Action Plan Review meeting the first week of May.

Update team member emergency contacts and submit a copy HR prior to June 1st

Host a departmental HAP meeting or incorporate departmental responsibilities during standup meetings

Ensure all team members have access to Team Member Recourses found on the public drive for storm preparation.

Yellow Activation Level

Review team member emergency contact list and submit updated copy to HR

Start daily written storm log documenting mitigation efforts taken with relation to storm tracking

Review storm preparedness & recovery inventories, ensure all necessary par levels are in stock

Preform roof walks to ensure all mechanical equipment is secure and no debris have been left behind

Clear and clean all gutters and down spouts on property

Secure any and all loose equipment and materials, ensure any on site GC's have done the same.

Check in with Harbor Master that all UST & AST's and are full or have been scheduled to be filled

Top off all fleet vehicles with fuel at end of each day

Call equipment rental companies to check on equipment availability and delivery cut offs

Send update to LT with recap on completed task and any departmental needs.

If storm system is tracking as potential resort closure, start reviewing evacuation and closure procedures

Orange Activation Level

Start turning of utilities to any outlets that have been closed, and confirm the space is secure

Assists Landscaping with staging sand bags and flood mitigation efforts

Vacant hotel rooms to have balcony furniture brought inside and drop bar install behind sliding door.

Stage recovery tools and equipment in Fleet vehicle that can be accessed post storm

Reserve and schedule delivery of any rental recovery equipment with vendors

Board up and secure all building where applicable

Identify all team members evacuation plans and capture and secondary emergency contacts

Release non-essential personnel

Red Activation Level

All Elevators to be taken to the top floor and shut off at main disconnect

Ensure all buildings and structures are secure & locked with utilities turned off

Turn all emergency generators from auto run to off position

Account for all recover tools and equipment

Food & Beverage

Green Activation Level

Attend all managers meeting Hurricane Action Plan Review meeting the first week of May.

Update team member emergency contacts and submit a copy HR prior to June 1st

Host a departmental HAP meeting or incorporate departmental responsibilities during standup meetings

Ensure all team members have access to Team Member Recourses found on the public drive for storm preparation.

Yellow Activation Level

Review team member emergency contact list and submit updated copy to HR

Start daily written storm log documenting mitigation efforts taken with relation to storm tracking

Review storm preparedness & recovery inventories, ensure all necessary par levels are in stock

All F&B managers/chefs assigned specific duties for shut down preparations

Closing checklist are issued to departmental team leaders

Review with Commissary moving product/food for on island storage or off island storage

Stop inventory ordering until inventory runs down

Emergency supply orders initiated; Place order for bottled water; Ice Preparation

Initiate orders for post-hurricane

Clear and clean spaces to prepare for return of product

Top off all fleet vehicles with fuel at end of each day

Orange Activation Level

Determine which outlets to begin shutting down, each outlet should follow it specific closing procedure.

Assignment of teams to initiate shut down procedures

Inform outlet guests of closing activities with at least 24hrs of notice

Product returned to commissary

Inventory any remaining product, send one copy to Food & Beverage Director and Director of Finance

Load products and stage for evacuation

Release all non-essential personnel

Photograph the office, equipment, and building. Save and back up on Teams or similar cloud-based storage.

Red Activation Level

Final outlet inspection

Establish off-site command post (Commissary & Purchasing)

Initiate phone tree

DRAFT

Front Office

Green Activation Level

Attend all managers meeting Hurricane Action Plan Review meeting the first week of May.

Update team member emergency contacts and submit a copy HR prior to June 1st

Check in with Security and confirm back up saflok keys are current and complete

Host a departmental HAP meeting or incorporate departmental responsibilities during standup meetings

Ensure all team members have access to Team Member Recourses found on the public drive for storm preparation.

Yellow Activation Level

Review team member emergency contact list and submit updated copy to HR

Start daily written storm log documenting mitigation efforts taken with relation to storm tracking

Review storm preparedness & recovery inventories, ensure all necessary par levels are in stock

Track all early departures due to storm activity send update to leadership team daily

Coordinate distribution of scripted Kipsu & voice blast messages with storm and early departure updates

Start printing hard copies daily of; inhouse guest, departures, arrivals, no room rev., and bucket check report

Establish phone bank for reservations

Top off all fleet vehicles with fuel at end of each day

Lock in potential accommodations out of the storms tracking area for guest, if an evacuation is ordered.

Orange Activation Level

Coordinate distribution of scripted Kipsu & voice blast messages with storm and early departure updates

Mandatory Evacuation Ordered by Lee County:

- Reservations are no longer being accepted
- Resort Guests must evacuate within 6 hours of notification.
- Non-essential team members are released immediately once completing departmental action plan responsibilities
- Office closer procedures are implemented

Assist with finding guests' transportation and other accommodations if needed.

Release all non-essential personnel

Guest service vehicle may be used with approval to transport the last guest and team members from the resort.

All hard keys to be collected organized and placed in safety deposit box, control key turned over to Security

Photograph the office, equipment, and building. Save and back up on Teams or similar cloud-based storage.

Close down front desk operations and notify security once all team members are out of the building.

Red Activation Level

Front Office operation are closed.

HERO team members should report to general manager if there is assistance need elsewhere on the resort.

Golf, Landscape, & Fleet

Green Activation Level

Attend all managers meeting Hurricane Action Plan Review meeting the first week of May.

Update team member emergency contacts and submit a copy HR prior to June 1st

Host a departmental HAP meeting or incorporate departmental responsibilities during standup meetings

Ensure all team members have access to Team Member Recourses found on the public drive for storm preparation.

Yellow Activation Level

Review team member emergency contact list and submit updated copy to HR

Start daily written storm log documenting mitigation efforts taken with relation to storm tracking

Review storm preparedness & recovery inventories, ensure all necessary par levels are in stock

Top off all above and below ground fuel tanks

Pick up loose debris on resort grounds, and cut and any overgrown vegetation away from buildings

Reach out to emergency contractors / vendors to review the storm tracking

Contact Waste Management to empty and return all open top dumpsters

PM portable generator for landscaping shop

PM / check all emergency generators

Orange Activation Level

Remove and secure all loose trashcans, tee markers, trap rakes, flag pins, benches etc.

Begin sand bag mitigation of any closed outlets

Golf Pro Shop closure; remove records and documents, elevate all merchandise, remove signage; secure building

Update emergency contractors / vendors with post disaster procedures

Make final sanitation runs

Release non-essential personnel

Photograph the office, equipment, and building. Save and back up on Teams or similar cloud-based storage.

Stage all fleet at Convention Center parking lot. Stage all recovery tool and equipment for re-entry

Red Activation Level

Notify any needed vendors of resort closure.

Initiate call tree and depart resort.

Housekeeping

Green Activation Level

Attend all managers meeting Hurricane Action Plan Review meeting the first week of May.

Update team member emergency contacts and submit a copy HR prior to June 1st

Host a departmental HAP meeting or incorporate departmental responsibilities during standup meetings

Ensure all team members have access to Team Member Recourses found on the public drive for storm preparation.

Yellow Activation Level

Review team member emergency contact list and submit updated copy to HR

Start daily written storm log documenting mitigation efforts taken with relation to storm tracking

Review storm preparedness & recovery inventories, ensure all necessary par levels are in stock

Communicate w/front desk, what can be "pulled in" now

Diminishing supplies in supply room

Bring hotel balcony furniture inside any units that will not be rented from this point on

Start to elevate all product and materials in housekeeping closets

Top off all fleet vehicles with fuel at end of each day

Orange Activation Level

Reduce staff to critical operating levels

Start printing hard copies of all changes made in HOST

Secure rooms that are being serviced

Stock vans with need re-try supplies

Lock and secure all housekeeping closets

Inventory any remaining product, send one copy to Director of Finance

Load products and stage for evacuation

Release all non-essential personnel

Top off all fleet with fuel, stage in the convention center parking lot and turn all keys over to security

Collect and organize all hard and soft keys to be placed in safety deposit box and control key give to Security.

Photograph the office, equipment, and building. Save and back up on Teams or similar cloud based storage.

Red Activation Level

Final operations inspection

Establish off-site staff meeting location for reentry

Initiate phone tree

HUMAN RESOURCES

o PRE-SEASON

- Updating employee contact information end of April (Daylight Savings Time)
- Getting HERT members, Core Department Team members, personnel, etc. contact information
- Back up records
- Make arrangements for employee transportation if evacuation is necessary
- Lee Tran
- Order food staples for 72-hour kits
- Assemble 72-hour kits
- Meet with Pak n' Ship to coordinate shipping procedures during specific activation levels

o YELLOW

- Staging of personal items for removal
- Meeting with HR staff
- Contact transportation designee (buses)
- HR contacting designated vendors to put everything on hold
- Cancellation of on-property training classes, vendors, outside classes, etc.
- Contact worker's comp regarding any scheduled meetings

o ORANGE

- Provide 72-hour kits to personnel
- Non-essential personnel are released

o RED

- Core team conference call for HERT
- Staff is accounted for
- Initiate phone tree
- Check out with General Manager

o RECOVERY

- Director of Human Resources to report to the Command Center in the Food & Beverage Offices
- Establish Personnel Team & CIC Team
- Create Master Associate Work List daily for pick-up by Security designee
- Admin Chief to coordinate daily report to IHR Corp at designated time per

INFORMATION TECHNOLOGY

o YELLOW

- Full system backup of the AS400 before the evacuation at a time to be decided.
- Full data backup of the AS/400 and incremental backups of primary and secondary file servers [4] hours before the evacuation
- Install analog phones at key locations and document

o ORANGE

- Transport all backup tapes to the Food & Beverage Office:
- Transport all CDs of archived data and installs of critical applications to the Sales & Marketing Office:
- Take the primary file servers to the Food & Beverage Office:
- Disconnect vulnerable PC workstations, printers, Micros workstations, etc. at all properties:
- Shut down and disconnect critical equipment (with the exception of the phone switch) in the main computer room, elevate and cover:
- Shut down and disconnect critical equipment (with the exception of the phone switch) in the RPE room, raise and cover:
- Arrange users to transport all available laptops and workstations that are absolutely critical for operations to the Food & Beverage Office:
- Transport postage meter to Food & Beverage Office:
- Transport logs and other documents to the Food & Beverage Office:
- Phones switched to Food & Beverage Office
- Establish command center at Food & Beverage Office
- The IT van will be employed for transportation of materials to and from the San-Cap Cluster to the Food & Beverage Office.

o RED

- Core team conference call for HERT
- Staff is accounted for
- Initiate phone tree
- Check out with Resort Manager.

o RECOVERY

- Work with the BC Team until allocated to the R1-R3 Teams
- Staging area is Food & Beverage Office until further notice

OWNER RELATIONS

o YELLOW

- Meeting with staff
- Assign teams to units/buildings
- Check locks are working on patio doors
- Any unit with shutter system need to be check for viability

o ORANGE

- Turn off circuit breakers in each unit
- Turn off water in each unit
- All patio furniture pulled inside
- All pool furniture pulled inside
- Lock all patio doors
- Shut pool pumps off
- Email to Association Board of Directors
- Conference call with Association Board Presidents
- Release non-essential personnel

o RED

- Core team (5)
- Staff is accounted for
- Initiate phone tree
- Check out with General Manager

o RECOVERY

- Director of Owner Relations report to Food & Beverage Office
- Work with the BC Team until allocated to the R1-R3 Teams
- Staging area is the Food & Beverage Office until further notice

PURCHASING

o PRE-SEASON

- Purchasing Manager is the contact for Pak n Ship o

YELLOW

- View all open purchase orders
- Contact department heads and cancel orders as necessary
- Contact Commissary Manager about emergency supply stock
- Communicate w/Pak n Ship on incoming orders
- Contact vendors inform of possible returns

ORANGE

- Contact with Mainliners for loaner refrigerated truck
- Confirm with Resort Controller the absolute cancellation of orders, except for emergency supplies
- Source vendors for ice, and other recovery items
- Communicate with all department heads in assisting with emergency needs, supplies, etc.
- Secure purchasing trailer
- IT collection of specific equipment for command center
- Contact all vendors regarding office relocation
- Establish list of approved buyers for after the hurricane
- Establish off-site command post (BC Team)
- Establish list of pre-approved vendors for Security
- Release non-essential personnel

RED

- Core team (conference call)
- Staff is accounted for
- Initiate phone tree
- Check out with Director of Operations
- Vendor list activated for post-storm

RECOVERY

- Purchasing Manager to report to Command Ctr.
- Work with the BC Team until allocated to the R1-R3 Teams
- Staging at Food & Beverage Office until further notice

REAL ESTATE

o YELLOW

- Meeting with staff
- Assign specific duties per location
- Review staff scheduling
- Determine meeting times & locations for future meetings/updates
- Contact necessary clients regarding scheduled appoints
- Review/update phone & contact phone

information

• ORANGE

- Secure equipment (phones, faxes, computers, etc.) in higher locations
- Remove designated files & petty cash for transport
- Shut down electric & water
- Release all non-essential staff
- Confirm contact plan

o RED

- Core team (5)
- Staff is accounted for and released
- Initiate phone tree
- Check out with Resident Director

o RECOVERY

- Director of Real Estate report to Command Ctr.
- Work with the BC Team to provide information for Owner/Clients
- Staging area is the Food & Beverage Office until further notice

RECREATION

Hurricane Irma: Started breakdown on Tuesday, September 5th – Closed Friday, September 8th 2017

- Took all 4 days to complete prep

Week leading up to storm: Following will be purchased if needed;

- Cables
- Locks
- Garbage Liners
- Labels
- Rack/Shelving
- Tarps
- 15 Rubbermaid Containers for Cabanas

*****MAKE SURE WE HAVE GAS IN ALL VEHICLES**

*****RECREATION CONTACT #'S AVAILABLE & IF STAFF ARE PLANNING ON LEAVING WHERE ARE THEY GOING?**

*****Begin to take pictures of everything – before breakdown, during breakdown, before you leave & aftermath**

YELLOW

- All staff reports to work
- Team leaders review tropical cyclone procedures with staff
- Limit use of rental equipment offered to guests
- Reserve KING'S CROWN for equipment for Recreation items that need to go inside
- Prepare all Recreation records for possible movement to safe storage. Mark containers as to contents.
- Monitor HAL system for possible weather condition change.

ORANGE

- Clear off desktops, important information boxed up & necessary placement
- Ensure InfoGenesis is removed by IT or cover with plastic
- Ensure all computers have been removed by IT or cover with plastic
- Cover printer and make sure everything is off the floor in Recreation Office. Board up windows if possible.
- Secure important department records in Recreation Office.

CAMP SKULLYWAGS

- Cover all electronics with plastic
- Put all crafts, games, etc. on table on upper shelves
- Everything on floor must be put onto tables
- Skully (Amazon parrot) will be removed and responsible is the Director of Recreation
- Everything outside needs to be looked at and/or packed away. Example ScoutAbout Program.
- Unplug and remove contents of refrigerator
- Bring all switches to off position
- Make sure nothing is by front doors or windows.
- Any activities equipment outside needs to be secured, tables, crab racing, etc.
- Clean out shrimp freezer in bunker and unplug
- All keys to Camp Skullywags once locked down

RESORT POOL COMPLEX

- Contact Engineering in regards to the water slide
- Unplug all electrical appliances in Resort Pool Complex and store properly
- Unplug and remove contents of refrigerators
- Cabanas will need to be removed, labeled and stored properly
- Cabinets will be relocated into the KING'S CROWN
- Fans into Bunker or KING'S CROWN
- Cushions to cabana furniture will be relocated to KING'S CROWN
- Cushions to lounge chairs will be relocated to KING'S CROWN
- Cat 1 or 2 Storm the Main Pool lounge chairs will be removed to the Slide Pool Area; staged together; cabled and locked
- Cat 3 and on the Main Pool lounge chairs will be removed to more protected area; cabled and locked
- Cabana furniture will be securely tied down and covered or completely removed to KING'S CROWN
- Remove all umbrellas from the 3 pool decks and store under the slide or bunker
- Cocktail tables will be put under the Pointe Rest. with Log Roll
- Towel Stand will be relocated to bunker or KING'S CROWN
- Ping Pong/Foosball KING'S CROWN or bunker
- Cabana bed to storage where available
- All keys to security once locked down

SUNSET BEACH

- All umbrellas and plastic tables to be locked up in container
- Wheelchair secured
- Unplug and remove contents of refrigerator, store away
- Cat 1 or 2 Storm the lounge chairs will be removed to Sunset Luau/West Lawn; cabled and locked
- Cat 3 and on the lounge, chairs will be removed to more protected area (REC ISLAND); cabled and locked
- Signs removed off beach
- Nothing should be left on beach such as towel drops, towel containers, hammocks, volleyball court, etc.
- Radios & Drills stored away
- All keys to security once locked down

SOUTH BEACH

- Remove all lounge chairs and umbrellas from the beach and secure under Building 4.
- Unplug and remove contents of refrigerator, store away
- Signs removed off beach
- Nothing should be left on beach such as towel drops, towel containers, volleyball court, etc.
- Wheelchair secured
- Radios & Drills stored away
- All keys to security once locked down

FITNESS CENTER & ARCADE

- Contact Engineering to make sure areas are taken care of

CONCESSIONAIRES

- Contact vendors when appropriate

*Release any non-essential personnel for early exit from property
Activate phone tree for personnel not on property status*

STORAGE

- Check HR Storage
- Check Plantation Storage
- Check under Building 4 Storage, unplug and store any electrical equipment
- Check Sunset Beach Container to be secure
- Check Slide Pool Closet

- Check 1700 Building Storage
- Check Bunker
- Check Camp Skullywags

VEHICLES

- All Vehicles parked under Building 4 locked up
- Truck41
- 3 Club Carts
- Rec 3 & Rec 16

*Verify all electrical power and water service is secured
Assist in all areas in final preparations
Release all remaining personnel*

RED

- Core Team (5) Director-Manager-Supervisors-Additional Associate
- Staff is accounted for at all times
- Initiate phone tree
- Check in/out with GM
- Concessionaire Contact list available with Director of Recreation

RECOVERY

- TBA

RETAIL

YELLOW

- Bagging ice
- Relocate specific inventory
- Remove low items to higher shelves/area
- Staging perishables for removal/evacuation
- Top off vehicles

ORANGE

- Closing non-essential outlets
- Release non-essential personnel
- Consolidate CPC staff
- Securing outlets

RED

- Core team (5)
- Staff is accounted for
- Initiate phone tree
- Check out with Resident Director

oRECOVERY

- Retail Manager reports to Food & Beverage Office
- Work with the BC Team until allocated to the R1-R3 Teams
- Staging area is Food & Beverage Office until further notice

Sales & Conference Services

Green Activation Level

Attend all managers meeting Hurricane Action Plan Review meeting the first week of May.

Update team member emergency contacts and submit a copy HR prior to June 1st

Host a departmental HAP meeting or incorporate departmental responsibilities during standup meetings

Ensure all team members have access to Team Member Recourses found on the public drive for storm preparation.

Yellow Activation Level

Review team member emergency contact list and submit updated copy to HR

Review storm preparedness recovery inventories, ensure all necessary par levels are in stock

All staff reports to work

Contact A/V Director

Inform conference/group contacts

Make contact with Tentlodgix and discuss tent take down if storm escalates

Review all in-house group business and future groups that have arrival dates within the storms current tracking. Track and update contingency plans with the leadership team

Orange Activation Level

Contact PSAV Director for equipment securing

Conference Service managers to contact groups to evacuate guests and assist as needed

Set-up & banquets to secure facilities and furniture

Cancel all in route group business

Schedule tent take down with Tentlodgix if storm is tracking to have high wind events

Release non-essential personnel

Director Sales and Conference Services to conduct final walk through of all meeting & function space and photograph existing conditions

Red Activation Level

Initiate phone tree

Ensure all buildings and structures are secure & locked with utilities turned off

Vendor list activated for post-storm

SECURITY

o PRE-SEASON

- Telephone tree established
- Inventory & label keys and update key logs
- Inspecting & replenishing all first aid kits
- Tropical cyclone passes from Sanibel
- Tropical cyclone Conference
- HERT/CERT Training – CPR/First Aid Training
- Reviewing & modifying HAP's o

YELLOW

- Security officers on standby state
- Ready all emergency equipment
- Call HERT meeting post-ops meeting
- Designate/Establish Front Desk Information Coordinator w/Front Office

o ORANGE

- Key encoders to IT for transport to Food & Beverage Office
- All Department keys to be collected from the Welcome Gate by Security
- Maintain a log of keys issued and turned in on a daily basis with a daily key audit
- Fuel all vehicles
- Coordinate/Establishing Information Desk in Lobby
- Assisting other departments with preparations
- Assisting with resort guest evacuation
- Coordinating Captiva Fire Control & Lee County SO & EOC contact information/response
- Vehicle staging for off property
- Other vehicles staged on property
- Security officers on active status
- Copies of all vendor lists copied to Purchasing Manager
- HERT & SECURITY BRIEFINGS (2x daily)

o RED

- Core team (5)
- Security Manager to store keys for all departments in the off-site command post
- Secure the gate house
- Final resort patrol
- Establish off-site command post (BC Team – Admin Chiefs)
- Staff is accounted for
- Initiate phone tree
- Check out with Resident Director
- Vendor list activated for post-storm

o RECOVERY

- Security Manager to report to Food & Beverage Office
- Pick-up Master Associate Work List daily from HR at Command Ctr.
- Work with the BC Team until allocated to the R1-R3 Teams
- Staging at Food & Beverage Office until further notice
- Secure and maintain departmental keys in the Command Ctr.

DRAFT

YACHT HARBOUR/MARINA

o PRE-SEASON

- Monitor VHF-FM weather reports and provide weather information to the Resort HERT on a regular basis.
- Maintain tropical cyclone map at a site designated by the HERT.
- Have gasoline and diesel storage tanks filled to rated capacity.
- Keep boat owners informed of the storm's progress and location

o YELLOW

- Notify boaters of ADVISORY status
- Establish procedures for boats departing the harbor to clear their departures with the Harbor Master, noting the number of persons aboard and the vessel's intended destination.
- Secure, to the extent possible, all electrical equipment.
- Prepare all Marina records for possible movement to safe storage. Mark containers as to contents.
- Obtain sufficient supply of written evacuation instructions for distribution to boaters still in the marina.

o ORANGE

- Arrange for the evacuation of all boats from the Yacht Harbor Issue letter, list of safe harbors and the map of tropical cyclone safe harbors issued by Lee County.
- Move resort boat to a safe shelter on the mainland. (Centennial Harbor and Marina)
- Secure and store all Yacht Harbor records.
- Secure all pumps, valves, electrical service and water to the Yacht Harbor. Secure and board up Yacht Harbor buildings. Cut off electrical power and water service to the Yacht Harbor. Bring all switches to the "OFF" position.
- Release any non-essential personnel for early exit from property.
- Complete and double-check securing of Marina buildings. Verify all electrical power and water service is secured.

- Assist remaining boaters in securing their boats if they are unable to evacuate, and in making arrangements for evacuation to mainland or safe harbor for those who can evacuate.
- Release all remaining personnel
- Check area buildings and boats for persons who should have evacuated and ensure their immediate exit.
- Coordinate with Resort Safety for those needing transportation.

o RED

- Core team (5)
- Staff is accounted for
- Initiate phone tree (vendors)
- Check out with Resident Director
- Concessionaire Contact list is with the Harbor Master

o RECOVERY

- Harbor Master report to Food & Beverage Office
- Contact Concessionaires to update them regarding resort
- Work with the BC Team until allocated to the R1-R3 Teams
- Staging at Sanibel Outlets until further notice

CONCESSIONAIRES

o YELLOW

- All staff reports to work.
- Team leaders review tropical cyclone procedures with staff and get updates from the Director of Recreation or HERT team member.
- Limit use of rental equipment offered to guests. Secure, to the extent possible, all electrical equipment.
- Prepare all records for possible movement to safe storage. Mark containers as to contents.
- Monitor HAL system for possible weather conditions changes.

o ORANGE

- SUNNY ISLAND WATER SPORTS -T-DOCK:
 - o Collect bikes, together with bikes/accessories from racks & remove from property
 - o Remove canoes, sun cats, sunfish, hobby holders and Kayaks from property
 - o Remove radio and voltage reducer.
 - o Tape windows of hut and secure all items inside the hut.
 - o Put bike racks near Harbor side and secure with cable.
 - o Unlace trampolines on catamarans
 - o Remove air compressors
 - o Lock down life jacket huts.
- CAPTIVA CRUISES:
 - o Remove pertinent and irreplaceable material from the office and storeroom at the Marina and place aboard the vessel. Remove vessel from the Marina and take to a secure location up river.
 - o Prior to the Hurricane Watch, all personnel of the vessel will be alerted and will assist with the removal of materials and the vessel from the yacht harbor.
- SUNNY ISLAND ADVENTURES
 - o Move their boats to storage.
 - o "Spidering" is authorized at Bayside Marina as a harbor or refuge. Any vessel not designated for Bayside storage will be removed from the water and transported off property by the vessel owner.
 - o All loose gear (i.e., tackle, nets, poles, etc.) must be removed from boats.
- OFFSHORE SAILING:
 - o Director to monitor weather reports and establish close working relationship with Harbor Master.
 - o All personnel to remain on alert and notify Director where they can be reached during off hours.
 - o Post and maintain tropical cyclone-tracking chart.
 - o Fill cruising boat(s) and whaler(s) with fuel. Fill spare tanks for whaler(s). Keep spare cans of oil aboard whaler(s).

- o Prepare personal belongings for evacuation.
- o Hold staff meeting to review procedures.
- o Notify Ft. Myers office, 454-1700, of status.
- o Prepare all tools and supplies for evacuation.
- o Load audiovisual equipment into van.
- o Inform students and tell them to make plans for evacuation.
- o Spider cruising boat(s) in Yacht Harbor.
- o If space is available, and with approval of Harbor Master, spider Colgate 26's in Yacht Harbor.
- o Spider tie Whaler(s) in Yacht Harbor.
- o Take balance of Sailings into bayou and tie both bows and sterns to mangroves. (If additional space is needed)
- o Sink boats in the path of a direct hit as a last measure.
- o Evacuate merchandise, store equipment, and necessary files in the van.
- o Evacuate to mainland. Meet at arranged shelter center. If some staff are unable to reach shelter center, attempt to call others or Ft. Myers office.
- ALL CONCESSIONAIRES
 - o Complete and double-check securing of all buildings including and equipment.
 - o Verify all electrical power and water service is secured.
 - o Assist other recreation departments and concessionaires in final preparations.
 - o Release all remaining personnel.

o RED

- Core team (5)
- Staff is accounted for
- Initiate phone tree (concessionaires)
- Check out with Resident Manager.

o RECOVERY

- Director of Recreation report to VPC
- Contact Concessionaires to update them regarding resort
- Work with the BC Team until allocated to the R1-R3 Teams
- Staging at Sanibel Outlets until further notice

The Advisories are color coded to match the Hurricane Activation Levels.

- o Green – business as normal, initial advisory for a storm that may enter the Gulf of Mexico and/or impact Florida.

- o Yellow – begin preparing for a Florida land falling hurricane, regardless of coast.

- o The RED Mandatory Evacuation Advisory is to be issued at activation level Orange upon the issuance of an evacuation order for the barrier islands by Lee County Emergency Management.

DRAFT

Appendix A

Departmental Hurricane Action Plans

Accounting	A1
Engineering	A2
Front Office	A3
Golf / Landscape	A4
Fleet	A5
Housekeeping	A6
Human Resources	A7
IT	A8
Marina Operations	A9
Owner Relations	A10
Profit Ops	A11
Purchasing	A12
Real Estate	A13
Recreation	A14
Retail	A15
Sales & Conference	A16
Services	A17
Security	A18
Concessionaires	A19

APPENDIX B

GUEST NOTIFICATION DOCUMENTS & SCRIPTS

Tropical Weather Watch Advisory (Handout, Voicemail, Kipsu)

Dear South Seas Guest,

Currently the National Hurricane Center is issuing advisories for (Tropical Storm or Hurricane) [insert name]. At this time, it is too early to determine whether or not this storm poses a threat to Southwest Florida.

The resort's Leadership Team is closely monitoring the development of this tropical system and encourages you to do the same. We will be sending an update within the next 24 hours based on the storms tracking or sooner if current condition change.

Thank You,

South Seas Resort Leadership Team

Tropical Weather Warning Advisory (Handout, Voicemail, Kipsu)

Dear South Seas Guest;

Currently (Tropical Storm or Hurricane) [insert name] has reached Category [1 to 5] status, with winds reaching [insert max category wind speed per advisory] as it continues along the forecast track. It is too early to determine exactly where along the Florida coast this storm will make landfall, however the current forecast cone does include Lee County, Sanibel Island, Captiva Island, and Greater Fort Myers area.

At this time, we will extend to any guests wishing to terminate their stay with us, the opportunity to do so without financial penalty. We realize that as this storm approaches, travel will become increasingly difficult. As such we encourage any guests that may be hesitant to remain here any longer to make arrangements to depart. Should you require any assistance with making those plans, please dial 0 for the resort operator.

The resort's Leadership Team is closely monitoring the development of this storm and encourages you to do the same

Thank You,

South Seas Resort Leadership

MANDATORY EVACUATION ADVISORY LETTER (Handout, Voicemail, Kipsu)

Dear South Seas Guest;

Currently Hurricane [insert name] has reached Category [1 to 5] status, with winds reaching [insert max category wind speed per advisory], and a potential storm surge of [insert number of feet per advisory] as it continues along the forecast track. At this time Lee County Emergency Management has issued an Evacuation Order for the barrier islands, which includes Sanibel and Captiva Islands.

All resort guests are required to evacuate South Seas Island Resort within the next 6 hours. Please make sure to remove all your belongings, as South Seas will not guarantee their return upon the resort's re-opening. Room services and all of the resort amenities are closed as of now, as the resort prepares to close. Water and Electric service to all buildings will be terminated within the next 24 hours.

We realize that as this storm approaches travel will become increasingly difficult. Should you require any assistance with making those plans, please dial 0 for the resort operator, or come to the information center established in the resort lobby.

Thank You,

South Seas Leadership Team



Important Associate Communication Announcement



All SSIR Associates:

This is a reminder that we have a **Special Employee (Tropical Storm) Hurricane Hotline** to give South Seas Associates updates on the resort condition and staffing when we are experiencing severe weather events.



**Our Toll-Free Phone
Number is:**

1-833-782-7115

Please take a moment to add this "Employee Hot Line" telephone number to your **Contact List** for future reference.

When in doubt, or if you have further questions, please contact your manager.

Terry Bredahl,
Human Resources Director

Resort Associate Emergency Information Line S.O.P

Toll Free Phone Number

Team Member Hotline: 1-833-782-7115

Password: 7115 (Human Resources Responsible to Update)

Owner's Hotline: 1-833-782-7114

Password:7114 (Owner Relations Responsible to Update)

Upon calling the number, if no announcement is recorded, the caller will be prompted to enter the "password". The password is the last 4 digits of the hotline number (7115 or 7114 Respectively).

They will be asked to record a message and then press #.

If an announcement is recorded, the message is played up to three times before the caller is automatically disconnected.

At any time during the playback of the recording, they can press * and then be prompted for the "password".

Standard Message

You have reached the South Seas Island Resort Associate Emergency Information Line. Currently there are no issues at our property. Please continue to work your regular scheduled shift at this time. We will update this phone message with further information should conditions change. Should you have questions or concerns, please contact your manager directly. Please do not attempt to leave messages on this line, they will not be checked.

Thank you

Weather Message

You have reached the South Seas Island Resort Associate Emergency Information Line.

This message is effective (day)_____ & (time)_____.

At this time the resort is _____

- Monitoring weather predictions closely
- Following Lee County Emergency Plans
- All operations fully open
- Limited operations (which ones)
- Time line for next update (24-hours)



LEE COUNTY EMERGENCY MANAGEMENT

www.LeeEOC.com

STAY OFF BRIDGES WHEN WINDS REACH 40 MPH

Q: Does Lee County Close Bridges During Tropical Storms and Hurricanes?

A: Lee County cannot literally “close” bridges during tropical storms or hurricanes. However, we strongly advise drivers to stay off of bridges – and the roads leading to them— when sustained winds reach **40 mph** (tropical storm force). At those speeds, wind gusts can already be much higher. Winds also become stronger at higher elevations, so dangers increase on higher bridges and elevated roadways.

Q: Why Doesn't Lee County Barricade Bridges?

A: Lee County does not “close” bridges with barricades, cones, gates or signs because they can easily blow away, becoming ineffective and hazardous. We do not post law enforcement or other officials to manually restrict bridge access. If injured from blowing debris, those officials will be unable to respond when needed after the storm.

Q: Why Do Emergency Vehicles Stop Responding?

A: Drivers who ignore the warning to stay off bridges face additional hazards if involved in a traffic accident because all emergency responders – fire, police, ambulance, tow trucks – cannot respond during tropical storm force winds. Any accident, or even an inconvenience like a flat tire or mechanical problem, will become a life-threatening event when exposed to a tropical storm or hurricane's high winds, rain, flooded roadways and poor visibility.

Saffir-Simpson Hurricane Wind Scale

Category	Sustained Winds	Types of Damage Due to Hurricane Winds
1	74-95 mph 64-82 kt 119-153 km/h	Very dangerous winds will produce some damage: Well-constructed frame homes could have damage to roof, shingles, vinyl siding and gutters. Large branches of trees will snap and shallowly rooted trees may be toppled. Extensive damage to power lines and poles likely will result in power outages that could last a few to several days.
2	96-110 mph 83-95 kt 154-177 km/h	Extremely dangerous winds will cause extensive damage: Well-constructed frame homes could sustain major roof and siding damage. Many shallowly rooted trees will be snapped or uprooted and block numerous roads. Near-total power loss is expected with outages that could last from several days to weeks.
3 (major)	111-129 mph 96-112 kt 178-208 km/h	Devastating damage will occur: Well-built framed homes may incur major damage or removal of roof decking and gable ends. Many trees will be snapped or uprooted, blocking numerous roads. Electricity and water will be unavailable for several days to weeks after the storm passes.
4 (major)	130-156 mph 113-136 kt 209-251 km/h	Catastrophic damage will occur: Well-built framed homes can sustain severe damage with loss of most of the roof structure and/or some exterior walls. Most trees will be snapped or uprooted and power poles downed. Fallen trees and power poles will isolate residential areas. Power outages will last weeks to possibly months. Most of the area will be uninhabitable for weeks or months.
5 (major)	157 mph or higher 137 kt or higher 252 km/h or higher	Catastrophic damage will occur: A high percentage of framed homes will be destroyed, with total roof failure and wall collapse. Fallen trees and power poles will isolate residential areas. Power outages will last for weeks to possibly months. Most of the area will be uninhabitable for weeks or months.

Glossary

Abbreviations:

SSIR – South Seas Island Resort
LT - Leadership Team
HAP – Hurricane Action Plan
HERO – Hospitality Emergency Response Operations TEAM
NRP – National Response Plan
NIMS – National Incident Management System
ICS – Incident Command Structure
DALG – Damage Assessment Level Guide
SSI – Structural Safety Inspectors
BCT – Business Continuity Team
PT – Personnel Team
R1 – Recovery One
R2 – Recovery Two
R3 – Recovery Three
CIC – Communication & Information Center
CDT – Core Department Team
CPR – Cardio Pulmonary Resuscitation
LCSO – Lee County Sheriff’s Office
CFD – Captiva Fire Department
CCPC – Captiva Community Preparedness Committee

References

<http://www.training.fema.gov/EMIWeb/IS/IS700.asp>; Business Continuity Plan
Template National Incident Management System – Department of Homeland Security;
FEMA National Response Plan – Department of Homeland Security; FEMA
Robert T. Stafford Act
Lee County Emergency Management – www.leeec.com
Federal Emergency Management Agency – FEMA; www.fema.gov
Florida Governor’s Hurricane Conference – www.flghc.org
Florida Department of Emergency Management – FLDEM; www.floridadisaster.org
U.S. Title 44 of the CFR
State of Florida Statute 252
Lee County Code AC- 7-7
Lee County (Current) “All Hazards Guide”

Appendix C

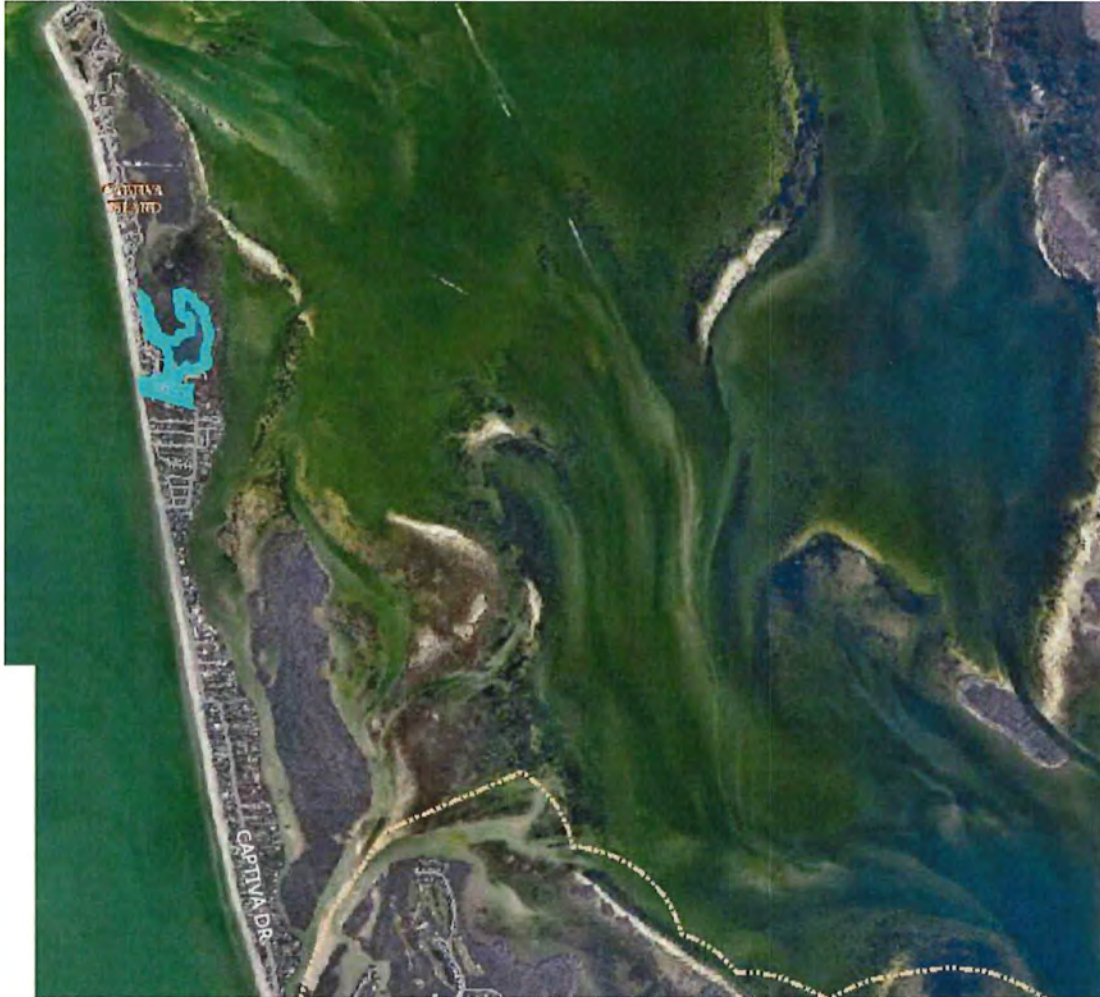
Evacuation Checklist

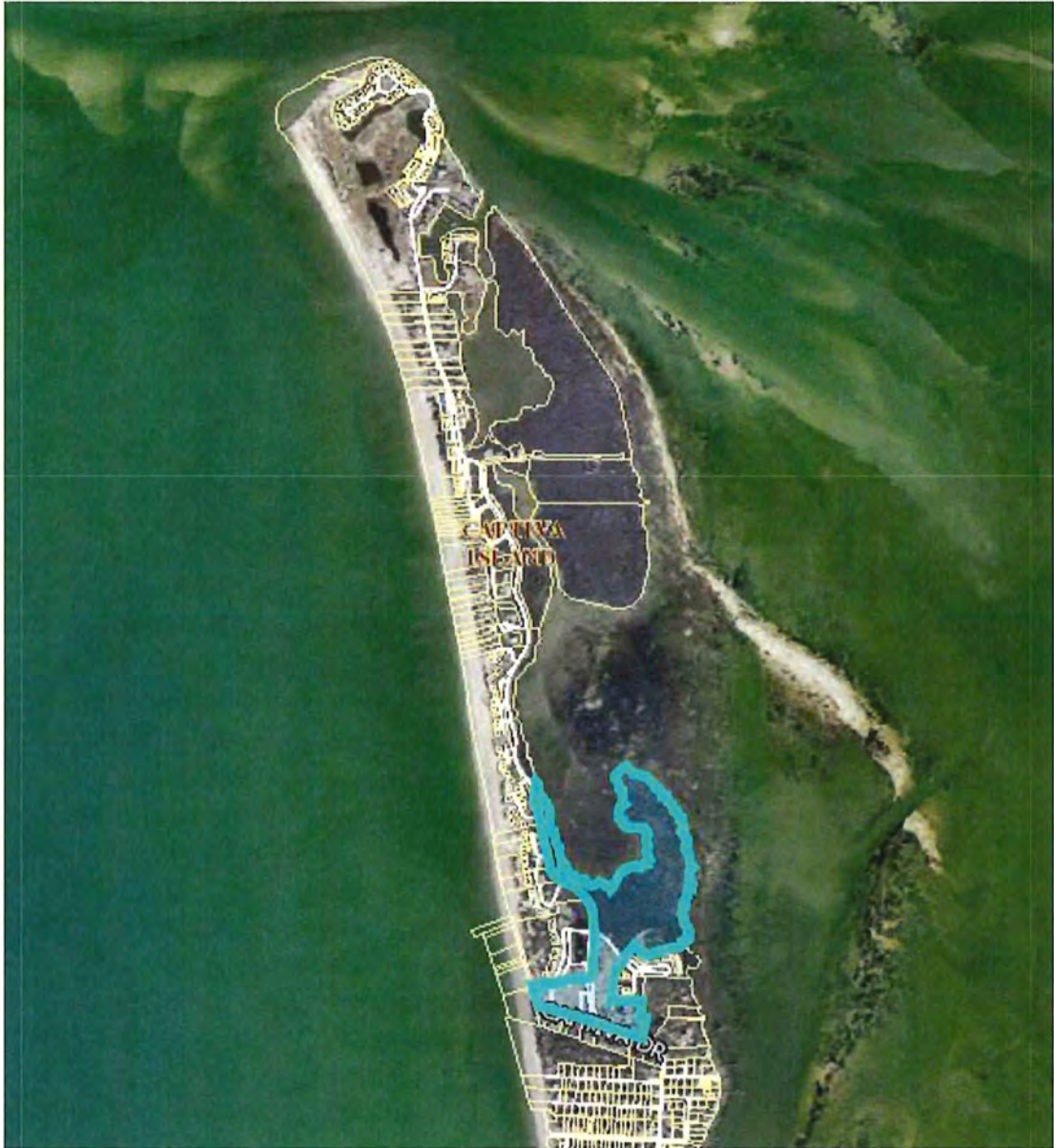
Prepare an evaluation plan and purchase supplies ahead of time (now)

- Identify where you will go (at least two alternatives)
- Plan on how you will get there
- Think about your pets (some public shelters don't allow pets)
- Monitor local media for information and weather updates
- Secure your residence inside and out
- Check your windows and doors for parts and fit
- If you have a boat, make sure you know how to secure it
- Bring in outdoor furniture and loose items
- Turn off unneeded utilities (water, electric & gas), if possible
- Fill your car with fuel, check tire pressure and fluids
- Have a spare set of keys (Home, auto, etc.)
- Get some cash from the bank or ATM
- Bring your disaster supply kit (see the Lee County All Hazards Guide, page 35)
- 3 – 5 days supply of food and water
- Battery operated radio
- Flash lights
- Extra batteries
- First aid kit
- Sleeping bags
- 1 week supply of medications (copies of your prescriptions)
- Personal hygiene supplies
- Cell phone/computer chargers
- Toys, books or games for the kids
- Identification for Re-Entry to your neighborhood (2 forms)
 - Picture ID
 - Utility bill, homeowners or business insurance document, or tax bill
(It's important to have the address you are returning to on your identification)
- Insurance Information
 - Policy numbers
 - Contact information
 - Information on coverage
- Personal contact list (in case your cell phone goes dead)
- Other valuable documents
- Lastly, notify friends and family of your destination.**

For additional information go to: leeEOC.com, Floridadisaster.org, or sherifflee.org

Location Map





Guidelines for Emergency Preparedness Plan Criteria for Residential Developments of One Hundred (100) Units or more

The following minimum criteria are to be met when developing an emergency preparedness plan for residential developments of one-hundred (100) units or more. These criteria are used as guidelines for approval by Lee County Emergency Management, and implement the emergency preparedness plan requirements of Section 1 O-1 54 (22) (b) of the Lee County Land Development Code.

This form must be attached to your proposed Residential Emergency Preparedness Plan for approval. Use it as a cross-reference to your plan, by listing the page number and paragraph where the criteria are located in your plan on the line to the left of each item. This will ensure a timely and accurate review of your plan.

A residential emergency preparedness plan must be submitted for review to **Lee County Emergency Management, Post Office Box 398, Fort Myers, Florida 33902-0398.** If you have questions concerning any items contained in this criteria, please call **Lee County Emergency Management @ (941) 477-3600** for technical assistance and emergency preparedness publications.

I. INTRODUCTION

pg 8 A. Provide basic information concerning the residential community to include:

pg 8 1. Name of the residential community, address, telephone number, emergency contact telephone number, and fax number, for responsible person or entity, as applicable.

pg 8 2. The developer/owner of the residential community, address and telephone, if applicable.

pg 8 3. The number and type of units in the residential community.

pg 9 B. Identify by name or position title, who is responsible for the implementation of the emergency preparedness plan; include a statement detailing when the plan is to be updated.

pg 9 C. Establish the frequency with which the emergency preparedness plan information will be updated, including how often the affected residents or users will be informed of relevant information, including hurricane evacuation and shelter information, where applicable.

II. HAZARD ANALYSIS

pg 14 A. This section of the plan should describe the hazards that the residential community is vulnerable to, such as hurricanes, tornadoes, flooding, fires, and hazardous material incidents from fixed facilities or transportation accidents.

pg 15 B. Provide site specific information concerning the residential community to include:

pg 1 1. An area location map.

pg 63 2. Street or-site map.

- ~~pg 8~~ 3. Number of residential units.
- ~~pg 8~~ 4. Estimated population of the residential community year-round.
- ~~pg 8~~ 5. Estimated maximum population of the residential community, including seasonal residents,
- ~~pg 8~~ 6. Identification of the potential storm surge flooding risk from a tropical storm or hurricane occurrence (as identified by the National Weather Service storm surge model and available from Lee County Emergency Management).
- ~~N/A~~ 7. Identify the finished floor elevation (ffe) of the community clubhouse or office, if applicable.
- ~~pg 8~~ 8. Identification of which flood zone the residential community is in, as designated on the FEMA Flood insurance Rate Map, if applicable.
- ~~pg 8~~ 9. Proximity of the residential community to a railroad or major transportation artery (to identify possible hazardous material incidents). *Contact Lee County Emergency Management to determine if site is located in a vulnerability zone of an Extremely Hazardous Substance.*

III. CONCEPT OF OPERATIONS

This section of the plan should define the policies, procedures, responsibilities and actions that the residential community (i.e., homeowners' association, residents' association or a property management company) will take before, during and after an emergency.

A. Management Structure

- ~~pg 8~~ 1. Identify by name or position title, who is in charge during an emergency, and one alternative, should that person be unable to serve in that capacity.
- ~~pg 11~~ 2. Identify the procedures that will activate the Residential Emergency Preparedness Plan.
- ~~pg 13~~ 3. Identify the procedures the residential community will take to prepare for the protection of their common property (e.g., clubhouse, patio furniture, pools, spas, computer files, important records, etc.).

B. Residential Preparedness Programs - This section is optional.

Identify ways people in the community can pre-plan to help one another during an emergency.

- ~~pg 8~~ 1. Identify plans and procedures to shelter residents (e.g., use of the clubhouse), if applicable.
- ~~pg 7~~ 2. Identify volunteers to assist residents in the protection of their property (e.g., providing help in putting up shutters, bringing loose objects from the outdoors, etc.).
- ~~N/A~~ 3. Identify volunteers to assist residents in evacuation (e.g., providing transport to a shelter or other destination during an impending hurricane).

IV. INFORMATION, TRAINING AND EXERCISE

This section should identify the procedures for increasing the residents' and employees' awareness of possible emergencies.

 A . For Community Residents:

Ap B 1. Identify how residents in the community will be informed on emergency information and the Residential Emergency Preparedness Plan (e.g., newsletter, preparedness brochures available in a central location, such as the clubhouse or at a gatehouse or delivered to each unit, the hosting of a hurricane or emergency preparedness seminar, etc.).

pg 22 2. State how often the residents will be informed on emergency information and the Residential Emergency Preparedness Plan.

 B. For Community Employees (if Applicable):

pg 9 1. Identify what community employees will be instructed on in performing emergency activities.

pg 9 2. Identify a schedule for exercising all or portions of the Residential Emergency Preparedness Plan.

V. APPENDICES

TBD A. A roster of Community Residents for Emergency Contact.

TBD 1. List the names and addresses, telephone numbers, including seasonal contact numbers of all residents, if applicable.

pg 4-6 B. A roster of Community Employees and Companies with emergency preparedness related activities, if applicable.

pg 5-6 1. List the names, addresses, telephone numbers and pager numbers of all residential community employees.

pg 7 2. List the names, addresses, telephone numbers and emergency contact numbers of utility providers, insurance companies and service vendors of the residential community common property.

pg 6 3. List the names and telephone numbers of other important telephone numbers (e.g., the sheriff, fire district, emergency management, health department, Red Cross, etc.), as applicable.

South Seas Resort

Fiscal and Economic Impact Comparison: Pre-Hurricane Ian Resort Activity to Resort Redevelopment at Buildout

Lee County
State of Florida

January 12, 2024

Prepared For:
WS SSIR Owner, LLC

Prepared By:



Orange County, CA
Sarasota, FL

Sacramento, CA
Research Triangle, NC

Austin, TX

Amelia Island, FL
Dallas, TX

Contents

South Seas Resort Economic and Fiscal Impact – Lee County 4

 Executive Summary 4

 Pre-Ian South Seas Resort Activity..... 9

 Pre-Ian South Seas Resort Fiscal Analysis..... 9

 Pre-Ian South Seas Resort Economic Analysis..... 12

 Pre-Ian South Seas Resort Economic Analysis – Annual Operations..... 12

 Pre-Ian South Seas Resort Economic Analysis – Offsite Visitor Spending 12

South Seas Resort Redevelopment at Buildout – Lee County..... 14

 South Seas Resort Redevelopment Fiscal Analysis..... 15

 South Seas Resort Redevelopment Economic Analysis..... 18

 South Seas Resort Redevelopment Economic Analysis - Construction Spending 18

 South Seas Resort Redevelopment Economic Analysis – Annual Operations..... 19

 South Seas Resort Redevelopment Economic Analysis – Offsite Visitor Spending 20

 South Seas Resort Redevelopment Projected Impact Fee Revenue 21

South Seas Resort Economic and Fiscal Impact – State of Florida..... 21

 Executive Summary 21

Methodology..... 23

Appendix..... 25

General Limiting Conditions 31

Table 1: Pre-Ian South Seas Resort Visitor Statistics 9

Table 2: Pre-Ian South Seas Resort Property Tax Parcel Summary - 2022..... 10

Table 3: Pre-Ian South Seas Resort Property Taxes Paid – 2022 10

Table 4: Pre-Ian South Seas Resort Tourist Tax 11

Table 5: Pre-Ian South Seas Resort Capital Outlay Surtax 11

Table 6: Pre-Ian South Seas Resort Annual Operations Summary..... 12

Table 7: Pre-Ian South Seas Resort Economic Impact Annual Resort Operations 12

Table 8: Lee County Spending per Visitor Day..... 13

Table 9: Pre-Ian South Seas Resort Offsite Spending Analysis..... 13

Table 10: Pre-Ian South Seas Resort Economic Impact Annual Offsite Visitor Spending 13

Table 11: South Seas Resort Redevelopment Unit Summary 14

Table 12: South Seas Resort Redevelopment Visitor Statistics 15

Table 13: South Seas Resort Redevelopment Investment..... 16

Table 14: South Seas Resort Redevelopment Annual Property Taxes 16

Table 15: South Seas Redevelopment Annual Lee County Tourist Tax..... 17

Table 16: South Seas Resort Redevelopment Capital Outlay Surtax 18

Table 17: South Seas Resort Redevelopment Economic Impact - Average Annual Construction Spending 19

Table 18: South Seas Resort Redevelopment Economic Impact - Cumulative Construction Spending 19

Table 19: South Seas Resort Redevelopment Annual Operations Summary 19

Table 20: South Seas Resort Redevelopment Economic Impact Annual Resort Operations 20

Table 21: South Seas Resort Redevelopment Offsite Spending Analysis..... 20

Table 22: South Seas Resort Redevelopment Economic Impact Offsite Visitor Spending 21

Table 23: Projected Lee County Impact Fee Revenue 21

Table 24: Executive Summary – State of Florida 22

Appendix Table 1: South Seas Resort Redevelopment Taxable Value – Lee County 25

Appendix Table 2: South Seas Resort Redevelopment Taxable Value – Lee County School District 25

Appendix Table 3: Multifamily Rental Management Program Allocation 26

Appendix Table 4: South Seas Resort Redevelopment Room Revenue Allocation..... 26

Appendix Table 5: South Seas Resort Redevelopment Units Available and Occupied 27

Appendix Table 6: South Seas Resort Redevelopment Annual Visitor Spending – Entitlement Units 27

Appendix Table 7: South Seas Resort Redevelopment Annual Visitor Spending – Existing Rental Management Program Units..... 28

Appendix Table 8: Pre-Ian South Seas Resort Annual Operations – State Taxes 28

Appendix Table 9: Pre-Ian South Seas Resort Offsite Visitor Spending – State Taxes 28

Appendix Table 10: Pre-Ian South Seas Resort Economic Impact Annual Operations – State..... 28

Appendix Table 11: Pre-Ian South Seas Resort Economic Impact Annual Offsite Visitor Spending - State..... 28

Appendix Table 12: South Seas Resort Redevelopment Economic Impact - Average Annual Construction Spending 29

Appendix Table 13: South Seas Resort Redevelopment Economic Impact - Cumulative Construction Spending 29

Appendix Table 14: South Seas Resort Redevelopment – State Sales Tax 30

Appendix Table 15: South Seas Resort Redevelopment Economic Impact Annual Operations – State..... 30

Appendix Table 16: Pre-Ian South Seas Resort Economic Impact Annual Offsite Visitor Spending – State 30

South Seas Resort Economic and Fiscal Impact – Lee County

Executive Summary

The South Seas Resort (“South Seas” or “Resort”) was acquired by WS SSIR Owner LLC (“Owner” or “Applicant”) in September 2021. One year later, on September 28, 2022, Hurricane Ian made landfall on the Gulf Coast of Florida causing severe devastation and destruction to Lee County. The entirety of the structures, golf course, marina, and amenities of the Resort were damaged. Based on the necessity to redevelop the entire resort, the Applicant has filed a Mixed Use Planned Development (“MPD”) rezoning petition to create a valid and unambiguous zoning district and to provide a clear path for redevelopment. The proposed MPD includes the redevelopment of a maximum of 272 multifamily dwelling units (vested per ADD2002-0098), 435 hotel rooms, a 13-hole golf course, two (2) marinas, and private, onsite recreational and resort amenities.

As envisioned, the redevelopment of the South Seas into a world-class resort provides a one-time opportunity to permanently bolster the economies of Captiva Island, Sanibel Island, and greater Lee County. Because the local economy is heavily dependent on the tourism industry, the redevelopment of the South Seas Resort is critical to the area’s economic recovery from Hurricane Ian as well as the economic future of Lee County.

When the redevelopment is complete and operations are stabilized (2029), the South Seas Resort is projected to create the following impacts for Lee County, as compared to the Resort pre-Ian (2022)

- Generate a property tax base of \$827.5 million for Lee County, an increase of over \$783.0 million.
- Generate Lee County annual property tax revenues of \$3.0 million, an annual increase of \$2.8 million.
- Generate annual property tax revenues for Lee County taxing jurisdictions of \$11.6 million, an annual increase of \$11.0 million.
- Generate annual Lee County Tourist Tax revenue of \$7.2 million, an overall annual increase of \$3.5 million.
- Generate 813 permanent, onsite Resort jobs, an increase of 413 permanent jobs.
- Generate 1,918 total permanent jobs in Lee County, an increase of 1,106 permanent jobs.
- Generate annual permanent, onsite Resort Labor Income of \$48.0 million, an annual increase of \$34.4 million.
- Generate annual permanent total Labor Income in Lee County of \$100.5 million, an increase of \$67.6 million.

This analysis compares the fiscal and economic impact of the South Seas Resort for the 12-month period prior to Hurricane Ian to the redevelopment of the entire South Seas Resort in 2029, stabilized operations year. Highlights are provided in the charts and tables below.

Over the six-year redevelopment period, the construction activity related to the redevelopment of the South Seas Resort is projected to create significant jobs and labor income in Lee County as shown in Executive Summary Table 1.

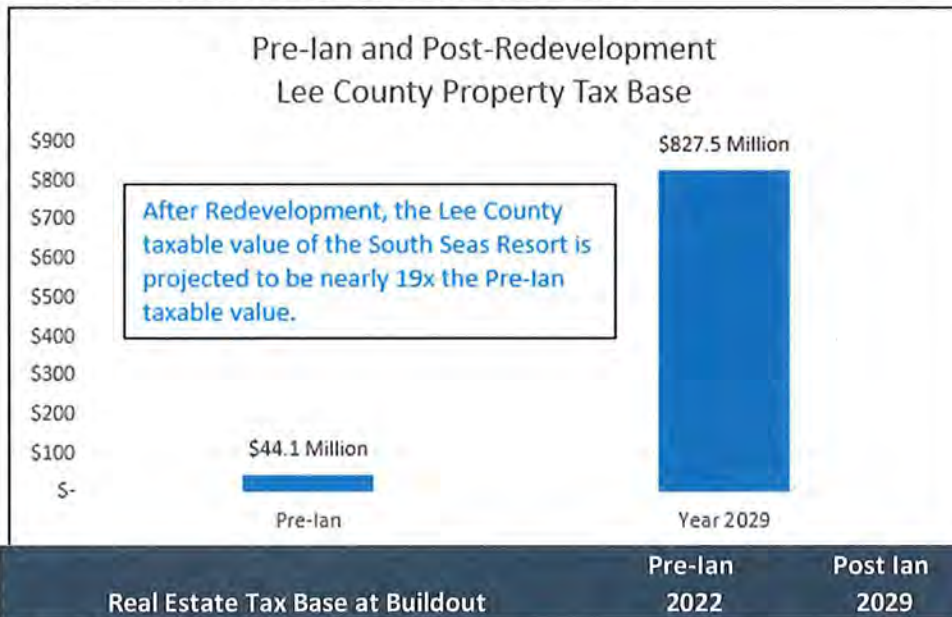
Executive Summary Table 1: South Seas Resort Construction Period Economic Impact

Construction Period Economic Impact	Lee County
Total Investment, Excluding Land	\$1.14 Billion
Direct Construction Jobs on Average Annually	1,667
Total Jobs on Average Annually	2,209
Direct Construction Labor Income on Average Annually	\$94.9 Million
Annual Labor Income on Average Annually	\$124.4 Million
Cumulative Construction Period Labor Income	\$746.1 Million

Source: DPGF, 2024

When redevelopment is complete, the Lee County taxable value of the Resort is projected to increase from \$44.1 million to \$827.5 million, an increase of over \$783.0 million which is nearly 19 times the pre-land taxable value.

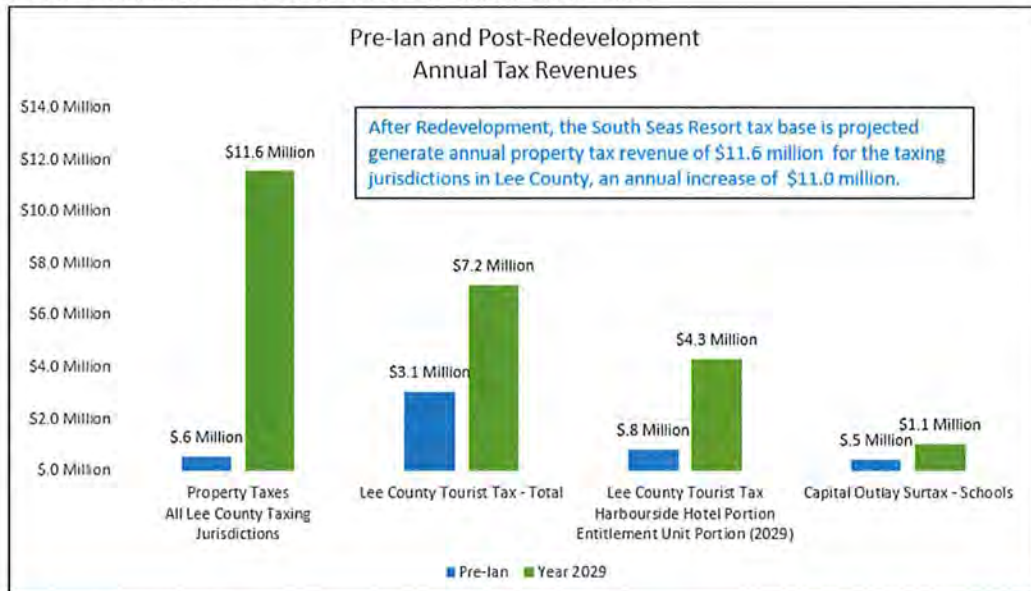
Executive Summary Table 2: South Seas Resort Lee County Tax Base



Source: DPGF, 2024

The South Seas Resort pre-lan and post-redevelopment projected tax revenues are compared in Executive Summary Table 3. Post-redevelopment, the South Seas Resort tax base is projected to generate annual property tax revenues of \$11.6 million for the Lee County taxing jurisdictions, or an increase of \$11.0 million. A comparison of other annual tax revenues, such as the Tourist Tax, is also provided below.

Executive Summary Table 3: South Seas Resort Annual Tax Revenues



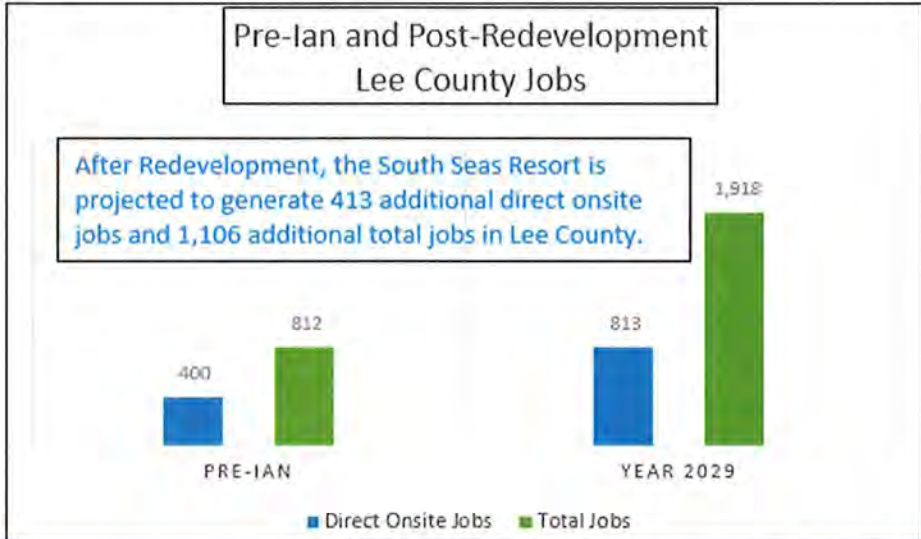
Property Tax by Jurisdiction at Buildout	Annual Revenue	
	2022	2029
Lee County General Revenue	\$.16 Million	\$2.99 Million
Lee County School District	\$.24 Million	\$4.74 Million
Lee County MTSUs	\$.04 Million	\$.72 Million
Lee County Library Fund	\$.02 Million	\$.37 Million
SFL Water Management	\$.01 Million	\$.18 Million
Captiva Erosion Prevention District	\$.02 Million	\$.28 Million
Captiva Island Fire Control District	\$.07 Million	\$2.07 Million
Other Taxing Jurisdictions	\$.01 Million	\$.23 Million
Non-Ad Valorem Assessments	\$.09 Million	TBD
Total	\$.65 Million	\$11.59 Million

Lee County Tourist Tax	Annual Revenue	
	2022	2029
Harbourside Hotel	\$.8 Million	
Entitlement Units		\$4.3 Million
Existing Units in RMP Program (Not Resort-Owned)	\$2.3 Million	\$2.8 Million
Total	\$3.1 Million	\$7.2 Million

Source: DPF, 2024

After redevelopment, the South Seas Resort is projected to generate 813 permanent, onsite Resorts jobs or an increase of 413 jobs. Approximately 1,918 total permanent Lee County jobs are projected post-redevelopment or an increase of 1,106 jobs. An increase in total annual labor income of \$100.5 million is projected for Lee County post-redevelopment.

Executive Summary Table 4: South Seas Resort Economic Impact



South Seas Resort Economic Impact - Lee County	Annual 2022	Annual 2029
Direct Jobs Supported:		
Resort Operations - Peak	400	813
Resort Visitors Offsite Spending	145	297
Total Jobs Supported:		
Resort Operations - Peak	633	1,555
Resort Visitors Offsite Spending	179	363
Direct Annual Labor Income:		
Resort Operations	\$13.6 Million	\$48.0 Million
Resort Visitors Offsite Spending	\$5.7 Million	\$11.5 Million
Total Annual Labor Income:		
Resort Operations	\$25.6 Million	\$85.7 Million
Resort Visitors Offsite Spending	\$7.3 Million	\$14.7 Million
Total Jobs Supported	812	1,918
Total Annual Labor Income	\$32.9 Million	\$100.5 Million

Source: DPGF, 2024

Annual South Seas Resort visitor statistics are compared in Executive Summary Table 5 for pre-lan (2022) and for when the Resort redevelopment is complete, and operations are stabilized (2029). As indicated, visitors generated by the new entitlement units are projected to generate significantly more annual visitors as compared to the former Harbourside Hotel.

Executive Summary Table 5: South Seas Resort Annual Visitor Statistics

South Seas Resort - Lee County	Annual	
	2022	2029
Harbourside Hotel		
Total Annual Guest Days	56,552	
Annual Guests	14,882	
Entitlement Units Summary		
Total Annual Guest Days		503,983
Annual Guests		132,627
Rental Management Program - Existing Units (Not Resort-Owned)		
Total Annual Guest Days	297,626	347,389
Annual Guests	78,323	91,418
Total		
Total Annual Guest Days	354,178	851,372
Annual Guests	93,205	224,045

Source: DPFG, 2024

Pre-Ian South Seas Resort Activity

For purposes of this analysis, the Owner provided actual South Seas Resort financial information for the twelve-month period ending on September 30, 2022 (“FY 2022”). The fiscal and economic impact analysis includes the onsite annual operations and the offsite spending by Resort guests.

The pre-Ian Resort operations included the 107-room Harbourside Hotel, rental management functions, restaurants, retail, golf, marina, and water sports and other amenities. The South Seas Resort estimated visitor statistics for this period are shown in Table 1.

Table 1: Pre-Ian South Seas Resort Visitor Statistics

Description	Amount
Harbourside Hotel	
10/1/2021-9/30/2022 Rooms Sold	24,588
Guests per Room	2.3
Total Annual Guest Days	56,552
Average Nights per Stay	3.8
Annual Guests	14,882
Rental Management Program Units (Not Resort-Owned)	
10/1/2021-9/30/2022 Rooms/Units Sold	90,727
Less Harbourside Hotel Rooms Sold	(24,588)
Total Occupied Resort Units	66,139
Guests per Unit	4.5
Total Annual Guest Days	297,626
Average Nights per Stay	3.8
Annual Guests	78,323
Total	
Total Annual Guest Days	354,178
Annual Guests	93,205

Source: WS SSIR Owner, LLC, DPF, 2024

Pre-Ian South Seas Resort Fiscal Analysis

A summary of the 2022 taxable value of the Resort’s tax parcels is shown in Table 2. The total 2022 taxable value was \$44.1 million. Due to the age of the pre-Ian structures and the corresponding impact on the tax value, the Resort’s land value comprised 68 percent, or the majority, of the total value. This tax value is indicative of the underutilization of the Resort’s potential and the lack of investment by prior owners.

South Seas Resort Comparative Fiscal and Economic Impact Analysis

Table 2: Pre-Ian South Seas Resort Property Tax Parcel Summary - 2022

Tax ID	Assessed		Taxable /		Land	Assumed
	Just Value	Value	Taxable Value	Just Value	Taxable Value	Building Taxable Value
15-45-21-00-00002.0000	\$ 10,500	\$ 10,500	\$ 10,500	100.0%	\$ 10,500	\$ -
22-45-21-00-00005.002B	24,156,885	24,156,885	24,156,885	100.0%	16,776,180	7,380,705
22-45-21-00-00006.0000	133,138	133,138	133,138	100.0%	76,298	56,840
26-45-21-00-00001.2020	11,450,000	11,450,000	11,450,000	100.0%	5,262,212	6,187,788
26-45-21-00-00011.0000	5,781,054	5,781,054	5,781,054	100.0%	5,593,195	187,859
26-45-21-00-00011.0050	1,342,856	1,342,856	1,342,856	100.0%	1,220,111	122,745
26-45-21-01-00003.0020	1,216,379	1,216,379	1,216,379	100.0%	1,208,311	8,068
27-45-21-00-00001.0000	1,000	1,000	1,000	100.0%	1,000	-
27-45-21-03-00001-0040	50	50	50	100.0%	50	-
Total	\$ 44,091,862	\$ 44,091,862	\$ 44,091,862	100.0%	\$ 30,147,857	\$ 13,944,005
					Land Value as % of Taxable Value	68%
					Assumed Building Taxable Value	\$ 13,944,005
					Building Value as % of Taxable Value	32%

Source; Lee County Property Appraiser, DPGF, 2024

A schedule of 2022 property taxes and assessments (net early payment discounts) is provided in Table 3.

Table 3: Pre-Ian South Seas Resort Property Taxes Paid – 2022

Jurisdiction	Annual		Assessments
	Property Tax Paid	Property Taxes	
Lee County General Revenue	\$ 159,339.81	\$ 159,339.81	
Public School by Local Board	95,206.62		
Public School by State Law	140,141.77	235,348.39	
Lee County All Hazards MSTU	2,934.99		
Lee County Unincorp MSTU	35,566.96	38,501.95	
Lee County Library Fund	19,964.59	19,964.59	
SFL Water Mgt District Levy	4,014.93		
SFL Water Mgt Everglade Construct.	1,384.90		
SFL Water Mgt Okeechobee Levy	4,345.29	9,745.12	
Captiva Erosion Prevention District	16,597.64	16,597.64	
Captiva Island Fire Control District	73,459.03	73,459.03	
Lee County Hyacinth Control	952.92		
Lee County Mosquito Control	9,740.86		
West Coast Navigation District	1,668.66	12,362.44	
Captiva Island Beach Main. Renourish Program	71,899.52		71,899.52
Lee County Solid Waste Assessment	16,352.57		16,352.57
Total Tax and Assessments Paid	\$ 653,571.06	\$ 565,318.97	\$ 88,252.09

South Seas Resort Comparative Fiscal and Economic Impact Analysis

Taxing Authority	Taxes & Assessments Paid
Lee County General Revenue	\$ 159,340
Lee County School District	235,348
Lee County MTSUs	38,502
Lee County Library Fund	19,965
SFL Water Management	9,745
Captiva Erosion Prevention District	16,598
Captiva Island Fire Control District	73,459
Other Taxing Jurisdictions	12,362
Non-Ad Valorem Assessments	88,252
Total Tax and Assessments Paid	\$ 653,571

Source: WS SSIR Owner, LLC, DPF, 2024

The Lee County Tourist Tax is generated from a 5 percent charge on “room charges” within the broader base of taxable sales from transient rental facilities. For FY 2022, the South Seas Resort paid \$3.1 million in Lee County Tourist Tax as shown in Table 4.

Table 4: Pre-Jan South Seas Resort Tourist Tax

Description	%	Amount
Harbourside Hotel	27%	\$ 840,000
Rental Management Program Units (Not Resort-Owned)	73%	2,261,000
Annual Tourist Tax		\$ 3,101,000

Source: WS SSIR Owner, LLC, DPF, 2024

On November 6, 2018, the voters of Lee County approved a 10-year half cent sales tax referendum. The sales surcharge is to be used for the construction and renovations of schools, safety initiatives, maintenance at schools and technology projects. The surtax is scheduled to expire on December 31, 2028 but, for purposes of comparability of this analysis, it is assumed the surtax will be renewed.

An estimate of the Capital Outlay Surtax paid in FY 2022 is shown in Table 5. (South Seas Resort offsite visitor spending is described later in this report.)

Table 5: Pre-Jan South Seas Resort Capital Outlay Surtax

Description	Annual Revenue
South Seas Resort Half-Cent Surtax Paid	\$ 427,000
South Seas Resort Offsite Visitor Spending:	
Estimated Taxable Purchases	\$ 6,672,000
Half-Cent Surtax Rate	0.5%
Half-Cent Surtax Revenue	<u>\$ 33,000</u>
Total Half-Cent Surtax	\$ 460,000

Source: Lee County School District, WS SSIR Owner, LLC, DPF, 2024

Pre-lan South Seas Resort Economic Analysis

The economic impact analysis of the pre-lan South Seas Resort includes the annual onsite operations and offsite spending by Resort guests.

Pre-lan South Seas Resort Economic Analysis – Annual Operations

The direct economic impact of the pre-lan Resort includes the FY 2022 operations of the Resort facilities as provided in Table 6. In FY 2022, the Resort employed 290 primary employees with a peak of approximately 400 employees, including seasonal and contract employees.

Table 6: Pre-lan South Seas Resort Annual Operations Summary

Output Type	2022 Revenue	2022 Total Labor
Room Revenue	\$ 56,401,000	\$ 5,630,000
Food & Beverage Revenue	13,748,000	5,335,000
Other Departmental Revenue	9,488,000	2,613,000
Miscellaneous Revenue	9,086,000	-
Total	\$ 88,723,000	\$ 13,578,000

Source: WS SSIR Owner, LLC, DPFG, 2024

The FY 2022 annual operations of the South Seas Resort supported 400 peak direct onsite jobs and approximately 633 total jobs in Lee County. The FY 2022 annual operations of the South Seas Resort also generated \$13.6 million in direct labor income and estimated total labor income of \$25.6 million for Lee County.

Table 7: Pre-lan South Seas Resort Economic Impact Annual Resort Operations

Impact Type	Jobs	Labor Income	Value Added	Output
Direct Effect	290	\$13.6 Million	\$41.2 Million	\$86.3 Million
Direct Effect Peak	110			
Indirect Effect	166	\$8.6 Million	\$14.8 Million	\$30.9 Million
Induced Effect	67	\$3.4 Million	\$7.2 Million	\$11.9 Million
Total Effect	633	\$25.6 Million	\$63.1 Million	\$129.0 Million

Source: WS SSIR Owner, LLC, IMPLAN, DPFG, 2024

Pre-lan South Seas Resort Economic Analysis – Offsite Visitor Spending

Data obtained from the Visitor Tracking, Occupancy & Economic Impact Study (2022) published by the Lee County Visitor & Convention Bureau (“Lee County VCB”) was used to calculate the spending per visitor day analysis in Table 8.

South Seas Resort Comparative Fiscal and Economic Impact Analysis

Table 8: Lee County Spending per Visitor Day

Category	Spending per Visitor Day
Restaurants	\$ 33
Shopping	19
Groceries	17
Admission to Attractions/Events	8
Other Entertainment	6
Other	6
Total	\$ 89

Source: Lee County VCB, DPFPG, 2024

The spending per visitor day is applied in Table 9 to the pre-lan Visitor Days to derive annual spending estimates. The total is reduced by onsite spending which is assumed to be captured in the annual operations analysis.

Table 9: Pre-lan South Seas Resort Offsite Spending Analysis

Category	Spending per Visitor Day	Pre-lan Visitor Days	Annual Spending	Annual Spending Capture Onsite	Annual Estimated Spending Offsite
Restaurants	\$ 33	354,178	\$ 11,652,000	\$ 13,748,000	N/A
Shopping	19	354,178	6,623,000	3,618,000	3,005,000
Groceries	17	354,178	6,056,000		6,056,000
Admission to Attractions/Events	8	354,178	2,727,000		2,727,000
Other Entertainment	6	354,178	2,231,000	1,291,000	940,000
Other	6	354,178	2,054,000		2,054,000
Total	\$ 89		\$ 31,343,000	\$ 18,657,000	\$ 14,782,000
Estimated Offsite Spending Subject to Sales Tax					6,672,000

Source: Lee County VCB, DPFPG, 2024

The FY 2022 annual offsite spending by South Seas Resort guests supported approximately 145 direct jobs and 179 total jobs in Lee County. FY 2022 offsite spending also generated an estimated \$5.7 million in direct labor income and \$7.3 million in total labor income in Lee County.

Table 10: Pre-lan South Seas Resort Economic Impact Annual Offsite Visitor Spending

Impact Type	Jobs	Labor Income	Value Added	Output
Direct Effect	145	\$5.7 Million	\$6.4 Million	\$9.1 Million
Indirect Effect	14	\$.7 Million	\$1.2 Million	\$2.6 Million
Induced Effect	20	\$1.0 Million	\$2.0 Million	\$3.4 Million
Total Effect	179	\$7.3 Million	\$9.6 Million	\$15.1 Million

Source: Lee County VCB, IMPLAN, DPFPG, 2024

South Seas Resort Redevelopment at Buildout – Lee County

The proposed MPD includes the redevelopment of a maximum of 272 multifamily dwelling units (vested per ADD2002-0098), 435 hotel rooms, a 13-hole golf course, two (2) marinas, and private, onsite recreational and resort amenities. The fiscal and economic impact analysis of the South Seas Resort redevelopment includes the annual onsite operations and offsite spending by Resort guests. For the purposes of this analysis, the Owner provided the projected post-redevelopment annual onsite operating activity.

A summary of the new hotels, multifamily units, and rental management units is shown in Table 11. These units are used to generate the annual visitor statistics. Revenues from the rental management program units are expected to support the construction and ongoing operations of the Resort’s new amenities.

Table 11: South Seas Resort Redevelopment Unit Summary

Description	Keys/ Units
Entitlement Units	
New Hotel Keys	
South Hotel (Replacing Conference Center)	190
North Hotel (1700 Building)	99
North Hotel (1800 Building)	30
North Hotel (Crown Building)	20
Total	339
New Condo-Hotel Product	
North Hotel (1800 Building)	24
North Hotel (Crown Building)	72
Total	96
Total Hotel Keys	435
New Condo Units - Allocated Across Masterplan	272
Total Entitlement Units	707
Rental Management Program Existing Units (not Resort-Owned)	
Pre-existing Third Party Owned Rental Units	300
Pre-existing Third Party Owned Lease Units	50
Total Rental Management Program Units	350
Total Units/Keys	1,057

Note: The entitlement unit development program shown above is illustrative and represents the maximum number of units that could be constructed if the current rezoning application is approved.

Source: WS SSIR Owner, LLC, DPFG, 2024

The South Seas Resort Redevelopment projected annual visitor statistics are shown in Table 12

Table 12: South Seas Resort Redevelopment Visitor Statistics

Description	Amount
Hotel-Type Units	
FY 2029 Room Nights Sold	114,318
Guests per Room	2.3
Total Annual Guest Days	262,931
Average Nights per Stay	3.8
Annual Guests	69,192
New Multi-Family Units	
FY 2029 Unit Nights Sold	53,567
Guests per Unit	4.5
Total Annual Guest Days	241,052
Average Nights per Stay	3.8
Annual Guests	63,435
Entitlement Units Summary	
Total Annual Guest Days	503,983
Annual Guests	132,627
Rental Management Program - Existing Units (Not Resort-Owned)	
FY 2029 Unit Nights Sold	77,198
Guests per Unit	4.5
Total Annual Guest Days	347,389
Average Nights per Stay	3.8
Annual Guests	91,418
Summary	
Total Annual Guest Days	851,372
Annual Guests	224,045

Source: WS SSIR Owner, LLC, DPGF, 2024

South Seas Resort Redevelopment Fiscal Analysis

The estimated investment in the South Seas Resort by the Owners is estimated to exceed \$1.2 billion as shown in Table 13. This private sector investment is expected to transform South Seas into the number one family resort in the country which will be catalytic for the Lee County economy.

Table 13: South Seas Resort Redevelopment Investment

Description	Amount
Taxable Construction Costs	\$ 850,741,000
Non-Taxable Soft Costs	289,048,000
Land Cost	130,800,000
Total Investment	\$1,270,589,000

Source: WS SSIR Owner, LLC, DPGF, 2024

Due to the unique location of the project, construction cost is deemed to represent the best estimate of the taxable value upon redevelopment. Supporting tables in the Appendix provide details of the calculations, including adjustments related to the provisions in Florida Statute 193.5555(6)(b)(1). The estimated taxable value of the Resort, at buildout, for Lee County property taxes is \$827.5 million. A breakdown of the projected annual property taxes is shown in Table 14. After redevelopment, the South Seas Resort is projected to be one of the top taxpayers in Lee County.

Table 14: South Seas Resort Redevelopment Annual Property Taxes

Jurisdiction	Assumed FY 2029 Millage (1)	Jan. 1, 2029 Taxable Value	Annual Property Tax Revenue	Annual Property Tax Revenue Net of Discount
Lee County General Revenue	3.76230	\$827.5 Million	\$ 3,113,000	\$ 2,988,000
Public School by Local Board	2.24800	\$909.9 Million	2,045,000	1,963,000
Public School by State Law	3.18200	\$909.9 Million	2,895,000	2,779,000
Lee County All Hazards MSTU	0.06930	\$827.5 Million	57,000	55,000
Lee County Unincorp MSTU	0.83980	\$827.5 Million	695,000	667,000
Lee County Library Fund	0.47140	\$827.5 Million	390,000	374,000
SFL Water Mgt District Levy	0.09480	\$827.5 Million	78,000	75,000
SFL Water Mgt Everglade Constr	0.03270	\$827.5 Million	27,000	26,000
SFL Water Mgt Okeechobee Levy	0.10260	\$827.5 Million	85,000	82,000
Captiva Erosion Prevention District	0.35110	\$827.5 Million	291,000	279,000
Captiva Island Fire Control District	2.60520	\$827.5 Million	2,156,000	2,070,000
Lee County Hyacinth Control	0.02170	\$827.5 Million	18,000	17,000
Lee County Mosquito Control	0.23000	\$827.5 Million	190,000	182,000
West Coast Navigation District	0.03940	\$827.5 Million	33,000	32,000
Total Property Tax Revenue			\$ 12,073,000	\$ 11,589,000

(1) As described in the Methodology section of this report, it is assumed the FY 2024 millage rates remain constant through the study period.

Source: WS SSIR Owner, LLC, Lee County, DPGF, 2024

The Lee County Tourist Tax is generated from a 5 percent charge on “room charges” within the broader base of taxable sales from transient rental facilities. For FY 2029, the Resort is projected to generate \$7.2 million in annual Tourist Tax for Lee County.

Table 15: South Seas Redevelopment Annual Lee County Tourist Tax

Description	Annual Revenue
South Seas Resort Taxable Revenue:	
Entitlement Room Rental Revenue	\$ 86,600,000
Tourist Tax Rate	5.0%
Tourist Tax Revenue	<u>\$4.3 Million</u>
Existing Units in RMP Rental Revenue (Not Resort-Owned)	56,821,000
Tourist Tax Rate	5.0%
Tourist Tax Revenue	<u>\$2.8 Million</u>
Total Room Rental Revenue	\$ 143,421,000
Tourist Tax Rate	5.0%
Tourist Tax Revenue	<u>\$7.2 Million</u>

Source: WS SSIR Owner, LLC, Lee County, DPGF, 2024

On November 6, 2018, the voters of Lee County approved a 10-year half cent sales tax referendum. The sales surcharge is to be used for the construction and renovations of schools, safety initiatives, maintenance at schools and technology projects. The surtax is scheduled to expire on December 31, 2028 but, for purposes of comparability of this analysis, it is assumed the surtax will be renewed.

An estimate of the annual Capital Outlay Surtax for FY 2029 is shown in Table 16. (South Seas Resort Redevelopment offsite visitor spending is described later in this report.)

Table 16: South Seas Resort Redevelopment Capital Outlay Surtax

Description	Annual Revenue
South Seas Resort Room Rental Revenue	
Entitlement Room Rental Revenue	\$ 86,600,000
Local Discretionary Sales Surtax Rate	0.5%
Local Discretionary Sales Surtax Revenue	<u>\$ 433,000</u>
Existing Units in RMP Rental Revenue (Not Resort-Owned)	\$ 56,821,000
Local Discretionary Sales Surtax Rate	0.5%
Local Discretionary Sales Surtax Revenue	<u>\$ 284,000</u>
South Seas Resort Onsite Taxable Revenue	\$ 61,680,000
Local Discretionary Sales Surtax Rate	0.5%
Local Discretionary Sales Surtax Revenue	<u>\$ 308,000</u>
South Seas Resort Offsite Taxable Spending - Entitlement Units:	
Estimated Taxable Purchases	\$ 5,984,000
Local Discretionary Sales Surtax Rate	0.5%
Local Discretionary Sales Surtax Revenue	<u>\$ 30,000</u>
South Seas Resort Offsite Visitor Spending - Existing Units in RMP (Not Resort-Owned)	
Estimated Taxable Purchases	\$ 4,124,000
Local Discretionary Sales Surtax Rate	0.5%
Local Discretionary Sales Surtax Revenue	<u>\$ 21,000</u>
Summary	
Entitlement Units and Amenities	\$ 771,000
Existing Units in RMP (Not Resort-Owned)	305,000
Total	<u>\$ 1,076,000</u>

Source: WS SSIR Owner, LLC, Lee County School District, DPFG, 2024

South Seas Resort Redevelopment Economic Analysis

The redevelopment of the South Seas Resort will impact the Lee County economy in two phases. The initial impact occurs during the construction of the new hotels, multifamily structures, and the resort amenities. Once construction is complete, the operations of the Resort and the offsite spending by Resort guests will positively impact the local economy on a permanent, ongoing basis.

South Seas Resort Redevelopment Economic Analysis - Construction Spending

For purposes of this analysis, it is assumed the \$1.1 billion construction spending will occur over a six-year period. The average annual construction spending is expected to generate 1,667 onsite construction jobs and 2,209 total jobs in Lee County. The annual construction spending is expected to generate annual direct labor income of \$94.9 million and annual total labor income of \$124.4 million in Lee County. Construction jobs are considered temporary as they will end when the redevelopment is complete.

Table 17: South Seas Resort Redevelopment Economic Impact - Average Annual Construction Spending

Impact Type	Jobs	Labor Income	Value Added	Output
Direct Effect	1,667	\$94.9 Million	\$125.5 Million	\$190.0 Million
Indirect Effect	214	\$12.9 Million	\$22.9 Million	\$43.5 Million
Induced Effect	328	\$16.6 Million	\$34.8 Million	\$57.8 Million
Total Effect	2,209	\$124.4 Million	\$183.2 Million	\$291.2 Million

Source: WS SSIR Owner, LLC, IMPLAN, DPGF, 2024

Cumulatively, the redevelopment spending is projected to generate direct labor income of \$569.2 million and total labor income of \$746.1 million in Lee County.

Table 18: South Seas Resort Redevelopment Economic Impact - Cumulative Construction Spending

Impact Type	Labor Income	Value Added	Output
Direct Effect	\$569.2 Million	\$752.9 Million	\$1.14 Billion
Indirect Effect	\$77.5 Million	\$137.1 Million	\$.26 Billion
Induced Effect	\$99.5 Million	\$209.1 Million	\$.35 Billion
Total Effect	\$746.1 Million	\$1,099.2 Million	\$1.75 Billion

Source: WS SSIR Owner, LLC, IMPLAN, DPGF, 2024

South Seas Resort Redevelopment Economic Analysis – Annual Operations

A summary of the projected operations of the redeveloped South Seas Resort in FY 2029, the stabilization year, is shown in Table 19. The Resort is expected to employ 813 staff¹ across all categories of operations with annual labor income of \$48.0 million.

Table 19: South Seas Resort Redevelopment Annual Operations Summary

Industry Sector	2029 Annual Revenue	2029 Labor Income
Electric power transmission and distribution	\$ 155,000	
Retail - Gasoline stores	1,542,000	
Retail - General merchandise stores	7,736,000	
Other real estate (Other Resort Operations)	47,170,000	
General and consumer goods rental except video tapes and dis	3,090,000	
Other amusement and recreation industries	3,750,000	
Fitness and recreational sports centers	2,289,000	
Hotels and motels, including casino hotels	143,421,000	
Full-service restaurants	39,414,000	
Limited-service restaurants	4,295,000	
All other food and drinking places	8,693,000	
Total	\$ 261,555,000	\$ 47,966,000
Restaurant & Retail Sales	\$ 61,680,000	

Source: WS SSIR Owner, LLC, DPGF, 2024

¹ According to the Traffic Impact Statement (September 15, 2023) prepared by TR Transportation Consultants, Inc., South Seas Resort will continue to provide employee shuttle service to the mainland for their employees to travel to and from the site on a daily basis, which reduces the traffic impact of the Resort on the island.

The FY 2029 annual operations of the South Seas Resort Redevelopment is projected to generate 813 direct onsite jobs² and 1,555 total jobs in Lee County. The FY 2029 annual operations of the South Seas Resort is also projected to generate \$48.0 million in direct labor income and total labor income of \$85.7 million for Lee County.

Table 20: South Seas Resort Redevelopment Economic Impact Annual Resort Operations

Impact Type	Jobs	Labor Income	Value Added	Output
Direct Effect	813	\$48.0 Million	\$125.9 Million	\$255.2 Million
Indirect Effect	522	\$26.6 Million	\$45.8 Million	\$96.5 Million
Induced Effect	220	\$11.1 Million	\$23.4 Million	\$38.8 Million
Total Effect	1,555	\$85.7 Million	\$195.1 Million	\$390.5 Million

Source: WS SSIR Owner, LLC, DPGF, 2024

South Seas Resort Redevelopment Economic Analysis – Offsite Visitor Spending

The spending per visitor day in Table 8 is applied in Table 21 to the South Seas Resort Redevelopment Visitor Days to derive annual spending estimates. The total is reduced by onsite spending which is captured in the annual operations analysis. Tables showing the breakdown between the entitlement units and the amenities and the existing units in the rental management program are provided in the Appendix.

Table 21: South Seas Resort Redevelopment Offsite Spending Analysis

Category	2029		Annual Spending	Annual Spending Capture Onsite	Annual Estimated Spending Offsite
	Spending per Visitor Day	Total Visitor Days			
Restaurants	\$ 33	851,372	\$ 28,010,000	\$ 52,402,000	N/A
Shopping	19	851,372	15,921,000	12,368,000	3,552,000
Groceries	17	851,372	14,558,000	-	14,558,000
Admission to Attractions/Event:	8	851,372	6,556,000	-	6,556,000
Other Entertainment	6	851,372	5,364,000	6,039,000	N/A
Other	6	851,372	4,938,000	-	4,938,000
Total	\$ 89		\$ 75,347,000	\$ 70,809,000	\$ 29,604,000
Estimated Offsite Spending Subject to Sales Tax					\$ 10,108,000

Source: Lee County VCB, DPGF, 2024

The FY 2029 annual offsite spending by South Seas Resort Redevelopment guests is projected to support 297 direct jobs and 363 total jobs in Lee County. The FY 2029 offsite spending is also expected to generate \$11.5 million in direct labor income and \$14.7 million in total labor income in Lee County. Offsite spending by Resort guests will occur as guests purchase goods and services and attend events in Sanibel and Captiva and throughout Lee County. The increased visitor spending will be a significant and permanent boost to the local economy which is heavily dependent on the tourism industry.

² According to the Florida Gulf Coast University 2023 List of the Top 100 Employers in Southwest Florida, 813 direct onsite jobs would rank South Seas Resort as a Top 20 Employer in Lee County if redevelopment was complete today.

Table 22: South Seas Resort Redevelopment Economic Impact Offsite Visitor Spending

Impact Type	Jobs	Labor Income	Value Added	Output
Direct Effect	297	\$11.5 Million	\$12.9 Million	\$18.1 Million
Indirect Effect	27	\$1.3 Million	\$2.3 Million	\$5.1 Million
Induced Effect	39	\$2.0 Million	\$4.1 Million	\$6.8 Million
Total Effect	363	\$14.7 Million	\$19.3 Million	\$30.0 Million

Source: Lee County VCB, IMPLAN, DPF, 2024

South Seas Resort Redevelopment Projected Impact Fee Revenue

The redevelopment of the South Seas Resort will generate impact fee revenue for Lee County. Estimates of these one-time revenues are provided in Table 23; however, the actual impact fees may be less if land uses of the prior facilities are recognized.

Table 23: Projected Lee County Impact Fee Revenue

Land Use	Roads	Schools	Community Parks	Regional Parks	EMS	Fire
Impact Fee per Unit/Room:						
Multifamily	\$ 3,024	\$ 1,115	\$ 351	\$ 259	\$ 42	\$ 582
Hotel/Motel	\$ 2,597	N/A	\$ 222	\$ 163	\$ 26	\$ 368
Entitlement Units:						
Multifamily	272	272	272	272	272	272
Hotel/Motel	435	435	435	435	435	435
Projected Maximum Impact Fees:						
Multifamily	\$ 823,000	\$ 303,000	\$ 95,000	\$ 70,000	\$ 11,000	\$ 158,000
Hotel/Motel	1,130,000	N/A	97,000	71,000	11,000	160,000
Total	\$1,953,000	\$ 303,000	\$ 192,000	\$ 141,000	\$ 22,000	\$ 318,000

Impact fees on other commercial structures to be determined.

Actual impact fees may be less due to recognition of prior facilities (e.g., hotel and employee housing units).

South Seas Resort Economic and Fiscal Impact – State of Florida

This section of the report compares the impact on the State of Florida of the Pre-Plan South Seas Resort operations and offsite visitor spending and the South Seas Resort Redevelopment annual operations and offsite visitor spending.

Executive Summary

Fiscal and economic highlights are compared in the Executive Summary in Table 24. Supporting tables are provided in the Appendix.

South Seas Resort Comparative Fiscal and Economic Impact Analysis

Table 24: Executive Summary – State of Florida

Construction Period Economic Impact	State of FL
Total Investment, Excluding Land	\$1.14 Billion
Direct Construction Jobs on Average Annually	1,667
Total Jobs on Average Annually	2,400
Direct Construction Labor Income on Average Annually	\$94.9 Million
Annual Labor Income on Average Annually	\$135.9 Million
Cumulative Construction Period Labor Income	\$815.4 Million

Annual State Tax Revenue	Annual Revenue	
	2022	2029
State Sales Tax:		
Resort Operations	\$ 5,122,000	\$ 12,306,000
Offsite Visitor Spending	449,000	606,000
Other State Taxes:		
Resort Operations	846,000	2,446,000
Offsite Visitor Spending	78,000	150,000
Total Annual State Taxes	\$6.5 Million	\$15.5 Million

South Seas Resort - State of Florida	Annual	
	2022	2029
Direct Jobs Supported:		
Resort Operations - Peak	400	813
Resort Visitors Offsite Spending	145	297
Total Jobs Supported:		
Resort Operations - Peak	709	1,787
Resort Visitors Offsite Spending	188	383
Direct Annual Labor Income:		
Resort Operations	\$13.6 Million	\$48.0 Million
Resort Visitors Offsite Spending	\$5.7 Million	\$11.5 Million
Total Annual Labor Income:		
Resort Operations	\$30.1 Million	\$99.7 Million
Resort Visitors Offsite Spending	\$7.9 Million	\$15.9 Million
Total Jobs Supported	897	2,170
Total Annual Labor Income	\$38.0 Million	\$115.6 Million

Source: DPF, 2024

Methodology

A fiscal impact analysis estimates the direct revenues expected to be received by the governmental entity as a result of the Resort's ongoing operations. Lee County fiscal impact revenues include such items as property taxes and tourist taxes. The State of Florida fiscal impact revenues include state sales tax, among other revenue sources.

All amounts in this report are presented in constant dollars (2024). Tax rates in effect for FY 2024 are also held constant in this analysis. DPFG conducted an independent analysis of applicable local taxes and state sales tax to estimate annual revenues. IMPLAN was used to estimate the remaining state tax estimates. Results are rounded to the nearest one thousand dollars (\$1,000). Supporting tables are shown in the Appendix.

The total economic impact of a specific project or event on a study area is the sum of the direct, indirect and induced impacts. Direct Impacts are the initial, immediate economic impacts (jobs and income) generated by a project or development. Direct impacts coincide with the first round of spending in the economy. For example, a new high tech manufacturing facility that has a payroll of \$5 million and purchases \$5 million of goods and services from local suppliers would directly contribute \$10 million to the local economy. To determine direct economic impacts, it is ideal to use economic data supplied by the project's development team or financial information, if available, about similar projects implemented in similar communities. A common method of establishing direct impact parameters is to use available industry averages for the study area.

Indirect Impacts are the production, employment and income changes occurring in other businesses/industries in the community that supply inputs to the project's industry(s).

Induced Impacts are the effects of spending by the households in the local economy as a result of the direct and indirect effects from an economic activity. The induced effects arise when employees who are working for the project (i.e., new manufacturing facility) spend their new payroll dollars in the study area.

Figure 1: Components of Economic Impact Analysis



The primary economic impact of the South Seas Resort will be experienced in Lee County; however, benefits will also extend to the region and the state. In our experience with similar projects nationally, the smaller the study area, the more leakages (purchases and sales) occur outside the area. Fewer ripple effects occur inside the area thus multipliers and related impacts generally become larger as the geographic area increases in size. The study area for this report was limited to Lee County (and the State of Florida) and used the 2022 Lee County (and State of Florida) IMPLAN model to examine regional purchase coefficients. IMPLAN is a regional economic analysis software application that is designed to estimate the impact or ripple effect (specifically backward linkages) of a given economic activity within a specific geographic area through the implementation of its Input-Output and Social Accounting Matrix model.³

Jobs are defined in IMPLAN as an industry mix of full-time, part-time, and seasonal employment. Annual average jobs in IMPLAN follow the same definition as Bureau of Economic Analysis Regional Economic Accounts and the Bureau of Labor Statistics Census of Employment and Wages data, which is full-time/part-time annual average. Employment in IMPLAN is not equal to full-time equivalents.

The economic impacts from the construction, annual operations of the South Seas Resort, and the annual offsite visitor spending by the Resort's guests were modeled using Industry Change, which is the increase or decrease in economic activity due to the expansion or change in production of new businesses.

³ Studies, results, and reports that rely on IMPLAN data or applications are limited by the researcher's assumptions concerning the subject or event being modeled. Studies such as this one are in no way endorsed or verified by IMPLAN Group, LLC unless otherwise stated by a representative of IMPLAN.

Appendix

Appendix Table 1: South Seas Resort Redevelopment Taxable Value – Lee County

Description	Amount
Taxable Value of Improvements	\$ 850,741,000
Less North Hotel & Condo Improvements	(192,460,000)
Plus North Hotel Condo Improvements	75,413,000
Plus North Hotel Taxable Value per F.S. 193.1555	34,682,000
Adjusted Taxable Value of Improvements	\$ 768,376,000
Chadwick's Square, Plantation Bldg & Other (Jan 1, 2022 Value)	376,000
Land Taxable Value Jan. 1, 2029 with F.S. 193.5555(3) Cap	58,750,000
Total Taxable Value Jan. 1, 2029	\$ 827,502,000

Description	Amount
North Hotel & Condo Taxable Improvements	\$ 192,460,097
# of Keys/Units	245
Taxable Improvements per North Hotel Key/Unit	\$ 785,551

Description	Amount
North Hotel Condo Units	96
Taxable Improvements per North Hotel & Condos per Key/Unit	\$ 785,551
North Hotel Condos Taxable Value	\$ 75,413,000

Description	Amount
Old Harbourside Hotel Keys	107
F.S. 193.5555(6)(b)(1)(a) Percentage for Proxy Calculation	110%
Adjusted # of Keys	118
New North Hotel Keys	149
# of New North Hotel Keys Subject to New Taxable Value	31
Taxable Improvement Value per North Hotel Key/Unit	\$ 785,551
New North Hotel Taxable Improvement Value	\$ 24,588,000
North Hotel F.S. 193.5555(6)(b)(1) Taxable Value	
Old Harbourside Hotel Jan. 1, 2022 Building Value	\$ 5,180,000
Old Harbourside Hotel Value Jan. 1, 2029 with F.S. 193.5555(3) Cap	10,094,000
North Hotel Taxable Value Jan. 1, 2029	\$ 34,682,000

Source: WS SSIR Owner, LLC, Lee County Property Appraiser, F.S. 193.5555, DPGF, 2024

Appendix Table 2: South Seas Resort Redevelopment Taxable Value – Lee County School District

Description	Amount
Taxable Value of Improvements	\$ 850,741,000
Chadwick's Square, Plantation Bldg & Other (Jan 1, 2022 Value)	376,000
Land Taxable Value Jan. 1, 2029 with F.S. 193.5555(3) Cap	58,750,000
Total Taxable Value	\$ 909,867,000

Source: WS SSIR Owner, LLC, Lee County Property Appraiser, DPGF, 2024

South Seas Resort Comparative Fiscal and Economic Impact Analysis

Appendix Table 3: Multifamily Rental Management Program Allocation

Description	Amount	Total	%
Multifamily Units - RMP Allocation (Not Resort-Owned)			
New Multifamily Entitlement Units	272		
Less Units with No Assumed Outside Rentals	(90)		
New Multifamily Units in RMP		182	34%
Existing Units joining RMP (Not Resort-Owned)		350	66%
Total		532	100%

Source: WS SSIR Owner, LLC, DPGF, 2024

Appendix Table 4: South Seas Resort Redevelopment Room Revenue Allocation

Description	% Allocation	Room Revenue
Entitlement Units		
Hotel-Type Units		\$ 57,329,000
Multifamily RMP Units	34%	29,271,000
Total		\$ 86,600,000
Existing Multifamily Units in RMP (Not Resort-Owned)	66%	56,821,000
Total		\$ 143,421,000

Source: WS SSIR Owner, LLC, DPGF, 2024

South Seas Resort Comparative Fiscal and Economic Impact Analysis

Appendix Table 5: South Seas Resort Redevelopment Units Available and Occupied

Description	Keys/ Units	Units/ Rooms Available	Rooms Occupied
Entitlement Units			
New Hotel Keys			
South Hotel (Replacing Conference Center)	190	69,350	49,932
North Hotel (1700 Building)	99	36,135	26,017
North Hotel (1800 Building)	30	10,950	7,884
North Hotel (Crown Building)	20	7,300	5,256
Total	339	123,735	89,089
New Condo-Hotel Product			
North Hotel (1800 Building)	24	8,760	18,922
North Hotel (Crown Building)	72	26,280	6,307
Total	96	35,040	25,229
Total Hotel Keys	435	158,775	114,318
New Condo Units - Allocated Across Masterplan	272	85,561	53,567
Total Entitlement Units	707	244,336	167,885
Rental Management Program Existing Units (not Resort-Owned)			
Pre-existing Third Party Owned Rental Units	300	109,500	63,510
Pre-existing Third Party Owned Lease Units	50	18,250	13,688
Total Rental Management Program Units	350	127,750	77,198
Total Units/Keys	1,057	372,086	245,083

Source: WS SSIR Owner, LLC, DPF, 2024

Appendix Table 6: South Seas Resort Redevelopment Annual Visitor Spending – Entitlement Units

Category	2029		Annual Spending	Annual Spending Capture Onsite	Annual Estimated Spending Offsite
	Spending per Visitor Day	Entitlement Units Visitor Days			
Restaurants	\$ 33	503,983	\$ 16,581,000	\$ 31,020,000	N/A
Shopping	19	503,983	9,424,000	7,321,000	2,103,000
Groceries	17	503,983	8,618,000	-	8,618,000
Admission to Attractions/Events	8	503,983	3,881,000	-	3,881,000
Other Entertainment	6	503,983	3,175,000	3,575,000	N/A
Other	6	503,983	2,923,000	-	2,923,000
Total	\$ 89		\$ 44,602,000	\$ 41,916,000	\$ 17,525,000
Estimated Offsite Spending Subject to Sales Tax					\$ 5,984,000

Source: WS SSIR Owner, LLC, Lee County VCB, DPF, 2024

South Seas Resort Comparative Fiscal and Economic Impact Analysis

Appendix Table 7: South Seas Resort Redevelopment Annual Visitor Spending – Existing Rental Management Program Units

Category	2029				
	Spending per Visitor Day	Rental Mgt Program Visitor Days	Annual Spending	Annual Spending Capture Onsite	Annual Estimated Spending Offsite
Restaurants	\$ 33	347,389	\$ 11,429,000	\$ 21,383,000	N/A
Shopping	19	347,389	6,496,000	5,047,000	1,449,000
Groceries	17	347,389	5,940,000	-	5,940,000
Admission to Attractions/Event:	8	347,389	2,675,000	-	2,675,000
Other Entertainment	6	347,389	2,189,000	2,464,000	N/A
Other	6	347,389	2,015,000	-	2,015,000
Total	\$ 89		\$ 30,744,000	\$ 28,894,000	\$ 12,079,000
				Estimated Offsite Spending Subject to Sales Tax	\$ 4,124,000

Source: WS SSIR Owner, LLC, Lee County VCB, DPGF, 2024

Appendix Table 8: Pre-Ian South Seas Resort Annual Operations – State Taxes

Description	Amount
Sales Tax	\$ 5,122,000
Other State Taxes	846,000
Total	\$ 5,968,000

Source: WS SSIR Owner, LLC, State of FL, DPGF, 2024

Appendix Table 9: Pre-Ian South Seas Resort Offsite Visitor Spending – State Taxes

Description	Amount
Sales Tax	\$ 449,000
Other State Taxes	78,000
Total	\$ 527,000

Source: WS SSIR Owner, LLC, Lee County VCB, State of FL, DPGF, 2024

Appendix Table 10: Pre-Ian South Seas Resort Economic Impact Annual Operations – State

Impact Type	Jobs	Labor Income	Value Added	Output
Direct Effect	290	\$13.6 Million	\$41.2 Million	\$86.3 Million
Direct Effect Peak	110			
Indirect Effect	205	\$11.1 Million	\$18.9 Million	\$39.3 Million
Induced Effect	104	\$5.4 Million	\$11.0 Million	\$18.6 Million
Total Effect	709	\$30.1 Million	\$71.0 Million	\$144.1 Million

Source: WS SSIR Owner, LLC, IMPLAN, State of FL, DPGF, 2024

Appendix Table 11: Pre-Ian South Seas Resort Economic Impact Annual Offsite Visitor Spending - State

Impact Type	Jobs	Labor Income	Value Added	Output
Direct Effect	145	\$5.7 Million	\$6.4 Million	\$9.1 Million
Indirect Effect	18	\$.9 Million	\$1.6 Million	\$3.4 Million
Induced Effect	25	\$1.3 Million	\$2.6 Million	\$4.4 Million
Total Effect	188	\$7.9 Million	\$10.7 Million	\$17.0 Million

Source: WS SSIR Owner, LLC, IMPLAN, State of FL, DPGF, 2024

South Seas Resort Comparative Fiscal and Economic Impact Analysis

Appendix Table 12: South Seas Resort Redevelopment Economic Impact - Average Annual Construction Spending

Impact Type	Jobs	Labor Income	Value Added	Output
Direct Effect	1,667	\$94.9 Million	\$125.5 Million	\$190.0 Million
Indirect Effect	297	\$18.5 Million	\$32.6 Million	\$64.4 Million
Induced Effect	436	\$22.5 Million	\$46.3 Million	\$77.7 Million
Total Effect	2,400	\$135.9 Million	\$204.4 Million	\$332.0 Million

Source: WS SSIR Owner, LLC, IMPLAN, DPGF, 2024

Appendix Table 13: South Seas Resort Redevelopment Economic Impact - Cumulative Construction Spending

Impact Type	Labor Income	Value Added	Output
Direct Effect	\$569.2 Million	\$752.9 Million	\$1.14 Billion
Indirect Effect	\$111.1 Million	\$195.5 Million	\$.39 Billion
Induced Effect	\$135.1 Million	\$277.8 Million	\$.47 Billion
Total Effect	\$815.4 Million	\$1,226.2 Million	\$1.99 Billion

Source: WS SSIR Owner, LLC, IMPLAN, DPGF, 2024

South Seas Resort Comparative Fiscal and Economic Impact Analysis

Appendix Table 14: South Seas Resort Redevelopment – State Sales Tax

Description	Annual Revenue
South Seas Resort Room Rental Revenue	
Entitlement Room Rental Revenue	\$ 86,600,000
State Sales Tax Rate	6%
State Sales Tax Revenue	\$5.2 Million
Existing Units in RMP Rental Revenue (Not Resort-Owned)	\$ 56,821,000
State Sales Tax Rate	6%
State Sales Tax Revenue	\$3.4 Million
South Seas Resort Onsite Taxable Revenue	\$ 61,680,000
State Sales Tax Rate	6%
State Sales Tax Revenue	\$3.7 Million
South Seas Resort Offsite Taxable Spending - Entitlement Units	
Estimated Taxable Purchases	\$ 5,984,000
State Sales Tax Rate	6.0%
State Sales Tax	\$.4 Million
South Seas Resort Offsite Visitor Spending - Existing Units in RMP (Not Resort-Owned)	
Estimated Taxable Purchases	\$ 4,124,000
State Sales Tax Rate	6.0%
State Sales Tax	\$.2 Million
Summary	
Entitlement Units and Amenities	\$9.3 Million
Existing Units in RMP	\$3.7 Million
Total	\$12.9 Million

Source: WS SSIR Owner, LLC, State of FL, DPFPG, 2024

Appendix Table 15: South Seas Resort Redevelopment Economic Impact Annual Operations – State

Impact Type	Jobs	Labor Income	Value Added	Output
Direct Effect	813	\$48.0 Million	\$125.9 Million	\$255.2 Million
Indirect Effect	643	\$34.5 Million	\$58.6 Million	\$122.7 Million
Induced Effect	331	\$17.3 Million	\$35.3 Million	\$59.5 Million
Total Effect	1,787	\$99.7 Million	\$219.8 Million	\$437.5 Million

Source: WS SSIR Owner, LLC, IMPLAN, State of FL, DPFPG, 2024

Appendix Table 16: Pre-Ian South Seas Resort Economic Impact Annual Offsite Visitor Spending – State

Impact Type	Jobs	Labor Income	Value Added	Output
Direct Effect	297	\$11.5 Million	\$12.9 Million	\$18.1 Million
Indirect Effect	36	\$1.8 Million	\$3.1 Million	\$6.7 Million
Induced Effect	50	\$2.6 Million	\$5.3 Million	\$8.9 Million
Total Effect	383	\$15.9 Million	\$21.3 Million	\$33.7 Million

Source: WS SSIR Owner, LLC, IMPLAN, State of FL, DPFPG, 2024

General Limiting Conditions

Every reasonable effort has been made to ensure that the data contained in this report are accurate as of the date of this study; however, factors exist that are outside the control of DPFG and that may affect the estimates and/or projections noted herein. This study is based on estimates, assumptions and other information developed by DPFG from its independent research effort, general knowledge of the industry, and information provided by and consultations with the client and the client's representatives. No responsibility is assumed for inaccuracies in reporting by the client, the client's agent and representatives, or any other data source used in preparing or presenting this study.

This report is based on information that was current as of January 2024, and DPFG has not undertaken any update of its research effort since such date.

Because future events and circumstances, many of which are not known as of the date of this study, may affect the estimates contained therein, no warranty or representation is made by DPFG that any of the projected values or results contained in this study will actually be achieved.

Possession of this study does not carry with it the right of publication thereof or to use the name of DPFG in any manner without first obtaining the prior written consent of DPFG. No abstracting, excerpting or summarization of this study may be made without first obtaining the prior written consent of DPFG. This report is not to be used in conjunction with any public or private offering of securities, debt, equity, or other similar purpose where it may be relied upon to any degree by any person other than the client, nor is any third party entitled to rely upon this report, without first obtaining the prior written consent of DPFG. This study may not be used for purposes other than that for which it is prepared or for which prior written consent has first been obtained from DPFG. Any changes made to the study, or any use of the study not specifically prescribed under agreement between the parties or otherwise expressly approved by DPFG, shall be at the sole risk of the party making such changes or adopting such use.

This study is qualified in its entirety by, and should be considered in light of, these limitations, conditions and considerations.



**SOUTH SEAS ISLAND RESORT MPD
SCHEDULE OF DEVIATIONS & JUSTIFICATIONS**

REVISED DECEMBER 2024

1. Deviation (1) from LDC §10-291(3) which requires residential developments of more than five (5) acres and commercial developments greater than 10 acres to provide more than one means of ingress and egress for the development, to allow one access point to the MPD.

JUSTIFICATION: The subject property is at the northern terminus of Captiva Island, which is accessible by Captiva Drive. Due to the geographical limitations and the island locale, this deviation cannot be avoided and is applicable to virtually all development on Captiva. The resort has been developed for decades under these same access conditions. The deviation is off-set via dedicated boat slips to Lee County EMS and Captiva Island Fire District. Moreover, the property is subject to a Comprehensive Emergency Management Plan per Florida Statutes to protect public health safety and welfare.

2. Deviation (2) from LDC § 10-416(d), which requires a buffering area internal to the proposed development whenever different uses abut, to omit internal Type A buffers between Hotel and Recreation Tracts as shown on the MCP.

JUSTIFICATION: This deviation applies to the following areas internal to the MPD as shown on the enclosed MCP:

- Between Hotel Tract I-1 and Recreation Tract I and Marina Tract F-1;
- Between Residential/Resort Tract H and Recreation Tracts F, G & I
- Between Hotel Tract A-1 and Recreation Tracts A & C.

The buffer deviation is requested in these internal areas of the MPD to allow for full integration between the hotel and recreational areas. This will allow for enhanced pedestrian connectivity between uses and achieve the resort atmosphere intended by the abutting recreational areas and hotel buildings.

The required Type A tree plantings will be provided for within the tracts to ensure the deviation does not ultimately reduce the amount of vegetation within the project, thereby upholding the intent of the LDC and the aesthetics of the project.

The property has functioned as a cohesive master planned resort since its inception without internal buffering requirements that would preclude bicycle, pedestrian and vehicular connectivity and take away from the overall character and clustered form of development. Internal landscaping will be provided throughout the resort, in addition to surface parking landscape islands and building perimeter plantings, in full conformance with the LDC.

The deviation will not harm public health, safety or welfare and will allow for better integration of uses and accessibility throughout the project, thereby enhancing the objectives of the Planned Development.

3. Deviation (3) from LDC § 10-416(d), which requires a 15-foot-wide Type D buffer along where proposed development abuts rights-of-way, to omit Type D buffers along South Seas Plantation Road as shown on the MCP.

JUSTIFICATION: Approximately 50% of the length of the roadway is buffered by existing native vegetation, either on one or both sides. This native vegetation varies in width and plant density but meets the LDC's intent for screening development from rights-of-way.

This deviation is required based on existing built conditions on the remaining 50% roadway. The roadway's edge of pavement serves as the MPD property line in many cases. Thus, edge of pavement abuts the MPD perimeter, precluding the Applicant from installing the Type D buffers due to lack of plantable area in those locations.

Since the vegetation width varies and the plant density is not known in all cases, the Applicant is seeking the deviation along the entire length of the South Seas Plantation Road to memorialize existing conditions. Additionally, native vegetation including mangroves along the roadway continue to regrow following Hurricane Ian.

It is important to note that this deviation represents the existing, historical roadway buffer treatment on the property and will not negatively impact public health, safety or welfare.

In the case of the Beach House restaurant, approved per DOS2022-00196A02, alternative landscaping will be provided in accordance with Deviation Exhibit A.

4. Deviation (4) from LDC § 10-416(d), which requires a buffering area is required along the entire perimeter of the proposed development whenever the proposed development abuts a different use, to allow for alternative buffers along segments of Tracts A-1, C, L, D-1, J, & I-1, as shown on the MCP. For clarity, this deviation has been analyzed based on geographic location on site as Deviations 4A – 4E below.

Deviation 4A to omit the Type C/F buffer between the Lands End multi-family tract and the existing golf course (Tract J).

Deviation 4B to omit the Type C/F buffer between the Recreation Tract I-1 and external timeshare buildings to the north.

Deviation 4C to omit the Type C/F buffer between Recreation Tract F and the external timeshare tract to the south.

Deviation 4D to allow for an alternative buffer consisting of 10 trees per 100 linear feet per DOS2022-00196 between Recreation Tract G (Beach House) and the external single-family lot to the south.

Deviation 4E to omit the Type C/F buffer where Hotel Tract A-1, Marina Tracts D1 and Recreation Tracts L & C abut the Bayside and Tennis Villas multi-family tracts.

JUSTIFICATION: The proposed MPD will only apply to those lands known as South Seas Island Resort per ADD2002-00098 that are owned by the Applicant, WS SSIR Owner, LLC resort property. The amenities are integrated with existing development areas precluding the installation of buffers.

The proposed deviation is intended to maintain the historical aesthetic and functionality of the project once the post-lan redevelopment program has been implemented. The required buffer trees will be planted elsewhere in the MPD to ensure appropriate vegetation in accordance with LDC.

In the case of Lands End, the MPD will provide for golf course areas abutting these multi-family units. These uses are compatible and the low intensity nature of the golf, as well as premium golf course views enjoyed by the residents, preclude the need to buffer this area.

Where Recreation Tract I-1 abuts timeshare uses, this deviation will also allow for the continued integration of resort amenities and timeshare buildings as exists today, including the pool and Bay Beach area amenities.

Where Recreation Tract G abuts the existing single-family residence, which has historically been used as a beach food and beverage facility. Thus, the uses have co-existed for decades. The existing buffer will contain at minimum 10 trees per 100 linear feet per the landscape plans approved per DOS2022-00196A03 or the required buffer trees will be planted elsewhere on the tract to ensure appropriate vegetation in accordance with the LDC if unable to maintain the existing buffer location.

Similar to the Lands End and golf course interface, the Bayside and Tennis Villas have compatibly co-existed with recreational, hotel, conference and marina areas on Tracts A-1, D-1, C & L since their construction in 1979 and 1977, respectively. The deviation will allow continued integration of these areas as shown on the MCP.

Due to the provision of required tree plantings and proposed resort development program, this deviation will not harm public health, safety or welfare and will allow for better integrated uses and buildings throughout the project.

5. Deviations (5) A-B from LDC Section 10-416(d)(9), which requires a 50-foot-wide natural waterway buffer containing six (6) trees and 50 native shrubs hedge per 100 l.f. where development abuts a natural waterway; to allow alternative natural waterway buffers along segments of Tracts B, E, G, H, J & K as shown on the MCP. For clarity, this deviation has been analyzed based on geographic location on site, existing conditions and characteristics of the waterway in Deviations 5A – 5B below.

Deviation 5A which requires a 50-foot-wide natural waterway buffer abutting the Gulf of Mexico beach area on Tracts B, G, H & J containing six (6) trees 50 native shrubs per 100

I.f.,; to allow for the Gulf of Mexico waterway buffer on Tracts H & J to meet the following minimum planting density per 100-linear-feet by minimum 15-foot-width: 94 native shrubs and 170 groundcover plantings in accordance with development order plans DOS20022-00196A.

JUSTIFICATION: The Property boundary nearest to the Gulf of Mexico is the Erosion Control Line (ECL) per the Captiva Erosion Protection District (CEPD). This ECL provides approximately 200' or more of separation between the MPD boundary and the mean high water line of the Gulf of Mexico. Thus, while the deviation is requested in an abundance of caution, the proposed MPD does not directly abut a natural waterway in this area.

The beach and maintenance activities by the CEPD will ensure protection of the natural waterway in addition to dune enhancements within the limits of the MPD.

Enclosed as Deviation Exhibit B are dune restoration plans approved as part of DOS2022-00196-0A2 that meets the intent of the natural waterway buffer and will provide for shoreline protection, water quality as well as sea turtle protection.

Thus, the beach area, dunes and dune restoration plantings will meet the intent of the natural waterway buffer by providing substantial separation, buffering and open space between existing and proposed development and the water.

Additionally, in the case of the southern-most Gulf front Tract B, the existing native vegetation will be retained to meet the intent of the natural waterway buffer.

Deviation 5B which requires a 50-foot-wide natural waterway buffer where Tract E & K abut the Pine Island Sound to allow the existing mangrove plantings to meet the buffering requirements.

JUSTIFICATION: Both Tracts E & K referenced in this deviation abut mangrove preserve owned by the federal government. Thus, the waterway buffer is provided by this existing vegetation.

6. Deviation (6) from LDC Section 34-2015, which requires all required parking spaces to be provided on the same premises as the use they serve, to allow for required parking to be provided across the entirety of the MPD and not per "premise" or tract.

JUSTIFICATION: This parking condition has existed historically in South Seas prior to Hurricane Ian via ADD2002-00098. The resort operates as a highly walkable, "park once" development, where residents and guests walk, bike or utilize the trolley service for circulation once they arrive on the property. The deviation will allow for clustering of parking areas throughout the resort, while maximizing certain areas for resort and recreational development as well as preserve and open space. The unique resort setting and physical constraints of the property warrant the flexibility to locate the

required parking in appropriate locations. Please see Deviation Exhibit C attached which demonstrates the internal trolley system/service.

7. Deviation (7) from LDC Section 10-329(d)(4), which requires lake banks to be sloped at a 6:1 ratio from the top of bank to a water depth of two feet below the dry season water table; to allow for a minimum ratio of 4:1 slope for existing lakes only.

JUSTIFICATION: This deviation is requested for existing lakes only and is depicted on the historical lake cross sections approved per LDO2005-0214 (see attached). This deviation is requested to memorialize existing conditions on a constrained redevelopment site.

DOS2022-00196-A02 is the current DO for the golf renovation. Construction was recently completed in accordance with this permit and demonstrates that all “new” or proposed lake bank slopes will be designed to meet the LDC standards.

Due to the limited nature of this deviation and existing permits obtained from Lee County for the built conditions, the deviation will not negatively impact public health, safety or welfare.

8. Deviation (8) from LDC Section 30-281, which limits signage on Captiva Island to 10 feet in width, 10 feet in height and 100 SF in sign face area, to allow for a sign that is 26 feet in width, 6 feet in height and 156 SF in sign face area.

JUSTIFICATION: The deviation will serve as a visual enhancement and emphasize the South Seas branding and entry off Captiva Drive. As shown in Deviation Exhibit D attached, the sign will be attractive and appropriate in consideration of its location at the entry to the resort. The sign meets all setback requirements. Thus, public health, safety and welfare will not be impacted.

9. Deviation (9) from LDC Section 30-5(8) which prohibits banners, pennants or other flying paraphernalia, except an official federal, State or County flag, and one symbolic flag not to exceed 15 square feet in area for each institution or business, to allow for a 96 SF South Seas flag at the entry.

JUSTIFICATION: The deviation will serve as a visual enhancement and emphasize the South Seas branding. As shown in Deviation Exhibit D attached, the flag will be attractive and appropriate in consideration of its location at the entry to the resort.

10. Deviation (10) from LDC Section 10-261 which requires dumpster enclosures, to allow for “roll out totes” as an alternative waste disposal system.

JUSTIFICATION: The deviation requests continuation of the current method for solid waste disposal within the resort, which relies on roll out totes for trash collection in lieu of dumpsters. The roll out totes will be screened from public view and provide adequate capacity for the development’s solid waste needs.

South Seas operations include a sanitation team that picks up trash and recycling and transports the waste to two (2) central locations on-site. These locations include compactors for waste and a cardboard compactor.

This deviation has been approved as part of pending development orders, but Staff has requested that the Applicant memorialize the alternative trash collection method via a PD deviation.

11. Deviation (11) from LDC Section 34-935(b)(1) which requires a structural setback from the planned development boundary equal to half the building height or 22.5 feet, to allow for a minimum principal structure setback of 15 feet for Tracts A and B, and a 0' accessory structure setback for Tracts C and K.

JUSTIFICATION: The deviation is requested to allow for redevelopment consistent with pre-lan conditions on the site, and to integrate the proposed resort uses with existing development in South Seas.

The accessory setback relates to pool cabanas and shade structures in the proposed waterpark on Tracts C and the property line abutting the Tennis Villas. The waterslide and other major accessory structures will comply with the minimum PD setback equal to half the structures height. The deviation also applies to accessory structure on the golf course area.

In the case of principal structures, the deviation only applies to the hotel and multi-family building the southern limits of the MPD, proximate to the most dense multi-family buildings in the Bayside and Tennis Villas.

The deviation will allow for integration of uses on a constrained site and will enhance access to resort uses for future and existing residents and guests. The structures will also be developed to the current Florida Building Code standards thereby enhancing public safety.

12. Deviation (12) from LDC Section 30-281, which limits signage on Captiva Island to 10 feet in width, 10 feet in height and 100 SF in sign face area, to allow for two (2) roof signs that are 27.2 feet in width, 4.5 feet in height, for a total 245 SF in sign face area on the Beach House structure on Tract G.

JUSTIFICATION: The deviation will serve to enhance the visual appeal of the Beach House food and beverage structure. The proposed signage also serves to enhance the coastal modern architecture of the building. As shown in Deviation Exhibit F attached, the sign will be attractive and appropriate in consideration of its location at the entry to the beach. Thus, public health, safety and welfare will not be impacted.

13. Deviation (13) from LDC Section 30-281, which limits signage on Captiva Island to 10 feet in width, 10 feet in height and 100 SF in sign face area, to allow for five (5) mural signs on the Beach House structure on Tract G that are 14'-3" in width, 9'-6" feet in height, for a total 736 SF in sign face area.

JUSTIFICATION: The deviation will serve as a visual enhancement and emphasize the South Seas branding. As shown in Deviation Exhibit G

attached, the sign will be attractive and appropriate in consideration of its location and purpose of enhancing aesthetics of the project and providing a visible/accessible form of artwork. The murals will not be visible from external public rights-of-way. Thus, public health, safety and welfare will not be impacted.

14. Deviation (14) from LDC Section 30-281, which limits signage on Captiva Island to 10 feet in width, 10 feet in height and 100 SF in sign face area, to allow for six (6) mural signs on the west and south sides of the recreation building at the Waterpark on Tract C, that cumulatively total 470 SF and are no more than 6'-6" tall and 13' tall.

JUSTIFICATION: The deviation will serve as a visual enhancement internal to South Seas and emphasize the resort branding in this central node of recreational activity. As shown in Deviation Exhibit H attached, the sign will be attractive and appropriate in consideration of its location and purpose of enhancing aesthetics of the project. The murals will not be visible from external public rights-of-way. Thus, public health, safety and welfare will not be impacted.

15. Deviation (15) from LDC Section 10-296, which requires the following specifications for privately maintained local roadways with open drainage in Suburban area designated by the Lee Plan:

- 45-foot-wide right of way width;
- 6'-wide sidewalks;
- 6'-wide planting area;
- 5'-8'-wide shoulders;
- 10-11'-wide lane widths.

To allow for the following standards pursuant to existing conditions as depicted in Exhibit I.

- Varying right-of-way width with a minimum width of 37.5 feet with on-street, marked bike lanes;
- No sidewalks;
- No planting area;
- Varying shoulder widths with a minimum width of 4.8';
- Varying right-of-way widths with a minimum width of 12.4' feet

JUSTIFICATION: The internal roadway, South Seas Plantation Drive, has served the project for decades and provides appropriate infrastructure for the resort and low-density residential traffic within the project. The design provides minimal impervious area to maintain mangrove preserve abutting the roadway, while ensuring a highly functional, multi-modal access throughout the site. Posted speed limits are 19 mph as an additional safety measure.

Additionally, improving the roadway to county standards would result in degradation/removal of existing native vegetation. Thus, existing conditions are functional and enhance the environmental resources on the site. The Existing Right-of-Way Cross Sections are attached as Exhibit I.

16. Deviation (16) from LDC Section 10-421, which requires a two-inch minimum layer, after watering-in, of mulch or other recycled materials around all newly installed trees, shrubs, and groundcover plantings, to allow for crushed shell as an alternative material to mulch.

JUSTIFICATION: This deviation will allow for continuation of existing conditions on the site and inherent to Captiva Island. Utilizing crushed shell is appropriate considering the island context and nature of coastal landscape plantings. The proposed crushed shell will meet the intent of the LDC by providing for ground cover to minimize erosion. The deviation will not impact public health, safety or welfare as demonstrated through the prolific use of this alternative material visible throughout the Island.

17. Deviation (17) from LDC Section 10-329(d)(1)(a)(3), which requires lakes to be set back a minimum of 50 feet from any private property line under separate ownership; to allow for a 0-foot-setback for existing lakes in the golf course tract between Lands End, South Seas Club and South Seas Cottages properties. This deviation applies to existing lakes only.

JUSTIFICATION: This deviation is requested for existing lakes only and is requested to memorialize existing conditions on a constrained island site.

DOS2022-00196-A02 is the current DO for the golf renovation. Construction was recently completed in accordance with this permit with the lakes having 0-foot-setbacks from private property lines.

The South Seas Resort is a unique property where integrated resort uses traverse internal property lines under separate ownership. These conditions do not negatively impact public health, safety or welfare.

18. Deviation (18) from LDC Section 10-291(2), which requires all development to abut and have access to a public or private street designed, and constructed or improved, to meet the standards in Section 10-296; to allow for internal tracts to have access from accessways and streets not constructed or improved to meet standards in LDC Section 10-296.

JUSTIFICATION: The internal roadway, South Seas Plantation Drive, does not meet county standards but has served the project for decades. The roadway provides appropriate infrastructure for the resort and low-density residential traffic within the project.

The design provides minimal impervious area to maintain mangrove preserve abutting the roadway, while ensuring a highly functional, multi-modal access throughout the site. Posted speed limits are 19 mph as an additional safety measure.

Additionally, improving the roadway to county standards would result in degradation/removal of existing native vegetation. Thus, existing conditions are functional and enhance the environmental resources on the site.

EXHIBIT A

LANDSCAPE DEVELOPMENT ORDER SOUTH SEAS ISLAND RESORT BEACH HOUSE Captiva, Florida

PART OF SECTION 15.22, TOWNSHIP 45 SOUTH, RANGE 21 EAST
CAPTIVA, LEE COUNTY, FLORIDA

*REFERENCE
ADMINISTRATIVE*
INTERPRETATION -
2002-00098

LIBRARY OF ARCHITECTURE
5401 11TH ST SOUTH
ST PETERSBURG, FLORIDA 33705
(727) 264-9127

CONSULTANTS
ARCHITECT
AMK Architecture
2009 Tamiami Trail E.
Naples, FL 34110
(239) 351-7092
Civil Engineer
Barraco & Associates
2275 McGregor Blvd., Suite 100
Fort Myers, FL 33901
(239) 463-0100

OWNER
Timbers South
Seas Development, LLC,
1221 W. Avenue Blvd., Suite 200
Winter Park, FL 32789
(407) 268-1502

VICINITY MAP



South Seas Island Resort
Beach House
Landscape Development Order
921 S SEAS PLANTATION RD
CAPTIVA, FL 33924



REVISIONS	DATE
NO. 1 DEVELOPMENT ORDER	10-16-2024
NO. 2 NO COMMENT RESPONSE	10-16-2024
NO. 3 COUNTY COMMENTS	10-16-2024
NO. 4 NO MISC CHANGES	10-16-2024

SHEET INDEX

SHEET #	SHEET NAME	07.21.23 DEVELOPMENT ORDER	10.10.23 DEV. ORDER REV. 1	01.18.24 DEV. ORDER REV. 2	03.15.24 COMMENTS REV. 3	03.15.24 COMMENTS REV. 3
L0.00	COVER SHEET	•	•	•	•	•
L1.00	TREE PROTECTION PLAN	•	•	•	•	•
L2.00	PLANTING PLAN	•	•	•	•	•
L3.00	PLANTING DETAILS	•	•	•	•	•
L4.00	IRRIGATION PLAN AND DETAILS	•	•	•	•	•



NO. COMMENTS

DATE

SHEET INFORMATION

DATE 01-16-2024

JOB NUMBER 113.051

DRAWN BY EP

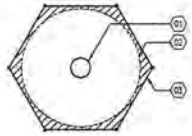
CHECKED BY TH, BL, KR, BS

APPROVAL
SUBMITTAL PLANS

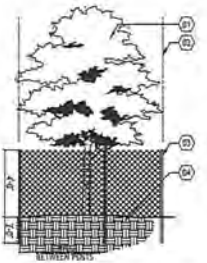
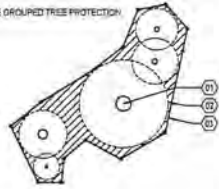
COVER SHEET

L0.00

SINGLE TREE PROTECTION



MULTIPLE GROUDED TREE PROTECTION



- (M) VEGETATION TO BE PROTECTED
- (O) DRILPLINE OF VEGETATION TO BE PROTECTED
- (X) TEMPORARY CONSTRUCTION FENCING
- (W) EXISTING GRADE TO BE RETAINED

TREE PROTECTION FENCING

LCD REQUIREMENTS:

OPEN SPACE 10-415(B)(1)(A)-(C)

(B) Adjacent urban vegetation and trees.

1. Preservation.

(A) Large developments with existing indigenous vegetation communities must preserve 30 percent of their open space percentage requirement through the preservation of existing native vegetation communities. Refer to section 10(C)(7) for more independent plant communities of the County and section 10(C) for the definition of indigenous vegetation.

(B) If the development does not preserve existing indigenous native vegetation communities, but does contain existing indigenous native trees, five 50 percent of their open space percentage requirement must be met through the preservation of existing native trees consistent with Subsection 1 through 4 above. Refer to Subsection 2 and section 10(C)(7)(D).

1. Preservation of indigenous trees shall be preferred over individual tree protection. Reasonable efforts to retain preservation trees must be made. It is recognized that site development requirements (e.g. 30) may limit the ability to retain preservation trees, and in that case the County will allow the removal of these trees.

2. Small palm trees may be relocated to a functionally correct manner and clustered within their native trees.

3. Native trees that do not have a trunk diameter of 6 inches or more at the crown should have proper institutional methods in a 2-foot covered soil bed and appropriate irrigation to ensure the survivability of the tree, and a vegetation record plan is retained.

PLANT MATERIAL STANDARDS SEC 10-420(1)-(4)

(1) Credits.

(A) Except for permitted motor vehicle storage in field areas, every construction must be given increasing attention to the existing plant material on site.

(B) All existing indigenous native trees preserved in place, which has a trunk diameter of five inches or greater measured at four and one-half feet above the ground (DBH) will receive a credit of five trees against the general tree requirement. Those palms preserved or transplanted that are eight feet or greater from ground level to base of fronds, will receive a credit of three trees. Existing palm trees planted in the development after construction shall be indicated on-site with a hanging steel circle. In moving trees may be used to reduce the required planting canopy loss in putting or outside site areas. Existing native trees in buffers may be used for credit provided they occur within the required 125-foot buffer regions.

(C) Trees will only apply when the trees are labeled as protected trees. If the protected trees are less than three years from the development under certificate of completion, they must be replaced by the number of local tree values.

(D) Credits will apply when the preservation is in a completed area of least five acres to the north of the outer spread of the development from the north side, or one acre may be used to reduce the loss from the site and located east. For indigenous native palm trees, the protected area may be as low as the full crown spread of the tree, unless other measures such as a wall in around them (trees are considered for additional protection from the local clearing stage of development, the owner, developer or agent must create protective barriers that are a minimum of three-foot high all border, three-foot high energy conservation fence or approved alternative formulating material. For all other indigenous native trees, including shrubs and ground cover, barriers must be placed around the perimeter of the vegetation. The owner, developer or agent may cause or permit the movement of equipment of the change of equipment, material, water or gas to be placed within the required protection barrier. The protected trees must remain alive and healthy at the end of the construction unless for the credit in place.

(E) The location plan must be submitted when general tree listing with a landscape plan is being placed for record. The tree location plan must include specific information about trees that have been preserved for credit within the development listing. The tree location plan must: (1) be at the same scale as the site plan; (2) show the location of trees to be saved; (3) state the caliper for each tree (diameter measured on a tree at four and one-half feet above ground level); and (4) identify the species of each tree.

SYMBOLS

TREES

QTY	TREE TYPE
23	EXISTING COCONUT PALM TO REMAIN
38	EXISTING GASKAL PALM TO REMAIN
86	EXISTING PALM TO BE REMOVED
13	EXISTING PALM TO BE REMOVED & RELOCATED ON SITE

TREE PRESERVATION CALCULATIONS

TREES	QTY	NATIVE TREE TYPE
38	38	EXISTING PALM TO REMAIN ON SITE

For Code Sec 10-420(2) Existing Native Palm Trees 20' or more in DBH & 10' or more in canopy

TREE PROTECTION FENCING

TREE PROTECTION FENCING PER DETAIL & COUNTY CODE REGULATION	
(Symbol)	TREE PROTECTION FENCING PER DETAIL & COUNTY CODE REGULATION

SYMBOLS		TREE RELOCATION TABLE			
QTY	TREE TYPE	NORTH	EASTING	DESCRIPTION	REMAIN/RELOCATE
353	004359.3	591363.3	313 7	COCONUT	R
354	004359.3	591363.3	313 7	SABAL	R
355	004359.3	591363.3	313 7	SABAL	R
356	004359.3	591363.3	313 7	SABAL	R
357	004359.3	591363.3	313 7	SABAL	R
358	004359.3	591363.3	313 7	SABAL	R
359	004359.3	591363.3	313 7	SABAL	R
360	004359.3	591363.3	313 7	SABAL	R
361	004359.3	591363.3	313 7	SABAL	R
362	004359.3	591363.3	313 7	SABAL	R
363	004359.3	591363.3	313 7	SABAL	R
364	004359.3	591363.3	313 7	SABAL	R
365	004359.3	591363.3	313 7	SABAL	R
366	004359.3	591363.3	313 7	SABAL	R
367	004359.3	591363.3	313 7	SABAL	R
368	004359.3	591363.3	313 7	SABAL	R
369	004359.3	591363.3	313 7	SABAL	R
370	004359.3	591363.3	313 7	SABAL	R
371	004359.3	591363.3	313 7	SABAL	R
372	004359.3	591363.3	313 7	SABAL	R
373	004359.3	591363.3	313 7	SABAL	R
374	004359.3	591363.3	313 7	SABAL	R
375	004359.3	591363.3	313 7	SABAL	R
376	004359.3	591363.3	313 7	SABAL	R
377	004359.3	591363.3	313 7	SABAL	R
378	004359.3	591363.3	313 7	SABAL	R
379	004359.3	591363.3	313 7	SABAL	R
380	004359.3	591363.3	313 7	SABAL	R
381	004359.3	591363.3	313 7	SABAL	R
382	004359.3	591363.3	313 7	SABAL	R
383	004359.3	591363.3	313 7	SABAL	R
384	004359.3	591363.3	313 7	SABAL	R
385	004359.3	591363.3	313 7	SABAL	R
386	004359.3	591363.3	313 7	SABAL	R
387	004359.3	591363.3	313 7	SABAL	R
388	004359.3	591363.3	313 7	SABAL	R
389	004359.3	591363.3	313 7	SABAL	R
390	004359.3	591363.3	313 7	SABAL	R
391	004359.3	591363.3	313 7	SABAL	R
392	004359.3	591363.3	313 7	SABAL	R
393	004359.3	591363.3	313 7	SABAL	R
394	004359.3	591363.3	313 7	SABAL	R
395	004359.3	591363.3	313 7	SABAL	R
396	004359.3	591363.3	313 7	SABAL	R
397	004359.3	591363.3	313 7	SABAL	R
398	004359.3	591363.3	313 7	SABAL	R
399	004359.3	591363.3	313 7	SABAL	R
400	004359.3	591363.3	313 7	SABAL	R
401	004359.3	591363.3	313 7	SABAL	R
402	004359.3	591363.3	313 7	SABAL	R
403	004359.3	591363.3	313 7	SABAL	R
404	004359.3	591363.3	313 7	SABAL	R
405	004359.3	591363.3	313 7	SABAL	R
406	004359.3	591363.3	313 7	SABAL	R
407	004359.3	591363.3	313 7	SABAL	R
408	004359.3	591363.3	313 7	SABAL	R
409	004359.3	591363.3	313 7	SABAL	R
410	004359.3	591363.3	313 7	SABAL	R
411	004359.3	591363.3	313 7	SABAL	R
412	004359.3	591363.3	313 7	SABAL	R
413	004359.3	591363.3	313 7	SABAL	R
414	004359.3	591363.3	313 7	SABAL	R
415	004359.3	591363.3	313 7	SABAL	R
416	004359.3	591363.3	313 7	SABAL	R
417	004359.3	591363.3	313 7	SABAL	R
418	004359.3	591363.3	313 7	SABAL	R
419	004359.3	591363.3	313 7	SABAL	R
420	004359.3	591363.3	313 7	SABAL	R
421	004359.3	591363.3	313 7	SABAL	R
422	004359.3	591363.3	313 7	SABAL	R
423	004359.3	591363.3	313 7	SABAL	R
424	004359.3	591363.3	313 7	SABAL	R
425	004359.3	591363.3	313 7	SABAL	R
426	004359.3	591363.3	313 7	SABAL	R
427	004359.3	591363.3	313 7	SABAL	R
428	004359.3	591363.3	313 7	SABAL	R
429	004359.3	591363.3	313 7	SABAL	R
430	004359.3	591363.3	313 7	SABAL	R
431	004359.3	591363.3	313 7	SABAL	R
432	004359.3	591363.3	313 7	SABAL	R
433	004359.3	591363.3	313 7	SABAL	R
434	004359.3	591363.3	313 7	SABAL	R
435	004359.3	591363.3	313 7	SABAL	R
436	004359.3	591363.3	313 7	SABAL	R

3040 117TH ST SW
 PETERSBURG, FLORIDA 33701
 (772) 324-6177

CONSULTANTS

MHR ARCHITECTURE
 501 TOWN SQUARE
 SUITE 117, 2411 W
 COLLEEN BLVD
 PETERSBURG, FL 33701

CIVIL ENGINEER
 BARTHOLOMEW ASSOCIATES
 2271 WINDYBROOK BLVD, SUITE 200
 PETERSBURG, FL 33701
 (772) 324-6177

OWNER

Suncoast South
 Suncoast Development, LLC
 201 W. Main Street, Suite 100
 P.O. Box 1000
 PETERSBURG, FL 33701
 (772) 324-6177

South Seas Island Resort
 Beach House
 Landscape Development Order
 921 S SEAS PLANTATION RD
 CAPTIVA, FL 33924

SIGNATURE & SEAL

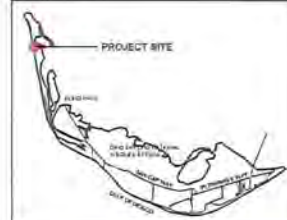


REVISION	DATE	BY
NO. 1	DEVELOPMENT ORDER	10-18-2024
NO. 2	ISSUE FOR PERMITS	11/20/2024
NO. 3	ISSUE FOR PERMITS	12/03/2024
NO. 4	ISSUE FOR PERMITS	12/03/2024

SHEET INFORMATION
 DATE: 07-18-2024
 JOB NUMBER: 112-051
 DRAWN BY: JF
 CHECKED BY: JM, RL, EB, JD

APPROVAL
 SUBMITTAL PLANS
 TREE PROTECTION PLAN
 L1.00

VICINITY MAP



NOTE: IF SUFFICIENT PLANT MATERIAL IS NOT PRESENT AT THE TIME OF CONSTRUCTION, THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING AND PLANTING A MINIMUM CHANGE TO THE DEVELOPMENT ORDER.

LDC REQUIREMENTS:

TREES & PALMS PER SECTION 10-420(C)(1)

- Code-required trees must be a minimum of ten feet in height, have a two-inch caliper (at six inches above the ground) and a four-foot spread at the time of installation. Palms must have a minimum of ten feet of clear trunk at planting. Trees having an average mature spread or crown less than 20 feet may be substituted by grouping the same up as to create the equivalent of a 20-foot crown spread. Trees adjacent to walkways, bike paths and right-of-way must be maintained with eight feet of clear trunk.

SHRUBS AND HEDGES PER SECTION 10-420(D)(E)

- Shrubs and hedges, shrubs must be a minimum of 24 inches in height, at time of planting. Saw palmetto (*Savon napens*) and coonies (*Zamia floridana*) may be used as shrubs, provided they are 12 inches in height at time of planting. All shrubs must be a minimum three-gallon container size and be spaced 18 to 36 inches on center. They must be at least 36 inches in height within 12 months of time of planting and maintained to perpetuity at a height of no less than 36 inches. Required hedges must be planted in double staggered rows and maintained so as to form a continuous, unbroken, solid visual screen within a minimum of one year after time of planting.

SHRUBS AND HEDGES PER SECTION 10-420(G)

- A two-inch minimum layer, after watering-in, of mulch or other recycled materials must be placed and maintained around all newly installed trees, shrubs, and groundcover plantings. Each tree must have a ring of mulch no less than 24 inches beyond its trunk in all directions. The use of cypress mulch is strongly discouraged. Sand, gravel, rock, or shell are not appropriate mulch materials.

INVASIVE EXOTICS REQUIREMENTS PER 10-420(H)

- The following highly invasive exotic plants may not be planted, (i.e. are prohibited) and must be removed from the development area. Methods to remove and control invasive exotic plants must be included on the development order plans. A statement must also be included on the development order that the development area will be maintained free from invasive exotic plants to perpetuity. For purposes of this subsection, invasive exotic plants include: *Eucalyptus*, *Worm's tongue*, *Bikewood*, *Australian pine*, *Carrotwood*, *Rosewood*, *Air potato*, *Murray red gum*, *Wandering fig*, *Cuban laurel fig*, *Japanese Climbing fern*, *Old World climbing fern*, *Melaleuca*, *paper tree*, *Dovey rose myrtle*, *Chinese tallow*, *Blackjack popper*, *Florida helly*, *Tropical sassa apple*, *Java plum*, *Rosa apple*, *Cork tree*, & *Wedge*.

PERIMETER PLANTINGS:

BUILDING PERIMETER LANDSCAPE 10-415(B)

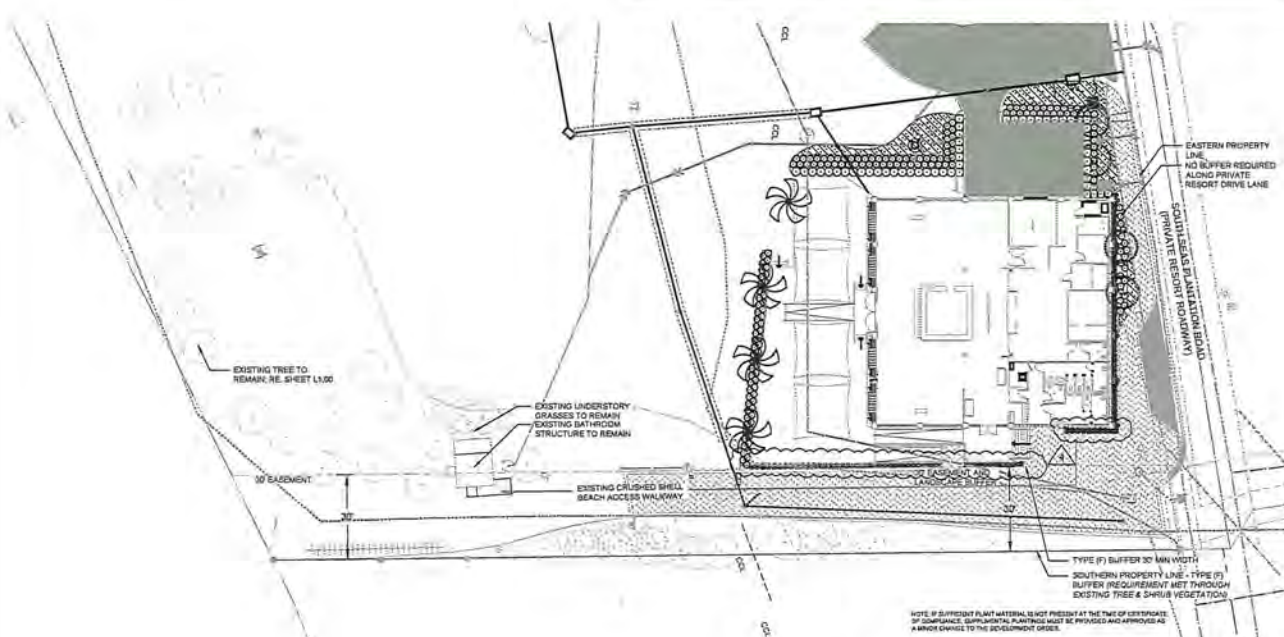
- Building perimeter plantings. All nondevelopment in commercial zoning districts and commercial components of planned development districts and DRIs must provide building perimeter plantings equal to ten percent of the proposed building gross ground level floor area. These planting areas must be located adjoining three sides of the building with emphasis on the sides most visible to the public, not including the loading area. Overall development area is to be allocated as open space per Sec. 10-415 (Open Space Requirement Table).

- The perimeter planting areas must consist of landscape areas, raised planters or planter boxes that are a minimum of five feet wide. These landscape areas must include shrubs and ground cover plants with a minimum of 50 percent coverage of the landscape area at the time of planting. Trees and shrubs must meet the size requirements of section 10-420(G). Groundcover plants must be a minimum one-gallon container size.

LANDSCAPE SCHEDULE

PLANT SCHEDULE

CODE	CODE	QTY	BOTANICAL NAME	COMMON NAME	SIZE
TREES					
●	00C LWI	1	COCCOLOBA UNIFERA	SEA GRAPE	MIN. 7" CAL. - 10' HT.
○	00N SER	4	CONOCARPUS RECTUS F. SERICEUS	SILVER BUTTWOOD	MIN. 2" CAL. - 10' HT.
EXISTING TREES					
○	EX17B	84	EXISTING PALM TO REMAIN	EXISTING PALM TO REMAIN	—
PALMS					
○	CNT	4	COCCUS NUFRERA	COCONUT PALM	12" CT, F.G.
SHRUBS					
●	PHC	103	PODOCARPUS MACROPHYLLUS	YEW PODOCARPUS	5 GAL
○	RE	8	RHAPIS EXCELSA	LADY PALM	4" HT.
○	SR	51	SERENGA REPENS	SAW PALMETTO	3 GAL
○	TOT	175	TRIPSACUM DACTYLOIDES MANA	DWARF FAKAHATCHEE GRASS	1 GAL
GROUND COVERS					
■	HD	206	HELIANTHUS DEBILIS	DUNE SUNFLOWER	1 GAL
■	TDC	88	TRAIDESCANTIA SPATHACEA DWIMP	DWARF OYSTER PLANT	QUART



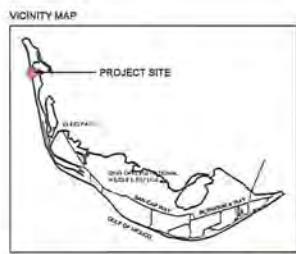
NOTES:
 1. FOR ALL ARCHITECTURE; RE ARCH PLANS
 2. FOR ALL UTILITIES & GRADING; RE CIVIL PLANS

SCALE: 1" = 20' 0"

0' 10' 20' 40' NORTH

LEE COUNTY LDC REQUIREMENTS

PROJECT INFORMATION				
PROJECT NAME	Timbers South Sea - Beach House			
PROJECT ADDRESS	921 S. Seas Plantation Road, Captiva FL 33924			
PROJECT ZONING CLASSIFICATION	Commercial - COM			
LDC SEC 10-415 OPEN SPACE CALCULATIONS & REQUIREMENTS				
TOTAL PROJECT DEVELOPMENT AREA	+/- 50,000 Sq. Ft. (1.35 Acres)			
TOTAL OPEN SPACE REQUIRED	20% Of Total Development Area (11,338 Sq. Ft.)			
OPEN SPACE PROVIDED	30.33% Open Space Provided			
LDC SEC 10-415(2) LANDSCAPE STANDARDS AND GENERAL REQUIREMENTS (S)				
TOTAL PROJECT AREA	+/- 58,000 Sq. Ft. (1.35 Acres)			
GENERAL TREE REQUIREMENTS	16.76 Trees Total Required			
EXISTING NATIVE TREES TO REMAIN	39 X 3" + 117 Credits			
TOTAL TREES PROPOSED ON SITE	3			
TOTAL TREES ON SITE (Native + Non-native)	73			
LDC SEC 10-415(3-4) BUFFER CALCULATIONS & REQUIREMENTS				
SOUTHERN PROPERTY LINE				
ADJUTING PROPERTY USE	SINGLE FAMILY	TREES PROVIDED	14 TREES PER 100 LF	32 Trees Proposed
BUFFER TYPE	Type F Buffer	TREES REQUIRED	Requires 16.76 Trees Through Existing Vegetation	
BUFFER LENGTH	114.07 LF	SHRUBS PROVIDED	Continuous Double Hedge Row (2)	
BUFFER WIDTH	30.00'	SHRUBS REQUIRED	Requires 16.76 Trees Through Existing Vegetation	
EASTERN PROPERTY LINE				
ADJUTING PROPERTY USE	Single Detch	BUFFER WIDTH	NA	NA
BUFFER TYPE	No Buffer Required	TREES REQUIRED	(0) Trees Required	
BUFFER LENGTH	172.80 LF	TREES PROVIDED	16 Trees Proposed	
BUFFER REDUCTIONS	87.00' Reduction	SHRUBS PROVIDED	(0) Shrubs Proposed	
TOTAL VEGETATED BUFFER AFTER REDUCTION	114.07 LF	SHRUBS PROVIDED	Continuous Double Hedge Row (2)	



3680 11TH ST OFFICE
 ST PETERSBURG, FL 34705
 (971) 284-9227

CONSULTANTS

ARCHITECT:
 ANK Architecture
 2001 Tampan Trail E.
 Tampa, FL 34612
 (813) 281-0792

04/16/2024
 Barraco & Associates
 2271 Redwood Blvd., Suite 100
 Fort Myers, FL 33909
 (239) 936-2100

OWNER
 Timbers South Sea Development, LLC
 2271 Redwood Blvd., Suite 100
 Fort Myers, FL 33909
 (239) 936-2100

**South Seas Island Resort
 Beach House
 Landscape Development Order**

921 S SEAS PLANTATION RD
 CAPTIVA, FL 33924

SIGNATURE & SEAL

REVISIONS

NO.	DESCRIPTION	DATE
NO. 1	DEVELOPMENT ORDER	10-08-2024
NO. 2	30% CONCEPT APPROVAL	01-09-2024
NO. 3	COUNTY PERMITS	01-09-2024
NO. 4	30% WORK ORDER #2	04-16-2024

SHEET INFORMATION

DATE: 01-16-2024
 JOB NUMBER: 113.351
 DRAWN BY: SP
 CHECKED BY: TA, BL, KR, BS

**APPROVAL
 SUBMITTAL PLANS**

PLANTING PLAN

L2.00



CONSULTANTS
 ARCHITECT
 MKK Architecture
 2049 Terrace Trail E.
 Naples, FL 34110
 (239) 331-7692
 CIVIL ENGINEER
 Barraco & Associates
 2271 MacGregor Blvd., Suite 100
 Fort Myers, FL 33901
 (239) 433-1370

OWNER
 Timbers South
 South Development, LLC
 1831 W. White Blvd., Suite 350
 Winter Park, FL 32789
 (321) 340-1532

South Seas Island Resort
 Beach House
 Landscape Development Order
 921 S SEAS PLANTATION RD
 CAPTIVA, FL 33924

SIGNATURE & SEAL



NO.	REVISIONS	DATE
NO. 1	DESIGN/AMEND/ISSUE	10-18-2024
NO. 2	RD CHANGES/RESPONSES	11-14-2024
NO. 3	OWNER COMMENTS	11-20-2024
NO. 4	RD AMEND CHANGES #1	11-23-2024

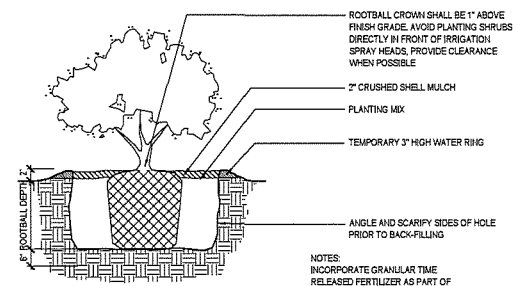
NO.	REVISIONS	DATE

SHEET INFORMATION
 DATE: 01-16-2024
 JOB NUMBER: 113.651
 DRAWN BY: EP
 CHECKED BY: TM, BL, KB, BD

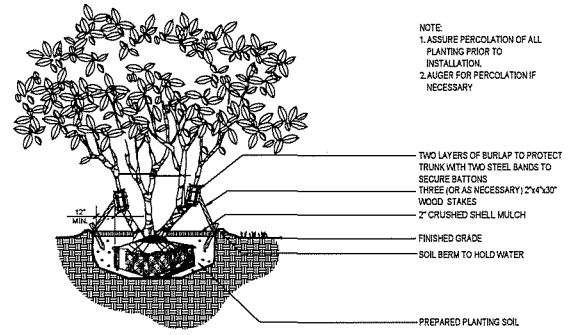
APPROVAL
 SUBMITTAL PLANS

PLANTING
 DETAILS

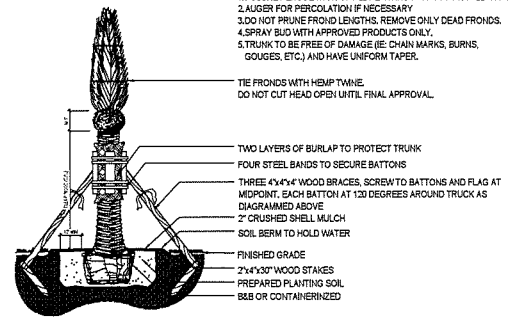
L3.00



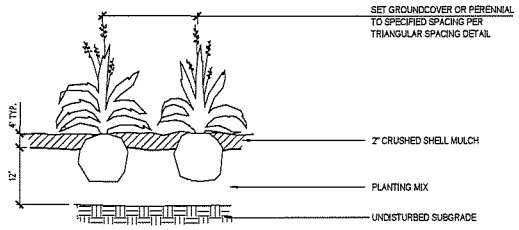
C SHRUB PLANTING
 SCALE: NOT TO SCALE



B MULTI-TRUNK TREE
 SCALE: 3/4 inch = 1 foot

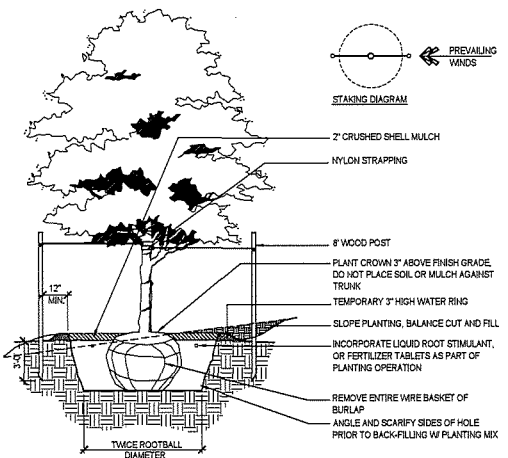


A PALM STAKING DETAIL
 SCALE: 1/4 inch = 1 foot

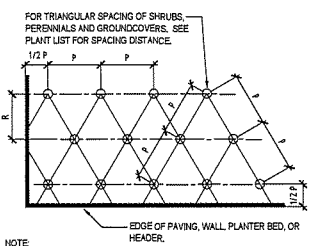


NOTE:
 1. MIN. ROOT SPREAD TO BE IN ACCORDANCE WITH AMERICAN STANDARDS FOR NURSERY STOCK
 2. PRUNE ALL DAMAGED, DISEASED, OR WEAK LIMBS AND ROOTS.
 3. CLEANLY PRUNE ALL DAMAGED ROOT ENDS.
 4. DO NOT ALLOW ROOTS TO DRY OUT DURING INSTALLATION PROCESS

E GROUNDCOVER AND PERENNIAL PLANTING
 SCALE: NOT TO SCALE



D TREE PLANTING
 SCALE: NOT TO SCALE

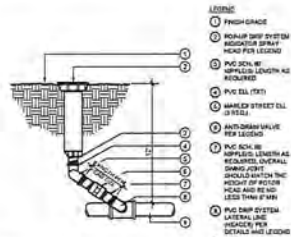


NOTE:
 1. SPACING AND PLANT QUANTITY SHALL BE VERIFIED IN FIELD BY LANDSCAPE CONTRACTOR, ANY INDIFFERENCES BETWEEN THE BUILT LANDSCAPE AND THE PLANS SHALL BE BROUGHT TO THE ATTENTION OF THE LANDSCAPE ARCHITECT BEFORE PLANTING INSTALLATION.

F SHRUB PLANTING SPACING
 SCALE: NOT TO SCALE

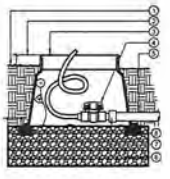
TYPICAL SPACING CHART

P	R	AREA PER PLANT SQ. FT.
4"	3 7/16"	.096
6"	5 1/4"	.22
8"	7"	.385
10"	8 3/4"	.60
12"	10 3/8"	.87
18"	15 5/8"	1.95
24"	20 3/4"	3.46
30"	26"	5.42
36"	31"	7.80
48"	41 1/2"	13.84
60"	52"	21.55
72"	62 3/8"	31.20



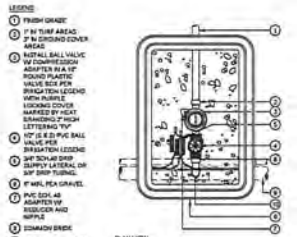
LEGEND
 ① FINISH GRADE
 ② POP-UP SPRAY SYSTEM INDICATOR SPRAY HEAD PER LEGEND
 ③ PVC SOIL 40 SCHEDULE LENGTH AS REQUIRED
 ④ PVC BALL (1/2")
 ⑤ SHARPER STREET OIL (3/8")
 ⑥ ANTI-SIPHON VALVE PER LEGEND
 ⑦ PVC SOIL 40 SCHEDULE LENGTH AS REQUIRED, OVERALL LENGTH SHOULD EXCEED THE HEIGHT OF ROLLER HEAD AND BE 10" LESS THAN 1/2" DIA.
 ⑧ PVC DAP 1/2" DIA LATERAL LINE HEADEND PER DETAILS AND LEGEND
 ⑨ PVC LATERAL LINE FITTING

A POP-UP HEAD INDICATOR



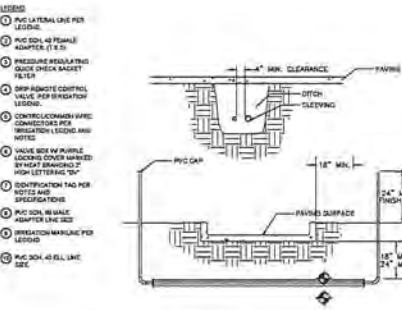
LEGEND
 ① 1/2" SCHED. 40 PVC BALL
 ② 1/2" SCHED. 40 PVC BALL
 ③ 1/2" SCHED. 40 PVC BALL
 ④ 1/2" SCHED. 40 PVC BALL
 ⑤ 1/2" SCHED. 40 PVC BALL
 ⑥ 1/2" SCHED. 40 PVC BALL
 ⑦ 1/2" SCHED. 40 PVC BALL
 ⑧ 1/2" SCHED. 40 PVC BALL
 ⑨ 1/2" SCHED. 40 PVC BALL
 ⑩ 1/2" SCHED. 40 PVC BALL

B FLUSH VALVE ASSEMBLY

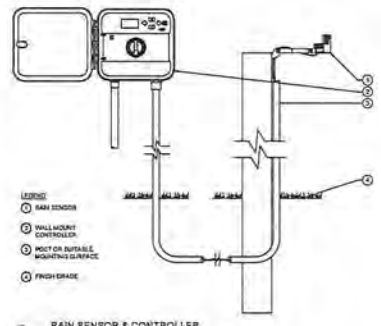


LEGEND
 ① 1/2" SCHED. 40 PVC BALL
 ② 1/2" SCHED. 40 PVC BALL
 ③ 1/2" SCHED. 40 PVC BALL
 ④ 1/2" SCHED. 40 PVC BALL
 ⑤ 1/2" SCHED. 40 PVC BALL
 ⑥ 1/2" SCHED. 40 PVC BALL
 ⑦ 1/2" SCHED. 40 PVC BALL
 ⑧ 1/2" SCHED. 40 PVC BALL
 ⑨ 1/2" SCHED. 40 PVC BALL
 ⑩ 1/2" SCHED. 40 PVC BALL

C REMOTE CONTROL VALVE - DRIP

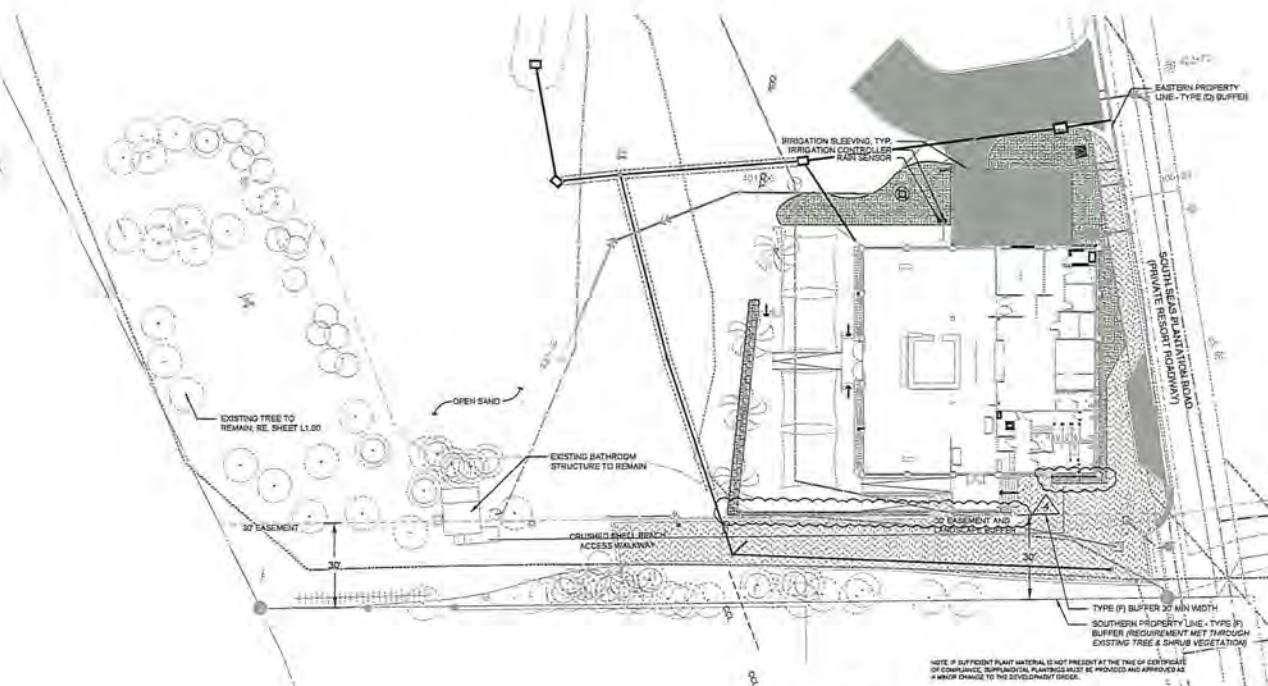


D TYPICAL SLEEVE



LEGEND
 ① RAIN SENSOR
 ② WALL MOUNT CONTROLLER
 ③ HOOT ON SUITABLE MOUNTING SURFACE
 ④ FINISH GRADE

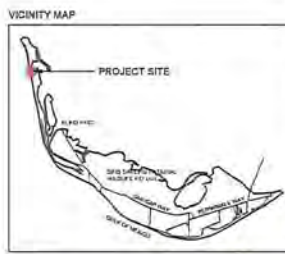
E RAIN SENSOR & CONTROLLER



LCD REQUIREMENTS:
 IRRIGATION DESIGN STANDARDS SEC. 35-417

- To improve the availability of required landscaping, suitable landscape areas must be provided with an automatic irrigation system. All required irrigation systems must be designed to alternate the application of water to irrigation areas, including front, drive and other vehicle areas. Required irrigation must also be designed to avoid impacts on existing utility systems.
- All new developments that have required landscaping must be irrigated by the use of an automatic irrigation system with controls set to conserve water. Water conservation devices must be installed in all automatic irrigation systems to prevent the sprinkler activation mechanism during periods of increased rainfall. Where watering irrigation systems are modified regarding the acquisition of a permit, automatic activation systems and existing moisture detection devices must be installed.

LEGEND	
[Symbol]	EXISTING
[Symbol]	PROPOSED
[Symbol]	LIMITS OF DEEP IRRIGATION



NOTES:
 1. FOR ALL ARCHITECTURE; RE ARCH PLANS
 2. FOR ALL UTILITIES & GRADING; RE CIVIL PLANS



3600 14TH ST SOUTH
 ST PETERSBURG, FLORIDA 33705
 (727) 364-9327

CONSULTANTS
 ARCHITECTS
 ARK ARCHITECTS
 2001 TAMM TRAIL E
 TAMPA FL 34612
 (813) 331-0900

LANDSCAPE ARCHITECTS
 BARTRAC & ASSOCIATES
 2271 WOODBINE BLVD SUITE 101
 FORT MYERS FL 33901
 (888) 686-1116

OWNER
 Timbers South
 Beach Development, LLC
 1021 W. JAMES BLVD., SUITE 130
 TAMPA, FL 33607
 (813) 268-1020

**South Seas Island Resort
 Beach House
 Landscape Development Order**
 921 S SEAS PLANTATION RD
 CAPTIVA, FL 33924



REVISIONS	
NO. 1	DEVELOPMENT SHEET 10-18-2024
NO. 2	FOR EXISTING RESPONSES 10-18-2024
NO. 3	COUNTY COMMENTS 10-18-2024
NO. 4	FOR WATERShed COMMENTS 10-18-2024

SHEET INFORMATION
 DATE: 01-16-2024
 JOB NUMBER: 173-151
 DRAWN BY: SP
 CHECKED BY: T.M., E.E., B.C.

APPROVAL
 SUBMITTAL PLANS

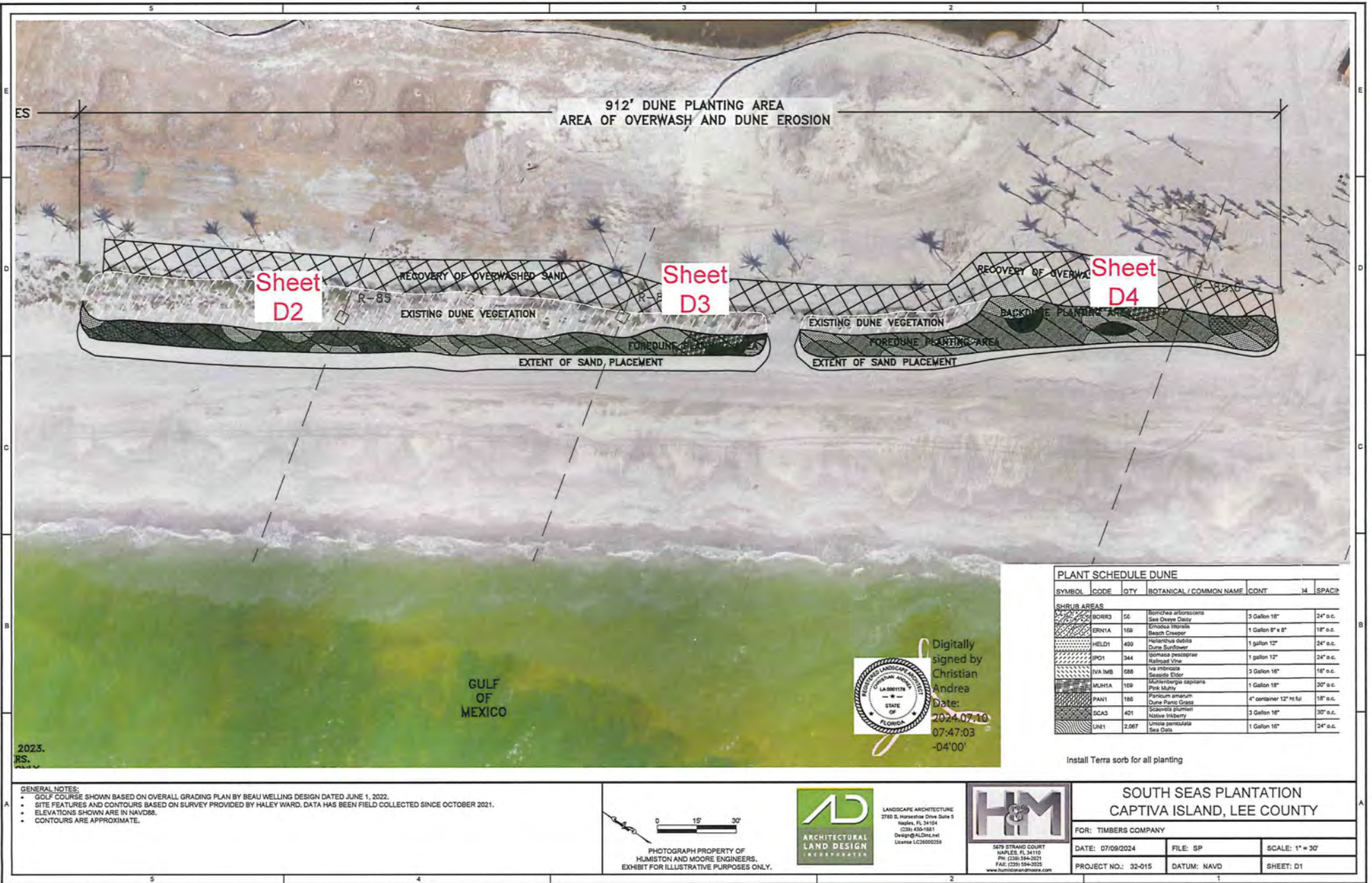
IRRIGATION PLAN AND DETAILS

L4.00



EXHIBIT B

L:\32-114-South Seas Dune Area\MD-Design\32-114-01-South Seas Dune Call info\32-114-01a.dwg Surface Layout2



912' DUNE PLANTING AREA
AREA OF OVERWASH AND DUNE EROSION

Sheet
D2

Sheet
D3

Sheet
D4

RECOVERY OF OVERWASHED SAND

EXISTING DUNE VEGETATION

EXTENT OF SAND PLACEMENT

RECOVERY OF OVERWASH

EXISTING DUNE VEGETATION

EXISTING DUNE VEGETATION

EXTENT OF SAND PLACEMENT

BACKDUNE PLANTING AREA



Digitally signed by
Christian
Andrea
Date:
2024.07.10
07:47:03
-04'00'

PLANT SCHEDULE DUNE					
SYMBOL	CODE	QTY	BOTANICAL / COMMON NAME	CONT	SPACING
SHRUB AREAS					
	BORR2	26	Bomoloba arborescens Sea Creeper Daisy	3 Gallon 10"	24" o.c.
	ERN1A	169	Erigeron horridus Beach Creeper	1 Gallon 6" x 6"	18" o.c.
	HILD1	400	Helianthus scaberrimus Dune Sunflower	1 gallon 12"	24" o.c.
	SPO1	344	Sesuvium portuacastrum Beach Portulaca	1 gallon 12"	24" o.c.
	IVA1M	688	Iva imbricata Sawtooth Elder	3 Gallon 16"	18" o.c.
	MUM1A	169	Muhlenbergia capillaris Pink Muhly	1 Gallon 18"	30" o.c.
	PAN1	186	Panicum umatum Dune Panic Grass	4" container 12" H x J	18" o.c.
	SCA3	401	Scaevola plumifera Native Hibiscus	3 Gallon 16"	30" o.c.
	UN1	2,067	Uniola paniculata Sea Oats	1 Gallon 16"	24" o.c.

Install Terra sorb for all planting

- GENERAL NOTES:**
- GOLF COURSE SHOWN BASED ON OVERALL GRADING PLAN BY BEAU WELLING DESIGN DATED JUNE 1, 2022.
 - SITE FEATURES AND CONTOURS BASED ON SURVEY PROVIDED BY HALEY WARD. DATA HAS BEEN FIELD COLLECTED SINCE OCTOBER 2021.
 - ELEVATIONS SHOWN ARE IN NAVD83.
 - CONTOURS ARE APPROXIMATE.



PHOTOGRAPH PROPERTY OF
HUMISTON AND MOORE ENGINEERS.
EXHIBIT FOR ILLUSTRATIVE PURPOSES ONLY.



LANDSCAPE ARCHITECTURE
2760 S. Haverhill Drive Suite 5
Naples, FL 34104
(239) 458-1861
Design@ALDesign.com
License LC26000259



5679 STRAND COURT
NAVELS, FL 34110
PH: (239) 594-3231
FAX: (239) 594-3225
www.humistonandmoore.com

**SOUTH SEAS PLANTATION
CAPTIVA ISLAND, LEE COUNTY**

FOR: TIMBERS COMPANY		
DATE: 07/09/2024	FILE: SP	SCALE: 1" = 30'
PROJECT NO.: 32-015	DATUM: NAVD	SHEET: D1



PLANT SCHEDULE DUNE						
SYMBOL	CODE	QTY	BOTANICAL / COMMON NAME	CONT	14	SPACI
SHRUB AREAS						
	BOHR3	55	Bomichia arborescens Sea Orange Daisy	3 Gallon 18"		24" o.c.
	ERN1A	159	Erigeron filiformis Beach Creeper	1 Gallon 6" x 6"		18" o.c.
	HELD1	499	Hesperonia sabine Dune Sunflower	1 gallon 12"		24" o.c.
	IPO1	344	Ipomoea pes-caprae Railroad Vine	1 gallon 12"		24" o.c.
	IVA 1A/B	688	Iva imbricata Sawtooth Elder	3 Gallon 18"		18" o.c.
	MUM1A	159	Muhlenbergia capillaris Pink Muhly	1 Gallon 18"		30" o.c.
	PAN1	186	Panicum amatum Dune Panic Grass	4" container 12" N tul		18" o.c.
	SCA3	401	Scaevola plumieri Native Indeberry	3 Gallon 18"		30" o.c.
	UN1	2,087	Urolova paniculata Sea Oats	1 Gallon 18"		24" o.c.

Install Terra sorb for all planting

- GENERAL NOTES:**
- GOLF COURSE SHOWN BASED ON OVERALL GRADING PLAN BY BEAU WELLING DESIGN DATED JUNE 1, 2022.
 - SITE FEATURES AND CONTOURS BASED ON SURVEY PROVIDED BY HALEY WARD. DATA HAS BEEN FIELD COLLECTED SINCE OCTOBER 2021.
 - ELEVATIONS SHOWN ARE IN NAVD86.
 - CONTOURS ARE APPROXIMATE.

0 10' 20'

PHOTOGRAPH PROPERTY OF
HUMISTON AND MOORE ENGINEERS.
EXHIBIT FOR ILLUSTRATIVE PURPOSES ONLY.



LANDSCAPE ARCHITECTURE
2765 S. Horseshoe Drive Suite 5
Naples, FL 34104
(239) 430-1861
Design@ALDna.net
License LC25000258

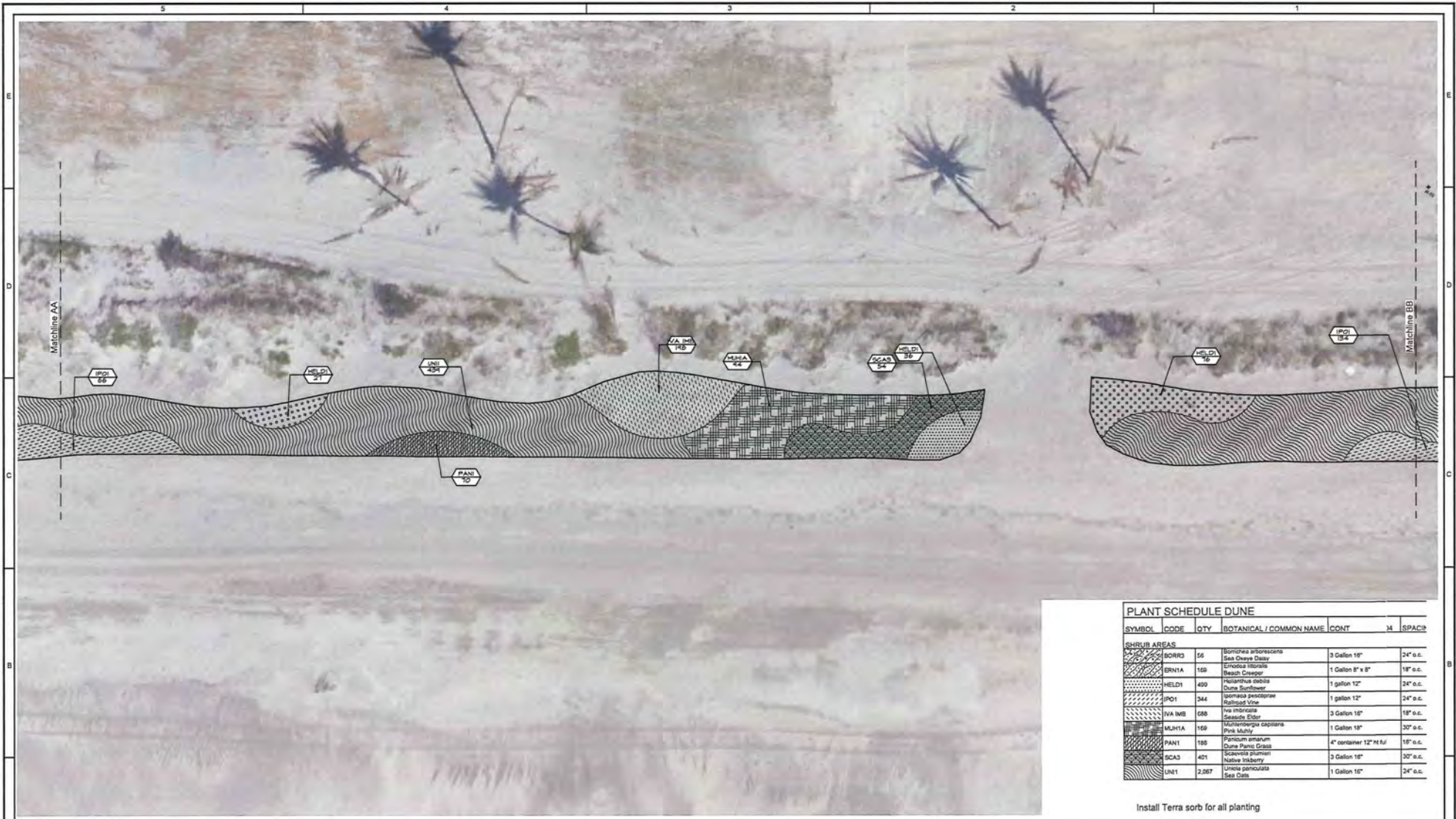


5679 STRAND COURT
NAPLES, FL 34110
PH: (239) 594-2021
FAX: (239) 594-2025
www.humistonandmoore.com

**SOUTH SEAS PLANTATION
CAPTIVA ISLAND, LEE COUNTY**

FOR: TIMBERS COMPANY

DATE: 07/09/2024	FILE: SP	SCALE: 1" = 10'
PROJECT NO.: 32-015	DATUM: NAVD	SHEET: D2



PLANT SCHEDULE DUNE					
SYMBOL	CODE	QTY	BOTANICAL / COMMON NAME	CONT	SPACING
SHRUB AREAS					
[Symbol]	BORR3	56	Borrichia arborescens Sea Oats Daisy	3 Gallon 10"	24" o.c.
[Symbol]	BRN1A	169	Eriosema lasiale Beach Creeper	1 Gallon 8" x 8"	18" o.c.
[Symbol]	HELD1	499	Hemiphaea gallica Dune Sunflower	1 gallon 12"	24" o.c.
[Symbol]	IPO1	344	Ipomoea pes-caprae Railroad Vine	1 gallon 12"	24" o.c.
[Symbol]	EVA 1MB	688	Eva imbricata Seaside Elder	3 Gallon 16"	18" o.c.
[Symbol]	ALM1A	169	Muhlenbergia capillans Pine Munny	1 Gallon 18"	30" o.c.
[Symbol]	PAN1	169	Portulacium amarum Dune Pansy Grass	4" container 12" Nt. fl.	18" o.c.
[Symbol]	SCA3	401	Scaevola plummeri Native Inkberry	3 Gallon 16"	30" o.c.
[Symbol]	UN1	2,067	Uniola paniculata Sea Oats	1 Gallon 16"	24" o.c.

Install Terra sorb for all planting

- GENERAL NOTES:**
- GOLF COURSE SHOWN BASED ON OVERALL GRADING PLAN BY BEAU WELLING DESIGN DATED JUNE 1, 2022.
 - SITE FEATURES AND CONTOURS BASED ON SURVEY PROVIDED BY HALEY WARD, DATA HAS BEEN FIELD COLLECTED SINCE OCTOBER 2021.
 - ELEVATIONS SHOWN ARE IN NAVD86.
 - CONTOURS ARE APPROXIMATE.

PHOTOGRAPH PROPERTY OF
HUMISTON AND MOORE ENGINEERS.
EXHIBIT FOR ILLUSTRATIVE PURPOSES ONLY.



LANDSCAPE ARCHITECTURE
2780 S. Hershoe Drive Suite 5
Naples, FL 34104
CBS: 434-1661
Design@ALDinc.com
License LC20000258



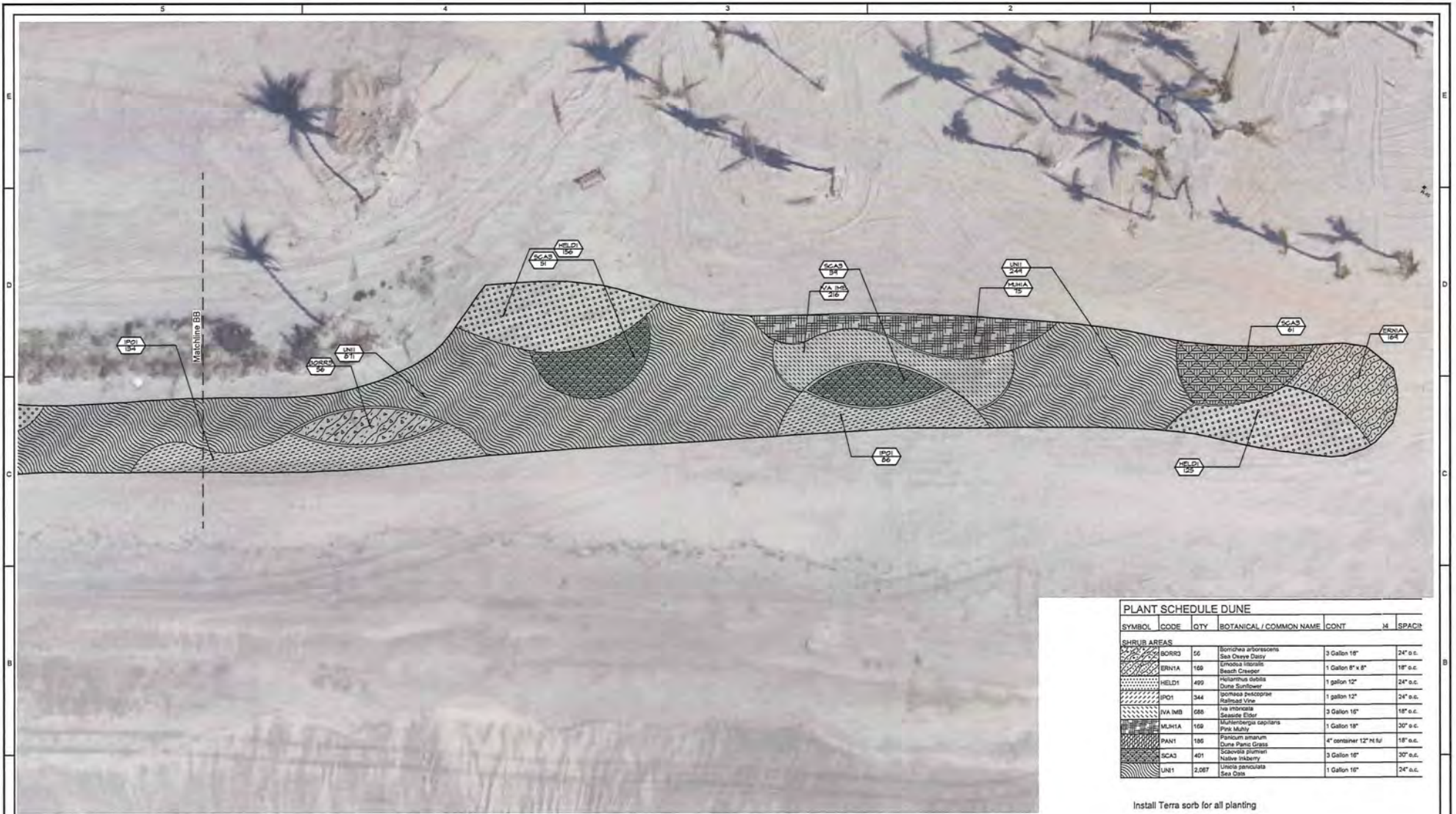
5679 STRAND COURT
NAPLES, FL 34110
PH: (239) 594-2021
FAX: (239) 594-2025
www.humistonandmoore.com

**SOUTH SEAS PLANTATION
CAPTIVA ISLAND, LEE COUNTY**

FOR: TIMBERS COMPANY

DATE: 07/09/2024 FILE: SP SCALE: 1" = 10'

PROJECT NO.: 32-015 DATUM: NAVD SHEET: D3



PLANT SCHEDULE DUNE					
SYMBOL	CODE	QTY	BOTANICAL / COMMON NAME	CONT	SPACING
SHRUB AREAS					
	BORR3	26	Bomolocha arborescens Sea Cherry Daisy	3 Gallon 18"	24" o.c.
	ERN1A	169	Erinacea horrida Beach Creeper	1 Gallon 6" x 6"	18" o.c.
	HELD1	499	Hesperaloe parviflora Dune Sunflower	1 gallon 12"	24" o.c.
	IPO1	344	Ipomoea pes-caprae Beach Vine	1 gallon 12"	24" o.c.
	IVA INB	680	Iva involucrata Sesuvie Elder	3 Gallon 18"	18" o.c.
	MLN1A	169	Muhlenbergia capillaris Pink Muhly	1 Gallon 18"	30" o.c.
	PAN1	186	Panicum amarulum Dune Panic Grass	4" container 12" N.I.U.	18" o.c.
	SCA3	401	Scaevola plumieri Native Indeberry	3 Gallon 18"	30" o.c.
	UN1	2,087	Uniola paniculata Sea Oats	1 Gallon 18"	24" o.c.

Install Terra sorb for all planting

GENERAL NOTES:

- GOLF COURSE SHOWN BASED ON OVERALL GRADING PLAN BY BEAU WELLING DESIGN DATED JUNE 1, 2022.
- SITE FEATURES AND CONTOURS BASED ON SURVEY PROVIDED BY HALEY WARD. DATA HAS BEEN FIELD COLLECTED SINCE OCTOBER 2021.
- ELEVATIONS SHOWN ARE IN NAVD83.
- CONTOURS ARE APPROXIMATE.

PHOTOGRAPH PROPERTY OF
HUMISTON AND MOORE ENGINEERS.
EXHIBIT FOR ILLUSTRATIVE PURPOSES ONLY.

LANDSCAPE ARCHITECTURE
2746 S. Haverhill Drive, Suite 3
Naples, FL 34104
(239) 430-1661
Design@ALDinc.com
License LC20000259

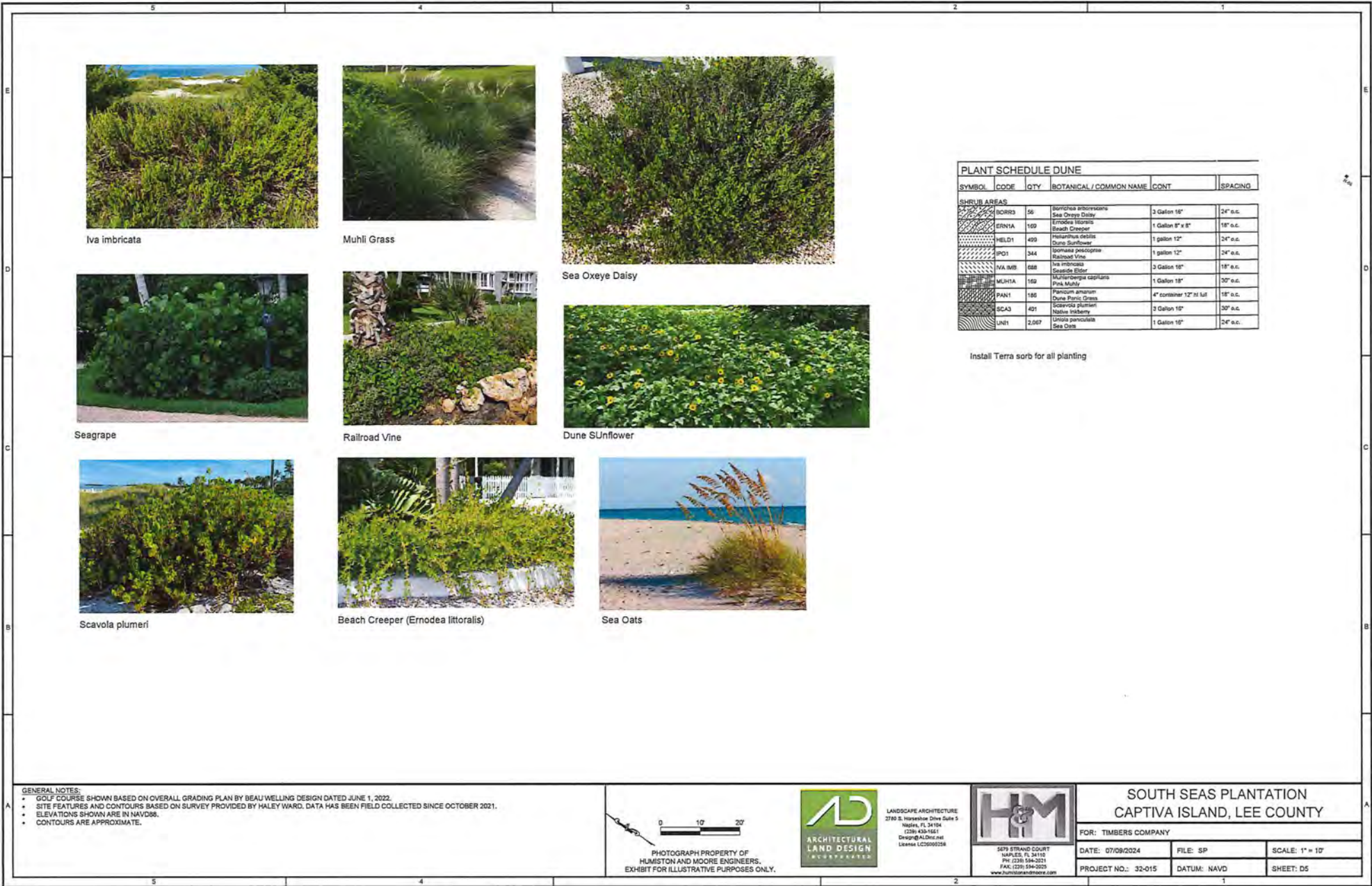
5679 STRAND COURT
NAPLES, FL 34110
PH (239) 594-2021
FAX (239) 594-2025
www.humistonandmoore.com

**SOUTH SEAS PLANTATION
CAPTIVA ISLAND, LEE COUNTY**

FOR: TIMBERS COMPANY

DATE: 07/09/2024 FILE: SP SCALE: 1" = 10'

PROJECT NO.: 32-015 DATUM: NAVD SHEET: D4



Iva imbricata



Muhli Grass



Sea Oxe Daisy



Seagrape



Railroad Vine



Dune Sunflower



Scavola plumeri



Beach Creeper (Erodea littoralis)

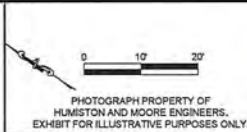


Sea Oats

PLANT SCHEDULE DUNE					
SYMBOL	CODE	QTY	BOTANICAL / COMMON NAME	CONT	SPACING
SHRUB AREAS					
[Symbol]	BORR3	56	Borrichia arborescens Sea Oxe Daisy	3 Gallon 18"	24" o.c.
[Symbol]	ERN1A	169	Erodea littoralis Beach Creeper	1 Gallon 9" x 9"	18" o.c.
[Symbol]	HELD1	499	Helianthus debilis Dune Sunflower	1 gallon 12"	24" o.c.
[Symbol]	IPD1	344	Ipomoea pes-caprae Railroad Vine	1 gallon 12"	24" o.c.
[Symbol]	IVA 1MB	688	Iva imbricata Seaside Elder	3 Gallon 18"	18" o.c.
[Symbol]	MUH1A	169	Muhlenbergia capillaris Pink Muhly	1 Gallon 18"	30" o.c.
[Symbol]	PAN1	185	Panicum anatum Dune Panic Grass	4" container 12" H Lut	18" o.c.
[Symbol]	SCA3	491	Scavola plumeri Native Inkberry	3 Gallon 18"	30" o.c.
[Symbol]	LIN1	2,067	Linum pericallis Sea Oats	1 Gallon 18"	24" o.c.

Install Terra sorb for all planting

- GENERAL NOTES:**
- GOLF COURSE SHOWN BASED ON OVERALL GRADING PLAN BY BEAU-WELLING DESIGN DATED JUNE 1, 2022.
 - SITE FEATURES AND CONTOURS BASED ON SURVEY PROVIDED BY HALEY WARD. DATA HAS BEEN FIELD COLLECTED SINCE OCTOBER 2021.
 - ELEVATIONS SHOWN ARE IN NAVD83.
 - CONTOURS ARE APPROXIMATE.



LANDSCAPE ARCHITECTURE
2780 S. Invershoe Drive Suite 5
Naples, FL 34104
(239) 438-1651
Design@ALDinc.net
License LC20090258



5679 STRAND COURT
NAPOLES, FL 34104
PH: (239) 594-3331
FAX: (239) 594-2023
www.humistonandmoore.com

**SOUTH SEAS PLANTATION
CAPTIVA ISLAND, LEE COUNTY**

FOR: TIMBERS COMPANY		
DATE: 07/09/2024	FILE: SP	SCALE: 1" = 10'
PROJECT NO.: 32-015	DATUM: NAVD	SHEET: D5

EXHIBIT C



DINING

6. Crooked Snook Tiki Bar | Daily 11:00 AM to Sunset (N)
8. The Pirate | Daily 11:00 AM - Sunset (N)
8. Scoops & Slices (N)
Mon - Thur, 11:00 AM - 10:00 PM
Fri - Sat, 11:00 AM - 11:00 PM
11. Ship's Store | 7:00 AM - 9:00 PM (N)
15. Harbourside Bar & Grill (N)
Breakfast, Daily, 8:00 AM - 11:00 AM
Dinner, Tues - Sat, 5:00 PM - 10:00 PM; Open daily starting December 13
19. Sunset Beach Bar | 11:00 AM to Sunset (N)
35. Capri's Provision Company (CPC) (S)
8:00 AM - 9:00 PM
35. Starbucks (S)
Sun - Thur 7:00 AM - 6:00 PM,
Fri & Sat 7:00 AM - 7:00 PM
37. Doc Ford's Rum Bar & Grille | 11:00 AM - close (S)

MEETING SPACE

2. Sunset Cove (N)
6. Overlook (N)
7. Kings Crown (N)
10. Kings Crown Lawn (N)
13. Capri's Lounge/Chart Room (N)
13. Secretariat A & B (N)
13. Quarterdeck (N)
19. Sunset Luan (N)
36. Conference Center - Capri's Ballroom (Salon A, B & C),
Coquina, Junonia, Maren, Sanded Room (S)
37. Alphabet Come, Agave, Carron Cove Florida Cove, Jasper
Cove, Coon's Sea Pearl Scallop, Wheel (S)
37. Sand Dollar Plaza (S)

ACCOMMODATIONS

1. Lands End Villas, 1601 - 1668 (N)
5. Seabreeze, 1251 - 1258 (N)
4. Plantation House Villas, 1901 - 1912 (N)
5. Cottages at South Seas, 1501 - 1514 (N)
9. South Seas Club, 1301 - 1324 (N)
12. Harbourside Waterviews, 1841 - 1872 (N)
12. Harbourside Guestrooms, 1701 - 1872 (N)
17. Marina Villas, 601 - 910 (N)
20. Harbourside Villas, 980 - 990 (N)
21. Homes of Distinction, 921 - 957 (N)
22. Plantation Bay Villas, 970 - 976 (N)
23. Plantation Beach Club, 1001 - 1056 (N)
24. Sandenif, 1070 - 1074 (N)
25. Golf Cottages, 1101 - 1108 (N)
26. Longfellow Court (N)
27. Beach Homes, 1 - 33 (S)
28. Beach Cottages, 1401 - 1426 (S)
29. Beach Villas, 2001 - 2628 (S)
39. Tennis Villas, 3110 - 3239 (S)
40. Bayside Villas, 4102 - 5344 (S)

RECREATION

8. 112' Wind Water Slides (N)
6. Resort Pool Complex | 8:00 AM - Dusk (N)
6. Swimlane | 9:00 AM - 5:00 PM (N)
7. Sambil Sea School | Tues - Sat, 9:00 AM - 4:00 PM (N)
10. Golf Cart Parking (N)
10. Sebie Images Photography (N)
10. Sunny Island Adventures | 8:00 AM - 5:00 PM (N)
- T - Dock (N)
10. Tada (EV) Charge Station (N)
11. Restrooms/Laundry/Showers (N)
11. Fitness Center (N)
13. Offshore Sailing School (N)
14. Harbourmaster (Fishing Charters, Bait and Fuel) (N)
8:00 AM - 4:30 PM
16. Golf - The Capri's Course | 8:00 AM - 5:00 PM (N)
16. Capri's Cruises (N)
19. Sunset Beach/Sunny Island Adventures (N)
30. Beach Yoga - South Beach (S)
33. Sunny Island Adventures | 9:00 AM - 5:00 PM
35. Kay Casperson Lifestyle Spa & Boutique (S)
Mon - Sat, 9:00 AM - 7:00 PM
Sun, 10:00 AM - 6:00 PM
37. Ambu Yoga Boutique Studio (S)
38. Blackwood Tennis Academy (S)
8:00 AM - 5:00 PM
41. Best Boat Rental | 8:00 AM - 5:00 PM (Golf carts, hike and boat rental) (S)

SHOPPING

8. Real Estate Office | Mon - Sat, 9:00 AM - 5:00 PM (N)
11. Ship Store | 7:00 AM - 9:00 PM; ATM Available (N)
13. South Seas Island Outfitters | Tues - Sat, 9:00 AM - 7:00 PM,
Sun - Mon, 9:00 AM - 4:00 PM (N)
16. Golf Pro Shop | 8:00 AM - 4:00 PM (N)
35. Beach Life | 9:00 AM - 7:00 PM (N)
35. Capri's Provision Company (CPC) (N)
8:00 AM - 9:00 PM
35. Everything But Water | Mon - Sat, 9:00 AM - 7:00 PM (N)
Sun, 11:00 AM - 6:00 PM
35. Fourhouse | 9:00 AM - 7:00 PM (N)
35. H2O Outfitters | 9:00 AM - 8:00 PM (S)
37. J. McLaughlin | Mon - Sat, 10:00 AM - 6:00 PM
Sun, 11:00 AM - 4:00 PM (S)
35. Kay Casperson Lifestyle Spa & Boutique (S)
Mon - Sat, 9:00 AM - 7:00 PM
Sun, 10:00 AM - 6:00 PM
35. Regatta | 9:00 AM - 7:00 PM (S)
35. Islands Gallery | 10:00 AM - 5:30 PM (S)
37. Ambu Yoga Boutique Studio (S)
Mon-Fri 10:30 AM - 5:30 PM
Sat & Sun 11:30 AM - 3 PM
37. Real Estate office | Mon - Sat, 9:00 AM - 5:00 PM (N)

FACILITIES

31. Business Center | 24 hours; ATM Available (S)
31. Concierge | 10:00 AM - 6:00 PM (S)
31. Hertz | Mon - Sat, 9:00 AM - 4:00 PM (S)
31. Reception Center/Guest Services | 24 hours (S)
31. Tada (EV) Charge Station (S)
32. Welcome Gate | 24 hours (S)
34. Post office (S)
10:00 AM - 12:00 PM,
2:00 PM - 4:00 PM
36. Pit N' Ship (S)
Mon - Fri, 9:00 AM - 4:00 PM
Sat, 9:00 AM - 2:00 PM

EXHIBIT D



Entry Sign Before / After
Landscape Enhancement | Captiva, Florida



BrightView

Design Group
Date: September 11, 2023
Revised Date: September 27, 2023
Project #: 113651

EXHIBIT E

AD
ARCHITECTURAL
LAND DESIGN
INCORPORATED
 LANDSCAPE ARCHITECTURE
 2780 S. Horseshoe Drive Suite 5
 Naples, FL 34104
 (239) 430-1661
 Design@ALDinc.net
 License LC26000259

Christian Andrus

License No. 1178

South Seas North Pool
 LeB County, FL

PLANTING PLAN



PLANT SCHEDULE

SYMBOL	CODE	QTY	BOTANICAL NAME	CONT
TREES				
	CO10	1	Chrysothamnus oliviformis	10'-12' x 4' x 2'
	CO10	4	Coccothrinax oerstedii	10'-12' x 4' x 2'
	CERS10	11	Calocarpus erectus 'Serpentine'	10' x 8' x 2' Sing
PALM TREES				
	CN12	5	Coccoloba nucifera 'Maypan'	12' - 15' at 2' - 4'
	CN-R	18	Coccoloba nucifera 'Maypan'	Rebarcated Tree
	PS-R	2	Phoenix sylvestris	Rebarcated Tree
SHRUBS				
	ACA DWA	15	Aca DWA	7 gallon 36" Dia
	ALPV7	31	Alajuria zamboni 'Varegate'	7 gal 34"
	CLU10	43	Clusia gutifera	10 gallon 48"
	CLU7	56	Clusia gutifera	7 gal 34"
	COC16	6	Coccoloba uvifera	10 gallon 48"
	DOD	8	Cotoneaster variegatum 'Pala'	3 gallon 18"
	FIM3	369	Ficus microcarpa 'Green Island'	3 gallon, 14"
	HIBP3	59	Hibiscus rosa-sinensis	3 gal 20"
	HIBY2	14	Hibiscus rosa-sinensis	3 gal 20"

	PIN3	304	Pinus	3 gal 20"
	PH2	28	Philodendron sellowii	3 gal 20"
	PH23	25	Philodendron sellowii 'Kananak'	3 gal 20"
	RUE3	8	Ruellia brittanica	3 gal 20"
	SCH7	48	Scaevola aemulosa 'Dwarf'	7 gallon 30"
	SCHV7	19	Scaevola aemulosa 'Varegate'	7 gallon 30"
SHRUB AREAS				
	MULSA	279	Mulberry capsaica	3 gal 20"
MISCELLANEOUS				
	MUL1	6,023 sf	Scallop Shell Gravel "K-Cocoa Brown"	3" thickness
	SHELL	533 sf	Shell Crushed Shell 3" Thick	3" Depth

ASD-007 CA 11.24.23
 ASD-006 CA 11.28.23
 ASD-002 CA 9.28.23
 Drawing Date: 10.02.23

Scale: 1" = 10'

File Name: 23-061-01-2 (part 4)

Architectural & Engineering Credits to:
 George Tuma
 Joe Tuma
 Joe Tuma
 Joe Tuma
 Joe Tuma
 Joe Tuma

2.1

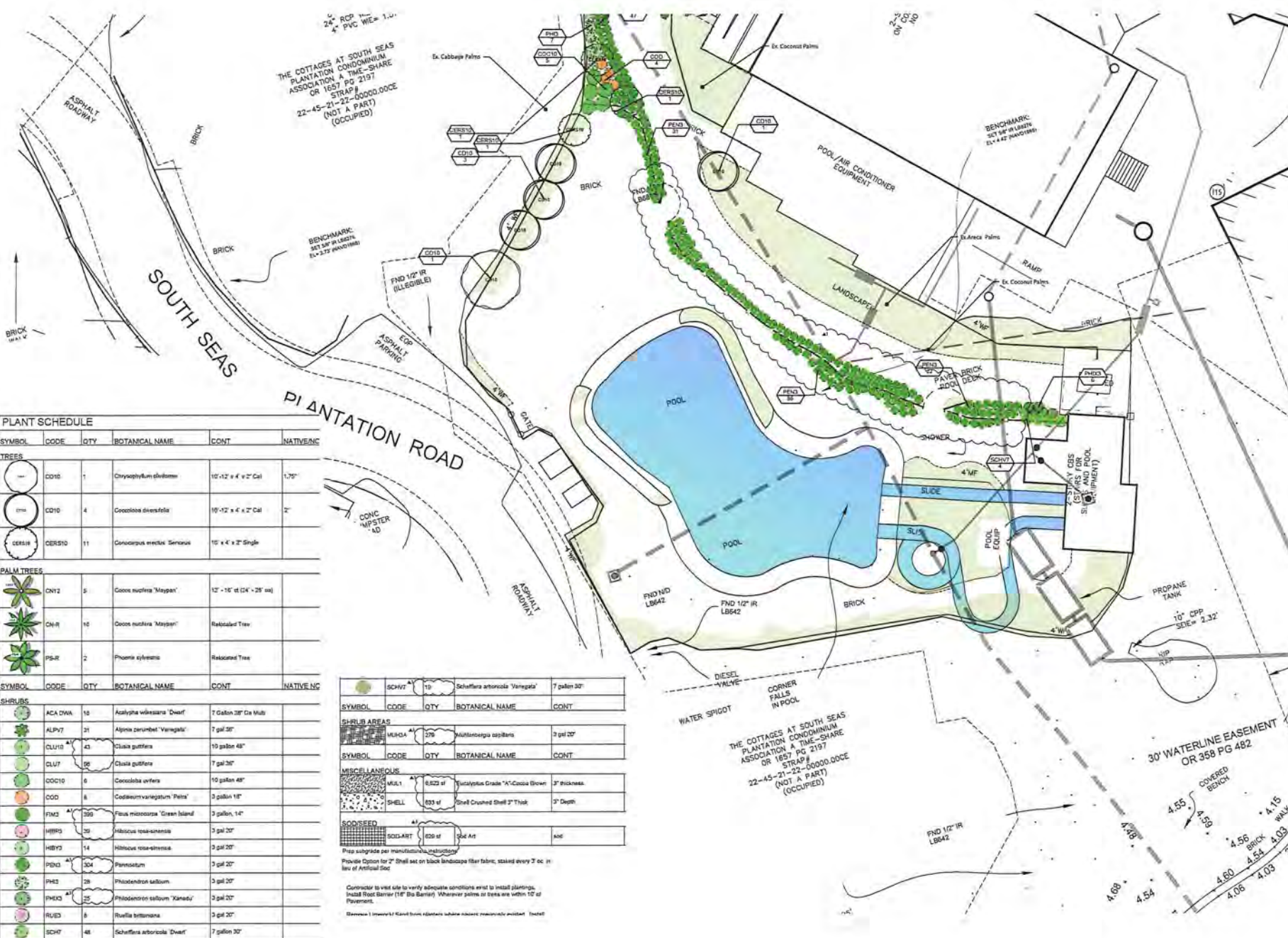


LANDSCAPE ARCHITECTURE
2780 S. Horseshoe Drive Suite 5
Naples, FL 34104
(239) 430-1661
Design@ALDinc.net
License: LC26000259

Christian Andra

License No. 1178

South Seas North Pool
Lee County, FL
PLANTING PLAN



PLANT SCHEDULE

SYMBOL	CODE	QTY	BOTANICAL NAME	CONT	NATIVE/NC
TREES					
	CD10	1	Chrysothamnus dioicum	10'-12" x 4" x 2" Cal	1.70'
	CD10	4	Coccoloba diversifolia	10'-12" x 4" x 2" Cal	2"
	CERS10	11	Conocarpus erectus 'Serenoa'	10" x 4" x 2" Single	
PALM TREES					
	CNT2	5	Cocon nuxiana 'Maypin'	12" - 16" st (24" - 28" st)	
	CNR	10	Cocon nuxiana 'Maypin'	Related Tree	
	PS-R	2	Phoenix sylvestris	Related Tree	
SHRUBS					
	ACA DW4	10	Acalypha wilkesiana 'Dwarf'	7 gallon 38" Dia Multi	
	ALP7	31	Alstonia zerumbet 'Variegata'	7 gal 20"	
	CLU10	43	Clusia guttifera	10 gallon 48"	
	CLU7	98	Clusia guttifera	7 gal 20"	
	COC10	6	Coccotheca vertera	10 gallon 48"	
	COD	8	Codium variegatum 'Pella'	3 gallon 18"	
	FMC	269	Ficus microcarpa 'Green Island'	3 gallon 14"	
	HIB10	20	Hibiscus rosa-sinensis	3 gal 20"	
	HIB10	14	Hibiscus rosa-sinensis	3 gal 20"	
	PAS10	304	Passiflora	3 gal 20"	
	PHS	28	Philodendron satsumense	3 gal 20"	
	PHX	25	Philodendron satsumense 'Xanadu'	3 gal 20"	
	RUE3	8	Ruellia brittanica	3 gal 20"	
	SCH7	48	Schefflera arboricola 'Dwarf'	7 gallon 20"	

SYMBOL	CODE	QTY	BOTANICAL NAME	CONT
	SCHV7	10	Schefflera arboricola 'Variegata'	7 gallon 20"
SHRUB AREAS				
	MUCHA	276	Muhlenbergia capillaris	3 gal 20"
MISCELLANEOUS				
	MUL1	6822 sf	Turcaylus Grade 'A' Cocon Brown	3" thickness
	SHELL	833 sf	Shell Capped Shell 2" Thick	3" Depth
SOIL/SEED				
	SODART	830 sf	Sod Art	Art

Prep subgrade per manufacturer's instructions.
Provide Option for 2" Shell set on black landscape filter fabric, staked every 3' or in lieu of Artificial Soil.
Contractor to visit site to verify adequate conditions exist to install plantings, install Road Barrier (16" Bio Barrier) whenever poles or trees are within 10' of Pavement.
Recessed 1 inch x 1/2 inch Kandi from edifiers where adjacent materials are used. Inseted

41 ASI-007 CA 11.24.03
41 ASI-008 CA 11.01.03
41 ASI-002 CA 9.08.03
Date 15.02.03.21

Scale 1" = 10'

22-08



File Name: 22-08-01-0-0-0.dwg

Architectural & Mechanical Drawings
Civil Engineering
Electrical
Mechanical
Structural
Site Planning
Landscape Architecture
Surveying
Title Block

2.2

TREES



OD10 Chrysophyllum oliviforme
Satinleaf (Code Required)
OD10 Coccoloba diversifolia
Pigeon Plum (Code Required)
CER510 Conocarpus erectus 'Sensuous'
Silver Butterwood (Code Required)

PALM TREES



DN12 Coccoloba diversifolia
Mayan Coconut Palm
DN12 Coccoloba diversifolia
Mayan Coconut Palm
PS-R Phoenix sylvestris
Wild Date Palm (Relocated)

SHRUBS



ACA DWA Acalypha wilkesiana 'Dwarf'
Copper Leaf
ALPV7 Albizia zerumbet 'Variegata'
Variegated Shell Ginger
CLU10 Clusia peltifera
Shed Leaf Clusia
COC10 Coccoloba uvifera
Seagrape



COD Codium variegatum 'Petra'
Braze Crab
FIM3 Ficus microcarpa 'Green Island'
Green Island Ficus



HBP3 Hibiscus rosa-sinensis
Hibiscus Pink
HBY3 Hibiscus rosa-sinensis
Hibiscus Yellow
PIN3 Pennisetum
White Fountain Grass
PH3 Philodendron seibum
Split Leaf Philodendron



RUE3 Ruellia brittanica
Mexican Bushveld (Purple)
SCH7 Schefflera arboricola 'Dwarf'
Dwarf Schefflera
SCH7 Schefflera arboricola 'Variegata'
Dwarf 'Variegated Schefflera' 'Trevita'
PH3 Philodendron seibum 'Kanadi'
Split Leaf Philodendron

SHRUB AREAS



MUKHA Mulleinbergia capillaris
Pink Mulla
SOD-ART SOD ART
African Sod

MISCELLANEOUS



SOD-ART SOD ART
African Sod

PLANT SCHEDULE

SYMBOL	CODE	QTY	BOTANICAL NAME	CONT	NATIVE/NC
	OD10	1	Chrysophyllum oliviforme	12'-12" x 4" x 2" Cal	1.75"
	OD10	4	Coccoloba diversifolia	12'-12" x 4" x 2" Cal	2"
	CER510	11	Conocarpus erectus 'Sensuous'	12" x 4" x 2" Single	

PALM TREES

	DN12	5	Coccoloba diversifolia	12" - 16" at (D4 - 28" dia)	
	DN12	18	Coccoloba diversifolia	Relocated Tree	
	PS-R	2	Phoenix sylvestris	Relocated Tree	

SHRUBS

SYMBOL	CODE	QTY	BOTANICAL NAME	CONT	NATIVE/NC
	ACA DWA	16	Acalypha wilkesiana 'Dwarf'	7 Gallon 30" Dia Multi	
	ALPV7	31	Albizia zerumbet 'Variegata'	7 gal 30"	
	CLU10	43	Clusia peltifera	15 gallon 48"	
	CLU7	60	Clusia peltifera	7 gal 30"	
	COC10	8	Coccoloba uvifera	15 gallon 48"	
	COD	8	Codium variegatum 'Petra'	3 gallon 18"	
	FIM3	269	Ficus microcarpa 'Green Island'	3 gallon, 14"	
	HBP3	30	Hibiscus rosa-sinensis	3 gal 20"	
	HBY3	14	Hibiscus rosa-sinensis	3 gal 20"	
	PIN3	304	Pennisetum	3 gal 20"	
	PH3	28	Philodendron seibum	3 gal 20"	
	PH3D	25	Philodendron seibum 'Kanadi'	3 gal 20"	
	RUE3	8	Ruellia brittanica	3 gal 20"	
	SCH7	48	Schefflera arboricola 'Dwarf'	7 gallon 30"	
	SCHV7	19	Schefflera arboricola 'Variegata'	7 gallon 30"	

SHRUB AREAS

	MUKHA	270	Mulleinbergia capillaris	3 gal 20"	
--	-------	-----	--------------------------	-----------	--

MISCELLANEOUS

SYMBOL	CODE	QTY	BOTANICAL NAME	CONT	NATIVE/NC
	MUL1	6,623 sf	Topsoil Grade "A"-Coosa Brown	3" thickness	
	SHELL	833 sf	Shell Crushed Shell 3" Thick	3" Depth	
	SOD-ART	620 sf	Sod ART	sod	

Prep subgrade per manufacturer's instructions.
Provide Option for 2" Shell set on black landscape filter fabric, staked every 3' on level of Artificial Sod.

Contractor to visit site to verify adequate conditions exist to install plantings. Install Root Barrier (18" Bo Barrier) Whenever palms or trees are within 10' of Pavement.
Remove Limestone Sand from planters where pavers previously existed. Install landscape soil.



LANDSCAPE ARCHITECTURE
2780 S. Horseshoe Drive Suite 5
Naples, FL 34104
(239) 430-1661
Design@ALDinc.net
License LC26000259

Christian Andra

License No. 1178

South Seas North Pool

Lee County, FL

PLANT PICS

AS 101-007 CA 11.24.23
AS 101-008 CA 11.01.23
AS 101-002 CA 9.08.23
Date 15.02.03.23

Scale 1" = 10'

2/24/24

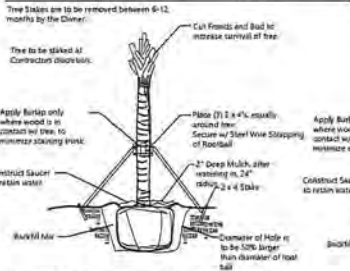


File Name: 22-086-001-2-047.dwg

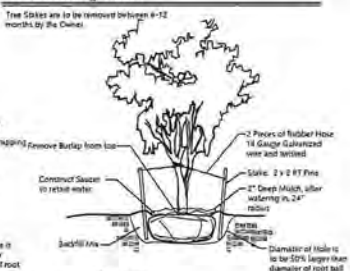
Architectural & Horticulture Printed by
Company Name
No. Name
Date
Job Historical Printed by
Company Name
No. Name
Date

2.3

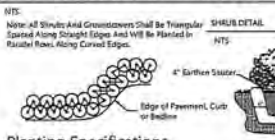
Palm Tree Staking Detail



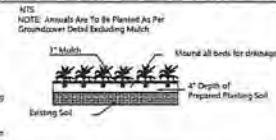
Tree Staking Detail



Shrub & Groundcover Planting Detail



Groundcover & Annual Detail



Notes

All Plants shall be Florida No.1
 Contractor shall be familiar w/ the Landscape Code and shall comply with all of its applicable requirements. Contractor shall verify all quantities indicated at time of bid. Contractor shall provide and price at time of bid. All contractors working on the project shall be trained and fully insured as required. Tree and palm staking shall be removed between 6 and 12 months after planting.

Planting Specifications

QUALITY: All plants shall be Florida No.1 or better as given in Grades & Standards for Nursery Plants, Part I and II, latest edition, published by the Florida Department of Consumer Services.

RESEARCH: Contractor shall research plants and site to determine present location of utilities and obstructions before commencing work. Contractor shall ensure that before he commences work that all necessary permits have been obtained.

The contractor shall personally examine the project site and fully acquaint himself with all of the existing conditions, in order that no misunderstanding may occur.

No Additional compensation will be granted, after bid has been let, for any hardship the contractor may encounter in the performance of his duty. Any discrepancies or errors not addressed at the time of bid.

DRAWINGS: Drawings are part of this contract. Any discrepancies between the drawings and specifications shall be brought to the attention of the owner at time of bid.

SCOPE: Under this contract, the work consists of furnishing all labor, material, equipment, transportation, etc., to complete all landscaping work as shown on the drawings, as indicated in the Plant List and as Items specified. Work shall include all construction and maintenance/repairing of all planting areas of this Contract and accepted by the Owner.

The contractor shall be responsible for all planting/maintenance of plants until acceptance by Owner. Contractor shall protect all existing structure, plants, etc., from damage during the construction process.

All drainage shall be required at the construction expense.

WARRANTY: All trees shall be warranted for a period of 1 year; all shrubs and groundcovers shall be warranted for a period of 90 days, and shall be warranted for a period of 30 days. Warranty begins at time of acceptance. All maintenance shall be provided to the owner.

REPLACEMENT: All plant replacements shall be done with the same size and species of plant that was specified.

SAMPLES: Samples of any landscape material may be required for approval on the site or as otherwise determined by the Owner. Upon approval of samples (i.e. mulch, planting soil, plant varieties, etc.) by the Owner, delivery of material may begin. Approved samples shall be stored on the site and protected until furnishing of material is completed. Plant samples to be planted in permanent positions, but labeled, as samples.

SUBSTITUTIONS: Any substitutions made for any reason must be approved by the owner.

WATER: It is the contractor's responsibility to obtain and administer water the plants during the duration of the installation phase. All plants shall be freshly dug, healthy and be well branched, free from disease and insects.

CONTAINER GROWTH MATERIAL: All container grown materials shall be healthy, vigorous, well rooted plants and established in the container to show the crown of palm trees to facilitate moving and handling. Cabbage palm heads shall be tied with a burlap strip per the following procedure: The first (small) row of fronds contiguous to bud shall be removed. The next 8-4 rows shall be tied to bud for support. The remaining (inner) fronds shall be removed. Tied fronds and bud tip shall not be clipped. Burlap strip shall be left in place until the trees are well established.

PALMS: Only a maximum number of fronds shall be removed from the crown of palm trees to facilitate moving and handling. Cabbage palm heads shall be tied with a burlap strip per the following procedure: The first (small) row of fronds contiguous to bud shall be removed. The next 8-4 rows shall be tied to bud for support. The remaining (inner) fronds shall be removed. Tied fronds and bud tip shall not be clipped. Burlap strip shall be left in place until the trees are well established.

WALMS: Clear trunk (CT) shall be measured from the ground at time of installation to the point where the major apical trunk joins the remaining green portion of the tree. Caliper shall be measured at breast height. Overall height (OH) shall be measured from the ground at the time of installation to a point one-quarter the length of the unscrapped leaf below the bud tip.

SHADE TREES: Height shall be measured from the ground to the top height of canopy. Spread shall be measured to the average outer edge. Single trunk trees shall be free from low-branches.

SPRUES: Height shall be measured from the ground to the average point where mature plant growth stops. Spread shall be measured to the end of branching evenly across the shrub mass. Measurements are not to include any terminal growth.

SO2: SO2 shall be measured on the basis of square footage.

Contractor shall be responsible for coverage of fire square footage shown on the plans.

SO3: Time delivery to that soil will be placed within 24 hours after.

MULCH: Apply 1" Fine Strain mulch to all blanking areas. Use mulch from piling up along the base of the tree and shrubs. Mulch to be measured after compaction.

LINE GRADING: The landscape contractor shall be responsible for line grading of the site. This means that the site shall be brought within 1" of final grade so that the landscape contractor will be able to perform final grading. All landscape areas, not areas, are to be live grade.

PLANT LAYOUT: All bed areas shall have planting laid out prior to planting. The Landscape Architect shall review all layout prior to planting. If the bid and shrub layout is not required prior to planting, the Landscape Architect reserves the right to relocate the plants.

SOIL: Planting beds shall contain good soil, complete with organic matter. There shall be no construction debris, rock larger than 1" within bed areas. Soil shall be dark grey-brown in organic color and shall have good drainage characteristics. Soil within planting beds shall not be compacted. All compacted sub-grade soil is to be removed from all landscape areas.

BACULFUSOIL MIX: 50% Decomposed organic matter (mulch) 50% Peat moss 50% existing soil pH 5.5 - 7.5

ANNUALS: 100% Peat moss 50% existing soil pH 5.5 - 7.5

FERTILIZER: Two fertilizers shall be used in all types of plantings except palms. Granular fertilizer shall be uniform in composition, dry and free flowing. The fertilizer shall be 6-4-4 Nitrogen-Phosphorus-Potassium. Table 1 Fertilizer (Nitrogen or equal) in 21 or 30 size, shall meet the following requirements: 23% Nitrogen, 10% Phosphorus, 10% Potassium. The use fertilizers will be applied at the following rates:

1. PLANT SIZE:	6-4-4 "AGRIFORM" TABLET G1 GRAHS
1 gal	1/4 lb
2 gal	1/2 lb
1/2 gal	1/4 lb
1" or caliper	2 lbs/1" cal.
4" and larger	1 lbs/1" cal.
2. Magnesium sulfate or "Palm Special" will be applied to all palms at installation at a rate of 1/2 lb per inch of trunk caliper.	

IRRIGATION: Each plant will be pruned to complement the natural character of the tree. All dead and broken limbs, branches and buds be removed.

TREE GIVING AND BRACING: Firmly stake or guy all trees in accordance with the plans and planting details immediately after planting to prevent wind damage.

WEED CONTROL: All landscape areas shall be free of no grass, weeds, perennials and other noxious weeds.

PLANT MAINTENANCE: Contractor shall maintain all plants until final acceptance by owner.

CLEAN-UP: Contractor shall clean site area every day. The site shall be devoid of all rubbish, landscape debris, containers.

Contractor shall verify that he has the most up to date plans, and that they have been approved and accepted by the Owner before commencing construction.

Contractor to verify property lines and setbacks before construction. Contractor must have property lines staked and located and must verify plan dimensions and field conditions are consistent. Any inconsistencies w/ these plans need to be reported to ALD and the Owner. Contractor shall verify that he has the most up to date plans and that they have been approved and accepted by the Owner before commencing construction.

EXHIBIT F



CLIENT:

SOUTH SEAS RESORT

LOCATION:

CAPTIVA | FL

DATE:

2.16.24

Artwork Phase:

- Conceptual
- Design Development
- Revision
- Final Production
- Shop Drawing

The boxes below must be initialed and dated prior to manufacturing.

CLIENT APPROVAL:

DATE:

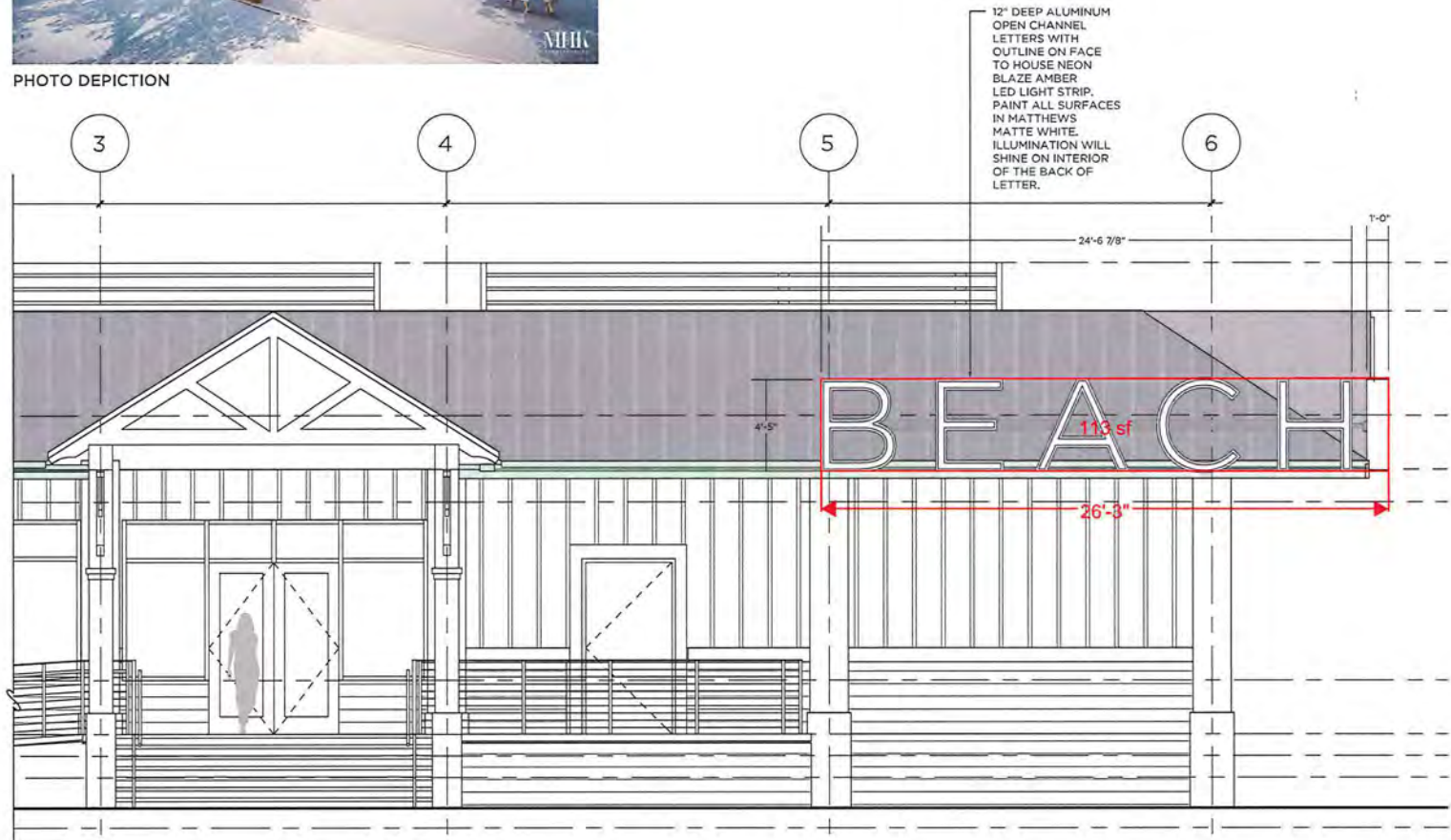
PROD. APPROVAL:

DATE:

This design is the property of Artform and is submitted for your use in conjunction with a project being planned for you by Artform. It cannot be reproduced either in whole or in part without their written consent.



PHOTO DEPICTION



1 BEACHHOUSE MARQUEE ID | PARTIAL SOUTH ELEVATION
SCALE: 3/16" = 1' - 0"

art FORM

SIGNS & LIGHTING

CLIENT:

SOUTH SEAS RESORT

LOCATION:

CAPTIVA | FL

DATE:

2.16.24

Artwork Phase:

- Conceptual
- Design Development
- Revision
- Final Production
- Shop Drawing

The boxes below must be initialed and dated prior to manufacturing.

CLIENT APPROVAL:

DATE:

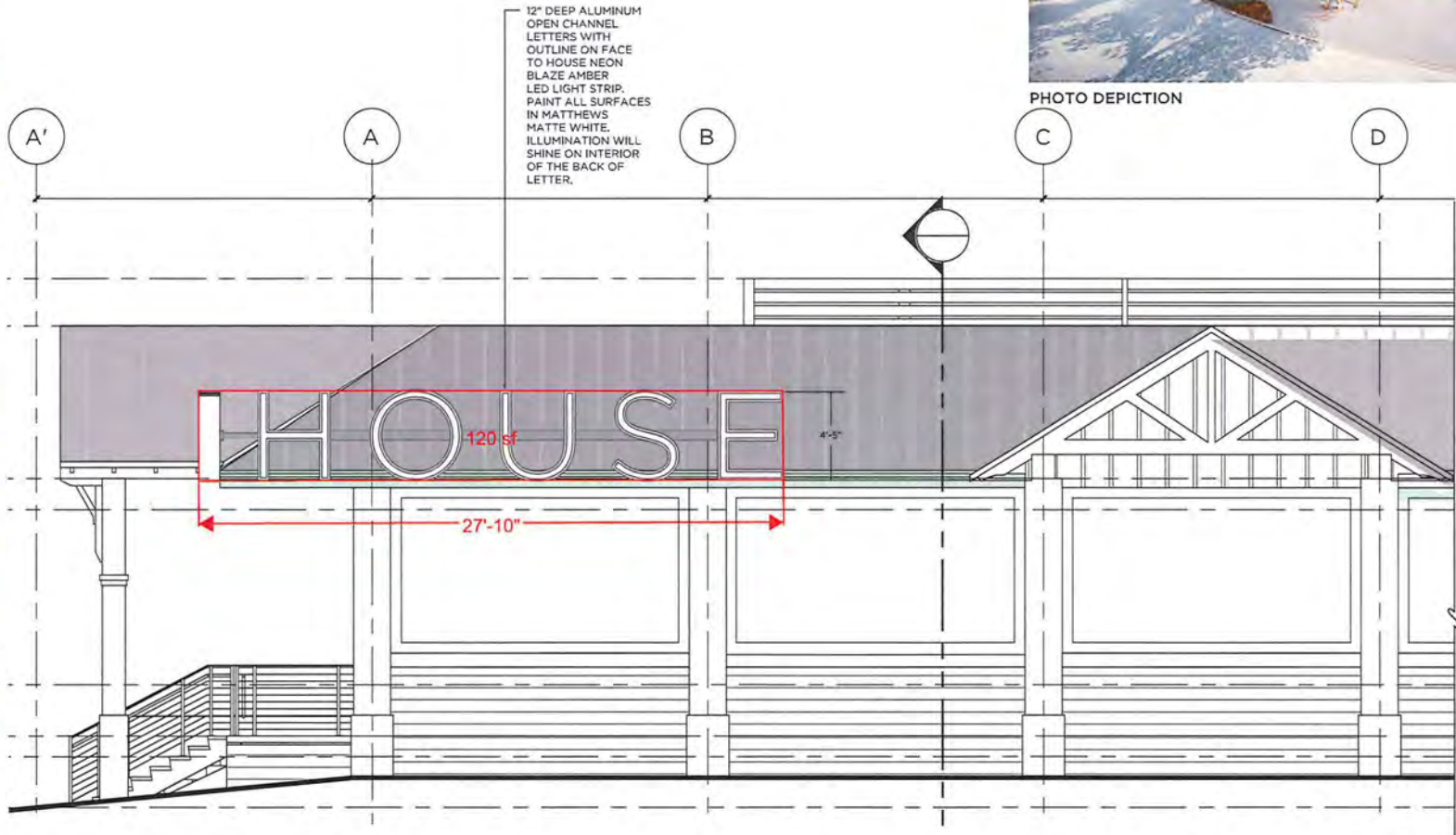
PROD. APPROVAL:

DATE:

This design is the property of Artform and is submitted for your use in conjunction with a project being planned for you by Artform. It cannot be reproduced either in whole or in part without their written consent.

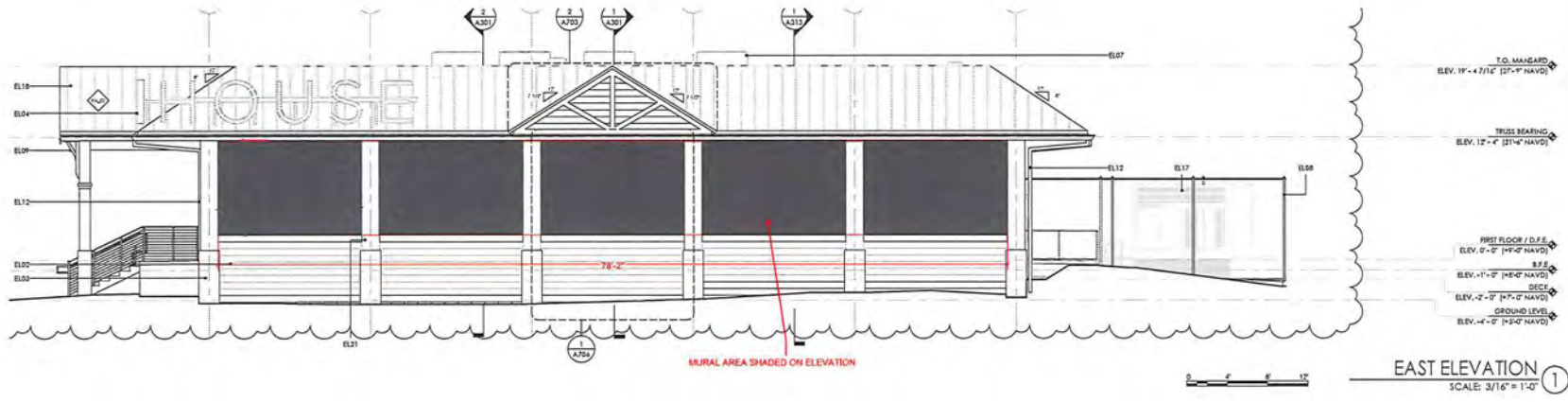


PHOTO DEPICTION



2 BEACHHOUSE MARQUEE ID | PARTIAL EAST ELEVATION
 - SCALE: 3/16" = 1' - 0"

EXHIBIT G



MAR
ARCHITECTURE

THE FIRM HAS PREPARED THIS DOCUMENT UNDER CONTRACT WITH THE CLIENT. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FOR THE ACCURACY OF THE INFORMATION PROVIDED TO THE FIRM. THE FIRM DOES NOT WARRANT THE ACCURACY OF THE INFORMATION PROVIDED TO THE FIRM.

SOUTH SEAS RESORT - BEACH HOUSE
1192 South Seas Plantation Road,
Captiva, FL 33924

FLORIDA SEAL
NOT FOR CONSTRUCTION

BY CS CONSTRUCTION DOCUMENTS 13/23/2023

COVER SHEET

PHASE BLDG. PERMIT
PR NO 22278.01
PA/PM MK/SW

CS

EXHIBIT H

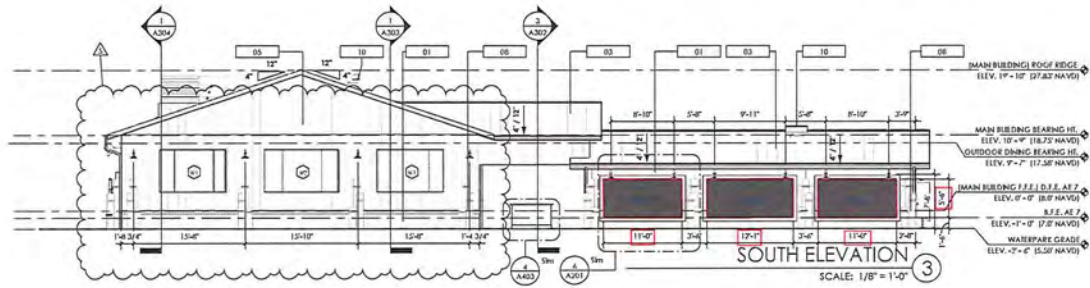
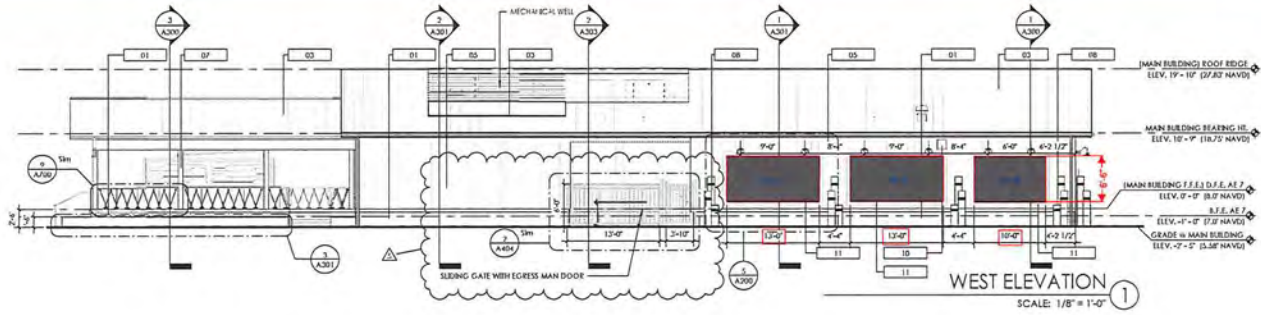
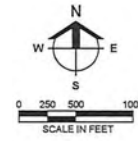


EXHIBIT I



Barraco
and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING

www.barraco.net
2271 MCGREGOR BLVD., SUITE 100
FOOT OFFICE DRAWER 2800
FORT MYERS, FLORIDA 33903-2800
PHONE (239) 461-2170
FORT MYERS | PANAMA CITY BEACH
FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 7395 - SURVEYING LS-6340

PREPARED FOR

WS SSIR
OWNER, LLC.

1031 W. MORRIS BLVD. SUITE 350
WINTER PARK, FL 32789

PROJECT DESCRIPTION

**SOUTH SEAS
RESORT**

PART OF SECTION 22,
TOWNSHIP 45 SOUTH, RANGE 21 EAST
LEE COUNTY, FLORIDA

THIS PLAN IS PRELIMINARY AND
INTENDED FOR CONCEPTUAL
PLANNING PURPOSES ONLY.

SITE LAYOUT AND LAND USE
INTENSITIES OR DENSITIES MAY
CHANGE SIGNIFICANTLY BASED
UPON SURVEY, ENGINEERING,
ENVIRONMENTAL AND / OR
REGULATORY CONSTRAINTS AND /
OR OPPORTUNITIES.

DO NOT SCALE THIS DRAWING
COPYRIGHT 2022 BARRACO AND ASSOCIATES, INC.
ALL RIGHTS RESERVED. NO PART OF THIS DRAWING IS TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT PERMISSION IN WRITING FROM BARRACO AND ASSOCIATES, INC.

FILE NAME J:\2022\EXISTING ROADWAY SECTIONS.DWG

LOCATION J:\2022\ROADWAY SECTIONS

PLOT DATE TIME 10:02:11 AM

PLOT BY SCOTT WHEELER JR

CROSS REFERENCED DRAWINGS

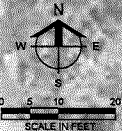
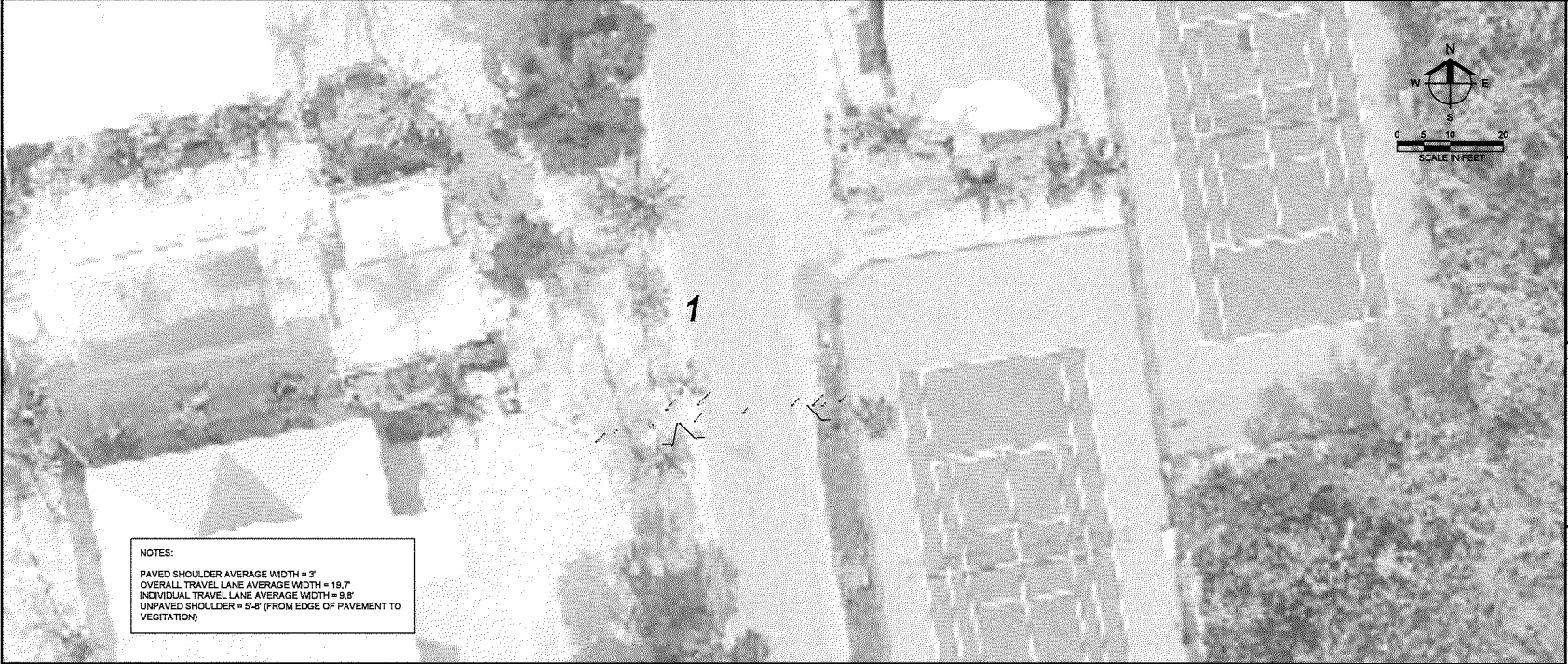
PLAN REVISIONS

NO.	DATE	DESCRIPTION

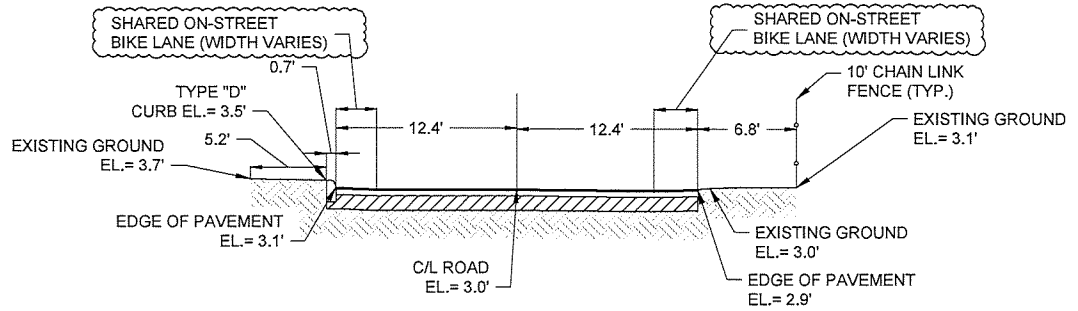
PLAN STATUS

EXISTING
ROADWAY
EXHIBIT

PROJECT / FILE NO.	SHEET NUMBER
24000	1.0



NOTES:
 PAVED SHOULDER AVERAGE WIDTH = 3'
 OVERALL TRAVEL LANE AVERAGE WIDTH = 19.7'
 INDIVIDUAL TRAVEL LANE AVERAGE WIDTH = 9.8'
 UNPAVED SHOULDER = 5.8' (FROM EDGE OF PAVEMENT TO VEGETATION)



1

ROADWAY SECTION 1 (ADJACENT TENNIS COURTS)

NOT TO SCALE

Barraco
 and Associates, Inc.
 CIVIL ENGINEERING - LAND SURVEYING
 LAND PLANNING

www.barraco.net
 2274 MCGREGOR BLVD., SUITE 100
 FORT MYERS, FLORIDA 33902-2800
 PHONE: (239) 463-3170
 FORT MYERS | PANAMA CITY BEACH
 FLORIDA CERTIFICATES OF AUTHORIZATION
 ENGINEERING 7995 - SURVEYING LB-6949

PREPARED FOR
 WS SSIR
 OWNER, LLC.
 1031 W. MORSE BLVD., SUITE 350
 WINTER PARK, FL 32789

PROJECT DESCRIPTION
 SOUTH SEAS
 RESORT
 PART OF SECTION 22,
 TOWNSHIP 45 SOUTH, RANGE 21 EAST,
 LEE COUNTY, FLORIDA

THIS PLAN IS PRELIMINARY AND
 INTENDED FOR CONCEPTUAL
 PLANNING PURPOSES ONLY.
 SITE LAYOUT AND LAND USE
 INTENSITIES OR DENSITIES MAY
 CHANGE SIGNIFICANTLY BASED
 UPON SURVEY, ENGINEERING,
 ENVIRONMENTAL AND / OR
 REGULATORY CONSTRAINTS AND /
 OR OPPORTUNITIES.

DRAWING NOT VALID WITHOUT SEAL, EXP. DATE, AND DATE
 COPYRIGHT 2022. BARBARA AND ASSOCIATES, INC.
 REPRODUCIBILITY OF ANY PARTS OR THIS DRAWING IS PROHIBITED.
 FILE NAME: \\SRP_EXISTINGROADWAYSECTIONS.DWG
 LOCATION: J:\J4680RD\DWG\SRP22
 PLOT DATE: TUE, 06/20/2022, 1:08 PM
 PLOT BY: SCOTT WHEELER JR.

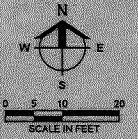
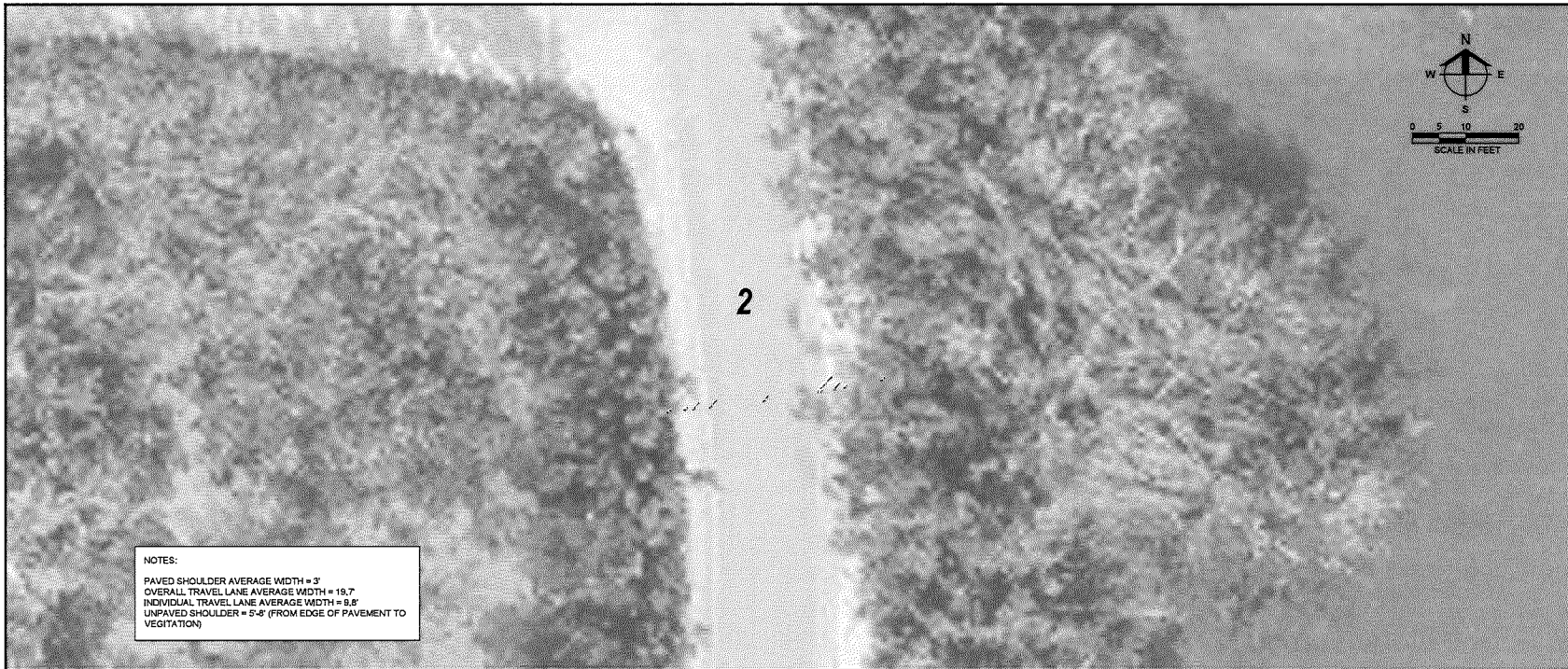
CROSS REFERENCED DRAWINGS

PLAN REVISIONS

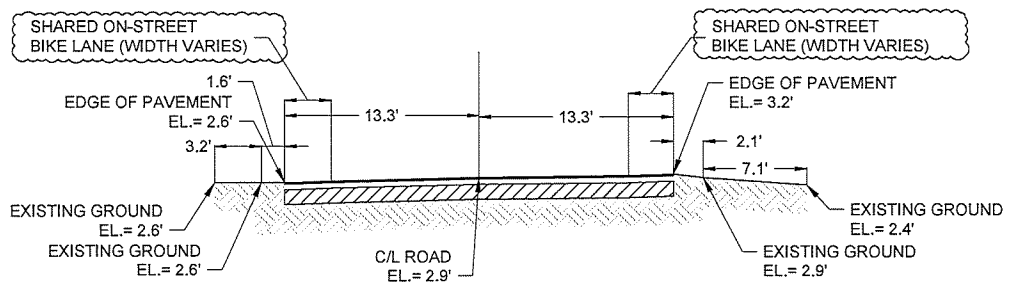
NO.	DATE	DESCRIPTION

PLAN STATUS

EXISTING
 ROAD SECTION
 EXHIBIT
 PROJECT / FILE NO. SHEET NUMBER
 24000 1.1



NOTES:
 PAVED SHOULDER AVERAGE WIDTH = 3'
 OVERALL TRAVEL LANE AVERAGE WIDTH = 19.7'
 INDIVIDUAL TRAVEL LANE AVERAGE WIDTH = 9.8'
 UNPAVED SHOULDER = 5'-0" (FROM EDGE OF PAVEMENT TO VEGETATION)



2

ROADWAY SECTION 2

NOT TO SCALE

Barraco
 and Associates, Inc.
 CIVIL ENGINEERING - LAND SURVEYING
 LAND PLANNING
 www.barraco.net
 2274 MCGREGOR BLVD., SUITE 100
 FORT MYERS, FLORIDA 33902-2500
 PHONE: (888) 461-3170
 FORT MYERS | PANAMA CITY BEACH
 FLORIDA CERTIFICATES OF AUTHORIZATION
 ENGINEERING 7995 - SURVEYING LB-6940

PREPARED FOR
WS SIR
OWNER, LLC.
 1031 W. MORSE BLVD. SUITE 350
 WINTER PARK, FL 32789

SOUTH SEAS RESORT

PART OF SECTION 22,
 TOWNSHIP 45 SOUTH RANGE 21 EAST
 LEE COUNTY, FLORIDA

THIS PLAN IS PRELIMINARY AND
 INTENDED FOR CONCEPTUAL
 PLANNING PURPOSES ONLY.

SITE LAYOUT AND LAND USE
 INTENSITIES OR DENSITIES MAY
 CHANGE SIGNIFICANTLY BASED
 UPON SURVEY, ENGINEERING,
 ENVIRONMENTAL AND / OR
 REGULATORY CONSTRAINTS AND /
 OR OPPORTUNITIES.

NO WARRANTIES ARE MADE BY BARRACO AND ASSOCIATES, INC. FOR THE ACCURACY OF THIS INFORMATION.

FILE NAME: \\BARRACO\EXISTING ROADWAY SECTIONS.DWG

LOCATION: J:\24000\DWG\EXISTING

PLOT DATE: 11/16/2011 1:03 PM

PLOT BY: SCOTT WHEELER JR

CROSS REFERENCED DRAWINGS:

PLAN REVISIONS	
NO.	DESCRIPTION

PLAN STATUS

EXISTING ROAD SECTION EXHIBIT

PROJECT / FILE NO.	SHEET NUMBER
24000	1.2



Barraco
and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING
www.barraco.net
2271 MCGREGOR BLVD., SUITE 100
FORT MYERS, FLORIDA 33902-2800
PHONE (888) 463-3170
FORT MYERS | PANAMA CITY BEACH
FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 7595 - SURVEYING LB-2040

PREPARED FOR

**WS SSIR
OWNER, LLC.**

1031 W. MORSE BLVD. SUITE 300
WINTER PARK, FL 32789

PROJECT DESCRIPTION

**SOUTH SEAS
RESORT**

PART OF SECTION 22,
TOWNSHIP 45 SOUTH RANGE 21 EAST
LEE COUNTY, FLORIDA

THIS PLAN IS PRELIMINARY AND
INTENDED FOR CONCEPTUAL
PLANNING PURPOSES ONLY.

SITE LAYOUT AND LAND USE
INTENSITIES OR DENSITIES MAY
CHANGE SIGNIFICANTLY BASED
UPON SURVEY, ENGINEERING,
ENVIRONMENTAL AND / OR
REGULATORY CONSTRAINTS AND /
OR OPPORTUNITIES.

DATE: 11/13/2025
DRAWN BY: JACOBSON/OWEN/SHIBBS
CHECKED BY: JACOBSON/OWEN/SHIBBS
SCALE: AS SHOWN

FILE NAME: 24000_EXISTINGROADWAYSECTIONS.DWG
LOCATION: J:\24000\24000EXISTING.RVT
PROJECT: 24000 - 1102.P3
PLOT BY: JACOBSON/OWEN/SHIBBS

CROSS REFERENCED DRAWINGS

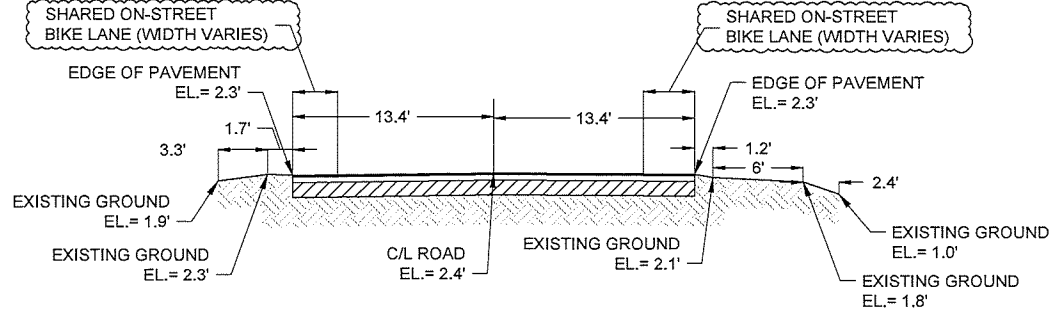
PLAN REVISIONS

PLAN STATUS

EXISTING
ROAD SECTION
EXHIBIT

PROJECT / FILE NO.	SHEET NUMBER
24000	1.3

NOTES:
PAVED SHOULDER AVERAGE WIDTH = 3'
OVERALL TRAVEL LANE AVERAGE WIDTH = 19.7'
INDIVIDUAL TRAVEL LANE AVERAGE WIDTH = 9.8'
UNPAVED SHOULDER = 5'-0" (FROM EDGE OF PAVEMENT TO
VEGETATION)



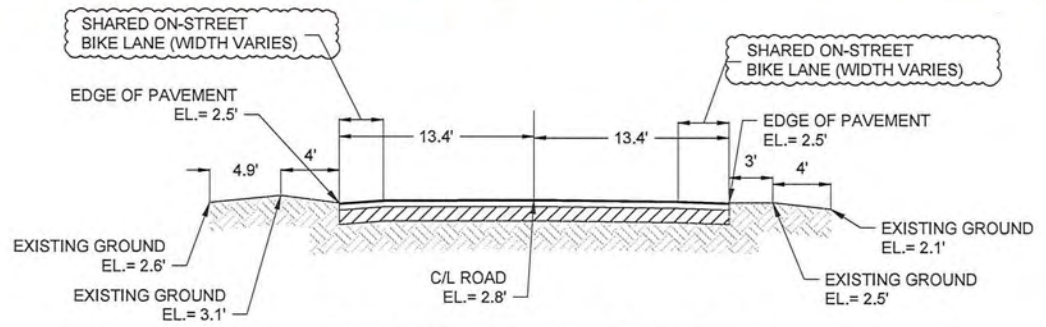
3

ROADWAY SECTION 3

NOT TO SCALE



NOTES:
 PAVED SHOULDER AVERAGE WIDTH = 3'
 OVERALL TRAVEL LANE AVERAGE WIDTH = 19.7'
 INDIVIDUAL TRAVEL LANE AVERAGE WIDTH = 9.8'
 UNPAVED SHOULDER = 5'-8" (FROM EDGE OF PAVEMENT TO VEGETATION)



4

ROADWAY SECTION 4

NOT TO SCALE

Barraco
 and Associates, Inc.
 CIVIL ENGINEERING - LAND SURVEYING
 LAND PLANNING
 www.barraco.net
 2271 MCGREGOR BLVD., SUITE 100
 FORT MYERS, FLORIDA 33903-2800
 PHONE (239) 461-2170
 FORT MYERS | PANAMA CITY BEACH
 FLORIDA CERTIFICATES OF AUTHORIZATION
 ENGINEERING 7505 - SURVEYING LM-6940

PREPARED FOR
WS SSIR
 OWNER, LLC.
 1031 W. MORSE BLVD. SUITE 350
 WINTER PARK, FL 32789

PROJECT DESCRIPTION
SOUTH SEAS
 RESORT

PART OF SECTION 22,
 TOWNSHIP 45 SOUTH, RANGE 21 EAST
 LEE COUNTY, FLORIDA

THIS PLAN IS PRELIMINARY AND
 INTENDED FOR CONCEPTUAL
 PLANNING PURPOSES ONLY.
 SITE LAYOUT AND LAND USE
 INTENSITIES OR DENSITIES MAY
 CHANGE SIGNIFICANTLY BASED
 UPON SURVEY, ENGINEERING,
 ENVIRONMENTAL AND / OR
 REGULATORY CONSTRAINTS AND /
 OR OPPORTUNITIES.

DATE PLOTTED: 11/13/2025 11:53 AM
 C:\PROJECTS\2503_SOUTH_SEAS\2503_SECTION_22\ROADWAY_SECTION_04.DWG

FILE NAME: J:\2503_SOUTH_SEAS\2503_SECTION_22\ROADWAY_SECTION_04.DWG
 LOCATION: J:\2503_SOUTH_SEAS\2503_SECTION_22\ROADWAY_SECTION_04.DWG
 PLOT DATE: 11/13/2025 11:53 AM
 PLOT BY: SCOTT WHEELER JR.

PLAN REVISIONS	

EXISTING
 ROAD SECTION
 EXHIBIT

PROJECT FILE NO.	SHEET NUMBER
24000	1.4

ATTACHMENT G



SOUTH SEAS ISLAND RESORT MPD SCHEDULE OF USES

REVISED DECEMBER 2024

RESIDENTIAL/RESORT TRACTS

- Accessory uses and structures
- Administrative offices
- Caretaker's residence
- Clubs, country, private and fraternal
 - Accessory uses, including but not limited to:
 - ATM
 - Bait and tackle shop
 - Bar or cocktail lounge
 - Boat slips, wet
 - Consumption on premises, including outdoor seating
 - Convenience food and beverage store
 - Day care center, child
 - Food and beverage service
 - Locker rooms
 - Marina (limited to 645 total slips in the MPD per Manatee Protection Plan)
 - Personal services (Groups I and II limited to ATM, barber or beauty shop, health club and massage establishment)
 - Rental or leasing establishments, Group I only
 - Restaurants Groups I, II and III
 - Specialty retail shop, Groups I and II
 - Swimming pools
 - Sports courts
- Communication facilities, wireless
- Community gardens
- Cultural facilities
- Dwelling units, limited to 193 units for the entire MPD
 - Multi-family
 - Timeshare units (limited to a density equivalent of 1 dwelling unit: 1 timeshare unit regardless of number of bedrooms)
- Entrance gates and gatehouses
- Essential services facilities, Group I
- Excavation, water retention
- Fences, walls
- Home occupations in accordance with LDC
- Models, display center, model unit
- Parks, private
- Parks, Groups I
- Parking lot, accessory, commercial, garage, temporary
- Real estate sales office

Recreational facilities, private on-site
Signs in accordance with Chapter 30

HOTEL/RESORT RECREATIONTRACTS

Accessory uses and structures
Administrative offices
Excavation, water retention
Entrance gates and gatehouse
Essential service facilities, Groups I
Fences, walls
Hotel/motel, limited to 435 rooms for the entire MPD

Accessory uses, including but not limited to:

- ATM
- Bait and tackle shop
- Bar or cocktail lounge
- Consumption on premises, including outdoor seating
- Convenience food and beverage store
- Food and beverage service
- Gift and souvenir shop
- Locker rooms
- Meeting rooms
- Personal services (Groups I and II limited to ATM, barber or beauty shop, health club and massage establishment)
- Rental or leasing establishments, Group I only
- Restaurants, Groups I, II and III
- Rental or leasing establishments, Group I only
- Specialty retail shop, Groups I and II
- Swimming pools
- Sports courts
- Transportation services, Groups I and II

Parking lot, accessory, commercial, garage, temporary
Pet Care
Signs in accordance with Chapter 30

Timeshare units (limited to a density equivalent of 1 dwelling unit:1 timeshare unit regardless of number of bedrooms)

GOLF COURSE TRACT

Accessory uses and structures
Administrative offices
Caretaker's residence
Clubs, country, private and fraternal

Accessory uses, including but not limited to:

- ATM
- Bar or cocktail lounge
- Consumption on premises, including outdoor seating
- Convenience food and beverage store
- Food and beverage service
- Gift and souvenir shop
- Locker rooms

- Personal services (Groups I and II limited to ATM, barber or beauty shop, health club and massage establishment)
- Rental or leasing establishments, Group I only
- Restaurants Groups I, II and III with consumption on premises and outdoor seating
- Specialty retail shop, Groups I and II
- Excavation, water retention
- Essential service facilities, Groups I
- Fences, walls
- Golf course
- Golf course driving range
- Maintenance facility
- Parking lot, accessory
- Recreational facilities, private on-site
- Storage, open and accessory only

MARINA TRACTS

- Accessory uses and structures
- Administrative offices
- ATM
- Bar or cocktail lounge
- Boat dock
- Boat ramp
- Caretaker's residence
- Entrance gates and gatehouse
- Essential service facilities, Groups I
- Storage, indoor, accessory only
- Temporary uses in accordance with LDC
- Transportation services, Group I and II
- Gasoline dispensing system, accessory only
- Maintenance facility
- Marina (limited to 645 total slips in the MPD per Manatee Protection Plan)
- Marina, accessory uses
 - Bait and tackle shop
 - Bar or cocktail lounge
 - Consumption on premises, including outdoor seating
 - Convenience store
 - Food and beverage service
 - Restaurant, Group I, II & III
 - Fueling facilities
- Multi-slip docking facility
- Parking lot, accessory
- Rental or leasing establishments, Group I only
- Recreational facilities, private on-site
- Signs in accordance with Chapter 30
- Storage, open and accessory only
- Transportation services, Groups I and II

UTILITY/ESSENTIAL SERVICE TRACTS

Entrance gates and gatehouse

Excavation, water retention

Essential service facilities, Groups I and II (excluding and sewage disposal or treatment facilities, solid waste transfer station, private, on-site and EO)

Fences, walls

Gasoline dispensing system, accessory only

Maintenance facility

Parking lot, accessory

Storage, open and accessory only

Offices

Vehicle Repair, accessory only

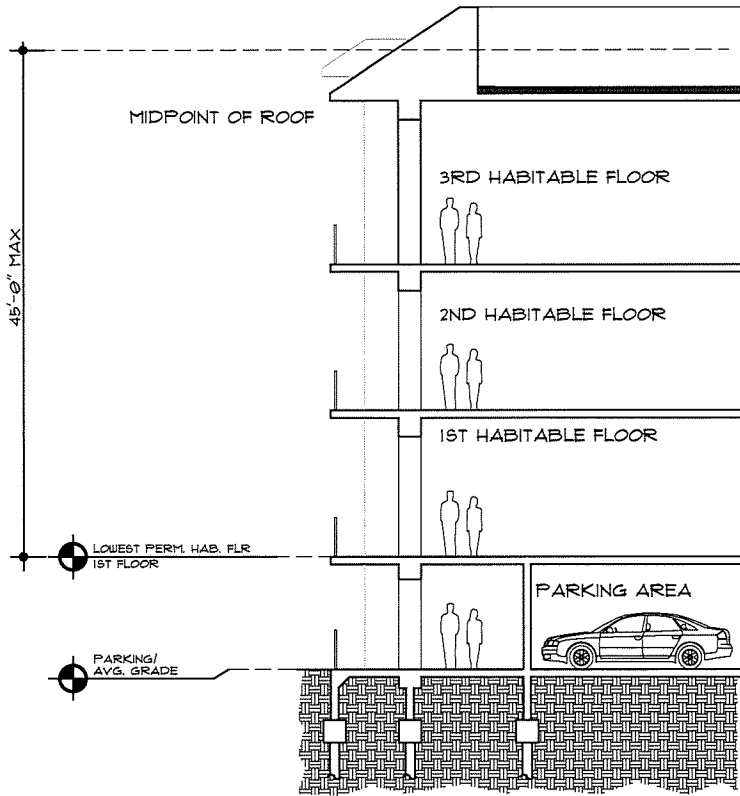
Laundry

Security

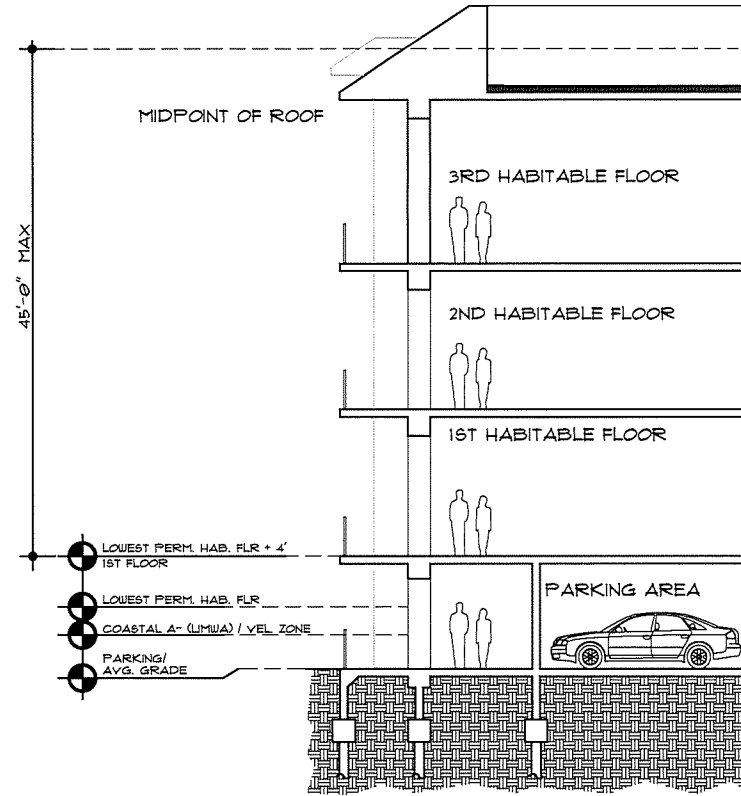
Load/Receiving Dock

Wireless communication facilities (limited to approvals SEZ2009-0005 & VAR2009-0009)

ATTACHMENT H



BUILDING HEIGHT SUBJECT TO FEMA
AE ZONES
CROSS SECTION



BUILDING HEIGHT SUBJECT TO
COASTAL A AND VELOCITY ZONES
CROSS SECTION



ATTACHMENT I

SOUTH SEAS MPD
DENSITY CALCULATION STATEMENT

REVISED DECEMBER 2024

Future Land Use	Maximum Density	Acreage	Unit Count (80%)	Pro-Rated ²	TOTAL
Outlying Suburban (Commercial)	N/A	5 AC	0 DU	N/A	0
Outlying Suburban (Residential)	3 DU/AC	20.44 AC	61.3 DU	N/A	61.3 DU
Outlying Suburban (Recreation/Resort) ¹	3 DU/AC	54.16 AC	167.88 DU	80%	129.9 DU
Wetland (Saltwater)	1 DU/20 AC	41.6 AC	2.08 DU	80%	1.6 DU
TOTAL		121+/- AC			193 DU

1. Includes golf course acreage, resort/recreation, maintenance, marina and right-of-way tracts utilized by both residents and hotel guests.
2. 25 acres of the MPD are dedicated to principal residential and commercial uses. 20.44 acres of those 25 acres are residential and 5 acres are commercial. Thus, 80% of the development area dedicated to principal uses is 80% residential and 20% commercial. Accordingly, 80% of the accessory resort/recreation uses will be allocated towards residential density calculations.

ATTACHMENT J

Date: January 2, 2025
To: Adam Mendez, Principal Planner
From: Nic DeFilippo, Senior Environmental Planner
239.533.8983
ndefilippo@leegov.com
Subject: DCI2023-00051
Natural Resources Staff Report and Conditions for South Seas Island Resort MPD

The request is to rezone 120.5± acres from Residential Multi-family (RM-2), Two-Family Conservation (TFC-2), and Marine Commercial (CM) to a unified Mixed Use Planned Development (MPD). The maximum proposed development will include 193 dwelling units and 435 hotel rooms (limited to 5 acres), along with private resort-oriented recreational uses.

Bald Eagle

Portions of the proposed project are within the 660 foot-radius of bald eagle nest LE-120. As a result, any improvements within the 660 foot-radius must obtain a Board of County Commissioners approved Bald Eagle Management Plan per Land Development Code Sec. 14-119(c). The Eagle Technical Advisory Committee recommended approval of the attached Bald Eagle Management Plan (Attachment 1) on April 9, 2024. To ensure that the project complies with LDC section 14-119(c) staff recommends the following condition:

Prior to local development order approval, the developer must adhere to the attached Bald Eagle Management Plan dated February 2024 for all proposed impacts within 660 feet of the bald eagle nest. The 660-foot buffer zone and the activities and restrictions outlined in the bald eagle management plan must be shown on the development order plans.

Surface Water

South Seas Island Resort is an existing community which has been developed over the past several decades. The existing substandard surface water managements system consists of wet and dry retention and detention areas which do not meet current surface water management standards. The applicant has indicated that the portions of the surface water management system will be replaced and brought up to modern water management standards. The proposed stormwater management system will consist of both wet and dry detention prior to discharging into Chadwick Bayou which is within Pine Island Sound Aquatic Preserve. The watershed is verified impaired for Total Nitrogen, Fecal Coliform and Chlorophyll-a by the Florida Department of Environmental Protection (FDEP). To address consistency with Lee Plan policies 125.1.2 and 125.1.4 the applicant proposed that a condition requiring surface water quality monitoring be part of the MPD approval. Staff recommends the following condition to address compliance with Lee Plan policies 125.1.2 and 125.1.4.

Prior to local development order approval, the developer must provide a Surface Water Quality Monitoring Plan for review and approval by the Lee County Division of Natural Resources. At a minimum, the Surface Water Quality Monitoring Plan must establish the following:

- i) **The overall Goals and Objectives of the Surface Water Quality Monitoring Plan;**
- ii) **An outfall monitoring schedule during "wet" season of June through September and "dry" season of October through May for Total Phosphorus, Total Nitrogen, Specific Conductance, Dissolved Oxygen, Turbidity, pH, and Total Dissolved Solids.**

- iii) Baseline monitoring event must be completed prior to commencement of construction and a baseline report must be provided to Lee County Division of Natural Resources
- iv) Water quality monitoring data must be provided to the Division of Natural Resources annually for a minimum of 5 years and must include a report with a comparison of State surface water quality standards, plots of parameters, and recommendations. After five years of meeting or exceeding State surface water quality monitoring standards, the developer may amend water quality monitoring and reporting after written request, review, and approval by the Division of Natural Resources. Results must be reported as an Electric Data Deliverable (EDD), in a format approved by the Division of Natural Resources.
- v) A contingency plan in the event an exceedance of State surface water quality standards is discovered. This plan must include notification to impacted residents and applicable authorities.

Existing Marinas and Manatee Protection Plan

South Sea Plantation and Bayside Villas Marina are existing marina facilities within the proposed MPD boundary. South Sea Plantation is depicted as "F" and Bayside Villas Marina is depicted as "D" on the Master Concept Plan (MCP). Both facilities are zoned Marine Commercial and identified on the Water Dependent Overlay (Lee Plan Map 1-H). As outlined in Lee Plan Policy 1.6.4, the Water Dependent Overlay designates shoreline areas where priority will be granted to water-dependent land uses. The rezoning request seeks to convert portions of the South Sea Marina, as depicted on the Water Dependent Overlay (Lee Plan Map 1-H), into Residential (E-1) and Resort Recreational (F-1). As outlined in Lee Plan Objective 8.1 and Lee Plan policy 128.1.2, the conversion of land within the Water Dependent Overlay to non-water dependent uses must be accomplished through a public hearing. This rezoning request is in accordance with this Lee Plan Objective 8.1 and Policy 128.1.2.

OBJECTIVE 8.1:

Existing marinas, fish houses, and port facilities indicated on the Future Land Use Map as having Water-Dependent Overlay zones will be reclassified by the County to commercial and industrial marine zoning categories to protect their rights to rebuild and expand and to prevent their conversion to non-water-dependent uses without a public hearing (See Map 1-H).

POLICY 128.1.2:

The Future Land Use Map will designate water-dependent overlay zones over existing commercial fishing, port and docking sites and commercial marinas to protect their rights to rebuild and expand and to prevent their conversion to non-water-dependent uses without a public hearing.

The applicant has indicated no improvements to the existing marina facilities are proposed. To establish a maximum number of boat slips for the MPD, consistent with Lee Plan Policy 128.4.6, the applicant obtained a Manatee Protection Plan (MPP) evaluation from Lee County Division of Natural Resources which determined a maximum of 645 boat slips could be constructed if success criteria for both seagrass and water depth are met, as outlined in Section 8 of the MPP. The applicant must demonstrate compliance with Lee Plan Objectives 128.4 and 128.5 prior to any future expansion or reconfiguration of the two existing marina facilities which will ensure compliance with Section 8 of the MPP. The Schedule of Uses does not include *boat storage, dry* and there is limited land and waterfront available to support the potential 645 boat slips without use of dry boat storage. If the applicant intends to create and sell Transfer Slip Credits, it can be accomplished outside of this rezoning request as outlined in Administrative Code

13-21. Staff recommends the following conditions to ensure compliance with the Manatee Protection Plan:

Prior to local development order approval for the expansion or reconfiguration of docking facilities, the developer must provide a current Manatee Protection Plan (MPP) evaluation.

Prior to local development order approval for the expansion or reconfiguration of docking facilities, the developer must depict and number all proposed and existing slips on the development order plans. The South Seas Island Resort MPD is limited to a maximum of 645 boat slips, this number may be modified based on review and approval by Lee County for compliance with the Lee County Manatee Protection Plan.

Exhibits

- I. Bald Eagle Management Plan, February 2024

EXHIBIT 1



South Seas Island Resort MPD

Captiva, FL 33924



Submitted To:

Mr. David Henson
Development Manager
WS SSIR Owner LLC
306 Tamiami Trail Suite 201
Naples, FL 33924

Bald Eagle Management Plan
WSSSI24001
February 2024



TABLE OF CONTENTS

Introduction	1
Land Use and Natural Communities	1
Bald Eagle Natural History and Protection	1
Description of Bald Eagle Nest LE-120.....	1
Proposed Project and Bald Eagle Protection Zones	1
Bald Eagle Management Plan.....	1
References	2

ATTACHMENTS

- Attachment 1: Location Map
- Attachment 2: Aerial Map
- Attachment 3: FLUCFCS Map
- Attachment 4: Bald Eagle Nest Buffer Zone Map
- Attachment 5: Photographs

Introduction

This bald eagle management plan has been prepared for South Seas Island Resort MPD (DCI2023-00051) for bald eagle (*Haliaeetus leucocephalus*) nest LE-120. The nest is located on Captiva Island in Section 26, Township 45S, Range 21E. The nest tree is located east of the Gulf of Mexico and the beach and west of South Seas Plantation Road. The proposed work includes the redevelopment of South Seas Island Resort. None of the proposed redevelopment is within the 330 or 660-foot buffer zones. Mangroves, which will be preserved, are within the 660 zone (Attachments 1-3) and the MPD.

Land Use and Natural Communities

A Pennoni environmental scientist conducted a site inspection on February 2, 2024 to document the nest status and surrounding natural communities and land uses. The nest is located in a heavily damaged, but live Australian pine (*Casuarina equisetifolia*) within the beach dune between the Gulf of Mexico and existing beach cottage buildings. Additional native communities include beach west of the nest and mangroves east of the nest. South Seas Plantation Road is located between the mangroves and the beach cottages (Attachment 4).

Bald Eagle Protection

Although the bald eagle is no longer listed as a threatened or endangered species by the United States Fish and Wildlife Service (FWS) or the Florida Fish and Wildlife Conservation Commission (FWC), it is still protected by the Federal Migratory Bird Treaty Act and the Bald and Golden Eagle Protection Act, by Florida's eagle rule (68A-16.002 F.A.C.) and the Lee County Land Development Code (Chapter 14-111). The FWS has established guidelines for protective buffers around nests to best protect nesting eagles.

Description of Bald Eagle nest LE-120

Bald Eagle nest LE-120 is within a live but heavily storm damaged Australian pine approximately 150 feet west of South Seas beach cottages which, at the time of the 2024 site visit, were being repaired post Hurricane Ian. The nest has been active since the 2019-2020 nesting season. The nest was destroyed by Hurricane Ian in September 2022, but rebuilt in October 2022, successfully hatching young in 2023 (Audubon Eagle Watch). A site visit on February 2, 2024 revealed an active nest with two young eaglets in the nest and both adults perched within the nest tree (Attachments 5). Neither adult bald eagle seemed stressed by construction workers nor Pennoni staff presence.

Proposed Project and Bald Eagle Protection Zones

The project area for South Seas Island Resort is located within Sections 15, 22, 26 and 27, Township 45S, Range 21E. No redevelopment associated with the South Seas Island Resort MPD (DCI2023-00051) is proposed within the 330 or 660-foot buffer zones. The only portion of the South Seas Island Resort MPD within the 660-foot buffer zone are the mangroves east of the existing road which will be preserved as part of the indigenous open space preserve. No alterations to South Seas Plantation Road within the eagle buffer zones are currently planned and no staging of construction equipment will occur.

Bald Eagle Management Plan

No development or construction staging is proposed within the 330 or 660-foot buffer zones. The only part of the project area within the 660-foot buffer zone are the mangroves located east of the road. The mangroves will be preserved as part of the Lee County required indigenous open space preserve. The only activity that may occur within the area is periodic exotic plant control.

Required indigenous open space management / non-native invasive control will be scheduled outside of the bald eagle nesting season (generally considered October 1 – May 15, however it may start earlier or last longer). Should unforeseen circumstances necessitate indigenous open space management during the nesting season, monitoring and reporting to FWS and Lee County staff will be initiated in accordance with the Bald Eagle Monitoring Guidelines (USFWS 2007a).

Road maintenance on the existing road, although not proposed as part of the current plan, will occur outside of nesting season. If road maintenance must occur during nesting season a qualified eagle monitor will be on site to ensure that the eagles are unharmed in accordance with USFWS bald eagle guidelines.

No specific monitoring is proposed since no activity is being proposed within the 330 or 660-foot buffer zones.

References

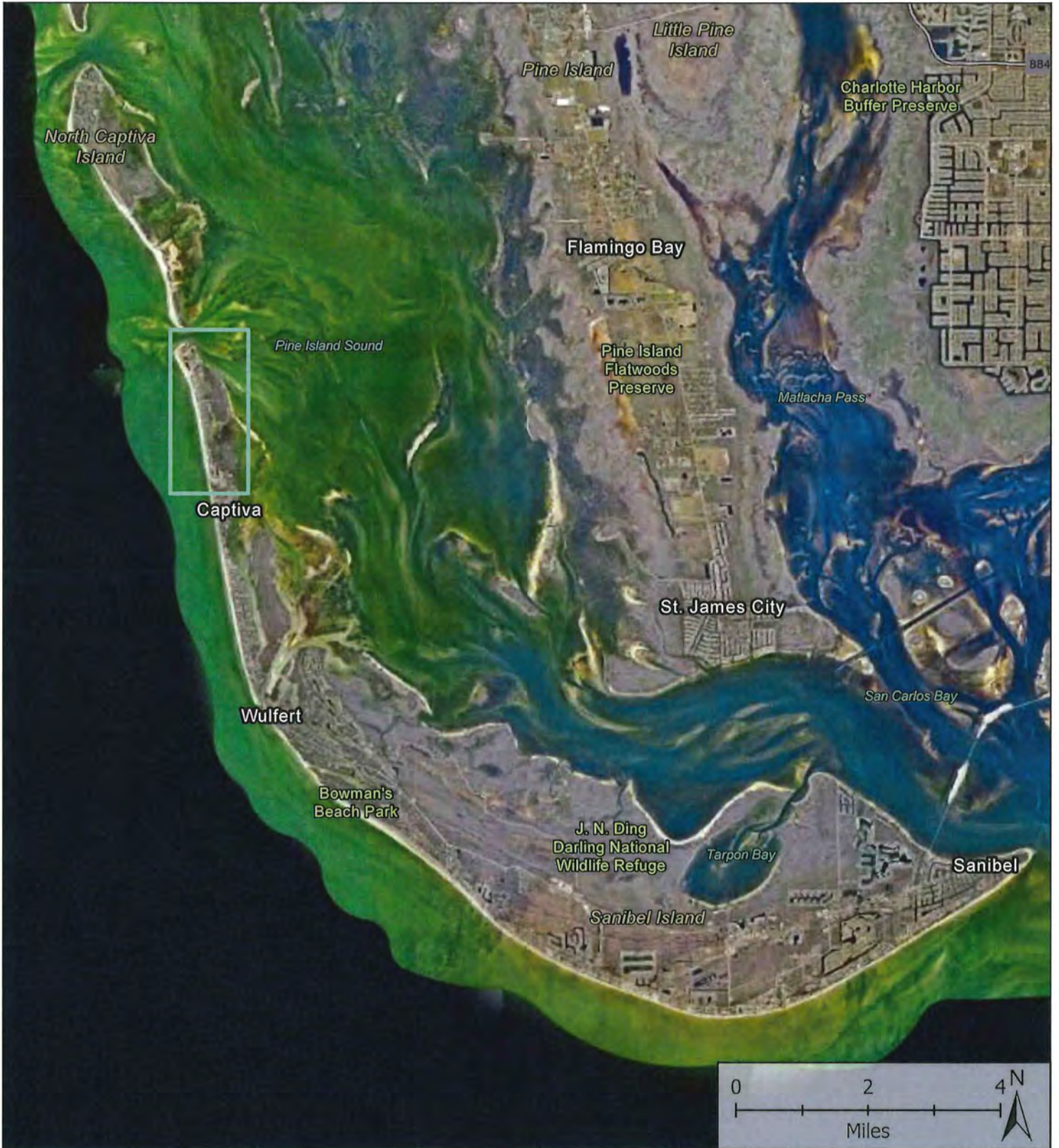
Audubon Center for Birds of Prey. (2023). Audubon Florida EagleWatch Public Nest Map.
<https://cbop.audubon.org/conservation/about-eaglewatch-program>.

Florida Department of Transportation. (1999). Florida Land Use, Cover and Forms Classification System. Procedure No. 550-010-001-a.

Florida Fish and Wildlife Conservation Commission. (2017). Florida's Official Endangered and Threatened Species List (Updated January 2017).

U.S. Fish and Wildlife Service, 2007a. Bald Eagle Monitoring Guidelines.

U.S. Fish and Wildlife Service, 2007b. National Bald Eagle Management Guidelines.



Pennoni
PENNONI ASSOCIATES INC.
 4706 Chiquita Blvd, #200-E02
 Cape Coral, FL 33914
 T: 239.202.2195 www.Pennoni.com

South Seas Island Resort,
 Captiva, FL

Project: WSSSI24001

 Project Location

Location Map



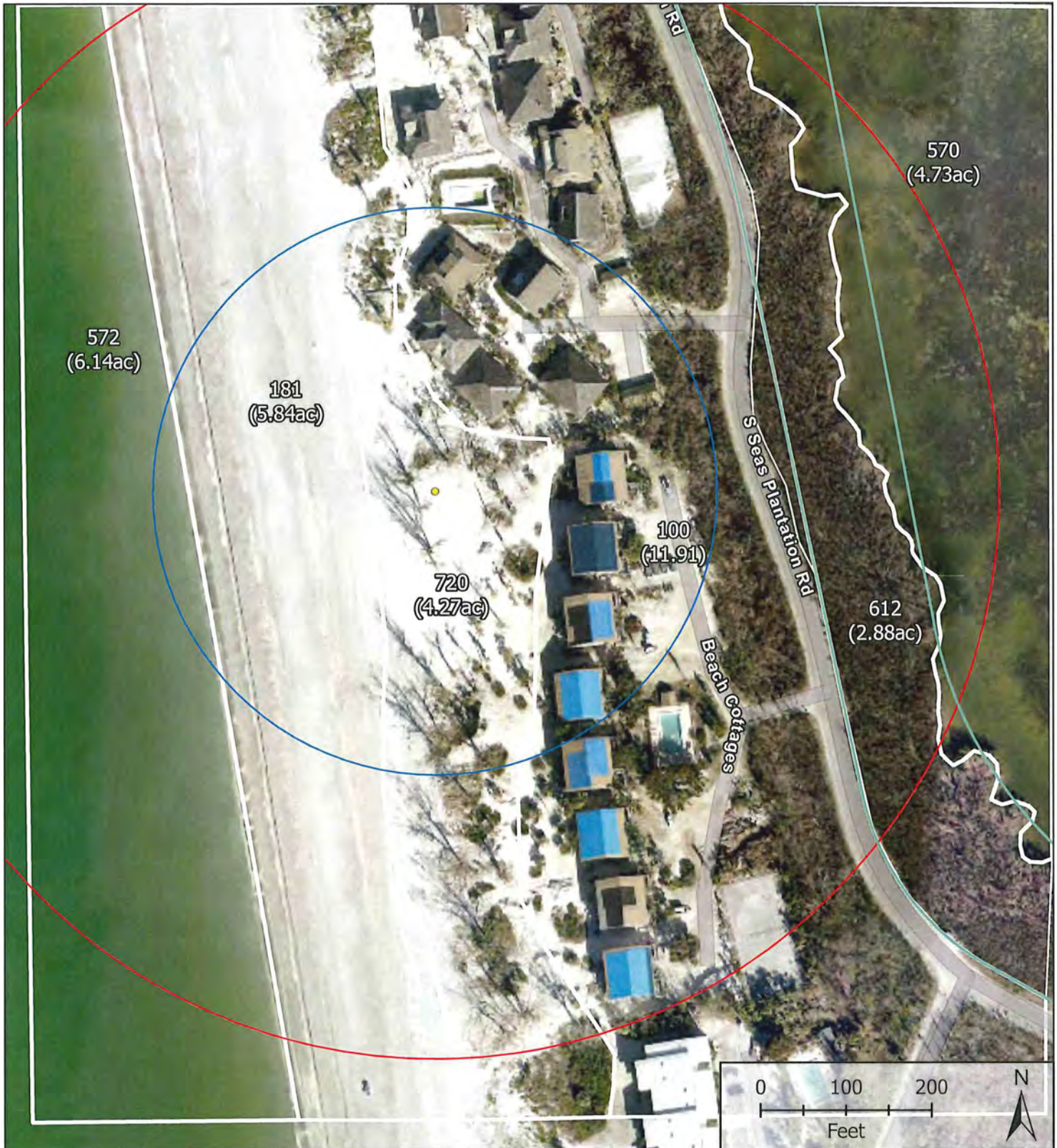
Pennoni
PENNONI ASSOCIATES INC.
 4706 Chiquita Blvd, #200-E02
 Cape Coral, FL 33914
 T: 239.202.2195 www.Pennoni.com

South Seas Island Resort,
 Captiva, FL

Project: WSSSI24001

— Project Boundary
 ● Eagle Nest LE-120

Bald Eagle Nest Aerial Map



Pennoni
PENNONI ASSOCIATES INC.
 4706 Chiquita Blvd, #200-E02
 Cape Coral, FL 33914
 T: 239.202.2195 www.Pennoni.com

**South Seas Island Resort,
 Captiva, FL
 FLUCFCS Map**

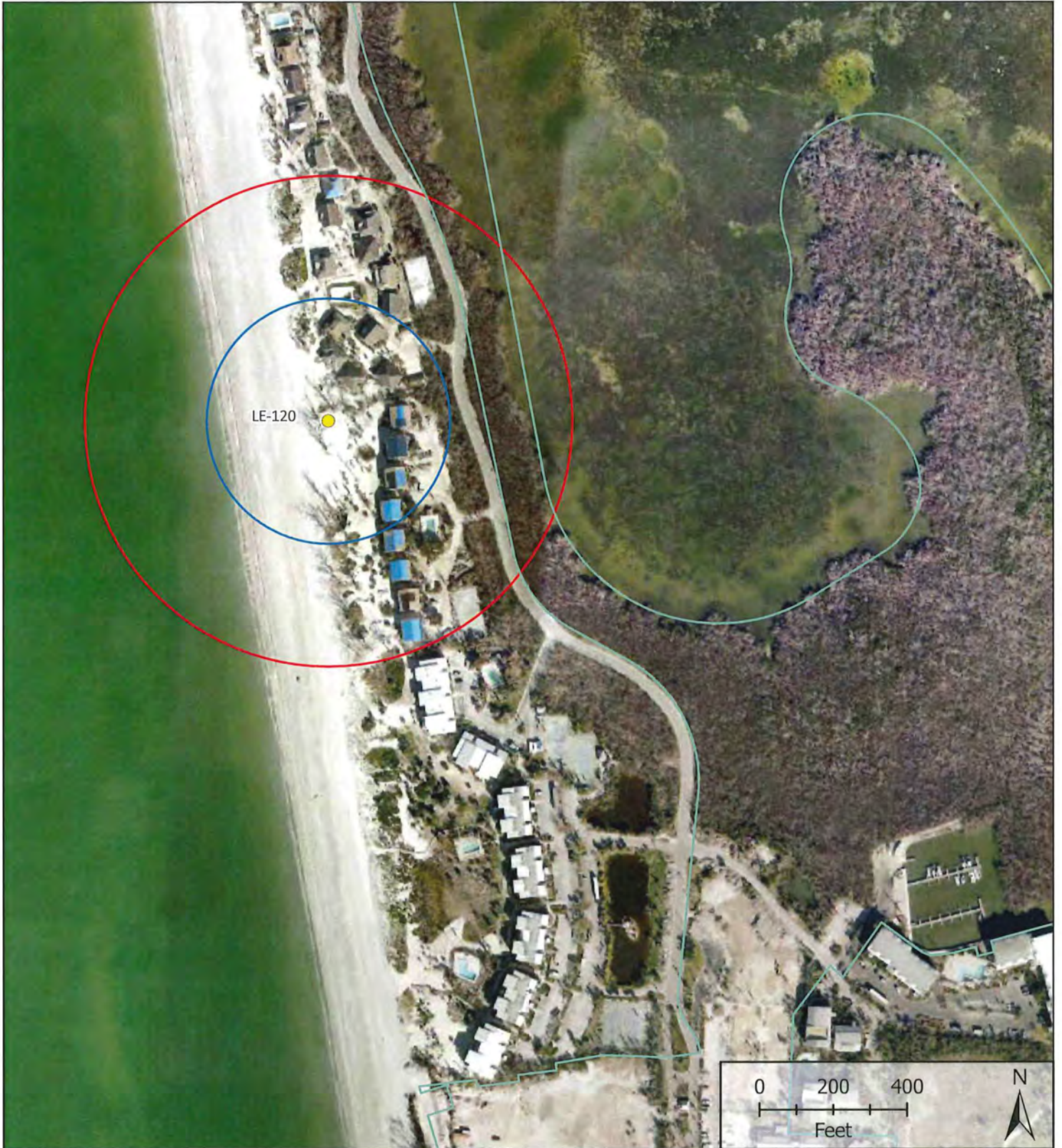
Project: WSSSI24001

Project Site Outline
 ● Bald Eagle Nest LE-120
 330-ft buffer
 660-ft buffer

FLUCFCS Code	Description	Acreage	Federal Status	State Status
100	Urban and Build-Up (Existing Residential and Commercial)	14.23	N	N
181	Beach	6.40	WUS	OSW
570	Chadwick Bayou	4.73	WUS	OSW
572	Gulf of Mexico	6.14	WUS	OSW
612	Mangrove	2.88	W	W
720	Dune	4.74	N/D	OSW

N = Non-Wetland
 N/D = Non-Jurisdictional Wetlands or Waters of the U.S.
 W = Wetland
 OSW = Other Surface Waters/Waters of the U.S.

Notes:
 1. FLUCFCS Lines estimated from 1" = 100' aerial photographs and locations are approximate.
 2. FLUCFCS per Florida land use, cover and forms classification system (FDOT 1999).



Pennoni
PENNONI ASSOCIATES INC.
 4706 Chiquita Blvd, #200-E02
 Cape Coral, FL 33914
 T: 239.202.2195 www.Pennoni.com

South Seas Island Resort,
 Captiva, FL

Project: WSSSI24001

- Project Boundary
- Eagle Nest
- 330-ft buffer
- 660-ft buffer

Bald Eagle Nest Buffer Zone Map

Bald Eagle Nest LE-120 February 2, 2024.



Two adult bald eagles and the nest with 2 young



Two eaglets within the nest

ATTACHMENT K

Lee County, Florida
DEPARTMENT OF COMMUNITY DEVELOPMENT
ENVIRONMENTAL STAFF REPORT

CASE NUMBER: DCI2023-00051
TYPE OF CASE: Mixed-Use Planned Development
CASE NAME: South Seas Island Resort MPD
TOTAL ACREAGE: 120.5 +/- Acres
SUFFICIENCY DATE: November 1, 2024
HEARING EXAMINER DATE: February 14, 2025

Request

The applicant is requesting to rezone approximately 120.5 acres from Residential Multi-Family (RM-2), Residential Two-Family Conservation (TFC-2), and Commercial Marine (CM) to a Mixed-Use Planned Development.

South Seas Island Resort ("Resort") is located at the northern end of Captiva Island. The subject property is in the boundary of the Captiva Community Plan Area per Lee Plan Map 2-A. Land Development Code (LDC) Section 33-1611(e) exempts South Seas Island Resort from the Captiva Community Plan Area regulations, unless otherwise specified. South Seas Island Resort is defined in Land Development Code (LDC) Section 33-1614 and depicted in LDC Appendix I, Map 18.

South Seas Island Resort encompasses approximately 304 acres that consists of residential, recreation, marina, resort area, and commercial uses. The applicant is requesting to rezone approximately 120.5 acres of the total 304 acres to Mixed-Use Planned Development. The applicant is requesting residential and commercial development.

EXISTING CONDITIONS AND SCOPE OF DEVELOPMENT

The subject property currently consists of a developed resort along the northern boundary with passive and active recreation, residential, and commercial that encompass the 304 acres. The subject property has residential units mixed with the resort units and a spine road from Captiva Drive along the south property line to the north end of the property. The east side of the spine road consists of existing mangroves that have been preserved since the 1970's. In 1993, South Seas Limited Partnership recorded a Conservation Easement dedicated to the Florida Department of Environmental Regulation (FDER) as part of the approval permit Application Numbers 361010385 and 361010325 (Exhibit A). The conservation easement was recorded to the east of the marina as part of the mitigation for dredging the marina basin and boat access to Pine Island Sound (see Figure 1)

The MCP Tract K is proposed to be a Maintenance area providing existing essential services and offices. When originally permitted, South Seas Plantation was required to record conservation easements for the impacts to develop the maintenance area (Instrument #2440853 attached as Exhibit B). The conservation easements include 1.35 acres north and 0.54 acres to the south of the existing essential service buildings (see Figure 2).

South Seas Plantation has experienced several hurricanes since 2004 with the most recent destroying many of the primary buildings. The applicant is currently rebuilding within the existing development footprint to bring the site into conformity with the Land Development Code (LDC). The mangrove estuary

located north and east of the marina will serve as the indigenous open space to meet LDC Section 10-415(b). The mangroves extend along the east side of South Seas Plantation Road providing screening and buffering for vehicles. The Plantation Beach Club Timeshare Subdivision located west and northeast of South Seas Plantation Road; Lands' End Village Condominiums located at the north end of South Seas; and Marina Villas Condominiums are not included in the subject application as depicted on the MCP.

PROTECTED SPECIES

Pennoni Environmental Consulting conducted the protected species survey for the 121-acre South Seas Plantation Resort as required per LDC Section 10-474 and LDC Section 34-373(b)(2). The protected species survey was conducted in September 2022 and March 2023 by Pennoni Associates, Inc. who utilized pedestrian transects to survey the site for protected species and to note the habitat types supporting existing species or opportunities for wildlife (Exhibit C). Florida Land Use Cover and Forms Classification System (FLUCFCS) is used to describe the habitat types on a site. Indigenous vegetation is defined in LDC Section 10-1 as areas consisting of native species per LDC Section 10-701 that have less than 75 percent exotic species are considered indigenous. The applicant has provided a FLUCFCS map for the subject property and descriptions of each FLUCFCS which indicates that the site does have indigenous areas consisting of mangroves. Even though the golf course, marina, and dune areas are not considered indigenous areas, they provide areas for nesting, feeding, and roosting for various protected species. The applicant indicates in the Protected Species Survey that manatees, Southern bald eagles, wood storks, piping plovers, sea turtle nests, and cavity trees were observed on the subject property. The applicant has provided several protected species maps as part of the Protected Species Survey that identify the location of nests, observations, foraging, and breeding areas for certain species. Figure 3 depicts the location of protected species during the site inspection.

LDC Section 10-471 provides the list of Lee County Protected Species, and the applicant has verified observations of four listed Lee County listed species and included additional federally and State of Florida listed species.

Migratory Birds and Wading Birds

The applicant has indicated that a little blue heron was observed roosting in the mangrove fringe on the southern parcel and loafing black skimmers and red knots were seen on the beach adjacent to the golf course. The little blue heron and black skimmer are considered threatened and Species of Special Concern per the Florida Fish and Wildlife Conservation Commission (FWCC), and red knot are listed as federally threatened per U.S. Fish and Wildlife Service (FWS). The subject property provides nesting and breeding areas along the northwest dune. South Seas Island Resort restored the dune to encourage and provide protected areas for Least Tern, Plovers, and Killdeer breeding areas (see Shorebird Breeding Map, Exhibit C). The dune areas have been impacted by several hurricanes and as part of the rezoning the applicant has requested a deviation (Deviation 5A) from the natural waterway buffer requirements (LDC Section 10-416(d)(9)) to provide native dune species to restore and enhance these breeding areas. The applicant indicates that no federally threatened wood storks were seen on site during the site visit and no known wood stork rookeries are within five miles of the project. The subject parcel is not within core foraging area as indicated in the Protected Species Survey foraging map (Exhibit C).

Staff is recommending the following condition to require window treatments on the buildings to deter bird strikes:

The development order plans for buildings within the MPD must be reviewed by Environmental Sciences staff for the utilization of window treatment to reduce or break up window panel reflection to decrease the potential of bird strikes. Examples of acceptable window treatment may include the use of non-reflective tinting, ultraviolet reflective decals, exterior sunshades or similar treatments. This condition is to the window and/or door panels building facades facing the Gulf of Mexico and/or Pine Island Sound.

Southern Bald Eagle and Manatees

The Natural Resources staff memorandum provides information regarding the two Southern bald eagle nests located on Captiva and information regarding manatee protection as it pertains to the marina and boat slips.

Florida Bonneted Bat

The site has Coconut palms that have several cavities that were inspected for Florida Bonneted Bats and Red-cockaded Woodpeckers. These trees are in Tract E where residential units are proposed.

Staff has recommended a condition to ensure that at time of land clearing and construction of Tract E, the applicant submits updated inspection reports for protected species with the Vegetation Removal Permit.

Prior to the issuance of a Vegetation Removal Permit for Tract E, the applicant must submit updated inspection reports for the cavity trees to ensure protection for the Florida Bonneted Bat and Red-Cockaded Woodpecker.

Sea Turtles

The subject property has Gulf of Mexico beach frontage that provides habitat for nesting sea turtles. LDC Section Chapter 14, Division 2 provides code requirements for development along the Gulf of Mexico. The applicant has indicated that a sea turtle nest was observed along the northwest beach area. Half of South Seas Resort is within the sea turtle lighting district which controls artificial light for all commercial and residential uses per LDC Section 14-76. Applicants proposing development within the sea turtle lighting district must provide window tinting or other treatments and shielded exterior lighting fixtures to demonstrate compliance with LDC Section 14-76.

Staff is recommending a condition to require lighting plans for all structures within South Seas Resort to comply with LDC Section 14-76 due to the resort vegetation being impacted by the recent hurricanes.

All buildings within the subject property must demonstrate compliance with LDC Section 14-76 for exterior lighting only. All buildings within the Sea Turtle Lighting District must comply with window and lighting requirements per LDC Section 14-76.

Figure 1. Conservation Easement associated with the marina.

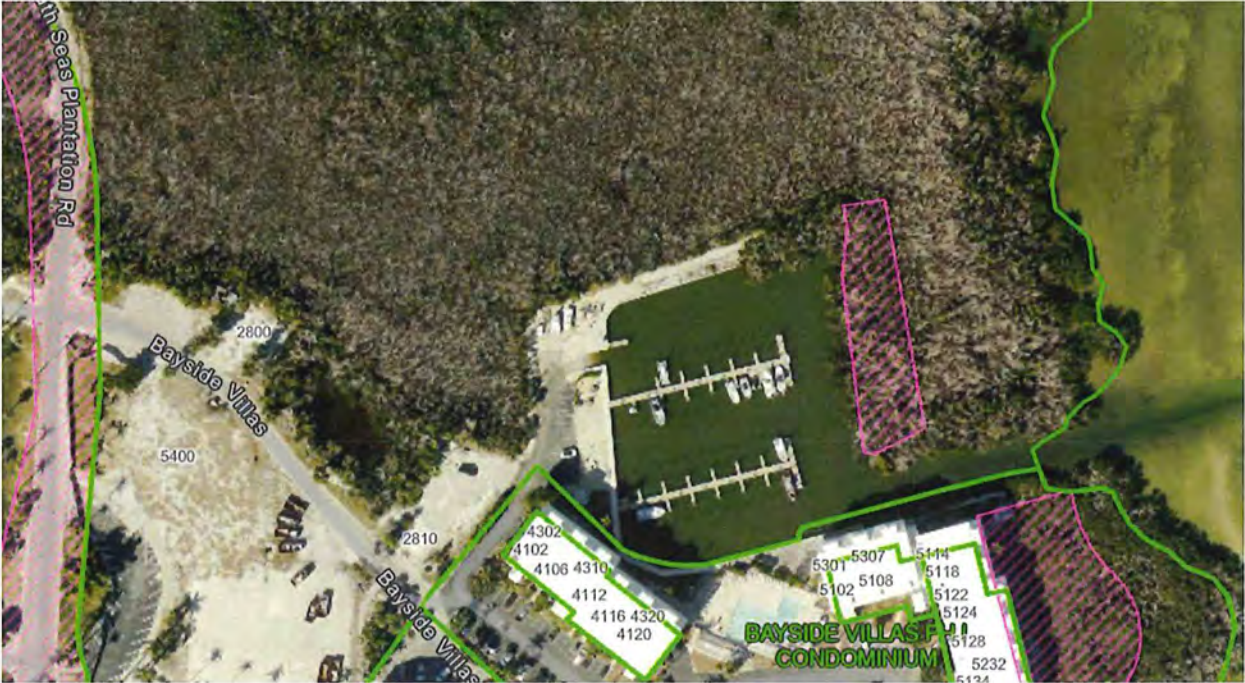


Figure 2. Conservation Easement associated with the maintenance facility.



Figure 3. Protected Species Map



Pennoni
PENNONI ASSOCIATES INC.
 4706 Chiquita Blvd, #200-E02
 Cape Coral, FL 33914

South Seas Island Resort,
 Captiva, FL

Project: WSSSI24001

Authorized Agent: GTA-20-00041 and RAG-20-00009

- Project Boundary
- Pedestrian Transects
- Osprey Nest
- Bald Eagle Nest
- Cavity Tree
- Sea Turtle Nesting Area

OPEN SPACE

The project meets the large development definition (Land Development Code 10-1). LDC 10-415(a) requires the applicant to provide 30 percent open space for commercial development and 40 percent open space for residential development. LDC Section 34-414(c) requires each tract to provide ten percent open space and an open space table must be inserted as part of the Master Concept Plan that indicates the minimum amount of open space which each tract will provide. The applicant is proposing 115.5 acres of residential which would require 46.2 acres of open space. The applicant is proposing five acres of commercial which would require 1.5 acres of open space. Master Concept Plan sheet 4 of 7 provides the open space calculations and the minimum open space to be provided per tract which meets LDC Sections 10-415(a) and 34-414(c) (see Figure 4).

Figure 4. Minimum Open Space per Tract

MINIMUM OPEN SPACE BY TRACT		
TRACT	ACREAGE	MIN. OPEN SPACE
A	2.94	0.295
A-1	2.75	0.275
B	4.17	0.417
C	2.68	0.268
D1	2.42	0.242
D2	1.82	0.82
E	4.6	0.46
F	1.44	0.144
F1	5.09	0.509
G	1.38	0.138
H	11.64	1.164
I	8.33	0.833
I-2	0.11	0.011
I-1	2.25	0.225
J	22.36	2.236
K	1.68	0.168
L	1.38	0.138
MIN. OPEN SPACE INTERNAL TO TRACTS		8.343 AC

INDIGENOUS OPEN SPACE

The Land Development Code requires that large developments must provide 50 percent of the open space percentage requirement through onsite preservation of existing native vegetation communities (LDC 10-415(b)). The subject property is over ten acres in size and is considered a large development per LDC Sections 10-1 and 10-415(a). The applicant is meeting the indigenous open space requirement as follows:

INDIGENOUS PRESERVE SUMMARY	
INDIGENOUS PRESERVE REQUIRED	23.85 AC (47.7 x 50%)
INDIGENOUS PRESERVE PROVIDED	39.83 AC

BUFFERS

LDC Section 10-416(d) states that an applicant must provide certain types of buffers based on the subject property use and the abutting property's use or zoning category. The applicant has requested Deviations 2 through 4 from LDC Section 10-416(d) and provided Master Concept Plan sheet 5 of 7 to depict the location of each deviation.

Deviation #2

The applicant is requesting Deviation #2 from LDC Section 10-416(d), which requires buffering whenever different uses abut, to allow no buffering between internal uses. The development is being designed as a mixed-use development which creates connectivity and interconnections between uses. Providing internal buffers severs the intent of mixed-use. The applicant is requesting to omit the requirement due to the site being developed as a mixed-use development.

Staff recommends **APPROVAL** of Deviation #2 to allow no internal buffers between internal tracts per the following condition:

No internal buffers are required between the following tracts:

- a. Hotel Tract I-1 and Recreation Tract I***
- b. Hotel Tract I-1 and Marina Tract F-1***
- c. Residential/Resort Tract H and Recreation Tracts F, G, and I***
- d. Hotel Tract A-1 and Recreation Tract A and C.***

Deviation #3

The applicant is requesting Deviation #3 from LDC Section 10-416(d), which requires a 15-foot-wide Type-D buffer that includes five trees per 100 linear feet and a double hedge, to allow the indigenous preservation along the east side of South Seas Plantation Road to meet the buffer requirements and to allow no buffer along the west side of South Seas Plantation Road. The applicant indicates that approximately 50 percent of South Seas Plantation Road is screened by native vegetation at varying widths along the east side. The edge of pavement along the west property line serves as the MPD property line which precludes the applicant from being able to provide the required buffer or an alternative. The deviation request is needed because South Seas Plantation Road is an existing facility within the resort.

Staff recommends **APPROVAL** of Deviation #3 except for the east boundary of Tract G.

The applicant has proposed a resort restaurant on Tract G, which is a new structure, and as part of the development order approvals (DOS2022-00196 A02) an alternative landscape theme has been approved for Tract G. Staff has incorporated a condition to Deviation #3 to recommend approval to allow the applicant to not provide a Type-D buffer except for the Beach House restaurant which must provide building perimeter planting areas abutting South Seas Plantation Road to serve as the right-of-way buffer screening. Staff recommends APPROVAL of Deviation #3 with the following condition:

A Type-D buffer is not required abutting South Seas Plantation Road, except for Tract G (Beach House restaurant). The building perimeter plantings abutting the Beach House restaurant must provide screening abutting South Seas Plantation Road which consist of native groundcovers, grasses, and trees in accordance with the building perimeter requirements per LDC Section 10-416(b).

Deviation #4

Deviation #4 pertains to all external property lines that abut offsite uses. This deviation is broken down into five areas with each area requesting no buffers except for Tract G (Beach House).

Deviation #4A is located between the Lands' End multi-family timeshare tracts and the existing golf course (Tract J). LDC Section 10-416(d) requires a Type C (15-foot-wide buffer with eight-foot wall) or Type-F buffer (30-foot-wide buffer with no wall) between the golf course and multi-family timeshare units. The applicant is requesting to provide no buffer between these uses. The Master Concept Plan depicts the Golf Course Tract (J) will remain the amenity in this area which has coexisted with the condominium for several decades.

Staff is recommending **APPROVAL** of Deviation #4A.

Deviation #4B is located between Recreation Tract I and external timeshare to the north. Like Deviation #4A, the timeshare units abut the subject property's proposed resort/marina/recreation area, which would require a Type-C or Type-F buffer between Tract I and the timeshare units to the north. By not providing buffers between the abutting, offsite timeshare units and the recreational area, the uses remain interconnected and consistent with the surrounding land uses .

Staff recommends **APPROVAL** of Deviation #4B.

Deviation #4C is located between Tract F and abutting a 30-foot-wide road easement. initially the request assessed the required buffer as a Type-C or Type F, based on the adjacent Harbourview Villas time-share condominium. However, the 30-foot-wide roadway easement bisects these areas and therefore the spa does not abut the time-share condominium by definition (see LDC Section 10-1). A Type-D buffer is required along the property line and the applicant is requesting to provide no buffer. Tract F is proposed to develop a 2-story resort spa building over golf cart parking on the northern half of Tract F, with standard vehicle parking in the southern half of the tract. The applicant is proposing to change the form and shape of these tracts from what was previously built in this area. The approved Development Order (DOS2024-00087) includes an approved Type- D landscape buffer along the southern property boundary in compliance with the LDC.

Therefore, staff recommends **WITHDRAWAL** of Deviation #4C.

Staff Note: MCP must be revised to eliminate reference to Deviation #4C along southern boundary of Tract F to align with staff recommendation.

Deviation #4D is located between Tract G and the abutting residential timeshare to the south. Tract G is changing uses with what previously was in this area. The applicant has proposed a restaurant on Tract G per DOS2022-00196. The south side of the restaurant has an easement dedicated to beach access and landscape buffering. The applicant is requesting in lieu of a Type-C or F buffer per LDC Section 10-416(d)(6), to allow ten trees per 100 linear feet. The development order depicts existing trees to remain to meet the buffer requirement.

Staff is recommending APPROVAL with the following condition:

The south property line of Tract G must provide ten trees per 100 linear feet within the 30-foot-wide landscape and access buffer easement. The buffer trees must be installed to allow access to the beach.

Deviation #4E is being requested between Hotel Tract A-1, Marina Tract D1, and Recreation Tracts L-1 and C abutting Bayside and Tennis Villas multi-family tracts to provide no buffers. The applicant is proposing to change the form and shape of these tracts from what was previously built in this area. The height of the buildings and the types of uses proposed will influence the surrounding uses. Staff cannot support the applicant's request to provide no buffers. LDC Section 10-416(d) requires a Type-C buffer (15-foot-wide with five trees and 18 shrubs per 100 linear feet with an eight-foot wall) or Type-F buffer (30-foot-wide with ten trees per 100 linear feet and a double hedge and no wall). Staff recommends an alternative buffer that compliments the barrier island natural wall design by conditioning a ten-foot-wide buffer with five trees per 100 linear feet and a single hedge row. The shrubs must be installed four feet on center and be specified at five feet in height and maintained at eight feet in height. Between the shrubs forming a natural wall and the trees providing a breakup of the building façade, the proposed parking and mix of commercial uses will be screened. Staff has included in the condition an option to have a fence that must be setback ten feet if proposed.

Staff recommends APPROVAL of Deviation #4E limited to the external boundaries of Tract D and L-1 and limited approval for the external boundaries of Tract C and A-1, with the following condition to provide a buffer:

Prior to the issuance of a development order on Tracts C and A-1, the development order plans must depict a ten-foot-wide buffer along the entire external property line abutting property under separate ownership. The required planting content must include five trees per 100 linear feet and a single hedge. Trees must meet the specifications per LDC Section 10-420. Shrubs must be specified at five feet in height installed four feet on center and maintained at eight feet in height. If a fence or wall is proposed, the fence or wall must be setback ten feet from the development perimeter.

Deviation #5

Deviation #5 pertains to all property lines that abut a natural waterway. In accordance with LDC Section 10-416(d)(9), a 50-foot-wide natural waterway buffer must be provided. The buffer must preserve native trees or if native trees do not exist with the 50-feet provide six native canopy trees and 50 native shrubs per 100 linear feet. The applicant is requesting a deviation from this section of code to allow the previously approved

dune restoration plantings along the Gulf of Mexico (Deviation #5A) and to allow the native mangrove fringe areas (Tracts E and K) to serve as the buffer. The dune restoration planting was approved as part of Development Order DOS2022-00196 A2.

Staff is recommending **APPROVAL** of Deviation #5A with a condition regarding the buffer requirement for the dune and **APPROVAL** of Deviation #5B as follows:

Prior to the issuance of a development order for Tracts B, G, H, or J, the development order plans must depict a 15-foot-wide planting area consisting of 94 native shrubs and 170 groundcover. Existing native vegetation may be used to meet the buffer requirements.

Staff recommends **APPROVAL** of Deviation #5A.

Deviation #7

The applicant is requesting Deviation #7 from LDC Section 10-329(d)(4), which requires 6:1 lake bank slopes, to allow 4:1 lake bank slopes for existing only lakes.

Staff is recommending **APPROVAL** of Deviation #7.

Deviation #16

Deviation #16 is being requested from LDC Section 10-420, which requires a two-inch minimum layer, after watering-in, of mulch or other recycled materials around all newly installed trees, shrubs, and groundcover plantings, to allow crushed shell as an alternative to mulch.

Staff is recommending **APPROVAL** with the following condition:

All required landscape plants must be native and salt tolerant.

Additional buffer

The north property line abutting Redfish Pass was previously stabilized with rip-rap. As part of the approval, the previous owner was required to provide additional plantings along the north property line. The goal of the subject application is to rezone the property to Mixed-Use Planned Development and bring the site into compliance with the current Land Development Code, capturing all previous approvals where applicable. Staff is recommending an enhanced waterway buffer along the north property line abutting Redfish Pass consistent with the development order (LDO2005-00214) approval for the shoreline stabilization.

The north property line abutting Redfish Pass (extending from the Gulf of Mexico to Pine Island Sound) must include seven Cabbage Palms and five Coconut Palms per 100 linear feet.

Exhibits:

Exhibit A – Tract D Marina Conservation Easement

Exhibit B – Tract K Maintenance Area Conservation Easement

Exhibit C – Protected Species Survey, Pennoni Associates, Inc.

EXHIBIT A

CONSERVATION EASEMENT

Documentary Tax Pd. \$ no
Intangible Tax Pd. \$
By CHARLIE GREEN, CLERK, LEE COUNTY
m. jordan Deputy Clerk
3343991

19.50
1.70

RECORD VERIFIED - CHARLIE GREEN, CLERK
BY: MARTIN JO. MCKINSON, D.C.

OR2364 Pg1 197

TO ALL FUTURE owners of the following described property, or any part or parcel thereof, located in Lee County, Florida:

THIS INDENTURE made this 24TH day of FEBRUARY, 1993, between South Seas Resort Limited Partnership, hereinafter called "Grantor" and the Florida Department of Environmental Regulation, hereinafter called "Grantee", WITNESSETH:

WHEREAS, the "Grantor" is the owner of certain lands located in Lee County, Florida, hereinafter referred to as the "Property" more specifically described in Exhibit "A" attached hereto and made a part hereof.

WHEREAS, the "Grantor" desires to engage in certain activities for which permits from the Grantee are necessary, and

WHEREAS, the "Grantor", in consideration of the approval of Grantee for said permits, is agreeable to and desirous of establishing and securing the enforcement of a perpetual conservation easement as defined in Section 704.06, Florida Statutes (1985) with the following conditions described below.

NOW THEREFORE, in consideration of the issuance of approval of permit Application Numbers 361010385 and 361010325, pursuant to the agreement of the Department of Environmental Regulation to grant those permits there is created, declared and established a conservation easement on so much of the "Property" as is described above, which shall run with the land and be binding upon the "Grantor", its heirs, successors and assigns, and remain in full force and effect. The terms of the conservation easement shall include the following:

1. Scope of Easement:

The following activities are prohibited on the property unless expressly consented to in writing by the Grantee:

- a) The placing of buildings, roads, signs, billboards or other advertising, utilities or other structures of any kind whatsoever on or above the ground on the property, except for a solar battery operated security system and its appurtenances located adjacent to the entrance channel of the small boat basin.
- b) The dumping or placing of soil or other substances whatsoever on the dumping or placing of trash, waste or unsightly or offensive material on the property.
- c) The removal or destruction of trees, shrubs, or other vegetation from the property.
- d) The excavation, dredging or removal of loam, peat, gravel, soil, rock or other material substance in such manner as to affect the surface on the property.

PREPARED BY & RETURN TO:
W. A. BURKEY
TRINER PROPERTIES, INC.
P.O. BOX 06299
MYERS, FL 33906

e) Surface use except for purposes that permit the land or water area to remain predominantly in its natural condition on the property.

f) Activities detrimental to drainage, flood control, water management, water conservation, water quality, erosion control, soil conservation or fish or wildlife habitat preservation.

g) Acts or uses detrimental to such retention of land or water areas.

2. Special Conditions:

a) A reasonable distance inside the southerly and westerly boundaries of the conservation easement on the "Property" shall be allowed for the "Grantor" or their assigns for the purposes of trimming vegetation to maintain a clear entrance channel and access to, in and around the small boat basin.

b) The granting of this conservation easement provides no greater risks to the public, individuals or association or any other person than they presently possess. The "Grantor" remains the fee owner of the "Property".

c) The granting of this conservation easement shall not hinder any future application made by the "Grantor", its successors or assigns over areas not covered by the easement. The giving of this easement shall not be grounds to deny an application for a permit over areas not within the specific area subject to this easement.

d) The granting of this conservation easement shall not be considered to diminish the value of any additional conservation easements the "Grantor" or its successors or assigns may grant to any other public agency in the future.

e) Any permit application that the "Grantor", or its successors or assigns may submit for work in areas outside the boundaries of the conservation easement shall be considered without regard to the existence of this conservation easement. Whether or not such proposed work may be in close proximity to this easement shall not be a consideration in any agency's review of said application so long as the proposed work will not result in the violation of any of the covenants made herein.

3. Reverter:

This conservation easement remains valid when possessed by the Florida Department of Environmental Regulation or a successor agency. Should the Department of Environmental Regulation or its successor agency transfer this conservation easement to another party or use the property for any other purpose, the entire parcel shall revert to the "Grantor", its successors and assigns, and this conservation easement shall become null and void.

OR2364 Pg 1 99

4. Enforcement:

This conservation easement may be enforced through any legal or equitable remedy by the Grantor, its heirs, successors and assigns and the State of Florida Department of Environmental Regulation only, and may be amended, altered, released or evoked only by written agreement between the "Grantor" and the State of Florida, Department of Environmental Regulation except as otherwise stated herein.

IN WITNESS WHEREOF Grantor has set its hand on the day and year first written above.

As to the lands described in Exhibit "A",
attached hereto
SOUTH SEAS RESORT LIMITED
PARTNERSHIP

(SEAL)

By: [Signature]
Robert M. Taylor
General Partner

Signed, Sealed and Delivered
in our presence as witnesses

[Signature]
Raymond A. Pavelka
[Signature]
Lynn A. Sweyer

STATE OF FLORIDA

COUNTY OF LEE

Before me personally appeared ROBERT M. TAYLOR to me well known and known to be to be the person who executed the foregoing instrument, and acknowledged to and before me that he executed said instrument for the purposes herein expressed.

WITNESS my hand and official seal this 24th day of February, A.D., 1993.

(SEAL)

OFFICIAL NOTARY SEAL
LYNN A SWEYER
NOTARY PUBLIC STATE OF FLORIDA
COMMISSION NO. CC237193
MY COMMISSION EXP. NOV. 8, 1996

[Signature]
NOTARY PUBLIC
State of Florida

My commission expires:

NOVEMBER 8, 1996

JOHNSON ENGINEERING, INC.

CIVIL ENGINEERS AND LAND SURVEYORS

March 2, 1992

2158 JOHNSON STREET
TELEPHONE (813) 334-0046
TELECOPIER (813) 334-3651
POST OFFICE BOX 1550
FORT MYERS, FLORIDA
33902-1550

DESCRIPTION

CONSERVATION EASEMENT

SECTION 26, T. 45 S., R. 21 E.
CAPTIVA ISLAND, LEE COUNTY, FLORIDA

CARLE JOHNSON
1911-1968

A conservation easement lying in Section 26, Township 45 South, Range 21 East, Captiva Island, Lee County, Florida which easement is described as follows:

From the northeast corner of Bayside Villas Condominium Phase I as recorded in Official Record Book 1361 at Page 1782 of the public records of Lee County run S 75° 02' 00" W along the northerly line of said condominium for 107.17 feet; thence run N 06° 59' 08" W for 75.22 feet to the Point of Beginning.

From said Point of Beginning continue N 06° 59' 08" W for 174.23 feet; thence run N 06° 06' 39" E for 48.69 feet; thence run N 09° 49' 02" W for 20.24 feet; thence run N 82° 07' 45" E for 41.23 feet; thence run S 09° 54' 30" E for 226.31 feet; thence run S 63° 18' 02" W for 54.96 feet; thence run N 86° 27' 57" W for 11.25 feet to the Point of Beginning.

Containing 0.30 acres, more or less.

Bearings hereinabove mentioned are derived from plat of Bayside Villas Condominium Phase I as recorded in Official Record Book 1361 at Page 1782, Lee County Records.

W. Britt Pomeroy, Jr.
W. BRITT POMEROY, JR.
Professional Land Surveyor
Florida Certificate No. 4448

WBP/pm
12196

CHAIRMAN
ARCHIE T. GRANT, JR.

PRESIDENT
FORREST H. BANKS

JOSEPH W. EBNER
STEVEN K. MORRISON
ANDREW D. TILTON
JEFFREY C. COONER

DAN W. DICKEY
KENTON R. KEILING
GEORGE J. KALAL
MICHAEL L. HARMON
THOMAS L. FENDLEY
W. DAVID KEY, JR.
W. BRITT POMEROY
CARL A. BARRACO
GARY R. BULL
KEVIN M. WINTER
STEPHEN W. ADAMS

CONSULTANT
LESTER L. BULSON

OR2364 Pg 1/200

CHARLIE GREEN LEE CIV FL
93 FEB 25 AM 10:34

CONSERVATION EASEMENT

2440853

TO ALL FUTURE owners of the following described property, or any part or parcel thereof, located in Lee County, Florida:

THIS INDENTURE made this 19th day of APRIL, 1988, between South Seas Resort Limited Partnership, South Seas Utility Company, and The Mariner Group, Inc., Connecticut Mutual Life Insurance Company, and Willoughby T. Cox, Jr., hereinafter called "Grantors" and the Florida Department of Environmental Regulation, hereinafter called "Grantee", WITNESSETH:

WHEREAS, the "Grantors" are the owners of certain lands located in Lee County, Florida, hereinafter referred to as the "Property" more specifically described in Exhibit "I", "II", and "III" respectively attached hereto.

WHEREAS, the "Grantors" desire to engage in certain activities for which permits from the Grantee are necessary, and

WHEREAS, the "Grantors", in consideration of the approval of Grantee for said permits, are agreeable to and desirous of establishing and securing the enforcement of a perpetual conservation easement as defined in Section 704.06, Florida Statutes (1985) with the following conditions described below.

NOW THEREFORE, in consideration of the issuance of approval of permit Application Numbers 361010385 and 361010325, pursuant to the agreement of the Department of Environmental Regulation to grant those permits there is created, declared and established a conservation easement on so much of the "Property" as is described above, which shall run with the land and be binding upon the "Grantors", their heirs, successors and assigns, and remain in full force and effect. The terms of the conservation easement shall include the following:

1. Scope of Easement

The following activities are prohibited on the property unless expressly consented to in writing by the Grantee:

- a) The placing of buildings, roads, signs, billboards or other advertising, utilities or other structures of any kind whatsoever on or above the ground on the property.
- b) The dumping or placing of soil or other substance whatsoever or dumping or placing of trash, waste or unsightly or offensive material on the property.
- c) The removal or destruction of trees, shrubs, or other vegetation from the property.
- d) The excavation, dredging or removal of loam, peat, gravel, soil, rock or other material substance in such manner as to affect the surface on the property.
- e) Surface use except for purposes that permit the land or water area to remain predominantly in its natural condition on the property.
- f) Activities detrimental to drainage, flood control, water management, water conservation, water quality, erosion control, soil conservation or fish or wildlife habitat preservation.
- g) Acts or uses detrimental to such retention of land or water areas.

7350R
200*

RECORDED - COUNTY OF LEE, FLORIDA
 BY: J. W. WOOD, JR.
 1988 APR 20 10 30 AM

2. Special Conditions

- a) A reasonable distance inside the boundaries of the conservation easement on the "Property" shall be allowed for the "Grantors" or their assigns for the purposes of trimming vegetation to maintain a helicopter landing site presently utilized by the Lee County Mosquito Control District.
- b) The granting of this conservation easement provides no greater rights to the public, individuals or association or any other person than they presently possess. The "Grantors" remain the fee owners of the "Property".
- c) The granting of this conservation easement shall not hinder any future application made by the "Grantors", individually or collectively, their successors or assigns over areas not covered by the easement. The giving of this easement shall not be grounds to deny an application for a permit over areas not within the specific area subject to this easement.
- d) The granting of this conservation easement shall not be considered to diminish the value of any additional conservation easements the "Grantors" or their successors or assigns may grant to any other public agency in the future.
- e) Any permit application that the "Grantors" or their successors or assigns may submit for work in areas outside the boundaries of the conservation easement shall be considered without regard to the existence of this conservation easement. Whether or not such proposed work may be in close proximity to this easement shall not be a consideration in any agency's review of said application so long as the proposed work will not result in the violation of any of the covenants made herein.

3. Reverter

This conservation easement remains valid when possessed by the Florida Department of Environmental Regulation or a successor agency. Should the Department of Environmental Regulation or its successor agency transfer this conservation easement to another party or use the property for any other purpose the entire parcel shall revert to the "Grantors", their assigns or successors, and this conservation easement shall become null and void.

4. Enforcement

This conservation easement may be enforced through any legal or equitable remedy by the Grantors, their heirs, successors and assigns and the State of Florida Department of Environmental Regulation only, and may be amended, altered, released or revoked only by written agreement between the "Grantors" and the State of Florida, Department of Environmental Regulation except as otherwise stated herein.

IN WITNESS WHEREOF Grantors have set their hands on the day and year first above written.

As to lands described in Exhibit "I",
attached hereto
SOUTH SEAS RESORT LIMITED PARTNERSHIP

(SEAL)

By [Signature]

Signed, Sealed and Delivered
in our presence as witnesses

[Signature]
[Signature]

STATE OF FLORIDA

COUNTY OF Lee

Before me personally appeared Robert M. Taylor to me well known and
known to me to be the person who executed the foregoing instrument, and
acknowledged to and before me that he executed said instrument for the
purposes herein expressed.

WITNESS my hand and official seal this 4 day of April,
A.D., 1988.

(SEAL)

[Signature]
Notary Public
State of Florida

My commission expires
Notary Public, State of Florida
My Commission Expires Feb. 19, 1991

As to lands described in Exhibit "II",
attached hereto
SOUTH SEAS UTILITY COMPANY

(SEAL)

By [Signature]

Signed, Sealed and Delivered
in our presence as witnesses

[Signature]
[Signature]

STATE OF FLORIDA

COUNTY OF Lee

Before me personally appeared Allen G. Ten Broek to me well known and
known to me to be the person who executed the foregoing instrument, and
acknowledged to and before me that he executed said instrument for the
purposes herein expressed.

WITNESS my hand and official seal this 4 day of April,
A.D., 1988.

(SEAL)

[Signature]
Notary Public
State of Florida

My commission expires
Notary Public, State of Florida
My Commission Expires Feb. 14, 1991

As to lands described in Exhibit "III",
attached hereto
THE MARINER GROUP, INC.

(SEAL)

By Allen G. Ten Broek

Signed, Sealed and Delivered
in our presence as witnesses

[Signature]
[Signature]

STATE OF FLORIDA

COUNTY OF Lee

Before me personally appeared Allen G. Ten Broek to me well known and
known to me to be the person who executed the foregoing instrument, and
acknowledged to and before me that he executed said instrument for the
purposes herein expressed.

WITNESS my hand and official seal this 4 day of April,
A.D., 1988.

(SEAL)

[Signature]
Notary Public
State of Florida

My commission expires
Notary Public, State of Florida
My Commission Expires Feb. 19, 1991
Bound Thru Tray Pair - Intumescent

As to lands described in Exhibit "III",
attached hereto
CONNECTICUT MUTUAL LIFE INSURANCE CO.

(SEAL)

By [Signature]
Investment Officer

Signed, Sealed and Delivered
in our presence as witnesses

[Signature]
[Signature]

STATE OF CONNECTICUT

COUNTY OF HARTFORD

Before me personally appeared Carl F. Sterman to me well known
and known to me to be the personal who executed the foregoing instrument,
and acknowledged to and before me that he executed said instrument for the
purposes herein expressed.

WITNESS my hand and official seal this 6th day of April,
A.D., 1988.

(SEAL)

[Signature]
Notary Public
State of

My commission expires
March 31, 1990

As to lands described in Exhibit "III",
attached hereto
WILLOUGHBY T. COX, JR.

(SEAL)

Willoughby T. Cox, Jr.

Signed, Sealed and Delivered
in our presence as witnesses

Hester Lilly
Thos T. Blair

STATE OF Florida

COUNTY OF Orange

Before me personally appeared Willoughby T. Cox, Jr. to me well known
and known to me to be the person who executed the foregoing instrument, and
acknowledged to and before me that he executed said instrument for the
purposes herein expressed.

WITNESS my hand and official seal this 7th day of April,
A.D., 1988.

(SEAL)

Hester H. Lilly
Notary Public
State of Florida

My commission expires
Jan 13, 1991

JOHNSON ENGINEERING, INC.

CIVIL ENGINEERS AND LAND SURVEYORS

2158 JOHNSON STREET
TELEPHONE (813) 334-0046
TELECOPIER (813) 334-3661
POST OFFICE BOX 1550
FORT MYERS, FLORIDA
33902-1550

April 19, 1988

DESCRIPTION
CONSERVATION EASEMENT
LANDS OF SOUTH SEAS RESORT LIMITED PARTNERSHIP
SECTION 22, T. 45 S., R. 21 E.
CAPTIVA ISLAND, LEE COUNTY, FLORIDA

CARL E. JOHNSON
19-11-1988

REF 983 PG 4028

A tract or parcel of land lying in Section 22, Township 45 South, Range 21 East, Captiva Island, Lee County, Florida which tract or parcel is described as follows:

From the northeast corner of South Seas Plantation Beach homesites as shown on plat recorded in Plat Book 29 at pages 105 and 106, Lee County records run northerly along the easterly line of Plantation Beach Club III as shown on surveyor's plat, Exhibit 1 to Condominium Declaration recorded in Official Record Book 1422 beginning at page 2218, Lee County records along the arc of a curve to the right of radius 265.00 feet (chord bearing N 11° 38' 02" W) (chord 115.92 feet) (delta 25° 16' 05") for 116.87 feet to a point of tangency; thence run N 01° 00' 00" E for 81.00 feet to a point designated "A"; thence continue N 01° 00' 00" E for 41.00 feet to a point of curvature; thence run northerly, northwesterly and westerly along the arc of a curve to the left of radius 113.00 feet (chord bearing N 42° 30' 00" W) (chord 155.57 feet) (delta 87° 00' 00") for 171.58 feet to a point of reverse curvature; thence run westerly and northwesterly along the arc of a curve to the right of radius 131.00 feet (chord bearing N 48° 17' 53" W) (chord 160.23 feet) (delta 75° 24' 15") for 172.40 feet to a point of tangency; thence run N 79° 24' 15" E for 50.00 feet to the northeasterly line of South Seas Plantation Road as described in Official Record Book 1846 at page 807; thence run N 10° 35' 45" W along said northeasterly line for 58.02 feet to the Point of Beginning.

From said Point of Beginning run S 10° 35' 45" E along said easterly line for 58.02 feet to a point of curvature; thence run southeasterly and easterly along said easterly line along the arc of a curve to the left of radius 81.00 feet (chord bearing S 48° 17' 53" E) (chord 99.07 feet) (delta 75° 24' 15") for 106.60 feet to a point of reverse curvature; thence run southeasterly along the arc of a curve to the right of radius 163.00 feet (chord bearing S 72° 42' 43" E) (chord 74.93 feet) (delta 26° 34' 34") for 75.61 feet; thence run N 55° 48' 32" E for 52.13 feet; thence run N 26° 23' 07" W for 71.98 feet; thence run

CHAIRMAN
ARCHIE T. GRANT, JR.

PRESIDENT
FORREST H. BANKS

JOSEPH W. EBNER
STEVEN K. MORRISON
ANDREW D. TILTON
JEFFREY C. COONER

DAN W. DICKEY
KENTON R. KEILING
DONALD D. STOUTEN
GEORGE J. KALAL
MICHAEL L. HARMON
THOMAS L. FENDLEY
W. DAVID KEY, JR.

CONSULTANTS
LEIF E. JOHNSON
LESTER L. BULSON
ROBERT S. O'BRIEN

Conservation Easement
Lands of South Seas Resort Limited Partnership
April 19, 1988
Page 2

N 60° 52' 03" E for 86.67 feet; thence run
S 75° 55' 37" E for 21.70 feet; thence run
S 53° 09' 11" E for 54.83 feet; thence run
N 76° 09' 56" E for 65.19 feet; thence run
S 82° 10' 32" E for 20.40 feet; thence run
S 28° 01' 41" E for 42.45 feet; thence run
N 63° 10' 01" E for 54.60 feet to an intersection with
an easterly line of lands described in Official Record
Book 1846 beginning at page 3934; thence run
N 48° 39' 34" W along said easterly line for 175 feet
more or less to the Approximate Mean High Water Line of
Bryant Bayou; thence run southeasterly, southerly,
westerly, northwesterly, westerly, southwesterly,
westerly, southwesterly, northwesterly for 565 feet more
or less to an intersection with a line bearing
N 59° 49' 11" E and passing through the Point of
Beginning; thence run S 59° 49' 11" W for 16 feet more
or less to the Point of Beginning.

AND

From the hereinabove point designated "A" run
S 89° 00' 00" E for 50.00 feet to an easterly line of
said South Seas Plantation Road and the Point of
Beginning.

From said Point of Beginning run N 01° 00' 00" E along
said easterly line for 41.00 feet to a point of
curvature; thence run northwesterly along the arc of a
curve to the left of radius 163.00 feet (chord bearing
N 15° 48' 55" W) (chord 94.31 feet) (delta 33° 37' 50")
for 95.68 feet; thence run N 77° 58' 54" E for 60.69
feet; thence run N 74° 06' 57" E for 128.31 feet; thence
run S 63° 06' 40" E for 11.81 feet to a point of
curvature; thence run southeasterly along the arc of a
curve to the left of radius 170.00 feet (chord bearing
S 75° 27' 33" E) (chord 72.71 feet) (delta 24° 41' 47")
for 73.28 feet to an intersection with an easterly line
of lands described in Official Record Book 1846
beginning at page 3934 of said public records; thence
run S 04° 39' 34" E along said easterly line for 98.64
feet to an intersection with a southerly line of lands
described in deed recorded in Official Record Book 572
at page 14, Lee County records; thence run northwesterly
along said northerly line along the arc of a curve to
the right of radius 191.45 feet (chord bearing N
54° 18' 00" W) (chord 123.08 feet) (delta 37° 30' 31")
for 125.30 feet to a point of reverse curvature; thence
run northwesterly, westerly, southwesterly and
southeasterly along the arc of a curve to the left of
radius 35.00 feet (chord bearing S 66° 57' 00" W) (chord
68.34 feet) (delta 154° 59' 40") for 94.68 feet to a
point of tangency; thence run S 10° 33' 00" E for 105.31


OFF: 983PG4029

Conservation Easement
Lands of South Seas Resort Limited Partnership
April 19, 1988
Page 3

feet; thence run N 89° 30' 10" W for 103.16 feet to the
Point of Beginning.

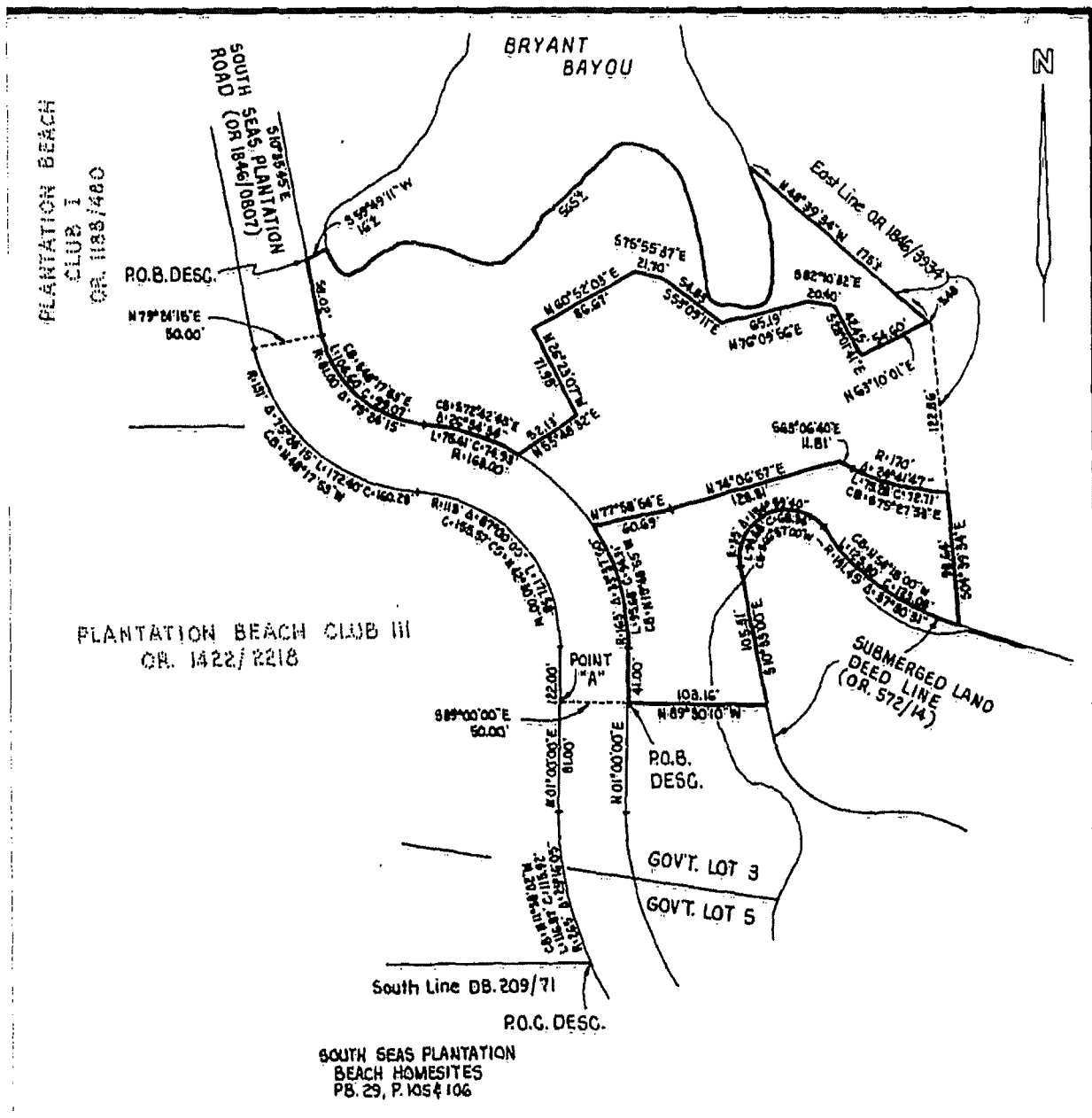
Containing 1.5 acres more or less.

Bearings hereinabove mentioned are Plane Coordinate for the
Florida West Zone based on ties to Lee County Coastal Construction
Setback Line for Captiva Island, Lee County, Florida.


W. BRITT POMEROY, JR.
Professional Land Surveyor
Florida Certificate No. 4448

WBP/pd
12196

REC-983 PG 4030



REF: 98364031

NOTE

Bearings shown are Plane Coordinate for the Florida West Zone based on ties to the Lee County Coastal Construction Setback Line for Captiva Island, Lee County, Florida.

THIS IS NOT A SURVEY

SKETCH TO ACCOMPANY DESCRIPTION

CONSERVATION EASEMENT

LANDS OF SOUTH SEAS RESORT LIMITED PARTNERSHIP
 GOV'T. LOT 3, SECTION 22, T. 45 S., R. 21 E.
 CAPTIVA ISLAND, LEE COUNTY, FLORIDA

W. Britt Pomeroy, Jr.
W. BRITT POMEROY, JR.
 Professional Land Surveyor
 Florida Certificate # 4448

JOHNSON ENGINEERING, INC.
 CIVIL ENGINEERS - LAND SURVEYORS
 POST OFFICE BOX 1550, FORT MYERS, FLORIDA, 33902-1550, PHONE (813) 334-0046

DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
April 18, 1988	12196	22-45-21	1"=100'	1 of 1

JOHNSON ENGINEERING, INC.

CIVIL ENGINEERS AND LAND SURVEYORS

2158 JOHNSON STREET
TELEPHONE (813) 334-0048
TELECOPIER (813) 334-3661
POST OFFICE BOX 1350
FORT MYERS, FLORIDA
33902-1350

April 19, 1988

CARLE JOHNSON
1911-1968

DESCRIPTION
CONSERVATION EASEMENT
LANDS OF SOUTH SEAS UTILITY COMPANY
SECTIONS 22 AND 23, T. 45 S., R. 21 E.
CAPTIVA ISLAND, LEE COUNTY, FLORIDA

A tract or parcel of land lying in Sections 22 and 23, Township 45 South, Range 21 East, Captiva Island, Lee County, Florida which tract or parcel is described as follows:

From the northeast corner of South Seas Plantation Beach homesites as shown on plat recorded in Plat Book 29 at pages 105 and 106, Lee County records run northerly along the easterly line of Plantation Beach Club III as shown on surveyor's plat Exhibit 1 to Condominium Declaration recorded in Official Record Book 1422 beginning at page 2218, Lee County records along the arc of a curve to the right of radius 265.00 feet (chord bearing N 11° 38' 02" W) (chord 115.92 feet) (delta 25° 16' 05") for 116.87 feet to a point of tangency; thence run N 01° 00' 00" E for 122.00 feet to a point of curvature; thence run northerly, northwesterly and westerly along the arc of a curve to the left of radius 113.00 feet (chord bearing N 42° 30' 00" W) (chord 155.57 feet) (delta 87° 00' 00") for 171.58 feet to a point of reverse curvature; thence run westerly and northwesterly along the arc of a curve to the right of radius 131.00 feet (chord bearing N 48° 17' 53" W) (chord 160.23 feet) (delta 75° 24' 15") for 172.40 feet to a point of tangency; thence run N 79° 24' 15" E for 50.00 feet to the northeasterly line of said South Seas Plantation Road as described in Official Record Book 1846 beginning at page 0807 of said public records; thence run N 10° 35' 45" W along said northeasterly line for 198.00 feet; thence run N 81° 03' 45" E for 794.81 feet; thence run S 33° 04' 49" E for 329.54 feet; thence run S 89° 30' 10" E for 825.34 feet to an intersection with lands described in deed recorded in Official Record Book 572 at page 14, Lee County records; thence run along said easterly line S 12° 00' 00" E for 24.57 feet to a point of curvature; thence run along the arc of a curve to the right of radius 220.00 feet (chord bearing S 04° 22' 30" E) (chord 58.38 feet) (delta 15° 14' 57") for 58.55 feet to a point of reverse curvature; thence run southerly along the arc of a curve to the left of radius 540.00 feet (chord bearing S 01° 14' 31" E) (chord 37.84 feet) (delta 04° 00' 59") for 37.85 feet to the Point of Beginning.

CHAIRMAN
ARCHIE T. GRANT, JR.

PRESIDENT
FORREST H. BANKS

JOSEPH W. EBNER
STEVEN K. MORRISON
ANDREW D. TILTON
JEFFREY C. COONER

DAN W. DICKEY
KENTON R. KEILING
DONALD D. STOUTEN
GEORGE J. KALAL
MICHAEL L. HARMON
THOMAS L. FENDLEY
W. DAVID KEY, JR.

CONSULTANTS
LEIF E. JOHNSON
LESTER L. BULSON
ROBERT S. O'BRIEN

OFFICIAL RECORD BOOK 1422 PAGE 4052

Conservation Easement
Lands of South Seas Utility Company
April 19, 1988
Page 2

OFF 983 PG 4033

From said Point of Beginning continue along the arc of said curve to the left of radius 540.00 feet (chord bearing S 18° 37' 59" E) (chord 331.35 feet) (delta 35° 44' 02") for 336.79 feet to a point of reverse curvature; thence run southeasterly along the arc of a curve to the right of 175.97 feet (chord bearing S 23° 33' 50" E) (chord 78.79 feet) (delta 25° 52' 26") for 79.47 feet; thence run N 89° 30' 10" W for 286.59 feet; thence run N 17° 53' 38" W for 194.51 feet; thence run N 89° 30' 10" W for 295.69 feet to a point designated "A"; thence run N 01° 37' 33" E for 76.26 feet; thence run S 89° 30' 10" E for 113.00 feet; thence run N 40° 34' 03" E for 61.65 feet; thence run N 00° 32' 31" E for 77.00 feet; thence run S 89° 30' 10" E for 348.69 feet to the Point of Beginning.


AND

From the hereinabove point designated "A" run N 89° 30' 10" W for 50.01 feet to the Point of Beginning.

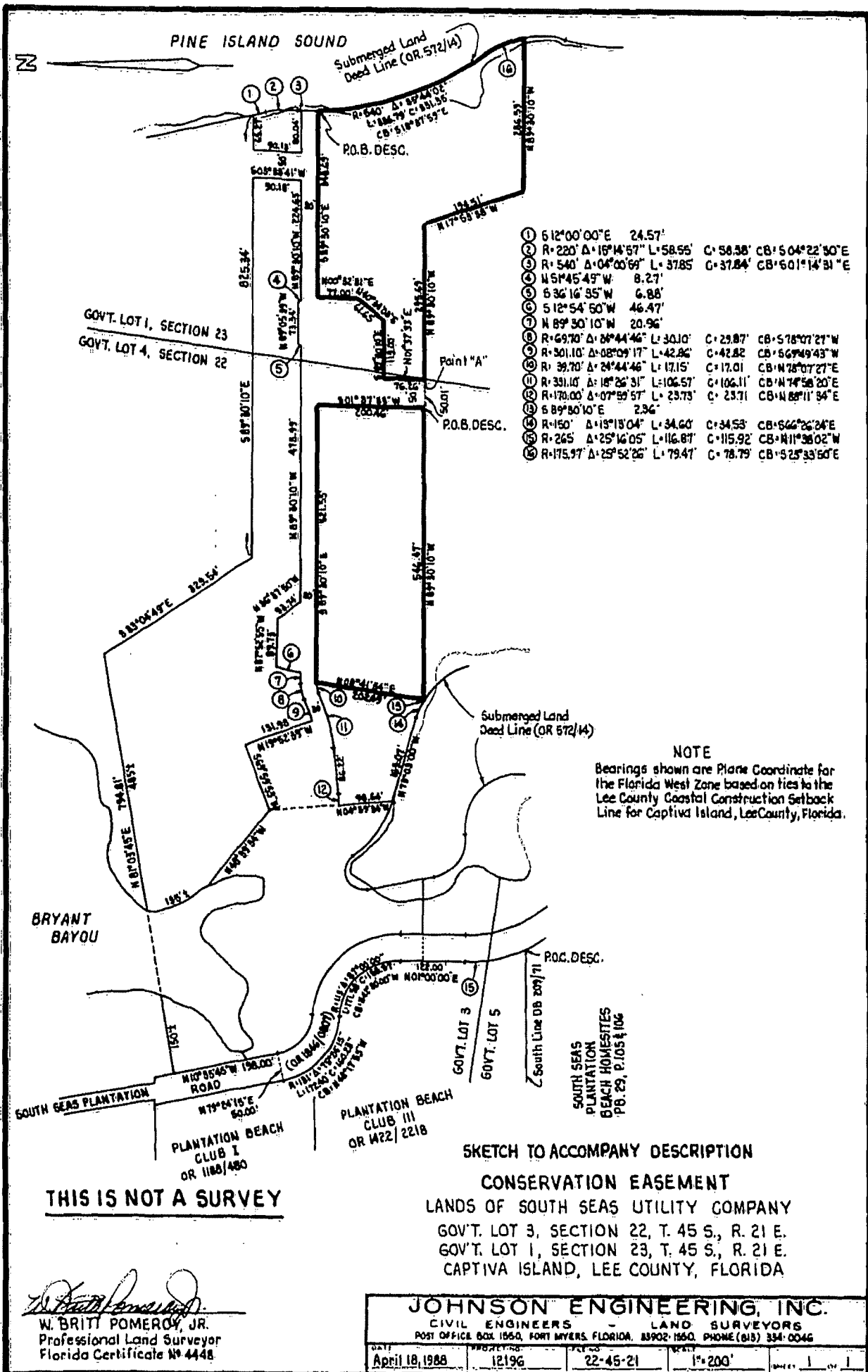
From said Point of Beginning run N 89° 30' 10" W for 546.47 feet; thence run N 08° 41' 34" E for 202.49 feet; thence run S 89° 30' 10" E for 521.55 feet; thence run S 01° 37' 33" W for 200.46 feet to the Point of Beginning.

Containing 5.4 acres more or less.

Bearings hereinabove mentioned are Plane Coordinate for the Florida West Zone based on ties to Lee County Coastal Construction Setback Line for Captiva Island, Lee County, Florida.


W. BRITT POMEROY, JR.
Professional Land Surveyor
Florida Certificate No. 4448

WBP/pd
12196b



- ① 612°00'00"E 24.57'
- ② R=220' Δ=15°14'57" L=58.55' C=58.38' CB=504°22'30"E
- ③ R=540' Δ=04°00'59" L=37.85' C=37.84' CB=601°14'31"E
- ④ N51°45'45"W 8.27'
- ⑤ 636'16'35"W 6.88'
- ⑥ 512°54'50"W 46.47'
- ⑦ N 89°30'10"W 20.96'
- ⑧ R=69.70' Δ=8°44'46" L=30.10' C=29.87' CB=578°07'27"W
- ⑨ R=301.10' Δ=08°09'17" L=42.86' C=42.82' CB=569°49'43"W
- ⑩ R=39.70' Δ=24°44'46" L=17.15' C=17.01' CB=178°07'27"E
- ⑪ R=331.10' Δ=18°26'31" L=106.57' C=106.11' CB=174°58'20"E
- ⑫ R=170.00' Δ=07°59'57" L=23.73' C=23.71' CB=188°11'34"E
- ⑬ 589°30'10"E 2.36'
- ⑭ R=150' Δ=13°13'04" L=34.60' C=34.53' CB=566°26'34"E
- ⑮ R=265' Δ=25°16'05" L=116.87' C=115.92' CB=111°38'02"W
- ⑯ R=175.97' Δ=25°52'26" L=79.47' C=78.79' CB=523°33'50"E

NOTE
 Bearings shown are Plane Coordinate for the Florida West Zone based on ties to the Lee County Coastal Construction Setback Line for Captiva Island, Lee County, Florida.

THIS IS NOT A SURVEY

SKETCH TO ACCOMPANY DESCRIPTION
CONSERVATION EASEMENT
 LANDS OF SOUTH SEAS UTILITY COMPANY
 GOV'T. LOT 3, SECTION 22, T. 45 S., R. 21 E.
 GOV'T. LOT 1, SECTION 23, T. 45 S., R. 21 E.
 CAPTIVA ISLAND, LEE COUNTY, FLORIDA

W. Britt Pomeroy, Jr.
 W. BRITT POMEROY, JR.
 Professional Land Surveyor
 Florida Certificate No 4448

JOHNSON ENGINEERING, INC.
 CIVIL ENGINEERS - LAND SURVEYORS
 POST OFFICE BOX 1550, FORT MYERS, FLORIDA, 33902-1550, PHONE (813) 334-0046

DATE	PROJECT NO.	FILE NO.	SCALE
April 18, 1988	12196	22-45-21	1"=200'

JOHNSON ENGINEERING, INC.

CIVIL ENGINEERS AND LAND SURVEYORS

2158 JOHNSON STREET
TELEPHONE (813) 334-0046
TELECOPIER (813) 334-3881
POST OFFICE BOX 1350
FORT MYERS, FLORIDA
33902-1350

April 19, 1988

CARLE JOHNSON
1911-1988

DESCRIPTION
CONSERVATION EASEMENT
LANDS OF MARINER GROUP, INC.
CONNECTICUT MUTUAL LIFE INSURANCE COMPANY AND
WILLOUGHBY T. COX, JR.
SECTIONS 22 AND 23, T. 45 S., R. 21 E.
CAPTIVA ISLAND, LEE COUNTY, FLORIDA

A tract or parcel of land lying in Sections 22 and 23, Township 45 South, Range 21 East, Captiva Island, Lee County, Florida which tract or parcel is described as follows:

From the northeast corner of South Seas Plantation Beach homesites as shown on plat recorded in Plat Book 29 at pages 105 and 106, Lee County records run northerly along the easterly line of Plantation Beach Club III as shown on surveyor's plat Exhibit 1 to Condominium Declaration recorded in Official Record Book 1422 beginning at page 2218, Lee County records, along the arc of a curve to the right of radius 265.00 feet (chord bearing N 11° 38' 03" W) (chord 115.92 feet) (delta 25° 16' 05") for 116.87 feet to a point of tangency; thence run N 01° 00' 00" E for 122.00 feet to a point of curvature; thence run northerly, northwesterly and westerly along the arc of a curve to the left of radius 113.00 feet (chord bearing N 42° 30' 00" W) (chord 155.57 feet) (delta 87° 00' 00") for 171.58 feet to a point of reverse curvature; thence run westerly and northwesterly along the arc of a curve to the right of radius 131.00 feet (chord bearing N 48° 17' 53" W) (chord 160.23 feet) (delta 75° 24' 15") for 172.40 feet to a point of tangency; thence run N 79° 24' 15" E for 50.00 feet to the easterly line of South Seas Plantation Road as described in Official Record Book 1846 beginning at page 0807 of said public records; thence run N 10° 35' 45" W for 58.02 feet to a point designated "A"; thence continue along said easterly line of South Seas Plantation Road for 139.98 feet; thence run N 81° 03' 45" E for 794.81 feet to the Point of Beginning.

From said Point of Beginning run S 33° 04' 49" E for 329.54 feet; thence run S 89° 30' 10" E for 710.00 feet to a point designated "B"; thence run S 03° 33' 41" W for 90.13 feet; thence run N 89° 30' 10" W for 224.63 feet; thence run N 51° 45' 49" W for 8.27 feet; thence run N 89° 05' 39" W for 73.34 feet; thence run S 36° 16' 35" W for 6.88 feet; thence run N 89° 30' 10" W for 478.99 feet; thence run

CHAIRMAN
ARCHIE T. GRANT, JR.

PRESIDENT
FORREST H. BANKS

JOSEPH W. EBNER
STEVEN K. MORRISON
ANDREW D. TILTON
JEFFREY C. COONER

DAN W. DICKEY
KENTON R. KEILING
DONALD D. STOUTEN
GEORGE J. KALAL
MICHAEL L. HARMON
THOMAS L. FENDLEY
W. DAVID KEY, JR.

CONSULTANTS
LEIF E. JOHNSON
LESTER L. BULSON
ROBERT S. O'BRIEN

OFF
REC
983 PG 4035

Conservation Easement
 Lands of Mariner Group, Inc.
 April 19, 1988
 Page 2

N 36° 37' 50" W for 53.74 feet; thence run
 N 87° 52' 55" W for 89.73 feet; thence run
 S 12° 54' 50" W for 46.47 feet; thence run
 N 89° 30' 10" W for 20.96 feet to a point of curvature
 and a point designated "C"; thence run southwesterly
 along the arc of a curve to the left of radius 69.70
 feet (chord bearing S 78° 07' 27" W) (chord 29.87 feet)
 (delta 24° 44' 46") for 30.10 feet to a point of reverse
 curvature; thence run southwesterly along the arc of a
 curve to the right of radius 301.10 feet (chord bearing
 S 69° 49' 43" W) (chord 42.82 feet) (delta 08° 09' 17")
 for 42.86 feet; thence run N 19° 52' 39" W for 131.98
 feet; thence run S 69° 59' 53" W for 131.12 feet; thence
 run S 63° 10' 01" W for 6.12 feet to an intersection
 with an easterly line of lands described in Official
 Record Book 1846 beginning at page 3934, said public
 records; thence run N 48° 39' 34" W for 175 feet more or
 less to the Approximate Mean High Water Line of Bryant
 Bayou; thence run northwesterly along said line for
 135.00 feet to an intersection with a line bearing
 S 81° 03' 45" W and passing through the Point of
 Beginning; thence run N 81° 03' 45" E for 485 feet more
 or less to the Point of Beginning.

AND

Beginning at the hereinabove point designated "A" run
 N 10° 35' 45" W along the easterly line of South Seas
 Plantation Road for 139.98 feet; thence run
 N 81° 03' 45" E for 150 feet more or less to the
 Approximate Mean High Water Line of Bryant Bayou; thence
 run southwesterly and southerly along said line for 190
 feet more or less to an intersection with the line
 bearing N 59° 49' 11" E and passing through the Point of
 Beginning; thence run S 59° 49' 11" W for 16 feet more
 or less to the Point of Beginning.

AND

From the hereinabove point designated "B" run
 S 89° 30' 10" E for 50.07 feet to the Point of
 Beginning.

From said Point of Beginning continue S 89° 30' 10" E
 for 65.27 feet to an intersection with the easterly line
 of lands described in deed recorded in Official Record
 Book 572 at page 14, Lee County records; thence run
 along said easterly line S 12° 00' 00" E for 24.57 feet
 to a point of curvature; thence run southeasterly along
 the arc of a curve to the right of radius 220.00 feet
 (chord bearing S 04° 22' 30" E) (chord 58.38 feet)
 (delta 15° 14' 57") for 58.55 feet to a point of reverse
 curvature; thence along the arc of a curve to the left
 of radius 540.00 feet (chord bearing S 02° 50' 02" W)
 (chord 7.85 feet) (delta 00° 49' 58") for 7.85 feet;

OFFICIAL RECORD BOOK 1846 PAGE 3934

Conservation Easement
Lands of Mariner Group, Inc.
April 19, 1988
Page 3

thence run N 89° 30' 10" W for 80.04 feet; thence run N 03° 33' 41" E for 90.13 feet to the Point of Beginning.


AND

From the hereinabove point designated "C" run S 00° 29' 50" E for 30.00 feet to the Point of Beginning.

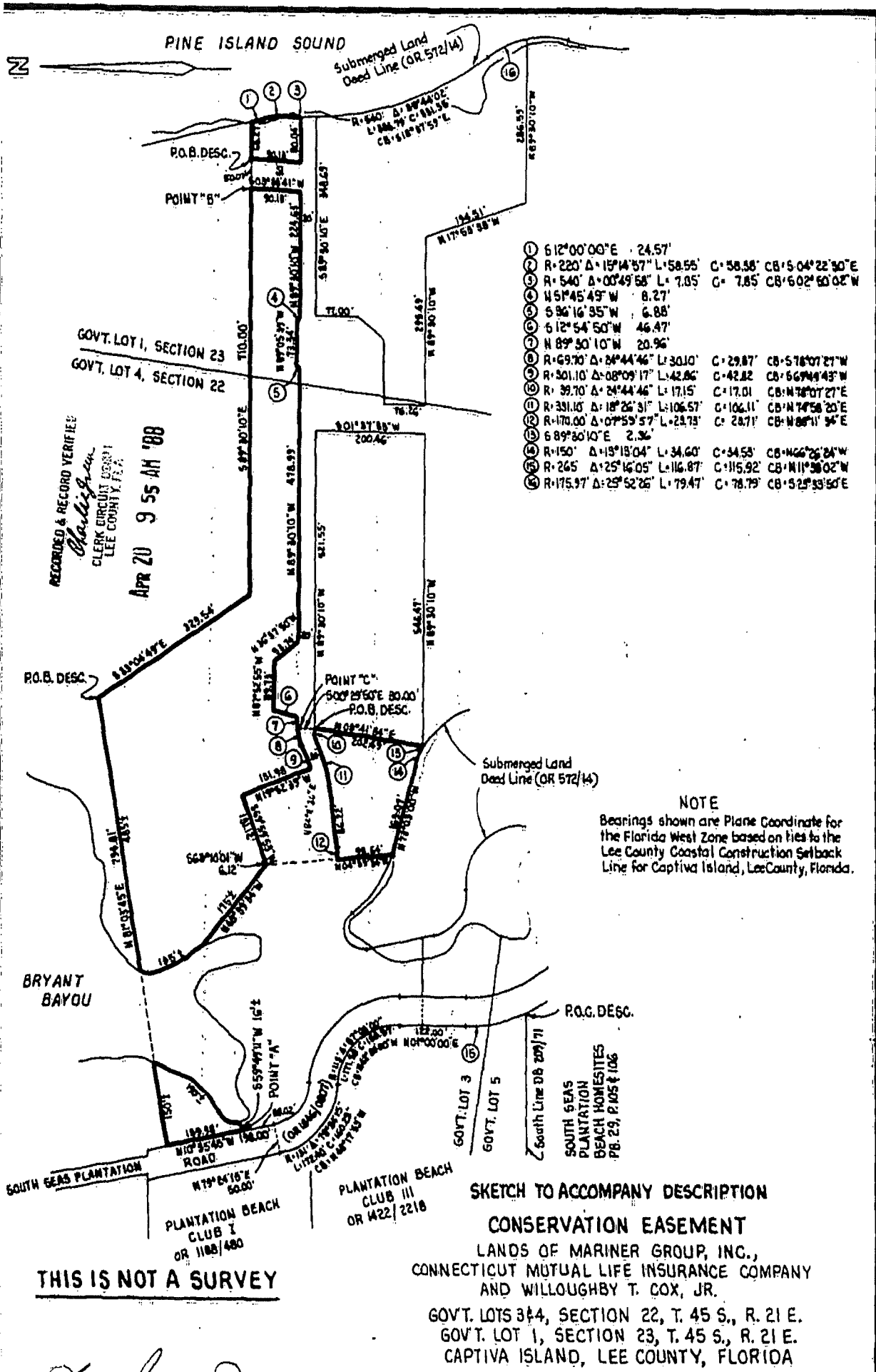
From said Point of Beginning run S 08° 41' 34" E for 202.49 feet; thence run N 89° 30' 10" W for 2.36 feet to an intersection with a northerly line of lands described in deed recorded in Official Record Book 572 at page 14, Lee County records; thence run northwesterly along said northerly line along the arc of a curve to the left of radius 150.00 feet (chord bearing N 66° 26' 24" W) (chord 34.53 feet) (delta 13° 13' 04") for 34.60 feet to a point of tangency; thence run N 73° 03' 00" W for 163.07 feet to an intersection with the easterly line of lands described in Official Record Book 1846 beginning at page 3934 of said public records; thence run N 04° 39' 34" W for 98.64 feet; thence run northeasterly along the arc of a curve to the left of radius 170.00 feet (chord bearing N 88° 11' 34" E) (chord 23.71 feet) (delta 07° 59' 57") for 23.73 feet to a point of tangency; thence run N 84° 11' 36" E for 86.22 feet to a point of curvature; thence run northeasterly along the arc of a curve to the left of radius 331.10 feet (chord bearing N 74° 58' 20" E) (chord 106.11 feet) (delta 18° 26' 31") for 106.57 feet to a point of reverse curvature; thence run northeasterly and easterly along the arc of a curve to the right of radius 39.70 feet (chord bearing N 78° 07' 27" E) (chord 17.01 feet) (delta 24° 44' 46") for 17.15 feet to the Point of Beginning.

Containing 6.1 acres more or less.

Bearings hereinabove mentioned are Plane Coordinate for the Florida West Zone based on ties to the Lee County Coastal Construction Setback Line for Captiva Island, Lee County, Florida.


W. BRITT POMEROY, JR.
Professional Land Surveyor
Florida Certificate No. 4448

REF 983 PG 4 031



- ① 6 12° 00' 00" E 24.57'
- ② R: 220' Δ: 15° 14' 57" L: 58.55' C: 38.58' CB: 5 04' 22" 30" E
- ③ R: 540' Δ: 00° 49' 58" L: 7.05' C: 7.85' CB: 6 02' 50" 02" W
- ④ N 51° 45' 49" W 8.27'
- ⑤ S 96° 16' 35" W 6.88'
- ⑥ S 12° 54' 50" W 46.47'
- ⑦ N 89° 50' 10" W 20.96'
- ⑧ R: 69.70' Δ: 24° 44' 46" L: 30.10' C: 29.87' CB: 5 18' 07" 21" W
- ⑨ R: 301.10' Δ: 08° 09' 17" L: 42.86' C: 42.82' CB: 6 07' 44" 43" W
- ⑩ R: 39.70' Δ: 24° 44' 46" L: 17.15' C: 17.01' CB: 5 18' 07" 21" E
- ⑪ R: 331.10' Δ: 18° 26' 31" L: 106.57' C: 106.11' CB: 5 18' 07" 21" E
- ⑫ R: 170.00' Δ: 07° 59' 57" L: 23.73' C: 23.71' CB: 5 18' 07" 21" E
- ⑬ 6 89° 30' 10" E 2.36'
- ⑭ R: 150' Δ: 15° 13' 04" L: 34.60' C: 34.53' CB: 4 06' 26" 24" W
- ⑮ R: 265' Δ: 25° 16' 05" L: 116.87' C: 115.92' CB: 5 11' 36" 02" W
- ⑯ R: 175.97' Δ: 25° 52' 26" L: 79.47' C: 78.79' CB: 5 25' 33" 50" E

RECORDED & RECORD VERIFIED
Charles J. Lee
 CLERK CIRCUIT COURT
 LEE COUNTY, FLA.
 APR 20 9 55 AM '88

NOTE
 Bearings shown are Plane Coordinate for the Florida West Zone based on ties to the Lee County Coastal Construction Setback Line for Captiva Island, Lee County, Florida.

THIS IS NOT A SURVEY

SKETCH TO ACCOMPANY DESCRIPTION

CONSERVATION EASEMENT

LANDS OF MARINER GROUP, INC.,
 CONNECTICUT MUTUAL LIFE INSURANCE COMPANY
 AND WILLOUGHBY T. COX, JR.

GOVT. LOTS 3 & 4, SECTION 22, T. 45 S., R. 21 E.
 GOVT. LOT 1, SECTION 23, T. 45 S., R. 21 E.
 CAPTIVA ISLAND, LEE COUNTY, FLORIDA

7350R
200 x

CONSERVATION EASEMENT

2440853

TO ALL FUTURE owners of the following described property, or any part or parcel thereof, located in Lee County, Florida:

THIS INDENTURE made this 19th day of APRIL, 1988, between South Seas Resort Limited Partnership, South Seas Utility Company, and The Mariner Group, Inc., Connecticut Mutual Life Insurance Company, and Willoughby T. Cox, Jr., hereinafter called "Grantors" and the Florida Department of Environmental Regulation, hereinafter called "Grantee", WITNESSETH:

WHEREAS, the "Grantors" are the owners of certain lands located in Lee County, Florida, hereinafter referred to as the "Property" more specifically described in Exhibit "I", "II", and "III" respectively attached hereto.

WHEREAS, the "Grantors" desire to engage in certain activities for which permits from the Grantee are necessary, and

WHEREAS, the "Grantors", in consideration of the approval of Grantee for said permits, are agreeable to and desirous of establishing and securing the enforcement of a perpetual conservation easement as defined in Section 704.06, Florida Statutes (1985) with the following conditions described below.

NOW THEREFORE, in consideration of the issuance of approval of permit Application Numbers 361010385 and 361010325, pursuant to the agreement of the Department of Environmental Regulation to grant those permits there is created, declared and established a conservation easement on so much of the "Property" as is described above, which shall run with the land and be binding upon the "Grantors", their heirs, successors and assigns, and remain in full force and effect. The terms of the conservation easement shall include the following:

1. Scope of Easement

The following activities are prohibited on the property unless expressly consented to in writing by the Grantee:

- a) The placing of buildings, roads, signs, billboards or other advertising, utilities or other structures of any kind whatsoever on or above the ground on the property.
- b) The dumping or placing of soil or other substance whatsoever or dumping or placing of trash, waste or unsightly or offensive material on the property.
- c) The removal or destruction of trees, shrubs, or other vegetation from the property.
- d) The excavation, dredging or removal of loam, peat, gravel, soil, rock or other material substance in such manner as to affect the surface on the property.
- e) Surface use except for purposes that permit the land or water area to remain predominantly in its natural condition on the property.
- f) Activities detrimental to drainage, flood control, water management, water conservation, water quality, erosion control, soil conservation or fish or wildlife habitat preservation.
- g) Acts or uses detrimental to such retention of land or water areas.

RECORDED - GRANTOR'S COPY
BY 1 1000R, DC

2. Special Conditions

- a) A reasonable distance inside the boundaries of the conservation easement on the "Property" shall be allowed for the "Grantors" or their assigns for the purposes of trimming vegetation to maintain a helicopter landing site presently utilized by the Lee County Mosquito Control District.
- b) The granting of this conservation easement provides no greater rights to the public, individuals or association or any other person than they presently possess. The "Grantors" remain the fee owners of the "Property".
- c) The granting of this conservation easement shall not hinder any future application made by the "Grantors", individually or collectively, their successors or assigns over areas not covered by the easement. The giving of this easement shall not be grounds to deny an application for a permit over areas not within the specific area subject to this easement.
- d) The granting of this conservation easement shall not be considered to diminish the value of any additional conservation easements the "Grantors" or their successors or assigns may grant to any other public agency in the future.
- e) Any permit application that the "Grantors" or their successors or assigns may submit for work in areas outside the boundaries of the conservation easement shall be considered without regard to the existence of this conservation easement. Whether or not such proposed work may be in close proximity to this easement shall not be a consideration in any agency's review of said application so long as the proposed work will not result in the violation of any of the covenants made herein.

3. Reverter

This conservation easement remains valid when possessed by the Florida Department of Environmental Regulation or a successor agency. Should the Department of Environmental Regulation or its successor agency transfer this conservation easement to another party or use the property for any other purpose the entire parcel shall revert to the "Grantors", their assigns or successors, and this conservation easement shall become null and void.

4. Enforcement

This conservation easement may be enforced through any legal or equitable remedy by the Grantors, their heirs, successors and assigns and the State of Florida Department of Environmental Regulation only, and may be amended, altered, released or revoked only by written agreement between the "Grantors" and the State of Florida, Department of Environmental Regulation except as otherwise stated herein.

IN WITNESS WHEREOF Grantors have set their hands on the day and year first above written.

As to lands described in Exhibit "I",
attached hereto
SOUTH SEAS RESORT LIMITED PARTNERSHIP

(SEAL)

By [Signature]

Signed, Sealed and Delivered
in our presence as witnesses

[Signature]
[Signature]

STATE OF FLORIDA

COUNTY OF Lee

Before me personally appeared Robert M. Taylor to me well known and
known to me to be the person who executed the foregoing instrument, and
acknowledged to and before me that he executed said instrument for the
purposes herein expressed.

WITNESS my hand and official seal this 4 day of April,
A.D., 1988.

(SEAL)

[Signature]
Notary Public
State of Florida

My commission expires
Notary Public, State of Florida
My Commission Expires Feb. 19, 1991

As to lands described in Exhibit "II",
attached hereto
SOUTH SEAS UTILITY COMPANY

(SEAL)

By [Signature]

Signed, Sealed and Delivered
in our presence as witnesses

[Signature]
[Signature]

STATE OF FLORIDA

COUNTY OF Lee

Before me personally appeared Allen G. Ten Broek to me well known and
known to me to be the person who executed the foregoing instrument, and
acknowledged to and before me that he executed said instrument for the
purposes herein expressed.

WITNESS my hand and official seal this 4 day of April,
A.D., 1988.

(SEAL)

[Signature]
Notary Public
State of Florida

My commission expires
Notary Public, State of Florida

My Commission Expires Feb. 19, 1991

As to lands described in Exhibit "III",
attached hereto
THE MARINER GROUP, INC.

(SEAL)

By Allen G. Ten Broek

Signed, Sealed and Delivered
in our presence as witnesses

[Signature]
[Signature]

STATE OF FLORIDA

COUNTY OF Lee

Before me personally appeared Allen G. Ten Broek to me well known and known to me to be the person who executed the foregoing instrument, and acknowledged to and before me that he executed said instrument for the purposes herein expressed.

WITNESS my hand and official seal this 4 day of April,
A.D., 1988.

(SEAL)

[Signature]
Notary Public
State of Florida

My commission expires
Notary Public, State of Florida
My Commission Expires Feb. 19, 1991
Headed thru Troy Fair - Insurance Inc.

As to lands described in Exhibit "III",
attached hereto
CONNECTICUT MUTUAL LIFE INSURANCE CO.

(SEAL)

By [Signature]
President Officer

Signed, Sealed and Delivered
in our presence as witnesses

[Signature]
[Signature]

STATE OF CONNECTICUT

COUNTY OF HARTFORD

Before me personally appeared Carl F. Stenman to me well known and known to me to be the personal who executed the foregoing instrument, and acknowledged to and before me that he executed said instrument for the purposes herein expressed.

WITNESS my hand and official seal this 6th day of April,
A.D., 1988.

(SEAL)

[Signature]
Notary Public
State of

My commission expires
March 31, 1990

As to lands described in Exhibit "III",
attached hereto
WILLOUGHBY T. COX, JR.

(SEAL)

Willoughby T. Cox, Jr.

Signed, Sealed and Delivered
in our presence as witnesses

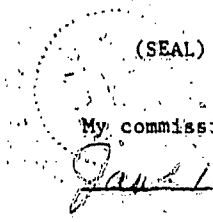
Hester Lilly
Thos T. Bear

STATE OF Florida

COUNTY OF Orange

Before me personally appeared Willoughby T. Cox, Jr. to me well known
and known to me to be the person who executed the foregoing instrument, and
acknowledged to and before me that he executed said instrument for the
purposes herein expressed.

WITNESS my hand and official seal this 7th day of April,
A.D., 1988.



(SEAL)

Hester H. Lilly
Notary Public
State of Florida

My commission expires
Jan 12, 1991

JOHNSON ENGINEERING, INC.

CIVIL ENGINEERS AND LAND SURVEYORS

2158 JOHNSON STREET
TELEPHONE (813) 334-0046
TELECOPIER (813) 334-3661
POST OFFICE BOX 1350
FORT MYERS, FLORIDA
33902-1550

April 19, 1988

CARLE JOHNSON
1911-1960

DESCRIPTION
CONSERVATION EASEMENT
LANDS OF SOUTH SEAS RESORT LIMITED PARTNERSHIP
SECTION 22, T. 45 S., R. 21 E.
CAPTIVA ISLAND, LEE COUNTY, FLORIDA

REC 983 PG 4028

A tract or parcel of land lying in Section 22, Township 45 South, Range 21 East, Captiva Island, Lee County, Florida which tract or parcel is described as follows:

From the northeast corner of South Seas Plantation Beach homesites as shown on plat recorded in Plat Book 29 at pages 105 and 106, Lee County records run northerly along the easterly line of Plantation Beach Club III as shown on surveyor's plat, Exhibit 1 to Condominium Declaration recorded in Official Record Book 1422 beginning at page 2218, Lee County records along the arc of a curve to the right of radius 265.00 feet (chord bearing N 11° 38' 02" W) (chord 115.92 feet) (delta 25° 16' 05") for 116.87 feet to a point of tangency; thence run N 01° 00' 00" E for 81.00 feet to a point designated "A"; thence continue N 01° 00' 00" E for 41.00 feet to a point of curvature; thence run northerly, northwesterly and westerly along the arc of a curve to the left of radius 113.00 feet (chord bearing N 42° 30' 00" W) (chord 155.57 feet) (delta 87° 00' 00") for 171.58 feet to a point of reverse curvature; thence run westerly and northwesterly along the arc of a curve to the right of radius 131.00 feet (chord bearing N 48° 17' 53" W) (chord 160.23 feet) (delta 75° 24' 15") for 172.40 feet to a point of tangency; thence run N 79° 24' 15" E for 50.00 feet to the northeasterly line of South Seas Plantation Road as described in Official Record Book 1846 at page 807; thence run N 10° 35' 45" W along said northeasterly line for 58.02 feet to the Point of Beginning.

From said Point of Beginning run S 10° 35' 45" E along said easterly line for 58.02 feet to a point of curvature; thence run southeasterly and easterly along said easterly line along the arc of a curve to the left of radius 81.00 feet (chord bearing S 48° 17' 53" E) (chord 99.07 feet) (delta 75° 24' 15") for 106.60 feet to a point of reverse curvature; thence run southeasterly along the arc of a curve to the right of radius 163.00 feet (chord bearing S 72° 42' 43" E) (chord 74.93 feet) (delta 26° 34' 34") for 75.61 feet; thence run N 55° 48' 32" E for 52.13 feet; thence run N 26° 23' 07" W for 71.98 feet; thence run

CHAIRMAN
ARCHIE T. GRANT, JR.

PRESIDENT
FORREST H. BANKS

JOSEPH W. EBNER
STEVEN K. MORRISON
ANDREW D. TILTON
JEFFREY C. COONER

DAN W. DICKEY
KENTON R. KEILING
DONALD D. STOUTEN
GEORGE J. KALAL
MICHAEL L. HARMON
THOMAS L. FENDLEY
W. DAVID KEY, JR.

CONSULTANTS
LEIF E. JOHNSON
LESTER L. BULSON
ROBERT S. O'BRIEN

Conservation Easement
Lands of South Seas Resort Limited Partnership
April 19, 1988
Page 2

N 60° 52' 03" E for 86.67 feet; thence run
S 75° 55' 37" E for 21.70 feet; thence run
S 53° 09' 11" E for 54.83 feet; thence run
N 76° 09' 56" E for 65.19 feet; thence run
S 82° 10' 32" E for 20.40 feet; thence run
S 28° 01' 41" E for 42.45 feet; thence run

N 63° 10' 01" E for 54.60 feet to an intersection with an easterly line of lands described in Official Record Book 1846 beginning at page 3934; thence run N 48° 39' 34" W along said easterly line for 175 feet more or less to the Approximate Mean High Water Line of Bryant Bayou; thence run southeasterly, southerly, westerly, northwesterly, westerly, southwesterly, westerly, southwesterly, northwesterly for 565 feet more or less to an intersection with a line bearing N 59° 49' 11" E and passing through the Point of Beginning; thence run S 59° 49' 11" W for 16 feet more or less to the Point of Beginning.

AND

From the hereinabove point designated "A" run S 89° 00' 00" E for 50.00 feet to an easterly line of said South Seas Plantation Road and the Point of Beginning.

From said Point of Beginning run N 01° 00' 00" E along said easterly line for 41.00 feet to a point of curvature; thence run northwesterly along the arc of a curve to the left of radius 163.00 feet (chord bearing N 15° 48' 55" W) (chord 94.31 feet) (delta 33° 37' 50") for 95.68 feet; thence run N 77° 58' 54" E for 60.69 feet; thence run N 74° 06' 57" E for 128.31 feet; thence run S 63° 06' 40" E for 11.81 feet to a point of curvature; thence run southeasterly along the arc of a curve to the left of radius 170.00 feet (chord bearing S 75° 27' 33" E) (chord 72.71 feet) (delta 24° 41' 47") for 73.28 feet to an intersection with an easterly line of lands described in Official Record Book 1846 beginning at page 3934 of said public records; thence run S 04° 39' 34" E along said easterly line for 98.64 feet to an intersection with a southerly line of lands described in deed recorded in Official Record Book 572 at page 14, Lee County records; thence run northwesterly along said northerly line along the arc of a curve to the right of radius 191.45 feet (chord bearing N 54° 18' 00" W) (chord 123.08 feet) (delta 37° 30' 31") for 125.30 feet to a point of reverse curvature; thence run northwesterly, westerly, southwesterly and southeasterly along the arc of a curve to the left of radius 35.00 feet (chord bearing S 66° 57' 00" W) (chord 68.34 feet) (delta 154° 59' 40") for 94.68 feet to a point of tangency; thence run S 10° 33' 00" E for 105.31

REC: 98-3FC4029

Conservation Easement
Lands of South Seas Resort Limited Partnership
April 19, 1988
Page 3

feet; thence run N 89° 30' 10" W for 103.16 feet to the
Point of Beginning.

Containing 1.5 acres more or less.

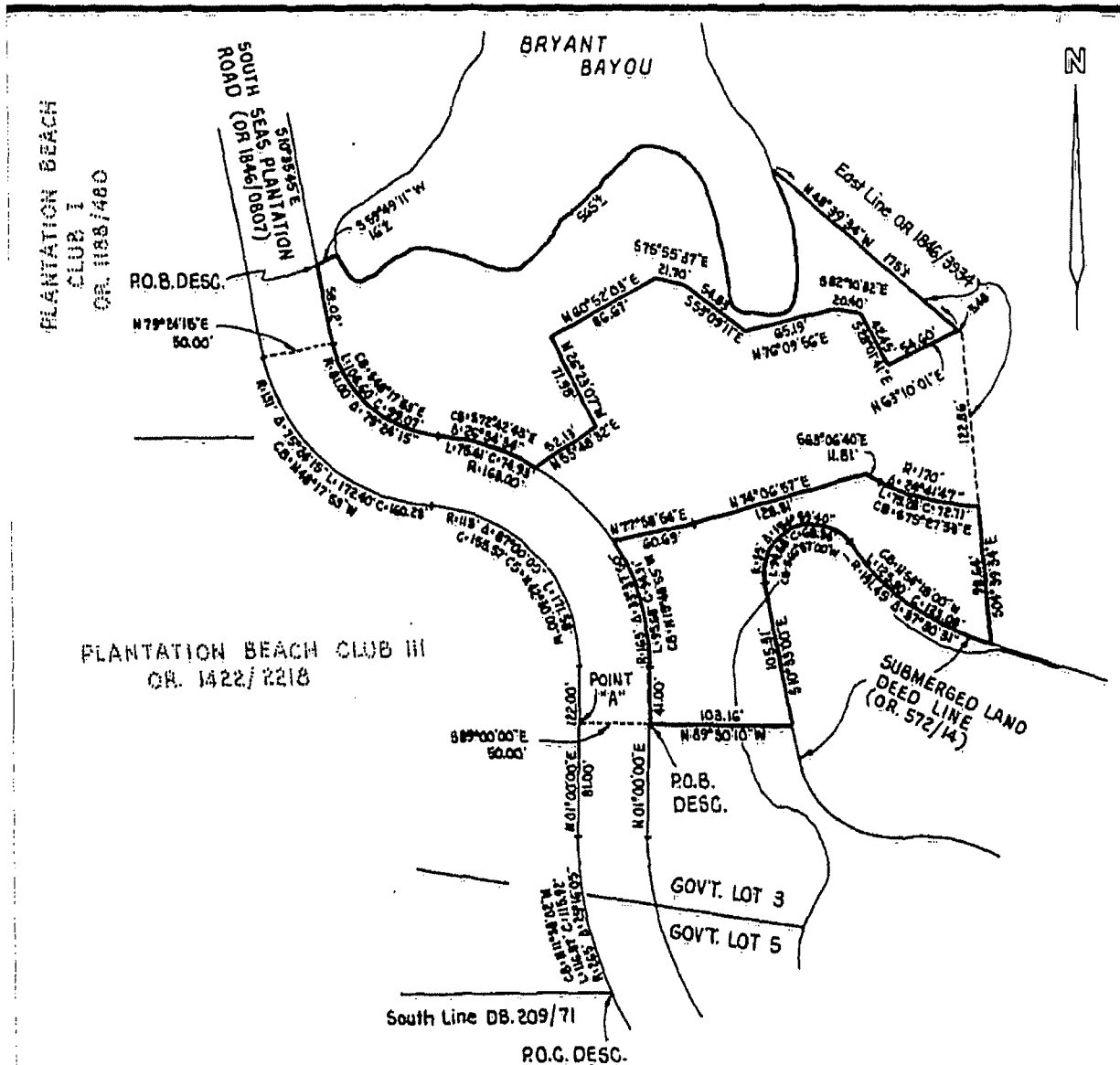
Bearings hereinabove mentioned are Plane Coordinate for the
Florida West Zone based on ties to Lee County Coastal Construction
Setback Line for Captiva Island, Lee County, Florida.


W. BRITT POMEROY, JR.
Professional Land Surveyor
Florida Certificate No. 4448

WBP/pd
12196

REC-1 983 PG 4 0 30

DEPT 983 PG 4 0 3 1



PLANTATION BEACH CLUB III
OR. 1422/ 2218

SOUTH SEAS PLANTATION
BEACH HOMESITES
PB. 29, P. 105 & 106

NOTE

Bearings shown are Plane Coordinate for the Florida West Zone based on ties to the Lee County Coastal Construction Setback Line for Captiva Island, Lee County, Florida.

THIS IS NOT A SURVEY

SKETCH TO ACCOMPANY DESCRIPTION
CONSERVATION EASEMENT
LANDS OF SOUTH SEAS RESORT LIMITED PARTNERSHIP
GOV'T. LOT 3, SECTION 22, T. 45 S., R. 21 E.
CAPTIVA ISLAND, LEE COUNTY, FLORIDA

W. Britt Pomeroy, Jr.
W. BRITT POMEROY, JR.
Professional Land Surveyor
Florida Certificate # 4448

JOHNSON ENGINEERING, INC.
CIVIL ENGINEERS - LAND SURVEYORS
POST OFFICE BOX 1550, FORT MYERS, FLORIDA, 33902-1550, PHONE (813) 334-0046

DATE	PROJECT NO.	FILE NO.	SCALE	SHEET	OF
April 18, 1988	12196	22-45-21	1" = 100'		

JOHNSON ENGINEERING, INC.

CIVIL ENGINEERS AND LAND SURVEYORS

2158 JOHNSON STREET
TELEPHONE (813) 334-0046
TELECOPIER (813) 334-3661
POST OFFICE BOX 1350
FORT MYERS, FLORIDA
33902-1350

April 19, 1988

CARLE JOHNSON
1911 1968

DESCRIPTION CONSERVATION EASEMENT LANDS OF SOUTH SEAS UTILITY COMPANY SECTIONS 22 AND 23, T. 45 S., R. 21 E. CAPTIVA ISLAND, LEE COUNTY, FLORIDA

A tract or parcel of land lying in Sections 22 and 23, Township 45 South, Range 21 East, Captiva Island, Lee County, Florida which tract or parcel is described as follows:

From the northeast corner of South Seas Plantation Beach homesites as shown on plat recorded in Plat Book 29 at pages 105 and 106, Lee County records run northerly along the easterly line of Plantation Beach Club III as shown on surveyor's plat Exhibit 1 to Condominium Declaration recorded in Official Record Book 1422 beginning at page 2218, Lee County records along the arc of a curve to the right of radius 265.00 feet (chord bearing N 11° 38' 02" W) (chord 115.92 feet) (delta 25° 16' 05") for 116.87 feet to a point of tangency; thence run N 01° 00' 00" E for 122.00 feet to a point of curvature; thence run northerly, northwesterly and westerly along the arc of a curve to the left of radius 113.00 feet (chord bearing N 42° 30' 00" W) (chord 155.57 feet) (delta 87° 00' 00") for 171.58 feet to a point of reverse curvature; thence run westerly and northwesterly along the arc of a curve to the right of radius 131.00 feet (chord bearing N 48° 17' 53" W) (chord 160.23 feet) (delta 75° 24' 15") for 172.40 feet to a point of tangency; thence run N 79° 24' 15" E for 50.00 feet to the northeasterly line of said South Seas Plantation Road as described in Official Record Book 1846 beginning at page 0807 of said public records; thence run N 10° 35' 45" W along said northeasterly line for 198.00 feet; thence run N 81° 03' 45" E for 794.81 feet; thence run S 33° 04' 49" E for 329.54 feet; thence run S 89° 30' 10" E for 825.34 feet to an intersection with lands described in deed recorded in Official Record Book 572 at page 14, Lee County records; thence run along said easterly line S 12° 00' 00" E for 24.57 feet to a point of curvature; thence run along the arc of a curve to the right of radius 220.00 feet (chord bearing S 04° 22' 30" E) (chord 58.38 feet) (delta 15° 14' 57") for 58.55 feet to a point of reverse curvature; thence run southerly along the arc of a curve to the left of radius 540.00 feet (chord bearing S 01° 14' 31" E) (chord 37.84 feet) (delta 04° 00' 59") for 37.85 feet to the Point of Beginning.

OFF 1983 PG 4 U 5 2

CHAIRMAN
ARCHIE T. GRANT, JR.

PRESIDENT
FORREST H. BANKS

JOSEPH W. EBNER
STEVEN K. MORRISON
ANDREW D. TILTON
JEFFREY C. COONER

DAN W. DICKEY
KENTON R. KEILING
DONALD D. STOUTEN
GEORGE J. KALAL
MICHAEL L. HARMON
THOMAS L. FENDLEY
W. DAVID KEY, JR.

CONSULTANTS
LEIF E. JOHNSON
LESTER L. BULSON
ROBERT S. O'BRIEN

Conservation Easement
Lands of South Seas Utility Company
April 19, 1988
Page 2

OFF: 983 PG 4033

From said Point of Beginning continue along the arc of said curve to the left of radius 540.00 feet (chord bearing S 18° 37' 59" E) (chord 331.35 feet) (delta 35° 44' 02") for 336.79 feet to a point of reverse curvature; thence run southeasterly along the arc of a curve to the right of 175.97 feet (chord bearing S 23° 33' 50" E) (chord 78.79 feet) (delta 25° 52' 26") for 79.47 feet; thence run N 89° 30' 10" W for 286.59 feet; thence run N 17° 53' 38" W for 194.51 feet; thence run N 89° 30' 10" W for 295.69 feet to a point designated "A"; thence run N 01° 37' 33" E for 76.26 feet; thence run S 89° 30' 10" E for 113.00 feet; thence run N 40° 34' 03" E for 61.65 feet; thence run N 00° 32' 31" E for 77.00 feet; thence run S 89° 30' 10" E for 348.69 feet to the Point of Beginning.


AND

From the hereinabove point designated "A" run N 89° 30' 10" W for 50.01 feet to the Point of Beginning.

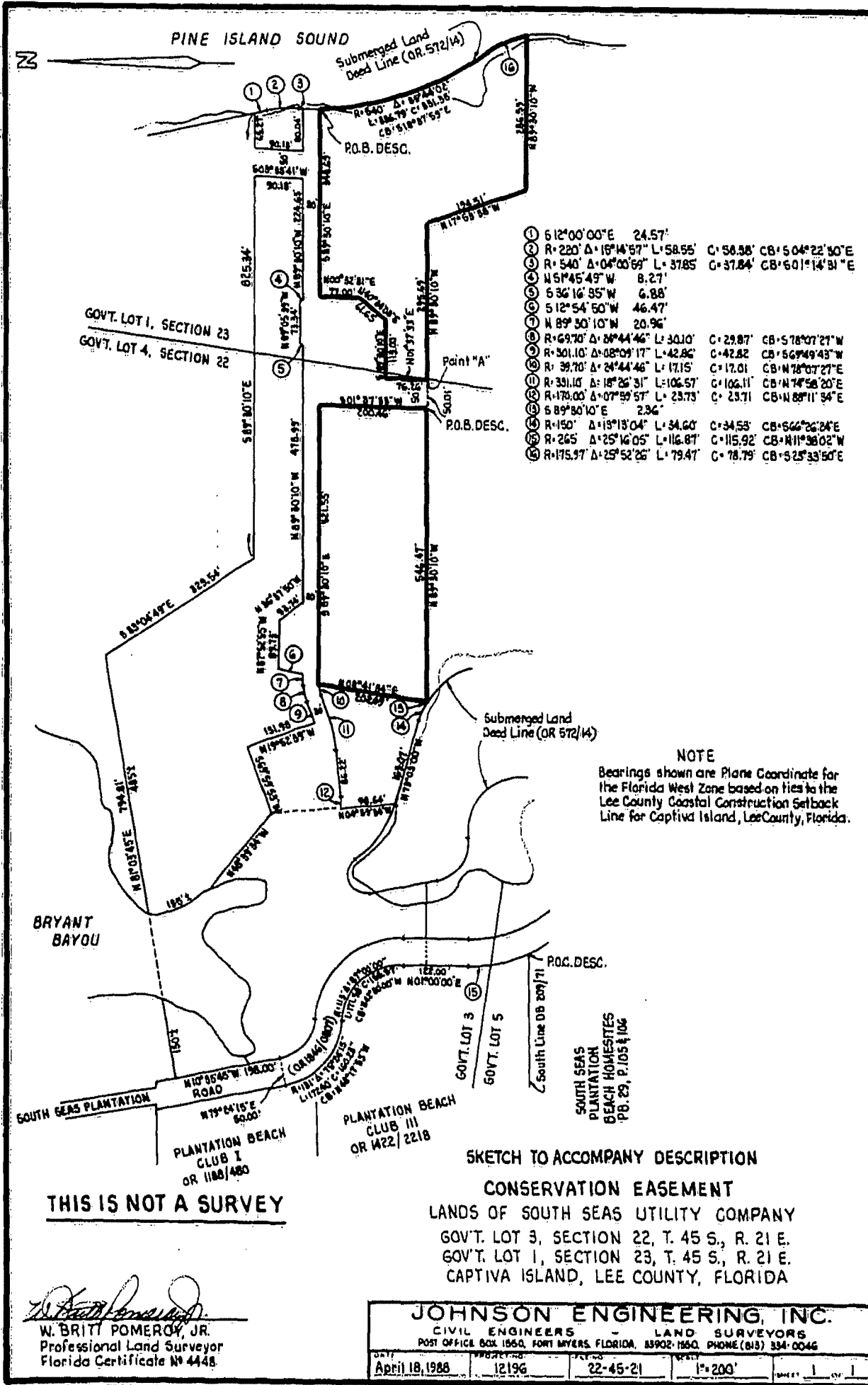
From said Point of Beginning run N 89° 30' 10" W for 546.47 feet; thence run N 08° 41' 34" E for 202.49 feet; thence run S 89° 30' 10" E for 521.55 feet; thence run S 01° 37' 33" W for 200.46 feet to the Point of Beginning.

Containing 5.4 acres more or less.

Bearings hereinabove mentioned are Plane Coordinate for the Florida West Zone based on ties to Lee County Coastal Construction Setback Line for Captiva Island, Lee County, Florida.


W. BRITT POMEROY, JR.
Professional Land Surveyor
Florida Certificate No. 4448

WBP/pd
12196b



①	6 12° 00' 00" E	24.57'		
②	R: 220' Δ: 15° 14' 57" L: 58.55'		C: 56.38'	CB: 5 04° 22' 30" E
③	R: 540' Δ: 04° 00' 59" L: 37.85'		C: 37.84'	CB: 6 01° 14' 31" E
④	N 5° 45' 49" W	8.27'		
⑤	S 36° 16' 35" W	6.88'		
⑥	S 12° 54' 50" W	46.47'		
⑦	N 89° 30' 10" W	20.96'		
⑧	R: 69.70' Δ: 8° 44' 46" L: 30.10'		C: 29.87'	CB: 5 78° 07' 27" W
⑨	R: 301.10' Δ: 08° 09' 17" L: 42.86'		C: 42.82'	CB: 5 09° 49' 43" W
⑩	R: 39.70' Δ: 24° 44' 46" L: 17.15'		C: 17.01'	CB: 4 78° 07' 27" E
⑪	R: 331.10' Δ: 18° 26' 31" L: 106.57'		C: 106.11'	CB: 4 78° 58' 20" E
⑫	R: 170.00' Δ: 07° 59' 57" L: 23.73'		C: 23.71'	CB: 4 88° 11' 54" E
⑬	S 89° 30' 10" E	2.96'		
⑭	R: 150' Δ: 13° 13' 04" L: 34.60'		C: 34.53'	CB: 5 66° 26' 24" E
⑮	R: 265' Δ: 25° 16' 05" L: 116.87'		C: 115.92'	CB: 4 11° 36' 02" W
⑯	R: 175.97' Δ: 25° 52' 26" L: 79.47'		C: 78.79'	CB: 5 23° 33' 50" E

NOTE
 Bearings shown are Plane Coordinate for the Florida West Zone based on ties to the Lee County Coastal Construction Setback Line for Captiva Island, Lee County, Florida.

THIS IS NOT A SURVEY

SKETCH TO ACCOMPANY DESCRIPTION
 CONSERVATION EASEMENT
 LANDS OF SOUTH SEAS UTILITY COMPANY
 GOVT. LOT 3, SECTION 22, T. 45 S., R. 21 E.
 GOVT. LOT 1, SECTION 23, T. 45 S., R. 21 E.
 CAPTIVA ISLAND, LEE COUNTY, FLORIDA

W. Britt Pomeroy, Jr.
 W. BRITT POMEROY, JR.
 Professional Land Surveyor
 Florida Certificate No 4448

JOHNSON ENGINEERING, INC.
 CIVIL ENGINEERS - LAND SURVEYORS
 POST OFFICE BOX 1050, FORT MYERS, FLORIDA, 33902-1050, PHONE (813) 334-0046

DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
April 18, 1988	12196	22-45-21	1" = 200'	1 of 1

JOHNSON ENGINEERING, INC.

CIVIL ENGINEERS AND LAND SURVEYORS

2158 JOHNSON STREET
TELEPHONE (813) 334-0046
TELECOPIER (813) 334-3661
POST OFFICE BOX 1350
FORT MYERS, FLORIDA
33902-1350

April 19, 1988

DESCRIPTION

CONSERVATION EASEMENT
LANDS OF MARINER GROUP, INC.
CONNECTICUT MUTUAL LIFE INSURANCE COMPANY AND
WILLOUGHBY T. COX, JR.
SECTIONS 22 AND 23, T. 45 S., R. 21 E.
CAPTIVA ISLAND, LEE COUNTY, FLORIDA

CARLE JOHNSON
1911-1968

OFF
REC 983 Pg 4035

A tract or parcel of land lying in Sections 22 and 23, Township 45 South, Range 21 East, Captiva Island, Lee County, Florida which tract or parcel is described as follows:

From the northeast corner of South Seas Plantation Beach homesites as shown on plat recorded in Plat Book 29 at pages 105 and 106, Lee County records run northerly along the easterly line of Plantation Beach Club III as shown on surveyor's plat Exhibit 1 to Condominium Declaration recorded in Official Record Book 1422 beginning at page 2218, Lee County records, along the arc of a curve to the right of radius 265.00 feet (chord bearing N 11° 38' 03" W) (chord 115.92 feet) (delta 25° 16' 05") for 116.87 feet to a point of tangency; thence run N 01° 00' 00" E for 122.00 feet to a point of curvature; thence run northerly, northwesterly and westerly along the arc of a curve to the left of radius 113.00 feet (chord bearing N 42° 30' 00" W) (chord 155.57 feet) (delta 87° 00' 00") for 171.58 feet to a point of reverse curvature; thence run westerly and northwesterly along the arc of a curve to the right of radius 131.00 feet (chord bearing N 48° 17' 53" W) (chord 160.23 feet) (delta 75° 24' 15") for 172.40 feet to a point of tangency; thence run N 79° 24' 15" E for 50.00 feet to the easterly line of South Seas Plantation Road as described in Official Record Book 1846 beginning at page 0807 of said public records; thence run N 10° 35' 45" W for 58.02 feet to a point designated "A"; thence continue along said easterly line of South Seas Plantation Road for 139.98 feet; thence run N 81° 03' 45" E for 794.81 feet to the Point of Beginning.

From said Point of Beginning run S 33° 04' 49" E for 329.54 feet; thence run S 89° 30' 10" E for 710.00 feet to a point designated "B"; thence run S 03° 33' 41" W for 90.13 feet; thence run N 89° 30' 10" W for 224.63 feet; thence run N 51° 45' 49" W for 8.27 feet; thence run N 89° 05' 39" W for 73.34 feet; thence run S 36° 16' 35" W for 6.88 feet; thence run N 89° 30' 10" W for 478.99 feet; thence run

CHAIRMAN
ARCHIE T. GRANT, JR.

PRESIDENT
FORREST H. BANKS

JOSEPH W. EBNER
STEVEN K. MORRISON
ANDREW D. TILTON
JEFFREY C. COONER

DAN W. DICKEY
KENTON R. KEILING
DONALD D. STOUTEN
GEORGE J. KALAL
MICHAEL L. HARMON
THOMAS L. FENDLEY
W. DAVID KEY, JR.

CONSULTANTS
LEIF E. JOHNSON
LESTER L. BULSON
ROBERT S. O'BRIEN

Conservation Easement
 Lands of Mariner Group, Inc.
 April 19, 1988
 Page 2

N 36° 37' 50" W for 53.74 feet; thence run
 N 87° 52' 55" W for 89.73 feet; thence run
 S 12° 54' 50" W for 46.47 feet; thence run
 N 89° 30' 10" W for 20.96 feet to a point of curvature
 and a point designated "C"; thence run southwesterly
 along the arc of a curve to the left of radius 69.70
 feet (chord bearing S 78° 07' 27" W) (chord 29.87 feet)
 (delta 24° 44' 46") for 30.10 feet to a point of reverse
 curvature; thence run southwesterly along the arc of a
 curve to the right of radius 301.10 feet (chord bearing
 S 69° 49' 43" W) (chord 42.82 feet) (delta 08° 09' 17")
 for 42.86 feet; thence run N 19° 52' 39" W for 131.98
 feet; thence run S 69° 59' 53" W for 131.12 feet; thence
 run S 63° 10' 01" W for 6.12 feet to an intersection
 with an easterly line of lands described in Official
 Record Book 1846 beginning at page 3934, said public
 records; thence run N 48° 39' 34" W for 175 feet more or
 less to the Approximate Mean High Water Line of Bryant
 Bayou; thence run northwesterly along said line for
 135.00 feet to an intersection with a line bearing
 S 81° 03' 45" W and passing through the Point of
 Beginning; thence run N 81° 03' 45" E for 485 feet more
 or less to the Point of Beginning.

AND

Beginning at the hereinabove point designated "A" run
 N 10° 35' 45" W along the easterly line of South Seas
 Plantation Road for 139.98 feet; thence run
 N 81° 03' 45" E for 150 feet more or less to the
 Approximate Mean High Water Line of Bryant Bayou; thence
 run southwesterly and southerly along said line for 190
 feet more or less to an intersection with the line
 bearing N 59° 49' 11" E and passing through the Point of
 Beginning; thence run S 59° 49' 11" W for 16 feet more
 or less to the Point of Beginning.

AND

From the hereinabove point designated "B" run
 S 89° 30' 10" E for 50.07 feet to the Point of
 Beginning.

From said Point of Beginning continue S 89° 30' 10" E
 for 65.27 feet to an intersection with the easterly line
 of lands described in deed recorded in Official Record
 Book 572 at page 14, Lee County records; thence run
 along said easterly line S 12° 00' 00" E for 24.57 feet
 to a point of curvature; thence run southeasterly along
 the arc of a curve to the right of radius 220.00 feet
 (chord bearing S 04° 22' 30" E) (chord 58.38 feet)
 (delta 15° 14' 57") for 58.55 feet to a point of reverse
 curvature; thence along the arc of a curve to the left
 of radius 540.00 feet (chord bearing S 02° 50' 02" W)
 (chord 7.85 feet) (delta 00° 49' 58") for 7.85 feet;

OFFICIAL RECORD BOOK 1846 PAGE 3934

Conservation Easement
Lands of Mariner Group, Inc.
April 19, 1988
Page 3

thence run N 89° 30' 10" W for 80.04 feet; thence run N 03° 33' 41" E for 90.13 feet to the Point of Beginning.

AND
From the hereinabove point designated "C" run S 00° 29' 50" E for 30.00 feet to the Point of Beginning.

From said Point of Beginning run S 08° 41' 34" E for 202.49 feet; thence run N 89° 30' 10" W for 2.36 feet to an intersection with a northerly line of lands described in deed recorded in Official Record Book 572 at page 14, Lee County records; thence run northwesterly along said northerly line along the arc of a curve to the left of radius 150.00 feet (chord bearing N 66° 26' 24" W) (chord 34.53 feet) (delta 13° 13' 04") for 34.60 feet to a point of tangency; thence run N 73° 03' 00" W for 163.07 feet to an intersection with the easterly line of lands described in Official Record Book 1846 beginning at page 3934 of said public records; thence run N 04° 39' 34" W for 98.64 feet; thence run northeasterly along the arc of a curve to the left of radius 170.00 feet (chord bearing N 88° 11' 34" E) (chord 23.71 feet) (delta 07° 59' 57") for 23.73 feet to a point of tangency; thence run N 84° 11' 36" E for 86.22 feet to a point of curvature; thence run northeasterly along the arc of a curve to the left of radius 331.10 feet (chord bearing N 74° 58' 20" E) (chord 106.11 feet) (delta 18° 26' 31") for 106.57 feet to a point of reverse curvature; thence run northeasterly and easterly along the arc of a curve to the right of radius 39.70 feet (chord bearing N 78° 07' 27" E) (chord 17.01 feet) (delta 24° 44' 46") for 17.15 feet to the Point of Beginning.

Containing 6.1 acres more or less.

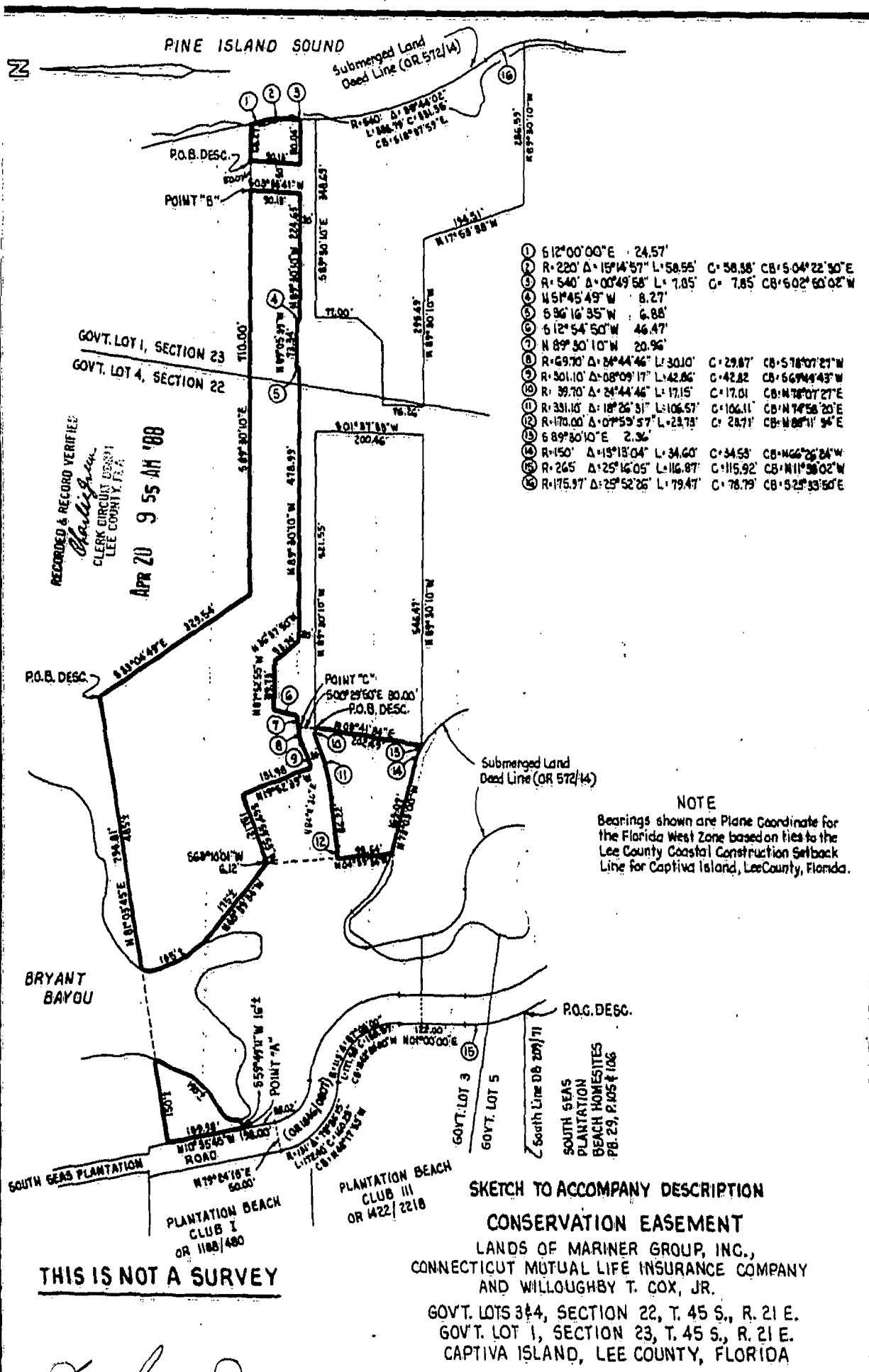
Bearings hereinabove mentioned are Plane Coordinate for the Florida West Zone based on ties to the Lee County Coastal Construction Setback Line for Captiva Island, Lee County, Florida.



W. BRITT POMEROY, JR.
Professional Land Surveyor
Florida Certificate No. 4448

WBP/pd
12196a

OFF 1983 PG 4 037



1	S 12° 00' 00" E	24.57'		
2	R=220' Δ=15° 14' 57" L=58.55'		C=58.58'	CB=5° 04' 22" 30" E
3	R=540' Δ=0° 04' 58" L=7.85'		C=7.85'	CB=6° 02' 60" 02" W
4	W 51° 45' 49" W	8.27'		
5	S 96° 16' 35" W	6.88'		
6	S 12° 54' 50" W	46.47'		
7	N 89° 30' 10" W	20.96'		
8	R=69.70' Δ=6° 44' 46" L=30.10'		C=29.87'	CB=5° 18' 07" 21" W
9	R=30.110' Δ=0° 08' 09" 17" L=42.06'		C=42.82'	CB=6° 04' 43" W
10	R=39.70' Δ=24° 44' 46" L=17.15'		C=17.01'	CB=1° 16' 07" 27" E
11	R=331.16' Δ=18° 26' 31" L=106.57'		C=106.11'	CB=1° 14' 58" 20" E
12	R=170.00' Δ=0° 07' 59" 57" L=23.73'		C=23.71'	CB=1° 08' 11" 34" E
13	S 68° 30' 10" E	2.36'		
14	R=150' Δ=15° 18' 04" L=34.60'		C=34.53'	CB=1° 06' 26" 24" W
15	R=265' Δ=25° 16' 05" L=116.87'		C=115.92'	CB=1° 11' 36" 02" W
16	R=175.97' Δ=25° 52' 26" L=79.47'		C=78.79'	CB=5° 25' 33" 56" E

RECORDED & RECORD VERIFYEE
Charles G. ...
 CLERK CIRCUIT COURT
 LEE COUNTY, FLA.
 APR 20 9 55 AM '88

NOTE
 Bearings shown are Plane Coordinate for the Florida West Zone based on ties to the Lee County Coastal Construction Setback Line for Captiva Island, Lee County, Florida.

SKETCH TO ACCOMPANY DESCRIPTION
CONSERVATION EASEMENT
 LANDS OF MARINER GROUP, INC.,
 CONNECTICUT MUTUAL LIFE INSURANCE COMPANY
 AND WILLOUGHBY T. COX, JR.
 GOVT. LOTS 3 & 4, SECTION 22, T. 45 S., R. 21 E.
 GOVT. LOT 1, SECTION 23, T. 45 S., R. 21 E.
 CAPTIVA ISLAND, LEE COUNTY, FLORIDA

THIS IS NOT A SURVEY

[Handwritten signature]

South Seas Island Resort Mixed-Use Plan Development (MPD)

South Seas Plantation Road Captiva, FL 33924

Protected Species Survey

September 2022
Revised March 2023
Revised October 2023
Revised February 2024

Prepared for:

Gregory L. Spencer
WS SSIR Owner, LLC
103 W. Morse Blvd., Suite 350
Winter Park, FL 32789

Prepared by:

Pennoni Associates Inc.
1212 Country Club Blvd., #202
Cape Coral, FL 33990
(941) 363-6788
COlson@Pennoni.com

TABLE OF CONTENTS

Section	Page
Project Location	3
Site Conditions	3
Vegetation Communities / FLUCFCS Codes	3
Listed Species	6
Lee County Protected Species List	10
References	11

Tables

Table 1	FLUCFCS Codes within the Project Area	4
Table 2	Lee County Protected Species Potentially Located On-site Per FLUCFCS Code	10

Attachments

- Attachment 1: Aerial M
- Attachment 2: FLUCFCS Map
- Attachment 3: Soils Map
- Attachment 4: USGS Quad Map
- Attachment 5: Wood Stork Foraging Areas
- Attachment 6: Shorebird Breeding Areas
- Attachment 7: Wading Bird Rookeries and Redish Egret Critical Foraging Areas
- Attachment 8: Bald Eagle Nests
- Attachment 9: Protected Species Map

Project Purpose / Location

The South Seas Resort District (SSRD) encompasses 304+/-acres and is permitted for the development of 912 units/hotel rooms per Administrative Interpretation ADD2002-00098, along 5 acres of commercial uses, a golf course and other private amenities for hotel guests and residents, including recreational facilities, a marina, restaurants, bars and a conference center.

The project is located within Sections 15 and 22, Township 45 South, and Range 21 East on the northern portion of Captiva Island, Lee County, Florida. A location map is attached to this report.

Of the 304+/-acres historically within the SSRD, WS SSIR Owners, LLC (“Applicant”), owns 120.5+/-acres which is the subject of a proposed rezoning to the Mixed Use Planned Development (MPD) zoning district. The MPD will allow for redevelopment of resort uses following Hurricane Ian. Of the 912 units permitted within the SSRD, the subject property is allocated 272 units/hotel rooms per Condition 1 of ADD2002-00098, the majority of which were constructed and substantially damaged in the hurricane.

Site Conditions

The project area consists of areas already developed as residential, commercial or golf course and an area that was part of the golf course but is currently being used for storage and parking. An aerial map is attached.

Vegetation Communities / FLUCFCS Codes

The cover and vegetation associations for the project area were verified and delineated using 2022 aerial photography (1” = 200”) and on-site field investigations. The cover and vegetation assemblages were classified according to levels III and IV of the Florida Land Use, Cover and Forms Classification System, also known as FLUCFCS (FDOT 1999). An aerial and exhibit with FLUCFCS overlay is attached to this report along with a map that labels the different parcels within the project area (A-M). The following table outlines the FLUCFCS codes identified within the project area, followed by detailed descriptions below.

Table. FLUCFCS Codes within the Project Area

FLUCFCS Code	Description	Acreage	Federal Status	State Status
100	Urban and Build-Up (Existing Residential and Commercial)	28.47	N	N
182	Golf Course (Including Snack Bar and Maintenance Area)	30.70	N	N
524	Golf Course Lakes Less than 10 Acres	5.65	NJD	NJD
540	Existing Marina	7.49	WUS	OSW
612 E2	Mangrove (Exotics 26-50)	41.19	W	W
740	Disturbed Land	5.93	N	N
740-H	Disturbed Land, Hydric	0.04	NJD	W
830	Utilities	1.07	N	N

TOTAL: 120.54 acres

LEGEND

- N = Non-Wetland
- NJD = Non-Jurisdictional Wetlands and Waters of the U.S.
- W = Wetland
- OSW = Other Surface Waters
- WUS = Waters of the U.S.

Existing Residential and Commercial Areas (28.47 acres)

FLUCFCS Code: 100 Urban and Build-Up (28.47 acres)

A large portion of the project site consists of existing residential and commercial development, including associated infrastructure, and recreational areas. Vegetation in these areas include landscaping and sod.

Existing Golf Course Parcel (36.35 acres)

FLUCFCS Code: 182 Golf Course (Including Snack Bar and Maintenance Area) (30.70 acres)

The northern portion of the project area was previously developed as a golf course. Dominant vegetation includes zoysia grass (*Zoysia japonica*). Landscaping including thryallis (*Galphimia gracilis*), pitch apple (*Clusia guttifera*), cocoplum (*Chrysobalanus icaco*) and fountain grass (*Pennisetum setaceum*) occurs along the golf cart paths.

The bunker area contains fountain grass, wild balsam apple, dune daisy (*Helianthus debilis*), camphorweed (*Pluchea* sp.), crowfootgrass (*Dactyloctenium aegyptium*), dogfennel (*Eupatorium capillifolium*), silver buttonwood (*Conocarpus erectus*), cabbage palms (*Sabal palmetto*), and pitch apple.

The golf course also contains a snack bar, restrooms, and golf cart maintenance area. Vegetation in this area includes sod and landscaping.

FLUCFCS Code: 524 Golf Course Lakes Less than 10 Acres (5.65 acres)

Four shallow golf course lakes are located within the golf course and are vegetated with papyrus (*Cyperus papyrus*), sand cord grass (*Spartina bakeri*), arrowheads (*Sagittaria latifolia*), giant leather fern (*Acrostichum aureum*), canna lilies (*Canna flaccida*), etc.

Existing Maintenance Parcel (4.60 acres)

FLUCFCS Code: 612-E2 Mangrove Fringe (0.99 acres)

The mangrove fringe along the southern maintenance area consists primarily of red mangroves (*Rhizophora mangle*), Brazilian pepper (*Schinus terebinthifolius*), and seaside mahoe (*Thespesia populnea*). Lesser amounts of buttonwood, white mangrove (*Laguncularia racemosa*), lead tree (*Leucaena leucocephala*), gumbo limbo (*Bursea simaruba*), coin vine (*Dalbergia ecastaphyllum*), and moon vine (*Ipomea alba*) occur in the mangrove fringe and just landward of it. Understory plants include sea purslane (*Sesuvium* sp.) and big head sedge (*Cyperus ligularis*). A portion of the maintenance area has a seawall from the central western side south along the tip of the peninsula and ending in the southeastern portion of the property. Vegetation along the seawall is sparse but includes coin vine.

FLUCFCS Code: 740 Disturbed Land (5.93 acres)

The majority of this area contains a mowed field and is dominated by grasses and ruderal species. Vegetation includes bahiagrass, torpedo grass (*Panicum repens*), Bermuda grass, St. Augustine grass (*Stenotaphrum secundatum*), smutgrass (*Sporobolus indicus*), crowfootgrass, coastal sandspur (*Cenchrus incertus*), sedges (*Cyperus* spp.), Florida snow (*Richardia grandiflora*), ragweed (*Ambrosia psilostachya*), Spanish needles (*Bidens alba*), rattlebox (*Crotalaria* spp.), hairy indigo (*Indigofera hirsuta*), southern sida (*Sida acuta*), match sticks (*Phyla nodiflora*), wedelia (*Wedelia trilobata*),

spurges (*Chamaesyce* spp.), pink purslane (*Portulaca amilis*), common purslane (*Portulaca oleracea*), morning glory (*Ipomea* sp.), balsam apple, and other ruderal vegetation. Scattered shrubs, trees, palms and shrubs occur around the wet area and along the northern portion of the parcel including cabbage palms, royal palms (*Roystonea regia*), Washingtonian palms (*Washingtonia robusta*), areca palms (*Dyopsis lutescens*), gumbo limbos, ficus (*Ficus* sp.), salt bush (*Baccharis halmifolia*), and cocoplum.

FLUCFCS Code: 740H Disturbed Land, Hydric (0.04 acres)

This low area is dominated by torpedograss and Bermudagrass (*Cynodon dactylon*) but lesser amounts of dog fennel and match sticks occur.

FLUCFCS Code: 540 Existing Marina (7.49 acres)

The existing marina contains two T-shaped piers with approximately 49 slips.

FLUCFCS Code: 612-E2 Mangrove (40.20 acres)

The composition of the mangroves are similar to the mangrove fringe but black mangroves (*Avicennia germinans*) also occur within this community.

Existing Utilities

FLUCFCS Code: 830 Utilities (1.07 acres)

The existing water treatment plant occurs approximately in the center of the project area and was previously permitted.

Listed Species

A protected species survey was conducted on the subject property by Pennoni Associates Inc. environmental scientists on September 9, 2022 and March 14, 2023. Pedestrian transects were utilized to cover a minimum 80% coverage of the project area in accordance with methodologies outlined by the U.S. Fish and Wildlife Service (FWS) and the Florida Fish and Wildlife Conservation Commission (FWC) and the Lee County Land Development Code (LDC). The purpose of the survey was to identify and document the presence of listed species inhabiting the sites that are regulated by the FWS and the FWC. Four listed species were seen on site during the survey. Several manatees (*Trichechus manatus latirostris*) were seen in the boat basin in March 2023. A single little blue heron (*Egretta caerulea*) was roosting in the mangrove fringe on the southern parcel. Loafing black skimmers (*Rynchops niger*)

and red knots (*Calidris canutus*) were seen on the beach which is adjacent to the golf course but outside of the project area. The little blue heron and black skimmer are listed as threatened and Species of Special Concern respectively by the FWC. The red knot is listed as a federally threatened species by the FWS.

The property is outside the FWS designated Florida panther (*Puma concolor coryi*) focus area and no panthers, nor their sign were observed.

Trees and palms on the parcel are limited and were surveyed for cavities that could be utilized by the federally endangered Florida bonneted bat (*Eumops floridanus*). The Florida bonneted bat roost site survey consisted of onsite observations of trees that may have hollows, crevices, loose bark, and/or cavities to the extent possible, as no red-cockaded woodpecker (*Picoides borealis*) cavity trees, bridges, overpasses, or other man-made structures exist onsite that may provide suitable roosting habitat. Several cavities were observed on coconut palms within the proposed nursery area, however no evidence of Florida bonneted bat roosting was observed during the site inspection. If any of the cavity trees need to be removed within the nursery area, the cavities will be peeped with a camera to determine potential activity. Should bonneted bat use be observed, the trees will be preserved in place and FWS will be contacted for further guidance.

Potential impacts to manatees, a federally threatened species, are not anticipated by following the Lee County Manatee Protection Plan and FWS Standard Manatee Conditions during any in-water work.

Although it is possible for the federally threatened black rail (*Laterallus jamaicensis*) to use the golf course lakes during the winter, it is unlikely since the lakes are small and isolated from other wetlands and surrounded by development. No black rails were heard or seen during the site review.

No federally threatened wood storks (*Mycteria americana*) were seen on site during the site visit. There are no known wood stork rookeries within 5 miles of the project and the site is not within core foraging area (See attached Figure).

Piping plover (*Charadrius melodus*) and red knots, listed as threatened by the FWS, likely utilize the beach and dune systems for feeding and loafing during migration and wintering. The state threatened black skimmers, snowy plovers (*Charadrius nivosus*), American oystercatchers (*Haematopus*

palliatum) and least terns (*Sternula antillarum*) may use the beach for loafing and nesting. The project area does not include the beach or associated dunes so none will likely be impacted by this project. The proposed project is not within 300 feet of any identified recent breeding sites, critical brood rearing sites or critical roosting areas so no impacts are anticipated according to the FWC's data (See attached Figure).

Little blue heron, reddish egret (*Egretta rufescens*), tricolored heron (*Egretta tricolor*) and roseate spoonbill (*Platalea ajaja*) are all listed as threatened species by the FWC. Little blue herons, tricolored herons and spoonbills may forage within the golf course lakes and all four species may forage along the beach and within the coastal waters. The project area is within 15 miles of reddish egret core foraging areas and one core foraging area occurs on the project site, but outside of the project area. The project is not impacting foraging sites for reddish egrets, so impacts are unlikely to occur. The project area is approximately 4.5 miles west of the closest wading bird colony (colony 615018) so no impacts to wading birds are anticipated according to FWC's data. (See attached Figure).

One immature bald eagle (*Haliaeetus leucocephalus*) was seen during the survey. The Audubon eagle nest locator and Lee County data were used to assess the project location and distance to known nests. The closest three nests are LE-048, approximately 0.6 miles to the north of the golf course LE-120 approximately 1.2 miles to the south of the golf course, and LE-910 approximately 2 miles to the south of the golf course. The proposed project area is outside of the standard 660-foot buffer zone for nests LE-048 and LE-910 and a small sliver of mangrove and open waters of Chadwick Bayou is within the 660-foot buffer zone of LE-120. No impacts to nesting bald eagles are expected (See attached Figure).

A gopher tortoise (*Gopherus polyphemus*) survey was conducted for this state threatened species. No tortoise, burrows, nor scat were seen. An updated 100% coverage gopher tortoise survey may be required prior to construction. If tortoise burrows are observed, a Relocation Permit from the FWC will be secured prior to any impacts proposed within 25' of a potentially occupied (active and inactive) gopher tortoise burrow. Burrows will be excavated per FWC Guidelines, and any recovered tortoises relocated to an approved recipient site. (See attached Figure).

While none was observed, suitable habitat for the federally threatened Eastern indigo snake (*Drymarchon corais couperi*) is present onsite. Potential impacts to this species will be minimized through the implementation of the FWS Standard Protection Measures for the Eastern indigo snake.

The federally threatened loggerhead (*Caretta caretta*) and green (*Chelonia mydas*) sea turtles and the federally endangered leatherback (*Dermochelys coriacea*) and kemp's ridley (*Lepidochelys kempii*) sea turtles may use the beaches adjacent to the project area for nesting. Evidence of sea turtle nesting was observed on site to the west of the golf course and verified with FWC databases. No direct impacts to the beach are proposed as part of this project. Lighting required as part of the project will be designed to protect nesting females from false crawls and hatchlings from disorientations within established sea turtle lighting zones and/or in areas adjacent to the shoreline.

No additional nests, dens, burrows, tracks, scat, or signs indicative of protected species use of the project area were identified during the site inspection aside from the single little blue heron. No federally or state listed plant species were observed on site. Observations of non-listed species during the surveys included mottled duck (*Anas fulvigula*), Eurasian collared dove (*Streptopelia decaocto*), common ground dove (*Columbina passerina*), mourning dove (*Zenaida macroura*), common gallinule (*Gallinula galeata*), black-bellied plover (*Pluvialis squatarola*), killdeer (*Charadrius vociferus*), ruddy turnstone (*Arenaria interpres*), sanderling (*Calidris alba*), short-billed dowitcher (*Limnodromus griseus*), willet (*Tringa semipalmata*), laughing gull (*Leucophaeus atricilla*), royal tern (*Thalasseus maximus*), sandwich tern (*Thalasseus sandvicensis*), anhinga (*Anhinga anhinga*), double-crested cormorant (*Nannopterum auritum*), brown pelican (*Pelecanus occidentalis*), great egret (*Ardea alba*), snowy egret (*Egretta thula*), cattle egret (*Bubulcus ibis*), green heron (*Butorides virescens*), white ibis (*Eudocimus albus*), turkey vulture (*Cathartes aura*), osprey (*Pandion haliaetus*), bald eagle, belted kingfisher (*Megaceryle alcyon*), red-bellied woodpecker (*Melanerpes carolinus*), pileated woodpecker (*Dryocopus pileatus*), white-eyed vireo (*Vireo griseus*), fish crow (*Corvus ossifragus*), barn swallow (*Hirundo rustica*), bank swallow (*Riparia riparia*), blue-gray gnatcatcher (*Polioptila caerulea*), Carolina wren (*Thyrothorus ludivicianus*), European starling (*Sturnus vulgaris*), common grackle (*Quiscalus quiscula*), yellow-throated warbler (*Setophaga dominica*), palm warbler (*Setophaga palmarum*), northern cardinal (*Cardinalis cardinalis*), banded watersnake (*Nerodia fasciata*), green iguana (*Iguana iguana*), brown anole (*Anolis sagrei*), squirrel tree frog (*Hyla squirella*) and white peacock (*Anartia jatrophae*).

Lee County Protected Species List

The following table depicts the potential protected species that may inhabit the site based on the existing habitat types (FLUCFCS Codes). This table is based on Appendix H, the Protected Species List, contained within Division 8 – Protection of Habitat within the Lee County, Florida Land Development Code (Section 10-471). The project site was surveyed by environmental scientists from Pennoni Associates Inc. in accordance with the guidelines outlined by Lee County in the Land Development Code. Meandering pedestrian transects were conducted to ensure that the species listed were included in the survey.

Table 2: Lee County Protected Species Potentially Located On-site Per FLUCFCS Code

Scientific Name	Common Name	FLUCFCS Code	Observed On Site
<i>Alligator mississippiensis</i>	American Alligator	500 series	No
<i>Ajaia ajaja</i>	Roseate Spoonbill	500 series	No
<i>Aramus guarauna</i>	Limpkin	500 series	No
<i>Egretta caerulea</i>	Little Blue Heron	500 series 600 series	Yes
<i>Egretta rufescens</i>	Reddish Egret	500 series	No
<i>Egretta thula</i>	Snowy Egret	500 series 600 series	No*
<i>Egretta tricolor</i>	Tricolored Heron	500 series 600 series	Yes**
<i>Pelecanus occidentalis</i>	Brown Pelican	612	Yes
<i>Mustela vison evergladensis</i>	Everglades Mink	500 series	No
<i>Ursus americanus floridanus</i>	Florida Black Bear	612	No*

*No longer listed by FWC

** Seen in February during Indigenous Preserve review

References

Florida Department of Transportation, 1999. Florida Land Use, Cover and Forms Classification System. Procedure No. 550-010-001-a.

Florida Fish and Wildlife Conservation Commission, 2019. Little Blue Heron, Reddish Egret, Tricolored Heron Species Conservation Measures and Permitting Guidelines.

Florida Fish and Wildlife Conservation Commission, 2017. Gopher Tortoise Permitting Guidelines.

Florida Fish and Wildlife Conservation Commission, 2011. Florida's Endangered Species, Threatened Species, and Species of Special Concern.

U.S. Fish and Wildlife Service, 2019. Florida Bonneted Bat Consultation Guidelines.

U.S. Fish and Wildlife Service, 2013. Standard Protection Measures for the Eastern Indigo Snake.

U.S. Fish and Wildlife Service, 1995. Endangered and Threatened Wildlife and Plants.

U.S. Fish and Wildlife Service, 1990. Wood Stork Habitat Management Guidelines.




PENNONI ASSOCIATES INC.

1212 Country Club Blvd, #202
 Cape Coral, FL 33990
 T: 239.360.3075 www.Pennoni.com

South Seas Island Resort, Captiva

Project: WSSI21001

 Project Site Outline

Aerial Map



South Seas Island Resort, Captiva FLUCFCS Map

Pennoni
PENNONI ASSOCIATES INC.

1212 Country Club Blvd, #202
 Cape Coral, FL 33990
 T: 239.360.3075 www.Pennoni.com

Project: WSSSI21001
 Survey Dates: 09/09/2022, 03/14/2023

Project Site Outline

FLUCFCS Code	Description	Acreage	Federal Status	State Status
100	Urban and Build-Up (Existing Residential and Commercial)	28.47	N	N
182	Golf Course (Including Snack Bar and Maintenance Area)	30.70	N	N
524	Golf Course Lakes Less Than 10 Acres	5.65	NJD	NJD
540	Existing Marina	7.49	WUS	OSW
612 E2	Mangrove (25-50% Exotics)	41.19	W	W
740	Disturbed Lands	5.93	N	N
740H	Disturbed Lands - Hydric	0.04	NJD	W
830	Utilities	1.07	N	N

N = Non-Wetland W = Wetland
 OSW = Other Surface Water
 WUS = Waters of the U.S.
 NJD = Non-Jurisdictional Wetland or Surface Water

Notes:
 1. FLUCFCS Lines estimated from 1" = 100' aerial photographs and locations are approximate.
 2. FLUCFCS per Florida land use, cover and forms classification system (FDOT 1999).



0 1,000 2,000 Feet

Lee County, FL, Maxar









PENNONI ASSOCIATES INC.

1212 Country Club Blvd, #202
Cape Coral, FL 33990

T: 239.360.3075 www.Pennoni.com

South Seas Island Resort, Captiva

Project: WSSSI21001

-  #25 St. Augustine, organic substratum - non-hydric
-  #2 Canaveral fine sand - non-hydric
-  #4 Canaveral-urban land complex - non-hydric
-  #22 Beaches
-  #23 Wulfert muck, tidal - hydric
-  Project Site Outline

Soils Map



USGS The National Map: National Boundaries Dataset, 3DEP Elevation Program, Geographic Names Information System, National Hydrography Dataset, National Land Cover Database, National Structures Dataset, and National Transportation Dataset; USGS Global Ecosystems; U.S. Census Bureau TIGER/Line data; USFS Road Data; Natural Earth Data; U.S. Department of State Humanitarian Information Unit; and NOAA National Centers for Environmental Information, U.S. Coastal Relief Model. Data refreshed April, 2023.

0 1,000 2,000 Feet




PENNONI ASSOCIATES INC.

1212 Country Club Blvd, #202
Cape Coral, FL 33990
T: 239.360.3075 www.Pennoni.com

South Seas Island Resort, Captiva

Project: WSSSI21001

 Project Site Outline

USGS Quad Map





PENNONI ASSOCIATES INC.

1212 Country Club Blvd, #202
 Cape Coral, FL 33990
 T: 239.360.3075 www.Pennoni.com

South Seas Island Resort, Captiva

Project: WSSSI21001

-  Wood Stork Foraging Area
-  Project Site Outline

Wood Stork Foraging Area Map



Lee County, FL, Maxar



PENNONI ASSOCIATES INC.

1212 Country Club Blvd, #202
 Cape Coral, FL 33990
 T: 239.360.3075 www.Pennoni.com

South Seas Island Resort, Captiva

Project: WSSSI21001

- Least Tern Breeding Area
- Killdeer Breeding Area
- Wilson's Plover Breeding Area
- Project Site Outline

Shorebird Breeding Area Map



PENNONI ASSOCIATES INC.

1212 Country Club Blvd, #202
 Cape Coral, FL 33990
 T: 239.360.3075 www.Pennoni.com

South Seas Island Resort, Captiva

Project: WSSSI21001

● Wading Bird Rookery

Project Site Outline

Wading Bird Rookery Area Map



PENNONI ASSOCIATES INC.

1212 Country Club Blvd, #202
 Cape Coral, FL 33990
 T: 239.360.3075 www.Pennoni.com

South Seas Island Resort, Captiva

Project: WSSSI21001

- Eagle Nest
- 330ft Buffer
- 660ft Buffer
- Project Site Outline

Eagle Nest Buffer Zone Map



PENNONI ASSOCIATES INC.

4706 Chiquita Blvd, #200-E02
 Cape Coral, FL 33914
 T: 239.202.2195 www.Pennoni.com

South Seas Island Resort, Captiva, FL

Project: WSSSI24001

Authorized Agent: GTA-20-00041 and RAG-20-00009

Survey Date: 09/09/2022, 03/14/2023

- Project Boundary
- Pedestrian Transects
- Osprey Nest
- Bald Eagle Nest
- Cavity Tree
- Sea Turtle Nesting Area

Survey Map



PENNONI ASSOCIATES INC.

4706 Chiquita Blvd, #200-E02
 Cape Coral, FL 33914
 T: 239.202.2195 www.Pennoni.com

South Seas Island Resort, Captiva, FL

Project: WSSSI24001

Authorized Agent: GTA-20-00041 and RAG-20-00009

Survey Date: 09/09/2022, 03/14/2023

-  Project Boundary
-  Pedestrian Transects
-  Osprey Nest
-  Bald Eagle Nest
-  Cavity Tree
-  Sea Turtle Nesting Area

Survey Map



PENNONI ASSOCIATES INC.
 4706 Chiquita Blvd, #200-E02
 Cape Coral, FL 33914
 T: 239.202.2195 www.Pennoni.com

South Seas Island Resort, Captiva, FL

Project: WSSSI24001
 Authorized Agent: GTA-20-00041 and RAG-20-00009
 Survey Date: 09/09/2022, 03/14/2023

- Project Boundary
- Pedestrian Transects
- Osprey Nest
- Bald Eagle Nest
- Cavity Tree
- Sea Turtle Nesting Area

Survey Map



PENNONI ASSOCIATES INC.

4706 Chiquita Blvd, #200-E02
 Cape Coral, FL 33914
 T: 239.202.2195 www.Pennoni.com

South Seas Island Resort, Captiva, FL

Project: WSSSI24001

Authorized Agent: GTA-20-00041 and RAG-20-00009

Survey Date: 09/09/2022, 03/14/2023

- Project Boundary
- Pedestrian Transects
- Osprey Nest
- Bald Eagle Nest
- Cavity Tree
- Sea Turtle Nesting Area

Survey Map

ATTACHMENT L



2726 OAK RIDGE COURT, SUITE 503
FORT MYERS, FL 33901-9356
OFFICE 239.278.3090
FAX 239.278.1906

TRAFFIC ENGINEERING
TRANSPORTATION PLANNING
SIGNAL SYSTEMS/DESIGN

TRAFFIC IMPACT STATEMENT

FOR

SOUTH SEAS ISLAND RESORT MPD REZONING

(PROJECT NO. F2211.03)

PREPARED BY:

**TR Transportation Consultants, Inc.
Certificate of Authorization Number: 27003
2726 Oak Ridge Court, Suite 503
Fort Myers, Florida 33901-9356
(239) 278-3090**

September 15, 2023



CONTENTS

- I. INTRODUCTION
- II. EXISTING CONDITIONS
- III. PROPOSED ZONING
- IV. TRIP GENERATION
- V. LEVEL OF SERVICE ANALYSIS
- VI. CONCLUSION



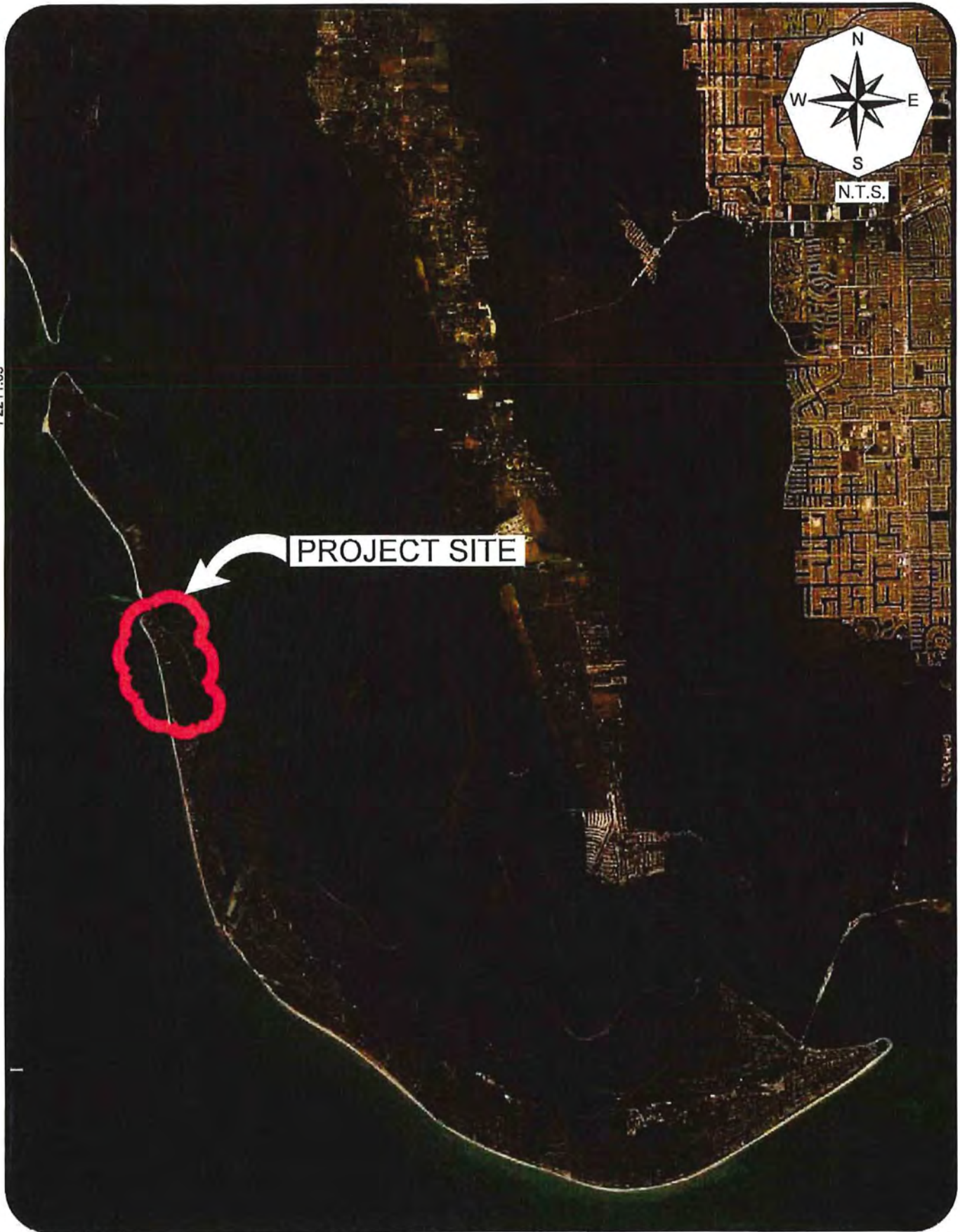
I. INTRODUCTION

TR Transportation Consultants, Inc. has conducted a traffic impact statement to fulfill requirements set forth by Lee County for projects seeking a zoning approval. The subject site is located at the north end of Captiva Island in Lee County, Florida. **Figure 1** illustrates the approximate location of the subject site.

The analysis in this report will determine the impacts of rezoning the 120.5 acre subject property from RM-2 and CM with a PUD concept plan to permit the development of the remaining vested 272 multi-family dwelling units on the site per the ADD2002-00098 and permit an additional 435 hotel units and accessory uses on the site. The hotel will be a Resort style hotel that will compliment the Captiva Island resort style uses that the South Seas Island Resort been accustomed to providing over many years as they rebuild from Hurricane Ian.

The transportation related impacts of the proposed application will be evaluated based on the estimated build-out year of 2028 and the impacts the proposed development will have on the surrounding roadway infrastructure. Access to the subject site will continue to be provided to the single access on Captiva Drive via South Seas Plantation Road.

F2211.03



II. EXISTING CONDITIONS

The South Seas Island Resort is located at the northern end of Captiva Island. The resort will include amenities for the residents and guests such as pools, a golf course, a marina, retail shops and restaurants.

Captiva Drive is a two-lane undivided Collector roadway that extends south from its terminus just west of South Seas Plantation Road through the island of Captiva and onto the Island of Sanibel. Captiva Drive has a posted speed limit of 25 mph and is under the jurisdiction of the Lee County Department of Transportation within the limits of Captiva Island and unincorporated Lee County.

III. PROPOSED ZONING

The South Seas Resort District (SSRD) encompasses 304+/-acres and is permitted for the development of 912 units/hotel rooms per Administrative Interpretation ADD2002-00098, along 5 acres of commercial uses and private amenities for hotel guests and residents, including recreational facilities, a marina, restaurants, bars and a conference center.

Of the 304+/-acres historically within the SSRD, WS SSIR Owner, LLC (“Applicant”), owns 120.5+/-acres which is the subject of a proposed rezoning to the Mixed Use Planned Development (MPD) zoning district. The MPD will allow for redevelopment of resort uses following Hurricane Ian. Of the 912 units permitted within the SSRD, the subject property is allocated 272 units/hotel rooms per Condition 1 of ADD2002-00098, the majority of which were constructed and substantially damaged in the hurricane.

Specifically, the proposed MPD requests the redevelopment of the site with a maximum of 272 multi-family dwelling units, as previously vested, along with 435 hotel rooms and the additional private amenities listed above. From a trip generation standpoint, the only additional uses that will add traffic to the development are the proposed 435 hotel rooms.

Table 1 summarizes the land uses that were considered in this analysis as generating additional trips beyond what the property could generate today based on what was previously permitted on the subject property prior to the hurricane. Again, the 272 multi-family dwelling units are already vested on the site and can be constructed without any zoning action. In order to conduct a “worst case” and overall build-out development analysis, the trip generation from these units was considered in this analysis.

Table 1
South Seas Island Resort MPD
Land Uses

Use	Proposed
Resort Hotel	435 Rooms
Multi-Family	272 Dwelling Units ¹

¹ 272 Dwelling units are already approved per ADD2002-00098

IV. TRIP GENERATION

The trip generation for the uses shown in Table 1 were determined by referencing the Institute of Transportation Engineer’s (ITE) report, titled *Trip Generation*, 11th Edition. Land Use Code 220 (Multi-Family Housing Low-Rise) was utilized for the trip generation purposes of the multi-family dwelling units. Land Use Code 330 (Resort Hotel) was utilized for trip generation of the hotel rooms. The equations for these land uses are included in the Appendix of this report for reference. **Table 2** outlines the anticipated weekday AM and PM peak hour trip generation based on these land use categories. There is no daily trip generation data available for a Resort Hotel in ITE.

Table 2
South Seas Island Resort MPD
Trip Generation

Land Use	Weekday AM Peak Hour			Weekday PM Peak Hour			Daily (2-way)
	In	Out	Total	In	Out	Total	
Resort Hotel (435 Rooms)	98	39	137	73	98	171	n/a
Multi-Family Housing (227 Dwelling Units)	26	81	107	87	51	138	1,530
Total Trips	124	120	244	160	149	309	1,530

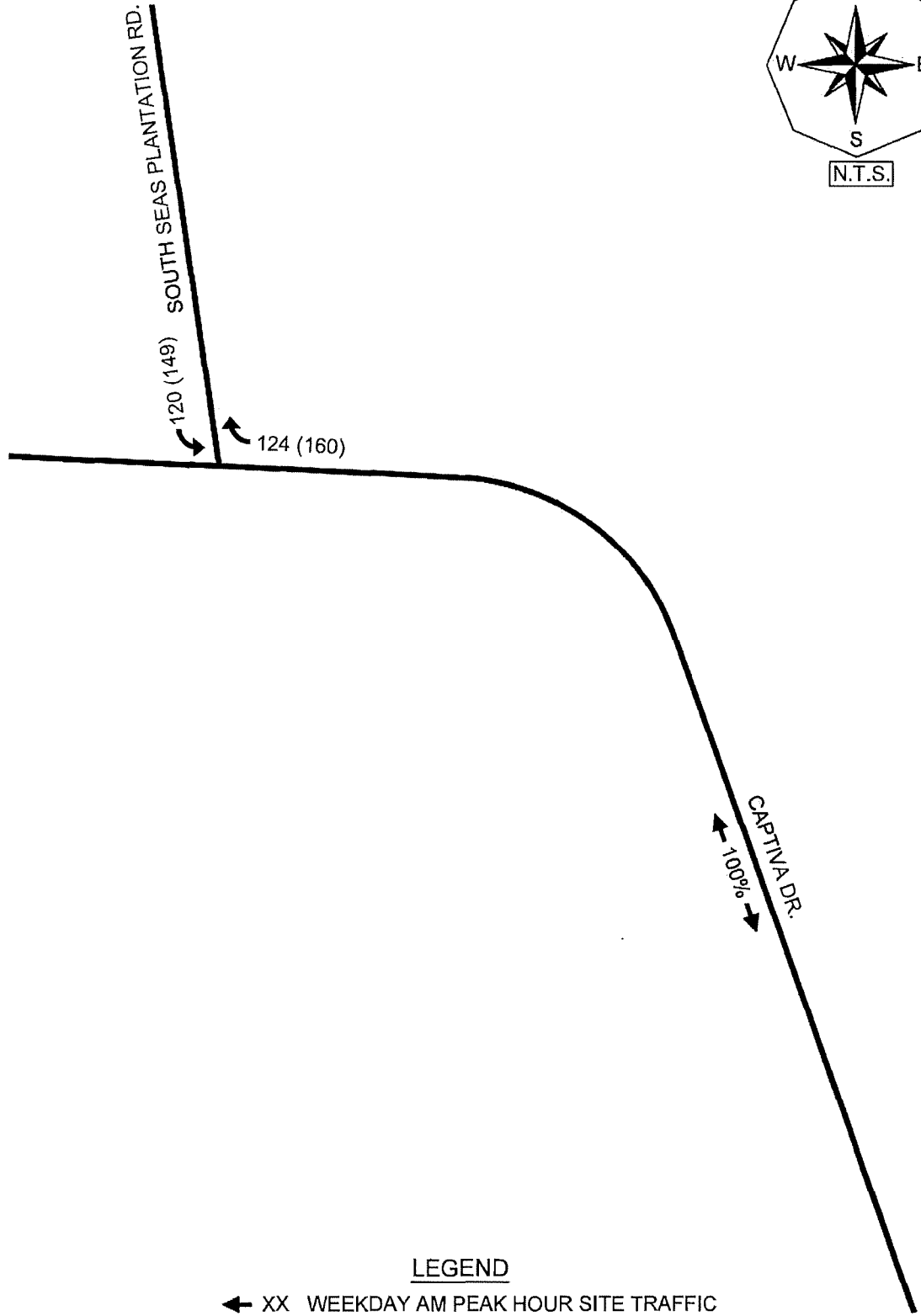
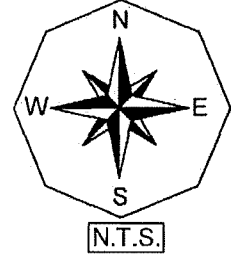
The trips the proposed development is anticipated to generate, as shown in Table 2, were assigned to Captiva Drive. **Figure 2** illustrates the site traffic assignment of the trips to the site access at Captiva Drive and South Seas Plantation Road.

In order to determine which roadway segments surrounding the site will be significantly impacted, **Table 1A**, contained in the Appendix, was created. This table indicates which roadway links will experience a significant impact as a result of the added development traffic. Significant impact is defined as any roadway projected to experience greater than 10% of the Peak Hour – Peak Direction Level of Service “C” volumes.

The Level of Service Threshold volumes for each roadway link were taken from the Lee County Generalized Peak Hour Directional Service Volume table. This table is included in the Appendix of this report for reference. Based on the information contained within Table 1A, Captiva Drive, from the site to Sanibel Island, is shown to experience a significant impact due to the addition of the project traffic.

Another item of discussion that is not reflected in the trip generation that South Seas has participated in and will continue to implement is providing employee shuttle service to and from the mainland. This service reduces the number of trips to and from the mainland on a daily basis made by the employees of the Resort, which impacts the overall daily trip generation of the Resort. Employee trips are not typically made during the peak hours of the adjacent street and are therefore not typically discussed in the traffic impact analysis.

F2211.03



LEGEND

- ← XX WEEKDAY AM PEAK HOUR SITE TRAFFIC
- ← (XX) WEEKDAY PM PEAK HOUR SITE TRAFFIC
- ← XX% → PERCENT TRIP DISTRIBUTION

V. LEVEL OF SERVICE ANALYSIS

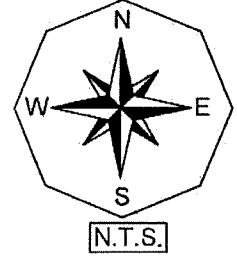
The future Level of Service analysis was based on the development build-out horizon, which was selected as the year 2028. Based on this horizon year analysis, the surrounding roadway network was analyzed under 2028 traffic conditions. Even though historical growth patterns have illustrated that there has been very little traffic increase on the island roads in the past eight (8) years, a growth rate of 2% per year, compounded annually, was applied to the existing traffic conditions for the traffic volume reported by Lee County for Captiva Drive. The existing traffic data for Captiva Drive was obtained from the Lee County 2022 *Lee County Public Facilities Level of Service and Concurrency Report*. This data was collected pre-Hurricane Ian.

Table 2A in the Appendix of the report indicates the methodology utilized to obtain the year 2028 build-out traffic volumes as well as the growth rate utilized for each roadway segment analyzed. The data obtained from the 2022 Lee County resource is attached to the Appendix of this report for reference.

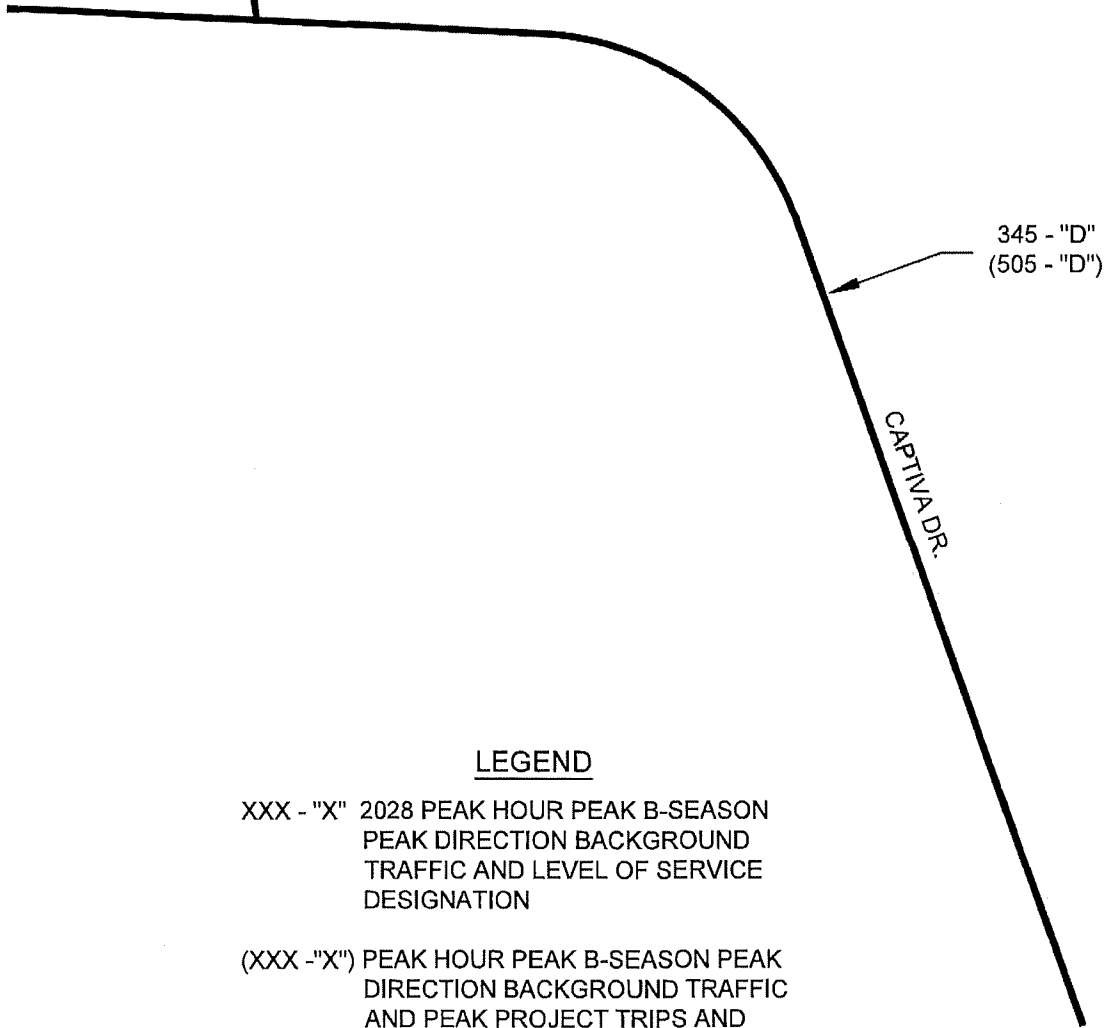
Figure 3 indicates the year 2028 peak hour – peak direction traffic volumes and Level of Service for Captiva Drive. Noted on Figure 3 is the peak hour – peak direction volume and Level of Service for Captiva Drive should no additional development occur on the subject site and the peak hour – peak direction volume and Level of Service for the weekday A.M and P.M. peak hours with the traffic from the additional multi-family units and the hotel rooms added to the Captiva Drive. Figure 3 is derived from Table 2A contained in the Appendix.

It should be noted that there were no trip reductions applied to the trip generation illustrated in Table 2 as calculated from the ITE report. The data contained in the ITE report, especially for the multi-family dwelling units, are typically from units located in Suburban areas. The traffic patterns from these types of units typically exhibit traffic patterns associated with the normal home to work traffic patterns during the peak hours.

F2211.03



SOUTH SEAS PLANTATION RD.



LEGEND

XXX - "X" 2028 PEAK HOUR PEAK B-SEASON
PEAK DIRECTION BACKGROUND
TRAFFIC AND LEVEL OF SERVICE
DESIGNATION

(XXX - "X") PEAK HOUR PEAK B-SEASON PEAK
DIRECTION BACKGROUND TRAFFIC
AND PEAK PROJECT TRIPS AND
LEVEL OF SERVICE DESIGNATION



The trips that are anticipated at the multi-family dwelling units within the South Seas Island Resort MPD will not exhibit the same travel characteristic as the typical Suburban multi-family dwelling unit. The South Seas Resort will have many amenities that are designed to allow residents and guest to stay on-site to receive goods and services, such as restaurants, retails shops, convenience stores, marina, a beach and other recreational areas and activities that are available to the residents. This will allow the residents and guests to stay on-site and reduce the overall traffic impact to Captiva Drive that would otherwise occur if these services were not available.

Captiva Road from South Seas Plantation to Blind Pass has also been designated as a “Constrained Roadway” by the Lee County Board of County Commissioners pursuant to Lee Plan Policy 37.2.2 and Table 2(b). However, even with the trips from this project and a historical growth in background traffic, Captiva Road is still projected to operate at LOS “D” in 2028, which is above the recommended minimum Level of Service Standard of LOS “E”.

VI. CONCLUSION

The proposed South Seas Island Resort MPD rezoning to permit the vested 272 multi-family dwelling units and an additional 435 hotel rooms will not cause Captiva Drive to operate below the recommended Level of Service levels as identified in the Comprehensive Plan. The trip generation for these uses was analyzed without taking any trip reductions due to airport shuttles or car services that will certainly reduce the trips to/from this use from the mainland. In addition, the amenities that are provided on-site will certainly reduce the need for residents and guests to travel off-site to visit retail or restaurants. South Seas will continue to provide employee shuttle service to the mainland for their employees to travel to and from the site on a daily basis, which further reduces the impacts of this project on the islands.

Captiva Drive is shown to operate at LOS "D" in 2028 with the full build-out of this application with NO trip reductions applied to the proposed uses. In reality, the trips from the hotel and residential uses will be reduced due to the amenities that are provided on-site and the location which this resort is located in Lee County. Many guests will utilize airport shuttle services to arrive at the Resort and employees will utilize the employee shuttle service that South Seas provides, which all assist in reducing the overall transportation impacts to the Island.

APPENDIX

TABLE 1A & 2A

TABLE 1A
PEAK DIRECTION PROJECT TRAFFIC VS. 10% LOS C LINK VOLUMES
SOUTH SEAS ISLAND RESORT MPD

TOTAL AM PEAK HOUR PROJECT TRAFFIC = 244 VPH IN= 124 OUT= 120
 TOTAL PM PEAK HOUR PROJECT TRAFFIC = 309 VPH IN= 160 OUT= 149

<u>ROADWAY</u>	<u>SEGMENT</u>	<u>ROADWAY CLASS</u>	<u>LOS A VOLUME</u>	<u>LOS B VOLUME</u>	<u>LOS C VOLUME</u>	<u>LOS D VOLUME</u>	<u>LOS E VOLUME</u>	<u>PERCENT</u>		
								<u>PROJECT TRAFFIC</u>	<u>PROJECT TRAFFIC</u>	<u>PROJ/ LOS C</u>
Captiva Drive	S. of South Seas	2LN	0	0	310	660	740	100%	160	51.6%

* Level of Service thresholds were obtained from Lee County Generalized Peak Hour Directional Service Volume Table (April 2016)

**TABLE 2A
LEE COUNTY TRAFFIC COUNTS AND CALCULATIONS
SOUTH SEAS ISLAND RESORT MPD**

TOTAL PROJECT TRAFFIC AM = 244 VPH IN = 124 OUT= 120
 TOTAL PROJECT TRAFFIC PM = 309 VPH IN= 160 OUT= 149

<u>ROADWAY</u>	<u>SEGMENT</u>	<u>FDOT SITE #</u>	<u>ADT</u>	<u>ADT</u>	<u>GROWTH</u>	<u>RATE</u> ¹	2022	2028	PERCENT			2028	2028			
							PK HR	PK HR	PK SEASON	BCKGRND		BCKGRND				
							PK SEASON	PEAK DIRECTION	PROJECT	AM PROJ	PM PROJ	+ AM PROJ	+ PM PROJ			
			<u>ADT</u>	<u>ADT</u>	<u>GROWTH</u>	<u>RATE</u> ¹	<u>PEAK DIR.</u> ²	<u>VOLUME</u>	<u>LOS</u>	<u>TRAFFIC</u>	<u>TRAFFIC</u>	<u>TRAFFIC</u>	<u>VOLUME</u>	<u>LOS</u>	<u>VOLUME</u>	<u>LOS</u>
Captiva Drive	S. of South Seas					2.00%	267	345	D	100%	124	160	469	D	505	D

1 Annual Growth Rate was assumed to be 2% per year compounded annually for Captiva Drive

2 Current peak hour peak season peak direction traffic volumes for Captiva Drive taken from Lee County Public Facilities Level of Service & Concurrency Report

**LEE COUNTY GENERALIZED
SERVICE VOLUMES TABLE**

Lee County
Generalized Peak Hour Directional Service Volumes
Urbanized Areas

April 2016

c:\input5

Uninterrupted Flow Highway						
Level of Service						
Lane	Divided	A	B	C	D	E
1	Undivided	130	420	850	1,210	1,640
2	Divided	1,060	1,810	2,560	3,240	3,590
3	Divided	1,600	2,720	3,840	4,860	5,380
Arterials						
Class I (40 mph or higher posted speed limit)						
Level of Service						
Lane	Divided	A	B	C	D	E
1	Undivided	*	140	800	860	860
2	Divided	*	250	1,840	1,960	1,960
3	Divided	*	400	2,840	2,940	2,940
4	Divided	*	540	3,830	3,940	3,940
Class II (35 mph or slower posted speed limit)						
Level of Service						
Lane	Divided	A	B	C	D	E
1	Undivided	*	*	330	710	780
2	Divided	*	*	710	1,590	1,660
3	Divided	*	*	1,150	2,450	2,500
4	Divided	*	*	1,580	3,310	3,340
Controlled Access Facilities						
Level of Service						
Lane	Divided	A	B	C	D	E
1	Undivided	*	160	880	940	940
2	Divided	*	270	1,970	2,100	2,100
3	Divided	*	430	3,050	3,180	3,180
Collectors						
Level of Service						
Lane	Divided	A	B	C	D	E
1	Undivided	*	*	310	660	740
1	Divided	*	*	330	700	780
2	Undivided	*	*	730	1,440	1,520
2	Divided	*	*	770	1,510	1,600
Note: the service volumes for I-75 (freeway), bicycle mode, pedestrian mode, and bus mode should be from FDOT's most current version of LOS Handbook.						

FDOT TRAFFIC INFORMATION
ONLINE HISTORICAL TRAFFIC DATA

FLORIDA DEPARTMENT OF TRANSPORTATION
 TRANSPORTATION STATISTICS OFFICE
 2022 HISTORICAL AADT REPORT

COUNTY: 12 - LEE

SITE: 4319 - PERIWINKLE WAY W OF BAILEY RD

YEAR	AADT	DIRECTION 1		DIRECTION 2		*K FACTOR	D FACTOR	T FACTOR
2022	22000 X		0		0	9.00	53.90	4.10
2021	21000 X		0		0	9.00	53.50	4.60
2020	20000 E		0		0	9.00	59.30	4.60
2019	20000 C	E	0	W	0	9.00	59.60	4.60
2018	19200 C	E	9500	W	9700	9.00	53.30	5.10
2017	21000 T					9.00	59.80	4.00
2016	21000 S	N	10500	S	10500	9.00	54.40	3.30
2015	21000 F	N	10500	S	10500	9.00	53.90	3.30
2014	20000 C	N	10000	S	10000	9.00	54.30	3.30
2013	17400 S	N	8700	S	8700	9.00	54.20	4.60
2012	17200 F	N	8600	S	8600	9.00	55.70	4.60
2011	17200 C	N	8600	S	8600	9.00	54.30	4.60
2010	5000 S	N	2500	S	2500	11.39	54.12	5.00
2009	5000 F	N	2500	S	2500	11.21	54.17	5.00
2008	5000 C	N	2500	S	2500	11.44	53.80	5.00

AADT FLAGS: C = COMPUTED; E = MANUAL ESTIMATE; F = FIRST YEAR ESTIMATE
 S = SECOND YEAR ESTIMATE; T = THIRD YEAR ESTIMATE; R = FOURTH YEAR ESTIMATE
 V = FIFTH YEAR ESTIMATE; 6 = SIXTH YEAR ESTIMATE; X = UNKNOWN
 *K FACTOR: STARTING WITH YEAR 2011 IS STANDARDK, PRIOR YEARS ARE K30 VALUES

FLORIDA DEPARTMENT OF TRANSPORTATION
 TRANSPORTATION STATISTICS OFFICE
 2022 HISTORICAL AADT REPORT

COUNTY: 12 - LEE

SITE: 0194 - BOWMANS BEACH RD, S OF SANIBEL CAPTIVA RD

YEAR	AADT	DIRECTION 1		DIRECTION 2		*K FACTOR	D FACTOR	T FACTOR
2022	1500 E	N	0	S	0	9.50	53.90	9.80
2021	1400 X		0		0	9.50	53.50	9.90
2020	1300 E		0		0	9.50	57.10	6.90
2019	1300 F	N		S		9.50	55.70	7.70
2018	1200 C	N	550	S	650	9.00	53.30	8.00
2017	1200 S	N		S		9.00	59.40	7.40
2016	1200 F	N	600	S	600	9.00	54.40	7.00
2015	1200 C	N	600	S	600	9.00	55.50	5.90

AADT FLAGS: C = COMPUTED; E = MANUAL ESTIMATE; F = FIRST YEAR ESTIMATE
 S = SECOND YEAR ESTIMATE; T = THIRD YEAR ESTIMATE; R = FOURTH YEAR ESTIMATE
 V = FIFTH YEAR ESTIMATE; 6 = SIXTH YEAR ESTIMATE; X = UNKNOWN
 *K FACTOR: STARTING WITH YEAR 2011 IS STANDARDK, PRIOR YEARS ARE K30 VALUES

[List View](#) [All DiRs](#)

Record	1	of 1	Goto Record	go
Location ID	319	MPO ID		
Type	SPOT	HPMS ID		
On NHS		On HPMS		
LRS ID		LRS Loc PL		
SF Group	7	Route Type		
AF Group		Route		
GF Group		Active	Yes	
Class Dist Grp		Category		
Seas Clas Grp				
WIM Group				
QC Group	Default			
Fncrtl Class	-	Milepost		
Located On	Captiva Dr			
Loc On Alias				
More Detail				

STATION DATA

 Directions: **2-WAY**

AADT								
Year	AADT	DHV-30	K %	D %	PA	BC	Src	
2003	1,600							

Travel Demand Model										
Model Year	Model AADT	AM PHV	AM PPV	MD PHV	MD PPV	PM PHV	PM PPV	NT PHV	NT PPV	

VOLUME COUNT			
Date	Int	Total	
Tue 7/10/2007	15	5,575	
Tue 7/18/2006	15	5,319	
Tue 7/19/2005	60	5,568	
Tue 7/20/2004	60	5,774	
Tue 8/5/2003	60	1,294	

VOLUME TREND	
Year	Annual Growth
2007	5%
2006	-4%
2005	-4%
2004	346%

SPEED				
Date	Int	Pace	85th	Total
No Data				

CLASSIFICATION		
Date	Int	Total
No Data		

WEIGH-IN-MOTION			
Date	Axles	Avg GW	Total
No Data			

PER VEHICLE			
Date	Axles	85th	Total
No Data			

Goog

+
-





Google

**TRAFFIC DATA FROM THE LEE
COUNTY PUBLIC FACILITIES LEVEL
OF SERVICE AND CONCURRENCY
REPORT**

Table 21 b): Link-Level Service Volumes and LOS Table

Table 21 b) 1 of 7

LEE COUNTY ROAD LINK VOLUMES (County- and State-Maintained Roadways)															
Link No.	NAME	ROADWAY LINK		F. Class	ROAD TYPE	PERFORMANCE STANDARD			2021 100TH HIGHEST HOUR			FUTURE FORECAST (2026)			Notes
		FROM	TO			LOS	DIRECTIONAL CAPACITY	LOS	VOL	V/C	LOS	VOL	V/C		
00100	A & W BULB RD	GLADIOLUS DR	MCGREGOR BLVD	Maj. Col	2LN	E	860	C	342	0.40	C	360	0.42		
00200	ALABAMA RD	SR 82	MILWAUKEE BLVD	M. Art	2LN	E	990	C	265	0.27	C	279	0.28		
00300	ALABAMA RD	MILWAUKEE BLVD	HOMESTEAD RD	M. Art	2LN	E	990	C	349	0.35	C	367	0.37		
00400	ALEXANDER BELL BLVD	SR 82	MILWAUKEE BLVD	M. Art	2LN	E	990	D	561	0.57	D	590	0.50		
00500	ALEXANDER BELL BLVD	MILWAUKEE BLVD	LEELAND HEIGHTS	M. Art	2LN	E	990	D	561	0.57	D	654	0.66	Shadow Lakes	
00590	ALICO RD	US 41	DUSTY RD	P. Art	4LD	E	1,980	B	1,171	0.59	B	1,230	0.62		
00600	ALICO RD	DUSTY RD	LEE RD	P. Art	6LD	E	2,950	B	1,171	0.40	B	1,532	0.52	Alco Business Park	
00700	ALICO RD	LEE RD	THREE OAKS PKWY	P. Art	6LD	E	2,950	B	1,171	0.40	B	1,419	0.48	Three Oaks Regional Center	
00800	ALICO RD	THREE OAKS PKWY	I-75	P. Art	6LD	E	2,950	B	2,429	0.82	B	2,552	0.36	EEPCO Study	
00900	ALICO RD	I-75	BEN HILL GRIFFIN BLVD	P. Art	6LD	E	2,950	B	1,218	0.43	B	1,425	0.48	EEPCO Study	
01000	ALICO RD	BEN HILL GRIFFIN BLVD	GREEN MEADOW DR	Maj. Col	2LN	E	1,100	C	395	0.36	E	808	0.73	4 ln constr 2018, EEPCO Study*	
01050	ALICO RD	GREEN MEADOW DR	CORKSCREW RD	Maj. Col	2LN	E	1,100	B	131	0.12	B	224	0.20	EEPCO Study	
01200	BABCOCK RD	US 41	ROCKEFELLER CIR	Min. Col	2LN	E	860	C	55	0.06	C	162	0.19	old count	
01400	BARRETT RD	PONDELLA RD	PINE ISLAND RD (US 78)	Maj. Col	2LN	E	860	C	103	0.12	C	116	0.14	old count projection(2009)	
01500	BASS RD	SUMMERLIN RD	GLADIOLUS DR	Maj. Col	4LN	E	1,790	C	564	0.32	C	822	0.46		
01600	BAYSHORE RD (SR 78)	BUS 41	NEW POST RD/HART RD	State	4LD	D	2,100	C	1,975	0.94	D	2,076	0.99		
01700	BAYSHORE RD (SR 78)	HART RD	SLATER RD	State	4LD	D	2,100	C	1,821	0.87	D	2,152	1.02		
01800	BAYSHORE RD (SR 78)	SLATER RD	I-75	State	4LD	D	2,100	C	1,222	0.58	C	1,441	0.69		
01900	BAYSHORE RD (SR 78)	I-75	NALLE RD	State	2LN	D	924	C	741	0.80	D	941	1.02		
02000	BAYSHORE RD (SR 78)	NALLE RD	SR 31	State	2LN	D	924	C	741	0.80	D	941	1.02		
02100	BEN HILL GRIFFIN PKWY	CORKSCREW RD	FGCU ENTRANCE	P. Art	4LD	E	2,000	B	1,361	0.68	B	1,763	0.38		
02200	BEN HILL GRIFFIN PKWY	FGCU BOULEVARD S	COLLEGE CLUB DR	P. Art	4LD	E	2,000	B	1,361	0.68	B	1,430	0.72		
02250	BEN HILL GRIFFIN PKWY	COLLEGE CLUB DR	ALICO RD	P. Art	6LD	E	3,000	A	1,123	0.37	A	1,215	0.41		
26950	BEN HILL GRIFFIN PKWY	ALICO RD	TERMINAL ACCESS RD	Controlled xs	4LD	E	1,980	A	980	0.49	A	1,030	0.52		
02300	BETH STACEY BLVD	23RD ST	HOMESTEAD RD	Maj. Col	2LN	E	860	C	340	0.40	C	365	0.66		
02400	BONITA BEACH RD	HICKORY BLVD	VANDERBILT DR	P. Art	4LD	E	1,900	C	736	0.39	C	774	0.41	Constrained In City Plan *	
02500	BONITA BEACH RD	VANDERBILT DR	US 41	P. Art	4LD	E	1,900	C	1,433	0.75	C	1,506	0.79	Constrained In City Plan	
02600	BONITA BEACH RD	US 41	OLD 41	P. Art	4LD	E	1,860	C	1,427	0.77	C	1,500	0.81	Constrained, old count projection(2010)	
02700	BONITA BEACH RD	OLD 41	IMPERIAL ST	P. Art	6LD	E	2,800	C	1,908	0.68	C	2,005	0.72	Constrained In City Plan(2010)	
02800	BONITA BEACH RD	IMPERIAL ST	W OF I-75	P. Art	6LD	E	2,800	C	2,091	0.75	C	2,197	0.78	Constrained In City Plan	
02900	BONITA BEACH RD	E OF I-75	BONITA GRAND DR	M. Art	4LD	E	2,020	B	626	0.31	B	658	0.33	Constrained In City Plan	
02950	BONITA BEACH RD	BONITA GRANDE DR	Logan Boulevard	M. Art	4LD	E	2,020	B	626	0.31	B	658	0.33	Constrained In City Plan	
03100	BONITA GRANDE DR	BONITA BEACH RD	E TERRY ST	Maj. Col	2LN	E	860	D	692	0.80	E	782	0.91	old count projection(2009)	
03200	BOYSCOUT RD	SUMMERLIN RD	US 41	P. Art	6LN	E	2,520	E	1,847	0.73	E	1,941	0.77		
03300	BRANTLEY RD	SUMMERLIN RD	US 41	Maj. Col	2LN	E	860	C	287	0.33	C	302	0.35		
03400	BRIARCLIFF RD	US 41	TRIPLE CROWN CT	Maj. Col	2LN	E	860	C	158	0.18	C	166	0.19		
03500	BROADWAY RD (ALVA)	SR 80	North RIVER RD	Maj. Col	2LN	E	860	C	280	0.33	C	294	0.34	old count projection(2009)	
03700	BUCKINGHAM RD	SR 82	GUNNERY RD	P. Art	2LN	E	990	D	491	0.50	D	516	0.52		
03730	BUCKINGHAM RD	GUNNERY RD	ORANGE RIVER BLVD	P. Art	2LN	E	990	C	395	0.40	C	415	0.42		
03800	BUCKINGHAM RD	ORANGE RIVER BLVD	SR 80	P. Art	2LN	E	990	D	644	0.65	D	1,057	1.07	Buckingham 345 & Portico	
03900	BURNT STORE RD	SR 78	VAN BUREN PKWY	Controlled xs	4LD	E	2,950	B	828	0.28	B	870	0.29		
04000	BURNT STORE RD	VAN BUREN PKWY	COUNTY LINE	Controlled xs	2LN	E	1,140	C	528	0.46	C	626	0.55		
04200	BUS 41 (N TAMMAMI TR, 1/2 CITY LIMITS (N END EDISON BRIG)	PONDELLA RD		State	6LD	D	3,171	C	1,715	0.54	C	2,082	0.66		
04300	BUS 41 (N TAMMAMI TR, 1/2 PONDELLA RD	SR 78		State	6LD	D	3,171	C	1,715	0.54	C	2,082	0.66		
04400	BUS 41 (N TAMMAMI TR, 1/2 SR 78	LITTLETON RD		State	4LD	D	2,100	C	994	0.47	C	1,245	0.59		
04500	BUS 41 (N TAMMAMI TR, 1/2 LITTLETON RD	US 41		State	4LD	D	2,100	C	596	0.28	C	796	0.38		
04600	CAPE CORAL BRIDGE	DEL PRADO BLVD	MCGREGOR BLVD	P. Art	4LB	E	3,000	D	3,097	0.77	D	3,255	0.81		
04700	CAPTIVA DR	BLIND PASS	SOUTH SEAS	Maj. Col	2LN	E	860	C	267	0.31	C	302	0.35	Constrained, old count(2010)	

- County-Maintained Collector Roadway - Unincorporated Lee County
- County-Maintained Collector Roadway - Incorporated Lee County
- County-Maintained Arterial Roadway - Unincorporated Lee County
- County-Maintained Arterial Roadway - Incorporated Lee County
- State-Maintained Arterial Roadway - Unincorporated Lee County
- County Maintained Controlled Access Arterial Facility
- County Maintained Expressway

ADD2002-00098

ADMINISTRATIVE INTERPRETATION
LEE COUNTY, FLORIDA

SOUTH SEAS RESORT DEVELOPMENT STATUS

WHEREAS, THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY has requested the Director of the Department of Community Development (hereafter "Director") and the County Attorney to summarize and clarify the current status of development of a project known as South Seas Resort on property located on the northern end of Captiva Island, described more particularly as:

LEGAL DESCRIPTION: In Sections 15 and 22, Township 45 South, Range 21 East, Lee County, Florida:

See attached **Exhibit "A"**

Zoning District for South Seas Resort

WHEREAS, Section 2-1 of the Land Development Code (LDC) provides that the Director may make interpretations of an administrative nature concerning the procedure to be followed in unusual circumstances; and

WHEREAS, LDC Section 34-172(b) provides that the Director, in conjunction with the County Attorney's Office has the discretion to interpret and apply the provisions of Chapter 34 of the LDC (Zoning); and

WHEREAS, the Board of County Commissioners of Lee County originally approved a zoning district change for the subject property on November 20, 1973, by adopting Resolution Z-73-202, Case Number 73-10-33, which changed the zoning district for the subject South Seas Resort property from the RU-3 and RU-2 zoning districts to a unique zoning district, described particularly in Resolution Z-73-202 as "RU-3 using a PUD concept as a guid[e] with special limitation of 3 units per acre and special permit for up to 5 acres of commercial property" and, inter alia limited the development density for this zoning district to 912 units; and

WHEREAS, in conjunction with said Resolution the Board of County Commissioners of Lee County approved a master development plan for the South Seas Resort (hereafter 1973 SSRMDP) which detailed existing developed and future development areas within the unique zoning district approved for South Seas Resort or the South Seas Resort District (hereafter SSRD); and

WHEREAS, in 1973 Lee County's zoning regulations did not provide for a Planned Unit Development (hereafter PUD) zoning district classification per se, however, in 1978 the Board of County Commissioners adopted Resolution Z-1 (1978 Zoning Ordinance) revising the

scheme of zoning regulations for Lee County to include a PUD zoning district classification; and

WHEREAS, the 1978 Zoning Ordinance converted conventional RU-3 zoning districts to RM-2 zoning districts, but did not specifically convert the unique SSRD to either an RM-2 or PUD zoning district; and

WHEREAS, the 1978 Zoning Ordinance defined a PUD as:

A tract of land which is developed as a unit under single ownership or control and which is planned and developed in a single operation or within a proposed period of time by a series of scheduled development phases according to an officially approved Final PUD Development Plan, which does not necessarily correspond to the property development and use regulations of the conventional zoning districts but which permits flexibility in building siting, mixtures of housing types and land uses, and encourages the utilization of usable open space and the maintenance of significant natural features.

WHEREAS, in light of the PUD definition provided by the 1978 Zoning Ordinance, converting the SSRD to, or treating the SSRD as an RM-2 zoning district does not further the mutual intention of the Board of County Commissioners and the developers of South Seas Resort evident in Resolution Z-73-202 for the project to be developed as a PUD; and

WHEREAS, the developers of South Seas Resort have developed the subject property similarly to a PUD, in reliance on Resolution Z-73-202; and

WHEREAS, on January 18, 1984, the Lee County Board of County Commissioners adopted Resolution DSO 84-1 reaffirming "[t]here was site plan approval at the time the original P.U.D. was granted;" and granting on appeal an exemption from Development Standards Ordinance 82-42 to allow the relocation of the residential development area identified as Golf Villas on the 1973 SSRMDP from the originally approved location on the *Bay Island* Parcel to the *Resort Area* on the northernmost end of Captiva Island for the development of 68 residential units known as *Land's End Village*; and

WHEREAS, on July 23, 1985, Lee County Zoning and Development Review Division confirmed that, as a result of the developers of South Seas Resort timely applying for and receiving approval for a site plan under the previous F-0015 review procedure, South Seas Resort met the outlined requirements of and was deemed consistent with the Lee Plan; and

WHEREAS, the approved 1985 site plan included, as Sheet 1 of 16, a revised master plan showing as-built and proposed modifications to the 1973 SSRMDP; and

WHEREAS, the Lee County Zoning and Development Review Division outlined and accepted by in a letter dated June 24, 1987, a process for reviewing a detailed plan or plans for a particular development phase for substantial compliance with the SSRMDP, but did not provide for modification or revision of the SSRMDP itself; and

WHEREAS, the Board of County Commissioners of Lee County initiated and approved Resolution Z-90-91 to include particularly described areas of the property comprising the SSRD within the water-dependent overlay of the Lee Plan and provide that those particularly described areas would be treated as Marine Commercial zoning (CM) districts within the SSRD;

See attached Exhibits "B" and "C"

South Seas Resort Master Development Plan (SSRMDP) Amendment Procedure

WHEREAS, the Director is of the opinion that effective administration of requests to modify or change the SSRMDP as this resort destination evolves under the current and evolving zoning regulations necessary to effectively regulate contemporary land development in Lee County requires treating the SSRD similarly to a PUD, in accordance with Article VI, Division 10, Subdivision IV of the LDC; and

WHEREAS, Article VI, Division 10, Subdivision IV of the LDC provides a contemporary context for adequately and effectively regulating future development and administering future requests for development approvals in furtherance of the intention of the Board of County Commissioners and the developers of the South Seas Resort pursuant to Resolution Z-73-202; and

WHEREAS, the 1978 Zoning Ordinance authorized the Director to approve minor changes in the location, siting or height of buildings, structures and improvements authorized by the approved PUD final development plan; and

WHEREAS, the Board of County Commissioners of Lee County in 1989 amended the Zoning Ordinance to provide the Director with greater flexibility to amend PUD final development plans (see Ordinance 89-4); and

WHEREAS, the parameters set forth in Ordinance 89-4 regarding changes to PUD final development plans are currently codified in LDC Section 34-1038, which provides:

For any approved final PUD development plan for a PUD which does not specifically set forth those minor changes that may be approved by the director of the department of community development or any PUD development plan which has not received final approval prior to the effective date of the ordinance from which this subdivision is derived (July 6, 1987), minor changes (amendments) that may be approved by the department director include, in general, any change to the interior of the development which does not increase density or intensity (i.e., number of dwelling units or quantity of commercial or industrial floor area), or which does not decrease buffers or open space. The director shall not approve any change which results in a substantial underutilization of public resources and public infrastructure committed to the support of the development, nor shall the director approve any change which results in a reduction of total open space, buffering,

landscaping and preservation areas, or which adversely impacts on surrounding land uses.

Bayside Villas Lock-off Units

WHEREAS, during the review of South Seas Resort to provide the requested summary and clarification a question arose as to the number of units at *Bayside Villas* and within the SSRD, and Staff determined that 102 of the 912 maximum allowed residential living units were consistently allocated to the development area identified as Bayside Villas; and

WHEREAS, during the course of this review Staff determined that a portion of the 102 residential living units allocated to Bayside Villas have been and are being operated as lock-off accommodations; and

WHEREAS, lock-off accommodations have been regulated by Lee County Ordinances and counted as living units since 1974 (see Lee County Ordinances numbers 74-9, 78-7, and 82-44, and LDC Sec 34-1547); and

WHEREAS, the marking and use of the 102 units allocated to Bayside Villas as more than 102 units is counter to the SSRMDP and the density cap for the SSRD; and

WHEREAS, the developers and operators of South Seas Resort have voluntarily agreed through a Compliance Agreement with the Director to amortize the use of the units at Bayside Villas as lock-off accommodations in a manner acceptable to Lee County;¹ and

Five Acre Commercial Area and 2002 South Seas Resort Master Development Plan (2002 SSRMDP)

WHEREAS, during the review of South Seas Resort to provide the requested clarification a question arose as to the physical extents of the five (5) acres of commercial development permitted by Resolution Z-73-202; and

WHEREAS, at the request of the County, the developers submitted to the County a revised Master Development Plan (hereafter "2002 SSRMDP") showing the current as built/as approved configuration of the SSRD; and

WHEREAS, the 2002 SSRMDP clearly delineates the current extents of the five (5) acres of permitted commercial development within the SSRD and the perimeter boundary of the current extents of this commercial area have been separately described by metes and bounds to facilitate County verification of this acreage:

¹ This Compliance Agreement operates to eliminate separate use of portions of the Bayside Villas units as lock-off units—what are now being marketed as "Standard Sleeper Rooms," "Bayside Executive Studios," and "two-bedroom Bayside Villas". See www.south-seas-resort.com/accommodations/bayside.asp site last visited January 25, 2002.

See attached **Exhibit "D"**

WHEREAS, it is in the best interests of Lee County and the developers of South Seas Resort to summarize and clarify the current status of the South Seas Resort development so as to administer future development approval requests while avoiding possible misunderstandings; and

WHEREAS, the Director of the Department of Community Development has determined and the developers of South Seas Resort have agreed that:

1. Resolution Z-73-202, adopted on November 20, 1973 by the Lee County Board of County Commissioners, established a unique zoning district, hereafter referred to as the South Seas Resort District (SSRD).
2. In conjunction with Resolution Z-73-202, the Board of County Commissioners approved a master development plan, hereinafter South Seas Resort Master Development Plan (SSRMDP). The SSRMDP delineated ten (10) areas as *Beach Homes*, four (4) areas as *Beach Villas*, two (2) areas as *Golf Villas*, and three (3) areas as *Bayside Villas*, a *Golf Course*, *Resort* area, *Commercial* area, *Tennis Villas* area, *Employee Housing* area, *Boat Basin* area, and *Plantation Preserve* area as well as areas of Existing Mangrove. Additionally the approved master plan identified locations for Sewage Treatment & Wastewater Recycling, Boardwalks, an Observation Tower, Indian Mound, golf holes, lakes, roadways, and docking facilities.
3. Contemporaneous to the adoption of Resolution Z-73-202, the developers made the following representations to Lee County Staff, the Zoning Board, the Board of County Commissioners, and the Public, which representations constitute enforceable conditions of the SSRD:
 - a. Development of the SSRD will evolve over a number of years in line with several very basic guidelines: very low density development utilizing a number of small scale clusters; carefully planned and tightly controlled development; preservation of bayou shoreline and mangrove areas; Emphasis on pedestrian traffic, not automobiles.
 - b. The project will be limited to 912 residential units (304 acres at three units per acre) and five (5) acres of commercial development.
 - c. Four (4) miles of mangrove and bayou shoreline will be preserved by clustering higher density into smaller development areas with greenbelt separations.
 - d. A 20 acre *Plantation Preserve* parcel, a natural area to be accessible by wooden walkways that will include instructional stopping points describing the origin and type of vegetation in a bayou area will be set aside.
 - e. Employee housing accommodations will be developed.

4. Since the inception of the SSRD, the developers of South Seas Resort have allocated units to various projects throughout the district and allocated, *inter alia*, 102 units to Bayside Villas and 26 units to the South Seas Plantation Homesites subdivision.
5. On January 18, 1984, the Lee County Board of County Commissioners adopted Resolution DSO 84-1 granting an exemption from the Development Standards Ordinance 82-42 (hereafter "DSO") for the relocation of the Golf Villas from the originally approved location on the *Bay Island Parcel* to the north end of the *Resort Area* for the development of 68 residential units known as *Land's End Village*.
6. In 1985, the developers of South Seas Resort timely requested and received a Lee Plan Consistency Determination. Included with this request were a cover letter, eight (8) page Project Overview, a Tabulation of Dwelling Units at South Seas Resort, and a 16 sheet, 24" x 36" plan package entitled "Construction Plans for South Seas Plantation" (hereafter "1985 plan package"). At that time, the SSRD was deemed consistent with the Lee Plan.
7. The 1985 cover letter noted it was "likely to take an additional three to five years to complete the development in accordance with the approved Master Plan," and that the developer was submitting building permit applications and drawings for review simultaneously.
8. The 1985 Project Overview to some extent reiterated and modified the developer's 1973 representations, providing six (6) guidelines for development, 4 basic types of projects proposed for the final phases of development, a series of descriptions for each individual phase included in the 1985 plan package, and a summary, a Tabulation of Dwelling Units, and an accompanying narrative.
9. The 1985 plan package included the following modifications to the 1973 SSRMDP for the overall plan of development for the SSRD:
 - a. Graphic designations of vegetation were removed. See Sheet 1 of 16.
 - b. The legend was changed from colored to hatchured and expanded to include *Beach Homesites, Marina Villas, Commercial, Resort Complex, Employee Housing, Resort Services Facilities*; and *Beach Villas* was modified to *Beach Villas and Plantation Villas*. See Sheet 1 of 16.
 - c. The *Golf Villas* were depicted on the northern end of the northernmost peninsular area (to reflect the relocation of the *Golf Villas* and their development of *Land's End Villas*)² and the golf holes in that area were reconfigured. See Sheet 1 of 16.

² See Resolution DSO 84-1, County Commission Minutes Book 141 pp 34-35

- d. An area designated *Resort Complex* generally corresponding to the Resort area of the 1973 SSRMDP was identified, see Sheet 1 of 16; and a Paving, Grading, Drainage, and Utility Plan for Plantation House II, see Sheet 2 of 16, and a Paving, Grading and Drainage Plan for Harbourside III, see Sheet 3 of 16, and a Utility Plan for Harbourside III were provided. See Sheet 4 of 16.
- e. An area on the northern end of the most northeastern peninsula or *Bay Island Parcel* was identified as *Resort Complex*, see Sheet 1 of 16, and a Paving, Grading, Drainage, and Utility Plan provided for 18 one- and two-story hotel units to be known as *Harbour Pointe*. See Sheet 5 of 16.
- f. A *Marina Villas* area was depicted on the northern peninsula of the land southeasterly and adjacent to the northern Marina and the golf holes in that area reconfigured. See Sheet 1 of 16.
- g. Two areas south of the northern *Resort Complex* area were also designated "Resort Complex," see Sheet 1 of 16, and a Paving, Grading, Drainage, and Utility Plan provided for a new *Estate Residence*³ and *Health Club*. See Sheet 6 of 16.
- h. The northern areas designated *Beach Villas and Plantation Villas* were modified from the 1973 SSRMDP to show one smaller area on the east side of the road and one larger area on the west side of the road, see Sheet 1 of 16, and a Paving, Grading, Drainage, and Utility Plan provided for two 1-1/2 story duplex units identified as *Plantation Bay Villas* on the east side of the road and one four-plex, two stories over parking identified as *Plantation Beach Villas* on the west side of the road. See Sheet 7 of 16. The larger *Beach Villas and Plantation Villas* area on the west side of the road on Sheet 1 of 16 included property not included in the SSRD. Cf. 1973 SSRMDP.⁴
- i. Three new areas, two on the *Plantation East (aka Bay Island) Parcel* and one in the general area of the *Commercial and Bayside Villas* areas of the 1973

³ The *Estate Residence* was erroneously excluded from the Tabulation of Dwelling Units, and thus an additional residential unit should be counted against the total 912 allocation.

⁴ As developed, this northern *Beach Villas and Plantation Villas* area is comprised of two resort residential projects known as *Sandrift* and *Plantation Beach Club (PBC)*, with PBC encompassing the majority of the development area. While PBC was developed with a total of 56 total units, a portion of the project—PBC II, Phase 1, an eight (8) unit building—was constructed on a parcel of land acquired by the developers subsequent to the 1973 zoning approval and not included within the SSRD. Thus the total number of PBC units within the SSRD which may be counted against the total 912 allocation is 48 and the 1985 plan package Tabulation of Dwelling Units total of 56 is in error.

- SSRMDP were designated *Resort Services Facilities*, see Sheet 1 of 16, and a Paving, Grading, Drainage, and Utility Plan provided for a Proposed Addition to Sewage Treatment Plant. See Sheet 8 of 16.
- j. The areas designated *Beach Homesites* were modified from the 1973 SSRMDP to show the area platted and developed as South Seas Plantation Beach Homesites, Plat Book 29, Page 106, Public Records of Lee County, Florida. See Sheet 1 of 16.
 - k. The areas designated *Beach Homes* were modified to reflect the as-built development areas. See Sheet 1 of 16.
 - l. The southern area designated *Beach Villas and Plantation Villas* was modified from the 1973 SSPMPD to combine *Beach Homes* and *Beach Villas* development areas. See Sheet 1 of 16.
 - m. The *Commercial* area and the *Tennis Villas* area were revised to generally reverse their positions as shown on the 1973 SSRMDP and *Bayside Villas* was reduced from three (3) areas to two (2) to reflect the as-built development areas, see Sheet 1 of 16, and a Paving, Grading, Drainage, and Utility Plan provided for Chadwick's Commercial, Restaurant, and Meeting Rooms. See Sheet 10 of 16.
 - n. The *Employee Housing* area was revised and modified, see Sheet 1 of 16, and a Paving, Grading, Drainage and Utility Plan provided for Employee Housing/Human Resources and Employee Housing Phase Four. See Sheet 9 of 16.
 - o. Typical Details and Notes with respect to paving, grading, drainage and utilities were also provided. See Sheets 11 through 16 of 16.
10. In 1987, the developers of South Seas Resort, in conjunction with a proposal to County Staff of a procedure for plan review and final inspection in the SSRD in light of the process provided under the DSO and the exemption granted the project under Resolution DSO 84-1, submitted a new overview of the master plan, updating the 1985 Project Overview, and a revised Tabulation of Dwelling Units, updating the 1985 Tabulation of Dwelling Units..
11. The June 24, 1987, Lee County Zoning and Development Review Division letter agreed to a process for reviewing a detailed plan or plans for a particular development site or phase for substantial compliance with the SSRMDP, but did not provide for modification or revision of the SSRMDP itself.
12. As the exemption granted under DSO 84-1 was directed at the relocation of the dwelling units for *Land's End Village*, the procedure outlined in staff's June 24, 1987 letter is no longer an effective procedure under current County standards.

13. Mariner's purchase of the Hanchar property and the variance granted by BZA-86-46 does not affect the total number of units permitted within the SSRD (912), however, construction of Sanddrift (aka Plantation Beach Villas within the SSRD allocated four (4) of the 912 SSRD units to that development.
14. The parcel on which the *Estate Residence* was constructed is within the SSRD and one (1) residential dwelling unit will be counted against the total 912 allocation of dwelling units
15. The *Plantation Beach Club II, Phase 1* building, was constructed on a parcel not included within the SSRD, and the eight (8) units it contains will not be counted against the total 912 allocation of dwelling units.
16. The current allocation of units to the various development areas is:

<u>Area Name</u>	<u>Number of Units</u>
1. Bayside Villas	102
2. Tennis Villas	60
3. Employee Housing	140
4. Beach Villas	160
5. Beach Cottages	26
6. Beach Homes	33
7. Beach Homesites	26 ⁵
8. Sandrift (aka Plantation Beach Villas)	4
9. Plantation Beach Club	48
10. Plantation Bay Villas	4
11. Marina Villas	40
12. Harbourside Villas	107
13. The South Seas Club	24
14. Cottages at South Seas Plantation	14
15. Plantation House Phase I	12
16. Seabreeze (aka Plantation House Phase II)	8

⁵ The developers of the South Seas Resort have allocated 26 units to the Beach Homesites area. Only 24 units have been constructed to date. In 1999, the Lee County Hearing Examiner granted Lot 21 of this subdivision a variance from the building height limitations of LDC Section 34-2175(2). VAR963127 aka 99.05.144.05V 01.01. LDC Section 34-2175(2) was subsequently amended to prohibit such grant of variance. Lee County Ordinance 99-13.

17. Land's End Village (aka Golf Villas)	68
18. Estate Residence	1
19. Harbour Pointe	18
TOTAL ALLOCATED DWELLING UNITS	895
TOTAL APPROVED DWELLING UNITS	912
TOTAL DEVELOPED DWELLING UNITS	877 ⁶
TOTAL UNDEVELOPED DWELLING UNITS	35

17. There is evidence to conclude that, when used as lock-off units, Bayside Villas provides more than the 102 units allocated to that development phase by the current schedule allocating the 912 SSRD units.
18. The use of lock-off units on Captiva Island is regulated by LDC Section 34-1547.
19. It is in the best interests of the developers and operators of South Seas Resort and Lee County that the design and use as lock-off accommodations of the 102 units allocated to Bayside Villas be amortized. The developers of South Seas Resort have proposed and the County has agreed to a program for timely amortization of the design and use of these units as lock-off accommodations through a Compliance Agreement acceptable to the County.
20. The County-initiated zoning action memorialized by Resolution Z-90-91 established within the SSRD two (2) specific water-dependent overlay Marine Commercial (CM) zoning districts as a part of the SSRD, but that zoning action had no effect on the density or number of units approved within the SSRD.
21. LDC Section 34-1038 provides an effective procedure for reviewing proposed modifications or revisions to the SSRMDP and SSRD for compliance with Chapter 34 of the LDC.

WHEREAS, THE PURPOSE OF THIS ADMINISTRATIVE INTERPRETATION IS TO SUMMARIZE AND CLARIFY ALL PRIOR APPROVALS INTO ONE COMPREHENSIVE DOCUMENT DETAILING WHAT DEVELOPMENT CURRENTLY EXISTS, CLARIFY WHAT ADDITIONAL DEVELOPMENT MAY BE PERMITTED, AND PROVIDE FOR A REASONABLE METHOD FOR THE COUNTY TO REVIEW REQUESTS FOR FUTURE DEVELOPMENT APPROVALS TO MODIFY OR CHANGE THE MASTER DEVELOPMENT PLAN ADOPTED BY RESOLUTION Z-73-202;

NOW, THEREFORE, the Director of Community Development has determined:

⁶ Of the 877 developed units, to date only 875 have been constructed. Supra note 5.

1. The development of 912 residential units within the SSRD, the extents of which are described in attached Exhibit "A," together with the following Tabulation of Dwelling Units for the allocation of these dwelling units within the SSRMDP is approved:

<u>Area Name</u>	<u>Number of Units</u>
1. Bayside Villas	102
2. Tennis Villas	60
3. Employee Housing	140
4. Beach Villas	160
5. Beach Cottages	26
6. Beach Homes	33
7. Beach Homesites	26 ⁷
8. Sandrift (aka Plantation Beach Villas)	4
9. Plantation Beach Club	48
10. Plantation Bay Villas	4
11. Marina Villas	40
12. Harbourside Villas	107
13. The South Seas Club	24
14. Cottages at South Seas Plantation	14
15. Plantation House Phase I	12
16. Seabreeze (aka Plantation House Phase II)	8
17. Land's End Village (aka Golf Villas)	68
18. Estate Residence	1
19. Harbour Pointe	18
TOTAL APPROVED ALLOCATED DWELLING UNITS	895
TOTAL APPROVED DWELLING UNITS	912
TOTAL DEVELOPED DWELLING UNITS	877⁸

⁷ Id.

⁸ Id.

TOTAL UNDEVELOPED DWELLING UNITS

35

2. The existing commercial development within a 5 acre area the perimeter boundaries of which are described in attached Exhibit "D" is approved.
3. The existing Marine Commercial development within the two areas, the perimeter boundaries of which are described in attached Exhibits "B" and "C" is approved.
4. Except as specifically conditioned herein, the following development standards applicable to the SSRD, based on standards that have been applied since its inception in 1973 are approved:
 - a. **Open space:** Of the 304± acres⁹ that make up the SSRD, approximately one third is set aside as open space (this 100+ acres includes now privately owned uplands, wetlands, and submerged lands). Additionally there is an allocation of open space for those lands seaward of the coastal construction control line, currently in excess of 15 acres. The South Seas Golf Course and other recreational lands supplement the beachfront and preservation land categories such that a minimum of 50% (approximately 152 acres) of the overall property is allocated to Open Space. Therefore, no minimum amount of Open Space is required per individual parcel.
 - b. **Landscape:** Emphasis will be placed on the use of native species. Canopy trees for shading and trees and/or shrubs for the screening of service areas or for privacy will be used to the extent possible. The final plant selection and placement shall be at the discretion of the owner working in concert with County staff. The use of invasive exotics is prohibited.
 - c. **Buffers:** There will be a natural (mostly mangrove) shoreline buffer along the bay waters of the SSRD. Specifically, that natural buffer shall be a minimum of 35' wide (except to the extent that the existing South Seas Road or Bay Drive (leading to Harbour Pointe) may currently encroach into and therefore reduce that 35' buffer). Where it is within or proximate to approved development areas, the natural buffer may be subject to a number of existing small openings as necessary for helicopter, vehicular, boat, pedestrian, and/or utility access, and trimming in accordance with State Standards for Mangrove Trimming where permitted. There is no buffer required along the bay waters extending from the southeasterly tip of the Harbour Pointe site continuing across the marina entrance channel and along the bay waters to Redfish Pass. There shall be no

⁹ The developers have had the property surveyed since 1973 and the greater accuracy of contemporary surveying has determined that the overall acreage is greater than indicated in 1973. This new, larger total acreage does not in any way modify the total maximum of 912 residential dwelling units permissible in the SSRD.

required minimum buffer between residential parcels internal to the development.

- d. **Setbacks:** Captiva Drive Southwest—minimum 25' to edge of right-of-way.
South Seas Road—minimum 10' to edge of pavement, excluding security building, signs, walls and other entrance features, when consistent with LDC site visibility requirements.
Internal Driveways—no minimum setbacks required
Building to External Property Line:
 —minimum 10' with minimum 6' high wall and vegetation buffer
 —minimum 15' with minimum 6' high wall or vegetation buffer
 —minimum 20' without wall or vegetation buffer
Building to Internal Property Line—no minimum setback required
Building to Bay Waters
 —minimum 25' setback from mean high tide line
Building to Waters of Gulf of Mexico
 —minimum 50' from mean high tide line
Building to Natural or Manmade Lake, Pond, Bayou, Canal, or Marina
 —no minimum setback required for buildings redeveloped within existing building footprints; 25' for any new buildings.
Building to Building Separation
 —minimum 10' separation unless additional separation is required by Building/Fire Code
Accessory Structures including Fences and Walls
 —for walls or structures 8' or less in height above grade. No minimum setback required
 —for walls or structures over 8' in height above grade, the setback shall be the same as set forth above for Buildings, except as to water bodies where there will be no setbacks required.
 —there shall be no minimum required separation between walls and accessory structures or one accessory structure and another.
- e. **Building Heights:** (These standards are applicable to all new structures except those being replaced under the existing Lee County build-back provisions of the Land Development Code) maximum height to the top of a parapet wall, roof, or mid-point of a pitched roof of no less than 4:1 and no more than 7:1 shall be the lesser of 35' above the grade surrounding the building at its foundation or 42' above mean sea level.
- f. **Traffic Impact Statements (TIS):** A traffic impact statement shall be required for any development that includes new residential dwelling units or includes more than 500 square feet of retail/commercial square footage. Because of the SSRD's vested status for purposes of concurrency (established via

Determination of Consistency with the Lee Plan in 1985), the data provided to the County in such TIS are intended for information purposes only. Approval of TIS is not a precursor to approval of proposed development plans. The concurrency vesting is limited to the SSRD, as approved under this interpretation.

- g. **Parking:** (These standards recognize the developers long standing commitments to transportation alternatives to the automobile on Captiva, including pedestrian and bicycle transportation via the pathways provided throughout the SSRD and the provision of up to 18 hours of daily free tram service.)

General

- Individual parking spaces will be no less than 9' wide by 18' deep.
- The appropriate number of handicap spaces will be provided in convenient locations in compliance with Lee County and State of Florida Handicapped Codes and the intent of ADA Guidelines.
- Any proposed reduction or reconfiguration of the as-built/as approved parking spaces provided contemporaneous to this interpretation is subject to a limited review development order to assure that the current inventory of parking is not reduced and additional parking is provided in the proportions for resort uses as required below.

Residential

- Single family/duplex will have a minimum of 2 off-street parking spaces per unit.
- Multi-family housing (whole ownership/timeshare/etc) will have a minimum of 1 parking space per dwelling unit plus a minimum of 1 guest/service parking space for every 10 dwelling units.
- Hotel/Motel units and employee rental apartments shall have a minimum of 1 parking space for every 2 dwelling units plus 1 guest/service parking space for every 10 dwelling units.

Commercial

- Activities/facilities internal to the resort and used almost exclusively by resort owners and guests (i.e. marina, golf course, tennis, retail, resort area restaurants, conference facilities, etc.) have no minimum required number of spaces.
- Activities/facilities within the designated five (5) acre Commercial Area at the south end of the property, except for conference facilities, shall be required to provide a minimum of 1 parking space per 1000 square feet of retail, restaurant/lounge or commercial use (excluding kitchens and other back of house areas and service facilities).

- h. **Construction Standards (other than for buildings):**

-Roads, driveways, walks, bike paths, seawalls, etc. shall be built in accordance with sound engineering design standards typical of those facilities

constructed within the SSRD during the past 28 years, subject to review and approval by County staff through the limited review development order process.

i. **Stormwater Management:**

–The standards of the existing approved SSRMDP as authorized and permitted by the South Florida Water Management District, or as they may be amended in the future, shall govern the surface water management elements of future development in the SSRD.

j. **Other:** Except as otherwise noted herein, the applicable standards of the Lee County Land Development Code shall apply within the SSRD

5. The 2002 SSPMPD, as revised July 22, 2002, stamped approved July 30, 2002, is approved **with the following conditions:**

a. Current and future development within the SSRD will

1. be limited to a development density of 912 units utilizing a number of small scale clusters;
2. be carefully planned and tightly controlled;
3. provide for a self-support capability in terms of facilities and service needed;
4. emphasize pedestrian movement, not automobile traffic;
5. preserve shoreline and mangrove areas, including 2.5 miles of beach, 3.5 miles of bayou shoreline, and 20 acres of *Plantation Preserve* mangrove forest; and
6. demonstrate leadership in rational development techniques in advance of proposed or enacted legislation; and
7. provide and maintain a balance of dwelling units, amenities, and service facilities for the benefit of the entire community (SSP owners and guests, Captiva, and Lee County).

b. The final phases of development in the SSRD include three (3) basic types of projects in accordance with the SSRMDP and the allowed limits:

1. upgrading of resort service facilities;
2. development of small scale clusters of residential units;
3. Improvements to guest facilities.

These include development and redevelopment of resort service facilities and guest facilities, including utilities and other infrastructure.

c. The Beach Pavilion described in the 1985 plan package is not approved

d. Other than as discussed in the letter from the Lee County Attorney's Office dated June 11, 1992, no wetland impacts are authorized by the SSRMDP. Prior to proposing amendments to the SSRMDP for development that may

encroach on wetlands—including but not limited to any expansion of the Harbour Pointe development area—the developers will initiate an environmental study adequate to evaluate the feasibility of such development in wetlands.

- e. The reallocation of any of the currently existing dwelling units or the development of the unallocated dwelling units is permissible by administrative action if such reallocation or development accords with the requirements of LDC Section 34-1038(a)
 - f. Guest access and resort services to the *Harbour Pointe* development area will be via launch from the existing northern marina, and the existing service road will be used for emergency access.
 - g. Employee housing will be provided and included in the total approved dwelling units in the SSRD.
6. This Administrative Interpretation and the attached 24" x 36" set of plans, entitled **2002 Master Development Plan South Seas Resort** bound together with all attendant plan sheets, signed by the Director and comprises the SSRMDP, in attached Exhibit "E".
7. To memorialize this Administrative Interpretation and guide future development review in accordance with this Interpretation, the Official and Current Zoning Maps will be revised to label the SSRD and a note added to reference this Interpretation.
8. Proposed revisions to the approved 2002 SSRMDP will be reviewed as changes to a PUD master development plan in accordance with LDC Section 34-1038.
9. Plan review and inspections for future specific development approval requests will be reviewed for consistency with the SSRMDP under the provisions of the LDC, however, these requests will be reviewed as limited review development orders. At the discretion of the Director, a given development approval request may be required to be submitted as a full development order.

DULY SIGNED this 30th day of July, A.D., 2002.

BY: Mary Gibbs
Mary Gibbs, Director
Department of Community Development

APPROVED AS TO FORM BY: Timothy Jones
Timothy Jones
Assistant County Attorney

TRIP GENERATION EQUATIONS

Multifamily Housing (Low-Rise) Not Close to Rail Transit (220)

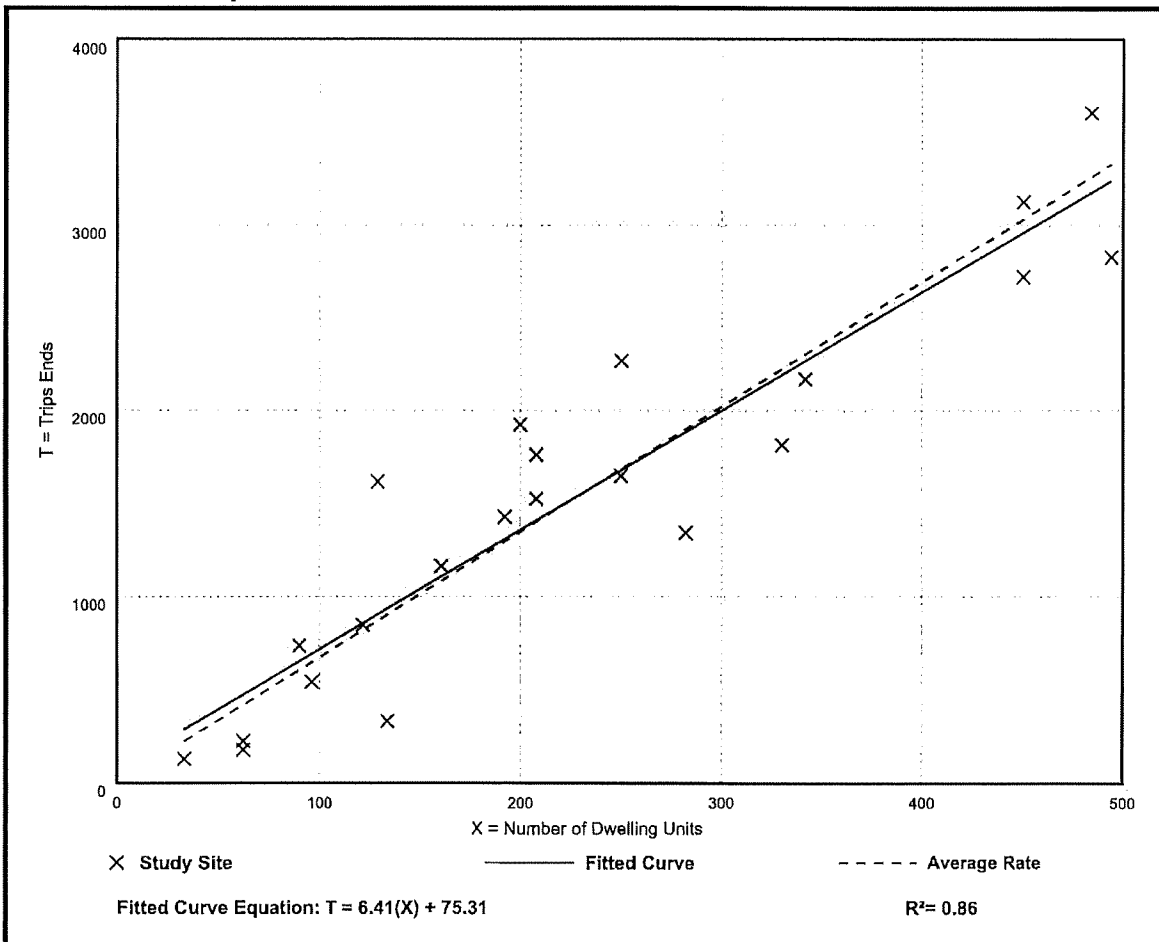
Vehicle Trip Ends vs: Dwelling Units
On a Weekday

Setting/Location: General Urban/Suburban
Number of Studies: 22
Avg. Num. of Dwelling Units: 229
Directional Distribution: 50% entering, 50% exiting

Vehicle Trip Generation per Dwelling Unit

Average Rate	Range of Rates	Standard Deviation
6.74	2.46 - 12.50	1.79

Data Plot and Equation



Multifamily Housing (Low-Rise) Not Close to Rail Transit (220)

Vehicle Trip Ends vs: Dwelling Units

On a: Weekday,

Peak Hour of Adjacent Street Traffic,

One Hour Between 7 and 9 a.m.

Setting/Location: General Urban/Suburban

Number of Studies: 49

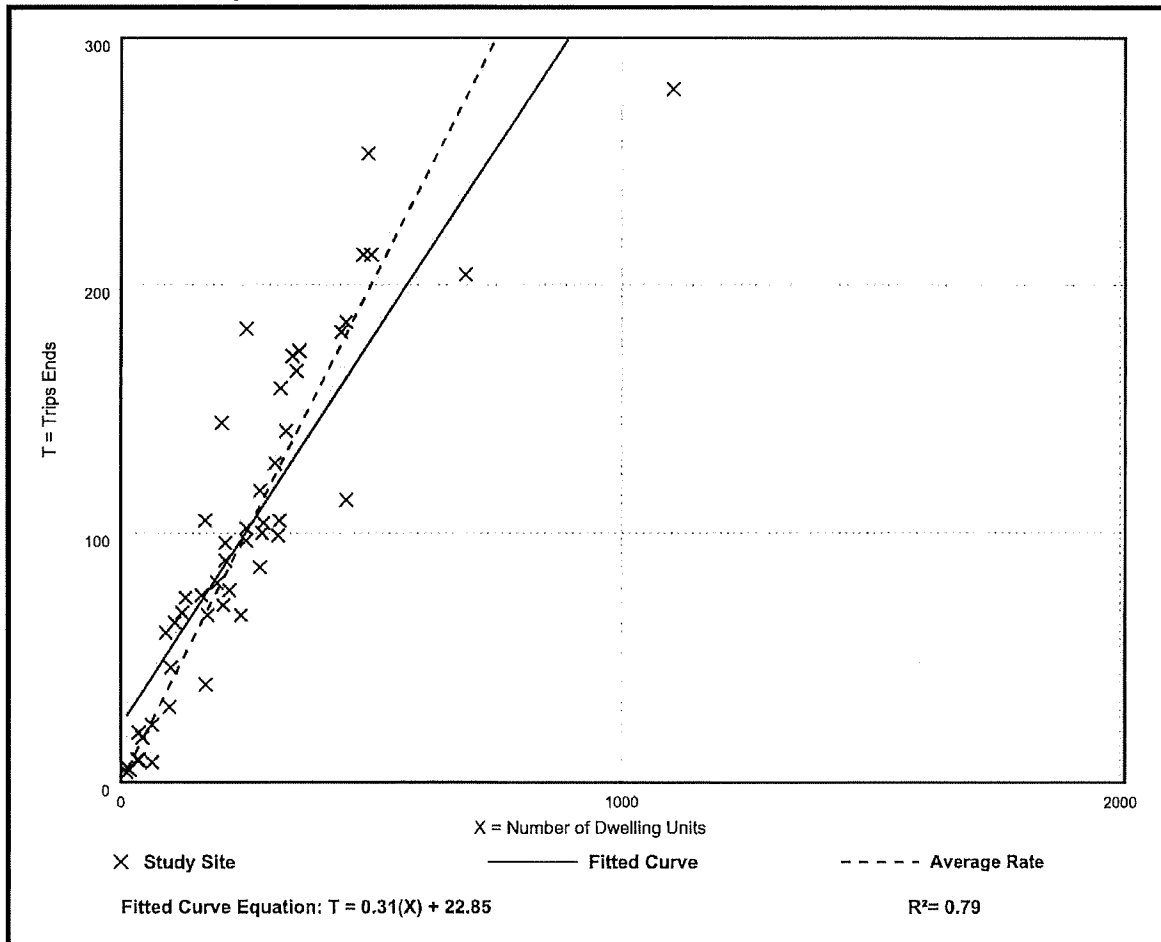
Avg. Num. of Dwelling Units: 249

Directional Distribution: 24% entering, 76% exiting

Vehicle Trip Generation per Dwelling Unit

Average Rate	Range of Rates	Standard Deviation
0.40	0.13 - 0.73	0.12

Data Plot and Equation



Multifamily Housing (Low-Rise) Not Close to Rail Transit (220)

Vehicle Trip Ends vs: Dwelling Units

On a: Weekday,

Peak Hour of Adjacent Street Traffic,

One Hour Between 4 and 6 p.m.

Setting/Location: General Urban/Suburban

Number of Studies: 59

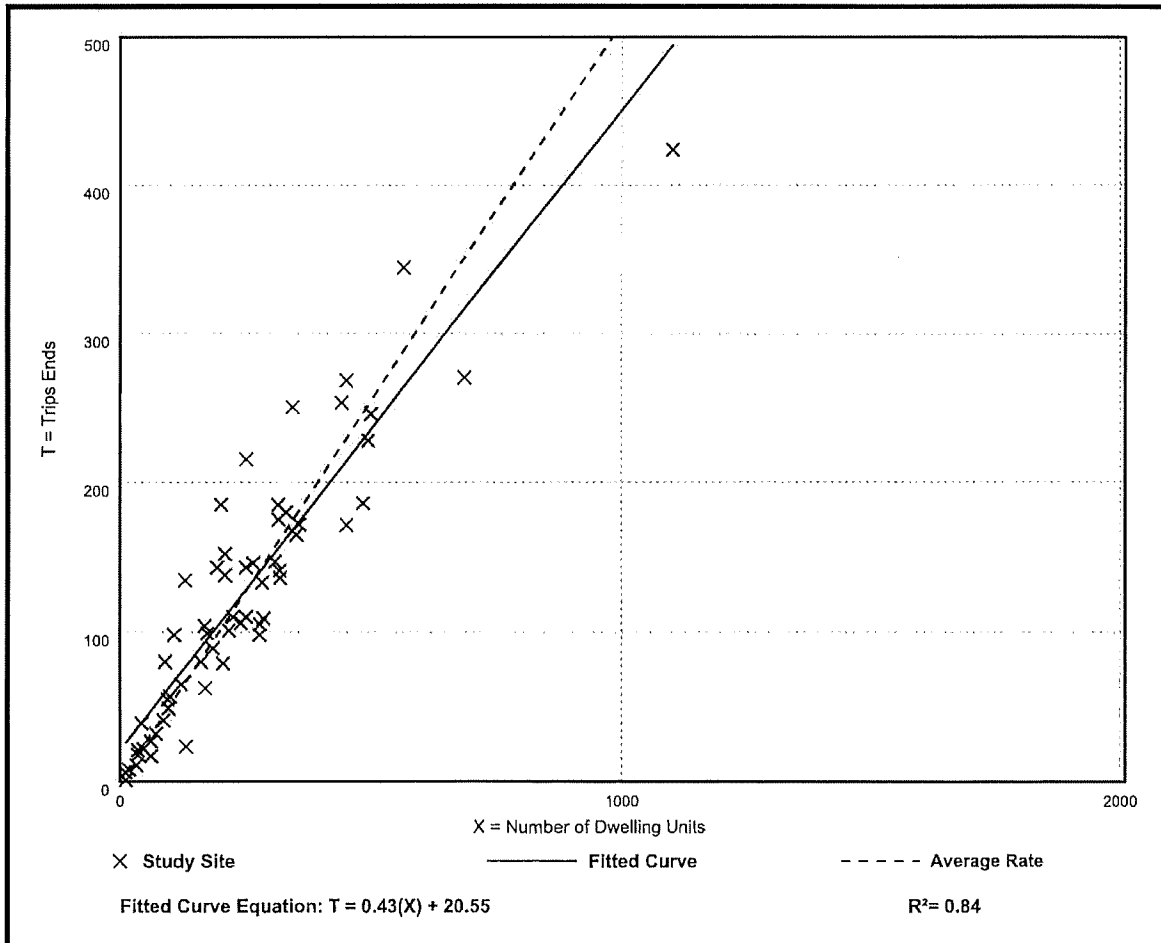
Avg. Num. of Dwelling Units: 241

Directional Distribution: 63% entering, 37% exiting

Vehicle Trip Generation per Dwelling Unit

Average Rate	Range of Rates	Standard Deviation
0.51	0.08 - 1.04	0.15

Data Plot and Equation



Resort Hotel (330)

Vehicle Trip Ends vs: Rooms

On a: Weekday,

Peak Hour of Adjacent Street Traffic,

One Hour Between 7 and 9 a.m.

Setting/Location: General Urban/Suburban

Number of Studies: 6

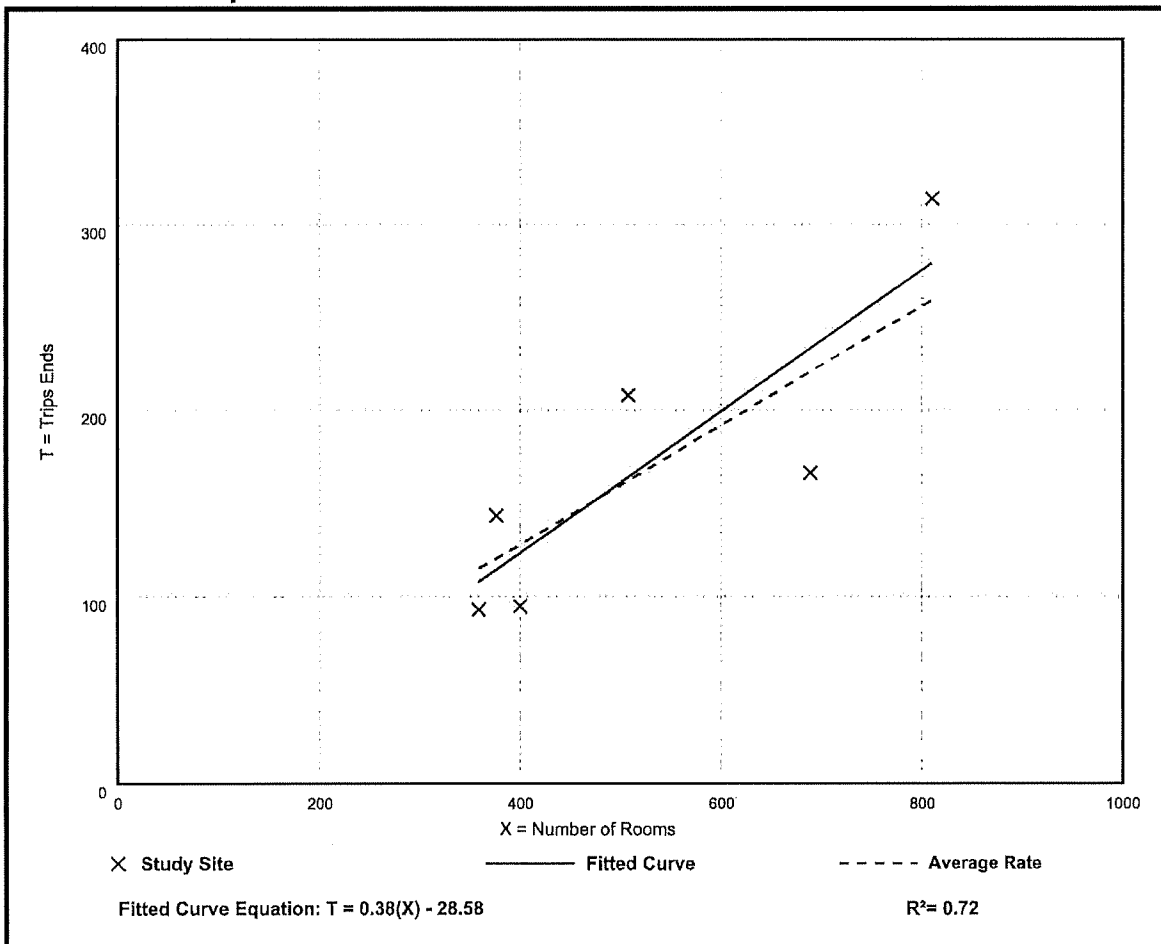
Avg. Num. of Rooms: 524

Directional Distribution: 72% entering, 28% exiting

Vehicle Trip Generation per Room

Average Rate	Range of Rates	Standard Deviation
0.32	0.24 - 0.41	0.08

Data Plot and Equation



Resort Hotel (330)

Vehicle Trip Ends vs: Rooms

On a: Weekday,

Peak Hour of Adjacent Street Traffic,

One Hour Between 4 and 6 p.m.

Setting/Location: General Urban/Suburban

Number of Studies: 9

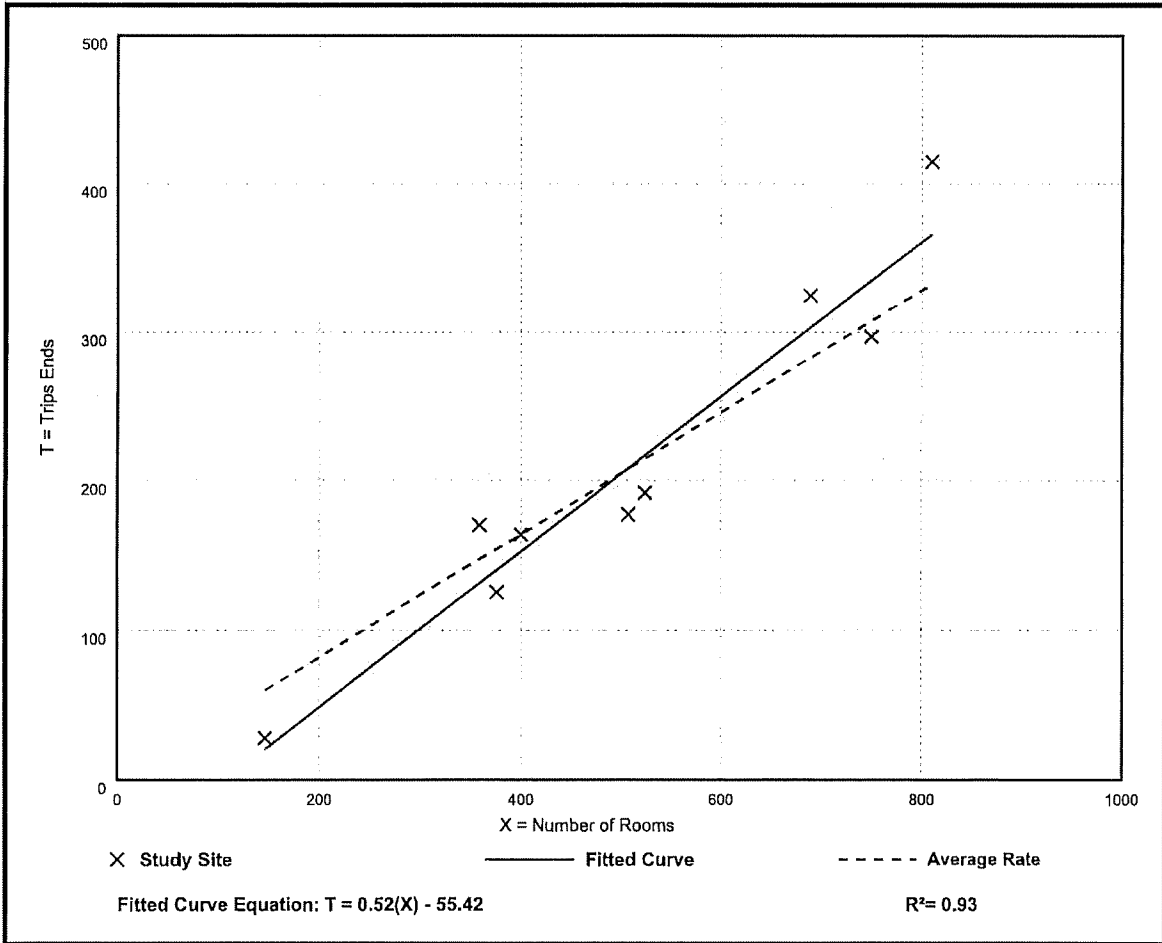
Avg. Num. of Rooms: 507

Directional Distribution: 43% entering, 57% exiting

Vehicle Trip Generation per Room

Average Rate	Range of Rates	Standard Deviation
0.41	0.19 - 0.51	0.08

Data Plot and Equation





2726 OAK RIDGE COURT, SUITE 503
FORT MYERS, FL 33901-9356
OFFICE 239.278.3090
FAX 239.278.1906

TRAFFIC ENGINEERING
TRANSPORTATION PLANNING
SIGNAL SYSTEMS/DESIGN

May 24, 2024

Ms. Alexis Crespo
RVi Planning + Landscape Architecture
1514 Broadway Avenue
Fort Myers, FL 33901

RE: South Seas Island Resort
DCI2023-00051

Dear Ms. Crespo:

TR Transportation Consultants, Inc. has reviewed the Traffic Impact Statement (TIS) comments issued by the Lee County Department of Community Development regarding the above project. The comments and TR Transportation's response to those comments are listed below for reference.

As per MCP, TIS used ITE LU 330 (Resort Hotel) for trip generation estimation for the proposed resort hotel (435 rooms) with conference facilities. However, ITE LU 330 only considers the resort hotel with no convention and meeting business. ITE LU 330 seems not to be a representative land use for trip generation estimation for the proposed resort hotel (435 rooms) with conference facilities to depict the worst-case scenario. Please clarify the inconsistency. It seems like ITE LU 310 is a good fit for representing the worst-case scenario.

The South Seas Island Resort is a Resort Hotel. When completing a traffic impact study, the report is to be based on the trip generation of the use that best matches the use that is being proposed on the site. That use is a Resort Hotel. The ITE description for Land Use Code 330 is as follows:

LUC 330 – Resort Hotel

A resort hotel is similar to a hotel (Land Use 310) in that it provides sleeping accommodations, full-service restaurants, cocktail lounges, retail shops, and guest services. The primary difference is that a resort hotel caters to the tourist and vacation industry, often providing a wide variety of recreational facilities/programs (e.g., golf courses, tennis courts, beach access, or other amenities) rather than convention and meeting business. Hotel (Land Use 310), all suites hotel (Land Use 311), business hotel (Land Use 312), and motel (Land Use 320) are related uses.

Additional Data

It is recognized that some resort hotels cater to convention business as well as the tourist and vacation industry. The sites in the database do not have convention facilities. A resort hotel with convention facilities is likely to have a different level and pattern of trip generation than is presented in the data plots. Nine studies provided information on room occupancy at the time of data collection. The average occupancy rate for these sites was approximately 88 percent. Some properties in this land use provide guest transportation services (e.g., airport shuttle, limousine service, golf course shuttle service) which may have an impact on the overall trip generation rates.

This resort does NOT have “convention facilities” proposed. The Resort will host weddings, similar to what the Resort was doing Pre-Hurricane Ian, but there are no large “convention” spaces where large corporate events would be held. This is a vacation resort on the beach. The land use of Resort Hotel (LUC 330) is entirely appropriate to estimate the trip generation for this use at this time. There is no need to simply utilize another Land Use Code simply to generate higher trips when that is not the intended use for the site. No changes to the TIS were made as a result of this comment.

The TIS talks about the potential to use employee shuttles to mitigate traffic impacts, but it fails to note that employee housing at South Seas has been eliminated, please address.

This statement is true and employee housing being eliminated but false about “potential use of employee shuttle”. This service is indeed a reality and is being utilized today. The ITE Land Use Code does account for employee trips. As discussed in the September 15, 2023 traffic study submitted to the County, the South Seas Island Resort has participated in and will continue to provide employee shuttle service to and from the mainland. This service reduces the number of trips to and from the mainland on a daily basis made by the employees of the Resort, which impacts the overall daily trip generation of the Resort. Employee trips are not typically made during the peak hours of the adjacent street and are therefore not typically discussed in the traffic impact analysis.

If you have any additional questions, please do not hesitate to contact us.

Sincerely,



Ted B. Treesh, PTP
President



2726 OAK RIDGE COURT, SUITE 503
 FORT MYERS, FL 33901-9356
 OFFICE 239.278.3090
 FAX 239.278.1906

TRAFFIC ENGINEERING
 TRANSPORTATION PLANNING
 SIGNAL SYSTEMS/DESIGN

February 1, 2024

Ms. Alexis Crespo
 RVi Planning + Landscape Architecture
 1514 Broadway Avenue
 Fort Myers, FL 33901

RE: South Seas Island Resort
 DCI2023-00051

Dear Ms. Crespo:

TR Transportation Consultants, Inc. has reviewed the Traffic Impact Statement (TIS) comments issued by the Lee County Department of Community Development regarding the above project. The comments and TR Transportation's response to those comments are listed below for reference.

Table 2 must be revised. Daily (2-way) Trip generation count for Multi-Family Low-Rise is not consistent with Institute of Transportation Engineer's (ITE) Trip Generation 11th Edition Report.

Table 2 was revised to reflect the correct daily trip generation. The analysis in the report is based on the peak hour trip generation. Therefore, the analysis was not impacted by this change. Table 2 below illustrates the corrected daily trip generation.

Table 2
South Seas Island Resort MPD
Trip Generation

Land Use	Weekday AM Peak Hour			Weekday PM Peak Hour			Daily (2-way)
	In	Out	Total	In	Out	Total	
Resort Hotel (435 Rooms)	98	39	137	73	98	171	n/a
Multi-Family Housing (227 Dwelling Units)	26	81	107	87	51	138	1,819
Total Trips	124	120	244	160	149	309	1,819

Table 2A must be revised. Background projected peak hour peak season peak direction trip count (345) in 2028 was calculated inaccurately.

Table 2A was revised and is attached reflecting the corrected calculation in the 2028 Background traffic volume. This change did not change any of the Level of Service results as reported in the previous traffic report.

As the project generates between 100 and 300 peak-hour trips, information regarding the level of Service of the site access and all intersections within one-quarter of a mile area must be provided.

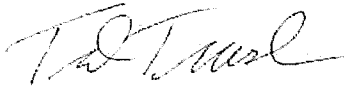
The only intersection within ¼ mile of the site is the site access drive intersection of South Seas Plantation Road and Captiva Drive. Due to the impacts of Hurricane Ian, traffic volumes on the Island are much less than they were Pre-Hurricane. Site trips only turn right in and left out from this intersection and Captiva Drive terminates just west of the South Seas Plantation Road. Therefore, any intersection analysis at this location will not show any appreciable operational issues. Conducting traffic counts at this time would be also meaningless as the Resort is currently going through renovation due to the impacts of the Hurricane and is only partially open.

In the southern section, approximately 5 acres are designated for commercial use according to the master concept plan, a detail omitted in the TIS. Kindly consider integrating this information into the TIS.

The 5 acres in the southern section designated for commercial use is not part of this application, that is why it is not included in the traffic analysis.

If you have any additional questions, please do not hesitate to contact us.

Sincerely,



Ted B. Treesh, PTP
President

Attachments

**TABLE 2A
LEE COUNTY TRAFFIC COUNTS AND CALCULATIONS
SOUTH SEAS ISLAND RESORT MPD**

Revised 2-1-2024

TOTAL PROJECT TRAFFIC AM = 244 VPH IN = 124 OUT= 120
 TOTAL PROJECT TRAFFIC PM = 309 VPH IN= 160 OUT= 149

<u>ROADWAY</u>	<u>SEGMENT</u>	<u>FDOT SITE #</u>	<u>ADT</u>	<u>ADT</u>	<u>GROWTH</u>	<u>RATE</u> ¹	2022	2028	<u>PERCENT</u>	<u>AM PROJ</u>	<u>PM PROJ</u>	2028	2028			
							<u>PK SEASON</u>	<u>PK HR</u>				<u>PK SEASON</u>	<u>PK HR</u>	<u>BCKGRND</u>	<u>BCKGRND</u>	
							<u>PK SEASON</u>	<u>PEAK DIRECTION</u>				<u>+ AM PROJ</u>	<u>+ PM PROJ</u>			
							<u>VOLUME</u>	<u>LOS</u>	<u>TRAFFIC</u>	<u>TRAFFIC</u>	<u>TRAFFIC</u>	<u>VOLUME</u>	<u>LOS</u>	<u>VOLUME</u>	<u>LOS</u>	
Captiva Drive	S. of South Seas					2.00%	267	301	C	100%	124	160	425	D	461	D

1 Annual Growth Rate was assumed to be 2% per year compounded annually for Captiva Drive

2 Current peak hour peak season peak direction traffic volumes for Captiva Drive taken from Lee County Public Facilities Level of Service & Concurrency Report

South Seas Island Resort

1/4 Mile Radius from Site Access

Captiva Island

South Seas Plantation Road

Captiva Dr

Laika Ln

Dickey Ln

Wightman Ln

Captiva Dr

Binder Dr

Sunset Captiva Ln

Google Earth



1000 ft



DEPARTMENT OF TRANSPORTATION

Memo

To: Adam Mendez, Principal Planner

From: Lili Wu, Principal Planner

Date: Jan. 10, 2025

Subject: South Seas Island Resort MPD (DCI2023-00051) Transportation-Related Analysis

Proposed Development

This application requests approval to allow 193 dwelling units and 435 hotel rooms on the subject property (120.5 acres).

Site Location

The subject property is located on the northern terminus of Captiva Island.

Site Access

Access to the project will continue to be provided to the single access on Captiva Drive via South Seas Plantation Road.

Captiva Drive is a collector maintained by County and South Seas Plantation Road is a privately maintained local street.

Trip Generation Review

The trip generation for the proposed development was determined by referencing the Institute of Transportation Engineer's (ITE) Trip Generation 11th Edition Report. Table 1 outlines the proposed project's trip generation for weekday AM and PM peak hours traffic volumes.

Table 1: Trip Generation

Land Use	Weekday A.M Peak Hour			Weekday P.M Peak Hour		
	In	Out	Total	In	Out	Total
Resort Hotel (435 rooms)	98	39	137	73	98	171
Multi-Family (193 units)	20	63	83	65	39	104
Total	118	102	220	138	137	275

Roadway Section Traffic Operation Level of Service Analysis

New trips related to the subject case were distributed across the surrounding road network to assess their impact on the Level of Service (LOS) in arterial/collector road sections most affected by the proposed development. According to Administrative Code AC-13-17 Traffic Study Guidelines for Planned Development Rezoning, a "significant impact" signifies a 10% or more reduction in LOS "C" service volumes at build-out.

The proposed development was assumed to be completed by 2028 (build-out year). Therefore, the roadway links impacted by the proposed development were analyzed for the 2028 projected traffic conditions without the proposed development and with the proposed development (Table 2).

Table 2: Arterial/Collector roadway section adjacent to site expected to be impacted by the proposed development

Roadway	Location	Level of Service (LOS)		
		Future (2028)	Future (2028) + Project	
			AM Peak Hour	PM Peak Hour
Captiva Dr	S of South Seas Plantation Rd	C	D	D

Conclusion

The project will generate 220 weekday AM peak hour trips and 275 weekday PM peak hour trips. The proposed project will not have a detrimental impact on the surrounding roadway system.

ATTACHMENT N

RESOLUTION Z-73-202

The following resolution was offered by Commissioner Shirey and seconded by Commissioner Sayers, and upon poll of the members present the vote was as follows:

George Goldtrap	Aye
James Sweeney	Aye
Richard Sayers	Aye
Walter Shirey	Aye
Kenneth Daniels	Aye

WHEREAS, South Seas Plantation Company has requested a zoning change from RU-3 and RU-2 to RU-3 using a PUD Concept plan as a quid with special limitation of 3 units per acre and special permit for up to 5 acres of commercial property.

SUBJECT PROPERTY: See Attached Sheets.

WHEREAS, a public hearing of the Lee County Zoning Board was advertised and held, as required by law, and after hearing all interested parties and considering adjacent areas, the Zoning Board recommended that the petition be approved for said zoning change request.

WHEREAS, this Board after reviewing the records and recommendations of the Zoning Board and having given an opportunity for all interested persons to be heard after being duly sworn according to law, and upon due and proper consideration having been given to this matter, this Board took action as hereinafter described.

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners, Lee County, Florida, that the decision of the Zoning Board to approve said zoning request be upheld and have said locations zoned accordingly for site location only.

PASSED AND ADOPTED THIS 20th DAY OF NOVEMBER, 1973.

HEARD OCTOBER 23, 1973

73-10-29

LEGAL DESCRIPTION

SOUTH SEAS PLANTATION - CAPTIVA ISLAND

SCHEDULE "A"

PARCEL 1: Hunt

A lot or parcel of land lying in Government Lot 1, Section 22, Township 45 South, Range 21 East, which lot or parcel is described as follows:

From a concrete post on the South line of said Lot 1 near the West shore of Bryant Bayou run North 81° 30' 10" West along said lot line for 220.4 feet to a concrete post; thence continue on the same course for 57.4 feet; thence run along a road North 23° 54' 30" West for 39.1 feet and North 8° 50' 00" West for 673.6 feet to a point from which an artesian well bears South 43° 42' East distant 49.8 feet; thence run North 7° 40' 00" West for 886.2 feet passing over an iron pipe at 799.2 feet; thence run North 77° 03' 30" East for 395.5 feet to an iron pin set in concrete; thence run North 89° 52' East for 96.4 feet; South 38° 52' West for 33.6 feet; South 0° 08' East for 62.92 feet; South 51° 08' East for 109.4 feet; thence North 38° 52' East for 175 feet to the point of beginning of the lands hereby conveyed.

From said point of beginning run South 38° 52' West for 175 feet; South 51° 08' East for 91 feet North 38° 52' East for 122.2 feet; and North 54° 42' East for 84 feet more or less to the waters of Pine Island Sound; thence run Northwesterly along said waters to an intersection with a line through the point of beginning bearing North 80° 52' East; thence run South 80° 52' West for 51 feet more or less to the point of beginning; together with all riparian rights appurtenant thereto; being Parcel No. 4 shown on the plat attached to instrument recorded in the Public Records of Lee County, Florida, in Miscellaneous Book 31 at page 225. All bearings hereinabove mentioned are plane coordinate for the Florida West Zone.

PARCEL 2: Kincaid

A lot or parcel of land lying in Government Lot 1, Section 22, Township 45 South, Range 21 East, which lot or parcel is described as follows:

From a concrete post on the South line of said Lot 1 near the West shore of Bryant Bayou run North 81° 30' 10" West along said lot line for 220.4 feet to a concrete post; thence continue on the same course for 57.4 feet; thence run along a road North 23° 54' 30" West for 39.1 feet and North 8° 50' 00" West 673.6 feet to a point from which an artesian well bears South 43° 42' East distant 49.8 feet; thence run North 7° 40' 00" West for 886.2 feet, passing over an iron pipe at 799.2 feet; thence run North 77° 03' 30" East for 395.5 feet to an iron pin set in concrete; thence run North 89° 52' East for 96.4 feet; South 38° 52' West for 33.6 feet, South 0° 08' East for 62.92 feet, South 51° 08' East for 34.4 feet and North 38° 52' East for 175 feet to the point of beginning of the lands hereby conveyed.

From said point of beginning run South 38° 52' West for 175 feet, South 51° 08' East for 75 feet, North 38° 52' East for 175 feet and

North 30° 52' East for 51 feet more or less to the waters of Pine Island Sound; thence run Northwesterly along said waters to an intersection with a line through the point of beginning bearing North 80° 52' East; thence run South 30° 52' West along said line for 65 feet more or less to the point of beginning; together with all riparian rights appurtenant thereto; being Parcel No. 3 shown on the plat attached to instrument recorded in the Public Records of Lee County, Florida, in Miscellaneous Book 31, at page 215. All bearings hereinabove mentioned are plane coordinate for the Florida West Zone.

PARCEL 3: Captiva Island Company

Government Lot 1, Section 22, Township 45 South, Range 21 East, Captiva Island, Lee County, Florida, excepting therefrom the following described parcels:

From a concrete post on the South line of Government Lot 1 near the West shore of Bryant Bayou, run North 81° 30' 10" West along said lot line for 220.4 feet to a concrete post; thence continue on the same course for 57.4 feet; thence run North 23° 54' 30" West along the West side of a public road for 39.1 feet; thence run North 08° 50' 00" West for 673.6 feet to a point from which an artesian well bears South 43° 42' 00" East a distance of 49.3 feet; thence run North 07° 40' 00" West for 886.2 feet passing through an iron pipe at 799.2 feet; thence run North 77° 03' 30" East for 395.5 feet to an iron pin set in concrete; thence run South 00° 08' 00" East for 63.1 feet; thence run North 89° 52' 00" East for 75.25 feet; thence run South 00° 08' 00" East for 25.92 feet; thence run South 51° 08' 00" East for 34.4 feet; thence run North 38° 52' 00" East for 175.00 feet to the point of beginning of the herein described exception. From said point of beginning run South 38° 52' 00" West for 175.00 feet; thence run South 51° 08' 00" East for 166 feet; thence run North 38° 52' 00" East for 122.2 feet; thence run North 54° 42' 00" East for 84 feet, more or less, to the waters of Pine Island Sound, passing through an iron pin at 76.3 feet; thence run Northwesterly along said waters to an intersection with a line bearing North 80° 52' 00" East passing through the point of beginning; thence run South 80° 52' 00" West for 65 feet more or less, to the point of beginning passing through an iron pin at 55 feet from said point of beginning.

ALSO excepting therefrom the following described parcel:

From said concrete post on the South line of said Lot 1 near the West shore of Bryant Bayou, run North 81° 30' 10" West along said lot line for 220.4 feet to a concrete post; thence continue on the same course for 32.57 feet to the Easterly side of a public road by user 30 feet wide; thence run North 22° 04' 40" West along said public road for 6.38 feet; thence run North 12° 19' West along said Easterly side for 385.16 feet to the point of beginning of the herein described exception. From said point of beginning run North 8° 50' West along said Easterly line for 135.24 feet; thence run North 89° 27' East for 227 feet, more or less, to the waters of a bayou; thence run Southeasterly along said waters to an intersection with a line bearing North 39° 27' East passing through the point of beginning; thence run South 89° 27' West for 243 feet,

more or less to the point of beginning.

ALSO excepting therefrom the following described parcel:

Beginning at a concrete post on the South line of Government Lot 1, near the West shore of Bryant Bayou run North $81^{\circ} 30' 10''$ West along said South line for 220.4 feet to a concrete post; thence continue on the same course for 32.57 feet to said Easterly side of said public road 30 feet wide; thence run North $22^{\circ} 04' 40''$ West along said Easterly side for 6.38 feet; thence run North $12^{\circ} 19'$ West along said Easterly side for 284.01 feet; thence run North $89^{\circ} 27'$ East for 288 feet, more or less, to the waters of Bryant Bayou; thence run Southerly along said waters to an intersection with the said South line of Government Lot 1; thence run North $81^{\circ} 30' 10''$ West for 20 feet, more or less, to the point of beginning.

ALSO excepting therefrom the following described parcel:

From said concrete post on the South line of said Lot 1 near the West shore of Bryant Bayou, run North $81^{\circ} 30' 10''$ West along said lot line for 220.40 feet to a concrete post; thence continue on the same course for 57.4 feet; thence run North $23^{\circ} 54' 30''$ West for 39.1 feet to a point on the Westerly side of said road and the point of beginning of the herein described exception. From said point of beginning run North $12^{\circ} 19'$ West for 346.27 feet; thence run North $08^{\circ} 50'$ West along said West line for 251.50 feet to the Southeast corner of a pedestrian easement 30 feet wide as described in Official Record Book 22 at page 486 of said Public Records; thence run South $89^{\circ} 27'$ West along said South line of said easement for 390 feet more or less to the waters of the Gulf of Mexico; thence run Southerly along said waters to an intersection with the South line of Government Lot 1; thence run Easterly along said South line of Government Lot 1 to the Westerly line of said public road; thence run Northerly along said Westerly line to the point of beginning.

ALSO:

A parcel of land lying in Government Lot 3, Section 22, Township 45 South, Range 21 East which lot or parcel is described as follows:

From a concrete post on the North line of said Government Lot 3 near the West shore of Bryant Bayou, run North $81^{\circ} 30' 10''$ West along said lot line for 220.4 feet to a concrete post; thence continue on the same course for 57.4 feet; thence run North $23^{\circ} 54' 30''$ West for 39.1 feet to an iron pin on the West side of a public road; thence run South $12^{\circ} 19' 00''$ East along said West line of said public road for 43.40 feet; thence run South $22^{\circ} 04' 40''$ East along said West line for 444.34 feet to the point of beginning of the lands herein described. From said point of beginning continue South $22^{\circ} 04' 40''$ East along said West line for 146.79 feet; thence run South $00^{\circ} 27' 00''$ East along said West line for 155.64 feet; thence run South $89^{\circ} 27' 00''$ West along the North line of the lands conveyed by deed recorded in Official Record Book 49 at page 422, of said Public Records, parallel with and 300.00 feet North of the South boundary of the lands conveyed by Deed recorded in Deed Book 299 at pages 71 and 72 of said Public Records for 290 feet, more or less, to the waters of the Gulf of Mexico, passing through an iron pin at 200.17 feet; thence run Northwesterly along said waters to an intersection with a line

bearing South 89° 27' 00" West passing through the point of beginning; thence run North 89° 27' 00" East along said line along the South line of the lands conveyed by deed recorded in Deed Book 250 at page 76 of said Public Records for 402 feet, more or less, to the point of beginning passing through an iron pin at 365.25 feet from the point of beginning.

ALSO:

A parcel of land lying in Government Lot³, Section 22, Township 45 South, Range 21 East, which lot or parcel is described as follows:

From a concrete post on the North line of said Government Lot 3 near the West shore of Bryant Bayou, run North 81° 30' 10" West along said lot line for 220.4 feet to a concrete post; thence continue on the same course for 57.4 feet; thence run North 23° 54' 30" West for 39.1 feet to an iron pin on the West side of a public road; thence run South 12° 19' 00" East along said West line of said public road for 43.40 feet; thence run South 22° 04' 40" East along said West line for 591.13 feet; thence run South 0° 27' 00" East along said West line for 265.64 feet to the point of beginning of the lands herein described. From said point of beginning continue South 0° 27' 00" East along said West line for 100 feet; thence run South 89° 27' West for 223 feet, more or less, to the waters of the Gulf of Mexico; thence run Northwesteily along said waters to an intersection with a line bearing South 89° 27' West along said line along the South line of the lands conveyed by deed recorded in Official Record Book 49 at page 422 of said Public Records for 260 feet, more or less, to the point of beginning.

ALSO:

A parcel of land lying in Governments Lots 3 and 4, Section 22, Township 45 South, Range 21 East, which lot or parcel is described as follows:

From a concrete post on the North line of said Lot 1 near the West shore of Bryant Bayou, run North 81° 30' 10" West along said lot line for 220.4 feet to a concrete post; thence continue on the same course for 32.57 feet to the Easterly side of a public road; thence run South 22° 04' 40" East along said Easterly line for 447.23 feet to the point of beginning of the lands herein described. From said point of beginning continue Southeasterly and Southerly along said Easterly line of said public road to an intersection with the South line of the lands conveyed by deed recorded in Deed Book 209 at pages 71 and 72 of said Public Records; thence run North 89° 27' East along said South line and an Easterly prolongation to the East line of said Section 22; thence run North along said East line to the Northeast corner of Government Lot 4; thence run North 81° 30' 10" West to the Westerly shore of Bryant Bayou; thence run Southerly along said West shore to an intersection with a line bearing North 89° 27' East passing through the point of beginning; thence run South 89° 27' West along said line for 182 feet, more or less, to the point of beginning.

ALSO:

All that part of said Government Lot 4 and Government Lot 5 of said Section 22 lying Southerly of said South line of the lands

described in Deed Book 209 at pages 71 and 72 of said Public Records and lying Easterly of a Northerly arm of Chadwick Bayou.

ALSO:

All of Government Lot 1, Section 23, Township 45 South, Range 21 East.

ALSO:

All of the submerged lands of Pine Island Sound and Chadwick Bayou lying between the Mean High Water Line and the bulkhead line approved by the Board of Lee County Commissioners of Lee County, Florida, on May 22, 1968, which bulkhead line is more particularly described as follows:

From the unsurveyed corner common to Sections 22, 23, 26 and 27, Township 45 South, Range 21 East, run North $8^{\circ} 29' 50''$ East along the line common to Sections 22 and 23 for 1435.7 feet to an intersection with an Easterly prolongation of the lands conveyed by deed recorded in Deed Book 209 at pages 71 and 72 of the Public Records of Lee County; thence run South $89^{\circ} 27'$ West along said prolongation for 710.82 feet to an intersection with the bulkhead line as recorded in County Commission Minute Book 23 at pages 54 A-D of said Public Records and the point of beginning of the herein described bulkhead line. From said point of beginning run Northerly and Northwesterly along the arc of a curve to the left of radius 100.94 feet (chord bearing North $45^{\circ} 34' 40''$ West) for 179.11 feet to a point of reverse curvature; thence run Northwesterly along the arc of a curve to the right of radius 73 feet (chord bearing North $53^{\circ} 28' 50''$ West) for 109.39 feet to a point of tangency; thence run North $10^{\circ} 33'$ West for 126.80 feet to a point of curvature; thence run Northwesterly, Northerly, Northeasterly, Easterly and Southeasterly along the arc of a curve to the right of radius 35 feet (chord bearing North $66^{\circ} 57' 00''$ East) for 94.68 feet to a point of reverse curvature; thence run Southeasterly along the arc of a curve to the left of radius 191.45 feet (chord bearing South $54^{\circ} 18'$ East) for 125.30 feet to a point of tangency; thence run South $73^{\circ} 03' 00''$ East for 163.07 feet to a point of curvature; thence run Southeasterly along the arc of a curve to the right of radius 150 feet (chord bearing South $45^{\circ} 25' 30''$ East) for 144.64 feet to a point of tangency; thence run South $17^{\circ} 48'$ East for 130 feet; thence run Southeasterly, Southerly and Southwesterly along the arc of a curve to the right of radius 150 feet (chord bearing South $9^{\circ} 57'$ West) for 145.30 feet to a point of reverse curvature; thence run Southwesterly, Southerly and Southeasterly along the arc of a curve to the left of radius 150 feet (chord bearing South $0^{\circ} 31' 20''$ East) for 200.13 feet to a point of tangency; thence run South $38^{\circ} 44' 40''$ East for 145.60 feet to a point of curvature; thence run Southeasterly along the arc of a curve to the right of radius 680 feet (chord bearing South $20^{\circ} 09' 40''$ East) for 441.10 feet to a point of reverse curvature; thence run Southeasterly and Easterly along the arc of a curve to the left of radius 241.48 feet (chord bearing South $39^{\circ} 41' 20''$ East) for 321.25 feet to a point of tangency; thence run South $77^{\circ} 48' 00''$ East for 425.21 feet to a point of curvature; thence run Southeasterly, Easterly and Northwesterly along the arc of a curve to the left of radius 250 feet (chord bearing North $53^{\circ} 27'$ East) for 331.79 feet to a point of tangency; thence run North $14^{\circ} 42' 00''$ East for 244 feet to a point of curvature; thence run

Northeasterly along the arc of a curve to the left of radius 200 feet (chord bearing North 5° 12' East) for 66.32 feet to a point of tangency; thence run North 4° 18' West for 286 feet to a point of curvature; thence run Northwesterly along the arc of a curve to the left of radius 200 feet (chord bearing North 13° 53' 30" West) for 66.96 feet to a point of reverse curvature; thence run Northwesterly along the arc of a curve to the right of radius 397.23 feet (chord bearing North 4° 04' 00" West) for 269.26 feet to a point of reverse curvature; thence run Northwesterly along the arc of a curve to the left of radius 175.97 feet (chord bearing North 10° 34' 30" West) for 159.24 feet to a point of reverse curvature; thence run Northwesterly along the arc of a curve to the right of radius 540 feet (chord bearing North 16° 37' 30" West) for 374.63 feet to a point of reverse curvature; thence run Northwesterly along the arc of a curve to the left of radius 220 feet (chord bearing North 4° 22' 30" West) for 58.56 feet to a point of tangency; thence run North 12° West for 638 feet to a point of curvature; thence run Northwesterly along the arc of a curve to the left of radius 150 feet (chord bearing North 23° West) for 57.60 feet to a point of tangency; thence run North 34° West for 290.84 feet to an intersection with said line common to Sections 22 and 23 at a point 122.0 feet North of the Southeast corner of Government Lot 1 of said Section 22; thence continue North 34° West for 690.39 feet to a point of curvature; thence run Northwesterly along the arc of a curve to the right of radius 500 feet (chord bearing North 32° 53' 55" West) for 19.22 feet to a point of tangency; thence run North 31° 47' 50" West for 591.34 feet to a point of curvature; thence run Northwesterly along the arc of a curve to the left of radius 1400 feet (chord bearing North 35° 16' West) for 169.55 feet to a point of tangency; thence run North 38° 44' 10" West for 497.24 feet to a point of curvature; thence run Northwesterly, Westerly and Southwesterly along the arc of a curve to the left of radius 25 feet (chord bearing North 89° 56' 05" West) for 44.68 feet more or less to an intersection with the Mean High Tide Line on the Easterly shore of Captiva Island and the end of the herein described bulkhead line.

ALSO:

The following described real estate, situate, lying and being in Lee County, Florida, to-wit:

All of Government Lot 3, Section 15, Township 45 South, Range 21 East.

ALSO:

A tract or parcel of land lying in Sections 22, 25 and 27, Township 45 South, Range 21 East, Lee County, Florida, more particularly described as follows:

From the corner common to Sections 22, 23, 25 and 27, of said township and range, run North 81° 30' 10" West along the North line of said Section 27 for 230.95 feet to the point of beginning of the lands herein described. From said point of beginning run South 13° 15' 20" West along the bulkhead line as approved by the Lee County Board of County Commissioners on May 8, 1963 and approved

by the Trustees of the Internal Improvement Fund on June 18, 1953, for 466.75 feet; thence run South $10^{\circ} 42' 40''$ East along said bulkhead line for 942.39 feet to a point on the East line of said Section 27, which point bears South $08^{\circ} 29' 50''$ West and is 1349.83 feet South of the Northeast corner of said Section 27; thence continue South $10^{\circ} 42' 40''$ East along said bulkhead line in said Section 26 for 938.72 feet to a point of curvature; thence run Southeasterly, Easterly, and Northeasterly along said bulkhead line along the arc of a curve to the left of radius 430 feet (chord bearing South $66^{\circ} 09' 00''$ East) for 832.11 feet to a point of tangency; thence run North $58^{\circ} 24' 50''$ East along said bulkhead line for 205.81 feet to a point of curvature; thence run Northeasterly, Northerly and Northwesterly along said bulkhead line along the arc of a curve to the left of radius 185 feet (chord bearing North $13^{\circ} 24' 50''$ East) for 290.60 feet to a point of compound curvature; thence run Northwesterly along said bulkhead line, along the arc of a curve to the left of radius 325 feet (chord bearing North $51^{\circ} 29' 50''$ West) for 225.88 feet to a point of reverse curvature; thence run Northwesterly, Northerly and Northeasterly along said bulkhead line along the arc of a curve to the right of radius 185 feet (chord bearing North $28^{\circ} 07' 10''$ West) for 279.54 feet to a point of reverse curvature; thence run Northeasterly, Northerly and Northwesterly along said bulkhead line along the arc of a curve to the left of radius 225 feet (chord bearing North $01^{\circ} 56' 10''$ West) for 134.34 feet to a point of reverse curvature; thence run Northwesterly, Northerly, Northeasterly, Easterly and Southeasterly along said bulkhead line along the arc of a curve to the right of radius 227.37 feet (chord bearing North $57^{\circ} 27' 20''$ East) for 607.13 feet to a point of compound curvature; thence run Southeasterly, Southerly and Southwesterly along said bulkhead line along the arc of a curve to the right of radius 1485 feet (chord bearing South $21^{\circ} 34' 00''$ East) for 1269.01 feet; thence run South $02^{\circ} 54' 50''$ West along said bulkhead line for 695 feet to a point of curvature; thence run Southwesterly, Southerly and Southeasterly along said bulkhead line along the arc of a curve to the left of radius 135 feet (chord bearing South $22^{\circ} 05' 10''$ East) for 117.81 feet to a point of reverse curvature; thence run Southeasterly, Southerly and Southwesterly along said bulkhead line along the arc of a curve to the right of radius 80 feet (chord bearing South $00^{\circ} 24' 50''$ West) for 132.65 feet to a point of reverse curvature; thence run Southwesterly and Southerly along said bulkhead line along the arc of a curve to the left of radius 180 feet (chord bearing South $30^{\circ} 58' 30''$ West - chord distance 104.85 feet) for 106.39 feet to an intersection with an Easterly prolongation of the Northerly boundary of the lands conveyed by deed recorded in Deed Book 130 at page 21 of the Public Records of Lee County; thence run North $88^{\circ} 35' 50''$ West along said Northerly boundary for 500 feet; thence run South $2^{\circ} 37' 50''$ West along the Westerly boundary of the lands conveyed by said Deed Book 130 at page 21 for 250 feet; thence run South $83^{\circ} 13' 30''$ East along the Southerly boundary of the lands conveyed by said Deed Book 130 at page 21 for 41.54 feet to an intersection with the West right of way of a 30 foot public road dedicated by deed recorded in Deed Book 5 at page 49 of the Public Records of Lee County; thence run South $2^{\circ} 51' 50''$ West along said West right of way for 226.03 feet to an intersection with the Northerly right of way of a 30 foot public road dedicated by deed recorded in Deed Book 54 at page 540, Public Records of Lee County; thence run along said Northerly right of way for 30

feet to an intersection with the East boundary of G. W. Bryant's Addition to Gulf View Captiva Island as recorded in Plat Book 3 at page 21, Public Records of Lee County; thence run North $12^{\circ} 43' 10''$ East along said East boundary for 8.41 feet to the Northerly right of way of Binder Avenue as recorded in said G. W. Bryant's Addition to Gulf View Captiva Island; thence run North $77^{\circ} 11' 50''$ West along said Northerly right of way of Binder Avenue for 358.28 feet to an intersection with the Easterly right of way of a 30 foot public road, also being the East boundary of Gulf View Subdivision as recorded in Plat Book 3 at page 8, Public Records of Lee County; thence run North $16^{\circ} 51' 30''$ West along said Easterly right of way of a 30 foot public road for 650 feet, more or less, to the waters of the Gulf of Mexico; thence run Northwesterly along said waters of the Gulf of Mexico for 4550 feet, more or less, to an intersection with the South line of the lands described in Deed Book 209 at pages 71 and 72; thence run North $89^{\circ} 27' 00''$ East along said South line for 680 feet, more or less, to an intersection with the aforementioned approved bulkhead line; thence run Southwesterly along said bulkhead line along the arc of a curve the right of radius 100.94 feet (chord bearing South $0^{\circ} 24' 50''$ West - chord distance 17.04 feet) for 17.06 feet to a point of tangency; thence run South $5^{\circ} 15' 20''$ West along said bulkhead line for 94.28 feet to a point of curvature; thence run Southeasterly along said bulkhead line along the arc of a curve to the left of radius 135.00 feet (chord bearing South $46^{\circ} 44' 40''$ East - chord distance 101.14 feet) for 103.67 feet to a point of tangency; thence run South $38^{\circ} 44' 40''$ East along said bulkhead line for 390.00 feet to a point of curvature; thence run Southeasterly along said bulkhead line along the arc of a curve to the right of radius 620.00 feet (chord bearing South $10^{\circ} 14' 40''$ East - chord distance 591.68 feet) for 638.44 feet to a point of tangency; thence run South $18^{\circ} 15' 20''$ West along said bulkhead line for 317.84 feet to the point of beginning.

ALSO:

A tract of submerged land lying offshore in Sections 22, 26 and 27, Township 45 South, Range 21 East, Lee County, Florida, more particularly described as follows:

From the corner common to Sections 22, 23, 26 and 27, said Township and Range, run North $81^{\circ} 30' 10''$ West along the North line of said Section 27 for 230.95 feet to the point of beginning of the lands herein described. From said point of beginning run South $18^{\circ} 15' 20''$ West along the bulkhead line as approved by the Lee County Board of County Commissioners on May 8, 1963 and approved by the Trustees of the Internal Improvement Fund on June 18, 1963 for 466.75 feet; thence run South $10^{\circ} 42' 40''$ East along said bulkhead line for 942.39 feet to a point on the East line of said Section 27, which point bears South $08^{\circ} 29' 50''$ West and is 1,349.83 feet South of the Northeast corner of said Section 27; thence continue South $10^{\circ} 42' 40''$ East along said bulkhead line in said Section 26 for 933.72 feet to a point of curvature; thence run Southeasterly, Easterly and Northeasterly along said bulkhead line along the arc of a curve to the left of radius 430 feet (chord bearing South $55^{\circ} 09' 00''$ East) for 832.11 feet to a point of tangency; thence run North $58^{\circ} 24' 50''$ East along said bulkhead line for 205.81 feet to a point of curvature; thence run Northeasterly, Northerly

and Northwesterly along said bulkhead line along the arc of a curve to the left of radius 185 feet (chord bearing North 13° 24' 50" East) for 290.60 feet to a point of compound curvature; thence run Northwesterly along said bulkhead line, along the arc of a curve to the left of radius 325 feet (chord bearing North 51° 29' 50" West) for 225.88 feet to a point of reverse curvature; thence run Northwesterly, Northerly and Northeasterly along said bulkhead line along the arc of a curve to the right of radius 185 feet (chord bearing North 28° 07' 10" West) for 279.54 feet to a point of reverse curvature; thence run Northeasterly, Northerly and Northwesterly along said bulkhead line along the arc of a curve to the left of radius 225 feet (chord bearing North 01° 56' 10" West) for 134.34 feet to a point of reverse curvature; thence run Northwesterly, Northerly, Northeasterly, Easterly and Southeasterly along said bulkhead line along the arc of a curve to the right of radius 227.37 feet (chord bearing North 57° 27' 20" East) for 607.13 feet to a point of compound curvature; thence run Southeasterly, Southerly and Southwesterly along said bulkhead line along the arc of a curve to the right of radius 1,485 feet (chord bearing South 21° 34' 00" East) for 1,269.01 feet; thence run South 02° 54' 50" West along said bulkhead line for 695 feet to a point of curvature; thence run Southwesterly, Southerly and Southeasterly along said bulkhead line along the arc of a curve to the left of radius 135 feet (chord bearing South 22° 05' 10" East) for 117.81 feet to a point of reverse curvature; thence run Southeasterly, Southerly and Southwesterly along said bulkhead line along the arc of a curve to the right of radius 80 feet (chord bearing South 00° 24' 50" West) for 132.65 feet to a point of reverse curvature; thence run Southwesterly and Southerly along said bulkhead line along the arc of a curve to the left of radius 180 feet to the intersection with an Easterly prolongation of the Northerly boundary of the lands conveyed by deed recorded in Deed Book 130 at page 21, of the Public Records of Lee County; thence run Westerly along said Easterly prolongation to the point of mean high tide on the West shore of Pine Island Sound; thence run Northwesterly, Westerly, Southwesterly, Southerly, Southeasterly, Southerly, Southwesterly, Westerly, Northwesterly, Northeasterly and Northerly along said mean high tide line to an intersection with the North line of said Section 27; thence run South 81° 30' 10" East along said North line of Section 27 to the point of beginning.

ALSO:

From said corner common to said Sections 22, 23, 26 and 27, run North 81° 30' 10" West along the South line of said Section 22 for 230.95 feet to the point of beginning of the herein described lands. From said point of beginning run North 18° 15' 20" East along said bulkhead line for 317.84 feet to a point of curvature; thence run Northeasterly, Northerly and Northwesterly along said bulkhead line along the arc of a curve to the left of radius 620 feet (chord bearing North 10° 14' 40" West) for 638.44 feet to a point of tangency; thence run North 38° 44' 40" West along said bulkhead line for 390 feet to a point of curvature; thence run Northwesterly and Northerly along said bulkhead line along the arc of a curve to the right of radius 135 feet (chord bearing North 16° 44' 40" West) for 103.67 feet to a point of tangency; thence run North 05° 15' 20" East along said bulkhead line to an intersection with an Easterly prolongation of a Southerly boundary of the lands described in deed recorded in Deed Book 209 at pages

71 and 72 of said Public Records; thence run Westerly along said Westerly prolongation to the point of mean high tide line on the westerly shore of an arm of Chadwick Bayou; thence run South-easterly, Southerly and Southwesterly along said high tide line to an intersection with the South line of said Section 22; thence run South $81^{\circ} 39' 10''$ East along said South line of Section 22 to the point of beginning.

PARCEL 4: Watts

A lot or parcel of land lying in Government Lot 3, Section 22, Township 45 South, Range 21 East, which lot or parcel is described as follows: From a concrete post on the South line of the lands conveyed by deed recorded in Deed Book 209 at pages 71 and 72 of the Public Records of Lee County, which concrete post is 24 feet, more or less, Westerly from the westerly shore of the waterway connecting Bryant Bayou with Pine Island Sound, run South $89^{\circ} 27'$ West, along said South line and the line of the centerline of a ditch between rows of coconut palms, for 390.0 feet to a concrete post on the West side of a public road; thence continue South $89^{\circ} 27'$ West along said South line for 2.4 feet; thence run North $4^{\circ} 57'$ West along the westerly side of said public road for 377.0 feet; thence run North $0^{\circ} 27'$ West for 124.14 feet to a concrete monument and the point of beginning of the lands hereby conveyed. From said point of beginning run North $0^{\circ} 27'$ West along the westerly side of said public road (15 feet from the center line) for 100.00 feet to a concrete monument; thence run South $89^{\circ} 27'$ West 600 feet North of and parallel to said South line of the lands conveyed by said deed recorded in Deed Book 209 at pages 71 and 72 for 355 feet, more or less, to the waters of the Gulf of Mexico, passing through a steel pin at 240 feet; thence run Southeasterly along said waters to an intersection with a line bearing South $89^{\circ} 27'$ West through the point of beginning; thence run North $89^{\circ} 27'$ East along said line for 325 feet, more or less, to the point of beginning; together with all riparian rights appurtenant thereto; being Parcel No. 6 as shown on unrecorded plat.

PARCEL 5: Holtz

A lot or parcel of land lying in Government Lot 3, Section 22, Township 45 South, Range 21 East, which lot or parcel of land is described as follows: From a concrete post on the south line of the lands conveyed by deed recorded in Deed Book 209 at pages 71 and 72 of the public records of Lee County, which concrete post is 24 feet more or less westerly from the westerly shore of the waterway connecting Bryant Bayou with Pine Island Sound, run South $89^{\circ} 27'$ West along said south line and the line of the center line of a ditch between rows of coconut palms for 390.0 feet to a concrete post on the west side of a public road; thence continue south $89^{\circ} 27'$ west along said south line for 2.4 feet thence run north $4^{\circ} 57'$ west along the westerly side of said public road for 377.0 feet; thence north $0^{\circ} 27'$ west for 24.14 feet to a concrete monument and the p.o.b. of the land herein described. From said p.o.b. run north $0^{\circ} 27'$ west along the westerly side of said public road (15 feet from the center line) 100.00 feet to a concrete monument; thence run south $89^{\circ} 27'$ west 500 feet north of and parallel to said south line of the lands conveyed by said deed recorded in Deed Book 209, at pages 71 and 72, for 325 feet, more or less, to the waters of the Gulf of Mexico, passing through a steel pin at 230 feet; thence run southeasterly along said waters to an intersection with the line through the p.o.b. bearing south $89^{\circ} 27'$ west; thence run north $89^{\circ} 27'$ east along said line for 310 feet more or less, to the p.o.b.;

PARCEL 6: Jay

A lot or parcel of land lying in Government Lot 3, Section 22, Township 45 South, Range 21 East, which lot or parcel is described as follows:

From a concrete post on the South line of the lands conveyed by deed recorded in Deed Book 209 at pages 71 and 72 of the public records of Lee County, which concrete post is 24 feet, more or less, Westerly from Westerly shore of the waterway connecting Bryant Bayou with Pine Island Sound, run South $89^{\circ}27'$ West along said South line and the line of the center line of a ditch between rows of coconut palm for 390 feet to a concrete post on the West side of a public road; thence continue South $89^{\circ}27'$ West along said South line for 2.4 feet; thence run North $4^{\circ}57'$ West along the Westerly side of said public road for 300.9 feet to a concrete monument and the point of beginning of the lands herein described.

From said point of beginning run North $4^{\circ}57'$ West for 76.1 feet and North $0^{\circ}27'$ West for 24.14 feet along the Westerly side of said public road (15 feet from the center line) to a concrete monument; thence run South $89^{\circ}27'$ West, 400 feet North of and parallel to said South line of the lands conveyed by said deed recorded in Deed Book 209 at pages 71 and 72, for 310 feet, more or less, to the waters of the Gulf of Mexico, passing through a palm tree at 40 feet and a steel pin at 229.8 feet; thence run Southeasterly along said waters to an intersection with a line through the point of beginning bearing South $89^{\circ}27'$ West; thence run North $89^{\circ}27'$ East along said line for 305 feet, more or less, to the point of beginning.

ALSO:

A lot or parcel of land lying in Government Lot 3, Section 22, Township 45 South, Range 21 East, which lot or parcel is described as follows:

From a concrete post on the South line of the lands conveyed by deed recorded in Deed Book 209, at pages 71 and 72 of the public records of Lee County, which concrete post is 24 feet, more or less, Westerly from the Westerly shore of the waterway connecting Bryant Bayou with Pine Island Sound, run South $89^{\circ}27'$ West, along said South line and the line of the center line of a ditch between rows of cocoanut palms, for 390.0 feet to a concrete post on the West side of a public road; thence continue South $89^{\circ}27'$ West along said South line for 2.4 feet; thence run North $4^{\circ}57'$ West along the Westerly side of said public road for 200.6 feet to a concrete monument and the point of beginning of the lands hereby described.

From said point of beginning run North $4^{\circ}57'$ West along the Westerly side of said public road (15 feet from the center line) for 100.2 feet to a concrete monument; thence run South $89^{\circ}27'$ West 300 feet North of and parallel to said South line of the lands conveyed by said deed recorded in Deed Book 209 pages 71 and 72 for 305 feet, more or less, to the waters of the Gulf of Mexico, passing through a steel pin at 200 feet; thence run Southeasterly along said waters to an intersection with a line bearing South $89^{\circ}27'$ West through the point of beginning; thence run North $89^{\circ}27'$ East along said line for 297 feet to the point of beginning.

ATTACHMENT O

RESOLUTION NUMBER Z-90-091

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

WHEREAS, the Board of County Commissioners, represented by the Department of Community Development/Planning Division, in reference to South Seas Resort, has properly filed an application for a rezoning from the RM-1 and RM-2 districts to CM; and

WHEREAS, the subject property is located at 1200 and 13001 South Seas Plantation Road, Captiva, described more particularly as:

LEGAL DESCRIPTION: In Sections 22 & 26, Township 45 South, Range 21 East, Lee County, Florida:

A tract of land lying in Section 22, Township 45 South, Range 21 East, Captiva Island, Lee County, Florida which tract is described as follows:

BEGINNING AT the southwesterlymost corner of the Marina as described in Official Record Book 1106 at Page 1881;
THENCE run N09°15'52"W for 119.38 feet;
THENCE run N06°15'44"W for 145.32 feet;
THENCE run N54°13'14"E for 207.47 feet;
THENCE run N77°48'24"E for 5.49 feet;
THENCE run S77°35'33"E for 56.50 feet to a Point of Curvature;
THENCE run along a curve to the left with a radius of 154.76 feet (chord bearing S84°44'14"E) (chord 38.50 feet) for 38.60 feet to a Point of Tangency;
THENCE run N88°07'04"E for 32.10 feet to a Point of Curvature;
THENCE run along a curve to the left with a radius of 135.00 feet (chord bearing N79°13'07"E) (chord 41.77 feet) for 41.94 feet to a Point of Reverse Curvature;
THENCE run along a curve to the right of radius 30.00 feet (chord bearing S59°25'32"E) (chord 46.13 feet) for 52.63 feet to a Point of Non-Tangency;
THENCE run N32°48'09"E for 277.42 feet;
THENCE run N49°14'36"W for 169.28 feet;
THENCE run S22°25'15"W for 231.04 feet;
THENCE run N56°42'51"W for 325.76 feet;
THENCE run N33°17'09"E for 98.67 feet;
THENCE run N56°42'51"W for 72.50 feet;
THENCE run N81°38'32"W for 116.25 feet;
THENCE run S30°39'13"W for 8.18 feet;
THENCE run S28°07'41"E for 165.27 feet;
THENCE run S28°50'23"W for 346.97 feet;
THENCE run S84°44'03"W for 127.34 feet;
THENCE run S09°15'16"E and along the westerly line of a 20-foot-wide roadway easement for 625.62 feet;
THENCE run N69°14'11"E along a 30-foot-wide roadway easement for 105.94 feet to a Point of Curvature;
THENCE along a curve to the right of radius 110.87 feet (chord bearing N86°27'41"E) (chord 65.66 feet) for 66.66 feet to a Point of Reverse Curvature;

continued...

THENCE run along a curve to the left of radius 123.00 feet (chord bearing N63°41'11"E) (chord 158.13 feet) for 171.74 feet to a Point of Compound Curvature;
THENCE continuing along a curve to the left of radius 349.28 feet (chord bearing N14°33'22"E) (chord 110.85 feet) for 111.32 feet to a Point of Tangency;
THENCE run N05°25'32"E for 88.18 feet;
THENCE run S77°44'35"W for 110.35 feet to the POINT OF BEGINNING.
Containing 7.82 acres more or less.
Bearings shown are Plane Coordinate for the Florida West Zone based on ties to the Lee County Coastal Construction Setback Line for Captiva Island, Lee County, Florida.

A tract of land lying in Section 26, Township 45 South, Range 21 East, Captiva Island, Lee County, Florida which tract is described as follows:

BEGINNING AT the Northwesterly corner of the Bayside Villas Condominium, Phase II, as described in Official Record Book 1382 at Page 1118;
THENCE run N35°54'10"E for 25.21 feet to the POINT OF BEGINNING

From said POINT OF BEGINNING run N46°38'16"W for 60.59 feet to a Point of Curvature;
THENCE run along a curve to the left of radius 451.15 feet (chord bearing N50°02'53"W) (chord 53.67 feet) (delta 06°49'13") for 53.70 feet to a Point of Reverse Curvature;
THENCE run along a curve to the right of radius 367.50 feet (chord bearing N52°34'13"W) (chord 11.39 feet) (delta 01°46'33") for 11.39 feet;
THENCE run N35°54'10"E for 110.00 feet;
THENCE run S78°27'27"E for 102.43 feet;
THENCE run N05°30'41"W for 160.00 feet;
THENCE run West for 75.00 feet;
THENCE run N75°02'43"E for 250.00 feet;
THENCE run S50°17'17"E for 36.46 feet;
THENCE run S07°27'27"E for 197.24 feet;
THENCE run N75°04'00"E for 226.85 feet;
THENCE run S02°54'13"W for 70.59 feet;
THENCE run S75°02'00"W for 306.09 feet;
THENCE run S69°35'26"W for 40.18 feet;
THENCE run S75°06'36"W for 57.43 feet;
THENCE run S84°23'43"W for 53.52 feet;
THENCE run N81°18'46"W for 5.92 feet;
THENCE run N67°01'16"W for 16.02 feet;
THENCE run N54°05'47"W for 121.83 feet;
THENCE run S35°54'10"W for 135.81 feet to the POINT OF BEGINNING.
Containing 2.98 acres more or less.
Bearings shown are Plane Coordinate for the Florida West Zone based on ties to the Lee County Coastal Construction setback line, Captiva Island, Lee County, Florida.

WHEREAS, the applicant has indicated the property's current STRAP numbers are 22-45-21-00-00005.002B and 26-45-21-00-00001.2020; and

WHEREAS, the Board of County Commissioners has the authority under Section 800.A.2 of the Lee County Zoning Ordinance to initiate this application; and

WHEREAS, a public hearing was legally and properly advertised and held before the Lee County Hearing Examiner, with full consideration of all the evidence available; and

WHEREAS, the Lee County Hearing Examiner fully reviewed the matter on March 5, 1991; and

WHEREAS, a public hearing was legally and properly advertised and held before the Lee County Board of County Commissioners; and

WHEREAS, in the legislative process the Lee County Board of County Commissioners gave full and complete consideration to the recommendations of the staff, the Hearing Examiner, the documents on file with the county, and the testimony of all interested persons.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS, that the Board of County Commissioners does hereby APPROVE a rezoning to CM for both parcels.

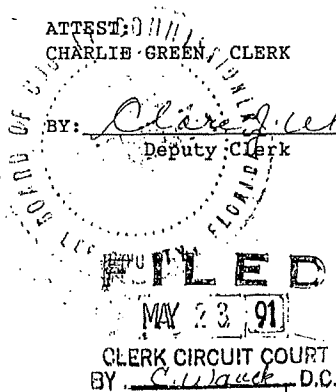
The foregoing Resolution was adopted by the Lee County Board of County Commissioners upon a motion by Commissioner Ray Judah, and seconded by Commissioner Vicki Lopez-Wolfe and, upon being put to a vote, the result was as follows:

John E. Manning	Aye
Douglas R. St. Cerny	Aye
Ray Judah	Aye
Vickie Lopez-Wolfe	Aye
Donald D. Slisher	Aye

DULY PASSED AND ADOPTED this 13th day of May, A.D., 1991.

ATTEST: CHARLIE GREEN, CLERK

BY: Clare J. Whisk
Deputy Clerk



BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: Ray Judah
Chairman

Approved as to form by:

Andrea M. Long
County Attorney's Office

MEMORANDUM
FROM THE
OFFICE OF COUNTY ATTORNEY

RECEIVED

FEB 01 '01

BOC 311

DATE: January 31, 2001

To: Board of County CommissionersFROM: Timothy Jones
Assistant County Attorney

RE: South Seas Plantation

Some time ago, the Commission asked for a determination of the existing density and intensity of development at South Seas Plantation, and the amount of development currently authorized but unbuilt. Our office worked closely with the Department of Community Development to accomplish this task. This project has a long and complicated history and we wanted the review to be comprehensive and definitive as to the project's status.

Attached is a memorandum that summarizes this work. It also makes some recommendations on how to integrate the project's long zoning and development history with our current regulations. I believe that the conclusions reached in the memo (see pages 17 and 18) are accurate and supported by the documentation and other information available to the County. The recommendations on pages 18 and 19 appear to be the most feasible way to treat the project in order to keep it within the intent and purpose of the County's Land Development Code, and we join in recommending that they be implemented by the administration. This would effectively resolve all outstanding development issues.

Finally, I would like to express my personal appreciation for the dedication and perseverance of DCD staff member Gerald Murphy in this task. He worked tirelessly and successfully to reconstruct an understandable and comprehensive picture of the history of this project.

Please do not hesitate to contact me if you have any questions or you need any additional information.

TJ/amp
Attachmentcc: James G. Yaeger, County Attorney w/attachment
Mary Gibbs, Director, Department of Community Development

MEMORANDUM
FROM THE
DEPARTMENT OF
COMMUNITY DEVELOPMENT

09:07:10 AM 3:09

DATE: December 18, 2000

TO: Mary Gibbs, Director

FROM: 

CC: Timothy Jones,
Assistant County Attorney

Gerald Murphy

RE: REVIEW OF THE STATUS OF DEVELOPMENT AT SOUTH SEAS PLANTATION

I have been asked to review documents and personally field verify representations provided by Mariner Properties Development, Inc., its predecessors and successors in interest (*collectively, Mariner*) regarding the status of Development at South Seas Plantation. The core question is this: "How many units remain undeveloped within the Zoning District created by Resolution Z-73-202?"

The answer to this question is a function of the allowable density under the property's zoning classification and the number of units which currently exist. Zoning—a quasi-judicial act within the sole power of the Board of County Commissioners (BOCC)—controls the basis for determining the allowable density. Mariner has provided unit counts, which I have personally verified, both in terms of the zoning history and in the field. Extensive analysis of this evidence, in the light of how South Seas Plantation has developed over the past three decades, points to two possible answers to the question posed above:

1. If Bayside Villas comprises 102 units—as Mariner has consistently represented to the County—then 28 units remain to be developed in the zoning district created by Resolution Z-73-202 (SSPD); however
2. If Bayside Villas comprises more than 102 units, the 28 units remaining must be reduced by the number of units at Bayside more than 102.

The research and analysis which have formed the bases for these conclusions also suggest certain clerical actions which may serve to clarify the current development status of the SSPD and reduce confusion in tracking the resort's future development.

BACKGROUND: ZONING

It is said that hindsight is 20:20, but in the instant case this homily does not apply. On the contrary, in the instant case it appears that foresight was 20:20—the interested parties knew quite well what they were trying to do—and those of us looking back on what was done are left in some confusion. Clearly the BOCC intended to establish South Seas Plantation as a unique zoning district: a 304 acres planned unit development (PUD) to be governed according to zoning regulations applicable to an RU-3 - Multiple Family Hotel and Motel zoning district, with the following exceptions:

1. The district's density was specifically limited to three units per acre
2. The district could include up to 5 acres of commercial development
3. All development was to be guided by a PUD concept to allow greater flexibility in unit type and arrangement than the RU-3 regulation might in order for the developer to achieve the density limitation in an economically viable fashion

Herein lies the rub giving rise to the confusion associated with determining the current development status of the SSPD. By modifying the parameters of a conventional RU-3 zoning district in an attempt to establish something unique in the SSPD, the BOCC and the applicant "contracted" specific terms different from those associated with conventional RU-3 zoning districts under the Land Development Code (LDC). Thus, the legal effect of the Z-73-202 has a major bearing on the precise determination of the SSPD's development status.¹ The subject resolution probably established a conditional conventional zoning district (RU-3). The Lee County Attorney's Office renders opinions on the effect of resolutions establishing conditional zoning classifications on a case by case basis. In making these determinations, that office takes into consideration the unique facts and circumstances appurtenant to each case. A generalized summary of potential determinations is outlined below, followed by an outline of potentially relevant facts, and observations on the potential implications of these facts in determining the number of units which remain to be developed within the SSPD. Any determination of the precise number of undeveloped dwelling units remaining in the subject zoning district should follow from the County Attorney's determination of what the subject Resolution established and the effect of that Resolution on the rights and responsibilities of the owner(s) of the property subject to the zoning action.

¹ See, e.g., *Spyglass at San Carlos Bay, Inc. v. Lee County, Florida*, (20th Cir. Ct. Case No. 81-2918 TSR). Under *Spyglass* and other controlling decisions, an important question is whether the resolution is vague or ambiguous, and whether the PUD plan and memoranda describing that plan are parole or extrinsic evidence. Arguably that is not the case here, as staff and all the decision-making bodies were presented the same information and the full-scale concept plan was acknowledged by the BOCC at the zoning hearing.

Potential Effects of Stipulated Zoning

1. Stipulated zoning reverts to previous zoning. This determination would probably result in the property within the subject zoning district reverting to the (as converted) RM-2 and TFC-2 zoning districts as they existed prior to the adoption of the 1973 resolution. The extent to which the property owners within the subject district have relied upon the 1973 language over the last three decades is problematic to such a determination, particularly if development initiated by Mariner is contrary to the regulations of the underlying conventional district, a circumstance which seems likely.

2. Stipulated zoning converts to subsequent zoning without stipulations. This determination would probably result in the property within the subject zoning district converting to conventional RM-2 zoning. Each parcel of land described in the zoning resolution would be within the RM-2 zoning district, and could be developed accordingly. Lots and parcels subdivided subsequently to the adoption of the 1973 resolution would be accorded density under the provisions of the conventional RM-2 district. The zoning district would be subject to all relevant land development regulations enacted subsequent to the 1973 resolution. This determination is problematic to both the developer and the county for some of the same reasons as the previous possibility, and to the Master Concept Plan by which so much of the resort has developed.

3. Stipulated zoning converts to subsequent zoning; stipulations vest. A most problematic determination with regard to rational allocation of dwelling units, this determination would probably have the effect of sanctioning a planned unit development district for the SSPD. This result would probably entail weighing the equities involved to:

- A. Determine the number of units approved by the subject resolution;
- B. Determine the time frame for development of the district
- C. Determine how these units have been / should have been allocated over the course of the development and the entities responsible for regulating such allocation;
- D. Determine how many of these units have been / should have been allocated over the course of development; and
- E. Determine how many units remain to be developed and the entities responsible for allocating such units as future development and redevelopment proceed within the SSPD.

Since the factors involved in reaching a determination on the third—or vested stipulations—approach involve the most complexity of the three possibilities identified, a review of these factors should suffice to provide an overview of all the issues relevant to a determination.

Resolution Z-73-202

On September 4, 1973, The South Seas Plantation Land Company, through its president, Robert M. Taylor, submitted an application [Attachment 1] requesting a zoning district boundary change for certain properties on Captiva Island.² The subject properties were within the RU-3 and RU-2 zoning districts (RM-2 and TFC-2, as converted) and the requested classification was "RU-3 with a PUD concept as a guide," with "a special limitation of 3 units per acre," "and special permit for up to 5 acres of commercial development." The applicant's justification for this change was the "Overall land use plan, with no more than 3 units per acre overall density, being developed for continued expansion and development of the South Seas Plantation property."

In a memorandum [Attachment 2] submitted to the Lee County Zoning Board dated October 19, 1973, "to provide background information for considering" this requested zoning classification change, Mr. Taylor further discussed the merits of the proposal. On October 23, 1973, the Lee County Zoning Board held an advertised public hearing on the proposed zoning district boundary change at which they recommended approval of the request. Subsequent to this hearing, Mr. Taylor sent a letter to the Board of County Commissioners, practically identical in wording and content to the memorandum submitted to the Zoning Board.³ Attached to each of these memoranda was a schematic drawing—not unlike the contemporary "bubble plan"⁴—depicting the project's proposed land use plan. [Attachment 3]. On November 20, 1973, the BOCC resolved to uphold the decision of the Zoning Board to approve this request and "have said locations zoned accordingly for site location only."⁵ [Attachment 4]. A 24" x 64" drawing [Attachment 5]—a larger version of the schematic included with Mr. Taylor's memoranda—was given final site plan approval at this meeting.

² On February 28, 1973, the Board of County Commissioners (BOCC) adopted Ordinance No. 73-3, suspending for six months all rezonings in Lee County (except rezonings to RU-1), until the BOCC could enact a permanent rezoning for all the property within the County. The September 4th submission by South Seas was, thus, one of the first applications received following expiration of the suspension period.

³ Mr. Taylor's memoranda to the County Zoning Board and the BOCC likely constitute self-imposed conditions enforceable upon the developer and his successors. Certainly they are part of the record before the approving agencies and upon which those bodies likely relied in granting the subject approval.

⁴ The *Option 1* Master Concept Plan as outlined in Section 34-373(a)(6)a.1.

⁵ This language is generally regarded to approve the site plan for zoning purposes, placing the applicant on notice that actual development will need to comply with all other development standards as it proceeds.

The brevity of Resolution Z-73-202 evidences the wisdom of the length and complexity of contemporary zoning resolutions establishing planned development districts, particularly considering that the area immediately effected by Z-73-202 comprised 304 acres or approximately one half of Captiva Island. However, the plain language of the resolution clearly evidences the BOCC's intent for the development of the SSPD to be guided by a planned unit development, or PUD, plan. Tape recordings of the November 20, 1973 meeting clearly indicate that plan to be the 24" x 64" drawing initialed and dated 11-20-73 and initialed by then BOCC Chair, George Goldtrap (hereafter "plan" or MCP). [Attachment 5]. That was the type of conceptual flexibility Mr. Taylor had requested for the long term development of the resort. Given that type of development flexibility, he could voluntarily commit to the then-innovative development approach outlined in his memorandum to substantially reduce the then permissible density⁶ and still feel secure in the project's ability to adjust to a changing market over time. This type of flexibility is, and has always been, one of the major concepts underlying the planned development zoning.⁷

In 1973, however, The LDC did not include a planned unit development district within its zoning classification matrix. Planned development zoning would not formally come to Lee County until approval of the 1978 zoning ordinance. In the instant case, however, the County clearly worked with the developer to establish a unique development plan for a world-class resort destination within the parameters of the conventional RU-3 (RM-2, as converted) zone. Despite the resolution's acknowledged brevity, it is not otherwise vague or ambiguous. It clearly references the PUD concept plan which was to act as the guide for development, and Mr. Taylor's memoranda to the Staff, the Zoning Board, and the BOCC, provide a contemporaneous narrative explanation of the rights and responsibilities evidenced by that drawing.

The 1978 zoning ordinance added Planned Unit Developments to the zoning classification matrix. That ordinance also renamed all the existing zoning classifications and provided new abbreviations to be used on the zoning maps. Here, I believe, the County and Mariner mutually overlooked an opportunity to clarify the important distinctions inherent in the

⁶ As represented in Mr. Taylor's 1973 memorandum, the density then allowable within the now SSPD was 3,855 units. The 912 units figure Mr. Taylor projected appears to have been significantly lower than contemporaneously proposed development density figures suggested for the subject property by County Planning Department (1,320 units), the 1st Sanibel-Captiva Committee (1,139), and the 2d Sanibel-Captiva Committee (972). See Attachment 2.

⁷ The planned unit development concept finds its roots in community planning works of the 1920s. See Basset, *Laws of Planning Unbuilt Areas*, in NEIGHBORHOOD AND COMMUNITY PLANNING, REGIONAL SURVEY VOL. VII, 272-73 (1929). Model legislation for PUDs was proposed in 1965. Babcock, Krasnowiecki and McBride, *The Model State Statute*, 114 U.P.A.L.REV. 140 (1965). By the 1970s, the term, PUD, was in common use in planning circles on the national level. See U.S. Advisory Commission on Intergovernmental Relations, ACIR STATE LEGISLATIVE PROGRAM, 1970 CUMULATIVE SUPP. 31-36-00 at 5 (1969).

language of Resolution Z-73-202—to their mutual disservice. Since the 1978 zoning matrix now included a classification which would accommodate the flexibility envisioned by the developer and the BOCC, South Seas Plantation's "RU-3 with a PUD concept plan" should have converted to PUD and been represented on the zoning maps as such. Instead it was represented on the zoning maps as RM-2, with a margin note referencing the additional language of the 1973 resolution copied verbatim from the previous zoning maps. This oversight is perhaps more easily understood than explained, and is one of a number of "errors" in the history of the zoning maps relevant to the SSPD. The majority of the errors result from poor tracking of the poorly crafted legal descriptions for the subject properties.

Land records and legal descriptions are often obtuse to the average citizen. They are the purview of surveyors, abstractors, and dirt lawyers. Maps, however—two dimensional drawing with spatial reference points, legends, and scale—the average citizen understands fairly well. Zoning, as a governmentally sanctioned overlay of rights and responsibilities attached to real property relies upon those same land records and legal descriptions for its existence, but it is generally and conceptually represented and understood—both within the government and without—through delineated maps. In Lee County, these maps (for reasons which bear further discussion, though not in this context) have not been maintained consistently by persons with sufficient education and experience with the requisite land records and legal descriptions to ensure the accuracy and legitimacy of these maps.⁸ Hopefully, the research effort involved with answering the instant question has uncovered all past mapping errors (discussed further *infra*), and the necessary corrections may be made in conjunction with any action taken by the County in regard to this determination.

Determining the Number of Units in the SSPD

On its face, the subject zoning resolution did not specify a precise number of approved units, so a precise determination of the number of units which remain to be developed within the SSPD must look beneath the face of the resolution. From today's perspective—looking backwards—the historical analysis of the SSPD suggests two approaches to calculating the number of approved units. One approach takes the approved density limitation multiplied by the gross number of acres within the district, as legally described by the resolution. This total then would be subject to reduction by acreage committed to other permitted uses. A second approach would not reduce the number of residential development units for other uses, as shown on the approved master concept plan, including up to a maximum of five acres of commercial development. For the SSPD this permitted residential development unit calculation would be a function of the

⁸ The LDC specifically recognizes this problem. See LDC Sec. 34-613. Curiously, the current zoning maps bear the following disclaimer: "It is intended that this mapping comply with the U.S. National Map Accuracy Standards, however, such accuracy or any other level of accuracy is not guaranteed by Lee County, Florida." This recognition, however, does not address a solution to the problem.

resolution's special density limitation of 3 units per acre, the special permit for up to 5 acres of commercial development, and the total acreage described by the legal description included in the 1973 resolution.

The legal description attached to the subject resolution, however, contained no such acreage calculation.⁹ In 1973, the Application for Public Hearing form was less detailed than that currently employed by the County. The subject application represented the property as 304 acres, and it is unclear whether the type of graphic information which would be required today was then required or requested by staff. Regardless, I have been unable to locate any such survey in either the official zoning file on microfiche or the warehoused original file.

Under the specific limitation on density contained in Z-73-202, 304 acres at three units per acre would result in 912 as the maximum number of allowable residential units. It is unclear from the documentation available in the zoning files whether the "up to 5 acres of commercial development" was in addition to the 304 acres discussed by Mr. Taylor in conjunction with the maximum 912 units calculation, or if the "PUD concept" were to provide the flexibility to reduce the number of units proportionately from the maximum of 912 units permitted under the density limitation, for the acreage chosen to be developed into commercial use. I have found nothing in my review of the zoning files, recorded meeting minutes, and audio tape of the public hearing to directly answer this question, but the actual designation of an area on the MCP for "commercial" tends to indicate to me that the intent of the parties was for the commercial use on up to five acres be permitted in addition to—and not subtracted from—the 304 acre basis for computing the SSPD's reduced density under the resolution. However, the actual acreage of the property described in the resolution is key to an accurate determination of the total approved development units and remaining undeveloped units within the SSPD.

Acreage

In absence of a boundary survey providing the geographic information necessary to track the subject legal description graphically in two dimensions, it is impossible for me--from the legal description alone--to verify the acreage of the subject property described in this zoning resolution. This acreage calculation is key to determining the total number of units allowable in the SSPD, which district is legally described in an attachment to the zoning resolution. In the subject application, supplemental information, and narrative memoranda to the Zoning Board and the BOCC, Mr. Taylor described the subject property as "304

⁹ Were the resolution being approved today, such acreage information would be included in the legal description, established by staff verification of a boundary survey certified by a professional land surveyor who would prepare a map of the property, as legally described. This information would be submitted as part of the application for public hearing, reviewed by staff for accuracy, and delineated on the Geographic Information System to verify acreage and closure. See LDC Sec. 34-202(a)(1)-(3).

acres" and "304 gross acres (250 usable)," and the Lee County Zoning Board Notice of Public Hearing specified the size of the property as 304 acres.

The application and communications from Mr. Taylor prior to approval of the SSPD refer to the property as 304 acres, but nothing in the official zoning file suggests that this figure was spatially substantiated by the applicant or any area calculations for the property verified by staff prior to the official recommendations or approvals. Neither does the resolution include approval for a total number of units, merely a limitation on density. Whether accurate or not based on the legal description or by today's standards, the applicant and the County seemed to agree that the area of the subject district was 304 acres, and thus the area contemplated for density purposes was 304 acres.¹⁰

Legal description

The legal description for the SSPD, is an eleven-page document that includes a total of six "parcels." Each of these six parcel descriptions variously includes: descriptions of several "sub-parcels"; exception of other lands therefrom; reference Government Lots; lines of realty described in documents recorded in several Official Records Books; submerged lands within bulkhead lines described in County Commission Minutes Books; references to unrecorded and recorded subdivisions; and references to physical occupations of rows of coconut palm trees.

Communication in the file¹¹ appears to indicate some confusion about the legal description for the property prior to the rezoning. Based on the construction of the legal description ultimately attached to the zoning resolution and a history of inaccuracies evident in the zoning maps since the subject zoning district was approved, I will hazard a guess at what occurred. Mariner was in active pursuit and acquisition of additional properties on Captiva Island in proximity to other property Mariner owned, and was either able to acquire additional properties in the period between September 4, 1973—when the application was submitted referencing an attached legal description for the subject property—and September 12, 1973, when a second legal description was apparently submitted, or unable to acquire properties included in the legal submitted with the application. Either contingency—or a combination—would result in a necessary revision of the ultimate legal

¹⁰ In 1996, Johnson Engineering, Inc. issued a determination that there are 310 acres within the land area described in Resolution Z-73-202. Johnson Engineering, Inc. letter of October 24, 1996, from W. Britt Pomeroy, Jr., P.S.M. to Raymond Pavelka. However, this determination appears to include the Hanchar property. *Id.*; see generally text accompanying and preceding note 14, *infra*.

¹¹ See Mariner Properties, Inc. letter of September 12, 1973 from Robert Taylor to wit: "Attached is the complete legal description for the South Seas Plantation property for which a zoning change will be considered under case 73-10-29."

description as only the owner of real property may initiate a voluntary zoning action. Either scenario would likewise affect the total acreage of the zoning district.

While the absence of an accurate contemporary boundary survey by which to track the legal description of the SSPD makes calculation or verification of the described property's acreage problematic, I have tracked these legals, to the best of my ability with the aid of available information. In reviewing current, official, and previous zoning maps, I have discovered a history of discrepancies in the delineated boundaries for the SSPD. This is not surprising given the complexity and construction of the subject legal description. I recommend that these maps be corrected to reflect what my review of the legal has revealed, as discussed *infra*, and submitted to the BOCC for adoption as (a) replacement official zoning map(s).

Zoning maps

With some spatial variation (understandable given the various changes from drafted base sheets and aerial photograph base sheets by the County) the official zoning maps consistently show the area on the north end of the island (west of what is now the navigable entrance to the northerly marina) as TFC-2 (as converted from RM-1, RU-2 prior to RM-1, and Residence Zone B2 prior to RU-2). The earliest relevant zoning map I have been able to locate,¹² delineates four numbered "parcels" in this area, and shows "parcels" 2, 3, and 4" as constituting a district of Residence Zone B2.¹³ Each subsequent zoning map shows this area as a separate district.

The zoning map delineated on aerial photographs prepared by Aero Metrics in 1974 shows the area (in rather broad strokes) as RU-2. This is the first set of zoning maps delineating an RU-3 district for the SSPD, referencing the 1973 resolution. Curiously, these maps also delineate two contiguous districts along the east side of this area of Captiva as "conventional" and "original" RU-2 and RU-3 zones, within a portion of the SSPD. The RU-2 area is perhaps 1000 feet long and extends from the Gulf beach to Bryan Bayou; the RU-3 area is a few hundred feet long and extends from the Gulf Beach to a road running north and south roughly centered between Bryant Bayou and the Gulf beach.

Official Zoning Maps delineated on aerial photographs prepared by Continental Aerial Surveys, Inc. in 1977 show a similar configuration, except the zoning classifications have been changed to RM-1 for the area near the marina and the larger area from the Gulf to the Bayou, and RM-2 for the portion south of that from the Gulf to the Road. The RM-2

¹² Captiva Island Zoning Map, prepared by Carl E. Johnson for the Captiva Civic Association, compiled in February of 1960. On file with Art Parsons in Lee County DOT.

¹³ A Survey and Deed Plat recorded in Miscellaneous Book 31 at Page 225, referenced in the legal description attached to the subject resolution graphically describes the extents of these four parcels.

district roughly tracks "lots" included in an unrecorded subdivision commonly referred to as the American Hotel Company Subdivision. What is curious about the inclusion of this entire area in a zoning district distinct from the SSPD is that some of these "lots" are included within the legal description attached to Resolution Z-73-202.

Memorandum from Pam Houck. From my review of the official zoning file for Resolution Z-73-202, it appears that in April of 1982, Richard Sprout, then Project Director for Mariner Properties, Inc., requested that Pam Houck, then Director of the Department of Current Planning, verify that an error had been made in the county zoning maps and that the map be corrected before a building permit request could be made based on the incorrect zoning map. The specific properties over which Mr. Sprout had identified the zone mapping error were parcels described in Official Records Book 477 at Page 446, commonly referred to as the Hanchar Property.

In July of 1982, Ms. Houck informed the Hanchars of the Mariner request and that following a thorough check of the South Seas Plantation zoning file and the official zoning maps, an error had indeed been found.

In our check we find the original, official zoning maps of Lee County and the zoning plat of Captiva Island both showing this property as RM-1. The legal description in the South Seas zoning file deleted your two lots. I have directed my staff to correct the zoning and reflect the error on the map.

Though requested in a contemporary staff memorandum, a notation reflecting the date of this zoning map change does not appear in any of the current or historic zoning maps available for my review.

The Official Zoning Map adopted by the BOCC on August 1, 1986 (by reference in Ordinance No. 86-17), at page 58 of 360, continues to represent an area adjacent to the marina as distinct from the SSPD and as a conventional TFC-2 zoning district. The district also appears to have been enlarged by some extent. The distinct zones along the Gulf beach at the west appear to have been adjusted to correctly reflect the legal description attached to the 1973 resolution, i.e., to exclude from the TFC-2 district at the north tracts included in the subject legal description, to reduce the RM-2 district south of that to exclude tracts also included in the subject legal description, and to delineate an area of TFC-2 which had been erroneously included in the SSPD by prior mappers. My review of the legal descriptions accompanying the 1973 zoning accords with these changes.

The Current Zoning Map is for all intents and purposes identical to the Official Zoning Map just discussed. Thus the only corrections which still appear to be necessary to ensure the accuracy of the Official Zoning Map in regard to the SSPD involve the erroneous TFC-2 district to the north, margin notes reflecting the revisions sanctioned by Ms. Houck, and any additional clarification resulting from the County Attorney's determinations with respect to the SSPD. My speculative explanation for this persistent oversight involves a redundancy in the legal description, and while it seems odd that the apparently thorough

review undertaken by Ms. Houck's staff failed to reveal this error, any information available to earlier researchers which might explain that result may no longer be available to this reviewer. Certainly, I have not discovered anything to explain the persistence of this mapping error subsequent to the 1982 review and revision, except the challenge of reviewing convoluted legal descriptions to persons lacking competent training in property law.

Resolution BZA-88-46

In November 1987, Mariner Properties applied for, and in February 1988, the Board of Zoning Adjustments (BZA) approved via a single resolution, a total of eight variances over a portion of the TFC-2 zone comprising the two parcels commonly referenced as the Hanchar Property, discussed *supra*, and a small portion of the subject zoning district, described as RM-2, immediately adjacent thereto. What the approval of this variance allowed was:

for the sum of the described property, and thus in a portion of both zoning districts:

- a) elimination of the minimum required rear setback,
- b) a reduction in the minimum required lot depth,
- c) a reduction in the minimum required lot width, and
- d) a reduction in the minimum required lot depth; and

for that portion of the described property within the TFC-2 district:

- e) elimination of the minimum side setback, and
- f) elimination of the maximum lot coverage limitation; and

for that portion of the described property within the RM-2 district:

- g) elimination of the minimum side setback, and
- h) elimination of the maximum lot coverage limitation.

The purported purpose of these variances was "to permit the conveyance of a four unit building as 'townhouses'." The building was under construction at the time, and the variance was necessary to permit the conveyance of each townhouse unit as a single family dwelling unit. There is discussion in the "Legislative History" section of the BZA resolution to wit:

The County's regulations only permit this type of development through the Planned Development process, however, due to the small size of this project and its location within a project that was rezoned to RM-2 to be developed as a PUD concept the variance route was chose as the most feasible.

There is nothing in the BZA Resolution, the Minutes of the Board meeting, the Staff Report, Notice of Public Hearing, or elsewhere in the official zoning file to indicate that the effect sought by the variance was to expand the boundary of the SSPD, increase the density, or transfer development units allowable within the TFC-2 district to the SSPD. In answer to

the question posed by the subject application, "Is Rezoning being requested to a new district?" the applicant replied "No". In the narrative discussing the reason, effect and justification for the variance, the applicant stated that the variance was needed to transfer ownership, the variance "will not have any affect on the adjacent property,"

In a letter to Pam Houck, then a Senior Planner in the Zoning Division of Community Development, Mr. Pavelka stated:

We sincerely believe that the variance route or possibly amending the zoning regulations, if the appropriate flexible standards could be developed, are appropriate in lieu of a major rezoning, when dealing with situations similar to this.¹⁴

It is probably also true, that a zoning district boundary change necessary to effect a change in the maximum number of dwelling units permitted under the 1973 zoning resolution could not be affected by the BZA, but only by BOCC approval. It is clear from the application and supporting documentation submitted by the applicant that such approval was not being sought.

Resolution Z-90-91

In September of 1990, the BOCC initiated and approved a zoning change for two areas contained entirely within the SSPD.¹⁵ This resolution changed the zoning classification of these two areas—the northern marina, containing 7.82 acres, and the southern marina, containing 2.98 acres—to Marine Commercial districts. This BOCC-initiated zoning reclassification was in furtherance of the requirements of then current Lee Plan Policy 98.1.1. Prior to the BOCC adoption of the subject zoning resolution, the Hearing Examiner had found the proposed zoning action consistent with this policy as the reclassification specifically implemented Policy 98.1.1, which required the county to reclassify such areas as those identified in the subject resolution, located within a water-dependent overlay zone, to marina zoning categories "to protect their rights to rebuild and expand and to prevent their conversion to non-water-dependent uses without a public hearing."

In a conventional zoning district, the adoption of this zoning resolution would probably have the effect of reducing the acreage of the parent district and of establishing a separate zoning district of that certain acreage included within the boundaries legally described for

¹⁴ Mariner Properties, Inc. letter of November 17, 1987 from Raymond A. Pavelka.

¹⁵ The first recital in Resolution refers to both "the RM-1 [TFC-2, as converted] and RM-2 districts to CM." This reference to RM-1 is apparently due to an erroneous delineation and designation of a portion of the area east of the northern marina within the SSPD which was erroneously designated RM-1 (and later TFC-2) on the County's zoning maps, as discussed *supra*.

said district, approximately 10.8 acres in the instant case. With respect to the SSPD, however, the effect of this BOCC-initiated zoning district boundary change is less clear. If the SSPD were conventionally zoned and the 1990 resolution did not have the effect of reducing the acreage of the 1973 district, it had the effect of establishing a zone within a zone, conferring the additional rights and limitations of the Marine Commercial zoning classification upon the "new" legally described zoning district, while also transferring the residential development units associated with the acreage of these areas to the remaining area of the parent district created in 1973. In a PUD, however, such results seem appropriate. This is again consistent with the County's treatment of the SSPD as a defacto PUD, as both marine-oriented areas we designated on the MCP accompanying the 1973 zoning resolution and both were developed prior to the adoption of the instant resolution.

Zoning Verification Letter (ZVL) Re: South Seas Plantation - 1993

In June of 1993, Steven C. Hartsell, Esq. requested of Mike Pavese, then Planner I in the Zoning and Development Review Division, confirmation that the SSPD "authorizes development of 3 units per acre for a total of 912 dwelling units to be constructed on the properties known as the South Seas Plantation Resort" and confirmation that the owners would be permitted to rebuild any of the existing residential units, commercial or accessory structures "with the same number of residential/hotel units and the same number of commercial square feet" in the event such structures were destroyed in a disaster. The ZVL Request letter continues:

Finally, if you can, I would also like to confirm that the number of dwelling units which are approved for the total site are not allocated to specific locations on the site, and that any remaining undeveloped units would be allowed to be located in any area of South Seas Plantation Resort that meets the existing County codes and building regulations.

The ZVL issued by Mr. Pavese in response stated the following:

- The property in question was zoned RM-2.
- The resolution creating the zoning district included a limitation of three units per acre on 304 acres and a Special Permit for up to five acres of commercial property.
- The Post Disaster Ordinance, #90-61, and Policy 81.2.3 of the Lee Plan provide for the reconstruction of lawfully existing structures damaged by fire or other natural forces (copies of pertinent portions of #90-61 were included with the letter).
- Any undeveloped units might be located in any area of the subject property as long as the proposed construction was in compliance with all existing zoning and building regulations.
- That the information provided in the ZVL was based on current regulations and may be subject to change as ordinances are enacted or amended.

BACKGROUND: UNIT COUNT

Mr. Pavese's confirmation of the zoning was a verbatim recitation of the 1973 resolution. Contrary to Mr. Hartsell's request, Mr. Pavese did not confirm that the 1973 resolution authorized a total of 912 dwelling units, but simply restated the acreage, zoning district classification, and stipulations approved by that resolution. In fact, I have discovered in my review—and it appears from the outline prepared from her review of development history of Bayside Villas done in support of her September 27, 1999 memorandum, that Assistant County Attorney Dawn Lehnert found—no existing correspondence from county zoning staff stating an opinion of how many units were permitted or remained to be developed at any given time. The representations as to unit count appear to always have come from Mariner, as the developers of the SSPD.

In 1973 Mr. Taylor talked about a maximum of 912 units, a number that would not necessarily be reached. In 1985 a "Tabulation of Dwelling Units" [Attachment 6] was provided to the county,¹⁶ which represented that 786 units were existing (102 of which were allocated to Bayside Villas), 57 of which were to be removed, with 183 to be developed, for a maximum of 912 at completion of master plan. In February of 1987, this "Tabulation of Dwelling Units" was revised,¹⁷ [Attachment 7] representing that 857 units were existing (102 of which were allocated to Bayside Villas), 25 of which were to be removed, with 80 to be developed for a maximum of 912 at completion of master plan.

This "Tabulation of Dwelling Units" was significantly revised in 1992.¹⁸ [Attachment 8]. The 1992 Tabulation represented that the total allowed density increased by four from 912 to 916 when South Seas Plantation acquired the Hanchar parcel. Of this new maximum of 916 dwelling units which was not approved by the BOCC, 876 were existing, none were removed or to be removed, and 40 remained to be developed. A new column was added under the "UNITS TO BE DEVELOPED" section of the Tabulation. This column was entitled "Completion date." Of the forty units remaining to be developed, all forty showed a blank in the completion date.

There has been much ado about the fact that the 102 units Mariner has represented at Bayside Villas are "lockoff" units. Ms. Lehnert has opined that "when the building plans for Bayside Villas were approved, the developer was subject to compliance with the lockoff accommodation regulations and the density count requirements these regulations impose."

¹⁶ Mariner Properties, Inc. letter of May 16, 1985 from Raymond A. Pavelka to Rebecca Holland.

¹⁷ "Update of Project Overview for South Seas Plantation Master Plan February 25, 1987," p. 7.

¹⁸ Mariner Properties, Inc. letter of August 4, 1992 from Raymond A. Pavelka to Paul J. Bangs.

That the developer has consistently represented this particular development within the SSPD as being allocated 102 units suggests that—whatever flexibility may have been provided for by the design or by the units as constructed—Mariner is limited to only 102 units at Bayside Villas.

With regard to tracking the unit count in terms of assuring the density limitation imposed by the 1973 zoning resolution on the SSPD, it appears that prior to this research effort, Mariner has made the only representations. My field verification accords with Mariner's representations of unit numbers at various locations, except with regard to Bayside Villas. At Bayside Villas, there are 204 separately numbered and keyed exterior doors.¹⁹ Each of these individually numbered units has a separate air conditioning unit. And in practice, complimentary newspapers are delivered individually to the occupied individually numbered units,²⁰ which indicates that lockoff units being counted as one unit by Mariner are being rented and occupied—to some extent—as two separate units. While my field review was conducted in September, the evidence of this practice was then clearly visible. The concern, however, is greater during the winter tourist season, when demand for additional units and population are at their peak.

CONCLUSION

The zoning district created by Zoning Resolution Z-73-202 was clearly ahead of its time, referencing a planned unit development, or PUD, concept as a guide to future development of this destination resort before such concepts had been officially embraced by Lee County's Land Development Code (LDC). In the three decades since that forward-looking resolution was proposed and adopted, however, the County has grown and revised its zoning ordinance and LDC, first to accommodate PUDs, and then to include more specialization, i.e., specific district regulations for, e.g., residential, commercial, and mixed-use planned developments. During that time, the SSPD was never officially converted to a PUD or Planned Development on Lee County's zoning maps. Its conventional zoning designation on the zoning maps was converted to subsequent conventional zones (currently RM-2)—in derogation of the intent of the BOCC—with a margin note referencing

¹⁹ In the hospitality industry, rental units are typically numbered for the convenience of infrequent guests to assist them in locating their rooms, for the registration desk in tracking occupancy rates and availability of rooms, for the switchboard for tracking and transferring telephone calls, and for guest services to assign and correctly deliver services ranging from maid service to room service. Not all of the units at Bayside Villas are “enrolled” in the rental program managed by Meristar, the resort's current hospitality management company. Those units in the program have the “card key” locks currently standard in most hotels, while those that are not in the program have the more traditional key locks.

²⁰ On the day of my site visit and field verification, at least two “units” had complementary newspapers placed at both exterior doors.

Z-73-202 and the specific conditions of that zoning resolution. The SSPD is an anomaly in Lee County. From a community development review and regulatory standpoint, it makes difficult the task of reaching a conclusive determination of what development units remain undeveloped within the zoning district's density cap and who is responsible for the oversight of keeping development within that cap, in absence of official clarification. County staff has, however, reconstructed the zoning history in an attempt to make this determination. The conclusions reached through that effort are outlined below.

Total number of units. A conservative approach would accept there were 304 acres to begin with, resulting in a maximum total of 912 units under the resolution's density limitation. There are two possible approaches to the special permission for up to five acres of commercial development—assuming that the maximum total of five acres of commercial use has been developed.²¹ If the commercial acreage as developed were to be subtracted from the maximum allowable residential density, then five acres of commercial would result in a deduction of 15 residential units from the 912 maximum for a resulting maximum of 897 units. If the district were intended to include five acres of commercial in addition to the density limitation, the result would be a maximum of 912 units, (unless the commercial area developed were to exceed 5 acres, in which case the development would be in violation of its zoning and potentially subject to a proportionate reduction in the number of allowable units). The latter—up to 912 units and five acres of commercial—seems to have been the intent and understanding of both the developer and the County in accordance with the density reduction proposed by the 1973 resolution.

Unit allocation. Mariner has overseen the allocation of the units since the inception of the SSPD, although, no documented representations of these allocations appear to have been submitted to the County prior to 1985—about six years after the Bayside Villas were approved. Mariner contends that the platting of a subdivision in 1975 allocated to the purchasers of those platted lots within the subject zoning district no more residential units than the developer allocated—i.e., 26 units, one per lot—and not the proportionate number of units based upon the acreage of the subdivision. There is credence to this position of developer-allocated density within the district, from the PUD perspective.²² However, if the developer has the power to allocate units in tracking the density, the same standard

²¹ County staff had initially questioned whether the five acre maximum of commercial development had actually been exceeded. The developer has prepared documentary representations as to the extent and area of the currently existing commercial development envisioned by the 1973 zoning resolution [Attachment 9] (legal description forthcoming from Mariner).

²² “The PUD principle is that a land area under unified control can be designed and developed in a single operation, usually by a series of prescheduled phases, and according to an officially approved ‘plan.’” Juergensmeyer and Roberts, LAND USE PLANNING AND CONTROL LAW (1998) 329. “

applies to Bayside Villas to which, despite its configuration, Mariner has never allocated more than 102 units.

Effect of acquisition of Hanchar property. Mariner's acquisition of the Hanchar property prior to the approval of the 1987 variance from the standards of the LDC did not increase the number of units by four, as the Hanchar property was not brought within the subject zoning district by the grant of a variance. A maximum of 912 is not a maximum of 916 in the absence of BOCC approval.

Z-90-91. The 1990 BOCC-initiated zoning action within the SSPD may be seen to have resulted in a district boundary change affecting 11 acres of marine-oriented areas within the original SSPD. This is the apparent result evidenced on the face of the County's zoning maps. In absence of documentation to the contrary, this action would have eliminated the potential for 33 development units as the acreage of the subject zoning district—the controlling basis for its density and thus the calculation of its allocable units—was proportionately reduced. This is probably not the better interpretation. The more probable result is that since the uses in the areas affected by Z-90-91 were designated marine-oriented uses by the MCP for the SSPD, these uses were integral to the PUD concept guiding the resort's development. Z-90-91 simply vested those uses with no intention to effect or effect upon the number of dwelling units approved under Z-73-202.

The upshot. Having reviewed the development status of the SSPD through all available documentary evidence and as-built evidence in the field, I have determined the following:

1. **Z-73-202 established a planned unit development (PUD) zoning district, the South Seas Plantation district (SSPD), limited to three dwelling units per acre for a maximum of 912 units and 5 acres of commercial development, all within 304 acres of Captiva Island.**
2. The master concept plan (MCP) approved for this PUD was the 24" x 64" drawing acknowledged contemporaneously to the adoption of Z-73-202 by BOCC Chair, George Goldtrap.
3. **The "development regulations" for the SSPD include the representations made by Robert Taylor in his memoranda to the Zoning Board and the BOCC in addition to the Land Development Code (LDC) and all other applicable regulations.**
4. **Since the inception of the SSPD, Mariner has allocated units to various projects throughout the district and allocated, *inter alia*, 102 units to Bayside Villas and 26 units to the South Seas Plantation Homesites subdivision.**
5. Mariner's purchase of the Hanchar property and the variance granted by BZA-86-46 had no effect on the number of units within the SSPD, however,

construction of Plantation Beach Villas (aka Sanddrift) within the SSPD necessitates an allocation of four of the 912 SSPD units to that development. If at some future date the Hanchar property is formally included in the SSPD, a proportionate unit increase may result from any increase in the base acreage.

6. The BOCC-initiated action, Z-90-91, established two CM zoning districts within the SSPD but had no effect on the density or number of units approved within the SSPD.
7. There is evidence to conclude that, as currently operated, Bayside Villas contains more than the 102 units allocated by Mariner.
8. A field count of existing units within the SSPD finds 782 units, not counting the units at Bayside Villas.
9. If Bayside Villas were to contain only 102 units, as allocated by Mariner, the SSPD, as created by Z-73-202, currently allows for 28 remaining units to be developed in accordance with the LDC contemporary to their development and other applicable regulations.
10. If Bayside Villas were to contain over 102 units, the number of units remaining to be developed in the SSPD would decrease in direct correlation to the number of units in excess of 102.
11. If Bayside Villas contains over 130 units, the SSPD is over density for each Bayside unit in excess of 130, and appropriate steps should be taken to come into compliance.

Recommended Additional Actions.

When the zoning classification codes were changed in 1978, new maps were drawn to reflect the new abbreviations. The RU-3 labels on the various South Seas Plantation properties were merely converted to RM-2, and the margin note referencing the remainder of the language of the 1973 resolution was diligently copied into the margin of the new map. Little or no consideration was given to the fact that the LDC had been amended to include a PUD classification more appropriate for the SSPD. No action was taken—neither by the developer nor by the County—to convert the SSPD to the new PUD classification, i.e., a Planned Unit Development approved under LDC Sec. 34-1031 et seq. To clarify this situation for the future, I recommend the following:

Master Concept Plan (MCP). The developer should submit a revised MCP showing the current configuration of the SSPD, as built, and in keeping with Z-73-202, BZA-86-46, and Z-90-91. To facilitate review of any further development order requests within the SSPD,

the developer should clearly delineate and describe the extents of the commercial development within the district so that the acreage may be verified prior to any additional development approvals. Upon review and approval by the Director of the Department of Community Development, this MCP should govern any future development of the SSPD. Future revisions to this MCP should be treated as amendments to the SSPD and reviewed according to the provisions of LDC Section 34-1031 et seq., except where the provisions of those sections directly conflict with the intent of the BOCC in establishing the SSPD, as evidenced by the subject resolutions, the MCP, and the Taylor memoranda. The MCP should detail how the developer proposes to assure that no more than the 102 units allocated to Bayside Villas actually exist at Bayside Villas, and the County should take appropriate steps to ensure that such proposals are precise and verifiable.

Official Zoning Maps. The County's zoning maps should be revised for adoption by the BOCC to correct the errors outlined in this memorandum and to reflect any greater specificity resulting from the outcome of this assignment.

ADMINISTRATIVE INTERPRETATION
LEE COUNTY, FLORIDA

SOUTH SEAS RESORT DEVELOPMENT STATUS

WHEREAS, THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY has requested the Director of the Department of Community Development (hereafter "Director") and the County Attorney to summarize and clarify the current status of development of a project known as South Seas Resort on property located on the northern end of Captiva Island, described more particularly as:

LEGAL DESCRIPTION: In Sections 15 and 22, Township 45 South, Range 21 East, Lee County, Florida:

See attached **Exhibit "A"**

Zoning District for South Seas Resort

WHEREAS, Section 2-1 of the Land Development Code (LDC) provides that the Director may make interpretations of an administrative nature concerning the procedure to be followed in unusual circumstances; and

WHEREAS, LDC Section 34-172(b) provides that the Director, in conjunction with the County Attorney's Office has the discretion to interpret and apply the provisions of Chapter 34 of the LDC (Zoning); and

WHEREAS, the Board of County Commissioners of Lee County originally approved a zoning district change for the subject property on November 20, 1973, by adopting Resolution Z-73-202, Case Number 73-10-33, which changed the zoning district for the subject South Seas Resort property from the RU-3 and RU-2 zoning districts to a unique zoning district, described particularly in Resolution Z-73-202 as "RU-3 using a PUD concept as a guid[e] with special limitation of 3 units per acre and special permit for up to 5 acres of commercial property" and, inter alia limited the development density for this zoning district to 912 units; and

WHEREAS, in conjunction with said Resolution the Board of County Commissioners of Lee County approved a master development plan for the South Seas Resort (hereafter 1973 SSRMDP) which detailed existing developed and future development areas within the unique zoning district approved for South Seas Resort or the South Seas Resort District (hereafter SSRD); and

WHEREAS, in 1973 Lee County's zoning regulations did not provide for a Planned Unit Development (hereafter PUD) zoning district classification per se, however, in 1978 the Board of County Commissioners adopted Resolution Z-1 (1978 Zoning Ordinance) revising the

scheme of zoning regulations for Lee County to include a PUD zoning district classification; and

WHEREAS, the 1978 Zoning Ordinance converted conventional RU-3 zoning districts to RM-2 zoning districts, but did not specifically convert the unique SSRD to either an RM-2 or PUD zoning district; and

WHEREAS, the 1978 Zoning Ordinance defined a PUD as:

A tract of land which is developed as a unit under single ownership or control and which is planned and developed in a single operation or within a proposed period of time by a series of scheduled development phases according to an officially approved Final PUD Development Plan, which does not necessarily correspond to the property development and use regulations of the conventional zoning districts but which permits flexibility in building siting, mixtures of housing types and land uses, and encourages the utilization of usable open space and the maintenance of significant natural features.

WHEREAS, in light of the PUD definition provided by the 1978 Zoning Ordinance, converting the SSRD to, or treating the SSRD as an RM-2 zoning district does not further the mutual intention of the Board of County Commissioners and the developers of South Seas Resort evident in Resolution Z-73-202 for the project to be developed as a PUD; and

WHEREAS, the developers of South Seas Resort have developed the subject property similarly to a PUD, in reliance on Resolution Z-73-202; and

WHEREAS, on January 18, 1984, the Lee County Board of County Commissioners adopted Resolution DSO 84-1 reaffirming "[t]here was site plan approval at the time the original P.U.D. was granted;" and granting on appeal an exemption from Development Standards Ordinance 82-42 to allow the relocation of the residential development area identified as Golf Villas on the 1973 SSRMDP from the originally approved location on the *Bay Island Parcel* to the *Resort Area* on the northernmost end of Captiva Island for the development of 68 residential units known as *Land's End Village*; and

WHEREAS, on July 23, 1985, Lee County Zoning and Development Review Division confirmed that, as a result of the developers of South Seas Resort timely applying for and receiving approval for a site plan under the previous F-0015 review procedure, South Seas Resort met the outlined requirements of and was deemed consistent with the Lee Plan; and

WHEREAS, the approved 1985 site plan included, as Sheet 1 of 16, a revised master plan showing as-built and proposed modifications to the 1973 SSRMDP; and

WHEREAS, the Lee County Zoning and Development Review Division outlined and accepted by in a letter dated June 24, 1987, a process for reviewing a detailed plan or plans for a particular development phase for substantial compliance with the SSRMDP, but did not provide for modification or revision of the SSRMDP itself; and

WHEREAS, the Board of County Commissioners of Lee County initiated and approved Resolution Z-90-91 to include particularly described areas of the property comprising the SSRD within the water-dependent overlay of the Lee Plan and provide that those particularly described areas would be treated as Marine Commercial zoning (CM) districts within the SSRD;

See attached Exhibits "B" and "C"

South Seas Resort Master Development Plan (SSRMDP) Amendment Procedure

WHEREAS, the Director is of the opinion that effective administration of requests to modify or change the SSRMDP as this resort destination evolves under the current and evolving zoning regulations necessary to effectively regulate contemporary land development in Lee County requires treating the SSRD similarly to a PUD, in accordance with Article VI, Division 10, Subdivision IV of the LDC; and

WHEREAS, Article VI, Division 10, Subdivision IV of the LDC provides a contemporary context for adequately and effectively regulating future development and administering future requests for development approvals in furtherance of the intention of the Board of County Commissioners and the developers of the South Seas Resort pursuant to Resolution Z-73-202; and

WHEREAS, the 1978 Zoning Ordinance authorized the Director to approve minor changes in the location, siting or height of buildings, structures and improvements authorized by the approved PUD final development plan; and

WHEREAS, the Board of County Commissioners of Lee County in 1989 amended the Zoning Ordinance to provide the Director with greater flexibility to amend PUD final development plans (see Ordinance 89-4); and

WHEREAS, the parameters set forth in Ordinance 89-4 regarding changes to PUD final development plans are currently codified in LDC Section 34-1038, which provides:

For any approved final PUD development plan for a PUD which does not specifically set forth those minor changes that may be approved by the director of the department of community development or any PUD development plan which has not received final approval prior to the effective date of the ordinance from which this subdivision is derived (July 6, 1987), minor changes (amendments) that may be approved by the department director include, in general, any change to the interior of the development which does not increase density or intensity (i.e., number of dwelling units or quantity of commercial or industrial floor area), or which does not decrease buffers or open space. The director shall not approve any change which results in a substantial underutilization of public resources and public infrastructure committed to the support of the development, nor shall the director approve any change which results in a reduction of total open space, buffering,

landscaping and preservation areas, or which adversely impacts on surrounding land uses.

Bayside Villas Lock-off Units

WHEREAS, during the review of South Seas Resort to provide the requested summary and clarification a question arose as to the number of units at *Bayside Villas* and within the SSRD, and Staff determined that 102 of the 912 maximum allowed residential living units were consistently allocated to the development area identified as Bayside Villas; and

WHEREAS, during the course of this review Staff determined that a portion of the 102 residential living units allocated to Bayside Villas have been and are being operated as lock-off accommodations; and

WHEREAS, lock-off accommodations have been regulated by Lee County Ordinances and counted as living units since 1974 (see Lee County Ordinances numbers 74-9, 78-7, and 82-44, and LDC Sec 34-1547); and

WHEREAS, the marking and use of the 102 units allocated to Bayside Villas as more than 102 units is counter to the SSRMDP and the density cap for the SSRD; and

WHEREAS, the developers and operators of South Seas Resort have voluntarily agreed through a Compliance Agreement with the Director to amortize the use of the units at Bayside Villas as lock-off accommodations in a manner acceptable to Lee County;¹ and

Five Acre Commercial Area and 2002 South Seas Resort Master Development Plan (2002 SSRMDP)

WHEREAS, during the review of South Seas Resort to provide the requested clarification a question arose as to the physical extents of the five (5) acres of commercial development permitted by Resolution Z-73-202; and

WHEREAS, at the request of the County, the developers submitted to the County a revised Master Development Plan (hereafter "2002 SSRMDP") showing the current as built/as approved configuration of the SSRD; and

WHEREAS, the 2002 SSRMDP clearly delineates the current extents of the five (5) acres of permitted commercial development within the SSRD and the perimeter boundary of the current extents of this commercial area have been separately described by metes and bounds to facilitate County verification of this acreage:

¹ This Compliance Agreement operates to eliminate separate use of portions of the Bayside Villas units as lock-off units—what are now being marketed as "Standard Sleeper Rooms," "Bayside Executive Studios," and "two-bedroom Bayside Villas". See www.south-seas-resort.com/accommodations/bayside.asp site last visited January 25, 2002.

See attached **Exhibit "D"**

WHEREAS, it is in the best interests of Lee County and the developers of South Seas Resort to summarize and clarify the current status of the South Seas Resort development so as to administer future development approval requests while avoiding possible misunderstandings; and

WHEREAS, the Director of the Department of Community Development has determined and the developers of South Seas Resort have agreed that:

1. Resolution Z-73-202, adopted on November 20, 1973 by the Lee County Board of County Commissioners, established a unique zoning district, hereafter referred to as the South Seas Resort District (SSRD).
2. In conjunction with Resolution Z-73-202, the Board of County Commissioners approved a master development plan, hereinafter South Seas Resort Master Development Plan (SSRMDP). The SSRMDP delineated ten (10) areas as *Beach Homes*, four (4) areas as *Beach Villas*, two (2) areas as *Golf Villas*, and three (3) areas as *Bayside Villas*, a *Golf Course*, *Resort area*, *Commercial area*, *Tennis Villas area*, *Employee Housing area*, *Boat Basin area*, and *Plantation Preserve area* as well as areas of Existing Mangrove. Additionally the approved master plan identified locations for Sewage Treatment & Wastewater Recycling, Boardwalks, an Observation Tower, Indian Mound, golf holes, lakes, roadways, and docking facilities.
3. Contemporaneous to the adoption of Resolution Z-73-202, the developers made the following representations to Lee County Staff, the Zoning Board, the Board of County Commissioners, and the Public, which representations constitute enforceable conditions of the SSRD:
 - a. Development of the SSRD will evolve over a number of years in line with several very basic guidelines: very low density development utilizing a number of small scale clusters; carefully planned and tightly controlled development; preservation of bayou shoreline and mangrove areas; Emphasis on pedestrian traffic, not automobiles.
 - b. The project will be limited to 912 residential units (304 acres at three units per acre) and five (5) acres of commercial development.
 - c. Four (4) miles of mangrove and bayou shoreline will be preserved by clustering higher density into smaller development areas with greenbelt separations.
 - d. A 20 acre *Plantation Preserve* parcel, a natural area to be accessible by wooden walkways that will include instructional stopping points describing the origin and type of vegetation in a bayou area will be set aside.
 - e. Employee housing accommodations will be developed.

4. Since the inception of the SSRD, the developers of South Seas Resort have allocated units to various projects throughout the district and allocated, *inter alia*, 102 units to Bayside Villas and 26 units to the South Seas Plantation Homesites subdivision.
5. On January 18, 1984, the Lee County Board of County Commissioners adopted Resolution DSO 84-1 granting an exemption from the Development Standards Ordinance 82-42 (hereafter "DSO") for the relocation of the Golf Villas from the originally approved location on the *Bay Island Parcel* to the north end of the *Resort Area* for the development of 68 residential units known as *Land's End Village*.
6. In 1985, the developers of South Seas Resort timely requested and received a Lee Plan Consistency Determination. Included with this request were a cover letter, eight (8) page Project Overview, a Tabulation of Dwelling Units at South Seas Resort, and a 16 sheet, 24" x 36" plan package entitled "Construction Plans for South Seas Plantation" (hereafter "1985 plan package"). At that time, the SSRD was deemed consistent with the Lee Plan.
7. The 1985 cover letter noted it was "likely to take an additional three to five years to complete the development in accordance with the approved Master Plan," and that the developer was submitting building permit applications and drawings for review simultaneously.
8. The 1985 Project Overview to some extent reiterated and modified the developer's 1973 representations, providing six (6) guidelines for development, 4 basic types of projects proposed for the final phases of development, a series of descriptions for each individual phase included in the 1985 plan package, and a summary, a Tabulation of Dwelling Units, and an accompanying narrative.
9. The 1985 plan package included the following modifications to the 1973 SSRMDP for the overall plan of development for the SSRD:
 - a. Graphic designations of vegetation were removed. See Sheet 1 of 16.
 - b. The legend was changed from colored to hatchured and expanded to include *Beach Homesites, Marina Villas, Commercial, Resort Complex, Employee Housing, Resort Services Facilities*; and *Beach Villas* was modified to *Beach Villas and Plantation Villas*. See Sheet 1 of 16.
 - c. The *Golf Villas* were depicted on the northern end of the northernmost peninsular area (to reflect the relocation of the *Golf Villas* and their development of *Land's End Villas*)² and the golf holes in that area were reconfigured. See Sheet 1 of 16.

² See Resolution DSO 84-1, County Commission Minutes Book 141 pp 34-35

- d. An area designated *Resort Complex* generally corresponding to the Resort area of the 1973 SSRMDP was identified, see Sheet 1 of 16; and a Paving, Grading, Drainage, and Utility Plan for Plantation House II, see Sheet 2 of 16, and a Paving, Grading and Drainage Plan for Harbourside III, see Sheet 3 of 16, and a Utility Plan for Harbourside III were provided. See Sheet 4 of 16.
- e. An area on the northern end of the most northeastern peninsula or *Bay Island Parcel* was identified as *Resort Complex*, see Sheet 1 of 16, and a Paving, Grading, Drainage, and Utility Plan provided for 18 one- and two-story hotel units to be known as *Harbour Pointe*. See Sheet 5 of 16.
- f. A *Marina Villas* area was depicted on the northern peninsula of the land southeasterly and adjacent to the northern Marina and the golf holes in that area reconfigured. See Sheet 1 of 16.
- g. Two areas south of the northern *Resort Complex* area were also designated "Resort Complex," see Sheet 1 of 16, and a Paving, Grading, Drainage, and Utility Plan provided for a new *Estate Residence*³ and *Health Club*. See Sheet 6 of 16.
- h. The northern areas designated *Beach Villas and Plantation Villas* were modified from the 1973 SSRMDP to show one smaller area on the east side of the road and one larger area on the west side of the road, see Sheet 1 of 16, and a Paving, Grading, Drainage, and Utility Plan provided for two 1-1/2 story duplex units identified as *Plantation Bay Villas* on the east side of the road and one four-plex, two stories over parking identified as *Plantation Beach Villas* on the west side of the road. See Sheet 7 of 16. The larger *Beach Villas and Plantation Villas* area on the west side of the road on Sheet 1 of 16 included property not included in the SSRD. Cf. 1973 SSRMDP.⁴
- i. Three new areas, two on the *Plantation East (aka Bay Island) Parcel* and one in the general area of the *Commercial and Bayside Villas* areas of the 1973

³ The *Estate Residence* was erroneously excluded from the Tabulation of Dwelling Units, and thus an additional residential unit should be counted against the total 912 allocation.

⁴ As developed, this northern *Beach Villas and Plantation Villas* area is comprised of two resort residential projects known as *Sandrift* and *Plantation Beach Club* (PBC), with PBC encompassing the majority of the development area. While PBC was developed with a total of 56 total units, a portion of the project—PBC II, Phase 1, an eight (8) unit building—was constructed on a parcel of land acquired by the developers subsequent to the 1973 zoning approval and not included within the SSRD. Thus the total number of PBC units within the SSRD which may be counted against the total 912 allocation is 48 and the 1985 plan package Tabulation of Dwelling Units total of 56 is in error.

- SSRMDP were designated *Resort Services Facilities*, see Sheet 1 of 16, and a Paving, Grading, Drainage, and Utility Plan provided for a Proposed Addition to Sewage Treatment Plant. See Sheet 8 of 16.
- j. The areas designated *Beach Homesites* were modified from the 1973 SSRMDP to show the area platted and developed as South Seas Plantation Beach Homesites, Plat Book 29, Page 106, Public Records of Lee County, Florida. See Sheet 1 of 16.
 - k. The areas designated *Beach Homes* were modified to reflect the as-built development areas. See Sheet 1 of 16.
 - l. The southern area designated *Beach Villas and Plantation Villas* was modified from the 1973 SSPMPD to combine *Beach Homes* and *Beach Villas* development areas. See Sheet 1 of 16.
 - m. The *Commercial* area and the *Tennis Villas* area were revised to generally reverse their positions as shown on the 1973 SSRMDP and *Bayside Villas* was reduced from three (3) areas to two (2) to reflect the as-built development areas, see Sheet 1 of 16, and a Paving, Grading, Drainage, and Utility Plan provided for Chadwick's Commercial, Restaurant, and Meeting Rooms. See Sheet 10 of 16.
 - n. The *Employee Housing* area was revised and modified, see Sheet 1 of 16, and a Paving, Grading, Drainage and Utility Plan provided for Employee Housing/Human Resources and Employee Housing Phase Four. See Sheet 9 of 16.
 - o. Typical Details and Notes with respect to paving, grading, drainage and utilities were also provided. See Sheets 11 through 16 of 16.
10. In 1987, the developers of South Seas Resort, in conjunction with a proposal to County Staff of a procedure for plan review and final inspection in the SSRD in light of the process provided under the DSO and the exemption granted the project under Resolution DSO 84-1, submitted a new overview of the master plan, updating the 1985 Project Overview, and a revised Tabulation of Dwelling Units, updating the 1985 Tabulation of Dwelling Units..
11. The June 24, 1987, Lee County Zoning and Development Review Division letter agreed to a process for reviewing a detailed plan or plans for a particular development site or phase for substantial compliance with the SSRMDP, but did not provide for modification or revision of the SSRMDP itself.
12. As the exemption granted under DSO 84-1 was directed at the relocation of the dwelling units for *Land's End Village*, the procedure outlined in staff's June 24, 1987 letter is no longer an effective procedure under current County standards.

13. Mariner's purchase of the Hanchar property and the variance granted by BZA-86-46 does not affect the total number of units permitted within the SSRD (912), however, construction of Sanddrift (aka Plantation Beach Villas within the SSRD allocated four (4) of the 912 SSRD units to that development.
14. The parcel on which the *Estate Residence* was constructed is within the SSRD and one (1) residential dwelling unit will be counted against the total 912 allocation of dwelling units
15. The *Plantation Beach Club II, Phase 1* building, was constructed on a parcel not included within the SSRD, and the eight (8) units it contains will not be counted against the total 912 allocation of dwelling units.
16. The current allocation of units to the various development areas is:

<u>Area Name</u>	<u>Number of Units</u>
1. Bayside Villas	102
2. Tennis Villas	60
3. Employee Housing	140
4. Beach Villas	160
5. Beach Cottages	26
6. Beach Homes	33
7. Beach Homesites	26 ⁵
8. Sandrift (aka Plantation Beach Villas)	4
9. Plantation Beach Club	48
10. Plantation Bay Villas	4
11. Marina Villas	40
12. Harbourside Villas	107
13. The South Seas Club	24
14. Cottages at South Seas Plantation	14
15. Plantation House Phase I	12
16. Seabreeze (aka Plantation House Phase II)	8

⁵ The developers of the South Seas Resort have allocated 26 units to the Beach Homesites area. Only 24 units have been constructed to date. In 1999, the Lee County Hearing Examiner granted Lot 21 of this subdivision a variance from the building height limitations of LDC Section 34-2175(2). VAR963127 aka 99.05.144.05V 01.01. LDC Section 34-2175(2) was subsequently amended to prohibit such grant of variance. Lee County Ordinance 99-13.

17. Land's End Village (aka Golf Villas)	68
18. Estate Residence	1
19. Harbour Pointe	18
TOTAL ALLOCATED DWELLING UNITS	895
TOTAL APPROVED DWELLING UNITS	912
TOTAL DEVELOPED DWELLING UNITS	877 ⁶
TOTAL UNDEVELOPED DWELLING UNITS	35

17. There is evidence to conclude that, when used as lock-off units, Bayside Villas provides more than the 102 units allocated to that development phase by the current schedule allocating the 912 SSRD units.
18. The use of lock-off units on Captiva Island is regulated by LDC Section 34-1547.
19. It is in the best interests of the developers and operators of South Seas Resort and Lee County that the design and use as lock-off accommodations of the 102 units allocated to Bayside Villas be amortized. The developers of South Seas Resort have proposed and the County has agreed to a program for timely amortization of the design and use of these units as lock-off accommodations through a Compliance Agreement acceptable to the County.
20. The County-initiated zoning action memorialized by Resolution Z-90-91 established within the SSRD two (2) specific water-dependent overlay Marine Commercial (CM) zoning districts as a part of the SSRD, but that zoning action had no effect on the density or number of units approved within the SSRD.
21. LDC Section 34-1038 provides an effective procedure for reviewing proposed modifications or revisions to the SSRMDP and SSRD for compliance with Chapter 34 of the LDC.

WHEREAS, THE PURPOSE OF THIS ADMINISTRATIVE INTERPRETATION IS TO SUMMARIZE AND CLARIFY ALL PRIOR APPROVALS INTO ONE COMPREHENSIVE DOCUMENT DETAILING WHAT DEVELOPMENT CURRENTLY EXISTS, CLARIFY WHAT ADDITIONAL DEVELOPMENT MAY BE PERMITTED, AND PROVIDE FOR A REASONABLE METHOD FOR THE COUNTY TO REVIEW REQUESTS FOR FUTURE DEVELOPMENT APPROVALS TO MODIFY OR CHANGE THE MASTER DEVELOPMENT PLAN ADOPTED BY RESOLUTION Z-73-202;

NOW, THEREFORE, the Director of Community Development has determined:

⁶ Of the 877 developed units, to date only 875 have been constructed. Supra note 5.

1. The development of 912 residential units within the SSRD, the extents of which are described in attached Exhibit "A," together with the following Tabulation of Dwelling Units for the allocation of these dwelling units within the SSRMDP is approved:

<u>Area Name</u>	<u>Number of Units</u>
1. Bayside Villas	102
2. Tennis Villas	60
3. Employee Housing	140
4. Beach Villas	160
5. Beach Cottages	26
6. Beach Homes	33
7. Beach Homesites	26 ⁷
8. Sandrift (aka Plantation Beach Villas)	4
9. Plantation Beach Club	48
10. Plantation Bay Villas	4
11. Marina Villas	40
12. Harbourside Villas	107
13. The South Seas Club	24
14. Cottages at South Seas Plantation	14
15. Plantation House Phase I	12
16. Seabreeze (aka Plantation House Phase II)	8
17. Land's End Village (aka Golf Villas)	68
18. Estate Residence	1
19. Harbour Pointe	18
TOTAL APPROVED ALLOCATED DWELLING UNITS	895
TOTAL APPROVED DWELLING UNITS	912
TOTAL DEVELOPED DWELLING UNITS	877⁸

⁷ Id.

⁸ Id.

2. The existing commercial development within a 5 acre area the perimeter boundaries of which are described in attached Exhibit "D" is approved.
3. The existing Marine Commercial development within the two areas, the perimeter boundaries of which are described in attached Exhibits "B" and "C" is approved.
4. Except as specifically conditioned herein, the following development standards applicable to the SSRD, based on standards that have been applied since its inception in 1973 are approved:
 - a. **Open space:** Of the 304± acres⁹ that make up the SSRD, approximately one third is set aside as open space (this 100+ acres includes now privately owned uplands, wetlands, and submerged lands). Additionally there is an allocation of open space for those lands seaward of the coastal construction control line, currently in excess of 15 acres. The South Seas Golf Course and other recreational lands supplement the beachfront and preservation land categories such that a minimum of 50% (approximately 152 acres) of the overall property is allocated to Open Space. Therefore, no minimum amount of Open Space is required per individual parcel.
 - b. **Landscape:** Emphasis will be placed on the use of native species. Canopy trees for shading and trees and/or shrubs for the screening of service areas or for privacy will be used to the extent possible. The final plant selection and placement shall be at the discretion of the owner working in concert with County staff. The use of invasive exotics is prohibited.
 - c. **Buffers:** There will be a natural (mostly mangrove) shoreline buffer along the bay waters of the SSRD. Specifically, that natural buffer shall be a minimum of 35' wide (except to the extent that the existing South Seas Road or Bay Drive (leading to Harbour Pointe) may currently encroach into and therefore reduce that 35' buffer). Where it is within or proximate to approved development areas, the natural buffer may be subject to a number of existing small openings as necessary for helicopter, vehicular, boat, pedestrian, and/or utility access, and trimming in accordance with State Standards for Mangrove Trimming where permitted. There is no buffer required along the bay waters extending from the southeasterly tip of the Harbour Pointe site continuing across the marina entrance channel and along the bay waters to Redfish Pass. There shall be no

⁹ The developers have had the property surveyed since 1973 and the greater accuracy of contemporary surveying has determined that the overall acreage is greater than indicated in 1973. This new, larger total acreage does not in any way modify the total maximum of 912 residential dwelling units permissible in the SSRD.

required minimum buffer between residential parcels internal to the development.

- d. **Setbacks:** Captiva Drive Southwest—minimum 25' to edge of right-of-way.
South Seas Road—minimum 10' to edge of pavement, excluding security building, signs, walls and other entrance features, when consistent with LDC site visibility requirements.
Internal Driveways—no minimum setbacks required
Building to External Property Line:
 —minimum 10' with minimum 6' high wall and vegetation buffer
 —minimum 15' with minimum 6' high wall or vegetation buffer
 —minimum 20' without wall or vegetation buffer
Building to Internal Property Line—no minimum setback required
Building to Bay Waters
 —minimum 25' setback from mean high tide line
Building to Waters of Gulf of Mexico
 —minimum 50' from mean high tide line
Building to Natural or Manmade Lake, Pond, Bayou, Canal, or Marina
 —no minimum setback required for buildings redeveloped within existing building footprints; 25' for any new buildings.
Building to Building Separation
 —minimum 10' separation unless additional separation is required by Building/Fire Code
Accessory Structures including Fences and Walls
 —for walls or structures 8' or less in height above grade. No minimum setback required
 —for walls or structures over 8' in height above grade, the setback shall be the same as set forth above for Buildings, except as to water bodies where there will be no setbacks required.
 —there shall be no minimum required separation between walls and accessory structures or one accessory structure and another.
- e. **Building Heights:** (These standards are applicable to all new structures except those being replaced under the existing Lee County build-back provisions of the Land Development Code) maximum height to the top of a parapet wall, roof, or mid-point of a pitched roof of no less than 4:1 and no more than 7:1 shall be the lesser of 35' above the grade surrounding the building at its foundation or 42' above mean sea level.
- f. **Traffic Impact Statements (TIS):** A traffic impact statement shall be required for any development that includes new residential dwelling units or includes more than 500 square feet of retail/commercial square footage. Because of the SSRD's vested status for purposes of concurrency (established via

Determination of Consistency with the Lee Plan in 1985), the data provided to the County in such TIS are intended for information purposes only. Approval of TIS is not a precursor to approval of proposed development plans. The concurrency vesting is limited to the SSRD, as approved under this interpretation.

- g. **Parking:** (These standards recognize the developers long standing commitments to transportation alternatives to the automobile on Captiva, including pedestrian and bicycle transportation via the pathways provided throughout the SSRD and the provision of up to 18 hours of daily free tram service.)

General

–Individual parking spaces will be no less than 9' wide by 18' deep.

–The appropriate number of handicap spaces will be provided in convenient locations in compliance with Lee County and State of Florida Handicapped Codes and the intent of ADA Guidelines.

–Any proposed reduction or reconfiguration of the as-built/as approve parking spaces provided contemporaneous to this interpretation is subject to a limited review development order to assure that the current inventory of parking is not reduced and additional parking is provided in the proportions for resort uses as required below.

Residential

–Single family/duplex will have a minimum of 2 off-street parking spaces per unit.

–Multi-family housing (whole ownership/timeshare/etc) will have a minimum of 1 parking space per dwelling unit plus a minimum of 1 guest/service parking space for every 10 dwelling units.

–Hotel/Motel units and employee rental apartments shall have a minimum of 1 parking space for every 2 dwelling units plus 1 guest/service parking space for every 10 dwelling units.

Commercial

–Activities/facilities internal to the resort and used almost exclusively by resort owners and guests (i.e. marina, golf course, tennis, retail, resort area restaurants, conference facilities, etc.) have no minimum required number of spaces.

–Activities/facilities within the designated five (5) acre Commercial Area at the south end of the property, except for conference facilities, shall be required to provide a minimum of 1 parking space per 1000 square feet of retail, restaurant/lounge or commercial use (excluding kitchens and other back of house areas and service facilities).

- h. **Construction Standards (other than for buildings):**

–Roads, driveways, walks, bike paths, seawalls, etc. shall be built in accordance with sound engineering design standards typical of those facilities

constructed within the SSRD during the past 28 years, subject to review and approval by County staff through the limited review development order process.

i. **Stormwater Management:**

–The standards of the existing approved SSRMDP as authorized and permitted by the South Florida Water Management District, or as they may be amended in the future, shall govern the surface water management elements of future development in the SSRD.

j. **Other:** Except as otherwise noted herein, the applicable standards of the Lee County Land Development Code shall apply within the SSRD

5. The 2002 SSPMPD, as revised July 22, 2002, stamped approved July 30, 2002, is approved **with the following conditions:**

- a. Current and future development within the SSRD will
1. be limited to a development density of 912 units utilizing a number of small scale clusters;
 2. be carefully planned and tightly controlled;
 3. provide for a self-support capability in terms of facilities and service needed;
 4. emphasize pedestrian movement, not automobile traffic;
 5. preserve shoreline and mangrove areas, including 2.5 miles of beach, 3.5 miles of bayou shoreline, and 20 acres of *Plantation Preserve* mangrove forest; and
 6. demonstrate leadership in rational development techniques in advance of proposed or enacted legislation; and
 7. provide and maintain a balance of dwelling units, amenities, and service facilities for the benefit of the entire community (SSP owners and guests, Captiva, and Lee County).
- b. The final phases of development in the SSRD include three (3) basic types of projects in accordance with the SSRMDP and the allowed limits:
1. upgrading of resort service facilities;
 2. development of small scale clusters of residential units;
 3. Improvements to guest facilities.

These include development and redevelopment of resort service facilities and guest facilities, including utilities and other infrastructure.

- c. The Beach Pavilion described in the 1985 plan package is not approved
- d. Other than as discussed in the letter from the Lee County Attorney's Office dated June 11, 1992, no wetland impacts are authorized by the SSRMDP. Prior to proposing amendments to the SSRMDP for development that may

encroach on wetlands—including but not limited to any expansion of the Harbour Pointe development area—the developers will initiate an environmental study adequate to evaluate the feasibility of such development in wetlands.

- e. The reallocation of any of the currently existing dwelling units or the development of the unallocated dwelling units is permissible by administrative action if such reallocation or development accords with the requirements of LDC Section 34-1038(a)
 - f. Guest access and resort services to the *Harbour Pointe* development area will be via launch from the existing northern marina, and the existing service road will be used for emergency access.
 - g. Employee housing will be provided and included in the total approved dwelling units in the SSRD.
6. This Administrative Interpretation and the attached 24" x 36" set of plans, entitled **2002 Master Development Plan South Seas Resort** bound together with all attendant plan sheets, signed by the Director and comprises the SSRMDP, in attached Exhibit "E".
 7. To memorialize this Administrative Interpretation and guide future development review in accordance with this Interpretation, the Official and Current Zoning Maps will be revised to label the SSRD and a note added to reference this Interpretation.
 8. Proposed revisions to the approved 2002 SSRMDP will be reviewed as changes to a PUD master development plan in accordance with LDC Section 34-1038.
 9. Plan review and inspections for future specific development approval requests will be reviewed for consistency with the SSRMDP under the provisions of the LDC, however, these requests will be reviewed as limited review development orders. At the discretion of the Director, a given development approval request may be required to be submitted as a full development order.

DULY SIGNED this 30th day of July, A.D., 2002.

BY: Mary Gibbs
Mary Gibbs, Director
Department of Community Development

APPROVED AS TO FORM BY: Timothy Jones
Timothy Jones
Assistant County Attorney

LEGAL DESCRIPTION October 23, 1973
SOUTH EAS PLANTATION - CAPTIVA ISLAND
SCHEDULE "A"

PARCEL 1: Hunt

A lot or parcel of land lying in Government Lot 1, Section 22, Township 45 South, Range 21 East, which lot or parcel is described as follows:

From a concrete post on the South line of said Lot 1 near the West shore of Bryant Bayou run North 81° 30' 10" West along said lot line for 220.4 feet to a concrete post; thence continue on the same course for 57.4 feet; thence run along a road North 23° 54' 30" West for 39.1 feet and North 8° 50' 00" West for 673.6 feet to a point from which an artesian well bears South 43° 42' East distant 49.8 feet; thence run North 7° 40' 00" West for 886.2 feet passing over an iron pipe at 799.2 feet; thence run North 77° 03' 30" East for 395.5 feet to an iron pin set in concrete; thence run North 89° 52' East for 96.4 feet; South 38° 52' West for 33.6 feet; South 0° 08' East for 62.92 feet; South 51° 08' East for 109.4 feet; thence North 38° 52' East for 175 feet to the point of beginning of the lands hereby conveyed.

From said point of beginning run South 38° 52' West for 175 feet; South 51° 08' East for 91 feet North 38° 52' East for 122.2 feet; and North 54° 42' East for 84 feet more or less to the waters of Pine Island Sound; thence run Northwesterly along said waters to an intersection with a line through the point of beginning bearing North 80° 52' East; thence run South 80° 52' West for 51 feet more or less to the point of beginning; together with all riparian rights appurtenant thereto; being Parcel No. 4 shown on the plat attached to instrument recorded in the Public Records of Lee County, Florida, in Miscellaneous Book 31 at page 225. All bearings hereinabove mentioned are plane coordinate for the Florida West Zone.

PARCEL 2: Kincaid

A lot or parcel of land lying in Government Lot 1, Section 22, Township 45 South, Range 21 East, which lot or parcel is described as follows:

From a concrete post on the South line of said Lot 1 near the West shore of Bryant Bayou run North 81° 30' 10" West along said lot line for 220.4 feet to a concrete post; thence continue on the same course for 57.4 feet; thence run along a road North 23° 54' 30" West for 39.1 feet and North 8° 50' 00" West 673.6 feet to a point from which an artesian well bears South 43° 42' East distant 49.8 feet; thence run North 7° 40' 00" West for 886.2 feet, passing over an iron pipe at 799.2 feet; thence run North 77° 03' 30" East for 395.5 feet to an iron pin set in concrete; thence run North 89° 52' East for 96.4 feet; South 38° 52' West for 33.6 feet, South 0° 08' East for 62.92 feet; South 51° 08' East for 34.4 feet and North 38° 52' East for 175 feet to the point of beginning of the lands hereby conveyed.

From said point of beginning run South 38° 52' West for 175 feet, South 51° 08' East for 75 feet, North 38° 52' East for 175 feet and

October 23, 1973

North 80° 52' East for 51 feet more or less to the waters of Pine Island Sound; thence run Northwesterly along said waters to an intersection with a line through the point of beginning bearing North 80° 52' East; thence run South 80° 52' West along said line for 65 feet more or less to the point of beginning; together with all riparian rights appurtenant thereto; being Parcel No. 3 shown on the plat attached to instrument recorded in the Public Records of Lee County, Florida, in Miscellaneous Book 31, at page 215. All bearings hereinabove mentioned are plane coordinate for the Florida West Zone.

PARCEL 3: Captiva Island Company

Government Lot 1, Section 22, Township 45 South, Range 21 East, Captiva Island, Lee County, Florida, excepting therefrom the following described parcels:

From a concrete post on the South line of Government Lot 1 near the West shore of Bryant Bayou, run North 81° 30' 10" West along said lot line for 220.4 feet to a concrete post; thence continue on the same course for 57.4 feet; thence run North 23° 54' 30" West along the West side of a public road for 39.1 feet; thence run North 08° 50' 00" West for 673.6 feet to a point from which an artesian well bears South 43° 42' 00" East a distance of 49.3 feet; thence run North 07° 40' 00" West for 886.2 feet passing through an iron pipe at 799.2 feet; thence run North 77° 03' 30" East for 395.5 feet to an iron pin set in concrete; thence run South 00° 08' 00" East for 63.1 feet; thence run North 89° 52' 00" East for 75.25 feet; thence run South 00° 08' 00" East for 25.92 feet; thence run South 51° 08' 00" East for 34.4 feet; thence run North 38° 52' 00" East for 175.00 feet to the point of beginning of the herein described exception. From said point of beginning run South 38° 52' 00" West for 175.00 feet; thence run South 51° 08' 00" East for 166 feet; thence run North 38° 52' 00" East for 122.2 feet; thence run North 54° 42' 00" East for 84 feet, more or less, to the waters of Pine Island Sound, passing through an iron pin at 76.3 feet; thence run Northwesterly along said waters to an intersection with a line bearing North 80° 52' 00" East passing through the point of beginning; thence run South 80° 52' 00" West for 65 feet more or less, to the point of beginning passing through an iron pin at 55 feet from said point of beginning.

ALSO excepting therefrom the following described parcel:

From said concrete post on the South line of said Lot 1 near the West shore of Bryant Bayou, run North 81° 30' 10" West along said lot line for 220.4 feet to a concrete post; thence continue on the same course for 32.57 feet to the Easterly side of a public road by user 30 feet wide; thence run North 22° 04' 40" West along said public road for 6.38 feet; thence run North 12° 19' West along said Easterly side for 386.16 feet to the point of beginning of the herein described exception. From said point of beginning run North 8° 50' West along said Easterly line for 136.24 feet; thence run North 89° 27' East for 227 feet, more or less, to the waters of a bayou; thence run Southeasterly along said waters to an inter-

October 23, 1973

section with a line bearing North 89° 27' East passing through the point of beginning; thence run South 89° 27' West for 243 feet, more or less to the point of beginning.

ALSO excepting therefrom the following described parcel:

Beginning at a concrete post on the South line of Government Lot 1, near the West shore of Bryant Bayou run North 81° 30' 10" West along said South line for 220.4 feet to a concrete post; thence continue on the same course for 32.57 feet to said Easterly side of said public road 30 feet wide; thence run North 22° 04' 40" West along said Easterly side for 6.38 feet; thence run North 12° 19' West along said Easterly side for 284.01 feet; thence run North 89° 27' East for 288 feet, more or less, to the waters of Bryant Bayou; thence run Southerly along said waters to an intersection with the said South line of Government Lot 1; thence run North 81° 30' 10" West for 20 feet, more or less, to the point of beginning.

NOTE: shore shown on original as short

ALSO excepting therefrom the following described parcel:

From said concrete post on the South line of said Lot 1 near the West shore of Bryant Bayou, run North 81° 30' 10" West along said lot line for 220.40 feet to a concrete post; thence continue on the same course for 57.4 feet; thence run North 23° 54' 30" West for 39.1 feet to a point on the Westerly side of said road and the point of beginning of the herein described exception. From said point of beginning run North 12° 19' West for 346.27 feet; thence run North 08° 50' West along said West line for 251.50 feet to the Southeast corner of a pedestrian easement 30 feet wide as described in Official Record Book 22 at page 486 of said Public Records; thence run South 89° 27' West along said South line of said easement for 390 feet more or less to the waters of the Gulf of Mexico; thence run Southerly along said waters to an intersection with the South line of Government Lot 1; thence run Easterly along said South line of Government Lot 1 to the Westerly line of said public road; thence run Northerly along said Westerly line to the point of beginning.

ALSO:

A parcel of land lying in Government Lot 3, Section 22, Township 45 South, Range 21 East which lot or parcel is described as follows:

From a concrete post on the North line of said Government Lot 3 near the West shore of Bryant Bayou, run North 81° 30' 10" West along said lot line for 220.4 feet to a concrete post; thence continue on the same course for 57.4 feet; thence run North 23° 54' 30" West for 39.1 feet to an iron pin on the West side of a public road; thence run South 12° 19' 00" East along said West line of said public road for 43.40 feet; thence run South 22° 04' 40" East along said West line for 444.34 feet to the point of beginning of the lands herein described. From said point of beginning continue South 22° 04' 40" East along said West line for 146.79 feet; thence run South 00° 27' 00" East along said West line for 165.64 feet; thence run South 89° 27' 00" West along the North line of the lands conveyed by deed recorded in Official Record

October 23, 1973

Book 49 at page 422, of said Public Records, parallel with and 800.00 feet North of the South boundary of the lands conveyed by Deed recorded in Deed Book 209 at pages 71 and 72 of said Public Records for 290 feet, more or less, to the waters of the Gulf of Mexico, passing through an iron pin at 200.17 feet; thence run Northwesterly along said waters to an intersection with a line bearing South 89° 27' 00" West passing through the point of beginning; thence run North 89° 27' 00" East along said line along the South line of the lands conveyed by deed recorded in Deed Book 260 at page 76 of said Public Records for 402 feet, more or less, to the point of beginning passing through an iron pin at 365.25 feet from the point of beginning.

ALSO:

A parcel of land lying in Government Lot 3, Section 22, Township 45 South, Range 21 East, which lot or parcel is described as follows:

From a concrete post on the North line of said Government Lot 3 near the West shore of Bryant Bayou, run North 81° 30' 10" West along said lot line for 220.4 feet to a concrete post; thence continue on the same course for 57.4 feet; thence run North 23° 54' 30" West for 39.1 feet to an iron pin on the West side of a public road; thence run South 12° 19' 00" East along said West line of said public road for 43.40 feet; thence run South 22° 04' 40" East along said West line for 591.13 feet; thence run South 0° 27' 00" East along said West line for 265.64 feet to the point of beginning of the lands herein described. From said point of beginning continue South 0° 27' 00" East along said West line for 100 feet; thence run South 89° 27' West for 223 feet, more or less, to the waters of the Gulf of Mexico; thence run Northwesterly along said waters to an intersection with a line bearing South 89° 27' West along said line along the South line of the lands conveyed by deed recorded in Official Record Book 49 at page 422 of said Public Records for 260 feet, more or less, to the point of beginning.

ALSO:

A parcel of land lying in Governments Lots 3 and 4, Section 22, Township 45 South, Range 21 East, which lot or parcel is described as follows:

From a concrete post on the North line of said Lot 1 near the West shore of Bryant Bayou, run North 81° 30' 10" West along said lot line for 220.4 feet to a concrete post; thence continue on the same course for 32.57 feet to the Easterly side of a public road; thence run South 22° 04' 40" East along said Easterly line for 447.23 feet to the point of beginning of the lands herein described. From said point of beginning continue Southeasterly and Southerly along said Easterly line of said public road to an intersection with the South line of the lands conveyed by deed recorded in Deed Book 209 at pages 71 and 72 of said Public Records; thence run North 89° 27' East along said South line and an Easterly prolongation to the East line of said Section 22; thence run North along said East line to the Northeast corner of Government Lot 4; thence run North 81° 30' 10" West to the Westerly shore of Bryant Bayou; thence run Southerly along said West shore to an intersection with a line bearing North 89° 27' East passing through the point of beginning; thence run

October 23, 1973

South 89° 27' West along said line for 182 feet, more or less, to the point of beginning.

ALSO:

All that part of said Government Lot 4 and Government Lot 5 of said Section 22 lying Southerly of said South line of the lands described in Deed Book 209 at pages 71 and 72 of said Public Records and lying Easterly of a Northerly arm of Chadwick Bayou.

ALSO:

All of Government Lot 1, Section 23, Township 45 South, Range 21 East.

ALSO:

All of the submerged lands of Pine Island Sound and Chadwick Bayou lying between the Mean High Water Line and the bulkhead line approved by the Board of Lee County Commissioners of Lee County, Florida, on May 22, 1968, which bulkhead line is more particularly described as follows:

From the unsurveyed corner common to Sections 22, 23, 26 and 27, Township 45 South, Range 21 East, run North 8° 29' 50" East along the line common to Sections 22 and 23 for 1435.7 feet to an intersection with an Easterly prolongation of the lands conveyed by deed recorded in Deed Book 209 at pages 71 and 72 of the Public Records of Lee County; thence run South 89° 27' West along said prolongation for 710.82 feet to an intersection with the bulkhead line as recorded in County Commission Minute Book 23 at pages 54 A-D of said Public Records and the point of beginning of the herein described bulkhead line. From said point of beginning run Northerly and Northwesterly along the arc of a curve to the left of radius 100.94 feet (chord bearing North 45° 34' 40" West) for 179.11 feet to a point of reverse curvature; thence run Northwesterly along the arc of a curve to the right of radius 73 feet (chord bearing North 53° 28' 50" West) for 109.39 feet to a point of tangency; thence run North 10° 33' West for 126.80 feet to a point of curvature; thence run Northwesterly, Northerly, Northeasterly, Easterly and Southeasterly along the arc of a curve to the right of radius 35 feet (chord bearing North 66° 57' 00" East) for 94.68 feet to a point of reverse curvature; thence run Southeasterly along the arc of a curve to the left of radius 191.45 feet (chord bearing South 54° 18' East) for 125.30 feet to a point of tangency; thence run South 73° 03' 00" East for 163.07 feet to a point of curvature; thence run Southeasterly along the arc of a curve to the right of radius 150 feet (chord bearing South 45° 25' 30" East) for 144.64 feet to a point of tangency; thence run South 17° 48' East for 130 feet; thence run Southeasterly, Southerly and Southwesterly along the arc of a curve to the right of radius 150 feet (chord bearing South 9° 57' West) for 145.30 feet to a point of reverse curvature; thence run Southwesterly, Southerly and Southeasterly along the arc of a curve to the left of radius 150 feet (chord bearing South 0° 31' 20" East) for 200.13 feet to a point of tangency; thence run South 38° 44' 40" East for 145.60 feet to a point of curvature; thence run Southeasterly along the arc of a curve to the right of radius 680 feet (chord bearing South 20° 09' 40" East) for 441.10 feet to a point of reverse curvature; thence run Southeasterly and Easterly along the arc of

October 23, 1973

a curve to the left of radius 241.48 feet (chord bearing South 39° 41' 20" East) for 321.25 feet to a point of tangency; thence run South 77° 48' 00" East for 425.21 feet to a point of curvature; thence run Southeasterly, Easterly and Northeasterly along the arc of a curve to the left of radius 250 feet (chord bearing North 58° 27' East) for 381.79 feet to a point of tangency; thence run North 14° 42' 00" East for 244 feet to a point of curvature; thence run Northeasterly along the arc of a curve to the left of radius 200 feet (chord bearing North 5° 12' East) for 66.52 feet to a point of tangency; thence run North 4° 18' West for 286 feet to a point of curvature; thence run Northwesterly along the arc of a curve to the left of radius 200 feet (chord bearing North 13° 53' 30" West) for 66.96 feet to a point of reverse curvature; thence run Northwesterly along the arc of a curve to the right of radius 397.28 feet (chord bearing North 4° 04' 00" West) for 269.26 feet to a point of reverse curvature; thence run Northwesterly along the arc of a curve to the left of radius 175.97 feet (chord bearing North 10° 34' 30" West) for 159.24 feet to a point of reverse curvature; thence run Northwesterly along the arc of a curve to the right of radius 540 feet (chord bearing North 16° 37' 30" West) for 374.63 feet to a point of reverse curvature; thence run Northwesterly along the arc of a curve to the left of radius 220 feet (chord bearing North 4° 22' 30" West) for 58.56 feet to a point of tangency; thence run North 12° West for 638 feet to a point of curvature; thence run Northwesterly along the arc of a curve to the left of radius 150 feet (chord bearing North 23° West) for 57.60 feet to a point of tangency; thence run North 34° West for 290.84 feet to an intersection with said line common to Sections 22 and 23 at a point 122.0 feet North of the Southeast corner of Government Lot 1 of said Section 22; thence continue North 34° West for 690.39 feet to a point of curvature; thence run Northwesterly along the arc of a curve to the right of radius 500 feet (chord bearing North 32° 53' 55" West) for 19.22 feet to a point of tangency; thence run North 31° 47' 50" West for 591.34 feet to a point of curvature; thence run Northwesterly along the arc of a curve to the left of radius 1400 feet (chord bearing North 35° 16' West) for 169.55 feet to a point of tangency; thence run North 38° 44' 10" West for 497.24 feet to a point of curvature; thence run Northwesterly, Westerly and Southwesterly along the arc of a curve to the left of radius 25 feet (chord bearing North 89° 56' 05" West) for 44.68 feet more or less to an intersection with the Mean High Tide Line on the Easterly shore of Captiva Island and the end of the herein described bulkhead line.

ALSO:

The following described real estate, situate, lying and being in Lee County, Florida, to-wit:

All of Government Lot 3, Section 15, Township 45 South, Range 21 East.

ALSO:

A tract or parcel of land lying in Sections 22, 26 and 27, Township 45 South, Range 21 East, Lee County, Florida, more particularly described as follows:

October 23, 1973

From the corner common to Sections 22, 23, 26 and 27, of said township and range, run North 81° 30' 10" West along the North line of said Section 27 for 230.95 feet to the point of beginning of the lands herein described. From said point of beginning run South 18° 15' 20" West along the bulkhead line as approved by the Lee County Board of Commissioners on May 8, 1963 and approved by the Trustees of the Internal Improvement Fund on June 18, 1963 for 466.75 feet; thence run South 10° 42' 40" East along said bulkhead line for 942.39 feet to a point on the East line of said Section 27, which point bears South 08° 29' 50" West and is 1349.83 feet South of the Northeast corner of said Section 27; thence continue South 10° 42' 40" East along said bulkhead line in said Section 26 for 938.72 feet to a point of curvature; thence run Southeasterly, Easterly, and Northeasterly along said bulkhead line along the arc of a curve to the left of radius 430 feet (chord bearing South 66° 09' 00" East) for 832.11 feet to a point of tangency; thence run North 58° 24' 50" East along said bulkhead line for 205.81 feet to a point of curvature; thence run Northeasterly Northerly and Northwesterly along said bulkhead line along the arc of a curve to the left of radius 185 feet (chord bearing North 13° 24' 50" East) for 290.60 feet to a point of compound curvature; thence run Northwesterly along said bulkhead line, along the arc of a curve to the left of radius 325 feet (chord bearing North 51° 29' 50" West) for 225.88 feet to a point of reverse curvature; thence run Northwesterly, Northerly and Northeasterly along said bulkhead line along the arc of a curve to the right of radius 185 feet (chord bearing North 28° 07' 10" West) for 279.54 feet to a point of reverse curvature; thence run Northeasterly, Northerly and Northwesterly along said bulkhead line along the arc of a curve to the left of radius 225 feet (chord bearing North 01° 56' 10" West) for 134.34 feet to a point of reverse curvature; thence run Northwesterly, Northerly, Northeasterly, Easterly and Southeasterly along said bulkhead line along the arc of a curve to the right of radius 227.37 feet (chord bearing North 57° 27' 20" East) for 607.13 feet to a point of compound curvature; thence run Southeasterly, Southerly and Southwesterly along said bulkhead line along the arc of a curve to the right of radius 1485 feet (chord bearing South 21° 34' 00" East) for 1269.01 feet; thence run South 02° 54' 50" West along said bulkhead line for 695 feet to a point of curvature; thence run Southwesterly, Southerly and Southeasterly along said bulkhead line along the arc of a curve to the left of radius 135 feet (chord bearing South 22° 05' 10" East) for 117.81 feet to a point of reverse curvature; thence run Southeasterly, Southerly and Southwesterly along said bulkhead line along the arc of a curve to the right of radius 80 feet (chord bearing South 00° 24' 50" West) for 132.65 feet to a point of reverse curvature; thence run Southwesterly and Southerly along said bulkhead line along the arc of a curve to the left of radius 180 feet (chord bearing South 30° 58' 30" West - chord distance 104.85 feet) for 106.39 feet to an intersection with an Easterly prolongation of the Northerly boundary of the lands conveyed by deed recorded in Deed Book 130 at page 21 of the Public Records of Lee County; thence run North 88° 35' 50" West along said Northerly boundary for 502.64 feet; thence run South 2° 37' 50" West along the Westerly boundary

October 23, 1973

of the lands conveyed by said Deed Book 130 at page 21 for 450.40 feet; thence run South $83^{\circ} 13' 30''$ East along the Southerly boundary of the lands conveyed by said Deed Book 130 at page 21 for 41.54 feet to an intersection with the West right of way of a 30 foot easement for roadway purposes as recorded in Official Record Book 1216 at pages 1789 and 1790 of the Public Records of Lee County; thence run South $2^{\circ} 51' 50''$ West along said West right of way for 226.03 feet to an intersection with the Northerly right of way of a 30 foot public road dedicated by deed recorded in Deed Book 54 at page 540, Public Records of Lee County; thence run along said Northerly right of way for 808.13

- NOTE:
1. 450.40 shown on original as 250.40
 2. easement for roadway purposes as recorded in Official Record Book 1216 at pages 1789 and 1790 shown on original as public road dedicated by deed recorded in Deed Book 5 at page 70
 3. 808.13 shown on original as 608

feet to an intersection with the East boundary of G.W. Bryant's Addition to Gulf View Captiva Island as recorded in Plat Book 3 at page 21, Public Records of Lee County; thence run North $12^{\circ} 48' 10''$ East along said East boundary for 8.41 feet to the Northerly right of way of Binder Avenue as recorded in said G. W. Bryant's Addition to Gulf View Captiva Island; thence run North $77^{\circ} 11' 50''$ West along said Northerly right of way of Binder Avenue for 358.28 feet to an intersection with the Easterly right of way of a 30 foot public road, also being the East boundary of Gulf View Subdivision as recorded in Plat Book 3 at page 8, Public Records of Lee County; thence run North $16^{\circ} 51' 30''$ West along said Easterly right of way of a 30 foot public road for 650 feet, more or less, to the waters of the Gulf of Mexico; thence run Northwesterly along said waters of the Gulf of Mexico for 4550 feet, more or less, to an intersection with the South line of the lands described in Deed Book 209 at pages 71 and 72; thence run North $89^{\circ} 27' 00''$ East along said South line for 680 feet, more or less, to an intersection with the aforementioned approved bulkhead line; thence run Southwesterly along said bulkhead line along the arc of a curve the right of radius 100.94 feet (chord bearing South $0^{\circ} 24' 50''$ West - chord distance 17.04 feet) for 17.06 feet to a point of tangency; thence run South $5^{\circ} 15' 20''$ West along said bulkhead line for 94.28 feet to a point of curvature; thence run Southeasterly along said bulkhead line along the arc of a curve to the left of radius 135.00 feet (chord bearing South $16^{\circ} 44' 40''$ East - chord distance 101.14 feet) for 103.67 feet to a point of tangency; thence run South $38^{\circ} 44' 40''$ East along said bulkhead line for 390.00 feet to a point of curvature; thence run Southeasterly along said bulkhead line along the arc of a curve to the right of radius 620.00 feet (chord bearing South $10^{\circ} 14' 40''$ East - chord distance 591.68 feet) for 638.44 feet to a point of tangency; thence run South $18^{\circ} 15' 20''$ West along said bulkhead line for 317.84 feet to the point of beginning.

ALSO:

A tract of submerged land lying offshore in Sections 22, 26 and 27, Township 45 South, Range 21 East, Lee County, Florida, more particularly described as follows:

October 23, 1973

From the corner common to Sections 22, 23, 26 and 27, said Township and Range, run North $81^{\circ} 30' 10''$ West along the North line of said Section 27 for 230.95 feet to the point of beginning of the lands herein described. From said point of beginning run South $18^{\circ} 15' 20''$ West along the bulkhead line as approved by the Lee County Board of County Commissioners on May 8, 1963 and approved by the Trustees of the Internal Improvement Fund on June 18, 1963 for 466.75 feet; thence run South $10^{\circ} 42' 40''$ East along said bulkhead line for 942.39 feet to a point on the East line of said Section 27, which point bears South $08^{\circ} 29' 50''$ West and is 1,349.83 feet South of the Northeast corner of said Section 27; thence continue South $10^{\circ} 42' 40''$ East along said bulkhead line in said Section 26 for 938.72 feet to a point of curvature; thence run Southeasterly, Easterly and Northeasterly along said bulkhead line along the arc of a curve to the left of radius 430 feet (chord bearing South $66^{\circ} 09' 00''$ East) for 832.11 feet to a point of tangency; thence run North $58^{\circ} 24' 50''$ East along said bulkhead line for 205.81 feet to a point of curvature; thence run Northeasterly, Northerly and Northwesterly along said bulkhead line along the arc of a curve to the left of radius 185 feet (chord bearing North $13^{\circ} 24' 50''$ East) for 290.60 feet to a point of compound curvature; thence run Northwesterly along said bulkhead line, along the arc of a curve to the left of radius 325 feet (chord bearing North $51^{\circ} 29' 50''$ West) for 225.88 feet to a point of reverse curvature; thence run Northwesterly, Northerly and Northeasterly along said bulkhead line along the arc of a curve to the right of radius 185 feet (chord bearing North $28^{\circ} 07' 10''$ West) for 279.54 feet to a point of reverse curvature; thence run North-easterly, Northerly and Northwesterly along said bulkhead line along the arc of a curve to the left of radius 225 feet (chord bearing North $01^{\circ} 56' 10''$ West) for 134.34 feet to a point of reverse curvature; thence run Northwesterly, Northerly, North-easterly, Easterly and Southeasterly along said bulkhead line along the arc of a curve to the right of radius 227.37 feet (chord bearing North $57^{\circ} 27' 20''$ East) for 607.13 feet to a point of compound curvature; thence run Southeasterly, Southerly and Southwesterly along said bulkhead line along the arc of a curve to the right of radius 1,485 feet (chord bearing South $21^{\circ} 34' 00''$ East) for 1,269.01 feet; thence run South $02^{\circ} 54' 50''$ West along said bulkhead line for 695 feet to a point of curvature; thence run Southwesterly, Southerly and Southeasterly along said bulkhead line along the arc of a curve to the left of radius 135 feet (chord bearing South $22^{\circ} 05' 10''$ East) for 117.81 feet to a point of reverse curvature; thence run Southeasterly, Southerly and Southwesterly along said bulkhead line along the arc of a curve to the right of radius 80 feet (chord bearing South $00^{\circ} 24' 50''$ West) for 132.65 feet to a point of reverse curvature; thence run Southwesterly and Southerly along said bulkhead line along the arc of a curve to the left of radius 180 feet to the intersection with an Easterly prolongation of the Northerly boundary of the lands conveyed by deed recorded in Deed Book 130 at page 21, of the Public Records of Lee County; thence run Westerly along said Easterly prolongation to the point of mean high tide on the West shore of Pine Island Sound; thence run Northwesterly, Westerly, Southwesterly, Southerly, Southeasterly, Southerly, Southwesterly, Westerly, Northwesterly, Northeasterly and Northerly along said mean high tide line to an intersection with the North line of said Section 27; thence run South $81^{\circ} 30' 10''$ East along said North line of Section 27 to the point of beginning.

October 23, 1973

ALSO:

From said corner common to said Sections 22, 23, 26 and 27, run North 81° 30' 10" West along the South line of said Section 22 for 230.95 feet to the point of beginning of the herein described lands. From said point of beginning run North 18° 15' 20" East along said bulkhead line for 317.84 feet to a point of curvature; thence run Northeasterly, Northerly and Northwesterly along said bulkhead line along the arc of a curve to the left of radius 620 feet (chord bearing North 10° 14' 40" West) for 638.44 feet to a point of tangency; thence run North 38° 44' 40" West along said bulkhead line for 390 feet to a point of curvature; thence run Northwesterly and Northerly along said bulkhead line along the arc of a curve to the right of radius 135 feet (chord bearing North 16° 44' 40" West) for 103.67 feet to a point of tangency; thence run North 05° 15' 20" East along said bulkhead line to an intersection with an Easterly prolongation of a Southerly boundary of the lands described in deed recorded in Deed Book 209 at pages 71 and 72 of said Public Records; thence run Westerly along said Westerly prolongation to the point of mean high tide line on the Westerly shore of an arm of Chadwick Bayou; thence run Southeasterly, Southerly and Southwesterly along said high tide line to an intersection with the South line of said Section 22; thence run South 81° 30' 10" East along said South line of Section 22 to the point of beginning.

PARCEL 4: Watts

A lot or parcel of land lying in Government Lot 3, Section 22, Township 45 South, Range 21 East, which lot or parcel is described as follows: From a concrete post on the South line of the lands conveyed by deed recorded in Deed Book 209 at pages 71 and 72 of the Public Records of Lee County, which concrete post is 24 feet, more or less, Westerly from the Westerly shore of the waterway connecting Bryant Bayou with Pine Island Sound, run South 89° 27' West, along said South line and the line of the centerline of a ditch between rows of coconut palms, for 390.0 feet to a concrete post on the West side of a public road; thence continue South 89° 27' West along said South line for 2.4 feet; thence run North 4° 57' West along the Westerly side of said public road for 377.0 feet; thence run North 0° 27' West for 124.14 feet to a concrete monument and the point of beginning of the lands hereby conveyed. From said point of beginning run North 0° 27' West along the Westerly side of said public road (15 feet from the center line) for 100.00 feet to a concrete monument; thence run South 89° 27' West 600 feet North of and parallel to said South line of the lands conveyed by said deed recorded in Deed Book 209 at pages 71 and 72 for 355 feet, more or less, to the waters of the Gulf of Mexico, passing through a steel pin at 240 feet; thence run Southeasterly along said waters to an intersection with a line bearing South 89° 27' West through the point of beginning; thence run North 89° 27' East along said line for 325 feet, more or less, to the point of beginning; together with all riparian rights appurtenant thereto; being Parcel No. 6 as shown on unrecorded plat.

PARCEL 5: Holtz

A lot or parcel of land lying in Government Lot 3, Section 22, Township 45 South, Range 21 East, which lot or parcel of land is described

October 23, 1973

as follows: From a concrete post on the south line of the lands conveyed by deed recorded in Deed Book 209 at pages 71 and 72 of the public records of Lee County, which concrete post is 24 feet more or less westerly from the westerly shore of the waterway connecting Bryant Bayou with Pine Island Sound, run South 89° 27' West along said south line and the line of the center line of a ditch between rows of coconut palms for 390.0 feet to a concrete post on the west side of a public road; thence continue south 89°27' west along said south line for 2.4 feet thence run north 4°57' west along the westerly side of said public road for 377.0 feet; thence north 0°27' west for 24.14 feet to a concrete monument and the p.o.b. of the land herein described. From said p.o.b. run north 0°27' west along the westerly side of said public road (15 feet from center line) 100.00 feet to a concrete monument; thence run south 89°27' west 500 feet north of and parallel to said south line of the lands conveyed by said deed recorded in Deed Book 209, at pages 71 and 72, for 325 feet, more or less, to the waters of the Gulf of Mexico, passing through a steel pin at 230 feet; thence run southeasterly along said waters to an intersection with the line through the p.o.b. bearing south 89°27' west; thence run north 89°27' east along said line for 310 feet more or less, to the p.o.b.;

PARCEL 6: Jay

A lot or parcel of land lying in Government Lot 3, Section 22, Township 45 South, Range 21 East, which lot or parcel is described as follows:

From a concrete post on the South line of the lands conveyed by deed recorded in Deed Book 209 at pages 71 and 72 of the public records of Lee County, which concrete post is 24 feet, more or less, Westerly from the Westerly shore of the waterway connecting Bryant Bayou with Pine Island Sound, run South 89°27' West along said South line and the line of the center line of a ditch between rows of coconut palm for 390 feet to a concrete post on the West side of a public road; thence continue South 89° 27' West along said South line for 2.4 feet; thence run North 4° 57' West along the Westerly side of said public road for 300.9 feet to a concrete monument and the point of beginning of the lands herein described.

From said point of beginning run North 4° 57' West for 76.1 feet and North 0° 27' West for 24.14 feet along the Westerly side of said public road (15 feet from the center line) to a concrete monument; thence run South 89° 27' West, 400 feet North of and parallel to said South line of the lands conveyed by said deed recorded in Deed Book 209 at pages 71 and 72, for 310 feet, more or less, to the waters of the Gulf of Mexico, passing through a palm tree at 40 feet and a steel pin at 229.8 feet; thence run Southeasterly along said waters to an intersection with a line through the point of beginning bearing South 89° 27' West; thence run North 89° 27' East along said line for 305 feet, more or less, to the point of beginning.

ALSO:

A lot or parcel of land lying in Government Lot 3, Section 22, Township 45 South, Range 21 East, which lot or parcel is described as follows:

From a concrete post on the South line of the lands conveyed by deed recorded in Deed Book 209, at pages 71 and 72 of the public records of Lee County, which concrete post is 24 feet, more or less, Westerly from the Westerly shore of the waterway connecting Bryant Bayou with

October 23, 1973

Pine Island Sound, run South 89° 27' West, along said South line and the line of the center line of a ditch between rows of coconut palms, for 390.0 feet to a concrete post on the West side of a public road; thence continue South 89° 27' West along said South line for 2.4 feet; thence run North 4° 57' West along the Westerly side of said public road for 200.6 feet to a concrete monument and the point of beginning of the lands hereby described.

From said point of beginning run North 4° 57' West along the Westerly side of said public road (15 feet from the center line) for 100.2 feet to a concrete monument; thence run South 89° 27' West 300 feet North of and parallel to said South line of the lands conveyed by said deed recorded in Deed Book 209 pages 71 and 72 for 305 feet, more or less, to the waters of the Gulf of Mexico, passing through a steel pin at 200 feet; thence run Southeasterly along said waters to an intersection with a line bearing South 89° 27' West through the point of beginning; thence run North 89° 27' East along said line for 297 feet to the point of beginning.

NOTE: coconut shown on original as coccoanut

ADD2002-00098
EXHIBIT "B"

A TRACT OF LAND LYING IN SECTION 22, TOWNSHIP 45 SOUTH, RANGE 21 EAST, CAPTIVA ISLAND, LEE COUNTY, FLORIDA WHICH TRACT IS DESCRIBED AS

BEGINNING AT THE SOUTHWESTERLYMOST CORNER OF THE MARINA AS DESCRIBED IN OFFICIAL RECORDS BOOK 1106 AT PAGE 1881;
THENCE RUN N09°15'52"W FOR 119.38 FEET;
THENCE RUN N06°15'44"W FOR 145.32 FEET;
THENCE RUN N54°13'14"E FOR 207.47 FEET;
THENCE RUN N77°48'24"E FOR 5.49 FEET;
THENCE RUN S77°35'33"E FOR 56.50 FEET TO A POINT OF CURVATURE;
THENCE RUN ALONG A CURVE TO THE LEFT WITH A RADIUS OF 154.76 FEET (CHORD BEARING S84°44'14"E) (CHORD 38.50 FEET) FOR 38.60 FEET TO A POINT OF TANGENCY;
THENCE RUN N88°07'04"E FOR 32.10 FEET TO A POINT OF CURVATURE;
THENCE RUN ALONG A CURVE TO THE LEFT WITH A RADIUS OF 135.00 FEET (CHORD BEARING N79°13'07"E) (CHORD 41.77 FEET) FOR 41.94 FEET TO A POINT OF REVERSE CURVATURE;
THENCE RUN ALONG A CURVE TO THE RIGHT OF RADIUS 30.00 FEET (CHORD BEARING S59°25'32"E) (CHORD 46.13 FEET) FOR 52.63 FEET TO A POINT OF NON-TANGENCY;
THENCE RUN N32°48'09"E FOR 277.42 FEET;
THENCE RUN N49°14'36"W FOR 169.28 FEET;
THENCE RUN S22°25'15"W FOR 231.04 FEET;
THENCE RUN N56°42'51"W FOR 325.76 FEET;
THENCE RUN N33°17'09"E FOR 98.67 FEET;
THENCE RUN N56°42'51"W FOR 72.50 FEET;
THENCE RUN N81°38'32"W FOR 116.25 FEET;
THENCE RUN S30°39'13"W FOR 8.18 FEET;
THENCE RUN S28°07'41"E FOR 165.27 FEET;
THENCE RUN S28°50'23"W FOR 346.97 FEET;
THENCE RUN S84°44'03"W FOR 127.34 FEET;
THENCE RUN S09°15'16"E AND ALONG THE WESTERLY LINE OF A 20-FOOT-WIDE ROADWAY EASEMENT FOR 625.62 FEET;
THENCE RUN N69°14'11"E ALONG A 30-FOOT-WIDE ROADWAY EASEMENT FOR 105.94 FEET TO A POINT OF CURVATURE;
THENCE ALONG A CURVE TO THE RIGHT OF RADIUS 110.87 FEET (CHORD BEARING N86°27'41"E) (CHORD 65.66 FEET) FOR 66.66 FEET TO A POINT OF REVERSE CURVATURE;
THENCE RUN ALONG A CURVE TO THE LEFT OF RADIUS 123.00 FEET (CHORD BEARING N63°41'11"E) (CHORD 158.13 FEET) FOR 171.74 FEET TO A POINT OF COMPOUND CURVATURE;
THENCE CONTINUING ALONG A CURVE TO THE LEFT OF RADIUS 349.28 FEET (CHORD BEARING N14°33'22"E) (CHORD 110.85 FEET) FOR 111.32 FEET TO A POINT OF TANGENCY;
THENCE RUN N05°25'32"E FOR 88.18 FEET;
THENCE RUN S77°44'35"W FOR 110.35 FEET TO THE POINT OF BEGINNING.

CONTAINING 7.82 ACRES MORE OR LESS.
BEARINGS SHOWN ARE PLANE COORDINATE FOR THE WEST ZONE BASED ON TIES TO THE LEE COUNTY COASTAL CONSTRUCTION SETBACK LINE FOR CAPTIVA ISLAND, LEE COUNTY, FLORIDA.

ADD2002-00098

EXHIBIT "C"

A TRACT OF LAND LYING IN SECTION 26, TOWNSHIP 45 SOUTH, RANGE 21 EAST, CAPTIVA ISLAND, LEE COUNTY, FLORIDA WHICH TRACT IS DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWESTERLY CORNER OF THE BAYSIDE VILLAS CONDOMINIUM, PHASE II, AS DESCRIBED IN OFFICIAL RECORD BOOK 1382 AT PAGE 1118;

THENCE RUN N35°54'10"E FOR 25.21 FEET TO THE **POINT OF BEGINNING**; FROM SAID POINT OF BEGINNING RUN N46°38'16"W FOR 60.59 FEET TO A POINT OF CURVATURE;

THENCE RUN ALONG A CURVE TO THE LEFT OF RADIUS 451.15 FEET (CHORD BEARING N50°02'53"W) (CHORD 53.67 FEET) (DELTA 06°49'13") FOR 53.70 FEET TO A POINT OF REVERSE CURVATURE;

THENCE RUN ALONG A CURVE TO THE RIGHT OF RADIUS 367.50 FEET (CHORD BEARING N52°34'13"W) (CHORD 11.39 FEET) (DELTA 01°46'33") FOR 11.39 FEET;

THENCE RUN N35°54'10"E FOR 110.00 FEET;

THENCE RUN S78°27'27"E FOR 102.43 FEET;

THENCE RUN N05°30'41"W FOR 160.00 FEET;

THENCE RUN WEST FOR 75.00 FEET;

THENCE RUN N75°02'43"E FOR 250.00 FEET;

THENCE RUN S50°17'17"E FOR 36.46 FEET;

THENCE RUN S07°27'27"E FOR 197.24 FEET;

THENCE RUN N75°04'00"E FOR 226.85 FEET;

THENCE RUN S02°54'13"W FOR 70.59 FEET;

THENCE RUN S75°02'00"W FOR 306.09 FEET;

THENCE RUN S69°35'26"W FOR 40.18 FEET;

THENCE RUN S75°06'36"W FOR 57.43 FEET;

THENCE RUN S84°23'43"W FOR 53.52 FEET;

THENCE RUN N81°18'46"W FOR 5.92 FEET;

THENCE RUN N67°01'16"W FOR 16.02 FEET;

THENCE RUN N54°05'47"W FOR 121.83 FEET;

THENCE RUN S35°54'10"W FOR 135.81 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 2.98 ACRES MORE OR LESS.

BEARINGS SHOWN ARE PLANE COORDINATE FOR THE WEST ZONE BASED ON TIES TO THE LEE COUNTY COASTAL CONSTRUCTION SETBACK LINE FOR CAPTIVA ISLAND, LEE COUNTY, FLORIDA.

JOHNSON

ENGINEERING

January 12, 2001

DESCRIPTION

PARCELS 1 AND 2 AT SOUTH SEAS PLANTATION
SECTION 26, TOWNSHIP 45 SOUTH, RANGE 21 EAST
CAPTIVA ISLAND, LEE COUNTY, FLORIDA

A tract or parcel of land lying in Section 26, Township 45 South, Range 21 East, being a portion of South Seas Plantation, Captiva Island, Lee County, Florida, which tract or parcel is described as follows:

Parcel 1

From the southeast corner of Tennis Villas Condominium Phase II as recorded in Official Record Book 1237 at Page 1217 of the Public Records of Lee County, Florida run the following courses and distances along the boundary of South Seas Plantation: S 02° 47' 50" W for 204.16 feet; S 85° 47' 00" E for 71.60 feet; S 02° 55' 20" W for 235.67 feet to an intersection with the northerly right-of-way line of Captiva Drive Southwest (30 feet wide); N 71° 18' 21" W along said northerly right-of-way line of Captiva Drive Southwest and the boundary of said South Seas Plantation for 327.76 feet to an intersection with a non-tangent curve; thence run northwesterly along the arc of said curve departing the right-of-way line of said Captiva Drive Southwest and the boundary of South Seas Plantation to the right of radius 594.46 feet (chord bearing N 46° 04' 35" W) (chord 257.51 feet) (delta 25° 01' 05") for 259.57 feet to a non-tangent compound curve, also a point designated "A"; thence run northwesterly along the arc of said curve to the right of radius 718.62 feet (chord bearing N 07° 54' 51" W) (chord 191.19 feet) (delta 15° 17' 20") for 191.76 feet to the end of said curve and a non-tangent line; thence run N 01° 38' 15" E for 39.23 feet; thence run N 02° 36' 46" E for 211.33 feet; thence run N 01° 52' 34" E for 16.83 feet to the beginning of a non-tangent curve; thence run southeasterly along the arc of said curve to the right of radius 32.17 feet (chord bearing S 89° 44' 44" E) (chord 62.00 feet) (delta 210° 56' 38") for 118.42 feet to the end of said curve and a non-tangent line; thence run S 07° 18' 01" W for 21.69 feet; thence run S 02° 41' 01" W for 81.35 feet; thence run S 87° 21' 31" E for 87.16 feet; thence run S 02° 38' 30" W for 130.44 feet; thence run S 87° 21' 30" E for 63.03 feet to an intersection with the east line of said South Seas Plantation boundary, also being the west line of said Tennis Villas Condominium Phase II; thence run S 02° 38' 04" W along said boundary line for 48.41 feet to the southwest corner of said Tennis Villas Condominium Phase II; thence run S 88° 28' 34" E along the south line of said Tennis Villas Condominium Phase II and the boundary line of said South Seas Plantation for 264.39 feet to the Point of Beginning.

Parcel contains 204,282 square feet, more or less.

Parcel 2

From the point hereinabove designated "A" run S 65° 10' 37" W for 68.52 feet to the Point of Beginning of said Parcel 2.

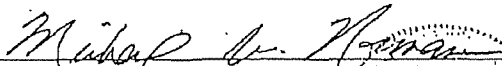
From said Point of Beginning run the following courses and distances along the perimeter of said Parcel 2: S 88° 11' 40" W for 64.43 feet; N 01° 04' 50" W for 26.90 feet; N 48° 20' 48" W for 18.32 feet; N 02° 58' 28" W for 43.74 feet; S 89° 55' 44" W for 15.80 feet; N 06° 16' 39" W for 95.89 feet; N 82° 28' 43" E for 79.92 feet; S 06° 18' 09" E for 111.04 feet; S 11° 02' 01" E for 21.20 feet; S 18° 47' 16" E for 25.19 feet; S 06° 26' 15" E for 31.66 feet to the Point of Beginning.

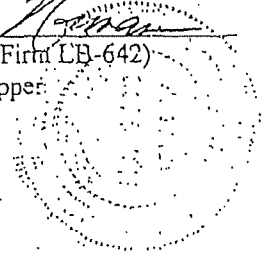
Parcel contains 13,518 square feet, more or less.

Total combined area for Parcels 1 and 2: 217,800 square feet (5.00 acres), more or less.

SUBJECT TO easements restrictions and reservations of record.

Bearings hereinabove mentioned are based on the north right-of-way line of Captiva Drive Southwest to bear N 71° 18' 21" W.


Michael W. Norman (For The Firm LB-642)
Professional Surveyor and Mapper
Florida Certificate No. 4500



20002191\Parcels 1&2-011201

PARCEL 1 = 204,282 SQ. FT.
 PARCEL 2 = 13,518 SQ. FT.
 TOTAL 217,800 SQ. FT. OR 5.00 AC.±

SOUTH SEAS PLANTATION
 BEACH VILLAS
 CONDOMINIUM
 OR 1269/119
 OR 1302/1400

TENNIS VILLAS
 CONDOMINIUM
 PHASE I
 OR 1237/1217

POD PARCEL 1
 SE CORNER TENNIS VILLAS PHASE II
 (OR 1237/1217)

PARCEL 1

PORT "A"

POD PARCEL 2

CAPTIVA DRIVE SW (OF NDC) (OR 54/540) (FORMERLY BRIDGE AVENUE)

THIS IS NOT A SURVEY

Michael W. Hirsch
 MICHAEL W. HIRSCH (FSA THE FSA 12-642)
 PROFESSIONAL SURVEYOR AND MAPPER
 FLORIDA CERTIFICATE NO. 4362

DATE SIGNED: JAN 19 2001
 NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED
 SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

SKETCH TO ACCOMPANY DESCRIPTION
 PARCELS 1 & 2
 AT SOUTH SEAS PLANTATION
 SECTION 26, TWP 45 S., RGE 21 E.
 CAPTIVA ISLAND, LEE COUNTY, FLORIDA

JOHNSON ENGINEERING, INC.
 ENGINEERS, SURVEYORS AND EROSIONISTS
 6300 JOHNSON STREET, PORT OFCE NEW YORK, PORT JACOB, ANDREWS BORO, PENN. (PH) 215-234-0044

DATE	PROJECT	SCALE	SHEET
01-10-2001	20002191	24-45-21	1 OF 1

M E M O R A N D U M

FROM

THE OFFICE OF THE

COUNTY ATTORNEY

LAND USE

DATE: 11 Jun 1992

TO: Rick Joyce
Environmental Sciences

FROM:

Donna Marie Collins
Assistant County AttorneyRE: Mariner Properties, Inc.
South Seas Plantation
LU--1074

On April 23, 1992, Raymond Pavelka and Bob Offi of Mariner Properties, Inc. (Mariner), and County staff members discussed the permitting and development history of South Seas Plantation. I have examined the South Seas Plantation Master Plan as it relates to the Harbour Pointe site. My research has confirmed that the South Seas Plantation Master Plan was subject to an F-0015 review. The project subsequently received a Development Standards Ordinance (DSO) Exemption in 1985. The approval dates suggest that the Master Plan for South Seas Plantation is not subject to the Lee County Mangrove, Wetland, or Tree Protection Ordinances. Section Seven of each Ordinance specifically provides that projects granted Final Development Orders prior to the enactment of those Ordinances would be exempt from those Ordinances to the extent the particular Ordinance conflicts with approvals given in the Development Order application.

Mariner received Master Plan approval for the South Seas Plantation project sometime in 1973. The Plan has been updated several times since then. When Mariner updated their Master Plan on May 16, 1985, the Plan specifically referenced a "service road" which would provide emergency access to the Harbour Pointe location. The project received a DSO Exemption on June 27, 1985. (E-16-39-85) ~~The basis for the Exemption was Mariner's F-0015 site plan approval within six months of December 21, 1984.~~ At the time Mariner received the DSO Exemption there was no time limitation on the duration of such exemptions. The Plan was once again updated in February, 1987. Those documents also refer to a "service road" designed to provide access for emergency vehicles to the Harbour Pointe site. Insofar as the service road to Harbour Pointe was originally planned for the purposes of providing emergency access to the site, it is the opinion of this Office that Mariner's efforts to construct or improve the road consistent with this purpose should be exempt from the local permitting requirements of the Wetland Protection Ordinance, the Mangrove Ordinance, and the Tree Protection Ordinance.

Rick Joyce
June 11, 1992
Page 2 of 2

At this time, the minimum width necessary to provide adequate access for emergency vehicles is approximately 20 feet. See the Lee County Development Standards Ordinance, as amended. Therefore, Mariner may construct the service road to these dimensions without seeking permits from Lee County pursuant to the Mangrove, Tree or Wetlands Protection Ordinance. It is my understanding, however, that Mariner will remain subject to the Florida Department of Environmental Regulation and United States Army Corps of Engineers permitting requirements.

For similar reasons, Mariner is exempt from any potential violation for failing to obtain permits for the removal of Mangroves along the Point itself. Had Mariner constructed Harbour Pointe prior to 1986, as was their right to do so, the Point would require reinforcement in order to protect the proposed development. Mariner's placement of the revetment at this time is entirely consistent with the original approval and is therefore exempt from the permitting requirements of the Mangrove, Wetland Protection and the Tree Protection Ordinance.

For the foregoing reasons, the Official Notification of Code Violation issued on March 4, 1992 may be withdrawn. Although there is evidence that Mariner proposed that the service road would be 15 feet in width, the road has been repeatedly referred to as an "emergency access" road. Therefore the road should satisfy minimum standards to provide such access without the need to apply for additional permits from Lee County.

Should you have any questions regarding the foregoing, please do not hesitate to contact me. I am available to meet at your earliest convenience.

DMC/cpb

cc: Tim Jones, Assistant County Attorney
Greg Hagen, Assistant County Attorney
Mary Gibbs, Director, Community Development
Paul Bangs, Director, Development Review
Dave Ceilley, Environmental Sciences
Raymond Pavalka, Mariner Properties, Inc., 12800 University
Drive, Suite 350, Fort Myers, Florida 33907-5343

(3919M)

Site Plan and Site Plan Amendment Approvals Post June 1985 Development Order Exemption E6-39-85

EXISTING DWELLING UNITS

1) BAYSIDE VILLAS	102
2) TENNIS VILLAS	80
3) EMPLOYEE HOUSING	140
4) BEACH VILLAS	160
5) BEACH COTTAGES	25
6) BEACH HOMES	33
7) BEACH HOMESTIES	28**
8) SANDRIFT (AKA PLANTATION BEACH VILLAS)	48 - SEE NOTE: B)
9) PLANTATION BEACH CLUB	4
10) PLANTATION BAY VILLAS	40
11) MARINA VILLAS	107
12) HARBOURSIDE VILLAS	107
13) THE SOUTH SEAS CLUB	24
14) COTTAGES AT SOUTH SEAS PLANTATION	14
15) PLANTATION HOUSE - PHASE I	12
16) SEABREEZE (AKA PLANTATION HOUSE PHASE II)	8
17) LAND'S END VILLAGE (AKA GOLF VILLAS)	68
18) ESTATE LOT (NO. 21 - AMERICAN HOTEL SUBDIVISION)	1
TOTAL DEVELOPED TO DATE	877**

* INDICATES THOSE PROJECTS THAT WERE DEVELOPED PRIOR TO JUNE 1985.
 ** THE DEVELOPERS OF THE SOUTH SEAS RESORT HAVE ALLOCATED 26 UNITS TO THE BEACH HOMESTIES AREA. ONLY 24 UNITS HAVE BEEN CONSTRUCTED TO DATE.

UNITS TO BE DEVELOPED

19) HARBOUR POINT	18
20) HARBOURVIEW VILLAS	10
UNALLOCATED	7
UNITS TO BE DEVELOPED	35
TOTAL NUMBER OF DWELLING UNITS APPROVED BY THE MASTER PLAN	912

JUNE 1985 DEVELOPMENT ORDER EXEMPTION E-6-39-85

APPROVED COVER PAGE AND SHEETS 1 THRU 16 (INCLUSIVE) FOR F-0015 PLAN SET

OWNER/DEVELOPER

WENSTAR HOSPITALITY CORPORATION
 1000 POTOMAC STREET NW
 WASHINGTON, D.C. 20007
 and
 PLANTATION DEVELOPMENT LTD.
 c/o MARINER GROUP INC.
 13451 HIGGINS BLVD., SUITE 27
 FORT MYERS, FLORIDA 33919

Redfish Pass

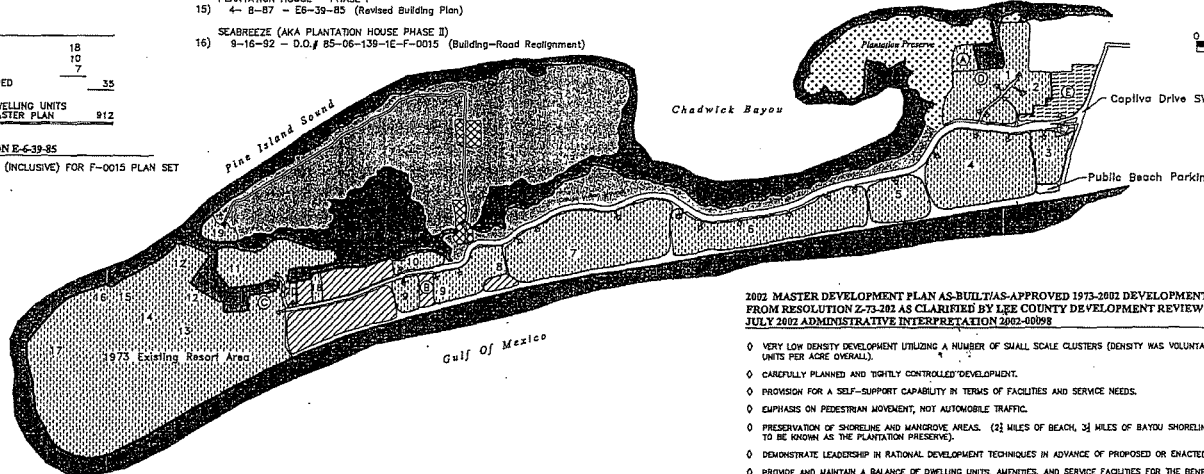
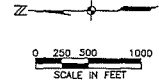


TABLE OF CONTENTS

Sheet #	
1	MASTER DEVELOPMENT PLAN OVERVIEW
2-3	AERIALS 1" = 200' (AS-BUILT OF PRE-1985 PROJECTS)
4	DEVELOPMENT STANDARDS APPLICABLE TO ALL PARCELS WITHIN MASTER DEVELOPMENT PLAN
5-22	JUNE 1985 DEVELOPMENT ORDER EXEMPTION E6-39-85 (APPROVED COVER PAGE AND SHEETS 1-16 INCLUSIVE)
23-68	SITE PLAN AND SITE PLAN AMENDMENT APPROVALS POST-JUNE 1985 DEVELOPMENT ORDER EXEMPTION E6-39-85

TENNIS CENTER-CHADWICK'S	7-15-86 - D.O.# 96-07-088.021 (Site Improvements)
RESORT SERVICE FACILITIES	4-15-88 - E6-39-85 (Maintenance - Utility Services Improvements)
	3-29-91 - E6-39-85 (Maintenance - Utility Services Improvements)
	8- -92 - A-85-06-13901E (Maintenance - Utility Site Improvements)
CHADWICK'S RESTAURANT & MEETING ROOMS	9-30-85 - E6-39-85 (Service/loading dock Addition & Electrical/Mechanical Equipment Room)
	12-27-85 - E6-39-85 (Modifications to Restaurant and Meeting Rooms)
	4-16-86 - E6-39-85 (Modifications to Restaurant, Commercial Facility & Lounge addition)
	9-16-86 - E6-39-85 (Site Modifications)
	6-15-88 - E6-39-85 (Modifications of Meeting Rooms, General Store & Gift Shop)
	9-27-89 - E6-39-85 (General Store - Gift Shop Modifications and Information Booth)
	7-22-99 - 99-07-093.12L (Site Improvements-Activity Area)
HISTORY HOUSE	9-10-92 - 85-06-039.00E (Relocation)
	9-8-2000 - (HD) ADD2000-00088 (Relocation)
MAIN POOL AREA	9-21-94 - 94-08-042.12L (Laundry Facility)
	9-13-95 - 95-09-112.00T (Screen Room/Storage/Pelican Peles Bar)
	7-19-99 - 99-07-182.00T (Gazebo & Trellis)



ADD 2002-00054
 2002 MASTER DEVELOPMENT PLAN AS-BUILT/AS-APPROVED 1973-2002 DEVELOPMENT STANDARDS, INCLUDING THOSE FROM RESOLUTION 2-73-202 AS CLARIFIED BY LEE COUNTY DEVELOPMENT REVIEW - (DECEMBER 18, 2000) AND THE JULY 2002 ADMINISTRATIVE INTERPRETATION 2002-00098

- 0 VERY LOW DENSITY DEVELOPMENT UTILIZING A NUMBER OF SMALL SCALE CLUSTERS (DENSITY WAS VOLUNTARILY REDUCED FROM 3.900 TO 912, 3 UNITS PER ACRE OVERALL).
- 0 CAREFULLY PLANNED AND TIGHTLY CONTROLLED DEVELOPMENT.
- 0 PROVISION FOR A SELF-SUPPORT CAPABILITY IN TERMS OF FACILITIES AND SERVICE NEEDS.
- 0 EMPHASIS ON PEDESTRIAN MOVEMENT, NOT AUTOMOBILE TRAFFIC.
- 0 PRESERVATION OF SHORELINE AND MANGROVE AREAS. (2 1/2 MILES OF BEACH, 3 1/2 MILES OF BAYOU SHORELINE, AND 20 ACRES OF MANGROVE FOREST TO BE KNOWN AS THE PLANTATION PRESERVE).
- 0 DEMONSTRATE LEADERSHIP IN RATIONAL DEVELOPMENT TECHNIQUES IN ADVANCE OF PROPOSED OR ENACTED REGULATIONS.
- 0 PROVIDE AND MAINTAIN A BALANCE OF DWELLING UNITS, AMENITIES, AND SERVICE FACILITIES FOR THE BENEFIT OF THE ENTIRE COMMUNITY (SSP OWNERS AND GUESTS, CAPTIVA, AND LEE COUNTY).
- 0 THE REALLOCATION OF ANY OF THE CURRENTLY EXISTING DWELLING UNITS OR THE DEVELOPMENT OF THE UNALLOCATED DWELLING UNITS IS ALLOWED PROVIDED THE DEVELOPER HAS SUBMITTED A COMPLETE APPLICATION FOR ADMINISTRATIVE ACTION, INCLUDING SUPPLEMENT H, DESCRIBING AND DOCUMENTING THE PROPOSED REALLOCATION OF APPROVED DWELLING UNITS AND DEMONSTRATING ACCORDING TO LDC SECTION 34-1038 THAT THE CHANGE IS MINOR.
- 0 DEVELOPMENT AND REDEVELOPMENT OF RESORT SERVICE FACILITIES AND GUEST FACILITIES INCLUDING UTILITIES AND OTHER INFRASTRUCTURE IS ALLOWED, PROVIDING SOUTH SEAS RESORT THE OPPORTUNITY TO MODERATE AND MAINTAIN A COMPETITIVE POSITION IN THE RESORT MARKETPLACE.
- 0 OTHER THAN AS DISCUSSED IN THE LETTER FROM THE LEE COUNTY ATTORNEY'S OFFICE DATED JUNE 11, 1992, NO WETLAND IMPACTS ARE AUTHORIZED BY THE SERPSP. PRIOR TO PROPOSING AMENDMENTS TO THE SERPSP FOR DEVELOPMENT THAT MAY ENCROACH ON WETLANDS - INCLUDING BUT NOT LIMITED TO ANY EXPANSION OF THE HARBOUR POINT DEVELOPMENT AREA - THE DEVELOPERS WILL INITIATE AN ENVIRONMENTAL STUDY ADEQUATE TO EVALUATE THE FEASIBILITY OF SUCH DEVELOPMENT IN WETLANDS. (SEE NOTE F)

NOTES

- A) THIS AREA IS RESERVED FOR EXPANSION OF THE EXISTING BOAT BASIN. NO RESIDENTIAL UNITS MAY BE BUILT IN THIS AREA.
- B) THERE ARE A TOTAL OF 56 PLANTATION BEACH CLUB UNITS DEVELOPED. HOWEVER, PHASE II, AN 8-UNIT BUILDING, WAS DEVELOPED ON A PARCEL OF LAND (ZONED RM-2) THAT WAS NOT A PART OF THE 1973 ZONING APPLICATION (Z-73-202).
- C) REFERENCE LEGAL DESCRIPTION THAT WAS A PART OF ZONING RESOLUTION 2-90-91, ESTABLISHING A SPECIFIC COMMERCIAL MARINE (CM) OVERLAY.
- D) REFERENCE LEGAL DESCRIPTION THAT WAS A PART OF ZONING RESOLUTION 2-90-91, ESTABLISHING A SPECIFIC COMMERCIAL MARINE (CM) OVERLAY.
- E) REFERENCE LEGAL DESCRIPTION PREPARED BY JOHNSON ENGINEERING, INC. TO IDENTIFY BOUNDARIES OF THE 5-ACRE COMMERCIAL PARCEL(S).
- F) REFERENCE LEE COUNTY ATTORNEY'S OFFICE LETTER DATED JUNE 11, 1992.

7-25-02 **Note added: Master Dev. Title change.

REVISIONS	
2-25-02	Adjustments based on supervisor's review of 1973 zoning application legal description.
3-28-02	Additional Notes, change of address, etc.
6-19-02	Note F added. No wetland impact... note revised.
7-22-02	Wetland information revised. Note F revised.
	Master Dev. Title change. Units Dev. revised.

Zoning Resolution 2-73-202
 1985 Development Order Exemption - E6-39-85
 1985 Lee Plan Determination of Consistency (7/23/85)
 Zoning Resolution 2-90-91
 2002 Master Development Plan

Captiva Island
 Lee County, Florida



3501 DEL PRADO BLVD.
 SUITE 110
 CAPE CORAL, FLORIDA 33904
 PHONE (941) 334-0044
 FAX (941) 541-1363
 E.S. #44 & L.B. #042

2002 MASTER DEVELOPMENT PLAN SOUTH SEAS RESORT

DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
February 2002	20012654	22-45-21	SHOWN	1

JOHNSON ENGINEERING, INC.

w/ 31

ENGINEERS, SURVEYORS AND ECOLOGISTS

FORT MYERS
NAPLES
PORT CHARLOTTE

July 3, 1996

2158 JOHNSON STREET
TELEPHONE (941) 334-0046
TELECOPIER (941) 334-3661
POST OFFICE BOX 1550
FORT MYERS, FLORIDA
33902-1550

DESCRIPTION

SOUTH SEAS PLANTATION ENTRANCE SITE IMPROVEMENT AREA SECTION 26, T. 45 S., R. 21 E. CAPTIVA ISLAND, LEE COUNTY, FLORIDA

CARL E. JOHNSON
1911-1968

A tract or parcel of land lying in Section 26, Township 45 South, Range 21 East, Captiva Island, Lee County, Florida which tract or parcel is described as follows:

Beginning at the Southwest corner of Tennis Villas Condominium as described in Official Record Book 1237 at Page 1217, Lee County Records run S 88° 28' 34" E for 115.00 feet along the South line of said Condominium; thence run S 02° 47' 50" W for 335.00 feet; thence run S 65° 30' 48" W for 56.93 feet to an intersection with the North line of Captiva Drive S.W. (30.00 feet wide) (formerly Binder Avenue) as recorded in Deed Book 54 at Page 540, said public records; thence run N 71° 18' 20" W for 59.94 feet along said North line; thence run Northwesterly along the Northeasterly line of South Seas Plantation Road, a roadway and utility easement recorded in Official Record Book 1846 at Page 0807, said public records the following courses: N 61° 24' 14" W for 61.47 feet; along the arc of a curve to the right of radius 200.00 feet (delta 22° 11' 28") (chord 76.98 feet) (chord bearing N 50° 18' 31" W) for 77.46 feet and N 39° 12' 46" W for 65.62 feet; thence run N 71° 18' 20" W for 99.53 feet; thence Northerly along the West line of said South Seas Plantation Road N 06° 35' 12" W for 490.50 feet; thence run EAST for 105.00 feet; thence run N 23° 58' 22" E for 141.75 feet; thence run EAST for 210.00 feet; thence run S 02° 38' 04" W for 100.00 feet to an intersection with a Northwesterly line of said Tennis Villas Condominium; thence run S 37° 38' 00" W for 65.00 feet along said Northwesterly line to a corner of said Condominium; thence run S 02° 38' 04" W for 285.00 feet along the West line of said Condominium to the Point of Beginning.

Containing 5.27 acres, more or less.

Bearings hereinabove mentioned are Plane Coordinate for the Florida West Zone and the North line of Captiva Drive S.W. bears N 71° 18' 20" W.

CHAIRMAN
ARCHIE T. GRANT, JR.


PRESIDENT
FORREST H. BANKS

JOSEPH W. EBNER
STEVEN K. MORRISON
ANDREW D. TILTON
JEFFREY C. COONER
CARL A. BARRACO
KENTON R. KEILING
W. DAVID KEY, JR.
W. BRITT POMEROY
DAN W. DICKEY
KEVIN M. WINTER
GARY R. BULL

ASSOCIATES
GEORGE J. KALAL
STEPHEN W. ADAMS
PATRICIA H. NEWTON
MARK G. WENTZEL

CONSULTANT
LESTER L. BULSON

WBP/kc
21057


W. Britt Pomeroy, Jr. (For The Firm)
Professional Land Surveyor
Florida Certificate No. 4448

Site Plan and Site Plan Amendment Approvals Post June 1985 Development Order Exemption E6-39-85

EXISTING DWELLING UNITS

* 1) BAYSIDE VILLAS	102
* 2) TENNIS VILLAS	80
* 3) EMPLOYEE HOUSING	140
* 4) BEACH VILLAS	16
* 5) BEACH COTTAGES	26
* 6) BEACH HOMES	33
* 7) BEACH HOMESTIES	26**
* 8) SANDRIFT (AKA PLANTATION BEACH VILLAS)	4
* 9) PLANTATION BEACH CLUB	48 - SEE NOTE: B)
10) PLANTATION BAY VILLAS	40
*11) MARINA VILLAS	107
12) HARBOURSIDE VILLAS	107
*13) THE SOUTH SEAS CLUB	24
*14) COTTAGES AT SOUTH SEAS PLANTATION	14
15) PLANTATION HOUSE PHASE I	12
*16) SEABREEZE (AKA PLANTATION HOUSE PHASE II)	8
*17) LAND'S END VILLAGE (AKA GOLF VILLAS)	88
*18) ESTATE LOT (NO. 21 - AMERICAN HOTEL SUBDIVISION)	1
TOTAL DEVELOPED TO DATE	877**

* INDICATES THOSE PROJECTS THAT WERE DEVELOPED PRIOR TO JUNE 1985.
 ** THE DEVELOPERS OF THE SOUTH SEAS RESORT HAVE ALLOCATED 28 UNITS TO THE BEACH HOMESTIES AREA. ONLY 24 UNITS HAVE BEEN CONSTRUCTED TO DATE.

UNITS TO BE DEVELOPED

19) HARBOUR POINT	18
UNALLOCATED	17
UNITS TO BE DEVELOPED	35
TOTAL NUMBER OF DWELLING UNITS APPROVED BY THE MASTER PLAN	912

JUNE 1985 DEVELOPMENT ORDER EXEMPTION E-6-39-85

APPROVED COVER PAGE AND SHEETS 1 THRU 16 (INCLUSIVE) FOR F-0015 PLAN SET

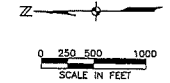
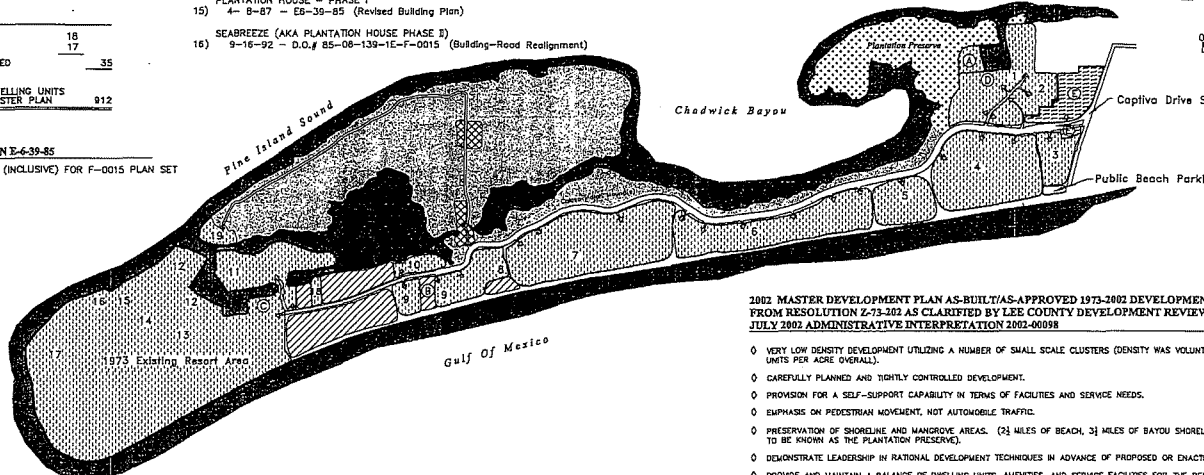
OWNER/DEVELOPER

MERISTAR HOSPITALITY CORPORATION
 1500 POTOMAC STREET NW
 WASHINGTON, D.C. 20007
 and
 PLANTATION DEVELOPMENT LTD.
 c/o MARINER GROUP INC.
 13451 McREGOR BLVD. SUITE 27
 FORT MYERS, FLORIDA 33919

Redfish Pass

- 2) TENNIS VILLAS:
5-14-85 - D.O.# 96-04-116.01L (Site Improvements)
- 3) EMPLOYEE HOUSING:
6-29-87 - E6-39-85 (Site Improvements)
6-30-88 - E6-39-85 (Site Improvements-Greenhouse)
- 4) BEACH VILLAS
9-21-84 - D.O.# 94-08-042.12L (Amendment-Site Improvement)
10- 9-85 - D.O.# 96-04-116-01L (Amendment-Storage Bldg.)
- 8) SANDRIFT (AKA PLANTATION BEACH VILLAS)
8-10-87 - E6-39-85 (Building Locations)
4-28-88 - E6-39-85 (Site-Outline Variance)
- 10) PLANTATION BAY VILLAS
12- 1-89 - E6-39-85 (Site Plan)
- 12) HARBOURSIDE VILLAS
9-17-85 - E6-39-85 (Harbourside Resort Facilities Modification)
1-17-86 - E6-39-85 (Harbourside Resort Facilities Site Modifications)
7-31-86 - E6-39-85 (Kings Crown-Mariner Hall Site Improvements)
12-18-87 - E6-39-85 (Coplin Al's Restaurant)
4-15-88 - E6-39-85 (King's Crown Meeting Rooms & Services and Sales Office)
- PLANTATION HOUSE - PHASE I
4- 8-87 - E6-39-85 (Revised Building Plan)
- SEABREEZE (AKA PLANTATION HOUSE PHASE II)
9-16-92 - D.O.# 85-08-139-1E-F-0015 (Building-Road Realignment)

- TENNIS CENTER-CHADWICK'S
7-16-86 - D.O.# 96-07-089.02I (Site Improvements)
- RESORT SERVICE FACILITIES
4-15-88 - E6-39-85 (Maintenance - Utility Services Improvements)
3-28-91 - E6-39-85 (Maintenance - Utility Services Improvements)
8- 9-92 - A-85-06-13901E (Maintenance - Utility Site Improvements)
- CHADWICK'S RESTAURANT & MEETING ROOMS
8-30-85 - E6-39-85 (Service/Loading dock Addition & Electrical/Mechanical Equipment Room)
12-27-85 - E6-39-85 (Modifications to Restaurant and Meeting Rooms)
4-16-86 - E6-39-85 (Modifications to Restaurant, Commercial Facility & Lounge addition)
9-16-86 - E6-39-85 (Site Modifications)
6-15-88 - E6-39-85 (Modifications of Meeting Rooms, General Store & Gift Shop)
9-27-89 - E6-39-85 (General Store - Gift Shop Modifications and Information Booth)
7-22-99 - 99-07-093.12L (Site Improvements-Activity Area)
- HISTORY HOUSE
9-10-92 - 85-06-039.00E (Relocation)
9-8-2000 - (HD) ADD2000-0006B (Relocation)
- MAIN POOL AREA
9-21-94 - 94-08-042.12L (Laundry Facility)
9-13-95 - 85-08-112.00T (Screen Room/Storage/Pelican Petes Bar)
7-19-99 - 99-07-182.00T (Cazuela & Trella)



JUL 30 2002
APPROVED
 Master Concept Plan
 The Plan: SRMPP Page: 1 of 1
 Subject to conditions in Resolution: 2-73-202
 Case #: ADD 2002-00016

2002 MASTER DEVELOPMENT PLAN AS-BUILT/AS-APPROVED 1973-2002 DEVELOPMENT STANDARDS, INCLUDING THOSE FROM RESOLUTION 2-73-202 AS CLARIFIED BY LEE COUNTY DEVELOPMENT REVIEW - (DECEMBER 18, 2000) AND THE JULY 2002 ADMINISTRATIVE INTERPRETATION 2002-00098

- 0 VERY LOW DENSITY DEVELOPMENT UTILIZING A NUMBER OF SMALL SCALE CLUSTERS (DENSITY WAS VOLUNTARILY REDUCED FROM 3,900 TO 912, 3 UNITS PER ACRE OVERALL).
- 0 CAREFULLY PLANNED AND TIGHTLY CONTROLLED DEVELOPMENT.
- 0 PROVISION FOR A SELF-SUPPORT CAPABILITY IN TERMS OF FACILITIES AND SERVICE NEEDS.
- 0 EMPHASIS ON PEDESTRIAN MOVEMENT, NOT AUTOMOBILE TRAFFIC.
- 0 PRESERVATION OF SHORELINE AND MANGROVE AREAS. (2 1/2 MILES OF BEACH, 3 1/2 MILES OF BAYOU SHORELINE, AND 20 ACRES OF MANGROVE FOREST TO BE KNOWN AS THE PLANTATION PRESERVE).
- 0 DEMONSTRATE LEADERSHIP IN RATIONAL DEVELOPMENT TECHNIQUES IN ADVANCE OF PROPOSED OR ENACTED REGULATIONS.
- 0 PROVIDE AND MAINTAIN A BALANCE OF DWELLING UNITS, AMENITIES, AND SERVICE FACILITIES FOR THE BENEFIT OF THE ENTIRE COMMUNITY (SSP OWNERS AND GUESTS, CAPTIVA, AND LEE COUNTY).
- 0 THE REALLOCATION OF ANY OF THE CURRENTLY EXISTING DWELLING UNITS OR THE DEVELOPMENT OF THE UNALLOCATED DWELLING UNITS IS ALLOWED PROVIDED THE DEVELOPER HAS SUBMITTED A COMPLETE APPLICATION FOR ADMINISTRATIVE ACTION, INCLUDING SUPPLEMENT II, DESCRIBING AND DOCUMENTING THE PROPOSED REALLOCATION OF APPROVED DWELLING UNITS AND DEMONSTRATING ACCORDING TO LDC SECTION 34-1038 THAT THE CHANGE IS MINOR.
- 0 DEVELOPMENT AND REDEVELOPMENT OF RESORT SERVICE FACILITIES AND GUEST FACILITIES INCLUDING UTILITIES AND OTHER INFRASTRUCTURE IS ALLOWED, PROVIDING SOUTH SEAS RESORT THE OPPORTUNITY TO MODERNIZE AND MAINTAIN A COMPETITIVE POSITION IN THE RESORT MARKETPLACE.
- 0 OTHER THAN AS DISCUSSED IN THE LETTER FROM THE LEE COUNTY ATTORNEY'S OFFICE DATED JUNE 11, 1992, NO WETLAND IMPACTS ARE AUTHORIZED BY THE OSBDR. PRIOR TO PROPOSING AMENDMENTS TO THE OSBDR FOR DEVELOPMENT THAT MAY ENDOUR ON WETLANDS - INCLUDING BUT NOT LIMITED TO ANY EXPANSION OF THE HARBOUR POINT DEVELOPMENT AREA - THE DEVELOPERS WILL INITIATE AN ENVIRONMENTAL STUDY ADEQUATE TO EVALUATE THE FEASIBILITY OF SUCH DEVELOPMENT IN WETLANDS. (SEE NOTE F)

NOTES

- A) THIS AREA IS RESERVED FOR EXPANSION OF THE EXISTING BOAT BASIN. NO RESIDENTIAL UNITS MAY BE BUILT IN THIS AREA.
- B) THERE ARE A TOTAL OF 56 PLANTATION BEACH CLUB UNITS DEVELOPED. HOWEVER, PBC # PHASE 1, AN 8-UNIT BUILDING, WAS DEVELOPED ON A PARCEL OF LAND (ZONED RM-2) THAT WAS NOT A PART OF THE 1973 ZONING APPLICATION (2-73-202).
- C) REFERENCE LEGAL DESCRIPTION THAT WAS A PART OF ZONING RESOLUTION 2-80-91, ESTABLISHING A SPECIFIC COMMERCIAL MARINE (CM) OVERLAY.
- D) REFERENCE LEGAL DESCRIPTION THAT WAS A PART OF ZONING RESOLUTION 2-80-91, ESTABLISHING A SPECIFIC COMMERCIAL MARINE (CM) OVERLAY.
- E) REFERENCE LEGAL DESCRIPTION PREPARED BY JOHNSON ENGINEERING, INC. TO IDENTIFY BOUNDARIES OF THE 5-ACRE COMMERCIAL PARCEL(S).
- F) REFERENCE LEE COUNTY ATTORNEY'S OFFICE LETTER DATED JUNE 11, 1992.

LEGEND

- DEVELOPMENT AREA (RESIDENTIAL UNITS AND RESORT FACILITIES) AS-BUILT/AS-APPROVED 1973-2002
- FIVE (5) ACRE COMMERCIAL PARCEL - SEE NOTE: E)
- UTILITIES AND MAINTENANCE
- PLANTATION PRESERVE
- APPROVED IN 1973 FOR MANGROVE BUFFER, GOLF VILLAS, AND GOLF COURSE
- PARCELS NOT INCLUDED IN 1973 ZONING APPLICATION LEGAL DESCRIPTION

TABLE OF CONTENTS

Sheet #	1	MASTER DEVELOPMENT PLAN OVERVIEW
2-3	AERIALS 1" = 200' (AS-BUILT OF PRE-1985 PROJECTS)	
4	DEVELOPMENT STANDARDS APPLICABLE TO ALL PARCELS WITHIN MASTER DEVELOPMENT PLAN	
5-22	JUNE 1985 DEVELOPMENT ORDER EXEMPTION E6-39-85 (APPROVED COVER PAGE AND SHEETS 1-16 INCLUSIVE)	
23-69	SITE PLAN AND SITE PLAN AMENDMENT APPROVALS POST-JUNE 1985 DEVELOPMENT ORDER EXEMPTION E6-39-85	

20021264\1\2002\2002SP-MasterPlan.dwg

REVISIONS	
2-25-02	Adjustments based on surveyor's review of 1973 zoning application legal description.
3-26-02	Additional Notes, change of address, etc.
6-19-02	Note F added; "No wetland impact..." note revised.
7-22-02	Wetland information revised; Note F revised; Master Dev. Title; ** Note added.

Zoning Resolution Z-73-202
 1985 Development Order Exemption - E6-39-85
 1989 Lee Plan Determination of Consistency (7/23/85)
 Zoning Resolution Z-90-91
 2002 Master Development Plan

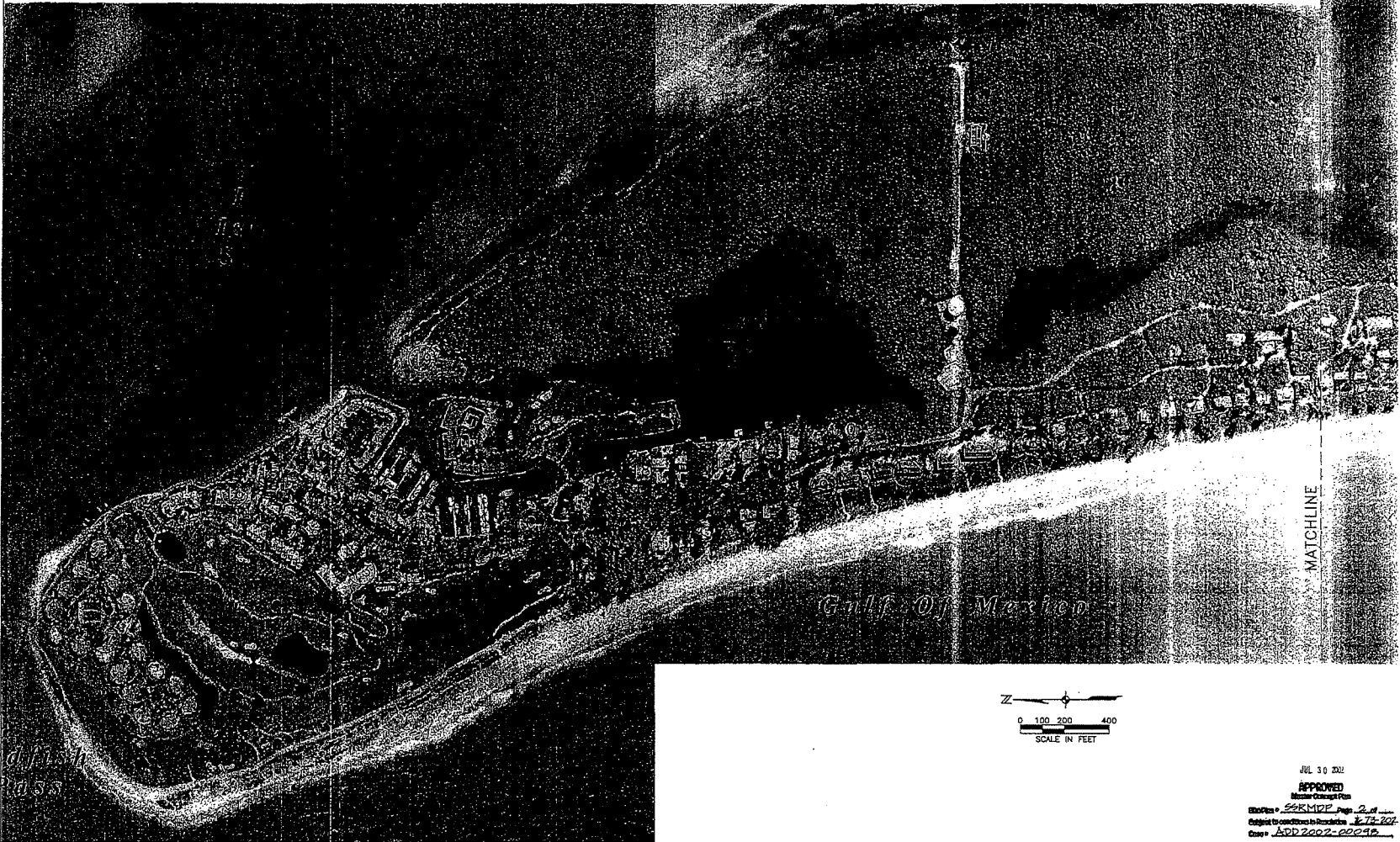
Captiva Island
 Lee County, Florida



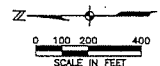
3501 DEL PRADO BLVD.
 SUITE 110
 CAPE CORAL, FLORIDA 33904
 PHONE (941) 334-0246
 FAX (941) 541-1383
 E.B. #642 & L.B. #642

2002 MASTER DEVELOPMENT PLAN SOUTH SEAS RESORT

DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
February 2002	20021264	22-45-21	SHOWN	1



Revised
Plans



JUL 30 2001
APPROVED
 Name: SCMDE Page: 2 of ...
 Project: South Seas Plantation Planning Aerials
 Date: APR 2001

REVISIONS	
8-19-02	

Mariner Properties Development Inc.

South Seas Plantation
 Lee County, Florida

JOHNSON
 ENGINEERING

3501 DEL PRADO BLVD.
 SUITE 110
 CAPE CORAL, FLORIDA 33904
 PHONE (813) 334-0046
 FAX (813) 341-1583
 E.B. #642 & L.B. #642

South Seas Plantation Planning
 Aerials

DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
April 2001	20012664		As Shown	2



JUL 30 2002
APPROVED
 Master Concept Plan
 Site Plan # SRMPP Page 2 of 4
 Subject to conditions in Resolution 3-73-2002
 Case # ADD 2002-00048

J:\20012884\Aerial2000-2.DWG

REVISIONS	

South Seas Resort
 Lee County, Florida

JOHNSON
 ENGINEERING

3501 DEL PRADO BLVD.
 SUITE 110
 CAPE CORAL, FLORIDA 33904
 PHONE (841) 334-0048
 FAX (841) 341-1383
 E.B. #642 & L.B. #642

South Seas Resort Aerials				
DATE	PROJECT NO.	FIL. NO.	SCALE	SHEET
April 2001	20012864		As Shown	3

PLAN

The following development standards are applicable to the SSRD, based on standards that have been applied since its inception in 1973.

- a. **Open space:** Of the 304± acres that make up the SSRD, approximately one third is set aside as open space, (this 100+ acres includes now privately owned uplands, wetlands, and submerged lands). Additionally there is an allocation of open space for those lands seaward of the coastal construction control line, currently in excess of 15 acres. The South Seas Golf Course and other recreational lands supplement the beach front and preservation land categories such that a minimum of 152 acres (approximately 50%) of the overall property is allocated to Open Space. Therefore, no minimum amount of Open Space is required for individual parcels.
- b. **Landscape:** Emphasis will be placed on the use of native species. Canopy trees for shading and trees and/or shrubs for the screening of service areas or for privacy will be used to the extent possible. The final plant selection and placement shall be at the discretion of the owner working in concert with County staff. The use of invasive exotics is prohibited.
- c. **Buffers:** There will be a natural (mostly mangrove) shoreline buffer along the bay waters of the SSRD. Specifically, that natural buffer shall be a minimum of 35' wide (except to the extent that the existing South Seas Road or Bay Drive (leading to Harbour Pointe) may currently encroach into and therefore reduce that 35' buffer). Where it is in or proximate to approved development areas, the natural buffer may be subject to a number of existing small openings as necessary for helicopter, vehicular, boat, pedestrian, and/or utility access, and trimming in accordance with State Standards for Mangrove Trimming where permitted. There is no buffer required along the bay waters extending from the southeasterly tip of the Harbour Pointe site continuing across the marina entrance channel and along the bay waters to Redfish Pass. There shall be no required minimum buffer between residential parcels internal to the development.
- d. **Setbacks:** Captiva Drive Southwest—minimum 25' to edge of right-of-way. South Seas Road—minimum 10' to edge of pavement, excluding security buildings, signs, walls and other entrance features, when consistent with LDC site visibility requirements. Internal driveways—no minimum setbacks required. Building to External Property Line:
 - minimum 10' with minimum 6' high wall and vegetation buffer.
 - minimum 15' with minimum 6' high wall or vegetation buffer.
 - minimum 20' without wall or vegetation buffer.
 Building to Internal Property Line—no minimum setback required. Building to Bay Waters:
 - minimum 25' setback from mean high tide line.
 Building to Waters of Gulf of Mexico:
 - minimum 50' from mean high tide line.
 Building to Natural or Manmade Lake, Pond, Bayou, Canal, or Marina:
 - no minimum setback required for buildings redeveloped within existing building footprints; 25' for any new buildings.
 Building to Building Separation:
 - minimum 10' separation unless additional separation is required by Building/Fire Code.
 Accessory Structures Including Fences and Walls:
 - for walls or structures 8' or less in height above grade; no minimum setback required.
 - for walls or structures over 8' in height from grade, the setback shall be the same as set forth above for buildings, except as to water bodies where there will be no setbacks required.
 - there shall be no minimum required separation between walls and accessory structures or one accessory structure and another.
- e. **Building Heights:** (These standards are applicable to all new structures except those being replaced under the existing Lee County build-back provisions of the Land Development Code or LDC PLAN). Maximum height to the top of a parapet wall, roof, or midpoint of a pitched roof of no less than 4:1 and no more than 7:1 shall be the lesser of 35' above the grade surrounding the building at its foundation or 42' above mean sea level.
- f. **Traffic Impact Statements (TIS):** A traffic statement shall be required for any development that includes new residential dwelling units or includes more than 500 square feet of retail/commercial square footage. Because of the SSRD's vested status for purposes of concurrency (established via Determination of Consistency with the Lee Plan in 1985), the data provided to the County in such TIS are intended for information purposes only. Approval of TIS is not a prerequisite to approval of proposed development plans. The concurrency vesting is limited to the SSRD, as approved under this Interpretation.
- g. **Parking:** These standards recognize the developers long standing commitments to transportation alternatives to the automobile on Captiva, including pedestrian and bicycle transportation via the pathways provided throughout the SSRD and the provision of up to 18 hours of daily free tram service.

General:

 - Individual parking spaces will be no less than 9' wide by 18' deep.
 - The appropriate number of handicap spaces will be provided in convenient locations in compliance with Lee County and State of Florida Handicapped Codes and the intent of ADA Guidelines.
 - Any proposed reduction or reconfiguration of the as-built/as approved parking spaces provided contemporaneous to this interpretation, is subject to a limited review development order to assure that the current inventory of parking is not reduced and additional parking is provided in the proportions for resort use as required below.

Residential:

 - Single family/duplex will have a minimum of 2 off-street parking spaces per unit.
 - Multi-family housing (whole ownership/timeshare/etc.) will have a minimum of 1 parking space per dwelling unit plus a minimum of 1 guest/service parking space for every 10 dwelling units.
 - Hotel/Motel units and employee rental apartments shall have a minimum of 1 parking space for every 2 dwelling units plus 1 guest/service parking space for every 10 dwelling units.

Commercial:

 - Activities/Facilities internal to the resort and used almost exclusively by resort owners and guests (i.e. marina, golf course, tennis, retail, resort area restaurants, conference facilities, etc.) have no minimum required number of spaces.
 - Commercial Area at the south end of the property, except for conference facilities, shall be required to provide a minimum 1 parking space per 1000 square feet of retail, restaurant/lounge or commercial use (excluding kitchens and other "back of the house" areas and service facilities).
- h. **Construction Standards (other than for buildings):**
 - Roads, driveways, walks, bike paths, seawalls, etc. shall be built in accordance with sound engineering design standards typical of those facilities constructed within the SSRD during the past 28 years, subject to review and approval by County staff through the limited review development order process.
- i. **Stormwater Management:**
 - The standards of the existing approved SSRMDP as authorized and permitted by the South Florida Water Management District, or as they may be amended in the future, shall govern the surface water management elements of future development in the SSRD.
- j. **Other:**
 - Except as noted herein, the applicable standards of the Lee County Land Development Code shall apply.

JUL 30 2002
 APPROVED
 Master Concept Plan
 Site Plan # SSRMDP Page 4 of 4
 Subject to conditions in Resolution # 72-2002
 Case # ADD 2002-00016

A:\20012864\2002\120222P-01-Subg

REVISIONS	

Captiva Island
 Lee County, Florida



3501 DEL PRADO BLVD.
 SUITE 110
 CAPE CORAL, FLORIDA 33904
 PHONE (941) 334-0046
 FAX (941) 541-1383
 C.B. #842 & L.B. #842

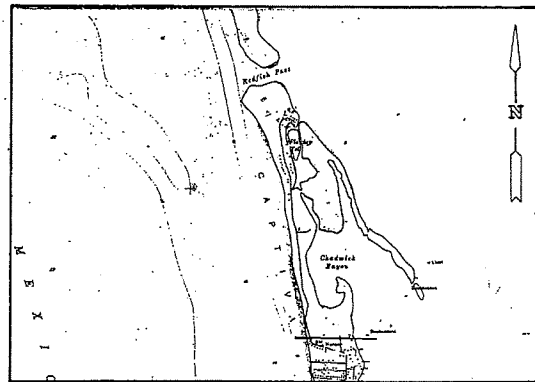
2002 MASTER DEVELOPMENT PLAN
SOUTH SEAS RESORT

DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
March 2002	20012864	22-45-21	SHOWN	4

CONSTRUCTION PLANS FOR SOUTH SEAS PLANTATION

SECTIONS 15, 22, & 26, TOWNSHIP 45 SOUTH, RANGE 21 EAST
CAPTIVA ISLAND, FLORIDA

INDEX OF SHEETS	
SHEET NO.	DESCRIPTION
1	MASTER PLAN
2	PLANTATION HOUSE II
3-4	HARBOURSIDE III
5	HARBOUR POINTE IV
6	HEALTH CLUB AND ESTATE RESIDENCE V
7	PLANTATION BEACH VILLAS VI PLANTATION BAY VILLAS VII
8	RESORT SERVICE FACILITIES VIII
9	EMPLOYEE HOUSING / HUMAN RESOURCES IX EMPLOYEE HOUSING / PHASE FOUR X
10	CHADWICK'S COMMERCIAL, RESTAURANT, AND MEETING ROOMS XI
11-16	DETAILS



		REVIEW BLOCK		JUL 16 1985	
DEPARTMENT	ACTION	SIGNATURE	DATE		
CURRENT PLANNING	App	<i>Schlauder</i>	7/9/85	100-35-85	
C.O.T.	App	<i>Robert M. ...</i>	7/1/85	DECISIONS AND REVIEW CHECKLISTS ATTACHED RECORDED	
OFFICIAL	App	<i>M.T. Goodman</i>	6/16/85		
BUILDING OFFICIAL					

*APPROVED, APPROVED AS MODIFIED, OR REJECTED

DRAWN BY: *DLT*
 CHECKED BY: *JMW*
 APPROVED BY: *[Signature]*
 REGISTERED PROFESSIONAL ENGINEER
 FLORIDA CERTIFICATE NO. 12334

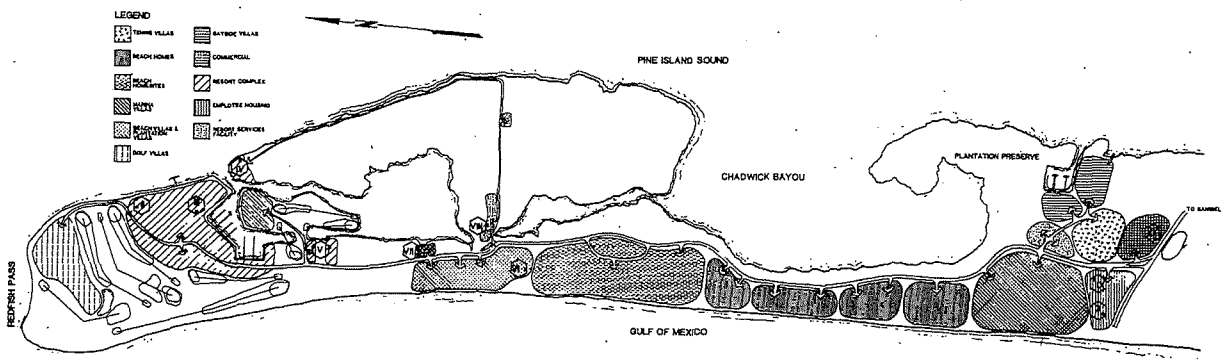
OWNER / DEVELOPER:
 SOUTH SEAS PLANTATION CO.
 13987 Mth GREGOR BLVD. S.W.
 FORT MYERS, FLORIDA. 33907
 PHONE (813) 481-2011

CONTACT PERSON:
 RAY PAVELKA
See Plan # SSMDF, pag. 8-A
 Subject to conditions in Foundation STA-202
 Case # ADD202-00239

JOHNSON ENGINEERING, INC.
 CIVIL ENGINEERS AND LAND SURVEYORS
214 JOHNSON STREET FORT MYERS, FLORIDA 33907

DATE: APRIL 1985	PROJECT NO.: 13987	SHEET NO.: 10-1	TOTAL SHEETS: 16	SCALE: AS SHOWN	APPROVED BY: <i>[Signature]</i>
------------------	--------------------	-----------------	------------------	-----------------	---------------------------------

REVISED: JULY 16, 1985
 REVISED: JULY 9, 1985
 REVISED: JULY 5, 1985



- LEGEND**
- TOURIST VILLAGES
 - BATHING VILLAGES
 - BEACHFRONT
 - COMMERCIAL
 - RESORT COMPLEX
 - HOTEL
 - HIGH DENSITY HOUSING
 - MEDIUM DENSITY HOUSING
 - SINGLE HOME
 - RESIDENTIAL
 - RURAL VILLAGES

SOUTH SEAS PLANTATION
 1973 APPROVED MASTER PLAN
 INDICATING COMPLETED AND PLANNED IMPROVEMENTS

JUL 30 2002
 APPROVED
 Master Control Plan
 Site Plan # 228MPP Page 6 of 10
 Subject to conditions in Resolution # 72-102
 Case # ADD 2002-00018

MASTER PLAN
 PREPARED BY
ARCHITECTURAL
RESOURCES CORPORATION
 FOR
 SOUTH SEAS PLANTATION, CO.
 13887 M. GREGOR BLVD. S.W.
 ST. MYERS, FLORIDA, 33807

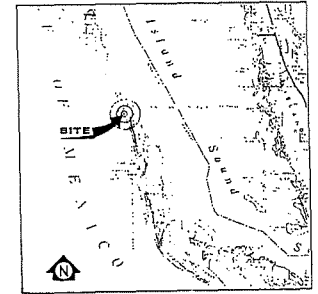
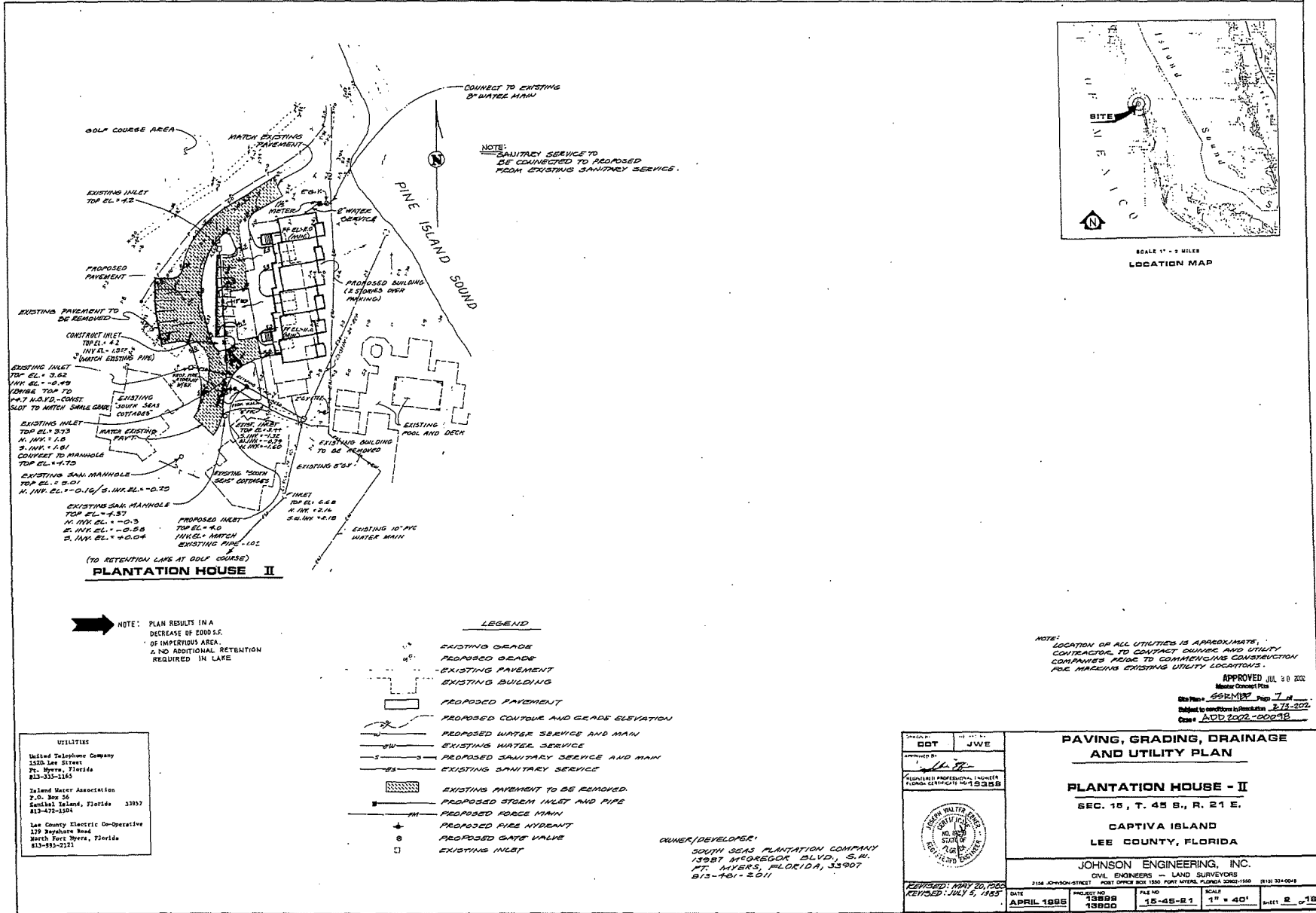
JOHNSON ENGINEERING, INC.
 CIVIL ENGINEERS - LAND SURVEYORS
 POST OFFICE BOX 1843, FORT MYERS, FLORIDA, 33901-1843, PHONE (813) 334-0044

DATE	PROJECT NO.	TITLE	SCALE
APRIL 1988	13888	18-45-21	SHAWN

SHEET 1 OF 10

REVISED JULY 5, 1985
 228MPP 4/19/85

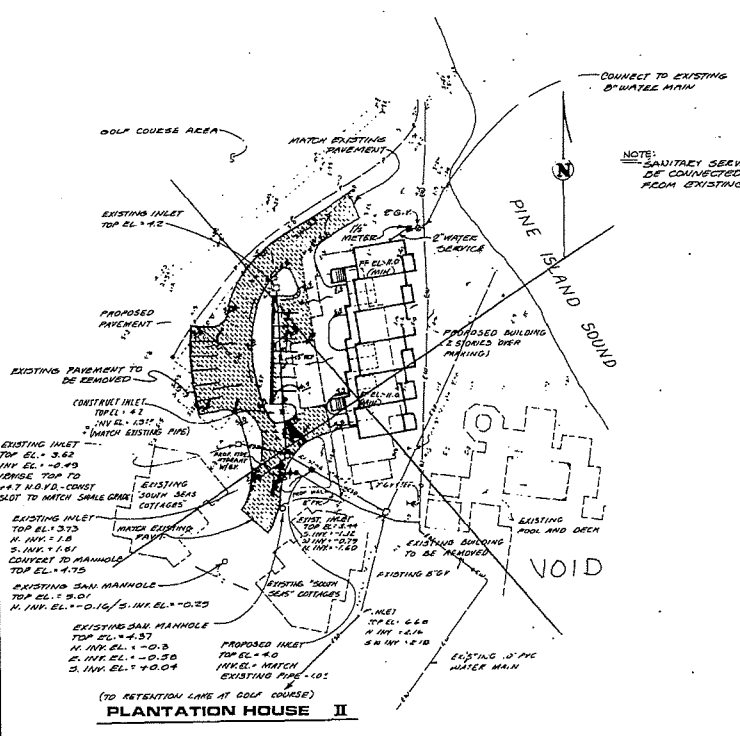
BEACH PAVILION # 13899



BEACH PAVILION # 13899

STRUCTURE NO.	TOP ELEV.	INV. ELEV.	DESCRIPTION
5-1	5.0	2.1	EXIST. INLET TO 6" WATER MAIN
5-2	3.58	2.54	PROPOSED INLET TO 6" WATER MAIN
5-3	4.5	2.1	EXIST. INLET TO 6" WATER MAIN
5-4	3.76	1.98 H.	EXIST. MANHOLE TO 6" WATER MAIN
5-5	4.25	0.8	EXIST. INLET TO 6" WATER MAIN

NOTE: SANITARY SERVICE TO BE CONNECTED TO PROPOSED FROM EXISTING SANITARY SERVICE.



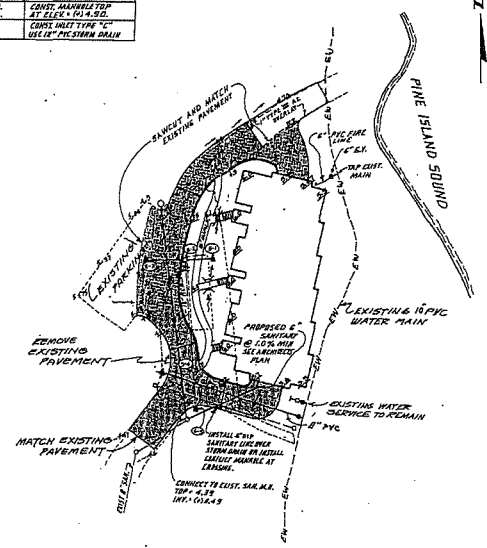
PLANTATION HOUSE II

NOTE: PLAN RESULTS IN A DECREASE OF 2000 SF OF IMPERVIOUS AREA. NO ADDITIONAL RETENTION REQUIRED IN LATE

LEGEND

- *— EXISTING GRADE
- o— PROPOSED GRADE
- h— EXISTING PAVEMENT
- EXISTING BUILDING
- PROPOSED PAVEMENT
- o— PROPOSED CONTOUR AND GRADE ELEVATION
- W— PROPOSED WATER SERVICE AND MAIN
- EW— EXISTING WATER SERVICE
- S— PROPOSED SANITARY SERVICE AND MAIN
- ES— EXISTING SANITARY SERVICE
- EXISTING PAVEMENT TO BE REMOVED
- o— PROPOSED STORM INLET AND PIPE
- IM— PROPOSED FORCE MAIN
- +— PROPOSED FIRE HYDRANT
- +— PROPOSED GATE VALVE
- EXISTING INLET

UTILITIES
 United Telephone Company
 1520 Lee Street
 Ft. Myers, Florida
 813-332-1145
 24-hour Water Association
 P.O. Box 58
 Sandlot Island, Florida 33957
 813-472-1504
 Lee County Electric Co-Operative
 379 Bayshore Road
 North Fort Myers, Florida
 813-993-2171



LEGEND

- *— 4.97 EXIST. GRADE
- h— PARK GRADE
- o— DIRECTION OF SURFACE FLOW
- EXIST. INLET
- PARK INLET
- +— PARK CLEANOUT
- +— PROP. FIRE HYDRANT
- PROP. PAVEMENT

NOTE: LOCATION OF ALL UTILITIES IS APPROXIMATE. CONTRACTOR TO CONTACT OWNER AND UTILITY COMPANIES PRIOR TO COMMENCING CONSTRUCTION FOR MARKING EXISTING UTILITY LOCATIONS.

APPROVED JUL 30 1987
 Master Concept Plan
 Site Plan # 228MDP, Page 7 of 11
 Prepared in accordance with Florida Rules 61G-102
 Chapter AND 2007-22038
 REVISED: MARCH 5, 1987

DOT	JWE
DATE	PROJECT NO.
APRIL 1987	13899
PROJECT NO.	DATE
13899	APRIL 1987

PAVING, GRADING, DRAINAGE AND UTILITY PLAN

PLANTATION HOUSE - II

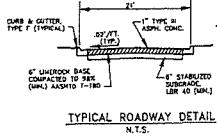
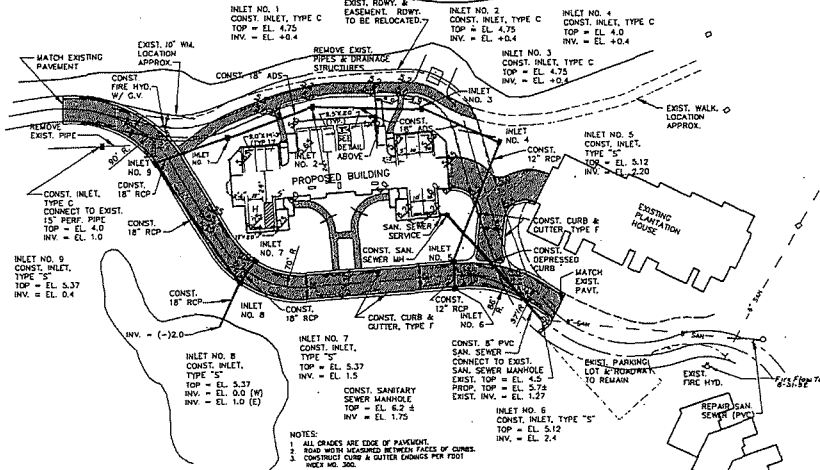
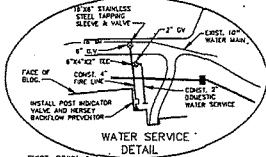
SEC. 15, T. 45 S., R. 21 E.

CAPTIVA ISLAND
 LEE COUNTY, FLORIDA

JOHNSON ENGINEERING, INC.
 CIVIL ENGINEERING - LAND SURVEYORS
 2154 JOHNSON STREET, POST OFFICE BOX 1550 FORT MYERS, FLORIDA 33902-1550 (813) 334-0848

DATE	PROJECT NO.	PLAT NO.	SCALE	SHEET NO.
APRIL 1987	13899	15-45-21	1" = 40'	12 OF 18

STRUCTURE NO.	TOP ELEV.	INV. ELEV.	DESCRIPTION
0-1	5.9	2.1	CONST. INLET TYPE "C" 15" PIPE STORM DRAIN
0-2	3.33	2.4	RAISE INLET TOP TO ELEV. 3.33
0-3	4.5	3.1	CONST. INLET TYPE "C" 15" PIPE STORM DRAIN
0-4	3.75	1.30 H.	CONST. MANHOLE TOP AT ELEV. TO 4.30.
0-5	4.25	0.4	CONST. INLET TYPE "C" 15" PIPE STORM DRAIN



PLANTATION HOUSE II

- LEGEND**
- EDGE OF EXISTING PAVEMENT
 - PROPOSED PAVEMENT
 - PROPOSED WATER SERVICE AND GATE VALVE
 - PROPOSED SANITARY SEWER MAIN AND MANHOLE
 - PROPOSED STORM INLET AND PIPE
 - + PROPOSED FIRE HYDRANT
 - ◇ EXISTING FIRE HYDRANT
 - 2.25 PROPOSED GRADE
 - DIRECTION OF PROPOSED SURFACE FLOW

17111115
 United Telephone Company
 3520 Lee Street
 Ft. Myers, Florida
 813-335-2355
 Island Water Association
 P.O. Box 38
 Sanibel Island, Florida 33957
 813-422-2504
 Lee County Electric Co-Operator
 178 Bayshore Road
 North Fort Myers, Florida
 813-993-2123

OWNER / DEVELOPER:
 SOUTH SEA RESORT LIMITED PARTNERSHIP
 12800 UNIVERSITY DRIVE, SUITE 350
 FORT MYERS, FLORIDA 33907

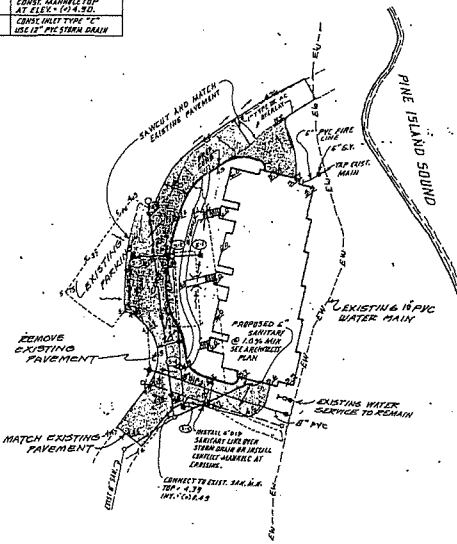
DOT JWE
 11-77
 1988B
 1988B
 1988B

PAVING, GRADING, DRAINAGE AND UTILITY PLAN

PLANTATION HOUSE - II
 SEC. 18, T. 45 S., R. 21 E.
 CAPTIVA ISLAND
 LEE COUNTY, FLORIDA

JOHNSON ENGINEERING, INC.
 CIVIL ENGINEERS - LAND SURVEYORS
 3118 50th AVENUE, SUITE 1000, FORT MYERS, FLORIDA 33907 (941) 331-0044

DATE: APRIL 1985
 PROJECT NO: 1388B
 SCALE: 1" = 40'
 SHEET: 18



LEGEND

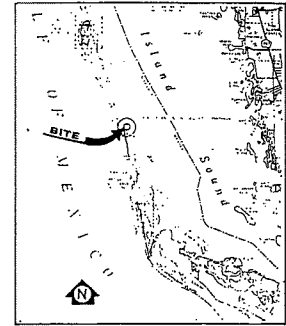
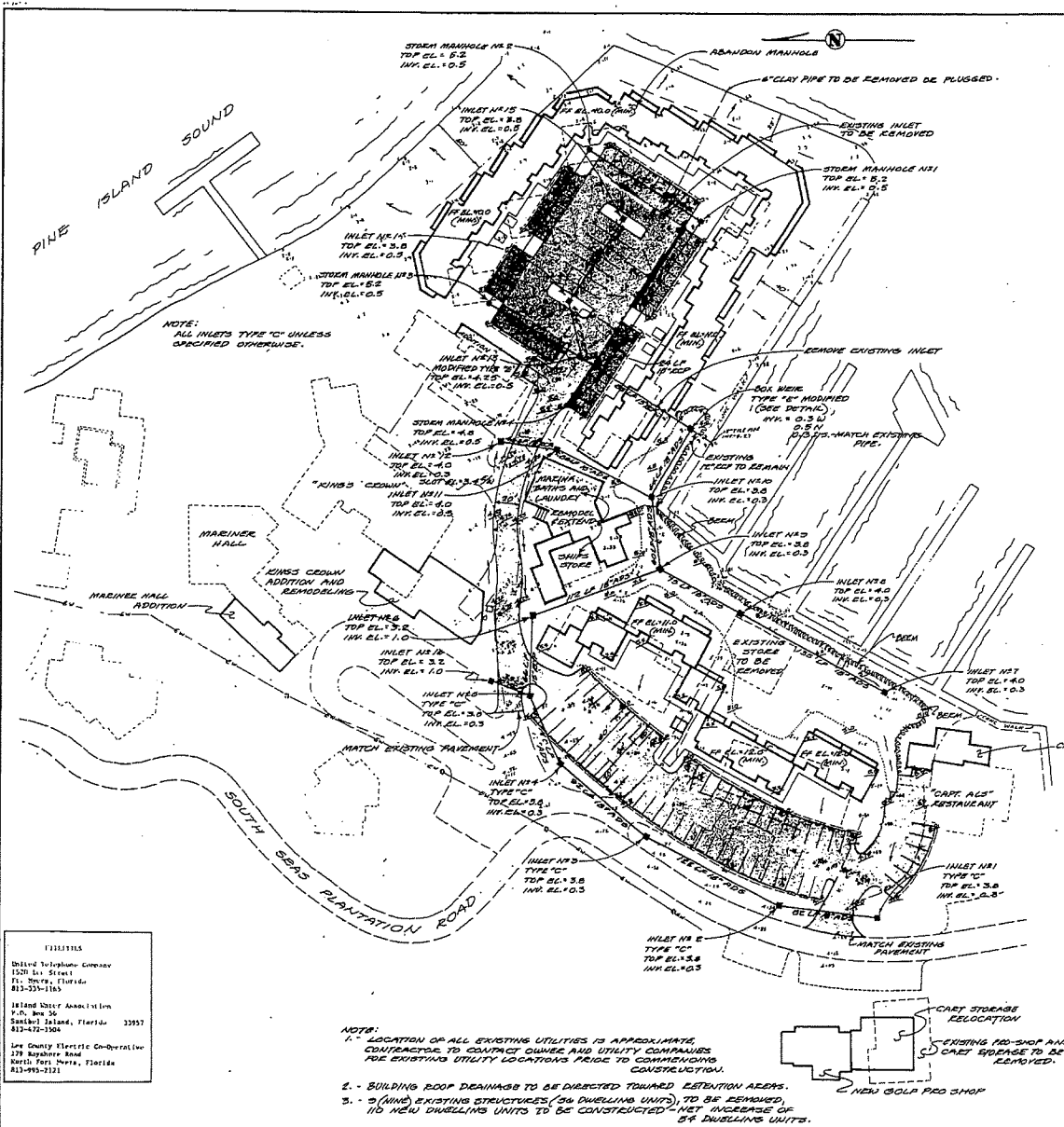
- 5.97 EXIST. GRADE
- 5.35 PROP. GRADE
- DIRECTION OF SURFACE FLOW
- EXIST. INLET
- PROP. INLET
- ◇ PROP. CLEANOUT
- + PROP. FIRE HYDRANT
- PROP. PAVEMENT

Dept. of Development Services
APPROVED
 By: [Signature] Date: Sept 16, 1985
 For: bldg. location,
 read & utilities realignment
 Exception Type: [Signature] 10-20-85
 2011000000 F.E.H.A. [Signature] 05-11
 Approval based on site information
 supplied by applicant.

NOTE:
 LOCATION OF ALL UTILITIES IS APPROXIMATE.
 CONTRACTOR TO CONFIRM CHANGE AND UTILITY
 COMPANIES PRIOR TO COMMENCING CONSTRUCTION.
 P.O.E. MARKING EXISTING UTILITY LOCATIONS.

APPROVED JUL 30 1985
 Master Contract Plan

Site Plan # 688MPP Page 17 of 24
 Subject to conditions in Plan Section 17-207
 REVISED: MAR 23, 1987



SEE SHEET 6 FOR ADDITIONAL HARBOURSIDE PLANNED IMPROVEMENTS →

- LEGEND**
- DIRECTION OF SURFACE FLOW
 - EXISTING GRADE ELEVATION
 - PROPOSED GRADE ELEVATION
 - EXISTING PAVEMENT
 - EXISTING BUILDING
 - EXISTING WASTE VALVE
 - EXISTING STORM INLET
 - EXISTING MANHOLE
 - PROPOSED STORM INLET
 - PROPOSED STORM MANHOLE
 - PROPOSED WATER MAIN
 - PROPOSED SANITARY SEWER
 - PROPOSED SANITARY SEWER MAIN
 - EXISTING WATER MAIN
 - PROPOSED PAVEMENT
 - PROPOSED CONTOUR ELEVATION
 - PROPOSED STORM PIPE (ADS OR RCP)

OWNER/DEVELOPER:
 SOUTH SEAS PLANTATION CO.
 1387 WOODROW AVENUE, S.W.
 FORT MYERS, FLORIDA 33907
 813-781-2011

APPROVED:
 JUL 30 2008
 MASTER CONTRACT PLAN
 APPROVED

DESIGNED BY: *ERMMP* Page 9 of 10
 REGISTERED PROFESSIONAL ENGINEER
 FLORIDA LICENSE NO. 13369
 CHECKED BY: *ABD* 02-2009

APRIL 8, 1988

13369-1115
 United Telephon Company
 1520 1st Street
 Ft. Myers, Florida
 813-333-1165

Island Water Association
 P.O. Box 26
 Sanibel Island, Florida 33957
 813-472-3504

Lee County Electric Co-Operative
 179 Bayshore Road
 Fort Myers, Florida
 813-993-2121

- NOTE:**
1. LOCATION OF ALL EXISTING UTILITIES IS APPROXIMATE. CONTRACTOR TO CONTACT OWNER AND UTILITY COMPANIES TO DETERMINE EXISTING UTILITY LOCATIONS PRIOR TO COMMENCING CONSTRUCTION.
 2. BUILDING ROOF DRAINAGE TO BE DIRECTED TOWARD LEVEE/TION AREAS.
 3. (A) EXISTING STRUCTURES (24 DWELLING UNITS) TO BE REMOVED.
 (B) NEW DWELLING UNITS TO BE CONSTRUCTED - NET INCREASE OF 84 DWELLING UNITS.

DESIGNED BY: *DLT* (Professional Seal)
 CHECKED BY: *JWE*
 APPROVED BY: *[Signature]*
 REGISTERED PROFESSIONAL ENGINEER
 FLORIDA LICENSE NO. 13369

PROFESSIONAL SEAL
 JOHN WALTERS
 CIVIL ENGINEER
 NO. 13369
 STATE OF FLORIDA
 EXPIRES 12/31/2008

REVISED: MAY 20, 1988

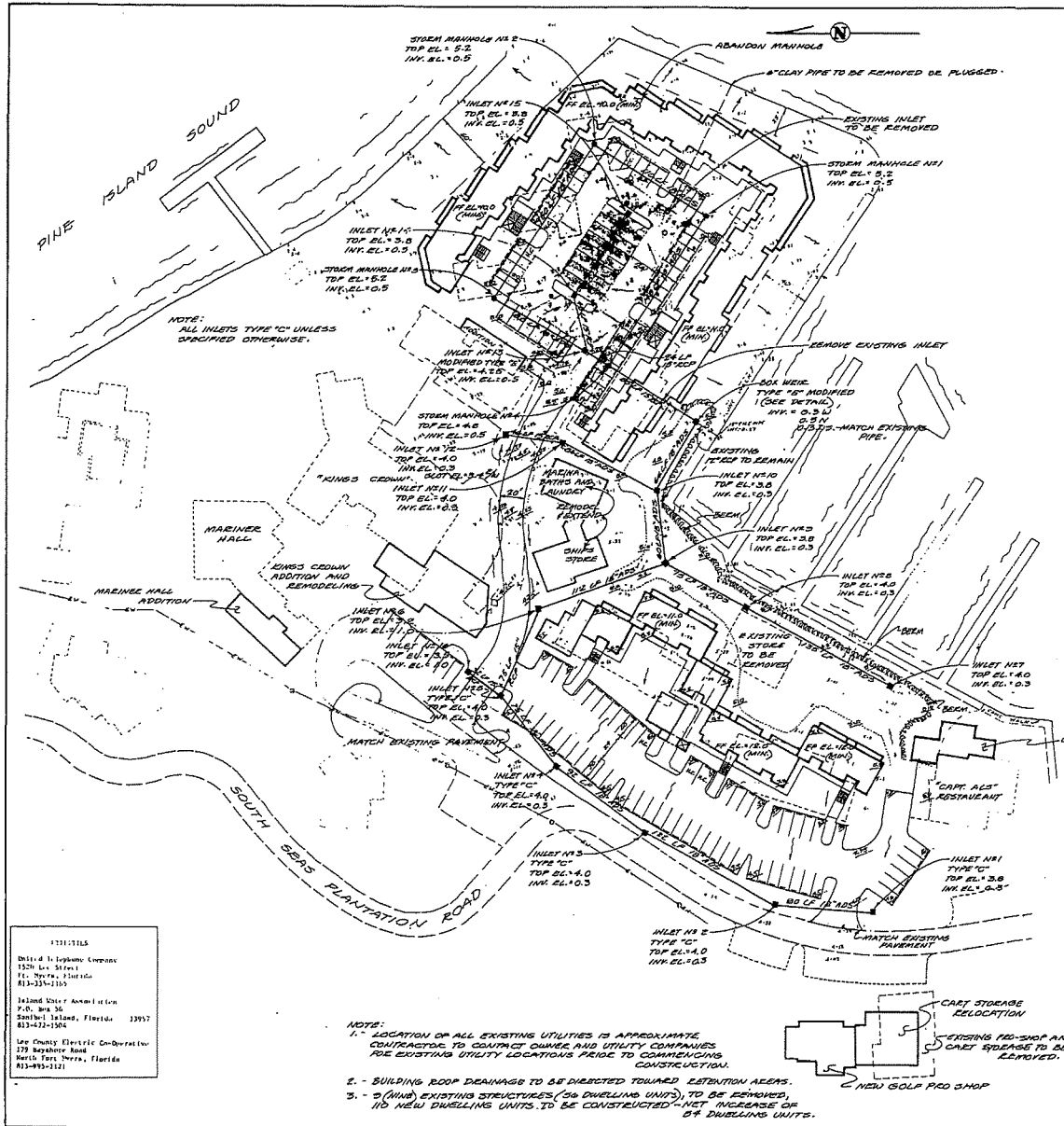
PAVING, GRADING, AND DRAINAGE PLAN
HARBOURSIDE III

SEC. 22, T. 45 S., R. 21 E.
CAPTIVA ISLAND
LEE COUNTY, FLORIDA

JOHNSON ENGINEERING, INC.
 CIVIL ENGINEERS - LAND SURVEYORS
 2154 JOHNSON STREET, FORT MYERS, FLORIDA 33901-1600 (813) 534-0244

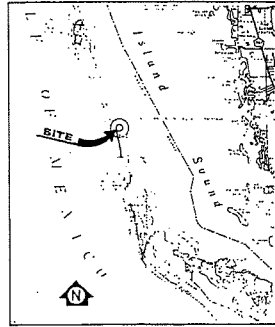
DATE: APRIL 1988	PROJECT NO: 13888	FILE NO: 22-45-21	SCALE: 1" = 40'	SHEET: 3 OF 10
------------------	-------------------	-------------------	-----------------	----------------

HARBORSIDE III 12588



NOTE: ALL INLETS TYPE "C" UNLESS SPECIFIED OTHERWISE.

NOTE:
 1. - LOCATION OF ALL EXISTING UTILITIES IS APPROXIMATE. CONTRACTORS TO CONTACT CUMMIS AND UTILITY COMPANIES TO VERIFY EXISTING UTILITY LOCATIONS PRIOR TO COMMENCING CONSTRUCTION.
 2. - BUILDING ROOF DRAINAGE TO BE DIRECTED TOWARD RETENTION AREAS.
 3. - 2 (MIN) EXISTING STRUCTURES (26 DWELLING UNITS) TO BE REMOVED. NO NEW DWELLING UNITS TO BE CONSTRUCTED "NET" INCREASE OF 04 DWELLING UNITS.



SITE LOCATION MAP

SEE SHEET 6 FOR ADDITIONAL HARBORSIDE PLANNED IMPROVEMENTS →

- LEGEND**
- DIRECTION OF SURFACE FLOW
 - EXISTING GRADE ELEVATION
 - PROPOSED GRADE ELEVATION
 - EXISTING PAVEMENT
 - EXISTING BUILDING
 - EXISTING WATER VALVE
 - EXISTING STORM INLET
 - EXISTING MANHOLE
 - PROPOSED STORM INLET
 - PROPOSED STORM MANHOLE
 - PROPOSED WATER MAIN
 - PROPOSED SANITARY SERVICE
 - PROPOSED SANITARY SEWER MAIN
 - PROPOSED WATER MAIN
 - PROPOSED PAVEMENT
 - PROPOSED CONTOUR ELEVATION
 - PROPOSED STORM PIPE (ADS OR RCP)

OWNER/DEVELOPER:
 SOUTH SEAS PLANTATION CO.
 13307 MCGREGOR BLVD., S.W.
 FORT MYERS, FLORIDA, 33807
 813-481-2007

APPROVED
 JUL 30 2002
 Name: JOHN WALTER
 Title: REGISTERED PROFESSIONAL ENGINEER
 No. 1270
 State of FLORIDA
 Subject to conditions in Standard 1-173-200
 Date: APR 10 1998
 Drawn by: ADD 1002-0002B
 Date: APRIL 8, 1998

12588-1115
 United Engineering Company
 15251 Lee Street
 Ft. Myers, Florida
 813-235-1115

Island City Association
 P.O. Box 36
 Sanibel Island, Florida 33957
 813-432-1504

Lee County Electric Cooperative
 179 Bayshore Road
 North Fort Myers, Florida
 813-495-1121

DESIGNED BY DLT	CHECKED BY JWE
APPROVED BY <i>[Signature]</i>	
REGISTERED PROFESSIONAL ENGINEER FLORIDA CERTIFICATE NO. 1270	
DESIGNED: MAY 20, 1988	REVISED: SEPT 5, 1988

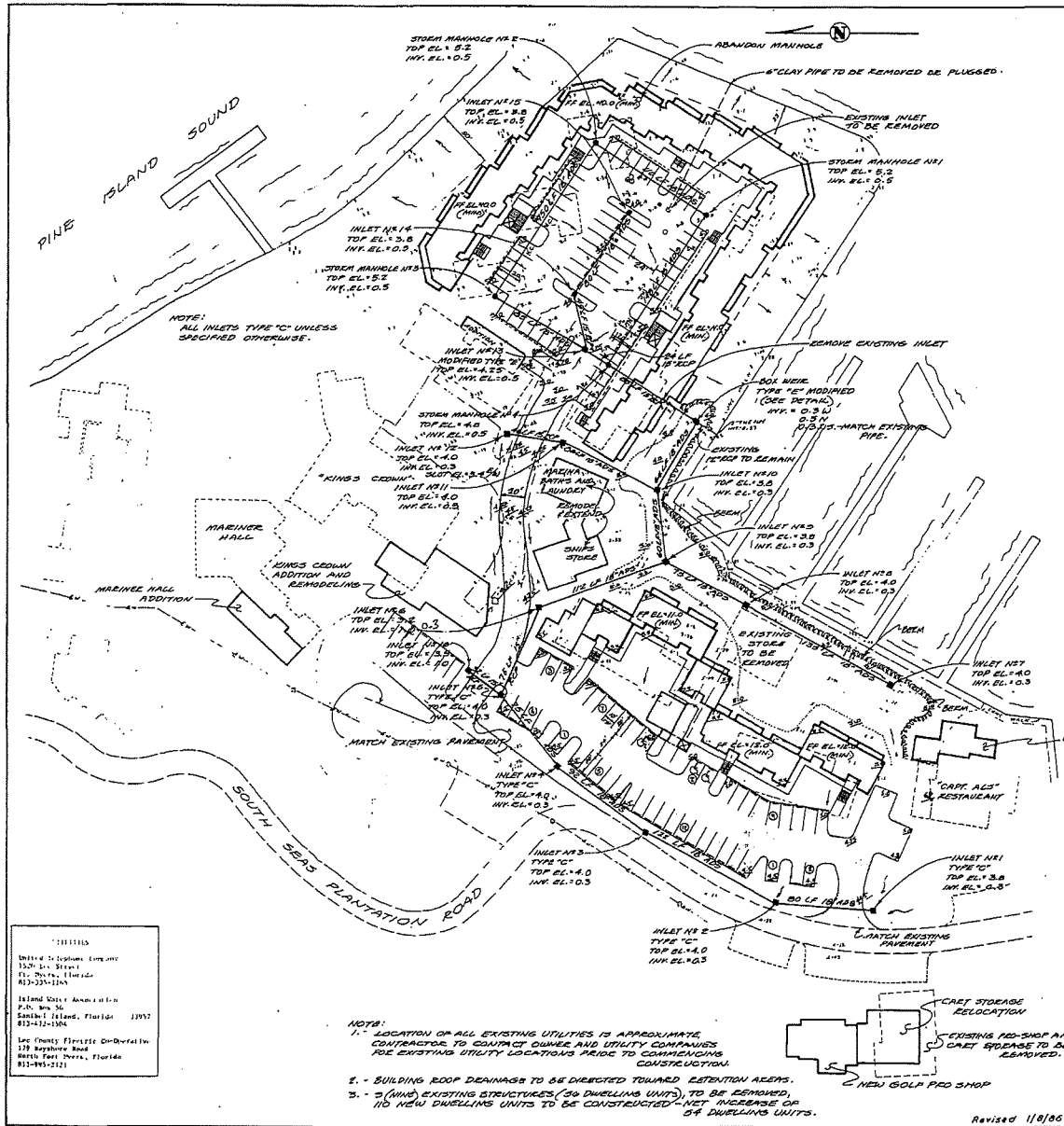
**PAVING, GRADING, AND DRAINAGE
 PLAN
 HARBORSIDE III**

**SEC. 22, T. 45 S., R. 21 E.
 CAPTIVA ISLAND
 LEE COUNTY, FLORIDA**

JOHNSON ENGINEERING, INC.
 CIVIL ENGINEERS - LAND SURVEYORS
 2116 JOHNSON STREET, POST OFFICE BOX 150, FORT MYERS, FLORIDA 33902-1500 813-334-0044

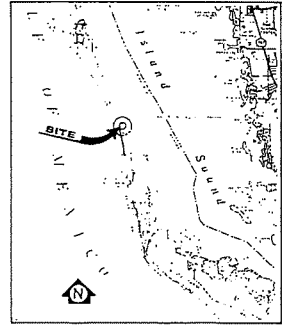
DATE APRIL 1988	PROJECT NO. 13888	FILE NO. 22-45-21	SCALE 1" = 40'	SHEET 3 OF 18
--------------------	----------------------	----------------------	-------------------	------------------

REVISIONS



NOTE: ALL INLETS TYPE "C" UNLESS SPECIFIED OTHERWISE.

- NOTES:
1. LOCATION OF ALL EXISTING UTILITIES IS APPROXIMATE. CONTRACTOR TO CONTACT OWNER AND UTILITY COMPANIES REGARDING EXISTING UTILITY LOCATIONS PRIOR TO COMMENCING CONSTRUCTION.
 2. BUILDING ROOF DRAINAGE TO BE DIRECTIONED TOWARD EXTENSION ALLEYS.
 3. 2 (TWO) EXISTING STRUCTURES (50 DWELLING UNITS) TO BE DEMOLISHED, AND 110 NEW DWELLING UNITS TO BE CONSTRUCTED - NET INCREASE OF 64 DWELLING UNITS.



SCALE 1" = 2 MILES
SITE LOCATION MAP

SEE SHEET 6 FOR ADDITIONAL HARBOURSIDE PLANNED IMPROVEMENTS

LEGEND

- DIRECTION OF SURFACE FLOW
- +— EXISTING GRADE ELEVATION
- o— PROPOSED GRADE ELEVATION
- x— EXISTING PAVEMENT
- o— EXISTING BUILDING
- EXISTING WATER VALVE
- EXISTING STORM INLET
- EXISTING MANHOLE
- PROPOSED STORM INLET
- PROPOSED STORM MANHOLE
- w— PROPOSED WATER MAIN
- s— PROPOSED SANITARY SEWER MAIN
- s— EXISTING WATER MAIN
- x— PROPOSED PAVEMENT
- o— PROPOSED CONTOUR ELEVATION
- o— PROPOSED STORM PIPE (RDS OR RCP)

OWNER DEVELOPE:

SOUTH SEAS PLANTATION CO.
1887 MCGREGOR BLVD., S.W.
FORT MYERS, FLORIDA, 33907
813-181-2011

JUL 30, 1985
APPROVED
Master Concept Plan
By: *[Signature]*
Title: **SRMCP** Page **22**
Original to conditions in Resolution **273-107**
Case # **ADD7001-00026**

APRIL 8, 1985

11815115
Office of Technical Services
1500 So. Street
St. Charles, Florida
813-331-1161
Island State Annex #110
P.O. Box 36
Sanibel Island, Florida 33957
813-412-1104
Lee County Florida District 10
178 Bayshore Road
North Fort Myers, Florida
813-991-2121

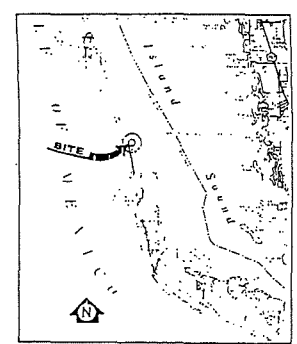
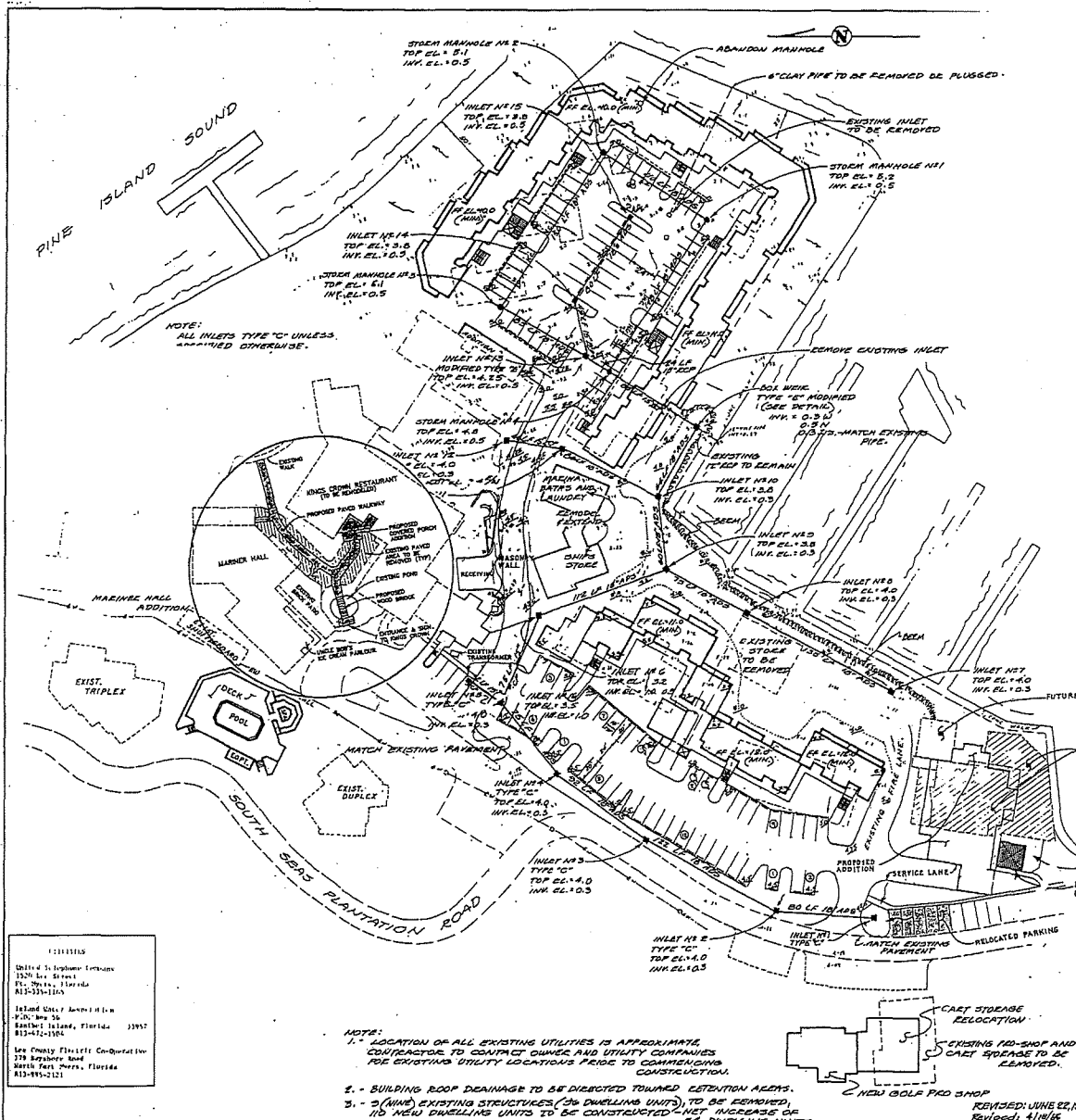
DESIGNED BY DLT	CHECKED BY JWE
APPROVED BY <i>[Signature]</i>	
REGISTERED PROFESSIONAL ENGINEER FLORIDA LICENSE NO. 10888	

PAVING, GRADING, AND DRAINAGE PLAN
HARBOURSIDE III
SEC. 22, T. 45 S., R. 21 E.
CAPTIVA ISLAND
LEE COUNTY, FLORIDA

JOHNSON ENGINEERING, INC.
CIVIL ENGINEERS - LAND SURVEYORS
2116 JOHNSON STREET - WEST OFFICE BOX 1840 - FORT MYERS, FLORIDA 33901-1840 (813) 340-0448

FORWARD: MAY 20, 1985	DATE: APRIL 1985	PROJECT NO: 13888	FILE NO: 22-45-21	SCALE: 1" = 40'	SHEET 3 OF 18
REVISED: NOV. 13, 1985					

Revised 1/8/85



SCALE: 1" = 1 MILES
 JUL 30 1987
 APPROVED
 Master Contract Plan
 Site Plan: SPM07 Page: 86 of 100
 Subject to conditions in Specifications 2-73-122
 Order: A770 2001-00010

- LEGEND**
- DIRECTION OF SURFACE FLOW
 - EXISTING GRADE ELEVATION
 - PROPOSED GRADE ELEVATION
 - EXISTING PAVEMENT
 - EXISTING BUILDING
 - EXISTING WATER VALVE
 - EXISTING STORM INLET
 - EXISTING MANHOLE
 - PROPOSED STORM INLET
 - PROPOSED STORM MANHOLE
 - PROPOSED WATER MAIN
 - PROPOSED SANITARY DEWICE
 - PROPOSED SANITARY SEWER MAIN
 - EXISTING WATER MAIN
 - EXISTING PAVEMENT
 - PROPOSED CONTOUR ELEVATION
 - PROPOSED STORM PIPE (ADS OR ECP)
 - NUMBER OF 10' PARKING SPACES

Dept. of Development Review
 APPROVED
 Approved based on site information supplied by applicant.
 REVISION: 1/23/81 - PROPOSED WOOD BRIDGE AND WALKWAY TO INLET CROWN BUILDING AND PROPOSED COVERED PORCH
 REVISION: MARCH 23, 1988 KINGS CROWN BUILDING ADDITION AND SERVICE AREA REMODELLING
 Revised: 7/8/87
 Added: Proposed Pool
 REV APRIL 8, 1988

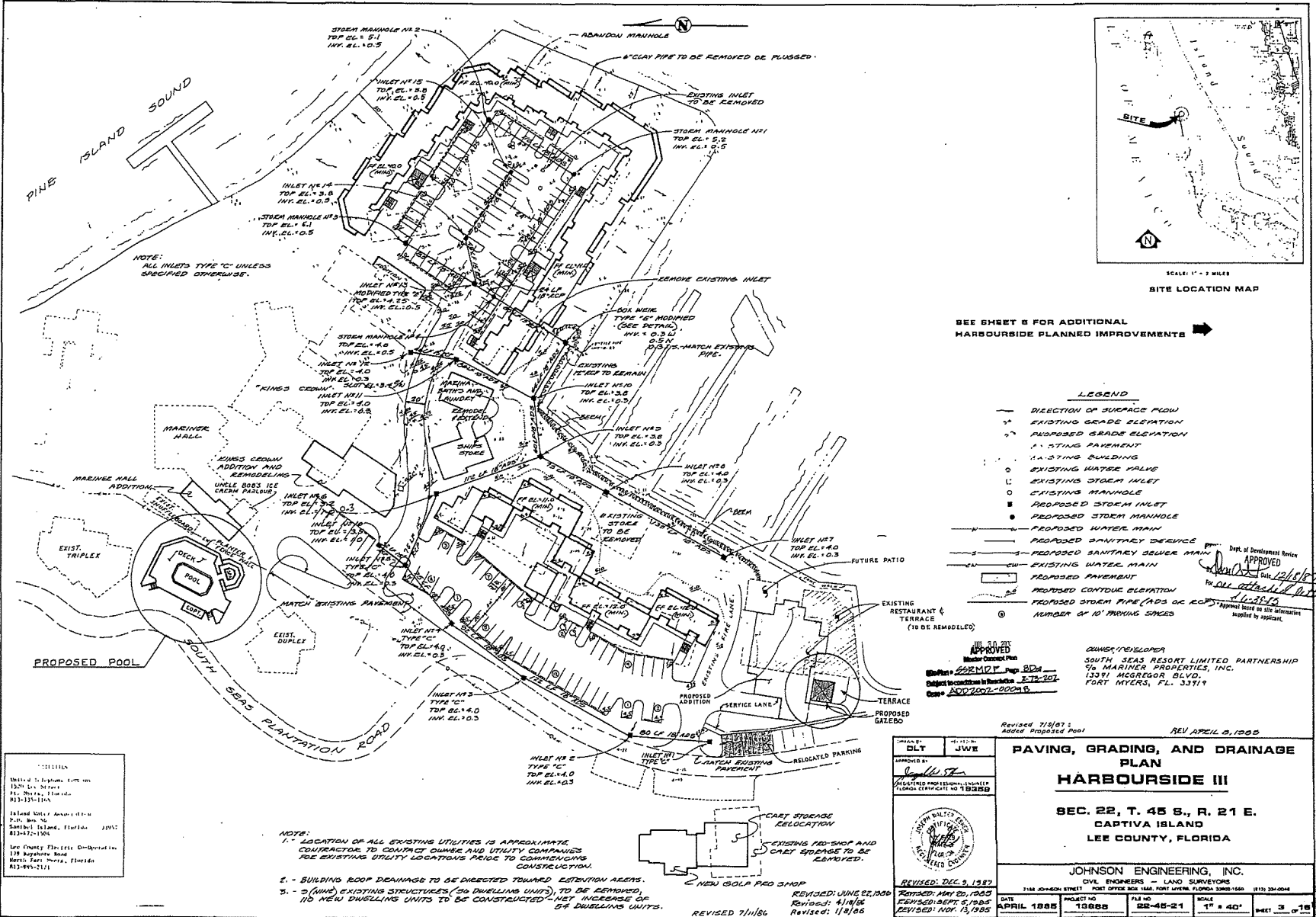
DESIGNED BY DLT	PREPARED BY JWE	PAVING, GRADING, AND DRAINAGE PLAN HARBOURSIDE III SEC. 22, T. 45 S., R. 21 E. CAPTIVA ISLAND LEE COUNTY, FLORIDA
APPROVED BY <i>[Signature]</i>	REGISTERED PROFESSIONAL ENGINEER FLORIDA LICENSE NO. 78250	
JOHNSON ENGINEERING, INC. CIVIL ENGINEERS - LAND SURVEYORS 1114 JOHNSON STREET PORT OFFICE BOX 1460, FORT MYERS, FLORIDA 33901-1460 (813) 334-0044		DATE: APRIL 1988 PROJECT NO: 13888 FILE NO: 88-40-21 SCALE: 1" = 40' SHEET: 3 OF 10

123111115
 Office of Engineering Services
 1920 Lee Street
 Ft. Myers, Florida
 813-334-1155
 Island City of Development
 P.O. Box 26
 Captiva Island, Florida 33917
 813-442-0184
 Lee County Florida Co-Operative
 179 Republic Road
 North Fort Myers, Florida
 813-935-1211

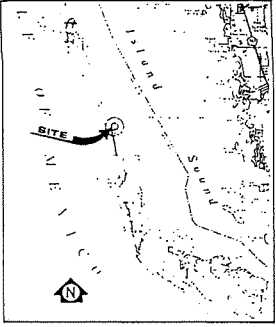
- NOTE:**
1. LOCATION OF ALL EXISTING UTILITIES IS APPROXIMATE. CONTRACTOR TO CONTACT OWNER AND UTILITY COMPANIES FOR EXISTING UTILITY LOCATIONS PRIOR TO COMMENCING CONSTRUCTION.
 2. BUILDING ROOF DRAINAGE TO BE DIRECTED TOWARD SETBACK AREAS.
 3. 5 (NINE) EXISTING STRUCTURES (36 DWELLING UNITS), TO BE REMOVED; 115 NEW DWELLING UNITS TO BE CONSTRUCTED - NET INCREASE OF 84 DWELLING UNITS.

REVISION: 7/1/86
 REVISION: JUNE 22, 1986
 REVISION: 4/11/85
 REVISION: 1/8/85

JEL 16J79



NOTE: ALL INLETS TYPE "C" UNLESS SPECIFIED OTHERWISE.



SCALE: 1" = 1 MILES
SITE LOCATION MAP

SEE SHEET B FOR ADDITIONAL HARBOURSIDE PLANNED IMPROVEMENTS

LEGEND

- DIRECTION OF SURFACE FLOW
- EXISTING GRADE ELEVATION
- PROPOSED GRADE ELEVATION
- EXISTING PAVEMENT
- EXISTING BUILDING
- EXISTING WATER VALVE
- EXISTING STORM INLET
- EXISTING MANHOLE
- PROPOSED STORM INLET
- PROPOSED STORM MANHOLE
- PROPOSED WATER MAIN
- PROPOSED SANITARY SEWER
- PROPOSED SANITARY SEWER MAIN
- EXISTING WATER MAIN
- PROPOSED PAVEMENT
- PROPOSED CONTOUR ELEVATION
- PROPOSED STORM PIPE (ADS OR ECP)
- NUMBER OF 'N' PARKING SPACES

Dept. of Development Review
APPROVED
Date: 12/15/87
By: [Signature]
ALL OTHERS TO BE APPROVED
Date: 1/13/88
By: [Signature]

OWNER/DEVELOPER
SOUTH SEAS RESORT LIMITED PARTNERSHIP
74 MARINER PROPERTIES, INC.
13391 MCGREGOR BLVD.
FORT MYERS, FL. 33914

APPROVED
Master Concept Plan
SOUTH SEAS RESORT, Pkg. 824
Subject: Harbourside III, Section 22, T. 45 S., R. 21 E.
Case: 15002507-000000

Revised 7/8/87
Added Proposed Pool
REV APRIL 6, 1988

**PAVING, GRADING, AND DRAINAGE PLAN
HARBOURSIDE III**

SEC. 22, T. 45 S., R. 21 E.
CAPTIVA ISLAND
LEE COUNTY, FLORIDA

JOHNSON ENGINEERING, INC.

CIVIL ENGINEERS - LAND SURVEYORS
2118 JOHNSON STREET, FORT MYERS, FLORIDA 33901-1560 (813) 234-0044

DESIGNED BY DLT	CHECKED BY JWE
APPROVED BY [Signature]	
REGISTERED PROFESSIONAL ENGINEER FLORIDA LICENSE NO. 12282	

REVISION: DEC. 5, 1987

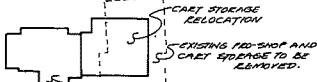
REVISION: MAY 20, 1988
REVISION: OCT. 5, 1988
REVISION: NOV. 13, 1988

DATE APRIL 1988	PROJECT NO. 1988B	SHEET NO. 22-45-21	SCALE 1" = 40'	SHEET 3 OF 18
--------------------	----------------------	-----------------------	-------------------	------------------

TITLES
District 2, Telephone 1-800-368-1327
1327 1st Street
St. Petersburg, Florida
813-335-1163
Island Utility Association
P.O. Box No. 100
Captiva Island, Florida 33927
813-472-1506
Lee County Electric Corporation
178 Bayshore Road
Marco Island, Florida
813-995-2121

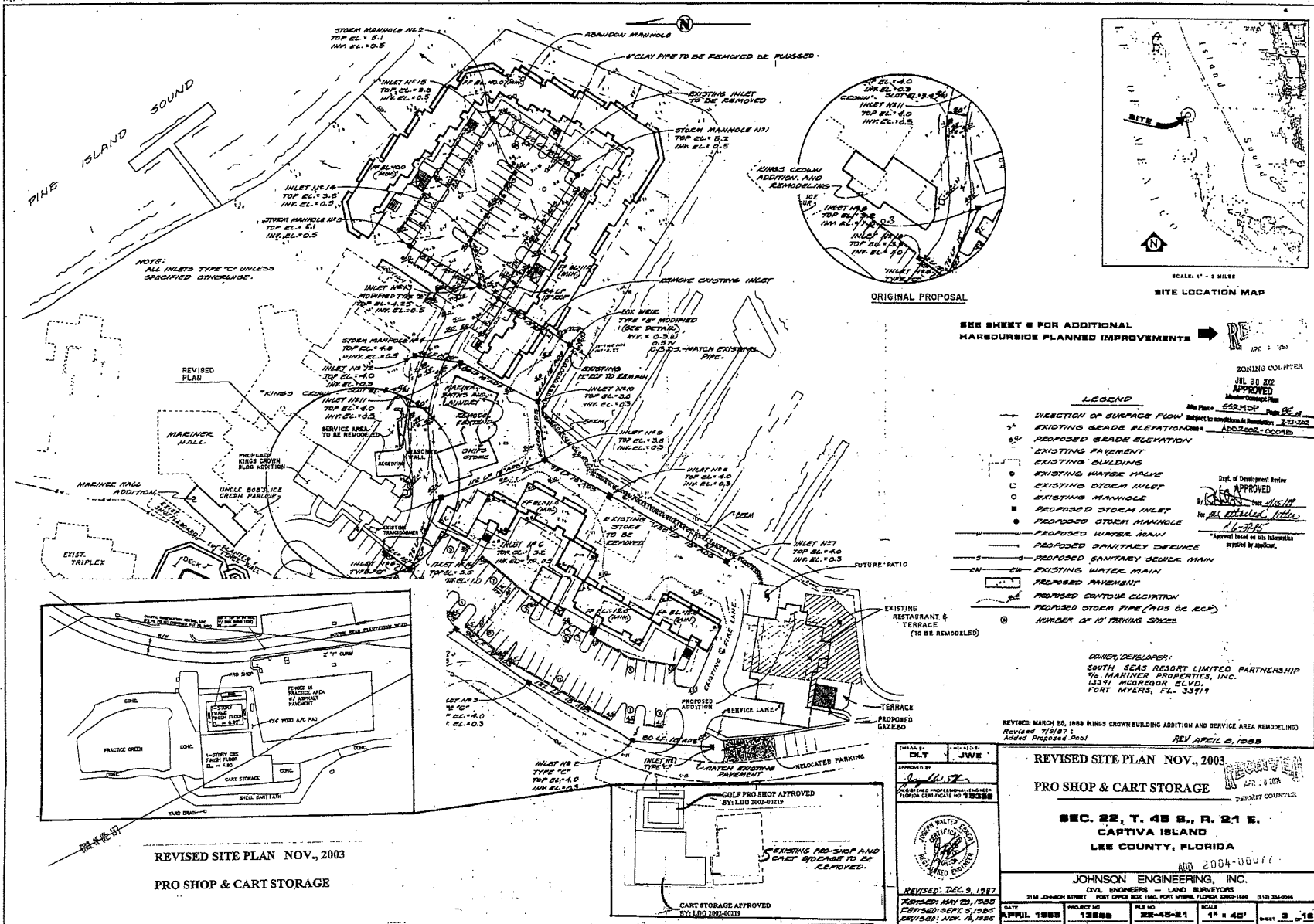
- NOTE:
1. - LOCATION OF ALL EXISTING UTILITIES IS APPROXIMATE. CONTRACTOR TO CONTACT OWNER AND UTILITY COMPANIES FOR EXISTING UTILITY LOCATIONS PRIOR TO COMMENCING CONSTRUCTION.
2. - BUILDING ROOF DRAINAGE TO BE DIRECTED TOWARD EXISTING ALLEYS.
3. - 5 (FIVE) EXISTING STRUCTURES (24 DWELLING UNITS) TO BE DEMOLISHED. NET INCREASE OF 102 NEW DWELLING UNITS TO BE CONSTRUCTED IN 54 DWELLING UNITS.

REVISION: JUNE 22, 1988
REVISION: 8/11/88
REVISION: 1/8/88



NEW GOLF PRO SHOP

HARBORSIDE III



REVISED SITE PLAN NOV., 2003
 PRO SHOP & CART STORAGE

REVISIONS

NOV. 2, 2003	REVISED	APPROVED
APRIL 6, 2003	REVISED	APPROVED
MARCH 20, 2003	REVISED	APPROVED

REVISIONS: MARCH 20, 2003 KINGS CROWN BUILDING ADDITION AND SERVICE AREA REMODELING
 Revised 2/20/03
 Added Proposed Pool
 REV APRIL 6, 2003

APPROVED BY: [Signature]
 REGISTERED PROFESSIONAL ENGINEER
 FLORIDA CERTIFICATE NO. 93338

APPROVED BY: [Signature]
 REGISTERED PROFESSIONAL ENGINEER
 FLORIDA CERTIFICATE NO. 93338

REVISED: DEC. 3, 1987
 REVISED: MAY 20, 1985
 REVISED: SEPT. 5, 1985
 REVISED: NOV. 15, 1985

DATE: APRIL 1983 PROJECT NO: 12888 SCALE: 22-45-21 1" = 40' SHEET: 3 OF 16

JOHNSON ENGINEERING, INC.
 CIVIL ENGINEERS - LAND SURVEYORS
 3148 JOHNSON STREET PORT CHARLES ROAD 1842, PORT MYERS, FLORIDA 33908-1848 (813) 234-0044

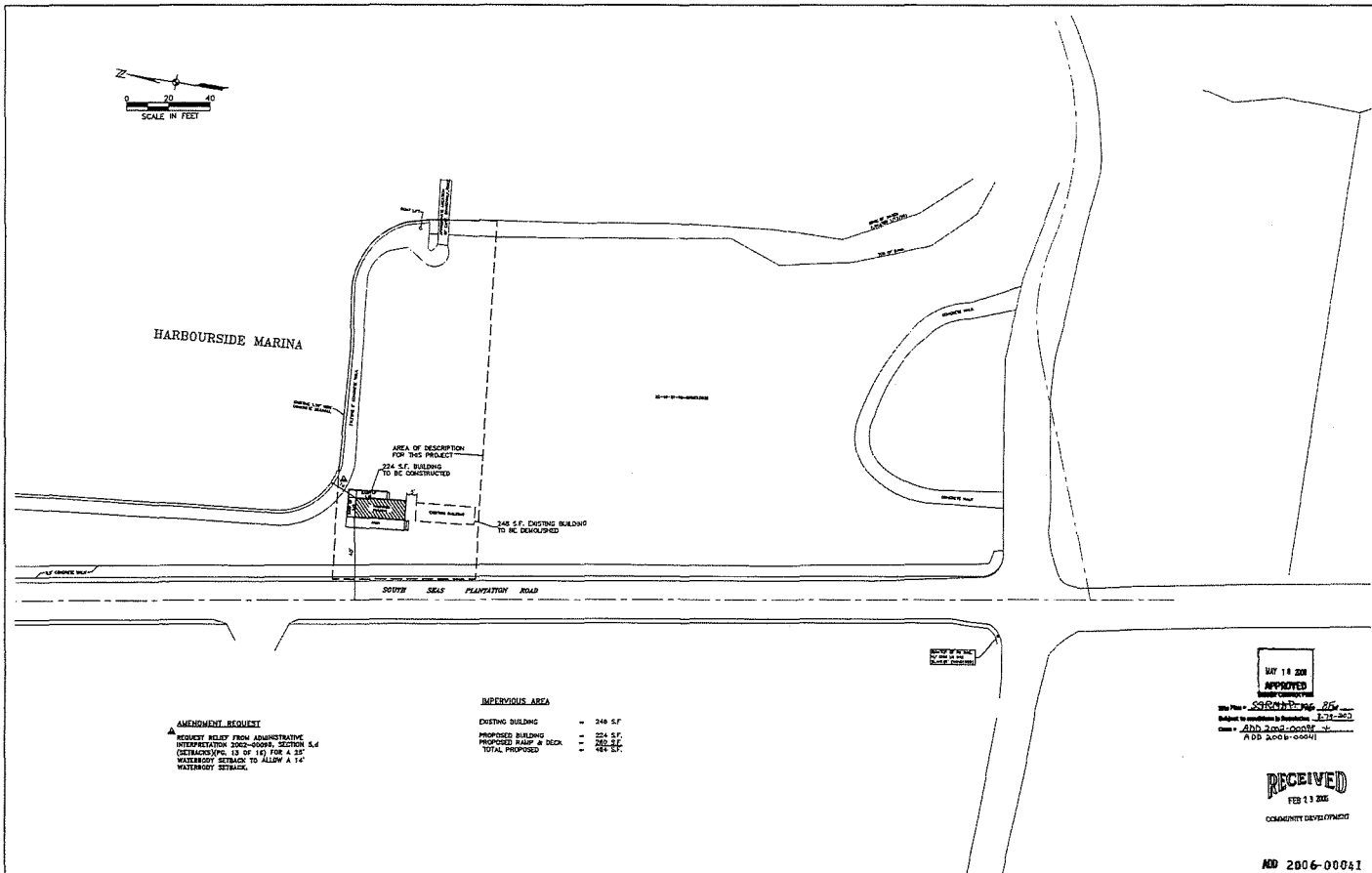
OWNER/DEVELOPER:
 SOUTH SEAS RESORT LIMITED PARTNERSHIP
 76 MARINER PROPERTIES, INC.
 1331 WOODRIDGE BLVD.
 FORT MYERS, FL. 33919

SEE SHEET 6 FOR ADDITIONAL
 HARBOURSIDE PLANNED IMPROVEMENTS

- LEGEND
- DIRECTION OF SURFACE FLOW
 - 5' EXISTING GRADE ELEVATION
 - 6'5" PROPOSED GRADE ELEVATION
 - EXISTING PAVEMENT
 - EXISTING BUILDINGS
 - EXISTING WATER MAIN
 - EXISTING STORM INLET
 - EXISTING MANHOLE
 - PROPOSED STORM INLET
 - PROPOSED STORM MANHOLE
 - PROPOSED WATER MAIN
 - PROPOSED SANITARY SEWER
 - PROPOSED SANITARY SEWER MAIN
 - EXISTING WATER MAIN
 - PROPOSED PAVEMENT
 - PROPOSED CONTOUR ELEVATION
 - PROPOSED STORM PIPE (10" OR 12")
 - NUMBER OF 10' PARKING SPACES

APR. 2, 2003
 ZONING COUNTY CLERK
 JUL 30 2003
 APPROVED
 Major Ordinance No. 2003-00016
 Add'l Ord. - 00016

City of Development Review
 APPROVED
 For [Signature]
 City of Development Review
 APPROVED based on this information
 received by applicant.



AMENDMENT REQUEST
 REQUEST RELAY FROM ADMINISTRATIVE
 INTERPRETATION 2006-0006B, SECTION 5.4
 (DETAILS) PG. 13 OF 15 FOR A 25'
 WATERWAY SETBACK TO ALLOW A 14'
 WATERWAY SETBACK.

IMPERVIOUS AREA
 EXISTING BUILDING - 248 S.F.
 PROPOSED BUILDING - 274 S.F.
 PROPOSED RAMP & DECK - 220 S.F.
 TOTAL PROPOSED - 494 S.F.

APPROVED
 JUL 18 2006
 COMMUNITY DEVELOPMENT
 Lee County
 ADD 2006-00061

RECEIVED
 FEB 13 2007
 COMMUNITY DEVELOPMENT

ADD 2006-00061

\\10000017\project\2006\2006-00061\DWG\2006-00061.dwg (p. 13, 2006 - 13)dwg
 REVISIONS

NO.	DATE	DESCRIPTION

MERISTAR HOSPITALITY CORP.

SOUTH SEAS RESORT
 Lee County, Florida

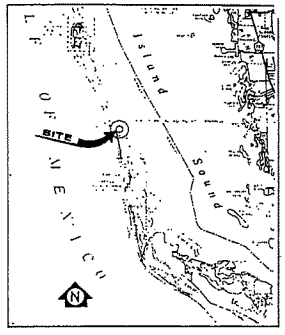
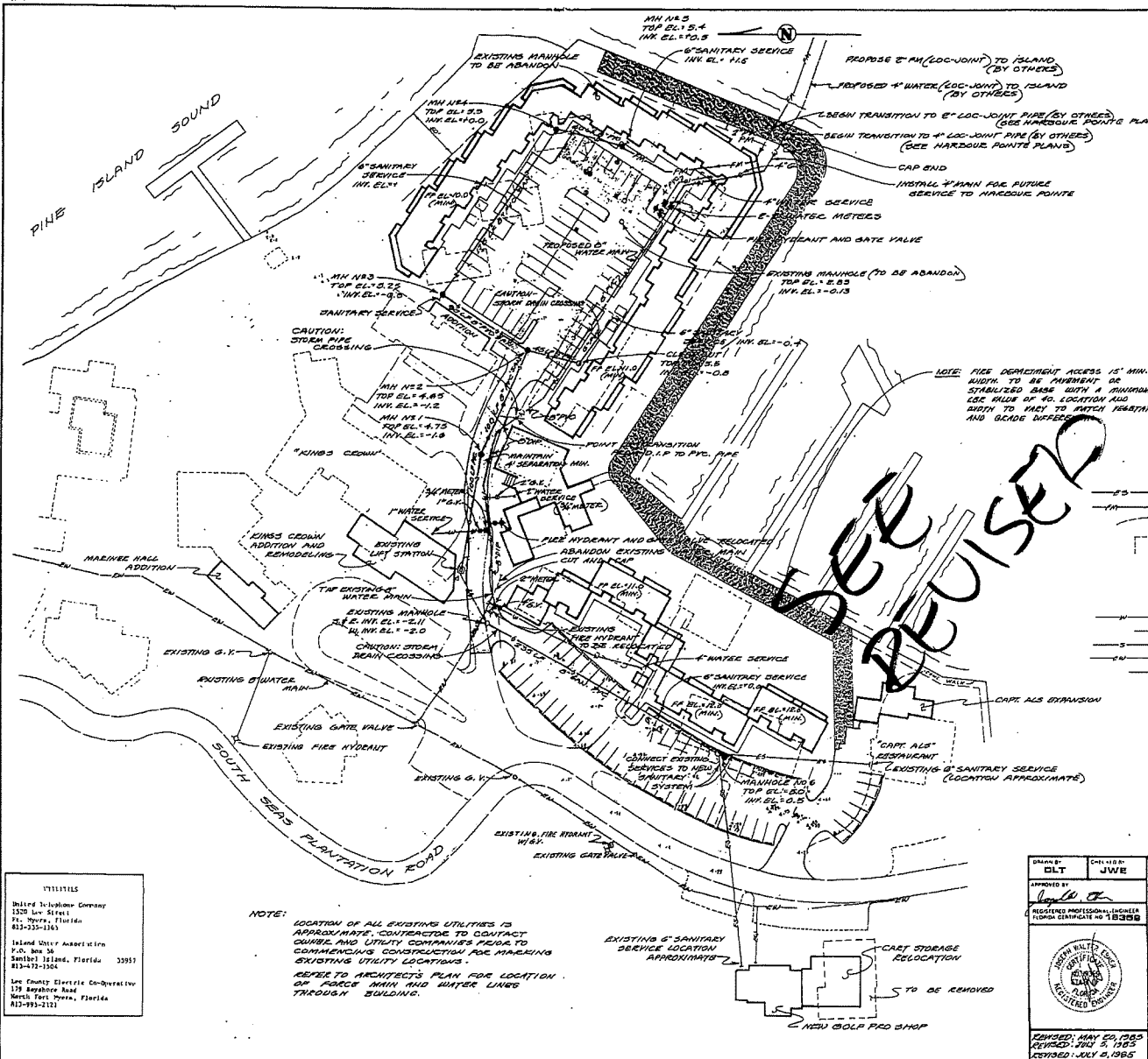


2108 JONKOHN STREET
 P.O. BOX 1305
 FORT MEADE, FLORIDA 32942-1050
 PHONE (336) 334-0246
 FAX (336) 334-0461
 E.S. #642 & L.R. #642

ADMINISTRATIVE ADMMENT
 CAPTIVA CRUISE BUILDING

DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
February 15, 2006	20060017	22-10-21	As Shown	1

HARBORSIDE III 13888



- LEGEND**
- 6" — EXISTING SANITARY SEWER
 - 18" — PROPOSED FORCE MAIN
 - — EXISTING PAVEMENT
 - ▭ — EXISTING BUILDING
 - — EXISTING WATER VALVE
 - — EXISTING STORM INLET
 - — EXISTING MANHOLE
 - — PROPOSED STORM INLET
 - — PROPOSED MANHOLE
 - — PROPOSED WATER MAIN
 - — PROPOSED SANITARY SERVICE
 - — PROPOSED SANITARY SEWER MAIN
 - — EXISTING WATER MAIN
 - — PROPOSED WATER SERVICE
 - — EXISTING FIRE HYDRANT
 - — PROPOSED FIRE HYDRANT

OWNER/DEVELOPER:
 SOUTH SEAS PLANTATION CO.
 1887 MCGEEBROOK BLVD. S.W.
 FORT MYERS, FLORIDA 33907
 813-981-2011

DATE: JUL 30, 2007
APPROVED:
 James Conrad, P.E.
 State No. 5581MPE exp. 8/1/11
 Subject to conditions in Florida Statute § 712.202
 Case # ADP2007-00048

13888T115
 United-Technique Company
 1320 Lee Street
 Ft. Myers, Florida
 813-255-1363

Island Utility Association
 P.O. Box 36
 Sanibel Island, Florida 33957
 813-472-1504

Lee County Electric Co-Operative
 179 Harbour Hall
 North Fort Myers, Florida
 813-983-2123

NOTE: LOCATION OF ALL EXISTING UTILITIES IS APPROXIMATE. CONTRACTOR TO CONTACT QUINCE AND UTILITY COMPANIES PRIOR TO COMMENSING CONSTRUCTION FOR MARKING EXISTING UTILITY LOCATIONS.
 REFER TO ARCHITECT'S PLAN FOR LOCATION OF FORCE MAIN AND WATER LINES THROUGH BUILDING.

SEE REVISED

DRAWN BY: CHEL 418-B
 JWE

APPROVED BY: [Signature]

REGISTERED PROFESSIONAL ENGINEER
 FLORIDA CERTIFICATE NO. 18388

REVISED: MAY 20, 1985
 REVISED: MAY 5, 1985
 REVISED: JULY 2, 1985

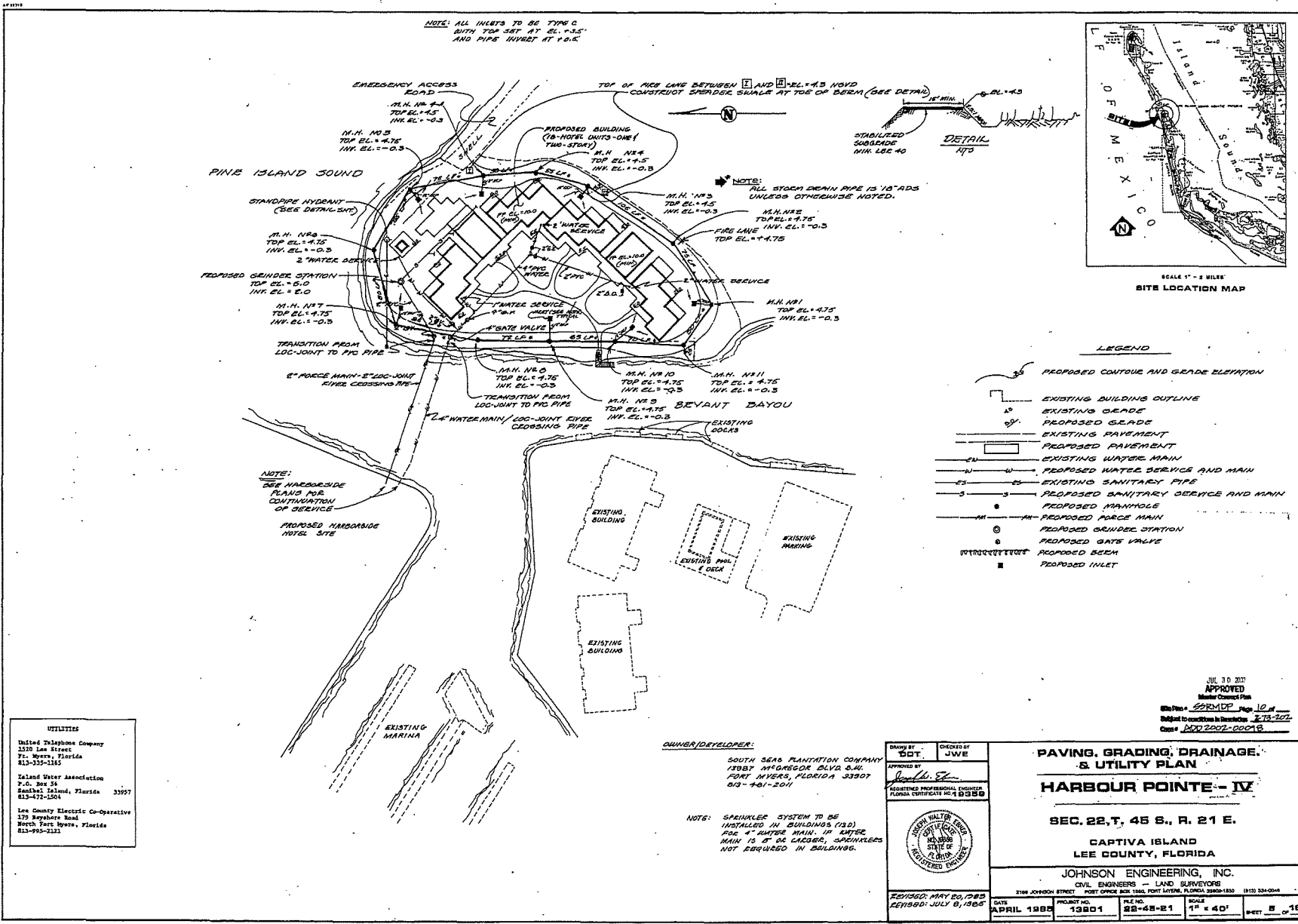
UTILITY PLAN
HARBORSIDE III

SEC. 22, T. 45 S., R. 21 E.
CAPTIVA ISLAND
LEE COUNTY, FLORIDA

JOHNSON ENGINEERING, INC.
 CIVIL ENGINEERS - LAND SURVEYORS
 7158 JOHNSON STREET - FORT OFFICE BOX 1940, FORT MYERS, FLORIDA 33907-1940 (813) 234-0044

DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
APRIL 1988	13888	22-45-21	1" = 40'	4 OF 10

MOUNT STAHLIN #13901



JUL 30 1985
APPROVED
Master Contract Plan
Site Plan # 55RMDDP Page 16 of 18
Subject to amendments by Specification # 173-207
Order # MDP 2007-00018

PAVING, GRADING, DRAINAGE & UTILITY PLAN

HARBOUR POINTE - IV

SEC. 22.T. 45 S., R. 21 E.

CAPTIVA ISLAND
LEE COUNTY, FLORIDA

JOHNSON ENGINEERING, INC.
CIVIL ENGINEERS - LAND SURVEYORS

3186 JOHNSON STREET
FORT MYERS, FLORIDA 33907-1150 (813) 334-0046

DATE: APRIL 1985
PROJECT NO. 19801
FILE NO. 22-45-21
SCALE: 1" = 40'
SHEET 18 OF 18

DRAWN BY: BCT.
CHECKED BY: JWE

APPROVED BY: [Signature]

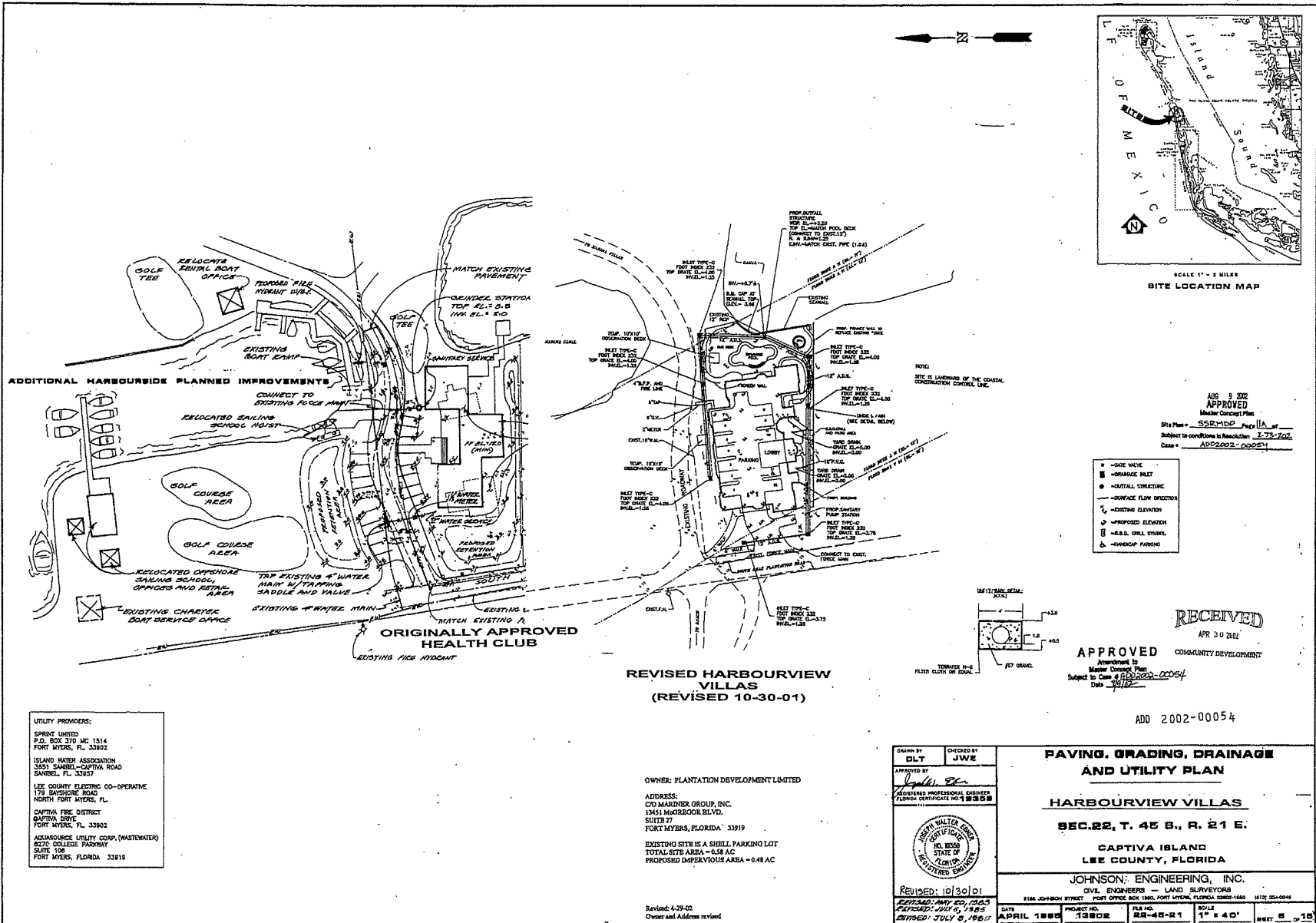
REGISTERED PROFESSIONAL ENGINEER
FLORIDA CERTIFICATE NO. 8338

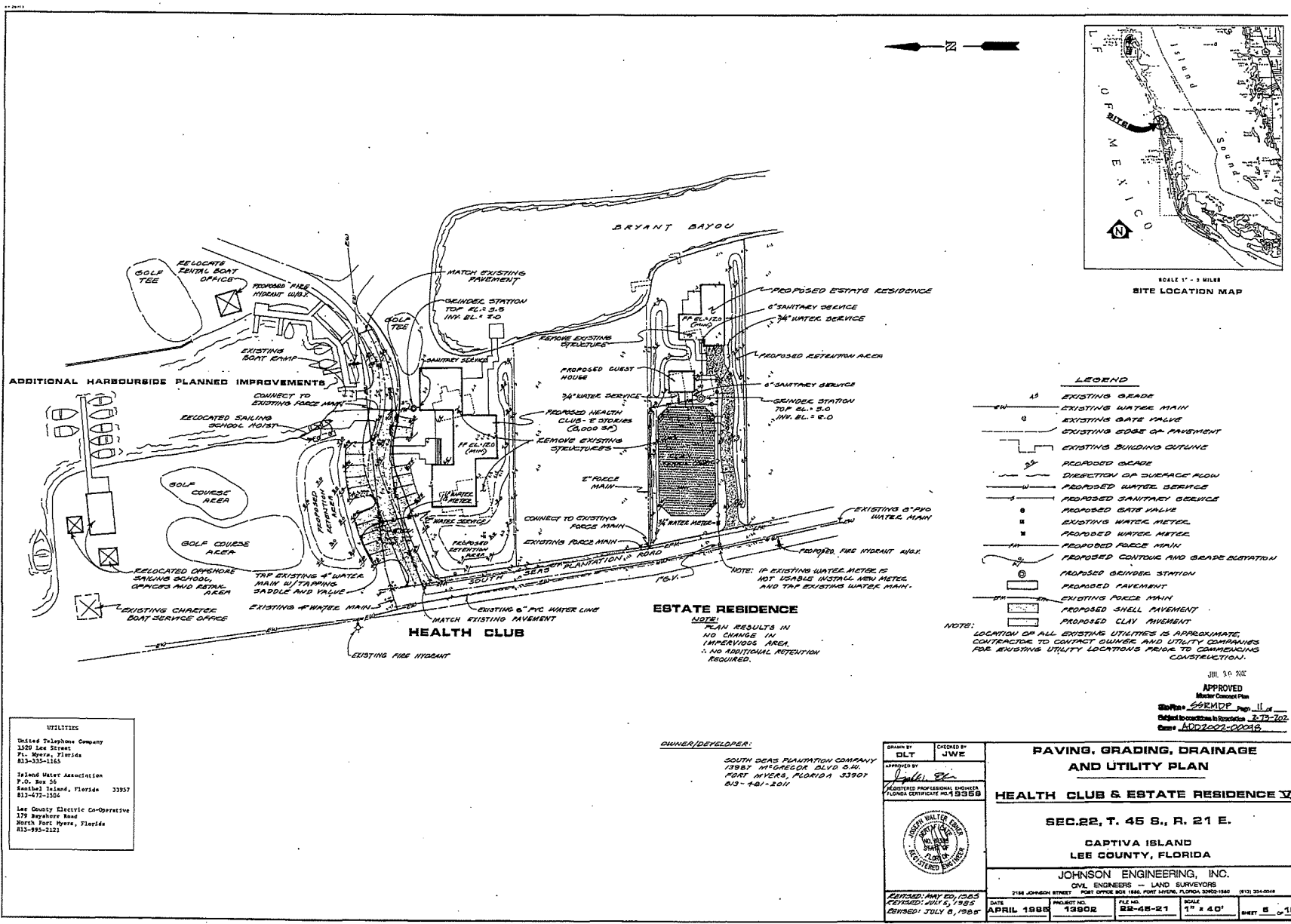
FLORIDA WATER SUPPLY BOARD
REGISTERED PROFESSIONAL
STATE OF FLORIDA
REGISTERED ENGINEER

REVISED: MAY 20, 1985
REVISED: JULY 8, 1985

HEALTH CLUB #13702

REVISED 20020664 - 10-30-01





UTILITIES

United Telephone Company
1520 Lee Street
Fort Myers, Florida
813-335-1153

Inland Water Association
P.O. Box 56
Seibel Island, Florida 33957
813-472-1504

Lee County Electric Co-operative
179 Repchere Road
North Fort Myers, Florida
813-995-2121

OWNER/DEVELOPER:

SOUTH DEAS PLANTATION COMPANY
1987 MARGERA BLVD SW
FORT MYERS, FLORIDA 33907
813-481-2011

DRAWN BY: DLT
CHECKED BY: JWE

DESIGNED BY: [Signature]
REGISTERED PROFESSIONAL ENGINEER
FLORIDA CERTIFICATE NO. 19388

SEAL: [Professional Engineer Seal]

REVISIONS:
REVISED: MAY 20, 1985
REVISED: JULY 5, 1985
REVISED: JULY 8, 1985

**PAVING, GRADING, DRAINAGE
AND UTILITY PLAN**

HEALTH CLUB & ESTATE RESIDENCE

SEC. 22, T. 45 S., R. 21 E.

**CAPTIVA ISLAND
LEE COUNTY, FLORIDA**

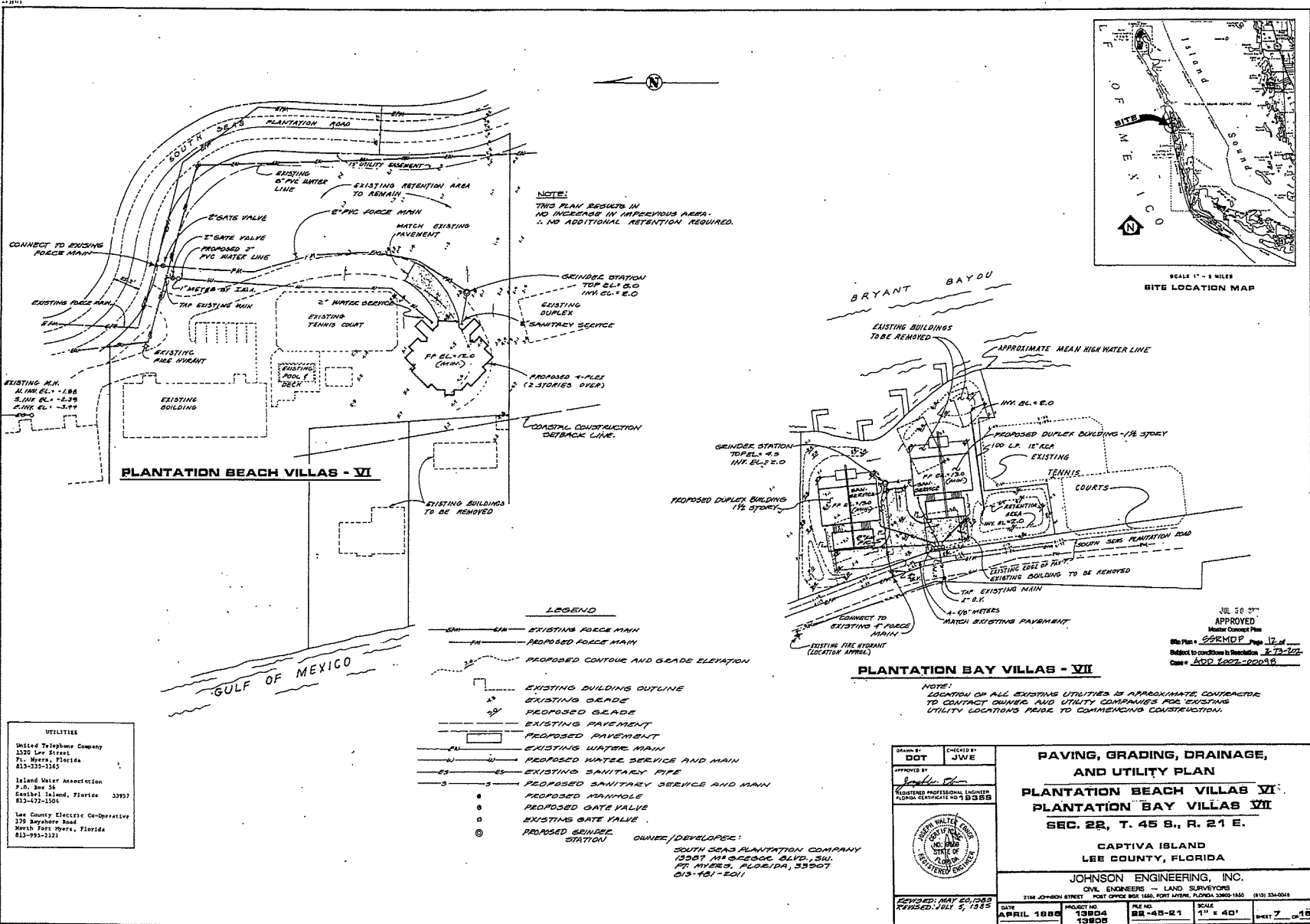
JOHNSON ENGINEERING, INC.
CIVIL ENGINEERS - LAND SURVEYORS

2148 JOHNSON STREET
FORT MYERS, FLORIDA 33902-1940 (813) 354-0044

DATE: APRIL 1988
PROJECT NO.: 12802
FILE NO.: 22-45-21
SCALE: 1" = 40'
SHEET: 5 OF 15

JUL 5 2002
APPROVED
Master Concept Plan
Site Plan - SDEMVP Page 11 of 14
Subject: Improvements to Harbourside - 22-45-21-02
Drawn: ADD-202-00016

#13904



UTILITIES

United Telephone Company
3200 Lee Street
Fort Myers, Florida
813-335-1265

Island Water Association
910. Box 58
Cresthill Island, Florida 33957
813-472-1501

Lee County Electric Co-Operative
370 Bayshore Road
North Fort Myers, Florida
813-953-1221

LEGEND

— 6" — 6" — EXISTING FORCE MAIN
— 12" — 12" — PROPOSED FORCE MAIN
— 18" — 18" — PROPOSED CONTOUR AND GRADE ELEVATION

— 12" — 12" — EXISTING BUILDING OUTLINE
— 12" — 12" — EXISTING GRADE
— 12" — 12" — PROPOSED GRADE

— 12" — 12" — EXISTING PAVEMENT
— 12" — 12" — PROPOSED PAVEMENT

— 12" — 12" — EXISTING WATER MAIN
— 12" — 12" — PROPOSED WATER SERVICE AND MAIN
— 12" — 12" — EXISTING SANITARY PIPE
— 12" — 12" — PROPOSED SANITARY SERVICE AND MAIN

● — PROPOSED MANHOLE
● — PROPOSED GATE VALVE
● — EXISTING GATE VALVE
● — PROPOSED GRINDER STATION

OWNER/DEVELOPER:
SOUTH SEAS PLANTATION COMPANY
15057 HWY 9800E BLVD., SUITE 101
FORT MYERS, FLORIDA, 33907
813-101-2011

Drawn by: DOT
Checked by: JWVE

APPROVED BY:
John D. B. B.
REGISTERED PROFESSIONAL ENGINEER
FLORIDA LICENSE NO. 93858

SEAL: JOHN D. B. B. REGISTERED PROFESSIONAL ENGINEER FLORIDA LICENSE NO. 93858

REVISED: MAY 20, 1988
REVISED: JULY 5, 1988

PAVING, GRADING, DRAINAGE, AND UTILITY PLAN

PLANTATION BEACH VILLAS VI
PLANTATION BAY VILLAS VII
SEC. 22, T. 45 S., R. 21 E.

CAPTIVA ISLAND
LEE COUNTY, FLORIDA

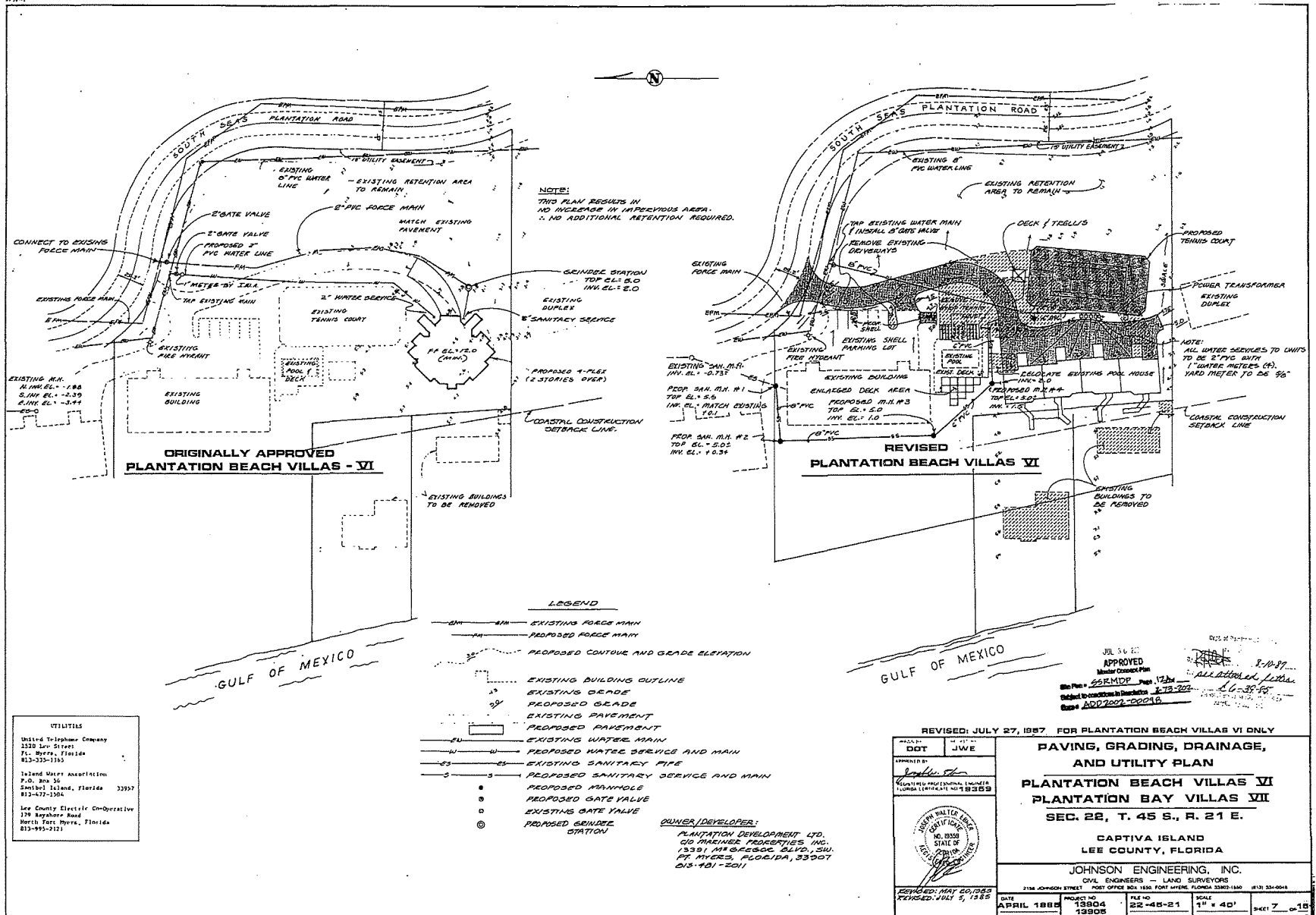
JOHNSON ENGINEERING, INC.
CIVIL ENGINEERS — LAND SURVEYORS
2118 JOHNSON STREET, FIRST OFFICE BOX 1660, FORT MYERS, FLORIDA 33901-1660 (813) 331-0018

DATE: APRIL 1988	PROJECT NO: 13904	FILE NO: 88-48-21	SCALE: 1" = 40'	SHEET: 7 OF 12
	1988			

JUL 5 6 37 PM
APPROVED
Master Concept Plan
Site Plan # 88-48-21
Revised by Johnson E.T.D. 1988
Case # ADD 882-00018

NOTE:
LOCATION OF ALL EXISTING UTILITIES IS APPROXIMATE. CONTRACTOR TO CONTACT OWNERS AND UTILITY COMPANIES FOR EXISTING UTILITY LOCATIONS PRIOR TO COMMENCING CONSTRUCTION.

PLANTATION BEACH VILLAS #13904



NOTE:
THIS PLAN RESULTS IN
NO INCREASE IN IMPERVIOUS AREA.
NO ADDITIONAL RETENTION REQUIRED.

NOTE:
ALL WATER SERVICES TO UNITS
TO BE 2" PVC WITH
1" WATER METERS (M).
HARD TIEFER TO BE 3/4"

UTILITIES
United Telephone Company
2520 Lee Street
Tl. Myer, Florida
813-335-1165
Island Water Association
P.O. Box 36
Shoibal Island, Florida 33927
813-477-2304
Lee County Electric Co-operative
176 Bayshore Road
North Fort Myers, Florida
813-995-2121

- LEGEND**
- 4" — 4" EXISTING FORCE MAIN
 - 4" — 4" PROPOSED FORCE MAIN
 - PROPOSED CONTOUR AND GRADE ELEVATION
 - EXISTING BUILDING OUTLINE
 - EXISTING GRADE
 - PROPOSED GRADE
 - EXISTING PAVEMENT
 - PROPOSED PAVEMENT
 - EXISTING WATER MAIN
 - PROPOSED WATER SERVICE AND MAIN
 - EXISTING SANITARY PIPE
 - PROPOSED SANITARY SERVICE AND MAIN
 - PROPOSED MANHOLE
 - PROPOSED GATE VALVE
 - EXISTING GATE VALVE
 - PROPOSED GENDEL STATION

OWNER/DEVELOPER:
PLANTATION DEVELOPMENT LTD.
C/O MARINE PROPERTIES INC.
13301 AIR SHEDDICK BLVD., SUITE
FT. MYERS, FLORIDA, 33907
813-481-2011

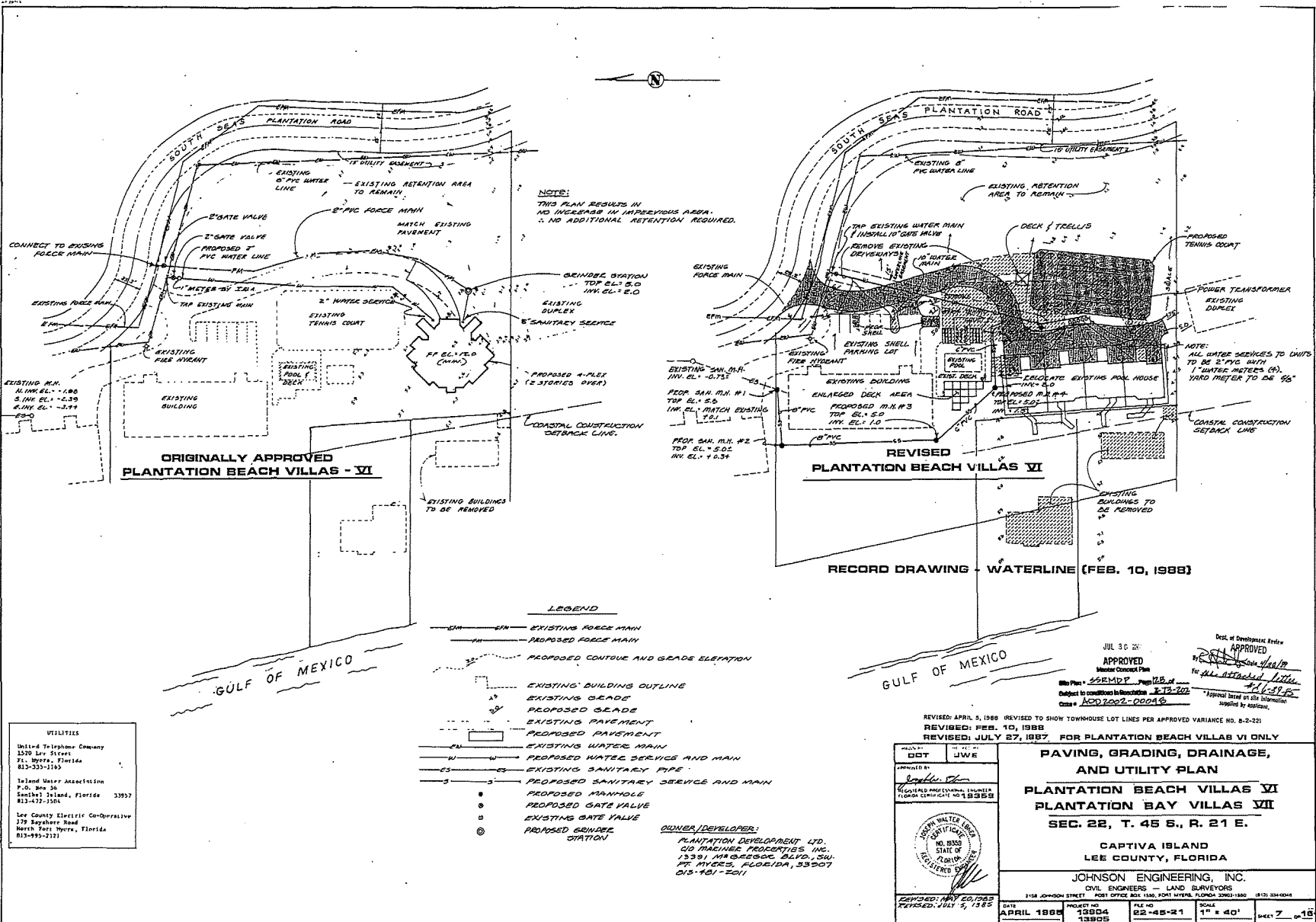
JUL 26 1987
APPROVED
Municipal Councilman
Site Plan # 13904
Revised to conform to Ordinance # 13-200
Case # 8807002-00048
all attached letters
6-30-87
6-30-87

REVISED: JULY 27, 1987 FOR PLANTATION BEACH VILLAS VI ONLY

APPROVED BY: <i>[Signature]</i>	DATE: APRIL 1988	PROJECT NO: 13904	FILE NO: 22-48-21	SCALE: 1" = 40'	SHEET: 7 OF 18
------------------------------------	---------------------	----------------------	----------------------	--------------------	-------------------

PAVING, GRADING, DRAINAGE, AND UTILITY PLAN
PLANTATION BEACH VILLAS VI
PLANTATION BAY VILLAS VII
SEC. 22, T. 45 S., R. 21 E.
CAPTIVA ISLAND
LEE COUNTY, FLORIDA
JOHNSON ENGINEERING, INC.
CIVIL ENGINEERS - LAND SURVEYORS
2146 JOHNSON STREET
AUSTIN OFFICE: 801.754.1100
FORT MYERS, FLORIDA 33901-1140
813-331-0044

PLANTATION BEACH VILLAS #13904



NOTE:
THIS PLAN RESULTS IN
NO INCREASE IN IMPERVIOUS AREA
... NO ADDITIONAL RETENTION REQUIRED.

NOTE: ALL WATER SERVICES TO DWTS
TO BE 2" PVC WITH
1" WATER METERS (60")
YARD METERS TO BE 5/8"

UTILITIES

United Telephone Company 1370 1st Street St. Marys, Florida 813-333-1185
Inland Water Association P.O. Box 36 Seville Island, Florida 33557 813-432-1584
Lee County Electric Co-Operative 279 Bayshore Road North Fort Myers, Florida 813-995-2121

LEGEND

— 6" —	EXISTING FORCE MAIN
— 12" —	PROPOSED FORCE MAIN
— 3" —	PROPOSED CONTIGUE AND GRADE ELEVATION
— 1" —	EXISTING BUILDING OUTLINE
— 2" —	EXISTING GRADE
— 3" —	PROPOSED GRADE
— 4" —	EXISTING PAVEMENT
— 5" —	PROPOSED PAVEMENT
— 6" —	EXISTING WATER MAIN
— 7" —	PROPOSED WATER SERVICE AND MAIN
— 8" —	EXISTING SANITARY PIPE
— 9" —	PROPOSED SANITARY SERVICE AND MAIN
●	PROPOSED MANHOLE
○	PROPOSED GATE VALVE
○	EXISTING GATE VALVE
⊙	PROPOSED GRINDER STATION

OWNER/DEVELOPER:
PLANTATION DEVELOPMENT LTD.
C/O MARINE PROPERTIES INC.
13301 HWY 98/500, BLVD., SUITE
FT. MYERS, FLORIDA, 33907
813-101-2011

APPROVED BY: *[Signature]*

REGISTERED PROFESSIONAL ENGINEER
FLORIDA LICENSE NO. 12355

JOHNSON ENGINEERING, INC.
1158 JOHNSON STREET
FORT MYERS, FLORIDA 33901-1880
(813) 334-0014

REVISIONS:

- REVISOR: APRIL 5, 1988 (REVISED TO SHOW TOWNHOUSE LOT LINES PER APPROVED VARIANCE NO. 8-2-22)
- REVISOR: FEB. 10, 1988
- REVISOR: JULY 27, 1987 (FOR PLANTATION BEACH VILLAS VI ONLY)

PAVING, GRADING, DRAINAGE, AND UTILITY PLAN

**PLANTATION BEACH VILLAS VI
PLANTATION BAY VILLAS VII**

SEC. 22, T. 45 S., R. 21 E.

**CAPTIVA ISLAND
LEE COUNTY, FLORIDA**

JOHNSON ENGINEERING, INC.
CIVIL ENGINEERS - LAND SURVEYORS

DATE: APRIL 1988 PROJECT NO: 13904 SCALE: 1" = 40' SHEET: 7 OF 18

JUL 30 1988

APPROVED
Master Concept Plan

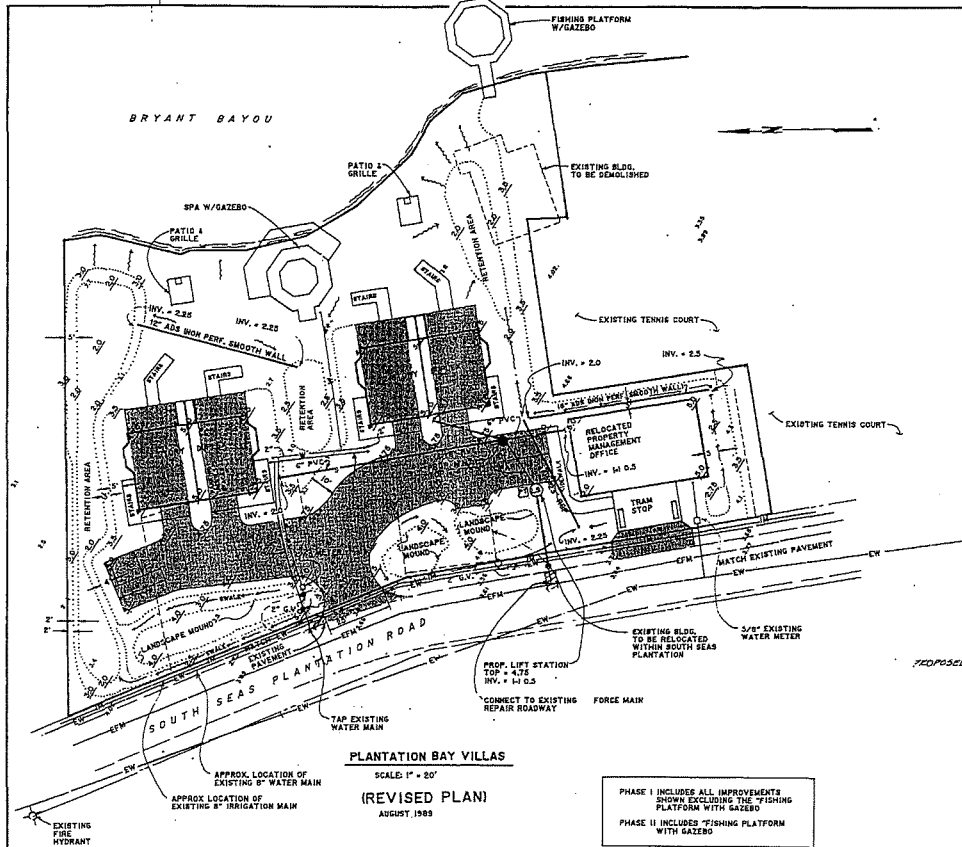
Site Plan # 22EMDP Page 12 of 14

Subject to conditions in Resolution # 73-200

Case # ACD7002-00048

Approval based on the information supplied by applicant.

City of Captiva
APPROVED
Mayor
For all attached titles
16-34-88



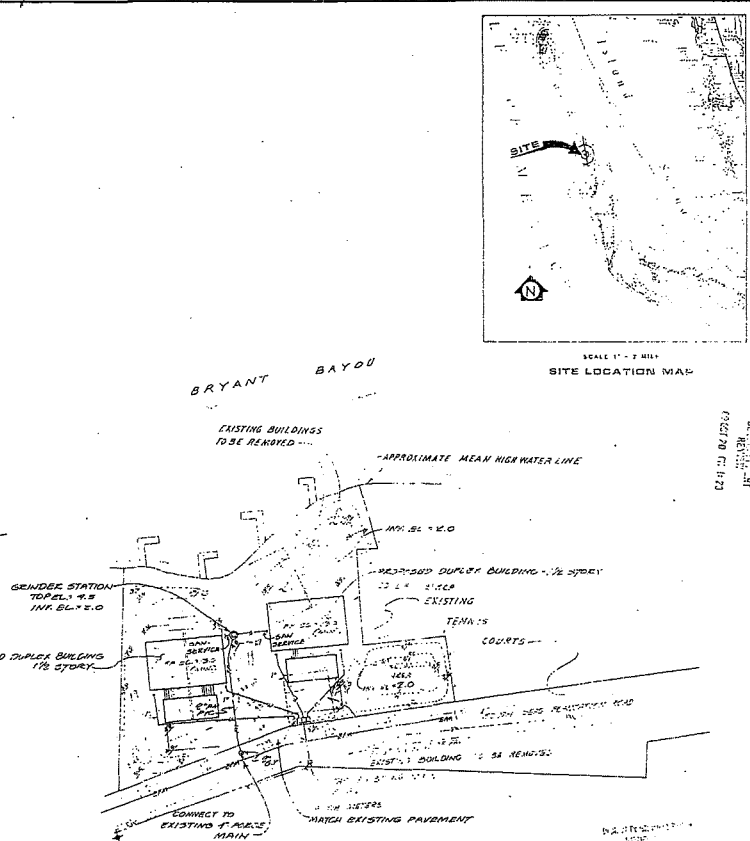
PLANTATION BAY VILLAS
SCALE: 1" = 20'
(REVISED PLAN)
AUGUST 1985

PHASE I INCLUDES ALL IMPROVEMENTS SHOWN EXCLUDING THE FISHING PLATFORM WITH GAZEBO
PHASE II INCLUDES FISHING PLATFORM WITH GAZEBO

- LEGEND**
- EXISTING GRADE
 - PROPOSED GRADE
 - DIRECTION OF SURFACE FLOW
 - PROPOSED CONTOUR
 - PROPOSED PAVEMENT
 - POWER TRANSFORMER EXISTING

- UTILITIES**
- UNITED TELEPHONE COMPANY
1520 LEE STREET
FT. MYERS, FLORIDA
(813) 737-8911
 - ISLAND WATER ASSOCIATION
P.O. BOX 214
SAVING ISLAND, FLORIDA 33957
(813) 572-1500
 - LEE COUNTY ELECTRIC CO-OPERATIVE
179 BAYSHORE ROAD
NORTH FORT MYERS, FLORIDA
(813) 959-2121
 - SOLIDIFIED DISPOSAL SERVICE
PINE RIDGE ROAD
CONING ISLAND, FLORIDA
(813) 464-8499
 - CABLEVISION OF THE ISLANDS
1273 HARBORVILLE WAY
SAVING ISLAND, FLORIDA
(813) 472-4787

OWNER/DEVELOPER:
PLANTATION DEVELOPMENT, LTD.
13291 MCGREGOR BLVD. S.W.
FT. MYERS, FLORIDA
813-481-2011, 33519



PLANTATION BAY VILLAS - VII
SCALE: 1" = 40'
ORIGINALLY APPROVED PLAN - 1985

REVISED: OCTOBER 2, 1989

DRAWN BY: DOT
CHECKED BY: JWE

APPROVED BY: *[Signature]*

REGISTERED PROFESSIONAL ENGINEER
FLORIDA CERTIFICATE NO. 19359

PAVING, GRADING, DRAINAGE & UTILITY PLAN

**- SOUTH SEAS PLANTATION -
PLANTATION BAY VILLAS**

SECTION 22, TWP. 45 S., RGE. 21 E.
CAPTIVA ISLAND
LEE COUNTY, FLORIDA

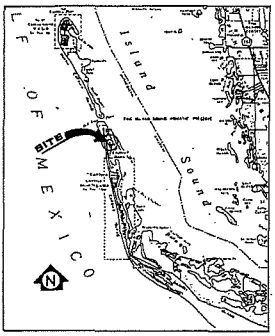
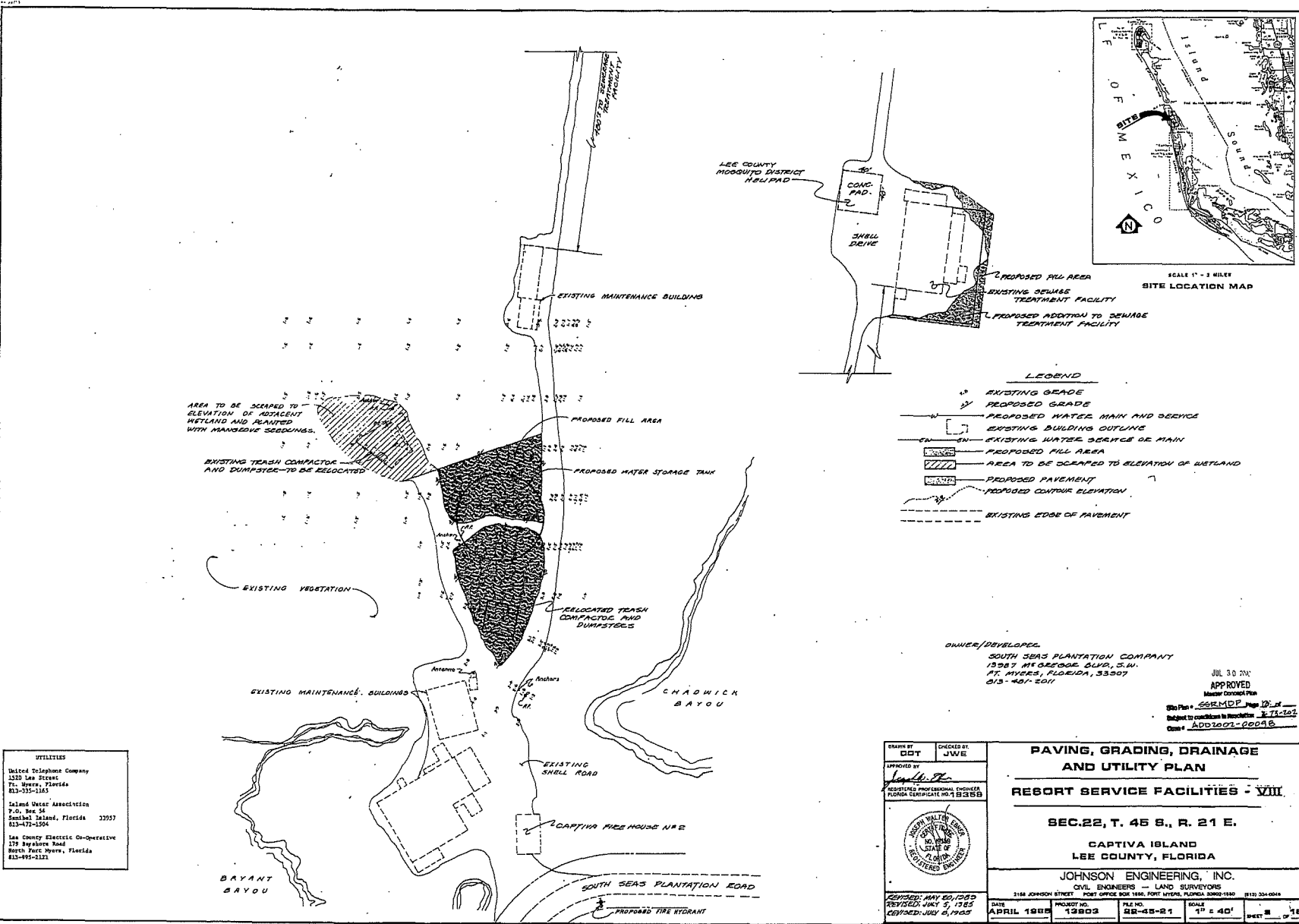
JOHNSON ENGINEERING, INC.
CIVIL ENGINEERS - LAND SURVEYORS

2116 JOHNSON STREET
POST OFFICE BOX 1860, FORT MYERS, FLORIDA 33902-1820 (813) 334-0044

DATE APRIL 1985	PROJECT NO. 17933	FILE NO. 22-48-21	SCALE SHOWN	SHEET 7 OF 8
--------------------	----------------------	----------------------	----------------	-----------------

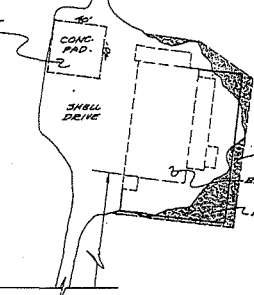
APPROVED: *[Signature]* 10/1/89
10/1/89
10/1/89
APPROVED: *[Signature]* 10/1/89
10/1/89
10/1/89
APPROVED: *[Signature]* 10/1/89
10/1/89
10/1/89

DATE: 10/1/89
TIME: 10:30 AM
DRAWN BY: JWE



SCALE 1" = 2 MILES
SITE LOCATION MAP

LEE COUNTY
MOGGUITS DISTRICT
HELL PAD



PROPOSED FILL AREA
EXISTING SEWAGE TREATMENT FACILITY
PROPOSED ADDITION TO SEWAGE TREATMENT FACILITY

- LEGEND**
- EXISTING GRADE
 - - - - - PROPOSED GRADE
 - +—+— PROPOSED WATER MAIN AND SERVICE
 - +—+— EXISTING BUILDING OUTLINE
 - +—+— EXISTING WATER SERVICE DE MAIN
 - +—+— PROPOSED FILL AREA
 - +—+— AREA TO BE SCRAPED TO ELEVATION OF WETLAND
 - +—+— PROPOSED PAVEMENT
 - +—+— PROPOSED CONTOUR ELEVATION
 - +—+— EXISTING EDGE OF PAVEMENT

AREA TO BE SCRAPED TO ELEVATION OF ADJACENT WETLAND AND PLANTED WITH MANGROVE SEEDLINGS.

EXISTING TRASH COMPACTOR AND DUMPSTERS TO BE RELOCATED

PROPOSED FILL AREA

PROPOSED WATER STORAGE TANK

RELOCATED TRASH COMPACTOR AND DUMPSTERS

EXISTING VEGETATION

EXISTING MAINTENANCE BUILDINGS

EXISTING SHELL ROAD

CAPTIVA RICE HOUSE USE

SOUTH SEAS PLANTATION ROAD

PROPOSED TIRE WYBRANT

OWNER/DEVELOPER
SOUTH SEAS PLANTATION COMPANY
12247 W. GEORGE GULF, SUITE
FT. MYERS, FLORIDA, 33907
813-481-2011

JUL 30 2004
APPROVED
Master Control Plan
Site Plan - **SRMDC** Page 10 of 11
Subject to conditions in Resolution 2-12-03
Case # ADD3001-00048

UTILITIES

United Telephone Company
3320 Lee Street
Ft. Myers, Florida
813-335-1145

Island Water Association
P.O. Box 54
Sanibel Island, Florida 33957
813-473-5504

Lee County Electric Co-Operative
179 Bayshore Road
North Fort Myers, Florida
813-991-3125

DRAWN BY
DOT

CHECKED BY
JWE

APPROVED BY
[Signature]

REGISTERED PROFESSIONAL ENGINEER
FLORIDA CERTIFICATE NO. 18388

REVISED: MAY 20, 1983
REVISED: JULY 3, 1985
REVISED: JULY 2, 1987

**PAVING, GRADING, DRAINAGE
AND UTILITY PLAN**

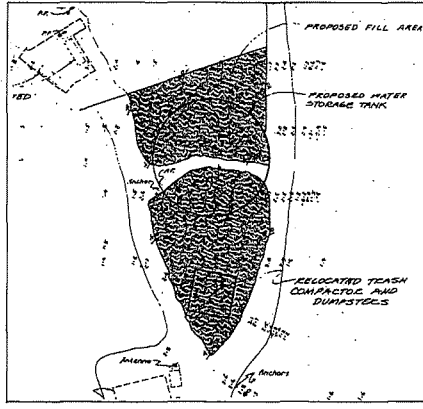
REPORT SERVICE FACILITIES - VIII

SEC. 22, T. 45 S., R. 21 E.

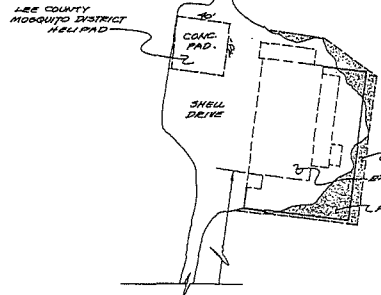
**CAPTIVA ISLAND
LEE COUNTY, FLORIDA**

JOHNSON ENGINEERING, INC.
CIVIL ENGINEERS - LAND SURVEYORS
2188 JOHNSON STREET - POST OFFICE BOX 188, FORT MYERS, FLORIDA 33902-1880 (813) 334-0944

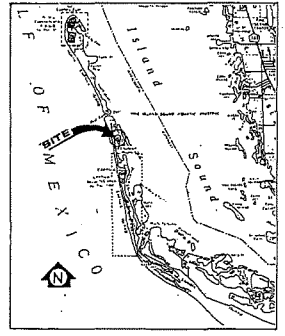
DATE APRIL 1988	PROJECT NO. 13803	FILE NO. 22-45-21	SCALE 1" = 40'	SHEET 10
---------------------------	-----------------------------	-----------------------------	--------------------------	--------------------



PREVIOUSLY APPROVED PLAN

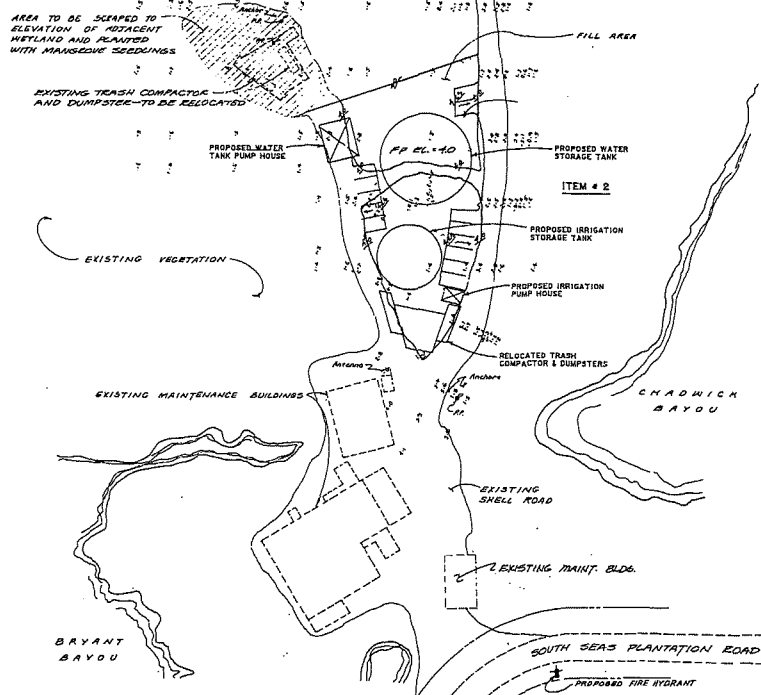


ITEM # 1



SCALE 1" = 2 MILES
SITE LOCATION MAP

RECEIVED
JUL 21 1988
ZONING COUNTER



ITEM # 2

- LEGEND
- - - - - EXISTING GRADE
 - - - - - PROPOSED GRADE
 - - - - - PROPOSED WATER MAIN AND SERVICE
 - - - - - EXISTING BUILDING OUTLINE
 - - - - - EXISTING WATER SERVICE OR MAIN
 - - - - - PROPOSED FILL AREA
 - - - - - AREA TO BE SCAVED TO ELEVATION OF WETLAND
 - - - - - PROPOSED PAVEMENT
 - - - - - PROPOSED CONTOUR ELEVATION
 - - - - - EXISTING EDGE OF PAVEMENT

JUL 20 1988
APPROVED
Master Concept Plan
Site Plan # 506MPP Page 12A of 12
Budget to conditions in Description # 73-101
Case # JCD-000492

OWNER/DEVELOPER
SOUTH SEAS PLANTATION COMPANY
1387 W. GEORGE BLVD., S.W.
FT. MYERS, FLORIDA, 33907
813-404-2011

Dist. of Development Review
APPROVED
Date 4/15/88
For all attached letter
4-16-88
* Approval based on site information
supplied by applicant.

UTILITIES
United Telephone Company
1500 Lee Street
Ft. Myers, Florida
813-355-1185
Inland Water Association
P.O. Box 28
Santibel Island, Florida 33957
813-431-1504
Lee County Electric Co-Operative
178 Seahorse Road
North Fort Myers, Florida
813-895-0121

PROPOSED ADDITION TO BEWAGE TREATMENT PLANT

PAVING, GRADING, DRAINAGE
AND UTILITY PLAN

RESORT SERVICE FACILITIES - VIII

SEC. 22, T. 45 S., R. 21 E.

CAPTIVA ISLAND
LEE COUNTY, FLORIDA

JOHNSON ENGINEERING, INC.

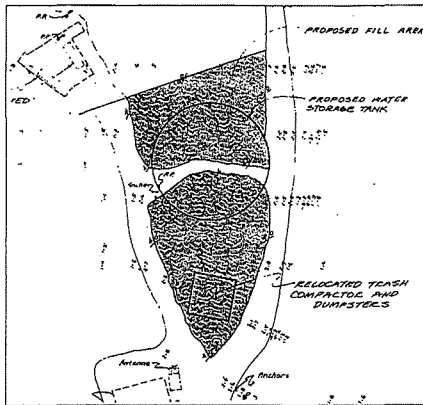
2154 JOHNSON STREET PORT OFFICE BOX 1840, FORT MYERS, FLORIDA 33902-1840 (813) 334-0048
CIVIL ENGINEERS - LAND SURVEYORS

REVISED: MARCH 21, 1988
REVISED: MARCH 25, 1988
REVISED: MAY 20, 1985
REVISED: JUNE 5, 1985
REVISED: JULY 2, 1985

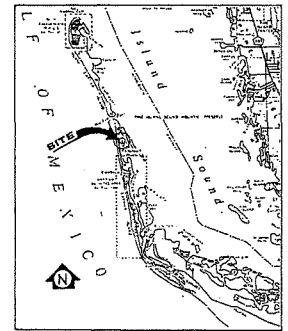
DATE	PROJECT NO.	FILE NO.	SCALE	SHEET	OF
APRIL 1988	13903	22-45-21	1" = 40'	8	12

DRAWN BY: DDT
CHECKED BY: JVA/E
APPROVED BY: [Signature]
REGISTERED PROFESSIONAL ENGINEER
FLORIDA CERTIFICATE NO. 19359

SEAL: JOHNSON ENGINEERING, INC. REGISTERED ENGINEER

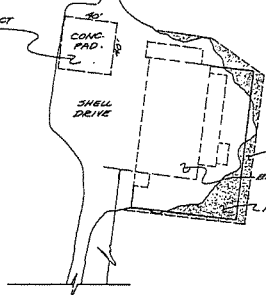


PREVIOUSLY APPROVED PLAN



SCALE 1" = 2 MILES
SITE LOCATION MAP

LEE COUNTY HOSQUITO DISTRICT HELIPAD



ITEM # 1

AREA TO BE SCAPED TO ELEVATION OF ADJACENT WETLAND AND PLANTED WITH MANGROVE SEEDLINGS

EXISTING TRASH COMPACTOR AND DUMPSTER - TO BE RELOCATED

PROPOSED WATER TANK PUMP HOUSE

ITEM # 2

PROPOSED WATER STORAGE TANK

PROPOSED IRRIGATION STORAGE TANK

PROPOSED IRRIGATION PUMP HOUSE

ITEM # 3

PROPOSED ROOF OVER EXISTING SLAB ON-GRADE

EXISTING MAINTENANCE BUILDINGS

RELOCATED TRASH COMPACTOR & DUMPSTERS

EXISTING SHELL ROAD

EXISTING MAINT. BLDG.

ITEM # 4

REPLACE EXISTING WOOD FRAME BLDG. WITH METAL BLDG.

- LEGEND**
- EXISTING GRADE
 - - - PROPOSED GRADE
 - +— PROPOSED WATER MAIN AND SERVICE
 - +— EXISTING BUILDING OUTLINE
 - +— EXISTING WATER SERVICE OR MAIN
 - +— PROPOSED FILL AREA
 - +— AREA TO BE SCAPED TO ELEVATION OF WETLAND
 - +— PROPOSED PAVEMENT
 - +— PROPOSED CONTOUR ELEVATION
 - - - EXISTING EDGE OF PAVEMENT

OWNER/DEVELOPER:
SOUTH SEAS PLANTATION COMPANY
13387 MI GREGGIE BLVD, S.W.
FT. MYERS, FLORIDA, 33907
013 - 461-1011

APPROVED
Master Concept Plan
Site Plan # 22-46-21 Page 15 of 18
Checked by: [Signature]
Date: 10/1/85
Approved by: [Signature]
Date: 10/1/85
Case # ADD 2001-00036

UTILITIES
United Telephone Company
1530 Lee Street
Ft. Myers, Florida
813-333-1185
Yalaha Water Association
P.O. Box 36
Seaside Island, Florida 33957
813-472-1504
Lee County Electric Co-Operator
179 Bayshore Road
North Fort Myers, Florida
813-495-1171

BRYANT BAYOU

CHADWICK BAYOU

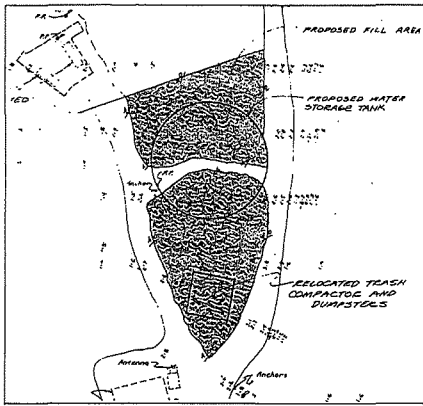
SOUTH SEAS PLANTATION ROAD

PROPOSED ADDITION TO SEWAGE TREATMENT PLANT

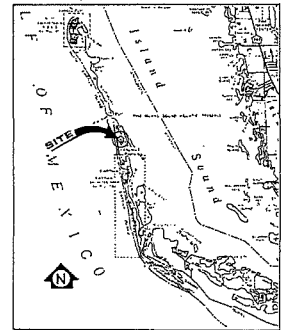
DRAWN BY: DOT
CHECKED BY: J.W.V.E.
APPROVED BY: [Signature]
REGISTERED PROFESSIONAL ENGINEER
FLORIDA CERTIFICATE NO. 19359
[Seal of Walter E. Venable, Registered Professional Engineer, Florida Certificate No. 19359]

PAVING, GRADING, DRAINAGE AND UTILITY PLAN
RESORT SERVICE FACILITIES - VIII
SEC. 22, T. 45 S., R. 21 E.
CAPTIVA ISLAND
LEE COUNTY, FLORIDA
JOHNSON ENGINEERING, INC.
CIVIL ENGINEERS - LAND SURVEYORS
3118 JOHNSON STREET, POST OFFICE BOX 1530, FORT MYERS, FLORIDA 33903-1530 (813) 334-0048
DATE: APRIL 1985 PROJECT NO.: 19903 FILE NO.: 22-46-21 SCALE: 1" = 40'
SHEET: 8 OF 18

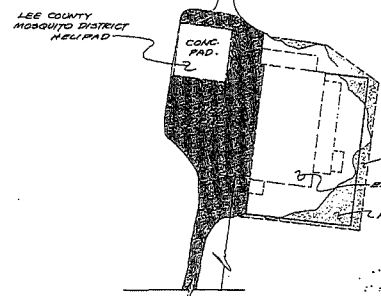
REVISED: 3-14-91 ADDED ITEM # 3 & 4



PREVIOUSLY APPROVED PLAN



SCALE 1" = 2 MILES
SITE LOCATION MAP



ITEM # 1

- FILL AREA
- EXISTING DENISE TREATMENT FACILITY
- PROPOSED ADDITION TO DENISE TREATMENT FACILITY

LEGEND

- EXISTING GRADE
- PROPOSED GRADE
- PROPOSED WATER MAIN AND SERVICE
- EXISTING BUILDING OUTLINE
- EXISTING WATER SERVICE OR MAIN
- PROPOSED FILL AREA
- AREA TO BE SCARPED TO ELEVATION OF WETLAND
- PROPOSED PAVEMENT
- PROPOSED CONTOUR ELEVATION
- EXISTING EDGE OF PAVEMENT

MINOR CHANGE
6-29-92

Dept. of Development Services
APPROVED
For: [Signature] DATE: 6/29/92
By: [Signature] DATE: 6/29/92
Exempting from [Signature]
Intending to [Signature]
Approval based on site information
provided by applicant.

RECEIVED
JUL 22 1992
Development
REVIEW DIVISION

OWNER/DEVELOPER
SOUTH SEAS PLANTATION COMPANY
13807 MI GREGGIE BLVD, S.W.
FT MYERS, FLORIDA, 33907
813-481-2001

JUL 30 1992
APPROVED
Master Contract Plan
Site Plan # 5828MP Page 12 of 15
Subject to conditions in Description # 12-102
Case # ADD2002-00038

PROPOSED ADDITION TO SEWAGE TREATMENT PLANT

PAVING, GRADING, DRAINAGE
AND UTILITY PLAN

RESORT SERVICE FACILITIES - VIII

SEC. 22, T. 45 S., R. 21 E.

CAPTIVA ISLAND
LEE COUNTY, FLORIDA

JOHNSON ENGINEERING, INC.
CIVIL ENGINEERS - LAND SURVEYORS

2148 JOHNSON STREET
FORT MYERS, FLORIDA 33902-1520 (813) 334-0044

DRAWN BY EJOT	CHECKED BY JWVE
APPROVED BY [Signature]	
REGISTERED PROFESSIONAL ENGINEER FLORIDA CERTIFICATE NO. 15325	
REVISED: MARCH 21, 1989 REVISED: MARCH 23, 1990 REVISED: MAY 10, 1992 REVISED: JULY 5, 1985 REVISED: JULY 4, 1987	

REVISED: JUNE 29, 1992 MINOR CHG
REVISED: DEC. 4, 1991 - Flood Riv.
REVISED: MAY 10, 1991 ITEM # 4 NOTE
REVISED: 4-18-91 ADDED ITEM #3 NOTE
REVISED: 3-18-91 ADDED #4 WATER MAIN
& FIRE HYDRANT
REVISED: 3-14-91 ADDED ITEMS #3 & #4

AREA TO BE SCARPED TO
ELEVATION OF ADJACENT
WETLAND AND PLANTED
WITH MANGROVE SEEDLINGS

EXISTING TRASH COMPACTOR
AND DUMPSTER TO BE RELOCATED

PROPOSED WATER
TANK PUMP HOUSE

ITEM # 2

PROPOSED WATER
STORAGE TANK

PROPOSED IRRIGATION
STORAGE TANK

PROPOSED IRRIGATION
PUMP HOUSE

PROPOSED FIRE
HYDRANT

RELOCATED TRASH
COMPACTOR & DUMPSTERS

PROPOSED
WATER MAIN

TAP EXISTING
WATER MAIN

EXISTING SHELL ROAD

EXISTING 12"
DIP WATER MAIN

EXISTING MAINT. BLDG.

PROPOSED ROOF OVER
EXISTING SLAB ON-GRADE

EXISTING VEGETATION

EXISTING MAINTENANCE BUILDINGS

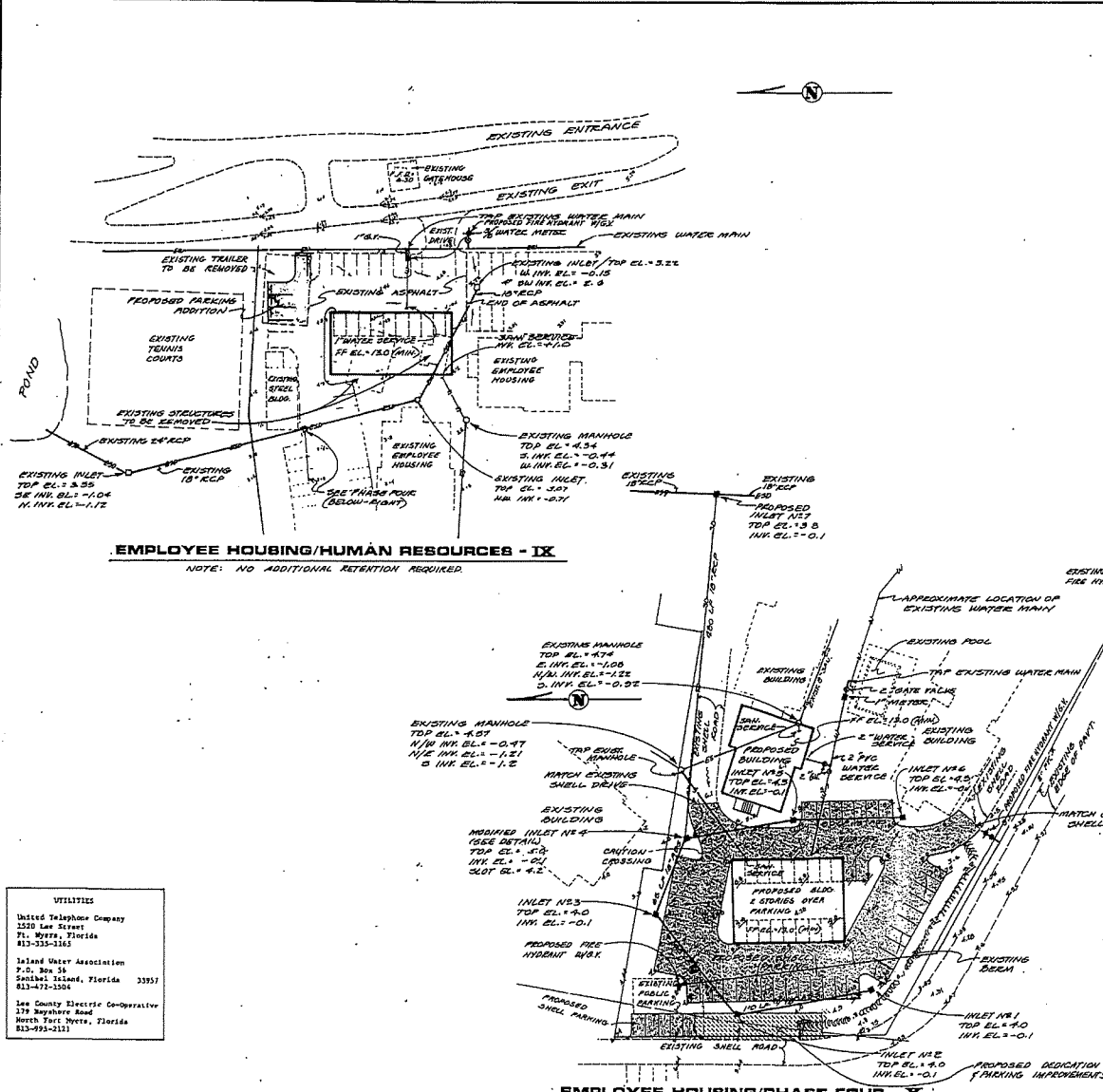
ITEM # 4
REPLACE EXISTING
WOOD FRAME BLDG.
WITH METAL BLDG.

ITEM # 3 NOTE
PROPOSED BLDG. ADDITION IS IN
FLOOD ZONE. ALL ELEV. IS 55'00"
FROM FIRM PANEL 262 OF 550,
DATED 1984, PANEL # 1037000258

ITEM # 4 NOTE
PROPOSED BLDG. ADDITION IS IN
FLOOD ZONE. ALL ELEV. IS 55'00"
FROM FIRM PANEL 262 OF 550,
DATED 1984, PANEL # 1037000258

UTILITIES
United Telephone Company
3200 Bay Street
Ft. Myers, Florida
813-332-1185
Island Water Association
P.O. Box 54
Sanibel Island, Florida 33957
813-472-1504
Lee County Electric Co-Narrative
179 Bayshore Road
North Fort Myers, Florida
813-912-1111

DATE: APRIL 1995 PROJECT NO.: 13903 FILE NO.: 22-45-21 SCALE: 1" = 40' SHEET: 13 OF 18



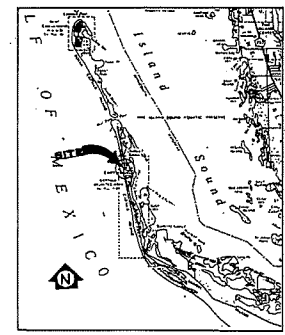
EMPLOYEE HOUSING/HUMAN RESOURCES - IX
 NOTE: NO ADDITIONAL RETENTION REQUIRED.

EMPLOYEE HOUSING/PHASE FOUR - X

UTILITIES
 United Telephone Company
 2520 Lee Street
 Ft. Myers, Florida
 813-255-1165

Inland Water Association
 P.O. Box 56
 Seaside Island, Florida 33557
 813-475-1006

Lee County Electric Co-Operative
 379 Bayshore Road
 North Fort Myers, Florida
 813-993-2111



SCALE 1" = 3 MILES
 SITE LOCATION MAP

LEGEND

- EXISTING GRADE
- PROPOSED GRADE
- EXISTING PAVEMENT
- EXISTING BUILDING
- PROPOSED PAVEMENT
- PROPOSED CONTOUR AND GRADE ELEVATION
- PROPOSED WATER SERVICE AND MAIN
- EXISTING WATER SERVICE
- PROPOSED SANITARY SERVICE AND MAIN
- EXISTING SANITARY SERVICE
- EXISTING INLET
- EXISTING GATE VALVE
- PROPOSED GATE VALVE
- EXISTING STORM DRAIN
- EXISTING SANITARY MANHOLE
- PROPOSED SHULL
- PROPOSED REDUCTION / PARKING IMPROVEMENTS

OWNER/DEVELOPER
 SOUTH BEACH PLANNING COMPANY
 13001 W. GARDNER BLVD., S.W.
 FT. MYERS, FLORIDA, 33507
 813-481-2011

NOTE:
 LOCATION OF ALL EXISTING UTILITIES IS APPROXIMATE.
 CONTRACTOR TO CONTACT OWNER AND UTILITY COMPANIES
 BEFORE CONSTRUCTION TO VERIFY AND ADJUST TO COMMENSAL
 CONSTRUCTION.

APPROVED JUL 30 2002
 Member Council Plan
 Site Plan - 226EMDP Page 14 of 14
 Subject to conditions in Specification 2.73-202
 Code # AR2001-00248

DRAWN BY: JOT
 CHECKED BY: JWE

APPROVED BY: [Signature]

REGISTERED PROFESSIONAL ENGINEER
 FLORIDA CERTIFICATE NO 12335

REVISED: MAY 25, 1985
 REVISED: JUL 5, 1985
 REVISED: JULY 8, 1985

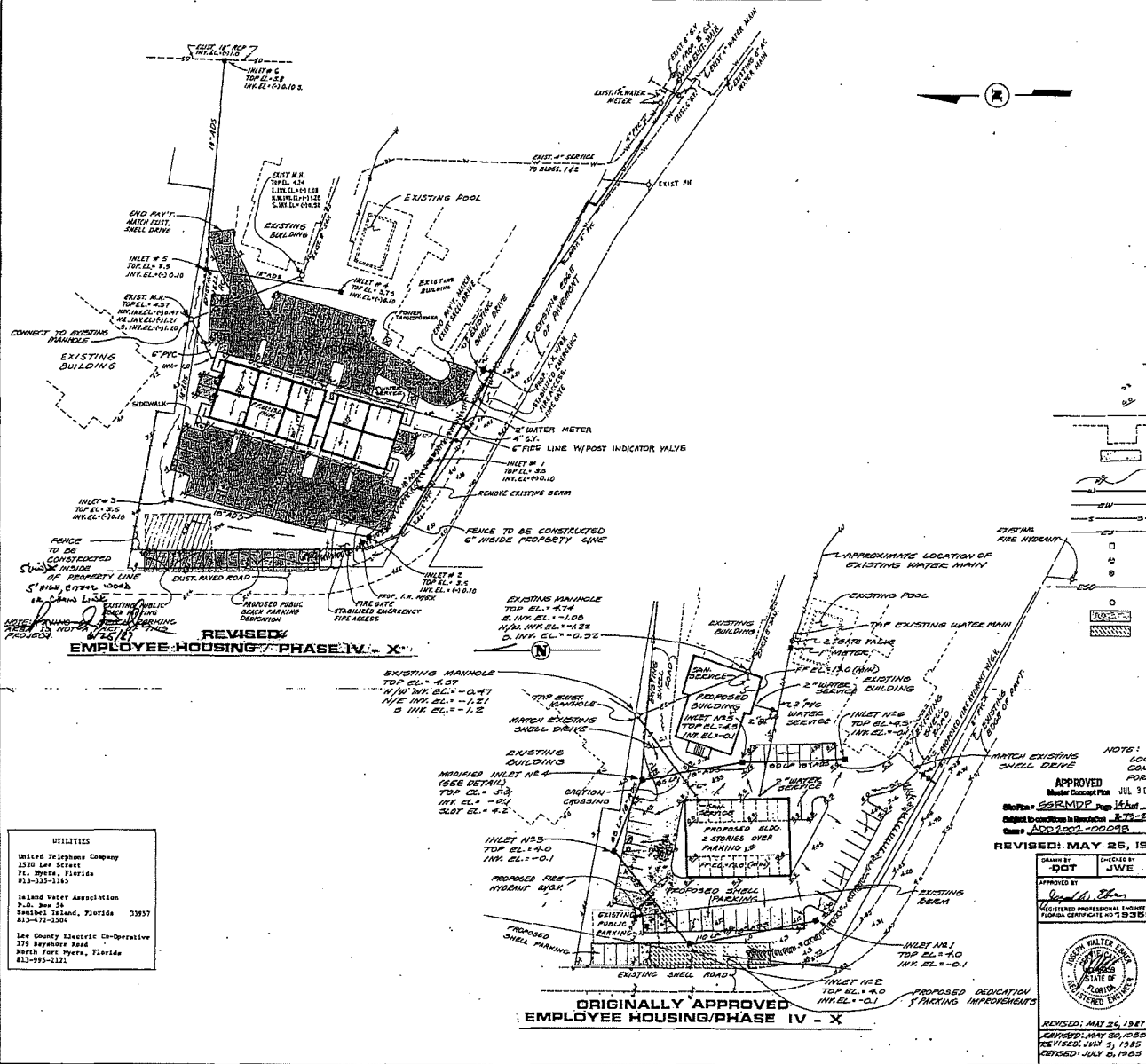
**PAVING, GRADING, DRAINAGE
 AND UTILITY PLAN**

**EMPLOYEE HOUSING/HUMAN RESOURCES - IX
 EMPLOYEE HOUSING /PHASE FOUR - X**

SEC. 26, T. 45 S., R. 21 E.
**CAPTIVA ISLAND
 LEE COUNTY, FLORIDA**

JOHNSON ENGINEERING, INC.
 CIVIL ENGINEERS - LAND SURVEYORS

2118 JOHNSON STREET PORT OFFICE BOX 1365, PORT MYERS, FLORIDA 33901-1364 (813) 334-0044
 DATE: APRIL 1988 PROJECT NO: 13806 FILE NO: 26-45-21 SCALE: 1" = 40' SHEET: 2 OF 15



LEGEND

	EXISTING GRADE
	PROPOSED GRADE
	EXISTING PAVEMENT
	EXISTING BUILDING
	PROPOSED PAVEMENT
	PROPOSED CONTOUR AND GRADE ELEVATION
	PROPOSED WATER SERVICE AND MAIN
	EXISTING WATER SERVICE
	PROPOSED SANITARY SERVICE AND MAIN
	EXISTING SANITARY SERVICE
	EXISTING INLET
	EXISTING GATE VALVE
	PROPOSED GATE VALVE
	EXISTING STORM DRAIN
	EXISTING SANITARY MANHOLE
	PROPOSED SHELL
	PROPOSED DEDICATION / PARKING IMPROVEMENT

Dist. of Development 6-4-87
 APPROVED
 By: [Signature] Date: 6-24-87
 [Signature]
 [Signature]
 [Signature]

OWNER/DEVELOPER
 SOUTH SEA RESORT LIMITED PARTNERSHIP
 30 MARINER PROPERTIES, INC.
 13371 WINGEDGE BLVD., S.W.
 FT. MYERS, FLORIDA, 33907
 813-481-2011

NOTE: LOCATION OF ALL EXISTING UTILITIES IS APPROXIMATE. CONTRACTOR TO CONTACT OWNER AND UTILITY COMPANIES FOR EXISTING UTILITY LOCATIONS PRIOR TO CONSTRUCTION.

APPROVED
 Major Contract Plan
 JUL 30 1987
 City Plan - 68RM2P
 Subject to conditions in Division 1-13-107
 Date: APR 2002 - 00048

REVISED: MAY 26, 1987. EMPLOYEE HOUSING PHASE FOUR - X ONLY.

UTILITIES

United Telephone Company
 1320 Lee Street
 Ft. Myers, Florida
 813-335-1145

Inland Water Association
 P.O. Box 54
 Sandhill Island, Florida 33957
 813-477-2504

Lee County Electric Co-operative
 118 Bayshore Road
 North Fort Myers, Florida
 813-985-1121

ORIGINALLY APPROVED
 EMPLOYEE HOUSING/PHASE IV - X

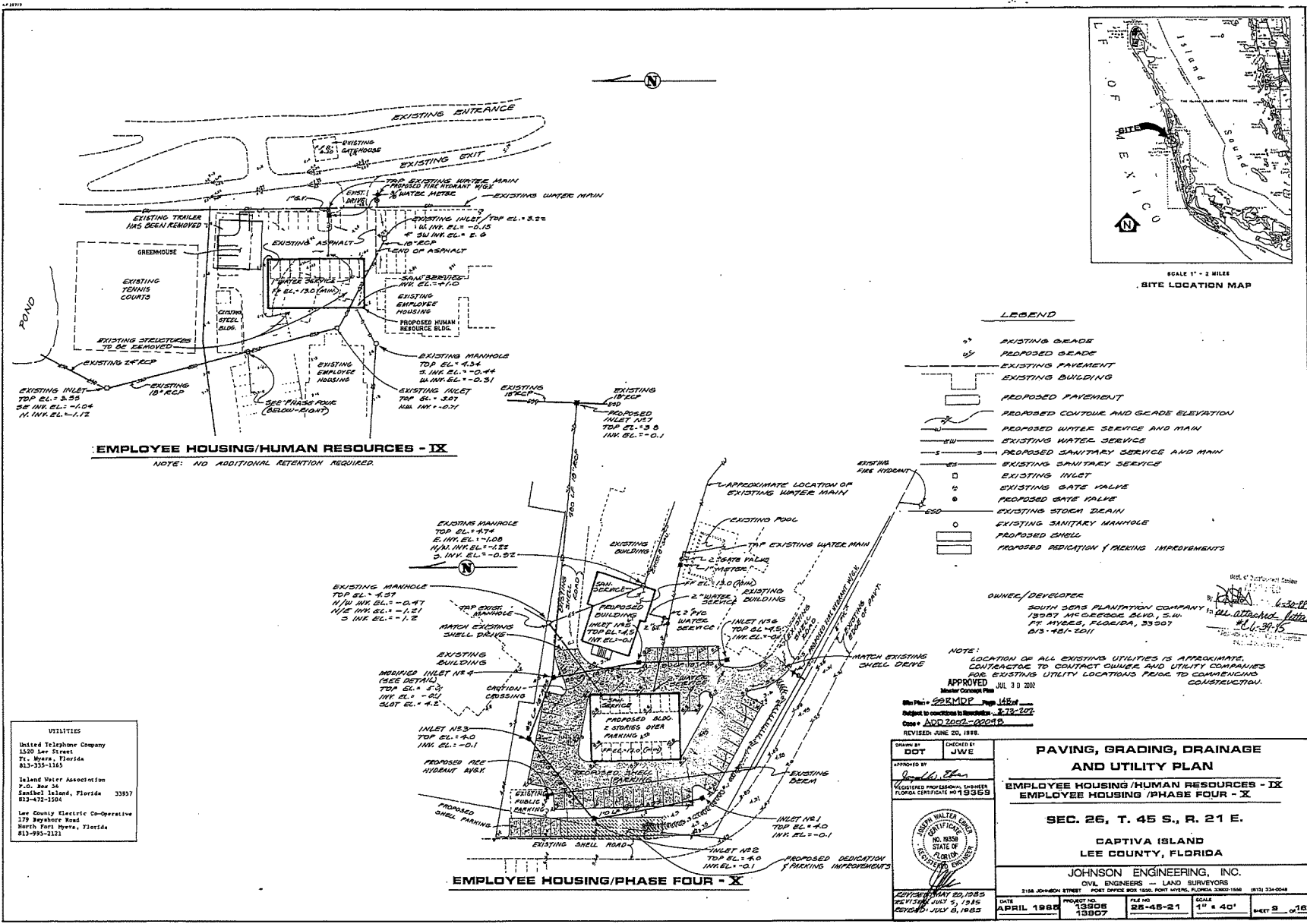
DESIGNED BY: [Signature]
 CHECKED BY: JWE
 APPROVED BY: [Signature]
 REGISTERED PROFESSIONAL ENGINEER
 FLORIDA CERTIFICATE NO. 12828 E.S.

REVISOR: WALTER E. [Signature]
 REGISTERED PROFESSIONAL ENGINEER
 FLORIDA CERTIFICATE NO. 12828 E.S.

REVISED: MAY 26, 1987
 REVISED: MAY 20, 1988
 REVISED: JULY 9, 1988
 REVISED: JULY 5, 1983

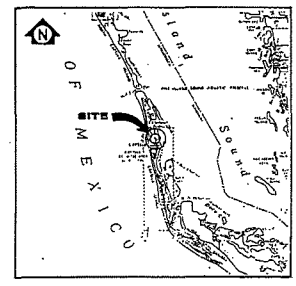
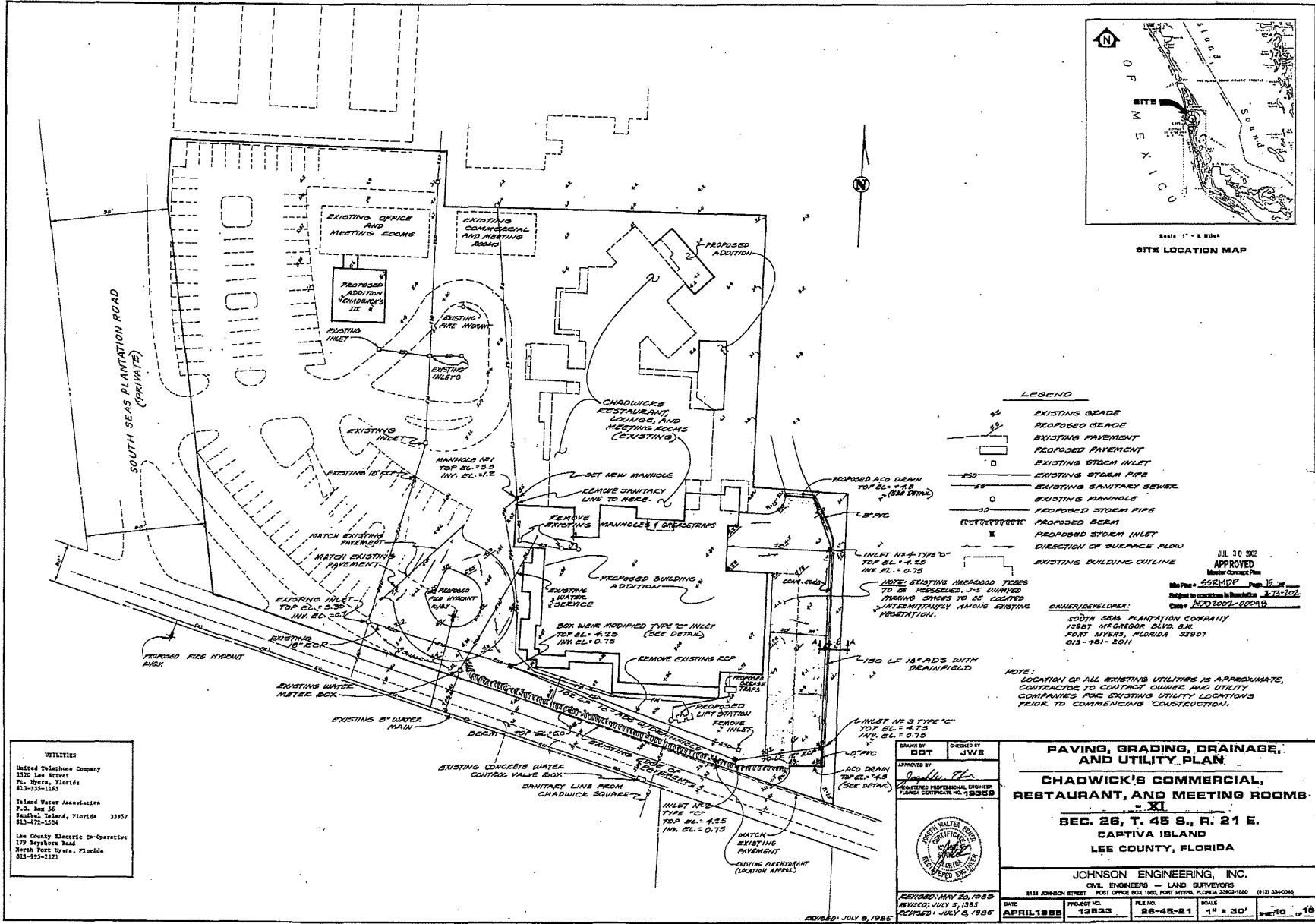
PAVING, GRADING, DRAINAGE AND UTILITY PLAN			
EMPLOYEE HOUSING/HUMAN RESOURCES - IX EMPLOYEE HOUSING /PHASE FOUR - X			
SEC. 26, T. 45 S., R. 21 E.			
CAPTIVA ISLAND LEE COUNTY, FLORIDA			
JOHNSON ENGINEERING, INC. CIVIL ENGINEERS - LAND SURVEYORS			
2104 JOHNSON STREET PORT ORCHIE BOX 1004 PORT HAVEN, FLORIDA 32060-1040 (813) 234-0448			
DATE APRIL 1988	PROJECT NO. 2264	FILE NO. 28-45-21	SCALE 1" = 40'
		SHEET 3 OF 18	

RECEIVED
 JUN 4 1987
 ZONING COUNTY



LOWE, KESIAUKANI CONF. CENTER 13833

17-2013



- LEGEND**
- EXISTING GRADE
 - - - PROPOSED GRADE
 - ▭ EXISTING PAVEMENT
 - ▭ PROPOSED PAVEMENT
 - EXISTING STORM INLET
 - 150 — EXISTING STORM PIPE
 - 15 — EXISTING SANITARY SEWER
 - EXISTING MANHOLE
 - 30 — PROPOSED STORM PIPE
 - PROPOSED SEWM
 - ▭ PROPOSED STORM INLET
 - DIRECTION OF SURFACE FLOW
 - ▭ EXISTING BUILDING OUTLINE

JUL 30 2002
APPROVED
 Master Contract Plan
 No. Plan = 5585M02 Page 11 of 11
 Subject to conditions in Specification 1113-102
 Date: 12/20/2001-00248

OWNER/DEVELOPER:
 SOUTH SEAS PLANTATION COMPANY
 13871 MARGROR BLVD. S.W.
 FORT MYERS, FLORIDA 33907
 813-961-2011

NOTE:
 LOCATION OF ALL EXISTING UTILITIES IS APPROXIMATE,
 CONTRACTOR TO CONTACT OWNER AND UTILITY
 COMPANIES FOR EXISTING UTILITY LOCATIONS
 PRIOR TO COMMENCING CONSTRUCTION.

UTILITIES

United Telephone Company
 3320 Lee Street
 Ft. Myers, Florida
 813-335-1163

Island Water Association
 P.O. Box 56
 Sandlot Island, Florida 33957
 813-472-2104

Lee County Electric Co-Operative
 179 Seashore Road
 North Fort Myers, Florida
 813-935-1121

DRAWN BY: EBT
 CHECKED BY: JWE
 APPROVED BY: [Signature]
 REGISTERED PROFESSIONAL ENGINEER
 FLORIDA CERTIFICATE NO. 13833

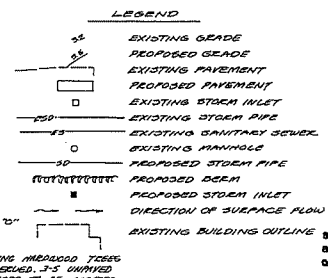
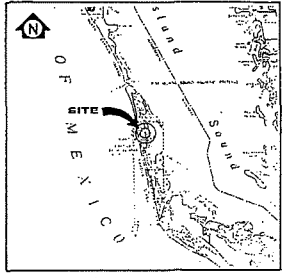
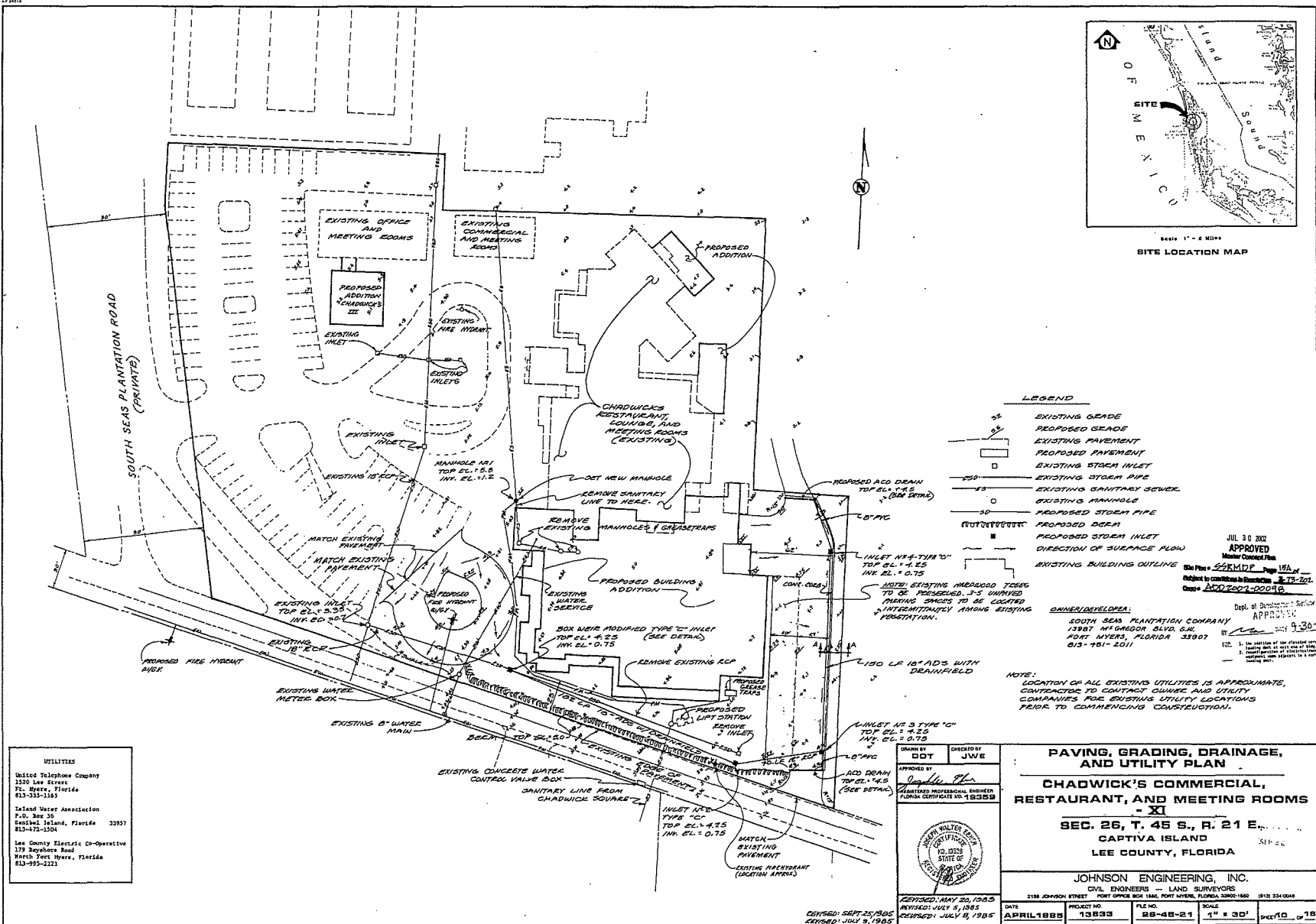


DESIGNED: MAY 26, 1983
 REVISED: JULY 5, 1985
 CHECKED: JULY 8, 1985

PAVING, GRADING, DRAINAGE, AND UTILITY PLAN			
CHADWICK'S COMMERCIAL, RESTAURANT, AND MEETING ROOMS - XI			
SEC. 26, T. 46 S., R. 21 E. CAPTIVA ISLAND LEE COUNTY, FLORIDA			
JOHNSON ENGINEERING, INC.			
CIVIL ENGINEERS - LAND SURVEYORS			
1118 JOHNSON STREET, FORT MYERS, FLORIDA 33902-1640 (813) 334-0044			
DATE:	PROJECT NO.:	FILE NO.:	SCALE:
APRIL 1988	13833	26-48-21	1" = 30'

17-2013 JULY 8, 1985

COM. RESTAURANT
CONF. CENTER
/ 13833



JUL 30 1985
APPROVED
MAYOR
City of Captiva
Subject to conditions in Specifications 2-73-201
Order # 2007001-00046

OWNER/DEVELOPER:
SOUTH SEAS PLANTATION COMPANY
13987 HIGHGROVE BLVD. S.W.
FORT MYERS, FLORIDA 33907
813-981-2011

NOTE:
LOCATION OF ALL EXISTING UTILITIES IS APPROXIMATE. CONTRACTOR TO CONTACT OWNER AND UTILITY COMPANIES FOR EXISTING UTILITY LOCATIONS PRIOR TO COMMENCING CONSTRUCTION.

UTILITIES

United Telephone Company
1500 Lee Street
Ft. Myers, Florida
813-315-1165

Island Water Association
P.O. Box 36
Seaside Island, Florida 33957
813-470-3504

Lee County Electric Co-Operative
179 Bayshore Road
North Fort Myers, Florida
813-955-2111

DRAWN BY: EBT
CHECKED BY: JNYE
APPROVED BY: [Signature]
REGISTERED PROFESSIONAL ENGINEER
FLORIDA CORPORATE NO. 19359



**PAVING, GRADING, DRAINAGE,
AND UTILITY PLAN**

**CHADWICK'S COMMERCIAL,
RESTAURANT, AND MEETING ROOMS**

- XI -

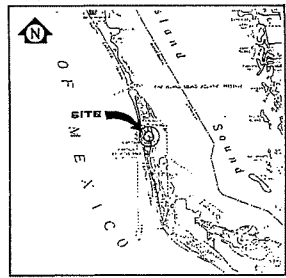
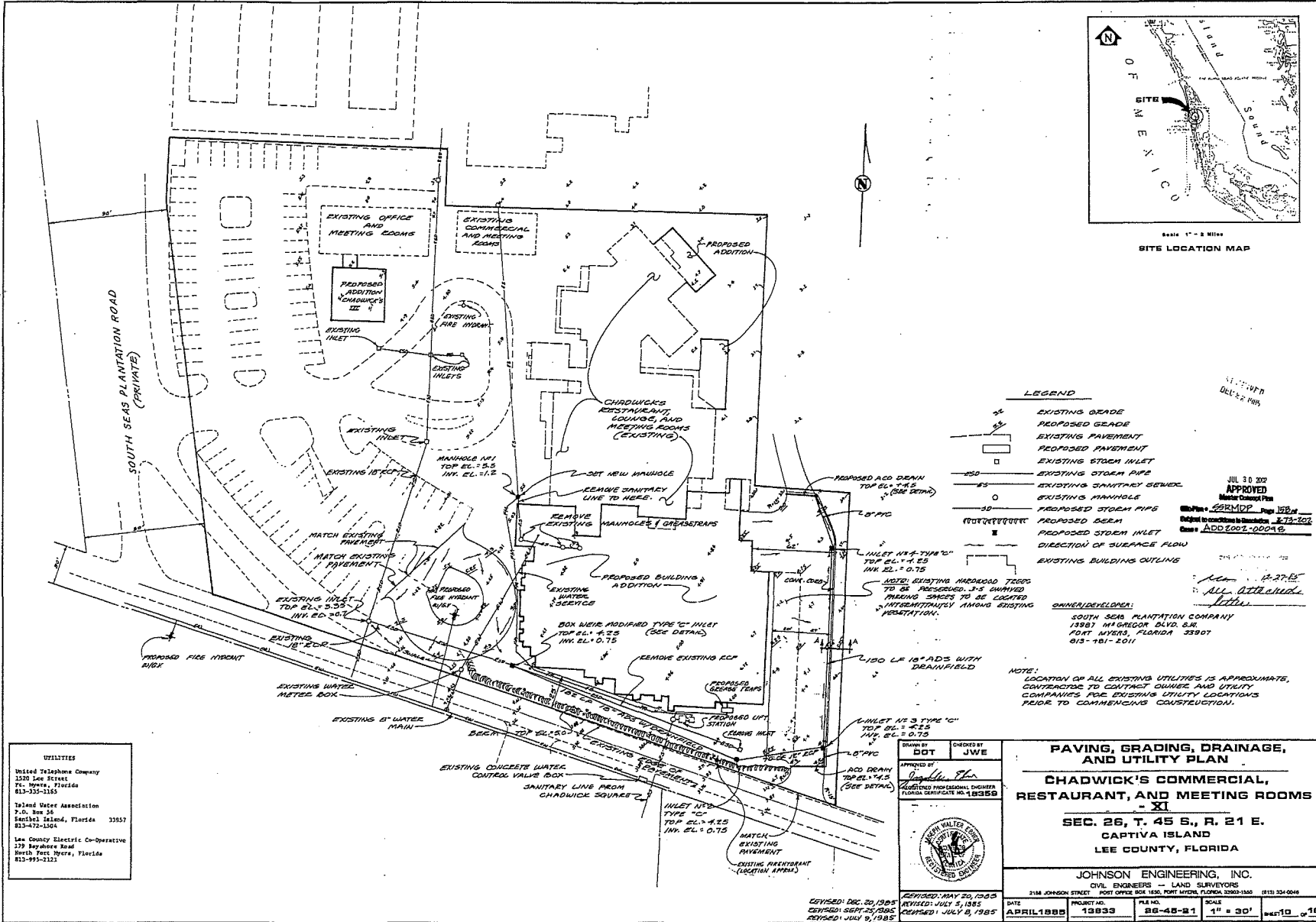
**SEC. 26, T. 45 S., R. 21 E.,
CAPTIVA ISLAND
LEE COUNTY, FLORIDA**

JOHNSON ENGINEERING, INC.
CIVIL ENGINEERS — LAND SURVEYORS

2138 JOHNSON STREET PORT OFFICE BOX 1840, FORT MYERS, FLORIDA 33902-1840 (813) 334-0048

DATE: APRIL 1985	PROJECT NO.: 13833	FILE NO.: 88-48-21	SCALE: 1" = 30'	SHEET NO. OF 18
------------------	--------------------	--------------------	-----------------	-----------------

REVISED: MAY 20, 1985
REVISED: JULY 3, 1985
REVISED: JULY 4, 1985



Scale 1" = 2 Miles
SITE LOCATION MAP

LEGEND

—+—	EXISTING GRADE
—o—	PROPOSED GRADE
—	EXISTING PAVEMENT
—	PROPOSED PAVEMENT
—	EXISTING STORM INLET
—	EXISTING STORM PIPE
—	EXISTING SANITARY SEWER
—	EXISTING MANHOLE
—	PROPOSED STORM PIPE
—	PROPOSED SEWM
—	PROPOSED STORM INLET
—	DIRECTION OF SURFACE FLOW
—	EXISTING BUILDING OUTLINE

JUL 30 2007
APPROVED
Master Concept Plan
Site Plan # 28RMPD Page 100 of 100
Prepared by and for the use of the State of Florida
DATE: 7-30-07
DRAWN: ADD002-00046

OWNER/DEVELOPER:
SOUTH SEAS PLANTATION COMPANY
1981 MADRAGON BLVD. S.W.
FORT MYERS, FLORIDA 33907
813-781-2011

NOTE:
LOCATION OF ALL EXISTING UTILITIES IS APPROXIMATE,
CONSIDER TO CONTACT OWNERS AND UTILITY
COMPANIES FOR EXISTING UTILITY LOCATIONS
PRIOR TO COMMENCING CONSTRUCTION.

UTILITIES

United Telephone Company 1520 Lee Street 76, Moore, Florida 813-335-2165
Talend Water Association P.O. Box 56 Sanibel Island, Florida 33957 813-472-1504
Lee County Electric Co-Operative 279 Bayshore Road North Fort Myers, Florida 813-993-2122

DRAWN BY DOT
CHECKED BY JWE
APPROVED BY [Signature]
REGISTERED PROFESSIONAL ENGINEER
FLORIDA LICENSE NO. 19359



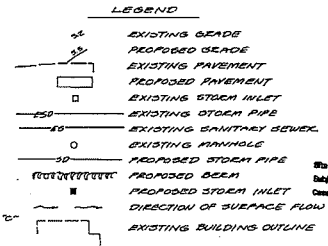
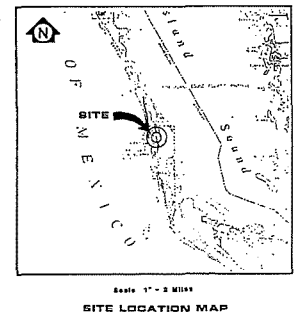
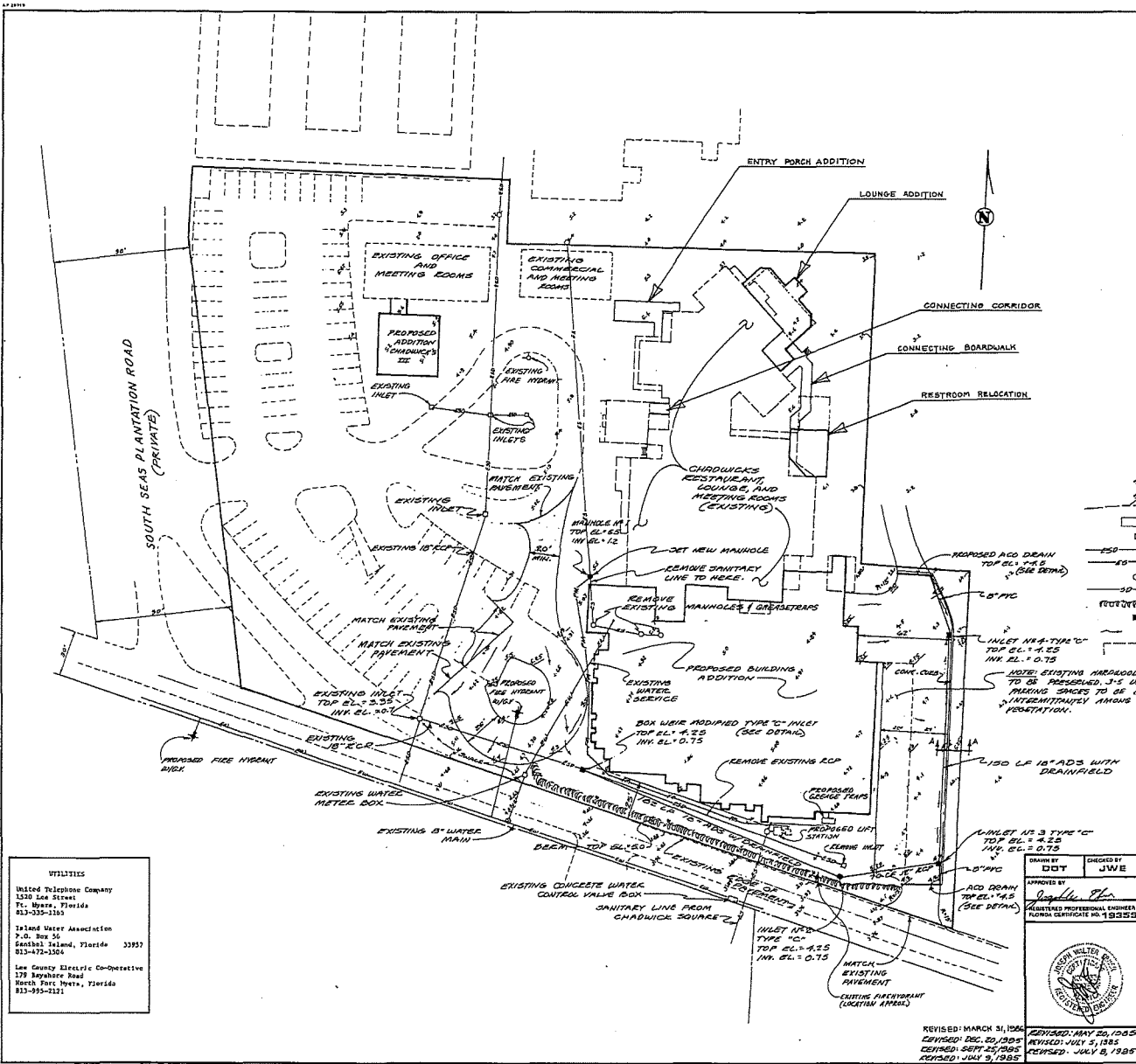
**PAVING, GRADING, DRAINAGE,
AND UTILITY PLAN**
**CHADWICK'S COMMERCIAL,
RESTAURANT, AND MEETING ROOMS**
- XI
SEC. 26, T. 45 S., R. 21 E.
CAPTIVA ISLAND
LEE COUNTY, FLORIDA

JOHNSON ENGINEERING, INC.
CIVIL ENGINEERS - LAND SURVEYORS
2118 JOHNSON STREET, POFF OFFICE BOX 1858, FORT MYERS, FLORIDA 33904-1840 (813) 334-0046

DATE APRIL 1988	PROJECT NO. 13833	FILE NO. 88-48-21	SCALE 1" = 30'	SHEET 10 OF 16
--------------------	----------------------	----------------------	-------------------	-------------------

REVISED: MAY 20, 1985
REVISED: JULY 5, 1985
REVISED: JULY 9, 1985

CUMI, RESTAURANT CONF. CENTER / 13833



JUL 30 2012
 APPROVED
 Initial Concept Plan
 File # 22RM22 Page 15 of 24
 Subject to conditions in Resolution # 27-2012
 Case # 2002007-00048

OWNER/DEVELOPER:
 SOUTH SEAS PLANTATION CO-OP
 13827 WINDSOR BLVD SW
 FORT MYERS, FLORIDA 33907
 813-981-2011

NOTE:
 LOCATION OF ALL EXISTING UTILITIES IS APPROXIMATE, COMPARE TO CONTACT OWNERS AND UTILITY COMPANIES FOR EXISTING UTILITY LOCATIONS PRIOR TO COMMENCING CONSTRUCTION.

UTILITIES

United Telephone Company
 1510 Lee Street
 Ft. Myers, Florida
 813-333-1100

Island Water Association
 7-0, Box 55
 Sanibel Island, Florida 33957
 813-477-1104

Lee County Electric Co-Operative
 178 Seahorse Road
 North Fort Myers, Florida
 813-995-1111

DRAWN BY: DOT
 CHECKED BY: JWE
 APPROVED BY: [Signature]
 REGISTERED PROFESSIONAL ENGINEER
 FLORIDA CERTIFICATE NO. 19329



PAVING, GRADING, DRAINAGE, AND UTILITY PLAN

CHADWICK'S COMMERCIAL, RESTAURANT, AND MEETING ROOMS - XI

SEC. 26, T. 45 S., R. 21 E., CAPTIVA ISLAND, LEE COUNTY, FLORIDA

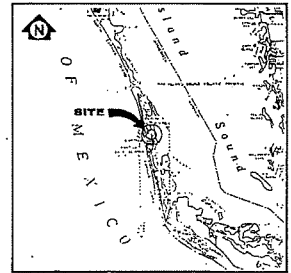
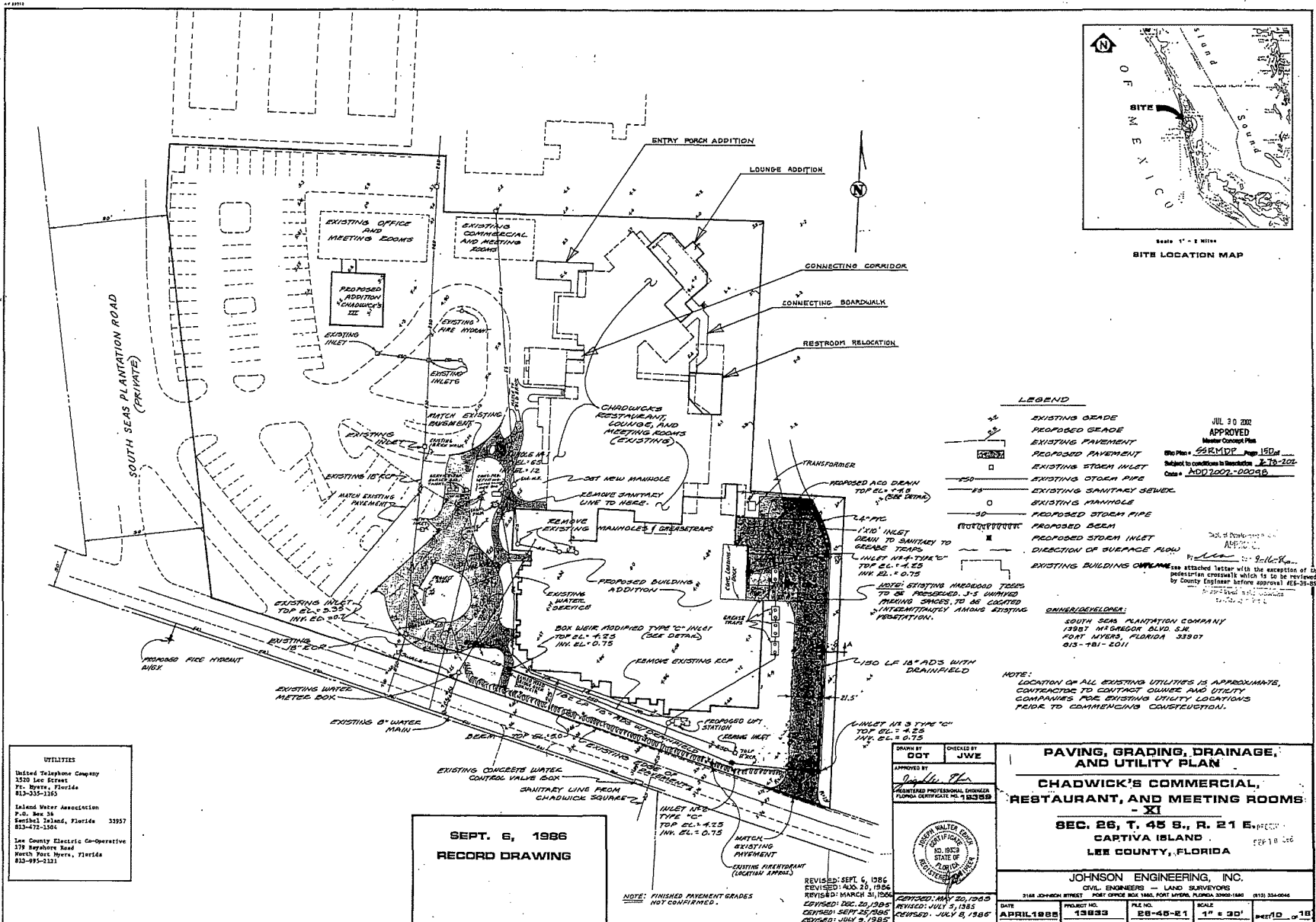
APR 07 '12

JOHNSON ENGINEERING, INC.
 CIVIL ENGINEERS - LAND SURVEYORS
 2158 JOHNSON STREET, POST OFFICE BOX 1600, FORT MYERS, FLORIDA 33907-1600 813-334-0044

DATE: APRIL 1988	PROJECT NO.: 13833	FILE NO.: 26-45-21	SCALE: 1" = 30'	SHEET NO. 10 OF 16
------------------	--------------------	--------------------	-----------------	--------------------

REVISED: MARCH 31, 1988
 REVISED: DEC. 20, 1985
 REVISED: SEPT. 25, 1985
 REVISED: JULY 9, 1985
 REVISED: MAY 20, 1985
 REVISED: JULY 5, 1985
 REVISED: JULY 8, 1985

COM. RESTAURANT
CONF. CENTER
13833



SITE LOCATION MAP

LEGEND

- EXISTING GRADE
- - - PROPOSED GRADE
- EXISTING PAVEMENT
- PROPOSED PAVEMENT
- EXISTING STORM INLET
- EXISTING SANITARY PIPE
- EXISTING MANHOLE
- PROPOSED STORM PIPE
- PROPOSED BEEM
- PROPOSED STORM INLET
- DIRECTION OF SURFACE FLOW
- EXISTING BUILDING OUTLINE

JUL 30 2002
APPROVED
Master Concept Plan
Site Plan # 13833 Page 18 of 20
Subject to conditions in Resolution # E-70-200
Case # ADD 1007-00000

OWNER/DEVELOPER:
SOUTH SEAS PLANTATION COMPANY
1987 WILSON BLVD SW
FORT MYERS, FLORIDA 33907
813-781-2011

NOTE:
LOCATION OF ALL EXISTING UTILITIES IS APPROXIMATE,
CONTRACTOR TO CONTACT OWNER AND UTILITY
COMPANIES FOR EXISTING UTILITY LOCATIONS
BEFORE COMMENCING CONSTRUCTION.

UTILITIES
United Telephone Company
3520 Lec Street
Ft. Myers, Florida
813-335-1365
Island Water Association
P.O. Box 24
Santibel Island, Florida 33957
813-472-1504
Lee County Electric Co-Operative
178 Berkeley Road
North Fort Myers, Florida
813-993-0321

SEPT. 6, 1986
RECORD DRAWING

NOTE: FINISHED PAVEMENT GRADES
NOT CONFIRMED.

REVISED: SEPT 6, 1986
REVISED: AUG 15, 1986
REVISED: MARCH 31, 1986
REVISED: DEC. 20, 1985
REVISED: SEPT 25, 1985
REVISED: JULY 5, 1985

DRAWN BY: DOT
CHECKED BY: JWE
APPROVED BY: [Signature]
REGISTERED PROFESSIONAL ENGINEER
FLORIDA CERTIFICATE NO. 13833



PAVING, GRADING, DRAINAGE,
AND UTILITY PLAN

CHADWICK'S COMMERCIAL,
RESTAURANT, AND MEETING ROOMS
- XI

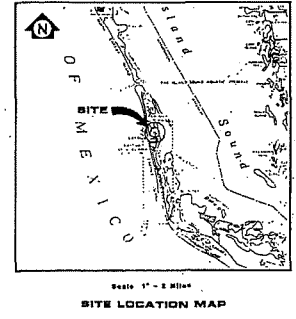
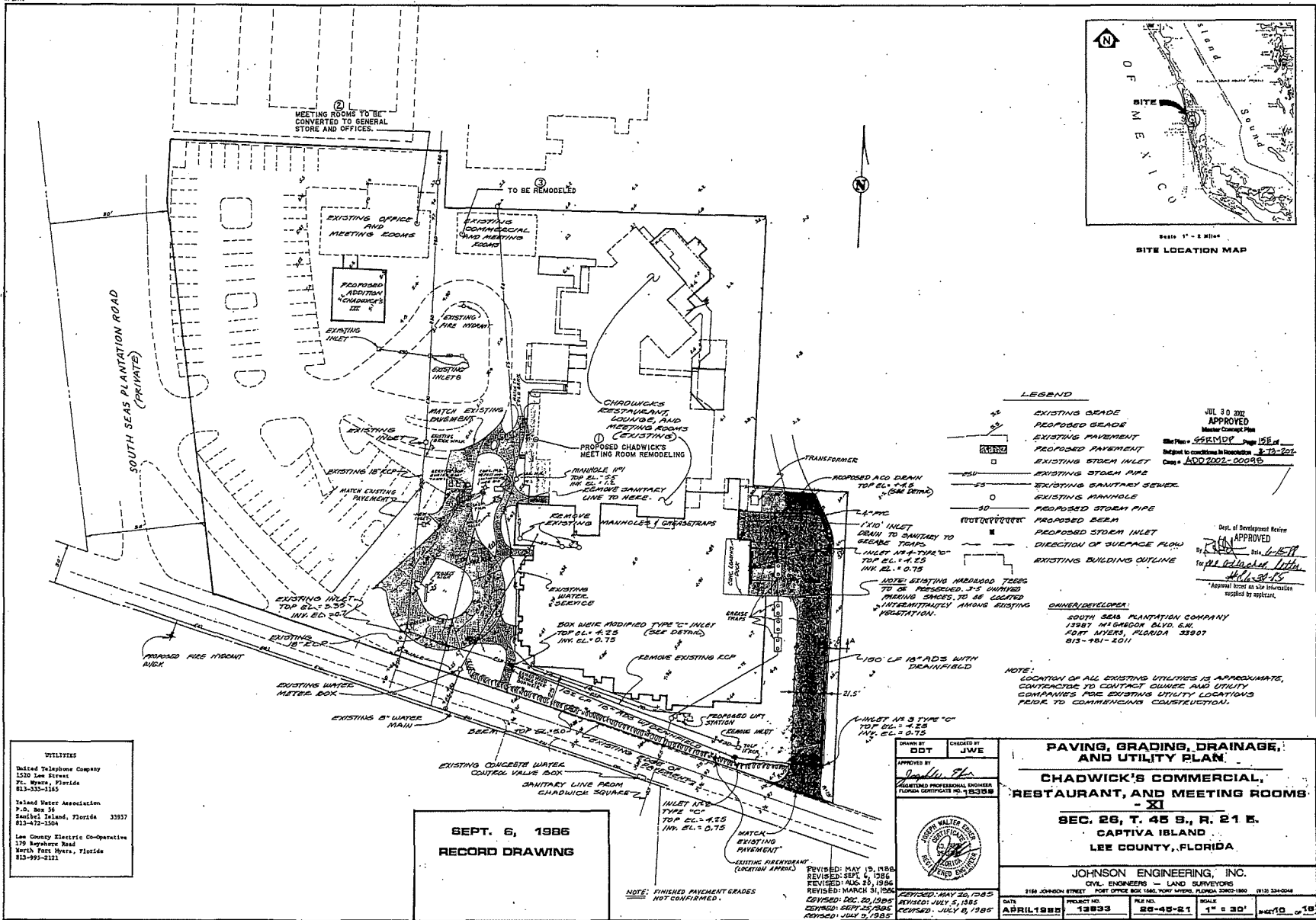
SEC. 26, T. 45 S., R. 21 E
CAPTIVA ISLAND
LEE COUNTY, FLORIDA

JOHNSON ENGINEERING, INC.
CIVIL ENGINEERS - LAND SURVEYORS
2148 JOHNSON STREET FORT MYERS, FLORIDA 33907-1400 (813) 334-0046

PROJECT NO. 13833
DATE APRIL 1986
FILE NO. 28-46-21
SCALE 1" = 30'
SHEET 18 OF 18

13833

COM. RESTAURANT
CONF. CENTER



LEGEND

- EXISTING GRADE
- - - PROPOSED GRADE
- ▭ EXISTING PAVEMENT
- ▭ PROPOSED PAVEMENT
- EXISTING STORM INLET
- EXISTING STORM PIPE
- EXISTING SANITARY SEWER
- EXISTING MANHOLE
- PROPOSED STORM PIPE
- PROPOSED SEEM
- PROPOSED STORM INLET
- DIRECTION OF SURFACE FLOW
- EXISTING BUILDING OUTLINE

JUL 30 1988
APPROVED
Master Control File
Site Plan # 13833
Page 15 of 15
Subject to conditions in Resolution # 13-22-88
Case # AGO2002-00088

Dept. of Development Review
APPROVED
10/21/1988
4/16/88
Approval based on site information supplied by applicant.

OWNER/DEVELOPER:
SOUTH SEAS PLANTATION COMPANY
13507 WILSHIRE BLVD. S.W.
FORT MYERS, FLORIDA 33907
813-981-2011

NOTE:
LOCATION OF ALL EXISTING UTILITIES IS APPROXIMATE, CONTRACTOR TO CONTACT OWNERS AND UTILITY COMPANIES FOR EXISTING UTILITY LOCATIONS PRIOR TO COMMENCING CONSTRUCTION.

UTILITIES
United Telephone Company
1530 Lee Street
77. Waco, Florida
813-332-1145
Island Water Association
P.O. Box 38
Sanibel Island, Florida 33957
813-472-1504
Lee County Electric Co-Operative
179 Bayshore Road
North Fort Myers, Florida
813-993-2121

SEPT. 6, 1986
RECORD DRAWING

DRAWN BY: DDT
CHECKED BY: JWE
APPROVED BY: [Signature]
REGISTERED PROFESSIONAL ENGINEER
FLORIDA LICENSE NO. 13833



PAVING, GRADING, DRAINAGE,
AND UTILITY PLAN

CHADWICK'S COMMERCIAL
RESTAURANT, AND MEETING ROOMS
- XI

SEC. 26, T. 45 S., R. 21 E.
CAPTIVA ISLAND
LEE COUNTY, FLORIDA

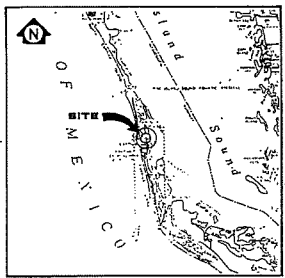
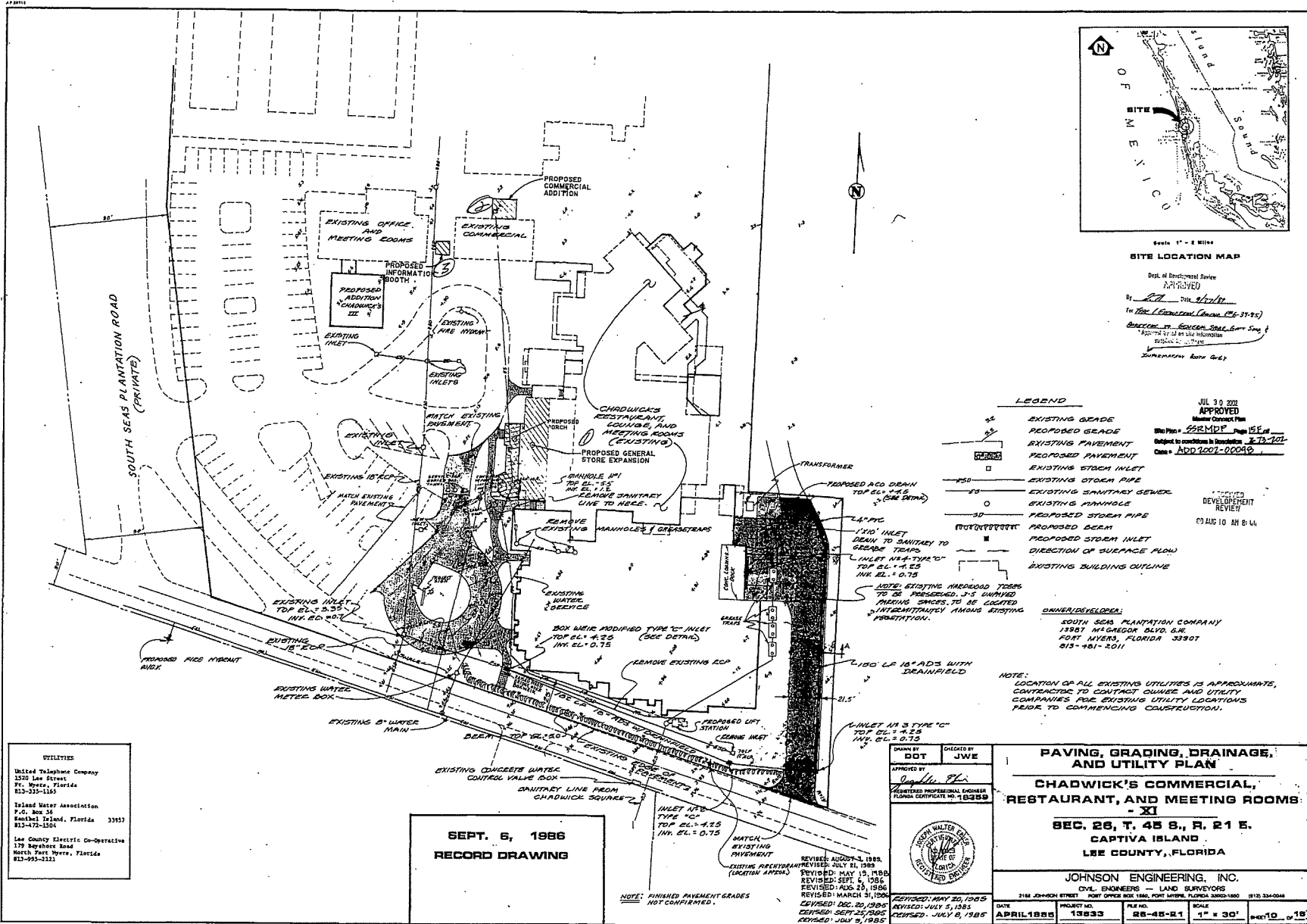
JOHNSON ENGINEERING, INC.
CIVIL ENGINEERS - LAND SURVEYORS
3116 JOHNSON STREET PORT ORCHIE BOX 1842, NORTH MYERS, FLORIDA 33903-1804 813-334-0244

DATE: APRIL 1988	PROJECT NO.: 13833	FILE NO.: 28-45-21	SCALE: 1" = 20'	SHEET: 10 OF 13
------------------	--------------------	--------------------	-----------------	-----------------

NOTE: FINISHED PAVEMENT GRADES NOT CONFIRMED.

REVISED: MAY 15, 1986
REVISED: SEPT. 6, 1986
REVISED: AUG. 20, 1986
REVISED: MARCH 31, 1985
REVISED: DEC. 20, 1985
REVISED: SEPT. 25, 1985
REVISED: JULY 8, 1985
REVISED: JULY 9, 1985

COM. RESTAURANT
CONF. CENTER
13833



Scale 1" = 2 Miles
SITE LOCATION MAP
 Dist. of Development Review
 APPROVED
 By: [Signature] Date: 8/1/85
 In: The (Location) Case (C-3195)
 Division of Public Safety
 Approved for all site information
 (Section 2, 27th)

JUL 30 1985
 APPROVED
 Master Concept Plan
 Site Plan: SRMP Page 15 of 18
 Subject to conditions in Resolution 8-13-10
 Case # AVD 1001-00049

APPROVED
 DEVELOPMENT
 REVIEW
 03 AUG 10 AM 8:44

LEGEND

- EXISTING GRADE
- PROPOSED GRADE
- EXISTING PAVEMENT
- PROPOSED PAVEMENT
- EXISTING STORM INLET
- EXISTING STORM PIPE
- EXISTING SANITARY SEWER
- EXISTING MANHOLE
- PROPOSED STORM PIPE
- PROPOSED SEWER
- PROPOSED STORM INLET
- DIRECTION OF SURFACE FLOW
- EXISTING BUILDING OUTLINE

OWNER/DEVELOPER:
 SOUTH SEAS PLANTATION COMPANY
 13827 HIGHWAY 90/90 SW
 FORT MYERS, FLORIDA 33907
 813-981-2011

NOTE:
 LOCATION OF ALL EXISTING UTILITIES IS APPROXIMATE,
 CONTRACTOR TO CONTACT OWNERS AND UTILITY
 COMPANIES FOR EXISTING UTILITY LOCATIONS
 PRIOR TO COMMENCING CONSTRUCTION.

UTILITIES
 United Telephone Company
 1370 Lee Street
 Ft. Myers, Florida
 813-335-1165
 Inland Water Association
 P.O. Box 24
 Sanibel Island, Florida 33957
 813-472-1504
 Lee County Electric Co-Operative
 179 Bayshore Road
 North Fort Myers, Florida
 813-955-2121

**SEPT. 6, 1986
 RECORD DRAWING**

NOTE: FINISHED PAVEMENT GRADES
 NOT CONFIRMED.

REVISED: AUGUST 1, 1985
 EXISTING RESTAURANT REVISED: JULY 21, 1985
 REVISED: MAY 19, 1985
 REVISED: SEPT. 6, 1985
 REVISED: AUG. 20, 1986
 REVISED: MARCH 31, 1985
 REVISED: DEC. 23, 1985
 REVISED: SEPT. 25, 1985
 REVISED: JULY 9, 1985

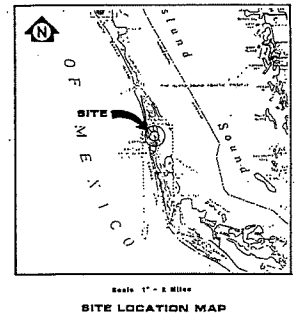
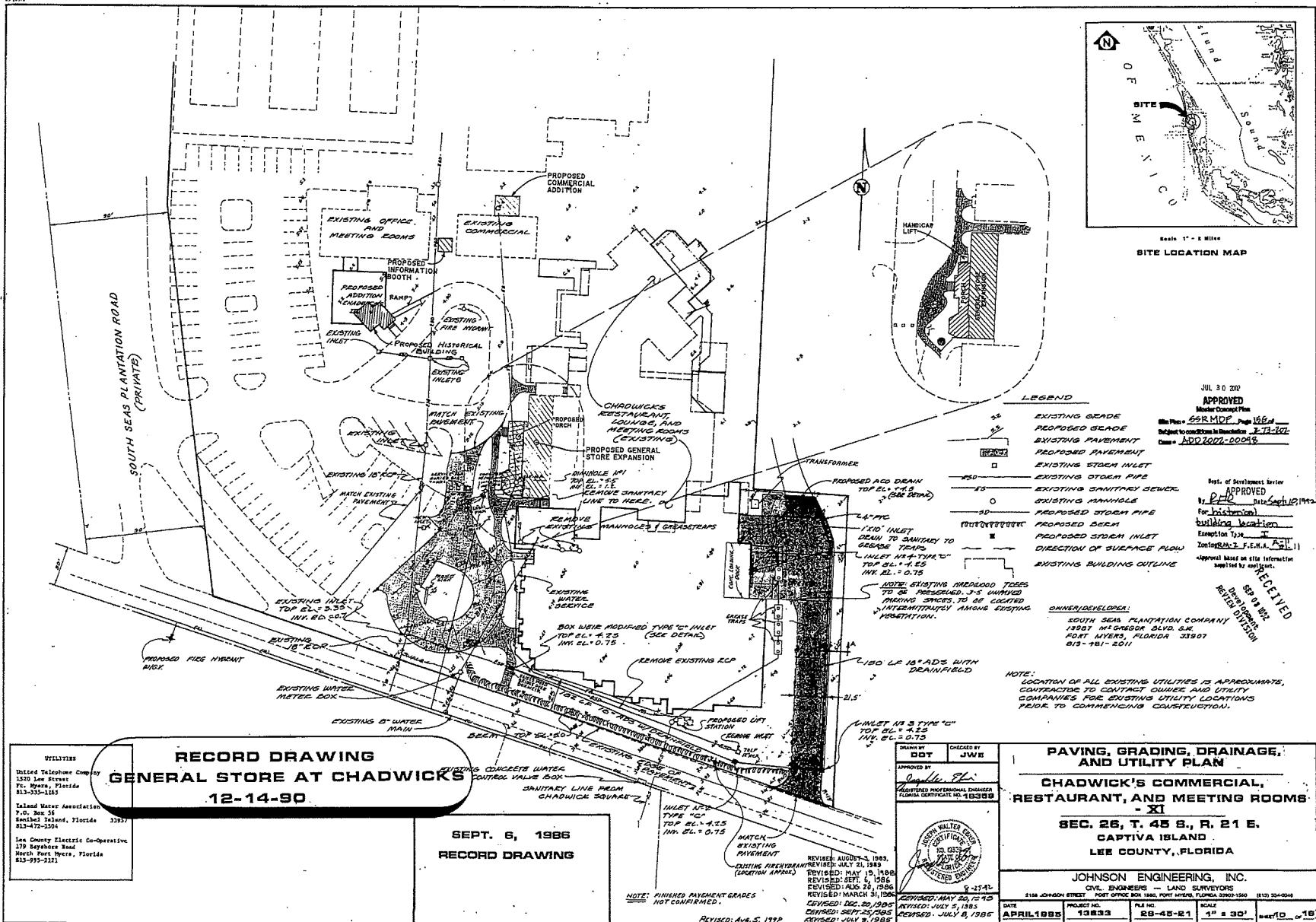
DRAWN BY: DOT CHECKED BY: JWE
 APPROVED BY: [Signature]
 REGISTERED PROFESSIONAL ENGINEER
 LICENSE NO. 11828-B

**PAVING, GRADING, DRAINAGE,
 AND UTILITY PLAN**
**CHADWICK'S COMMERCIAL,
 RESTAURANT, AND MEETING ROOMS - XI**
 SEC. 26, T. 48 S., R. 21 E.
 CAPTIVA ISLAND
 LEE COUNTY, FLORIDA

JOHNSON ENGINEERING, INC.
 CIVIL ENGINEERS - LAND SURVEYORS
 2148 JOHNSON STREET FORT MYERS BOX 1860 FORT MYERS, FLORIDA 33907-1860 813-334-0044

DATE	PROJECT NO.	FILE NO.	SCALE	SHEET NO. OF 13
APRIL 1985	13833	28-48-21	1" = 30'	10

COM. RESTAURANT CONF. CENTER 15833



LEGEND

- 55 — EXISTING GRADE
- 50 — PROPOSED GRADE
- 15 — EXISTING PAVEMENT
- 10 — PROPOSED PAVEMENT
- 10 — EXISTING STORM INLET
- 10 — EXISTING SANITARY SEWER
- 10 — EXISTING MANHOLE
- 10 — PROPOSED STORM PIPE
- 10 — PROPOSED SEWER
- 10 — PROPOSED STORM INLET
- 10 — DIRECTION OF SURFACE FLOW
- 10 — EXISTING BUILDING OUTLINE

JUL 30 2002
APPROVED
 Master Concept Plan
 Plan No. SSRMDP Page 158 of 172
 Subject to conditions in Specification 1-17-88
 Case No. LRD 2002-00048

Post of Development Review
APPROVED
 By Dee Date Sept 12, 1988
 For Inspection
 Building Location
 Erection Type I
 Zoning RM-2 F.S.A. Art 11
 Approval based on site information
 supplied by applicant.

ENGINEER/DEVELOPER:
 SOUTH SEAS PLANTATION COMPANY
 1901 W. GREGOR BLVD. S.W.
 FORT MYERS, FLORIDA 33907
 813-981-2011

NOTE: LOCATION OF ALL EXISTING UTILITIES IS APPROXIMATE. CONTRACTOR TO CONTACT OWNER AND UTILITY COMPANIES FOR EXISTING UTILITY LOCATIONS PRIOR TO COMMENCING CONSTRUCTION.

RECORD DRAWING
GENERAL STORE AT CHADWICK'S
12-14-90

SEPT. 6, 1986
RECORD DRAWING

UTILITIES
 United Telephone Company
 3250 Lee Street
 Ft. Myers, Florida
 813-335-1185

Inland Water Association
 P.O. Box 34
 Havelock Island, Florida 33957
 813-472-2554

Lee County Electric Co-Operative
 179 Bayshore Road
 North Fort Myers, Florida
 813-995-2121

DESIGNED BY
 DRAWN BY
 CHECKED BY
 AUTHORIZED PROFESSIONAL ENGINEER
 FLORIDA CERTIFICATE NO. 183388

REVISIONS:
 REVISED: AUGUST 3, 1985
 REVISED: MAY 19, 1986
 REVISED: SEPT. 6, 1986
 REVISED: AUG 26, 1986
 REVISED: MARCH 31, 1986
 REVISED: DEC. 22, 1986
 REVISED: SEPT. 25, 1985
 REVISED: JULY 9, 1985

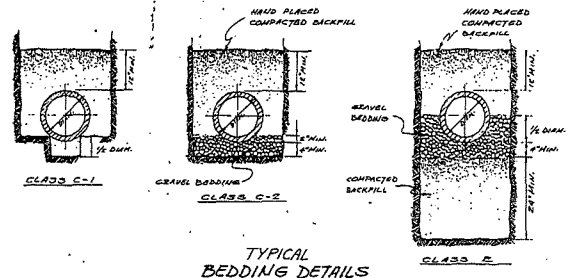
PAVING, GRADING, DRAINAGE, AND UTILITY PLAN

CHADWICK'S COMMERCIAL, RESTAURANT, AND MEETING ROOMS - XI

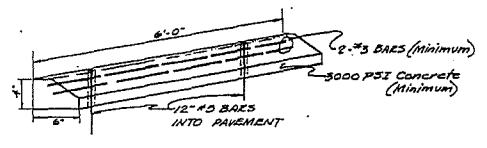
SEC. 26, T. 45 S., R. 21 E. CAPTIVA ISLAND, LEE COUNTY, FLORIDA

JOHNSON ENGINEERING, INC.
 CIVIL ENGINEERS - LAND SURVEYORS
 2108 JOHNSON STREET PORT ORCHIE BOX 1840, FORT MYERS, FLORIDA 33907-1840 (813) 334-0248

DATE: **APRIL 1985** PROJECT NO.: **18333** PLAN NO.: **28-42-21** SCALE: **1" = 30'** SHEET: **10** OF **19**

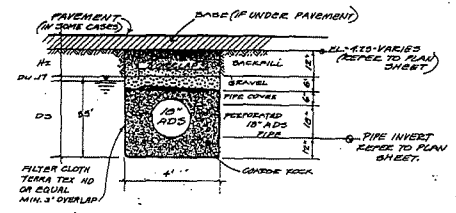


TYPICAL BEDDING DETAILS
NTS.

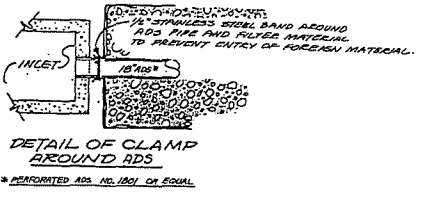


CONCRETE WHEEL STOP DETAIL
NTS.

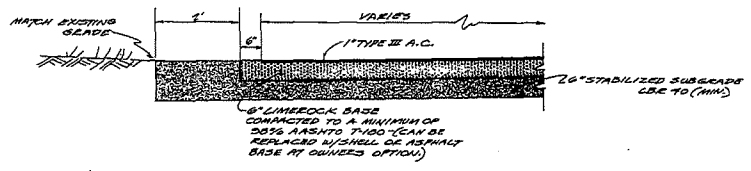
CONTRACTOR NOTE:
WHERE PLAN INDICATES ADS PIPE IT INCLUDES TYPICAL EXFILTRATION TRENCH AS DETAILED BELOW.



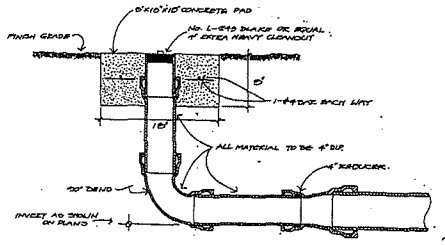
TYPICAL EXFILTRATION TRENCH
NTS.



DETAIL OF CLAMP AROUND ADS
PERFORATED ADS NO. 1501 OR EQUAL



TYPICAL PAVEMENT DETAIL
NTS.

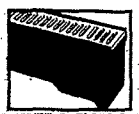


TYPICAL SANITARY CLEANOUT
NTS.

JUL 30 1985
APPROVED
Master Concept Plan
Site Plan - 228M72 Page 16 of 17
Subject to modification by Document 273-202
Date - 6/27/85 - 20298

OWNER/DEVELOPER:
SOUTH BEAS PLANTATION COMPANY
13507 HWY 90 S.W. RD. 1
FT. MYERS, FLORIDA 33907
813-461-3011

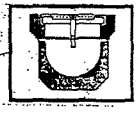
**NW100 Series
Channel Slope Gratings**



Gratings are designed to be bicycle and wheelchair proof. This design fits in a back-slope of wetter and steeper objects, such as storm and catchall. Polymer concrete channels are cast to a high degree of accuracy, so pre-fits to the channels without rocking or fitting.

Steel Gratings

Rating: Automatic and Light Truck
Initial Channel Section: 30.25 in. (long) (1000 mm)
Wall Thickness: 7/16 in. (11.3 mm)
Full Length: 10.63 in. (long) (270 mm)
Height: 2.2 in. (56 mm)
Coating: Galvanized

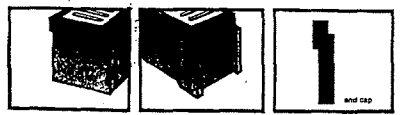
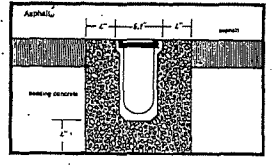


Locking Devices for Gratings

Locking devices are available to secure both cast iron and steel gratings to the channels. These unique locking devices are easy to assemble on the job site. Simply slip out the patented knock-out blocks on the sides of each channel. Pressing the channels to the ground, insert the bar through the sides of the channel, insert the bolt through the grate, and engage the threaded hole in the bar.

Part No. 810 locking device for steel grating.

Details of concrete bedding



ACO DRAIN DETAILS

DRAWN BY: DT
CHECKED BY: JWE
APPROVED BY: [Signature]
REGISTERED PROFESSIONAL ENGINEER
FLORIDA CERTIFICATE NO. 10333

KEYWORD: MAY 20, 1985

DETAILS

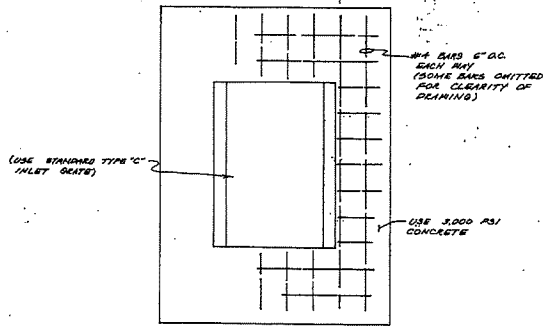
SOUTH BEAS PLANTATION

SEC. 15, 22, & 28, T. 45 S., R. 21 E.

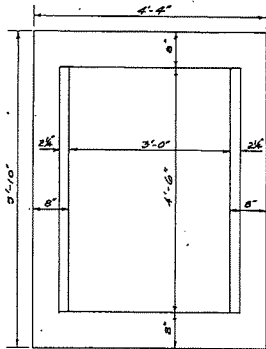
CAPTIVA ISLAND
LEE COUNTY, FLORIDA

JOHNSON ENGINEERING, INC.
CIVIL ENGINEERS - LAND SURVEYORS
2114 JOHNSON STREET - POST OFFICE BOX 1262, FORT MYERS, FLORIDA 33902-1262 (813) 334-0514

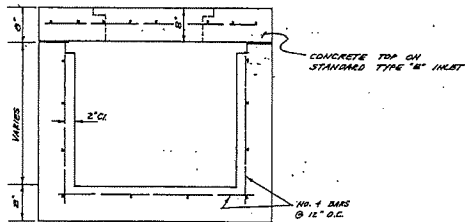
DATE: APRIL 1985
PROJECT NO.: 13888
SHEET NO.: 11 OF 11
SCALE: AS SHOWN



CONCRETE TOP

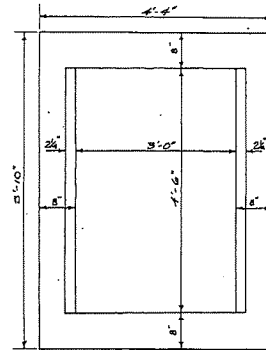


PLAN

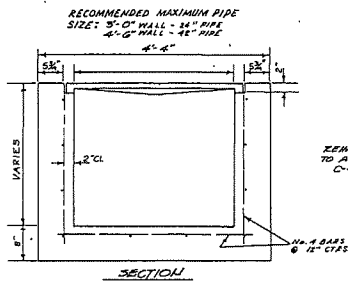


CONCRETE INLET MODIFIED TYPE "E"

FDOT INDEX No. 232 - MODIFIED
 RECOMMENDED MAXIMUM PIPE SIZE:
 3'-0" WALL - 24" PIPE
 4'-0" WALL - 48" PIPE

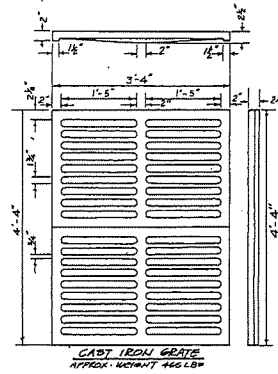


PLAN



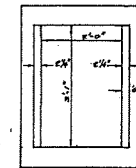
CONCRETE INLET TYPE "E"

FDOT INDEX No. 232

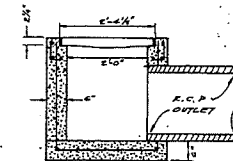


TYPICAL STORM MANHOLE

HTS

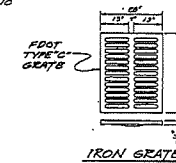


PLAN VIEW



CONCRETE INLET TYPE "C" TYPICAL SECTION

SCALE: 3/4" = 1'
 (USE WITH 18" OR SMALLER)
 FDOT INDEX No. 232



DRAWN BY: DOT
 CHECKED BY: JWE
 APPROVED BY: [Signature]
 REGISTERED PROFESSIONAL ENGINEER
 FLORIDA CERTIFICATE # 18339

SEAL: WALTER J. JOHNSON, CIVIL ENGINEER, LAND SURVEYOR, FORT MYERS, FLORIDA, 33902

DATE: MAY 20, 1988

JUL 30 2007
 APPROVED
 Master Concept Plan
 Site Plan - 522EMDZ Page 17.1
 Subject to Conditions in Resolution E-13-2007
 Case # AD 2007-80048

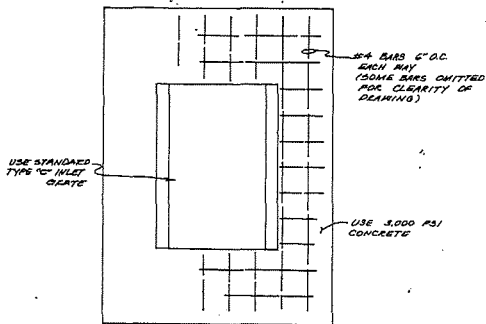
DRAINAGE DETAILS

SOUTH SEAS PLANTATION
 SEC. 15, 22, & 26, T. 48, R. 2E

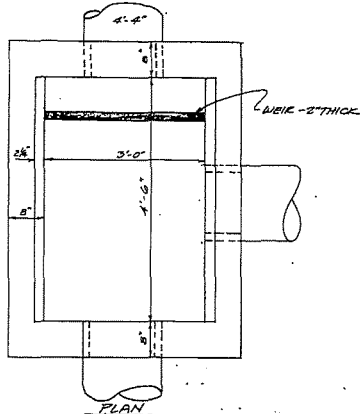
CAPTIVA ISLAND
 LEE COUNTY, FLORIDA

JOHNSON ENGINEERING, INC.
 CIVIL ENGINEERS - LAND SURVEYORS
 FORT OFFICE BOX 1146, FORT MYERS, FLORIDA 33902 (813) 334-0040

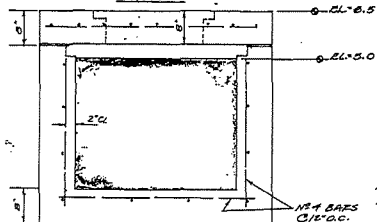
DATE: APRIL 1988
 PROJECT: 13286
 SHEET: 15-80-01
 SHEET: 10 OF 18



CONCRETE TOP

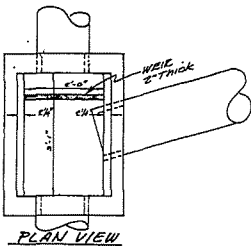


PLAN

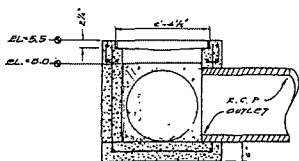


SECTION
CONCRETE INLET
MODIFIED TYPE "E"
WITH WEIR

NTS
USING TYPE "C" TOP & GRATE
FOOT INDEX 232 - MODIFIED

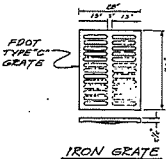


PLAN VIEW

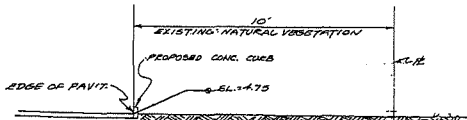


CONCRETE TYPE "C" INLET
WITH WEIR

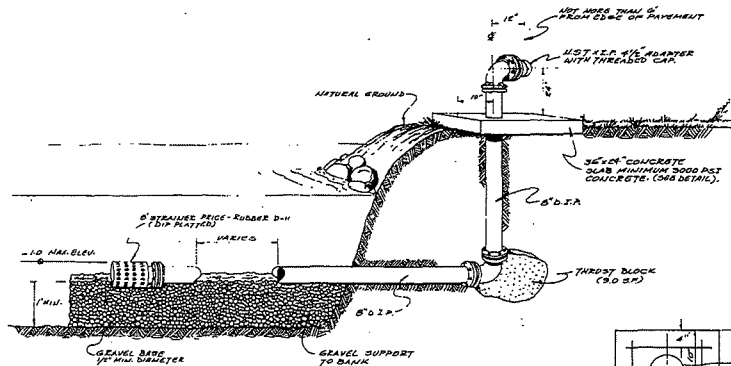
MODIFIED INLET NO. 4 - SHEET 2



IRON GRATE



SECTION A-A



STANDPIPE HYDRAUL

NTS

APPROVED

Master Control Plan

Site Plan - SORMDP - Page 18 of 18
 Subject to conditions in Paragraphs 1.13-1.22
 Date: 8/20/2002 00:00:00

DETAILS

SOUTH SEAS PLANTATION

SEC. 15, 22, & 26, T. 45 S., R. 21 E.

CAPTIVA ISLAND,
LEE COUNTY, FLORIDA

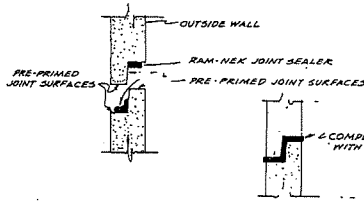
JOHNSON ENGINEERING, INC.

CIVIL ENGINEERS - LAND SURVEYORS

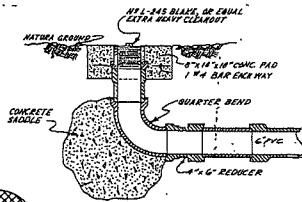
3168 JOHNSON STREET - FIRST OFFICE FOR LEAS, FORT WORTH, TEXAS 76104-1000 (817) 324-0044

DRAWN BY DOT	CHECKED BY JWE
APPROVED BY <i>John P. Jones</i>	
REGISTERED PROFESSIONAL ENGINEER FLORIDA CERTIFICATE NO. 12805B	
DATE APRIL 1988	PROJECT NO. 1388B
DATE MAY 20, 1988	FILE NO. 15-45-26
DATE JULY 9, 1988	SCALE AS SHOWN

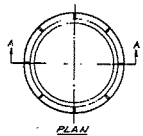
DATE APRIL 1988	PROJECT NO. 1388B	FILE NO. 15-45-26	SCALE AS SHOWN	SHEET 13 OF 18
--------------------	----------------------	----------------------	-------------------	----------------



TYPICAL JOINT DETAIL
(STANDARD PRE-CAST MANHOLE)
NTS



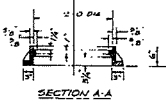
TYPICAL CLEANOUT
NTS



PLAN



PLAN



SECTION A-A

ELEVATION

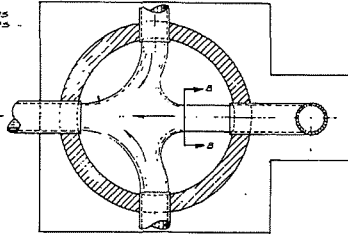
FLORIDA DOT TRAFFIC MANHOLE
(USE #33A) RING WT. 100 LBS.
COVER WT. 145 LBS.

FRAME AND COVER DETAIL
NTS

NOTES

1. MANHOLE TOPS TO BE SET FLUSH IN PAVED AREAS AND 1" ABOVE GRADE IN UNPAVED AREAS UNLESS OTHERWISE SHOWN. TOP ELEVATIONS SHOWN ON PLANS ARE BASED ON FIELD ELEVATIONS BUT COULD VARY ±.3".
2. MANHOLES TO BE CENTERED OVER THE INTERSECTION OF TWO OR MORE MANHOLES.
3. CONCRETE FOR MANHOLES SHALL OBTAIN A COMPRESSIVE STRENGTH OF 4,000 P.S.I. @ 28 DAYS.
4. TYPE II ACID RESISTANT CEMENT SHALL BE USED IN ALL MANHOLE CONSTRUCTION.
5. CONTRACTOR SHALL TAKE PRECAUTIONS TO GUARD AGAINST FLOTTATION AND SHALL BE RESPONSIBLE FOR ALL REPAIRS SHOULD FLOTTATION OCCUR.
6. THE MANHOLE SHALL BE PAINTED INSIDE AND OUTSIDE WITH TWO COATS OF KOPREX BITUMASTIC 10-2000 OR EQUAL. THIN FIRST COAT WITH 15% SUPPLER THINNER #40 OR EQUAL.
7. USE OF FLEXIBLE PIPE GLEEVES IN MANHOLE WILL BE REQUIRED IF PVC PIPE IS USED.

FORM MORTAR TROUGHS FOR EASY FLOW CURVES

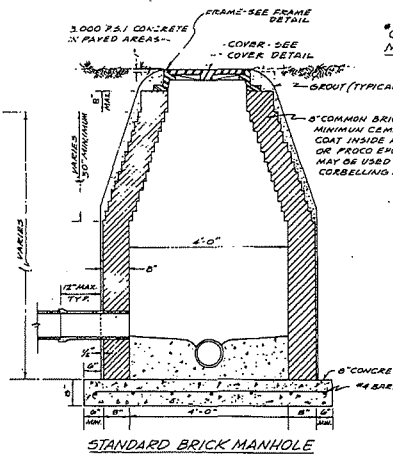


INVERT PLAN
(ALL SIZE MANHOLES)

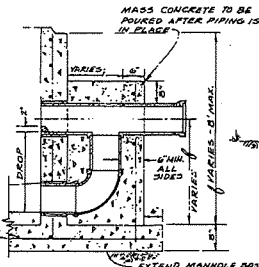


SECTION B-B

#4 BARS @ 8" O.C. EACH WAY

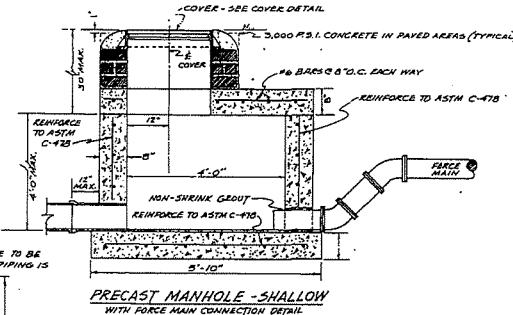


STANDARD BRICK MANHOLE

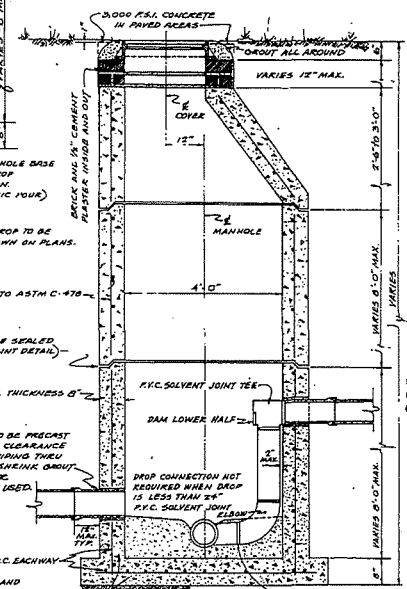


OUTSIDE-DROP MANHOLE DETAIL

NOTE: OUTSIDE DROP TO BE USED WHERE SHOWN ON PLANS.



PRECAST MANHOLE - SHALLOW
WITH FORCE MAIN CONNECTION DETAIL



PRECAST MANHOLE - DEEP
(SHOWN WITH DROP CONNECTION)

NOTE: ALL HOLES FOR PIPE TO BE PRECAST MINIMUM ALLOWABLE CLEARANCE 0.2\"/>

TO BE SET ON LEVELS AND UNDISTURBED SOIL (MINIMUM SOIL BEARING 1000 P.S.F.)

BASE AND PIEST REBAR SECTION TO BE A MINIMUM 6\"/>

JUL 28 2002
APPROVED
Master Concept Plan
Site Plan - SRMPP Page 19 of 19
Subject to conditions in Description 2-73-202
Case # ADD2002-00098

- NOTES:
1. SET 90° ELBOW AND TEE FLANGE IN CONCRETE CHANNEL TO FIT MANHOLE INVERT AND FLOW DIRECTION.
 2. DROP CONNECTION SHALL BE THE SAME SIZE AS THE SEWER.

REVISED: MAY 20, 2003

JOHNSON ENGINEERING INC.
CIVIL ENGINEERS LAND SURVEYORS
FORT MYERS

MANHOLE DETAILS



DRAWN BY TP
CHECKED BY JWH
APPROVED BY [Signature]
REGISTERED PROFESSIONAL ENGINEER
FLORIDA CERTIFICATE #14388

SOUTH SEAS PLANTATION
SEC. 15, 22, & 26, T. 45, R. 21
CAPTIVA ISLAND
LEE COUNTY, FLORIDA

DATE APRIL 2002
PROJECT 15-22-21
SHEET 16 OF 24
SCALE SHOWN
DATE 14 APR 2002

(813) 334-0048

SOUTH SEAS PLANTATION WATER MAIN DETAILS

- All water lines must be sterilized in accordance with State Board of Health requirements. The Contractor is responsible for bacteriological testing and clearance from the Board of Health.
- All water lines must be pressure tested in accordance with IMA specifications. A satisfactory pressure test must be observed by IMA representative and the engineer of record.
- All water lines must have a minimum of 30 inches cover.
- Contractor must furnish IMA with certified Record drawings showing location of all water lines, fittings, valves, services, etc.
- Prior to the start of any construction the contractor must schedule and attend a pre-construction meeting with the IMA and the engineer of record.
- Contractor must notify IMA prior to making any connections to existing water lines.
- The minimum radius for inspections, connections, main shut downs and testing is 24 hours. Deep situations will require more than 24 hours outside time.
- Fire hydrants and fire hydrant locations must comply with Sanibel or Captiva Fire District Regulations.
- Contractor must sterilize fittings to be installed on existing water lines with a 50 ppm chlorine solution.
- Water mains shall be laid at least 10 feet horizontally from any existing or proposed gravity sewer line or force main line. Where sewer and water lines cross there shall be a minimum of 18" vertical distance from the "outside" of the sewer line and the outside of the water line. If such vertical distance is less than 18" the sewer line will be 20 feet of cement lined cast iron pipe installed on the point of crossing.
- All new water mains must be connected to the existing system as shown in detail 5. This temporary connection will be used for all flushing, testing, and sterilization and shall not be removed until approval is granted from IMA. The contractor shall be charged for all water used at the contract IMA rates. The water meter shall be provided by IMA and returned to IMA upon completion of the job.
- The pipe shall be pressure rated PVC conforming to the requirements of ASTM D2241, PVC 1120, SDR 21 with push on joints and a minimum pressure rating of 700 PSI.
- Pipe and fittings 3" and smaller shall be schedule 80 PVC conforming to ASTM D1785. The joints shall be solvent welded conforming to ASTM D2466 or D2467.
- Where ductile iron pipe is specified it shall be Class 50, conforming to ANSI C115, mechanical joints or push on type conforming to ANSI C118 and C119. All ductile iron pipe shall have a factory applied bituminous seal coat over a cement mortar lining conforming to ANSI C118.
- All fittings shall be ductile iron, mechanical joints Class 25 conforming to ANSI C119. All ductile iron fittings shall have a factory applied bituminous seal coat over a cement mortar lining conforming to ANSI C118.
- Valves shall be manufactured by the American Valve and Hydrant Co., Birmingham, Alabama. No substitutes will be permitted.
Gate valves shall be waftless round, manufactured to meet or exceed the requirements of ANSI A 213 and shall be in accordance with the following specifications.
Valves shall have an unobstructed waterway equal to or greater than the full nominal diameter of the valve.
The valves are to be non-rising stem with the stem ends of cast, forged or rolled bronze sleeves in ANSI C288. Two stem nuts shall be provided and shall be of the D-ring type, one above and one below the throat collar.
The stem nut, also made of bronze, must be independent of the gate.
The sealing mechanism shall consist of a cast iron gate having a vulcanized synthetic rubber coating. The resilient seating mechanism shall provide zero leakage at the water working pressure when installed with the line flow in either direction.
The valve body, bonnet, and bonnet cover shall be cast iron ASTM A 118, Class B. All ferritic surfaces inside and outside shall have a fusion-bonded epoxy coating.
A 2" operating nut shall be provided for operating the valve.
All valves are to be tested in strict accordance with ANSI A 213.
All bonnet nuts and bolts shall be stainless steel.
- This job must be installed under the field supervision of an engineering firm approved by IMA. The engineering firm shall be responsible for the certification of the Record drawings referenced in this spec.
- This job will not be accepted by the Island Water Association, Inc. until all road construction and utility installations are complete.
- All pipe joints, fittings, sewer crossings and thrust blocks must be fully inspected for "leakage" by IMA prior to backfilling. If any joints, fittings, sewer crossings or thrust blocks are covered without IMA inspection, the Inspector may require them to be exposed for inspection.

- The following parts shall be used for service connections:
 1" Tapping Saddle
 All A.C. Mains
 2" thru 8" PVC Mains
 18" thru 18" PVC Mains
 Ford (Romac) 202N Series x 1/4"
 Ford (Romac) 2045S x 1/4"
 Ford (Romac) 202N Series x 1/4" (steel OD's)
 1 1/2" Tapping Saddle
 Use 2" tapping saddle and reduce to 1 1/2" just after the corporation stop.
 2" Tapping Saddle
 All A.C. Mains
 2" thru 8" PVC Mains
 18" thru 18" PVC Mains
 Ford (Romac) 202N Series x 1/2"
 Ford (Romac) 2045S x 1/2"
 Ford (Romac) 202N Series x 1/2" (steel OD's)
 3" Tapping Sleeve
 Use 4" tapping sleeve and reduce to 3" just after the tapping valve.
 4" and Larger Tapping Sleeve
 All A.C. and PVC Mains
 Ford SST (Romac) series Tapping Sleeves
 1" Corporation Stop
 2" Corporation Stop
 Ford FB 508-TP
 Jones J-1855 Ball Valve, T-Head
 1" Curb Stop
 1" x 1" Ford B13-644H, or
 1" x 1" Jones J-1800H
 1" x 3/4" Curb Stop
 1" x 3/4" Ford B13-542W
 1 1/2" Curb Stop
 Ford SP15-888, or
 Jones J-1317, Tee Head
 2" Curb Stop
 Ford B13-777

II. Contractor to furnish water test with cover (must meet IMA Standards).

III. Contractor to confirm location of all existing utilities before commencing excavation.

IMA PRESSURE AND LEAKAGE TEST SPECIFICATIONS

The Contractor shall provide the necessary material, equipment and labor necessary to perform a pressure test and a leakage test on all water lines. All testing for defects and for leakage under pressure and disinfection, shall be performed in the presence of IMA unless otherwise instructed by the Owner, and shall be subject to his approval before acceptance.

Flushing
 Prior to any testing the line must be thoroughly flushed at a rate of flow sufficient to produce a minimum velocity of 2.5 feet per second. The water shall be completely clear and shall contain no visible matter after flushing is complete.

- Pressure Test**
- After the pipe has been laid and flushed, it shall be subjected to a hydrostatic pressure test of 150 PSI. The pressure test shall be made before the joints have been backfilled unless the backfill has been authorized by the engineer. All valves, hydrants, fittings, caps, etc. are to be completely installed prior to any testing.
 - Tests shall be made only after a minimum of 30 hours have elapsed after the last concrete thrust or reaction backing has been cast with high early strength concrete or at least 7 days after the last concrete thrust or reaction backing has been cast, using standard concrete.
 - The duration of the test shall be one hour unless otherwise directed by IMA.

Leakage Tests
 Leakage tests shall be conducted after completion of the pressure test and shall consist of an examination of all exposed joints for leakage as well as overall leakage test of the completed pipeline.
 The pressure to be maintained during the tests shall be 150 psi.

No test shall be made until at least 36 hours after the last concrete reaction or thrust block has been cast with high, early strength cement, or at least seven days after the last concrete thrust or reaction backing has been cast with standard cement. The duration on each leakage test shall be two hours.

Each section of pipeline shall be slowly filled with water and the specified test pressure shall be applied by means of a pump connected to the pipe in a manner satisfactory to IMA. The pump, pipe connection, and all necessary apparatus shall be furnished by the Contractor.

Before starting the leakage tests, all air shall be expelled from the pipe. All exposed pipes, fittings, valves, hydrants and joints shall be examined for leakage during the tests. Any joints found where the accumulated leakage of that joint exceeds the rate of leakage specified in Table A will be rejected by IMA.

No pipe installation shall be accepted until leakage for the section of line tested is less than the rate of leakage specified in Table A. In calculating leakage, the IMA will make allowance for added joints in the pipeline above those incidental to normal 20 foot lengths of pipe and for which Table A applies. Should any test in the section of pipeline disclose joint leakage greater than that permitted, the Contractor shall at his own expense, locate and repair the defective joints until the leakage is within permitted allowance.

TABLE A
LEAKAGE ALLOWANCE
Test Pressure 150 psi

Pipe Dia. (in)	Allowable leakage per 100 joints or couplings in gallons per hour
2	.20
4	.40
6	.60
8	1.00
10	1.40
12	1.90
16	2.65
20	3.31

Sterilization of Mains

Upon completion of the work, or any suitable portion thereof, and prior to placing the system or part thereof in operation, all water, valves, etc. shall be thoroughly flushed and sterilized, using a chlorine-gas mixture or a hypochlorite and water mixture applied in amounts sufficient to produce a dosage of 50 PPM.
 The point of application of the sterilizing mixture shall be directed by IMA. Water from the existing system shall be controlled to flow slowly into the newly laid pipeline during the application of the chlorine. Treated water shall remain in the pipeline for not less than 24 hours. After the treated water has been retained for the required time, the chlorine residual at the pipe extremities should be at least 25 PPM.

Following sterilization, the treated water should be flushed from the pipe at six extremities.

If necessary, repeat sterilization until the quality of water to be delivered through system is satisfactory to IMA and the State Board of Health. The (2) successive tests must be run to conform to time table of the Local Health Department lab testing schedule.

When samples are to be collected, IMA must be present.

TABLE 1

Minimum thrust block sizes in square feet of concrete contact with undisturbed soil.	24"	30"	45"	24"	11 1/2"
2	1.0	2.0	1.0	1.0	1.0
4	3.0	4.0	2.0	1.0	1.0
6	4.0	5.5	3.0	1.5	1.0
8	7.0	10.0	5.5	3.0	1.5
10	10.0	14.0	7.0	3.0	2.5
12	15.0	20.0	10.0	7.0	4.0
14	21.0	28.0	15.0	8.8	4.5
16	28.0	37.0	20.0	10.0	5.0
18	35.0	47.0	25.4	12.0	6.0
20	43.0	58	31.2	16.0	8.0

JUL 30 2002
 APPROVED
 Master Contract
 The Plan - SBR MDP Page 22A
 Subject to conditions in Schedule 13
 Case # ADD 2001-00098

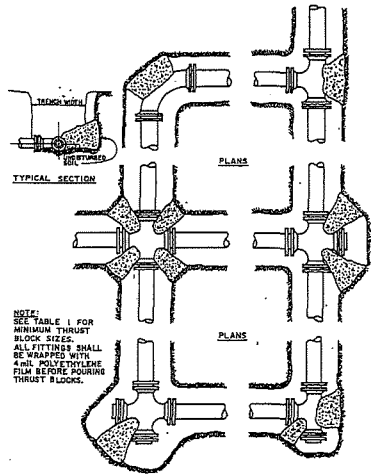
NOTES ABOVE ARE REQUIRED BY
 ISLAND WATER ASSOCIATION.

**SOUTH SEAS PLANTATION
 MASTER PLAN**
 SEC. 15, 22, & 28, T. 45 S., R. 21 E.
 CAPTIVA ISLAND, FLORIDA

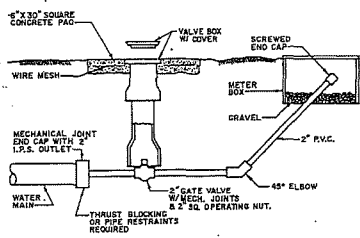
JOHNSON ENGINEERING, INC.
 CIVIL ENGINEERS - LAND SURVEYORS
 4001 OFFICE BLDG. W. W. RYAN, PALM BEACH, FLORIDA 33408

DATE	PROJECT NO.	FIELD	SCALE
APRIL 1988	13888	16-48-81	SHOWN

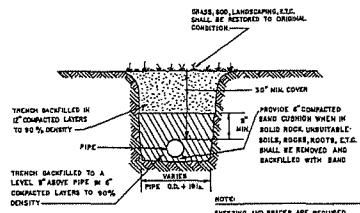
REVISED: MAY 01, 1988



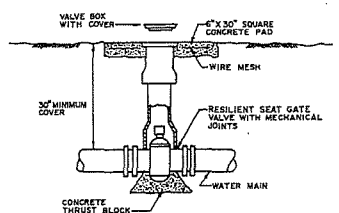
DETAIL 1
TYPICAL THRUST BLOCKS



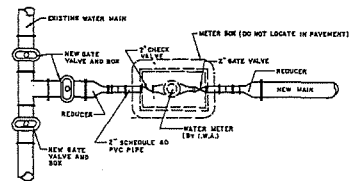
DETAIL 2
TYPICAL BLOW-OFF FOR 6" AND 8" MAINS



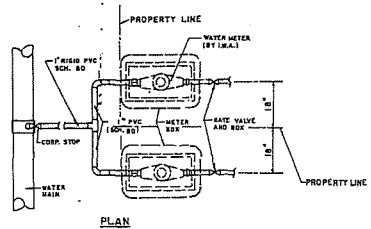
DETAIL 3
TYPICAL TRENCH DETAIL



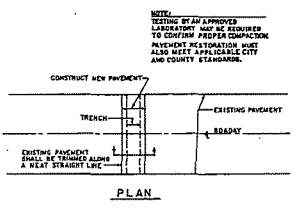
DETAIL 4
TYPICAL VALVE INSTALLATION



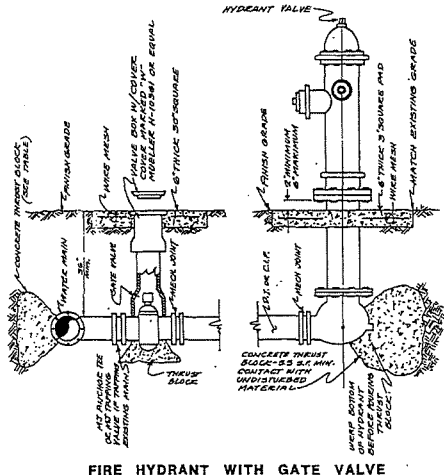
DETAIL 5
TEMPORARY CONNECTION OF 6" AND 8" MAINS



DETAIL 6
WATER SERVICE CONNECTION



DETAIL 7
TYPICAL PAVEMENT RESTORATION



FIRE HYDRANT WITH GATE VALVE

DESIGNED BY TP	CHECKED BY JWE	SOUTH SEAS PLANTATION MASTER PLAN SEC. 15, 22, 26, T. 45 S., R. 21 E. CAPTIVA ISLAND, FLORIDA
APPROVED BY <i>[Signature]</i>		
REGISTERED PROFESSIONAL ENGINEER FLORIDA CERTIFICATE # 120325		
JOHNSON ENGINEERING, INC. CIVIL ENGINEERS - LAND SURVEYORS PORT OFFICE 8041 1650. FORT MYERS, FLORIDA 33903		
DATE APRIL 1985	PROJECT NO. 15985	SCALE 15'-0"=1'
SHEET NO. 18		TOTAL SHEETS 21

REVISED: MAY 20, 1985

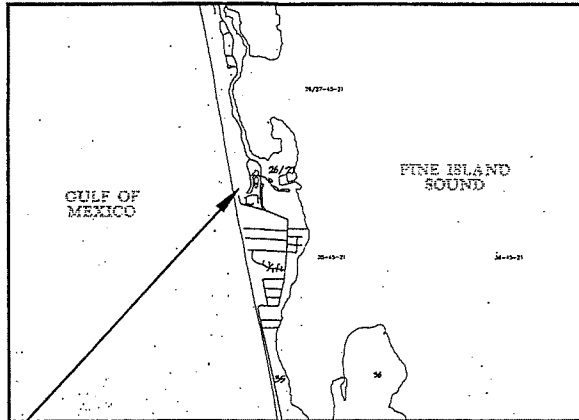
CONSTRUCTION PLANS
FOR

BEACH VILLAS I, II, & III

SECTION 26 & 27, TOWNSHIP 45 S., RANGE 21 E.
LEE COUNTY, FLORIDA

INDEX OF PLANS

SHEET NO.	DESCRIPTION
1	COVER SHEET
2	SITE PLAN BEACH VILLAS I
3	SITE PLAN BEACH VILLAS II
4	SITE PLAN BEACH VILLAS III
	AERIAL



PROJECT LOCATION

LOCATION MAP

0 750 1500 3000
SCALE IN FEET



PREPARED BY

JOHNSON ENGINEERING, INC.

CIVIL ENGINEERS AND LAND SURVEYORS

2158 JOHNSON STREET
POST OFFICE BOX 1550
FORT MYERS, FLORIDA 33902
PHONE (813) 334-0046
FAX (813) 334-3661

J.E.I. PROJECT NO. 19593

APRIL 1994

Division of Environmental Services
Licensing and Enforcement Section
APPROVED
By: *[Signature]*
Date: *[Date]*
Project: *[Project Name]*
Title: *[Title]*
Approved based on the information provided by applicant.

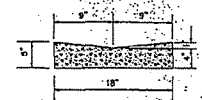
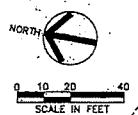
Division of Environmental Services
Licensing and Enforcement Section
APPROVED
By: *[Signature]*
Date: *[Date]*
Project: *[Project Name]*
Title: *[Title]*
Approved based on the information provided by applicant.

JUL 30 2002
APPROVED
Master Control Plan
Date Plan: *[Date]*
Subject to conditions in Resolution *[Resolution No.]*
Case: *[Case No.]*

REGISTERED PROFESSIONAL ENGINEER
FLORIDA CERTIFICATE NO. 18268
[Signature]
JOSEPH W. EBNER DATE



04-25-1994, 06:43 PM, 1894000406



CONCRETE GUTTER
TYPICAL SECTION
NTS

JUL 30 2002
APPROVED
Master Control Plan

Site Plan - **SHRIMP** Page 12 of 14
Subject to conditions in Attachment **E-78-102**
Case: **ADD 2002-00016**

PAVEMENT ALTERNATES

- ALT. I - 1" TYPE III AC OVER 8" SHELL BASE (98% AASHTO T-180) ON 12" STABILIZED SUBGRADE (MIN. LBS. 40)
- ALT. II - 1" TYPE III AC OVER 12" SHELL BASE (98% AASHTO T-180) ON COMPACTED SUBGRADE
- ALT. III - 1" TYPE III AC OVER 5" (TWO LIFTS) ABC-3 ON COMPACTED SUBGRADE

NOTES

1. CONTRACTOR TO CONTACT UTILITY COMPANIES FOR LOCATION OF BURIED UTILITIES PRIOR TO COMMENCING CONSTRUCTION.
2. CONTRACTOR TO RELOCATE EXISTING BUILDING SEWER SERVICES FOUND TO CONFLICT WITH PROPOSED STORM DRAINAGE SYSTEM.
3. ALL CONSTRUCTION TO BE DONE IN ACCORDANCE WITH FOOT STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION DATED 1991.
4. EXISTING SHELL BASE MATERIAL MAY BE USED TO PROVIDE STABILIZED SUBGRADE. IT SHALL NOT BE REUSED AS SHELL BASE MATERIAL.
5. PAVER BLOCK AND NEW WALKS TO BE CONSTRUCTED BY OWNER.
6. SET SOO BELOW EDGE OF PAVEMENT TO ALLOW WATER TO DRAIN OFF PAVEMENT.
7. RESTORE EXISTING CONDITIONS IN BEACH VILLAS II AREA. NO NEW PAVEMENT OR WALKS PROPOSED UNDER THIS CONTRACT.
8. OWNER AND CONTRACTOR TO COMPLY WITH ALL EXISTING LEE COUNTY AND SPWMD PERMITS AND REGULATIONS.
9. PROPOSED PAVEMENT TO MATCH EXISTING SIDEWALK GRADES.
10. SOO OR LANDSCAPE ALL DISTURBED AREAS PER OWNER'S INSTRUCTIONS.
11. CONTRACTOR TO COMPLY WITH ALL PERMITS. PERMITS TO BE OBTAINED AND PROVIDED BY OWNER.
12. NUMBER OF PARKING SPACES IN BEACH VILLAS I = 49

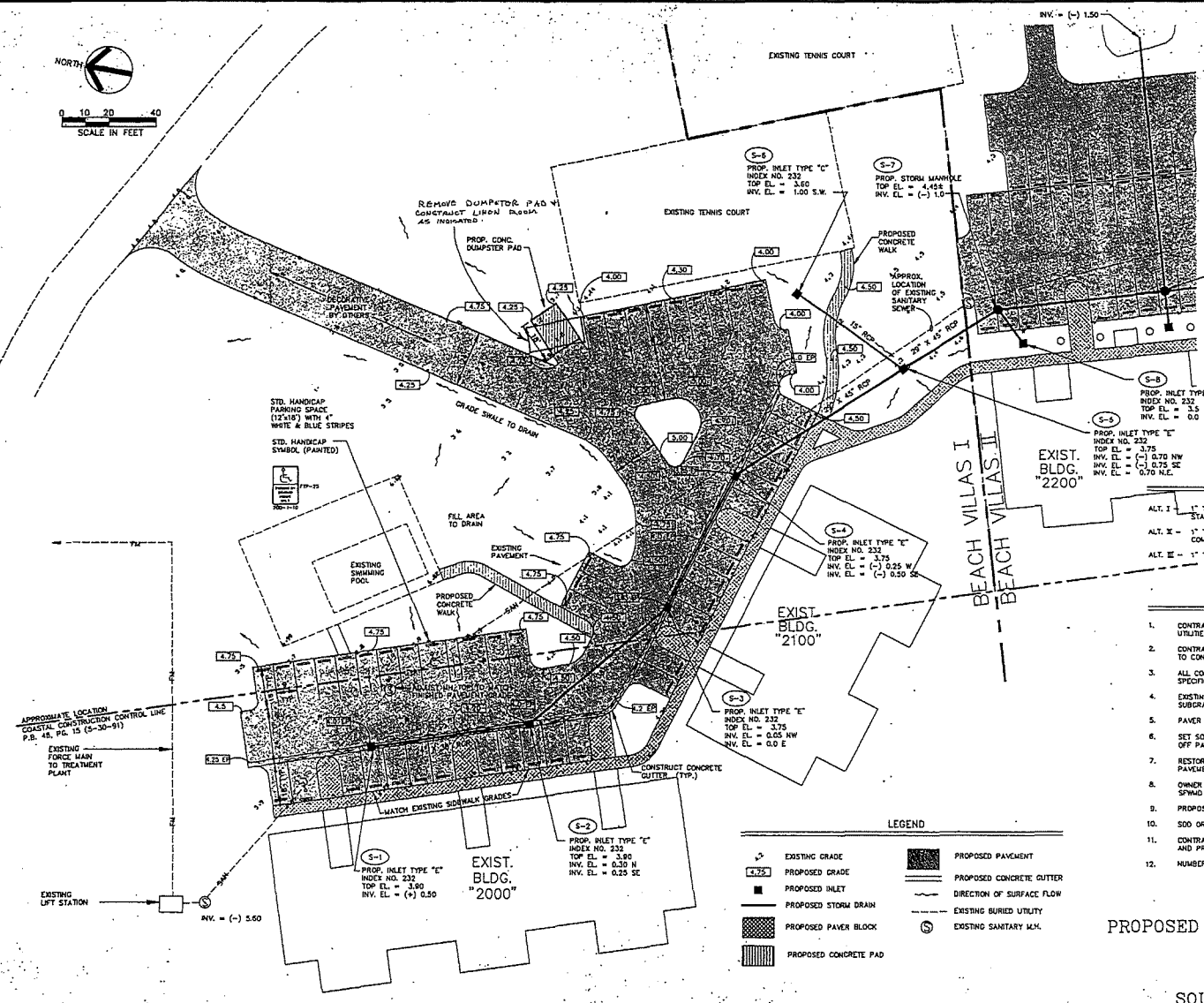
D.S.O.
Approved

PROPOSED PARKING LOT IMPROVEMENTS
FOR
BEACH VILLAS I
AT
SOUTH SEAS PLANTATION

J. L. ... 9-25-02

LEGEND

	EXISTING GRADE		PROPOSED PAVEMENT
	PROPOSED GRADE		PROPOSED CONCRETE GUTTER
	PROPOSED INLET		DIRECTION OF SURFACE FLOW
	PROPOSED STORM DRAIN		EXISTING BURIED UTILITY
	PROPOSED PAVER BLOCK		EXISTING SANITARY M.H.
	PROPOSED CONCRETE PAD		



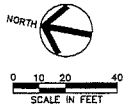
01-05-1983 16-20

REVISIONS				DESIGNED				DRAWN				CHECKED			
DATE	BY	DESCRIPTION	DATE	BY	DESCRIPTION	DATE	BY	DESCRIPTION	DATE	BY	DESCRIPTION	DATE	BY	DESCRIPTION	

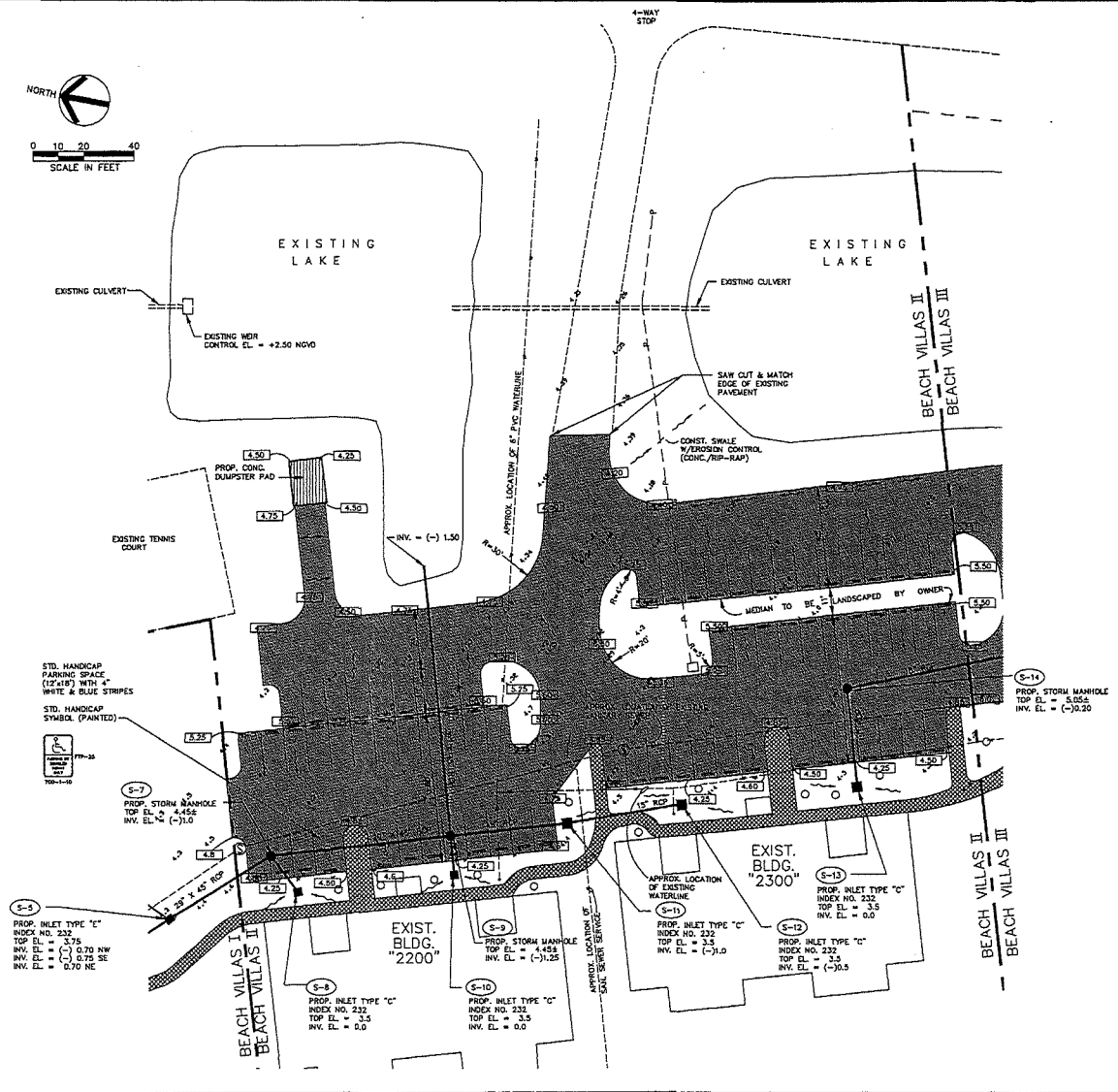
JOHNSON ENGINEERING, INC.
CIVIL ENGINEERS - LAND SURVEYORS
238 JOHNSON ENGINEERING, P.O. BOX 1500, PINE HURST, FLORIDA 33464-0504
FORT MYERS, FLORIDA 33902-1850

BEACH VILLAS I

EXISTING PARKING LAYOUT
FOR
BLDG'S 2000 & 2100



SCALE IN FEET



LEGEND

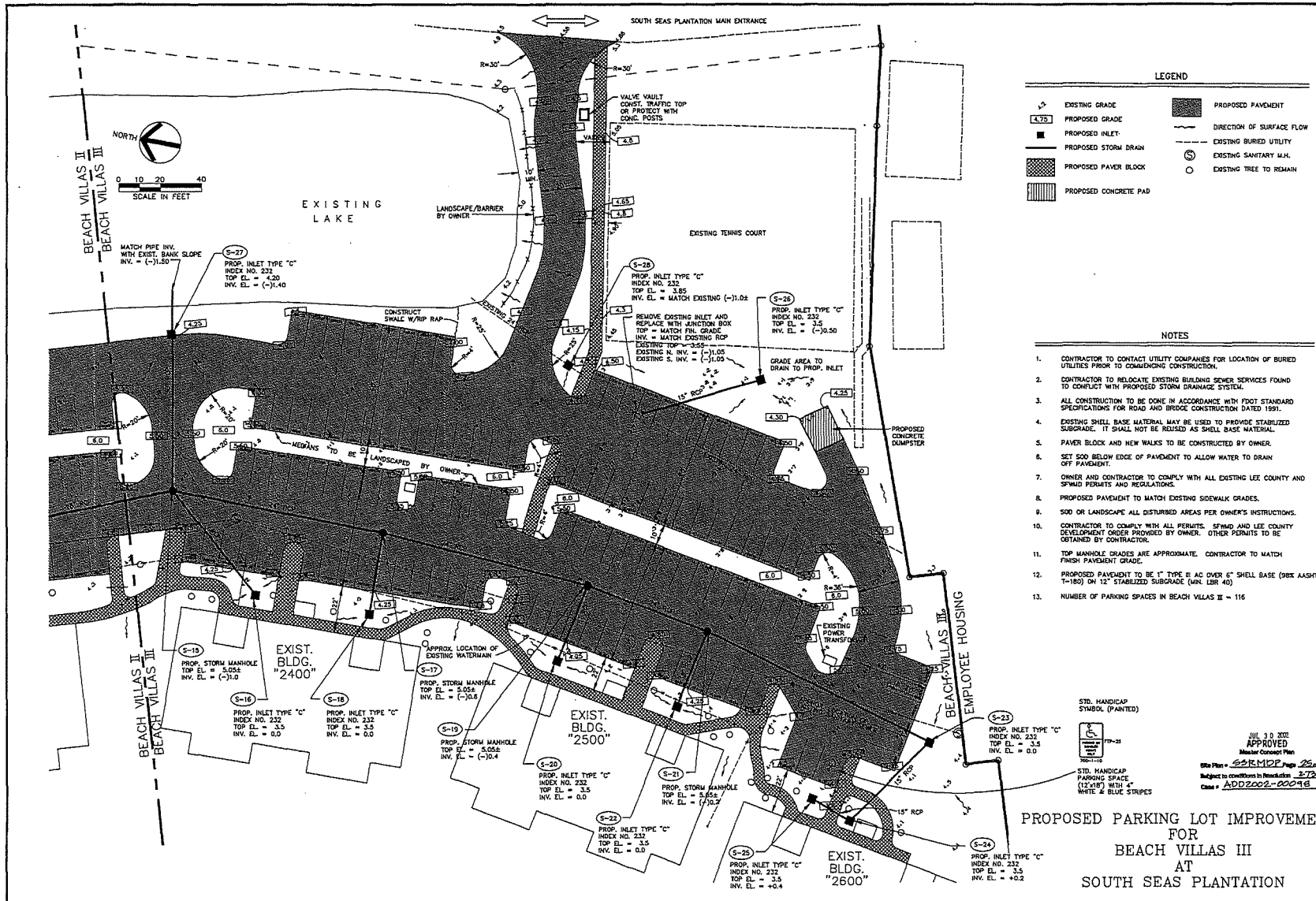
	EXISTING GRADE		PROPOSED PAVEMENT
	PROPOSED GRADE		DIRECTION OF SURFACE FLOW
	PROPOSED INLET		EXISTING BURIED UTILITY
	PROPOSED STORM DRAIN		EXISTING SANITARY M.H.
	PROPOSED PAVER BLOCK		EXISTING TREE TO REMAIN
	PROPOSED CONCRETE PAD		

- NOTES**
- CONTRACTOR TO CONTACT UTILITY COMPANIES FOR LOCATION OF BURIED UTILITIES PRIOR TO COMMENCING CONSTRUCTION.
 - CONTRACTOR TO RELOCATE EXISTING BUILDING SEWER SERVICES FOUND TO CONFLICT WITH PROPOSED STORM DRAINAGE SYSTEM.
 - ALL CONSTRUCTION TO BE DONE IN ACCORDANCE WITH FOOT STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION DATED 1991.
 - EXISTING SHELL BASE MATERIAL MAY BE USED TO PROVIDE STABILIZED SUBGRADE. IT SHALL NOT BE REUSED AS SHELL BASE MATERIAL.
 - PAVER BLOCK AND NEW WALKS TO BE CONSTRUCTED BY OWNER.
 - SET SDO BELOW EDGE OF PAVEMENT TO ALLOW WATER TO DRAIN OFF PAVEMENT.
 - OWNER AND CONTRACTOR TO COMPLY WITH ALL EXISTING LEE COUNTY AND SFWD PERMITS AND REGULATIONS.
 - PROPOSED PAVEMENT TO MATCH EXISTING SIDEWALK GRADES.
 - SDO OR LANDSCAPE ALL DISTURBED AREAS PER OWNER'S INSTRUCTIONS.
 - CONTRACTOR TO COMPLY WITH ALL PERMITS, SFWD AND LEE COUNTY DEVELOPMENT ORDER TO BE PROVIDED BY OWNER. OTHER PERMITS TO BE OBTAINED BY CONTRACTOR.
 - PROPOSED PAVEMENT TO BE 1" TYPE III AC OVER 8" SHELL BASE (SEE AASHTO T-180) ON 12" STABILIZED SUBGRADE (MIN. LER 40)
 - NUMBER OF PARKING SPACES IN BEACH VILLAS II = 72

JUL 10 2004
 APPROVED
 Master Concept Plan
 Site Plan - 568MDF Page 24 of 24
 Subject to conditions in Amendment # 75-222
 Case # ADD 2002-00019

PROPOSED PARKING LOT IMPROVEMENTS
 FOR
 BEACH VILLAS II
 AT
 SOUTH SEAS PLANTATION

REVISIONS						NAME	DATE	JOHNSON ENGINEERING, INC. CIVIL ENGINEERS - LAND SURVEYORS 2156 JOHNSON STREET, P.O. BOX 1550, PALM BEACH, FLORIDA 33411-0548 FORT MYERS, FLORIDA 33901-1508	BEACH VILLAS II	EXISTING PARKING LAYOUT FOR BLDGS. "2200" & "2300"		
DATE	BY	DESCRIPTION	DATE	BY	DESCRIPTION	DATE	BY				DESCRIPTION	
						DESIGNED	JYE				3-20-94	
						DRAWN	DDT				3-28-94	
						CHECKED	JYE	4-28-94				



REVISIONS					
DATE	BY	DESCRIPTION	DATE	BY	DESCRIPTION

JOHNSON ENGINEERING, INC.
 CIVIL ENGINEERS - LAND SURVEYORS
 2704 JOHNSON STREET, P.O. BOX 1456, FORT MYERS, FLORIDA 33902-1456

DESIGNED: JWE 3-20-84
 DRAWN: DOT 3-22-94
 CHECKED: JWE 4-25-84

BEACH VILLAS III
 EXISTING PARKING LAYOUT FOR BLDGS. 2400, 2500 & 2600

JUL 30 2002
APPROVED
 Master Control Plan
 Site Plan - 628MCP Page 25 of 25
 Subject to conditions in Resolution 272-202
 Case # ADD2002-00016

STD. HANDICAP SYMBOL (PAINTED)
 STD. HANDICAP PARKING SPACE (12'x18') WITH 4" WHITE & BLUE STRIPES

REVISIONS

SCREEN ROOM / STORAGE CLOSET - PELICAN PETE'S BAR

9-13-95 - 95-09-112.00T

MEMORANDUM
FROM
THE DEPARTMENT OF
COMMUNITY DEVELOPMENT
DIVISION OF DEVELOPMENT REVIEW

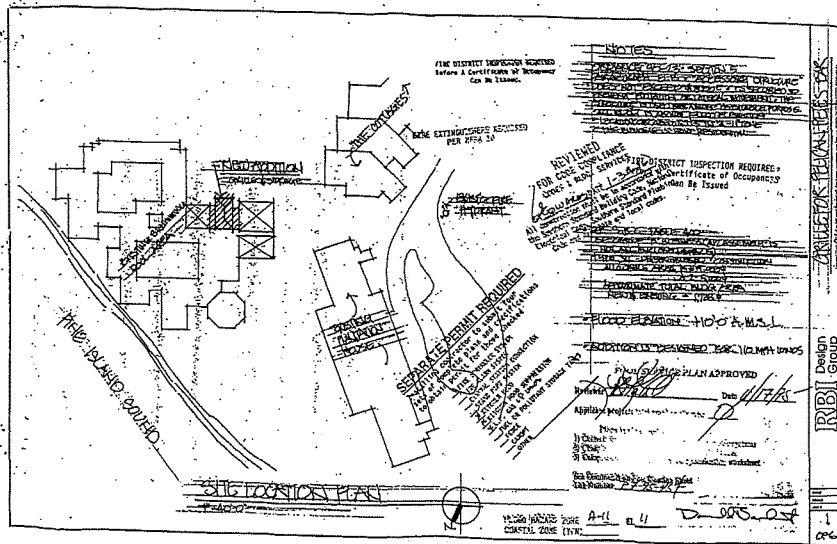
DATE: 09-13-95
TO: Bldg. Dept.
FROM: Susan Hollingworth

RE: Transmittal No. 95-09-112.00T
STRAP Number: 22-45-21-00-0005.002B
Subject: Screen Room & storage closet

Location: Pelican Pete's Bar & Main swimming area
South Seas Plantation - Captiva

Background/Comments: Development Services approves the screen room and storage area as highlighted on the plan stamped and dated 4/13/95 by this office. Both additions are to go over existing impervious areas. Please note that these additions have not been reviewed for fire or flood issues. If you have any questions, please do not hesitate to contact me.

DDR-0070 REV. 01
REVISED 10/13/93



JUL 10 2002
APPROVED
Master Concept Plan
Site Plan - SEE MDP - Page 26 of 27
Subject to corrections in Presentation - E.T.R. 2002
Case # AD2002-00049

REVISIONS

Captiva Island
Lee County, Florida

JOHNSON
ENGINEERING

3501 DEL PRADO BLVD.
SUITE 110
CAPE CORAL, FLORIDA 33904
PHONE (941) 334-0048
FAX (941) 341-1383
E.B. #642 & L.B. #642

2001 Master Concept Plan
South Seas Resort

DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
June 2001	20012664	22-45-21	As Shown	

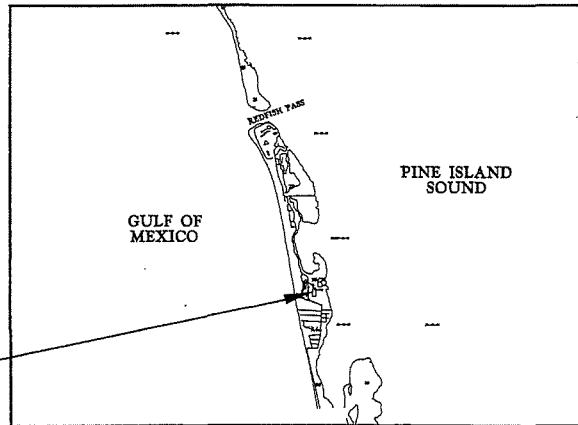
CONSTRUCTION PLANS FOR

TENNIS VILLAS AT SOUTH SEAS PLANTATION PROPOSED PARKING LOT RECONSTRUCTION

SECTION 26, TOWNSHIP 45 S., RANGE 21 E.
LEE COUNTY, FLORIDA

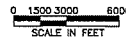
INDEX OF PLANS

SHEET NO.	DESCRIPTION
1	COVER SHEET
2	SITE PLAN
3	DETAILS



PROJECT LOCATION

LOCATION MAP



PREPARED BY

JOHNSON ENGINEERING, INC.

CIVIL ENGINEERS AND LAND SURVEYORS
 2158 JOHNSON STREET
 POST OFFICE BOX 1550
 FORT MYERS, FLORIDA 33902
 PHONE (813) 334-0246
 FAX (813) 334-3661

J.E.I. PROJECT NO. 21057

MARCH 1996

Division of Development Services
 Limited Review Development Staff
 APPROVED
 BY: *[Signature]* Date: 5/14/96
 For: *[Signature]* Lot
 & Proposed Site Map
 SO F. *[Signature]*
 Meeting With: *[Signature]*
 *Approval based on data information
 reported by applicant.

REGISTERED PROFESSIONAL ENGINEER
 FLORIDA CERTIFICATE NO. 19359

[Signature]
 JOSEPH W. EDNER

[Signature]
 DATE

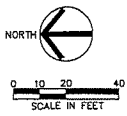


JUL 30 2002

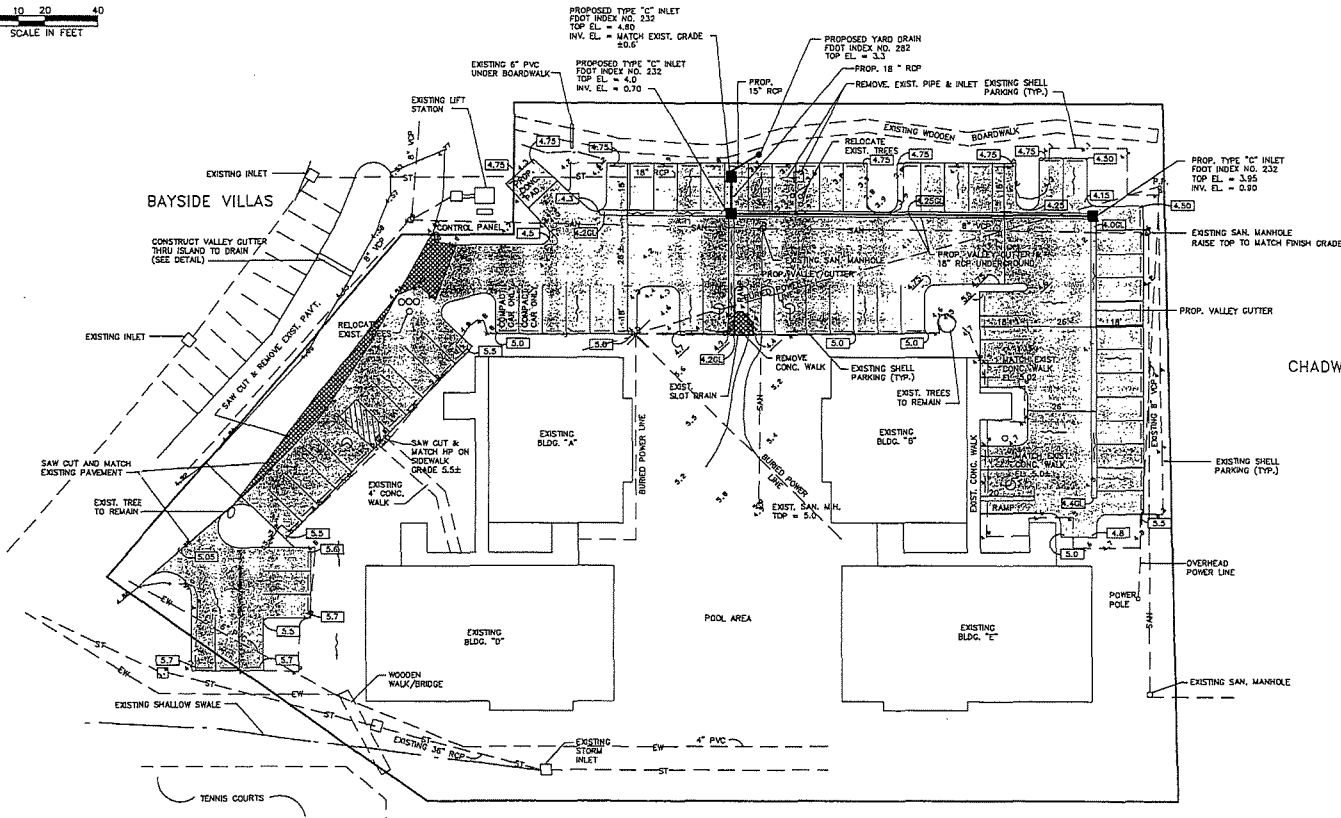
APPROVED

Master Concept Plan

Site Plan - SSRMDP Page 27 of 222
 Subject to conditions in the Resolution - 5-12-2002
 Case # ADD2002-00078



SCALE IN FEET



TOTAL SITE AREA = 1.99 ACRES

LEGEND

	EXISTING GRADE		PROPOSED PAVEMENT (0.48 AC.)
	MATCH EXISTING GRADE		REMOVE EXISTING PAVEMENT
	PROPOSED GRADE		DIRECTION OF SURFACE FLOW
	EXISTING INLET		EXISTING BURIED PIPE
	PROPOSED INLET		PROPOSED STORM DRAIN
	EXISTING SANITARY M.H.		

JUL 30 2002
APPROVED
 Master Concept Plan
 Site Plan # 2002MCP Page 28 of 30
 Subject to Conditions in Resolution # 279-2002
 Ord # ADD 2002-00049

REVISED 3-19-98: WALK AND PARKING SPACES BETWEEN BLDGS. A & B

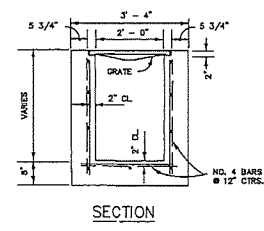
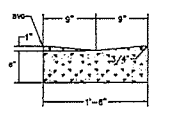
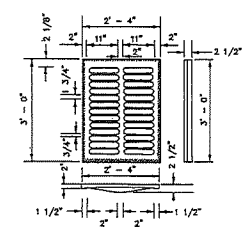
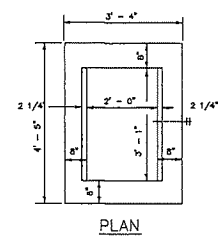
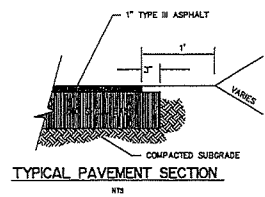
REVISIONS									
DATE	BY	DESCRIPTION	DATE	BY	DESCRIPTION	DATE	BY	DESCRIPTION	DATE

JOHNSON ENGINEERING, INC.
 ENGINEERS, SURVEYORS AND BOUNDARIES
 2108 JOHNSON STREET, P.O. BOX 1550, FORT MYERS, FLORIDA 33902-1550
 PHONE (813) 334-0044 FAX (813) 334-2681

TENNIS VILLAS AT SOUTH SEAS PLANTATION

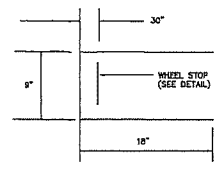
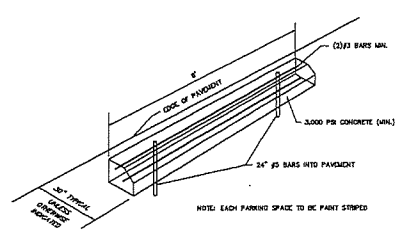
John J. 4/1/02
 SITE PLAN

03-21-1998 0712



NOTES

1. ALL CONSTRUCTION TO BE IN ACCORDANCE WITH FDOT STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION DATED 1991.
2. CONTRACTOR TO CONTACT ALL UTILITY COMPANIES FOR LOCATION OF BURIED UTILITIES PRIOR TO CONSTRUCTION.



JUL 30 2002
APPROVED
Master Contract Plan
Site Plan - 66RMDP Page 28 of 28
Subject to conditions in Resolution 273-201
Case # 2002-00016

John S. 7/1/02

02-07-1986 DRL/S

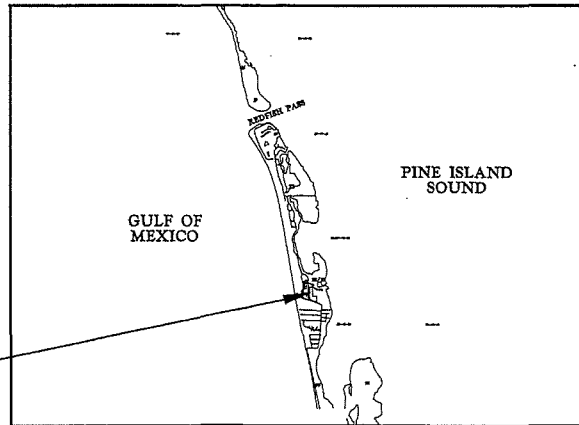
REVISIONS												NAME		DATE		JOHNSON ENGINEERING, INC. ENGINEERS, SURVEYORS AND ECODIAGNOSTS 2106 JOHNSON STREET, P.O. BOX 1050, FORT WALKER, FLORIDA 33093-1050 PHONE (941) 334-0244 FAX (941) 334-1841	TENNIS VILLAS AT SOUTH SEAS PLANTATION	DETAILS	
DATE	BY	DESCRIPTION	DATE	BY	DESCRIPTION	DATE	BY	DESCRIPTION	DESIGNED	DATE									
									DRAWN	DOT	12-17-92								
									CHECKED	JWE									

CONSTRUCTION PLANS FOR SOUTH SEAS PLANTATION TENNIS COURT AND PARKING LOT IMPROVEMENTS

SECTION 26, TOWNSHIP 45 S., RANGE 21 E.
LEE COUNTY, FLORIDA

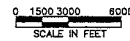
INDEX OF PLANS

SHEET NO.	DESCRIPTION
1	COVER SHEET
2	SITE PLAN
3 - 4	GRADING AND DRAINAGE PLAN
5 - 6	PAVEMENT REMOVAL AND OVERLAY PLAN
7	DETAILS
8	EXISTING TOPOGRAPHY



PROJECT LOCATION

LOCATION MAP



PREPARED BY

JOHNSON ENGINEERING, INC.

CIVIL ENGINEERS AND LAND SURVEYORS

2158 JOHNSON STREET
POST OFFICE BOX 1550
FORT MYERS, FLORIDA 33902
PHONE (813) 334-0046
FAX (813) 334-3661

J.E.I. PROJECT NO. 21057

JUNE 1996



Handwritten notes:
APPROVED FOR CONSTRUCTION BY
JOSEPH W. EBNER
DATE 7-2-96
PROJECT NO. 21057
SHEET NO. 1 OF 8

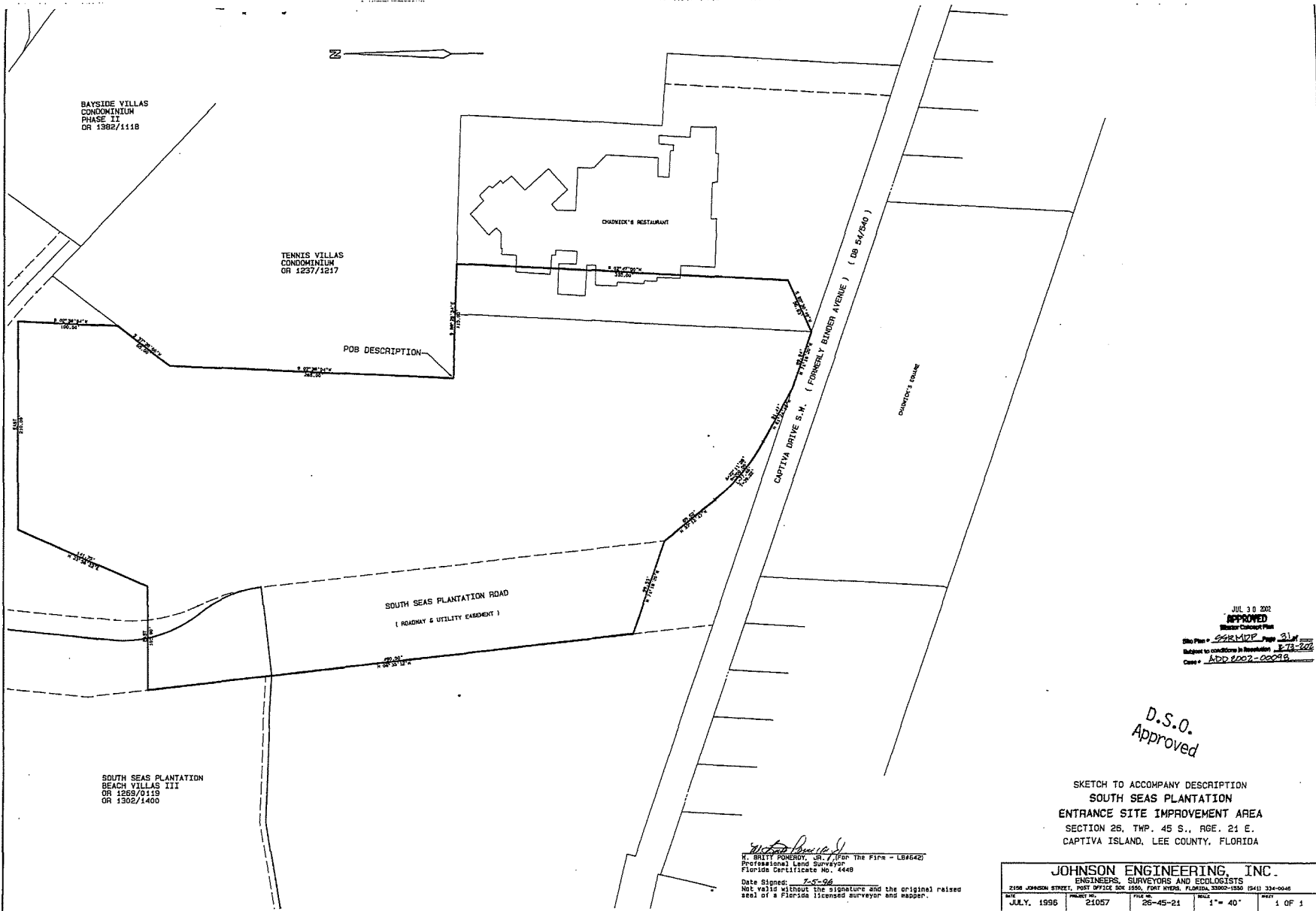
REGISTERED PROFESSIONAL ENGINEER
FLORIDA CERTIFICATE NO. 19359

JOSEPH W. EBNER DATE 7-2-96



JUL 3 0 2002
APPROVED
Minimum Consent Plan

Site Plan - SRMDF Page 20 of 20
Subject to conditions in Resolution 278-96
Case # ADD 2002-00008



JUL 30 2002
APPROVED
 Master Concept Plan
 Site Plan # 2002MCP Page 31
 Subject to conditions in Resolution # 78-2002
 Case # ABD 1202-00018

D.S.O.
 Approved

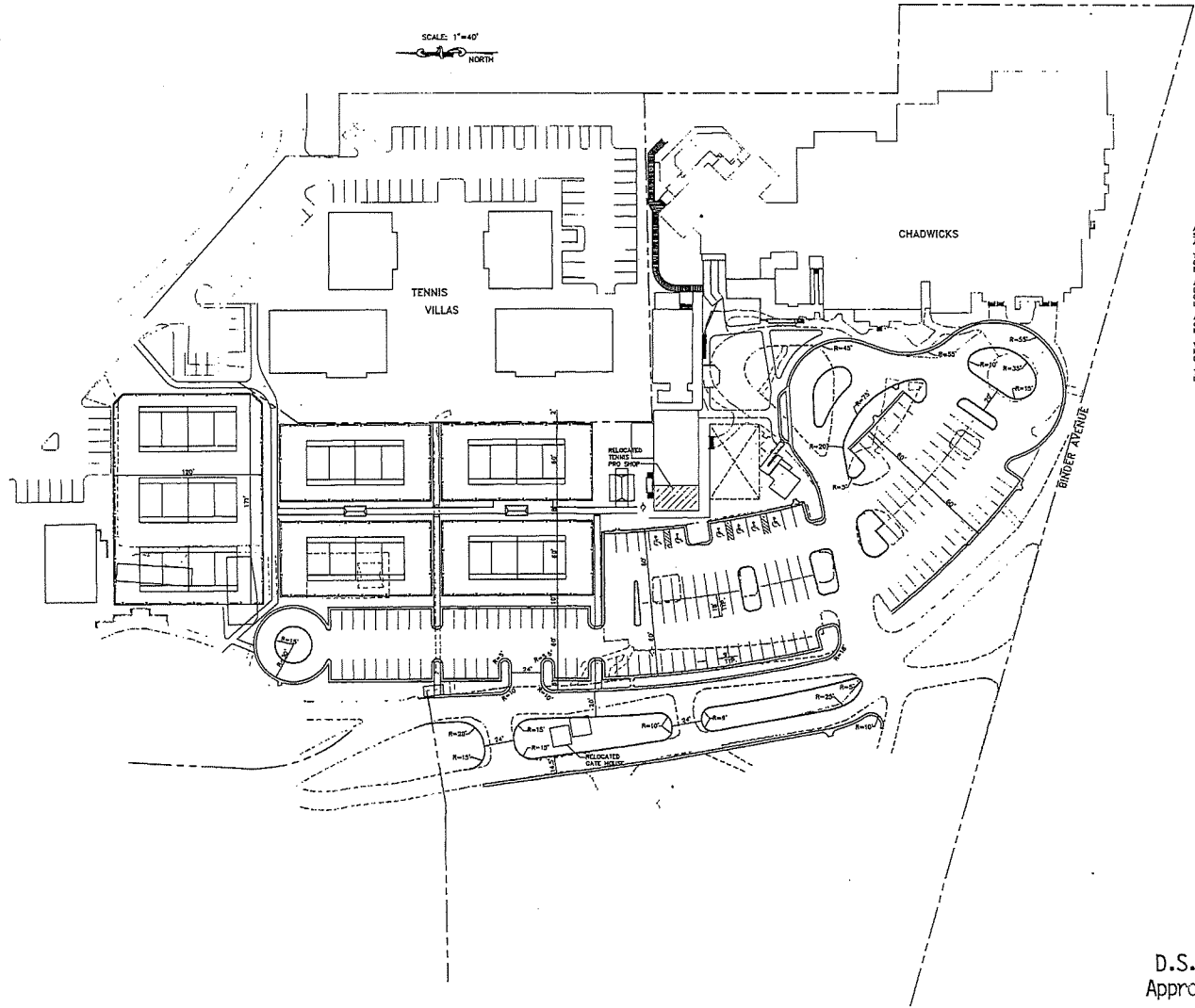
SKETCH TO ACCOMPANY DESCRIPTION
 SOUTH SEAS PLANTATION
 ENTRANCE SITE IMPROVEMENT AREA
 SECTION 26, TWP. 45 S., RGE. 21 E.
 CAPTIVA ISLAND, LEE COUNTY, FLORIDA

Walter D. Pomeroy, Jr.
 W. BRITTY POMEROY, JR. For the Firm - LB#642
 Professional Land Surveyor
 Florida Certificate No. 4449
 Date Signed: 7-5-02
 Not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper.

JOHNSON ENGINEERING, INC.				
ENGINEERS, SURVEYORS AND ECOLOGISTS				
2150 JOHNSON STREET, POST OFFICE BOX 1550, FORT MYERS, FLORIDA 33902-1550 (813) 334-0046				
DATE	PROJECT NO.	TWP. NO.	SCALE	SHEET
JULY, 1996	21057	26-45-21	1" = 40'	1 OF 1

** SHEET NO. FOR ENTRANCE IMPROV. ** - 25 (0.5122) (P) 12188 177 05-JUL-96 10:37 AM / 12190-1

SCALE: 1"=40'
NORTH



GENERAL NOTES

ALL CONTRIBUTIONS TO BE IN ACCORDANCE WITH FOOT STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION, DATED 1981, AND FOOT ROADSIDE AND TRAFFIC DESIGN STANDARDS, DATED 1984.

THE CONTRACTOR SHALL CONTACT THE OWNER AND UTILITY COMPANIES PRIOR TO COMMENCING CONSTRUCTION TO LOCATE BURIED UTILITIES.

ALL PAVEMENT MARKINGS AND SYMBOLS SHALL BE DONE WITH FOOT LATER TRAFFIC PAINT OR THERMOPLASTIC MATERIAL. AT THE OWNER'S OPTION, PAINT STRIPES FOR PARKING SPACES SHALL BE 4" WIDE LATER PAINT.

ALL DISTURBED AREAS, NOT TO BE PAVED, SHALL BE SOODED UNLESS OTHERWISE DIRECTED BY THE OWNER WHO MAY ELEGY TO LANDSCAPE IN LIEU OF SOE.

WALKS ADJACENT TO CHADWICKS AND OTHER BUILDINGS MAY BE MODIFIED TO MEET NEW PAVEMENT GRADES AND PEDESTRIAN WALK LOCATIONS.

THE CONTRACTOR SHALL COORDINATE HIS WORK WITH LANDSCAPE, LIGHTING, AND IRRIGATION CONTRACTORS AS NECESSARY.

D.S.O.
Approved

JUL 23 1998
APPROVED
Master Concept Plan
Site Plan - 60RMKP Page 32 of 32
Subject to conditions in Plan Section 2.73-202
Case - ADD 2002-0001B

John 7/25
SITE PLAN

D.S. 21057ADZDWG 03-23-1998

REVISIONS											
DATE	BY	DESCRIPTION	DATE	BY	DESCRIPTION	DATE	BY	DESCRIPTION	DATE	BY	DESCRIPTION

NAME	DATE
DESIGNED JNE	3-22-88
DRAWN D.J.C.	5/26/88
CHECKED	

JOHNSON ENGINEERING, INC.
ENGINEERS, SURVEYORS AND ECOLOGISTS
2158 JOHNSON STREET, P.O. BOX 1350, FORT MYERS, FLORIDA 33902-1350
PHONE (813) 334-6044 FAX (813) 334-6441

**SOUTH SEAS PLANTATION
TENNIS COURT AND PARKING
LOT IMPROVEMENTS**

APPROVAL SUBMITTAL SET - NOT FOR CONSTRUCTION

SCALE: 1"=20'
NORTH

PROPOSED DRAINAGE STRUCTURES

- (C-1) CONSTRUCT CONCRETE 18" DI. EXISTING INLET UNDER PROPOSED DRIVE COURT. CONSTRUCT FILL IN EXISTING STRUCTURE BOTTOM. DETAIL WITHOUT OPENING. (SEE NO. 201 (DRYSET) SCHEDULE). EXISTING TOP = EL. 4.45. PROPOSED TOP = EL. 4.25. EXISTING INV. = EL. 2.0
- (C-2) CONFIRM EXISTING MALE UNDER EXISTING BUILDING AND RELOCATE MALE AND DRAINAGE. PLUG SEC. OF 5" INLET.
- (C-3) MODIFY EXISTING TYPE C INLET. (SEE NO. 201). EXISTING TOP = EL. 4.0. PROPOSED TOP = EL. 3.35. EXISTING INV. = EL. 2.2. (DRYSET SCHEDULE)
- (C-4) CONSTRUCT MALE TOP, TYPE C, ON EXISTING INLET. (SEE NO. 201). EXISTING TOP = EL. 4.3. PROPOSED TOP = EL. 3.8. INVERT = EL. 0.80
- (C-5) CONSTRUCT INLET, TYPE C, AND RELOCATE EXISTING MALE. CONNECT TOP TO NEW MALE TO EXISTING 15" TOP WITH CONCRETE COLLAR. (SEE NO. 201, 232, 200). EXISTING TOP = EL. 3.0. INVERT = EL. 1.0
- (C-6) CONSTRUCT INLET, TYPE C ON EXISTING 15" RCP. (SEE NO. 201, 232). EXISTING TOP = EL. 4.7. INVERT = EL. 0.80 ±
- (C-7) MODIFY EXISTING MALE UNDER EXISTING BUILDING AND RELOCATE MALE AND DRAINAGE. PLUG SEC. OF 5" INLET.
- (C-8) CONSTRUCT MALE TOP, TYPE C, ON EXISTING INLET. (SEE NO. 201). EXISTING TOP = EL. 4.7. INVERT = EL. 0.80 ±
- (C-9) MODIFY EXISTING MALE UNDER EXISTING BUILDING AND RELOCATE MALE AND DRAINAGE. PLUG SEC. OF 5" INLET.

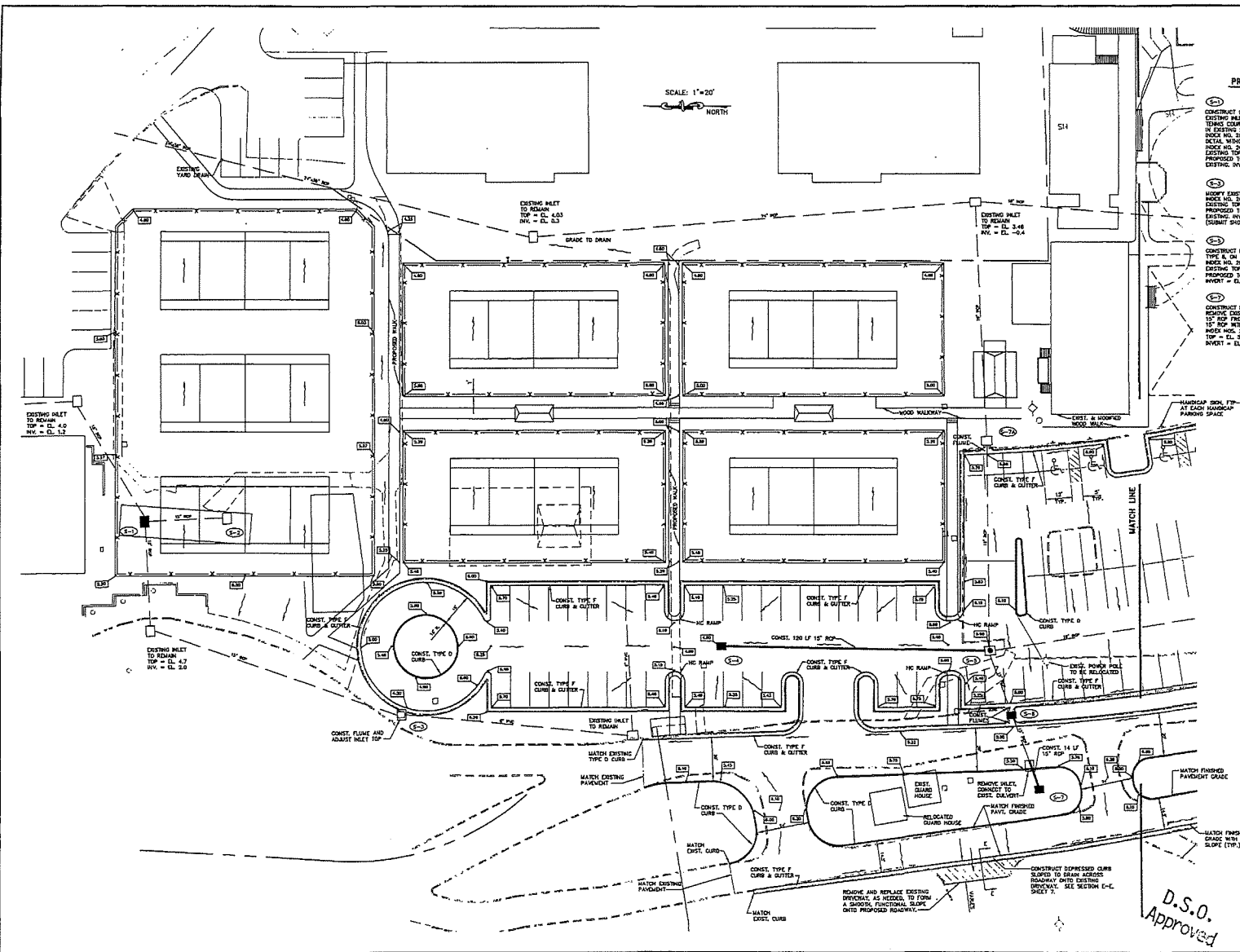
CONTRACTOR NOTE:
SEE SHEET NO. 5 FOR AREAS WHERE PAYMENT IS TO BE REMOVED OR OVERLAPPED.

LEGEND

- (---) PROPOSED GRADE
 - (---) DIRECTION OF CURVE FACE FLOW
- SEE SHEET NO. 8 FOR EXISTING ELEVATIONS

JUL 3 0 2002
APPROVED
Master Control Plan
Site Plan # SSKMDP-Page 32
Subject to conditions in Division 17-2-202
Case # ADD2002-002A8

D.S.O. Approved



D:\3-30-1998 2:02:41 PM

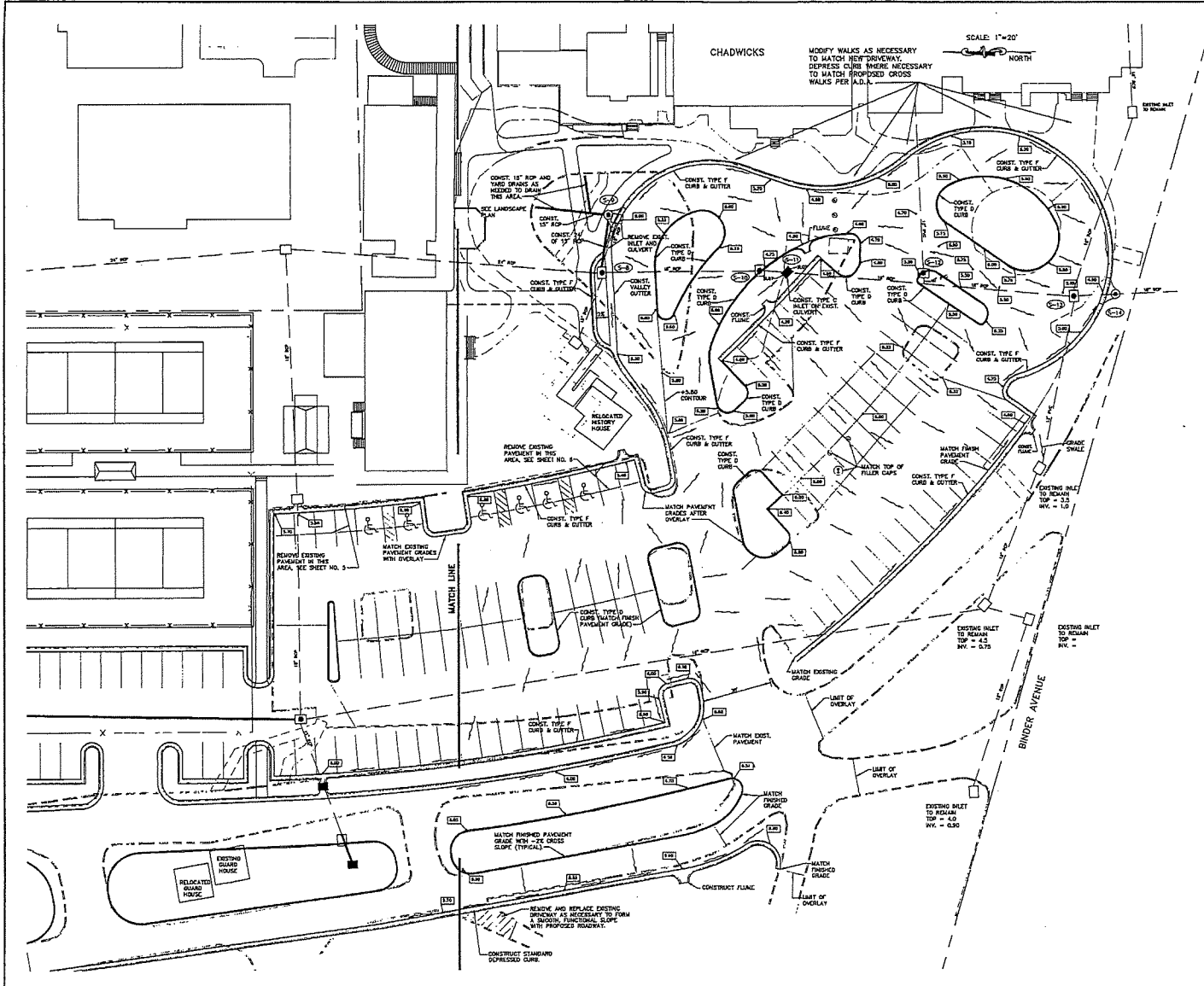
REVISIONS			
DATE	BY	DESCRIPTION	DATE

JOHNSON ENGINEERING, INC.
ENGINEERS, SURVEYORS AND ECOLOGISTS
2154 JOHNSON STREET, P.O. BOX 1500, FORT PIERCE, FLORIDA 33902-1500
PHONE (813) 334-0046 FAX (813) 334-3461

**SOUTH SEAS PLANTATION
TENNIS COURT AND PARKING
LOT IMPROVEMENTS**

**GRADING AND
DRAINAGE PLAN**

APPROVAL SUBMITTAL SET - NOT FOR CONSTRUCTION



PROPOSED DRAINAGE STRUCTURES

- (S-1) CONSTRUCT MANHOLE TOP, TYPE 7 ON EXISTING TYPE C INLET. INDEX NO. 201. EXISTING TOP = EL. 4.3. PROPOSED TOP = EL. 5.2. EXISTING INV. = EL. 0.2 ±.
- (S-2) CONSTRUCT CURB INLET, TYPE P-4 WITH SLOTS, NORTH AND SOUTH, ON EXISTING 18" TOP INDEX NO. 202. EXISTING TOP = EL. 4.06. PROPOSED TOP = EL. 4.50. EXISTING INV. = EL. 0.41 (10) SLOPE EL. = 3.00. ADJUST TOP TO MEET CURB.
- (S-3) CONSTRUCT MANHOLE TOP, TYPE 8 ON EXISTING 18" TOP INDEX NO. 203. EXISTING TOP = EL. 4.48. PROPOSED TOP = EL. 5.20. EXISTING INV. = EL. 0.5 ±.
- (S-4) CONSTRUCT CURB INLET, TYPE P-4 ON EXISTING 18" TOP INDEX NO. 204, 201, 210 TOP = EL. 4.52. ADJUST TOP TO MEET CURB.
- (S-5) CONSTRUCT MANHOLE TOP, TYPE 8 ON EXISTING TYPE C INLET. INDEX NO. 205. EXISTING TOP = EL. 4.48. PROPOSED TOP = EL. 5.20. EXISTING INV. = EL. 0.5 ±.
- (S-6) CONSTRUCT MANHOLE TOP, TYPE 7 ON EXISTING TYPE C INLET. INDEX NO. 206. EXISTING TOP = EL. 4.48. PROPOSED TOP = EL. 5.20. EXISTING INV. = EL. 0.5 ±.

CONTRACTOR NOTE:

1. COORDINATE WITH OWNER TO CONFIRM AREAS WHERE DEPRESSIONED CURB IS TO BE INSTALLED FOR WALKWAYS AND HANDICAP (ADA) REQUIREMENTS.
2. SEE SHEET NO. 5 FOR PAVEMENT AREAS TO BE OVERLAYED OR REMOVED.

D.S.O. Approved

JUL 30 2002
APPROVED
 Master Concept Plan
 Site Plan - 668612E page 34 of 34
 Subject to conditions in Resolution 2-73-2002
 Case # 2002002-0002B

05-30-1988 D.S. EUCY/ALZING

REVISIONS					
DATE	BY	DESCRIPTION	DATE	BY	DESCRIPTION

DESIGNED JWE 4-03-96
 DRAWN DJC 5/30/96
 CHECKED JWE

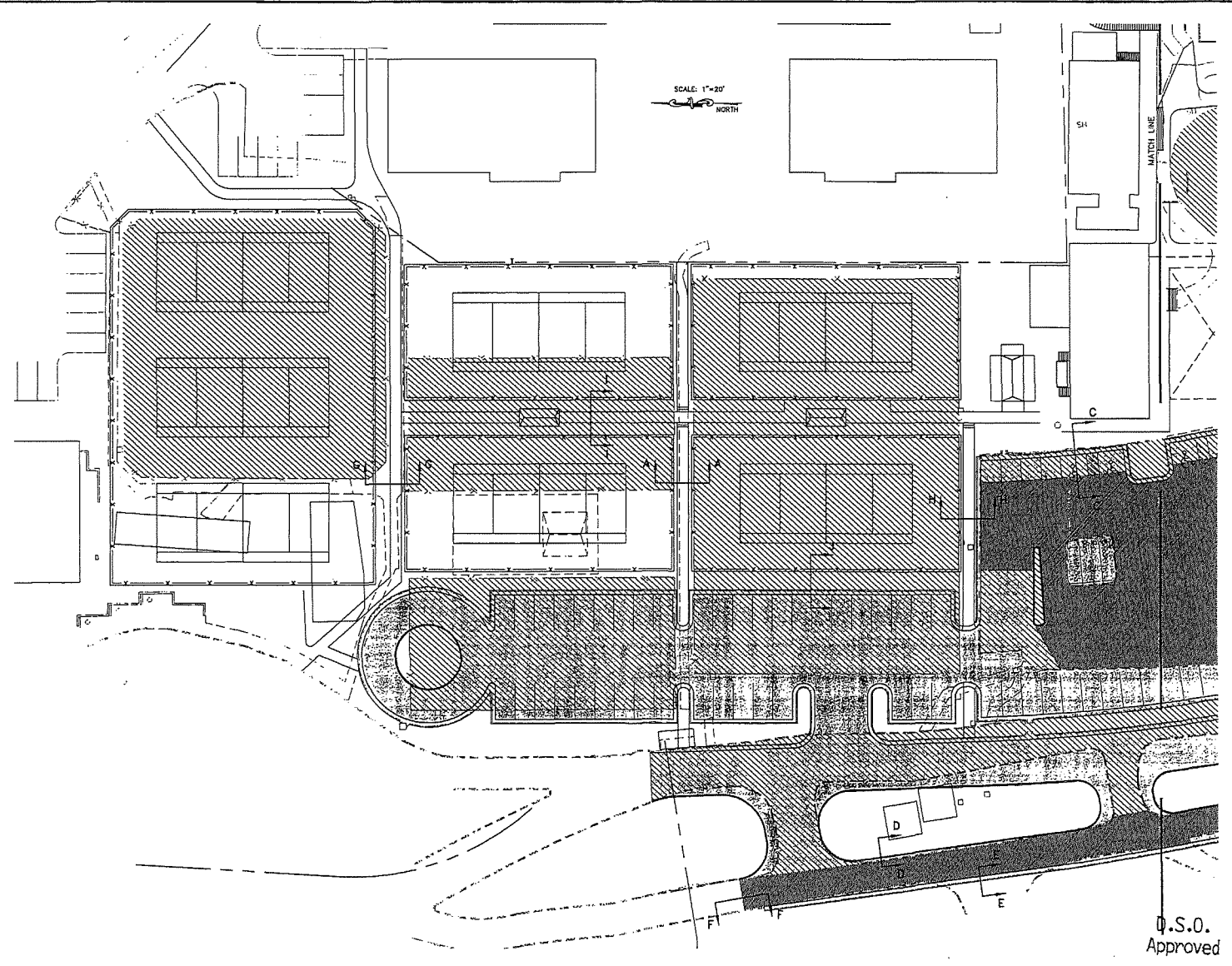
JOHNSON ENGINEERING, INC.
 ENGINEERS, SURVEYORS AND ECOLOGISTS
 2158 JOHNSON STREET, P.O. BOX 1550, TERRY TOWN, FLORIDA 32692-1550
 PHONE (941) 334-0044 FAX (941) 334-3681

**SOUTH SEAS PLANTATION
 TENNIS COURT AND PARKING
 LOT IMPROVEMENTS**

**GRADING AND
 DRAINAGE PLAN**

APPROVAL: SUBMITTAL SET - NOT FOR CONSTRUCTION

SCALE: 1"=20'
NORTH



JUL 30 2002
APPROVED
Master Concept Plan
Site Plan # SSKMWP Page 35
Subject to conditions in Division K-73-202
Case # ADD 2002-00018

- LEGEND**
- NEW PAVEMENT
 - REMOVE EXISTING PAVEMENT
 - OVERLAY EXISTING PAVEMENT
 - LEVELING COURSE ON EXISTING PAVEMENT
 - REMOVE PAVER BLOCKS

D.S.O.
Approved

[Signature] 7-25-02
PAVEMENT REMOVAL
AND OVERLAY PLAN

DJS 21037ABSLWG

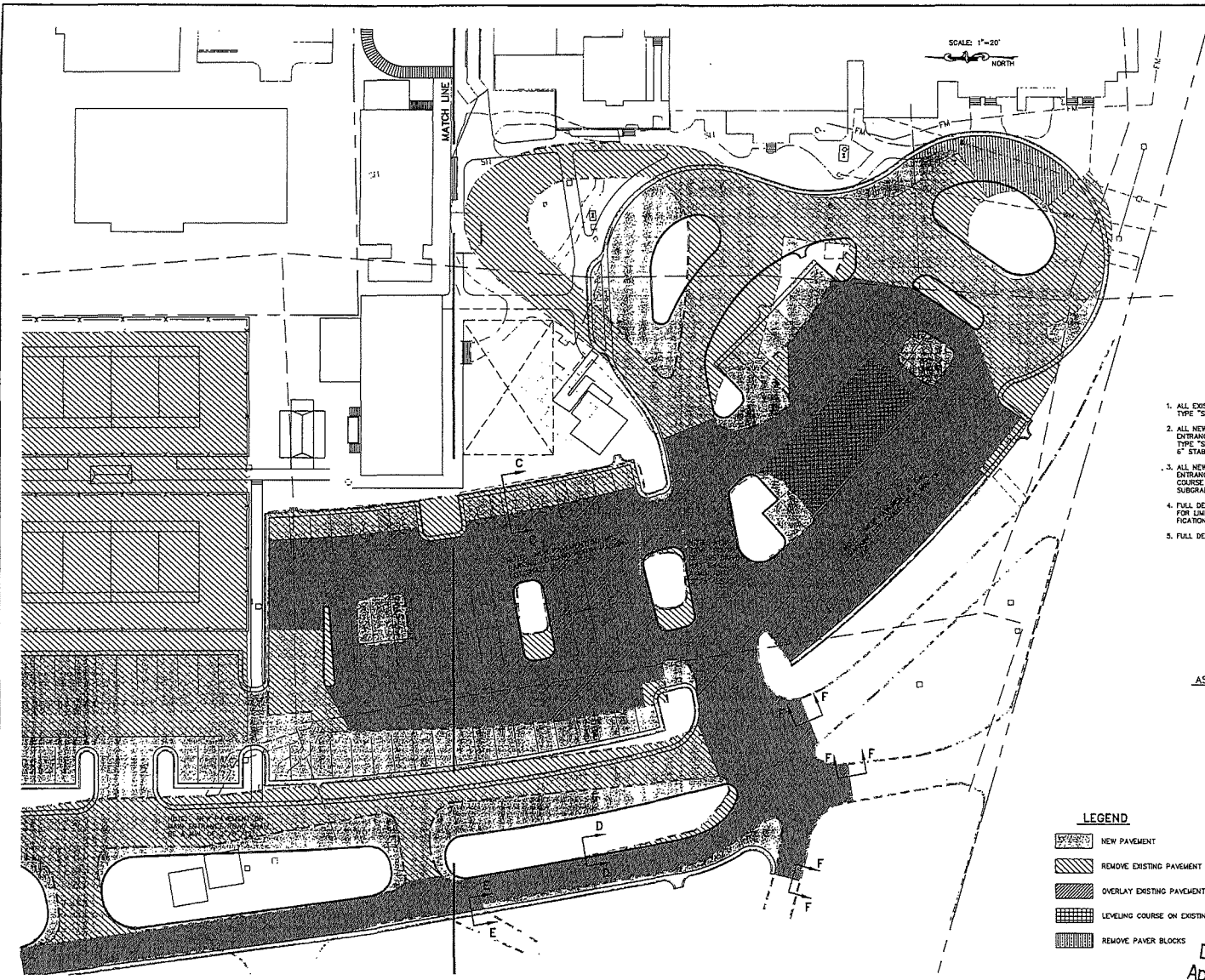
REVISIONS											
DATE	BY	DESCRIPTION	DATE	BY	DESCRIPTION	DATE	BY	DESCRIPTION	DATE	BY	DESCRIPTION

NAME	DATE
DESIGNED JJE	4-03-96
DRAWN DJS	5/30/98
CHECKED JJE	

JOHNSON ENGINEERING, INC.
ENGINEERS, SURVEYORS AND EROLOGISTS
2158 JOHNSON STREET, P.O. BOX 1550, FORT MYERS, FLORIDA 33902-1550
PHONE (941) 334-0044 FAX (941) 334-3651

**SOUTH SEAS PLANTATION
TENNIS COURT AND PARKING
LOT IMPROVEMENTS**

APPROVAL SUBMITTAL SET - NOT FOR CONSTRUCTION



- LEGEND**
1. ALL EXISTING PAVEMENT TO REMAIN SHALL RECEIVE A 1" MINIMUM TYPE "S" OVERLAY.
 2. ALL NEW PAVEMENT IN PARKING AREAS TO THE LEFT OF MAIN ENTRANCE TO CHADWICKS PARKING AREA SHALL RECEIVE A 1" TYPE "S" SURFACE COURSE OVER A 6" LIMEROCK BASE OVER 6" STABILIZED SUBGRADE.
 3. ALL NEW PAVEMENT ON ENTRANCE ROAD AND TO THE RIGHT OF MAIN ENTRANCE TO CHADWICKS SHALL RECEIVE A 2" TYPE "S" SURFACE COURSE OVER AN 8" LIMEROCK BASE OVER A 12" STABILIZED SUBGRADE.
 4. FULL DEPTH ASPHALT BASE COURSE (ABC) MAY BE SUBSTITUTED FOR LIMEROCK AND / OR STABILIZED SUBGRADE PER FOOT SPECIFICATIONS AT THE OWNER'S OPTION TO EXPEDITE CONSTRUCTION.
 5. FULL DEPTH ASPHALT (ABC) REQUIRED IN AREAS LESS THAN 8' WIDE.

ASPHALT BASE COURSE EQUIVALENTS

6" LIMEROCK = 4" ASPHALT BASE COURSE
 8" LIMEROCK = 6" ASPHALT BASE COURSE

- LEGEND**
- NEW PAVEMENT
 - REMOVE EXISTING PAVEMENT
 - OVERLAY EXISTING PAVEMENT
 - LEVELING COURSE ON EXISTING PAVEMENT
 - REMOVE PAVER BLOCKS

JUL 30 2002
APPROVED
 Master Concept Plan
 Site Plan # SSRMP Page 264
 Subject to conditions in Description # 273-202
 Case # APP2002-00038

D.S.O.
 Approved

John R. 7-20-02

05-30-1998 035 2105/AND/NG

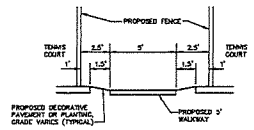
REVISIONS					
DATE	BY	DESCRIPTION	DATE	BY	DESCRIPTION

NAME	DATE
DESIGNED JNE	4-03-95
DRAWN DJC	5/30/96
CHECKED JNE	

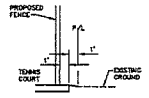
JOHNSON ENGINEERING, INC.
 ENGINEERS, SURVEYORS AND ECOLOGISTS
 2138 JOHNSON STREET, P.O. BOX 1830, FORT MYERS, FLORIDA 33902-1830
 PHONE (847) 334-9048 FAX (847) 334-3401

**SOUTH SEAS PLANTATION
 TENNIS COURT AND PARKING
 LOT IMPROVEMENTS**

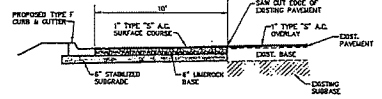
**PAVEMENT REMOVAL,
 AND OVERLAY PLAN**



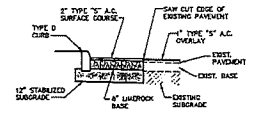
SECTION A-A



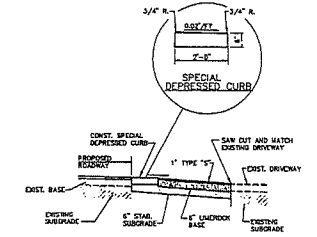
SECTION B-B



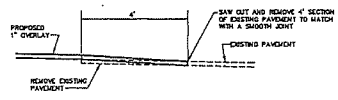
SECTION C-C



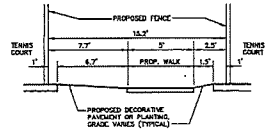
SECTION D-D



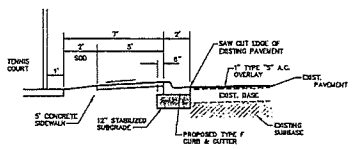
SECTION E-E



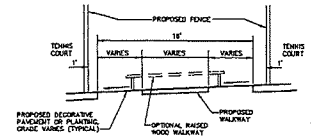
SECTION F-F



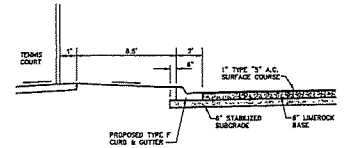
SECTION G-G



SECTION H-H



SECTION I-I



SECTION J-J

05-31-1996 DJS 21057ABLDW

JUL 30 2002
APPROVED
Master Control Plan
By: SSRMPR Pgs: 21
Issued to contractor by Date: 7-28-2002
Cmn: ADD 2002-002AB

D.S.O.
Approved

John R. 7-25-02

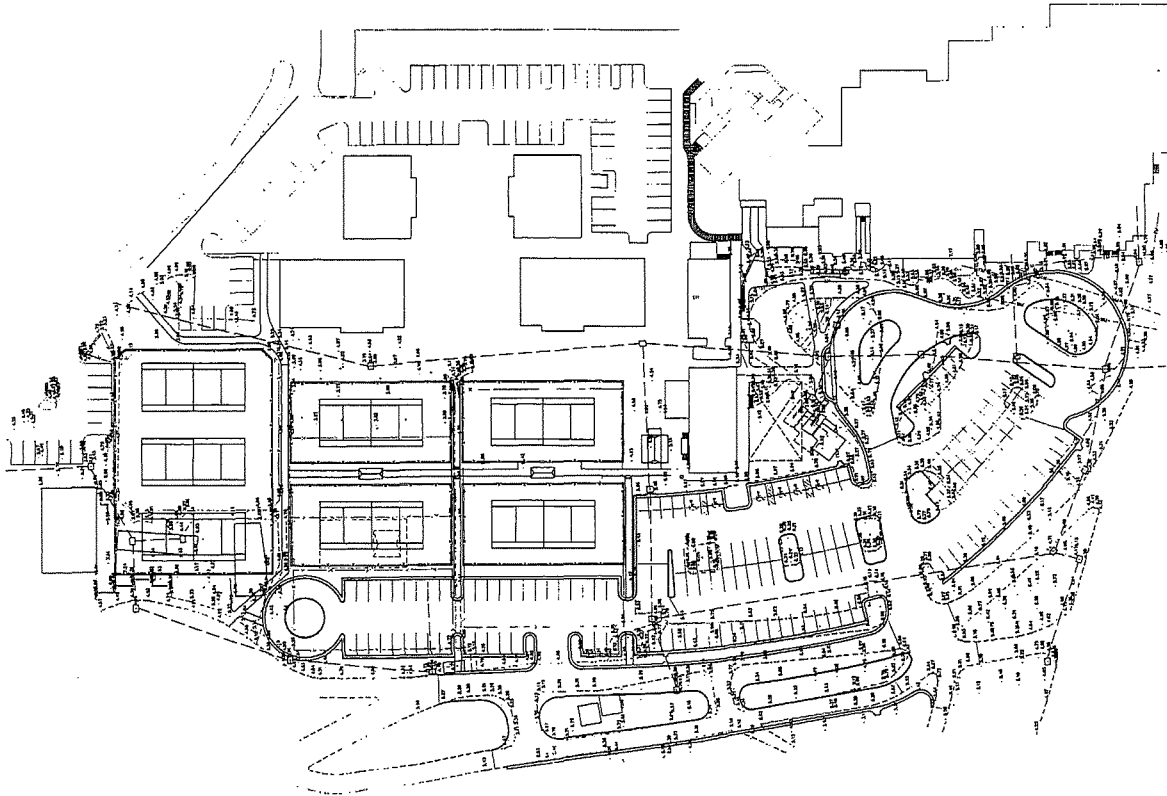
REVISIONS											
DATE	BY	DESCRIPTION	DATE	BY	DESCRIPTION	DATE	BY	DESCRIPTION	DATE	BY	DESCRIPTION

DESIGNED	JWE	5/25/96	JOHNSON ENGINEERING, INC. ENGINEERS, SURVEYORS AND ECOLOGISTS 2108 JOHNSON STREET, P.O. BOX 1250, FORT WORTH, FLORIDA 33002-1250 PHONE (941) 334-6044 FAX (941) 334-9041
DRAWN	DJC	5/28/96	
CHECKED	JWE		

SOUTH SEAS PLANTATION TENNIS COURT AND PARKING LOT IMPROVEMENTS		DETAILS
---	--	---------

11/11/01 051 - NOT FOR CONSTRUCTION

SCALE: 1"=40'
NORTH



JUL 30 2002
APPROVED
Master Control Plan
Site Plan - SRMPP Page 28 of 30
Subject to conditions in Resolution E-73-2002
Case # ADD2002-00048

D.S.O.
Approved

J. S. 7-2-X

02-25-1996 16:20 DJG 2105743.DWG

REVISIONS										NAME	DATE	JOHNSON ENGINEERING, INC. ENGINEERS, SURVEYORS AND ECOLOGISTS 2154 JOHNSON STREET, P.O. BOX 1500, FORT MYERS, FLORIDA 33902-1500 PHONE (813) 334-3044 FAX (813) 334-3461	ENTRANCE AREA SITE IMPROVEMENTS	EXISTING TOPOGRAPHY			
DATE	BY	DESCRIPTION	DATE	BY	DESCRIPTION	DATE	BY	DESCRIPTION	DATE	BY	DESCRIPTION						
															DESIGNED	JWE	3-25-98
															DRAWN	LSH	7/20/98
												CHECKED					

LAUNDRY FACILITIES

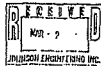
9-21-94 - 94-08-042.12L

SENT BY JOHNSON ENGINEERING 1.5. 3-00 1 17:14 JOHNSON ENGINEERING- 16 1/1
 15147 No. 055 P.01



P.O. Box 318
 Fort Myers, Florida 33902-0318
 (813) 335-1111
 478-8565
 After 5:00 PM Call Home

DEVELOPMENT ORDER
 CERTIFICATE OF COMPLIANCE



PROJECT NAME: South Seas Plantation Laundry Facilities
 D.O. NUMBER: 94-08-042.12L
 BUILDING PERMIT: # 199708221, 189708494 and 192704800

This Certificate of Compliance certifies that the above mentioned development, as determined by an on-site inspection performed by Lee County on February 27, 1998, is in compliance with the specifications of the approved development order plans and is hereby declared to be in substantial compliance with the Final Development order as stated by the Engineer's Letter of Substantial Compliance.

This Certificate represents a final inspection. This Development Order is now complete.

DEPARTMENT OF COMMUNITY DEVELOPMENT
 Development Services Division

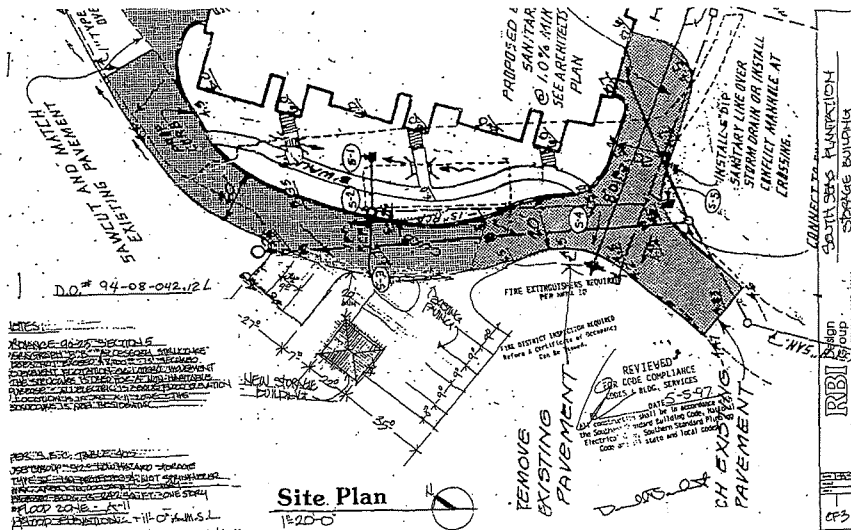
James C. Beardley
 James C. Beardley
 Senior Development Services Representative

cc: Thomas Orlanoff, Lee County Utilities
 Robert Dover, Codes and Building Services
 Dutch Davidson, Codes and Building Services
 Carol Lee, Environmental Sciences

File
 Inspection Log
 Joseph W. Ebor, Johnson Engineering

NO	Revised	For	By	Date
1	NO	NO	JKP	11/17/97
2	NO	NO	JKP	11/17/97
3	NO	NO	JKP	11/17/97
4	NO	NO	JKP	11/17/97
5	NO	NO	JKP	11/17/97

15147 No. 055 P.01 Lee County, Florida
 Lee County, Florida
 Lee County, Florida



Site Plan
 1820-0

JUL 30 2002
 APPROVED
 Master Concept Plan
 31 of 31
 Designed by Johnson Engineering Inc. I-75/202
 Case # 18973002-00018

NO	DATE	DESCRIPTION

Captiva Island
 Lee County, Florida

Captiva Island
 Lee County, Florida

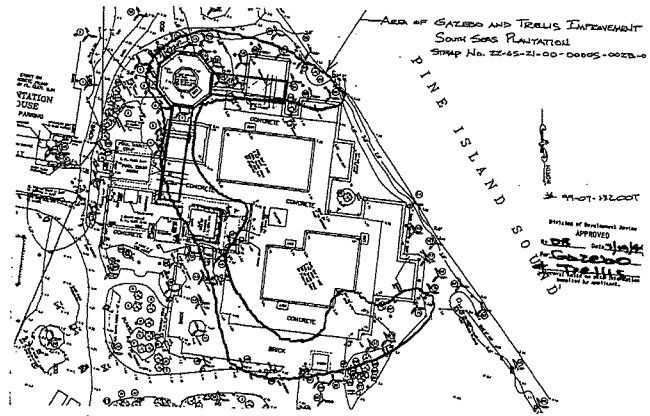


3501 E.D. BRADY BLVD.
 SUITE 110
 CAPE CORAL, FLORIDA 33904
 PHONE (813) 334-1044
 FAX (813) 334-1383
 E.B. #442 & L.B. #142

DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
June 2001	20012854	22-45-21	As Shown	SHEET

GAZEBO AND TRELIS

7-19-99 - 99-07-182.00T



JUL 30 2001
APPROVED
 Master Concept Plan
 Site Plan - *SEMCP* No. *404*
 Subject to conditions in Foundation *1-78-222*
 Case # *ADD2002-00098*

REVISIONS	

Captiva Island
 Lee County, Florida



3501 DEL PRADO BLVD.
 SUITE 110
 CAPE CORRAL, FLORIDA 33064
 PHONE (941) 334-0048
 FAX (941) 341-1383
 C.E. #642 & L.E. #842

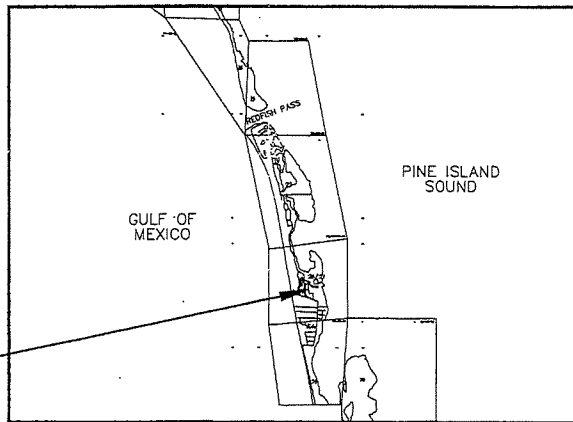
2001 Master Concept Plan
 South Seas Resort

DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
June 2001	20012854	22-45-21	As Shown	

CONSTRUCTION PLANS FOR SOUTH SEAS PLANTATION PROPOSED ACTIVITY AREA

SECTION 26, TOWNSHIP 45 S., RANGE 21 E. LEE COUNTY, FLORIDA

INDEX OF PLANS	
SHEET NO.	DESCRIPTION
1	COVER SHEET
2	GRADING & DRAINAGE PLAN



OWNER
 MERISTAR SS PLANTATION COMPANY, L.L.C.
 1010 WISCONSIN AV. NW.
 WASHINGTON D.C. 2007

DEVELOPER
 MERISTAR
 12800 UNIVERSITY DRIVE, SUITE 350
 FT. MYERS, FLORIDA 33907
 CELL PHONE: (941) 851-2554
 FAX: (941) 481-6667

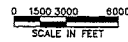
STRAP NUMBER
 26-45-21-00-00001.2020

ZONING



PROJECT # 99-07-093-12L
 PROJECT TYPE 42

LOCATION MAP



PREPARED BY

JOHNSON ENGINEERING, INC.

CIVIL ENGINEERS AND LAND SURVEYORS
 2158 JOHNSON STREET
 POST OFFICE BOX 1550
 FORT MYERS, FLORIDA 33902
 PHONE (813) 334-0046
 FAX (813) 334-3661

J.E.L. PROJECT NO. 21057

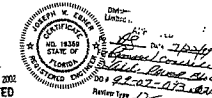
JUNE 1996

REGISTERED PROFESSIONAL ENGINEER
 FLORIDA CERTIFICATE NO. 19359

Joseph W. Edner
 JOSEPH W. EDNER

DATE JUL 13 2002
 APPROVED

Major Concept Plan
 Also Plans # 99RMDP Page 41 of 41
 Subject to conditions in Description 1-73-207
 Case # 2002002-00018



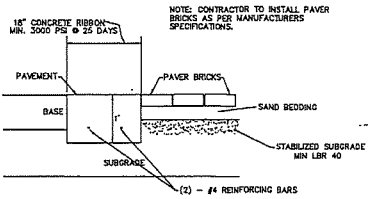
Refer to 2002-073-12L
 Zoning 42
 Approval Date 7/13/02

LAND COVERAGE SUMMARY TABLE

PROPOSED PAVER BLOCK AND WALK	4,896 S.F.
EXISTING PAVEMENT TO BE REMOVED	3,168 S.F.
EXISTING PAVER BLOCK TO BE REMOVED	1098 S.F.
EXISTING BUILDING TO BE REMOVED	630 S.F.

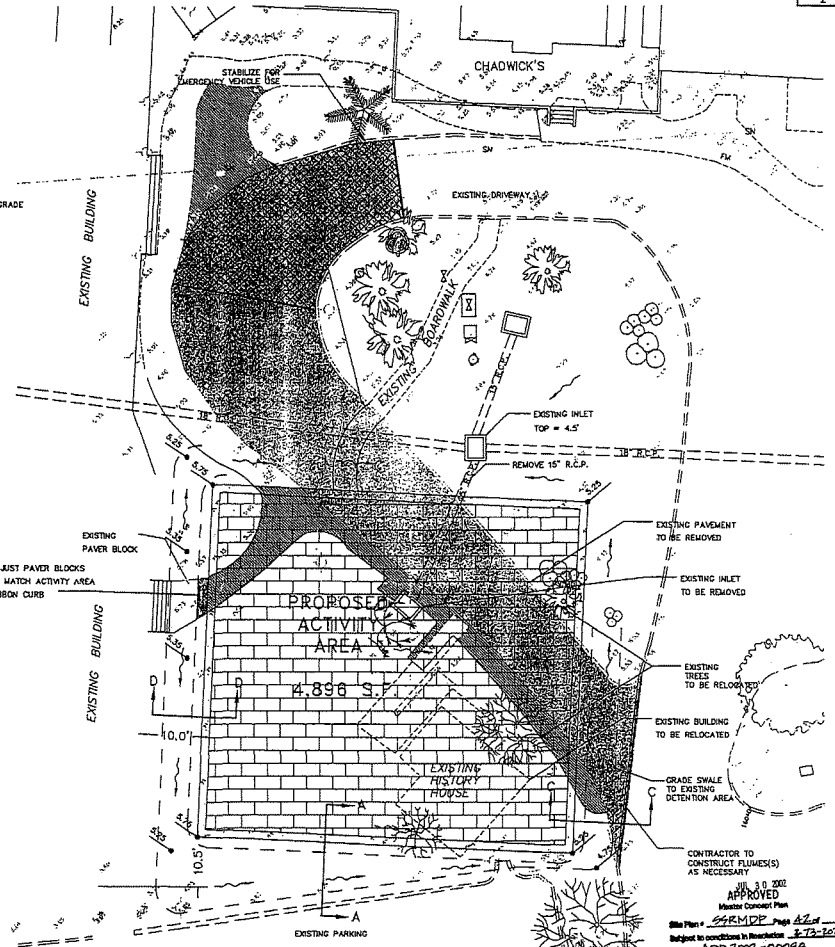
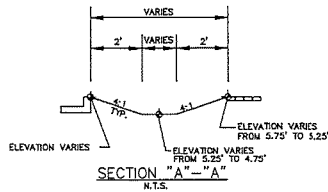
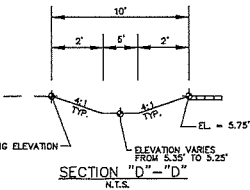
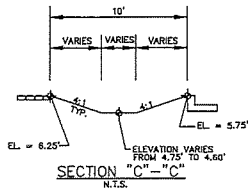
TOTAL PROPOSED IMPERVIOUS COVERAGE	4,896 S.F.
TOTAL IMPERVIOUS REMOVED	4,896 S.F.

NET IMPERVIOUS AREA ADDED = 0 S.F.



BRICK PAVER INSTALLATION

N.T.S.



- LEGEND
- EXISTING POWER POLES
 - EXISTING INLET
 - EXISTING FIRE HYDRANT
 - EXISTING VALVE

- PAVEMENT REMOVAL
- PROPOSED PAVER BLOCK
 - REMOVE PAVEMENT
 - REMOVE PAVER BLOCK
 - STABILIZED EMERGENCY VEHICLE ACCESS

JUL 30 2002
APPROVED
Master Control Plan
Site Plan - SSMMP Page 42 of 44
Subject to conditions in Resolution 1-73-162
Date: ADD 2002-00048

D.S.O.
Approved

REVISIONS				DESIGNED				NAME				DATE			
DATE	BY	DESCRIPTION		DATE	BY	DESCRIPTION		DATE	BY	DESCRIPTION		DATE	BY	DESCRIPTION	

JOHNSON ENGINEERING, INC.
ENGINEERS, SURVEYORS AND COLLEGE
1850 WINDSOR OAKS SUITE 404 PALM BEACH GARDENS, FLORIDA 33408
PHONE (407) 822-8819 FAX (407) 822-2288

GRADING AND DRAINAGE PLAN

7/15/11

HISTORY HOUSE

9-8-2000 - (HD)ADD2000-0068 - RELOCATION

JOHNSON ENGINEERING, INC.
ENGINEERS, SURVEYORS, PLANNERS AND ECOLOGISTS

May 15, 2000

THE JOHNSON STREET
SURVEYOR'S OFFICE
2001 MASTER CONCEPT
PROJECT SITE
FOR THE HISTORY HOUSE

DESCRIPTION

HISTORY HOUSE, SOUTH SEAS PLANTATION
SECTION 26, TOWNSHIP 45 SOUTH, RANGE 21 EAST
CAPE TOWN ISLAND, LEE COUNTY, FLORIDA

A tract or parcel of land lying in Section 26, Township 45 South, Range 21 East, being a part of South Seas Plantation Beach Villas II Condominium as described in Deed recorded in Official Record Book 1230 at Page 987 of the Public Records of Lee County, Florida, which tract or parcel is described as follows:
From the southeast corner of said Beach Villas II Condominium run S 84° 02' 33" W along the south line of said Beach Villas II Condominium for 32.66 feet, thence run N 65° 57' 37" W departing said south line (at a perpendicular to) for 21.36 feet to the Point of Beginning.
From said Point of Beginning run N 81° 31' 00" W for 57.89 feet; thence run N 01° 54' 10" E for 68.43 feet, thence run S 81° 31' 00" E for 61.84 feet, thence run S 04° 32' 09" W for 68.04 feet to the Point of Beginning.
Parcel contains 4,564 square feet, more or less.
SUBJECT TO easements, encumbrances and reservations of record.
Boundary hereinafter mentioned are based on the south line of Beach Villas II Condominium as described in Official Record Book 1230 at Page 987 of said public records to bear S 84° 02' 33" W.

M. J. ...
Michael J. ...
Professional Surveyor and Mapper
Florida Certificate No. 4500

FORREST W. MAHRE
STEVEN R. JOHNSON

STATE OF FLORIDA
COUNTY OF LEE
I, FORREST W. MAHRE, being the duly qualified and authorized Surveyor and Mapper for the State of Florida, do hereby certify that the foregoing is a true and correct copy of the original as the same appears in my office.

19911450000000000000

JUL 30 2000

APPROVED

Master Concept Plan
Site Plan # SP-100
Subject to conditions in Description # 1-73-200
Case # ADD 2000-0068

ADMINISTRATIVE APPROVAL (HD) ADD2000-0068
ADMINISTRATIVE APPROVAL
HISTORIC DISTRICT
LEE COUNTY, FLORIDA

WHEREAS, Meritar-South Seas Plantation Co., LLC/Beach Villas II filed an application for administrative approval for administrative relief on a project known as Captiva History House at South Seas to allow the History House to be relocated within South Seas Plantation property; and

WHEREAS, the History House will be relocated to the south end of resort near the administration building, described more particularly as:

LEGAL DESCRIPTION: In Section 26, Township 45 South, Range 21 East, Lee County, Florida:

See Legal Description (Attached as Exhibit A)

WHEREAS, the applicant has indicated the property's current STRAP number is 28-45-21-28-00000000, and

WHEREAS, the property is zoned RM-2; and

WHEREAS, the Captiva History House has been designated as a Lee County Historic Resource by Resolution HC-10-02; and

WHEREAS, an application for administrative relief for designated historic resources has been filed pursuant to the Lee County Land Development Code, Section 22-174 and

WHEREAS, the Lee County Historic Preservation Board met on November 18, 1999 and reviewed the requested relief and issued Special Certificate of Appropriateness (SCA) NO. 99-11-03 (a copy of which is attached), Chapter 22 of the Land Development Code and the Lee County Historic Preservation program in general; and

WHEREAS, the Lee County Land Development Code provides for administrative relief from the Zoning Regulations for matters involving setbacks, lot width, depth, area requirements, land development regulations, height limitations, open space requirements, parking requirements, and other similar zoning relief not related to a change in use of the property in question; and

WHEREAS, relief is requested in the RM-2 zoning district, as provided by the Lee County Land Development Code, as follows:

a) Section 34-2020(c)(4) that requires minimum setbacks to provide 1 space per 300 square feet of floor area, to only require the landscaped space; and

b) Section 34-715 which requires a 25 foot wide water body setback to allow a 7 foot setback for the History House; and

c) Section 34-715 which requires a 20 foot wide setback from a private road, to allow a 2 1/2 foot setback for the proposed wood deck and relocated History House; and

CASE NO. ADD2000-0068 Page 1 of 2

d) Section 34-1174(b) that prohibits structures in easements, to allow the proposed wooden deck to encroach 1 foot into the right-of-way easement, known as South Seas Plantation Road.

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; and

WHEREAS, the following facts of fact are offered:

A. The relief will be in harmony with the general appearance and character of the community.

B. The relief will not be injurious to the area involved or otherwise detrimental to the public health, safety or welfare.

C. The proposed work is designed and arranged on the site in a manner that minimizes aerial and visual impact on the adjacent properties while allowing the owner(s) a reasonable use of that land.

NOW, THEREFORE, IT IS HEREBY DETERMINED that the application for Administrative Approval for relief to the RM-2 zoning district from the Lee County Land Development Code, Item:

a) Section 34-2020(c)(4) that requires minimum setbacks to provide 1 space per 300 square feet of floor area, to only require the landscaped space; and

b) Section 34-715 which requires a 25 foot wide water body setback to allow a 7 foot setback for the History House; and

c) Section 34-715 which requires a 20 foot wide setback from a private road, to allow a 2 1/2 foot setback for the proposed wood deck and relocated History House; and

d) Section 34-1174(b) that prohibits structures in easements, to allow the proposed wooden deck to encroach 1 foot into the right-of-way easement, known as South Seas Plantation Road

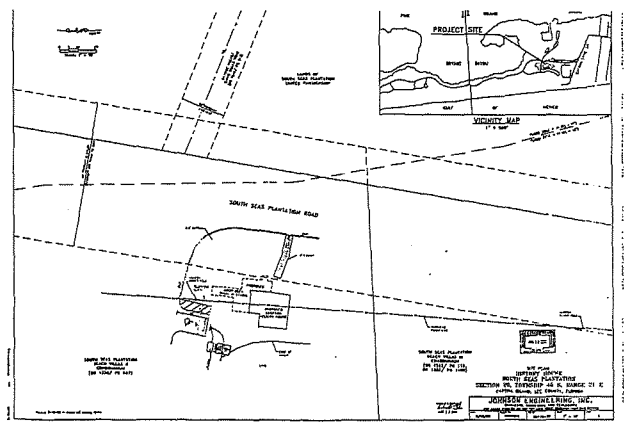
is APPROVED. Site Plan ADD2000-0068 is hereby APPROVED and adopted. A reduced copy is attached hereto.

DULY SIGNED this 30th day of September, A.D., 2000.

BY: *Mary G. ...*
Mary G. ...
Department of Community Development

Attachments: SCA 99-11-03
Site Plan ADD2000-0068

CASE NO. ADD2000-0068 Page 2 of 2



REVISIONS		

Captiva Island
Lee County, Florida

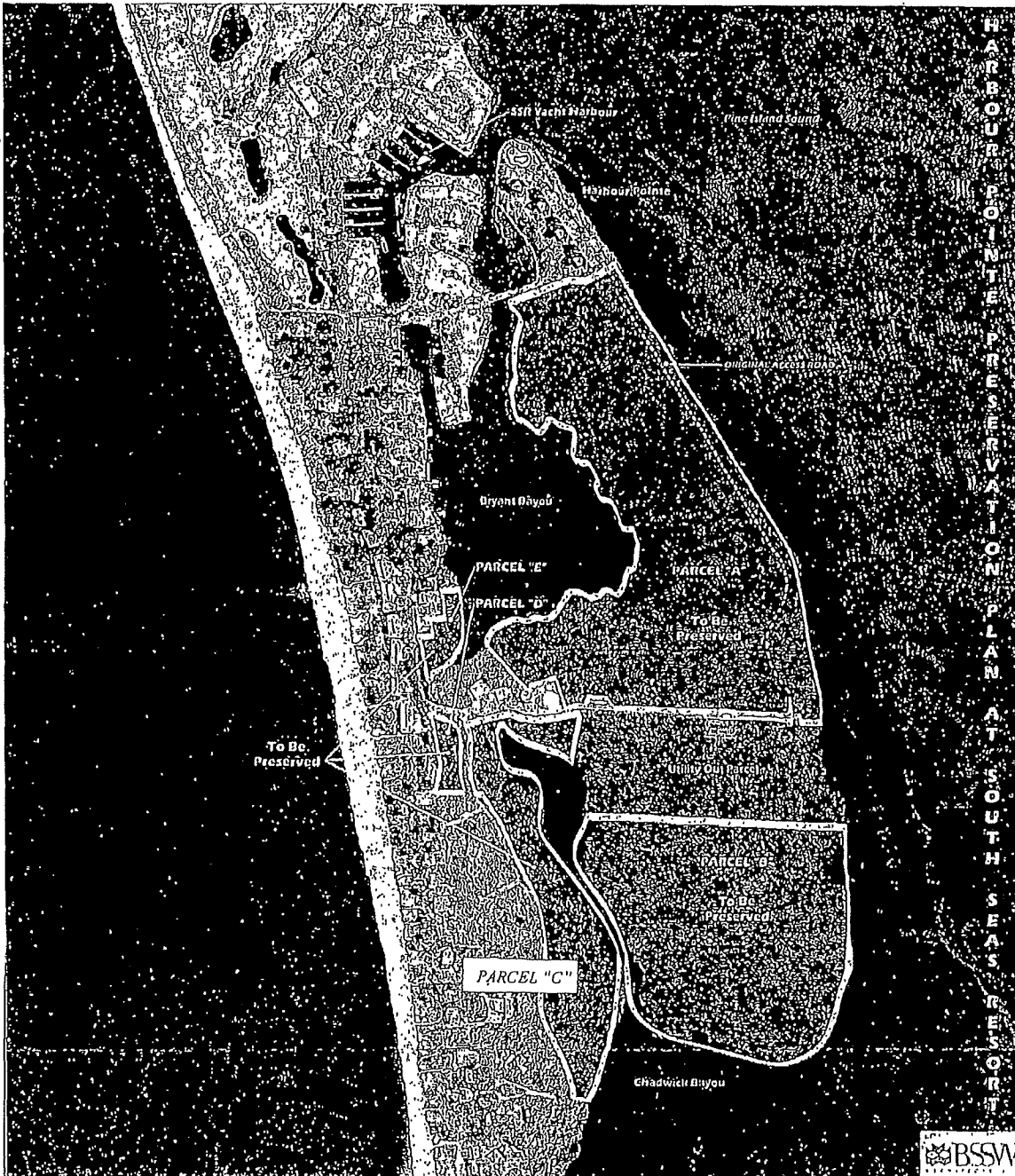


3501 DEL PRADO BLVD.
SUITE 110
CAPE CORRAL, FLORIDA 33904
PHONE (841) 234-0046
FAX (841) 541-1383
E.B. #042 & L.B. #042

2001 Master Concept Plan
South Seas Resort

DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
June 2001	20012454	22-40-21	As Shown	

EXHIBIT "E"



BSSW

4/30/08

DCI 2004-00036
RECEIVED
JUL 01 2008
COMMUNITY DEVELOPMENT

PLAN

The following development standards are applicable to the SSRD, based on standards that have been applied since its inception in 1973.

304± acres that make up the SSRD, approximately 100+ acres include now uplands, wetlands, and submerged lands). Additionally, certain of open space for those lands seaward of the erosion control line, currently in excess of 15 acres. The Course and other recreational lands supplement the preservation land categories such that a minimum of approximately 50% of the overall property is allocated to heretofore, no minimum amount of Open Space is individual parcels.

plants will be placed on the use of native species. Planting of shading and trees and/or shrubs for the screening of the property for privacy will be used to the extent possible. The location and placement shall be at the discretion of the applicant in concert with County staff. The use of invasive exotics

shall be a natural (mostly mangrove) shoreline buffer for the waters of the SSRD. Specifically, that natural buffer minimum of 35' wide (except to the extent that the existing road or Bay Drive (leading to Harbour Pointe) may currently exist and therefore reduce that 35' buffer). Where it is in or adjacent to proved development areas, the natural buffer may be composed of existing small openings as necessary for utility, boat, pedestrian, and/or utility access, and in accordance with State Standards for Mangrove Trimming. There is no buffer required along the bay waters from the southeasterly tip of the Harbour Pointe site to the marina entrance channel and along the bay waters to the Pass. There shall be no required minimum buffer between individual parcels internal to the development.

Drive Southwest—minimum 25' to edge of right-of-way
Road—minimum 10' to edge of pavement, excluding signs, walls and other entrance features, when LDC site visibility requirements.

no minimum setbacks required.

Property Line:

1' with minimum 6' high wall and vegetation buffer.

1' with minimum 6' high wall or vegetation buffer.

1' without wall or vegetation buffer.

Property Line—no minimum setback required.

Waters:

1' setback from mean high tide line.

Waters of Mexico:

1' from mean high tide line.

Canal or Manmade Lake, Pond, Bayou, Canal, or Marina:

1' setback required for buildings redeveloped within existing footprints; 25' for any new buildings.

Planting Separation:

1' separation unless additional separation is required by Fire Code.

Fences Including Fences and Walls:

structures 8' or less in height above grade; no minimum setback required.

structures over 8' in height from grade, the setback shall be the same as set forth above for buildings, except as to those structures where there will be no setbacks required.

There shall be no minimum required separation between walls and structures or one accessory structure and another.

g. Building Heights: (These standards are applicable to all new structures except those being replaced under the existing Lee County build-back provisions of the Land Development Code or LEE PLAN). Maximum height to the top of a parapet wall, roof, or midpoint of a pitched roof of no less than 4:1 and no more than 7:1 shall be the lesser of 35' above the grade surrounding the building at its foundation or 42' above mean sea level.

f. Traffic Impact Statements (TIS): A traffic statement shall be required for any development that includes new residential dwelling units or includes more than 500 square feet of retail/commercial square footage. Because of the SSRD's vested status for purposes of concurrency (established via Determination of Consistency with the Lee Plan in 1985), the data provided to the County in such TIS are intended for information purposes only. Approval of TIS is not a prerequisite to approval of proposed development plans. The concurrency vesting is limited to the SSRD, as approved under this interpretation.

g. Parking: These standards recognize the developers long standing commitments to transportation alternatives to the automobile on Captiva, including pedestrian and bicycle transportation via the pathways provided throughout the SSRD and the provision of up to 18 hours of daily free tram service.

General:

—Individual parking spaces will be no less than 9' wide by 18' deep.

—The appropriate number of handicap spaces will be provided in convenient locations in compliance with Lee County and State of Florida Handicapped Codes and the intent of ADA Guidelines.

—Any proposed reduction or reconfiguration of the as-built/as approved parking spaces provided contemporaneous to this interpretation, is subject to a limited review development order to assure that the current inventory of parking is not reduced and additional parking is provided in the proportions for resort use as required below.

Residential:

—Single family/duplex will have a minimum of 2 off-street parking spaces per unit.

—Multi-family housing (whole ownership/timeshare/etc.) will have a minimum of 1 parking space per dwelling unit plus a minimum of 1 guest/service parking space for every 10 dwelling units.

—Hotel/Motel units and employee rental apartments shall have a minimum of 1 parking space for every 2 dwelling units plus 1 guest/service parking space for every 10 dwelling units.

Commercial:

—Activities/Facilities internal to the resort and used almost exclusively by resort owners and guests (i.e. marina, golf course, tennis, retail, resort area restaurants, conference facilities, etc.) have no minimum required number of spaces.

—Commercial Area at the south end of the property, except for conference facilities, shall be required to provide a minimum of 1 parking space per 1000 square feet of retail, restaurant/lounge or commercial use (excluding kitchens and other "back of the house" areas and service facilities).

h. Construction Standards (other than for buildings):

—Roads, driveways, walks, bike paths, seawalls, in accordance with sound engineering design and those facilities constructed within the SSRD during the years, subject to review and approval by County limited review development order process.

i. Stormwater Management:

—The standards of the existing approved SSRMDF and permitted by the South Florida Water Management District or as they may be amended in the future, shall be the surface water management elements of future SSRD.

j. Other:

Except as noted herein, the applicable standard Land Development Code shall apply.



ATTACHMENT R

FGUA Operations Office

Government Services Group, Inc.
280 Wekiva Springs Rd., Ste 2070
Longwood, FL 32779-6026

(877) 552-3482 Toll Free
(407) 629-6900 Tel
(407) 629-6963 Fax

May 23, 2023

Carl A. Barraco
Barraco and Associates, Inc.
2271 McGregor Blvd., Suite 100
Fort Myers, FL 33901
CarlB@Barraco.net

RE: Potable Water, Wastewater, and/or Reclaim Water Availability – LOA ID#: 23-053 UAD
Parcel ID No.: 26-45-21-00-00011.0000; 00011.0050; 0003.0020; 0001.2020; 0005.002B
14830, 14820, 14804 Captiva Dr. ; 2800-5640, 1057-1900 South Seas Plantation Rd. Captiva, FL
33924
South Seas Island Resort PD

Dear Mr. Barraco:

The FGUA has received your Application for Service Availability, and upon review, it has been determined that potable water and wastewater disposal service is generally available to the address provided. The attached site map indicates the approximate size and location of the existing mains in the area. Please be advised that main extensions, connection to the reclaimed water system, and other system enhancements funded by the project sponsor may be required.

The application indicated that the proposed project consists of Hotel buildings with 425 rooms in total with an estimated potable wastewater demand of 85,000 GPD. Currently, FGUA facilities are able to accommodate these demands. During the design process, if existing conditions warrant, a hydraulic analysis may need to be performed by the project engineer to evaluate the impacts the proposed project may have on the existing water and wastewater systems.

This letter should not be construed as a commitment to serve, but only as a statement of the availability of service and is effective for twelve (12) months from the date of issue. The FGUA commitment to serve will be made once a Utility Infrastructure Conveyance and Service Agreement (CSA) is fully executed. To move this project forward, contact Development Services via email at devservices@fgua.com to receive a plan submittal package and schedule the pre-application meeting if required.

FGUA Board of Directors

PAM KEYES, P.E., Vice Chair, Lee County / KEN CHEEK, P.E., Citrus County / SHANE PARKER, P.E., Vice Chair, Hendry County / TAMARA RICHARDSON, P.E., Chair, Polk County / DAVID ALLEN, P.E., Pasco County / JODY KIRKMAN, P.E., Marion County / HEIDI PETITO, Flagler County

Sincerely,

FLORIDA GOVERNMENTAL UTILITY AUTHORITY

Douglas W. Black Digitally signed by Douglas W Black
Date: 2023.05.24 11:31:14 -04'00'

Douglas W. Black, PSM, PLS
Property & Development Manager

CC: Mike Currier, South Region Area Manager

Encl.

1. Pre-Development Meeting Information
2. Utility Locates
3. Fee Statement/Receipt

FGUA Board of Directors

PAM KEYES, P.E., Vice Chair, Lee County / KEN CHEEK, P.E., Citrus County / SHANE PARKER, P.E., Vice Chair, Hendry County / TAMARA RICHARDSON, P.E., Chair, Polk County / DAVID ALLEN, P.E., Pasco County / JODY KIRKMAN, P.E., Marion County / HEIDI PETITO, Flagler County



Development Services Division

Pre-Application Meeting Information

Purpose:

The pre-application meeting is designed to be an informative discussion, specifically geared toward assisting the applicant (owner/developer/engineer) understand the FGUA's policies and development process. The pre-application meeting may be required prior to the formal submission and review of any utility construction plans by the Development Division.

It is our goal to assist you through the FGUA development process as smoothly as possible, and for your development to be a success. This pre-application meeting, if required, will provide you with the details you need to make this a successful and stress-free process.

What to Expect:

If the meeting is required, you will be provided with a variety of both general and specific information regarding the FGUA's development process. This will include, but not be limited to staff contact information, plan review guidelines, current fees, conveyance, and closeout procedures.

Who Should Attend:

It is encouraged that a representative from the property owner, developer, and engineer, at a minimum, attend this meeting. Representatives of the FGUA's Development Division, including the Development Technician, Development Coordinator, Real Property Coordinator and utility system Area Manager will also be in attendance as required.

In an effort to accommodate the potential long-distance commute between the FGUA's Operations Office in Longwood, Florida and the FGUA system areas, these meetings will take place via Microsoft Teams.

Meeting Requests:

Please e-mail Development Services to request a meeting at devservices@fgua.com.

Please have your FGUA Letter of Availability (LOA) Number (included on the first page of your previously issued Letter of Availability) ready when you email to schedule this meeting.

You will also be required to provide a preliminary site utility plan for staff review before the meeting is scheduled.

FGUA Board of Directors

PAM KEYES, P.E., Vice Chair, Lee County / KEN CHEEK, P.E., Citrus County / SHANE PARKER, P.E., Vice Chair, Hendry County / TAMARA RICHARDSON, P.E., Chair, Polk County / DAVID ALLEN, P.E., Pasco County / JODY KIRKMAN, P.E., Marion County / HEIDI PETITO, Flagler County

5/11/2023

STRAP/PID #: 26-45-21-00-00011.0000; 00011.0050; 0003.0020; 0001.2020; 0005.002B

Project Name: South Seas Island Resort PD

Property Address: 14830, 14820, 14804 Captiva Dr. ; 2800-5640, 1057-1900 South Seas
Plantation Rd. Captiva, FL 33924



ALL UTILITY LOCATIONS SHOWN HERE ARE APPROXIMATE. THE DEVELOPER IS SOLELY RESPONSIBLE FOR DETERMINING THE EXACT UTILITY LOCATIONS VIA POTHOLING OR OTHER ACCEPTABLE MEANS.

5/11/2023

STRAP/PID #: 26-45-21-00-00011.0000; 00011.0050; 0003.0020; 0001.2020; 0005.002B

Project Name: South Seas Island Resort PD

Property Address: 14830, 14820, 14804 Captiva Dr. ; 2800-5640, 1057-1900 South Seas Plantation Rd. Captiva, FL 33924



ALL UTILITY LOCATIONS SHOWN HERE ARE APPROXIMATE. THE DEVELOPER IS SOLELY RESPONSIBLE FOR DETERMINING THE EXACT UTILITY LOCATIONS VIA POTHOLING OR OTHER ACCEPTABLE MEANS.

LOA ID: 23-053 UAD



FGUA Fee Statement Letter of Availability and/or Locate Request

Property Address or PID: 26-45-21-00-00011.0000; 00011.0050; 0003.0020;
0001.2020; 0005.002B

System: Unified-Aqua 419

Development/Project Name: South Seas Island Resort PD

Date: May 11, 2023

County: Lee

LOA ID: 23-053 UAD

All fee amounts are based on the rates in effect as of the date of this statement and are subject to change.

Fees based on:

0 Letter of Utility Location Availability and Locate Map	\$	100.00
1 Utility Availability Map (Map Only)	\$	75.00
2 Letter of Utility Location Availability (Letter Only)	\$	25.00

<i>FGUA</i>	G/L Code	Fees	Total fees	Amt Previously Paid	Balance Due
LOA Request	202098	\$ 100.00	\$ 100.00	\$ 100.00	\$ -
<i>Fees Due:</i>					\$ -

<i>Payment History</i>	Date	Check Date	Check #	Payer Name	Amount
0 Letter and Locate Map	5/11/2023	5/3/2023	23592	Barraco and Associates, Inc.	\$ 100.00
1 Map Only					
2 Letter Only					



THE ISLAND WATER ASSOCIATION, INC.

April 11, 2024

Mr. Carl Barraco
Barraco and Associates, Inc.
2271 McGregor Blvd., Suite 100
Fort Myers, FL 33901

RE: Request for Water Letter of Availability

Dear Mr. Barraco,

The Island Water Association, Inc. (IWA) has reviewed your request for a 'Potable Water Letter of Availability' for the South Seas Island Resort, Lee County DCI 2023-00051. As described in your letter dated February 26, 2024, the request is for the proposed development of up to 435 hotel units with an estimated potable water demand of 87,000 gallons per day (GPD). It was noted that your request does not include the additional 272 planned multi-family units and other proposed property improvements, including water park and convention center.

IWA's existing water treatment plant capacity is currently able to support the requested potable water demand of 87,000 GPD. Prior to Hurricane Ian, systemwide water service requirements were approaching treatment capacity limits, and there is considerable uncertainty regarding the pace of reconstruction and associated water demands. We want to work closely with you to ensure that we can meet the demands of the entire proposed South Seas Island Resort project. Please provide information on the comprehensive development proposal, including site plans, unit occupancy levels, and resort amenities, so that we can evaluate the project's full impact on water availability and determine infrastructure needs.

This letter serves as confirmation of water treatment capacity for the requested 435 hotel units and is effective for twelve (12) months from the date of issue. IWA cannot commit to serving the project until necessary engineering and infrastructure evaluations confirm serviceability, and memberships are obtained for all new and modified connections.

Please don't hesitate to contact me with any questions or concerns. I can be reached by email at diana@islandwater.com.

Sincerely,

Diana Wilson
General Manager

CC: Timbers Company, 1031 W. Morse Blvd., Suite 350, Winter Park, FL 32789
Lee County Community Development, Attn: Adam Mendez, 1500 Monroe St., Fort Myers, FL 33901

South Seas Waiver

Reason for Requested Waiver

Section 34-202(a)10, LDC requires a letter of availability from the utility provider. Under the Island Water Association (IWA) franchise agreement the Lee County rules are the default rules if matters are not addressed by IWA. Lee County Utilities has a form to request the Letter of Availability. The Island Water Association (IWA) does not have a form. The applicant's engineer provided the form and a typical LCU response letter to IWA to assist them in providing the letter of availability. There have not been a lot, if any, planned development applications for the last two decades and thus IWA has not encountered many requests for zoning capacity letters.

The franchise agreement with IWA allows IWA to adopt rules without the prior consent of Lee County as long as the rules are not unjust, inequitable or discriminatory. Section 19 of the attached franchise agreement includes a commitment by IWA to provide the buildings, plants, systems, and appurtenant facilities to serve the franchise area (Captiva) consistent with the standards contained within the respective comprehensive plans and regulations of Lee County. The Lee Plan would require the franchise utility to construct and maintain the utility to meet the required level of service for the existing and proposed development.

The applicant has filed a Florida Department of Environmental Protection (FDEP) "Notice Of Intent to use the General Permit for construction of watermain extensions for PWSs" in 2023 for the extension of a water main. The application is attached hereto. IWA uses groundwater from the Lower Hawthorn Aquifer and the Floridan Aquifer System. The plant is certified by FDEP for public water supply and has a permitted operating capacity of 5.99 million gallons a day (MGD) of finished water. IWA has the ability to treat the water needed to serve the development and redevelopment of its service area. The utility may at some point need to amend the consumptive use permit issued by South Florida Water Management District. IWA in the application certifies the total Permitted Maximum Day Capacity of Plant(s), gpd "5.99 MGD" and the Total Maximum Day Flow at Plant(s) as recorded on monthly operating reports during past twelve months, gpd "3.87 MGD" as of June 21, 2023.

The zoning applications include hotel units as well as existing dwelling units and dwelling units that previously existed, and were members of IWA. The applicant's engineer sought and obtained a letter of availability for the additional 435 hotel units. The Letter of Availability from IWA in response to the engineer's request is attached hereto. The letter notes that the letter of availability does not include other improvements, such as the proposed water park. The applicant has submitted for a development order to the county for the water park and has submitted the request for service to IWA.

The letter from IWA submits that a letter of availability cannot be provided until the build out site plans, occupancy levels, and resort amenities are provided. The applicant does not have the detailed information requested by IWA for build out. The applicant is in the zoning process. The level of information requested by IWA appears to be Development Order (D.O.) or building permit level of information that cannot be provided at this juncture. The project engineer has been working with IWA, and will continue to work with IWA, to help them distinguish between the more immediate need for service required by the issuance of a Development Order and the general level of information required for a zoning application. The applicant anticipates that service will be provided in an equitable, non-discriminatory, and just manner as required by the franchise agreement. The application should not be delayed in the zoning review while IWA continues their efforts with the applicant. It should be noted that many of the utilities' force mains and lines within South Seas are outside of the easement. The applicant is working with IWA to provide the necessary surveys and documents to provide for easements in the appropriate locations on property owned by the applicant. At the request of IWA the applicant has provided and is continuing to provide Legal Descriptions and documents to IWA for properties located within South Seas not under the ownership of the applicant.

The applicant recognizes that potable water availability is necessary in order to obtain a DO. The applicant is of the opinion based on the IWA plant capacity and the consumptive use permit issued to IWA, that IWA will be able to provide service. Objective 4.1. , Lee Plan, requires the county to "consider water" during the rezoning process. The objective requires the county to "ensure the standards are met prior to issuing a local development order." The applicant and the county have considered and continue to consider water availability. The County, under the franchise agreement with IWA, has the ability to require the utility to function in accordance with the Lee Plan Level of Service and the LCU regulations should the utility not have appropriate standards for review that ensure that service is provided.



REQUEST FOR SUBMITTAL REQUIREMENT WAIVER FOR UNINCORPORATED AREAS ONLY

Upon written request, the Director may modify the submittal requirements for Public Hearings, Development Orders, Limited Review Development Orders and other Administrative Action Applications where it can be clearly demonstrated that the submission will have no bearing on the review and processing of the application. The request and the Director's written response must accompany the application submitted and will become a part of the permanent file.

APPLICATION FOR WAIVER OF REQUIRED SUBMITTAL ITEMS (indicate the appropriate application type)

- Public Hearing - General Requirements (34-202)
- Public Hearing - Mining Excavation Planned Development (12-110)
- Public Hearing - Additional Requirements for:
 - Development of Regional Impact (34-202(b)(1))
 - Planned Developments (34-202(b)(2))
 - Planned Development Amendment (34-202(b)(2))
 - Rezoning other than Planned Developments (34-202(b)(3))
 - Special Exceptions (34-202(b)(5))
 - Variances (34-202(b)(6))
 - Limited Amendment to Existing Mine Zoning Approval [12-121(j)]
 - Private Recreational Facilities Planned Development (34-941(g))
- Development Order - Submittal Requirements (10-152)
 - Application Form and Contents (10-153)
 - Additional Required Submittals (10-154)
- Limited Review Development Order – Submittal Requirements (10-152)
 - Required Submittals (10-175)
- Administrative Action Application Requirements [34-203]
State the Type of Administrative Application: _____

PLEASE PRINT OR TYPE:

STRAP Number: Multiple - See Attached

Name of Project: South Seas Mixed Use Planned Development

Name of Agent: Alexis Crespo, AICP – RVi Planning + Landscape Architecture

Street Address: 28100 Bonita Grande Drive, Suite 300

City, State, Zip: Bonita Springs, FL 34135

Phone Number: 239.850.8525 Email Address: acrespo@rviplanning.com

Name of Applicant*: WS SSIR OWNER, LLC

Street Address: 660 Steamboat Rd, 3rd FL

City, State, Zip: Greenwich, CT 06830

Phone Number: 407.775.2040 Email Address: gspencer@timbersresorts.com

***If applicant is not the owner, a letter of authorization from the owner must be submitted.**

LEE COUNTY COMMUNITY DEVELOPMENT
P.O. BOX 398 (1500 MONROE STREET), FORT MYERS, FLORIDA 33902
PHONE (239) 533-8585

A. SPECIFIC SECTION(S) AND REQUIREMENT(S) FOR WHICH A WAIVER IS SOUGHT:

Section Number	Requirement
#1 34-202(a)(10)	Potable Water & Sanitary Sewer Availability Letter
#2	
#3	
#4	
#5	
#6	
#7	
#8	
#9	

B. SCOPE OF PROJECT AND REASON(S) FOR REQUEST:

Please provide an explanation of the scope of the project and the reason(s) why you think the request for submittal waiver(s) should be approved. Use additional sheets if necessary and attach to this application form. (Please print or type)
 See Attached.

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



5/14/2024

Signature of Applicant

Date

.....
 FOR STAFF USE ONLY

DIRECTOR'S DECISION:

- Request Denied
- Request Approved
- Request Approved Per Attached Comments

Electronically signed on 6/25/2024 by
 Anthony R. Rodriguez, AICP, CPM, Zoning Manager
 Lee County Department of Community Development

Director Signature

Date

GEN2024-00223 COMMENTS:

Planning

Objective 2.2 directly addresses development timing and growth where adequate public facilities exist or are assured. Stating that development orders and permits will be granted only when consistent with the provision of F.A.C. Section 163.3202(2)(g), which does not allow local governments to issue a development order or permit that results in a reduction in the level of services for the affected public facilities below the level of services provided in the comprehensive plan of the local jurisdiction. In this waiver request the applicant is not requesting a development order or permit but a rezoning. Policy 2.2.1, however, does require rezoning proposals to be evaluated as to the availability and proximity of water lines. Additionally, Objective 4.1 requires the consideration of water during the rezoning process while requiring that standards be met prior to issuing a local development order. This concept is further supported in Policy 95.1.3 which lists potable water facilities as a regulatory standard for the purposes of permitting new development. The Lee Plan is clear in that availability and proximity of water as a public service while a consideration at time of rezoning is not a requirement until development order or permitting.

Planning staff has no objection to the waiver request. The letter of availability the application provided from Island Water Association (IWA) is clear in that the Association is seeking "...information on the comprehensive development proposal, including site plans, unit occupancy levels, and resort amenities, so that we can evaluate the project's full impact on water availability and determine infrastructure needs." This is a development order level analysis that isn't necessary at the time of rezoning based on an analysis of the Lee Plan. However, additional information is necessary for staff to meet the threshold of consideration of availability and proximity during the rezoning process. This includes an estimate of the water demand. A detailed analysis as asked for by IWA is not necessary, but an analysis based on the historical usage versus an estimate of the proposed development demand would assist staff in meeting the requirement. The proposed development has an extensive list of know uses (435 hotel units and convention center, marina, 13-hole golf course, restaurants/bars, offices/support services, 196 dwelling units, water park, ect.) as detailed in the narrative and the Master Concept Plan provided during the rezoning process that can be used to estimate a demand for planning purposes.

Planning staff recommends partial approval with conditions of the waiver request.

- Prior to a finding of sufficiency, the applicant must provide an estimated potable water demand calculation based on sound engineering and planning practices. The calculation must provide data on historic usage versus estimated future development demand.

**SOUTH SEAS
WATER & SEWER DEMAND ANALYSIS**

A. POTABLE WATER

Existing Resort per ADD2022-00098

165 multi-family units @ 200 GPD/unit	= 33,000 GPD
107 hotel rooms @ 200 GPD/room	= 21,400 GPD
6 restaurants @ 49,980 GPD	= 49,980 GPD
78 boat dock slips @ 25 GPD/slip	= 1,950 GPD
Marina @ 750 GPD	= 750 GPD

TOTAL EXISTING DEMAND: 107,080 GPD

Proposed Mixed Use Development per DCI2023-00052

196 multi-family units @ 200 GPD	= 39,200 GPD
435 hotel rooms @ 200 GPD	= 87,000 GPD
6 restaurants @ 49,980 GPD	= 49,980 GPD
78 boat dock slips @ 25 GPD/slip	= 1,950 GPD
Marina @ 750 GPD	= 750 GPD
Water Park @ 13,991 GPD	= 13,991 GPD

TOTAL PROPOSED DEMAND: 192,871 GPD

The proposed South Seas Island Resort MPD results in an estimated increase in potable water demand of 85,791 GPD. The Subject Property is located in the Island Water Association (IWA) potable water service area.

B. SANITARY SEWER

Existing Resort per ADD2022-00098

165 multi-family units @ 200 GPD/unit	= 33,000 GPD
107 hotel rooms @ 200 GPD/room	= 21,400 GPD
6 restaurants @ 49,980 GPD	= 49,980 GPD
78 boat dock slips @ 4 GPD/slip	= 312 GPD

TOTAL EXISTING DEMAND: 104,692 GPD

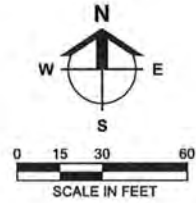
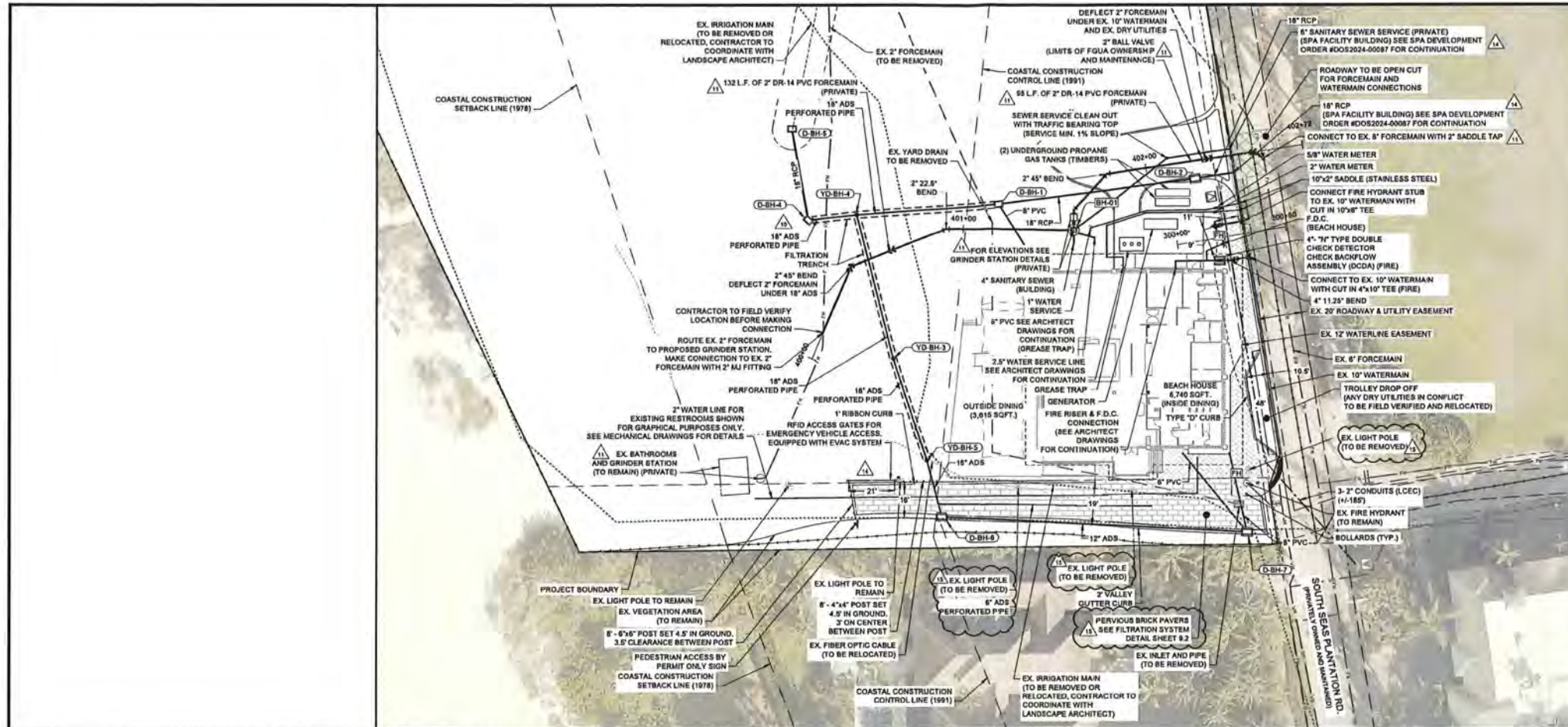
Proposed Mixed Use Development per DCI2023-00052

196 multi-family units @ 200 GPD	= 39,200 GPD
435 hotel rooms @ 200 GPD	= 87,000 GPD
6 restaurants @ 49,980 GPD	= 49,980 GPD
78 boat dock slips @ 4 GPD	= 312 GPD
Water Park @ 10,965 GPD	= 10,965 GPD

TOTAL PROPOSED DEMAND: 187,457 GPD

The proposed South Seas Island Resort MPD results in an estimated increase in sanitary sewer demand of 82,765 GPD. The Subject Property is located in the sanitary sewer service area of Florida Gulf Utilities Authority (FGUA).

ATTACHMENT S



- FGUA NOTES:**
1. SADDLES TO BE STAINLESS STEEL PR BRASS WITH BRASS CORP. STOP
 2. 2" BALL VALVE TO BE BRASS CURB STOP WITH VALVE BOX AND PAD. PAD TO INCLUDE BRASS STAMPED IDENTIFIER.

ASSET TABLE	
SANITARY	LENGTH
2" DR-16 PVC FORCEMAIN	28 L.F.
2" BALL VALVE	1 EA.

Barraco
and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING
www.barraco.net
2271 MCGREGOR BLVD., SUITE 100
POST OFFICE DRAWER 2800
FORT MYERS, FLORIDA 33902-2800
PHONE (239) 461-3170
FORT MYERS | PANAMA CITY BEACH
FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 7995 - SURVEYING LB-6940

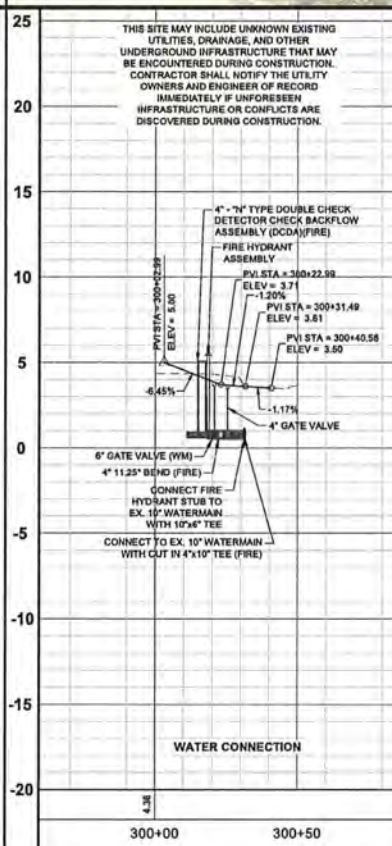
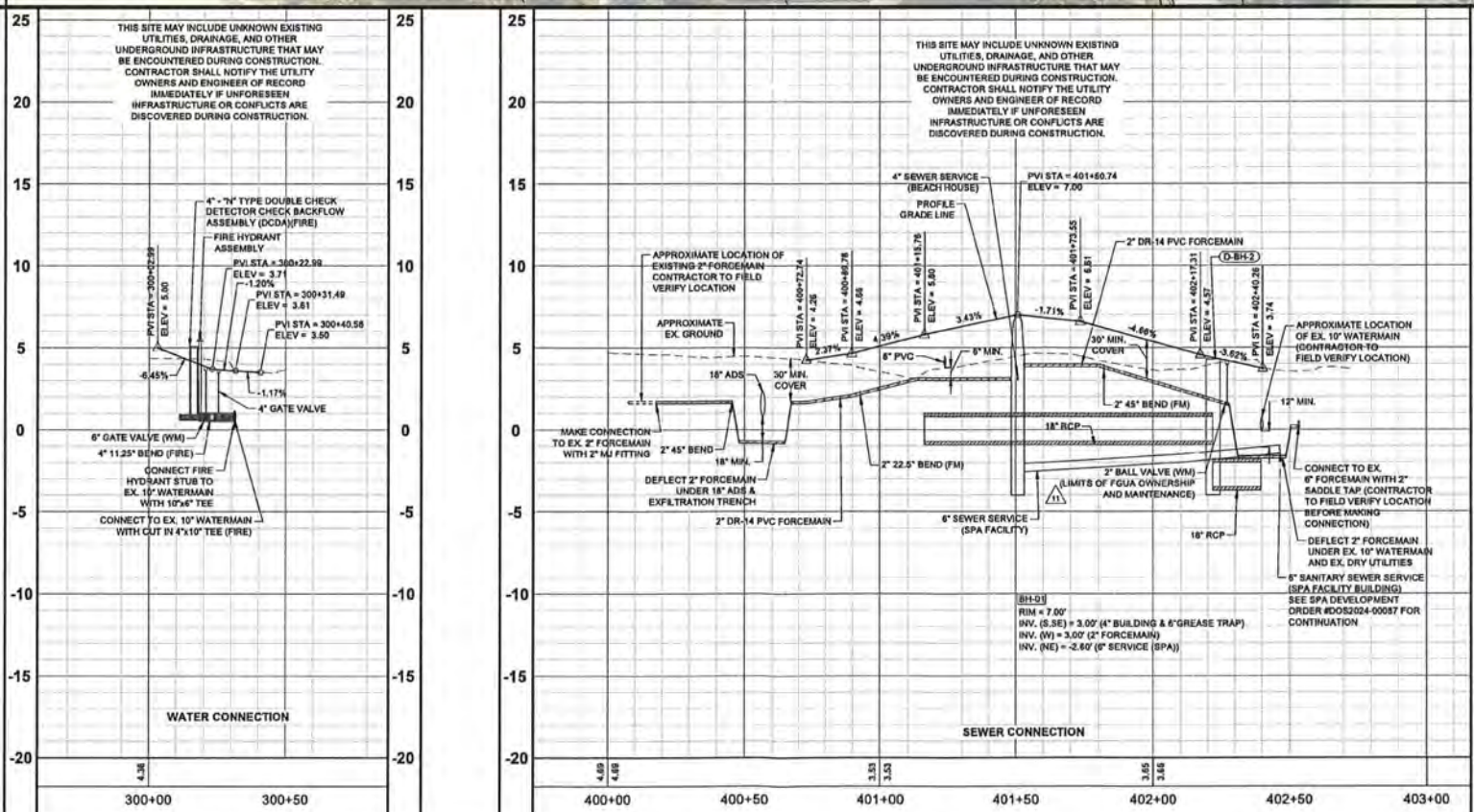
PREPARED FOR
**WS SSIR
OWNER, LLC.**
1031 W. MORSE BLVD. SUITE 350
WINTER PARK, FL 32789

PROJECT DESCRIPTION
**SOUTH SEAS
ISLAND RESORT**
GOLF COURSE RENOVATION,
STARTER & MAINTENANCE
BUILDINGS, BEACH HOUSE

PART OF SECTION 15.22,
TOWNSHIP 45 SOUTH, RANGE 21 EAST
LEE COUNTY, FLORIDA

ENGINEER OF RECORD
CARL A. BARRACO, P.E. FOR THE FIRM
FLORIDA P.E. NO. 38536 - CARLB@BARRACO.NET

THIS SITE MAY INCLUDE UNKNOWN EXISTING UTILITIES, DRAINAGE, AND OTHER UNDERGROUND INFRASTRUCTURE THAT MAY BE ENCOUNTERED DURING CONSTRUCTION. CONTRACTOR SHALL NOTIFY THE UTILITY OWNERS AND ENGINEER OF RECORD IMMEDIATELY IF UNFORESEEN INFRASTRUCTURE OR CONFLICTS ARE DISCOVERED DURING CONSTRUCTION.



MINOR CHANGE - M02
APPROVED
DOS2022-00196
Allyson Hall, Development Services Plan Reviewer
Lee County Development Services
1/16/2025

DRAWING NOT VALID WITHOUT SEAL, SIGNATURE AND DATE
© COPYRIGHT 2024, BARRACO AND ASSOCIATES, INC.
REPRODUCTION, CHANGES OR ASSIGNMENTS ARE PROHIBITED

FILE NAME: 24000G11C.DWG
LOCATION: J:\24000\DWG\DO-GC (24070)
PLOT DATE: MON, 12-23-2024 - 11:13 AM
PLOT BY: SCOTT WHEELER, JR.
CROSS REFERENCED DRAWINGS:
BASEPLAN - BASEPLAN.DWG
CROSS REFERENCED DRAWINGS:

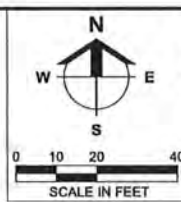
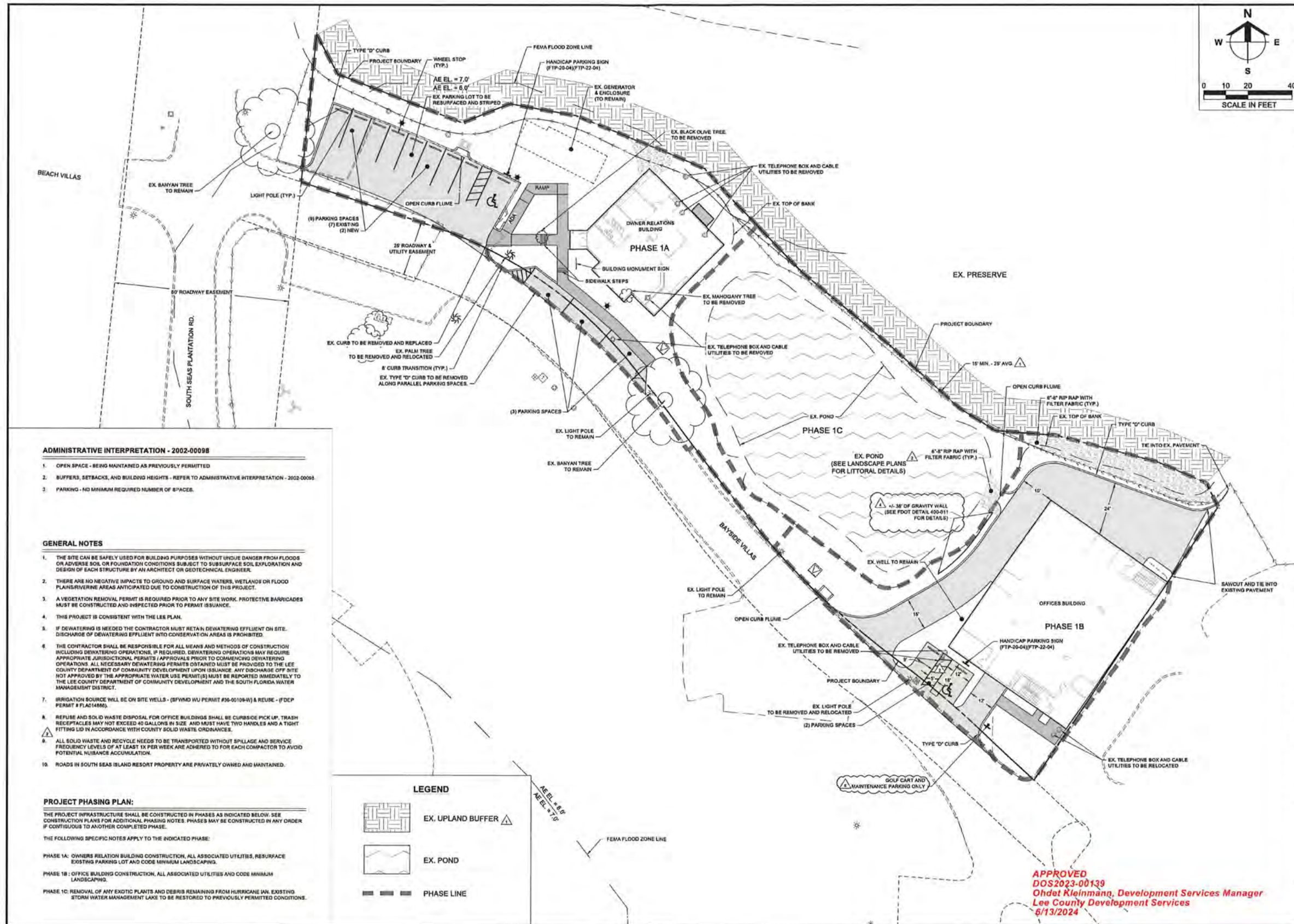
PLAN REVISIONS	CROSS REFERENCED DRAWINGS
06-14-2023 D.O. AMENDMENT #2 CHANGES	△
08-25-2023 SFVMD COMMENTS	△
12-04-2023 FGUA COMMENTS (BEACH HOUSE)	△
10-02-2024 MINOR CHANGE #2	△
11-15-2024 COUNTY COMMENTS (MC #2)	△

PLAN STATUS

APPROVAL SUBMITTAL PLANS

**PLAN AND PROFILES
WATERMAIN & SEWER
△ STA: 300 & 400**

PROJECT / FILE NO.	SHEET NUMBER
24070	5.3



Barraco
and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING
www.barraco.net
2271 MCGREGOR BLVD., SUITE 100
POST OFFICE DRAWER 2800
FORT MYERS, FLORIDA 33902-2800
PHONE (239) 461-3170
FAX (239) 461-3169

FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 7995 - SURVEYING LB-6940

PREPARED FOR
**WS SSIR
OWNER, LLC.**

1031 W. MORSE BLVD. SUITE 350
WINTER PARK, FL 32789

PROJECT DESCRIPTION

**SOUTH SEAS
ISLAND
RESORT**
OWNER RELATIONS &
OFFICE BUILDINGS

PART OF SECTION 15.22,
TOWNSHIP 45 SOUTH, RANGE 21 EAST
LEE COUNTY, FLORIDA

ENGINEER OF RECORD
CARL A. BARRACO, P.E., FOR THE FIRM
FLORIDA P.E. NO. 38536 - CARLB@BARRACO.NET

DRAWING NOT VALID WITHOUT SEAL, SIGNATURE AND DATE
© COPYRIGHT 2024, BARRACO AND ASSOCIATES, INC.
REPRODUCTION, CHANGES OR ASSIGNMENTS ARE PROHIBITED

FILE NAME	240203010.DWG
LOCATION	J:\240000\DWG\DO-OFFICES (24214)
PLOT DATE	THU, 5-23-2024 - 10:32 AM
PLOT BY	SCOTT WHEELER JR

CROSS REFERENCED DRAWINGS
BASEPLAN = 240203000.DWG

PLAN REVISIONS	
09-12-2023	SP/MD COMMENTS
11-01-2023	D.O. COMMENTS
12-27-2023	SP/MD COMMENTS
02-12-2024	D.O. COMMENTS

PLAN STATUS

APPROVAL SUBMITTAL PLANS

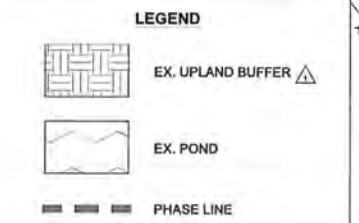
**MASTER SITE
LAYOUT, SIGNING
AND PHASING PLAN**

PROJECT / FILE NO.	SHEET NUMBER
24214	4.0

- ADMINISTRATIVE INTERPRETATION - 2002-00098**
1. OPEN SPACE - BEING MAINTAINED AS PREVIOUSLY PERMITTED
 2. BUFFERS, SETBACKS, AND BUILDING HEIGHTS - REFER TO ADMINISTRATIVE INTERPRETATION - 2002-00098
 3. PARKING - NO MINIMUM REQUIRED NUMBER OF SPACES.

- GENERAL NOTES**
1. THE SITE CAN BE SAFELY USED FOR BUILDING PURPOSES WITHOUT UNDUE DANGER FROM FLOODS OR ADVERSE SOIL OR FOUNDATION CONDITIONS SUBJECT TO SUBSURFACE SOIL EXPLORATION AND DESIGN OF EACH STRUCTURE BY AN ARCHITECT OR GEOTECHNICAL ENGINEER.
 2. THERE ARE NO NEGATIVE IMPACTS TO GROUND AND SURFACE WATERS, WETLANDS OR FLOOD PLANS/RIVERINE AREAS ANTICIPATED DUE TO CONSTRUCTION OF THIS PROJECT.
 3. A VEGETATION REMOVAL PERMIT IS REQUIRED PRIOR TO ANY SITE WORK. PROTECTIVE BARRICADES MUST BE CONSTRUCTED AND INSPECTED PRIOR TO PERMIT ISSUANCE.
 4. THIS PROJECT IS CONSISTENT WITH THE LEE PLAN.
 5. IF DEWATERING IS NEEDED THE CONTRACTOR MUST RETAIN DEWATERING EFFLUENT ON SITE. DISCHARGE OF DEWATERING EFFLUENT INTO CONSERVATION AREAS IS PROHIBITED.
 6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL MEANS AND METHODS OF CONSTRUCTION INCLUDING DEWATERING OPERATIONS. IF REQUIRED, DEWATERING OPERATIONS MAY REQUIRE APPROPRIATE JURISDICTIONAL PERMITS APPROVALS PRIOR TO COMMENCING DEWATERING OPERATIONS. ALL NECESSARY DEWATERING PERMITS OBTAINED MUST BE PROVIDED TO THE LEE COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT UPON ISSUANCE. ANY DISCHARGE OFF SITE NOT APPROVED BY THE APPROPRIATE WATER USE PERMIT(S) MUST BE REPORTED IMMEDIATELY TO THE LEE COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT AND THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT.
 7. IRRIGATION SOURCE WILL BE ON SITE WELLS - (SP/MD WU PERMIT #36-0109-4) & REUSE - (FDEP PERMIT # 19-14846).
 8. REFUSE AND SOLID WASTE DISPOSAL FOR OFFICE BUILDINGS SHALL BE CURBSIDE PICK UP. TRASH RECEPTACLES MAY NOT EXCEED 40 GALLONS IN SIZE AND MUST HAVE TWO HANDLES AND A TIGHT FITTING LID IN ACCORDANCE WITH COUNTY SOLID WASTE ORDINANCES.
 9. ALL SOLID WASTE AND RECYCLE NEEDS TO BE TRANSPORTED WITHOUT SPILLAGE AND SERVICE FREQUENCY LEVELS OF AT LEAST 1X PER WEEK ARE ADHERED TO FOR EACH COMPACTOR TO AVOID POTENTIAL HUBBARD ACCUMULATION.
 10. ROADS IN SOUTH SEAS ISLAND RESORT PROPERTY ARE PRIVATELY OWNED AND MAINTAINED.

- PROJECT PHASING PLAN:**
- THE PROJECT INFRASTRUCTURE SHALL BE CONSTRUCTED IN PHASES AS INDICATED BELOW. SEE CONSTRUCTION PLANS FOR ADDITIONAL PHASING NOTES. PHASES MAY BE CONSTRUCTED IN ANY ORDER IF CONTIGUOUS TO ANOTHER COMPLETED PHASE.
- THE FOLLOWING SPECIFIC NOTES APPLY TO THE INDICATED PHASE:
- PHASE 1A: OWNERS RELATION BUILDING CONSTRUCTION, ALL ASSOCIATED UTILITIES, RESURFACE EXISTING PARKING LOT AND CODE MINIMUM LANDSCAPING.
- PHASE 1B: OFFICE BUILDING CONSTRUCTION, ALL ASSOCIATED UTILITIES AND CODE MINIMUM LANDSCAPING.
- PHASE 1C: REMOVAL OF ANY EXOTIC PLANTS AND DEBRIS REMAINING FROM HURRICANE W/ EXISTING STORM WATER MANAGEMENT LAKE TO BE RESTORED TO PREVIOUSLY PERMITTED CONDITIONS.



APPROVED
DOS2023-00139
Ohdet Kleinmann, Development Services Manager
Lee County Development Services
6/13/2024

PROJECT PHASING PLAN:
THE PROJECT INFRASTRUCTURE SHALL BE CONSTRUCTED IN ONE PHASE.

GENERAL NOTES

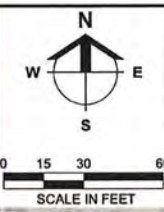
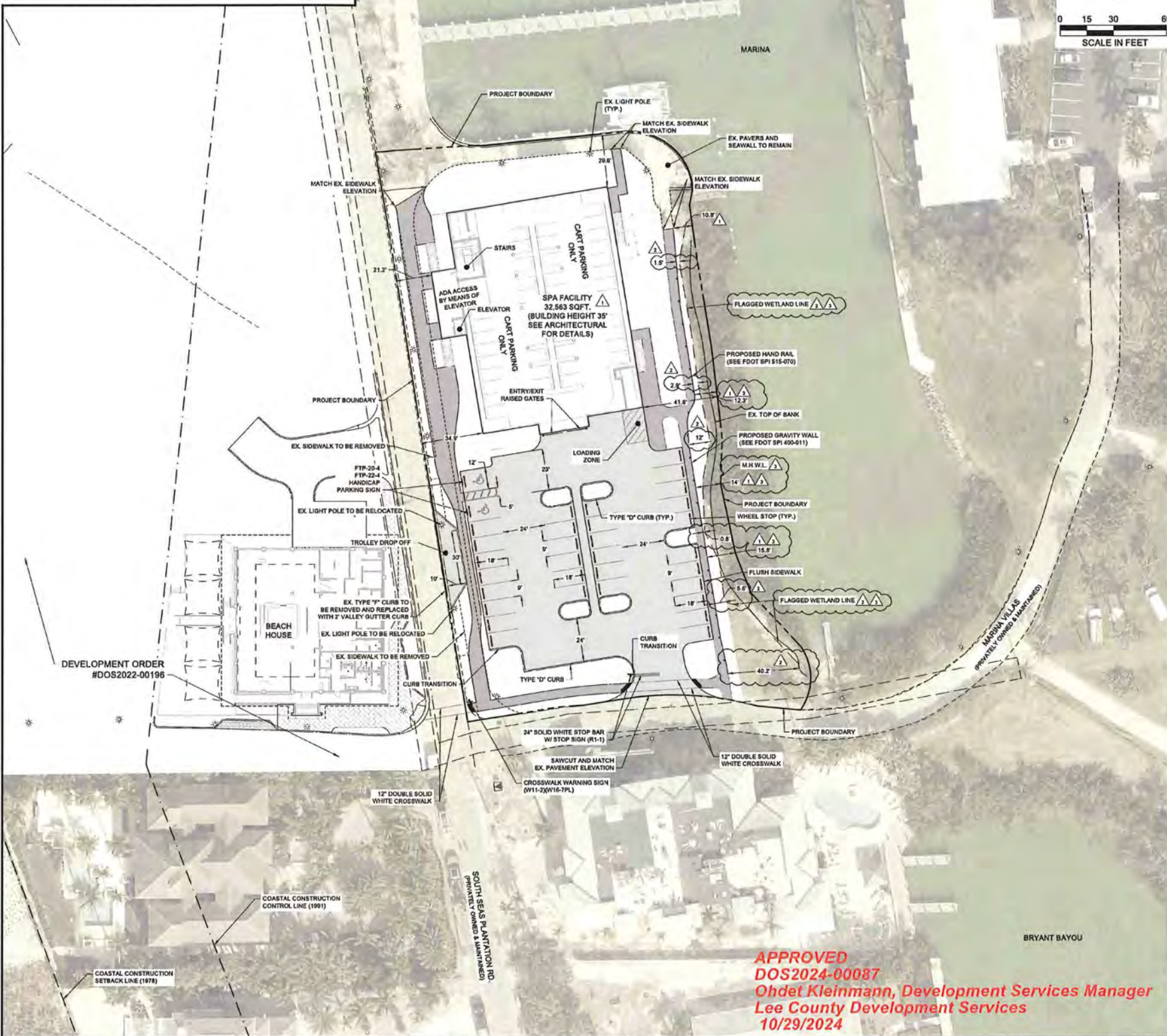
- THE SITE CAN BE SAFELY USED FOR BUILDING PURPOSES WITHOUT UNIQUE DANGER FROM FLOODS OR ADVERSE SOIL OR FOUNDATION CONDITIONS SUBJECT TO SUBSURFACE SOIL EXPLORATION AND DESIGN OF EACH STRUCTURE BY AN ARCHITECT OR GEOTECHNICAL ENGINEER.
- THERE ARE NO NEGATIVE IMPACTS TO GROUND AND SURFACE WATERS, WETLANDS OR FLOOD PLAIN/SUBMERGENCE AREAS ANTICIPATED DUE TO CONSTRUCTION OF THIS PROJECT.
- A VEGETATION REMOVAL PERMIT IS REQUIRED PRIOR TO ANY SITE WORK. PROTECTIVE BARRICADES MUST BE CONSTRUCTED AND INSPECTED PRIOR TO PERMIT ISSUANCE.
- THIS PROJECT IS CONSISTENT WITH THE LEE PLAN.
- IF DEWATERING IS NEEDED THE CONTRACTOR MUST RETAIN DEWATERING EFFLUENT ON SITE. DISCHARGE OF DEWATERING EFFLUENT INTO CONSERVATION AREAS IS PROHIBITED.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL MEANS AND METHODS OF CONSTRUCTION INCLUDING DEWATERING OPERATIONS. IF REQUIRED, DEWATERING OPERATIONS MAY REQUIRE APPROPRIATE JURISDICTIONAL PERMITS / APPROVALS PRIOR TO COMMENCING DEWATERING OPERATIONS. ALL NECESSARY DEWATERING PERMITS OBTAINED MUST BE PROVIDED TO THE LEE COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT UPON ISSUANCE. ANY DISCHARGE OFF SITE NOT APPROVED BY THE APPROPRIATE WATER USE PERMIT(S) MUST BE REPORTED IMMEDIATELY TO THE LEE COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT AND THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT.
- IRRIGATION SOURCE WILL BE ON SITE WELLS - (SPWWD WU PERMIT #36-00109-1V) & REUSE - (PDEP PERMIT # FLA014488).
- REFUSE AND SOLID WASTE DISPOSAL FOR SPA FACILITY WILL BE TRANSPORTED TO EXISTING RESORT TRASH COMPACTOR FACILITY FOR PROCESSING AND DISPOSAL.
- ALL SOLID WASTE AND RECYCLE NEEDS TO BE TRANSPORTED WITHOUT SPILLAGE AND SERVICE FREQUENCY LEVELS OF AT LEAST 1X PER WEEK ARE ADHERED TO FOR EACH COMPACTOR TO AVOID POTENTIAL NUISANCE ACCUMULATION.
- ROADS IN SOUTH SEAS ISLAND RESORT PROPERTY ARE PRIVATELY OWNED AND MAINTAINED.

SITE CALCULATIONS	
TOTAL PERMITTED SOUTH SEAS ISLAND RESORT AREA	304.00 AC.
TOTAL GOLF COURSE AREA BASIN BOUNDARY	41.43 AC.
PROJECT BOUNDARY	1.25 AC.
EXISTING PERMITTED AREAS	
EXISTING PERMITTED LAKE AREA	5.21 AC.
EXISTING PERMITTED IMPERVIOUS AREA	2.06 AC.
EXISTING PERMITTED GOLF COURSE AREA	30.75 AC.
EXISTING GOLF SHOP & MAINTENANCE IMPERVIOUS AREA	1.24 AC.
EXISTING GOLF SHOP & MAINTENANCE PERVIOUS AREA	0.92 AC.
EXISTING MINIATURE GOLF PERVIOUS AREA	0.59 AC.
EXISTING MINIATURE GOLF IMPERVIOUS AREA	0.35 AC.
EXISTING PERMITTED CRUISE SITE PERVIOUS AREAS	0.07 AC.
EXISTING PERMITTED CRUISE SITE BUILDING AREA	0.10 AC.
EXISTING PERMITTED CRUISE SITE SIDEWALK AREA	0.10 AC.
TOTAL =	41.43 AC.
PERMITTED AREAS	
PERMITTED MASS FILL AREA	11.63 AC.
PERMITTED LAKE AREA	5.23 AC.
PERMITTED NURSERY AREA	4.60 AC.
PERMITTED GOLF COURSE AREA	16.67 AC.
PERMITTED GOLF SHOP & MAINTENANCE RELOCATION IMPERV.	0.68 AC.
PERMITTED BEACH HOUSE IMPERVIOUS AREA	0.40 AC.
PERMITTED BEACH HOUSE PERVIOUS AREA	0.97 AC.
PERMITTED MINIATURE GOLF PERVIOUS AREA	0.48 AC.
PERMITTED MINIATURE GOLF IMPERVIOUS AREA	0.50 AC.
EXISTING PERMITTED CRUISE SITE PERVIOUS AREAS	0.15 AC.
EXISTING PERMITTED CRUISE SITE BUILDING AREA	0.02 AC.
EXISTING PERMITTED CRUISE SITE SIDEWALK AREA	0.10 AC.
TOTAL =	41.43 AC.
PROPOSED AREAS	
PERMITTED MASS FILL AREA	11.63 AC.
PERMITTED LAKE AREA	5.23 AC.
PERMITTED NURSERY AREA	4.60 AC.
PERMITTED GOLF COURSE AREA	16.67 AC.
PERMITTED GOLF SHOP & MAINTENANCE RELOCATION IMPERV.	0.68 AC.
PERMITTED BEACH HOUSE IMPERVIOUS AREA	0.40 AC.
PERMITTED BEACH HOUSE PERVIOUS AREA	0.97 AC.
EX. SIDEWALK AREA	0.10 AC.
PROPOSED SIDEWALK AREA	0.09 AC.
PROPOSED PAVEMENT AREA	0.28 AC.
PROPOSED BUILDING AREA	0.28 AC.
PROPOSED PERVIOUS AREA	0.40 AC.
TOTAL =	41.43 AC.

NOTE: SHADED LAND USES DENOTE THE AREAS WITHIN THE 1.25-ACRE PROJECT BOUNDARY.

ADMINISTRATIVE INTERPRETATION - 2002-00098

- OPEN SPACE - BEING MAINTAINED AS PREVIOUSLY PERMITTED
- BUFFERS, SETBACKS, AND BUILDING HEIGHTS - REFER TO ADMINISTRATIVE INTERPRETATION - 2002-00098. (PROVIDED AT END OF PLANS)
- PARKING - NO MINIMUM REQUIRED NUMBER OF SPACES.



Barraco
Band Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING
www.barraco.net
2271 MCGREGOR BLVD., SUITE 100
FORT MYERS, FLORIDA 33902-2800
PHONE: (239) 461-3170
FORT MYERS | PANAMA CITY BEACH
FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 7995 - SURVEYING LB-6940

WS SSIR HOLDINGS, LLC.
1031 W. MORSE BLVD. SUITE 350
WINTER PARK, FL 32789

SOUTH SEAS ISLAND RESORT SPA FACILITY
PART OF SECTION 22,
TOWNSHIP 45 SOUTH, RANGE 21 EAST
LEE COUNTY, FLORIDA

ENGINEER OF RECORD
CARL A. BARRACO, P.E. FOR THE FIRM
FLORIDA P.E. NO. 28539 - CARL@BARRACO.NET

FILE NAME: 24076C410.DWG
LOCATION: J:\2400002\DWG\DO-CM\PARCEL_04076A
PLOT DATE: THU, 9-19-2024 - 1:59 PM
PLOT BY: SCOTT WHEELER JR.
CROSS REFERENCED DRAWINGS
BASEPLAN + 24076C400.DWG

PLAN REVISIONS	
08-06-2024	D.O. COMMENTS
06-22-2024	ERP COMMENTS
09-16-2024	D.O. COMMENTS

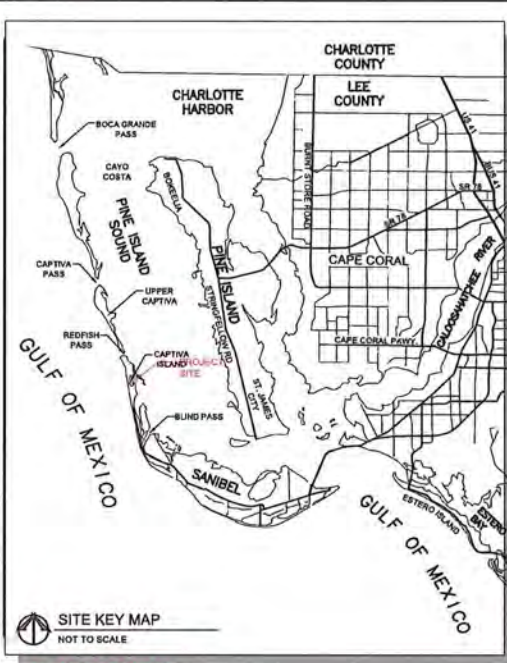
PLAN STATUS
APPROVAL SUBMITTAL PLANS

MASTER SITE LAYOUT, SIGNING AND PHASING PLAN

PROJECT / FILE NO.	SHEET NUMBER
24076	4.0

SOUTH SEAS ISLAND RESORT SET BACK TABLE (ADD 2002-00098)		
	Required	Provided
Captive Drive South West	MIN. 25' to edge of right of way.	N/A
South Sea Road	MIN. 10' to edge of pavement, excluding security buildings, signs, walls and other entrance features, when consistent with LDC site visibility requirements.	VARIES 14'-38'
Internal Driveways	No MIN. setbacks required	No MIN.
Building to External Property Line	MIN. with MIN. 6' high wall and vegetation buffer. - MIN. 15' with MIN. 6' high wall or vegetation buffer. - MIN. 20' without wall or vegetation buffer.	VARIES 20'-40'
Building to Internal Property Line	No MIN. setbacks required	No MIN.
Building to Bay Waters	MIN. 25' setback from mean high tide line.	N/A
Building to Waters of Gulf of Mexico	MIN. 50' from mean high tide line.	N/A
Building to Natural or Manmade lake, pond, lagoon, canal or impoundment	No MIN. setbacks required for buildings redeveloped within existing building footprint; 25' for any new buildings.	VARIES 20'-40'
Building to Building Separation	MIN. 10' separation unless additional separation is required by building/fire code.	N/A
Accessory Structures Including Fences & Walls	For walls or structures 8' or less in height above grade. No MIN. setback required. For walls or structures over 8' in height above grade, the setback shall be the same as set forth above for buildings, except as to water bodies where there will be no setbacks required. There shall be no MIN. required separation between walls and accessory structures or one accessory structure and another.	N/A

APPROVED
DOS2024-00087
Ohdet Kleinmann, Development Services Manager
Lee County Development Services
10/29/2024



LCD REQUIREMENTS:

TREES & PALMS PER SECTION 10-420(C)(1)

Code-required trees must be a minimum of ten feet in height, have a two-inch caliper (at six inches above the ground) and a four-foot spread at the time of installation. Palms must have a minimum of ten feet of clear trunk at planting. Trees having an average mature spread or crown less than 20 feet may be substituted by grouping the same so as to create the equivalent of a 20-foot crown spread. Trees adjacent to walkways, bike paths and rights-of-way must be maintained with eight feet of clear trunk.

SHRUBS AND HEDGES PER SECTION 10-420(D)(E)

Shrubs and hedges. Shrubs must be a minimum of 24 inches in height, at time of planting. Saw palmettos (*Serenoa repens*) and coonties (*Zamia floridana*) may be used as shrubs, provided they are 12 inches in height at time of planting. All shrubs must be a minimum three-gallon container size and be spaced 18 to 36 inches on center. They must be at least 36 inches in height within 12 months of time of planting and maintained in perpetuity at a height of no less than 36 inches. Required hedges must be planted in double staggered rows and maintained so as to form a continuous, unbroken, solid visual screen within a minimum of one year after time of planting.

SHRUBS AND HEDGES PER SECTION 10-420(G)

A two-inch minimum layer, after watering-in, of mulch or other recycled materials must be placed and maintained around all newly installed trees, shrubs, and groundcover plantings. Each tree must have a ring of mulch no less than 24 inches beyond its trunk in all directions. The use of cypress mulch is strongly discouraged. Sand, gravel, rock, or shell are not appropriate mulch materials.

INVASIVE EXOTICS REQUIREMENTS PER 10-420(H)

The following highly invasive exotic plants may not be planted, (i.e. are prohibited) and must be removed from the development area. Methods to remove and control invasive exotic plants must be included on the development order plans. A statement must also be included on the development order that the development area will be maintained free from invasive exotic plants in perpetuity. For purposes of this subsection, invasive exotic plants include: Earleaf acacia, Woman's tongue, Bishopwood, Australian pines, Carrotwood, Rosewood, Air potato, Murray red gum, Weeping fig, Cuban laurel fig, Japanese Climbing fern, Old World climbing fern, Melaleuca, paper tree, Downy rose myrtle, Chinese tallow, Brazilian pepper Florida holly, Tropical soda apple, Java plum, Rose apple, Cork tree, & Weddella.

LCD REQUIREMENTS:

BUILDING PERIMETER LANDSCAPE 10-416(B)

Building perimeter plantings. All new development in commercial zoning districts and commercial components of planned development districts and DRIs must provide building perimeter plantings equal to ten percent of the proposed building gross ground level floor area. These planting areas must be located abutting three sides of the building with emphasis on the sides most visible to the public, not including the loading area. Overall development area is to be allocated as open space per Sec. 10-415 (Open Space Requirement Table).

The perimeter planting areas must consist of landscape areas, raised planters or planter boxes that are a minimum of five feet wide. These landscape areas must include shrubs and ground cover plants with a minimum of 50 percent coverage of the landscape area at the time of planting. Trees and shrubs must meet the size requirements of section 10-420(d). Groundcover plants must be a minimum one-gallon container size.

LCD REQUIREMENTS:

OPEN SPACE

Of the 1.35 +/- acres that make up the SSRD Beach House development, a minimum of 20 % (approximately 11,738 sq. ft.) of the overall development area is to be allocated as open space per Sec. 10-415 (Open Space Requirement Table).

LANDSCAPE SCHEDULE

CODE	QTY	COMMON NAME	SIZE
TREES			
	6	BUTTONWOOD	MIN. 2" CAL - 10' HT
	4	PIGEON PLUM	MIN. 2" CAL - 10' HT
	19	SILVER BUTTONWOOD	MIN. 2" CAL - 10' HT
PALMS			
	4	COCONUT PALM	RELOCATE FROM ON SITE
	3	SABAL PALM	10' HT.
SHRUBS			
	90	DWARF FAKAHATCHEE GRASS	1 GAL
	3	FIREBUSH	5 GAL
	8	FLORIDA COONTIE	3 GAL - MIN. 12" HT
	13	LADY PALM	4" HT.
	1	PETRA CROTON	3 GAL
	81	SAW PALMETTO	5 GAL - MIN 12" HT
SHRUB AREAS			
	95	FAKAHATCHEE GRASS	3 GAL
	158	PINK MUHLY GRASS	3 GAL
GROUND COVERS			
	46	DUNE SUNFLOWER	1 GAL
	5,959 SF	ZOYSIA	-

MEAD LANDSCAPE DESIGN

5600 11TH ST SOUTH
ST PETERSBURG, FLORIDA 33705
(727) 204-0127

CONSULTANTS

Author:
AHLK Architecture
2059 Tamiami Trail E.
Naples | FL 34112
(239) 331-7092

Civil Engineer:
Barracco & Associates
2271 McGregor Blvd, Suite 100
Fort Myers | FL 33901
(239)461-3170

OWNER:
Timbers South Seas Development, LLC,
1031 W. Horse Blvd., Suite 350
Winter Park | FL 32789
(321) 280-1552

**South Seas Island Resort
Spa
Landscape Development Order**

5400 S SEAS PLANTATION RD
CAPTIVA, FL 33924

SIGNATURE & SEAL



REVISIONS

REV #1	DO REVISION	DATE
	DEVELOPMENT ORDER	06-14-2024
	08-19-2024	

NO. COMMENTS DATE

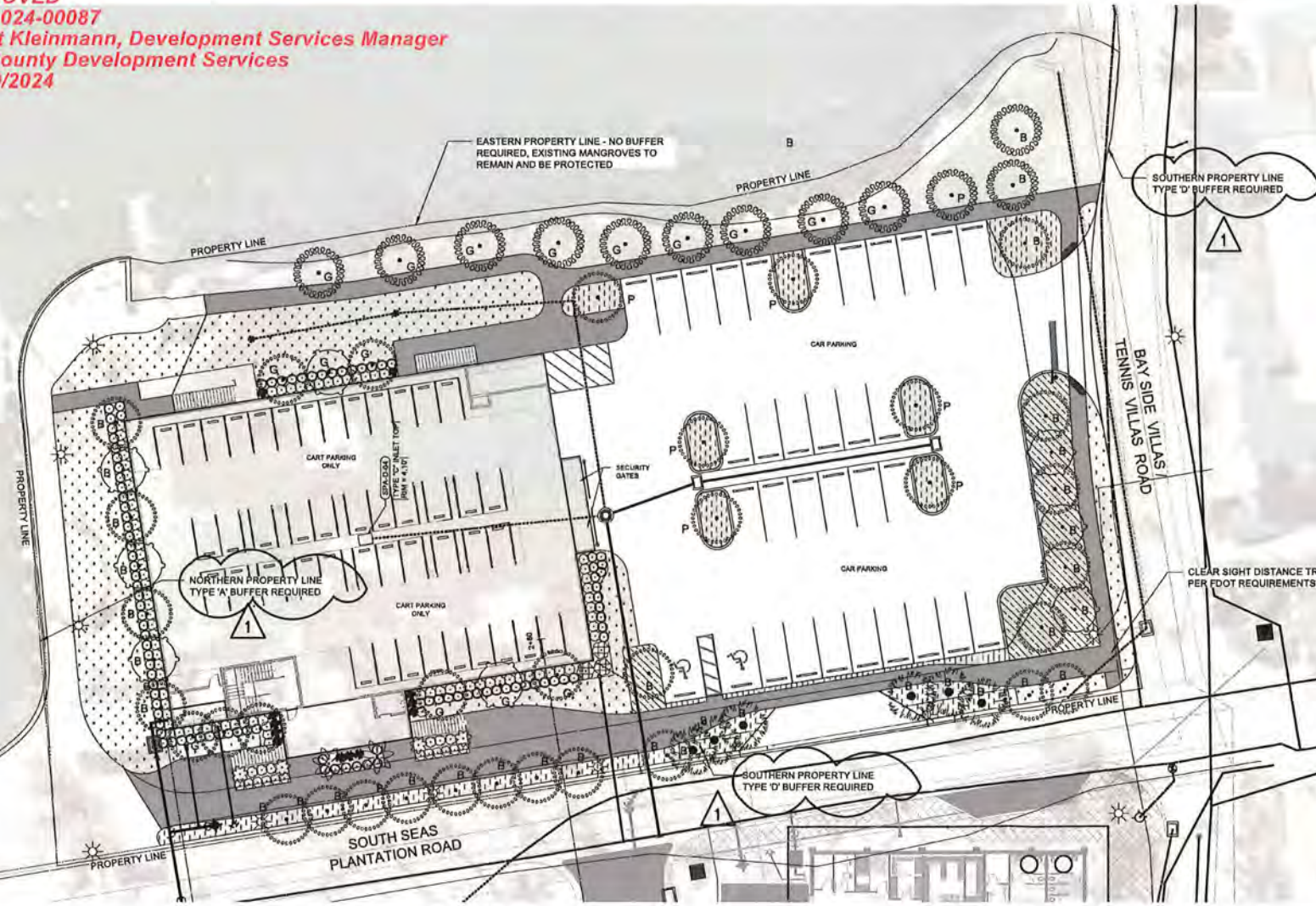
SHEET INFORMATION		
DATE	06-14-2024	
JOB NUMBER	113651	
DRAWN BY	TM	
CHECKED BY	TM	

NOT FOR CONSTRUCTION

LANDSCAPE PLAN

L2.101

APPROVED
DOS2024-00087
Ohdet Kleinmann, Development Services Manager
Lee County Development Services
10/29/2024



LEE COUNTY LDC REQUIREMENTS	
PROJECT INFORMATION	
PROJECT NAME	Timbers South Seas - Spa Building
PROJECT ADDRESS	5400 S. Seas Plantation RD Captiva, Florida 33924
PROJECT ZONING CLASSIFICATION	RU-3 (See administrative Interpretation 2002-00098)
LDC SEC 10-416(c)(1)(2)(a-f) VEHICULAR PARKING CALCULATIONS & REQUIREMENTS	
TOTAL VEHICULAR PARKING AREA	16,140 sf.
TOTAL INTERNAL/PERIMETER PLANTING AREA REQUIRED (10% Of Total Vehicular Parking Area)	1,614 sf.
PLANTING AREA PROVIDED	2,585 sf.
VEHICULAR PARKING TREE REQUIREMENTS (1 Tree Required per 250 sqft of Required Planting Area)	6.56 Trees Required 7 Trees Provided
LDC SEC 10-416(b) BUILDING PERIMETER LANDSCAPE REQUIREMENTS	
TOTAL COMBINED BUILDING LANDSCAPE PERIMETER REQUIRED (10% of Building Area required for perimeter landscape)	1,232.80 Sq. Ft.
TOTAL LANDSCAPE AREA PROVIDED	1455 Sq. Ft. Provided in 5' Min width beds
LDC SEC 10-416(a)(3) LANDSCAPE STANDARDS AND GENERAL REQUIREMENTS	
TOTAL PROJECT AREA	54,599 Sq. Ft.
GENERAL TREE REQUIREMENTS *(1 TREE PER 3,500 SQFT REQUIRED)	54,599/3500 = 15.59 Trees 16 Trees Total Required
EXISTING NATIVE TREES TO REMAIN	0 Native palms to be relocated on site 0 x 0 = 2 Credits against general tree requirements
TOTAL TREES PROPOSED ON SITE	31 Native Palms & Trees Proposed on Site
LDC SEC 10-416(d)(2) BUFFER CALCULATIONS & REQUIREMENTS	
PROPERTY LINES ALONG INTERNAL RESORT DRIVE LINES	
SOUTH R.O.W. BUFFER 150LF = 8 CANOPY TREES & 99 SHRUBS REQUIRED - COMPLIES	
WEST R.O.W. BUFFER 322LF = 17 CANOPY TREES & 231 SHRUBS REQUIRED - COMPLIES	
NORTH TYPE 'A' BUFFER 170LF = 7 CANOPY TREES REQUIRED - COMPLIES	

NOTES:
1. FOR ALL ARCHITECTURE; RE ARCH PLANS
2. FOR ALL UTILITIES & GRADING; RE CIVIL PLANS

REFERENCE ADMINISTRATIVE INTERPRETATION - 2002-00098



Symbol	Qty	Label	Arrangement	LLF	Description	Luminaire Watts	Arrangement Watts	Luminaire Lumens	Total Watts
○	1	BK-FL	Single	1.000	DR-LED-1115-SP-WHP-9-0-YM-MT	89.7481	89.748	10074	89.748
○	7	BL	Single	1.000	FC88C-36N02	30	30	522	210
○	20	C	Single	1.000	VCD5WH12LDD3030KFM	34.3	34.3	3700	686
○	137	D	Single	1.000	EX8K-24-LUBIV-S-14F	1.8	1.8	49	246.6
○	2	P	Single	1.000	Z4RDL-10925WQWH	10.1	10.1	968	20.2
○	18	M	Single	1.000	VC3LSA10LDD30KFM 2000L	35.9	35.9	2972	646.2
○	18	P	Single	1.000	VCD5WH12LDD3030KFM	35.8	35.8	3698	644.4
○	64	T	Single	1.000	LED-45-MFL-13-11-183924	6.95	6.95	384	444.8
○	2	WP	Single	1.000	VCD5WH12LDD3030KFM	34.3	34.3	3700	68.6

Label	Calc Type	Units	Avg	Max	Min	Avg/Min	Max/Min	Point Spacing	Calc. Plane Height
MURAL 1 Side 2	Illuminance	Fc	12.58	30.9	2.5	5.07	12.36	2.5	0 to 15
MURAL 2 Side 2	Illuminance	Fc	10.01	26.3	3.3	3.03	7.97	2.5	0 to 20
MURAL 2 Side 3 Split	Illuminance	Fc	9.82	25.5	2.0	4.81	12.75	2.5	0 to 20
PROJECT BOUNDARY	Illuminance	Fc	0.42	11.3	0.0	N.A.	N.A.	N.A.	N.A.
PROPERTY LINE OFFSET	Illuminance	Fc	0.08	1.6	0.0	N.A.	N.A.	N.A.	N.A.
AREA A	Illuminance	Fc	0.35	2.7	0.0	N.A.	N.A.	10	0
BATHROOM MURALS Side 9	Illuminance	Fc	12.53	27.2	4.3	2.61	6.33	2.5	0 to 14
BRIDGE Top 1	Illuminance	Fc	0.94	5.1	0.0	N.A.	N.A.	2	5
FRONT DAWNING Top	Illuminance	Fc	37.72	81.1	16.8	2.37	3.88	5	2.5
GOLF CART PARKING AND DRIVE	Illuminance	Fc	0.15	0.9	0.0	N.A.	N.A.	10	0
LAZY RIVER	Illuminance	Fc	0.34	2.3	0.0	N.A.	N.A.	10	0
OUTDOOR DINING	Illuminance	Fc	26.68	66.8	10.3	2.58	5.51	4	2.5
POOL AND WATERSLIDES	Illuminance	Fc	0.03	0.2	0.0	N.A.	N.A.	10	0
POOL	Illuminance	Fc	0.01	0.1	0.0	N.A.	N.A.	10	0
RAMP Side 3	Illuminance	Fc	34.03	63.7	23.8	1.43	2.69	2	0.023 to 2.515
SIDEWALK A	Illuminance	Fc	0.85	3.4	0.2	4.25	17.00	3	0
SIDEWALK B	Illuminance	Fc	3.26	8.4	0.6	5.43	14.00	5	0
SIDEWALK C	Illuminance	Fc	2.30	8.0	0.4	5.75	20.00	8	0
SIDEWALK D	Illuminance	Fc	20.68	35.1	10.8	1.97	3.31	6	0
SIDEWALK E	Illuminance	Fc	3.54	13.6	0.8	4.43	17.00	5	0
SITE	Illuminance	Fc	1.17	31.1	0.0	N.A.	N.A.	10	0
STAIR A	Illuminance	Fc	23.74	61.9	3.2	7.42	19.34	2	0.5 to 2.5
STAIR B	Illuminance	Fc	39.93	63.7	29.5	1.35	2.16	2	0.5 to 2.5
STAIR C	Illuminance	Fc	32.02	44.9	24.1	1.33	1.86	2	0.5 to 2.5
STAIR D-NORTH	Illuminance	Fc	2.88	6.6	0.7	4.11	9.43	3	0.5 to 5
STAIR D-SOUTH	Illuminance	Fc	0.51	3.7	0.0	N.A.	N.A.	2	0.5 to 9

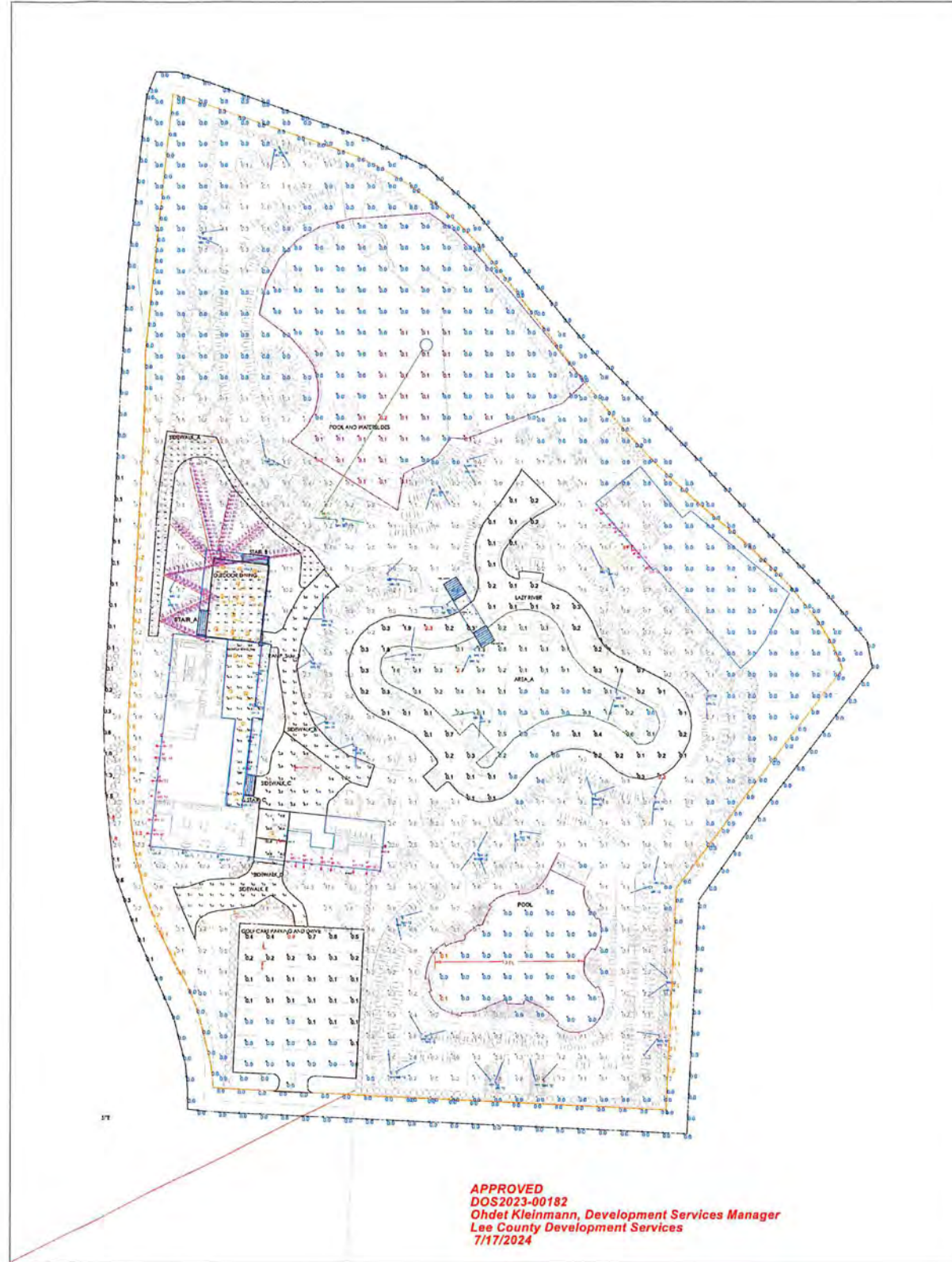
- NOTES:
- WHEN THE LLF IS NOT 0.9 OR 1.0 THE WATTAGE INFORMATION WILL NOT BE CORRECT
 - THE MOUNTING HEIGHT FOR TYPE M IS SHOWN ON THE LABEL BUT THE LENS IS 2FT BELOW THE MH NOTED
 - FIXTURE TYPE M IS TILTED 20 DEGREES TOWARDS THE WALL
 - THE AIMING POINTS OF FIXTURE T SHOULD BE DETERMINED ON SITE
 - LUMINAIRES PLACED APPROXIMATELY AS SHOWN ON MARKUP PROVIDED
 - COLUMN HEIGHTS NEAR MURAL 2 WERE ASSUMED TO BE 10'-0" ALL OTHER COLUMNS WERE ASSUMED TO BE 16'-0"
 - MOUNTING HEIGHTS ASSUMED WHEN NOT SPECIFIED
 - ONLY SPECIFIED FIXTURES WERE INCLUDED TO PLAN
 - LOCATION OF CANOPY FOR TYPE P TO BE CONSIDERED APPROXIMATE
 - THE LLF OF FIXTURE P WAS MODIFIED TO EXPRESS A NEW OUTPUT OF 2000L VALUES IN AREAS WITH THIS FIXTURE SHOULD BE CONSIDERED AS APPROXIMATE
 - TYPE BL IS ONLY AVAILABLE IN 4000K ALL VALUES ARE TO BE CONSIDERED APPROXIMATE
 - TYPE D IS TO BE INSTALLED AT 12FT AFF AT THE BUILDING AT 8' AFF AT THE POST MAKING VALUES TO BE CONSIDERED APPROXIMATE
 - TYPE M HAS A LLF OF 1.0 PER CODE BUT SHOULD BE DERATED TO 0.8 TO MIMIC TRUE OUTPUT MAKING VALUES TO BE CONSIDERED APPROXIMATE
 - IN POOL LIGHTING BY OTHERS



Render image - View Name : EXTERIOR_A



Render image - View Name : EXTERIOR_B



View_1:SITE
Scale: 1 Inch= 30 Ft.

APPROVED
DOS2023-00182
Ohdet Kleinmann, Development Services Manager
Lee County Development Services
7/17/2024



Disclaimer:
SESCO Lighting provides this production report for purposes of comparison only. The information provided is based on standardized industry procedures. The laboratory performance will differ from that obtained in the field due to a great number of variables, both known and unknown (installation methods, power quality, luminaire, recoverable and non-recoverable light loss factors, etc.).
In general, SESCO Lighting considers numerical values to be predictive in that they cannot characterize the visual performance of any luminaire, single or grouped. As such, separate decisions must be made on a project-by-project basis, in agreement with the manufacturer, and above all, common sense.

Sales Rep: BILL SNYDER
Office: FT MYERS
Contact No: (239) 274-3759
Processed By: A. CORNELIUS
Filename: 03-15-2024 SOUTH SEAS RESORT WATER PARK.AGI

SOUTH SEAS RESORT
WATER PARK

Date: 5/22/2024

Page 1 of 5

ATTACHMENT T



**REQUEST FOR
SUBMITTAL REQUIREMENT WAIVER
FOR UNINCORPORATED AREAS ONLY**

Upon written request, the Director may modify the submittal requirements for Public Hearings, Development Orders, Limited Review Development Orders and other Administrative Action Applications where it can be clearly demonstrated that the submission will have no bearing on the review and processing of the application. The request and the Director's written response must accompany the application submitted and will become a part of the permanent file.

**APPLICATION FOR WAIVER OF REQUIRED SUBMITTAL ITEMS
(indicate the appropriate application type)**

- Public Hearing - General Requirements (34-202)
- Public Hearing - Mining Excavation Planned Development (12-110)
- Public Hearing - Additional Requirements for:
 - Development of Regional Impact (34-202(b)(1))
 - Planned Developments (34-202(b)(2))
 - Planned Development Amendment (34-202(b)(2))
 - Rezoning other than Planned Developments (34-202(b)(3))
 - Special Exceptions (34-202(b)(5))
 - Variances (34-202(b)(6))
 - Limited Amendment to Existing Mine Zoning Approval [12-121(j)]
 - Private Recreational Facilities Planned Development (34-941(g))
- Development Order - Submittal Requirements (10-152)
 - Application Form and Contents (10-153)
 - Additional Required Submittals (10-154)
- Limited Review Development Order – Submittal Requirements (10-152)
 - Required Submittals (10-175)
- Administrative Action Application Requirements [34-203]
State the Type of Administrative Application: _____

PLEASE PRINT OR TYPE:

STRAP Number: Multiple - See Attached

Name of Project: South Seas Mixed Use Planned Development

Name of Agent: Alexis Crespo, AICP – RVI Planning + Landscape Architecture

Street Address: 28100 Bonita Grande Drive, Suite 300

City, State, Zip: Bonita Springs, FL 34135

Phone Number: 239.850.8525 Email Address: acrespo@rviplanning.com

Name of Applicant*: WS SSIR OWNER, LLC

Street Address: 660 Steamboat Rd, 3rd FL

City, State, Zip: Greenwich, CT 06830

Phone Number: 407.775.2040 Email Address: gspencer@timbersresorts.com

***If applicant is not the owner, a letter of authorization from the owner must be submitted.**

LEE COUNTY COMMUNITY DEVELOPMENT
P.O. BOX 398 (1500 MONROE STREET), FORT MYERS, FLORIDA 33902
PHONE (239) 533-8585

A. SPECIFIC SECTION(S) AND REQUIREMENT(S) FOR WHICH A WAIVER IS SOUGHT:

#	Section Number	Requirement
#1	34-373(a)(4)(a)	All easements affecting the property to be depicted.
#2		
#3		
#4		
#5		
#6		
#7		
#8		
#9		

B. SCOPE OF PROJECT AND REASON(S) FOR REQUEST:

Please provide an explanation of the scope of the project and the reason(s) why you think the request for submittal waiver(s) should be approved. Use additional sheets if necessary and attach to this application form. (Please print or type)
 See Attached.

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



9/24/2024

Signature of Applicant

Date

.....
 FOR STAFF USE ONLY

DIRECTOR'S DECISION:

- Request Denied
- Request Approved
- Request Approved Per Attached Comments

Electronically signed on 10/1/2024 by
 Anthony R. Rodriguez, AICP, CPM, Zoning Manager
 Lee County Department of Community Development

Director Signature

Date

ATTACHMENT U

LEE COUNTY ORDINANCE NO. 23-22

AN ORDINANCE AMENDING THE LEE COUNTY LAND DEVELOPMENT CODE, CHAPTERS 30 (SIGNS), 33 (PLANNING COMMUNITY REGULATIONS) AND 34 (ZONING); PERTAINING TO RELOCATION OF NONCONFORMING BILLBOARDS; UNIFORM CALCULATION OF BUILDING HEIGHT; EXCEPTIONS TO HEIGHT LIMITATIONS FOR THE PURPOSE OF RESILIENCY; PERMITTED SETBACK ENCROACHMENTS FOR EXTERIOR STAIRWAYS; PARKING REQUIREMENTS FOR RECONSTRUCTED BUILDINGS; ZONING APPLICATION REQUIREMENTS RELATED TO HOMEOWNERS' ASSOCIATIONS; ISSUES RELATED TO REBUILDING ON CAPTIVA ISLAND AND WITHIN SOUTH SEAS ISLAND RESORT; PROVIDING FOR MODIFICATIONS THAT MAY ARISE FROM CONSIDERATION AT PUBLIC HEARING; PROVIDING FOR CONFLICTS OF LAW, SEVERABILITY, CODIFICATION, INCLUSION IN CODE AND SCRIVENER'S ERRORS, AND AN EFFECTIVE DATE.

THE SPECIFIC LDC PROVISIONS THAT WILL BE AMENDED ARE: SEC. 30-55 (NONCONFORMING SIGNS); 33-1087 (MAXIMUM HEIGHT OF BUILDINGS AND STRUCTURES – GREATER PINE ISLAND); 33-1458 (BUILDING HEIGHT AND VERTICAL PLANE – MATLACHA RESIDENTIAL OVERLAY); 33-1611 (APPLICABILITY); 33-1614 (DEFINITIONS); 33-1627 (HEIGHT RESTRICTIONS ON CAPTIVA ISLAND); 34-2 (DEFINITIONS); 34-201 (APPLICATION REQUIREMENTS FOR PUBLIC HEARING AND ADMINISTRATIVE ACTIONS); 34-1805 (DENSITY LIMITATION FOR CAPTIVA ISLAND); 34-2011 (APPLICABILITY OF DIVISION); 34-2171 (MEASUREMENT); 34-2172 (EXCEPTIONS TO HEIGHT LIMITATIONS FOR RESILIENCY); 34-2174 (ADDITIONAL PERMITTED HEIGHT WHEN INCREASED SETBACKS PROVIDED); 34-2175 (HEIGHT LIMITATIONS FOR SPECIAL AREAS AND LEE PLAN LAND USE CATEGORIES); 34-2191 (MEASUREMENT; PERMITTED ENCROACHMENTS); APPENDIX I (PLANNING COMMUNITY AND REDEVELOPMENT OVERLAY DISTRICT BOUNDARIES AND LEGAL DESCRIPTIONS) MAP 18 (SOUTH SEAS ISLAND RESORT).

WHEREAS, Florida Statutes Section 125.01(1)(h) authorizes counties to establish, coordinate, and enforce zoning regulations necessary for the protection of the public; and,

WHEREAS, the Board of County Commissioners adopted the Lee County Comprehensive Plan (Lee Plan), as well as the Lee County Land Development Code (LDC) which contains regulations applicable to the development of land in Lee County; and,

WHEREAS, Goal 72 of the Lee Plan is to "Establish objectives and policies to help prevent and mitigate threats from natural disasters by reducing their potential impact on future development and responding efficiently to disasters and hazards after the fact;" and

WHEREAS, Objective 72.2 of the Lee Plan is to "Maintain land development regulations that reduce the vulnerability of development from the threats of natural and man-made hazards;" and

WHEREAS, the Land Development Code Advisory Committee (LDCAC) was created by the Board of County Commissioners to explore amendments to the LDC; and,

WHEREAS, the LDCAC has reviewed the proposed amendments to the LDC on April 14, 2023, and May 12, 2023, and recommended approval of the proposed amendments as modified; and,

WHEREAS, the Executive Regulatory Oversight Committee reviewed the proposed amendments to the Code on May 10, 2023, and recommended their adoption; and,

WHEREAS, the Local Planning Agency reviewed the proposed amendments on May 22, 2023, and found them consistent with the Lee Plan, as indicated.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA:

SECTION ONE: AMENDMENT TO LDC CHAPTER 30

Sec. 30-55. - Nonconforming signs.

- (a) *Status.* Every sign, erected before August 21, 1985, which was a permitted ~~legally existing sign~~ is deemed a legal nonconforming sign. A permitted sign means a sign that was constructed or is in place with a valid permit from the county. All nonconforming signs are subject to the provisions of this section. All existing signs that are not legal nonconforming signs must comply with the terms of this chapter.
- (1) A nonconforming sign may not be enlarged or altered in a way which increases its nonconformity.
 - (2) Nothing in this section shall relieve the owner or user of a legal nonconforming sign or owner of the property on which the legal nonconforming sign is located from the provisions of this chapter regarding safety, maintenance and repair of signs. Any repair or refurbishing of a sign that exceeds 25 percent of the value of the sign in its preexisting state shall be considered as an act of placing a new sign and not an act of customary maintenance. It shall be the responsibility of the ~~permittee applicant~~ applicant to provide the ~~division of community development~~ Department of Community Development with adequate proof of the cost of such work in the form of an itemized statement of the direct repair cost, whenever such information is requested by the ~~division~~ Department.
 - (3) If any nonconforming sign is destroyed to an extent of 50 percent or more of its assessed value at the time of destruction, the sign shall not be replaced or repaired, in part or in full, except upon full compliance with this chapter.
 - (4) A ~~replacement~~ nonconforming billboard structure may be ~~rebuilt~~ replaced in its ~~present existing~~ present location provided that the structure is in compliance with the following conditions:
 - a. Pursuant to the application for replacement, two legal nonconforming billboard structures shall be removed in exchange for the right to reconstruct one replacement billboard structure.
 - b. One of the structures which is to be removed must be located on the same site as the replacement billboard structure. If only one structure is located on the site of the replacement sign billboard structure, another nonconforming billboard structure must be removed from another location within the unincorporated area of the county.
 - c. The replacement billboard structure must meet all current county height, size and setback requirements.

- d. The land use category in which the replacement ~~sign~~ billboard structure is to be erected must be the less restrictive of the two land use categories where the two removed nonconforming billboard structures were located. If the land use category is the same for both nonconforming billboard structures, the replacement structure may be located at either site. For purposes of this section, the following hierarchy of land use categories should be used to determine the least restrictive land use categories, with the most appropriate categories listed in descending order:
1. Intensive ~~d~~Development, ~~i~~Industrial ~~D~~development, ~~t~~Tradeport and ~~i~~Interchange areas;
 2. Central ~~u~~Urban and ~~u~~Urban ~~e~~Community;
 3. Suburban and ~~e~~Outlying ~~s~~Suburban;
 4. Rural, ~~e~~Outer ~~i~~lands and ~~d~~Density ~~r~~Reduction/~~g~~Groundwater ~~r~~Resources; and
 5. ~~Environmentally-critical-areas (resource protection area and transitional zones)~~ Wetlands, Conservation Lands Wetlands and Conservation Lands Upland.
- e. Upon approval of the application for replacement and completion of the conditions specified in this subsection, the replacement billboard structure shall be ~~deemed in conformance with this chapter~~ afforded the same privileges as a conforming billboard structure and may be replaced in its present location.
- f. No replacement billboard structure may be located in the locations designated in section 30-183(1)b.
- g. Relocation. A replacement billboard structure permitted by this subsection may be relocated once provided the proposed location is:
1. On non-residentially-zoned property and outside of the barrier islands and Pine Island unless the replacement billboard structure originates from the respective island;
 2. In the same or a less restrictive land use category according to the hierarchy established in section 30-55(a)(4)d;
 3. Located along an arterial street where billboards are permitted in accordance with section 30-183(1)b;
 4. Meeting the billboard structure separation requirements established in section 30-183(2). Where no distance separation is specified, the minimum required separation will be 1,000 feet from any other billboard on the same side of the street. The minimum required separation will be 2,640 feet from another billboard relocated in accordance with this subsection.
 5. Legally described; and
 6. Supported by a narrative statement declaring that the current billboard location has become unsuitable and verification that the proposed location meets the requirements of this subsection and will not encroach upon the conforming status of other billboards in proximity.

(b) *Loss of legal nonconformity.*

(1) through (4) unchanged.

SECTION TWO: AMENDMENT TO LDC CHAPTER 33

Lee County Land Development Code Chapter 33 is amended as follows with strike through identifying deleted text and underline identifying new text.

CHAPTER 33 – PLANNING COMMUNITY REGULATIONS
ARTICLE III. – GREATER PINE ISLAND
DIVISION 6. – DESIGN STANDARDS

Sec. 33-1087. Maximum height of buildings and structures. (Greater Pine Island)

The height of buildings and structures are subject to the requirements of section 34-2175.

~~No building or structure may be erected or altered so that the peak of the roof exceeds 38 feet above the average grade of the lot in question or 45 feet above mean sea level, whichever is lower.~~

- ~~(a) The provisions of section 34-2171(a)(1) that allow the substitution of "minimum required flood elevation" for "average grade of the lot in question" do not apply to Greater Pine Island.~~
- ~~(b) The provisions of section 34-2174(a) that allow taller buildings in exchange for increased setbacks do not apply to Greater Pine Island.~~
- ~~(c) Structures without roofs will be measured to the highest point on the structure.~~
- ~~(d) No deviations from these height restrictions may be granted through the planned development process.~~
- ~~(e) Any variances from these height restrictions require all of the findings in section 34-145(b)(3), with the sole exception being where the relief is required to maintain or improve the health, safety, or welfare of the general public (not just the health, safety, or welfare of the owners, customers, occupants, or residents of the property in question).~~

ARTICLE VI. – MATLACHA RESIDENTIAL OVERLAY

DIVISION 2. – DEVELOPMENT STANDARDS AND SPECIFICATIONS

Sec. 33-1458. Building height and vertical plane.

The maximum vertical plane of a building may not exceed 21 feet, measured from the minimum design flood elevation (see Figure 1). The maximum building height of a building may not exceed 32 feet, as measured in accordance with section 34-2171 ~~from the design flood elevation to the roof peak. See Figure 1.~~

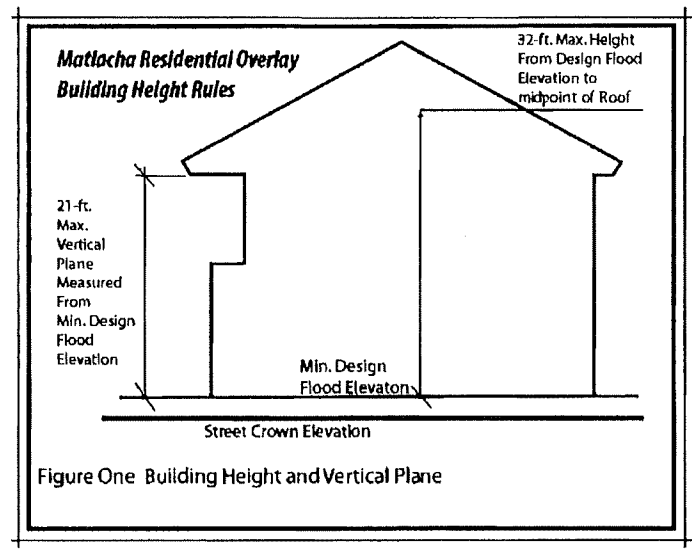
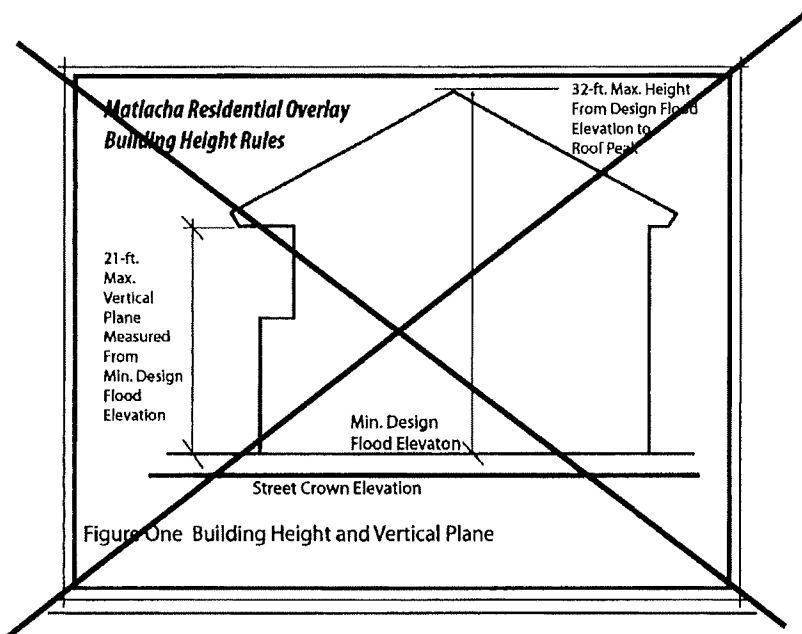


Figure 1 (Building Height and Vertical Plane)

ARTICLE IX. – CAPTIVA

DIVISION 3. – PROPERTY DEVELOPMENT REGULATIONS

Sec. 33-1611. Applicability.

- (a) *Scope.* The provisions of article IX apply to development located on Captiva Island not specifically exempted under section 33-1613, "Existing development" below, as defined in Goal 23 of the Lee County Comprehensive Plan, but excluding Upper Captiva, Cayo Costa, Useppa, Buck Key, and Cabbage Key. This Article applies to development and redevelopment located on Captiva Island unless specifically stated otherwise.

- (b) *Zoning*. This article applies to requests to rezone property on Captiva Island.
- (c) *Development orders*. This article applies to development orders and limited review development orders described in sections 10-174(1), 10-174(2) and 10-174(4)a. that are requested on Captiva Island.
- (d) *Demonstrating compliance*. Compliance with the standards set forth in this article must be demonstrated on the drawings or site development plans submitted in conjunction with an application for development order approval or with a building permit application if a development order is not required.
- (e) Unless specifically provided herein, development within the area defined as South Seas Island Resort, as defined herein, is exempt from this article, ~~so long as the development complies with the Administrative Interpretation, ADD2002-00098, adopted by the Board of County Commissioners in 2002.~~

Sec. 33-1614. – Definitions.

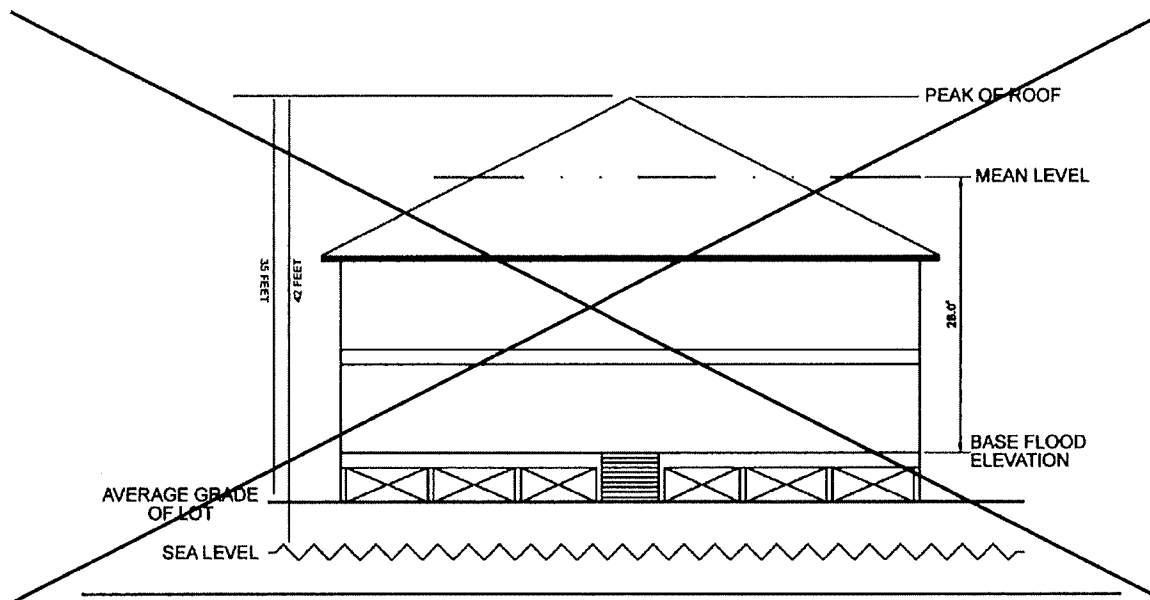
The following definitions are in addition to those set forth in other chapters of this LDC and are applicable to the provisions set forth in this article only. If, when construing the specific provisions contained in this article, these definitions conflict with definitions found elsewhere in this LDC, then the definitions set forth below will take precedence.

Beach furniture or equipment through Roofline articulation remain unchanged.

South Seas Island Resort means certain land generally lying north of Captiva Drive and bounded by the Gulf of Mexico, Red Fish Pass, and Pine Island Sound, commonly known as South Seas Island Resort, along with certain parcels lying south of and fronting Captiva Drive as depicted in Appendix I, Map 18.

Sec. 33-1627. Height restrictions on Captiva Island.

- (a) The height of buildings and structures is subject to the requirements of section 34-2175. ~~may not exceed the least restrictive of the two following options:~~
 - ~~(1) Thirty-five feet above the average grade of the lot in question or 42 feet above mean sea level measured to the peak of the roof, whichever is lower; or~~
 - ~~(2) Twenty-eight feet above grade the lowest horizontal member at or below the lawful base flood elevation measured to the mean level between eaves and ridge in the case of gable, hip, and gambrel roofs.~~



If the lowest horizontal member is set above the base flood elevation, the 28-foot measurement will be measured starting from the base flood elevation. Notwithstanding the above height limitations, purely ornamental structural appurtenances and appurtenances necessary for mechanical or structural functions may extend an additional four feet above the roof peak or eight feet above the mean height level in the case of gable, hip, and gambrel roofs, whichever is lower, so long as these elements equal 20 percent or less of the total roof area.

- (b) The existing telecommunications tower facility located in the maintenance and engineering area of South Seas Island Resort may be replaced to a height not to exceed 170 feet, provided the new facility makes space available to the county for emergency communications service coverage for Captiva, as well as co-location capability for wireless carriers desirous of serving Captiva. Destruction of mangroves to build or operate a tower or related tower facilities is prohibited. The telecommunication tower will be a monopole, unless public safety is compromised.

SECTION THREE: AMENDMENT TO LDC CHAPTER 34

CHAPTER 34. – ZONING

ARTICLE I. – IN GENERAL

Sec. 34-2. Definitions.

The following words, terms and phrases, when used in this chapter, have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Abutting property through building, conventional remain unchanged.

Building; height of means the vertical distance of a building or structure measured in accordance with section 34-2171, from grade to the highest point of the roof surface of a flat or Bermuda roof, to the deck line of a mansard roof, and to the mean height level between eaves and ridge of gable, hip and gambrel roofs. Where minimum floor elevations in floodprone areas have been established by law, the building height will be measured from required minimum floor elevations (see article VII, division 30, subdivision II, of this chapter).

Building official through intensity remain unchanged.

Island means any piece of land that is surrounded completely by a natural body or natural bodies of water. Islands created through excavation or dredging activity or lands otherwise surrounded by water as a result of human activity will not be considered islands.

ARTICLE II. – ADMINISTRATION

DIVISION 6. - APPLICATIONS

Sec. 34-201. Application requirements for public hearing and administrative actions.

(a) Initiation of application. An application for a rezoning, mine excavation planned development under chapter 12, special exception, or variance may be initiated by:

(1) A landowner, or his authorized agent, for his own property; Where there is more than one owner, either legal or equitable, then all owners must jointly initiate the application or petition. pProvided, however, that:

~~a. Except as provided in subsections (a)(1)b. and c. of this section, where there is more than one owner, either legal or equitable, then all owners must jointly initiate the application or petition.~~

~~1a. This does not mean that both a husband and wife must initiate the application on private real property which is owned by them.~~

~~2b. Where the property is subject to a land trust agreement, the trustee may initiate the application.~~

~~3c. Where the fee owner is a corporation, any duly authorized corporate official may initiate the application.~~

~~4d. Where the fee owner is a partnership, a general partner may initiate the application.~~

~~5e. Where the property is a condominium, timeshare condominium, or homeowners' association as defined and regulated in F.S. chs. 718, 720, and 721, respectively, an application or petition applicable to association property including but not limited to common elements, common area, or future development, may be initiated by the association's president, manager or equivalent when authorized by a resolution of the association's governing body or by previously recorded association documents. Where the fee owner is an association, the association or its governing body may appoint an agent to initiate the application on behalf of the association.~~

~~f. In addition to the authorization required under subsection e, applications that include property that is individually owned by homeowners, condominium unit owners, or timeshare unit owners must be accompanied by a letter of opinion from a licensed Florida attorney, who must attest that he has examined the declaration of condominium, the bylaws of the condominium or homeowners' association documents, and all other relevant legal documents or timeshare documents, as applicable, and concluded that the act of applying or petitioning to the County violates none of the provisions therein, or any federal or state law regulating condominiums, timeshare plans, or homeowners associations, or the rights of any of the unit/homeowners owners, as derived from such documents~~

and laws, and that approval of the requested act by the County would violate no such rights.

~~b. Where the property is a condominium, or a timeshare condominium, or homeowners' association as defined and regulated in F.S. chs. 718, 720, and 721, respectively, an application or petition applicable to property owned by the Association, including but not limited to common elements, future buildings, or future development phases, may be initiated by the Association's President, Manager or equivalent when authorized by a Resolution of the Association's governing body or by previously recorded Condominium documents.~~

~~In addition, applications that include property that is individually owned by homeowners, condominium unit owners, or timeshare unit owners must be approved by no less than 75 percent of the total number of individual unit owners condominium unit owners, or by both the owners' association and no less than 75 percent of timeshare condominium unit owners.~~

~~1. For purposes of this subsection, each individually owned condominium unit within the condominium complex and each individually owned timeshare unit as defined by F.S. ch. 721 counts as one unit, regardless of the number of individuals who jointly own the unit.~~

~~2. In order to verify ownership, the applicants must furnish the County, as part of their application, a complete list of all unit owners, identified by unit number and timeshare period, as applicable, along with proof that all unit owners who did not join in the application were given actual written notice thereof by the applicants, who must verify the list and fact of notice by sworn affidavit.~~

~~3. So as to protect the legal rights of nonparticipating unit owners, the application must be accompanied by a letter of opinion from a licensed Florida attorney, who must attest that he has examined the declaration of condominium, the bylaws of the condominium association, and all other relevant legal documents or timeshare documents, as applicable, and concluded that the act of applying or petitioning to the County violates none of the provisions therein, or any federal or state law regulating condominiums or timeshare plans, or the rights of any of the nonparticipating unit owners, as derived from such documents and laws, and that approval of the requested act by the County would violate no such rights.~~

~~c. Where the property is a Subdivision, an application or petition may be initiated by no less than 75 percent of the total number of lot or parcel owners and the homeowners' association, if applicable.~~

~~1. For purposes of this subsection, a subdivision is an area of property defined by a specific boundary in which lot divisions have been established on a plat that has been recorded in either a plat book or official records book whereby legal descriptions are referred to by lot or parcel number. This term may include any unit or phase of the subdivision and not the entire subdivision.~~

~~2. In order to verify ownership, the applicants must furnish the County, as part of their application, a complete list of all lot owners, identified by lot~~

~~number, along with proof that all lot owners who did not join in the application were given actual written notice thereof by the applicants, who must verify the list and fact of notice by sworn affidavit.~~

g. Where the application is applicable to property that is a subsequent phase or development tract located within a development, including but not limited to, a condominium, timeshare condominium, or homeowners' association as defined and regulated in F.S. chs. 718, 720, and 721, respectively, an application or petition may be initiated by the property owner(s) of the subsequent phase or development tract.

(2) The County, which for purposes of this section means the Board of County Commissioners.

(b) *Abutting properties.* All properties within a single application must be abutting unless the Director determines, in his or her sole discretion, that there is a rational relationship between the properties in question.

(c) *Waivers.* Upon written request, on a form prepared by the County, the Director may modify the submittal requirements where it can be demonstrated by the applicant that the submission will have no bearing on the review and processing of the application. The decision of the Director is discretionary and may not be appealed.

(d) *Filing fee.* All fees, in accordance with the County's External Fees and Charges Manual, must be paid in full at the time the application is submitted. No review of the application will commence until payment is received.

ARTICLE VII. – SUPPLEMENTARY DISTRICT REGULATIONS

DIVISION 19. – HOTELS AND MOTELS

Sec. 34-1805. - Density limitation for Captiva Island.

The permitted density for hotels and motels as set forth in this division will not apply to any hotel or motel units on Captiva Island. With the exception of the South Seas Island Resort, ~~the~~ maximum permitted density for hotels or motels on Captiva Island may not exceed three units per gross acre. The redevelopment of nonconforming hotels and motels on Captiva Island will be governed by the provisions of section 33-1628(b). That section will be interpreted to prohibit an increase in the number of rental units and to establish a maximum average unit size of 550 square feet.

DIVISION 26. – PARKING

Sec. 34-2011. Applicability of division.

- (a) *New developments.* Residential and nonresidential uses must provide off-street parking spaces in accordance with the regulations in this division.
- (b) *Existing developments.*

- (1) Existing buildings and uses with existing off-street parking spaces may be modernized, altered or repaired without providing additional parking spaces, provided there is no increase in total floor area or capacity. Buildings damaged in excess of 50 percent must comply with all applicable regulations. Buildings which have been damaged by fire or other natural forces in excess of 50 percent and are reconstructed at (but not to exceed) the legally documented actual use, density, and intensity existing at the time of destruction must provide, no less than, the number of parking spaces existing prior to the date of destruction (if existing parking spaces are less than the amount of parking required under this Code). Any subsequent changes to the actual use or increases in density and intensity on the property will be required to provide additional parking spaces associated with the change of use or development increases. In calculating the required additional parking, the required additional spaces will be proportionate to the increase in density or intensity above the preexisting development intensities or densities.
 - (2) Existing buildings or uses enlarged in terms of floor area must provide additional parking spaces for the total floor area in accordance with this division.
 - (3) When the use of a building is changed to a use that is required to have more parking than exists, the additional parking must be provided.
- (c) *Developments on islands without vehicular access to mainland.* Developments on islands where direct vehicular access to the mainland by bridge, causeway or street system is not available are exempt from this division.

DIVISION 30. – PROPERTY DEVELOPMENT REGULATIONS

SUBDIVISION II. - HEIGHT

Sec. 34-2171. Measurement.

- (a) Except as provided in this subdivision, the height of a building or structure is measured as the vertical distance from grade* to the highest point of the roof surface of a flat or Bermuda roof, to the deck line of a mansard roof, and to the mean height level between eaves and ridge of gable, hip, shed, and gambrel roofs, and to the highest point of any other structure (excluding fences and walls).
- * For purposes of this subdivision, grade is 12 inches above the average elevation of the street or streets abutting the property measured along the centerline of the streets, at the points of intersection of the streets with the side lot lines (as extended) and the midpoint of the lot frontage.
- (b) (1)—In areas within the Coastal Building Zone and other flood prone areas (as defined in Chapter 6 Articles III and IV of the LDC), height of a building is the vertical distance measured from the minimum required flood elevation the lowest minimum habitable floor elevation for which a building permit may be issued to the highest point of the roof surface of a flat or Bermuda roof, to the deck line of a mansard roof, or to the mean height level between the eaves and ridge of gable, hip, shed and gambrel roofs.
 - (c) (2)—Fences, walls, and buffers are measured in accordance with section 34-1744 and section 10-416.

Sec. 34-2172. - Exceptions to height limitations for resiliencyReserved.

- (a) Notwithstanding any other provision in this Code, buildings within a coastal high hazard area, as defined in section 6-479 ("V Zones"), or within a "Coastal A Zone," as defined by the Florida Building Code, may increase the height of the lowest minimum habitable floor for which a building permit may be issued by a maximum of four (4) feet and exceed the applicable height limitations established in this Code proportionally without deviation or variance approval from to provide for increased resiliency and protection from natural disasters.
- (b) An increase in building height permitted herein is not subject to the requirements of section 34-2174.
- (c) The provisions of this section do not apply to the Gasparilla Island Conservation District.

Sec. 34-2174. Additional permitted height when increased setbacks provided.

- (a) Subject to conditions set forth in section 34-2175, any building or structure may be permitted to exceed the height limitations specified by the zoning district regulations in which the property is located provided every required street, side, waterbody, and rear setback is increased by one-half foot for every one foot by which the building or structure exceeds the specified height limitation.
- (b) In zoning districts that do not specify a maximum height limitation, the increase to setbacks stated in this section will apply to all buildings or structures exceeding 35 feet in height.
- (c) ~~The height increases described in section 34-2174(a) and (b) may not be used in Greater Pine Island.~~

Sec. 34-2175. Height limitations for special areas and Lee Plan land use categories.

The following areas have special maximum height limitations applicable to all conventional and planned development districts:

(a) *Special areas.*

- (1) *Upper Captiva Island.* The height of a building or structure may not exceed 35 feet ~~above grade (base flood elevation).~~ The provisions of section 34-2174(a) do not apply to Upper Captiva Island. No variance or deviation from this height restriction~~35-foot height restriction~~ may be granted.

~~In addition to compliance with all applicable building codes (including Fire and Life Safety Codes), any building with two or more stories or levels must provide an exterior stairway from the uppermost levels (including "widow's walks" or observation decks) to the ground OR a one-hour fire-rated interior means of egress from the uppermost levels (including "widow's walks" or observation decks) to the ground.~~

- (2) *Captiva Island, except South Seas Island Resort.* ~~No~~ The height of a building or structure may not be erected or altered so that the peak of the roof exceeds 35 feet above the average grade of the lot in question or 42 feet above mean sea level, whichever is lower. The provisions of section 34-2174(a) do not apply to Captiva Island. No variance or deviation from this height restriction may be granted; provided

however, one communication tower, not to exceed 170 feet in height, may be constructed in accord with section 33-1627-Lee Plan Policy 23.2.3.

Notwithstanding the above height limitations, purely ornamental structural appurtenances and appurtenances necessary for mechanical or structural functions may extend an additional four feet above the roof peak or eight feet above the mean height level in the case of gable, hip, and gambrel roofs, whichever is lower, so long as provided that the total area dedicated to the exceedance of these elements, as measured by drawing a rectangle around the perimeter of the area(s) of the exceedances, equals 20 percent or less of the total roof area.

- (3) *San Carlos Island.* The height of a building or structure may not exceed 35 feet, unless located within the Destination Resort Mixed Use Water Dependent (DRMUWD) future and use category, above grade, except as provided for in section 34-2174. If seaward of the coastal construction control line, elevations may exceed the 35-foot limitation by three feet for nonconforming lots of record.
 - (4) *Gasparilla Island eConservation dDistrict.* No building or other structure may be erected or altered so that the peak of the roof is more than 38 feet above the average grade of the lot or parcel on which the building or structure is located, or is more than 42 feet above mean sea level, whichever is lower.
 - (5) *Greater Pine Island.* ~~See section 33-1087.~~ The height of a building or structure may not be erected or altered so that the peak of the roof exceeds 38 33 feet above grade.
 - a. The provisions of section 34-2174(a) do not apply to Greater Pine Island.
 - b. Structures without roofs will be measured to the highest point on the structure.
 - c. No deviations from these height restrictions may be granted through the planned development process.
 - d. Any variances from these height restrictions require all of the findings in section 34-145(b)(3), with the sole exception being where the relief is required to maintain or improve the health, safety, or welfare of the general public (not just the health, safety, or welfare of the owners, customers, occupants, or residents of the property in question).
 - (6) *Matlacha Residential Overlay.* See chapter 33, article VI.
 - ~~(6)~~(7) *All other islands.* The height of a building or structure may not exceed 35 feet above grade (base flood elevation). Except as provided in subsections 34-2175(3), and (4), and (5), the provisions of section 34-2174(a) do not apply to islands. No variance or deviation from the 35-foot height restriction may be granted.
 - ~~(7)~~(8) *Airport hazard areas zone.* Height limitations for the airport hazard areaszone are set forth in Article VI, Division 12article vi, division 10, subdivision III, of this chapter.
- (b) *Lee Plan land use categories.* Except as otherwise provided herein, maximum building height is established by future land use category as follows:

TABLE 34-2175(b) MAXIMUM BUILDING HEIGHT BY FUTURE LAND USE CATEGORY		
<u>Future Land Use Category</u>	<u>Notes</u>	<u>Maximum Building Height</u>
<u>Destination Resort Mixed Use Water Dependent</u>		<u>Per Lee Plan</u>
<u>Intensive Development</u>		<u>135 feet</u>
<u>Central Urban</u>		
<u>Urban Community</u>		<u>95 feet</u>
<u>Airport Lands</u>	<u>Note (1)</u>	<u>45 feet</u>
<u>Tradeport</u>	<u>Note (1)</u>	
<u>University Community</u>		
<u>University Village Interchange</u>		
<u>Commercial</u>		<u>75 feet</u>
<u>General Commercial Interchange</u>		
<u>General Interchange</u>		
<u>Industrial Commercial Interchange</u>		
<u>Industrial Development</u>		
<u>Industrial Interchange</u>		<u>45 feet</u>
<u>Density Reduction/Groundwater Resource</u>		
<u>Open Lands</u>		
<u>Outer Islands</u>		
<u>Outlying Suburban</u>	<u>Note (2)</u>	
<u>Public Facilities</u>		
<u>Rural</u>	<u>Note (2)</u>	
<u>Rural Community Preserve</u>		
<u>Sub-outlying Suburban</u>	<u>Note (2)</u>	
<u>Suburban</u>	<u>Note (2)</u>	
<u>Notes:</u>		
<u>(1) With the consent of the Lee County Port Authority, the Board of County Commissioners may approve building heights up to 95 feet.</u>		
<u>(2) Buildings may be as tall as 75 feet when the applicant demonstrates through a zoning action that the additional height is required to preserve increase common open space for the purposes of preserving environmentally sensitive land, securing secure areas of native vegetation and wildlife habitat, or preserving preserve historical, archaeological or scenic resources.</u>		

- (1) ~~Intensive development and central urban land use categories.~~ Buildings may be as tall as 135 feet above minimum flood elevation with no more than 12 habitable stories.
- (2) ~~Urban community land use category.~~ Buildings may be as tall as 95 feet above minimum flood elevation with no more than eight habitable stories.

- ~~(3) Airport lands and tradeport land use categories. Buildings may be as tall as 45 feet above minimum flood elevation with no more than three habitable stories. With the consent of the port authority, the Board of County Commissioners may approve building heights up to 95 feet above minimum flood elevation with no more than eight habitable stories.~~
- ~~(4) Industrial interchange, industrial commercial interchange, general interchange and general commercial interchange land use categories. Buildings may be as tall as 75 feet above minimum flood elevation with not more than six habitable stories.~~
- ~~(5) Suburban, outlying suburban and rural land use categories. Buildings may be as tall as 45 feet above minimum flood elevation with no more than three habitable stories, except that such buildings may be as tall as 75 feet above minimum flood elevation with no more than six habitable stories when the applicant demonstrates that the additional height is required to increase common open space for the purposes of preserving environmentally sensitive land, securing areas of native vegetation and wildlife habitat, or preserving historical, archaeological or scenic resources.~~

SUBDIVISION III. - Setbacks

Sec. 34-2191. Measurement; permitted encroachments.

Setbacks are measured from the property line to the nearest point of a building or structure. Encroachments into a required setback are permitted as provided below. Encroachments into easements are prohibited.

- (1) *Wing walls.*
 - a. A wing wall which is part of a building may be permitted to encroach into a side or rear setback, provided that such encroachment is no higher than would be permitted for a fence or wall.
 - b. When measuring the setback for a wing wall, the setback shall be measured from the property line to the nearest point of the wing wall which meets the maximum height permitted for a fence or wall within the side or rear setback.
- (2) *Overhangs.* An overhang which is part of a building may be permitted to encroach into any setback as long as the overhang does not extend more than three feet into the setback and does not permit any balcony, porch or living space to extend into the setback.
- (3) *Shutters.* A shutter which is attached to a building may be permitted to encroach one foot into the setbacks.
- (4) *Awnings and canopies.*
 - a. Awnings and canopies which are attached to a building may be permitted to encroach three feet into the setbacks, as long as their location does not interfere with traffic, ingress and egress, or life safety equipment.

- b. For purposes of this section, awnings and canopies may be attached to a nonconforming building and shall not be considered an extension or enlargement of a nonconformity, as long as the building is properly zoned for its use and the conditions as set forth in this section are met.

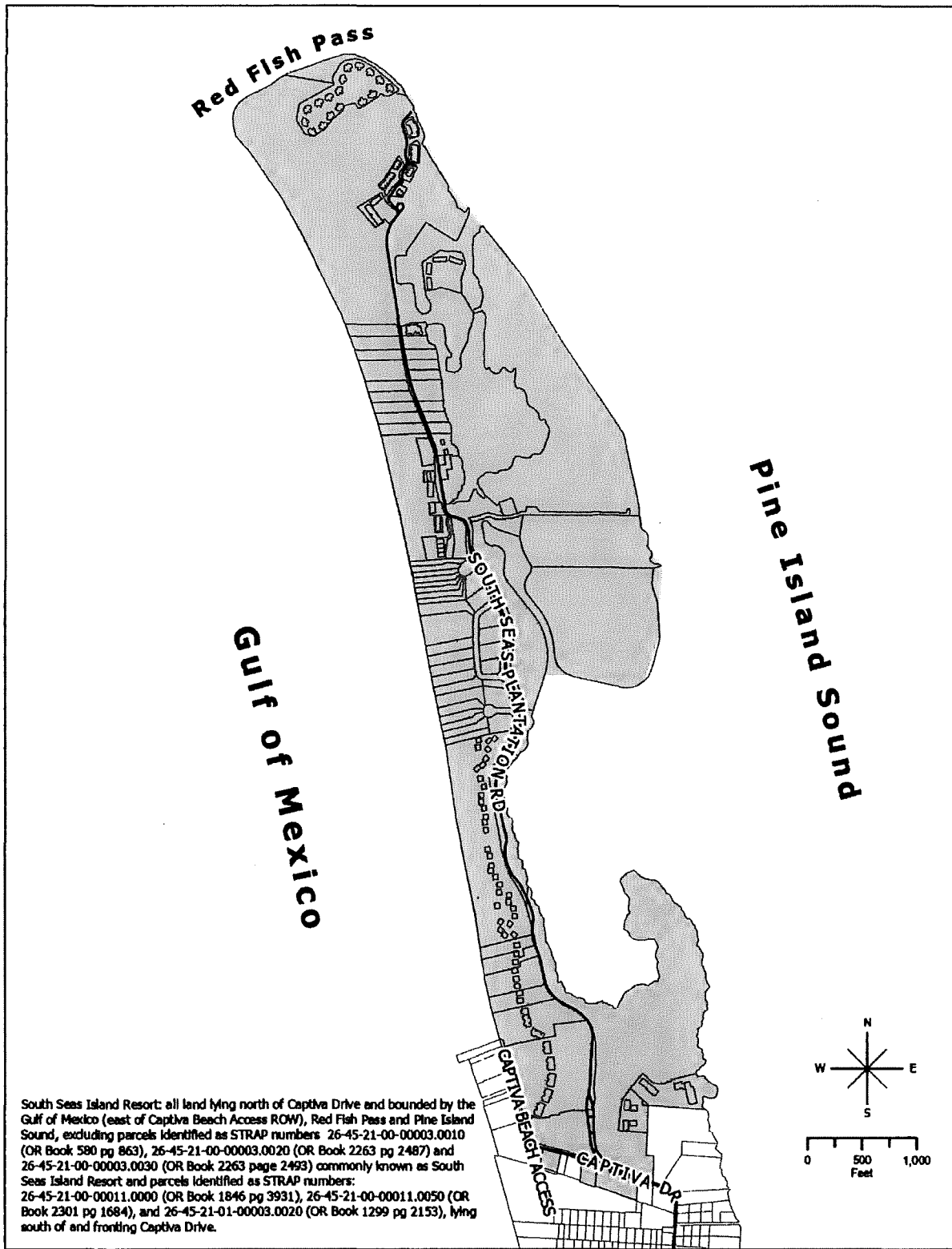
(5) *Equipment Pads/platforms.*

- a. Equipment ~~pads~~/platforms, such as those for air conditioning and swimming pool equipment, may encroach up to three feet into side, rear or waterbody setbacks. The equipment ~~pad~~/platform may not interfere with ingress and egress, or through-access for life safety equipment.
- b. Equipment ~~pads~~/platforms may be attached to a nonconforming building and will not be considered an extension or enlargement of a nonconformity as long as the building is properly zoned for its use and the requirements of section 34-2191(5)a. are met.

(6) Exterior stairways. Exterior stairways providing access to the main entrance of a dwelling unit or living unit may be permitted to encroach a maximum of three feet into a side setback, or a maximum of eight feet into a street setback, as long as its location does not interfere with traffic, ingress and egress, or life safety equipment.

**APPENDIX I - PLANNING COMMUNITY AND REDEVELOPMENT OVERLAY DISTRICT
BOUNDARIES AND LEGAL DESCRIPTIONS**

Maps 3 through 17 remain unchanged



Map 18 – South Seas Island Resort

SECTION FOUR: CONFLICTS OF LAW

Whenever the requirements or provisions of this Ordinance are in conflict with the requirements or provisions of any other lawfully adopted ordinance or statute, the most restrictive requirements will apply.

SECTION FIVE: SEVERABILITY

It is the Board of County Commissioner’s intent that if any section, subsection, clause or provision of this ordinance is deemed invalid or unconstitutional by a court of competent jurisdiction, such portion will become a separate provision and will not affect the remaining provisions of this ordinance. The Board of County Commissioners further declares its intent that this ordinance would have been adopted if such unconstitutional provision was not included.

SECTION SIX: CODIFICATION AND SCRIVENER’S ERRORS

The Board of County Commissioners intend that this ordinance will be made part of the Lee County Code. Sections of this ordinance can be renumbered or relettered and the word “ordinance” can be changed to “section”, “article,” or other appropriate word or phrase to accomplish codification, and regardless of whether this ordinance is ever codified, the ordinance can be renumbered or relettered and typographical errors that do not affect the intent can be corrected with the authorization of the County Administrator, County Manager or his designee, without the need for a public hearing.

SECTION SEVEN: MODIFICATION

It is the intent of the Board of County Commissioners that the provisions of this Ordinance may be modified as a result of consideration that may arise during Public Hearing(s). Such modifications shall be incorporated into the final version.

SECTION EIGHT: EFFECTIVE DATE

Any provision of this ordinance that is subject to adoption of CPA2023-00004 amending Lee Plan Goal 23 and Policy 23.2.3 will take effect only after final adoption of CPA2023-00004, as applicable. The remainder of this ordinance will take effect upon its filing with the Office of the Secretary of the Florida Department of State. The provisions of this ordinance will apply to all projects or applications subject to the LDC unless the development order application for such project is complete or the zoning request is found sufficient before the effective date.

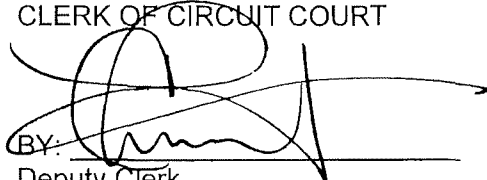
[REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK]

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

Kevin Ruane	Nay
Cecil L Pendergrass	Aye
Raymond Sandelli	Aye
Brian Hamman	Aye
Mike Greenwell	Aye

DULY PASSED AND ADOPTED this 5th day of September, 2023.

ATTEST:
KEVIN C. KARNES
CLERK OF CIRCUIT COURT

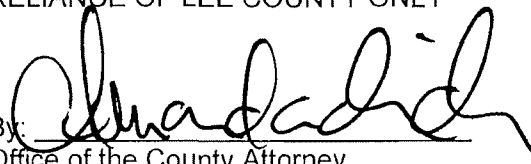
BY: 
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: 
Brian Hamman, Chair

CHRIS JAGODZINSKI
DEPUTY CLERK

APPROVED AS TO FORM FOR THE
RELIANCE OF LEE COUNTY ONLY

BY: 
Office of the County Attorney





FLORIDA DEPARTMENT of STATE

RON DESANTIS
Governor

CORD BYRD
Secretary of State

September 11, 2023

Honorable Kevin Karnes
Clerk of the Circuit Courts
Lee County
Post Office Box 2469
Fort Myers, Florida 33902-2469

Attn: Chris Jagodzinski

Dear Kevin Karnes:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Lee County Ordinance No. 23-22, which was filed in this office on September 8, 2023.

Sincerely,

Anya Owens
Administrative Code and Register Director

ACO/wlh

RECEIVED

By Chris Jagodzinski at 10:14 am, Sep 11, 2023

ATTACHMENT V

2023 Lee County Tax Roll

	# Units	% of Total
Single Family Residential	327	84.28%
Single Family Residential / HOMESTEAD	61	15.72%
TOTAL	388	100.00%
Condominium	498	92.74%
Condominium / HOMESTEAD	39	7.26%
TOTAL	537	100.00%

SANIBEL		
	# Units	% of Total
Single Family Residential	1,890	48.55%
Single Family Residential / HOMESTEAD	2,003	51.45%
TOTAL	3893	100.00%
Condominium	2,748	88.65%
Condominium / HOMESTEAD	352	11.35%
TOTAL	3100	100.00%

- 84% of the single family are not homestead and 92% of the condos are not homestead.

ATTACHMENT W

LEE COUNTY ORDINANCE NO. 23-33
Building Height and Resiliency
(CPA2023-00004)

AN ORDINANCE AMENDING THE LEE COUNTY COMPREHENSIVE PLAN, COMMONLY KNOWN AS THE "LEE PLAN," ADOPTED BY ORDINANCE NO. 89-02, AS AMENDED, SO AS TO ADOPT AMENDMENT PERTAINING TO THE BUILDING HEIGHT AND RESILIENCY (CPA2023-00004) APPROVED DURING A PUBLIC HEARING; PROVIDING FOR PURPOSE, INTENT, AND SHORT TITLE; AMENDMENTS TO ADOPTED MAP AND TEXT; LEGAL EFFECT OF "THE LEE PLAN"; PERTAINING TO MODIFICATIONS THAT MAY ARISE FROM CONSIDERATION AT PUBLIC HEARING; GEOGRAPHICAL APPLICABILITY; SEVERABILITY, CODIFICATION, SCRIVENER'S ERRORS, AND AN EFFECTIVE DATE.

WHEREAS, the Lee County Comprehensive Plan ("Lee Plan") and Chapter XIII, provides for adoption of amendments to the Plan in compliance with State statutes and in accordance with administrative procedures adopted by the Board of County Commissioners ("Board"); and,

WHEREAS, the Board, in accordance with Section 163.3181, Florida Statutes, and Lee County Administrative Code AC-13-6 provide an opportunity for the public to participate in the plan amendment public hearing process; and,

WHEREAS, the Lee County Local Planning Agency ("LPA") held a public hearing on the proposed amendment in accordance with Florida Statutes and the Lee County Administrative Code on May 22, 2023; and,

WHEREAS, the Board held a public hearing for the transmittal of the proposed amendment on September 6, 2023. At that hearing, the Board approved a motion to send, and did later send, proposed amendment pertaining to Building Height and Resiliency (CPA2023-00004) to the reviewing agencies set forth in Section 163.3184(1)(c), F.S. for review and comment; and,

WHEREAS, at the September 6, 2023 meeting, the Board announced its intention to hold a public hearing after the receipt of the reviewing agencies' written comments; and,

WHEREAS, on December 6, 2023 the Board held a public hearing and adopted the proposed amendment to the Lee Plan set forth herein.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA, THAT:

SECTION ONE: PURPOSE, INTENT AND SHORT TITLE

The Board of County Commissioners of Lee County, Florida, in compliance with Chapter 163, Part II, Florida Statutes, and with Lee County Administrative Code AC-13-6, conducted public hearings to review proposed amendments to the Lee Plan. The purpose of this ordinance is to adopt map and text amendments to the Lee Plan discussed at those meetings and approved by a majority of the Board of County Commissioners. The short title and proper reference for the Lee County Comprehensive Land Use Plan, as hereby amended, will continue to be the "Lee Plan." **This amending ordinance may be referred to as the "Building Height and Resiliency Ordinance (CPA2023-00004)."**

SECTION TWO: ADOPTION OF COMPREHENSIVE PLAN AMENDMENT

The Lee County Board of County Commissioners amends the existing Lee Plan, adopted by Ordinance Number 89-02, as amended, by adopting an amendment, which amends Lee Plan Goal 23 and Policy 23.2.3 to remove requirements that restrict the ability to redevelop or rebuild structures in a way that reduces potential flooding threats by accommodating required minimum flood elevations. This amendment is known as Building Height and Resiliency (CPA2023-00004).

The corresponding Staff Reports and Analysis, along with all attachments and application submittals for this amendment are adopted as "Support Documentation" for the Lee Plan. Proposed amendments adopted by this Ordinance are attached as Exhibit A.

SECTION THREE: LEGAL EFFECT OF THE "LEE PLAN"

No public or private development will be permitted except in conformity with the Lee Plan. All land development regulations and land development orders must be consistent with the Lee Plan as amended.

SECTION FOUR: MODIFICATION

It is the intent of the Board of County Commissioners that the provisions of this Ordinance may be modified as a result of consideration that may arise during Public Hearing(s). Such modifications shall be incorporated into the final version.

SECTION FIVE: GEOGRAPHIC APPLICABILITY

The Lee Plan is applicable throughout the unincorporated area of Lee County, Florida, except in those unincorporated areas included in joint or interlocal agreements with other local governments that specifically provide otherwise.

SECTION SIX: SEVERABILITY

The provisions of this ordinance are severable and it is the intention of the Board of County Commissioners of Lee County, Florida, to confer the whole or any part of the

powers herein provided. If any of the provisions of this ordinance are held unconstitutional by a court of competent jurisdiction, the decision of that court will not affect or impair the remaining provisions of this ordinance. It is hereby declared to be the legislative intent of the Board that this ordinance would have been adopted had the unconstitutional provisions not been included therein.

SECTION SEVEN: INCLUSION IN CODE, CODIFICATION, SCRIVENERS' ERROR

It is the intention of the Board of County Commissioners that the provisions of this ordinance will become and be made a part of the Lee County Code. Sections of this ordinance may be renumbered or relettered and the word "ordinance" may be changed to "section," "article," or other appropriate word or phrase in order to accomplish this intention; and regardless of whether inclusion in the code is accomplished, sections of this ordinance may be renumbered or relettered. The correction of typographical errors that do not affect the intent, may be authorized by the County Manager, or his designee, without need of public hearing, by filing a corrected or recodified copy with the Clerk of the Circuit Court.

SECTION EIGHT: EFFECTIVE DATE

The plan amendments adopted herein are not effective until 31 days after the State Land Planning Agency notifies the County that the plan amendment package is complete. If timely challenged, an amendment does not become effective until the State Land Planning Agency or the Administrative Commission enters a final order determining the adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before the amendment has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status.

THE FOREGOING ORDINANCE was offered by Commissioner Sandelli, who moved its adoption. The motion was seconded by Commissioner Pendergrass. The vote was as follows:

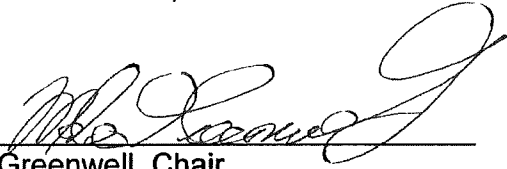
Kevin Ruane	Nay
Cecil L Pendergrass	Aye
Raymond Sandelli	Aye
Brian Hamman	Aye
Mike Greenwell	Aye

DONE AND ADOPTED this 6th day of December 2023.

ATTEST:
KEVIN C. KARNES
CLERK OF CIRCUIT COURT

BY: 
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: 
Mike Greenwell, Chair

DATE: 12/11/23



APPROVED AS TO FORM FOR THE
RELIANCE OF LEE COUNTY ONLY

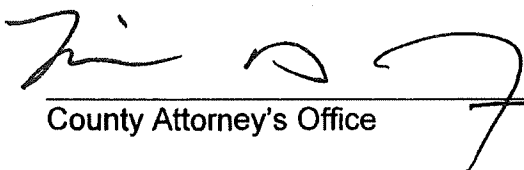

County Attorney's Office

Exhibit A (Adopted by BOCC December 6, 2023):
Adopted revisions to Lee Plan Text

EXHIBIT A

**Note: Text depicted with underscore represents additions to the Lee Plan.
Strike-through text represents deletions from the Lee Plan.**

EXHIBIT A

PROPOSED TEXT AMENDMENTS

FUTURE LAND USE ELEMENT

GOAL 23: CAPTIVA COMMUNITY PLAN. The goal of the Captiva Community Plan is to protect the coastal barrier island community's natural resources such as beaches, waterways, wildlife, vegetation, water quality, dark skies and history. This goal will be achieved through environmental protections and land use regulations that preserve shoreline and natural habitats, enhance water quality, encourage the use of native vegetation, maintain the mangrove fringe, limit noise, light, water, and air pollution, create mixed use development of traditionally commercial properties, and enforce development standards that maintain ~~one and two story building heights~~ and the historic low-density residential development pattern of Captiva.

Objective 23 through Policy 23.2.2 unchanged.

POLICY 23.2.3: Building Heights. Maintain building height regulations ~~established as of March 23, 2018~~ that account for barrier island conditions, such as mandatory flood elevation and mean-high sea level, for measuring height of buildings and structures.



FLORIDA DEPARTMENT OF STATE

RON DESANTIS
Governor

CORD BYRD
Secretary of State

December 12, 2023

Honorable Kevin Karnes
Clerk of the Circuit Courts
Lee County
Post Office Box 2469
Fort Myers, Florida 33902-2469

Dear Kevin Karnes:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Lee County Ordinance No. 23-33, which was filed in this office on December 12, 2023.

Sincerely,

Anya Owens
Administrative Code and Register Director

ACO/wlh

RECEIVED

By Chris Jagodzinski at 2:30 pm, Dec 12, 2023



ADD 2008-00082

COMMUNITY DEVELOPMENT

RECEIVED
OCT 02 2008

ATTACHMENT H

BOUTIQUE HOTEL (FROM BEACH)

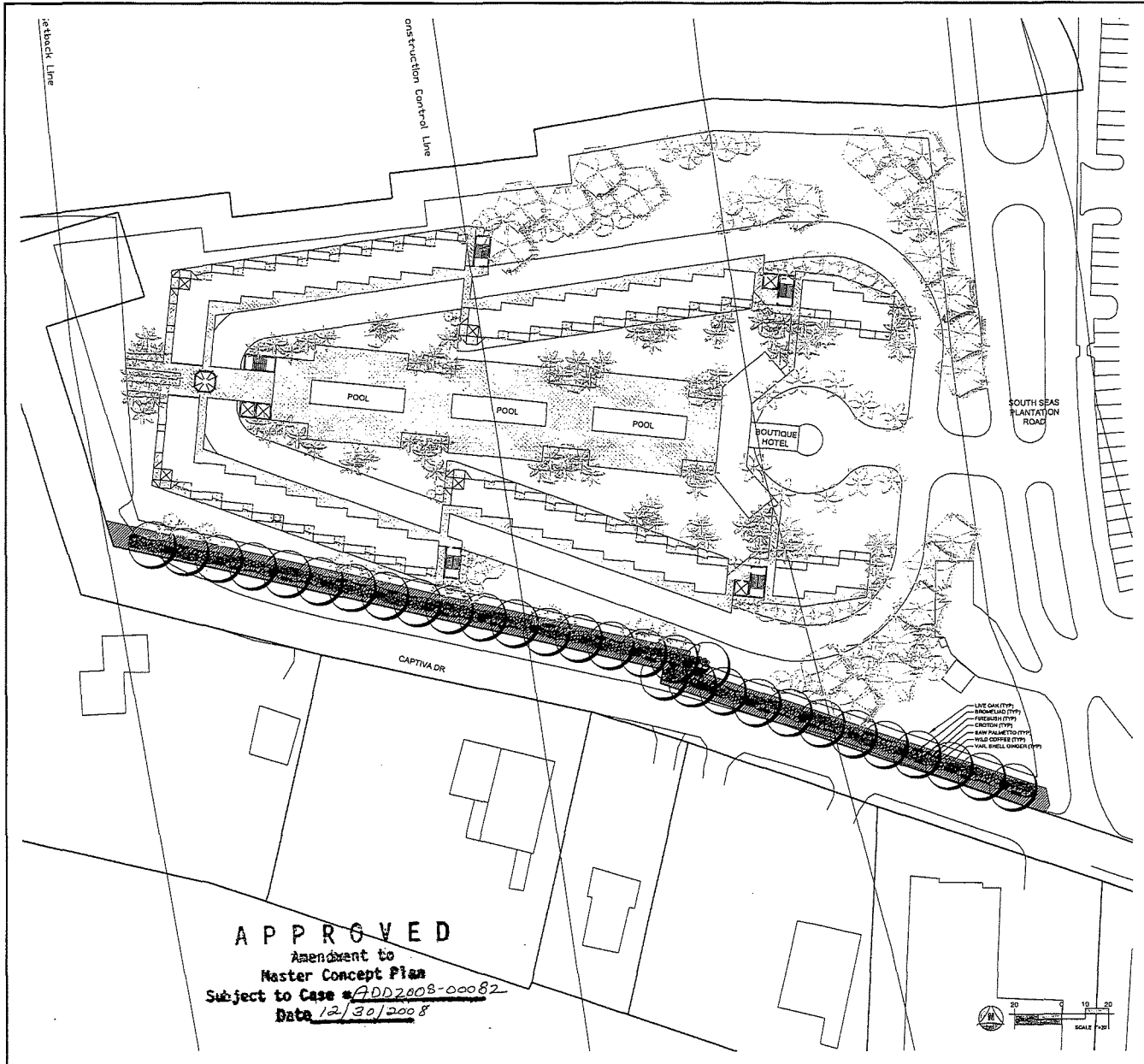
ATTACHMENT 1



MAY 29 2008

BOUTIQUE HOTEL – MATURE BUFFER ALONG CAPTIVA DRIVE

ADD 2008-00082



APPROVED
 Amendment to
 Master Concept Plan
 Subject to Case # ADD2008-00082
 Date 12/30/2008

KEY MAP

RECEIVED
 NOV 19 2008
 COMMUNITY DEVELOPMENT
 ADD 2008-00082

NATIVE TREE & SHRUB REQUIREMENT

NATIVE TREE & SHRUB REQUIREMENT:
 75% OF CODE REQUIRED TREES & 65% OF CODE REQUIRED SHRUBS ARE TO BE NATIVE.

TOTAL CODE REQUIRED TREES	= 32 REQUIRED
TOTAL NATIVE TREES	= 23 PROVIDED
PERCENT NATIVE	= 71% PROVIDED
TOTAL CODE REQUIRED SHRUBS	= 280 REQUIRED
TOTAL NATIVE SHRUBS	= 104 PROVIDED
PERCENT NATIVE	= 37% PROVIDED

ENHANCED TYPE 'D' BUFFER PLANT SCHEDULE

SYM	QTY	NATIVE	SCIENTIFIC NAME	COMMON NAME	SIZE SPECIFICATIONS
TREES & PALMS					
☉	3	NO	BISHARAIA NOBELIS 'DELVEY'	BISHARAIA PALM	10 FT. 2" CAL. 4" DBH.
⊙	1	YES	BUDDA BOENAS 'SMOKE LADY'	BLACK OLIVE	10 FT. 2" CAL. 4" DBH.
⊕	2	YES	BURSEIA SIMARUBA	GRAND LIME	10 FT. 2" CAL. 4" DBH.
⊙	0	YES	COCCOLoba DIVERSIFOLIA	PICTOON PALM	10 FT. 2" CAL. 4" DBH.
☉	2	YES	COCOS HUDEFIA	COCONUT PALM	10 FT. 2" CAL. 4" DBH.
⊙	0	YES	Cordia SEBESTENA	GEDDER TREE	10 FT. 2" CAL. 4" DBH.
⊕	0	NO	DELONIA REGIA	ROYAL PONGPONG	10 FT. 2" CAL. 4" DBH.
⊙	0	YES	SABAL PALMETTO	SABAL PALM	10 FT. 2" CAL. 4" DBH.
⊙	0	YES	THINNA NODOSA	THATCH PALM	10 FT. 2" CAL. 4" DBH.
⊙	31	YES	CHORUS VIRGINIANA	LIVE OAK	10 FT. 2" CAL. 4" DBH.
SHRUBS, GROUNDCOVERS & GRASSES					
⊕	100	NO	ALPHA ZERUMET	VANDICATED SHELL GRASS	3' @ 30" O.C., 24" H. X 18" W.
⊕	80	NO	BROMELIA SP.	BROMELIAD	3' @ 30" O.C., 24" H. X 18" W.
⊕	0	NO	CAREXA MACROCARPA	SWAMP CARBASSA	3' @ 30" O.C., 24" H. X 18" W.
⊕	0	YES	CHYRSALANUS CADU	COCCOPLUM	3' @ 30" O.C., 24" H. X 18" W.
⊕	0	YES	COCCOLoba LUPPERA	SEAGRAMPE	3' @ 30" O.C., 24" H. X 18" W.
⊕	0	YES	COCCOPLUM ERECTUM	GREEN BUTTERWOOD	3' @ 30" O.C., 24" H. X 18" W.
-	240	NO	COCCOPLUM VARIETATUM 'MAMMOET'	CROTON	3' @ 30" O.C., 24" H. X 18" W.
☉	0	YES	CRINUM AMERICANUM	CRINUM	3' @ 30" O.C., 24" H. X 18" W.
⊕	200	YES	HAEMELIA PATENS 'COMACTA'	FRIBBER	3' @ 30" O.C., 24" H. X 18" W.
⊕	0	NO	HELIUM CLELANDI 'PETITE PINK'	OLEANDER	3' @ 30" O.C., 24" H. X 18" W.
⊕	100	YES	PSYCHOTRIA NERVOSA	WILD COFFEE	3' @ 30" O.C., 24" H. X 18" W.
⊕	212	YES	SERODIA REPENS	SAW PALMETTO	3' @ 30" O.C., 24" H. X 18" W.
⊕	0	NO	STREPTILIA NIGRA	WHITE BIRD OF PARADISE	3' @ 30" O.C., 24" H. X 18" W.
⊕	0	NO	STREPTILIA REGINA	ORANGE BIRD OF PARADISE	3' @ 30" O.C., 24" H. X 18" W.
⊕	0	NO	ZAMIA FURCATA	CARDONARD PALM	3' @ 30" O.C., 24" H. X 18" W.

NOTES:
 1) ALL SPECIES SPECIFIED ARE BUSHES.
 2) LANDSCAPE ARCHITECT RESERVES THE RIGHT TO FIELD ADJUST ALL PLANT MATERIALS.
 3) ALL PLANT AREAS TO BE ST. AUGUSTINE FLORIDANA UNLESS OTHERWISE NOTED ON THE DRAWINGS.
 4) LANDSCAPE ARCHITECT TO APPROVE FINAL LOCATIONS, SIZE, AND SPACES OF ALL PLANT MATERIALS.

ATTACHMENT E

FOR MYRA
 • FULFILLING
 • COMMUNITY DEVELOPMENT
 • PLANNING & SURVEYORS
 • 10000 10TH AVENUE
 • SUITE 100
 • FORT MYERS, FL 33907
 • TEL: 888-333-3333
 • FAX: 888-333-3333
 • WWW.FORMYRA.COM

MORRIS
 DEPU
 ENGINEERS & PLANNERS & SURVEYORS
 10000 10TH AVENUE, SUITE 100
 FORT MYERS, FL 33907
 TEL: 888-333-3333
 FAX: 888-333-3333
 WWW.FORMYRA.COM

ENHANCED TYPE 'D' BUFFER
SOUTH SEAS RESORT REDEVELOPMENT
 SECTION 18, LANE R-2E, CAPTIVA ISLAND, LEE COUNTY, FLORIDA

NO. PROJECT: 07050
 CHECKED BY: JMM
 DRAWN BY: SB
 DATE: 05/29/08
 SHEET: L.12

**MEMORANDUM**

Date: 1/28/2025

To: Adam Mendez

From: Brian Roberts

Subject: DCI2023-00051 South Seas Island Resort MPD

The applicant is proposing to rezone 120.5± acres from Residential Multiple-Family (RM-2), Marine Commercial (CM) and Two-Family Conservation (TFC-2) to Mixed Use Planned Development (MPD) to permit a maximum of 193 multiple-family dwelling units and 435 hotel units with accessory uses and structures, common infrastructure, and resort amenities.

The applicant has requested a deviation from the requirements of Land Development Code Section 10-296(e)(2)h.5, which details the design requirements for suburban local streets to allow South Seas Plantation Road to remain in its existing condition. Staff has reviewed the historical aerials on file and found that South Seas Plantation Road existed as a paved roadway as early as 1977.



45S-21E-23, Dated: 12-28-1977

MEMORANDUM

The applicant provided four roadway section in their submittal that depicted a paved two-way roadway with lane widths that varied from 12.4 to 13.4 feet in width with an on-street shared bicycle lane. The roadway is privately owned and maintained with a posted speed limit of 19 miles per hour. The roadway serves as the primary access and connectivity for the South Seas Resort. Vehicular use consists of predominantly of automobiles and golf carts.

Any deviation from the standards in LDC Section 10-296 are required to meet the standards and criteria established by FDOT in the Florida Greenbook with consideration of the Plans Preparation Manual and guidance in AASHTO publications (LDC 10-296(d)(3)). The cross sections provided show a shared bicycle lane that varies in width that is not reflected in LDC Section 10-296(e)(2)h.5. Based on measurements of existing aerial photographs staff estimates a fairly consistent width of 3.5' for a bike lane. Chapter 3, Geometric Design, Paragraph C.10.b of the Greenbook encourages the incorporation of bicycle facilities into street design. The Florida Greenbook defines a shared zone where bicyclists and motor vehicles mix in the same space as a shared street. Furthermore, Chapter 8, Pedestrian Facilities, Paragraph B.3 describes shared streets as specially designed spaces which are local streets with extremely low vehicle speeds which is compatible with the character of South Seas Resort. Paragraph B.8 of the same Chapter requires "Bicycle May Use Full Lane" signs on roadways where no bicycle lanes or adjacent shoulders are present and where travel lanes are less than 14' wide. Based on the cross sections provided this signage would be appropriate. Staff recommends the following condition:

The applicant must submit a development order that depicts "Bicycle May Use Full Lane" (R4-11) signs, where applicable along South Seas Plantation Road, in accordance with the requirements of the Manual of Uniform Traffic Control Devices, current edition within 180 days of the approved zoning.

The cross sections provided by the applicant do not provide drainage swales adjacent to the travel lanes as depicted in LDC Section 10-296(e)(2)h.5. As previously discussed, South Seas Plantation Road has been paved as early as 1977 and functioned as the primary access for South Seas Resort. Preserved wetlands exist along the east side of a large portion of the roadway. Any attempt to provide additional drainage features would require impacts to these areas. Properties adjacent to the west side of the existing roadway for much of its length are not owned by the applicant and prevent any improvements to facilitate additional drainage. The roadway has served as the primary access for the resort without significant impacts from flooding of the roadways other than from tropical events for several years. The ecological damage to existing wetlands and lack of available property for improvements prohibit reasonable drainage improvements to the existing roadway. South Florida Water Management District issued permit number 36-00583-S on August 8, 1985, that approved an operation permit for the existing water management facilities and a construction and operation permit for proposed water management facilities service the resort. This included South Seas Plantation Road.

The information provided by the applicant did not include the established ROW or access easement width or provide an engineering assessment of the roadway condition for South Seas Plantation Road. However, based on the long-established use, the active maintenance operations, and the necessity of a well maintained accessway to provide an attractive resort community; the roadway will continue to be maintained and is sufficient to conditionally recommend approval of the request. Staff recommends the follow condition:



Lee County
Southwest Florida

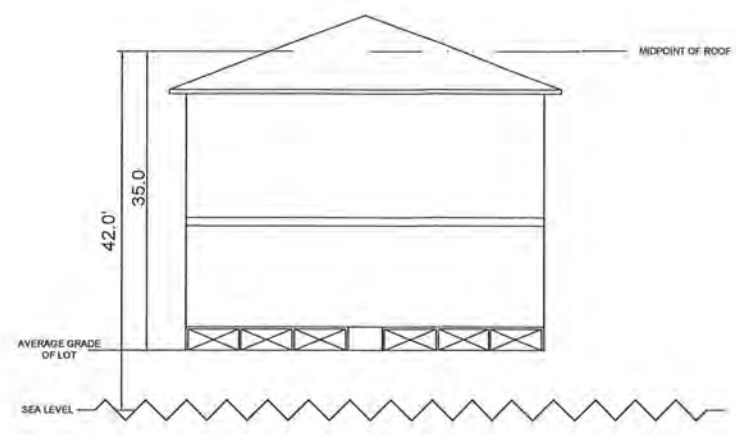
Department of Community Development
Development Services Section

MEMORANDUM

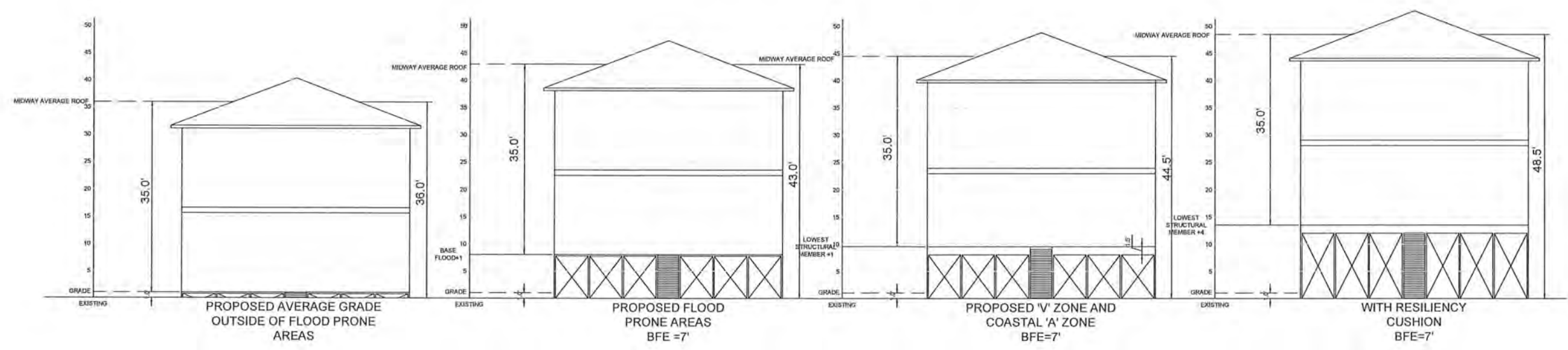
The applicant must submit an engineering report with the development order for bicycle signage that details the roadway condition of South Seas Plantation Road. The report must identify any areas of pavement failure, evidence of site-specific crash patterns, and identify the right-of-way or access easement widths provided.

Staff recommends conditional approval of the request as detailed above.

ATTACHMENT Z



EXISTING REGULATIONS



X (shaded)
X

AE
AO

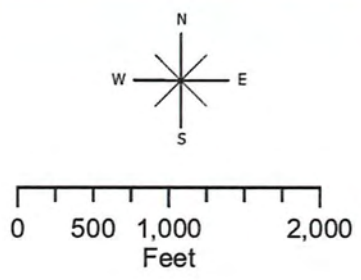
VE
Coastal A Zone

VE
Coastal A Zone

PROPOSED REGULATIONS
SCALE: 1" = 10"



Flood Insurance Rate Map



- South Seas Island Resort
- VE
- AO
- LiMWA
- Coastal A Zone
- A
- Floodways
- AE
- X (shaded)
- AH
- X

EXHIBIT 1

- LAND DEVELOPMENT CODE
Chapter 34 - ZONING
ARTICLE VI. - DISTRICT REGULATIONS
DIVISION 3. - RESIDENTIAL DISTRICTS
Subdivision II. One- and Two-Family Residential Districts

Subdivision II. One- and Two-Family Residential Districts

Sec. 34-691. Purpose and intent.

- (a) *RSC-1 Residential Single-Family Conservation District.* The purpose and intent of the RSC-1 Residential Single-Family Conservation District is to recognize and protect existing single-family residential developments, lots, structures and uses, previously permitted but not conformable to the regulation for other single-family residential districts set forth in this chapter, and to accommodate residential use of lawfully existing lots nonconforming under previous zoning regulations. This district may be applied to any land use category allowing residential uses set forth under the Lee Plan. This district is not available for new developments but may be used only by property owners in existing developments that comply with the property development regulations or by the Board of County Commissioners upon its own initiative to achieve the purpose mentioned in this section. For the RSC-2 Zoning District, see Section 33-1626.
- (b) *RS Residential Single-Family Districts.* The purpose and intent of the RS Residential Single-Family District is to provide opportunities for the suitable location of detached, conventionally built single-family dwelling units and for facilitation of the proper development and protection of the subsequent use and enjoyment thereof.
- (c) *TFC Residential Two-Family Conservation District.* The purpose and intent of the TFC Residential Two-Family Conservation District is to recognize and protect existing two-family residential developments, lots, structures and uses, previously permitted but not conformable to the regulations for the other two-family residential district set forth in this chapter, and to accommodate residential use of existing lots that were nonconforming under previous zoning regulations. This district is not available for new developments but may be used only by property owners in existing developments that comply with the property development regulations or by the Board of County Commissioners upon its own initiative to achieve the purpose mentioned in this section.
- (d) *TF-1 Two-Family District.* The purpose and intent of the TF-1 Two-Family District is to designate suitable locations for residential occupancy of conventionally built duplex, two-family and single-family dwelling units and to facilitate the proper development and to protect the subsequent use and enjoyment thereof. The TF District is intended for use only within the future urban areas as designated by the Lee Plan and subject to the range of densities for each land use category accommodating residential uses.

(LDC 1994, § 34-691; Ord. No. 93-24, § 7(421.01), 9-15-1993; Ord. No. 96-17, § 5, 9-18-1996; Ord. No. 12-19, § 3, 9-11-2012; Ord. No. 16-19, § 10, 11-15-2016)

Sec. 34-692. Applicability of use and property development regulations.

No land, body of water or structure may be used or permitted to be used and no structure may hereafter be erected, constructed, moved, altered or maintained in any one- or two-family residential district for any purpose other than as provided in Section 34-694, pertaining to use regulations for one- and two-family residential districts, and Section 34-695, pertaining to property development regulations for one- and two-family residential districts, except as may be specifically provided for in Article VIII of this chapter, or in Section 34-620.

(LDC 1994, § 34-692; Ord. No. 93-24, § 7(421.02), 9-15-1993; Ord. No. 98-11, § 5, 6-23-1998)

Sec. 34-693. Property development regulations for nonresidential uses.

- (a) All nonresidential uses in the one- and two-family residential districts shall comply with the minimum lot dimensions, setbacks, maximum lot coverage and height requirements set forth for single-family dwellings in the district in which located and shall have sufficient lot area to satisfy all open space, buffering, drainage, retention, parking and other development requirements of this chapter and Chapter 10.
- (b) Exceptions and modifications to property development regulations are set forth in Article VII, Division 30 of this chapter.

(LDC 1994, § 34-693; Ord. No. 93-24, § 7(421.03), 9-15-1993)

Sec. 34-694. Use regulations table.

Use regulations for one- and two-family residential districts are as follows:

Table 34-694. Use Regulations for One- and Two-Family Residential Districts

	<i>Special Notes or Regulations</i>	<i>RSC-1</i>	<i>RSC-2</i>	<i>RSA</i>	<i>RS-1</i>	<i>RS-2</i>	<i>RS-3</i>	<i>RS-4</i>	<i>RS-5</i>	<i>TFC-1</i>	<i>TFC-2</i>	<i>TF-1</i>
Accessory uses, buildings and structures:	Sections 34-1171 et seq., 34-2441 et seq., 34-3106	P	P	P	P	P	P	P	P	P	P	P
Amateur radio antennas and	Section 34-1175	Refer to Section 34-1175 for regulations.										

	satellite earth stations												
	Entrance gate, gatehouses	Section 34-1741 et seq.	P	P	P	P	P	P	P	P	P	P	P
	Residential accessory uses	Note (13), Sections 34-622(c)(42), 34-1171 et seq., 34-1863, 34-1741 et seq.	P	P(4)	P	P	P	P	P	P	P	P	P
	Signs in compliance with Chapter 30		P	P	P	P	P	P	P	P	P	P	P
	Accessory apartment and accessory dwelling unit	Notes (1) & (10), Section 34-1177	—	—	P	P	P	P	P	P	P	P	—
	Administrative offices		P	P	P	P	P	P	P	P	P	P	P
Aircraft landing facilities, private:													
	Lawfully existing:												
	Expansion of aircraft landing strip, or helistop or heliport landing pad	Section 34-1231 et seq.	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE
	New accessory buildings	Section 34-1231 et seq.	P	P	P	P	P	P	P	P	P	P	P
New:													
	Helistop	Section 34-1231 et seq.	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE

Animals:	Section 34-1291 et seq.												
Equines		—	—	—	—	—	—	SE	SE	—	—	—	
Poultry raising, noncommercial	Section 34-1291 et seq.	—	—	—	—	—	—	SE	SE	—	—	—	
Assisted living facility	Notes (2), (14) & (15), Section 34-1411	—	—	—	—	—	—	—	—	—	—	P	
Boat ramps	Note (8)	EO/SE	EO/SE	EO/SE	EO/SE	EO/SE	EO/SE	EO/SE	EO/SE	EO/SE	EO/SE	EO/SE	
Clubs, private		P	P	P	P	P	P	P	P	P	P	P	
Communication facility, wireless	Section 34-1441 et seq.	Refer to Section 34-1441 et seq. for regulations											
Community gardens		P	P	P	P	P	P	P	P	P	P	P	
Community residential home	Note (14)	P	P	P	P	P	P	P	P	P	P	P	
Consumption on premises	Section 34-1261 et seq.	AA/SE	AA/SE	AA/SE	AA/SE	AA/SE	AA/SE	AA/SE	AA/SE	AA/SE	AA/SE	AA/SE	
Day care center, adult or child	Notes (5), (9) & (10)	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	
Dwelling unit:													
Duplex	Sections 34-3107, 34-3108, Note (10)	—	—	—	—	—	—	—	—	P	P	P	
Mobile home	Note (11)	EO	EO	EO	EO	EO	EO	EO	EO	EO	EO	EO	
Single-family residence, conventional	Note (11)	P	P	P	P	P	P	P	P	P	P	P	
Two-family attached	Sections 34-3107, 34-3108, Note (10)	—	—	—	—	—	—	—	—	—	—	P	

Essential services	Sections 34-1611 et seq., 34-1748	P	P	P	P	P	P	P	P	P	P	P	P
Essential service facilities (Section 34-622(c)(13)):													
Group I	Sections 34-1611 et seq., 34-1741 et seq., 34-2142	P	P	P	P	P	P	P	P	P	P	P	P
Group II	Sections 34-1611 et seq., 34-1741 et seq.	—	—	—	EO	—	—	—	—	—	—	EO	—
Excavation:													
Oil or gas	Section 34-1651(c)	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE
Water retention	Section 34-1651(b), 10-329(c)	P	P	P	P	P	P	P	P	P	P	P	P
Golf course	Section 34-2471 et seq.	EO	EO	EO	EO	EO	EO	EO	EO	EO	EO	EO	EO
Home care facility	Note (10)	P	P	P	P	P	P	P	P	P	P	P	P
Home occupation:													
No outside help	Note (13), Section 34-1772(c)	P	P	P	P	P	P	P	P	P	P	P	P
With outside help	Note (13), Section 34-1772(c)	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA
Library	Note (10)					EO							
Marina	Section 34-1862	—	—	EO	EO	EO	EO	EO	EO	EO	EO	EO	EO
Models:													
Display center	Section 34-1951 et seq.	—	—	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE
Model home	Section 34-1951 et seq.	AA/SE	AA/SE	AA/SE	AA/SE	AA/SE	AA/SE	AA/SE	AA/SE	AA/SE	AA/SE	AA/SE	AA/SE

Parks, Group I	Section 34-622(c)(32)	P	P	P	P	P	P	P	P	P	P	P
Place of worship	Note (10), Section 34-2051	EO/SE	EO/SE	EO/SE	EO/SE	EO/SE	EO/SE	EO/SE	EO/SE	EO/SE	EO/SE	EO/SE
Real estate sales office	Note (6)	SE	SE	SE	SE	SE	SE	SE	SE	—	—	—
Recreation facilities:												
Personal		P	P	P	P	P	P	P	P	P	P	P
Private—On-site		P	P	P	P	P	P	P	P	P	P	P
Private—Off-site		EO	EO	EO	EO	EO	EO	EO	EO	EO	EO	EO
Religious facilities	Notes (3) & (10), Section 34-2051 et seq.	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE
Schools, noncommercial:												
Lee County School District	Note (10), Section 34-2381	P	P	P	P	P	P	P	P	P	P	P
Other	Note (10), Section 34-2381	—	—	SE	SE	SE	SE	SE	SE	—	—	SE
Stable, private	Section 34-1292	—	—	—	—	—	—	SE	SE	—	—	—

Notes:

- (1) Permitted only when accessory to a lawfully permitted single-family dwelling unit.
- (2) New facilities of 50 or more beds, or the expansion of an existing facility that will bring the number of beds to 50 or more, requires a special exception.
- (3) Any new facility of ten or more acres or any expansion of an existing facility to ten or more acres, requires a special exception.
- (4) Accessory buildings and uses (to the main building) may be located closer to the front of the property than the main building but must comply with all other setback requirements for accessory buildings and uses.
- (5) Family day care homes are exempt pursuant to F.S. § 125.0109.

- (6) Real estate sales are limited to sales of lots, homes or units within the development. The location of, and approval for, the real estate sales office will be valid for a period of time not exceeding three years from the date the Certificate of Occupancy for the sales office is issued. The Director may grant one two-year extension. Additional time will require a new special exception approval.
- (7) Reserved.
- (8) Noncommercial only.
- (9) A day care center, owned by the entity with title to the place of worship, that is operated within the building housing the place of worship is not required to obtain special exception approval.
- (10) Not permitted in Airport Noise Zone B.
- (11) Not permitted in Airport Noise Zone B. See Section 34-1006(b)(2) for exceptions.
- (12) Reserved.
- (13) Not permitted in Airport Noise Zone B unless accessory to a lawful mobile home or single-family residence. See Section 34-1003.
- (14) Not permitted in Airport Noise Zone B unless pre-empted by State law.
- (15) Not permitted in Coastal High Hazard areas unless in compliance with Section 2-485(b)(5)a.

(LDC 1994, § 34-694; Ord. No. 93-24, § 7(table 421.A), 9-15-1993; Ord. No. 94-02, § 6, 1-19-1994; Ord. No. 94-24, § 49, 8-31-1994; Ord. No. 96-06, § 5, 3-20-1996; Ord. No. 96-17, § 5, 9-18-1996; Ord. No. 97-10, § 6, 6-10-1997; Ord. No. 98-03, § 5, 1-13-1998; Ord. No. 00-14, § 5, 6-27-2000; Ord. No. 01-03, § 5, 2-27-2001; Ord. No. 02-20, § 5, 6-25-2002; Ord. No. 03-11, § 1, 4-8-2003; Ord. No. 03-16, § 6, 6-24-2003; Ord. No. 06-10, § 1, 6-12-2006; Ord. No. 09-23, § 10, 6-23-2009; Ord. No. 10-24, § 1, 6-8-2010; Ord. No. 11-08, § 10, 8-9-2011; Ord. No. 13-10, § 10, 5-28-2013; Ord. No. 19-03, § 7, 4-2-2019; Ord. No. 20-01, § 3, 1-21-2020)

Sec. 34-695. Property development regulations table.

Property development regulations for one- and two-family residential districts are as follows:

Table 34-695. Property Development Regulations for One- and Two-Family Residential Districts

	Special Notes or Regulations	RSC-1	RSC-2	RSA	RS-1	RS-2	RS-3	RS-4	RS-5	TFC-1	TFC-2	TF-1

Minimum lot area and dimensions:		Sections 34-2221, 34-2222											
Single-family detached:		Note (5)											
	Lot area (square feet)		4,000	43,560	6,500	7,500	12,500	20,000	40,000	2 acres	6,000	7,500	7,500
	Lot width (feet)		40	100	65	75	100	100	100	130	50	75	75
	Lot depth (feet)		75	200	75	100	100	100	100	130	100	100	100
Duplex:													
	Lot area (square feet)		—	—	—	—	—	—	—	—	6,000	7,500	10,000
	Lot width (feet)		—	—	—	—	—	—	—	—	50	75	75
	Lot depth (feet)		—	—	—	—	—	—	—	—	100	100	100
Two-family attached:													
	Lot area (square feet)		—	—	—	—	—	—	—	—	12,000	12,000	12,000
	Lot width (feet)		—	—	—	—	—	—	—	—	120	120	120
	Lot depth (feet)		—	—	—	—	—	—	—	—	100	100	100
Minimum setbacks:													
	Street (feet)	Notes (1) and (2), Section 34-2191 et seq.	10	50 (3)	Variable according to the functional classification of the street or road (see Section 34-2192).								
	Side yard (feet):	Notes (1) and (4), Section 34-2191 et seq.											

	Single-family or duplex		5	10	6.5	7.5	10	12	15	15	6	7.5	7.5
	Two-family		—	—	—	—	—	—	—	—	10 (3)	10 (3)	10 (3)
	Rear yard (feet)	Note (1), Section 34-2191 et seq.	10	20	20	20	20	20	20	20	20	20	20
	Water body (feet):	Section 34-2191 et seq.											
	Gulf of Mexico		50	50	50	50	50	50	50	50	50	50	50
	Other		10	25	25	25	25	25	25	25	25	25	25
Special regulations:													
	Animals, reptiles, marine life	Section 34-1291 et seq.											
	Consumption on premises	Section 34-1261 et seq.											
	Docks, seawalls, etc.	Section 34-1863 et seq.											
	Essential services	Section 34-1611 et seq.											
	Essential service facilities (Section 34-622(c)(13))	Section 34-1611 et seq.	Refer to the section specified for exceptions or additions to the minimum setback requirements listed in this table.										
	Fences, walls, gatehouses	Section 34-1741 et seq.											
	Nonroofed accessory structures	Section 34-2194(c)											
	Railroad right-of-way	Section 34-2195											
	Maximum height (feet)	Section 34-2171 et seq.	35	35	35	35	35	35	35	35	35	35	35

		Note: Bonita Beach, Captiva, San Carlos Island, Gasparilla Island conservation district, Greater Pine Island and areas within the airport hazard zone have special limitations (see Section 34-2171 et seq.).										
Maximum lot coverage (percent of total lot area)		45%	25%	45%	40%	40%	40%	40%	40%	45%	40%	45%

Notes:

- (1) Modifications to required setbacks for collector or arterial streets, or for solar or wind energy purposes, are permitted by variance only. See Section 34-2191 et seq.
- (2) Special street setbacks apply to portions of Colonial Boulevard and Daniels Road. Refer to Section 34-2192(b).
- (3) Accessory buildings and uses can be located closer to the front of the property than the main building but must comply with all other setback requirements for accessory building uses.
- (4) No side yard setback required from common side lot line for two-family attached.
- (5) All lots in the Coastal Rural land use category in Greater Pine Island (as delineated by Policies 1.4.7 and 24.3.3 of the Lee Plan) that are created after May 29, 2007, must comply with the additional regulations in Section 33-1052. Lots created before that date are not required to comply with the additional regulations in Section 33-1052.

(LDC 1994, § 34-695; Ord. No. 93-24, § 7(table 421.B), 9-15-1993; Ord. No. 94-24, § 50, 8-31-1994; Ord. No. 96-06, § 5, 3-20-1996; Ord. No. 07-19, § 6, 5-29-2007; Ord. No. 13-10, § 10, 5-28-2013; Ord. No. 19-03, § 7, 4-2-2019; Ord. No. 21-08, § 9, 6-1-2021)

Secs. 34-696—34-710. Reserved.

EXHIBIT 2

- LAND DEVELOPMENT CODE
Chapter 34 - ZONING
ARTICLE VI. - DISTRICT REGULATIONS
DIVISION 3. - RESIDENTIAL DISTRICTS
Subdivision III. Multiple-Family Districts

Subdivision III. Multiple-Family Districts

Sec. 34-711. Purpose and intent.

- (a) The purpose of the RM Multiple-Family Districts is to designate suitable locations for residential occupancy of various types of conventional residential buildings for projects which are not already approved Planned Unit Developments, or which fall below the criteria for residential planned developments, and for facilitating the proper development and protecting the subsequent use and enjoyment thereof.
- (b) Except for the RM-3 District, which may be permitted in nonurban areas, the RM Districts are intended for use only within the future urban areas as designated by the Lee Plan and are subject to the range of densities for each land use category accommodating residential uses.
- (c) There are five RM Districts: RM-2, RM-3, RM-6, RM-8 and RM-10.

(LDC 1994, § 34-711; Ord. No. 93-24, § 7(422.01), 9-15-1993)

Sec. 34-712. Applicability of use and property development regulations.

No land, body of water or structure may be used or permitted to be used and no structure may be hereafter be erected, constructed, moved, altered or maintained in the RM Districts for any purpose other than as provided in Section 34-714, pertaining to use regulations for multiple-family residential districts, except as may be specifically provided for in Article VIII of this chapter, or in Section 34-620 or Section 34-713.

(LDC 1994, § 34-712; Ord. No. 93-24, § 7(422.02), 9-15-1993; Ord. No. 98-11, § 5, 6-23-1998; Ord. No. 17-11, § 1, 9-5-2017)

Sec. 34-713. Alternate property development regulations for duplex, two-family attached and townhouse units.

As an alternative to developing in accordance with Section 34-715, pertaining to property development regulations for multiple-family residential districts, a parcel may be developed with duplexes, two-family attached units and townhouses on lots with a minimum area of 2,400 square feet per unit without compliance with minimum width, depth or side yard setback requirements; provided:

- (1) The overall parcel on which the lots are developed shall comply with all lot coverage, area, width and depth requirements for the RM District in which located;
- (2) All structures shall comply with setbacks for the RM District in which located, as measured from the boundary of the overall parcel;
- (3) All structures shall comply with front and rear and water body setbacks for the RM District in which located, as measured from individual lot lines;
- (4) All structures which exceed the maximum height requirements of the RM District in which located shall comply with the additional setbacks specified in Article VII, Division 30, Subdivision II of this chapter as measured from the overall parcel boundary; and

- (5) The applicant shall provide adequate assurance that all areas of the overall parcel which are not developed with individual lots shall remain as open space. Such assurance may be in the form of an easement or other document or combination of documents satisfactory to the County Attorney.

(LDC 1994, § 34-713; Ord. No. 93-24, § 7(422.03), 9-15-1993)

Sec. 34-714. Use regulations table.

Use regulations for Multiple-Family Districts are as follows:

Table 34-714. Use Regulations for Multiple-Family Residential Districts

	<i>Special Notes or Regulations</i>	<i>RM-2 (Note 5)</i>	<i>RM-3, RM-6, RM-8, RM-10 (Note 5)</i>
Accessory uses, buildings, and structures:	Sections 34-1171 et seq., 34-3106	P	P
Amateur radio antennas and satellite earth stations	Section 34-1175	Refer to Section 34-1175 for regulations.	
Entrance gate, gatehouses	Section 34-1741 et seq.	P	P
Residential accessory uses	Note (13), Sections 34-622(c)(42), 34-1171 et seq., 34-1863, 34-1741 et seq., 34-2141 et seq.	P	P
Signs in compliance with Chapter 30		P	P
Accessory apartment and accessory dwelling unit	Notes (1) & (10), Section 34-1177	P	P
Administrative offices		P	P
Aircraft landing facilities, private:			
Lawfully existing:			
Expansion of aircraft landing strip or helistop landing pad	Section 34-1231 et seq.	SE	SE
New accessory buildings	Section 34-1231 et seq.	P	P
New:			
Helistop	Section 34-1231 et seq.	SE	SE
Assisted living facility	Notes (2), (14), & (16) Sections 34-1493, 34-1411	P	P
Bed and Breakfast (df)	Note (10), Section 34-1494	P	P
Boardinghouse	Note (10)	P	P
Boat ramps	Note (7)	EO/SE	EO/SE

Clubs:				
	Country		EO	EO
	Private		P	P
	Communication facility, wireless	Section 34-1441 et seq.	Refer to Section 34-1441 et seq. for regulations.	
	Community residential home	Note (14)	P	P
	Community gardens		P	P
	Consumption on premises	Section 34-1261 et seq.	AA/SE	AA/SE
Day care center:				
	Adult	Note (10)	SE	SE
	Child	Notes (6), (9) & (10)	SE	SE
	Dormitory	Note (10)	SE	SE
Dwelling unit:		Sections 34-1493, 34-1494		
	Duplex	Sections 34-3107, 34-3108, Note (10)	P	P
	Mobile home	Note (11)	EO	EO
	Multiple-family building	Note (10), Section 34-3021	P	P
	Single-family residence, conventional	Note (11)	P	P
	Two-family attached	Sections 34-3107, 34-3108, Note (10)	P	P
	Townhouse	Note (10)	P	P
	Essential services	Sections 34-1611 et seq., 34-1748	P	P
Essential service facilities:		Sections 34-622(c)(13)		
	Group I	Sections 34-1611 et seq., 34-1741 et seq.	P	P
	Group II	Sections 34-1611 et seq., 34-1741 et seq., 34-2141 et seq.	EO	—
Excavation:				
	Oil or gas	Section 34-1651(c)	SE	SE
	Water retention	Section 34-1651(b), 10-329(c)	P	P
	Fraternity house	Note (10)	SE	SE
	Golf course	Note (5), Section 34-2471 et seq.	EO	EO
	Health care facilities, Groups I and II (less than 50 beds)	Section 34-622(c)(20), Notes (2), (10) & (16)	P	P
	Home care facility	Note (10)	P	P
Home occupation:				

	No outside help	Note (13), Section 34-1772(c)	P	P
	With outside help	Note (13), Section 34-1772(c)	AA	AA
Hotels/motels		Note (15), Section 34-1801 et seq.	EO	—
Marina		Section 34-1862	EO	EO
Models:				
	Display center	Section 34-1951 et seq.	AA/SE	AA/SE
	Model home	Section 34-1951 et seq.	AA/SE	AA/SE
	Model unit	Section 34-1951 et seq.	P	P
Parks, Group I		Section 34-622(c)(32), Note (8)	P	P
Personal services, Groups I and II (ancillary use only)		Sections 34-622(c)(33), 34-3021	P	P
Place of worship		Note (10), Section 34-2051 et seq.	P	P
Real estate sales office		Note (4), Section 34-1951 et seq.	P	P
Recreation facilities:				
	Personal		P	P
	Private—On-site		P	P
	Private—Off-site		EO/SE	EO/SE
Religious facilities		Notes (3) & (10), Section 34-2051 et seq.	SE	SE
Roominghouse		Note (10)	P	P
Schools, noncommercial:				
	Lee County School District	Note (10), Section 34-2381	P	P
	Other	Notes (3) & (10), Section 34-2381	SE	SE
Specialty retail store (Section 34-622(c)(47)), Group I (ancillary use only)		Section 34-3021	P	P
Temporary uses		Section 34-3041 et seq.	TP	TP
Timeshare units		Note (10), Sections 34-1494, 34-2020(a)	P	—

Notes:

- (1) Permitted only when accessory to a lawfully permitted single-family dwelling unit.
- (2) New facilities of 50 or more beds, or the expansion of an existing facility to 50 or more beds, requires a special exception.
- (3) Expansion of a facility to ten or more acres requires a special exception.

- (4) Real estate sales are limited to sales of lots, homes or units within the development, except as may be permitted in Section 34-1951 et seq. The location of, and approval for, the real estate sales office will be valid for a period of time not exceeding three years from the date the Certificate of Occupancy for the sales office is issued. The Director may grant one two-year extension. Additional time will require a new special exception approval.
- (5) Redevelopment of an existing only golf course with residential buildings or structures requires a special exception.
- (6) Family day care homes are exempt pursuant to F.S. § 125.0109.
- (7) Noncommercial only.
- (8) Reserved.
- (9) A day care center, owned by the entity with title to the place of worship, that is operated within the building housing the place of worship is not required to obtain special exception approval.
- (10) Not permitted in Airport Noise Zone B.
- (11) Not permitted in Airport Noise Zone B. See Section 34-1003 for exceptions.
- (12) Reserved.
- (13) Not permitted in Airport Noise Zone B unless accessory to a lawful mobile home or single-family residence. See Section 34-1003.
- (14) Not permitted in Airport Noise Zone B unless pre-empted by State law.
- (15) Sound attenuating insulation should be considered for hotels and motels in Airport Noise Zone B.
- (16) Not permitted in Coastal High Hazard areas unless in compliance with Section 2-485(b)(5)a.

(LDC 1994, § 34-714; Ord. No. 93-24, § 7(table 422.A), 9-15-1993; Ord. No. 94-24, § 49, 8-31-1994; Ord. No. 96-06, § 5, 3-20-1996; Ord. No. 96-17, § 5, 9-18-1996; Ord. No. 97-10, § 6, 6-10-1997; Ord. No. 98-03, § 5, 1-13-1998; Ord. No. 99-05, § 9, 6-29-1999; Ord. No. 00-14, § 5, 6-27-2000; Ord. No. 01-03, § 5, 2-27-2001; Ord. No. 01-18, § 5, 11-13-2001; Ord. No. 02-20, § 5, 6-25-2002; Ord. No. 03-11, § 1, 4-8-2003; Ord. No. 05-14, § 6, 8-23-2005; Ord. No. 06-10, § 1, 6-12-2006; Ord. No. 07-24, § 7, 8-14-2007; Ord. No. 09-23, § 10, 6-23-2009; Ord. No. 10-24, § 1, 6-8-2010; Ord. No. 11-08, § 10, 8-9-2011; Ord. No. 12-20, § 4, 9-11-2012; Ord. No. 13-10, § 10, 5-28-2013; Ord. No. 19-03, § 7, 4-2-2019; Ord. No. 20-01, § 3, 1-21-2020)

Sec. 34-715. Property development regulations table.

No structure may hereafter be erected, constructed, moved, altered or maintained in the RM Districts in a manner that is not consistent with the property development regulations for Multiple-Family Districts, except as provided for in Article VIII of this chapter, or in Section 34-620 or Section 34-713.

Properties located within the Mixed-Use Overlay as delineated on Map 1-C of the Lee Plan and described in Objective 11.2 may apply the alternative property development regulations under the "MUO" category.

Property development regulations for Multiple-Family Districts are as follows:

Table 34-715. Property Development Regulations for Multiple-Family Residential Districts

	<i>Special Notes or Regulations</i>	<i>RM-2</i>	<i>RM-3</i>	<i>RM-6</i>	<i>RM-8</i>	<i>RM-10</i>	<i>MUO</i>
Minimum lot area and dimensions:	Sections 34-1493, 34-1494,						

		34-2221, 34-2222						
Single-family detached:								
	Minimum lot size (square feet)		6,500 (1)	14,500	7,500	6,500	6,500	0
	Lot width (feet)		65	75	75	65	65	25
	Lot depth (feet)		100	100	100	75	75	0
Duplex, two-family, townhouse:								
	Minimum lot size (square feet)	Section 34-713	7,500 (2)	29,000	14,000	10,000	10,000	0
	Lot width (feet)		75	75	75	75	75	25
	Lot depth (feet)		100	100	100	100	100	0
Multiple-family:								
	Minimum lot size (square feet)		10,000	43,500	20,500 (3)	15,000	12,000	0
	Lot width (feet)		100	100	100	100	100	25
	Lot depth (feet)		100	120	120	120	120	0
Nonresidential uses:								
	Lot area (square feet)		10,000	20,000	10,000	10,000	10,000	0
	Lot width (feet)		75	100	75	100	100	25
	Lot depth (feet)		100	100	100	100	100	0
Minimum setbacks:								
	Street (feet)	Notes (4) and (5), Section 34-2191 et seq.	Variable according to the functional classification of the street or road (see Section 34-2192).					0
	Side yard (feet):	Notes (4) and (6), Section 34-2191 et seq.						0
	Single-family, duplex, two-family attached, townhouse		7	7	7	7	7	0
	Multiple-family and all other uses		20	20	20	20	20	0

Rear yard (feet)	Section 34-2191 et seq.	20	20	20	20	20	0
Water body (feet):	Section 34-2191 et seq.						
Gulf of Mexico		50	50	50	50	50	50
Other		25	25	25	25	25	25
Special regulations:							
Animals, reptiles, marine life	Section 34-1291 et seq.						
Consumption on premises	Section 34-1261 et seq.						
Docks, seawalls, etc.	Section 34-1863						
Essential services	Section 34-1611 et seq.						
Essential service facilities (Section 34-622(c)(13))	Section 34-1611 et seq.	Refer to the sections specified for exceptions or additions to the minimum setback requirements listed in this table.					
Fences, walls, gatehouses, etc.	Section 34-1741 et seq.						
Hotel/motel	Section 34-1801 et seq.						
Nonroofed accessory structures	Section 34-2194(c)						
Railroad right-of-way	Section 34-2195						
Maximum height (feet)	Section 34-2171 et seq.	35	35	35	35	35	As req. by Section 34-2175
		Note: Bonita Beach, Captiva, San Carlos Island, Gasparilla Island conservation district, Greater Pine Island and areas within the airport hazard zone have special limitations (see Section 34-2171 et seq.).					
Maximum lot coverage (percent of total lot area)		45%	45%	45%	45%	45%	No maximum

Notes:

- (1) Minimum lot size is 6,500 square feet. However, the maximum permitted density shall not exceed the density permitted for the land use category in which the property is located.
- (2) Minimum lot size is 7,500 square feet. However, the maximum permitted density shall not exceed the density permitted for the land use category in which the property is located.
- (3) Reserved.

-
- (4) Modifications to required setbacks for arterial or collector streets, or for solar or wind energy purposes, are permitted only by variance. See Section 34-2191 et seq. Properties within the Mixed-Use Overlay must comply with this requirement.
 - (5) Special street setbacks apply to portions of Colonial Boulevard and Daniels Road. Refer to Section 34-2192(b). Properties within the Mixed-Use Overlay must comply with this requirement.
 - (6) No side setback is required from common lot line for two-family attached or townhouse.

(LDC 1994, § 34-715; Ord. No. 93-24, § 7(table 422.B), 9-15-1993; Ord. No. 94-24, § 50, 8-31-1994; Ord. No. 96-06, § 5, 3-20-1996; Ord. No. 97-10, § 6, 6-10-1997; Ord. No. 07-19, § 6, 5-29-2007; Ord. No. 13-10, § 10, 5-28-2013; Ord. No. 16-19, § 10, 11-15-2016; Ord. No. 17-11, § 1, 9-5-2017; Ord. No. 19-03, § 7, 4-2-2019; Ord. No. 24-14, § 8, 10-1-2024)

Secs. 34-716—34-730. Reserved.