LEE COUNTY BOARD OF COUNTY COMMISSIONERS

ZONING
and
COMPREHENSIVE PLAN AMENDMENT HEARING AGENDA

Wednesday, December 2, 2026
9:30AM

DCI2026-00009 Z-26-014	Chana Court Storage CPD
CPA2025-00007 Adoption	Pondella Holdings
CPA2025-00004 Transmittal	Planning Horizon Update – 2050

NOTICE OF PUBLIC HEARING

The Lee County Board of County Commissioners will hold a public hearing at 9:30 am on Wednesday, December 2, 2026 in the Board Chambers at 2120 Main St., Ft. Myers, FL, to review the written recommendations made by the Hearing Examiner and make a final decision on the case below. (Lee County **L**and **D**evelopment **C**ode is abbreviated below as **LDC.**)

DCI2026-00009 / Chana Court Storage CPD

Request to rezone 10.03+/- acres from Tourist Commercial District (CT) to Commercial Planned Development (CPD), including a deviation from LDC Section 10-285 connection separation. Additionally, amend controlled access resolution per LDC Section 10-298 and AC-11-10 to amend Resolution 25-02-10 for Daniels Parkway.

Located at 11081 & 11201 Daniels Pkwy, Lee County, FL; Gateway/Airport Planning District. Property Owner: Laurel Oak Dev. of SW FL, LLC. Property Owner's Representatives: Stacy Hewitt, (239) 770-2527.

Copies of the Hearing Examiner's recommendation may be obtained or the file reviewed at the Zoning Section, 1500 Monroe St., Ft. Myers, FL. For DCI2026-00009, call Beth Workman at 239-533-8585 for additional information.

If you did not appear before the Hearing Examiner or otherwise become a participant for that case in which you wish to testify, the law does not permit you to address the Board of County Commissioners. Statements before the Board of County Commissioners regarding the zoning case will be strictly limited to testimony presented to the Hearing Examiner, testimony concerning the correctness of the findings of fact or conclusions of law contained in the record, or to allege the discovery of new, relevant information which was not available at the time of the hearing before the Hearing Examiner.

Any document that a participant of record intends to submit must have been submitted as part of the record in the hearing before the Hearing Examiner or the document is relevant new evidence that was not known or could not have been reasonably discovered by the participant at the time of the hearing before the Hearing Examiner. All other documents will not be accepted by the Board. To ensure compliance with these regulations, copies of documents not submitted as part of the record before the Hearing Examiner must be provided to the Applicant and County Staff (MLedesma@leegov.com) not less than 2 days before the date of the zoning hearing.

If a participant decides to appeal a decision made by the Board of County Commissioners with respect to any matter considered at this hearing, a verbatim record of the proceeding will be necessary to appeal a decision made at this hearing.

In accordance with the Americans with Disabilities Act, Lee County will not discriminate against qualified individuals with disabilities in its services, programs, or activities. To request an auxiliary aid or service for effective communication or a reasonable modification to participate, contact Ranice Monroe, (239) 533-0255, ADArequests@leegov.com or Florida Relay Service 711. Accommodation will be provided at no cost to the requestor. Requests should be made at least five business days in advance.

NOTICE OF PROPOSED AMENDMENT TO THE LEE COUNTY COMPREHENSIVE LAND USE PLAN (ADOPTION HEARING)

The Lee County Board of County Commissioners will hold a public hearing to consider the adoption of proposed amendments to the Lee County Comprehensive Land Use Plan (Lee Plan) on Wednesday, December 2, 2026. The hearing will commence at 9:30 a.m., or as soon thereafter as can be heard, in the Board Chambers, 2120 Main Street in Downtown Fort Myers.

The Board proposes to adopt an ordinance amending the Lee Plan as follows:

> CPA2025-00007 – Pondella Holdings – Map Amendment. Amend Map 4-B, Lee County Utilities Future Sewer Service Areas, to include the 6.42-acre subject property. Additionally, staff recommends inclusion of all properties south of Pondella Road, north of Stillwater Court, west of Palm Avenue and east of Hancock Creek be included in the Future Sewer Service Area.

Documentation for the Proposed Comprehensive Plan Amendment is available at https://www.leegov.com/dcd/planning/cpa or at the Department of Community Development located at 1500 Monroe Street, Fort Myers, Florida. This meeting is open to the public. Interested parties may appear at the meeting and be heard with respect to the proposed plan amendment. A verbatim record of the proceeding will be necessary to appeal a decision made at this hearing.

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.

Lee County will not discriminate against individuals on the basis of race, color, national origin, sex, age, disability, religion, income or family status. To request language interpretation, document translation or an ADA-qualified reasonable modification at no charge to the requestor, contact the ADA Coordinator, Ranice Monroe, (239) 533-0255, ADArequests@leegov.com, Florida Relay Service 711, at least five business days in advance. El Condado de Lee brindará servicios de traducción sin cargo a personas con el idioma limitado del inglés.

NOTICE OF PROPOSED AMENDMENT TO THE LEE COUNTY COMPREHENSIVE LAND USE PLAN (TRANSMITTAL HEARING)

The Lee County Board of County Commissioners will hold a public hearing to consider proposed amendments to the Lee County Comprehensive Land Use Plan (Lee Plan) on Wednesday, December 2, 2026. The hearing will commence at 9:30 a.m., or as soon thereafter as can be heard, in the Board Chambers, 2120 Main Street in Downtown Fort Myers. At the hearing, the Board will consider the proposed amendments for transmittal to the Florida Department of Commerce:

> CPA2025-00004 Planning Horizon Update – 2050 Amend the Lee Plan to update the Planning Horizon to 2050 in compliance with Florida Statutes, update Map 1-B: Planning Districts to reflect recent annexations and simplify the implementation of Table 1(b). The proposed amendments require amendments to the Vision Statement, Policies 1.1.1, 1.6.5, 2.2.2, Goal 5, Map 1-B, and Table 1(b) of the Lee Plan.

This transmittal hearing is the first step in a two-step public hearing process to amend the Lee Plan. A second hearing will follow the Florida Department of Commerce's review of the application.

Documentation for the Proposed Comprehensive Plan Amendment is available at https://www.leegov.com/dcd/planning/cpa or at the Department of Community Development located at 1500 Monroe Street, Fort Myers, Florida. This meeting is open to the public. Interested parties may appear at the meeting and be heard with respect to the proposed plan amendment. A verbatim record of the proceeding will be necessary to appeal a decision made at this hearing.

It is the intent of the Board of County Commissioners that the provisions of this Comprehensive Plan Amendment may be modified as a result of consideration that may arise during Public Hearing(s). Such modifications shall be incorporated into the final version.

Lee County will not discriminate against individuals on the basis of race, color, national origin, sex, age, disability, religion, income or family status. To request language interpretation, document translation or an ADA-qualified reasonable modification at no charge to the requestor, contact Dr. Ranice Monroe, by email - ADArequests@leegov.com, phone - (239) 533-0255, or Florida Relay Service 711, at least five business days in advance. El Condado de Lee brindará servicios de traducción sin cargo a personas con dominio limitado del idioma ingles.

Comprehensive Plan Amendment
and
Zoning Hearing Agenda
Wednesday, December 2, 2026

List of Hearing Attendees by Case

Case Number	Name	Party
DCI2026-00009 Chana Court Storage CPD	Christian Casey Atwell	Applicant
	Stacy Ellis Hewitt RVi Planning & Landscape Architecture	Applicant
	Neale Montgomery Pavese Law	Applicant
	Rachel Tracey Atwell	Applicant
	Ted Treesh TR Transportation	Applicant
CPA2025-00007 Pondella Holdings	Veronica Martin TDM Consulting, Inc.	Applicant

DCI2026-00009
Chana Court
Storage CPD

LEE COUNTY RESOLUTION NO. _____

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA, AMENDING RESOLUTION NO. 89-10-11, AS AMENDED, WHICH DESIGNATED DANIELS PARKWAY AS A CONTROLLED ACCESS ROAD AND ESTABLISHED PERMANENT ACCESS POINTS.

WHEREAS, section 10-298 of the Lee County Land Development Code provides for the designation of certain streets in Lee County as "controlled access" facilities to which permanent access points are restricted to locations established and set by design study and plans adopted by resolution of the Lee County Board of County Commissioners; and

WHEREAS, the Board of County Commissioners retains the right and authority to exercise its police power to modify roadway median openings, access points and turning movements to protect the health, safety, and welfare of the traveling public; and

WHEREAS, on October 4, 1989, the Board of County Commissioners adopted Resolution No. 89-10-11, which designated Daniels Parkway as a controlled access road, from U.S. 41 to State Road 82, and established permanent access points; and

WHEREAS, Resolution No. 89-10-11 was further amended by Board Resolutions adopted as follows:

1. Resolution No. Z-92-073, adopted April 5, 1993, to add a connection point and median opening at Station 170+95 +/-50 on the south side; and

2. Resolution No. Z-93-045, adopted September 15, 1993, to add a connection point at Station 312+86 +/-50 on the north side for a temporary right-in/right-out access only; and

3. Resolution No. 97-12-04, adopted December 2, 1997, to add a connection point at Station 135+93.59 on the north side for a full movement connection point at an existing median opening; and

4. Resolution No. 98-03-07, adopted March 24, 1998, to add a right-turn in only

connection point at Station 158+40± on the south side of Daniels Parkway; and

5. Resolution No. 99-08-23, adopted August 17, 1999, to add a right-in/right-out only connection point at Station 156+80 on the north side of Daniels Parkway; and

6. Resolution No. 01-01-28, adopted January 23, 2001, identified and designated access points on Daniels Parkway from Treeline Avenue to State Road 82; and

7. Resolution No. 04-04-05, adopted April 6, 2004, added a right-in/right-out only connection point at highway station 2529+01 on the north side of Daniels Parkway; and

8. Resolution No. 06-11-28, adopted November 14, 2006, added a right-in/right-out only connection point on the south side of Daniels Parkway at Station 272+38 +/-50; and

9. Resolution No. 08-08-57, adopted August 19, 2008, to add a new connection point to Daniels Parkway for right-in emergency vehicle access only on the south side of Daniels Parkway at Highway Station 276+05 approximately 303 feet west of Sophomore Lane to serve the South Trail Fire Station; and

10. Resolution No. 16-04-08, adopted April 5, 2016, to add a new connection point to Daniels Parkway, a controlled access facility from U.S. 41 to State Road 82, for a right-in/right-out access at Station 200+70, which is 440 feet west of Six Mile Cypress Parkway, for a development proposed for the north side of Daniels Parkway; and

11. Resolution No. 21-02-10, adopted February 16, 2021, to add a new connection point to Daniels Parkway, a controlled access facility from U.S. 41 to State Road 82, for a right-in only access at Station 2586+40 +/-50, for a new development on the north side of Daniels Parkway; and

12. Resolution No. 21-05-06, adopted May 4, 2021, to add a new temporary connection point to Daniels Parkway, a controlled access facility from U.S. 41 to State Road 82, for a right-in/right-out only access at Station 2461+63, which is approximately 660 feet to the west of Rickenbacker Parkway on the north side of Daniels Parkway. This driveway will be required to be eliminated should the driveway approved at Station 2457+25 be constructed with cross access to the

subject property; and

13. Resolution No. 21-08-04, adopted August 3, 2021, to add a new access point to Daniels Parkway for a right-in/right-out only access at Station 2571+80±50, for a development proposed on the north side of Daniels Parkway.

14. Resolution No. 21-09-06, adopted September 7, 2021, to identify the permanent location of the new right-in/right-out only access point to Daniels Parkway at Station 2435+55 between Treeline Avenue (Station 2408+50) and Chamberlin Parkway (2447+00) as previously designated in Resolution 01-01-28.

~~13.~~15. Resolution No. 25-02-10, adopted February 4, 2025, to add a new connection point to Daniels Parkway for a right-in only access at Station 2682+25 +/-50, for a development proposed on the north side of Daniels Parkway.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Lee County, Florida, that:

1. Daniels Parkway, from U.S. 41 to State Road 82, including its intersections, is designated as a controlled access road facility.

2. Absent subsequent Board action in accordance with applicable County regulations, the connection points are limited to those identified on attached Exhibit A. Provided, however, no vested right to a particular connection point location is granted by virtue of adopting Exhibit A. The County retains full power and authority to exercise its police power to modify connection points, median openings, and turning movements to protect the health, safety and welfare of the traveling public.

3. Resolution No. 89-10-11 is further amended to ~~a~~ consolidate the ~~approved~~ access at Station 2457+25 (previously approved by Resolution 21-05-06) and the existing site access at Sta. 2452+28 (formerly Chana Ct) and relocate to Station 2455+03 and modify the turning movements from an eastbound directional left-in, ~~/~~right-in/right-out access to restrict the movements to right-in/right-out only, and to remove the temporary status and conditions for the access approved by Resolution 21-05-06 at station 2461+63 to the east. ~~The request will prevent unnecessary wetland impacts adjacent to Lee County Flag Pond Preserve to the north.dd a new connection point to Daniels Parkway, a controlled access facility from U.S. 41 to State Road 82, for a right-in only access at Station 2682+25 +/-50, for a development proposed on the north side of~~

~~Daniels Parkway.~~

4. Further amending Resolution No. 89-10-11 to update and supersede all prior aerial imagery, roadway alignments, connection points, and roadway stationing with Exhibits A and B dated November 17, 2026, which shall henceforth be recognized as the official record of Resolution No. 89-10-11 as amended, and deprecating all prior roadway stationing and alignments; and

~~2.~~5. Formally adopting a final tolerance of ±50 feet (±50') for all connection points depicting centerline intersection stations.

Commissioner_____made a motion to adopt the foregoing resolution, seconded by Commissioner_____. The vote was as follows:

KEVIN RUANE _____
CECIL L PENDERGRASS _____
DAVID MULICKA _____
BRIAN HAMMAN _____
AMANDA COCHRAN~~TRISH PETROSKY~~ ____

DULY PASSED AND ADOPTED this_____day of_____, 2026.

ATTEST:
KEVIN C. KARNES, CLERK

By:_____
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

By:_____
Chair

APPROVED AS TO FORM FOR THE
RELIANCE OF LEE COUNTY ONLY

By:_____
Office of the Lee County Attorney

LEE COUNTY RESOLUTION NO. _____

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA, AMENDING RESOLUTION NO. 89-10-11, AS AMENDED, WHICH DESIGNATED DANIELS PARKWAY AS A CONTROLLED ACCESS ROAD AND ESTABLISHED PERMANENT ACCESS POINTS.

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WHEREAS, the Board of County Commissioners retains the right and authority to exercise its police power to modify roadway median openings, access points and turning movements to protect the health, safety, and welfare of the traveling public; and

WHEREAS, on October 4, 1989, the Board of County Commissioners adopted Resolution No. 89-10-11, which designated Daniels Parkway as a controlled access road, from U.S. 41 to State Road 82, and established permanent access points; and

WHEREAS, Resolution No. 89-10-11 was further amended by Board Resolutions adopted as follows:

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11. Resolution No. 21-02-10, adopted February 16, 2021, to add a new connection point to Daniels Parkway, a controlled access facility from U.S. 41 to State Road 82, for a right-in only access at Station 2586+40 +/-50, for a new development on the north side of Daniels Parkway; and

12. Resolution No. 21-05-06, adopted May 4, 2021, to add a new temporary connection point to Daniels Parkway, a controlled access facility from U.S. 41 to State Road 82, for a right-in/right-out only access at Station 2461+63, which is approximately 660 feet to the west of Rickenbacker Parkway on the north side of Daniels Parkway. This driveway will be required to be eliminated should the driveway approved at Station 2457+25 be constructed with cross access to the

subject property; and

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15. Resolution No. 25-02-10, adopted February 4, 2025, to add a new connection point to Daniels Parkway for a right-in only access at Station 2682+25 +/-50, for a development proposed on the north side of Daniels Parkway.

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2. Absent subsequent Board action in accordance with applicable County regulations, the connection points are limited to those identified on attached Exhibit A. Provided, however, no vested right to a particular connection point location is granted by virtue of adopting Exhibit A. The County retains full power and authority to exercise its police power to modify connection points, median openings, and turning movements to protect the health, safety and welfare of the traveling public.

3. Resolution No. 89-10-11 is further amended to consolidate the approved access at Station 2457+25 (previously approved by Resolution 21-05-06) and the existing site access at Sta. 2452+28 (formerly Chana Ct) and relocate to Station 2455+03 and modify the turning movements from an eastbound directional left-in, right-in/right-out access to restrict the movements to right-in/right-out only, and to remove the temporary status and conditions for the access approved by Resolution 21-05-06 at station 2461+63 to the east.

4. Further amending Resolution No. 89-10-11 to update and supersede all prior aerial imagery, roadway alignments, connection points, and roadway stationing with Exhibits A and B dated November 17, 2026, which shall henceforth be recognized

as the official record of Resolution No. 89-10-11 as amended, and deprecating all prior roadway stationing and alignments; and

5. Formally adopting a final tolerance of ±50 feet (±50') for all connection points depicting centerline intersection stations.

Commissioner_____made a motion to adopt the foregoing resolution, seconded by Commissioner_____. The vote was as follows:

KEVIN RUANE	_____
CECIL L PENDERGRASS	_____
DAVID MULICKA	_____
BRIAN HAMMAN	_____
AMANDA COCHRAN	_____

DULY PASSED AND ADOPTED this_____day of_____, 2026.

ATTEST:
KEVIN C. KARNES, CLERK

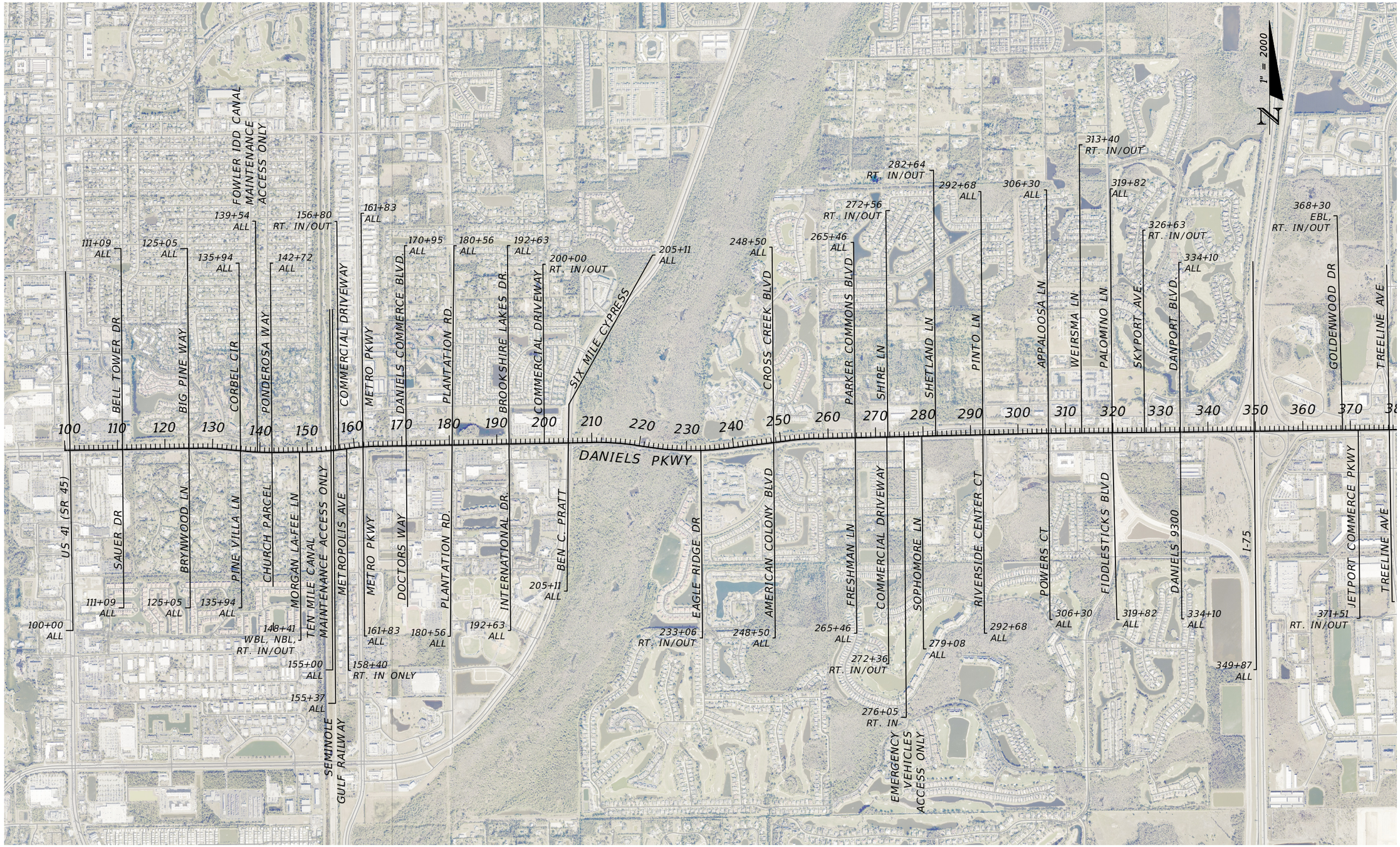
By:_____
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

By:_____
Chair

APPROVED AS TO FORM FOR THE
RELIANCE OF LEE COUNTY ONLY

By:_____
Office of the Lee County Attorney



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Gagnon, Victor

REVISIONS			
DATE	DESCRIPTION	DATE	DESCRIPTION
11/17/26	UPDATED		

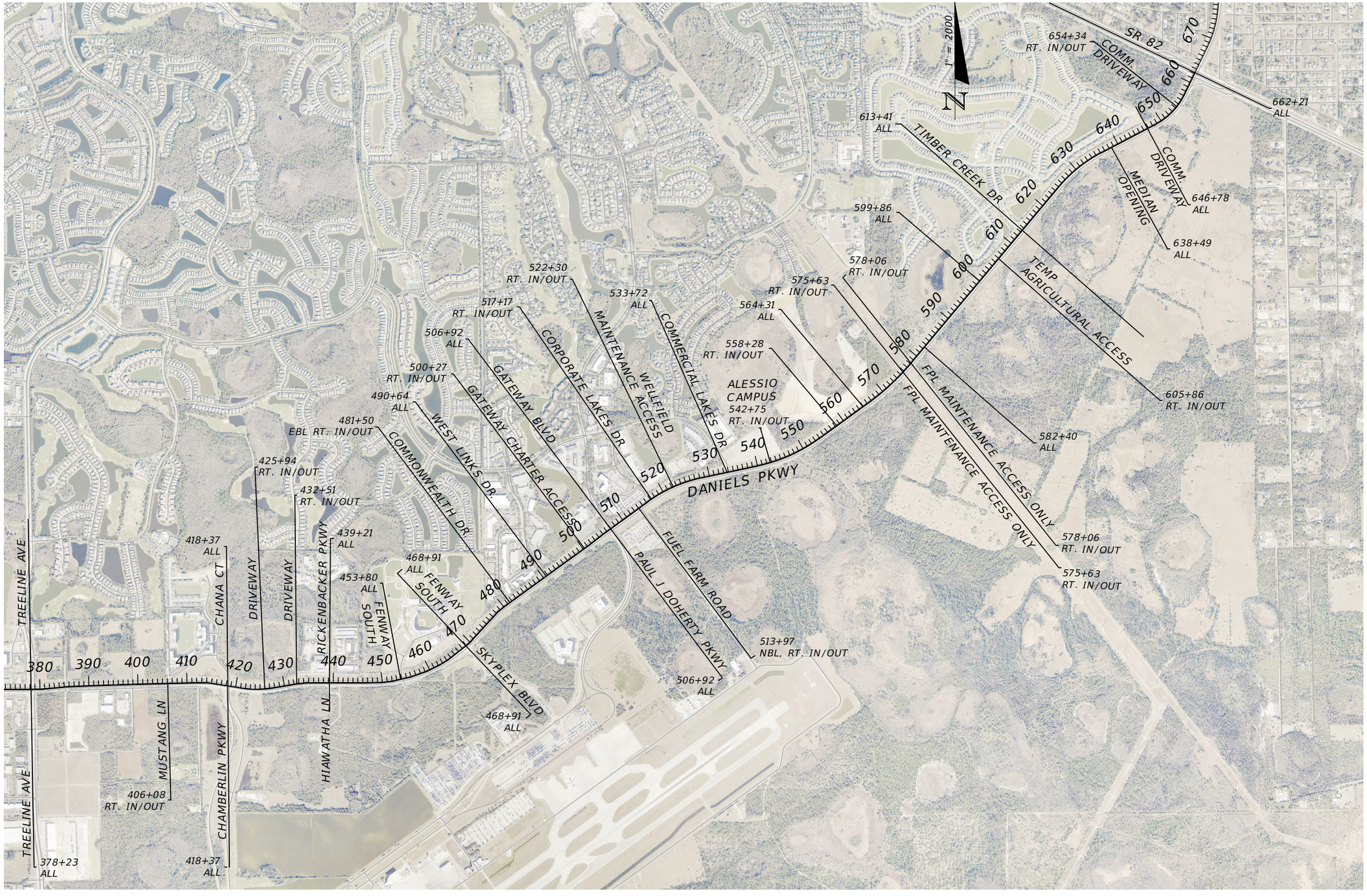
LEE COUNTY
DEPARTMENT OF TRANSPORTATION

ROAD NAME	COUNTY	PROJECT ID
DANIELS PKWY	LEE	---

DANIELS PKWY ACCESS MANAGEMENT PLAN (1)

EXHIBIT "A"

SHEET 1 OF 4



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Gagnon, Victor

REVISIONS			
DATE	DESCRIPTION	DATE	DESCRIPTION
11/17/26	UPDATED		

LEE COUNTY
DEPARTMENT OF TRANSPORTATION

ROAD NAME	COUNTY	PROJECT ID
DANIELS PKWY	LEE	---

DANIELS PKWY ACCESS MANAGEMENT PLAN (2)

EXHIBIT "A"

SHEET 2 OF 4

Exhibit B

Daniels Pkwy Access Management Plan

11/17/2026

Prior Stationing	Updated Station	Location	Description	Distance	Notes
100+00	100+00	US 41 (SR 45)	All	0	Signalized
111+09	111+09	SauerDr / Bell Tower Dr	All	1109	Signalized
125+05	125+05	Brynwood Ln / Big Pine Way	All	1396	Signalized
135+94	135+94	Pine Villa Ln / Corbel Cir	All	1089	
139+54	139+54	Fowler IDD Canal maintenance access onl	All	n/a	
142+72	142+72	Church Parcel / Ponderosa Way	All	678	
148+41	148+41	Morgan La-Fee Ln	WBL, NBL, Rt in/out	569	
155+00	155+00	Ten Mile Canal maintenance access only	All	n/a	
155+37	155+37	Seminole Gulf Railway	All	n/a	Signalized
156+80	156+80	Commercial Driveway	Right in/out	839	
158+40	158+40	Metropolis Avenue	Right in only	160	
161+83	161+83	Metro Parkway	All	343	Signalized
170+95	170+95	Doctors Way / Daniels Commerce Blvd	All	912	
180+57	180+56	Plantation Road	All	961	Signalized
192+63	192+63	International Dr / Brookshire Lakes Drive	All	1207	Signalized
*	200+00	Commercial Driveway	Right in/out	807	
205+11	205+11	Ben C. Pratt / Six Mile Cypress Parkway	All	441	Signalized
233+06	233+06	Eagle Ridge Drive	Right in/out	2795	
248+50	248+50	American Colony Blvd / Cross Creek Blvd	All	1544	Signalized
265+46	265+46	Freshman Ln / Parker Commons Blvd	All	1696	
272+38	272+36	Commercial Driveway	Right in/out	690	
*	272+56	Shire ln	Right in/out	20	
276+05	276+05	Fire Station emergency vehicle access onl	Right in	349	
279+08	279+08	Sophomore Ln	All	303	Signalized
*	282+64	Shetland Ln	Right in/out	356	
292+68	292+68	Riverside Center Ct / Pinto Ln	All	1004	
306+30	306+30	Powers Ct / Appaloosa Ln	All	1362	Signalized
*	313+40	Weirsma Ln	Right in/out	710	
319+56	319+82	Fiddlesticks Blvd / Palomino Ln	All	642	Signalized
326+63	326+63	Skyport Avenue	Right in/out	681	
334+10	334+10	Daniels 9300 / Danport Blvd	All	747	Signalized
349+87	349+87	I-75	All	1577	Signalized
368+30	368+30	Goldenwood Dr	EBL, Right in/out	1843	
371+51	371+51	Jetport Commerce Parkway	Right in/out	321	
378+23	378+23	Treeline Ave	All	672	Signalized
All Stationing is +/-50 feet					

Exhibit B
Daniels Pkwy Access Management Plan

11/17/2026

Prior Stationing	Updated Station	Location	Description	Distance	Notes
2408+50	378+23	Treeline Avenue	All	0	Signalized
2435+55	406+08	Mustang Ln	Right in	2785	
2447+00	418+37	Chamberlin Pkwy / Chana Ct	All	1229	Signalized
2457+25	425+94	Driveway	Right in/out	757	
*	433+85	Driveway	Right in/out	657	
2468+23	439+21	Hiawatha Ln / Rickenbacher Pkwy	All	670	
2483+11	453+79	Fenway South Dr	All	1458	
2497+85	468+91	Skyplex Blvd / Fenway South Dr	All	1512	
2509+30	481+50	Commonwealth Blvd	EBL, Right in/out	1259	
2519+38	490+64	West Links Dr	All	914	
2529+01	500+27	Gateway Charter School access road	Right in/out	963	
2535+76	506+92	Paul J. Doherty Pkwy / Gateway Blvd	All	665	Signalized
2543+27	513+97	Fuel Farm Road	NBL, Right in/out	705	
2545+76	517+17	Corporate Lakes Dr	Right in/out	320	
2550+31	522+30	Wellfield maintenance access	Right in/out	n/a	
2562+00	533+72	Commerce Lakes Dr	All	1655	
*	542+75	Alessio Campus	Right in/out	903	
2586+40	558+28	Development Access	All	1553	
2593+00	564+31	Median Opening	All	603	
2603+75	575+63	FPL Maintenance Access Only	Right in/out	n/a	
2606+20	578+06	FPL Maintenance Access Only	Right in/out	n/a	
2610+50	582+40	Median Opening	All	1809	
2628+00	599+86	Median Opening	All	1746	
2634+00	605+86	Temp Agricultural Access	Right in/out	600	
2641+50	613+41	Timber Creek Dr	All	755	Signalized
2666+00	638+49	Median Opening	All	2508	
2675+00	646+78	Commercial Driveway	All	829	Signalized
*	654+34	Commercial Driveway	Right in/out	756	
2690+29	662+21	SR 82 (Immokalee Road)	All	787	Signalized
All Stationing is +/-50 feet					

Lee County Community Development

CASE NUMBER & NAME:	DCI2026-00009 / Chana Court Storage CPD
REQUEST:	Request to rezone 10.03+/- acres from Tourist Commercial District (CT) to Commercial Planned Development (CPD), including a deviation from LDC Section 10-285 connection separation. Additionally, amend controlled access resolution per LDC Section 10-298 and AC-11-10 to amend Resolution 25-02-10 for Daniels Parkway.
RESOLUTION NUMBER:	Z-26-014
LOCATION:	11081 & 11201 Daniels Pkwy, Lee County, FL; Gateway/Airport Planning District.
OWNER:	Laurel Oak Dev. of SW FL, LLC.
APPLICANT:	CASTO Southeast Realty Services
AGENT:	RVi Planning + Landscape Architecture Stacy Ellis Hewitt, AICP 10511 Six Mile Cypress Pkwy, Suite 101 Fort Myers, FL 33966
HEARING EXAMINER RECOMMENDATION:	Approval, subject to conditions and deviations.
PARTICIPANTS:	None

DCI2026-00009

Attachment B

N
W E
S

0 1,000 2,000
US Feet

City of
Fort Myers

TREELINE AVE

COMMERCE LAKES DR

GATEWAY BLVD

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Summary of Hearing Examiner Recommendation

CHANA COURT STORAGE CPD

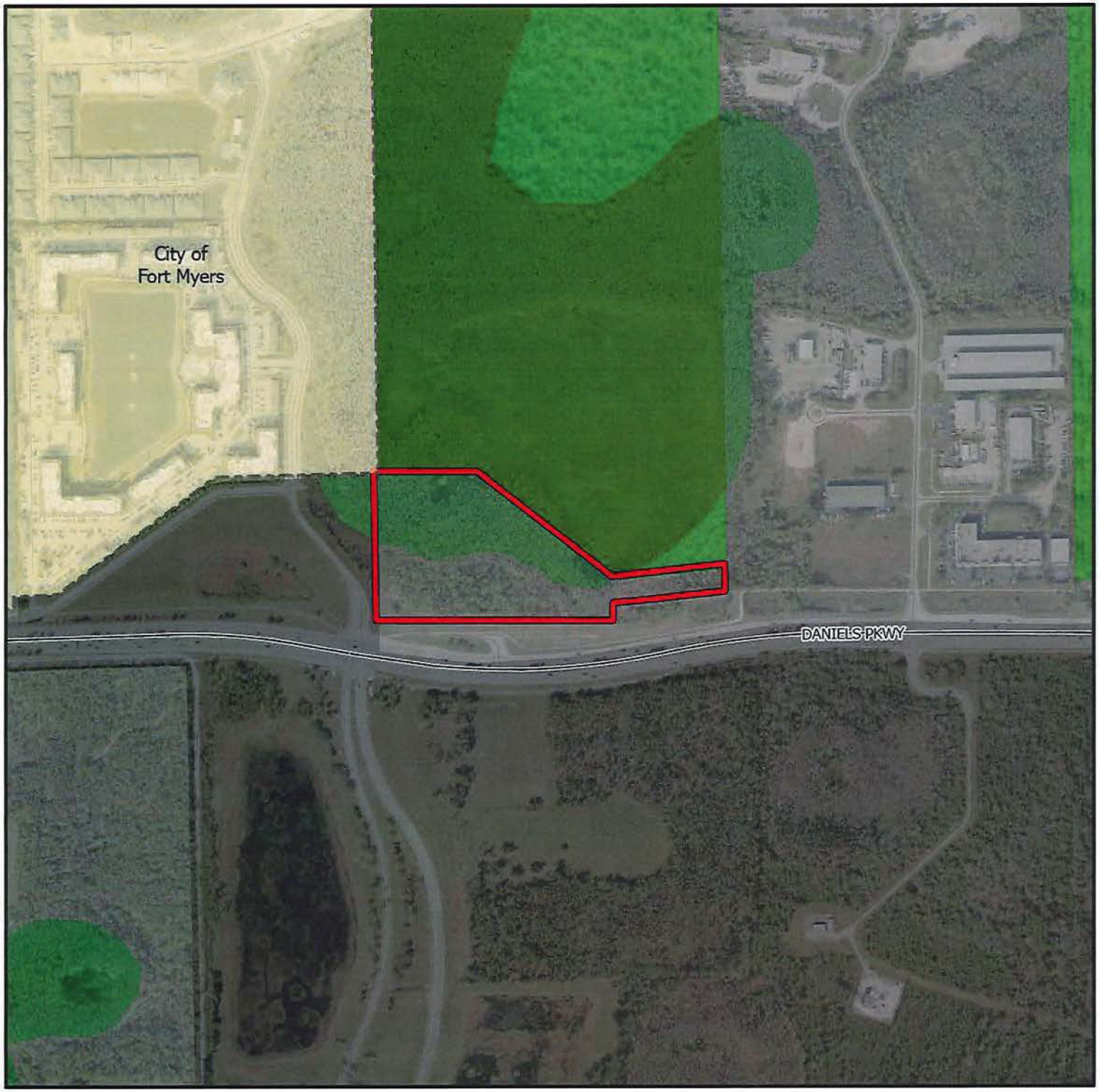
Applicant seeks to develop vacant property along Daniels Parkway at the Chana Court/Chamberlin Parkway intersection.

The request infills development along an established corridor proximate to commercial and residential uses. Proposed uses are limited and less intense than current CT zoning allows.

Site design minimizes environmental impacts and preserves over half of the property acreage. Requested deviations acknowledge site constraints resulting from easements and preservation areas, including a request to amend the Daniels Parkway Controlled Access Resolution to locate site access in a more suitable position.

The Hearing Examiner finds the request, as conditioned, meets Lee Plan and LDC review criteria.

Detailed recommendation follows



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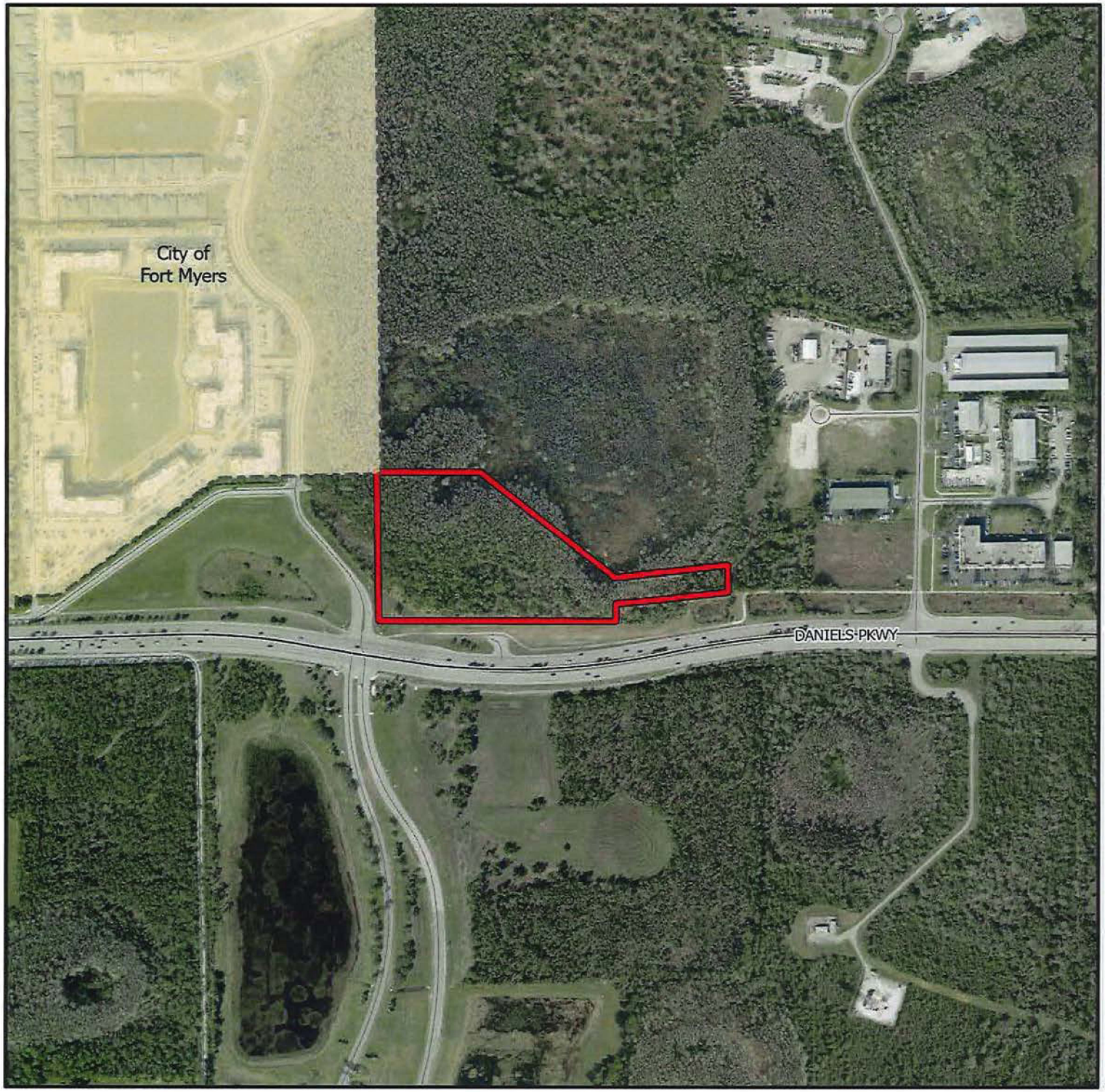
Future Land Use

- Subject Property
- Tradeport
- Airport
- Conservation Lands - Upland
- Wetlands
- Conservation Lands - Wetland
- City Limits

N
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Feet

Lee County
Southwest Florida



DCI2026-00009

Aerial

Subject Property

City Limits

N
W
E
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0 500 1,000
Feet

Lee County
Southwest Florida

OFFICE OF THE HEARING EXAMINER, LEE COUNTY, FLORIDA

HEARING EXAMINER RECOMMENDATION

REZONING: DCI2026-00009

Regarding: **CHANA COURT STORAGE CPD**

Location: 11081 and 11201 Daniels Parkway
Gateway/Airport Planning Community
(District 2)

Hearing Date: September 3, 2026

I. Request

Rezone 10.03± acres from Tourist Commercial (CT) to Commercial Planned Development (CPD) to allow 71,000 square feet of mini-warehouse, boat, and recreational vehicle (RV) self-storage uses. Maximum building height is 35 feet.

The property's legal description is set forth in Exhibit A.

II. Hearing Examiner Recommendation

Approval, subject to the conditions and deviations set forth in Exhibit B.

III. Discussion

The Hearing Examiner serves in an advisory capacity to the Board of County Commissioners (Board) on applications to rezone property.[1] In satisfaction of this duty, the Hearing Examiner accepted testimony and evidence on the application to rezone vacant land along Daniels Parkway to CPD.

In preparing a recommendation to the Board, the Hearing Examiner must consider the Lee County Comprehensive Plan (Lee Plan), the Land Development Code (LDC), and other County regulations to the facts presented in a rezoning request.[2] Specifically, the Hearing Examiner must find the request is compatible with surrounding uses and complies with Lee Plan and LDC requirements relating to such items as transportation facilities, natural resources, and urban services.[3] The Hearing Examiner may take judicial notice of previous Board decisions.[4] The

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[1] LDC §34-145(d)(1)(a) & (2)(a).
[2] LDC §34-145(d)(3).
[3] LDC §34-145(d)(4).
[4] Lee Co. Admin. Code 2-6, §2.3.D(4)(b).

Hearing Examiner's recommendation must be based on competent and substantial evidence.[5]

Discussion supporting the recommendation of approval of the proposed CPD follows below.

Request Synopsis

The 10.03± acre property is in the Gateway/Airport Planning District, generally north of Daniels Parkway and east of Treeline Avenue. More specifically, the property sits at the northeast quadrant of the signalized intersection of Daniels Parkway and Chana Court/Chamberlin Parkway.[6]

The CPD provides a limited schedule of commercial uses, targeted at mini-warehouse storage.[7] The proposed Master Concept Plan (MCP) reflects four buildings clustered in the southwestern corner of the site with preserve areas along the north and east. Site design preserves half of the property as dedicated open space.[8] Building heights remain at 35 feet.[9]

Project access relies on a connection to Daniels Parkway achieved through amendment to Controlled Access Resolution 25-02-10.[10]

Staff recommended approval, finding the proposed CPD satisfied LDC review criteria.

Zoning Review Criteria

Before recommending approval, the Hearing Examiner must find the request:

A. Complies with the Lee Plan;

B. Meets the LDC and other applicable County regulations or qualifies for deviations;

C. Is compatible with existing and planned uses in the surrounding area;

D. Provides access sufficient to support the proposed development;

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[5] Lee Co. Admin. Code 2-6, §3.3.A(2); LDC §34-83(a)(4)(a)1.a.
[6] Daniels Parkway serves as the dividing line with Chana Court to the north and Chamberlin Parkway to the south.
[7] *See* Condition 2a.
[8] The MCP Open Space table reflects 5.02± acres preserved as open space. The LDC requires 30% open space, or 3± acres of the property. The northern portion of the property is preserved as indigenous/non-indigenous upland and wetland open space.
[9] *See* Condition 2b limiting CPD height to 35 feet; *See also* LDC §34-845 imposing a 35-foot height limitation on CT zoned lands.
[10] *See* Lee Co. Admin. Code 11-10; Staff Report (pg. 5).

E. Addresses impacts on transportation facilities by County regulations or conditions of approval;

F. Will not adversely affect environmentally critical/sensitive areas or natural resources; and

G. Will be served by urban services.[11]

When the requested zoning action is a planned development, the Hearing Examiner must also find:

H. The proposed use/mix of uses is appropriate at the proposed location;

I. Recommended conditions (1) provide sufficient safeguards to the public interest, and (2) reasonably relate to impacts on the public interest expected from the proposed development; and

J. Requested deviations (1) enhance achievement of the objectives of the planned development, and (2) protect public health, safety, and welfare.[12]

Character of the Area

The property is located north of Daniels Parkway between I-75 and JetBlue Stadium. The Southwest Florida International Airport (RSW) sits to the south. The Conservation 20/20 Flag Pond Preserve abuts the northern property boundary. A triangular airport operations property abuts the western boundary between Chana Court. Multifamily units lie northwest within the City of Fort Myers. Retail and convenience stores with fuel pumps border the eastern property line.



[11] LDC §34-145(d)(4)a.1.
[12] LDC 34-145(d)(4)a.2.

Lee Plan Consistency and Compatibility

Planned developments must be consistent with the Lee Plan.[13] Rezoning requests must be compatible with existing/planned uses in the surrounding area.[14] Planned developments must be located to minimize negative effects of proposed uses on neighboring properties.[15]

Lee Plan Maps classify the site in the Tradeport, Wetlands, and Conservation Lands Upland future land use categories in the Gateway/Airport Planning District.[16]

The Tradeport category contemplates commercial and industrial activities on lands near the airport.[17] Stand-alone retail commercial uses intended to support surrounding business/industrial uses are permitted if approved through the planned development process.[18] Residential uses are prohibited.[19]

The CPD proposes uses consistent with land uses anticipated in the Tradeport category.[20] Through conditions of approval, Applicant demonstrated compatibility with existing development patterns.

The Wetland designation signifies areas consisting of very low residential density and recreational uses that will not adversely affect wetland ecological function.[21] The Lee Plan directs development to make reasonable effort to avoid/minimize adverse impacts on wetlands through clustering and mitigation consistent with State standards.[22]

Applicant provided environmental reports depicting 9.56± acres of wetlands concentrated in the northern/eastern portions of the property.[23] Site design clusters development in the southwestern corner to minimize wetland impact and preserves 4.94± acres.[24] Impacted wetlands will be mitigated through on-site/off-site mitigation through the South Florida Water Management District.

Conservation Lands include uplands owned/used for long range conservation purposes.[25] Just 0.09 acres of the property adjacent to Conservation 20/20 lands are identified within this category and will be preserved.[26]

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[13] LDC §34-411(a).
[14] LDC §34-145(d)(4)a.
[15] LDC §34-411(c) and (i).
[16] *See* Lee Plan Map 1-A, 1-B, Policy 1.1.13; Staff Report (Attachment B).
[17] Lee Plan Policy 1.1.13.
[18] *See Id.*
[19] Bona fide caretaker residences are permitted. Lee Plan Policy 1.1.13.
[20] Lee Plan Policy 1.1.13.
[21] Lee Plan Policy 1.5.1.
[22] Lee Plan Policy 124.1.2.
[23] *See* Staff Report (pg. 7, Attachments K-L).
[24] *See* MCP.
[25] Lee Plan Policy 1.4.6.
[26] *See* Staff Report (pg. 7-8).

The MCP depicts appropriate screening and buffering to ensure compatibility with surrounding land uses. Site design incorporates environmentally sensitive areas into preserves to meet indigenous, buffer, and setback requirements by clustering development. Narrowed permitted uses reduce intensity to ensure no negative effect on surrounding uses or traffic. The request maintains compact development patterns and represents infill development along an established corridor.[27]

The Hearing Examiner finds the request is consistent with the Lee Plan and LDC and is compatible with the surrounding area.

Transportation/Traffic

Planned developments must have access to roads with sufficient capacity to support proposed intensity.[28] Existing regulations or conditions of approval must address expected impacts on transportation facilities.[29]

The property abuts Chana Court to the west and Daniels Parkway to the south. Access to Chana Court is infeasible due to easement encumbrances and the road's location on Lee County Port Authority property.[30]

The LDC provides for designation of certain streets as "controlled access" facilities.[31] These facilities are permanent access points that are restricted to locations established by design study/plans adopted by resolution of the Board.[32] The Board designated Daniels Parkway as a Controlled Access Road in 1989, with subsequent amendments as recently as 2025.[33]

The project proposes access to Daniels Parkway via relocation of an approved connection.[34] If the CPD is approved by the Board, the request accomplishes the following actions through concurrent amendment to Resolution 25-02-10: (1) relocate the current controlled access at Station 2457+25 to access at Station 2455+03, restricted to right-in/right-out turning movements; (2) eliminate the temporary status of the existing connection at Station 2461+63 to render it a permanent connection; and (3) remove the requirement to interconnect to the eastern property.[35]

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[27] Lee Plan Goals 2, 6, 158, Objectives 2.1, 2.2, 158.2, Policy 2.1.1.
[28] LDC §34-145(d)(4)a.1(d); §34-411(d)(1).
[29] LDC §34-145(d)(4)a.1(e); §34-411(d)(2).
[30] *See* Staff Report (pg. 9, Attachment N: Memorandum dated July 28, 2026 from John Podczerwinsky, AICP, CTP, Principal Planner, DOT Engineering).
[31] LDC §10-298.
[32] *Id.*
[33] *See* Lee Co. Admin. Code 11-10; Lee Co. Resolution 89-10-11; Resolution 25-02-10; LDC §10-298.
[34] Daniels Parkway is a major arterial, constrained roadway. Lee Plan Map 3-B, Lee Plan Table 2(a), Objective 37.2. The Board approved a right-in/right-out connection on Daniels for the property abutting to the east, conditioned upon elimination if this property developed. Lee Co. Resolution 25-02-10 ¶12.
[35] Lee Co. Resolution 25-02-10 provides the existing connection at Station 2457+25 has left-in/right-in/right-out movements that require median improvements. No median improvements are needed if the access is moved as Applicant proposes. The Resolution also includes a condition requiring Station 2461+63 to be a

Applicant also seeks a deviation from LDC requirements imposing two means of ingress/egress in recognition of site constraints created by easement encumbrances and abutting conservation lands.[36]

The Lee County Department of Transportation (DOT) reviewed the requested actions and recommended approval with conditions.[37] DOT staff testified the proposed relocation reduces conflict points along a heavily trafficked roadway.[38]

The Traffic Impact Statement (TIS) evaluated transportation impacts based upon the most intense development scenario possible under the CPD.[39] The TIS concludes the request reduces traffic generation permitted under current CT zoning and does not alter the level of service on Daniels Parkway.[40]

Applicant demonstrated the request provides sufficient access to support the proposed development.[41] Site related impacts will be evaluated during development order review.[42]

Environmental and Natural Resources

Requests to rezone property must not adversely affect environmentally critical/sensitive areas or natural resources.[43]

The site contains wetlands consisting of undisturbed cypress and herbaceous wetlands. Over half of the wetlands are preserved, with remaining impacted wetlands addressed through on/off-site mitigation.[44] The Parties consulted heavily

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temporary access for the convenience food and beverage development until such time that the subject property is developed. Applicant seeks to remove the temporary status of Station 2461+63 to allow it to be permanent and not provide a cross access to the property due to impacts to wetland non-indigenous preserve.

[36] *See* Staff Report (pg. 4, detailing Deviation 1 from LDC §10-219(3)).

[37] *See* Staff Report (Attachment N); Scholler Testimony (Transcript pg. 60-61). DOT staff recommended conditioning the deviation request on ensuring Applicant amends the Controlled Access Resolution prior to development order approval.

[38] Scholler Testimony (Transcript pg. 61).

[39] Ted Treesh testified as the Applicant's traffic expert and prepared the TIS dated June 2, 2026. *See* Staff Report (Attachment M).

[40] *See* Staff Report (Attachment M: Traffic Impact Statement prepared by TR Transportation Consultants, Inc. dated June 2, 2026). The TIS concludes Daniels Parkway is projected to operate below the minimum acceptable level of service standard both with and without the proposed development. *See Id.*

[41] LDC §34-145(d)(4)(a)(1).d; Staff Report.

[42] Site related improvements include capital improvements and right-of-way dedications for "direct access" improvements to the project. Direct access improvements include site driveways/roads, median cuts made necessary by driveways/roads, right-turn, left-turn and deceleration/acceleration lanes serving driveways/roads, traffic control measures, and roads/intersection improvements whose primary purpose at the time of construction is to provide access to the development. *See* Lee Plan Glossary and LDC §2-264; Lee Plan Objective 39.1, Policy 39.1.1. LDC §2-66 *et. seq.*

[43] LDC §34-145(d)(4)a.1(f).

[44] *See* Lee Plan Consistency analysis, *supra*. See also Staff Report (pg. 7).

with the SFWMD to establish preservation limits that maintain wetland function with conservation lands to the north.[45]

Environmental assessments revealed no protected species.[46] Further environmental study will be conducted during development order review.

The property is within the 10,000-foot hazardous wildlife buffer, triggering compliance with the LCPA Airport Compatible/Incompatible Plant List.[47] The site is also within the Six Mile Cypress Basin. Applicant demonstrated the proposed stormwater management system will remain consistent with existing drainage patterns and will meet SFWMD water quality/quantity standards.[48]

The site exceeds LDC open space requirements.[49] Enhanced buffers mitigate requested landscape deviations to ensure proper screening is achieved in tandem with preservation areas along the project perimeter.[50]

The Hearing Examiner finds the proposed CPD will not harm environmentally critical/sensitive areas or natural resources. The proposed plan of development preserves half of the project acreage.

Public Services

Public/urban services are the facilities, capital improvements, and infrastructure necessary to support development.[51] The Lee Plan requires an evaluation of available urban services during the rezoning process.[52]

A host of urban services and infrastructure serve the property including roads, transit, pedestrian facilities, potable water, sanitary sewer, police, fire, and emergency medical services.[53]

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[45] *See* Staff Report (pg. 10-11, Attachment D).
[46] *See* Staff Report (pg. 12 & Attachment Q).
[47] *See* Staff Report (pg. 10).
[48] *See Id.* & Attachment P.
[49] *See* MCP.
[50] Buffer deviations are conditioned on landscape enhancements to provide adequate screening from public view as permitted with existing easements. *See generally* Staff Report (pg. 4).
[51] Lee Plan Glossary: Public services include public water/sewer, paved streets/roads, public transit, parks/recreation facilities, urban levels of police, fire, and emergency services, urban surface water management, schools, employment, industrial, and commercial centers, institutional, public, or administrative facilities, community facilities such as senior citizens centers, libraries and community centers.
[52] Lee Plan Policy 2.2.1. Daniels Parkway hosts a shared use path and is identified on the Captiva-Hendry-Collier Trail on the Lee County Greenways Master Plan. Lee Plan Maps 3-D, 4-E.
[53] See Staff Report (pg. 2-3, Attachment J). The site is serviced by South Trail Fire Station #64 and EMS substation, one mile away. Lee Plan Maps designate facilities along Daniels Parkway including sidewalks, shared use paths, and on-road bikeways. *See* Map 3-D.

Deviations

The request seeks six deviations from the LDC. A "deviation" is a departure from a land development regulation.[54] Requested deviations pertain to landscaping, access, and buffers.[55] Staff supports all requested deviations, subject to conditions.[56]

The Hearing Examiner's standard of review requires a finding that each deviation: (1) enhances achievement of CPD objectives; and (2) protects public health, safety, and welfare.[57]

Applying LDC deviation standards of review to testimony and evidence in the record, the Hearing Examiner concludes the requested deviations meet approval criteria.[58] Deviations are sought mostly due to site constraints created by land area encumbered by easements and preservation areas.[59]

Public

No members of the public spoke at hearing.

Conclusion

The Hearing Examiner concurs with staff's analysis and recommendation of approval. Applicant provided competent substantial evidence demonstrating the requested CPD meets LDC review criteria.[60]

IV. Findings and Conclusions

The Hearing Examiner makes the following findings and conclusions based on the testimony and evidence in the record.

As conditioned herein, the proposed CPD:

A. Complies with the Lee Plan. *See* Lee Plan Goals 2, 4, 6, 60, 77, Objectives 2.1, 2.2, and Policies 1.1.13, 1.4.6, 1.5.1, 2.1.1, 2.1.2, 2.2.1, 6.1.1, 6.1.3, 6.1.4, 6.1.5, 6.1.6, 47.2.1, 47.2.4, 47.2.5, 47.5.2, 60.4.1, 60.4.2, 124.1.2,

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[54] LDC §34-2.
[55] Requested deviations offer relief from LDC §§10-291(3), 10-416(b), 10-416(c)(2)b, 10-285, and 10-416(d)(3).
[56] *See* Staff Report (pg. 3-6).
[57] LDC §34-145(d)(4).
[58] LDC §34-377(a)(4).
[59] The southern property line is encumbered by ingress/egress easements (Lee County O.R. 3851/Pg 4438 & O.R. 3851/Pg 4434), a 20-foot utility easement (O.R. 2207/Pg 3298), and a billboard maintenance easement (O.R. 4019/Pg 3893). *See* Staff Report (pg. 3).
[60] LDC §34-145(d)(4).

125.1.2, 125.1.3, 126.1.1, 126.1.4, Standards 4.1.1, 4.1.2, 4.1.4; Lee Plan Maps 1-A, 1-B.

B. Complies with the LDC and other County regulations or qualifies for deviations. *See* LDC Chapters 10 and 34.

C. Is compatible with existing and planned uses in the area. *See* Lee Plan Policies 1.1.13, 1.4.6, 2.1.1, 2.1.2, 2.2.1, 6.1.4, 6.1.7, 123.2.10; LDC §34-411(c), (i), and (j).

D. Provides sufficient access to support the proposed development intensity, with expected impacts on transportation facilities addressed by County regulations or conditions of approval. *See* Lee Plan Policy 6.1.5, 39.2.2.

E. Will not adversely affect environmentally critical areas and natural resources. *See* Lee Plan Goals 77, 125, Objectives 4.1, 77.1, Policy 6.1.6, 123.2.10, 60.4.1, 60.4.2, 125.1.2, 126.1.1, 126.1.4, Standard 4.1.4, LDC §34-411(h).

F. Will be served by urban services. *See* Lee Plan Glossary, Map 3-D, 4A-B, Goal 2, Objectives 2.1, 2.2, 4.1, 53.1, 56.1; Policies 1.1.13, 2.2.1, and Standards 4.1.1 and 4.1.2; LDC §34-411(d).

G. Recommended conditions are sufficient to protect the public interest and reasonably relate to the impacts expected from the development. *See* LDC Chapters 10 and 34.

H. As conditioned herein, the requested deviations:

1. Enhance objectives of the planned development; and

2. Protect public health, safety, and welfare. *See* §34-145(d)(4)a.2(c).

Date of Recommendation: October 12, 2026.

Amanda L. Rivera
Deputy Hearing Examiner

Lee County Hearing Examiner
1500 Monroe Street, Suite 218
Post Office Box 398
Fort Myers, FL 33902-0398

Exhibits to Hearing Examiner's Recommendation

Exhibit A Legal Description and Vicinity Map
Exhibit B Recommended Conditions and Deviations
Exhibit C Exhibits Presented at Hearing
Exhibit D Hearing Participants
Exhibit E Information

Exhibit A

LEGAL DESCRIPTION AND VICINITY MAP

Exhibit A

ATWELL

DESCRIPTION
OF
A TRACT OR PARCEL OF LAND LYING IN
SECTION 24, TOWNSHIP 45 SOUTH, RANGE 25 EAST,
LEE COUNTY, FLORIDA

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTION 24, TOWNSHIP 45 SOUTH, RANGE 25 EAST, AND BEING FURTHER BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT A 6"X6" CONCRETE MONUMENT MARKING THE NORTHWEST CORNER OF SAID SECTION 24; THENCE S 00°52'25" E ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 24 FOR 2051.09 FEET TO THE **POINT OF BEGINNING**; THENCE S 89°50'57" E FOR 384.70 FEET; THENCE S 51°42'25" E FOR 638.28 FEET; THENCE N 83°43'13" E FOR 421.78 FEET TO AN INTERSECTION WITH THE WEST LINE OF THE EAST HALF OF THE NORTHWEST QUARTER OF SAID SECTION 24; THENCE S 00°54'03" E ALONG SAID WEST LINE FOR 100.71 FEET TO THE BEGINNING OF NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 2,154.00 FEET, TO WHICH POINT A RADIAL LINE BEARS N 06°06'42" W, SAID POINT ALSO BEING AN INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF DANIELS PARKWAY; THENCE WESTERLY ALONG SAID NORTHERLY LINE AND SAID CURVE THROUGH A CENTRAL ANGLE OF 00°07'56" FOR 4.97 FEET; THENCE S 83°45'22" W ALONG SAID NORTHERLY LINE FOR 337.94 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 1,506.69 FEET; THENCE WESTERLY ALONG SAID NORTHERLY LINE AND SAID CURVE THROUGH A CENTRAL ANGLE OF 02°54'24" FOR 76.43 FEET; THENCE S 00°46'40" E ALONG SAID NORTHERLY LINE FOR 66.74 FEET; THENCE N 89°52'40" W ALONG SAID NORTHERLY LINE FOR 881.82 FEET TO AN INTERSECTION WITH SAID WEST LINE OF THE NORTHWEST QUARTER; THENCE N 00°52'25" W ALONG SAID WEST LINE FOR 559.70 FEET TO THE **POINT OF BEGINNING**.

SUBJECT PARCEL CONTAINS 10.03 ACRES, MORE OR LESS.

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY OF RECORD.

BEARINGS AND DISTANCES SHOWN HEREON, UNLESS OTHERWISE NOTED, ARE BASED ON THE "STATE PLANE COORDINATE SYSTEM" FLORIDA ZONE WEST NAD 83/2011 WHEREIN THE WEST LINE OF THE NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 45 SOUTH, RANGE 25 EAST, BEARS S 00°52'25" E. THE HORIZONTAL VALUES WERE ESTABLISHED BY GPS OBSERVATIONS. THE SCALE FACTOR IS 0.999944648.

DESCRIPTION PREPARED: 04-09-2026

Digitally signed by Allen M Vose III
Date: 2026.05.22 13:01:52 -04'00'

ALLEN M. VOSE, III, P.S.M.
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERTIFICATION NO. 7191
DATE SIGNED 05-22-2026
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S:\ATWELL\JOBS\25XX\25003831\SURVEYING\DESCRIPTIONS\25003831 CHANA COURT BOUNDARY SKETCH.DWG

REVIEWED
Project: DCI2026-00009
By: Larissa Narkiewicz
Dept: Legal Review
Date: 07/13/2026

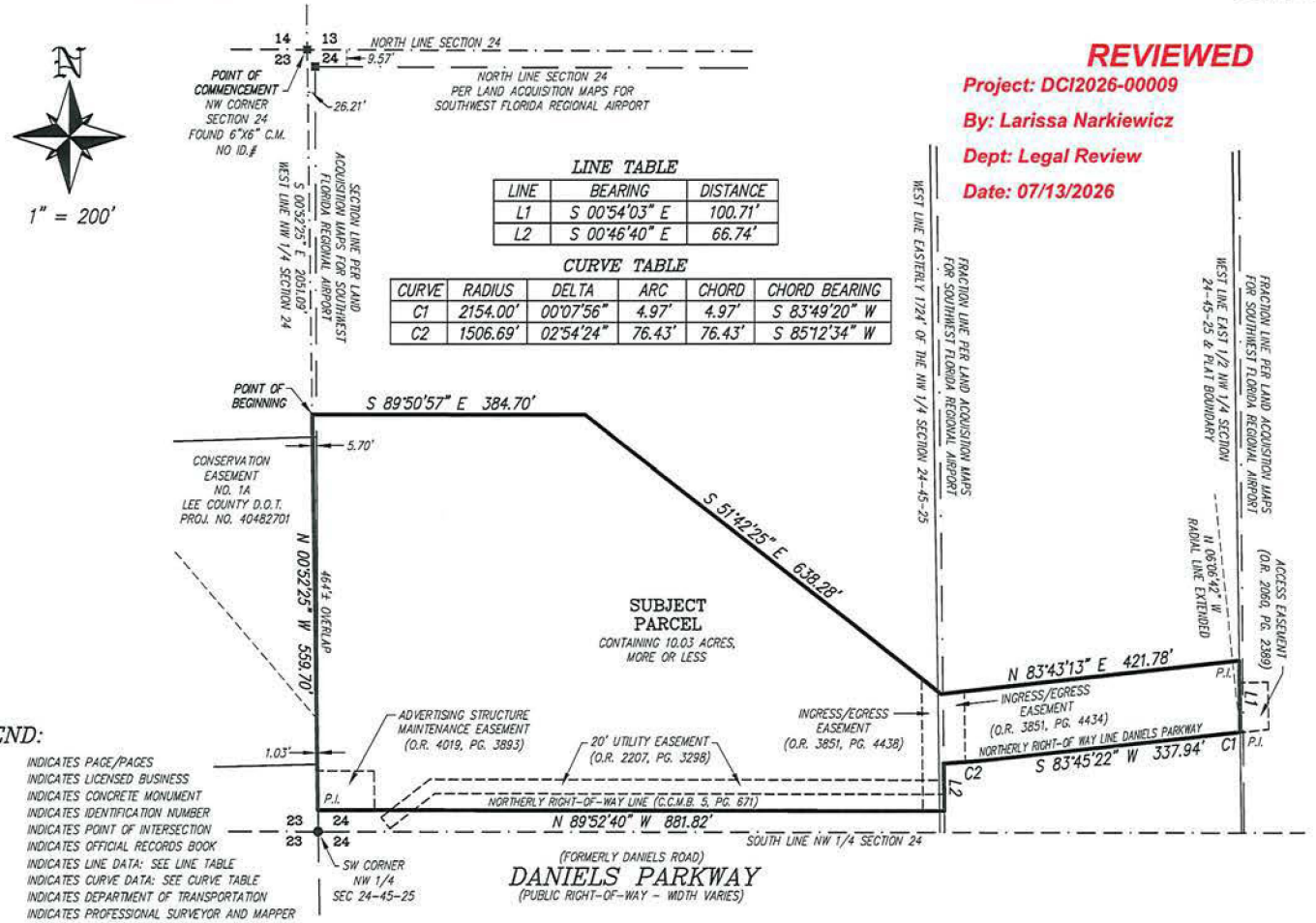
10511 Six Mile Cypress Parkway, Fort Myers, FL 33966
www.atwell.com

ATWELL
866.850.4200 www.atwell.com
10511 SIX MILE CYPRESS PARKWAY
FORT MYERS, FLORIDA 33966
(239) 939-5490 – LB# 7832

SKETCH OF DESCRIPTION

OF
A TRACT OR PARCEL OF LAND LYING IN
SECTION 24, TOWNSHIP 45 SOUTH, RANGE 25 EAST,
LEE COUNTY, FLORIDA

REVIEWED
Project: DCI2026-00009
By: Larissa Narkiewicz
Dept: Legal Review
Date: 07/13/2026



LINE TABLE

LINE	BEARING	DISTANCE
L1	S 00°54'03" E	100.71'
L2	S 00°46'40" E	66.74'

CURVE TABLE

CURVE	RADIUS	DELTA	ARC	CHORD	CHORD BEARING
C1	2154.00'	00°07'56"	4.97'	4.97'	S 83°49'20" W
C2	1506.69'	02°54'24"	76.43'	76.43'	S 85°12'34" W

NOTES:

1.) SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY OF RECORD.

2.) BEARINGS AND DISTANCES SHOWN HEREON, UNLESS OTHERWISE NOTED, ARE BASED ON THE "STATE PLANE COORDINATE SYSTEM" FLORIDA ZONE WEST NAD 83/2011 WHEREIN THE WEST LINE OF THE NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 45 SOUTH, RANGE 25 EAST, BEARS S 00°52'25" E. THE HORIZONTAL VALUES WERE ESTABLISHED BY GPS OBSERVATIONS. THE SCALE FACTOR IS 0.999944648.

3.) ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.

SEE SHEET 1 OF 2 FOR
COMPLETE METES AND BOUNDS DESCRIPTION

THIS SKETCH OF DESCRIPTION IS NOT A BOUNDARY SURVEY

Digitally signed by Allen M Vose III
Date: 2026.05.22 13:02:15 -04'00'

ALLEN M. VOSE III * LICENSE NUMBER * 7191 * STATE OF FLORIDA * PROFESSIONAL SURVEYOR & MAPPER *

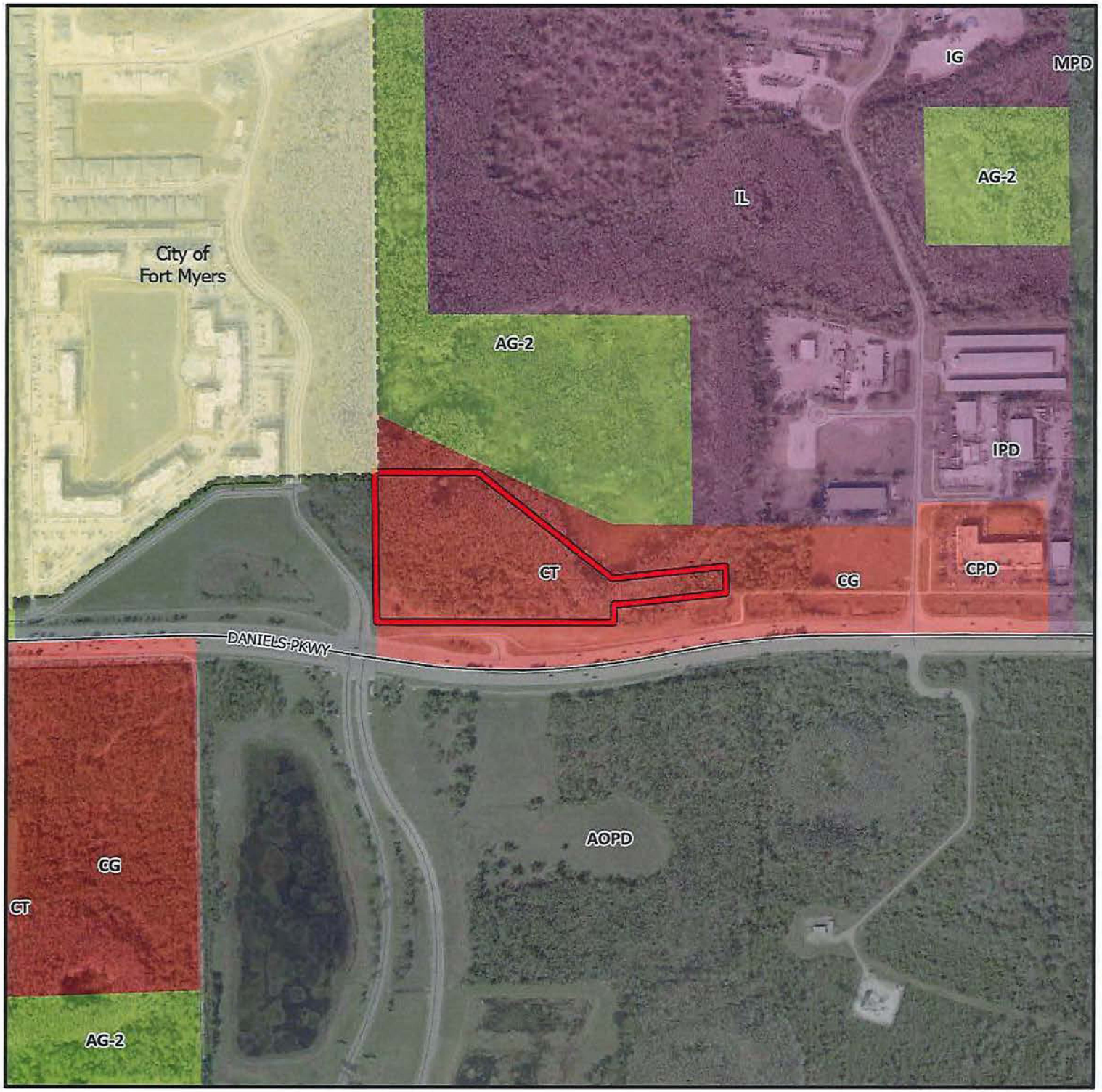
LEGEND:

PG.	INDICATES PAGE/PAGES
LB	INDICATES LICENSED BUSINESS
C.M.	INDICATES CONCRETE MONUMENT
ID.#	INDICATES IDENTIFICATION NUMBER
P.I.	INDICATES POINT OF INTERSECTION
O.R.	INDICATES OFFICIAL RECORDS BOOK
L1	INDICATES LINE DATA: SEE LINE TABLE
C1	INDICATES CURVE DATA: SEE CURVE TABLE
D.O.T.	INDICATES DEPARTMENT OF TRANSPORTATION
P.S.M.	INDICATES PROFESSIONAL SURVEYOR AND MAPPER
C.C.M.B.	INDICATES COUNTY COMMISSIONERS MINUTES BOOK

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S:\ATWELL\JOBS\25XX\25003831\SURVEYING\DESCRIPTIONS\25003831 CHANA COURT BOUNDARY SKETCH.DWG

PREPARED 04-09-2026
SHEET 2 OF 2

ALLEN M. VOSE, III, P.S.M.
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERTIFICATION NO. 7191
- DATE SIGNED: 05-22-2026
- THIS SKETCH OF DESCRIPTION IS NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.



DCI2026-00009

Zoning

Subject Property

City Limits

N
W
E
S

0 500 1,000
Feet

Lee County
Southwest Florida

Exhibit B

RECOMMENDED CONDITIONS AND DEVIATIONS

CONDITIONS

1. Master Concept Plan (MCP)/Development Parameters

a. **MCP**. Development must be substantially consistent with the one-page MCP entitled "Master Concept Plan, Chana Court Storage CPD", prepared by Atwell, Last Revised 09/01/2026 (Exhibit B1).

b. **Lee Plan and LDC**. Development must comply with the Lee Plan and LDC at time of development order approval, except as may be granted by deviations herein. Subsequent changes may require additional zoning approvals.

c. **Development Parameters**. The CPD is limited to a maximum of 71,000 square feet of mini warehouse, boat, automobile, and recreational vehicle (RV) self-storage use with a maximum building height of 35 feet.

2. Schedule of Uses and Property Development Regulations

a. Schedule of Uses

Accessory Uses & Structures
Administrative Office
Entrance gate and gatehouse
Essential Services
Essential Service Facilities, Group I
Excavation, Water Retention
Fences, Walls
Non-store retailer, all groups
Parking Lot, Accessory
Signs
Storage, indoor only
Temporary uses
Warehouse: Mini Warehouse

b. Site Development Regulations

General Parameters

Minimum Lot Area:	5 acres
Lot Width:	100 feet
Lot Depth:	100 feet
Minimum Lot Coverage:	60 percent

Maximum Building Height:	35 feet
Minimum Open Space:	30 percent
Minimum Building Separation:	20 feet (0 feet for Buildings 1 & 2)

Setbacks

Street:	
Daniels Parkway/Chana Court	25 feet
Private	20 feet
Side:	15 feet or ½ building height
Rear:	20 feet
Waterbody:	20 feet
Preserve:	20 feet
Accessory Structure:	Per LDC

3. Open Space

Development order plans must depict a total of three acres of open space required (of which a minimum 1.5 acres must be indigenous) and 4.86± acres of open space provided within the preserve as depicted on the MCP.

4. Indigenous/Non-Indigenous Preserve

Development order plans must depict a minimum 4.63± acres of indigenous preserve and 0.23± acres of non-indigenous preserve.

5. West/South/Right-of-Way Buffers

Development order plans must depict the following buffers, subject to adjustments necessary to maintain the billboard viewshed.

a. West Buffer: Chana Court (south to north)

i. 55± linear feet: No buffer plantings within the advertising structure maintenance easement.
ii. 268± linear feet: 15' wide Type D buffer from advertising structure maintenance easement to preserve with planting within minimum 7.5 feet of width.
iii. 236± linear feet: Preserve to serve as buffer per Condition 6.

b. South Buffer: Daniels Parkway (west to east)

i. 30± linear feet: No buffer plantings within the advertising structure maintenance easement where west buffer will be located.
ii. 66± linear feet: Six-foot high opaque fence extending along the northern portion of the advertising structure maintenance easement.

iii. 75± linear feet: Type D buffer plantings within minimum 7.5 feet wide planting strip around detention to advertising structure maintenance easement.
iv. 32'± linear feet: 4 General Trees measured at installed grade to be planted within the dry retention between adjacent planting strips.
v. 492± linear feet: 15' wide Type D buffer plantings within minimum 7.5 feet wide planting strip outside of easements west of the subject property access.
vi. 27± linear feet: 15' wide Type D buffer plantings within minimum 7.5 feet wide planting strip outside of easements east of the property access to a point of a tangent line to the easternmost point of the edge of pavement interior to the site.
vii. Buffer trees for iii, v & vi must be specified at 12-feet-in-height, three-inch caliper, and five foot canopy spread at time of planting. Shrubs must be specified at 60 inches at time of planting and installed four feet on center.
viii. 174± linear feet: No buffer abutting dry detention and wetland preserve.

6. Preserve Buffers

Development order plans must depict a minimum 30-foot-wide Type-F buffer along the north, east, and west property lines where Deviation 5 reflects "Preserve to Serve as Buffer" on the MCP. Existing indigenous vegetation within the preserve that meets LDC §10-420 may be used to meet buffer requirements. If restoration planting areas are proposed to meet required buffer plantings, the plant specifications must meet LDC §10-420. Required Type F buffer plantings within the preserve must be measured from the grade at which they reside, but no lower than the adjacent grade of the property intended to be buffered.

7. Landscaping

Development order plans must depict 24 of the required general trees planted within the dry retention spaced every 20 linear feet along the edge of pavement as shown on the MCP.

8. Controlled Access Facility

Prior to development order issuance, Applicant must demonstrate compliance with the Daniels Parkway Controlled Access Resolution.

9. Development Permits

County development permits do not create rights to obtain permits from state/federal agencies. Further, County development permits do not create liability on the part of the County if Applicant fails to obtain requisite approvals or fulfill

obligations imposed by federal/state agencies or undertakes actions in violation of state/federal law. Applicant must obtain applicable state/federal permits prior to commencing development.

DEVIATIONS

1. **Access. Deviation (1)** seeks relief from LDC §10-291(3), which requires commercial developments exceeding ten acres to provide more than one means of ingress and egress; to allow the development to utilize a single access connection to Daniels Parkway.

   HEX Recommendation: APPROVE, subject to Condition 8.

2. **Building Perimeter Plantings. Deviation (2)** seeks relief from LDC §10-416(b), which requires new development within commercial components of planned developments to provide building perimeter landscaping equal to ten percent of the building's gross ground-level floor area, and 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; to allow no minimum building perimeter planting area and for the buffers and preserves to serve as screening for the buildings.

   HEX Recommendation APPROVE, subject to Conditions 3, 5.B.vii, and 7.

3. **Internal Landscaping. Deviation (3)** seeks relief from LDC §10-416(c)(2)b, which requires landscape areas within the parking area perimeter and internal islands equal to/exceeding a minimum of ten percent of total paved surface area; to allow internal landscaping requirement to be met by depicting 24 of the site's required general trees planted within the dry retention spaced minimum 20 feet apart along edge of pavement as shown on the MCP.

   HEX Recommendation APPROVE, subject to Conditions 3, 5.B.vii, and 7.

4. **Connection Separation and Controlled Access Facility Relocation. Deviation (4)** seeks relief from LDC §10-285 connection separation. Additionally, amend controlled access resolution per LDC §10-298 and AC-11-10 to amend Resolution 25-02-10 for Daniels Parkway to consolidate the approved access at Station 2457+25 and the existing site access at Station 2452+28 (Former Chana Ct) and relocate to Station 2455+03 and modify the turning movements from an eastbound directional left-in/right-in/right-out access to restrict the movement to right-in/right-out only and to remove the temporary status and condition for interconnect for the access approved by Resolution 21-05-06 at Station 2461+63 to the east.

   HEX Recommendation APPROVE, subject to Conditions 6 and 8.

5. **Conservation Lands Buffer. Deviation (5)** seeks relief from LDC §10-416(d)(3), which requires a Type F buffer to be provided where commercial development abuts conservation lands; to allow the proposed preserve area along the west, north, east, and southeast property boundary to function as the required buffer.

   HEX Recommendation APPROVE, subject to Condition 6.

6. **Right-of-Way Buffer**. **Deviation (6)** seeks relief from LDC §10-416(d)(3), which requires a Type D buffer to be provided where commercial development abuts a street right-of-way or road easement; to allow no plantings within portions of the west buffer along Chana Court and south buffer along Daniels Parkway where existing easements encumber or where preservation areas are proposed, with the following buffers as appropriate while preserving billboard visibility:

   a. West Buffer: Chana Court (south to north)
   - i. 55± linear feet: No buffer plantings within the advertising structure maintenance easement.
   - ii. 268± linear feet: 15' wide Type D buffer from advertising structure maintenance easement to preserve with planting within minimum 7.5 feet of width.
   - iii. 236± linear feet: Preserve to serve as buffer per Condition 6.

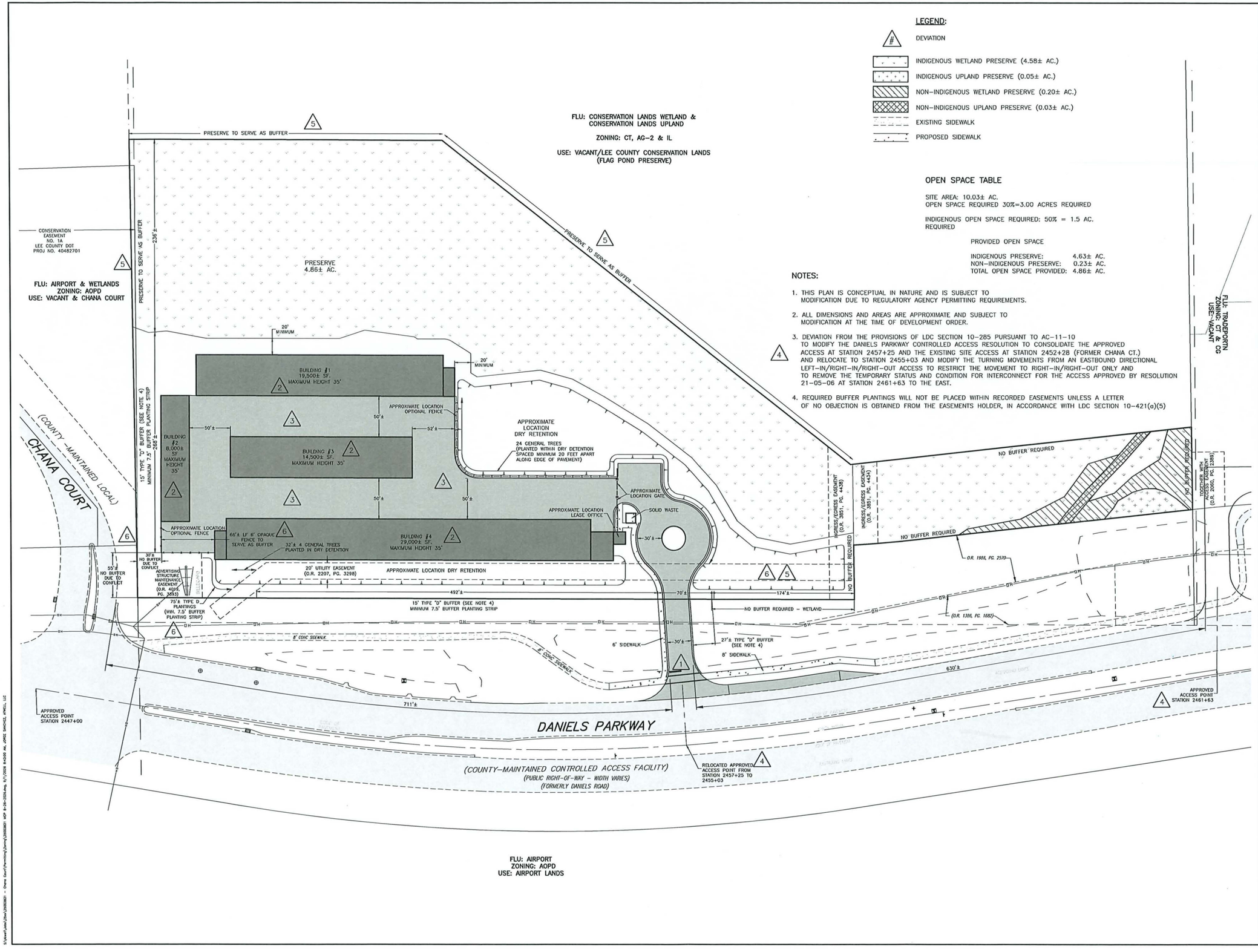
   b. South Buffer: Daniels Parkway (west to east)
   - i. 30± linear feet: No buffer plantings within the advertising structure maintenance easement where west buffer will be located.
   - ii. 66± linear feet: Six-foot high opaque fence extending along the northern portion of the advertising structure maintenance easement.
   - iii. 75± linear feet: Type D buffer plantings within minimum 7.5 feet wide planting strip around detention to advertising structure maintenance easement.
   - iv. 32'± linear feet: 4 General Trees measured at installed grade to be planted within the dry retention between adjacent planting strips.
   - v. 492± linear feet: 15' wide Type D buffer plantings within minimum 7.5 feet wide planting strip outside of easements west of the subject property access.
   - vi. 27± linear feet: 15' wide Type D buffer plantings within minimum 7.5 feet wide planting strip outside of easements east of the subject property access to a point of a tangent line to the easternmost point of the edge of pavement interior to the site.
   - vii. The buffer trees for iii, v & vi above must be specified at 12-feet-in-height, three-inch caliper, and five foot canopy spread at time of planting. Shrubs must be specified at 60 inches at time of planting and installed four feet on center.

viii. 174± linear feet: No buffer abutting dry detention and wetland preserve.

HEX Recommendation APPROVE, subject to Condition 5.

Exhibits to Conditions:
B1 Master Concept Plan last revised 9/1/26

EXHIBIT B1



OPEN SPACE TABLE

SITE AREA: 10.03± AC.
OPEN SPACE REQUIRED 30%=3.00 ACRES REQUIRED

INDIGENOUS OPEN SPACE REQUIRED: 50% = 1.5 AC. REQUIRED

PROVIDED OPEN SPACE

INDIGENOUS PRESERVE:	4.63± AC.
NON-INDIGENOUS PRESERVE:	0.23± AC.
TOTAL OPEN SPACE PROVIDED:	4.86± AC.

NOTES:

1. THIS PLAN IS CONCEPTUAL IN NATURE AND IS SUBJECT TO MODIFICATION DUE TO REGULATORY AGENCY PERMITTING REQUIREMENTS.
2. ALL DIMENSIONS AND AREAS ARE APPROXIMATE AND SUBJECT TO MODIFICATION AT THE TIME OF DEVELOPMENT ORDER.
3. DEVIATION FROM THE PROVISIONS OF LDC SECTION 10-285 PURSUANT TO AC-11-10 TO MODIFY THE DANIELS PARKWAY CONTROLLED ACCESS RESOLUTION TO CONSOLIDATE THE APPROVED ACCESS AT STATION 2457+25 AND THE EXISTING SITE ACCESS AT STATION 2452+28 (FORMER CHANA CT.) AND RELOCATE TO STATION 2455+03 AND MODIFY THE TURNING MOVEMENTS FROM AN EASTBOUND DIRECTIONAL LEFT-IN/RIGHT-IN/RIGHT-OUT ACCESS TO RESTRICT THE MOVEMENT TO RIGHT-IN/RIGHT-OUT ONLY AND TO REMOVE THE TEMPORARY STATUS AND CONDITION FOR INTERCONNECT FOR THE ACCESS APPROVED BY RESOLUTION 21-05-06 AT STATION 2461+63 TO THE EAST.
4. REQUIRED BUFFER PLANTINGS WILL NOT BE PLACED WITHIN RECORDED EASEMENTS UNLESS A LETTER OF NO OBJECTION IS OBTAINED FROM THE EASEMENTS HOLDER, IN ACCORDANCE WITH LDC SECTION 10-421(a)(5)

ATWELL
866.850.4200 www.atwell.com
10511 SIX MILE CYPRESS PKWY, SUITE101
FORT MYERS, FL 33966
239.939.5490

0 50 100
SCALE: 1"=50'

MASTER CONCEPT PLAN
CHANA COURT STORAGE CPD
LEE COUNTY, FL.

PREPARED FOR: CASTO

NO.	DATE	REVISION DESCRIPTION	BY
01	05-28-26	1ST INSUFFICIENCY RESPONSE	KG
02	6/26/2026	ADD DEVIATION 6	SEH
03	09/01/2026	48 HOUR NOTICE	KG

811 Know what's below. Call before you dig.
ALL UTILITIES ARE SHOWN BASED ON THE INFORMATION AVAILABLE TO THE ENGINEER. THE CONTRACTOR SHALL VERIFY ALL FACILITIES ARE SHOWN AS TO THAT THE LOCATION, DEPTH, AND SIZE OF EACH FACILITY. THE CONTRACTOR IS RESPONSIBLE FOR LOCATING ALL UTILITIES AND SERVICE LINES PRIOR TO CONSTRUCTION.

DRAFTED BY:	DESIGNED BY:	REVIEWED BY:
JLS	KG	SEH
PROJECT NUMBER:	COMPLETION DATE:	SURVEY DATUM:
25003831	2/26/2026	NAVD88
BOOK AND PAGE:		

SHEET 1

S:\Atwell\Jobs\25xx\25003831 - Chana Court\Planning\Zoning\25003831 MCP 9-26-2025.dwg, 9/1/2026 8:43:06 AM, JORGE SANCHEZ, ATWELL, LLC

Exhibit C

EXHIBITS PRESENTED AT HEARING

STAFF EXHIBITS

1. DCD Staff Report with attachments: Prepared by Elizabeth Workman, Principal Planner, received August 19, 2026 (multiple pages – 8.5"x11" & 11"x14") [black & white, color]

2. Notice of Publication: For zoning case DCI2026-00009, Chana Court Storage CPD (1 page – 8.5"x11")

3. PowerPoint Presentation: Prepared by Lee County Staff for DCI2026-00009, Chana Court Storage CPD, dated September 3, 2026 (multiple pages – 8.5"x11")[color]

APPLICANT EXHIBITS

1. 48-Hour Notice: Email from Stacey Hewitt to Hearing Examiner, with copies to Elizabeth Workman, Maria Perez, Lauren Schaefer, Sandra Kokotilo, Joseph Adams, Esq., Amanda Swindle, Esq., Michael Jacob, Esq., and Neale Montgomery, Esq., dated Tuesday, September 1, 2026, 9:01 AM (multiple pages – 8.5"x11")

2. Master Concept Plan: Prepared by Atwell for Chana Court Storage CPD, dated February 26, 2026 (1 page – 11"x17" and 1 page – 24"x36")

3. PowerPoint Presentation: Prepared by RVi for DCI2026-00009, Chana Court Storage CPD, dated September 3, 2026 (multiple pages – 8.5"x11")[color]

Case: DCI2026-00009

Exhibit D

HEARING PARTICIPANTS

County Staff:

1. Jillian Scholler
2. Elizabeth Workman

Applicant Representatives:

1. Christian Casey
2. Stacy Ellis Hewitt
3. Neale Montgomery, Esq.
4. Rachel Tracey
5. Ted Treesh

Public Participants:

None

Exhibit E

INFORMATION

UNAUTHORIZED COMMUNICATIONS

The LDC prohibits communications with the Hearing Examiner or her staff on the substance of pending zoning actions. There are limited exceptions for written communications requested by the Hearing Examiner, or where the Hearing Examiner seeks advice from a disinterested expert.

HEARING BEFORE LEE COUNTY BOARD OF COUNTY COMMISSIONERS

A. The Hearing Examiner will provide a copy of this recommendation to the Board of County Commissioners.

B. The Board will hold a final hearing to consider the Recommendation and record made before the Hearing Examiner. The Department of Community Development will notify hearing participants of the final hearing date. Only Parties and participants may address the Board at the final hearing. Presentations by participants are limited to the substance of testimony presented to the Hearing Examiner, testimony concerning the correctness of Findings of Fact or Conclusions of Law contained in the Recommendation, or allegations of relevant new evidence not known or that could not have been reasonably discovered by the speaker at the time of the Hearing Examiner hearing.

C. Participants may not submit documents to the Board of County Commissioners unless marked as Exhibits by the Hearing Examiner. Documents must have the Exhibit number assigned at hearing.

COPIES OF TESTIMONY AND TRANSCRIPTS

A. Every hearing is recorded. Recordings are public records that become part of the case file maintained by the Department of Community Development. The case file and recordings are available for public examination Monday through Friday between 8:00 a.m. and 4:00 p.m.

B. A verbatim transcript may also be available for purchase from the court reporting service.

LocaliQ
Florida
GANNETT

PO Box 631244 Cincinnati, OH 45263-1244

AFFIDAVIT OF PUBLICATION

ATTN: Alexis Crespo
RVI Planning, Inc
28100 Bonita Grande DR
STE 305
Bonita Springs FL 34135-6219

STATE OF WISCONSIN, COUNTY OF BROWN

Before the undersigned authority personally appeared, who on oath says that he or she is the Legal Advertising Representative of the News-Press, a daily newspaper published at Fort Myers in Lee County, Florida; that the attached copy of advertisement, being a Legal Ad in the matter of Public Notices, was published on the publicly accessible website of Lee County, Florida, or in a newspaper by print in the issues of, on:

01/31/2025

Affiant further says that the website or newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.
Subscribed and sworn to before me, by the legal clerk, who is personally known to me, on 01/31/2025

Legal Clerk

Notary, State of WI, County of Brown

8-21-26

My commission expires

Publication Cost:	$194.66	
Tax Amount:	$0.00	
Payment Cost:	$194.66	
Order No:	10987096	# of Copies:
Customer No:	1125689	0
PO #:	LSAR0231205	

THIS IS NOT AN INVOICE!

Please do not use this form for payment remittance.

NICOLE JACOBS
Notary Public
State of Wisconsin

NOTICE OF PUBLIC INFORMATION MEETING
DATE: Tuesday, February 11, 2025

TIME: 7:00 PM

ADDRESS: Alva Community Center, 21471 N. River Rd., Alva, FL 33920

In accordance with the Alva Planning Community Requirements of the Lee County Land Development Code, the Applicant, Neal Communities of Southwest Florida, Inc, will be presenting information to the public regarding a Comprehensive Plan Amendment Application and a Rezoning Application to make the following changes:

To rezone the 192.3+/-acre subject property from RVPD to MPD to allow for development of 721 Single-family and townhome dwelling units and 30,000 SF of neighborhood commercial uses. The maximum building height is 35 feet. The site will connect to centralized water and sewer services.

And

To amend the Comprehensive Plan to include the subject property in the Lee County Future Water and Sewer Services Maps and to redesignate a portion of the subject property to Sub-Outlying Suburban.

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

For questions, please contact:

Jem Frantz, AICP
RVi Planning + Landscape Architecture
28100 Bonita Grande Drive, Suite 305, Bonita Springs, FL 34135
(239) 357-9580 or jfrantz@rviplanning.com
January 31 2025
LSAR0231205

LocaliQ
Florida
GANNETT

PO Box 631244 Cincinnati, OH 45263-1244

AFFIDAVIT OF PUBLICATION

ATTN: Alexis Crespo
RVI Planning, Inc
28100 Bonita Grande DR
STE 305
Bonita Springs FL 34135-6219

STATE OF WISCONSIN, COUNTY OF BROWN

Before the undersigned authority personally appeared, who on oath says that he or she is the Legal Advertising Representative of the News-Press, a daily newspaper published at Fort Myers in Lee County, Florida; that the attached copy of advertisement, being a Legal Ad in the matter of Public Notices, was published on the publicly accessible website of Lee County, Florida, or in a newspaper by print in the issues of, on:

02/05/2025

Affiant further says that the website or newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.
Subscribed and sworn to before me, by the legal clerk, who is personally known to me, on 02/05/2025

D. Roberts
Legal Clerk

Nicole Jacobs
Notary, State of WI, County of Brown

8-21-26
My commission expires

Publication Cost:	$198.04	
Tax Amount:	$0.00	
Payment Cost:	$198.04	
Order No:	10987071	# of Copies:
Customer No:	1125689	0
PO #:	LSAR0231190	

THIS IS NOT AN INVOICE!

Please do not use this form for payment remittance.

NICOLE JACOBS
Notary Public
State of Wisconsin

NOTICE OF PUBLIC INFORMATION MEETING

DATE: Wednesday, February 19, 2025

TIME: 4:00 PM

ADDRESS: Intersection of Owl Creek Dr. and N. River Rd., Alva, FL 33920

In accordance with the Alva Planning Community Requirements of the Lee County Land Development Code, the Applicant, Neal Communities of Southwest Florida, Inc, will be presenting information to the public regarding a Comprehensive Plan Amendment Application and a Rezoning Application to make the following changes:

To rezone the 192.3+/-acre subject property from RVPD to MPD to allow for development of 721 Single-family and townhome dwelling units and 30,000 SF of neighborhood commercial uses. The maximum building height is 35 feet. The site will connect to centralized water and sewer services.

And

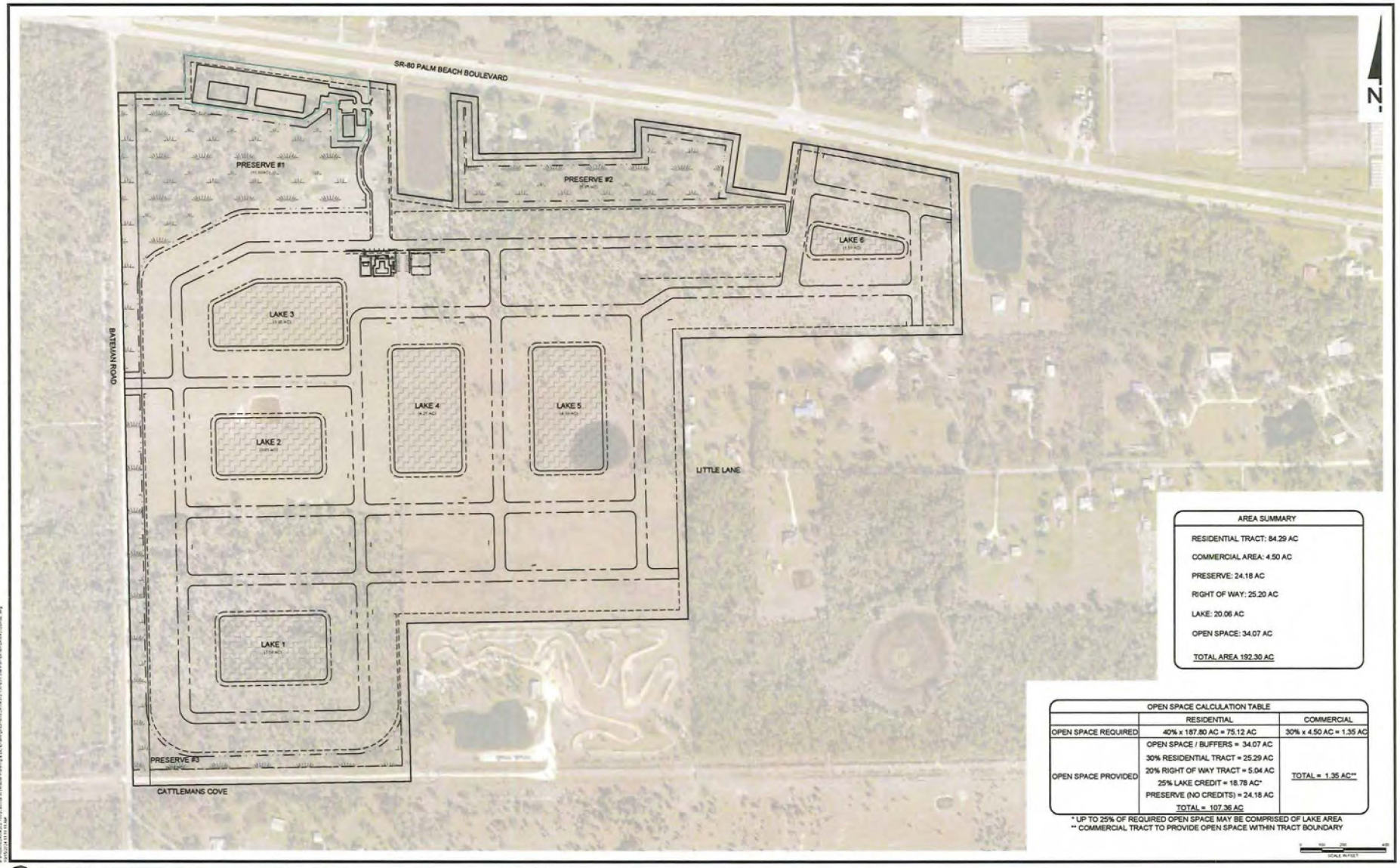
To amend the Comprehensive Plan to include the subject property in the Lee County Future Water and Sewer Services Maps and to redesignate a portion of the subject property to Sub-Outlying Suburban.

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

For questions, please contact:

Jem Frantz, AICP
RVi Planning + Landscape Architecture
28100 Bonita Grande Drive, Suite 305, Bonita Springs, FL 34135
(239) 357-9580 or jfrantz@rviplanning.com
February 5 2025
LSAR0231190

Exhibit B: Presentation Materials



AREA SUMMARY
RESIDENTIAL TRACT: 84.29 AC
COMMERCIAL AREA: 4.50 AC
PRESERVE: 24.18 AC
RIGHT OF WAY: 25.20 AC
LAKE: 20.06 AC
OPEN SPACE: 34.07 AC
TOTAL AREA 192.30 AC

OPEN SPACE CALCULATION TABLE		
	RESIDENTIAL	COMMERCIAL
OPEN SPACE REQUIRED	40% x 187.80 AC = 75.12 AC	30% x 4.50 AC = 1.35 AC
OPEN SPACE PROVIDED	OPEN SPACE / BUFFERS = 34.07 AC 30% RESIDENTIAL TRACT = 25.29 AC 20% RIGHT OF WAY TRACT = 5.04 AC 25% LAKE CREDIT = 18.78 AC* PRESERVE (NO CREDITS) = 24.18 AC TOTAL = 107.36 AC	TOTAL = 1.35 AC**

* UP TO 25% OF REQUIRED OPEN SPACE MAY BE COMPRISED OF LAKE AREA
** COMMERCIAL TRACT TO PROVIDE OPEN SPACE WITHIN TRACT BOUNDARY

SCALE IN FEET

ATWELL

CALOOSA 80

PRELIMINARY SITE PLAN (DRAFT)

15 October 2024

CPA2025-00007

Pondella Holdings Map Amendment

SUMMARY SHEET
CPA2025-00007 – PONDELLA HOLDINGS
ADOPTION HEARING

PROPOSED AMENDMENTS:
Amend Lee Plan Map 4-B, the Lee County Utilities Future Sewer Services Map, to include the 6.42-acre subject property and all properties south of Pondella Road, north of Stillwater Court, west of Palm Avenue, and east of Hancock Creek.

The amendment would add the subject property and additional properties recommended by staff to the Lee County Utilities Future Sewer Service Areas, as identified on Lee Plan Map 4-B. As recommended, all properties south of Pondella Road, north of Stillwater Court, west of Palm Avenue and east of Hancock Creek be included in LCU Future Sewer Services Map.

TRANSMITTAL HEARING:
Staff provided a brief presentation for the proposed text amendments to the Lee Plan.

The Board questioned whether the additional 44 acres recommended by staff would require residents to connect to the sewer service. Staff clarified that proposed amendment would not require residents to extend or connect from the existing lines.

There were no public comments concerning the proposed amendments.

A motion was made to ***transmit*** CPA2025-00007 as recommended by staff and the LPA. The motion passed 4 to 0.

STATE REVIEW:
Lee County received responses from Florida Department of Commerce, Florida Fish and Wildlife Conservation Commission, South Florida Water Management District, and the Department of Environmental Protection. There were **no objections** concerning the amendment.

STAFF RECOMMENDATION:
Staff recommends the BoCC **adopt** the amendments as transmitted and as provided in Attachment 1 to the Staff Report.

LEE COUNTY ORDINANCE NO. ____
Pondella Holdings
CPA2025-00007

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 PONDELLA HOLDINGS CPA2025-00007 APPROVED DURING A PUBLIC HEARING; PROVIDING FOR PURPOSE, INTENT, AND SHORT TITLE; AMENDMENTS TO ADOPTED MAP; 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, provides 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 July 27, 2026; and,

WHEREAS, the Board held a public hearing for the transmittal of the proposed amendment on September 2, 2026. At that hearing, the Board approved a motion to send, and did later send, proposed amendment pertaining to Pondella Holdings CPA2025-00007 to the reviewing agencies set forth in Section 163.3184(1)(c), F.S. for review and comment; and,

WHEREAS, at the September 2, 2026 meeting, the Board announced its intention to hold a public hearing after the receipt of the reviewing agencies' written comments; and,

WHEREAS, on December 2, 2026, 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 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 "Pondella Holdings Ordinance (CPA2025-00007)."**

SECTION TWO: ADOPTION OF COMPREHENSIVE PLAN AMENDMENT

The Lee Plan, initially adopted by Ordinance Number 89-02, is hereby amended to Amend Map 4-B, Lee County Utilities Future Sewer Service Areas, to include an additional 51.75 acres, including all properties south of Pondella Road, north of Stillwater Court, west of Palm Avenue and east of Hancock Creek, as shown in Exhibit A.

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 Administration 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 _____, who moved its adoption. The motion was seconded by Commissioner _____. The vote was as follows:

Kevin Ruane	_____
Cecil L. Pendergrass	_____
David Mulicka	_____
Brian Hamman	_____
Amanda Cochran	_____

DONE AND ADOPTED this 2nd day of December 2026.

ATTEST:
KEVIN C. KARNES
CLERK OF CIRCUIT COURT

BY:_____
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY FLORIDA

BY: _____
_____, Chair

DATE:_____

APPROVED AS TO FORM FOR THE
RELIANCE OF LEE COUNTY ONLY

_____
County Attorney's Office

Exhibit A (Adopted by BOCC on December 2, 2026):
Proposed and Existing Lee County Utilities Future Sewer Service Areas, Map 4B

CAO Draft 11/4/2026

EXHIBIT A



CPA2025-00007

Future Sewer Service Areas

Lee County
Southwest Florida

Proposed Future Sewer Service Areas

Existing Future Sewer Service Areas

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Feet

Map Generated: November 2026

STAFF REPORT FOR CPA2025-00007:
PONDELLA HOLDINGS

Privately Initiated Lee Plan Map Amendment

Recommendation:
Adopt

Applicant:
Pondella Holdings, LLC

Representative:
TDM Consulting Inc.

Amended Map(s):
- Map 4-B: Future Sewer Service Areas

Planning District:
District 19

Commissioner District:
District 4

Hearing Dates:
LPA: 07/27/2026
BoCC #1: 09/02/2026
BoCC #2: 12/02/2026

Attachment(s):
1: Map Amendment
2: Applicant Materials

REQUEST

- Amend **Map 4-B, Lee County Utilities Future Sewer Service Areas**, to include the 6.42-acre subject property.
- In addition to the applicant's request, staff recommends inclusion of all properties south of Pondella Road, north of Stillwater Court, west of Palm Avenue and east of Hancock Creek be included in Map 4-B (see Attachment 1).

SUMMARY

The requested amendment would add the subject property to the Lee County Utilities Future Sewer Service Areas as shown on Map 4-B. The property is already included in the Lee County Utilities Future Water Service Areas Map (Map 4-A). No other map or text amendments are proposed.

PROPERTY LOCATION

The subject property is located along the south side of Pondella Road, approximately 800 feet west of the intersection of North Cleveland Avenue and Pondella Road.



Figure 1: Aerial location of the subject property

RECOMMENDATION

Staff recommends that the Board of County Commissioners (BoCC) ***adopt*** staff's recommendation based on the analysis and findings provided in this staff report.

PART 1
STAFF DISCUSSION AND ANALYSIS

BACKGROUND AND REQUEST

The proposed amendment is a privately initiated Comprehensive Plan Amendment to identify the approximate 6.42-acre subject property within Lee County Utilities **(LCU) Future Sewer Service Areas** as shown on Map 4-B.

The current zoning of the property consists of four (4) zoning districts, C-1 Commercial, CT Commercial Tourist, C-1A Commercial, and RS-1 Residential Single Family. Most of the subject property lies within the Mixed-Use Overlay, with the exception of a portion of the property on the eastern side. Additionally, the application materials identify a small on-site wetland, approximately 0.28 acres, in the northwestern portion of the property. The applicant has filed a companion zoning application to rezone the property to CT Tourist Commercial for one consistent zoning district.

Future Land Use Category

The subject property is within the Central Urban future land use category, which allows residential, commercial, public and quasipublic, and limited light industrial land uses. **Policy 1.1.3** describes the Central Urban future land use category and is reproduced below.

> ***POLICY 1.1.3:*** *The Central Urban future land use category can best be characterized as the "urban core" of the County. These areas are already the most heavily settled and have, or will have, the greatest range and highest levels of public services. Residential, commercial, public and quasipublic, and limited light industrial land uses will continue to predominate in the Central Urban future land use category. Future development in this category is encouraged to be mixed use, as described in Objective 11.1, where appropriate. The standard density range is from four dwelling units per acre (4 du/acre) to ten dwelling units per acre (10 du/acre), with a maximum total density of fifteen dwelling units per acre (15 du/acre). The maximum total density may be increased to twenty dwelling units per acre (20 du/acre) utilizing Greater Pine Island Transfer of Development Units.*

Properties within the Central Urban future land use category are the most heavily settled and have, or will have, the greatest range and highest levels of public services. The Lee Plan permits a standard density range of four (4) to ten (10) dwellings units per acre, or up to fifteen (15) dwelling units per acre using the County's bonus density program.

Community Plan Area

The subject property is located within the North Fort Myers Community Plan Area, which is generally located north of the Caloosahatchee River, west of Interstate 75 (I-75), and east of the City of Cape Coral. Lee Plan Goal 30, reproduced below, describes the North Fort Myers Community Plan Area.

> ***GOAL 30: NORTH FORT MYERS COMMUNITY PLAN.*** *Improve the livability and economic vitality in the North Fort Myers Community Plan area by: promoting compact, mixed use development in the form of town and neighborhood centers; attracting appropriate investment to revitalize older neighborhoods and commercial corridors; stabilizing and enhancing, existing neighborhoods; and preserving natural resources.*

Goal 30 is divided into six objectives, each with supporting policies, that address neighborhoods and housing, centers and corridors, transportation, community facilities and services, parks, recreation, & conservation, and the downtown waterfront. This property is located within a Commercial Corridor Overlay District, meaning future development of the site will adhere to specific design standards and use regulations located within Chapter 33 of the Land Development Code.

Surrounding Properties

The subject property is located along the south side of Pondella Road, approximately 800 feet west of the intersection of North Cleveland Avenue and Pondella Road.

TABLE 1: SURROUNDING PROPERTIES INFORMATION

	Future Land Use	Zoning	Existing Use
North	Intensive Development	C-1, C-1A, CG, CT, AG-2	Commercial/Agricultural
East	Intensive Development	CN-1, RS-1	Commercial/Residential
South	Central Urban	RS-1, RM-2	Commercial/Residential/Vacant
West	Central Urban	RS-1	Residential

Table 1, above, describes uses and zoning categories in proximity to the subject property. The properties to the north, on the other side of Pondella Road, are zoned general commercial (CG), commercial (C-1A), and agricultural (AG-2). These properties support a wholesaler for water technology equipment, a tire shop, a used car dealer, and single-family residences. The properties along the east side of the subject property are zoned neighborhood commercial (CN-1) and residential single family (RS-1) and include single-family residences. South of the subject property is zoned residential single-family (RS-1) and residential multiple family (RM-2) containing single and multiple family housing. The properties to the west of the subject property are zoned RS-1 and contain single-family residential uses.

PROCEDURAL REQUIREMENTS

The Lee Plan is Lee County's comprehensive plan, which provides the long-term vision for development in the county. Florida Statutes require comprehensive plans to include certain topics as elements. The Lee Plan divides these elements into chapters, which are further supported by goals, objectives, standards, and policies. Lee Plan Chapter XIII, entitled Administration, section "d" addresses Amendments to the Plan. The applicable paragraph is reproduced below.

> *This plan, including the Future Land Use Map, may be amended in accordance with Florida Statutes and administrative procedures adopted by the Board of County Commissioners in Lee County Administrative Code 13-6. In accordance with § 163.3177(1)(f), Fla. Stat., all amendments must be based upon relevant and appropriate data and analysis.*

Lee County Administrative Code 13-6 establishes procedures for amendments to the Lee Plan, including notice requirements and provisions for public participation during the amendment process. The amendment request is a privately initiated map amendment to the Lee Plan. Since the following

amendments affect only Map 4-B, LCU Future Sewer Service Areas, there is not a requirement to provide Courtesy Notice pursuant to Lee County Administrative Code 13-6. The subject application required a Public Information Meeting pursuant to Lee Plan Objective 17.3 because the proposed amendment is located within the North Fort Myers Community Plan Area.

The subject amendment to the Lee Plan will follow the **Expedited State Review process under F.S. 163.3184(3),** which will require a total of three public hearings. One public hearing before the Local Planning Agency for recommendation to the BOCC, then the BOCC will hold two additional public hearings, one for transmittal to the state and one for adoption. Application types that follow the Expedited State Review process also require review by the State Reviewing Agencies.

LEE PLAN ANALYSIS

The comprehensive plan applies to all land use decisions within the county. Where goals, objectives, standards, or policies of particular elements conflict, those conflicts will be resolved based on an analysis of the Lee Plan altogether. The Lee Plan analysis included in this staff report considers the proposed amendments in relation to the applicable Lee Plan goals, objectives, and policies to determine overall consistency with the Lee Plan.

The subject property is designated as Central Urban future land use category on the Future Land Use Map, Map 1-A. **Policy 1.1.3** describes the Central Urban future land use category as a future urban area that provides for "*the greatest range and highest levels of public services.*" Additionally, the subject property is on an arterial road, within an area of the county that is currently served by LCU. It should be anticipated that lands within the Central Urban future land use category or other future urban areas be served by a public sewer provider. **Adding the subject property to the LCU Future Sewer Service Areas as identified on Map 4-B is consistent with and furthers Policy 1.1.3 of the Lee Plan.**

Objective 2.2 from the Lee Plan provides that future growth in Lee County should be concentrated in areas where public infrastructure is already in place or guaranteed, and where development can occur in a consistent and cohesive manner. The objective is reproduced below.

> ***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 §163.3164, Fla. Stat.) will be granted only when consistent with the provisions of §163.3202(2)(g) and § 163.3180, Fla. Stat. and the concurrency requirements in the LDC.*

Development of the site will result in a cohesive and contiguous development pattern. There are currently public facilities and services available at the site, allowing the subject property to be developed in a timely manner. **The proposed amendment would facilitate infill development in an area with adequate public facilities and compact development patterns, consistent with Lee Plan Objective 2.2.**

Lee Plan **Standard 4.1.2: Sewer**, in paragraph 5, provides if a development lies outside any service area the developer may request that the service area of Lee County Utilities (LCU) or an adjacent sewer utility be extended to incorporate the property. The requested amendment represents the request to LCU to extend the LCU Future Sewer Service Areas to the subject property. LCU has provided a Letter of Availability confirming that potable water lines are in operation adjacent to the subject property and that

LCU currently has sufficient capacity to provide potable water service. **Adding the subject property to LCUs Future Sewer Service Areas is consistent with Standard 4.1.1 and will allow for future development consistent with the Central Urban future land use category.**

The subject property is located within the Mixed Use Overlay (MUO), as depicted on Lee Plan Map 1-C. **Goal 11** of the Lee Plan establishes certain characteristics that properties within the overlay should possess including "multiple land uses, public amenities and utilities at various scales and intensities in order to provide: diversified land development; a variety of housing types; greater connectivity between housing, workplaces, retail businesses, and other destinations; reduced trip lengths; more transportation options; and pedestrian and bicycle-friendly environments." **Adding the subject property to Lee Plan Map 4-B makes it more consistent with its MUO designation.**

The subject application required a Public Information Meeting pursuant to Lee Plan **Objective 17.3** because the proposed amendment is located within the North Fort Myers Community Plan Area.

The applicant held a publicly advertised meeting within the boundaries of the North Fort Myers Community Planning Area on March 3, 2026, consistent with Objective 17.3. The meeting was held at the North Fort Myers Recreation Center and was advertised in the Fort Myers News Press along with two (2) meeting signs that were published on the frontage of the property. Five (5) members of the public attended the meeting with questions and comments on the proposed amendment. Questions included traffic on Pondella Road, access points to future development, flooding, density, zoning, and permitted uses within the proposed zoning category.

As previously stated, the subject property is within the North Fort Myers Commercial Corridor. **Lee Plan Objective 30.4** provides community facilities and services should be provided within the North Fort Myers Commercial Corridors. Additionally, **Policy 30.4.2** promotes the use of a centralized source of sewer service to the North Fort Myers Community Plan area. The property currently has a wide range of urban services available such as access to an arterial roadway, public potable water (LCU), and transit. The subject property currently does not have access to a centralized sanitary sewer system. **The proposed amendment to add the subject property to Map 4-B creates further consistency with the North Fort Myers Community Plan goal, and specifically Objective 30.4 and Policy 30.4.2.**

The proposed amendment furthers Lee Plan **Goal 56 and Objective 56.1**, which seeks to *"ensure the provision of acceptable levels of sanitary sewer service throughout the future urban areas of the unincorporated Lee County."* Lee County Utilities has indicated there is adequate capacity to serve the subject property. **Adding the subject property to the LCU Future Sewer Service Areas is consistent with Goal 56 and Objective 56.1 of the Lee Plan.**

Policy 56.2.3 provides that Lee County *"will assess the feasibility of providing central sewer service to areas of more than 50 residential lots, built or unbuilt, with more than one onsite septic system located at more than 1 per acre within the unincorporated areas consistent with F.S. 163.31773(a)(6)(c)(3)."* This Policy was adopted by Ordinance 25-10. Ordinance 25-10 also adopted **Lee Plan Table 6, 10-Year Sanitary Sewer Service Feasibility**, which identified properties in unincorporated Lee County consistent with the requirements of F.S. 163.31773(a)(6)(c)(3). The subject property and the surrounding 44 acres are identified on Table 6. Additionally, the subject property and the surrounding 44 acres are within the Caloosahatchee River and Estuary Basin Action Management Plan (BMAP) boundary. A BMAP is a legally

binding structured framework designed to restore impaired waterbodies by reducing pollutant loadings. The availability of public wastewater services would help the County to achieve pollutant reductions and improve the water quality of the basin. **Therefore, the proposed amendment to add the property to the LCU Future Sewer Service Areas is consistent with and furthers Policy 56.2.3 and the Caloosahatchee River and Estuary BMAP.**

The subject property is within the Coastal High Hazard Area (CHHA). **Policy 101.1.4** sets forth requirements for comprehensive plan amendments that increase density within the CHHA**.** The amendments do not increase density. The Central Urban future land use category will continue to support a maximum standard density of ten (10) dwelling units per acre or fifteen (15) dwelling units per acre based on the proposed amendment. **The proposed amendments to not increase allowable densities on the subject property, therefore Policy 101.1.4 is not applicable to the current request.**

SERVICE AVAILABILITY

The proposed amendment to the LCU Future Sewer Service Areas identified in Lee Plan Map 4-B would have minimal impact on the availability of other public services. Site-specific impacts on public services and service availability will be examined in any future development applications for construction on the impacted property.

Transportation: The proposed amendment to include the subject property within Lee Plan Map 4-B does not impact **traffic circulation on Pondella road or the nearby road network.**

LeeTran: The proposed amendment does not impact **public transit service.**

Utilities: The subject property is within the Lee County Utilities' water infrastructure, as depicted on Map 4-A. The proposed amendment is to add the subject property to the Lee County Utilities' Future Sewer Service Areas Map, Map 4-B. LCU has issued letters of no objection to both potable water and sanitary sewer services. **Additionally, LCU had no objections or capacity concerns to including additional surrounding properties, as recommended by Staff.**

Fire/EMS: The proposed amendment does not affect **fire and EMS services to the subject property.**

Sherrif: The proposed amendment does not impact **Lee County police services.**

Solid Waste: The proposed amendment does not increase the capacity needs of **Lee County's solid waste program.**

Lee County School District: The proposed amendment does not negatively impact school concurrency for the **School District of Lee County.**

STAFF RECOMMENDATION

Surrounding the subject property to the immediate east, south and west, there are an additional 44 acres that are not currently included in the Lee County Utilities' Future Sewer Service Areas or within a Franchised Sewer Provider's service area, resulting in a small area of land that would remain outside of an established sewer service area (see "staff addition" on Attachment 1). The surrounding 44 acres

consists of eighty-six (86) residential properties and three (3) commercial properties. These properties are within the same future land use category (Central Urban), same Planning District (19, North Fort Myers) and same Community Planning Area (North Fort Myers) as the subject property. The zoning districts of the additional properties consists of a mix of commercial and residential districts (CN-1, CPD, RS-1, RM-2, TFC-2, and TF-1), similar to the subject property. Expanding the LCU Future Sewer Service Areas to the immediately adjacent 44 acres will facilitate future connectivity to public sewer services. Based on this and the analysis provided in this report, staff recommends expanding the amendment area to include the surrounding properties within the LCU Future Sewer Service Areas. Staff met with LCU regarding the expanded recommendation and they did not have any concerns about serving the additional area based on existing uses. **The property owners within the area proposed to be added by staff will not be required to connect based on existing infrastructure, but this will remove a regulatory barrier allowing them to connect in future.**

CONCLUSIONS

Staff has reviewed the proposed amendment and provides the following conclusions:

- The subject property is located along an arterial roadway, is within a future urban area of the county (Central Urban) and is within the Mixed Use Overlay and public sewer service should be anticipated.
- LCU has adequate sewer capacity to serve the subject property and surrounding 44 acres.
- The subject property and surrounding area are within a BMAP, therefore, the request would support nutrient reduction efforts.
- The applicant has provided all the required documentation for the proposed amendments according to AC 13-6.

For the reasons discussed in this staff report, staff recommends that the Board of County Commissioners **transmit** the proposed amendment as identified on Attachment 1, including the surrounding 44 acres.

PART 2
LOCAL PLANNING AGENCY
REVIEW AND RECOMMENDATION

DATE OF PUBLIC HEARING: July 27, 2026

A. LOCAL PLANNING AGENCY REVIEW

The applicants' representative provided a presentation addressing the requested amendment to the Lee County Utilities Future Sewer Service Areas Map, Lee Plan Map 4-B. The presentation addressed the subject property, surrounding area, and consistency with the Lee Plan.

Following the applicant's presentation, staff provided a presentation addressing the requested amendment. Staff's presentation included an addition to expand Map 4-B to the surrounding area, Lee Plan consistency and final staff recommendation.

Members of the LPA asked whether vacant tracks that decide to develop in the future would be required to connect to sewer, who would be responsible for the installation of sewage distribution lines within the additional acreage being included, and whether the additional acreage recommended by staff was included in the public information meeting.

Staff responded that properties would be required to connect if the proposed development exceeds the standard sewer thresholds set under the Lee Plan and noted that existing uses would not be required to connect. Staff also specified that whoever wants to connect to central sewer would be the one responsible for extending the distribution lines. The representative stated that the staff addition was proposed after the public information meeting had already occurred.

No members of the public were present or provided input.

B. LOCAL PLANNING AGENCY RECOMMENDATION

A motion was made to recommend that the Board of County Commissioners (BoCC) ***transmit*** CPA2025-00007. The motion passed 4 to 0.

DUSTIN GARDNER	**AYE**
DAWN RUSSELL	**ABSENT**
JENNIFER SAPEN	**AYE**
DON SCHROTENBOER	**AYE**
STAN STOUDER	**AYE**
HENRY ZUBA	**ABSENT**
VACANT POSITION	**—**

PART 3
BOARD OF COUNTY COMMISIONERS
TRANSMITTAL HEARING

DATE OF PUBLIC HEARING: September 2, 2026

A. BOARD REVIEW:

Staff provided a brief presentation for the proposed amendment, which included LPA and staff recommendations, as well as an overview of the proposed amendment, the Lee Plan, and other county regulatory consistency.

The Board questioned whether the additional 44 acres recommended by staff would require residents to connect to central sewer. Staff clarified that proposed amendment would not require residents to extend and connect to central sewer.

There were no public comments concerning the proposed amendments.

B. BOARD ACTION:

A motion was made to ***transmit*** CPA2025-00007 as recommended by staff and the LPA. The motion passed 4 to 0.

MOTION DETAILS

BRIAN HAMMAN	**AYE**
CECIL PENDERGRASS	**AYE**
DAVID MULICKA	**AYE**
KEVIN RUANE	**ABSENT**
TRISH PETROSKY	**AYE**

PART 4
STATE REVIEWING AGENCIES
OBJECTIONS, RECOMMENDATIONS, AND COMMENTS

Staff transmitted the proposed amendments to the Florida Department of Commerce on September 4, 2026. Comments from the State Reviewing Agencies were due to Lee County by **October 4, 2026.**

A. OBJECTIONS, RECOMMENDATIONS, AND COMMENTS:

Lee County received responses from the following review agencies addressing the transmitted amendment:

- Florida Department of Commerce
- Florida Fish and Wildlife Conservation Commission
- Department of Environmental Protection
- South Florida Water Management District

South Florida Water Management District (SFWMD) provided advisory comments on water resources regarding the 6.42-acre property. The comments provided that proposed future development of the site may require an Individual Environmental Resource Permit (ERP) from SFWMD and District staff will perform a site inspection to confirm whether the property contains wetlands as part of the ERP application.

Lee County appreciates the technical assistance comments and acknowledges the applicant may need to seek an ERP as the anticipated development moves forward. **SFWMD did not indicate any objections to the proposed amendments.**

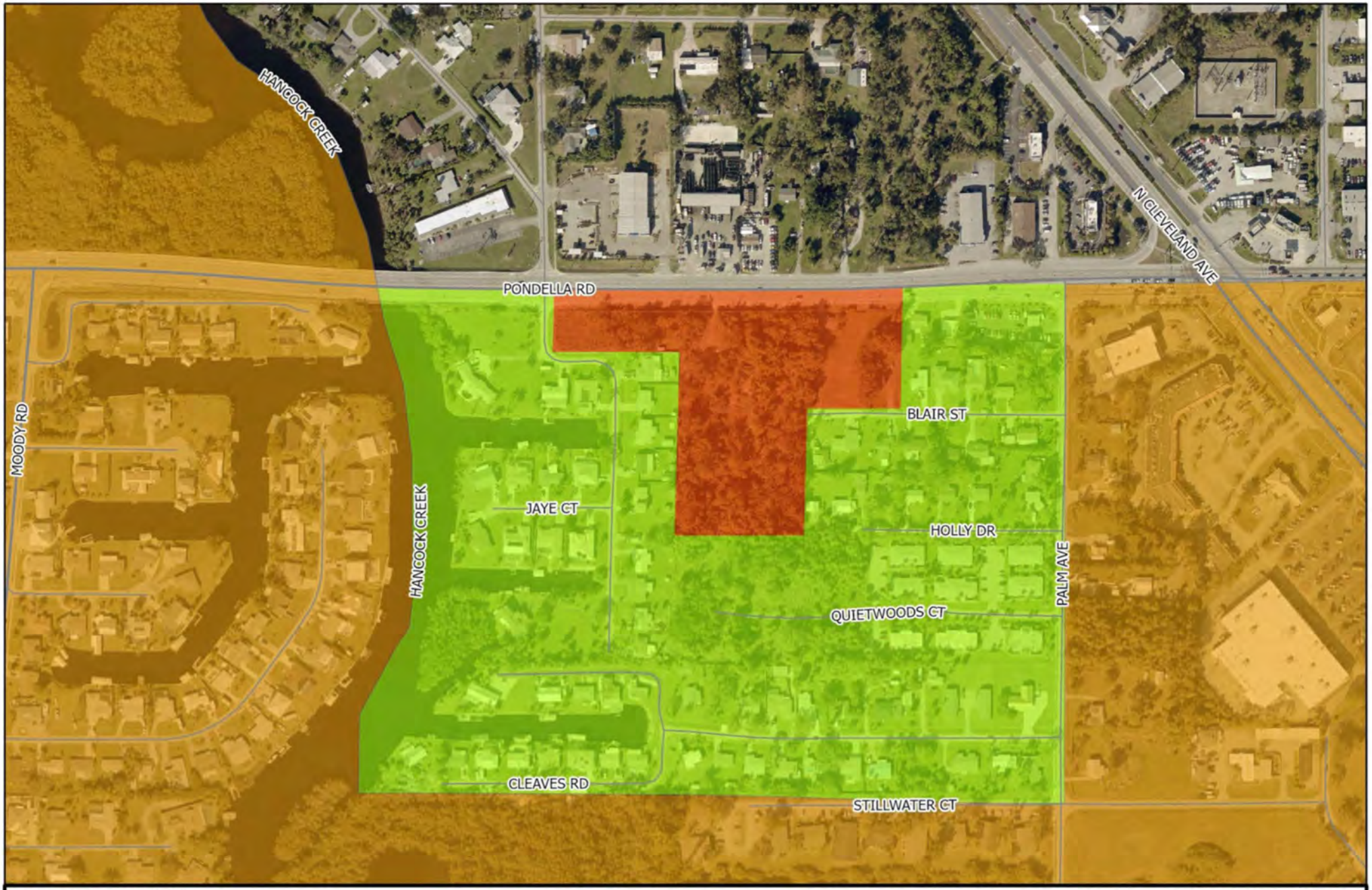
There were no other comments or objections concerning the proposed amendment.

B. STAFF RECOMMENDATION

Staff recommends that the Board of County Commissioners ***adopt*** the amendment to the Lee Plan as transmitted and as provided in Attachment 1.

ATTACHMENT 1

- **Map 4-B Future Sewer Service Areas**



CPA2025-00007

Future Sewer Service Areas

Lee County
Southwest Florida

Applicant Proprosal
Staff Addition
Existing Future Sewer Service Areas

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0 100 200 300 400
Feet

Map Generated: July 2026

CPA2025-00007
Pondella Holdings

PREPARED BY:

1520 Royal Palm Square Blvd, Suite 100
Fort Myers, FL 33919
Phone 239-433-4231
www.tdmcivilengineering.com
Certificate of Authorization # 29086

RECEIVED
JUL 13 2026
COMMUNITY DEVELOPMENT

CPA2025-00007
PONDELLA HOLDINGS

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Exhibit M-7: Sketch and Legal Description

Exhibit M-8: Warranty Deed

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EXHIBIT M-1

Community Development

APPLICATION FOR A COMPREHENSIVE PLAN AMENDMENT - MAP

Project Name: Pondella Holdings

Project Description: Add subject property to the Lee County Utilities Future Sewer Service Area Map - Lee Plan Map 4-B

Map(s) to Be Amended: 4-B

State Review Process: ■ Small-Scale Review ☐ State Coordinated Review ☐ Expedited State Review

---

1. **Name of Applicant:** Pondella Holdings, LLC
   Address: 204 Lafayette St, #2
   City, State, Zip: Schenectady, NY 12305
   Phone Number: 518-527-2794 E-mail: lrossi@redburndev.com

2. **Name of Contact:** Veronica Martin, TDM Consulting, Inc.
   Address: 1520 Royal Palm Square Blvd, Suite 100
   City, State, Zip: Fort Myers, FL 33919
   Phone Number: 239-433-4231 E-mail: vmartin@tdmconsulting.com

3. **Owner(s) of Record:** Pondella Holdings, LLC
   Address: Same as Applicant
   City, State, Zip:
   Phone Number: E-mail:

4. **Property Location:**
   1. Site Address: 333 Pondella Rd, North Fort Myers 33903
   2. STRAP(s): 10-44-24-L2-00018.0010

5. **Property Information:**
   Total Acreage of Property: 6.42 Total Acreage Included in Request: 6.42
   Total Uplands: 6.14 Total Wetlands: 0.28 Current Zoning: C-1, C-1A, CT and RS-1
   Current Future Land Use Category(ies): Central Urban
   Area in Each Future Land Use Category: 6.42 ac in Central Urban FLU category (100%)
   Existing Land Use: vacant

6. **Calculation of maximum allowable development under current Lee Plan:** Lee Plan Standard 4.1.2 Sewer
   Residential Units/Density: 2.5 du/ac Commercial Intensity: 30,000 sf / 5,000 gpd Industrial Intensity: 0

7. **Calculation of maximum allowable development with proposed amendments:**
   Residential Units/Density: 10 du/ac Commercial Intensity: 64,000 sf +/- Industrial Intensity: 0

Public Facilities Impacts

NOTE: The applicant must calculate public facilities impacts based on the maximum development.

1. **Traffic Circulation Analysis**: The analysis is intended to determine the effect of the land use change on the Financially Feasible Highway Plan Map 3A (20-year plus horizon) and on the Capital Improvements Element (5-year horizon). Toward that end, an applicant must submit a Traffic Impact Statement (TIS) consistent with Lee County Administrative Code (AC)13-17.

    a. Proposals affecting less than 10 acres, where development parameters are contained within the Traffic Analysis Zone (TAZ) or zones planned population and employment, or where there is no change in allowable density/ intensity, may be eligible for a TIS requirement waiver as outlined in the Lee County TIS Guidelines and AC-13-17. Identification of allowable density/intensity in order to determine socio-economic data for affected TAZ(s) must be coordinated with Lee County Planning staff. Otherwise a calculation of trip generation is required consistent with AC-13-17 and the Lee County TIS Guidelines to determine required components of analysis for:

        i. Total peak hour trip generation less than 50 total trip ends – trip generation.

        ii. Total peak hour trip generation from 50 to 300 total trip ends – trip generation, trip distribution and trip assignment (manual or Florida Standard Urban Transportation Modeling Structure (FSUTMS) analysis consistent with AC-13-17 and TIS Guidelines), short-term (5 year) and long-range (to current Lee Plan horizon year) segment LOS analysis of the nearest or abutting arterial and major collector segment(s) identified in the Transportation Inventory based on the trip generation and roadway segment LOS analysis criteria in AC-13-17. A methodology meeting is recommended prior to submittal of the application to discuss use of FSUTMS, any changes to analysis requirements, or a combined CPA and Zoning TIS short term analysis.

        iii. Total peak hour trip generation is over 300 total trip ends - trip generation, mode split, trip distribution and trip assignment (manual or FSUTMS analysis consistent with AC-13-17 and TIS Guidelines), short-term (five-year) and long-range (to current Lee Plan horizon year) segment LOS analysis of arterial and collector segments listed in the Transportation Inventory. LOS analysis will include any portion of roadway segments within an area three miles offset from the boundary of the application legal description metes and bounds survey. LOS analysis will also include any additional segments in the study area based on the roadway segment LOS analysis criteria in AC-13-17. A methodology meeting is required prior to submittal of the application.

    b. Map amendment - greater than 10 acres -Allowable density/intensity will be determined by Lee County Planning staff.

2. **Provide an existing and future conditions analysis for the following (see Policy 95.1.3):**
    a. Sanitary Sewer
    b. Potable Water
    c. Surface Water/Drainage Basins
    d. Parks, Recreation, and Open Space
    e. Public Schools

Analysis for each of the above should include (but is not limited to) the following (see the Lee County Concurrency Management Report):

a Franchise Area, Basin, or District in which the property is located
b Current LOS, and LOS standard of facilities serving the site
c Projected 2030 LOS under existing designation
d Projected 2030 LOS under proposed designation
e Existing infrastructure, if any, in the immediate area with the potential to serve the subject property
f Improvements/expansions currently programmed in 5 year CIP, 6-10 year CIP, and long rangeimprovements
g Provide a letter of service availability from the appropriate utility for sanitary sewer and potable water

In addition to the above analysis, provide the following for potable water:

a. Determine the availability of water supply within the franchise area using the current water use allocation (Consumptive Use Permit) based on the annual average daily withdrawal rate.
b. Include the current demand and the projected demand under the existing designation, and the projected demand under the proposed designation.
c. Include the availability of treatment facilities and transmission lines for reclaimed water for irrigation.
d. Include any other water conservation measures that will be applied to the site (see Goal 54).

3. Provide a letter from the appropriate agency determining the adequacy/provision of existing/proposed support facilities, including:

a. Fire protection with adequate response times
b. Emergency medical service (EMS) provisions
c. Law enforcement
d. Solid Waste
e. Mass Transit
f. Schools

In reference to above, the applicant must supply the responding agency with the information from application items 5, 6, and 7 for their evaluation. This application must include the applicant's correspondence/request to the responding agency.

Environmental Impacts

Provide an overall analysis of the character of the subject property and surrounding properties, and assess the site's suitability for the proposed change based upon the following:

1. A map of the Plant Communities as defined by the Florida Land Use Cover and Classification system (FLUCCS).
2. A map and description of the soils found on the property (identify the source of the information).
3. A topographic map depicting the property boundaries and 100-year flood prone areas indicated (as identified by FEMA).
4. A map delineating the property boundaries on the most recent Flood Insurance Rate Map.
5. A map delineating wetlands, aquifer recharge areas, and rare & unique uplands.
6. A table of plant communities by FLUCCS with the potential to contain species (plant and animal) listed by federal, state or local agencies as endangered, threatened or species of special concern. The table must include the listed species by FLUCCS and the species status (same as FLUCCS map).

Impacts on Historic Resources

List all historic resources (including structure, districts, and/or archaeologically sensitive areas) and provide an analysis of the proposed change's impact on these resources. The following should be included with the analysis:

1. A map of any historic districts and/or sites listed on the Florida Master Site File which are located on the subject property or adjacent properties.
2. A map showing the subject property location on the archaeological sensitivity map for LeeCounty.

Internal Consistency with the Lee Plan

1. Discuss how the proposal affects established Lee County population projections, Lee Plan Table 1(b) and the total population capacity of the Lee Plan Future Land Use Map.
2. List all goals and objectives of the Lee Plan that are affected by the proposed amendment or that affect the subject property. This analysis should include an evaluation of all relevant policies under each goal andobjective.
3. Describe how the proposal affects adjacent local governments and their comprehensive plans.

State Policy Plan and Regional Policy Plan

List State Policy Plan and Regional Policy Plan goals, strategies and actions, and policies which are relevant to this plan amendment.

Justify the proposed amendment based upon sound planning principles

Support all conclusions made in this justification with adequate data and analysis.

Planning Communities/Community Plan Area Requirements

If located within a planning community/community plan area, provide a meeting summary document of the required public informational session [Lee Plan Goal 17].

Sketch and Legal Description

The certified legal description(s) and certified sketch of the description for the property subject to the requested change. A metes and bounds legal description must be submitted specifically describing the entire perimeter boundary of the property with accurate bearings and distances for every line. The sketch must be tied to the state plane coordinate system for the Florida West Zone (North America Datum of 1983/1990 Adjustment) with two coordinates, one coordinate being the point of beginning and the other an opposing corner. If the subject property contains wetlands or the proposed amendment includes more than one land use category a metes and bounds legal description, as described above, must be submitted in addition to the perimeter boundary of the property for each wetland or future land use category.

SUBMITTAL REQUIREMENTS

Clearly label all submittal documents with the exhibit name indicated below.

For each map submitted, the applicant will be required to submit a 24"x36" version and 8.5"x11" reduced map for inclusion in public hearing packets.

MINIMUM SUBMITTAL ITEMS (3 Copies)

[x]	Completed Application (Exhibit – M1)
[■]	Disclosure of Interest (Exhibit – M2)
[■]	Surrounding Property Owners List, Mailing Labels, and Map For All Parcels Within 500 Feet of the Subject Property (Exhibit – M3)
[x]	Existing Future Land Use Map (Exhibit – M4)
[■]	Map and Description of Existing Land Uses (Not Designations) of the Subject Property and Surrounding Properties (Exhibit – M5)
[x]	Map and Description of Existing Zoning of the Subject Property and Surrounding Properties (Exhibit – M6)
[■]	Signed/Sealed Legal Description and Sketch of the Description for Each FLUC Proposed (Exhibit – M7)
[x]	Copy of the Deed(s) of the Subject Property (Exhibit – M8)
[■]	Aerial Map Showing the Subject Property and Surrounding Properties (Exhibit – M9)
[x]	Authorization Letter From the Property Owner(s) Authorizing the Applicant to Represent the Owner (Exhibit – M10)
[■]	Proposed Amendments (Exhibit – M11)
[x]	Lee Plan Analysis (Exhibit – M12)
[■]	Environmental Impacts Analysis (Exhibit – M13)
[■]	Historic Resources Impact Analysis (Exhibit – M14)
[x]	Public Facilities Impacts Analysis (Exhibit – M15)
[x]	Traffic Circulation Analysis (Exhibit – M16)
[■]	Existing and Future Conditions Analysis - Sanitary Sewer, Potable Water, Surface Water/Drainage Basins, Parks and Rec, Open Space, Public Schools (Exhibit – M17)
[■]	Letter of Determination For the Adequacy/Provision of Existing/Proposed Support Facilities - Fire Protection, Emergency Medical Service, Law Enforcement, Solid Waste, Mass Transit, Schools (Exhibit – M18)
[x]	State Policy Plan and Regional Policy Plan (Exhibit – M19)
[x]	Justification of Proposed Amendment (Exhibit – M20)
[x]	Planning Communities/Community Plan Area Requirements (Exhibit – M21)

APPLICANT – PLEASE NOTE:

Changes to Table 1(b) that relate directly to and are adopted simultaneously with a future land use map amendment may be considered as part of this application for a map amendment.

Once staff has determined the application is sufficient for review, 15 complete copies will be required to be submitted to staff. These copies will be used for Local Planning Agency hearings, Board of County Commissioners hearings, and State Reviewing Agencies. Staff will notify the applicant prior to each hearing or mail out to obtain the required copies.

If you have any questions regarding this application, please contact the Planning Section at (239) 533-8585.

EXHIBIT M-2

DISCLOSURE OF INTEREST AFFIDAVIT

BEFORE ME this day appeared Israel Gross, who, being first duly sworn and deposed says:

1. That I am the record owner, or a legal representative of the record owner, of the property that is located at 333 Pondella Road, North Fort Myers, FL 33903 and is the subject of an Application for zoning action (hereinafter the "Property").

2. That I am familiar with the legal ownership of the Property and have full knowledge of the names of all individuals that have an ownership interest in the Property or a legal entity owning an interest in the Property.

[OPTIONAL PROVISION IF APPLICANT IS CONTRACT PURCHASER: In addition, I am familiar with the individuals that have an ownership interest in the legal entity that is under contract to purchase the Property.]

3. That, unless otherwise specified in paragraph 6 below, no Lee County Employee, County Commissioner, or Hearing Examiner has an Ownership Interest in the Property or any legal entity (Corporation, Company, Partnership, Limited Partnership, Trust, etc.) that has an Ownership Interest in the Property or that has contracted to purchase the Property.

4. That the disclosure identified herein does not include any beneficial Ownership Interest that a Lee County Employee, County Commissioner, or Hearing Examiner may have in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, whose interest is for sale to the general public.

5. That, if the Ownership Interest in the Property changes and results in this affidavit no longer being accurate, the undersigned will file a supplemental Affidavit that identifies the name of any Lee County Employee, County Commissioner, or Hearing Examiner that subsequently acquires an interest in the Property.

6. Disclosure of Interest held by a Lee County Employee, County Commissioner, or Hearing Examiner.

Name and Address	Percentage of Ownership
NONE	

Under penalty of perjury, I declare that I have read the foregoing and the facts alleged are true to the best of my knowledge and belief.

Property Owner

ISRAEL GROSS

Print Name

************NOTE: NOTARY PUBLIC IS NOT REQUIRED FOR ADMINISTRATIVE APPROVALS************
ALL OTHER APPLICATION TYPES MUST BE NOTARIZED

STATE OF New York
COUNTY OF Rockland

The foregoing instrument was sworn to (or affirmed) and subscribed before me by means of ☒ physical presence or ☐ online notarization, on JUNE 15 2025 (date) by ISRAEL GROSS (name of person providing oath or affirmation), who is personally known to me ~~or who has produced~~ _____ ~~(type of identification) as identification.~~

Signature of Notary Public

STAMP/SEAL

JOSEPH NIEDERMAN
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01NI6144825
Qualified in Orange County
Commission Expires April 24, 2026

AFFIDAVIT OF AUTHORIZATION

APPLICATION IS SIGNED BY INDIVIDUAL OWNER, APPLICANT, CORPORATION, LIMITED LIABILITY COMPANY (L.L.C.), LIMITED COMPANY (L.C.), PARTNERSHIP, LIMITED PARTNERSHIP, OR TRUSTEE

I, Israel Gross (name), as Managing Member (owner/title) of Pondella Holdings, LLC (company/property), swear or affirm under oath, that I am the owner or the authorized representative of the owner(s) of the property and that:

1. I have full authority to secure the approval(s) requested and to impose covenants and restrictions on the referenced property as a result of any action approved by the County in accordance with this application and the Land Development Code;
2. All answers to the questions in this application and any sketches, data or other supplementary matter attached hereto and made a part of this application are honest and true;
3. I have authorized the staff of Lee County Community Development to enter upon the property during normal working hours for the purpose of investigating and evaluating the request made thru this application; and that
4. The property will not be transferred, conveyed, sold or subdivided unencumbered by the conditions and restrictions imposed by the approved action.

Notes:

- *If the applicant is a corporation, then it is usually executed by the corp. pres. or v. pres.*
- *If the applicant is a Limited Liability Company (L.L.C.) or Limited Company (L.C.)., then the documents should typically be signed by the Company's "Managing Member."*
- *If the applicant is a partnership, then typically a partner can sign on behalf of the partnership.*
- *If the applicant is a limited partnership, then the general partner must sign and be identified as the "general partner" of the named partnership.*
- *If the applicant is a trustee, then they must include their title of "trustee."*
- *In each instance, first determine the applicant's status, e.g., individual, corporate, trust, partnership, estate, etc., and then use the appropriate format for that ownership.*

Under penalties of perjury, I declare that I have read the foregoing Affidavit of Authorization and that the facts stated in it are true.

Signature

6/15/25
Date

**************NOTE: NOTARY PUBLIC IS NOT REQUIRED FOR ADMINISTRATIVE APPROVALS**************
ALL OTHER APPLICATION TYPES MUST BE NOTARIZED

STATE OF New York
COUNTY OF Rockland

The foregoing instrument was sworn to (or affirmed) and subscribed before me by means of ☑ physical presence or ☐ online notarization, this 15 day of June, 2025, by ISRAEL GROSS (name of person providing oath or affirmation), who is personally known to me ~~or who has produced~~ _____ (type of identification) as identification.

STAMP/SEAL

Signature of Notary Public

JOSEPH NIEDERMAN
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01NI6144825
Qualified in Orange County
Commission Expires April 24, 2026

Exhibit M-3



Date of Report: June 15, 2025

Buffer Distance: 500 feet Rerun

Parcels Affected: 125

Subject Parcel: **10-44-24-L2-00018.0010**

Click here to download the map image, mailing labels (Avery 5161) and CSV formatted information.

To change, add or remove subject parcels please change the parcel selection in GeoView

OWNER NAME AND ADDRESS	STRAP AND LOCATION	LEGAL DESCRIPTION	MAP INDEX
HARTERFTFL LLC 6404 VIA COLINITA RANCHO PALOS VERDES CA 90275	**02-44-24-00-00065.0010** 14041 N CLEVELAND AVE NORTH FORT MYERS FL 33903	PARL IN S W 1/4 OF S W 1/4 OF SW 1/4 DESC OR2432/3975 LESS R/W OR 2286/3092	1
ZHANG MING-GUANG + 12306 EUGENES PROSPECT DR BOWIE MD 20720	**03-44-24-00-00030.0000** 14071 N CLEVELAND AVE NORTH FORT MYERS FL 33903	E 165 FT S OF US 41 LESS S 214.32 FT + LES OR 2432 PG 3975	2

FIRST FLORIDA - FM INVESTMENTS MARVIN F POER + COMPANY PO BOX 52427 ATLANTA GA 30355	**03-44-24-00-00030.0010** 276 PONDELLA RD NORTH FORT MYERS FL 33903	S 214.32 FT OF E1/2 OF E1/2 OF E1/2 OF S1/2 OF SE1/4 OF SE1/4 LESS R/W OR 2325/762	3
UPWARD HEAVENLY BOUND LLC 2886 TRIGGERFISH ST MATLACHA FL 33993	**03-44-24-00-00031.0000** 300 PONDELLA RD NORTH FORT MYERS FL 33903	PAR LOC IN W 1/2 OF E 1/2 OF E 1/2 OF S 1/2 OF SE 1/4 OF SE 1/4 DESC IN OR 4313/159	4
HOOVER PALMS10 LLC 3000 BAYPORT DR #840 TAMPA FL 33607	**03-44-24-00-00031.0010** 14101 N CLEVELAND AVE NORTH FORT MYERS FL 33903	PAR LOC IN W 1/2 OF E 1/2 OF E 1/2 OF S 1/2 OF SE 1/4 OF SE 1/4 DESC IN OR 4313/161	5
CCADP LLC 197 PORTLAND ST 6TH FLR BOSTON MA 02114	**03-44-24-00-00032.0000** 318 PONDELLA RD NORTH FORT MYERS FL 33903	S 1145 FT OF E 1/2 OF W 1/2 OF E 1/2 OF SE 1/4 OF SE 1/4 LESS OR 2308/1108	6
DREW MICHAEL 328 PONDELLA RD NORTH FORT MYERS FL 33903	**03-44-24-00-00033.0000** 328 PONDELLA RD NORTH FORT MYERS FL 33903	W 1/2 OF W 1/2 OF E 1/2 OF S 1/2 OF SE 1/4 OF SE 1/4 LESS RD R/W + LESS N 285.72 FT AKA JUDD PINEY GROVE FARMS ADDN LOT 4	7
DREW MICHAEL 341 APEX ST NORTH FORT MYERS FL 33903	**03-44-24-00-00033.0010** 341 APEX ST NORTH FORT MYERS FL 33903	N 285.72 FT OF W 1/2 OF W 1/2 OF E 1/2 OF S 1/2 OF SE 1/4 OF SE 1/4	8
MYERS RONALD & CHRISTIE 343 APEX ST NORTH FORT MYERS FL 33903	**03-44-24-00-00034.0000** 336 PONDELLA RD NORTH FORT MYERS FL 33903	N 630 FT OF S 660 FT OF W 75 FT OF E 750 FT OF SE 1/4	9
MYERS RONALD W & CHRISTIE 343 APEX ST NORTH FORT MYERS FL 33903	**03-44-24-00-00035.0000** 343 APEX ST NORTH FORT MYERS FL 33903	N 302 FT OF W 90 FT OF E 1/2 OF E 1/2 OF W 1/2 OF S 1/2 OF SE 1/4 OF SE 1/4	10
POHL GREGORY & JOANNE L 5 SW 33RD PL CAPE CORAL FL 33991	**03-44-24-00-00036.0000** 344 PONDELLA RD NORTH FORT MYERS FL 33903	N 120 FT OF S 150 FT OF W 90 FT OF E 840 FT OF S E 1/4	11
HAYES TROY WAYNE 365 APEX ST NORTH FORT MYERS FL 33903	**03-44-24-00-00037.0000** 365 APEX ST NORTH FORT MYERS FL 33903	W 1/2 OF E 1/2 OF W 1/2 OF S 1/2 OF SE 1/4 OF SE 1/4 + S 208 OF N 510 FT OF W 90 FT OF E 1/2 OF E 1/2 OF W 1/2 OF S 1/2 OF SE 1/4 OF SE 1/4 LESS POR DESC IN INSTR	12

		#2006-381740 + LESS 2017--162627	
SANCHEZ YUNIOR 1210 SE 42ND ST FORT MYERS FL 33903	**03-44-24-00-00037.0010** 354 PONDELLA RD NORTH FORT MYERS FL 33903	SE 1/2 OF S/E 1/4 OF SE 1/4 AS DESC IN INST #2006-381740	13
ADAR B INVESTMENTS LLC 1127 ROYAL PALM BEACH BLVD #173 ROYAL PALM BEACH FL 33411	**03-44-24-00-00041.0000** 1260 BETMAR BLVD NORTH FORT MYERS FL 33903	S 119 FT OF N 264 FT OF W 1/2 OF W 1/2 OF W 1/2 OF S 1/2 OF SE 1/4 OF SE 1/4	14
VERDOW MARY LEIGH + 1254 BETMAR BLVD NORTH FORT MYERS FL 33903	**03-44-24-00-00041.0020** 1254 BETMAR BLVD NORTH FORT MYERS FL 33903	S 100 FT OF N 364 FT OF W 1/2 OF W 1/2 OF W 1/2 OF S 1/2 OF SE 1/4 OF SE 1/4	15
41 BY-PASS PROPERTIES OF VENIC 606 LAGUNA DR VENICE FL 34285	**03-44-24-00-00042.0000** 382 PONDELLA RD NORTH FORT MYERS FL 33903	IN THE SW 1/4 OF THE SE 1/4 OF 034424 AS DESC IN INST #2015000032280 LESS ROAD	16
390 PONDELLA LLC 390 PONDELLA RD #1 NORTH FORT MYERS FL 33903	**03-44-24-03-00000.0010** 390 PONDELLA RD NORTH FORT MYERS FL 33903	CHARLAU CHANNELS PB 8 PG 79 LOTS 1 + 2 LESS R/W	17
SALAS ROBER RAMIREZ 1249 DRIFTWOOD DR NORTH FORT MYERS FL 33903	**03-44-24-03-00000.0030** 1249 DRIFTWOOD DR NORTH FORT MYERS FL 33903	CHARLAU CHANNELS PB 8 PG 79 LOT 3	18
DEAVER JERRY C & KAREN S 1251 DRIFTWOOD DR NORTH FORT MYERS FL 33903	**03-44-24-03-00000.0040** 1251 DRIFTWOOD DR NORTH FORT MYERS FL 33903	CHARLAU CHANNELS PB 8 PG 79 LOT 4	19
EVANS BRIAN + 1250 DRIFTWOOD DR NORTH FORT MYERS FL 33903	**03-44-24-03-00000.0450** 1250 DRIFTWOOD DR NORTH FORT MYERS FL 33903	CHARLAU CHANNELS PB 8 PG 79 LOT 45	20
KELLY KIMBERLY JOAN & 41 BLAIR ST NORTH FORT MYERS FL 33903	**10-44-24-00-00020.0000** 41 BLAIR ST NORTH FORT MYERS FL 33903	W 155 FT OF E 653 FT OF S 135 FT OF N 500 FT OF NE 1/4	21
RODRIGUEZ CHARLIE NEGRON + 311 PONDELLA RD NORTH FORT MYERS FL 33903	**10-44-24-00-00021.0010** 311 PONDELLA RD NORTH FORT MYERS FL 33903	FM NE COR SEC S 30 FT W 337 FT TO POB THEN S 150 FT W 80 FT N 150 FT E 80 FT TO POB AKA LOT 30 LESS OR 2325/775	22
NEGRON CHARLIE + 311 PONDELLA RD N FORT MYERS FL 33903	**10-44-24-00-00021.0020** 30 BLAIR ST NORTH FORT MYERS FL	W 80 FT OF E 417 FT OF S 155 FT OF N 335 FT OF NE 1/4 AKA LT 25	23

	33903	BORDONARO PROPERTY UNREC	
WALTERS JAMES & KATHLEEN L/E 23326 W ST RT 579 CURTICE OH 43412	**10-44-24-00-00021.0030** 36 HOLLY DR NORTH FORT MYERS FL 33903	W 80 FT OF E 417 FT OF S 136 FT OF N 665 FT OF NE 1/4 AKA LT 17	24
ENDERSBEE MICHAEL N TR 18026 LEETANA RD NORTH FORT MYERS FL 33917	**10-44-24-00-00021.0050** 35 BLAIR ST NORTH FORT MYERS FL 33903	W 80 FT OF E 497 FT OF S 135 FT OF N 500 FT OF NE 1/4	25
CASSIANI DANIEL R 28 BARRON WAY NORTH FORT MYERS FL 33903	**10-44-24-00-00022.0000** 27 BLAIR ST NORTH FORT MYERS FL 33903	W 80 FT OF E 417 FT OF S 135 FT OF N 500 FT OF NE 1/4 AKA LOT 24 LYNDALE FARMS UNREC	26
HOS PROPERTIES LLC 202 HOWARD ST STE 4 AUBURNDALE FL 33823	**10-44-24-00-00023.0000** 305 PONDELLA RD NORTH FORT MYERS FL 33903	W 75 FT OF E 337 FT OF S 150 FT OF N 180 FT OF NE 1/4 LES R/W OR2308/1108	27
D & I AUTO SALES INC 289 PONDELLA RD FORT MYERS FL 33903	**10-44-24-00-00025.0000** 289 PONDELLA RD NORTH FORT MYERS FL 33903	E 262 FT OF S 160 FT OF N 190 FT OF NE 1/4 LES R/W OR2480/1600-1601	28
AMSALEM YARON 6350 ROYALWOODS DR FORT MYERS FL 33908	**10-44-24-00-00026.0000** 1191 PALM AVE NORTH FORT MYERS FL 33903	W 93 FT OF E 113 FT OF S 145 FT OF N 335 FT OF NE 1/4	29
AMSALEM YARON 6350 ROYAL WOODS DR FORT MYERS FL 33908	**10-44-24-00-00027.0000** 10 BLAIR ST NORTH FORT MYERS FL 33903	W 75 FT OF E 185 FT OF S 145 FT OF N 335 FT OF NE 1/4	30
HARRIS R E & MARY T 2 BORDEN RD SCITUATE MA 02066	**10-44-24-00-00028.0000** 14 BLAIR ST NORTH FORT MYERS FL 33903	W 75 FT OF E 265 FT OF S 155 FT OF N 335 FT OF NE 1/4	31
SHAW JO E 20 BLAIR ST NORTH FORT MYERS FL 33903	**10-44-24-00-00029.0000** 20 BLAIR ST NORTH FORT MYERS FL 33903	LT 5 BORDONADO PROP UNREC BEG NE COR S335 W265TOPOB TH W75 N155 E75 S155TO POB	32
SANCHEZ ALEXIS OMAR 1180 TRAVIS AVE FORT MYERS FL 33903	**10-44-24-00-00031.0000** 5/7 BLAIR ST NORTH FORT MYERS FL 33903	W 150.7 FT OF E 170.7 FT OF S 67.5 FT OF N 365 FT OF NE 1/4	33

CORE MANAGEMENT SOLUTIONS LLC 1560 MATTHEW DR UNIT C FORT MYERS FL 33907	**10-44-24-00-00032.0000** 13 BLAIR ST NORTH FORT MYERS FL 33903	W 85 FT OF E 255 FT OF S 135 FT OF N 500 FT OF NE 1/4	34
CAPEZZA VINCENZO D & 21 BLAIR ST NORTH FORT MYERS FL 33903	**10-44-24-00-00032.0010** 21 BLAIR ST NORTH FORT MYERS FL 33903	FM NE COR S 365 W 255 TO POB THEN S 135 W 85 N 135 E 85 TO POB AKA LT 12	35
DELUCA CODY + 1179 PALM AVE NORTH FORT MYERS FL 33903	**10-44-24-00-00033.0000** 1179 PALM AVE NORTH FORT MYERS FL 33903	W 152 FT OF E 172 FT OF S 102.5 FT OF N 534 FT OF NE 1/4	36
HOLYCROSS JANICE S 1175 PALM AVE N FORT MYERS FL 33903	**10-44-24-00-00033.0010** 1175 PALM AVE NORTH FORT MYERS FL 33903	W 152 FT OF E 177 FT OF S 101 FT OF N 635 FT OF NE 1/4	37
EVARTS JAMES H & SHARON L L/E 36 GOODHUE ST ADDISON NY 14801	**10-44-24-00-00034.0000** 20 HOLLY DR NORTH FORT MYERS FL 33903	FR NE 1/2 SEC S 635 W 172.6 TO POB N 135.38 W 85 S 135.8 E 85 TO POB	38
ALDEBOT FIORE LISA 28 HOLLY DR NORTH FORT MYERS FL 33903	**10-44-24-00-00034.0010** 28 HOLLY DR NORTH FORT MYERS FL 33903	W 85 FT OF E 342 FT OF S 135 FO OF N 635 FT OF NE 1/4	39
SISTERS CREATIONS INC 512 3RD ST NW NAPLES FL 34120	**10-44-24-00-00035.0000** ACCESS UNDETERMINED NORTH FORT MYERS FL	S 330 FT OF N 991 FT OF E 998.5 FT OF NE 1/4 LESS 35.001 + LESS PH II	40
WOOD RONNIE D & DEBRA L 1215 BETMAR BLVD NORTH FORT MYERS FL 33903	**10-44-24-04-0000A.0050** 1215 BETMAR BLVD NORTH FORT MYERS FL 33903	PONDELLA SHORES BLK A PB 10 PG 12 LOT 5	41
CAPERILLA FRANK R II 1207 BETMAR BLVD NORTH FORT MYERS FL 33903	**10-44-24-04-0000A.0060** 1207 BETMAR BLVD NORTH FORT MYERS FL 33903	PONDELLA SHORES BLK A PB 10 PG 12 LOT 6	42
SHREK LINES INC 17097 WAYZATA CT NORTH FORT MYERS FL 33917	**10-44-24-04-0000A.0070** 1201 BETMAR BLVD NORTH FORT MYERS FL 33903	PONDELLA SHORES BLK.A PB 10 PG 12 LOT 7	43
BERENGUER JASON 1197 BETMAR BLVD NORTH FORT MYERS FL 33903	**10-44-24-04-0000A.0080** 1197 BETMAR BLVD NORTH FORT MYERS FL 33903	PONDELLA SHORES BLK A PB 10 PG 12 LOT 8	44
GARVIN-ARTEAGA CYNTHIA A 1193 BETMAR BLVD N FT MYERS FL 33903	**10-44-24-04-0000A.0090** 1193 BETMAR BLVD NORTH FORT MYERS FL 33903	PONDELLA SHORES BLK.A PB 10 PG 12 LOT 9	45

FURTEK EDWARD A SR & 427 JAYE CT NORTH FORT MYERS FL 33903	**10-44-24-04-0000A.0100** 1189 BETMAR BLVD NORTH FORT MYERS FL 33903	PONDELLA SHORES BLK A PB 10 PG 12 LOT 10	46
STOKES MARILYN PAULINE 1185 BETMAR BLVD NW N FT MYERS FL 33903	**10-44-24-04-0000A.0120** 1185 BETMAR BLVD NORTH FORT MYERS FL 33903	PONDELLA SHORES BLK.A PB 10 PG 12 LOT 12	47
MILLS JEFFREY K + 1181 BETMAR BLVD NORTH FORT MYERS FL 33903	**10-44-24-04-0000A.0130** 1181 BETMAR BLVD NORTH FORT MYERS FL 33903	PONDELLA SHORES BLK.A PB 10 PG 12 LOT 13	48
NIEMI RAYMOND JOHN 1175 BETMAR BLVD NORTH FORT MYERS FL 33903	**10-44-24-04-0000A.0140** 1175 BETMAR BLVD NORTH FORT MYERS FL 33903	PONDELLA SHORES BLK.A PB 10 PG 12 LOT 14	49
DOLD SANDRA LEE TR 1238 BETMAR BLVD NORTH FORT MYERS FL 33903	**10-44-24-04-0000B.0010** 1250 BETMAR BLVD NORTH FORT MYERS FL 33903	PONDELLA SHORES BLK B LOT 1 PB 10 PG 12 LESS R/W OR 2319/1517	50
DOLD SANDRA LEE TR 1238 BETMAR BLVD NORTH FORT MYERS FL 33903	**10-44-24-04-0000B.0020** 1246 BETMAR BLVD NORTH FORT MYERS FL 33903	PONDELLA SHORES BLK B PB 10 PG 12 LOT 2 LESS S 25 FT+LES R/W OR2308/1108	51
DOLD SANDRA LEE TR 1238 BETMAR BLVD NORTH FORT MYERS FL 33903	**10-44-24-04-0000B.0030** 1238 BETMAR BLVD NORTH FORT MYERS FL 33903	PONDELLA SHORES BLK B PB 10 PG 12 LOT 3 + S 25 FT 2	52
DOLD SANDRA LEE TR 1238 BETMAR BLVD NORTH FORT MYERS FL 33903	**10-44-24-04-0000B.0040** 1234 BETMAR BLVD NORTH FORT MYERS FL 33903	PONDELLA SHORES BLK.B PB 10 PG 12 LOT 4	53
DOLD SANDILEE TR 1238 BETMAR BLVD NORTH FORT MYERS FL 33903	**10-44-24-04-0000B.0050** 1232 BETMAR BLVD NORTH FORT MYERS FL 33903	PONDELLA SHORES BLK B PB 10 PG 12 LOT 5	54
SWEEENEY LINNEA TR 1230 BETMAR RD NORTH FORT MYERS FL 33903	**10-44-24-04-0000B.0060** 1230 BETMAR BLVD NORTH FORT MYERS FL 33903	PONDELLA SHORES BLK.B PB 10 PG 12 LOT 6	55
ARABACI EDWARD Z & AMY M TR 3023 LAKE BUTLER CT CAPE CORAL FL 33909	**10-44-24-04-0000B.0070** 1226 BETMAR BLVD NORTH FORT MYERS FL 33903	PONDELLA SHORES BLK B PB 10 PG 12 LOT 7	56
WOOD RONNIE D & DEBRA L 1215 BETMAR BLVD NORTH FORT MYERS FL 33903	**10-44-24-04-0000B.0080** 1200 BETMAR BLVD NORTH FORT MYERS FL	PONDELLA SHORES BLK B PB 10 PG 12 LOT 8	57

	33903		
CAPERILLA FRANK R II 1207 BETMAR BLVD NORTH FORT MYERS FL 33903	**10-44-24-04-0000B.0090** 1202 BETMAR BLVD NORTH FORT MYERS FL 33903	PONDELLA SHORES BLK.B PB 10 PG 12 LOT 9	58
SHREK LINES INC 17097 WAYZATA CT NORTH FORT MYERS FL 33917	**10-44-24-04-0000B.0100** 1204 BETMAR BLVD NORTH FORT MYERS FL 33903	PONDELLA SHORES BLK B PB 10 PG 12 LOT 10	59
BERENGUER JASON 1197 BETMAR BLVD NORTH FORT MYERS FL 33903	**10-44-24-04-0000B.0110** 1206 BETMAR BLVD NORTH FORT MYERS FL 33903	PONDELLA SHORES BLK B PB 10 PG 12 LOT 11	60
GARVIN-ARTEAGA CYNTHIA A 1193 BETMAR BLVD NORTH FORT MYERS FL 33903	**10-44-24-04-0000B.0120** 1208 BETMAR BLVD NORTH FORT MYERS FL 33903	PONDELLA SHORES BLK B PB 10 PG 12 LOT 12	61
DOTSON STEVEN M 410 JAYE CT NORTH FORT MYERS FL 33903	**10-44-24-04-0000B.0130** 410 JAYE CT NORTH FORT MYERS FL 33903	PONDELLA SHORES BLK B PB 10 PG 12 LOT 13	62
MCCONNELL JAMES TODD & 420 JAYE CT NORTH FORT MYERS FL 33903	**10-44-24-04-0000B.0140** 420 JAYE CT NORTH FORT MYERS FL 33903	PONDELLA SHORES BLK B PB 10 PG 12 LOT 14	63
EGELAND THOR H & KATHLEEN J 32471 LAKE RD AVON LAKE OH 44012	**10-44-24-04-0000B.0150** 428 JAYE CT NORTH FORT MYERS FL 33903	PONDELLA SHORES SUB BLK B PB 10 PG 12 LOT 15	64
ONEIL WILLIAM W 438 JAYE CT NORTH FORT MYERS FL 33903	**10-44-24-04-0000B.0160** 438 JAYE CT NORTH FORT MYERS FL 33903	PONDELLA SHORES BLK B PB 10 PG 12 LOT 16	65
ROBERTSON VICTORIA JEAN + 433 JAYE CT NORTH FORT MYERS FL 33903	**10-44-24-04-0000B.0170** 433 JAYE CT NORTH FORT MYERS FL 33903	PONDELLA SHORES BLK.B PB 10 PG 12 LOT 17	66
FURTEK ED SR & TRACI 427 JAYE CT NORTH FORT MYERS FL 33903	**10-44-24-04-0000B.0180** 427 JAYE CT NORTH FORT MYERS FL 33903	PONDELLA SHORES BLK.B PB 10 PG 12 LOT 18	67
BIERLY HAROLD R & BETTY L 585 N PENNSYLVANIA AVE CENTRE HALL PA 16828	**10-44-24-04-0000B.0190** 419 JAYE CT NORTH FORT MYERS FL 33903	PONDELLA SHORES BLK B PB 10 PG 12 LOT 19	68
FURTEK EDWARD J & MARGARET L/E 409 JAYE CT	**10-44-24-04-0000B.0200** 409 JAYE CT NORTH FORT MYERS FL	PONDELLA SHORES BLK B PB 10 PG 12 LOT 20	69

NORTH FORT MYERS FL 33903	33903		
FURTEK EDWARD A SR 427 JAYE CT NORTH FORT MYERS FL 33903	**10-44-24-04-0000B.0210** 1184 BETMAR BLVD NORTH FORT MYERS FL 33903	PONDELLA SHORES BLK B PB 10 PG 12 LOT 21	70
889 ENTERPRISE LLC 135 PATRICE TER WILLIAMSVILLE NY 14221	**10-44-24-04-0000B.0220** 1186 BETMAR BLVD NORTH FORT MYERS FL 33903	PONDELLA SHORES BLK.B PB 10 PG 12 LOT 22	71
STOKES MARILYN PAULINE 1185 BETMAR BLVD NORTH FORT MYERS FL 33903	**10-44-24-04-0000B.0230** 1188 BETMAR BLVD NORTH FORT MYERS FL 33903	PONDELLA SHORES BLK.B PB 10 PG 12 LOT 23	72
BRYAN BEVERLY S + 1181 BETMAR BLVD NORTH FORT MYERS FL 33903	**10-44-24-04-0000B.0240** 1190 BETMAR BLVD NORTH FORT MYERS FL 33903	PONDELLA SHORES BLK B PB 10 PG 12 LOT 24	73
GUIMARAES BRUNO AUGUSTO SILVA 1182 BETMAR BLVD NORTH FORT MYERS FL 33903	**10-44-24-04-0000C.0010** 1182 BETMAR BLVD NORTH FORT MYERS FL 33903	PONDELLA SHORES BLK C PB 10 PG 12 LOT 1	74
8050 CLEAVES LLC 1485 LINHART AVE FORT MYERS FL 33901	**10-44-24-05-0000A.0050** 8050 CLEAVES RD NORTH FORT MYERS FL 33903	CLEAVES CORNER U/R BLK A PB 259 PG 466 LOT 5	75
WEBB EDWARD & CECELIA M 8060 CLEAVES RD NORTH FORT MYERS FL 33903	**10-44-24-05-0000A.0060** 8060 CLEAVES RD NORTH FORT MYERS FL 33903	CLEAVES CORNER UNREC PLAT BLK A DB 259 PG 466 LOT 6	76
MCLAREN MARIANNE S 8070 CLEAVES RD NORTH FORT MYERS FL 33903	**10-44-24-05-0000A.0070** 8070 CLEAVES RD NORTH FORT MYERS FL 33903	CLEAVES CORNER UNREC PLAT BLK A DB 259 PG 466 LOT 7	77
WATERS LISA D 8080 CLEAVES RD NORTH FORT MYERS FL 33903	**10-44-24-05-0000A.0080** 8080 CLEAVES RD NORTH FORT MYERS FL 33903	CLEAVES CORNER UNREC PLAT BLK A DB 259 PG 466 LOT 8	78
PACE MARY E TR 8096 CLEAVES RD NORTH FORT MYERS FL 33903	**10-44-24-05-0000A.0090** 8090/92/96 CLEAVES RD NORTH FORT MYERS FL 33903	CLEAVES CORNER UNREC PLAT BLK A DB 259 PG 466 LOT 9	79
INFINITY FINANCING GROUP INC 10123 CHESAPEAKE BAY DR FORT MYERS FL 33913	**10-44-24-05-0000A.0100** 8100 CLEAVES RD NORTH FORT MYERS FL 33903	CLEAVES CORNER UNREC PLAT BLK A DB 259 PG 466 LOT 10	80
MCCARTHY ROBERT 8161 CLEAVES RD NORTH FORT MYERS FL 33903	**10-44-24-05-0000A.0110** 8110 CLEAVES RD NORTH FORT MYERS FL	CLEAVES CORNER UNREC PLAT BLK A DB 259 PG 466	81

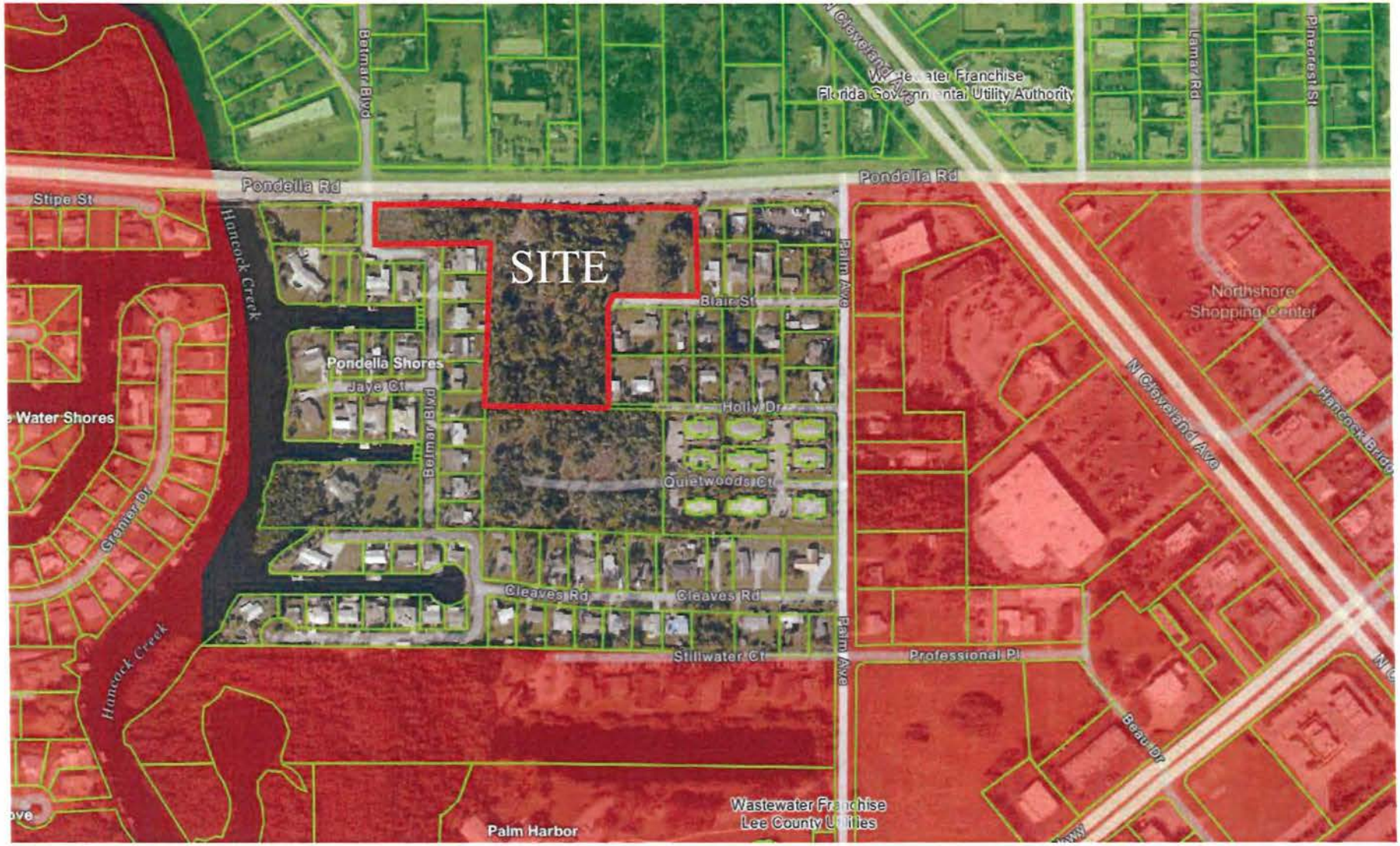
	33903	LOT 11	
UNKNOWN HEIRS OF 8130 CLEAVES RD NORTH FORT MYERS FL 33903	**10-44-24-05-0000A.0120** 8130 CLEAVES RD NORTH FORT MYERS FL 33903	CLEAVES CORNER UNREC PLAT BLK.A DB 259 PG 466 LOT 12	82
JOYCE JOHNNY J 8140 CLEAVES RD NORTH FORT MYERS FL 33903	**10-44-24-05-0000C.0010** 8140 CLEAVES RD NORTH FORT MYERS FL 33903	CLEAVES CORNER UNREC PLAT BLK C DB 259 PG 466 LOT 1	83
ROMANS WADE D & REBECCA 8150 CLEAVES RD NORTH FORT MYERS FL 33903	**10-44-24-05-0000C.0020** 8150 CLEAVES RD NORTH FORT MYERS FL 33903	CLEAVES CORNER UNREC PLAT BLK C DB 259 PG 466 LOT 2	84
RIDER CINDY KAY + 8160 CLEAVES RD NORTH FORT MYERS FL 33903	**10-44-24-05-0000C.0030** 8160 CLEAVES RD NORTH FORT MYERS FL 33903	CLEAVES CORNER UNREC,PLAT BLK C DB 259 PG 466 LOT 3	85
KROEGER PAUL & JO ANNA 8170 CLEAVES RD NORTH FORT MYERS FL 33903	**10-44-24-05-0000C.0040** 8170 CLEAVES RD NORTH FORT MYERS FL 33903	CLEAVES CORNER UNR PLAT BLK C DB 259 PG 466 LOT 4	86
LEE COUNTY PO BOX 398 FORT MYERS FL 33902	**10-44-24-06-00000.0010** 437 STIPE ST NORTH FORT MYERS FL 33903	BLUE WATER SHORES PB 10 PG 78 LOT 1	87
JOHNSON ROBERT J & SUE E 1989 W MILL ST DELPHI IN 46923	**10-44-24-06-00000.0020** 441 STIPE ST NORTH FORT MYERS FL 33903	BLUE WATER SHORES PB 10 PG 78 LOT 2	88
CARAVAS GARY W & VICTORIA F 390 GRENIER DR NORTH FORT MYERS FL 33903	**10-44-24-06-00000.0550** 390 GRENIER DR NORTH FORT MYERS FL 33903	BLUE WATER SHORES PB 10 PG 78 LOTS 55 + 56	89
MARKET TERRY 399 GRENIER DR NORTH FORT MYERS FL 33903	**10-44-24-06-00000.0570** 399 GRENIER DR NORTH FORT MYERS FL 33903	BLUE WATER SHORES PB 10 PG 78 LOT 57	90
PALM FROND CONDO PH I 1165 PALM AVE APT 6A NORTH FORT MYERS FL 33903	**10-44-24-21-00000.00CE** PALM FROND C/E NORTH FORT MYERS FL 33903	PALM FROND CONDO PH I COMMON AREA DESC IN OR 1598 PG 479	91
PALM FROND CONDO PH II 1165 PALM AVE APT 6A NORTH FORT MYERS FL 33903	**10-44-24-26-00000.00CE** PALM FROND C/E NORTH FORT MYERS FL 33903	PALM FROND CONDO PH II COMMON AREA AS DESC IN OR 1598 PG 479	92

KING LISA MARIE & 46 HOLLY DR NORTH FORT MYERS FL 33903	**10-44-24-L2-00021.0040** 40/46 HOLLY DR NORTH FORT MYERS FL 33903	LOTS 19 + 20 OF BORDONARO'S UNRECORDED SUBDIVISION	93
NENOW TIMOTHY 1296 FIFTH ST FORT MYERS FL 33905	**10-44-24-L2-00021.0180** 38 HOLLY DR NORTH FORT MYERS FL 33903	W 81 OF E 653 FT OF S 136 FT OF N 650 FT OF NE 1/4	94
JONES JOHN C 1180 PALM AVE NORTH FORT MYERS FL 33903	**11-44-24-00-00001.001B** 1180 PALM AVE NORTH FORT MYERS FL 33903	BEG 30 FT E+ 66 FT N OF SW COR OF NW 1/4 NW 1/4 NW 1/4 THEN E 135 N 210 W 135 S 210 TO POB	95
DILULLO VERO FAMILY LP + 108 ALBACORE LN JUPITER FL 33477	**11-44-24-00-00017.0030** 13991 N CLEVELAND AVE NORTH FORT MYERS FL 33903	PARL IN NW 1/4 OF NW 1/4 OF NW 1/4 DESC IN OR 3965/324 + OR 3965/316 + OR 3965/320 LESS R/W 2308/1108 + 2508/1176	96
SULLINS VICTORIA 1165 PALM AVE #5A NORTH FORT MYERS FL 33903	**10-44-24-21-00005.00A0** 1165 PALM AVE #5A NORTH FORT MYERS FL 33903	PALM FROND CONDO PH I OR 1598 PG 0479 UNIT 5-A	97
ZAPATA CLAUDIA PATRICIA 2910 PONCE DE LEON DR NAPLES FL 34105	**10-44-24-21-00005.00B0** 1165 PALM AVE #5B NORTH FORT MYERS FL 33903	PALM FROND CONDO PH I OR 1598 PG 0479 UNIT 5-B	97
SOWDER HEATHER M & LANCE M 1165 PALM AVE #5C NORTH FORT MYERS FL 33903	**10-44-24-21-00005.00C0** 1165 PALM AVE #5C NORTH FORT MYERS FL 33903	PALM FROND CONDO PH I OR 1598 PG 0479 UNIT 5-C	97
DARIAN ANDREIA 1165 PALM AVE #5D NORTH FORT MYERS FL 33903	**10-44-24-21-00005.00D0** 1165 PALM AVE #5D NORTH FORT MYERS FL 33903	PALM FROND CONDO PH I OR 1598 PG 0479 UNIT 5-D	97
MENDES BRENO DOS SANTOS 1165 PALM AVE 6A NORTH FORT MYERS FL 33903	**10-44-24-21-00006.00A0** 1165 PALM AVE #6A NORTH FORT MYERS FL 33903	PALM FROND CONDO PH I BLDG 6 OR 1598 PG 479 UNIT A	98
CARROLL SANDRA J & ARTHUR F 1165 PALM AVE #6B NORTH FORT MYERS FL 33903	**10-44-24-21-00006.00B0** 1165 PALM AVE #6B NORTH FORT MYERS FL 33903	PALM FROND CONDO PH I BLDG 6 OR 1598 PG 479 UNIT B	98
SEIMER THOMAS 1165 PALM AVE APT 6C NORTH FORT MYERS FL 33903	**10-44-24-21-00006.00C0** 1165 PALM AVE #6C NORTH FORT MYERS FL	PALM FROND CONDO PH I BLDG 6 OR 1598 PG 479 UNIT C	98

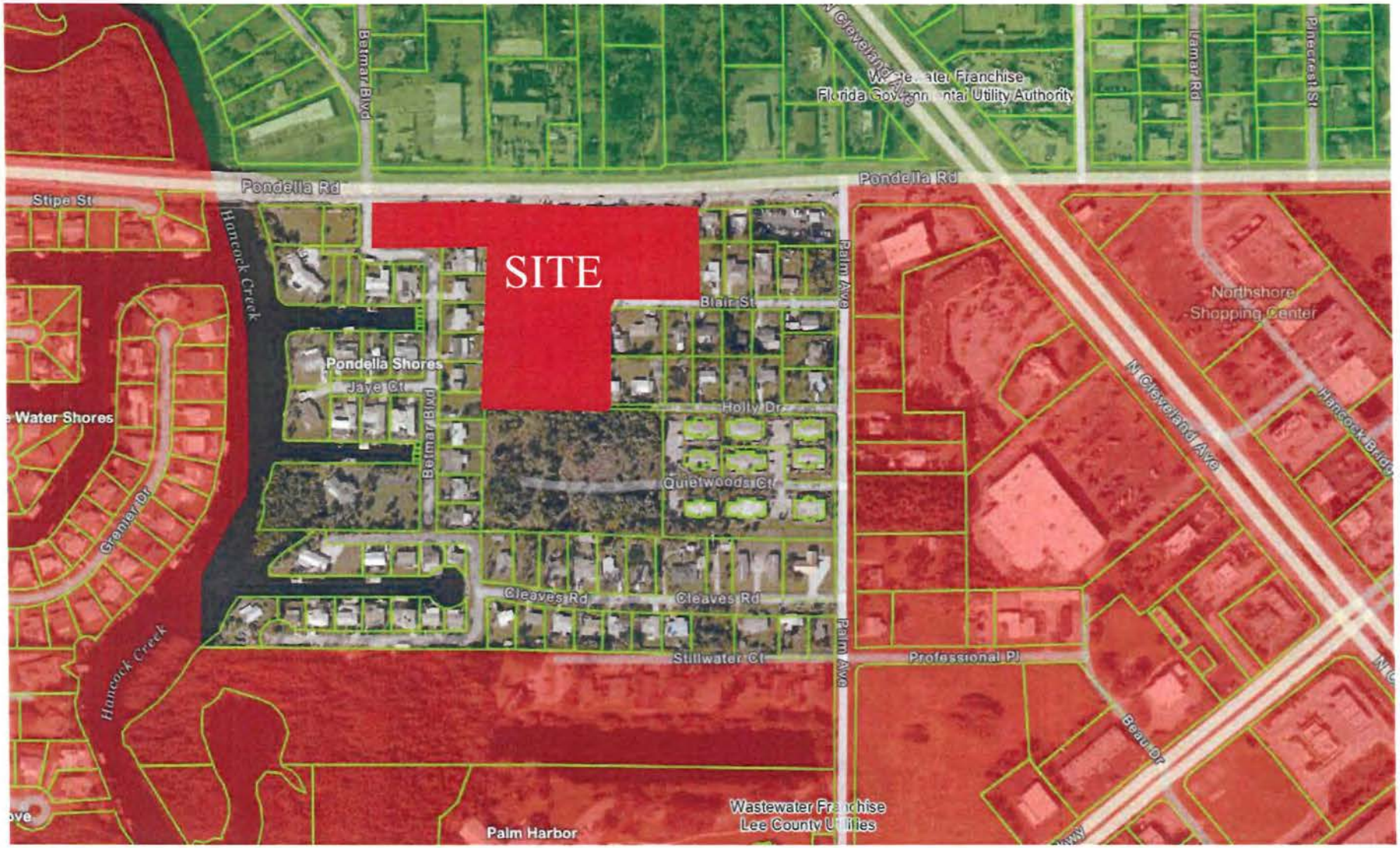
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GRALEY ERIC WAYNE + 2915 JANET DR NORTH FORT MYERS FL 33903	**10-44-24-21-00006.00D0** 1165 PALM AVE #6D NORTH FORT MYERS FL 33903	PALM FROND CONDO PH I BLDG 6 OR 1598 PG 479 UNIT D	98
COUNTS WILLIAM T 1165 PALM AVE #9A NORTH FORT MYERS FL 33903	**10-44-24-21-00009.00A0** 1165 PALM AVE #9A NORTH FORT MYERS FL 33903	PALM FROND CONDO PH I BLDG 9 OR 1598 PG 479 UNIT A	99
PLACKETT ROBERT M II 1165 PALM AVE #9B NORTH FORT MYERS FL 33903	**10-44-24-21-00009.00B0** 1165 PALM AVE #9B NORTH FORT MYERS FL 33903	PALM FROND CONDO PH I BLDG 9 OR 1598 PG 479 UNIT B	99
ALDRICH JASON M 1165 PALM AVE #9C NORTH FORT MYERS FL 33903	**10-44-24-21-00009.00C0** 1165 PALM AVE #9C NORTH FORT MYERS FL 33903	PALM FROND CONDO PH I BLDG 9 OR 1598 PG 479 UNIT C	99
HICKMAN TOMMY ALLEN 1165 PALM AVE #9D NORTH FORT MYERS FL 33903	**10-44-24-21-00009.00D0** 1165 PALM AVE #9D NORTH FORT MYERS FL 33903	PALM FROND CONDO PH I BLDG 9 OR 1598 PG 479 UNIT D	99
SCHMOYER JEFFREY L & 204 PENNSYLVANIA AVE KUTZTOWN PA 19530	**10-44-24-26-00001.00A0** 1165 PALM AVE #1A NORTH FORT MYERS FL 33903	PALM FROND PH II OR 1598 PG 479 UNIT 1-A	100
NETZLEY CHRIS 841 NE 6TH PL CAPE CORAL FL 33909	**10-44-24-26-00001.00B0** 1165 PALM AVE #1B NORTH FORT MYERS FL 33903	PALM FROND PH II OR 1598 PG 479 UNIT 1-B	100
SMITH GERALDINE A 1165 PALM AVE #1C NORTH FORT MYERS FL 33903	**10-44-24-26-00001.00C0** 1165 PALM AVE #1C NORTH FORT MYERS FL 33903	PALM FROND PH II OR 1598 PG 479 UNIT 1-C	100
BULLOCK VANESSA 1165 PALM AVE # 1D NORTH FORT MYERS FL 33903	**10-44-24-26-00001.00D0** 1165 PALM AVE #1D NORTH FORT MYERS FL 33903	PALM FROND PH II OR 1598 PG 479 UNIT 1-D	100
GOUGH ERIK M 1165 PALM AVE #4A NORTH FORT MYERS FL 33903	**10-44-24-26-00004.00A0** 1165 PALM AVE #4A NORTH FORT MYERS FL 33903	PALM FROND PH II OR 1598 PG 479 UNIT 4-A	101
GRISHAYEVA GALINA I 1165 PALM AVE APT 4B NORTH FORT MYERS FL 33903	**10-44-24-26-00004.00B0** 1165 PALM AVE #4B NORTH FORT MYERS FL 33903	PALM FROND PH II OR 1598 PG 479 UNIT 4-B	101
MAVRAKIS ANDREAS 1165 PALM AVE #4C NORTH FORT MYERS FL 33903	**10-44-24-26-00004.00C0** 1165 PALM AVE #4C NORTH FORT MYERS FL	PALM FROND PH II OR 1598 PG 479 UNIT 4-C	101

	33903		
WHITE WENDY B 1165 PALM AVE # 4D NORTH FORT MYERS FL 33903	**10-44-24-26-00004.00D0** 1165 PALM AVE #4D NORTH FORT MYERS FL 33903	PALM FROND PH II OR 1598 PG 479 UNIT 4-D	101
BAKER SALLI 1105 BRIDGWOOD DR LAGRANGE GA 30240	**10-44-24-26-00007.00A0** 1165 PALM AVE #7A NORTH FORT MYERS FL 33903	PALM FROND PH II OR 1598 PG 479 UNIT 7-A	102
SANTACROCE CATHLEEN L/E 1165 PALM AVE #7B NORTH FORT MYERS FL 33903	**10-44-24-26-00007.00B0** 1165 PALM AVE #7B NORTH FORT MYERS FL 33903	PALM FROND PH II OR 1598 PH 479 UNIT 7-B	102
KINNEY KAREN 1165 PALM AVE #7C NORTH FORT MYERS FL 33903	**10-44-24-26-00007.00C0** 1165 PALM AVE #7C NORTH FORT MYERS FL 33903	PALM FROND PH II OR 1598 PG 479 UNIT 7-C	102
DE GODOI VITOR 1165 PALM AVE #7D NORTH FORT MYERS FL 33903	**10-44-24-26-00007.00D0** 1165 PALM AVE #7D NORTH FORT MYERS FL 33903	PALM FROND PH II OR 1598 PG 479 UNIT 7-D	102
GOODCHILD WAYNE 1165 PALM AVE #8A NORTH FORT MYERS FL 33903	**10-44-24-26-00008.00A0** 1165 PALM AVE #8A NORTH FORT MYERS FL 33903	PALM FROND PH II OR 1598 PG 479 UNIT 8-A	103
LAMBERT BRUCE 1165 PALM AVE #8B NORTH FORT MYERS FL 33903	**10-44-24-26-00008.00B0** 1165 PALM AVE #8B NORTH FORT MYERS FL 33903	PALM FROND PH II OR 1598 PH 479 UNIT 8-B	103
BURDETTE CINDY L 1165 PALM AVE # 8C NORTH FORT MYERS FL 33903	**10-44-24-26-00008.00C0** 1165 PALM AVE #8C NORTH FORT MYERS FL 33903	PALM FROND PH II OR 1598 PG 479 UNIT 8-C	103
RODRIGUEZ GISSELA 1165 PALM AVE #8D NORTH FORT MYERS FL 33903	**10-44-24-26-00008.00D0** 1165 PALM AVE #8D NORTH FORT MYERS FL 33903	PALM FROND PH II OR 1598 PG 479 UNIT 8-D	103

PONDELLA HOLDINGS
EXISTING FUTURE LAND USE MAP 4-B



PONDELLA HOLDINGS
PROPOSED FUTURE LAND USE MAP 4-B



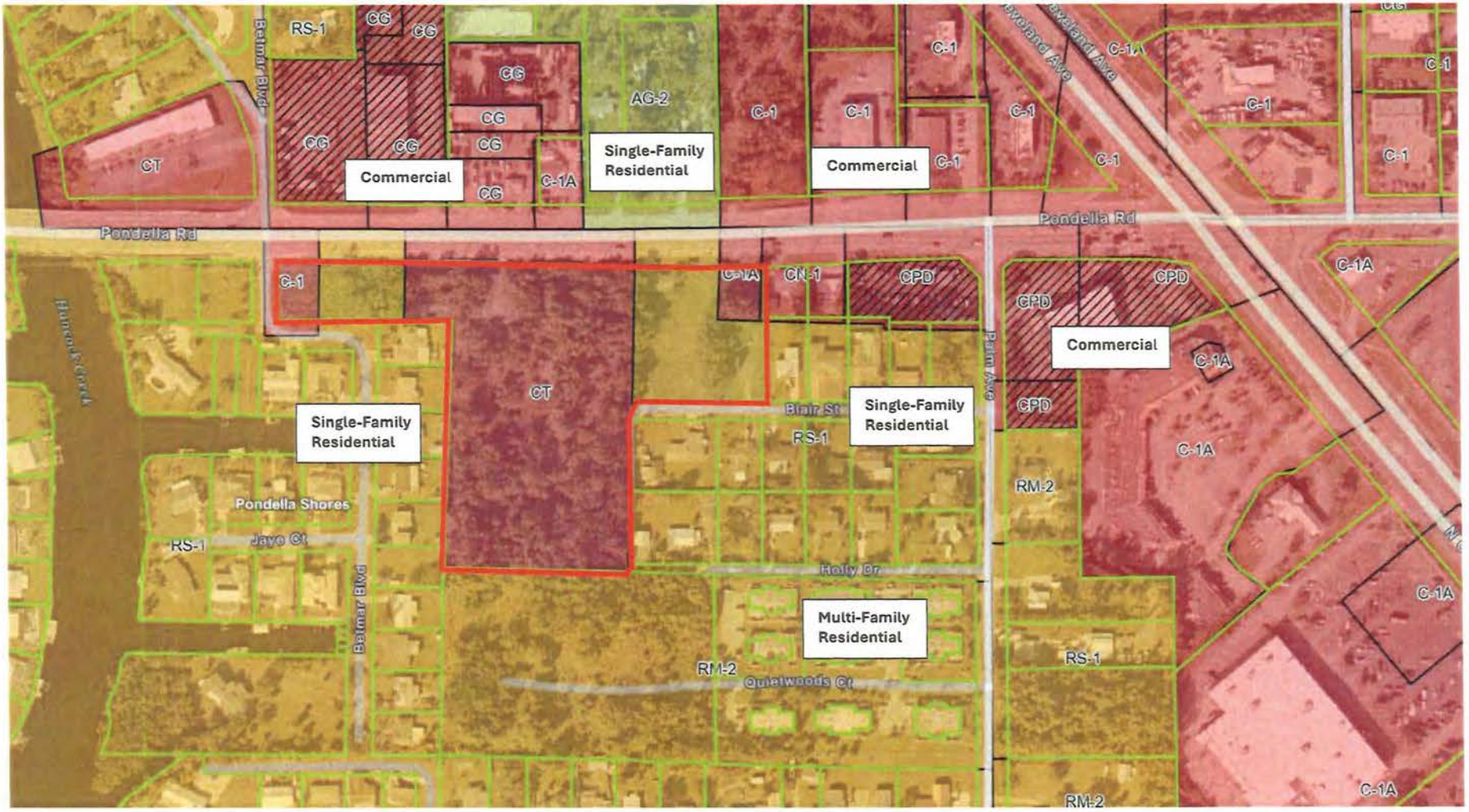
PONDELLA HOLDINGS
EXISTING LAND USES MAP

EXHIBIT M-5

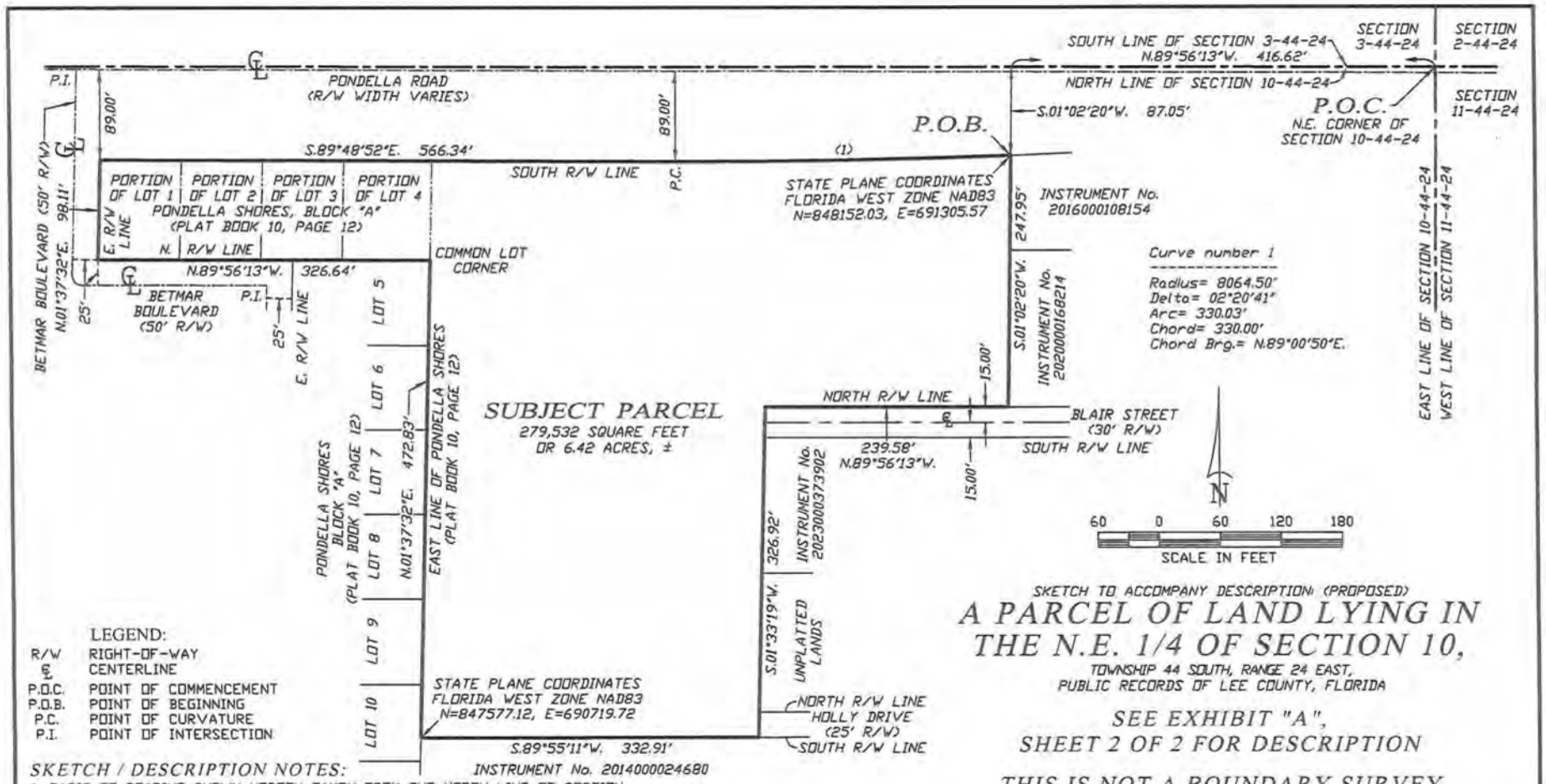


PONDELLA HOLDINGS
SURROUNDING ZONING MAP

EXHIBIT M-6



Commercial Zoning Districts Residential Zoning Districts Agricultural Zoning Districts



LEGEND:

R/W	RIGHT-OF-WAY
℄	CENTERLINE
P.O.C.	POINT OF COMMENCEMENT
P.O.B.	POINT OF BEGINNING
P.C.	POINT OF CURVATURE
P.I.	POINT OF INTERSECTION

SKETCH TO ACCOMPANY DESCRIPTION: (PROPOSED)

A PARCEL OF LAND LYING IN THE N.E. 1/4 OF SECTION 10,

TOWNSHIP 44 SOUTH, RANGE 24 EAST,
PUBLIC RECORDS OF LEE COUNTY, FLORIDA

SEE EXHIBIT "A",
SHEET 2 OF 2 FOR DESCRIPTION

THIS IS NOT A BOUNDARY SURVEY

SHEET 1 OF 2

SKETCH / DESCRIPTION NOTES:

1. BASIS OF BEARING SHOWN HEREON TAKEN FROM THE NORTH LINE OF SECTION 10-44-24, AS BEING N.89°56'13"W.
2. FIELD NOTES IN SECTION 10-44-24.
3. SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.
4. THIS CERTIFICATION IS ONLY FOR LANDS DESCRIBED HEREON. IT IS NOT A CERTIFICATION OF TITLE, ZONING OR FREEDOM OF ENCUMBRANCES.
5. THIS MAP/PLAT IS CONSIDERED SIGNED USING A DIGITAL SEAL IN ACCORDANCE WITH THE APPLICABLE STATE LAWS AND STATUTES FS 668.001-006) FS 668.50) FS 472.025) 5J-17.062, FLORIDA ADMINISTRATIVE CODE, STATE OF FLORIDA.
6. THIS SKETCH IS INTENDED TO BE VIEWED AS AN 8 1/2" x 14", 120 SCALE DRAWING.

DRAWN:	CHECK:	SCALE	PROJ. #	HARRIS-JORGENSEN, LLC.
RBH	PMM	1"=120'	9LOPONDELLA	3048 DEL PRADO BLVD. S., SUITE 100
SKETCH DATE		FILE NO.	SHT.- 1	CAPE CORAL, FLORIDA 33904
5/28/2026		44-24-10	OF - 2	PHONE: (239) 257-2624
				FAX: (239) 257-2921

FLORIDA CERTIFICATE OF AUTHORIZATION LB6921

DESCRIPTION TO ACCOMPANY SKETCH

EXHIBIT "A"

(PROPOSED)

A PARCEL OF LAND LYING IN THE N.E. 1/4 OF SECTION 10,

TOWNSHIP 44 SOUTH, RANGE 24 EAST,
PUBLIC RECORDS OF LEE COUNTY, FLORIDA

DESCRIPTION:

A PLOT OR PARCEL OF LAND LYING IN A PORTION OF LOTS 1, 2, 3, AND 4, BLOCK "A", PONDELLA SHORES, AS RECORDED IN PLAT BOOK 10, PAGE 12, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, AND A PORTION OF THE NORTHEAST QUARTER (1/4) OF SECTION 10, TOWNSHIP 44 SOUTH, RANGE 24 EAST, PUBLIC RECORDS OF LEE COUNTY, FLORIDA, SAID PLOT OR PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 10; THENCE RUN N.89°56'13"W. ALONG THE NORTH LINE OF SAID SECTION 10, FOR 416.62 FEET; THENCE RUN S.01°02'20"W. TO A POINT ALONG THE SOUTH LINE OF PONDELLA ROAD, FOR 87.05 FEET, FOR A POINT OF BEGINNING; THENCE CONTINUE S.01°02'20"W. TO A POINT ALONG THE NORTH RIGHT OF WAY LINE OF BLAIR STREET (50 FEET WIDE), FOR 247.95 FEET; THENCE RUN N.89°56'13"W. ALONG SAID NORTH RIGHT OF WAY LINE FOR 239.58 FEET; THENCE RUN S.01°33'19"W., FOR 326.92 FEET; THENCE RUN S.89°55'11"W. TO A POINT ALONG THE EAST LINE OF THE AFORESAID PONDELLA SHORES, FOR 332.91 FEET; THENCE RUN N.01°37'32"E. ALONG SAID EAST LINE, TO THE COMMON LOT CORNER BETWEEN LOTS 4 AND 5 OF SAID PONDELLA SHORES, FOR 472.83 FEET; THENCE RUN N.89°56'13"W. TO A POINT ALONG THE EAST RIGHT OF WAY LINE OF BETMAR BOULEVARD (50 FEET WIDE), FOR 326.64 FEET; THENCE RUN N.01°37'32"E. ALONG SAID EAST RIGHT OF WAY TO A POINT ALONG THE AFORESAID SOUTH RIGHT OF WAY LINE OF PONDELLA ROAD, FOR 98.11 FEET; THENCE RUN S.89°48'52"E. ALONG SAID SOUTH RIGHT OF WAY, FOR 566.34 FEET, TO A POINT OF CURVATURE; THENCE RUN ALONG THE ARC OF A CURVE, TO THE LEFT, FOR 330.03 FEET, SAID CURVE HAVING THE FOLLOWING ELEMENTS, A RADIUS OF 8,064.50 FEET, A CENTRAL DELTA ANGLE OF 02°20'41", A CHORD THAT BEARS N.89°00'50"E., AND A CHORD DISTANCE OF 330.00 FEET, TO THE POINT OF BEGINNING.

CONTAINING 279,532 SQUARE FEET OR 6.42 ACRES, MORE OR LESS.

BEARINGS ARE BASED ON THE AFORESAID NORTH LINE OF SECTION 10, TOWNSHIP 44 SOUTH, RANGE 24 EAST, AS BEING N.89°56'13"W.

PHILLIP M MOULD
No. LS6515
STATE OF FLORIDA
PROFESSIONAL SURVEYOR AND MAPPER

Digitally signed by
PHILLIP M MOULD
Date: 2026.05.28
11:22:35 -04'00'

PHILLIP M. MOULD
PROFESSIONAL SURVEYOR AND MAPPER, LS6515
MAY 28, 2026

9LOPONDELLA

Kevin C. Karnes, Lee County Clerk of Circuit Court
INSTR. # 2023000043899, Doc Type D, Pages 5, Recorded 2/3/2023 at 1:56 PM, Deputy Clerk CGRINER ERECORD
Rec Fees: $44.00 Deed Doc: $11,550.00

Exhibit M-8

Prepared by and Return to:
Faith Greenberg
The Closing Agent, Inc.
11 N. Summerlin Ave., Ste. 100
Orlando, FL 32801

File Number: **2138196**

(Space Above This Line For Recording Data)

WARRANTY DEED

This Indenture made **January 31, 2023** A.D. between **EDISON PROPERTY SERVICES, LLC, A DELAWARE LIMITED LIABILITY COMPANY** whose post office address is: **PO BOX 155, HIGHLAND MILLS, NEW YORK 10930**, a corporation existing under the laws of the State of **Delaware**, Grantor and **PONDELLA HOLDINGS, LLC, A DELAWARE LIMITED LIABILITY COMPANY** whose post office address is: **C/O REDBURN DEVELOPMENT INC 204 LAFAYTTE STREET, SUITE 2, SCHENECTADY, NEW YORK 12305**, Grantee,

Witnesseth, that the said Grantor, for and in consideration of the sum of Ten and No/100 Dollars ($10.00), to it in hand paid by the said Grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said Grantee forever, the following described land, situate, lying and being in the County of **Lee**, State of **Florida**, to wit:

PARCEL 1

LOTS 1, 2, AND 3, BLOCK A, PONDELLA SHORES, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 10, PAGE 12, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

LESS AND EXCEPT THOSE LANDS TAKEN BY LEE COUNTY, IN THAT CERTAIN ORDER OF TAKING RECORDED IN OFFICIAL RECORDS BOOK 2308, PAGE 1108, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

PARCEL 2

LOT 2, LINDALE FARMS, AN UNRECORDED SUBDIVISION, IN SECTION 10, TOWNSHIP 44 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SAID SECTION 10; THENCE SOUTH 00°49'15" EAST, ALONG THE EAST LINE OF SAID SECTION 10, 45.68 FEET TO AN INTERSECTION WITH THE SOUTH RIGHT-OF-WAY LINE OF PONDELLA ROAD (S.R. NO. 78-A); THENCE SOUTH 88°53'40" WEST, ALONG SAID RIGHT-OF-WAY LINE 654.21 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 00°15'50" WEST, 617.74 FEET; THENCE SOUTH 88°37'31" WEST 332.91 FEET TO AN INTERSECTION WITH THE EAST BOUNDARY OF PONDELLA SHORES SUBDIVISION, AS RECORDED IN PLAT BOOK 10, PAGE 12, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE NORTH 00°20'03" EAST ALONG SAID EAST BOUNDARY OF PONDELLA SHORES 619.32 FEET TO AN INTERSECTION WITH SAID SOUTH RIGHT-OF-WAY LINE OF PONDELLA ROAD; THENCE NORTH 85°53,40" EAST, ALONG SAID RIGHT OF WAY LINE 332.11 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT: A TRACT OR PARCEL OF LAND LYING IN THE NORTHEAST 1/4 OF SECTION 10, TOWNSHIP 44 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA, BEING PART OF A PARENT TRACT OR PARCEL OF LAND AS DESCRIBED IN OFFICIAL RECORD BOOK 1979 AT PAGE 168 OF THE PUBLIC RECORDS OF SAID LEE COUNTY; MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF SAID SECTION 10; THENCE SOUTH 89°56'13" EAST FOR 2001.03 FEET ALONG THE NORTH LINE OF SAID NORTHEAST 1/4 TO A POINT WHICH LIES 65°36'09" FEET FROM THE NORTHEAST CORNER OF SAID NORTHEAST 1/4; THENCE SOUTH 01°33'19" WEST FOR 44.30 FEET TO AN INTERSECTION WITH THE SOUTHERLY RIGHT-OF-WAY OF PONDELLA ROAD (FORMER STATE ROAD NO. S-78-A) AND THE POINT OF BEGINNING:

FROM SAID POINT OF BEGINNING; THENCE CONTINUE SOUTH 01°33'19" FOR 48.48 FEET ALONG THE EASTERLY LINE OF SAID PARENT TRACT TO A NON-RADIAL INTERSECTION WITH A CURVE TO THE RIGHT CONCAVE NORTHERLY (RADIUS 8064.50, CENTRAL ANGLE 00°39'25", CHORD 92.46 FEET, CHORD BEARING SOUTH 89°51'26" WEST); THENCE WESTERLY FOR 92.46 FEET ALONG THE ARC OF SAID CURVE, BEING 64.50 FEET SOUTHERLY OF AND CONCENTRIC WITH THE CENTERLINE SURVEY OF PONDELLA ROAD (LEE COUNTY PROJECT NO. 4656): THENCE NORTH 89°48'52" WEST FOR 239.72 FEET; THENCE NORTH 01°37'32" EAST FOR 49.02 FEET ALONG THE WESTERLY LINE OF SAID PARENT TRACT; THENCE SOUTH 89°48'52" EAST FOR 332.11 FEET ALONG THE AFOREMENTIONED SOUTHERLY RIGHT-OF-WAY OF PONDELLA ROAD (40.00 FROM CENTERLINE) TO THE POINT OF BEGINNING.

PARCEL 3

A TRACT OR PARCEL OF LAND IN THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 10, TOWNSHIP 44 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SECTION 10, TOWNSHIP 44 SOUTH, RANGE 24 EAST, THENCE SOUTH ALONG THE EASTERN BOUNDARY OF SAID SECTION 30 FEET, MORE OR LESS, TO THE SOUTH SIDE OF THE COUNTY ROAD; THENCE WEST ALONG THE SOUTH SIDE OF SAID COUNTY ROAD FOR 416.9 FEET; THENCE SOUTH 150 FEET TO THE POINT OF BEGINNING OF THE LAND HEREIN DESCRIBED; FROM SAID POINT OF BEGINNING CONTINUE ALONG THE LAST MENTIONED COURSE FOR A DISTANCE OF 155 FEET; THENCE WEST A DISTANCE OF 79.89 FEET; THENCE NORTH 155 FEET; THENCE EAST 79.16 FEET TO THE POINT OF BEGINNING . (KNOWN AS LOT 26 OF AN UNRECORDED PLAT OF THE DIVISION OF BORDONARO PROPERTY)

PARCEL 4

BEGINNING 495.35 FEET WEST AND 350 FEET SOUTH OF THE NORTHEAST CORNER OF SECTION 10, TOWNSHIP 44 SOUTH, RANGE 24 EAST, RUN WEST 159.89 FEET; THENCE NORTH 120 FEET; THENCE EAST 159.44 FEET; THENCE SOUTH 120 FEET TO THE POINT OF BEGINNING, LEE COUNTY, FLORIDA.

PARCEL 5

FROM THE NORTHEAST CORNER OF SECTION 10, TOWNSHIP 44 SOUTH, RANGE 24 EAST, THENCE RUN SOUTH 40 FEET, THENCE WEST ALONG THE SOUTHSIDE OF PONDELLA ROAD 416.9 FEET TO POINT OF BEGINNING. FROM SAID POINT OF BEGINNING RUN SOUTH 140 FEET; THENCE WEST 79.16 FEET; THENCE NORTH 140 FEET; THENCE EAST 78.45 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT THAT ORDER OF TAKING DESCRIBED AS FOLLOWS:

A TRACT OR PARCEL OF LAND LYING IN THE NORTHEAST ONE-QUARTER OF SECTION 10, TOWNSHIP 44 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA, BEING A PART OF A PARENT TRACT OR PARCEL OF LAND AS DESCRIBED IN OFFICIAL RECORD BOOK 1607, PAGE 668, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF THE NORTHEAST ONE-QUARTER OF SAID SECTION 10; THENCE S. 89°56'13" E. FOR 2237.50 FEET ALONG THE NORTH LINE OF SAID NORTHEAST ONE-QUARTER TO A POINT WHICH LIES 416.62 FEET FROM THE NORTHEAST CORNER OF SAID NORTHEAST ONE-QUARTER; THENCE S. 01°02'20" W. FOR 44.79 FEET TO AN INTERSECTION WITH THE SOUTHERLY RIGHT OF WAY OF PONDELLA ROAD (FORMER STATE ROAD NO. 78A) AND THE POINT OF BEGINNING.

FROM SAID POINT OF BEGINNING: THENCE CONTINUE S. 01°02'20" W. FOR 42.26 FEET ALONG THE EASTERLY LINE OF SAID PARENT TRACT TO A NON-RADIAL INTERSECTION WITH A CURVE TO THE RIGHT, CONCAVE NORTHERLY (RADIUS 8064.50 FEET, CENTRAL ANGLE 00°33'35", CHORD 78.78 FEET, CHORD BEARING S. 88°07'17" W.); THENCE WESTERLY FOR 78.78 FEET ALONG THE ARC OF SAID CURVE, BEING 64.50 FEET SOUTHERLY OF AND CONCENTRIC WITH THE CENTERLINE SURVEY OF PONDELLA ROAD (LEE COUNTY PROJECT NO. 4656); THENCE N. 01°20'18" E. NON-RADIALLY FOR 45.10 FEET ALONG THE WESTERLY LINE OF SAID PARENT TRACT; THENCE S. 89°48'52" W. FOR 78.45 FEET ALONG THE AFOREMENTIONED SOUTHERLY RIGHT OF WAY OF PONDELLA ROAD (40.00 FEET FROM CENTERLINE) TO THE POINT OF BEGINNING.

THE BEARINGS MENTIONED HEREIN ARE BASED UPON THE CENTERLINE OF SURVEY OF U.S. 41 (S.R. NO 45) BEING N. 39°28'01" W. AS SHOWN ON STATE OF FLORIDA (STATE ROAD DEPARTMENT) RIGHT OF WAY MAP (SECTION NO. 12010-2121).

PARCEL 6

BEGINNING AT A POINT ON THE SOUTH SIDE OF THE COUNTY ROAD KNOWN AS PONDELLA ROAD, WHICH POINT IS 30 FEET SOUTH AND 495.35 FEET WEST OF THE NORTHEAST CORNER OF SECTION TEN (10), TOWNSHIP FORTY-FOUR (44) SOUTH, RANGE TWENTY-FOUR (24) EAST; THENCE RUN WEST ALONG THE SOUTH SIDE OF SAID PONDELLA ROAD A DISTANCE OF 158.45 FEET; THENCE RUN SOUTH A DISTANCE OF 200 FEET; THENCE RUN EAST A DISTANCE 159.4 FEET, MORE OR LESS, TO A POINT SOUTH OF THE POINT OF BEGINNING; THENCE RUN NORTH A DISTANCE OF 200 FEET TO THE POINT OF BEGINNING, EXCEPTING THEREFROM, HOWEVER, THE EASTERLY SEVENTY (70) FEET THEREOF, AND FURTHER EXCEPTING THEREFROM,

A TRACT OR PARCEL OF LAND LYING IN THE NORTHEAST ONE-QUARTER OF SECTION 10, TOWNSHIP 44 SOUTH, RANGE 24, EAST, LEE COUNTY, FLORIDA, BEING A PART OF A PARENT TRACT OR PARCEL OF LAND AS DESCRIBED IN OFFICIAL RECORD BOOK 470, AT PAGE 6 OF THE PUBLIC RECORDS OF SAID LEE COUNTY; MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF THE NORTHEAST ONE-QUARTER OF SAID SECTION 10; THENCE S. 89 DEGREES 56'13" E FOR 2089.28 FEET ALONG THE NORTH LINE OF SAID NORTHEAST ONE-QUARTER TO A POINT WHICH LIES 564.84 FEET FROM THE NORTHEAST CORNER OF SAID NORTHEAST ONE-QUARTER; THENCE S 01 DEGREES 20'18"W FOR 44.48 FEET TO AN INTERSECTION WITH THE SOUTHERLY RIGHT OF WAY OF PONDELLA ROAD (FORMER STATE ROAD NO. S-78-A) AND THE POINT OF BEGINNING.

FROM SAID POINT OF BEGINNING; THENCE CONTINUE S 01 DEGREES 20'18"W FOR 46.98 FEET ALONG THE EASTERLY LINE OF SAID PARENT TRACT TO A NON-RADIAL

INTERSECTION WITH A CURVE TO THE RIGHT, CONCAVE NORTHERLY (RADIUS 8064.50 FEET, CENTRAL ANGLE 00 DEGREES 37'47", CHORD 88.64 FEET, CHORD BEARING S 89 DEGREES 12'50"W) THENCE WESTERLY FOR 88.64 FEET ALONG THE ARC OF SAID CURVE, BEING 64.50 FEET SOUTHERLY OF AND CONCENTRIC WITH THE CENTERLINE SURVEY OF PONDELLA ROAD (LEE COUNTY PROJECT NO. 4656); THENCE N 01 DEGREES 33'19" E NON-RADIALLY FOR 48.48 FEET ALONG THE WESTERLY LINE OF SAID PARENT TRACT; THENCE S 89 DEGREES 48'52"E FOR 88.42 FEET ALONG THE AFOREMENTIONED SOUTHERLY RIGHT OF WAY OF PONDELLA ROAD (40.00 FEET FROM CENTERLINE) TO THE POINT OF BEGINNING.

PARCEL 7

BEGINNING AT A POINT OF THE SOUTH SIDE OF THE COUNTY ROAD KNOWN AS PONDELLA ROAD, WHICH POINT IS 30 FEET SOUTH AND 495.35 FEET WEST OF THE NORTHEAST CORNER OF SECTION 10, TOWNSHIP 44 SOUTH, RANGE 24 EAST; THENCE RUN WEST ALONG THE SOUTH SIDE OF SAID PONDELLA ROAD A DISTANCE OF 70 FEET; THENCE RUN SOUTH A DISTANCE OF 200 FEET; THENCE RUN EAST A DISTANCE OF 70 FEET, MORE OR LESS TO A POINT SOUTH OF THE POINT OF BEGINNING; THENCE RUN NORTH A DISTANCE OF 200 FEET TO THE POINT OF BEGINNING, LEE COUNTY, FLORIDA.

LESS AND EXCEPT:

A TRACT OR PARCEL OF LAND LYING IN THE NORTHEAST ONE-QUARTER OF SECTION 10, TOWNSHIP 44 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA, BEING PART OF A PARENT TRACT OR PARCEL OF LAND DESCRIBED IN OFFICIAL RECORD BOOK 2020 AT PAGE 3302 OF THE PUBLIC RECORDS OF SAID LEE COUNTY; MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF THE NORTHEAST ONE-QUARTER OF SAID SECTION 10; THENCE S 87 DEGREES 56' 13" E FOR 2159.28 FEET ALONG THE NORTH LINE OF SAID NORTHEAST ONE-QUARTER TO A POINT WHICH LIES 494.84 FEET FROM THE NORTHEAST CORNER OF SAID NORTHEAST ONE-QUARTER; THENCE S 01 DEGREES 20'28"W FOR 44.63 FEET TO AN INTERSECTION WITH THE SOUTHERLY RIGHT OF WAY OF PONDELLA ROAD (FORMER STATE ROAD NO. S-78-A) AND THE POINT OF BEGINNING.

FROM SAID POINT OF BEGINNING; THENCE CONTINUE S 01 DEGREES 20'18"W FOR 45.10 FEET ALONG THE EASTERLY LINE OF SAID PARENT TRACT TO A NON-RADIAL INTERSECTION WITH THE ARC OF A CURVE TO THE RIGHT, CONCAVE NORTHERLY, (RADIUS 8054.50 FEET, CENTRAL ANGLE 00 DEGREES 29'52", CHORD 70.06 FEET, CHORD BEARING S. 88 DEGREES 35'00"W.) THENCE WESTERLY FOR 70.06 FEET ALONG THE ARC OF SAID CURVE, BEING 44.50 FEET SOUTHERLY OF AND CONCENTRIC WITH THE CENTERLINE SURVEY OF PONDELLA ROAD (LEE COUNTY PROJECT NO. 4656); THENCE N 01 DEGREES 20'18" E. NON-RADIALLY FOR 46.98 FEET ALONG THE WESTERLY LINE OF SAID PARENT TRACT; THENCE S 89 DEGREES 48'52" E FOR 70.00 FEET ALONG THE AFOREMENTIONED SOUTHERLY RIGHT OF WAY OF PONDELLA ROAD (40 FEET FROM CENTERLINE) TO THE POINT OF BEGINNING.

SUBJECT TO TAXES FOR THE YEAR 2023 AND SUBSEQUENT YEARS, RESTRICTIONS, RESERVATIONS, COVENANTS AND EASEMENTS OF RECORD, IF ANY.

Parcel Identification Number: 10-44-24-04-0000A.0010

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

And the Grantor hereby covenants with said Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land; that the Grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2022.

In Witness Whereof, the said Grantor has caused this instrument to be executed in its name by its duly authorized officer and caused its corporate seal to be affixed the day and year first above written.

Signed and Sealed in Our Presence:

Witness:

Witness 1- Signature

Chaya Spielman

Witness 1 – Printed Name

Raizy Green

Witness 2- Signature

Raizy Green

Witness 2 – Printed Name

Seller:

Edison Property Services, LLC, a Delaware Limited Liability Company

Shifra Kohn, Authorized Signor

State of New York

County of Orange

The foregoing instrument was acknowledged before me by means of ✓ physical presence or ___ online notarization, this 31st day of January, 2023, by Shifra Kohn, Authorized Signor of EDISON PROPERTY SERVICES, LLC, A DELAWARE LIMITED LIABILITY COMPANY, she (✓) is personally known to me or (___) has produced _____ as identification.

NOTARY PUBLIC

Printed Name: _____

My Commission Expires: _____

Chaya Spielman
Notary Public, State of New York
No. 01SP6359244
Qualified in Orange County
Commission expires on May 02, 2025

PONDELLA HOLDINGS
AERIAL MAP

EXHIBIT M-9



Exhibit M-10

AUTHORIZATION TO REPRESENT

Please be advised that VERONICA MARTIN, SENIOR PLANNER and DEAN MARTIN, P.E., of TDM Consulting, Inc., 1520 Royal Palm Square Blvd, Suite 100, Fort Myers, FL 33919, are hereby authorized to represent Pondella Holdings, LLC, the Applicant and Property Owner, in all applications to Lee County and subsequent public hearings regarding the property located at 333 Pondella Road, North Fort Myers, Florida, 33903, STRAP Number 10-44-24-L2-00018.0010.

Israel Gross, Managing Member
Pondella Holdings, LLC

STATE OF New York
COUNTY OF Rockland

The foregoing instrument was sworn to (or affirmed) and subscribed before me by means of ☒ physical presence or ☐ online notarization, on June 15, 2025 (date) by ISRAEL GROSS (name of person providing oath or affirmation), who are personally known to me ~~or who has produced _____ (type of identification) as identification~~.

STAMP/SEAL

Signature of Notary Public

JOSEPH NIEDERMAN
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01NI6144825
Qualified in Orange County
Commission Expires April 24, 2026

1520 Royal Palm Square Blvd, Suite 100
Fort Myers, FL 33919
Phone: 239-433-4231
www.tdmcivilengineering.com
Certificate of Authorization # 29086

Proposed Amendment – Exhibit M11

The Applicant, Pondella Holdings, LLC, is requesting to amend Lee Plan Map 4-B, the Lee County Utilities Future Sewer Service Area Map by adding the subject property to the sewer service area. The development site is 6.42 acres, located in Section 10, Township 44 South, Range 24 East, along Pondella Road in North Fort Myers. The subject property has a future land use classification of Central Urban.

1520 Royal Palm Square Blvd, Suite 100
Fort Myers, FL 33919
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Pondella Holdings
Lee Plan Analysis – Exhibit M12
Revised 4-7-2026

Lee Plan Compliance:

***Policy 1.1.3**: The Central Urban future land use category can best be characterized as the "urban core" of the County. These areas are already the most heavily settled and have, or will have, the greatest range and highest levels of public services. Residential, commercial, public and quasipublic, and limited light industrial land uses will continue to predominate in the Central Urban future land use category. Future development in this category is encouraged to be mixed use, as described in Objective 11.1, where appropriate. The standard density range is from four dwelling units per acre (4 du/acre) to ten dwelling units per acre (10 du/acre), with a maximum total density of fifteen dwelling units per acre (15 du/acre). The maximum total density may be increased to twenty dwelling units per acre (20 du/acre) utilizing Greater Pine Island Transfer of Development Units.*

The Central Urban future land use category is described as the urban core of the county with the greatest range and highest levels of public services. Amending Lee Plan Map 4-B Lee County Utilities Future Sewer Service Area Map increases the level of public services available to the community. At this time, there's a small enclave of properties that lie outside of LCU's sewer franchise area or any other certified franchise area. Amending the Lee Plan Map 4-B is consistent with **Lee Plan Policy 1.1.3**.

***Objective 2.1: Development Location** promotes continuous and compact growth patterns through the rezoning process to contain urban sprawl, minimize energy costs, conserve land, water and natural resources, minimize the cost of services, and prevent development patterns where large tracts of land are by-passed in favor of development more distant from services and existing communities.*

***Policy 2.1.1**: Most residential, commercial, industrial, and public development is expected to occur within the designated future urban areas on the Future Land Use Map through the assignment of very low densities to the non-urban categories.*

***Policy 2.1.2**: New land uses will be permitted only if they are consistent with the Future Land Use Map and the goals, objectives, policies, and standards of this 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.*

The subject property is considered an infill parcel with existing development on all sides. As previously noted, the subject property is within a small enclave of land that is not serviced by a certified franchise area; however, LCU's future sewer service area is located to the east, south, and west of the property. The property has a wide range of urban services available, with the exception of sanitary sewer. Development of this property promotes compact and contiguous growth patterns in future urban areas where public facilities exist and are adequate to serve future developments. Amending Lee Plan Map 4-B Lee County Utilities Future Sewer Service Area Map increases the level of public services available to the community. Amending Lee Plan Map 4-B is consistent with **Lee Plan Objectives 2.1: Development Location and 2.2: Development Timing, and Policies 2.1.1 and 2.1.2.**

Objective 4.1: Water, Sewer, and Environmental Standards. *Consider water, sewer, and environmental standards during the rezoning process. Ensure the standards are met prior to issuing a local development order.*

Standard 4.1.1: Water.

1. 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).

2. If the proposed development lies within the boundaries of a water utility's certificated or franchised service area, or Lee County Utilities' future potable water service area (see Map 4- A), then the development must be connected to that utility.

3. The developer must provide proof that the prior commitments of the water utility, plus the projected need of the developer, do not exceed the supply and facility capacity of the utility.

Lee County Utilities (LCU) provided a Letter of Availability confirming that potable water lines are in operation adjacent to the subject property and that LCU presently has sufficient capacity to provide potable water service as estimated. LCU also stated that there are no reuse mains in the vicinity. This is consistent with **Lee Plan Standard 4.1.1: Water.**

Standard 4.1.2: Sewer.

1. 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.

2. If the proposed development exceeds the thresholds listed above and lies within the boundaries of a sewer utility's certificated or franchised service area, or Lee County Utilities' future sanitary sewer service area (see Map 4-B), and that utility has sufficient capacity to provide minimum service to the development, then the development must connect to that sewer utility if there is existing infrastructure adequate to accept the effluents of the development within l/4 mile from any part of the development.

3. If there is not sufficient capacity nor adequate infrastructure within l/4 mile of the development, the developer must provide proof in the form of a clearly stated rejection of service.

4. If a new development is located in a certificated or franchised service area, or Lee County Utilities' future sanitary sewer service area (see Map 4-B), and the utility cannot provide the

service, or cannot provide the service except at a clearly unreasonable cost to the developer, the developer may establish on a temporary basis a self-provided sanitary sewer facility for the development, to be abated when the utility extends service to the site. The developer may also petition the appropriate regulatory agency to contract the service area of the utility in order that another utility may be invited to provide the service.

5. If a development lies outside any service area as described above, the developer may:

- *request that the service area of Lee County Utilities or an adjacent sewer utility be expanded to incorporate the property;*
- *establish a self-provided sanitary sewer system for the development;*
- *develop at an intensity that does not require sanitary sewer service; or*
- *if no more than 5000 gallons of effluent per day per parcel is produced, an individual sewage disposal system per Fla. Admin. Code R. 64E-6 may be utilized, contingent on approval by all relevant authorities.*

6. Lee County Utilities may provide sanitary sewer service to properties not located within the future sewer service area when such sanitary sewer service is found to benefit public health, safety, and welfare, including protection of Lee County's natural resources.

The subject property lies outside of Lee County Utilities services area; however, the applicant is requesting to amend Lee Plan Map 4-B, Lee County Utilities Future Sewer Service Area Map, to permit LCU to provide sanitary sewer service to the site. LCU provided a Letter of Availability stating that sanitary sewer lines are currently not available adjacent to the site. The applicant is aware that developer-funded extensions may be required. The purpose of this application is to provide sanitary sewer to the future development of the subject property. The proposed amendment is consistent with **Lee Plan Standard 4.1.2: Sewer, subsection 5.**

Standard 4.1.3: Reuse.

1. Any development that requires a development order, on a property that is adjacent to public reuse infrastructure with sufficient capacity, must connect to the reuse system for irrigation needs.

2. Any new development that, at build-out, has an anticipated irrigation demand of 50,000 gallons per day, or more, using the Blaney-Criddle method, must connect to a public reuse system for irrigation needs when sufficient capacity and adequate infrastructure is within ¼ mile from any part of the development.

3. If there is not sufficient capacity or adequate infrastructure within ¼ mile of the development, the developer must provide proof in the form of a clearly stated rejection of service.

4. If a development has been rejected for reuse service, the proposed source of irrigation water must be identified consistent with Policy 61.1.6.

Lee County Utilities (LCU) provided a letter stating that there aren't any reuse mains in the vicinity of the subject property. The applicant will be required to provide the anticipated irrigation demand calculations at time of Development Order permitting and will be required to provide the necessary infrastructure at that time or provide the source of irrigation water (wells) consistent with Lee Plan Policy 61.1.6. This is consistent with **Lee Plan Policy 4.1.3.**

***Objective 5.1**: All development approvals for residential, commercial, and industrial land uses must be consistent with the following policies, the general standards under Goal 4, and other provisions of this plan.*

Amending Lee Plan Map 4-B to add the subject property to Lee County Utilities Future Sewer Service Area Map provides additional urban services to the land in the Central Urban future land use category. This is consistent with Goal 4 of the Lee Plan and **Objective 5.1.**

***Objective 6.1**: Development approvals for commercial land uses must be consistent with the following policies, the general standards under Goal 4, and other provisions of this plan.*

The subject property is located along a commercial corridor as identified by LDC Sec. 33-1566, the North Fort Myers Community Plan. As such, commercial development is encouraged at this location. Amending Lee Plan Map 4-B to add the subject property to Lee County Utilities Future Sewer Service Area Map provides additional urban services to the area. This is consistent with Goal 4 of the Lee Plan and **Objective 6.1.**

***Policy 11.2.1:** The Mixed Use Overlay identifies locations where mixed use development will have a positive impact on transportation facilities though increased transit service, internal trip capture, and reduced travel distance. Requests to expand the Mixed Use Overlay will be evaluated based on all of the following criteria:*

1. Located within the extended pedestrian shed of established transit routes; and,

2. Distinct pedestrian and automobile connections to adjacent uses can be achieved without accessing arterial roadways; and,

3. Located within the Intensive Development, Central Urban, or Urban Community future land use categories;

4. Availability of adequate public facilities and infrastructure; and

5. Will not intrude into predominately single-family residential neighborhoods.

The subject property is currently located in the Mixed-Use Overlay per Lee Plan Map 1-C. Once of the requirements is the availability of public facilities and infrastructure. Amending Lee Plan Map 4-B to add the subject property to LCU's Future Sewer Service Area Map is consistent with the Mixed-Use Over, **Policy 11.2.1.**

***Objective 17.3: Public Input**. To provide opportunities for public input as part of the comprehensive plan and land development code amendment process.*

***Policy 17.3.2**: One public information meeting is required for privately-initiated applications that propose a text change within a community plan or revises a map designation within a community plan area boundary. The meeting must be conducted before the application can be found complete.*

***Policy 17.3.4**: For required public information meetings, the applicant must provide the following:*

• Adequate meeting space to accommodate projected attendance and security measures (as needed).

• Advance notice of the meeting in a publication of local distribution provided at least ten calendar days prior to the meeting, unless otherwise specified herein.

• At the meeting, a general overview of the text or map amendment and effect thereof.

• *After the meeting, a meeting summary document submitted to the County 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.*

A Public Information Meeting was held on March 3, 2026 in the North Fort Myers community planning area as required by LDC Sec. 33-1532. The proposed comprehensive plan amendment and conventional rezoning applications were presented to the public. The public information meeting summary, notice of meeting, and sign-in sheet are included with the application. This is consistent with **Lee Plan Policies 17.3.4 and 17.3.5.**

***Goal 30: North Fort Myers Community Plan**. Improve the livability and economic vitality in the North Fort Myers Community Plan area by: promoting compact, mixed use development in the form of town and neighborhood centers; attracting appropriate investment to revitalize older neighborhoods and commercial corridors; stabilizing and enhancing, existing neighborhoods; and preserving natural resources.*

***Objective 30.4: Community Facilities & Services**. To provide community facilities and services within the Town Centers, Neighborhood Centers and Corridor Overlay Districts.*

***Policy 30.4.2**: Support the concept of a single source of sewage service to the North Fort Myers Community Plan area.*

The goal of the North Fort Myers community plan is to improve the livability and economic vitality in the area by promoting compact, mixed use development; attracting appropriate investment to revitalize older neighborhoods and commercial corridors; stabilizing and enhancing existing neighborhoods; and preserving natural resources. The subject property is located in the North Fort Myers planning community area along a designated corridor overlay - Pondella Road. As previously stated, the applicant assembled multiple vacant lots along Pondella Road, creating a site for future development. The site can be viewed as an infill development since the majority of the land on all four sides is currently developed with a mix of residential and commercial uses. Adding the subject property to Lee County Utilities (LCU) future sewer service area is consistent with Lee Plan Objective 30.4, which promotes community facilities and services within corridor overlay districts and Policy 30.4.2, which promotes the concept of a single source of sewage service to the North Fort Myers Community Plan Area. Amending Lee Plan Map 4-B, LCU's Future Sewer Service Area Map to include the subject property encourages future development and provides a necessary service to the community. This is consistent with **Lee Plan Goal 30, Objective 30.4 and Policy 30.4.2.**

***Goal 56: Sanitary Sewer Infrastructure**. In partnership with franchised/certificated utilities providers, provide sanitary sewer service and wastewater treatment and disposal throughout Lee County.*

***Objective 56.1**: The County will ensure the provision of acceptable levels of sanitary sewer service throughout the future urban areas of the unincorporated County, either directly by Lee County Utilities or a utility authority, or indirectly through franchised utility companies.*

The subject property is located in a future urban area of Lee County – Central Urban. According to the 2024 Concurrency Report, LCU has adequate facilities to serve the proposed development's estimated 6,420 GPD. As previously noted, the subject property is located within a small enclave

of land that is not located within a sewer franchise area; however, the properties to the east, south, and west are within the LCU's sewer franchise area. The Applicant is requesting to amend Lee Plan Map 4-B to expand LCU's Future Sewer Service Area, which is consistent with Lee Plan Goal 56 and Objective 56.1.

***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.*

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

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

A local development order and SFWMD ERP will be required for the development. The applicant must comply with the rules and regulations at that time, including LDC Article XI – Hurricane Preparedness and LDC Sec. 2-485 Impact Mitigation. This is consistent with **Lee Plan Policies 101.1.1, 101.3.2 and 101.3.4.**

ENVIRONMENTAL SUPPLEMENT

PONDELLA ROAD
NORTH FORT MYERS, FLORIDA 33903

JANUARY 2025

Prepared by: Christina Hall; Staff Biologist

TURRELL, HALL & ASSOCIATES, INC.
Marine & Environmental Consulting

PHONE: 239-643-0166 WWW.THANAPLES.COM

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1 INTRODUCTION

The proposed project is located at 353, 323, 333, 317, 375, 371, and 363 Pondella Road, and 40 and 36 Blair Street in North Fort Myers, Florida 33903 within Section 10, Township 44 South, and Range 24 East in Lee County. The subject property consists of approximately 6.54 acres and can be identified by the following Strap Numbers: 10-44-24-04-0000A.0010, 10-44-24-04-0000A.0020, 10-44-24-04-0000A.0040, 10-44-24-00-00016.0000, 10-44-24-00-00018.0010, 10-44-24-00-00021.0060, 10-44-24-00-00018.0000, 10-44-24-00-00020.0010, and 10-44-24-00-00021.0070.

The proposed project is a retail/residential development including one (1) retail building, two (2) residential buildings, and associated amenity areas, dog park, parking lots, an indigenous reserve and stormwater management structures.

This document provides information concerning the proposed project site as it relates to natural resources and environmental issues. It will be submitted to Lee County in support of a local building permit.

2 EXISTING CONDITIONS PRE-DEVELOPMENT

2.1 HABITAT DESCRIPTIONS AND VEGETATIVE ASSOCIATIONS

The Florida Land Use, Cover, and Forms Classification System (FLUCFCS) manual was used to classify all of the vegetative communities occurring within the site boundaries. The attached FLUCFCS exhibit on Sheet 2 shows the subject property, its vegetative cover, and depicts the approximate limits of the wetland and upland areas. A general description is provided below in Table 1 along with any site-specific nuances that may be relevant to the assessment.

Table 1: FLUCFCS Codes and Descriptions

FLUCFCS Code	Description	Acres	Jurisdictional Wetlands / OSW
111	Fixed Single Family Units	0.77	No
414E3	Pine Mesic Oak (Exotics 50-75%)	4.74	No
420E3	Upland Hardwood Forests (Exotics 50-75%)	0.45	No
514	Ditch	0.10	Yes
640E2	Vegetated Non-Forested Wetlands (Exotics 25-50%)	0.28	Yes
740	Disturbed Land	0.20	No
	Total:	**6.54**	**0.38**

2.1.1 111 – Fixed Single Family Units (0.77 acres)

The Fixed Single Family Units area on-site consists of a single family residence at 333 Pondella Road and its associated yard.

2.1.2 414E3 - Pine Mesic Oak (Exotics 50-75%) (4.74 acre)

The majority of the project area is Pine Mesic Oak community with 50-75% cover of exotic vegetation. It is dominated by slash pine (*Pinus elliottii*) and laurel oak (*Quercus laurifolia*) in the canopy with various invasive and nuisance species present in each stratum. Overall, the vegetation in this community is not dominated by hydrophytic vegetation. The soil sampled in this community did not display hydric characteristics and no hydrologic indicators were observed. A list of observed species and their approximate percent coverages within the Pine Mesic Oak (Exotics 50-75%) community on-site can be seen below in Table 2.

Table 2: Vegetation observed within the Pine Mesic Oak (Exotics 50-75%) community on-site:

Common Name	Scientific Name	Strata/ Substrata	Wetland Status	
			FDEP	USACE
Slash pine	*Pinus elliottii*	C, M	UPL	FACW
Wild banyan	*Focus citrifolia*	C	FAC	FAC
Laurel oak	*Quercus laurifolia*	M	FACW	FACW
Cabbage palm	*Sabal palmetto*	M, G	FAC	FAC

Java plum	*Syzygium cumini*	M, G	FAC	FAC
Tropical almond	*Terminalia catappa*	C	FAC	UPL
Brazilian pepper	*Schnius terebinthifolia*	M, G	FAC	FAC
Broomsedge	*Andropogon* sp.	G	FAC	FAC
Ragweed	*Ambrosia artemisiifolia*	G	UPL	FACU
False buttonweed	*Spermacoce* sp.	G	FAC	FAC
Tropical Mexican clover	*Richardia brasiliensis*	G	FAC	FAC
Grapevine	*Vitis* sp.	V	FAC	FAC
Greenbrier	*Smilax* sp.	V	FAC	FAC

C = Canopy M = Mid-story G = Groundcover V = Vine
OBL = Obligate Wetland FACW = Facultative Wetland FAC = Facultative
FACU = Facultative Upland UPL = Upland

2.1.3 420E3 - Upland Hardwood Forests (Exotics 50-75%) (0.45 acres)

The Upland Hardwood Forests (Exotics 50-75%) community is a small, forested area along the northeastern property boundary. Native vegetation is dominated by laurel oak and cabbage palm, while the remaining vegetation is comprised of invasive or nuisance species. Soils in this community do not appear to exhibit hydric characteristics and hydrologic indicators are not present. A list of species observed in the Upland Hardwood Forests (Exotics 50-75%) community can be found below in Table 3.

Table 3: Vegetation observed within the Upland Hardwood Forests (Exotics 50-75%) community on-site:

Common Name	Scientific Name	Strata/ Substrata	Wetland Status	
			FDEP	USACE
Laurel oak	*Quercus laurifolia*	C	FACW	FACW
Cabbage palm	*Sabal palmetto*	C, M	FAC	FAC
Java plum	*Syzygium cumini*	C	FAC	FAC
Royal poinciana	*Delonix regia*	C	FAC	UPL
Carrotwood	*Cupaniopsis anacarioides*	M, G	FAC	FAC
Creeping oxeye	*Sphagneticola trilobata*	G	FAC	FAC
False buttonweed	*Spermacoce* sp.	G	FAC	FAC

C = Canopy M = Mid-story G = Groundcover V = Vine
OBL = Obligate Wetland FACW = Facultative Wetland FAC = Facultative
FACU = Facultative Upland UPL = Upland

2.1.4 514 - Ditch (0.10 acres)

The Ditch community on-site refers to the linear stormwater ditch along Pondella Road. No water was present in the ditch during the site inspection; however, it is likely that this area holds water during the wet season.

2.1.5 640 – Vegetated Non-Forested Wetlands (Exotics 25-50%) (0.28 acres)

The Vegetated Non-Forested Wetlands (Exotics 25-50%) community on-site is a small wetland located in the northwestern portion of the property. This area is dominated by hydrophytic species but also exhibits recruitment of invasive vegetation. Soils in this community exhibit hydric characteristics in the form of muck presence, which is also a hydrologic indicator. A list of vegetation observed in the Vegetated Non-Forested Wetlands (Exotics 25-50%) can be found below in Table 4.

Table 4: Vegetation observed within the Vegetated Non-Forested Wetlands (Exotics 25-50%) community on-site:

Common Name	Scientific Name	Strata/ Substrata	Wetland Status	
			FDEP	USACE
Peruvian primrosewillow	*Ludwigia peruviana*	G	OBL	FACW
Broomsedge	*Andropogon glomeratus*	G	FACW	FACW
Whorled marshpennywort	*Hydrocotyle verticillate*	G	FACW	OBL
Cordgrass	*Spartina* sp.	G	FACW	FACW
False buttonweed	*Spermacoce* sp.	G	FAC	FAC
Bacopa	*Bacopa* sp.	G	OBL	OBL

C = Canopy M = Mid-story G = Groundcover V = Vine
OBL = Obligate Wetland FACW = Facultative Wetland FAC = Facultative
FACU = Facultative Upland UPL = Upland

2.1.6 740 – Disturbed Land (0.20 acres)

The Disturbed Land portion of the project site refers to an existing paved driveway located in the Pine Mesic Oak community on-site.

2.2 WETLANDS & OTHER SURFACE WATERS

Qualified Turrell, Hall & Associates, Inc. (THA) environmental staff inspected the project site for the purpose of delineating wetlands and other surface waters. The wetland delineation methodologies and criteria set forth by the state and the U.S. Army Corps of Engineers (in accordance with Chapter 62-340, FAC, and Version 2.0 of the Atlantic and Gulf Coastal Plain Regional Supplement to the Corps of Engineers Wetland Delineation Manual) were followed in determining whether an area was considered as a wetland or other surface water and in delineating the limits (boundaries) of potential jurisdictional wetlands and other surface waters.

2.2.1 Jurisdictional Status of Wetlands

The wetlands definitions in Chapter 62-340(19), F.A.C. and 33CFR 328.3 state that wetlands are those areas "inundated or saturated by surface water or ground water at a frequency and duration sufficient to support, and under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soils." The methodologies used to delineate a

wetland boundary as described in Chapter 62-340, F.A.C. use a series of tests in order to determine the presence of a wetland.

The 6.16-acres of Fixed Single Family Units, Pine Mesic Oak (Exotics 50-75%), Upland Hardwood Forests (Exotics 50-75%), and Disturbed Land communities do not meet the definition of a wetland. These areas are not dominated by hydrophytic vegetation, hydric soils are not present, nor are hydrologic indicators.

The 0.28-acre Vegetated Non-Forested Wetlands (Exotics 25-50%) community does meet the definition of a wetland. Vegetation in this community is primarily hydrophytic, soils exhibit hydric characteristics, and hydrologic indicators are present.

2.3 Listed Plant and Animal Species

Several listed animal species have the potential to occur on-site. These species include but are not limited to the Eastern indigo snake, the Florida bonneted bat (*Eumops floridanus*), Florida burrowing owl (*Athene cunicularia floridana*), gopher tortoise (*Gopherus polyphemus*), and the red-cockaded woodpecker (*Picoides borealis*). The probability of these animals utilizing suitable habitats ranges from high to low depending on the particular species. It is improbable that most of these species currently reside or nest on-site. A list of potential listed species and their designations are provided below in Table 5.

Table 5: Potential Threatened and Endangered Species

Common Name	Scientific Name	Status
Bald eagle	*Haliaeetus leucocephalus*	*
Black skimmer	*Rynchops niger*	ST
Eastern indigo snake	*Drymarchon couperi*	FT
Florida bonneted bat	*Eumops floridanus*	FE
Florida burrowing owl	*Athene cunicularia floridana*	ST
Gopher tortoise	*Gopherus polyphemus*	ST
Least tern	*Sternula antillarum*	ST
Little blue heron	*Egretta caerulea*	ST
Red-cockaded woodpecker	*Picoides borealis*	FE
Roseate spoonbill	*Platalea ajaja*	ST
Tricolored heron	*Egretta tricolor*	ST
Wood stork	*Mycteria americana*	FT

FE = Federally Endangered FT = Federally Threatened ST = State Threatened
* = Non-listed, protected species

A survey for listed animal and plant species was conducted within the project area by THA biologists. This threatened and endangered species survey and its results are discussed in the attached listed species survey report in Appendix B.

3 PROPOSED CONDITIONS POST-DEVELOPMENT

3.1 PROPOSED PROJECTS

The proposed project is a retail/residential development including one (1) 5,000 square foot retail building, one (1) 65-unit, 14,892 square foot residential building, one (1) 60-unit, 14,892 square foot residential building, and associated dog park, amenity areas, parking lots, indigenous preserve and stormwater management structures.

3.2 IMPACTS TO WETLANDS

The small portion of isolated wetland habitat in the northwestern corner of the project site will be entirely impacted by the proposed development. Parking associated with the retail structure is proposed in this area.

3.3 PROJECT IMPACTS TO LISTED SPECIES

The Listed Species Survey Report in Appendix B provides an assessment of the proposed project's potential impacts to various listed animal species. The species addressed include those observed on or in close proximity to the subject property as well as certain species that could potentially occur on the subject site or on nearby off-site parcels.

3.4 PROJECT IMPACTS TO HISTORICAL & ARCHAEOLOGICAL RESOURCES

There is one resource listed in the Florida Master Site File Culture resource roster at 363 Pondella Road, Strap: 10-44-24-04-0000A.0040. The resource, LL01604, was a frame vernacular, single-story residence that was recorded in March 1992. The historical structure form lists the structure was "altered from its original condition and no longer exhibits any historic architectural significance". The structure no longer exists.

There are no other historical or archaeological resources located within the vicinity of the project.

3.5 PROJECT IMPACTS TO INDIGENOUS HABITAT

The proposed project would be considered a "small project" under the Lee County Land Development Code (LDC) and open space and indigenous preserve requirement will be based on that determination. Under the LDC, the development will have a 10% open space requirement of which 50% must be indigenous habitat (0.32 acre). The project is preserving 0.86 acre of upland habitat in the southernmost portion of the site.

4 PHOTOS



Figure 1: Fixed Single Family Units community on-site.



Figure 2: Pine Mesic Oak (Exotics 50-75%) community on-site.



Figure 3: Upland Hardwood Forests (Exotics 50-75%) community.



Figure 4: Ditch community on-site along Pondella Road.



Figure 5: Vegetated Non-forested Wetlands (Exotics 25-50%) community on-site.



Figure 6: View of the Disturbed Lands community on-site.

Appendix A: Exhibits

p:\22144.00 tdm consulting - master file\22144.36 tdm - pondella rd\CAD\PERMIT-STATE\22144.36-STATE.dwg LOCATION MAP 2/1/2025

STATE OF FLORIDA



LEE COUNTY



VICINITY MAP



COUNTY AERIAL

SITE ADDRESS:
<> PONDELLA RD
N FORT MYERS, FL 33903

<> LATITUDE: N 26.666709
<> LONGITUDE: W -81.893715

NOTES:
<> THESE DRAWINGS ARE FOR PERMITTING PURPOSES ONLY AND ARE NOT INTENDED FOR CONSTRUCTION USE.

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RY NO. 5875

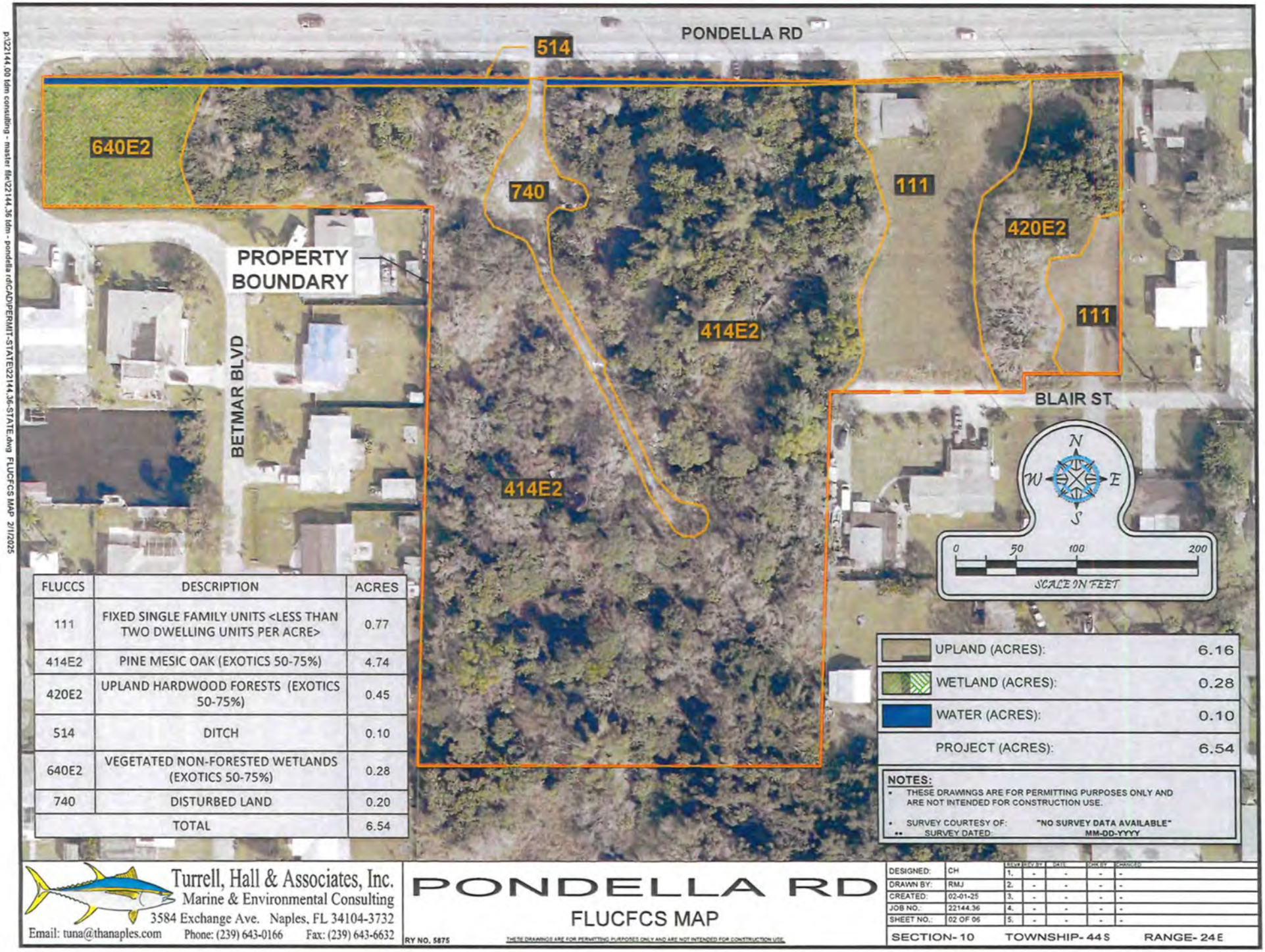
PONDELLA RD

LOCATION MAP

THESE DRAWINGS ARE FOR PERMITTING PURPOSES ONLY AND ARE NOT INTENDED FOR CONSTRUCTION USE.

		REV#	REV BY	DATE	CHK BY	CHANGES
DESIGNED:	CH	1.	-	-	-	-
DRAWN BY:	RMJ	2.	-	-	-	-
CREATED:	02-01-25	3.	-	-	-	-
JOB NO.:	22144.36	4.	-	-	-	-
SHEET NO.:	01 OF 06	5.	-	-	-	-

SECTION- 10 TOWNSHIP- 44S RANGE- 24E



FLUCCS	DESCRIPTION	ACRES
111	FIXED SINGLE FAMILY UNITS <LESS THAN TWO DWELLING UNITS PER ACRE>	0.77
414E2	PINE MESIC OAK (EXOTICS 50-75%)	4.74
420E2	UPLAND HARDWOOD FORESTS (EXOTICS 50-75%)	0.45
514	DITCH	0.10
640E2	VEGETATED NON-FORESTED WETLANDS (EXOTICS 50-75%)	0.28
740	DISTURBED LAND	0.20
TOTAL		6.54

UPLAND (ACRES):	6.16
WETLAND (ACRES):	0.28
WATER (ACRES):	0.10
PROJECT (ACRES):	6.54

NOTES:

- THESE DRAWINGS ARE FOR PERMITTING PURPOSES ONLY AND ARE NOT INTENDED FOR CONSTRUCTION USE.
- SURVEY COURTESY OF: "NO SURVEY DATA AVAILABLE"
- SURVEY DATED: MM-DD-YYYY

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PONDELLA RD

FLUCFCS MAP

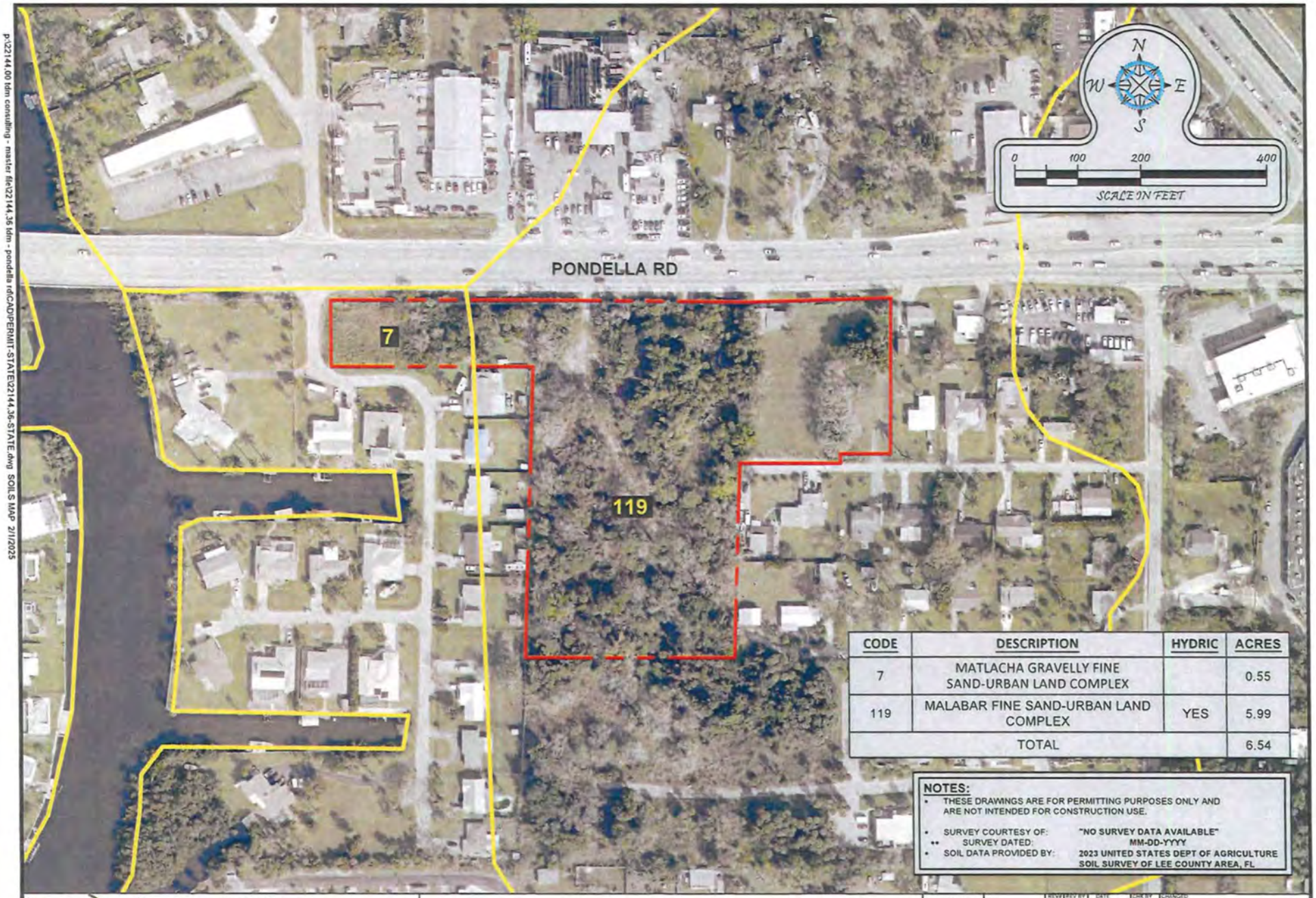
RY NO. 5875

THESE DRAWINGS ARE FOR PERMITTING PURPOSES ONLY AND ARE NOT INTENDED FOR CONSTRUCTION USE.

DESIGNED:	CH					
DRAWN BY:	RMJ	1.	-	-	-	-
CREATED:	02-01-25	2.	-	-	-	-
JOB NO.:	22144.36	3.	-	-	-	-
SHEET NO.:	02 OF 06	4.	-	-	-	-
		5.	-	-	-	-

SECTION- 10 TOWNSHIP- 44 S RANGE- 24 E

p:\22144.00 tdm consulting - master file\22144.36 tdm - pondella rd\CAD\PERMIT-STATE\22144.36-STATE.dwg FLUCFCS MAP 2/1/2025



CODE	DESCRIPTION	HYDRIC	ACRES
7	MATLACHA GRAVELLY FINE SAND-URBAN LAND COMPLEX		0.55
119	MALABAR FINE SAND-URBAN LAND COMPLEX	YES	5.99
	TOTAL		6.54

NOTES:

- THESE DRAWINGS ARE FOR PERMITTING PURPOSES ONLY AND ARE NOT INTENDED FOR CONSTRUCTION USE.
- SURVEY COURTESY OF: "NO SURVEY DATA AVAILABLE"
- ** SURVEY DATED: MM-DD-YYYY
- SOIL DATA PROVIDED BY: 2023 UNITED STATES DEPT OF AGRICULTURE SOIL SURVEY OF LEE COUNTY AREA, FL

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PONDELLA RD

SOILS MAP

RY NO. 5875

THESE DRAWINGS ARE FOR PERMITTING PURPOSES ONLY AND ARE NOT INTENDED FOR CONSTRUCTION USE.

		REVISED BY	DATE	CHK BY	CHANGED
DESIGNED:	CH	1. -	-	-	-
DRAWN BY:	RMJ	2. -	-	-	-
CREATED:	02-01-25	3. -	-	-	-
JOB NO.:	22144.36	4. -	-	-	-
SHEET NO.:	03 OF 06	5. -	-	-	-

SECTION- 10 TOWNSHIP- 44 S RANGE- 24 E

p:\22144.00 tdm consulting - master file\22144.36 tdm - pondella rd\CAD\PERMIT-STATE\22144.36-STATE.dwg SOILS MAP 2/1/2025

APPENDIX B: LISTED SPECIES SURVEY

LISTED SPECIES SURVEY REPORT

PONDELLA ROAD
NORTH FORT MYERS, FLORIDA 33903

JANUARY 2025

Prepared by: Jack Hartfelder; Staff Biologist

TURRELL, HALL & ASSOCIATES, INC.
Marine & Environmental Consulting

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1 INTRODUCTION

Turrell, Hall & Associates, Inc. (THA) has conducted a listed species survey at 353, 323, 333, 317, 375, 371, and 363 Pondella Road, and 40 and 36 Blair Street in North Fort Myers, Florida 33903 on January 3, 2025. The project property is located within Section 10, Township 44 South, and Range 24 East in Lee County. The project property consists of approximately 6.54 acres and can be identified by the following Strap Numbers: 10-44-24-04-0000A.0010, 10-44-24-04-0000A.0020, 10-44-24-04-0000A.0040, 10-44-24-00-00016.0000, 10-44-24-00-00018.0010, 10-44-24-00-00021.0060, 10-44-24-00-00018.0000, 10-44-24-00-00020.0010, and 10-44-24-00-00021.0070. The purpose of this report is to provide a summary of wildlife observations within the project area and to consider the potential effects of the proposed project on any local, state, or federal listed species that may utilize the project area for feeding, foraging, or nesting purposes.

2 METHODOLOGY

Prior to any wildlife survey, careful consideration is given to the habitat types in question and species that are known to utilize such areas. Several publications and references are also consulted, including The Official List of Florida's Endangered Species, Florida's Endangered and Threatened Species (dated December 2022), Florida's Imperiled Species Management Plans, Florida Fish and Wildlife Conservation Commission (FWC) Species Conservation Measures and Permitting Guidelines, The U.S. Fish and Wildlife Service's (FWS) Information for Planning and Consultation, the Florida Natural Areas Inventory (FNAI), and Lee County aerial photography.

The basic objective of any wildlife survey is to obtain evidence that wildlife species are utilizing the project site. This site may be comprised of a primary or secondary foraging zone, a nesting zone, or merely adjacent to those sites with regard to a particular listed species. As many listed species in Florida are cryptic and/or nocturnal, patience and sufficient time must be devoted to the survey.

Aerial photography and the Florida Land Use, Cover, and Forms Classification System (FLUCFCS) maps of the site and surrounding area were consulted before arriving on-site. After thorough consideration of the existing habitats, a potential list of species that could be found on-site was developed. The required survey procedure for each species was then followed to determine if any listed species was utilizing the project area.

A system of meandering transects was followed throughout the project area in the afternoon to survey for gopher tortoises, burrowing owls, and other anticipated or potential species that could occur on the project lands. Qualified THA biologists traversed the entire site in a series of linear transects spaced approximately 10 feet apart.

3 PRELIMINARY RESEARCH

Prior to field investigations, aerial photos, soil maps, and prior mapping of the project area were reviewed to identify various vegetation associations that are present on and adjacent to the project area. Various publications and databases were reviewed to identify listed plant and wildlife species, which could occur as well as those that had been previously documented on or near the project site and also to gather information concerning the listed species.

Based on the habitat types that were identified, existing knowledge of the project area, correspondence with other consultants, and review of publications and databases, a preliminary list of protected plant and animal species with the potential to occur within or near the project area was determined.

As used herein, the term "listed species" refers to those animals listed as endangered or threatened by the FWS or the FWC. The following subsections document these efforts and their results. Table 1 below features a list of listed species that could potentially utilize the project area.

Table 1: Potential Threatened and Endangered Species

Common Name	Scientific Name	Status
Bald eagle	*Haliaeetus leucocephalus*	*
Black skimmer	*Rynchops niger*	ST
Eastern indigo snake	*Drymarchon couperi*	FT
Florida bonneted bat	*Eumops floridanus*	FE
Florida burrowing owl	*Athene cunicularia floridana*	ST
Gopher tortoise	*Gopherus polyphemus*	ST
Least tern	*Sternula antillarum*	ST
Little blue heron	*Egretta caerulea*	ST
Red-cockaded woodpecker	*Picoides borealis*	FE
Roseate spoonbill	*Platalea ajaja*	ST
Tricolored heron	*Egretta tricolor*	ST
Wood stork	*Mycteria americana*	FT

FE = Federally Endangered FT = Federally Threatened ST = State Threatened FT (S/A) = Federally
*** = Non-listed, protected species**

4 EXISTING CONDITIONS

The project area is 1.34 acre in size and consists of two vegetative communities. The project area is bordered by various stages of commercial development on all sides.

The Florida Land Cover Classification System (FLUCFCS) manual was used to classify land use within the site boundaries. The FLUCFCS exhibit attached depicts the project area. Table 2 below features a general list of vegetative cover.

Table 2: FLUCFCS Codes and Descriptions

FLUCFCS Code	Description	Acres
111	Fixed Single Family Units	0.77
414E3	Pine Mesic Oak (Exotics 50-75%)	4.74
420E3	Upland Hardwood Forests (Exotics 50-75%)	0.45
514	Ditch	0.10
640E2	Vegetated Non-Forested Wetlands (Exotics 25-50%)	0.28
740	Disturbed Land	0.20
	Total:	**6.54**

5 RESULTS

The 2659 NE 9th Avenue project site was surveyed by one THA biologist on January 3, 2025 from 9:45 AM to 11:00 AM. The weather conditions were favorable with clear skies (5% cloud cover).

5.1 LISTED SPECIES OBSERVED ON-SITE

During the site inspection, no evidence of listed species utilization was observed.

5.2 SPECIES OBSERVED ON-SITE

While surveying the project area for listed species, biologists recorded sightings and signs of non-listed wildlife. Table 3 below features all wildlife observed on or adjacent to the project site.

Table 3: List of Species Observed On-site

Common Name	Scientific Name	Status
Turkey vulture	*Cathartes aura*	
Gray catbird	*Dumetella carolinensis*	
Blue jay	*Cyanocitta cristata*	
Yellow-rumped warbler	*Setophaga coronata*	
Palm warbler	*Setophaga palmarum*	
Blue-gray gnatcatcher	*Polioptila caerulea*	
Racoon	*Procyon lotor*	

FE = Federally Endangered FT = Federally Threatened ST = State Threatened

6 DISCUSSION

6.1 PROJECT OVERVIEW

The proposed project is a retail/residential development including one (1) 5,000 square foot retail building, one (1) 65 unit, 14,892 square foot residential building, one (1) 60 unit, 14,892 square foot residential building, and associated dog park, amenity areas, parking lots, indigenous reserve and stormwater management structures.

6.2 PROJECT IMPACTS TO LISTED SPECIES

6.2.1 Bald eagle (Haliaeetus leucocephalus)

While no longer a listed species, state or federally, the bald eagle (*Haliaeetus leucocephalus*) is still protected by state rule 68A-16.002, F.A.C., and federal laws (Migratory Bird Treaty Act of 1918 and the Bald and Golden Eagle Protection Act of 1940). An incidental take permit may be needed for activities taking place within 660 feet of an eagle nest during the breeding season (October 1 - May 15). No eagle nests were observed on or adjacent to the project area during surveys. Four bald eagle nests are recorded near the project area. One active nest, LE133, is located approximately 0.48 miles northeast of the project area. Three unmonitored nests LE043a, LE043b, and LE043, are located approximately 0.74 miles west, 0.70 miles southwest, and 0.65 miles of the project area respectively. No state or federal permitting will be required for eagle nests in regard to this project area.

6.2.2 Eastern indigo snake (Drymarchon couperi)

The eastern indigo snake (*Drymarchon couperi*) is listed as federally threatened. Generally, this species lives and hunts in a wide variety of habitats, and its territory can cover large areas. It can be associated with gopher tortoise burrows (as a commensal) and favors pine flatwoods, palmetto prairies, and scrub habitats as well as wetland edges. It is relatively reclusive in nature and is rarely observed in the wild. Immediately prior to construction on the project area, an eastern indigo snake survey will be necessary to ensure that they are not utilizing areas where large equipment will be deployed. No eastern indigo snakes have been observed on-site. However, indigo snakes could potentially frequent parts of the project area. Special construction guidelines to protect the indigo snake will have to be followed by construction personnel during all phases of construction work performed on-site.

6.2.3 Florida bonneted bat (Eumops floridanus)

The Florida bonneted bat (Eumops floridanus) is a federally endangered bat species that utilizes relatively open terrestrial and freshwater areas as foraging habitat and as a source of drinking

water. Their roosting habitat includes forests or other areas with suitable roost structures (tree snags, trees with cavities, artificial cavities, etc.). No cavity trees were observed on-site. If any cavities are observed before development begins, they will be inspected prior to construction by means of a small camera and monitor system to ensure that they are unoccupied prior to being cut down. The project area is located within the Florida Bonneted Bat Consultation Area and contains foraging habitat. Due to the small size of the action area, if required best management practices are followed the project "May Affect, but is Not Likely to Adversely Affect" the Florida bonneted bat. Consultation will be required to confirm the impact of development of the project area on the Florida bonneted bat.

6.2.4 Florida burrowing owl (Athene cunicularia floridana)

The Florida burrowing owl (Athene cunicularia floridana) is a subspecies of the burrowing owl (Athene cunicularia) that occurs in Florida. It is classified as a State-designated Threatened Species in the Florida Endangered and Threatened Species List. It is a small, long-legged owl that uses burrows year-round for breeding and roosting purposes. Burrowing owls prefer well-drained sandy soil with low vegetation, typically native dry prairies. No burrowing owls were observed on-site or adjacent areas. There are many burrowing owl burrows in cape coral to the west of the project site. Development of the project is unlikely to result in any impact on Florida burrowing owls or their habitat. It is possible that once the project area is scraped for development, burrowing owl habitat may be temporarily created. Contractors will be educated on the Florida burrowing owl and any newly created burrows will be posted and avoided. All permitting guidelines will be followed until the burrows can be excavated under an incidental take permit.

6.2.5 Gopher tortoise (Gopherus polyphemus)

The gopher tortoise (*Gopherus polyphemus*) is listed as a threatened species by the FWC. This species prefers upland habitats, particularly xeric scrub communities, and higher-elevation pine flatwoods. They can also be found in disturbed upland areas, including fallow and abandoned agricultural fields, perimeters of active crop fields, and pastures. No gopher tortoise burrows were observed on the project area. An updated gopher tortoise survey will be required prior to any development of the project area. If any gopher tortoises are found, all state and federal permitting guidelines will be followed in association with the development of the project area.

6.2.6 Red-cockaded woodpecker (Picoides borealis)

The red-cockaded woodpecker (*Picoides borealis;* referred to in the following as "RCW") is a federally endangered species that typically utilizes mature pine woodlands and savannas. RCWs nest in cavities of mature, large, live pine trees. Stands with developed hardwood midstory are not suitable foraging or nesting habitat. The site area was surveyed for RCW cavities, and none were located on-site. The closest active RCW colony is approximately 15.5 miles north of the

project area in the Babcock-Webb Wildlife Management Area. Given the absence of suitable habitat or mature live cavity trees, there is a low probability of occurrence on-site.

6.2.7 *Imperiled beach-nesting birds*

The project area in its current state would not support use by imperiled beach-nesting birds, such as black skimmers (*Rynchops niger*) and least terns (*Sternula antillarum*), both of which are classified as a State-designated Threatened Species in the Florida Endangered and Threatened Species List. No least terns or black skimmers were observed during surveys. It is possible that once the project area is scraped for development or preservation, breeding habitat could be created. Both species have been recorded using land cleared for construction in Florida. If any imperiled beach nesting birds are observed in the project area during project activities, an approved bird monitor will identify nesting sites and maintain buffer areas to prevent any incidental take of imperiled beach-nesting birds.

6.2.8 *Various Listed Wading birds*

Little Blue herons (*Egretta caerulea*), tricolored herons (*Egretta tricolor*), roseate spoonbills (*Platalea ajaja*), and wood storks (*Mycteria americana*), could utilize the roadside swales that run parallel to Pondella Road. Wading birds may use the vegetated non-forested wetlands in the northwest corner of the property, but it does not appear to hold water for long enough to concentrate substantial forage for listed wading birds. No wading birds, listed or unlisted, were observed on-site. No nests of these species have been recorded within the project area. There are two wood stork breeding colonies, "Caloosahatchee River West" and "Caloosahatchee River East" that are 4.17 miles and 6.37 miles east-northeast of the project, respectively. The proposed wetland impacts are under half an acre and the project area is not within 0.47 miles of a colony site, therefore the project is "not likely to adversely affect" the wood stork. The proposed project will not impact the existing roadside swales and the proposed stormwater retention areas will create new potential foraging habitat for listed wading bird species.

7 CONCLUSION

THA performed a listed species survey of the approximately 6.54-acre project area in Lee County, Florida. No evidence of listed species utilization was observed. Although listed species were not observed, they have the potential to be impacted by the proposed development of the project area.

Special construction guidelines to protect the indigo snake will have to be followed by construction personnel during all phases of construction work performed on-site.

The project "May Affect, but is Not Likely to Adversely Affect" the Florida bonneted bat. Consultation will be required to confirm the impact of development of the project area on the Florida bonneted bat.

Development of the project is unlikely to result in any impact on Florida burrowing owls or their habitat. It is possible that once the project area is scraped for development, burrowing owl habitat may be temporarily created. Contractors will be educated on the Florida burrowing owl and any newly created burrows will be posted and avoided

An updated gopher tortoise survey will be required prior to any development of the project area. If any gopher tortoises are found, all state and federal permitting guidelines will be followed in association with the development of the project area.

Little Blue herons, tricolored herons, roseate spoonbills, and wood storks, could utilize the roadside swales that run parallel to Pondella Road. The proposed project will not impact the existing roadside swales and the proposed stormwater retention areas will create new potential foraging habitat for listed wading bird species. The proposed wetland impacts are under half an acre and the project area is not within 0.47 miles of a colony site, therefore the project is "not likely to adversely affect" the wood stork.

Based on THA's observations, if the development of this site provides for appropriate design and management guidelines, it will not adversely affect any endangered, threatened, or otherwise protected species. These management guidelines shall be coordinated with the appropriate local, state, and federal agencies to better ensure their protection.

PONDELLA HOLDINGS
TOPOGRAPHIC MAP WITH FEMA FLOOD ZONES



Parcel 10-44-24-L2-00018.0010

FIRM Flood Zones

AE-EL9 (NAVD88)

AE-EL10 (NAVD88)

*Due to the varying accuracy of parcel lines, this value should only be considered an estimate.

STRAP 104424L2000180010

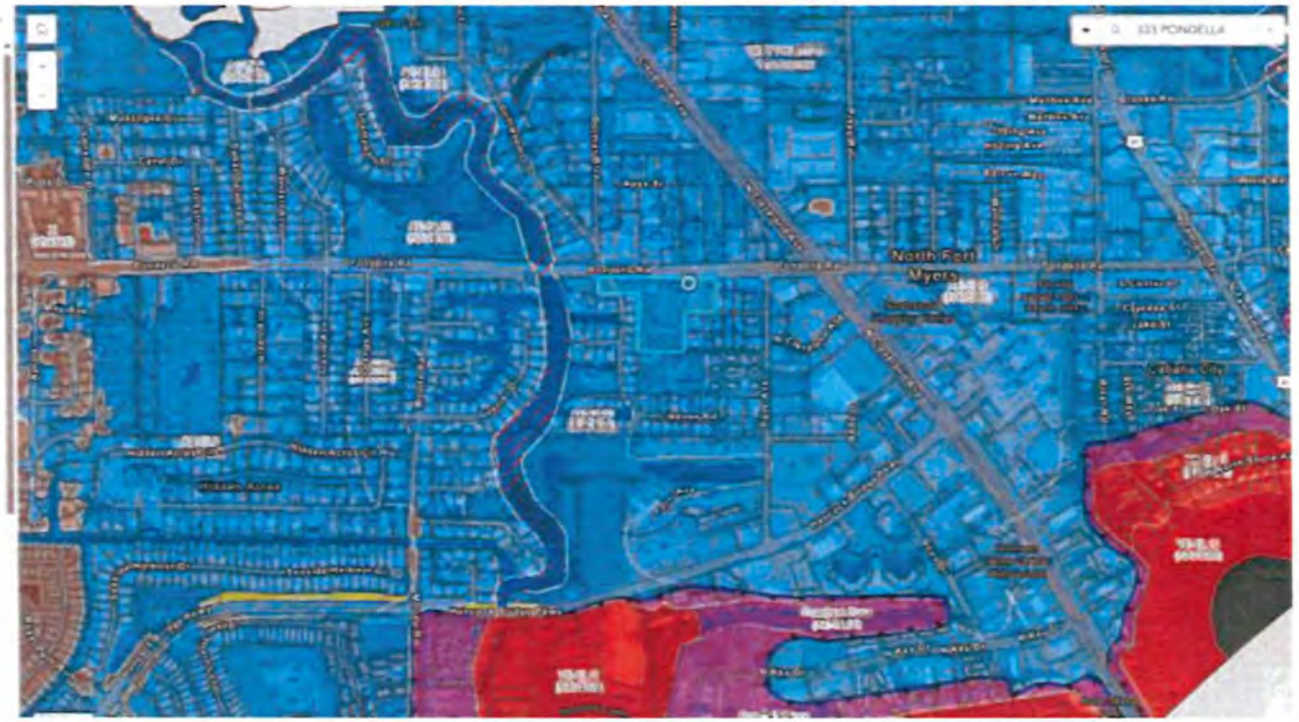
Folio ID 10613772

333 PONDELLA RD
NORTH FORT MYERS, FL 33903

PONDELLA HOLDINGS LLC
c/o REDBURN DEVELOPMENT INC
204 LAFAYETTE ST #2
SCHENECTADY NY 12305

LOTS 1 THRU 4 LESS R/W AS DESC IN OR 2306/1108 + 2269/3771 LESS R/W + NE 575 FT OF SE 248 FT OF NW 248 FT OF SW 322 OF NW 350 OF NE 567 OF NE 1/4 MORE OR LESS + PARCEL DESC IN 2023000043899

UNINCORPORATED LEE COUNTY




Lee County
Unincorporated A
125124
RYMSHA RD
CLEVELAND AVE
PINEY RD
JB RANCH MHP
BETMAR BLVD
SILVER SWORD CT
MAILBOX A
HITZING
BOBBY CT
DRIFTWOOD DR
APEX ST
BARRON WAY
LOYAL HANNA ST
LAMAR RD
PINECREST ST
ZONE AE (EL 9)
MONICA LN
D
Bridge
PONDELLA RD
CLEVELAND AVE
HANCOCK BRIDGE SQUARE
BLAIR ST
JAYE CT
HOLLY DR
MAP AREA SHOWN ON THIS PANEL IS LOCATED WITHIN TOWNSHIP 43 SOUTH, RANGE 24 EAST AND TOWNSHIP 44 SOUTH, RANGE 24 EAST.
QUIETWOODS CT
41
CLEAVES RD
C
STILLWATER CT
PROFESSIONAL PL
NORTH R CENTER
Riverine Floodway Shown in Coastal Zone - Refer to the Flood Insurance Study Report for additional information.
PALM AVE
Hancock Creek
B
BEAU DR
ZONE AE (EL 10)
MARINATOWN LN
ZONE AE (EL 9)
HANCOCK BRIDGE PKWY
ZONE AE (EL 11)
NE VE
L 11)
NORTH KEY DR
ZONE
(EL

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Historic Resources Impact Analysis – Exhibit M14
Revised 4-8-2026

Analysis

The Florida Division of Historic Resources provided a map identifying a single Florida Structure on the subject property. The site address is listed as 363 Pondella Road, which was a single lot prior to the lot combination. Additional information on the Cultural Resource Roster states the item is a Frame Vernacular. Archaeological Consultants, Inc. provided the survey information in 1992. Since that time, the structure has been removed from the site (by one of the previous property owners). Looking at the Aerials provided by the Property Appraiser's Office, the structure was removed prior to 1998 by the property owner.

The historic resource (Florida Structure) is no longer located on the subject property so the site is unencumbered. In addition, amending Lee Plan Map 4-B Lee County Utilities Future Sewer Service Area Map to include the subject property will have no impacts on the Historic or Archaeological Sensitivity level of the property. The Archaeological Sensitivity of the subject property is unrelated to the amendment request.



Legend

- FloridaSites
- FloridaStructures
- HistoricalBridges
- HistoricalCemeteries
- ResourceGroups
- FieldSurveys

Created: 4/8/2026

AR=0
SS=1
CM=0
RG=0
BR=0
Total=1

Cultural Resource Roster

SiteID	Type	Site Name	Address	Additional Info	SHPO Eval	NR Status
LL01604	SS	363 PONDELLA RD	363 PONDELLA RD, FT MYERS	Frame Vernacular		

Florida Master Site File

Manuscript Roster

Total=1

MS#	Title	Publication Information	Year
3051	A Cultural Resources Survey of a Portion of Pondella Road from Joerin Avenue to Betmar Blvd., Lee County, Florida	Archaeological Consultants, Inc., Sarasota. Submitted to Ink Engineering, Inc., North Fort Myers.	1992

PONDELLA HOLDINGS
ARCHAEOLOGICAL SENSITIVITY ZONES MAP

EXHIBIT M-14



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Pondella Holdings

Public Facilities Impacts Analysis
Exhibit M15

Analysis

Amending Lee Plan Map 4-B Lee County Utilities Future Sewer Service Area Map to include the subject property will have no impacts on Public Facilities with the exception of sanitary sewer. Please see Exhibit M-17 Existing and Future Conditions Analysis for the sanitary sewer analysis.

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Traffic Circulation Analysis – Exhibit M16

Amending Lee Plan Map 4-B Lee County Utilities Future Sewer Service Area Map to include the subject property will have no impacts on the traffic circulation of Pondella Road or the nearby roadway network. An analysis of traffic generated by the proposed development is unrelated to the amendment request.

Lee County
Southwest Florida

Board of County Commissioners

Kevin Ruane
District One

Cecil L Pendergrass
District Two

David Mulicka
District Three

Brian Hamman
District Four

Trish Petrosky
District Five

Dave Harner, II
County Manager

Richard Wm. Wesch
County Attorney

Donna Marie Collins
County Hearing
Examiner

February 27, 2026 Via E-Mail

Veronica Martin
TDM Consulting, Inc.
1520 Royal Palm Square Blvd, Suite 100
Fort Myers, FL 33919

RE: **Potable Water and Wastewater Availability**
333 Pondella Road
333 Pondella Rd, North Fort Myers, FL 33903
STRAP # 10-44-24-L2-00018.0010

To whom this may concern:

The subject property is located within Lee County Utilities Future Service Area as depicted on Map 4A of the Lee County Comprehensive Land Use Plan for potable water. The subject property is not located within the Lee County Utilities Future Service Area as depicted on Map 4B of the Lee County Comprehensive Land Use Plan for Wastewater. Potable water lines are in operation adjacent to the property mentioned above. However, to provide service to the subject parcels, developer funded system enhancements such as line extensions may be required.

Your firm has indicated that this project will consist of a multi-family development with 120 units and a 4,500 sq. ft. retail complex with an estimated flow demand of approximately 19,650 gallons per day. Lee County Utilities presently has sufficient capacity to provide potable water service as estimated above.

Availability of potable water and sanitary sewer service is contingent upon final acceptance of the infrastructure to be constructed by the developer. Upon completion and final acceptance of this project, potable water service will be provided through our North Lee County Water Treatment Plant.

Sanitary sewer and Reuse services from Lee County Utilities are currently not available adjacent to this property.

Prior to beginning design work on this project, please meet with LCU Staff to determine the best point of connection and discuss requirements for construction. This letter should not be construed as a commitment to serve, but only as to the availability of service. Lee County Utilities will commit to serve only upon receipt of all appropriate connection fees, a signed request for service and/or an executed service agreement, and the approval of all State and local regulatory agencies.

Further, this letter of availability of potable water and sanitary sewer service is to be utilized for rezoning and comprehensive plan amendment purposes only. Individual letters of availability will be required for the purpose of obtaining building permits.

Sincerely,

Aixa Cruz

LEE COUNTY UTILITIES
Utilities Plan Reviewer, 239-533-8531

Lee County
Southwest Florida

LEE COUNTY UTILITIES
REQUEST FOR LETTERS OF AVAILABILITY

DATE: FEBRUARY 26, 2026

TO: DCAP STAFF
Lcudcap@leegov.com

FROM: VERONICA MARTIN

FIRM: TDM CONSULTING, INC.

ADDRESS: 1520 ROYAL PALM SQUARE BLVD, SUITE 100

ADDRESS: FORT MYERS, FL 33919 -

PHONE#: (239)433-4231 FAX: ( ) -

E-MAIL ADDRESS: VMARTIN@TDMCONSULTING.COM

PROJECT NAME: 333 PONDELLA ROAD

PREVIOUS PROJECT NAME(S):

STRAP NUMBER(S): 10-44-24-L2-00018.0010

PRIOR STRAP NUMBER(S) (IF ANY):

LOCATION/SITE ADDRESS: 333 PONDELLA ROAD, NORTH FORT MYERS, FL 33903

PURPOSE OF LETTER:

☐ DEVELOPMENT ORDER SUBMITTAL ☐ FINANCING ☐ EFFLUENT REUSE
☐ PERMITTING OF SURFACE WATER MANAGEMENT (SOUTH FLORIDA WATER MANAGEMENT DISTRICT)
☒ OTHER: (PLEASE SPECIFY) REZONING APPLICATION AND COMP PLAN AMENDMENT

PLANNED USE:

☒ COMMERCIAL ☐ INDUSTRIAL ☒ RESIDENTIAL - (☐ SINGLE-FAMILY ☒ MULTI-FAMILY)
☐ OTHER: (PLEASE SPECIFY) ____

PLANNED # OF COMMERCIAL/INDUSTRIAL BUILDINGS: 1 TOTAL SQUARE FOOTAGE 4,500 SF

RESIDENTIAL UNITS: SINGLE-FAMILY: ____ MULTI-FAMILY: 120

AVERAGE ESTIMATED DAILY FLOW (GPD): 19,650 (☒ WATER ☒ WASTE-WATER) (GPD): 19,650 ☒ REUSE

PLEASE SHOW CALCULATION USED TO DETERMINE AVERAGE ESTIMATED DAILY FLOW (GPD) PER CRITERIA SET FORTH IN LEE COUNTY UTILITIES DESIGN MANUAL: ____

Multi Family

120 Units X 160 GPD/Unit = 19,200 GPD

Retail

4,500 SF X 0.10 GDP/SF = 450 GPD

Total Flow for both Water and Sewer = 19,650 GPD

Please e-mail the completed form to Lcudcap@leegov.com.
If you should have any questions or require assistance, please feel free to call our office at (239) 533-8531.

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Pondella Holdings

Adequacy and Provision of Existing/Proposed Support Facilities
Exhibit M18

Analysis

Amending Lee Plan Map 4-B Lee County Utilities Future Sewer Service Area Map to include the subject property will have no impacts on the support facilities, including Fire Protection, EMS, Law Enforcement, Solid Waste, Mass Transit or Lee County Schools.

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State Policy Plan and Regional Policy Plan – Exhibit M19

Florida Department of Economic Opportunity – Comprehensive Plan

There are no State Policy Plan goals, strategies, actions, or policies that are relevant to the proposed amendment.

Southwest Florida Regional Planning Council (SWFRPC)

There are no Regional Policy Plan goals, strategies, actions, or policies that are relevant to the proposed amendment.

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Pondella Holdings
Justification of Proposed Amendment – Exhibit M20

The Applicant, Pondella Holdings, LLC, is requesting to amend Lee Plan Map 4-B, the Lee County Utilities Future Sewer Service Area Map. The Applicant assembled multiple lots along Pondella Road, totaling 6.42 acres with the intention of developing the land for multi-family residential and commercial use. The site lies just outside the Lee County Utilities (LCU) franchise area. As shown on Lee Plan Map 4-B, the land to the east, south, and west is already within the franchise service area.

STANDARD 4.1.2: SEWER.

1. *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.*

   It is anticipated that the new residential development will exceed 2.5 dwelling units per acre and generate more than5,000 gallons of sewage per day since the site is 6.42 acres and in the Central Urban future land use category.

2. *If the proposed development exceeds the thresholds listed above and lies within the boundaries of a sewer utility's certificated or franchised service area, or Lee County Utilities' future sanitary sewer service area (see Map 4-B), and that utility has sufficient capacity to provide minimum service to the development, then the development must connect to that sewer utility if there is existing infrastructure adequate to accept the effluents of the development within l/4 mile from any part of the development.*

   Lee County Utilities has existing sanitary sewer infrastructure along N. Cleveland Avenue to the east, which is approximately one-quarter mile away; however, the subject property is not within LCU's sewer franchise area.

3. *If there is not sufficient capacity nor adequate infrastructure within l/4 mile of the development, the developer must provide proof in the form of a clearly stated rejection of service.*

   The Applicant didn't request a letter of rejection from LCU denying sanitary sewer service since the applicant intends to work with LCU on extending the sewer infrastructure from N. Cleveland Avenue to the subject property.

4. *If a new development is located in a certificated or franchised service area, or Lee County Utilities' future sanitary sewer service area (see Map 4-B), and the utility cannot provide the service, or cannot provide the service except at a clearly unreasonable cost to the developer, the developer may establish on a temporary basis a self-provided sanitary sewer facility for the development, to be abated when the utility extends service to the site. The developer may*

also petition the appropriate regulatory agency to contract the service area of the utility in order that another utility may be invited to provide the service.

The proposed development is not located within another certificated or franchised service area, nor will a self-provided sanitary sewer facility be provided on a temporary basis.

5. *If a development lies outside any service area as described above, the developer may:*

   • *request that the service area of Lee County Utilities or an adjacent sewer utility be expanded to incorporate the property;*

   • *establish a self-provided sanitary sewer system for the development;*

   • *develop at an intensity that does not require sanitary sewer service; or*

   • *if no more than 5000 gallons of effluent per day per parcel is produced, an individual sewage disposal system per Fla. Admin. Code R. 64E-6 may be utilized, contingent on approval by all relevant authorities.*

   The Applicant is requesting to amend Lee Plan Map 4-B, the Lee County Utilities Future Sewer Service Area Map to expand to incorporate the subject property.

6. *Lee County Utilities may provide sanitary sewer service to properties not located within the future sewer service area when such sanitary sewer service is found to benefit public health, safety, and welfare, including protection of Lee County's natural resources.*

   The applicant is requesting to amend Lee Plan Map 4-B, which will permit LCU to provide sanitary sewer service to the subject property.

The goal of the North Fort Myers community plan is to improve the livability and economic vitality in the area by promoting compact, mixed use development; attracting appropriate investment to revitalize older neighborhoods and commercial corridors; stabilizing and enhancing existing neighborhoods; and preserving natural resources. The subject property is located in the North Fort Myers planning community area along a designated corridor overlay, Pondella Road. The site is one of the last remaining large undeveloped properties along this section of Pondella Road in the Central Urban future land use category. The site can be viewed as an infill development since the majority of the land on all four sides is currently developed with a mix of residential and commercial uses. Amending Lee Plan Map 4-B aligns with the goals of the North Fort Myers community, the Lee Plan, and the LDC.

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Planning Community Requirements – Exhibit M21
Revised 4-7-2026

The Applicant, Pondella Holdings, LLC, is requesting to amend Lee Plan Map 4-B, the Lee County Utilities Future Sewer Service Area Map. The project site is in the North Fort Myers planning community area. Per Lee Plan Policy 17.3.2, one public information meeting is required for privately-initiated applications that propose a text change within a community plan or revises a map designation within a community plan area boundary. A Summary of the Public Informational Meeting is provided below.

A Public Information Meeting was held at the North Fort Myers Recreation Center on March 3, 2026 at 6:00 p.m. The Notice of Meeting was published in the News-Press and two (2) meeting signs were posted along the property frontage/Pondella Road right-of-way, as required by the North Fort Myers Community Planning Panel. A copy of the News-Press Ad and Sign-in Sheet are included with this summary.

The presentation included two (2) application requests: (1) to add the site to Lee Plan Map 4-B: Lee County Utilities Future Sewer Service Area Map; and (2) to rezone the subject property from RS-1, C-1, C-1A, and CT to CT for a consistent zoning district in order to develop the property. The site is in the Mixed Use Overlay and the property owner intends to develop the site with multi-family residential uses with a small commercial component. With current density calculations, they can build approximately 60 dwelling units or up to 90 dwelling units if they decide to utilize bonus density. The comp plan amendment and rezoning are the first phase. If approved, the application will apply for a development order. Engineering plans haven't been started yet.

- Address: 333 Pondella Road
- Site: 6.42 acres
- FLU: Central Urban
- Surrounding zoning and uses
- Max. # dwelling units: 60 or 90 with bonus density

Questions and Comments:

1. There's already too much traffic on Pondella. This will only increase traffic.
   A traffic impact study will be completed at time of DO permitting.
2. Where will the driveway be located?
   At this time, plans are to have the site accessed directly from Pondella.
3. What about the side streets – Betmar Blvd?

The plans don't include access from the side streets/local roads; however, that's up to LCDOT and fire.

4. Our properties flooded the last 3 storms. This development will only make that worse.
   The applicant will be required to get an ERP from SFWMD at time of DO permitting. The site will require stormwater management on site along with a berm around the property. (The engineers on the NFM planning panel explained to the public how the ERP worked to manage flooding.)
5. How many units?
   A max of approximately 60 dwelling units with base density and up to approximately 90 units with bonus density.
6. What is bonus density and are they asking for it?
   Bonus density permits the applicant to build more units with a cash contribution or affordable housing program. The applicant hasn't determined if bonus density will be utilized at this time.
7. How much of the land is zoned RS-1?
   Approximately 1.5 acres in the NE corner of the site.
8. What uses are permitted in the CT zoning district?
   Mostly that uses that support commercial tourism, including, but limited to: hotels/motels, business services, retail, medical offices, restaurants, and multi-family. The NFM members explained that the majority of the site was already zoned CT or C-1 and C-1A, which already permit the uses proposed.

The public was advised that TDM (engineer), the architect, and landscape architect will be required to make another presentation to the NFM community planning area for the development order and full plans will be provided at that time. They were also advised that if they have objections to the rezoning, they can attend the HEX hearing and voice their concerns at that time. The members of the North Fort Myers Community Planning Panel were supportive of the development and helped explain several concerns from the public regarding the use, density, drainage and traffic.

CPA2025-00004

Planning Horizon Update

SUMMARY SHEET
CPA2025-00004 – PLANNING HORIZON UPDATE
TRANSMITTAL HEARING

BOARD DIRECTION:
On May 20, 2025, the Board of County Commissioners (BoCC) directed staff to amend the Lee Plan planning horizon from the year 2045 to the year 2050, consistent with Chapter 163.3177 of the Florida Statutes. This direction authorized staff to update text and maps that relate to the planning horizon and other non-substantive changes.

SUMMARY:
The purpose of these amendments is to reflect recent annexations, simplify the implementation of Table 1(b), and update the planning horizon to the year 2050 consistent with 163.3177(5)(a), F.S. The proposed amendments require amendments to the Vision Statement, Policies 1.1.1, 1.6.5, 2.2.2, Goal 5, Map 1-B and Table 1(b) of the Lee Plan.

LPA PUBLIC HEARING:
Staff provided a presentation addressing the requested Lee Plan amendments to the Future Land Use Element, Map 1-B, and Table 1(b).

After staff's presentation, LPA members and staff discussed the proposed text amendments, including the requirements for staff to analyze population accommodation when levels exceeded 85% of capacity as a County-Initiated amendment and the ability to exceed anticipated development by 10% as proposed in Policy 1.6.5, proposed Table 1(b) formatting, impacts to public facilities or infrastructure, and proposed allocation deductions to Table 1(b).

No members of the public were present or provided input.

LPA MOTION:
A motion was made to recommend that the Board of County Commissioners (BoCC) ***transmit*** CPA2025-00004 with additional analysis addressing the 10% allocation threshold and potential changes to the commercial and industrial Table 1(b) allocations within Unincorporated Lee County, Planning District 17, and Planning District 18. The motion passed 6 to 0.

Based on this analysis, staff recommended revisions to proposed Table 1(b), These revisions are provided in Attachment 1, and discussed in Part 2 of the staff report.

STAFF RECOMMENDATION:
Staff recommends that the BoCC ***transmit*** the proposed amendments provided in Attachment 1 and in Part 2 of the Staff Report.

STAFF REPORT FOR CPA2025-00004:
PLANNING HORIZON UPDATE

County Initiated Lee Plan Text & Map Amendments

Amendment Type:
County Initiated
Direction: May 20, 2025

Recommendation:
Transmit

Amended Elements:
Vision Statement
Future Land Use

Amended Maps:
Map 1-B: Planning Districts

Amended Maps:
Table 1(b): Year 2050 Allocations

Hearing Dates:
LPA: 09/28/2026
BoCC #1: 12/02/2026
BoCC #2: TBD

Attachment(s):
1: Proposed Amendments
2: Proposed Table 1(b) - clean

REQUEST

Amend the Lee Plan to update the Planning Horizon to 2050 in compliance with Florida Statutes, update Map 1-B: Planning Districts to reflect recent annexations, and simplify the implementation of Table 1(b). The proposed amendments require amendments to the Vision Statement, Policies 1.1.1, 1.6.5, 2.2.2, Goal 5, Map 1-B and Table 1(b) of the Lee Plan.

SUMMARY

The purpose of these amendments is to reflect recent annexations, simplify the implementation of Table 1(b), and update the planning horizon to the year 2050 consistent with 163.3177(5)(a), F.S, which require two planning periods, one covering at least a 10-year period and another covering at least a 20-year period after the plan's adoption. The updated planning horizon is based on the Bureau of Economic and Business Research (BEBR) population projections for Lee County as shown in the bar chart below.

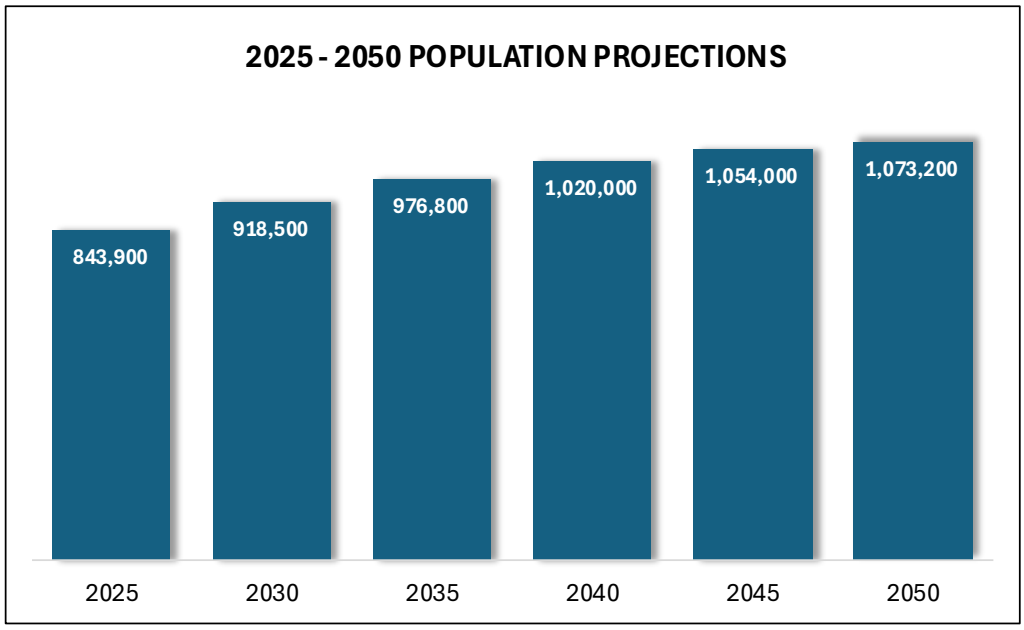


Figure 1: Bureau of Economic and Business Research (BEBR)

RECOMMENDATION

Staff recommends that the Board of County Commissioners ***transmit*** the requested amendments based on the analysis and findings provided in this staff report.

PART 1
STAFF DISCUSSION AND ANALYSIS

BACKGROUND

The current 2045 Lee Plan Horizon was adopted in 2021 by Ordinance Number 21-09 in accordance with 163.3177(1)(f)(3), F.S, which, at that time, required the Lee Plan to cover two planning periods: one 5-year period and one 10-year period. In 2023, legislation amended Florida Statutes to require that the planning periods contained within local comprehensive plans be extended from 5-year and 10-year planning periods to include a 10-year planning period and a 20-year planning period.

On **May 20, 2025**, the Board of County Commissioners (BoCC) directed staff to amend the Lee Plan planning horizon from the year 2045 to the year 2055, consistent with Chapter 163.3177 of the Florida Statutes. This direction authorized staff to update text and maps that relate to the planning horizon and other non-substantive changes.

As part of this amendment, County staff is proposing to update the Lee Plan planning horizon to the year 2050 rather than 2055. Recent communication with the BEBR confirms that population data for the year 2055 has not been published. However, Florida Statutes require comprehensive plans to include a 10-year planning period and 20-year planning period. The Lee Plan's current Planning Horizon is 2045. Therefore, staff recommends updating to the Planning Horizon to 2050 to maintain consistency with the statutory requirement for a 20-year planning horizon.

The recommended amendments can be found in Attachments 1. The attachments show the proposed amendments in strike-through and underlined format and provide a brief reason for each change.

PROCEDURAL REQUIREMENTS

The Lee Plan is Lee County's comprehensive plan, which provides the long-term vision for development in the county. Florida Statutes require comprehensive plans to include certain topics as elements. The Lee Plan divides these elements into chapters, which are further supported by goals, objectives, standards, and policies. Lee Plan Chapter XIII, entitled Administration, section "d" addresses Amendments to the Plan. The applicable paragraph is reproduced below.

> *This plan, including the Future Land Use Map, may be amended in accordance with Florida Statutes and administrative procedures adopted by the Board of County Commissioners in Lee County Administrative Code 13-6. In accordance with § 163.3177(1)(f), Fla. Stat., all amendments must be based upon relevant and appropriate data and analysis.*

Lee County Administrative Code 13-6 establishes procedures for amendments to the Lee Plan, including notice requirements and provisions for public participation during the amendment process. The amendment request is County Initiated text amendments to the Lee Plan, meaning County Staff was directed to process the amendment by an affirmative vote of three or more Commissioners.

The subject amendments to the Lee Plan will follow the **Expedited State Review process under F.S. 163.3184(3),** which will require a total of three public hearings. One public hearing before the Local Planning Agency for recommendation to the BOCC, then the BOCC will hold two additional public hearings,

one for transmittal to the state and one for adoption. Application types that follow the Expedited State Review process also require review by the State Reviewing Agencies.

ANALYSIS

Table 1(b) Update: The most critical amendment for incorporating the new planning horizon into the Lee Plan is to the Planning Community Allocation Table ("Table 1(b)"). Table 1(b) was originally adopted in 1990, amended by the county in 1998, 2007 and 2021, and subsequently amended via privately initiated amendments to maintain the adopted 2045 population projection while accommodating new development.

The methodology for updating Table 1(b) to reflect the 2050 BEBR population projections and allocations for Lee County is summarized below.

Residential Population Methodology: Residential land use data from the existing land use database, maintained by staff, has been integrated with census data showing persons per household and residential occupancy rates in order to estimate total population by year. These estimates have been compared with the annual estimates from BEBR. This comparison of data reveals consistency between the two data sources; therefore, there is no justifiable basis for adopting a 2050 population projection from a different source. Staff recommends using the BEBR mid-range 2050 projection[1] as the official population projection for Table 1(b). The table below identifies the total Lee County projected population for 2050 from BEBR. The table also identifies the projected 2050 populations for each of Lee County's six incorporated areas. The population projections for the City of Bonita Springs, City of Cape Coral, City of Fort Myers, City of Sanibel, Town of Fort Myers Beach, and the Village of Estero are based on information provided, or made available, by these municipalities.

Jurisdiction	Projected Population
Total Lee County	**1,073,200**
Bonita Springs	69,669
Cape Coral	265,260
Estero	49,916
Fort Myers	107,721
Fort Myers Beach	5,000
Sanibel	7,000
Unincorporated Lee County	568,634

The total Lee County 2050 projected population, less the projected populations of the municipalities is 568,634 persons.

Recognized planning literature also supports the application of a 25% population buffer to the projected increase in population. The projected increase in population for unincorporated Lee County between 2025 (the most recent population estimate) and the 2050 projection is 158,612; therefore, the 25% buffer

[1] Florida Population Studies: Projections of Florida Population by County, Volume 59, Bulletin 203, February 2026

is 39,653. This number is then added to unincorporated Lee County's projected 2050 population (568,634) for a total of 608,287 people that must be accommodated within Lee County by the Lee Plan.

The accommodated population is distributed amongst the existing 22 planning communities (as listed on Table 1(b) and shown on Map 2B). The April 1, 2023 dwelling unit count and existing residential acres from the existing land use database were set as the baseline for the reallocation analysis. The difference in population from 2023 to 2050 was used as a target for determining the need for new dwelling units with consideration of variables such as: persons per household; available land, including future land use and zoning categories; natural features; available infrastructure (roads, water, sewer, etc.); and, average lot size. The results by planning community were summed and then compared to the unincorporated portion of the 2050 BEBR projection, including the 25 percent population buffer.

Planning District Population changes between 2045 and 2050: Extending the horizon represented by Table 1(b) from 2045 to 2050 is expected to accommodate additional growth in the unincorporated areas of the county. Since the most recent major update to Table 1(b) in 2021, first-release 2020 Census data became available and occupancy and persons per household assumptions for each planning district have been revised. The revised assumptions better reflect those used by BEBR. The new occupancy rates and household size assumptions do alter the population estimates for each Planning District.

Acreage changes between 2045 and 2050 Allocations: Extending the horizon represented by Table 1(b) from 2045 to 2050 is expected to accommodate additional growth in the unincorporated areas of the county. This growth will be accommodated by the conversion of land from one use to another. Generally this conversion is from vacant or agriculture to commercial, industrial, and/or residential as well as for associated public/quasi-public uses. Therefore, the expected change in acreage allocation is an increase in these four allocations and a decrease in vacant and agriculture allocations.

Table 1(b) is only regulatory for commercial, industrial, and residential. In some instances, the revised allocation for 2050 will be a reduction from 2045. This may occur for a number of reasons, which include: better reflection of development patterns; changes in development trends; conservation land purchases; annexations; and, consistency with future land use categories. With the exception of residential uses, which has already been discussed, each of the types of land uses included on Table 1(b) are addressed below:

Commercial and Industrial: The methodology for the commercial and industrial portions of Table 1(b) is based on determining the ratio of the total number of housing units to commercial and industrial square feet and acreage, using existing data from 2023. The ratio was then applied to determine the commercial/industrial square feet and acre per residential unit using the projected number of households for the year 2050. Final adjustments were made based on the location and community constraints. For example, commercial and industrial developments are not expected to increase in Greater Pine Island to the same degree as other areas.

Public: Table 1(b) shows the expected amount of land needed for uses such as parks, schools, government services, roads, surface water management, conservation areas, religious facilities, golf courses, and non-profit civic associations. This land may be publicly or privately held. Similar to commercial and industrial uses on Table 1(b), public uses are based on a ratio of public land to the total number of housing units. Final adjustments are made based on actual location and community.

Active and Passive Agriculture / Vacant: The existing inventory of these uses exceeds the proposed allocation figures on Table 1(b). This is expected and anticipated as overtime agricultural and vacant uses will be replaced with other uses or, in some instances, purchased for conservation purposes. The 2050 allocation for agriculture and vacant uses are based on the amount of area currently available less the area anticipated to be converted to other uses identified on Table 1(b).

Conservation: The amount of area provided in Table 1(b) is based on the wetlands as mapped on the Future Land Use Map with the expectation that new development on a parcel will have mitigated the wetlands or that a determination was done to show an error in the mapping of the wetland.

Policy 1.6.5 Amendments: Policy 1.6.5 describes how the Planning Districts Map (Map 1-B), and Acreage Allocation Table (Table 1(b)) are to be implemented to depict the proposed distribution, extent, and location of generalized land uses through the Plan's horizon. Table 1(b) was originally adopted in 1990, amended by the county in 1998 and 2007, and subsequently amended numerous times via privately initiated amendments to maintain adopted population projections while accommodating new development. Policy 1.6.5 establishes the table as regulatory for commercial, industrial, and residential land uses. The policy prohibits Lee County from issuing or approving development orders or extensions to development orders that would cause the acreage allocated for residential, commercial or industrial uses in Table 1(b) to be exceeded.

Implementation of the Planning Districts Map and Acreage Allocation Table requires staff review Table 1(b) to ensure sufficient acreage is identified and available to accommodate the proposed development at time of local development order. Proper implementation also requires property owners or developers file a Comprehensive Plan Amendment application when there is not adequate acreage to accommodate residential development within a specific future land use category within a Planning District. Additionally, each time the Future Land Use Map is amended, it is necessary to determine if an amendment to Table 1(b) is also needed to avoid having insufficient acres to accommodate development at time of Local Development Order. If an amendment to Table 1(b) is found to be necessary, Table 1(b) must be updated. However, since the Lee Plan or State Statutes do not provide any criteria for amending Table1(b) the amendment is only necessary to maintain internal consistency with the Future Land Use Map.

To eliminate unnecessary processes which only function to ensure internal consistency of the Lee Plan, Policy 1.6.5 should be amended to clarify that Lee County will undertake amendments to Table 1(b) as a County Initiated Amendment to the Lee Plan, when necessary. Specifically, the proposed amendments to Policy 1.6.5 modify the circumstances in which a development order or extension of a development order is prohibited. The proposed amendment will allow the acreage allocation to be exceeded by ten percent (10%) or ten (10) acres, whichever is greater, before a development order or extension of a development order will not be issued or approved. The proposed amendments also clarify that Lee County will conduct an evaluation and make updates to Table 1(b) as necessary. The evaluation of Table 1(b) would be triggered when less than eighty-five percent (85%) of the acreage is available for development within a given Planning District. This will allow the County to appropriately update the Planning Districts Map and Acreage Allocation Table based on current development trends, reducing the need for property owners to request an additional amendment to the Lee Plan that is only necessary to maintain internal consistency. The proposed amendments to Policy 1.6.5 are provided below:

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) by more than 10% or 10 acres, whichever is greater. ~~regardless of other project approvals in that Planning District.~~

3. When ~~updating the Lee Plan's planning horizon, a~~ inventoried uses exceed 85% of the acreage allocation, a comprehensive evaluation of the Planning Districts Map and Acreage Allocation Table will be conducted to determine if capacity (in acres) is available. When necessary, Lee County will update the Planning Districts Map and Acreage Allocation Table.

Other Updates: In addition to the amendments proposed to Table 1(b) and Policy 1.6.5 amendments, there are five (5) additional amendments necessary to reflect the new Planning Horizon and projected 2050 population. These amendments are provided in attachment 1 and ensure internal consistency of the Lee Plan.

PUBLIC FACILITIES AND INFRASTRUCTURE AVAILABILITY ANALYSIS

The proposed amendments will not increase density or intensity; therefore, there will be no impact on public facilities and services.

CONCLUSIONS

The proposed text and Map 1(b) amendments update the Lee Plan to a 2050 Planning Horizon, consistent with Florida Statutes, reflect recent annexations, and simplify the implementation of Table 1(b).

For the reasons discussed in this staff report, staff recommends that the Board of County Commissioners ***transmit*** the proposed amendment as shown in Attachment 1.

PART 2
LOCAL PLANNING AGENCY
REVIEW AND RECOMMENDATION

DATE OF PUBLIC HEARING: September 28,2026

A. LOCAL PLANNING AGENCY REVIEW

Staff provided a presentation addressing the requested Lee Plan amendments to the Future Land Use Element, Map 1-B, and Table 1(b).

After staff's presentation, LPA members and staff discussed the proposed text amendments, including the requirements for staff to analyze population accommodation when levels exceeded 85% of capacity as a County-Initiated amendment and the ability to exceed anticipated development by 10% as proposed in Policy 1.6.5, proposed Table 1(b) formatting, impacts to public facilities or infrastructure, and proposed allocation deductions to Table 1(b).

No members of the public were present or provided input.

B. LOCAL PLANNING AGENCY RECOMMENDATION

A motion was made to recommend that the Board of County Commissioners (BoCC) ***transmit*** CPA2025-00004 with additional analysis to the staff report addressing the 10% allocation threshold and potential changes to the commercial and industrial Table 1(b) allocations within Unincorporated Lee County, Planning District 17, and Planning District 18. The motion passed 6 to 0.

TINA EKBLAD	**AYE**
DUSTIN GARDNER	**AYE**
DAWN RUSSELL	**AYE**
JENNIFER SAPEN	**AYE**
STAN STOUDER	**AYE**
HENRY ZUBA	**AYE**

C. STAFF RESPONSE TO LPA MOTION

The LPA, during the discussion of the potential amendments and within the motion recommending the BoCC transmit the proposed amendments, requested additional analysis concerning the 10% exceedance that would be allowed to the Table 1(b) allocations, as well as confirmation of the non-residential allocations to Planning Districts 17 and 18. Staff responses to these questions as well as the broader discussion by the LPA are provided below:

Maintaining the Allocation Table as a Planning Tool.
Staff recommended the establishment of two mechanisms to maintain Table 1(b) as an effective planning tool.

To achieve this, the County's land use inventory will be continually monitored to evaluate the amount of developed acreage in each land use category relative to its corresponding allocation in Table 1(b).

When the inventoried acreage for any land use category reaches 85% of its allocated acreage, staff will initiate a review to evaluate current development trends, remaining development capacity, and projected demand. Based on the findings of that review, staff will determine whether adjustments to the allocation table are warranted.

To provide a limited degree of flexibility, development may exceed the allocated acreage for an individual land use category by up to 10%. However, the 85% monitoring threshold is intended to provide sufficient opportunity for staff to evaluate development trends and recommend adjustments to the allocation table before the allocated acreage is exhausted. Consequently, the 10% allowance is intended to serve as a contingency for unforeseen circumstances rather than an anticipated extension of the allocated acreage. Its availability does not diminish the importance of regularly monitoring allowable allocations or be interpreted as an automatic entitlement to additional development capacity. Any use of this flexibility should remain consistent with the County's long-range growth management objectives.

The review of the allowable residential and non-residential allocations will be Implemented as follows:

- Update the existing land use inventory based on building permit records quarterly.
- Compare current inventoried acreage with allocated acreage.
- Determine remaining vacant and potentially developable land.
- Reassess existing development patterns and surrounding land uses.
- Reevaluate transportation infrastructure and access.
- Project the effect of potential allocation changes on accommodated population.
- Determine whether additional capacity is consistent with the County's long-range planning objectives.

It should be understood that while a district may be approaching its residential allocation limit, the availability of vacant acreage does not necessarily indicate that additional residential development capacity is appropriate. Its location, surrounding development patterns, transportation infrastructure, and potential for municipal annexation must be considered. Furthermore, simply increasing the residential allocation would increase the population accommodated by the allocation table. Therefore, reaching the 85% threshold should initiate a comprehensive evaluation rather than automatically result in an increase to the allocation.

Similarly, the 10% allowance provides limited flexibility but should not be viewed as an anticipated increase in development capacity. The monitoring and review process is intended to identify potential allocation issues early enough for staff to evaluate whether adjustments are warranted before the additional allowance becomes necessary.

Commercial and Industrial Allocation Revisions

Staff reevaluated the commercial and industrial allocations in proposed Table 1(b), incorporating an analysis of historical development trends and the relationship between residential growth and non-

residential development. This analysis considered the ratios of permanent and seasonal dwelling units to commercial and industrial development, measured by building square footage and acreage.

The original analysis focused primarily on the existing acreage inventory, the 2045 commercial and industrial allocations, and approved but unbuilt non-residential projects, particularly those approved since adoption of the 2045 allocation table. The re-evaluation expanded this analysis to better account for the historical relationship between residential and non-residential development within individual Planning Districts.

This additional analysis identified issues with the allocations specifically questioned during the LPA review of the table. As an example, for Planning District 17, the proposed commercial allocation is lower than the existing 2045 allocation but still provides capacity for more than 300 additional acres of commercial development. This adjustment reflects several considerations, including the increased commercial development potential in neighboring Planning Districts and the historical trend of commercial development relative to residential growth within the district.

The analysis also identified varying development patterns throughout the County. In several Planning Districts, commercial development has been outpaced by residential development. In others, commercial building square footage has increased relative to the number of dwelling units. These differences demonstrate that the relationship between residential and nonresidential development is not uniform across the County and should be considered when establishing future allocations.

Based on the reanalysis of commercial and industrial allocations, staff recommends additional changes necessary to accommodate anticipated development as shown on the revised Table 1(b), as shown in Attachment 1. To provide additional details about the existing development accommodated by Table 1(b), a column depicting existing development has been provided. This column is not intended to be adopted into Table 1(b), but identifies existing developed acres for context.

D. STAFF RECOMMENDATION

Staff recommends that the BoCC ***transmit*** the proposed amendment as provided in Attachment 1.

ATTACHMENT 1

- **Text Amendments**
- **Map 1B Existing Planning Districts**
- **Map 1B Proposed Planning Districts**
- **Table 1(b)**

PROPOSED TEXT AMENDMENTS

VISION STATEMENT

The Lee Plan is designed to depict Lee County as it will appear in the year ~~2045~~ 2050 when the population is projected to be ~~1,056,600~~ 1,073,200 permanent residents with an additional 18% seasonal residents. In order to balance the County's projected growth with evolving planning priorities, the following trends are expected to continue through the year ~~2045~~ 2050 planning horizon:

- The County's growth patterns will continue to be dictated by a Future Land Use Map that will not change dramatically. As a result, the distinction between future urban, suburban, and non-urban areas described by this plan will likely be maintained. The County's future urban areas will be essentially built out by ~~2045~~ 2050 and, to accommodate the population growth, an interest in the redevelopment of these areas will continue.

No additional changes are proposed to the Vision Statement.

- The proposed amendments update the projected population and planning horizon date to the year 2050, consistent with Chapter 163.3177, F.S.

FUTURE LAND USE ELEMENT

POLICY 1.1.1: The Future Land Use Map depicts the pattern for future development and substantial redevelopment within the unincorporated portion of Lee County through the year ~~2045~~ 2050.

- The proposed amendments update the planning horizon date to the year 2050.

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) by more than 10% or 10 acres, whichever is greater. ~~regardless of other project approvals in that Planning District.~~

3. When ~~updating the Lee Plan's planning horizon, a~~ inventoried uses exceed 85% of the acreage allocation, a comprehensive evaluation of the Planning Districts Map and Acreage Allocation Table will be conducted to determine if capacity (in acres) is available. When necessary, Lee County will update the Planning Districts Map and Acreage Allocation Table.

- Removes a duplicative statement.
- Adds flexibility when implementing Table 1(b) by allowing acreage allocations to be exceeded by a certain percentage or acreage before determining the issuance or approval of development orders or extensions of development orders.
- Specifies that the County will update the Planning Districts Map and Acreage Allocation Table when inventoried uses are nearing the acreage allocations identified in Table 1(b).

POLICY 2.2.2: The Future Land Use Map indicates the uses and density ranges that will ultimately be permitted on a given parcel. However, it is not a guarantee that such densities or uses are immediately appropriate, as the map provides for the County's growth beyond the ~~2045~~ 2050 planning horizon. During the rezoning process the Board of County Commissioners will balance the overall standards and policies of this plan with three additional factors:

- The proposed amendments update the planning horizon date to the year 2050.

GOAL 5: RESIDENTIAL LAND USES. To accommodate the projected population of Lee County in the year ~~2045~~ 2050 in appropriate locations, guided by the Future Land Use Map, and in attractive and safe neighborhoods with a variety of price ranges and housing types.

- The proposed amendments update the planning horizon date to the year 2050.

MAP AMENDMENTS

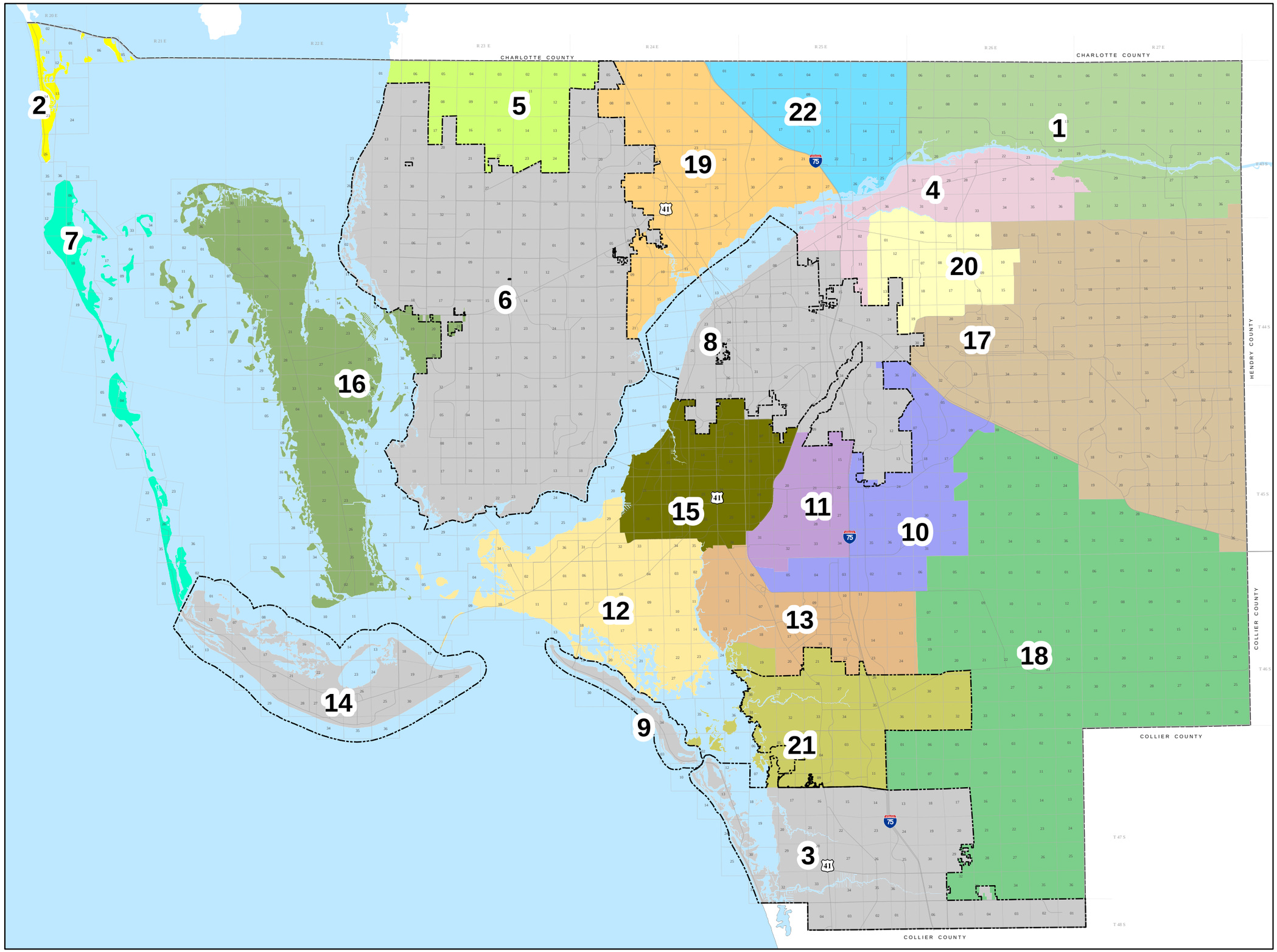
Map 1-B: Planning Districts

- Remove areas from Planning Districts that have been annexed.

TABLE AMENDMENTS

Table 1(b): Year 2045 Allocations

- Updated to reflect the growth accommodations for the 2050 Planning Horizon.



PLANNING DISTRICTS

EXISTING

1. Northeast Lee County
2. Boca Grande
3. Bonita Springs
4. Fort Myers Shores
5. Burnt Store
6. Cape Coral
7. Captiva
8. Fort Myers
9. Fort Myers Beach
10. Gateway/Airport
11. Daniels Parkway
12. Iona/McGregor
13. San Carlos
14. Sanibel
15. South Fort Myers
16. Pine Island
17. Lehigh Acres
18. Southeast Lee County
19. North Fort Myers
20. Buckingham
21. Estero
22. Bayshore

City Limits

Ord. No. 02-02, 03-19, 05-19, 07-13, 09-15, 09-16, 10-15, 10-16, 10-40, 10-43, 14-14, 15-10, 16-02, 16-17, 17-12, 17-23, 18-06, 19-13, 19-14, 19-16, 20-05, 21-03, 21-09

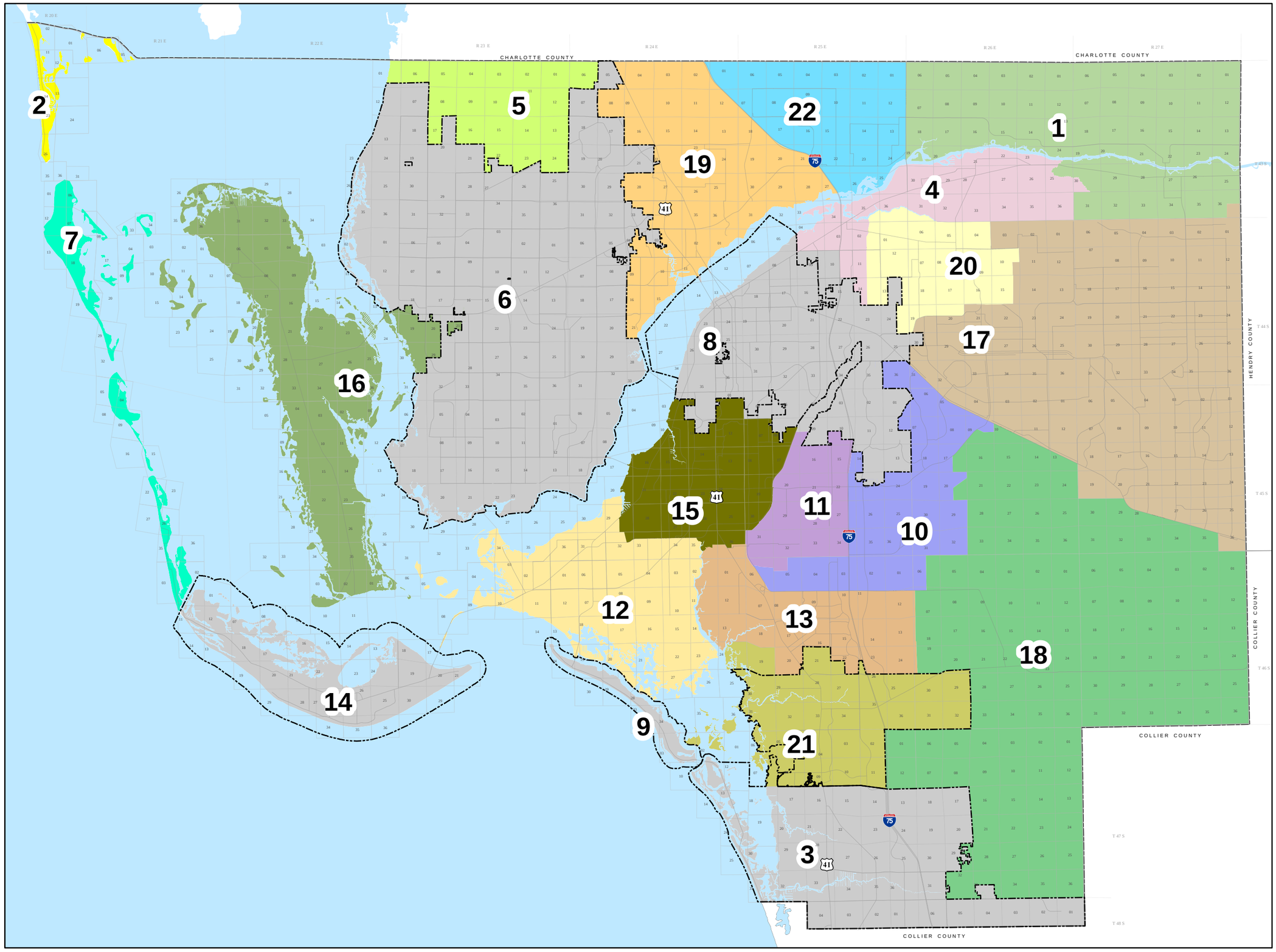
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Map Generated: September 2026
City limits current to date of map generation

Lee Plan Map 1-B



PLANNING DISTRICTS

PROPOSED

1. Northeast Lee County
2. Boca Grande
3. Bonita Springs
4. Fort Myers Shores
5. Burnt Store
6. Cape Coral
7. Captiva
8. Fort Myers
9. Fort Myers Beach
10. Gateway/Airport
11. Daniels Parkway
12. Iona/McGregor
13. San Carlos
14. Sanibel
15. South Fort Myers
16. Pine Island
17. Lehigh Acres
18. Southeast Lee County
19. North Fort Myers
20. Buckingham
21. Estero
22. Bayshore

City Limits

Ord. No. 02-02, 03-19, 05-19, 07-13, 09-15, 09-16, 10-15, 10-16, 10-40, 10-43, 14-14, 15-10, 16-02, 16-17, 17-12, 17-23, 18-06, 19-13, 19-14, 19-16, 20-05, 21-03, 21-09

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Map Generated: September 2026
City limits current to date of map generation

Lee Plan Map 1-B

Table 1(b)

Comparison Table

	Future Land Use Category	Unincorporated Total			Planning District 1			Planning District 2			Planning District 3			Planning District 4		
		Existing	2045	2050	Existing	2045	2050	Existing	2045	2050	Existing	2045	2050	Existing	2045	2050
Residential By Future Land Use Category	Intensive Development	1,252	~~1,516~~	1,707	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-	3	~~17~~	21
	Central Urban	10,163	~~13,658~~	13,238	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-	161	~~207~~	226
	Urban Community	12,399	~~22,452~~	18,148	510	~~813~~	813	423	~~453~~	467	-	~~-~~	-	378	~~475~~	570
	Suburban	12,823	~~14,871~~	15,453	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-	1,673	~~1,950~~	2,062
	Outlying Suburban	3,023	~~3,653~~	3,773	18	~~38~~	25	-	~~-~~	-	-	~~-~~	-	202	~~490~~	585
	Sub-Outlying Suburban	1,131	~~1,787~~	1,971	-	~~-~~	44	-	~~-~~	-	-	~~-~~	-	127	~~330~~	321
	Commercial	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-
	Industrial	15	~~15~~	11	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-
	Public Facilities	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-
	University Community	360	~~503~~	564	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-
	Destination Resort Mixed Use Water Dependent	15	~~8~~	8	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-
	Burnt Store Marina Village	-	~~2~~	2	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-
	Industrial Interchange	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-
	General Interchange	24	~~110~~	285	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-
	General Commercial Interchange	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-
	Industrial Commercial Interchange	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-
	University Village Interchange	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-
	New Community	921	~~2,075~~	1,739	1	~~1,115~~	739	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-
	Airport	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-
	Tradeport	8	~~3~~	3	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-
	Preservation and Innovation	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-
	Conservation Community	783	~~-~~	1,221	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-
	Rural	6,212	~~7,564~~	7,822	1,654	~~2,230~~	2,431	-	~~-~~	-	-	~~-~~	-	595	~~800~~	855
	Rural Community Preserve	3,301	~~3,517~~	3,661	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-
	Coastal Rural	1,084	~~1,338~~	1,429	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-
	Outer Island	208	~~233~~	237	1	~~2~~	2	1	~~4~~	1	-	~~-~~	-	1	~~1~~	1
	Open Lands	1,770	~~2,186~~	2,037	148	~~153~~	153	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-
	Density Reduction/ Groundwater Resource	4,251	~~6,974~~	8,282	56	~~131~~	131	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-
	Conservation Lands Upland	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-
	Wetlands	119	~~-~~	-	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-
	Conservation Lands Wetland	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-
	Unincorporated County Total Residential	**59,863**	**~~82,464~~**	**81,589**	**2,387**	**~~4,482~~**	**4,337**	**424**	**~~457~~**	**468**	**-**	**~~-~~**	**-**	**3,141**	**~~4,270~~**	**4,640**
	Commercial	**5,416**	**~~8,916~~**	**8,763**	**25**	**~~300~~**	**300**	**53**	**~~53~~**	**54**	**-**	**~~-~~**	**-**	**347**	**~~450~~**	**450**
	Industrial	**3,085**	**~~4,787~~**	**4,791**	**15**	**~~30~~**	**30**	**1**	**~~3~~**	**2**	**-**	**~~-~~**	**-**	**62**	**~~300~~**	**301**
Non Regulatory Allocations																
	Public	**101,421**	**~~120,278~~**	**122,423**	**11,113**	**~~14,219~~**	**14,101**	**602**	**~~622~~**	**604**	**-**	**~~-~~**	**-**	**4,256**	**~~4,864~~**	**4,854**
	Active AG	**28,665**	**~~21,889~~**	**21,944**	**5,867**	**~~5,500~~**	**5,500**	**-**	**~~-~~**	**-**	**-**	**~~-~~**	**-**	**568**	**~~240~~**	**240**
	Passive AG	**24,284**	**~~13,658~~**	**13,685**	**9,958**	**~~5,500~~**	**5,500**	**-**	**~~-~~**	**-**	**-**	**~~-~~**	**-**	**586**	**~~615~~**	**615**
	Conservation	**86,875**	**~~87,757~~**	**87,685**	**2,089**	**~~2,468~~**	**2,458**	**297**	**~~297~~**	**297**	**-**	**~~-~~**	**-**	**1,114**	**~~1,163~~**	**1,163**
	Vacant	**56,180**	**~~26,771~~**	**24,908**	**2,337**	**~~1,294~~**	**1,565**	**78**	**~~28~~**	**31**	**-**	**~~-~~**	**-**	**2,549**	**~~733~~**	**361**
	Total	**365,788**	**~~366,521~~**	**365,788**	**33,791**	**~~33,793~~**	**33,791**	**1,454**	**~~1,460~~**	**1,454**	**-**	**~~-~~**	**-**	**12,624**	**~~12,635~~**	**12,624**
	Population Distribution (unincorporated Lee County)	**388,404**	**~~584,331~~**	**608,287**	**3,352**	**~~8,235~~**	**10,728**	**777**	**~~1,470~~**	**874**		**~~-~~**	**-**	**24,090**	**~~35,253~~**	**38,825**

Table 1(b)

Comparison Table

Future Land Use Category		Planning District 5			Planning District 6			Planning District 7			Planning District 8			Planning District 9		
		Existing	~~2045~~	2050	Existing	~~2045~~	2050	Existing	~~2045~~	2050	Existing	~~2045~~	2050	Existing	~~2045~~	2050
Residential By Future Land Use Category	**Intensive Development**	-	~~-~~	-	17	~~21~~	17	-	~~-~~	-	226	~~238~~	256	-	~~-~~	-
	Central Urban	-	~~24~~	24	-	~~-~~	-	-	~~-~~	-	192	~~230~~	221	-	~~-~~	-
	Urban Community	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-
	Suburban	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-	74	~~80~~	78	-	~~-~~	-
	Outlying Suburban	13	~~13~~	13	2	~~3~~	2	395	~~429~~	418	-	~~-~~	-	-	~~-~~	-
	Sub-Outlying Suburban	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-
	Commercial	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-
	Industrial	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-	2	~~-~~	-	-	~~-~~	-
	Public Facilities	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-
	University Community	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-
	Destination Resort Mixed Use Water Dependent	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-
	Burnt Store Marina Village	-	~~2~~	2	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-
	Industrial Interchange	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-
	General Interchange	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-
	General Commercial Interchange	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-
	Industrial Commercial Interchange	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-
	University Village Interchange	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-
	New Community	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-
	Airport	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-
	Tradeport	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-
	Preservation and Innovation	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-
	Conservation Community	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-
	Rural	656	~~730~~	730	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-
	Rural Community Preserve	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-
	Coastal Rural	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-
	Outer Island	-	~~-~~	-	-	~~-~~	-	153	~~169~~	169	-	~~-~~	-	-	~~-~~	-
	Open Lands	180	~~257~~	260	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-
	Density Reduction/ Groundwater Resource	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-
	Conservation Lands Upland	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-
	Wetlands	4	~~-~~	-	-	~~-~~	-	-	~~-~~	-	3	~~-~~	-	-	~~-~~	-
	Conservation Lands Wetland	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-
Unincorporated County Total Residential		**854**	~~**1,026**~~	**1,029**	**19**	~~**24**~~	**19**	**548**	~~**598**~~	**587**	**497**	~~**548**~~	**554**	**-**	~~**-**~~	**-**
Commercial		**5**	~~**27**~~	**27**	**1**	~~**9**~~	**9**	**111**	~~**125**~~	**125**	**79**	~~**150**~~	**150**	**-**	~~**-**~~	**-**
Industrial		**4**	~~**10**~~	**10**	**5**	~~**15**~~	**15**	**-**	~~**70**~~	**70**	**234**	~~**315**~~	**315**	**-**	~~**-**~~	**-**
Non Regulatory Allocations																
Public		**7,288**	~~**7,323**~~	**7,319**	**52**	~~**6**~~	**51**	**2,338**	~~**2,340**~~	**2,324**	**463**	~~**583**~~	**520**	**-**	~~**-**~~	**-**
Active AG		**113**	~~**90**~~	**90**	**-**	~~**-**~~	**-**	**-**	~~**-**~~	**-**	**22**	~~**-**~~	**-**	**-**	~~**-**~~	**-**
Passive AG		**260**	~~**100**~~	**100**	**-**	~~**-**~~	**-**	**-**	~~**-**~~	**-**	**16**	~~**-**~~	**-**	**-**	~~**-**~~	**-**
Conservation		**3,063**	~~**3,186**~~	**3,186**	**-**	~~**67**~~	**-**	**1,595**	~~**1,595**~~	**1,595**	**931**	~~**926**~~	**931**	**-**	~~**-**~~	**-**
Vacant		**914**	~~**742**~~	**739**	**31**	~~**8**~~	**12**	**223**	~~**103**~~	**114**	**265**	~~**17**~~	**37**	**-**	~~**-**~~	**-**
Total		**12,501**	~~**12,504**~~	**12,501**	**107**	~~**129**~~	**107**	**4,815**	~~**4,831**~~	**4,815**	**2,507**	~~**2,539**~~	**2,507**	**-**	~~**-**~~	**-**
Population Distribution (unincorporated Lee County)		**1,893**	~~**2,949**~~	**2,824**	**140**	~~**152**~~	**153**	**1,619**	~~**725**~~	**1,783**	**3,373**	~~**5,273**~~	**4,859**		~~**-**~~	**-**

Table 1(b)

Comparison Table

	Future Land Use Category	Planning District 10			Planning District 11			Planning District 12			Planning District 13			Planning District 14		
		Existing	~~2045~~	2050	Existing	~~2045~~	2050	Existing	~~2045~~	2050	Existing	~~2045~~	2050	Existing	~~2045~~	2050
Residential By Future Land Use Category	**Intensive Development**	-	~~-~~	-	-	~~33~~	33	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-
	Central Urban	-	~~25~~	25	-	~~7~~	7	461	~~656~~	656	19	~~32~~	32	-	~~-~~	-
	Urban Community	6	~~150~~	150	-	~~-~~	-	697	~~978~~	978	1,093	~~1,207~~	1,318	-	~~-~~	-
	Suburban	-	~~-~~	-	-	~~-~~	-	2,369	~~2,566~~	2,571	1,901	~~2,069~~	2,069	-	~~-~~	-
	Outlying Suburban	-	~~-~~	-	1,182	~~1,253~~	1,256	409	~~438~~	441	-	~~-~~	-	-	~~-~~	-
	Sub-Outlying Suburban	159	~~227~~	245	-	~~-~~	-	-	~~-~~	-	13	~~13~~	13	-	~~-~~	-
	Commercial	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-
	Industrial	2	~~6~~	2	-	~~-~~	-	5	~~3~~	3	3	~~3~~	3	-	~~-~~	-
	Public Facilities	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-
	University Community	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-	360	~~503~~	564	-	~~-~~	-
	Destination Resort Mixed Use Water Dependent	-	~~-~~	-	-	~~-~~	-	15	~~8~~	8	-	~~-~~	-	-	~~-~~	-
	Burnt Store Marina Village	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-
	Industrial Interchange	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-
	General Interchange	9	~~35~~	21	-	~~33~~	18	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-
	General Commercial Interchange	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-
	Industrial Commercial Interchange	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-
	University Village Interchange	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-
	New Community	921	~~960~~	1,000	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-
	Airport	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-
	Tradeport	8	~~3~~	3	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-
	Preservation and Innovation	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-
	Conservation Community	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-
	Rural	-	~~-~~	-	1,461	~~1,573~~	1,510	-	~~-~~	-	78	~~99~~	90	-	~~-~~	-
	Rural Community Preserve	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-
	Coastal Rural	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-
	Outer Island	-	~~-~~	-	-	~~-~~	-	-	~~2~~	2	-	~~-~~	-	-	~~-~~	-
	Open Lands	-	~~-~~	-	63	~~80~~	80	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-
	Density Reduction/ Groundwater Resource	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-
	Conservation Lands Upland	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-
	Wetlands	-	~~-~~	-	1	~~-~~	-	-	~~-~~	-	1	~~-~~	-	-	~~-~~	-
	Conservation Lands Wetland	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-	-	~~-~~	-
	Unincorporated County Total Residential	**1,105**	~~**1,406**~~	**1,446**	**2,707**	~~**2,979**~~	**2,904**	**3,955**	~~**4,651**~~	**4,658**	**3,468**	~~**3,926**~~	**4,088**	**-**	~~**-**~~	**-**
	Commercial	**355**	~~**1,216**~~	**1,216**	**121**	~~**326**~~	**326**	**649**	~~**774**~~	**779**	**565**	~~**938**~~	**931**	**-**	~~**-**~~	**-**
	Industrial	**1,055**	~~**2,134**~~	**2,134**	**-**	~~**5**~~	**5**	**154**	~~**198**~~	**198**	**358**	~~**387**~~	**385**	**-**	~~**-**~~	**-**
Non Regulatory Allocations																
	Public	**8,592**	~~**9,689**~~	**9,565**	**2,867**	~~**3,214**~~	**3,273**	**4,735**	~~**4,898**~~	**4,849**	**5,741**	~~**6,375**~~	**6,272**	**-**	~~**-**~~	**-**
	Active AG	**68**	~~**2**~~	**2**	**103**	~~**5**~~	**5**	**145**	~~**13**~~	**13**	**16**	~~**5**~~	**5**	**-**	~~**-**~~	**-**
	Passive AG	**2,119**	~~**465**~~	**485**	**216**	~~**3**~~	**10**	**22**	~~**-**~~	**-**	**52**	~~**5**~~	**5**	**-**	~~**-**~~	**-**
	Conservation	**2,122**	~~**2,206**~~	**2,206**	**1,702**	~~**1,677**~~	**1,677**	**9,789**	~~**9,786**~~	**9,786**	**2,366**	~~**2,232**~~	**2,232**	**-**	~~**-**~~	**-**
	Vacant	**1,691**	~~**88**~~	**54**	**507**	~~**12**~~	**20**	**889**	~~**55**~~	**55**	**1,546**	~~**244**~~	**194**	**-**	~~**-**~~	**-**
	Total	**17,108**	~~**17,206**~~	**17,108**	**8,221**	~~**8,221**~~	**8,221**	**20,338**	~~**20,375**~~	**20,338**	**14,112**	~~**14,112**~~	**14,112**	**-**	~~**-**~~	**-**
	Population Distribution (unincorporated Lee County)	**12,235**	~~**22,566**~~	**22,113**	**11,651**	~~**15,325**~~	**16,268**	**28,780**	~~**44,132**~~	**37,180**	**35,562**	~~**53,974**~~	**51,663**	**-**	~~**-**~~	**-**

Table 1(b)

Comparison Table

	Future Land Use Category	Planning District 15			Planning District 16			Planning District 17			Planning District 18			Planning District 19		
		Existing	~~2045~~	2050	Existing	~~2045~~	2050	Existing	2045	2050	Existing	2045	2050	Existing	2045	2050
Residential By Future Land Use Category	**Intensive Development**	691	~~801~~	800	-	~~1~~	-	10	30	34	-	-	-	304	376	546
	Central Urban	2,904	~~3,113~~	3,119	-	~~-~~	-	4,659	7,233	6,440	-	-	-	1,767	2,131	2,489
	Urban Community	822	~~863~~	863	404	~~540~~	540	7,974	16,851	12,323	-	-	-	10	7	7
	Suburban	1,166	~~1,202~~	1,227	565	~~659~~	650	-	-	-	-	-	-	5,074	6,345	6,796
	Outlying Suburban	-	~~-~~	-	384	~~502~~	515	-	-	-	-	-	-	351	396	404
	Sub-Outlying Suburban	-	~~-~~	-	-	~~-~~	-	-	-	-	-	55	-	118	145	185
	Commercial	-	~~-~~	-	-	~~-~~	-	-	-	-	-	-	-	-	-	-
	Industrial	3	~~3~~	3	-	~~-~~	-	-	-	-	-	-	-	0	-	-
	Public Facilities	-	~~-~~	-	-	~~-~~	-	-	-	-	-	-	-	-	-	-
	University Community	-	~~-~~	-	-	~~-~~	-	-	-	-	-	-	-	-	-	-
	Destination Resort Mixed Use Water Dependent	-	~~-~~	-	-	~~-~~	-	-	-	-	-	-	-	-	-	-
	Burnt Store Marina Village	-	~~-~~	-	-	~~-~~	-	-	-	-	-	-	-	-	-	-
	Industrial Interchange	-	~~-~~	-	-	~~-~~	-	-	-	-	-	-	-	-	-	-
	General Interchange	-	~~-~~	-	-	~~-~~	-	-	-	-	4	8	5	-	14	14
	General Commercial Interchange	-	~~-~~	-	-	~~-~~	-	-	-	-	-	-	-	-	-	-
	Industrial Commercial Interchange	-	~~-~~	-	-	~~-~~	-	-	-	-	-	-	-	-	-	-
	University Village Interchange	-	~~-~~	-	-	~~-~~	-	-	-	-	-	-	-	-	-	-
	New Community	-	~~-~~	-	-	~~-~~	-	-	-	-	-	-	-	-	-	-
	Airport	-	~~-~~	-	-	~~-~~	-	-	-	-	-	-	-	-	-	-
	Tradeport	-	~~-~~	-	-	~~-~~	-	-	-	-	-	-	-	-	-	-
	Preservation and Innovation	-	~~-~~	-	-	~~-~~	-	-	-	-	-	-	-	-	-	-
	Conservation Community	-	~~-~~	-	-	~~-~~	-	-	-	-	783	-	1,221	-	-	-
	Rural	-	~~-~~	-	194	~~227~~	208	0	14	14	-	-	-	408	454	471
	Rural Community Preserve	-	~~-~~	-	-	~~-~~	-	-	-	-	-	-	-	-	-	-
	Coastal Rural	-	~~-~~	-	1,084	~~1,338~~	1,429	-	-	-	-	-	-	-	-	-
	Outer Island	-	~~-~~	-	53	~~55~~	61	-	-	-	-	-	-	-	-	-
	Open Lands	-	~~-~~	-	-	~~-~~	-	-	-	-	-	-	-	29	30	29
	Density Reduction/ Groundwater Resource	-	~~-~~	-	-	~~-~~	-	-	-	-	2,283	4,742	6,087	-	-	-
	Conservation Lands Upland	-	~~-~~	-	-	~~-~~	-	-	-	-	-	-	-	-	-	-
	Wetlands	-	~~-~~	-	-	~~-~~	-	27	-	-	79	-	-	4	-	-
	Conservation Lands Wetland	-	~~-~~	-	-	~~-~~	-	-	-	-	-	-	-	-	-	-
	Unincorporated County Total Residential	**5,587**	~~**5,982**~~	**6,013**	**2,684**	~~**3,322**~~	**3,404**	**12,670**	**24,128**	**18,811**	**3,150**	**4,805**	**7,312**	**8,066**	**9,897**	**10,942**
	Commercial	**1,674**	~~**2,012**~~	**2,020**	**167**	~~**288**~~	**285**	**395**	**900**	**701**	**28**	**118**	**157**	**756**	**1,121**	**1,115**
	Industrial	**555**	~~**566**~~	**578**	**52**	~~**67**~~	**66**	**184**	**218**	**191**	**174**	**215**	**224**	**230**	**244**	**258**
	Non Regulatory Allocations															
	Public	**5,742**	~~**5,883**~~	**5,814**	**3,065**	~~**4,831**~~	**4,529**	**18,774**	**20,267**	**26,128**	**12,452**	**17,992**	**15,670**	**8,559**	**10,117**	**10,060**
	Active AG	**66**	~~**-**~~	**-**	**2,880**	~~**2,780**~~	**2,780**	**52**	**35**	**35**	**17,312**	**11,945**	**12,000**	**129**	**90**	**90**
	Passive AG	**88**	~~**-**~~	**-**	**789**	~~**70**~~	**70**	**478**	**50**	**50**	**2,923**	**2,500**	**2,500**	**1,288**	**250**	**250**
	Conservation	**225**	~~**211**~~	**211**	**15,461**	~~**15,489**~~	**15,489**	**1,254**	**1,077**	**1,077**	**40,769**	**41,028**	**41,028**	**1,393**	**1,607**	**1,607**
	Vacant	**703**	~~**4**~~	**4**	**3,725**	~~**2,200**~~	**2,200**	**27,990**	**15,115**	**14,804**	**4,104**	**2,400**	**2,019**	**4,193**	**1,323**	**293**
	Total	**14,640**	~~**14,658**~~	**14,640**	**28,823**	~~**29,047**~~	**28,823**	**61,797**	**61,790**	**61,797**	**80,910**	**81,003**	**80,910**	**24,614**	**24,649**	**24,614**
	Population Distribution (unincorporated Lee County)	**54,246**	~~**76,582**~~	**69,012**	**8,463**	~~**13,431**~~	**10,998**	**140,181**	**160,429**	**218,435**	**7,421**	**18,538**	**40,590**	**44,806**	**109,952**	**65,564**

Table 1(b)

Comparison Table

Future Land Use Category		Planning District 20			Planning District 21			Planning District 22		
		Existing	2045	2050	Existing	2045	2050	Existing	2045	2050
Residential By Future Land Use Category	**Intensive Development**	-	-	-	-	-	-	-	-	-
	Central Urban	-	-	-	-	-	-	-	-	-
	Urban Community	84	115	120	-	-	-	-	-	-
	Suburban	-	-	-	-	-	-	-	-	-
	Outlying Suburban	-	-	-	66	90	113	-	-	-
	Sub-Outlying Suburban	1	66	-	-	-	-	713	950	1,163
	Commercial	-	-	-	-	-	-	-	-	-
	Industrial	-	-	-	-	-	-	-	-	-
	Public Facilities	-	-	-	-	-	-	-	-	-
	University Community	-	-	-	-	-	-	-	-	-
	Destination Resort Mixed Use Water Dependent	-	-	-	-	-	-	-	-	-
	Burnt Store Marina Village	-	-	-	-	-	-	-	-	-
	Industrial Interchange	-	-	-	-	-	-	-	-	-
	General Interchange	-	-	-	-	-	-	10	20	226
	General Commercial Interchange	-	-	-	-	-	-	-	-	-
	Industrial Commercial Interchange	-	-	-	-	-	-	-	-	-
	University Village Interchange	-	-	-	-	-	-	-	-	-
	New Community	-	-	-	-	-	-	-	-	-
	Airport	-	-	-	-	-	-	-	-	-
	Tradeport	-	-	-	-	-	-	-	-	-
	Preservation and Innovation	-	-	-	-	-	-	-	-	-
	Conservation Community	-	-	-	-	-	-	-	-	-
	Rural	4	50	50	-	-	-	1,161	1,387	1,463
	Rural Community Preserve	3,301	3,517	3,661	-	-	-	-	-	-
	Coastal Rural	-	-	-	-	-	-	-	-	-
	Outer Island	-	-	-	-	-	-	-	-	-
	Open Lands	-	-	-	-	-	-	1,350	1,667	1,516
	Density Reduction/ Groundwater Resource	-	-	-	-	-	-	1,912	2,101	2,065
	Conservation Lands Upland	-	-	-	-	-	-	-	-	-
	Wetlands	-	-	-	-	-	-	-	-	-
	Conservation Lands Wetland	-	-	-	-	-	-	-	-	-
Unincorporated County Total Residential		**3,390**	**3,748**	**3,831**	**66**	**90**	**113**	**5,147**	**6,125**	**6,432**
Commercial		**15**	**19**	**18**	**16**	**18**	**18**	**55**	**72**	**84**
Industrial		**2**	**4**	**3**	**-**	**2**	**2**	**-**	**4**	**5**
Non Regulatory Allocations										
Public		**2,341**	**3,052**	**2,969**	**458**	**653**	**490**	**1,986**	**3,351**	**3,030**
Active AG		**723**	**630**	**630**	**5**	**4**	**4**	**595**	**550**	**550**
Passive AG		**2,284**	**2,000**	**2,000**	**-**	**-**	**-**	**3,203**	**2,100**	**2,100**
Conservation		**384**	**382**	**382**	**1,464**	**1,465**	**1,465**	**857**	**895**	**895**
Vacant		**1,544**	**850**	**850**	**213**	**130**	**130**	**2,679**	**1,425**	**1,425**
Total		**10,683**	**10,685**	**10,683**	**2,222**	**2,362**	**2,222**	**14,522**	**14,522**	**14,522**
Population Distribution (unincorporated Lee County)		**4,193**	**5,951**	**5,460**	**435**	**741**	**1,342**	**5,185**	**8,653**	**9,616**