

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

WHEREAS, an application was filed by the property owner, Mother & Sons Real Estate Inc., to rezone 1.30± acres of land from Commercial (C-2) and Commercial Planned Development (CPD) to Commercial Planned Development (CPD), in reference to Nowack CPD; and,

WHEREAS, a public hearing was advertised and held on June 23, 2010, before the Lee County Zoning Hearing Examiner, who gave full consideration to the evidence in the record for Case #DCI2009-00038; and

WHEREAS, a second public hearing was advertised and held on September 20, 2010, before the Lee County Board of Commissioners, who gave full and complete consideration to the recommendations of the staff, the Hearing Examiner, the documents on record and the testimony of all interested persons.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS:

SECTION A. REQUEST

The applicant filed a request to rezone 1.30± acres of land from C-2 and CPD to CPD. The proposed project consists of an existing 2,996 s/f building, an existing 1,964 s/f building and a proposed 2,762 s/f building, with a mix of commercial office and retail uses. Maximum height proposed is 1 story/35 feet. No development blasting is proposed. The development is connected to public potable water service, and currently utilizes an on-site sewage treatment system. The property is located in the Suburban Future Land Use Category and is legally described in attached Exhibit A. The request is APPROVED, SUBJECT TO the conditions and deviations specified in Sections B and C below.

SECTION B. CONDITIONS:

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

1. The development of this project must be substantially consistent with the 2-page Master Concept Plan (MCP) entitled "Master Concept Plan, Nowack CPD," Sheet 1 dated 10/09/09, last revised 06/01/10; Sheet 2 dated 12/28/09, last revised 03/26/10, both date-stamped "Received Sep 23 2010, Community Development," and attached hereto as Exhibit C, except as modified by the conditions below

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

Maximum Commercial Floor Area: 7,722 square feet, all of which may be commercial office, warehouse, or commercial retail, as defined by the Lee County Comprehensive Plan per Policy 6.1.2(7). Open storage is limited to a maximum 5,000 square feet for the entire property (see the use listed in Condition #2).

2. **Schedule of Uses**

A. The following limits apply to the project and uses.

Accessory Uses

Administrative offices

Animals Clinic (no outdoor runs)

ATM (Automatic Teller Machine)

Auto Parts Store - No installation service

Bait and Tackle Shop

Banks and Financial Establishments - Groups I & II

Boat Parts Store

Broadcast Studio, Commercial Radio and Television

Does not include freestanding wireless communication facilities,  
Wall-mounted and building-mounted antennae may be  
approved per LDC §34-1441, *et. seq.*

Building Materials Sales

Business Services - Groups I & II

Excluding Bail Bonding, Armored Car services,  
Automobile Claims Adjusters, and Automobile  
Repossessing Services.

Cleaning and Maintenance Services

Clothing Stores General

Contractors and Builders - Groups I, II & III (outdoor storage limited  
to 5,000 s/f and consistent with the approved MCP)

Day Care Center, adult or child

Drugstore, Pharmacy

Emergency Operations Center

Essential Services

Essential Service Facilities - Group I only.

Excavation, Water Retention - Not to include removal of excavated material  
from site. No blasting.

Flea Market, Indoor – limited to buildings fronting on Pondella Road

Fences, Walls

Hardware Store

Hobby, Toy and Game Shops

Household and Office Furnishings - Groups I, II & III

Insurance Companies

Laundromat

Laundry or dry cleaning - Groups I & II

Lawn and Garden Supply Store

Manufacturing:

Measuring, analyzing and controlling instruments

Novelties, jewelry, toys and signs

Medical Office

Nonstore retailers - All groups

Paint, Glass and Wallpaper

Parking Lot, Accessory

Personal Services - Groups I & II, Excluding Massage Parlors,  
Steam or Turkish Baths.

Pet Services - No outdoor runs

Pet Shop - No outdoor runs

Pharmacy

Place of Worship

Post Office

Printing and Publishing

Processing and Warehousing

Religious Facilities

Rental or Leasing Establishments - Groups I & II

Repair Shops - Groups I & II

Research and Development Laboratories - Group IV only

Restaurant – Groups II & III and limited to 2,000 sq ft, no fast food establishments

Schools, Commercial

Signs per LDC Chapter 30

Social Services - Group I only

Specialty Retail Shops - Groups I, II, III & IV. Excluding Tobacco Stores,  
Cigar Stores, Ammunition, Firearms and Hunters Equipment

Storage, Indoor Only

Storage, Open – limited to a total of 5,000 square feet for the entire CPD  
and consistent with the location on the approved MCP

Studios

Temporary Uses

Used Merchandise Stores - Groups I & II - Excluding Pawn Shops.

No Group III (Automotive) or Group IV (Building Materials)

Variety Store

Wholesale Establishment - Group III only

**Site Development Regulations**

B. Minimum Lot Area and Dimensions

Parcel 1

Lot Size: 0.9 acres

Lot Width: 85 feet

Lot Depth: 145 feet

Parcel 2

Lot Size: 0.4 acres  
Lot Width: 75 feet  
Lot Depth: 345 feet

Minimum Setbacks (Also see deviation 6)

Pondella Road 17.6 feet  
Pondella Circle 10 feet  
McNeill Road 15 feet  
Side(external lot line) 15 feet  
Side(internal lot line) 5 feet  
Rear: 15 feet

Minimum Building Separation: 20 feet

Accessory use and structure setbacks must comply with LDC §34-1171, *et seq.* and LDC §32-2194.

Maximum Lot Coverage: 45%  
Building/Structure Height: 1 story/35 feet

3. **No Blasting.** No development blasting is permitted as part of this project unless approved at a subsequent public hearing as an amendment to the planned development.
4. **Traffic.** Approval of this zoning request does not address mitigation of the project's vehicular or pedestrian traffic impacts. Additional conditions consistent with the LDC may be required to obtain a local development order.
5. **Lee Plan.** Approval of this rezoning does not guarantee local development order approval. Future development order approvals must satisfy the requirements of the Lee Plan Planning Communities Map and Acreage Allocation Table, Map 16 and Table 1(b), be reviewed for, and found consistent with the retail commercial standards for site area, including range of gross floor area, location, tenant mix, and general function (for commercial uses), as well as all other Lee Plan provisions.
6. **Concurrency.** Approval of this rezoning does not constitute a finding that the proposed project meets the concurrency requirements set forth in Chapter 2 of the LDC and the Lee Plan. The developer is required to demonstrate compliance with all concurrency requirements prior to issuance of a local development order.
7. **Water and Sewer.**
  - A. The project must connect to public potable water service via Lee County Utilities. No on-site well systems may be utilized for potable water.

- B. Before receiving any permits for site work relating to the installation of the buffers, Applicant must demonstrate to Environmental Sciences' Staff that none of the buffers will infringe upon or interfere with the operation of the existing septic tanks and drain fields. At the time of development order review, the local development order plans must depict the location of the buffers and existing septic tanks and drain fields.
- C. At time of local development order, the Applicant must demonstrate that the septic tanks and drain fields are permitted and certified by the Florida Department of Health. If this cannot be demonstrated, then the subject property must connect to public sanitary sewer service via Lee County Utilities.
- D. Lee County Utilities may require the project to connect to the Lee County Utilities central sanitary sewer system, if it is available as defined by §381.0065(2)(a), Florida Statutes, if the septic tank and/or drain field fail to function adequately, or if the development meets any of the thresholds for development per LDC §10-353.

Said system must conform with the criteria set forth by the LDC and the Lee County Utilities Operations Manual. If sewer connection is required, the developer must also demonstrate there is adequate water and sewer capacity to handle the proposed level of development.

- 8. **Accessory Uses.** Within the CPD, accessory uses must be located on the same tract, or parcel where a principal use is located. Accessory uses must be incidental and subordinate to the principal use of the tract, parcel or outparcel.
- 9. **Solid Waste/Recycling.** As part of any local development order approval for vertical development, the development order plans must include facilities in compliance with LDC §10-261 and Lee County Solid Waste Ordinance #08-10 for the pick-up/disposal of solid waste and recyclables. The minimum area required for, and specific locations of these facilities will be reviewed at the time of local development order application.
- 10. **Prior Zoning Resolutions.** Upon approval of this rezoning, Lee County Zoning Resolution #Z-06-019 and Administrative Amendment #ADD2008-00131 both become null and void.
- 11. **Existing Structures.**
  - A. Existing buildings cannot be occupied or used for commercial purposes unless the conditions of this zoning resolution are met.
  - B. If existing structure(s) is/are demolished or otherwise removed from the site, and a new structure(s) is/are proposed, the MCP must be amended to reflect the location(s) of the new structure(s), and the new structure(s) must comply with the LDC provisions in effect at the time and this resolution.

- C. Any proposed commercial use of the existing or proposed buildings or open storage areas must be reviewed by the Lee County Department of Community Development staff and must receive all appropriate approvals prior to obtaining a Certificate of Occupancy for the new use.

The existing structures will be reviewed for compliance with LDC Chapter 10, Article IV, §10-600 Design Standards and Guidelines for Commercial Buildings and Developments, *et. seq.* and conditions of this zoning resolution.

- D. If the existing structure(s) is/are removed or the site is redeveloped, the new structures will be reviewed for compliance with LDC Chapter 10, Article IV, §10-600 Design Standards and Guidelines for Commercial Buildings and Developments, *et. seq.*, and the conditions of this zoning resolution.

- 12. **Sidewalks.** Development must include sidewalks, as a site-related improvement. These improvements are not eligible for impact fee credits. Such facilities must be included in local development orders as part of construction of the project's infrastructure.

- 13. **Unified Architectural Theme and Design Standards.**

- A. All structures, including signage, within the CPD must be designed to be architecturally compatible and share a common architectural theme.
- B. A unified signage plan must be submitted for staff review and approval at the time of local development order application.
- C. The use of neon lighting for the exterior lighting or signage of any buildings within the CPD area (excluding interior signage that may be incidentally visible from the exterior) is prohibited.
- D. The use of florescent colors for accent or primary exterior surfaces are prohibited. The color palette for the primary and accent exterior surfaces must be generally subdued and earth-tones, excepting that national signage, consistent with the provisions of LDC Chapter 30 and the unified sign plan will be allowed.
- E. Old Florida style architecture is encouraged. Mediterranean architecture of any sort is prohibited.
- F. The proposed building (or any new construction) cannot receive a certificate of occupancy unless the conditions of this zoning resolution are met.

- 14. **Open Space.** Prior to local development order approval, development order plans must delineate a minimum 0.7 acres of common open space in substantial compliance with the MCP.

15. **Landscape Plans.** Prior to local development order approval, landscape plans must depict:
  - A. The general tree, perimeter planting, and landscaping of parking and vehicle use areas as required by the LDC and buffers as required by the approved zoning resolution; and
  - B. The salvaging of existing native plants as required by LDC §10-415(b)(2), to include the on-site relocation of sabal palms (Sabal Palmetto).
16. **Buffers.** Prior to local development order approval, development order plans must depict buffers in substantial compliance with the approved MCP, MCP details and as conditioned as part of the zoning approval.

**SECTION C. DEVIATIONS:**

1. **Buffer between residential and commercial uses.** Deviation (1) seeks relief from the LDC §10-416(d)(4) requirement of a Type C or Type F buffer between residential uses and commercial uses, to allow a Type C buffer, using the wall of the existing building as the required wall. Environmental Staff found that, under these circumstances for redevelopment on an infill project, a deviation of this sort is appropriate and enhances this planned development. This deviation is APPROVED, SUBJECT TO the following condition:

If the existing building on McNeill Road is demolished or removed (and not replaced at the same location), or the location of this building is changed on the MCP, this deviation becomes null and void.

2. **Buffering site from adjacent residential.** Deviation (2) seeks relief from the LDC §10-416(d)(6) requirement that roads, drives, or parking areas located less than 125-feet from an existing single-family residential subdivision or single-family residential lot, have a solid wall or combination berm and solid wall, not less than eight feet in height, not less than 25 feet from the abutting property and landscaped (between the wall and the abutting property) with a minimum of five trees and 18 shrubs per 100 linear feet, or a 30-foot-wide Type F buffer with the hedge planted a minimum of 20 feet from the abutting property, to allow a Type F buffer meeting LDC §34-3005(b)(1) Open Storage fencing and screening requirements within a minimum 15-foot width and a minimum 10-foot-wide planting area. This deviation is APPROVED, SUBJECT TO the following conditions:

1. Prior to development order approval, landscape plans must depict the minimum 15-foot enhanced Type F buffer plantings (Cross Section B) and 30-foot Type F buffer plantings (Cross Section A) installed to form a continuous visual screen along the east property line.

2. Prior to development order approval, landscape plans must depict Cross Section B vegetation installed to meet LDC §34-3005(b)(1) 8 foot height visual screening requirements. Berms may be used to assist in meeting the height requirement.
3. **Location of buffer plantings.** Deviation (3) seeks relief from the LDC §10-421(8) requirement that, if a wall or fence is proposed, but not required, then the required buffer plantings must be installed on the exterior side of the wall or fence, to allow them to plant the required buffer planting materials on the interior, nonresidential side of the fence. This deviation is APPROVED.
4. **Buffer width.** Deviation (4) seeks relief from the LDC §10-416(4) requirement of a 15-foot-wide Type D buffer when a right-of-way abuts a proposed commercial use, to allow a minimum 10-foot-wide buffer, where the existing building encroaches into the required 15-foot-wide buffer space, planted with 5 trees per 100 linear feet and a double row hedge - **AND** - Deviation 4 also requests relief from LDC §10-416(4) to allow the existing pavement for the proposed open storage use to encroach a maximum of 6 feet into the required 15-foot-wide McNeil Road right-of-way buffer. This deviation is APPROVED, SUBJECT TO the following conditions:
  1. This deviation (for relief on Pondella Circle) becomes null and void if the building on the southeast corner of the MCP is demolished or destroyed.
  2. This deviation (for relief on McNeill Road) becomes null and void if the open storage area on McNeill Road is removed or destroyed.
5. **Impervious surface within a buffer.** Deviation (5) seeks relief from the LDC §10-416(d)(11) requirement that no more than 20% of the buffer width may be impervious surface, to allow the existing sidewalk abutting the existing building at the corner of Pondella Circle and Pondella Road to encroach a maximum of 10 feet into the required right-of-way buffer along Pondella Road. This deviation is APPROVED, SUBJECT TO the following condition:

Prior to local development order approval, landscape plans must depict a minimum of 5 feet of plantable area is provided for the Type D buffer planting requirements abutting the right-of-way, the existing impervious area to remain must be used as a pedestrian sidewalk, and perimeter raised planters and/or planting boxes as required by LDC §10-416(b) must be provided along the south building facade, excluding any building access.
6. **Building and structure setbacks.** Deviation (6) seeks relief from the LDC §34-2192 requirement that all buildings and structures to be setback 25 feet from an arterial and local street easement or right-of-way, to allow the proposed



building to be built to the same setback as the existing building (approximately 17.6 feet from the Pondella Road right-of-way) and for the existing building to be set back and/or renovated 9.8 feet from the Pondella Circle right of way. This deviation is APPROVED.

7. **Intersection separation.** Deviation (7) seeks relief from the LDC §10-285 requirement that a minimum centerline spacing of 125' between intersections along a local road, to allow 55.7 feet of separation on McNeill Road to the nearest driveway to the west, and to allow a 32.4 feet of separation from Pondella Circle to the nearest driveway to the east. This deviation is APPROVED, SUBJECT TO the following conditions:

1. The deviation and two access points on McNeill Road are approved to accommodate the existing building only. Future redevelopment involving demolition of the existing building on McNeill Road is encouraged to consolidate site access into a single driveway along McNeill Road, if possible. Changes to the site access will require an administrative amendment to the planned development per the requirements of the LDC.
2. The proposed access points cannot be utilized for commercial purposes until the conditions of this zoning resolution are met. (See Condition 11A.)

**SECTION D. EXHIBITS:**

The following exhibits are attached to this resolution and incorporated by reference:

- Exhibit A: Legal description of the property  
Exhibit B: Zoning Map (with the subject parcel indicated)  
Exhibit C: The Master Concept Plan

**SECTION E. FINDINGS AND CONCLUSIONS:**

1. The applicant has proven entitlement to the rezoning by demonstrating compliance with the Lee Plan, the LDC, and any other applicable code or regulation.
2. The rezoning, as approved:
  - a. meets or exceeds all performance and locational standards set forth for the potential uses allowed by the request;
  - b. is consistent with the densities, intensities and general uses set forth in the Lee Plan;
  - c. is compatible with existing or planned uses in the surrounding area;

- d. will not place an undue burden upon existing transportation or planned infrastructure facilities and will be served by streets with the capacity to carry traffic generated by the development; and
  - e. will not adversely affect environmentally critical areas or natural resources.
3. The rezoning satisfies the following criteria:
- a. the proposed use or mix of uses is appropriate at the subject location;
  - b. the recommended conditions to the concept plan and other applicable regulations provide sufficient safeguard to the public interest; and
  - c. the recommended conditions are reasonably related to the impacts on the public interest created by or expected from the proposed development.
4. Urban services, as defined in the Lee Plan, are, or will be, available and adequate to serve the proposed land use.
5. The approved deviations, as conditioned, enhance achievement of the planned development objectives, and preserve and promote the general intent of LDC Chapter 34, to protect the public health, safety and welfare.

Commissioner Ray Judah made a motion to adopt the foregoing resolution, seconded by Commissioner John Manning. The vote was as follows:

John E. Manning	Aye
Brian Bigelow	Absent
Ray Judah	Aye
Tammara Hall	Aye
Frank Mann	Aye

DULY PASSED AND ADOPTED this 20th day of September, 2010.

ATTEST:  
CHARLIE GREEN, CLERK

BOARD OF COUNTY COMMISSIONERS  
OF LEE COUNTY, FLORIDA

BY: Marcia Wilson  
Deputy Clerk

BY: T Hall  
Tammara Hall, Chair



Approved as to form by:

John J. Fredyma  
John J. Fredyma  
Assistant County Attorney  
County Attorney's Office

RECEIVED  
MINUTES OFFICE  
mw  
2010 OCT -8 PM 12:13

DESCRIPTION

A tract or parcel of land lying in Section 4, Township 44 South, Range 24 East, Lee County, Florida, said tract or parcel being more particularly described as follows:

Commencing at the Southwest corner of the Southwest Quarter (SW 1/4) of the Southeast Quarter (SE 1/4) of Section 4, Township 44 South, Range 24 East, Lee County, Florida, said point being at an intersection formed by the centerline of McNeill Road (50 feet wide) and the centerline of Pondella Road as shown on a Plat entitled "Pondella Circle" recorded in Plat Book 12, Page 98, in the Public Records of Lee County, Florida; thence run N 04°34'08" W along the centerline of McNeill Road a distance of 102.27 feet; thence departing said centerline S 89°37'00" E a distance of 25.09 feet to an intersection formed by the east right-of-way line of said McNeill Road and the north right-of-way line of Pondella Road, as described in Official Records Book 2308, Page 1092 (Parcel 137) and recorded in said Public Records, and the Point of Beginning. From said Point of Beginning run N 04°34'08" W along said east right-of-way line a distance of 347.88 feet, said point being the southwest corner of Lot 3 as shown on said Plat; thence departing said east right-of-way line S 89°37'00" E along the south line of said Lot 3 distance of 105.00 feet to the northwest corner of Lot 11 as shown on said Plat; thence along the west line of Lot 11, Lot 10 and Lot 9 S 04°34'08" E a distance of 210.00 feet to the southwest corner of Lot 9 as shown on said Plat; thence S 89°37'00" E along the south line of said Lot 9 a distance of 105.00 feet to an intersection with the west right-of-way line of Pondella Circle (50 feet wide); thence S 04°34'08" E along said west right-of-way line a distance of 147.88 feet to an intersection with the north right-of-way line of Pondella Road; thence run the following three courses along the north right-of-way line of Pondella Road: S 42°54'31" W a distance of 27.04 feet; thence N 89°37'00" W a distance of 159.98 feet; thence N 47°05'29" W a distance of 44.22 feet to the Point of Beginning.

Containing within said bounds 1.30 acres more or less

APPROVED *Corrected*  
 LEGAL *for topographical*  
*correct* DCI 2009-00038  
 BG 9/13/10

RECEIVED  
 SEP 02 2010

COMMUNITY DEVELOPMENT

SURVEYOR'S NOTES:

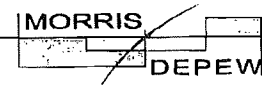
1. THE DESCRIPTION SHOWN HEREON IS NEW.
2. BEARINGS BASED ON THE EAST RIGHT OF WAY LINE OF McNEILL ROAD AS SHOWN ON A PLAT ENTITLED PONDELLA CIRCLE, RECORDED IN PLAT BOOK 12, PAGE 98 IN THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA AS BEARING N.04°34'08"W.
3. UNLESS IT BEARS THE ORIGINAL SIGNATURE AND RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER, AND BOTH SHEETS ARE INCLUDED, THIS MAP IS NOT VALID.
4. THIS IS NOT A SURVEY!

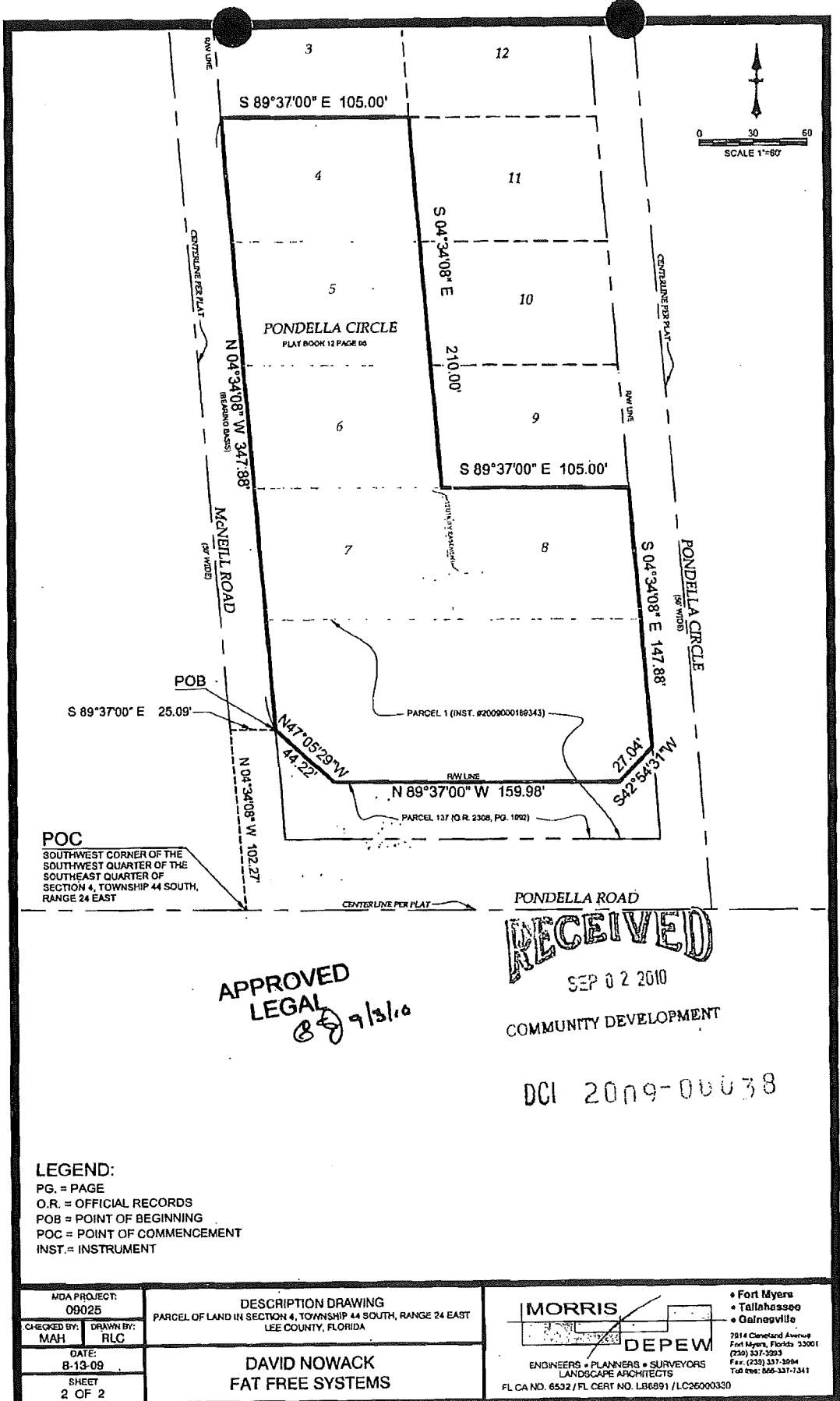
PREPARED BY:

*Robert L. Carmelja*  
 ROBERT L. CARMELJA, P.S.M.  
 PROFESSIONAL SURVEYOR AND MAPPER  
 FLORIDA CERTIFICATE NO. 6548

DATE SIGNED: 9/11/10

REVISION: B-1-10 REVISED BEARING IN SURVEYORS NOTE 2-RLC

MDA PROJECT: 09025		DESCRIPTION DRAWING PARCEL OF LAND IN SECTION 4, TOWNSHIP 44 SOUTH, RANGE 24 EAST LEE COUNTY, FLORIDA		 MORRIS DEPEW ENGINEERS • PLANNERS • SURVEYORS LANDSCAPE ARCHITECTS FL CA NO. 6532 / FL CERT NO. L88891 / LC26000330	• Fort Myers • Tallahassee • Gainesville 2914 Cleveland Avenue Fort Myers, Florida 33901 (239) 337-3583 Fax: (239) 337-3594 Toll Free: 866-337-7341
CHECKED BY: MAH	DRAWN BY: RLC	DATE: 8-13-09			
DATE: 8-13-09		SHEET 1 OF 2			
		DAVID NOWACK FAT FREE SYSTEMS			



APPROVED  
LEGAL  
8/9/10

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SEP 02 2010  
COMMUNITY DEVELOPMENT

DCI 2009-00038

LEGEND:  
PG. = PAGE  
O.R. = OFFICIAL RECORDS  
POB = POINT OF BEGINNING  
POC = POINT OF COMMENCEMENT  
INST. = INSTRUMENT

MDA PROJECT: 09025		DESCRIPTION DRAWING PARCEL OF LAND IN SECTION 4, TOWNSHIP 44 SOUTH, RANGE 24 EAST LEE COUNTY, FLORIDA		<p>Fort Myers Tallahassee Gainesville</p> <p>2914 Cleveland Avenue Fort Myers, Florida 33901 (941) 337-3593 Fax: (239) 337-3594 Toll free: 866-337-7341</p> <p>ENGINEERS • PLANNERS • SURVEYORS LANDSCAPE ARCHITECTS</p> <p>FL CA NO. 6532 / FL CERT NO. LB6891 / LC26000330</p>
CHECKED BY: MAH	DRAWN BY: RLC	DAVID NOWACK FAT FREE SYSTEMS		
DATE: 8-13-09				
SHEET 2 OF 2				

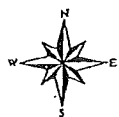
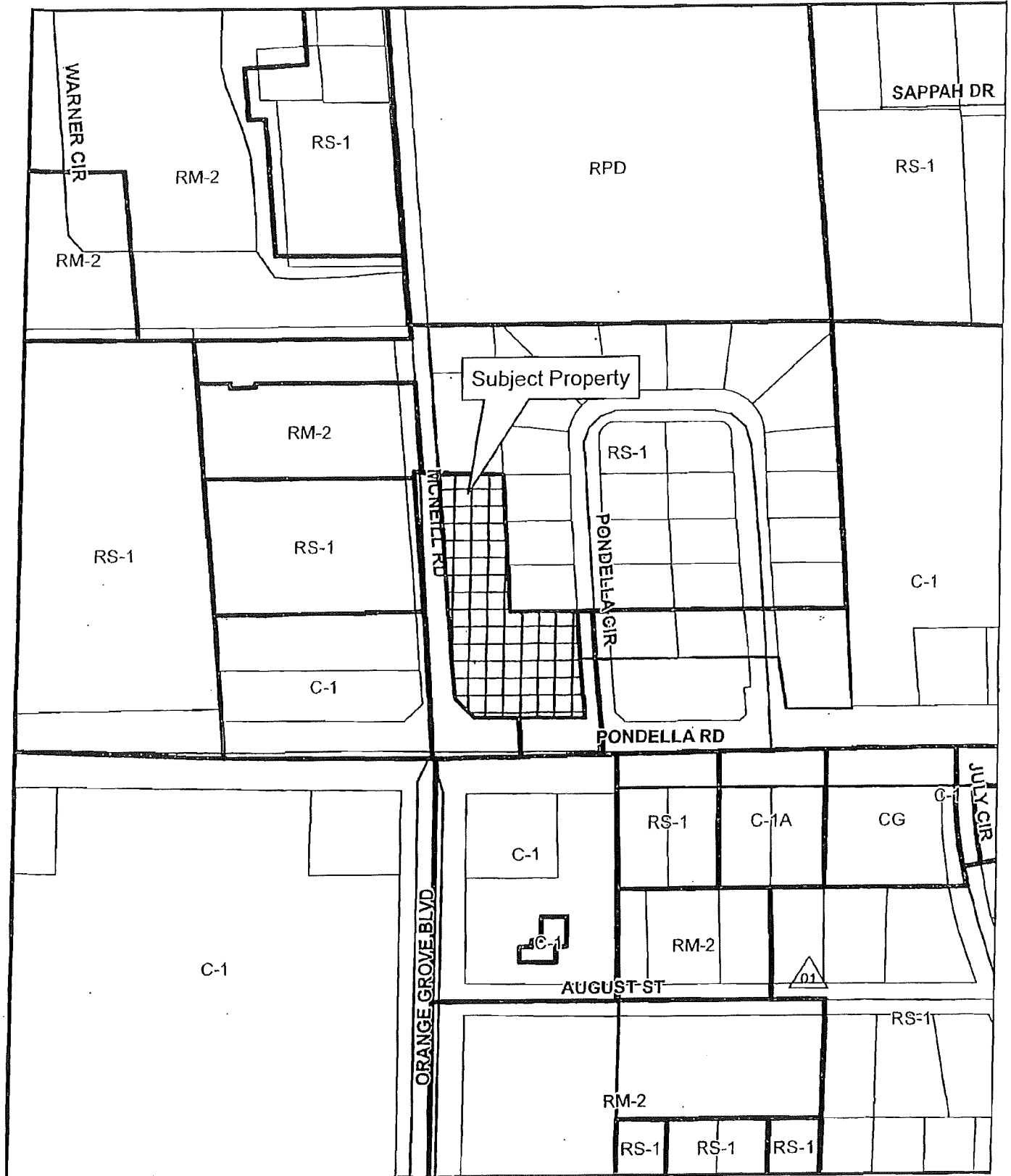


EXHIBIT B

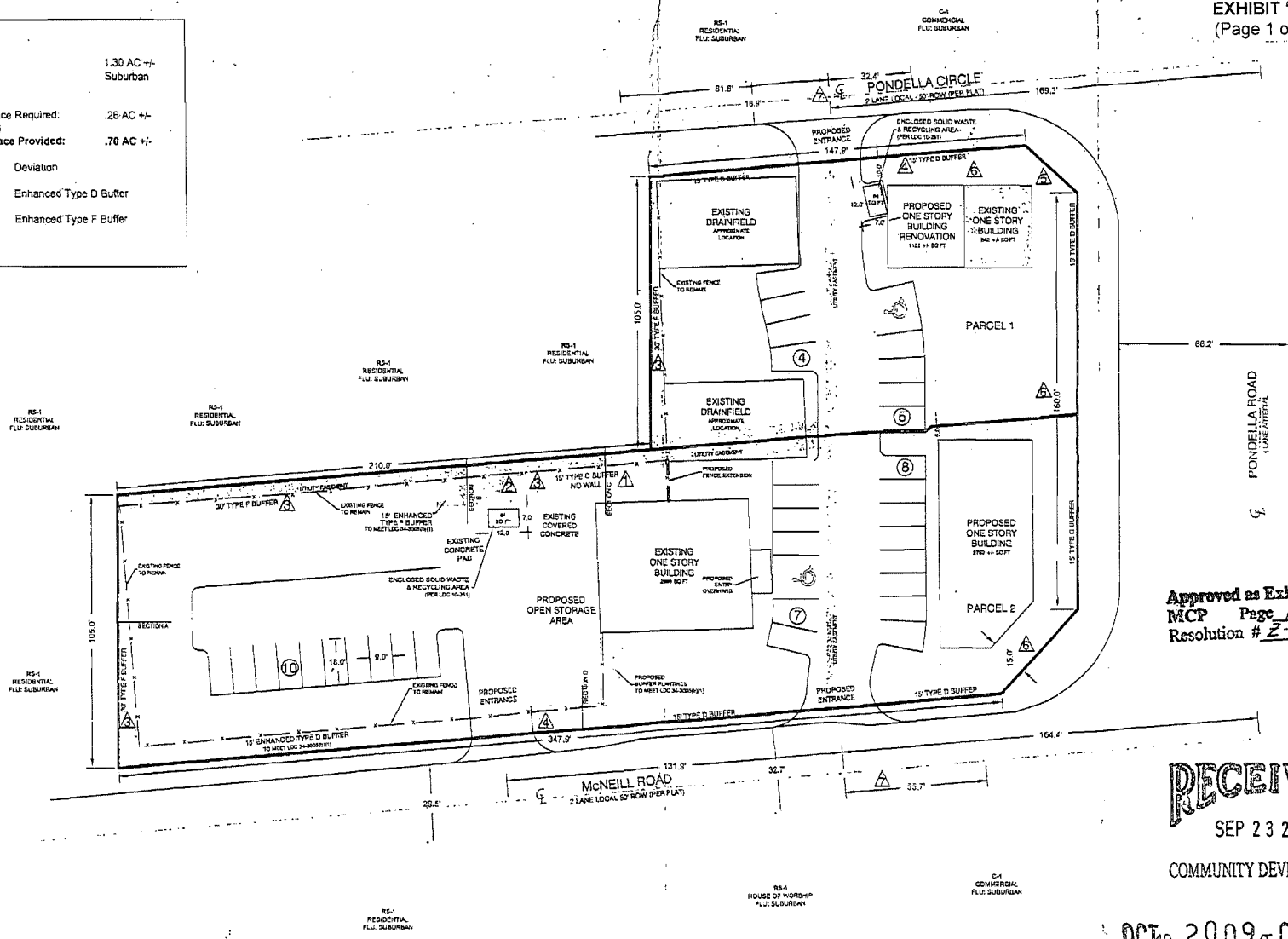


**NOTES:**

Site Area: 1.30 AC +/-  
FLU: Suburban

Open Space Required: .26 AC +/-  
(Min 20%)  
Open Space Provided: .70 AC +/-

▲ Deviation  
□ Enhanced Type D Buffer  
□ Enhanced Type F Buffer



Approved as Exhibit C  
MCP Page 1 of 2  
Resolution # 2-10-07B

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SEP 23 2010  
COMMUNITY DEVELOPMENT

DCL 2009-00038  
SCALE 1"=40'

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MSDCS  
12/28/09 - REVISED per Sufficiency Comments  
09/28/10 - REVISED per Sufficiency Comments  
09/11/10 - REVISED

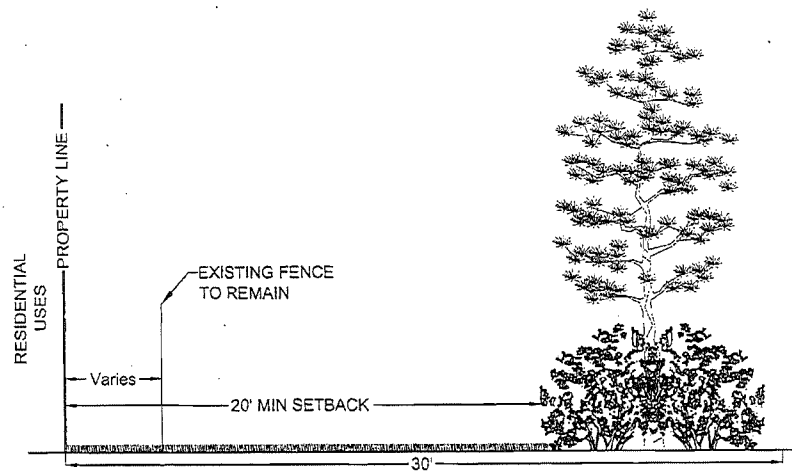
4-foot Height  
20-foot Width  
20-foot Depth  
20-foot Length

MORRIS DEFEY  
LANDSCAPE ARCHITECTS  
1100 WEST 11TH AVENUE, SUITE 100  
DENVER, CO 80202

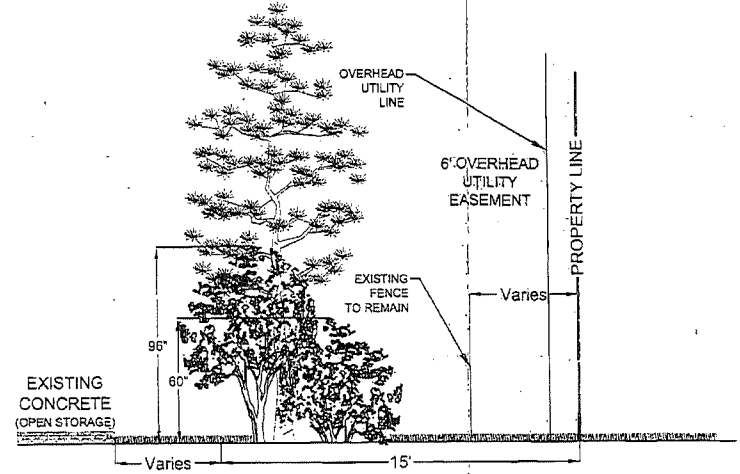
MASTER CONCEPT PLAN  
NOWACK CPD  
David Nowack  
Lee County, Florida

MSL PROJECT: 09022  
DESIGNED BY: JLI  
DRAWN BY: LKC  
DATE: 10/09/09  
SHEET: 1

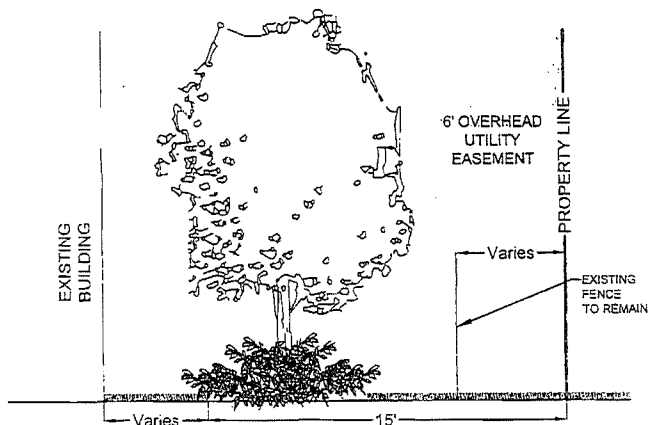
EXHIBIT "C"  
(Page 2 of 2)



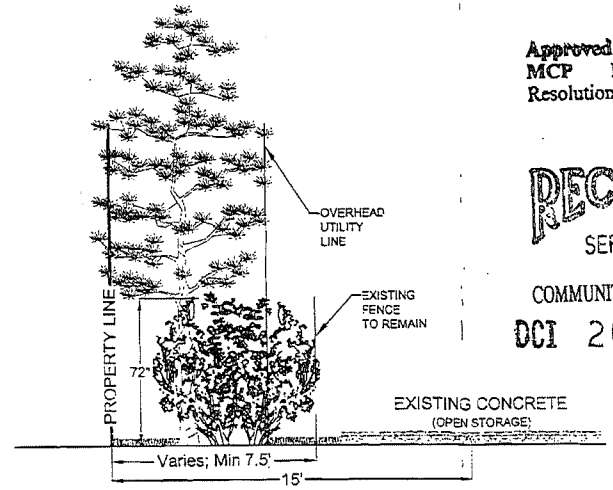
A TYPE F BUFFER TYPICAL - DEVIATION 3 NOT TO SCALE



B ENHANCED TYPE F BUFFER - DEVIATION 2 & 3 NOT TO SCALE



C TYPE C BUFFER NO WALL - DEVIATION 1 & 3 NOT TO SCALE



D ENHANCED TYPE D BUFFER NOT TO SCALE

Approved as Exhibit C  
MCP Page 2 of 2  
Resolution # 2-10-018

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SEP 23 2010

COMMUNITY DEVELOPMENT  
DCI 2009-00038

REVISIONS  
12/28/09 - REVISED per Sufficiency Comments  
10/20/10 - REVISED per Sufficiency Comments

MORRIS DEPEW ASSOCIATES, INC.  
1228 W. UNIVERSITY AVENUE  
ANN ARBOR, MI 48106  
TEL: 734.769.7300  
WWW.MORRIS-DEPEW.COM

DETAILS  
NOWACK CPD  
David Nowack  
LKC  
DESIGNED BY: DAWN M  
DATE: 12/28/09  
SHEET  
2

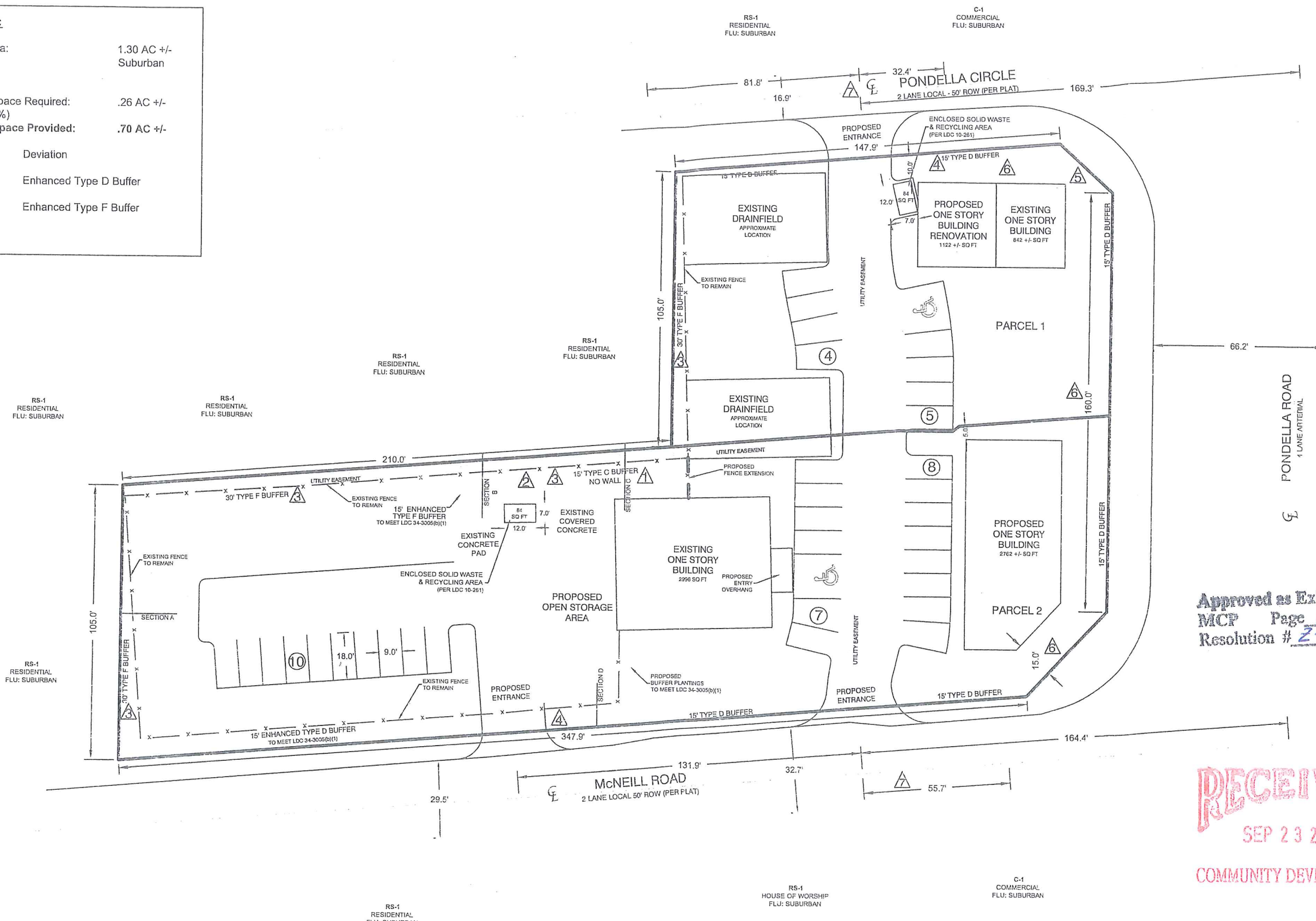


**NOTES:**

Site Area: 1.30 AC +/-  
 FLU: Suburban

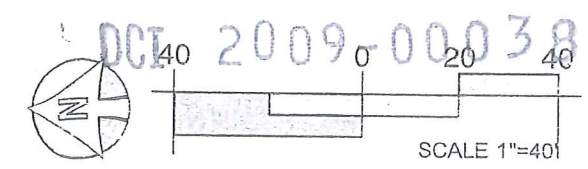
Open Space Required: .26 AC +/-  
 (Min 20%)  
 Open Space Provided: .70 AC +/-

- Deviation
- Enhanced Type D Buffer
- Enhanced Type F Buffer



Approved as Exhibit  
 MCP Page 1 of 2  
 Resolution # 2-10-08

**RECEIVED**  
 SEP 23 2010  
 COMMUNITY DEVELOPMENT



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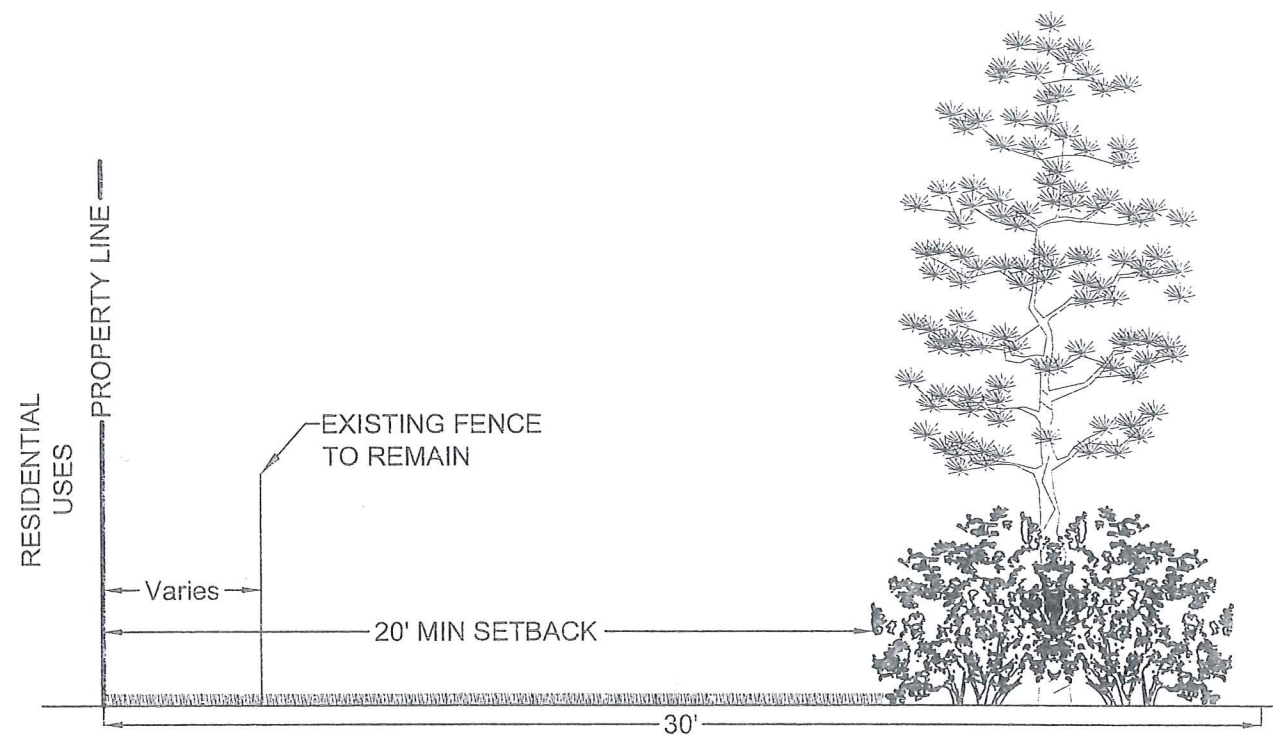
REVISIONS  
 12/28/09 - REVISED per Sufficiency Comments  
 03/26/10 - REVISED per Sufficiency Comments  
 06/01/10 - REVISED

Fort Myers  
 Tallahassee  
 Gainesville  
 2914 Cleveland Avenue  
 Fort Myers, Florida 33901  
 Phone: (239) 337-2944  
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 FL CA NO. 6932 / FL CERT. NO. LB6681 / LC26000300

**MORRIS • DEPEW**  
 ENGINEERS • PLANNERS • SURVEYORS  
 LANDSCAPE ARCHITECTS

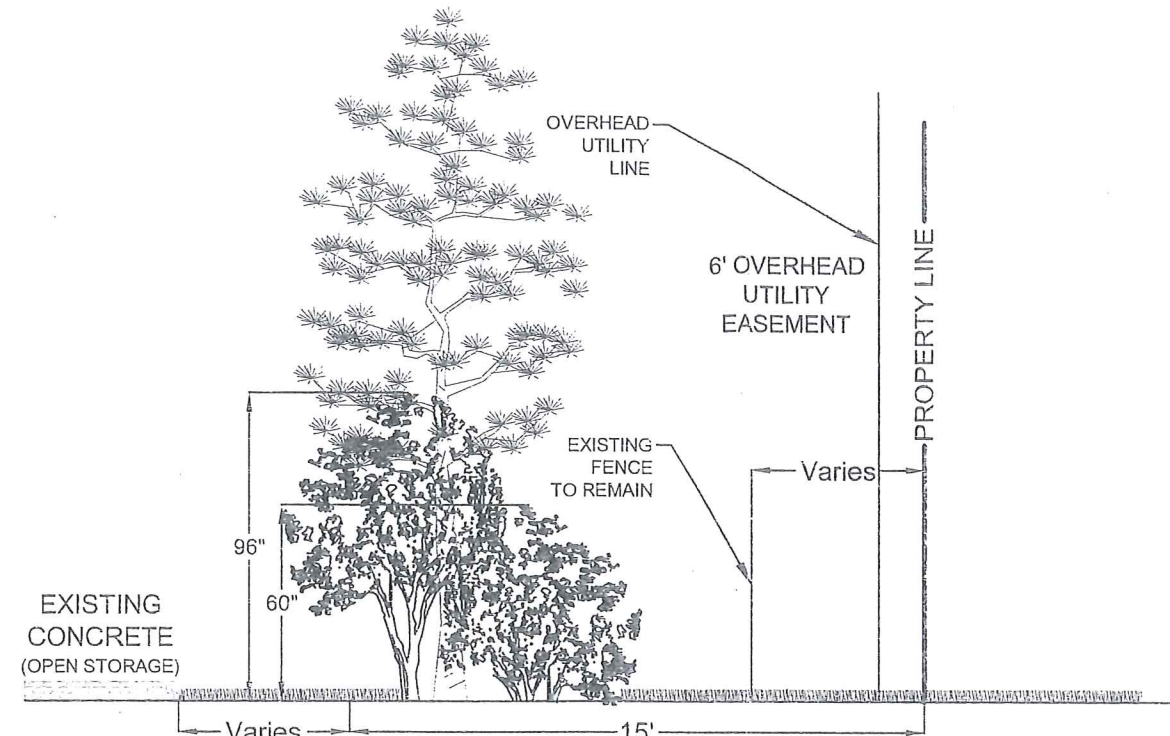
MASTER CONCEPT PLAN  
 NOWACK CPD  
 David Nowack  
 Leo County, Florida

MDA PROJECT: 09025  
 DESIGNED BY: JLW  
 DRAWN BY: LKC  
 DATE: 10/09/08  
 SHEET: 1



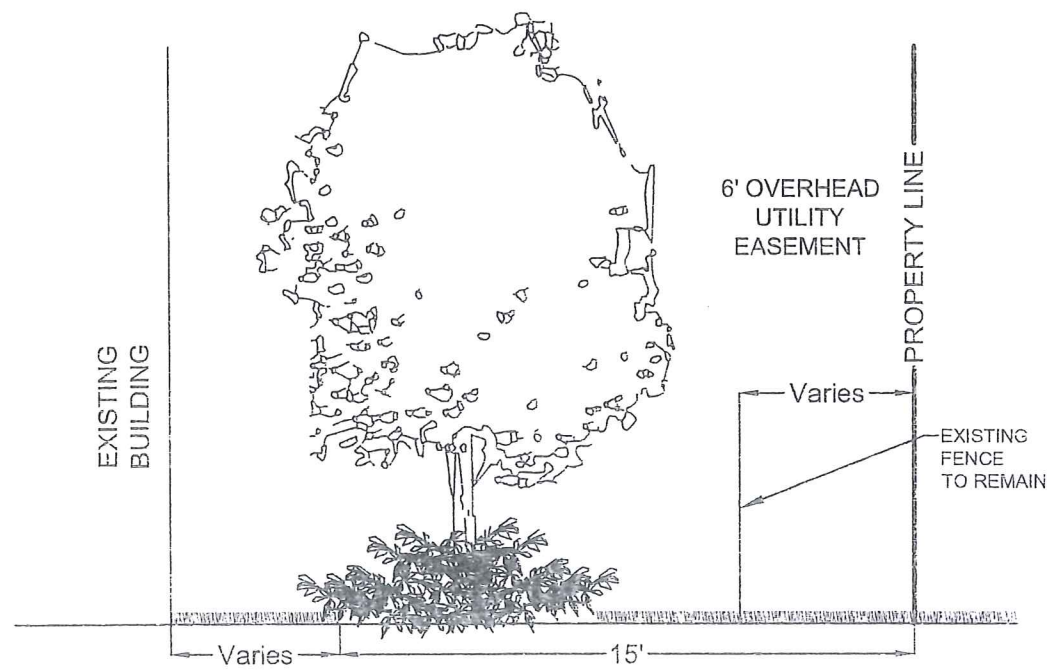
A TYPE F BUFFER TYPICAL - DEVIATION 3

NOT TO SCALE



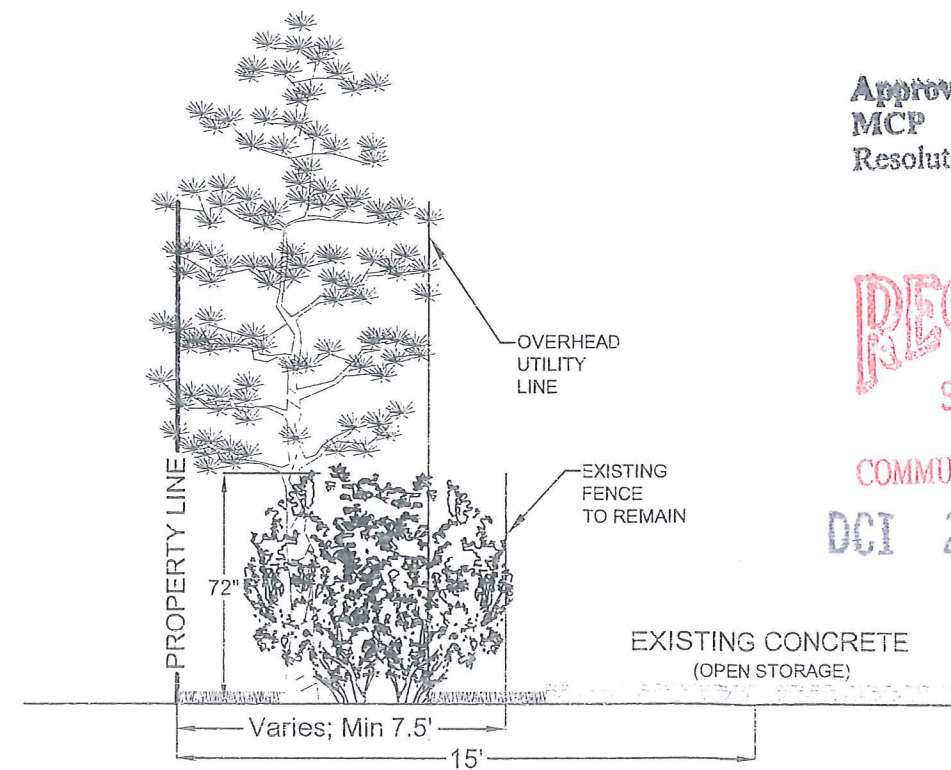
B ENHANCED TYPE F BUFFER - DEVIATION 2 & 3

NOT TO SCALE



C TYPE C BUFFER NO WALL - DEVIATION 1 & 3

NOT TO SCALE



D ENHANCED TYPE D BUFFER

NOT TO SCALE

Approved as Exhibit  
MCP Page 9 of 2  
Resolution # 2-10-018

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SEP 23 2010

COMMUNITY DEVELOPMENT

DCI 2009-00038

REVISIONS  
12/28/10 - REVISED per Sufficiency Comments  
03/26/10 - REVISED per Sufficiency Comments

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Gainesville

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LANDSCAPE ARCHITECTS

FL CA NO. 6532 / FL CERT. NO. LB9891 / LC20000030

DETAILS

NOWACK CPD  
David Nowack  
Lee County, Florida

MDA PROJECT:  
09025

DESIGNED BY: JLJ  
DRAWN BY: LKC

DATE:  
12/28/09

SHEET  
2