

**Notice of Public Meeting
of the City of Bonita Springs
Board for Land Use Hearings & Adjustments
and Zoning Board of Appeals
TUESDAY, May 18, 2021 at 9:00am
Bonita Springs Recreation Center
26740 Pine Avenue
Bonita Springs, FL 34135**

- I. CALL TO ORDER
- II. INVOCATION
- III. PLEDGE OF ALLEGIANCE
- IV. ROLL CALL
- V. APPROVAL OF MINUTES: February 23, 2021
- VI. PUBLIC COMMENT
- VII. PUBLIC HEARINGS

EACH CASE WILL INCLUDE A PUBLIC COMMENT PERIOD AT THE CONCLUSION
OF THE APPLICANT AND STAFF PRESENTATION

- A. CASE NAME: POWER LODGE SPECIAL EXCEPTION (SPE20-75828-BOS)

A SPECIAL EXCEPTION REQUEST TO ALLOW A VEHICLE &
EQUIPMENT DEALER GROUP II AND III USE ON A PROPERTY
LOCATED WITHIN THE US 41 OVERLAY, PURSUANT TO LDC 4-
891.

- VIII. NEXT MEETING: TENTATIVE- June 15, 2021
- IX. ADJOURNMENT

Any person requiring special accommodations at any of the meetings because of a disability or physical impairment should contact Meg Weiss, Director of Administrative Services at 239-949-6262, at least 48 hours prior to the meeting.

If a person decides to appeal a decision made by the Board in any matter considered at this meeting/hearing, such person may need to ensure that a verbatim record of the proceeding is made, to include the testimony and evidence upon which any such appeal is to be based.

NOTE: This meeting is televised on Comcast Channel 98. You may also view the meeting on hotwire channel 398; century link/prism tv channel 87; and summit broadband channel 96. Meetings can be viewed and agendas are available at www.cityofbonitasprings.org one week prior to the public hearing.

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**City of Bonita Springs Board
for
Land Use Hearings & Adjustments and Zoning Board of Appeals
MINUTES
Tuesday, February 23, 2021
9:00 A.M.
Bonita Springs Recreation Center
26740 Pine Avenue
Bonita Springs, FL 34135**

I. CALL TO ORDER

Chairman Anthony Rascio called the meeting to order at 9:00 A.M.

II. INVOCATION

Board Member Russ Winn furnished the invocation.

III. PLEDGE OF ALLEGIANCE

Chairman Anthony Rascio led the Board in the Pledge of Allegiance.

IV. ROLL CALL

Members in attendance: Chairman Anthony Rascio, Board Member Bruce Galloway, Board Member Gary Gambrell, Board Member Ben Hershenson, Board Member Russ Winn.

Absent: Board Member Richard Donnelly and Board Member Kelly Macklin.

V. APPROVAL OF MINUTES: November 17, 2020

Board Member Ben Hershenson motioned for approval of the minutes; Board Member Russ Winn seconded; motion passed unanimously.

VI. PUBLIC COMMENT: None

VII. SWEARING IN

City Attorney Derek Rooney placed all witnesses under oath.

VIII. PUBLIC HEARINGS

A. CASE NAME: VAR20-74088-BOS 244 LIMETREE PARK DR SETBACK VARIANCE

REQUEST: A variance from LDC 4-926(d)(3), which requires a side and rear setback of 10 feet for commercial accessory structures, to allow a setback of 5 feet along the western side property line and a 6-foot setback along the rear property line, and from LDC 4-1732, which requires 4 parking spaces per 1,000 square feet of indoor recreation facility for the existing clubhouse, to allow for a reduction of 8 parking spaces, to permit a dumpster enclosure for an existing recreational vehicle park in Bonita Springs.

LOCATION: 244 LIMETREE PARK DRIVE, BONITA SPRINGS, FLORIDA 34135

1. APPLICANT PRESENTATION

Presenter:

Bruce Dodge, Agent: Limetree Campsite Condo Inc.

- Mr. Dodge presented case stating that approximately a year ago, the decision was made to replace the fencing around the dumpster enclosure. It was discovered then that the change would require seeking a variance from the City. The Applicant believed they were able to accommodate with the compliance of most of the requests given. Applicant discussed the Ordinance requiring eight parking spots and the fact that they were losing two parking spaces to accommodate the large entrance gates.
- No questions regarding the presentation were asked.

2. STAFF REPORT

- Mary Zizzo, Community Development, provided the staff presentation via PowerPoint (copy in Clerk's file) and recommended approval of the request for side setback of 5 feet, rear setback of 6 feet, and 14 parking spaces. The Review Team included a Senior Planner, Surveyor, City Engineer, Landscape Compliance, and representation from Lee County Solid Waste. Ms. Zizzo stated the request would be approved by Resolution, so only one hearing would occur in front of the City Council with advertisement provided accordingly.
- Public Comment was granted successfully to the neighborhood residents. Ms. Zizzo reviewed reasons for Variance Request. Staff provided the analysis, findings, and conclusions stating there were no encroachments, nothing injurious to the neighborhood, and found parking satisfactory. Ms. Zizzo stated that the site would provide a better view from the street and neighboring views. Ms. Zizzo recommended that the Applicant work with Lee County Solid Waste to minimize their foot print a bit more. Approval recommended.
- Board Member Ben Hershenson questioned if all neighborhood residents were given the opportunity to comment to which the Applicant responded in the affirmative; stating further that the vast majority of residents did not respond for request to comment.

- Ex parte disclosure: Board Member Gary Gambrell declared a site visit. He asked if once variance was approved, would Applicant be cleared to begin construction to which Ms. Zizzo responded in the affirmative. She explained that once approval was obtained by the Zoning Board, it would next be set for a first reading before City Council. City Council would then make the determination whether or not to approve. Board Member Gambrell asked if a rendering of the final structure was required now or at time of the City Council reading. Ms. Zizzo stated it was not required.
- Board Member Bruce Galloway questioned if staff looked for other locations in the park to hold the dumpsters. Ms. Zizzo, stated that they did not want to change the dynamic of the park and want to work with the existing footprint. Board Member Galloway asked whether trees on the west side would be impacted. Ms. Zizzo expressed no concerns and stated that would be reviewed in depth at the time of the Limited Development Order.
- Item A - Chairman Anthony Rascio called for a motion to approve, and Board Member Ben Hershenson entered a motion to approve the request consistent with the findings of staff; Board Member Gary Gambrell seconded; the motion carried unanimously.

RESULT:	PASSED [5-0]
MOTION BY:	Ben Hershenson, Board Member
SECOND BY:	Gary Gambrell, Board Member
AYES:	Rascio, Galloway, Gambrell, Hershenson, Winn
NAYS:	None

IX. ADJOURNMENT

There being no further items to discuss, Chairman Rascio adjourned the meeting at 9:20 A.M.

Respectfully submitted,

Laurie K. Hamm, Recording Secretary

APPROVED:

BONITA SPRINGS ZONING BOARD:

Date: _____

AUTHENTICATED:

Chairman Anthony Rascio

**BONITA SPRINGS, FLORIDA
COMMUNITY DEVELOPMENT DEPARTMENT
ZONING DIVISION
STAFF REPORT**

PROJECT NAME: POWER LODGE

TYPE OF CASE: SPECIAL EXCEPTION

CASE NUMBER: SPE20-75828-BOS

HEARING DATE: MAY 18, 2021

PLANNER: MIKE FIIGON II

REQUEST AND STAFF RECOMMENDATION

A special exception request to allow a Vehicle & Equipment Dealer Group II and III use on a property located within the US 41 Overlay, pursuant to LDC 4-891.

Deviations Requested: None

Staff recommends **APPROVAL** of the request in conjunction with the conditions outlined later in this Staff Report.

I. APPLICATION SUMMARY:

A. Applicant: Tom Dehn

B. Agent: Hole Montes, Inc., Paula McMichael, AICP

C. Request: A special exception request to allow a Vehicle & Equipment Dealer Group II and III use on a property located within the US 41 Overlay, pursuant to LDC 4-891.

D. Location: 28450-488 S. Tamiami Trail, Bonita Springs, FL 34134

E. Future Land Use Designation, Current Zoning and Use of Property:

Future Land Use: General Commercial

Current Zoning: Commercial Planned Development (CPD)

Current Use: Vehicle and Equipment Dealer Groups I-III, pursuant to LDC 4-253, Temporary Use, as recorded in the Official Records of Lee County Florida, Instrument # 20200000325598

F. Surrounding Land Use:

<u>Existing Zoning & Land Use</u>	<u>Future Land Use Map</u>
North: CPD; Boat Dealer	General Commercial
East: US 41 Road Right of Way; CC; Commercial/retail uses	General Commercial
South: CPD; Restaurant, Retail, Hotel, Commercial uses	General Commercial
West: RPD, Single-family residential	Moderate Density Mixed Use Planned Development

II. BACKGROUND AND INFORMATIONAL ANALYSIS

Introduction/Synopsis

The special exception request is to allow a Vehicle and Equipment Dealer Group II and III to utilize an existing building and display areas along Trails Edge Boulevard, located within the US 41 Overlay, for sales and service of motorcycles, ATVs, and personal watercraft, such as jet skis. Currently, LDC 4-891 requires special exception approval for Vehicle and Equipment Dealer Groups I-V if said use is located within the US 41 Overlay boundaries. However, LDC 4-889(f) states: *Uses that are prohibited, or subject to special exception approval in accordance with this subdivision, and are approved as part of an existing PD must comply with this subdivision unless local development order approval has already been obtained for that use.* The property is zoned Commercial Planned Development (CPD) and local development order approval was obtained through Lee County pursuant to Case No. 97-01-031.00D for an automotive dealer, which corresponds to a Vehicle and Equipment Dealer Group I. The Applicant sells motorcycles (Group II) and jet skis/watercraft (Group III), and, thus, needs a special exception for those uses. Even though the approved schedule of uses on the CPD contains Vehicle and Equipment Dealers I, II & III, the US 41 Overlay requirements prevail.

Special Exception Review Criteria – US 41 Overlay

The following criteria are for the US 41 Overlay, which are in LDC 4-891(1)1. and listed below:

1. *Approval criteria. The following criteria will be utilized to evaluate special exception requests in the U.S. 41 Overlay:*
 - (i) *Consistency with the intent of the U.S. 41 Overlay District in protecting and enhancing viewsheds from U.S. 41 and other public roadways.*
 - (ii) *The building and site design standards incorporate innovative techniques to address the project's visual impact on the U.S. 41 corridor and demonstrate enhancements to the minimum standards.*
 - (iii) *The request addresses the balance between auto-oriented design and pedestrian access through enhanced design standards.*

- (iv) *Exceptional or extraordinary conditions exist which warrant the proposed use, including but not limited to demonstrated market demand and minimum spatial separation of 500 feet from a similar use.*
- (v) *Will not be injurious to the neighborhood or otherwise detrimental to the public welfare.*
- (vi) *Will be compatible with existing or planned uses.*
- (vii) *Will [not] cause damage, hazard, nuisance or other detriment to persons or property.*
- (viii) *Will protect, conserve or preserve environmentally critical areas and natural resources.*
- (ix) *Consistency with the goals, objectives, policies and intent of the Bonita Plan.*
- (x) *In compliance with all general zoning provisions, supplemental regulations and performance standards pertaining to the use set forth in this chapter.*

Reviewing these criteria one at a time, Staff makes the following findings:

- (i) *Consistency with the intent of the U.S. 41 Overlay District in protecting and enhancing viewsheds from U.S. 41 and other public roadways.*

The building and site have already been developed as part of a 1997 Lee County development order. The existing building is approximately 200'+ from the edge of the US 41 right-of-way. The project does not have direct frontage on US 41 and a landscape plan has been submitted (Attachment B) that will buffer the outdoor display areas accordingly. Specific and strategic viewsheds will be achieved using the proposed landscaping. Overall, the site and the display areas will be buffered more adequately than what is currently on-site. As a result, it is Staff's opinion that Criterion i has been met.

- (ii) *The building and site design standards incorporate innovative techniques to address the project's visual impact on the U.S. 41 corridor and demonstrate enhancements to the minimum standards.*

Similar to information and analysis provided as part of Criterion i, the building and site have already been developed and there are no proposed

modifications that would create non-conformities with the requirements of the US 41 Overlay. The landscape plan will buffer the site accordingly and lessen the existing visual impact on the corridor. As a result, it is Staff's opinion that Criterion ii has been met.

- (iii) *The request addresses the balance between auto-oriented design and pedestrian access through enhanced design standards.*

The site already has sidewalk access that connects to the pedestrian infrastructure along US 41. The Applicant is proposing an outdoor display area on the east side of Trails Edge Boulevard and has made a note on the site plan regarding a provision for crosswalk access across Trails Edge Boulevard to safely reach the display area. Since Trails Edge Boulevard is under separate ownership, the exact location of the crosswalk can be determined during the local development order process and after additional discussions with the owner take place. It is Staff's opinion that the Applicant has addressed this criterion.

- (iv) *Exceptional or extraordinary conditions exist which warrant the proposed use, including but not limited to demonstrated market demand and minimum spatial separation of 500 feet from a similar use.*

There is a boat dealership that is approximately 440' away from the proposed Power Lodge site. The Applicant provided the following with regard to this criterion: *The boat dealership and the subject site are within the same CPD Zoning district (approved Zoning Resolution Z-97-017), which already allows as a permitted use Vehicle and Equipment Dealers, Groups I-III throughout the CPD. The circumstance of two such uses being located within 500 ft. of each other was already approved and anticipated. Please also note that both sites (the boat dealership and this building) were originally developed as car dealerships (Vehicle and Equipment Dealers, Group I), and reuse of the site and existing buildings makes the most sense for similar uses that operate in a similar fashion.*

The bulk of the sales for the Power Lodge business will be Group II, Motorcycle and lawnmower dealers, and primarily be for motorcycles and motorbikes. Group III uses are defined as the "retail sale of new or used motorboats, yachts, and other watercraft, including boat trailers." The applicant will not sell "motorboats or yachts," but will limit sales to "other watercraft" such as jet skis.

In essence, the argument being made is that in the City's Use Activity Groups, Vehicle and Equipment Dealer groups do not contain just one use per group. An example provided is that Group II contains the retail sale of motorcycles, lawnmowers, dune-buggies, go-karts, and golf carts. Group III contains the retail sale of motorboats, yachts, and other watercraft. The

use that exists within 500' of the proposed Power Lodge site is for motorboats only. Power Lodge does not sell motorboats. Their Group III sales would fall into the "other watercraft" description, which would allow the sale of jet skis. However, it should be noted that Criterion iv describes a separation of 500' for a *similar* use (meaning it does not have to be the exact same). Assuming the Zoning Board and City Council agree with the Applicant's interpretation, then compliance with this criterion has been met.

- (v) *Will not be injurious to the neighborhood or otherwise detrimental to the public welfare.*

As stated previously, the site is already developed and was originally approved as a Vehicle and Equipment Dealer (Group I). Vehicle and Equipment Dealers are active on both sides of this site and are part of the same CPD zoning and even share portions of the same building. One of the concerns raised by the neighborhood that abuts the site to the west (Hidden Lake RPD – part of the Woods Edge/Diamond Ridge CPD/RPD that includes the subject property) pertains to the noise associated with testing out or repairing motorcycles. The Applicant has stated that repairs are done indoors and has agreed to a condition that test drives shall not take place on the western side of the building, closest to the Hidden Lake neighborhood. Based upon, and subject to the conditions of approval, it is Staff's opinion this criterion will be met.

- (vi) *Will be compatible with existing or planned uses.*

As stated previously, the site was originally approved and developed for a vehicle and equipment dealer use. The building or site does not need to be substantially modified to accommodate the proposed uses. The uses were contemplated and approved as part of Lee County Zoning Resolution Z-97-017. The proposed uses of a Vehicle and Equipment Dealer Groups II and III are compatible with the existing development pattern and existing uses. It is Staff's opinion this criterion has been met by the subject application.

- (vii) *Will [not] cause damage, hazard, nuisance or other detriment to persons or property.*

As conditioned, the proposed uses will not cause damage, hazard, nuisance, or other detrimental effects to persons or property. The Staff's opinion is this criterion has been met.

- (viii) *Will protect, conserve or preserve environmentally critical areas and natural resources.*

The site is developed and there are no expansions planned as part of this application. There are no environmentally-critical areas or natural resources on site. The Staff's opinion is the application meets this criterion.

- (ix) *Consistency with the goals, objectives, policies and intent of the Bonita Plan.*

The parcel is located within the General Commercial Future Land Use Category. This site is developed and has active commercial uses. The proposed uses are also commercial in nature. It is Staff's opinion that the request is consistent with the Bonita Plan.

- (x) *In compliance with all general zoning provisions, supplemental regulations and performance standards pertaining to the use set forth in this chapter.*

The Applicant has applied for a special exception, as required by Code. A narrative, site plan, and landscape plan were provided to support the request. The Applicant held the required neighborhood meetings prior to submitting the request, and again after the request was found sufficient by Staff. The request has been reviewed for compliance with the standards set forth in LDC Chapter Four.

As such, it is Staff's opinion that the Applicant has been able to demonstrate compliance with the special exception criteria, though compliance with criterion iv could involve a policy interpretation.

Surrounding Zoning

The parcel to the north is zoned commercial planned development (CPD) and is regulated by the same zoning ordinances as the subject property. The current use to the north is a boat dealer, which would be classified as a Vehicle and Equipment Dealer Group III.

To the south is a Hertz automotive dealer that utilizes the same building as the proposed Power Lodge. Further south is a restaurant (Mel's Diner) and a hotel (La Quinta Inn & Suites), both zoned Commercial Planned Development (CPD) and also regulated by the same zoning ordinances as the proposed site for the Power Lodge.

To the east is Trail's Edge Blvd followed by the right-of-way of US 41. East of US 41 is a shopping plaza zoned Community Commercial (CC).

To the west is a residential subdivision known as Hidden Lake. It is zoned Residential Planned Development (RPD) and is part of the Woods

Edge/Diamond Ridge CPD/RPD that includes the proposed Power Lodge project. Currently, there is a wall and a water body that separates the residential community from the Power Lodge site.

Neighborhood Compatibility

As described earlier in this Report, the building(s) and site have already been developed and have been used (and are being used) for vehicle and equipment dealers. The proposed use is consistent with the development pattern along US 41 as an area intended to accommodate an array of commercial uses. Additionally, it is Staff's opinion that the proposed project would not be a detriment to the residential neighborhood to the west, due to the conditions that Staff and the Applicant have proposed. It is Staff's opinion the conditions will provide adequate safeguards for the neighborhood.

Environmental Considerations

The subject property has already been developed and impacted. There are no environmentally critical areas or natural resources located on site. There are no requests to add square footage or reduce open space. There are buffering requirements within the provisions of the US 41 Overlay. The subject project has proposed a landscape plan that has been reviewed by the Community Development Environmental Department for consistency with the US 41 Overlay. The plan is attached as Attachment B.

Traffic

The Applicant provided a comparative use determination (CUD) for consideration by the City. The City's traffic engineer reviewed the CUD and agrees the traffic impacts for a motorcycle/ATV/jet ski dealer would be the same as an automotive dealer in terms of use classification in the Institute of Traffic Engineers (ITE) manual. Since the site is already developed and is currently being used for automotive sales (to the south and north) and boat sales (to the north), the trips are already accounted for. There are no traffic concerns resulting from the proposed project.

Comprehensive Plan Considerations

The subject property is located within the General Commercial future land use category according to the Future Land Use Map of the City's Comprehensive Plan. The General Commercial category is described in **Policy 1.1.14** as:

Policy 1.1.14: General Commercial - Intended to accommodate a wide range of commercial uses serving the general population of the City. This designation recognizes, but is not specifically limited to, properties that have

been developed, have received development approval or have been zoned for commercial use prior to the adoption of the Comprehensive Plan.

- a. Appropriate uses include a wide range of commercial retail and service uses for residents and visitors; hotels/motels; offices; light industrial uses; schools; recreation; public and semi-public uses; multi-family uses up to 10 units per acre; and mixed residential and commercial use in planned developments.*
- b. If affordable housing is provided, residential density may be increased by up to five additional units per acre.*
- c. Maximum allowable height of structures shall be 75 feet from the base flood elevation to the eaves except that no new structures or modification of existing structures located on the islands west of the mainland may be constructed in excess of 35 feet in height.*
- d. Nonresidential uses shall be limited to a maximum floor area ratio (FAR) of 1.2.*

The requested use of a Vehicle and Equipment Dealer Group II and III is consistent and compatible with the General Commercial future land use provisions in the City's Comprehensive Plan.

Findings & Conclusion

It is Staff's opinion that the special exception request for the use of a Vehicle and Equipment Dealer Group II and III within an existing building is consistent with the provisions of the Comprehensive Plan, is compatible with existing uses within the area, will not cause damage, hazards or nuisance, will not impact environmentally critical areas (none are on site), and is located in an area with adequate public facilities.

Based upon an analysis of the Application and the special exception approval criteria for uses within the US 41 Overlay, Staff makes the following findings and conclusions, as conditioned:

1. The requested special exception, as conditioned:
 - a) Meets or exceed all applicable performance and locational standards set forth for the proposed use;
 - b) is consistent with the goals, objectives, policies and intent set forth in the City of Bonita Springs Comprehensive Plan;
 - c) is compatible with existing or planned uses in the surrounding area;
 - d) will not cause damage, hazard, nuisance or other detriment to persons or property;
 - e) will not have an adverse effect on surrounding properties; and
 - f) will be in compliance with all general zoning provisions and supplemental regulations pertaining to the use set forth in the City's Land Development Code.

III. **RECOMMENDATION:**

Staff recommends **APPROVAL** of the request with the following conditions:

1. The special exception will be valid for this specific application only.
2. The site shall be generally consistent with the attached site plan (Attachment A) and landscape plan (Attachment B), and all outdoor display areas are to be located on the east side of the existing building.
3. Any testing or test drives of inventory shall **not** be permitted on the west side of the building, closest to the existing residential neighborhood.
4. The City of Bonita Springs Noise Control Ordinance shall govern associated noise from the project, but with the following modification:
 - a. Noise measurements that are taken in response to a documented noise complaint that is the result of activity by Power Lodge shall be taken from the property line of the subject property, in the direction closest to the origination of the complaint.
5. Additional changes not covered by this approval may require additional approvals or hearings, as outlined in the Land Development Code.
6. Unless modified by this approval, the property shall be developed consistent with the regulations of the Land Development Code and the US 41 Overlay.

SUBJECT PROPERTY

The Applicant indicates the STRAP number is: 04-48-25-B3-0180B.0010

EXHIBITS

- A. Sketch and Legal Description of the Subject Property

ATTACHMENTS

- A. Proposed Site Plan
- B. Proposed Landscape Plan

9



THIS LOT SPLIT APPROVAL IS FOR
RECOMBINATION OF LOTS AS NOTED HEREBIN

INSTR # 5906A24
Official Records BK 04005 PG 3591
RECORDED 07/25/2003 03:52:11 PM
CHARLIE GREEN, CLERK OF COURT
LEE COUNTY
RECORDING FEE 42.00
DEPUTY CLERK D Schaefer

NOTICE OF LOT SPLIT APPROVAL

Lee County hereby gives notice of approval of a lot split pursuant to Section 10-217 of the Lee County Land Development Code, upon the following property:

04-48-25-B2-01800.0040;04-48-25-B3-180B.0010

(Clerk Of Court Use

Only)

The property owner and applicant for the lot split approval is **DEVOE FAMILY L. P.** A reduced copy of the approved site plan is attached to this notice as "Exhibit A". For further details on this matter, any interested person should refer to file # **LDO2003-00231** located in the offices of the Lee County Development Services Division.

Peter J. Eckenrode
Director
Development Services Division

State of Florida
County of Lee

The foregoing instrument was acknowledged before me this 23 day of July 2003 by Peter J. Eckenrode, who is personally known to me, and who did not take an oath.

Notary Public, State of Florida

Elizabeth M. Valver
Printed Name

My commission expires _____



This instrument prepared by and to be returned to:

Lee County Development Services
Division
1500 Monroe Street
Fort Myers, FL 33901

EXHIBIT: D

LEGAL DESCRIPTION

ALL OF LOT 5 AND A PORTION OF TRACT "B" OF WOODS EDGE, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 49 AT PAGES 50 THROUGH 56 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHEAST CORNER OF TRACT "B" OF WOODS EDGE, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 49 AT PAGES 50 THROUGH 56 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, THE SAME BEING THE INTERSECTION OF THE WESTERLY RIGHT-OF-WAY LINE OF THE TAMiami TRAIL (STATE ROAD NO. 45, U.S. 41) AND THE CENTERLINE OF LAKE SHORE DRIVE OF SAID WOODS EDGE PLAT; THENCE RUN SOUTH 85°58'00" WEST, ALONG THE SOUTHERLY LINE OF SAID TRACT "B", FOR A DISTANCE OF 16.27 FEET TO THE BEGINNING OF A TANGENTIAL CIRCULAR CURVE CONCAVE SOUTH; THENCE RUN WESTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, THE SAME BEING THE SOUTHERLY LINE OF SAID TRACT "B", HAVING A RADIUS OF 350.00 FEET, THROUGH A CENTRAL ANGLE OF 16°35'45", SUBTENDED BY A CHORD OF 101.02 FEET AT A BEARING OF SOUTH 77°40'08" WEST, FOR AN ARC LENGTH OF 101.38 FEET TO A POINT OF REVERSE CURVATURE; THENCE RUN WESTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, THE SAME BEING THE SOUTHERLY LINE OF SAID TRACT "B", HAVING A RADIUS OF 400.00 FEET, THROUGH A CENTRAL ANGLE OF 28°12'26", SUBTENDED BY A CHORD OF 194.94 FEET AT A BEARING OF SOUTH 83°28'28" WEST, FOR AN ARC LENGTH OF 196.92 FEET TO A POINT OF COMPOUND CURVATURE; THENCE RUN WESTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, THE SAME BEING THE SOUTHERLY LINE OF SAID TRACT "B", HAVING A RADIUS OF 300.00 FEET, THROUGH A CENTRAL ANGLE OF 17°42'32", SUBTENDED BY A CHORD OF 92.35 FEET AT A BEARING OF NORTH 73°34'03" WEST, FOR AN ARC LENGTH OF 92.72 FEET TO THE END OF SAID CURVE; THENCE RUN NORTH 64°42'47" WEST, ALONG THE SOUTHERLY LINE OF SAID TRACT "B", FOR A DISTANCE OF 117.36 FEET TO THE BEGINNING OF A TANGENTIAL CIRCULAR CURVE CONCAVE SOUTH; THENCE RUN WESTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, THE SAME BEING THE SOUTHERLY LINE OF SAID TRACT "B", HAVING A RADIUS OF 400.00 FEET, THROUGH A CENTRAL ANGLE OF 07°48'27", SUBTENDED BY A CHORD OF 54.46 FEET AT A BEARING OF NORTH 68°37'00" WEST, FOR AN ARC LENGTH OF 54.51 FEET TO THE END OF SAID CURVE, THE SAME BEING THE SOUTHWEST CORNER OF SAID TRACT "B"; THENCE RUN NORTH 02°30'19" WEST, ALONG THE WESTERLY LINE OF SAID TRACT "B", FOR A DISTANCE OF 38.19 FEET; THENCE RUN NORTH 33°30'19" WEST, ALONG THE WESTERLY LINE OF SAID TRACT "B", FOR A DISTANCE OF 150.00 FEET; THENCE RUN NORTH 02°30'19" WEST, ALONG THE WESTERLY LINE OF SAID TRACT "B", FOR A DISTANCE OF 400.00 FEET; THENCE RUN NORTH 39°42'06" EAST FOR A DISTANCE OF 339.43 FEET; THENCE RUN NORTH 00°35'42" WEST, ALONG THE WESTERLY LINE OF SAID TRACT "B", FOR A DISTANCE OF 39.15 FEET TO THE NORTHEAST CORNER OF TRACT "N" OF SAID WOODS EDGE; THENCE RUN NORTH 89°33'06" EAST, ALONG THE NORTHERLY LINE OF SAID TRACT "B", FOR A DISTANCE OF 72.17 FEET; THENCE RUN SOUTH 00°26'54" EAST, FOR A DISTANCE OF 9.00 FEET; THENCE RUN NORTH 89°33'06" EAST, FOR A DISTANCE OF 123.68 FEET; THENCE RUN NORTH 00°26'54" WEST, FOR A DISTANCE OF 9.00 FEET; THENCE RUN NORTH 89°33'06" EAST, ALONG THE NORTHERLY LINE OF SAID TRACT "B", FOR A DISTANCE OF 64.15 FEET; THENCE RUN NORTH 48°33'42" EAST, ALONG THE NORTHERLY LINE OF SAID TRACT "B", FOR A DISTANCE OF 47.67 FEET TO A POINT ON A CIRCULAR CURVE CONCAVE EAST, WHOSE RADIUS POINT BEARS NORTH 48°33'52" EAST, A DISTANCE OF 170.00 FEET THEREFROM; THENCE RUN NORTHERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, THE SAME BEING THE NORTHERLY LINE OF SAID TRACT "B", HAVING A RADIUS OF 170.00 FEET, THROUGH A CENTRAL ANGLE OF 38°55'49", SUBTENDED BY A CHORD OF 113.30 FEET AT A BEARING OF NORTH 21°58'13" WEST, FOR AN ARC LENGTH OF 115.51 FEET TO THE END OF SAID CURVE; THENCE RUN NORTH 02°30'19" WEST FOR A DISTANCE OF 30.01 FEET TO A POINT ON THE SOUTHERLY LINE OF TRACT "O" OF SAID WOODS EDGE; THENCE RUN NORTH 87°29'41" EAST, ALONG THE NORTHERLY LINE OF SAID TRACT "B", FOR A DISTANCE OF 40.00 FEET TO A POINT ON A CIRCULAR CURVE CONCAVE SOUTHEAST, WHOSE RADIUS POINT BEARS NORTH 87°29'41" EAST, A DISTANCE OF 30.00 FEET THEREFROM; THENCE RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, THE SAME BEING THE NORTHERLY LINE OF SAID TRACT "B" HAVING A RADIUS OF 30.00 FEET, THROUGH A CENTRAL ANGLE OF 90°00'00", SUBTENDED BY A CHORD OF 42.43 FEET AT A BEARING OF NORTH 42°29'41" EAST, FOR AN ARC LENGTH OF 47.12 FEET TO THE END OF SAID CURVE; THENCE RUN NORTH 87°29'41" EAST, ALONG THE NORTHERLY LINE OF SAID TRACT "B", FOR A DISTANCE OF 70.01 FEET TO THE NORTHEAST CORNER OF SAID TRACT "B", THE SAME BEING A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF THE TAMiami TRAIL (STATE ROAD NO. 45, U.S. 41); THENCE RUN SOUTH 02°30'19" EAST, ALONG THE EASTERLY LINE OF SAID TRACT "B", FOR A DISTANCE OF 1,120.18 FEET TO THE **POINT OF BEGINNING** OF THE PARCEL OF LAND HEREIN DESCRIBED, CONTAINING 12.816 ACRES, MORE OR LESS.

SUBJECT TO:

ALL OF THE ROADWAY EASEMENT WITHIN TRACT "B" OF WOODS EDGE, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 49 AT PAGES 50 THROUGH 56 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, CONTAINING 1.516 ACRES, MORE OR LESS.

THIS PROPERTY IS SUBJECT TO EASEMENTS, RESERVATIONS AND/OR RESTRICTIONS OF RECORD.

BEARINGS REFER TO WOODS EDGE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 49, PAGES 50 THROUGH 56, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

Q. GRADY MINOR AND ASSOCIATES, P.A.

SIGNED **6-30-03**

Stephen V. Burgess
STEPHEN V. BURGESS

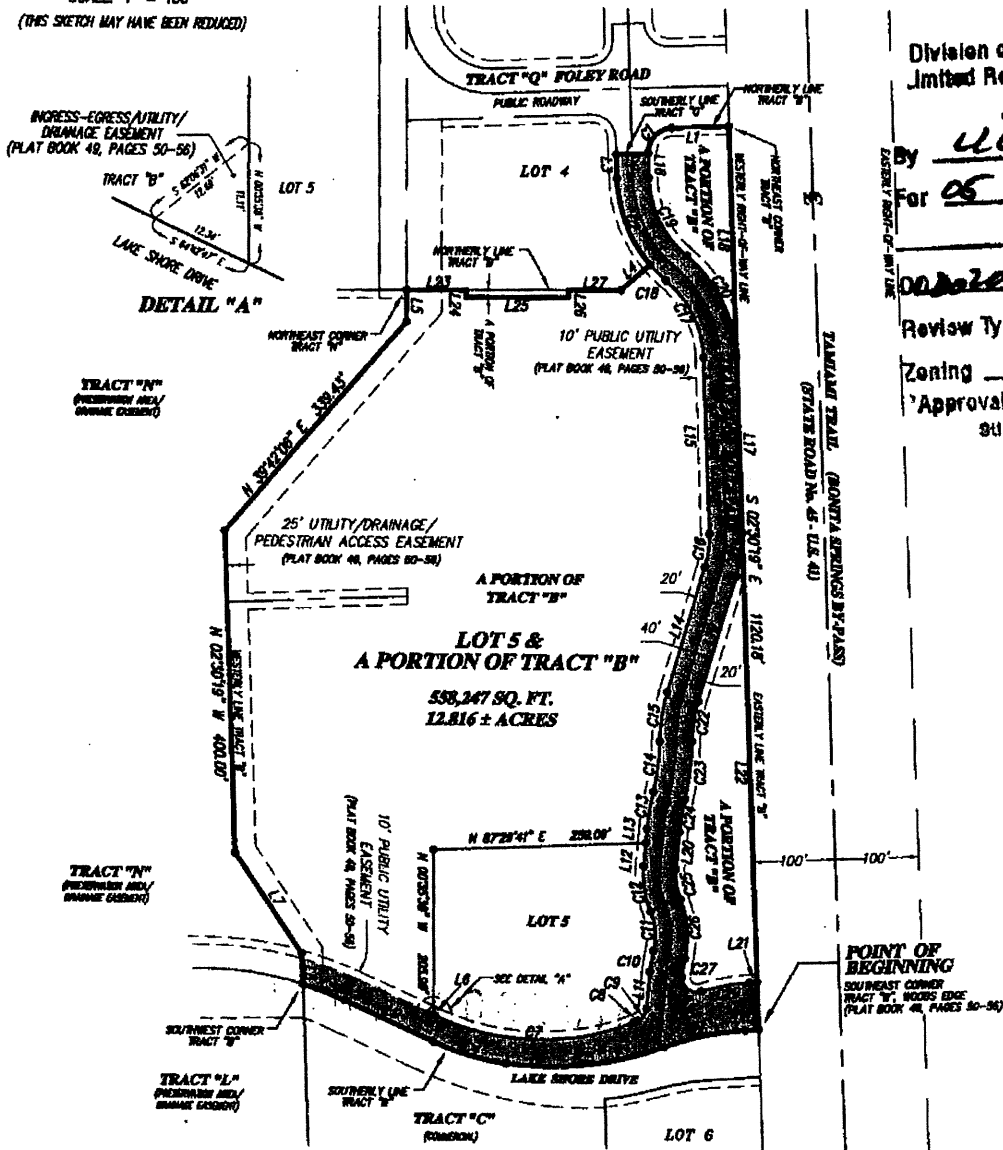
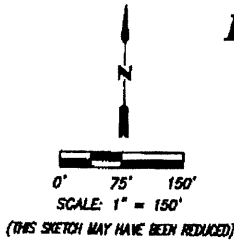
P.S.M. #6408
STATE OF FLORIDA

DRAWN BY: CDB	SHEET: 1 OF 3	JOB CODE: DV44
LEGAL DESCRIPTION		
LOT 5 AND A PORTION OF TRACT "B" WOODS EDGE (PLAT BOOK 49, PAGES 50-56) SECTION 4, TOWNSHIP 48 SOUTH, RANGE 25 EAST BONITA SPRINGS, LEE COUNTY, FLORIDA		
DATE: JUNE 2003	DRAWING: B-2617	



Q. GRADY MINOR AND ASSOCIATES, P.A.
CIVIL ENGINEERS ■ LAND SURVEYORS ■ PLANNERS
3800 VIA DEL REY
BONITA SPRINGS, FLORIDA 34134
PHONE: (239) 947-1144 FAX: (239) 947-0375
CERTIFICATE OF AUTHORIZATION NUMBER LB 5151

**LOT 5 AND A PORTION OF TRACT "B"
WOODS EDGE
PLAT BOOK 49, PAGES 50-56**



Division of Development Services
 Limited Review Development Order
APPROVED
 By LL Date 7-11-03
 For 05
00002003-0032
 Review Type LOT SPLIT
 Zoning F.E.M.A.
 Approval based on site information
 supplied by applicant.

NOTES

1. BEARINGS SHOWN HEREON REFER TO WOODS EDGE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 49, PAGES 50 THROUGH 56, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA.
2. DIMENSIONS SHOWN HEREON ARE IN FEET AND DECIMALS THEREOF.
3. THIS PROPERTY IS SUBJECT TO EASEMENTS, RESERVATIONS AND/OR RESTRICTIONS OF RECORD.

*** THIS IS NOT A SURVEY ***

DRAWN BY: CDB SHEET: 2 OF 3 JOB CODE: DV4A

Q. GRADY MINOR AND ASSOCIATES, P.A.
 CIVIL ENGINEERS • LAND SURVEYORS • PLANNERS
 3800 VIA DEL REY
 BONITA SPRINGS, FLORIDA 34134
 PHONE: (239) 947-1144 FAX: (239) 947-0375
 CERTIFICATE OF AUTHORIZATION NUMBER LB 5161

SKETCH TO ACCOMPANY
 LOT 5 AND A PORTION OF TRACT "B", WOODS EDGE
 (PLAT BOOK 49, PAGES 50-56)
 SECTION 4, TOWNSHIP 48 SOUTH, RANGE 25 EAST
 BONITA SPRINGS, LEE COUNTY, FLORIDA
 DATE: JUNE 2003 DRAWING: B-2817

Q. GRADY MINOR AND ASSOCIATES, P.A. 3800 VIA DEL REY, BONITA SPRINGS, FLORIDA 34134

Official Records BK 04005 PG 3593

EXHIBIT D

**LOT 5 AND A PORTION OF TRACT "B"
WOODS EDGE
PLAT BOOK 49, PAGES 50-56**


DIMENSION SHEET

LINE	BEARING	DISTANCE
L1	N 87°29'41" E	70.01'
L2	N 87°29'41" E	40.00'
L3	N 02°30'19" W	30.01'
L4	N 48°33'42" E	47.67'
L5	N 00°35'42" W	39.15'
L6	N 64°42'47" W	2.21'
L7	N 33°30'19" W	150.00'
L8	N 02°30'19" W	38.19'
L9	N 64°42'47" W	117.36'
L10	S 85°58'00" W	16.27'
L11	N 04°29'51" E	46.99'
L12	N 04°35'28" E	29.11'
L13	N 04°35'28" E	17.33'
L14	N 15°58'03" E	161.48'
L15	N 02°30'19" W	218.16'
L16	S 02°30'19" E	30.01'
L17	S 02°30'19" E	218.18'
L18	S 02°30'18" E	283.62'
L19	N 15°58'03" E	161.48'
L20	N 04°35'28" E	46.44'
L21	S 85°58'00" W	8.89'
L22	S 02°30'21" E	559.35'
L23	N 89°33'06" E	72.17'
L24	S 00°26'54" E	9.00'
L25	N 89°33'06" E	123.68'
L26	N 00°26'54" W	9.00'
L27	N 89°33'06" E	64.15'

CURVE TABLE

CURVE	RADIUS	LENGTH	DELTA	CHORD	BEARING
C1	30.00'	47.12'	90°00'00"	42.43'	N 42°29'41" E
C2	170.00'	115.51'	38°55'49"	113.30'	N 21°58'13" W
C3	400.00'	54.51'	07°48'27"	54.46'	N 68°37'00" W
C4	300.00'	92.72'	17°42'32"	92.35'	N 73°34'03" W
C5	400.00'	196.92'	28°12'26"	194.94'	S 83°28'28" W
C6	350.00'	101.38'	16°35'45"	101.02'	S 77°40'08" W
C7	300.00'	250.14'	47°46'26"	242.96'	S 88°36'00" E
C8	242.00'	4.76'	01°07'39"	4.76'	N 66°56'57" E
C9	18.00'	19.44'	61°53'17"	18.51'	N 35°26'29" E
C10	170.00'	25.86'	08°43'02"	25.84'	N 08°51'22" E
C11	80.00'	50.48'	36°09'09"	49.65'	N 04°51'42" W
C12	120.00'	57.66'	27°31'44"	57.10'	N 09°10'24" W
C13	320.00'	46.78'	08°22'35"	46.74'	N 08°46'45" E
C14	280.00'	63.82'	13°03'30"	63.68'	N 08°26'18" E
C15	220.00'	61.66'	16°03'30"	61.46'	N 07°56'18" E
C16	130.00'	41.91'	18°28'22"	41.73'	N 06°43'52" E
C17	130.00'	109.34'	48°11'23"	106.14'	N 26°36'00" W
C18	170.00'	22.47'	09°15'34"	22.44'	N 46°03'55" W
C19	130.00'	109.34'	48°11'23"	106.14'	S 26°36'00" E
C20	170.00'	142.98'	48°11'23"	138.80'	S 26°36'00" E
C21	170.00'	54.81'	18°28'22"	54.57'	N 06°43'52" E
C22	180.00'	50.45'	16°03'30"	50.28'	N 07°56'18" E
C23	320.00'	72.93'	13°03'30"	72.77'	N 06°26'18" E
C24	280.00'	40.93'	08°22'35"	40.90'	N 08°46'45" E
C25	80.00'	38.44'	27°31'44"	38.07'	N 09°10'24" W
C26	120.00'	75.72'	36°09'09"	74.47'	N 04°51'42" W
C27	130.00'	19.78'	08°43'02"	19.76'	N 08°51'22" E
C28	18.00'	35.42'	112°45'06"	29.98'	N 51°52'42" W
C29	242.00'	60.06'	141°31'15"	59.91'	S 78°51'23" W

SHEET 3 OF 3
 APPROVED & SEALED
 DRAWING CDR.
 JOB CODE: DR4



G. GRADY MINOR AND ASSOCIATES, P.A.
 CIVIL ENGINEERS - LAND SURVEYORS - PLANNERS
 BOUNTY SPRINGS, FL 32008
 PHONE: (239) 847-1144 FAX: (941) 847-0576
 CERTIFICATE OF ADOPTION NUMBER 19 0161

DIMENSION SHEET
 LOT 5 AND A PORTION OF TRACT "B" WOODS EDGE
 SECTION 4 TOWNSHIP 48 SOUTH RANGE 25 EAST
 BOUNTY SPRINGS, LEE COUNTY, FLORIDA
 DATE: JUNE 2003 DRAWING: B-8617

EXHIBIT: A

PROPERTY DESCRIPTION

OFFICIAL RECORDS BOOK 3198, PAGES 3398-3399

LOT 4, WOODS EDGE, ACCORDING TO THE PLAT RECORDED IN PLAT BOOK 49, PAGES 50 THROUGH 56, INCLUSIVE, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

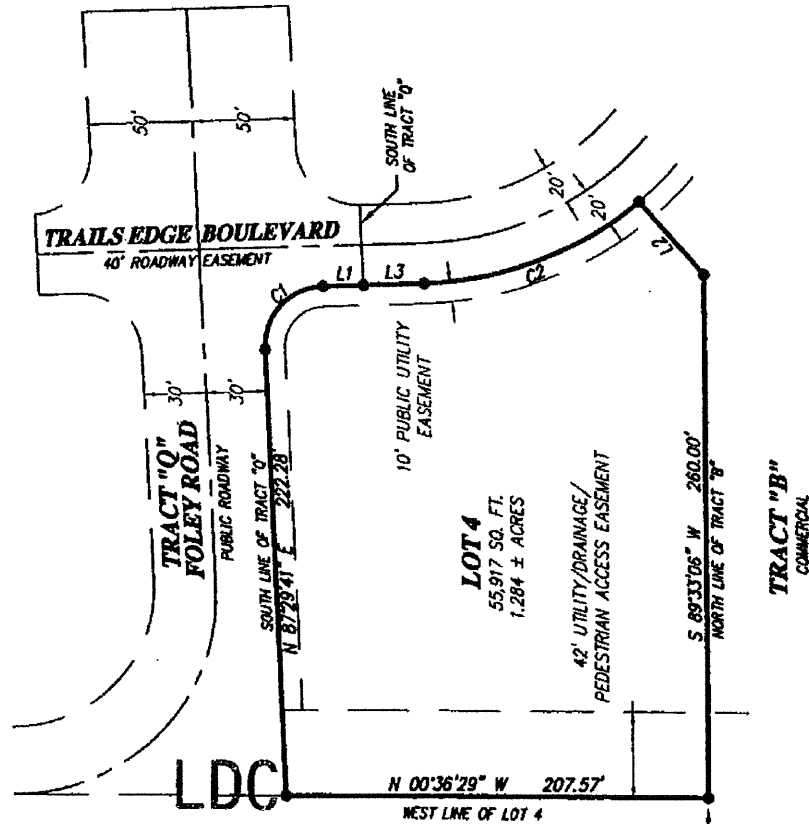
BEGINNING AT THE SOUTHWEST CORNER OF LOT 4 OF WOODS EDGE, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 49 AT PAGES 50 THROUGH 56 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE RUN NORTH 00°36'29" WEST, ALONG THE WEST LINE OF SAID LOT 4, FOR A DISTANCE OF 207.57 FEET TO THE SOUTHWEST CORNER OF TRACT "Q" OF SAID WOODS EDGE; THENCE RUN NORTH 87°29'41" EAST, ALONG THE SOUTH LINE OF SAID TRACT "Q", FOR A DISTANCE OF 222.28 FEET TO THE BEGINNING OF A TANGENTIAL CIRCULAR CURVE CONCAVE SOUTHWEST; THENCE RUN SOUTHEASTERLY ALONG THE SOUTH LINE OF SAID TRACT "Q" AND THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 30.00 FEET, THROUGH A CENTRAL ANGLE OF 90°00'00", SUBTENDED BY A CHORD OF 42.43 FEET AT A BEARING OF SOUTH 47°30'19" EAST, FOR AN ARC LENGTH OF 47.12 FEET TO THE END OF SAID CURVE; THENCE RUN SOUTH 02°30'19" EAST, ALONG THE SOUTHERLY LINE OF SAID TRACT "Q", FOR A DISTANCE OF 20.00 FEET TO A POINT ON THE WEST LINE OF TRAILS EDGE BOULEVARD, A 40 FOOT WIDE ROADWAY EASEMENT, ACCORDING TO THE PLAT OF WOODS EDGE, RECORDED IN PLAT BOOK 49 AT PAGES 50 THROUGH 56 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE CONTINUE SOUTH 02°30'19" EAST, ALONG SAID WEST LINE, FOR A DISTANCE OF 30.00 FEET TO THE BEGINNING OF A TANGENTIAL CIRCULAR CURVE CONCAVE EAST; THENCE RUN SOUTHERLY ALONG SAID WEST LINE AND THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 170.00 FEET, THROUGH A CENTRAL ANGLE OF 38°36'02", SUBTENDED BY A CHORD OF 113.31 FEET AT A BEARING OF SOUTH 21°58'20" EAST, FOR AN ARC LENGTH OF 115.52 FEET TO THE END OF SAID CURVE, THE SAME BEING A POINT ON THE NORTH LINE OF TRACT "B", WOODS EDGE, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 49 AT PAGES 50 THROUGH 56 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE RUN SOUTH 48°33'42" WEST, ALONG THE NORTH LINE OF SAID TRACT "B", FOR A DISTANCE OF 47.67 FEET; THENCE RUN SOUTH 89°33'08" WEST, ALONG THE NORTH LINE OF SAID TRACT "B", FOR A DISTANCE OF 260.00 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED, CONTAINING 1.284 ACRES, MORE OR LESS.

Q. GRADY MINOR AND ASSOCIATES, P.A.
 SIGNED 6-30-03
 STEPHEN V. BURGESS, P.S.M.
 P.S.M. #6408
 STATE OF FLORIDA

LEGAL DESCRIPTION AND SKETCH

LOT 4, WOODS EDGE
 (PLAT BOOK 49, PAGES 50-56)
 SECTION 4, TOWNSHIP 48, SOUTH RANGE 25 EAST
 BONTA SPRINGS, LEE COUNTY, FLORIDA

DATE: JUNE 2003 DRAWING: B-2608



CURVE	RADIUS	LENGTH	DELTA	CHORD	BEARING
C1	30.00'	47.12'	90°00'00"	42.43'	S 47°30'19" E
C2	170.00'	115.52'	38°36'02"	113.31'	S 21°58'20" E

*** THIS IS NOT A SURVEY ***

Q. GRADY MINOR AND ASSOCIATES, P.A.
 CIVIL ENGINEERS • LAND SURVEYORS • PLANNERS
 3800 VIA DEL REY
 BONTA SPRINGS, FLORIDA 34134

PHONE : (888) 947-1144 FAX : (288) 947-0376
 CERTIFICATE OF AUTHORIZATION NUMBER LB 6151

SHEET 1 OF 1
 DRAWN BY: CDB
 JOB CODE: DV44
 SCALE: 1" = 60'

NOTES

1. BEARINGS SHOWN HEREON REFER TO WOODS EDGE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 49, PAGES 50 THROUGH 56, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA.
2. DIMENSIONS SHOWN HEREON ARE IN FEET AND DECIMALS THEREOF.
3. THIS PROPERTY IS SUBJECT TO EASEMENTS, RESERVATIONS AND/OR RESTRICTIONS OF RECORD.

LINE	BEARING	DISTANCE
L1	S 02°30'19" E	20.00'
L2	S 48°33'42" W	47.67'
L3	S 02°30'19" E	30.00'

P.O.B.
 S.W. CORNER
 LOT 4, WOODS EDGE
 (PLAT BOOK 49, PAGES 50-56)

(THIS SKETCH MAY HAVE BEEN REDUCED)

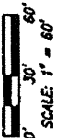


EXHIBIT: B

PROPERTY DESCRIPTION

ALL OF LOT 4 AND A PORTION OF TRACT "B" OF WOODS EDGE, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 49, PAGES 50 THROUGH 56, INCLUDING, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 4 OF WOODS EDGE, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 49 AT PAGES 50 THROUGH 56 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE RUN NORTH 00°36'29" WEST, ALONG THE WEST LINE OF SAID LOT 4, FOR A DISTANCE OF 207.57 FEET TO THE SOUTHWEST CORNER OF TRACT "Q" OF SAID WOODS EDGE; THENCE RUN NORTH 87°29'41" EAST, ALONG THE SOUTH LINE OF SAID TRACT "Q", FOR A DISTANCE OF 222.28 FEET TO THE BEGINNING OF A TANGENTIAL CIRCULAR CURVE CONCAVE SOUTHWEST; THENCE RUN SOUTHEASTERLY ALONG THE SOUTH LINE OF SAID TRACT "Q", AND THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 30.00 FEET, THROUGH A CENTRAL ANGLE OF 90°00'00", SUBTENDED BY A CHORD OF 42.43 FEET AT A BEARING OF SOUTH 47°30'19" EAST, FOR AN ARC LENGTH OF 47.12 FEET TO THE END OF SAID CURVE; THENCE RUN SOUTH 02°30'19" EAST, ALONG THE SOUTHERLY LINE OF SAID TRACT "Q", FOR A DISTANCE OF 20.00 FEET TO A POINT ON THE WEST LINE OF TRAILS EDGE BOULEVARD, A 40 FOOT WIDE ROADWAY EASEMENT; ACCORDING TO THE PLAT OF WOODS EDGE, RECORDED IN PLAT BOOK 49 AT PAGES 50 THROUGH 56 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE CONTINUE SOUTH 02°30'19" EAST, ALONG SAID WEST LINE, FOR A DISTANCE OF 30.00 FEET TO THE BEGINNING OF A TANGENTIAL CIRCULAR CURVE CONCAVE EAST; THENCE RUN SOUTHERLY ALONG SAID WEST LINE AND THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 170.00 FEET, THROUGH A CENTRAL ANGLE OF 38°56'02", SUBTENDED BY A CHORD OF 113.31 FEET AT A BEARING OF SOUTH 21°58'20" EAST, FOR AN ARC LENGTH OF 115.82 FEET TO THE END OF SAID CURVE, THE SAME BEING A POINT ON THE NORTH LINE OF TRACT "B", WOODS EDGE, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 49 AT PAGES 50 THROUGH 56 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE RUN SOUTH 48°33'42" WEST, ALONG THE NORTH LINE OF SAID TRACT "B", FOR A DISTANCE OF 47.67 FEET; THENCE RUN SOUTH 89°33'06" WEST, ALONG THE NORTH LINE OF SAID TRACT "B", FOR A DISTANCE OF 64.15 FEET; THENCE RUN SOUTH 00°26'54" EAST FOR A DISTANCE OF 9.00 FEET; THENCE RUN SOUTH 89°33'06" WEST FOR A DISTANCE OF 123.68 FEET; THENCE RUN NORTH 00°26'54" WEST FOR A DISTANCE OF 9.00 FEET TO A POINT ON THE NORTH LINE OF SAID TRACT "B"; THENCE RUN SOUTH 89°33'06" WEST, ALONG THE NORTH LINE OF SAID TRACT "B", FOR A DISTANCE OF 72.17 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED, CONTAINING 1.309 ACRES, MORE OR LESS.

Q. GRADY MINOR AND ASSOCIATES, P.A.

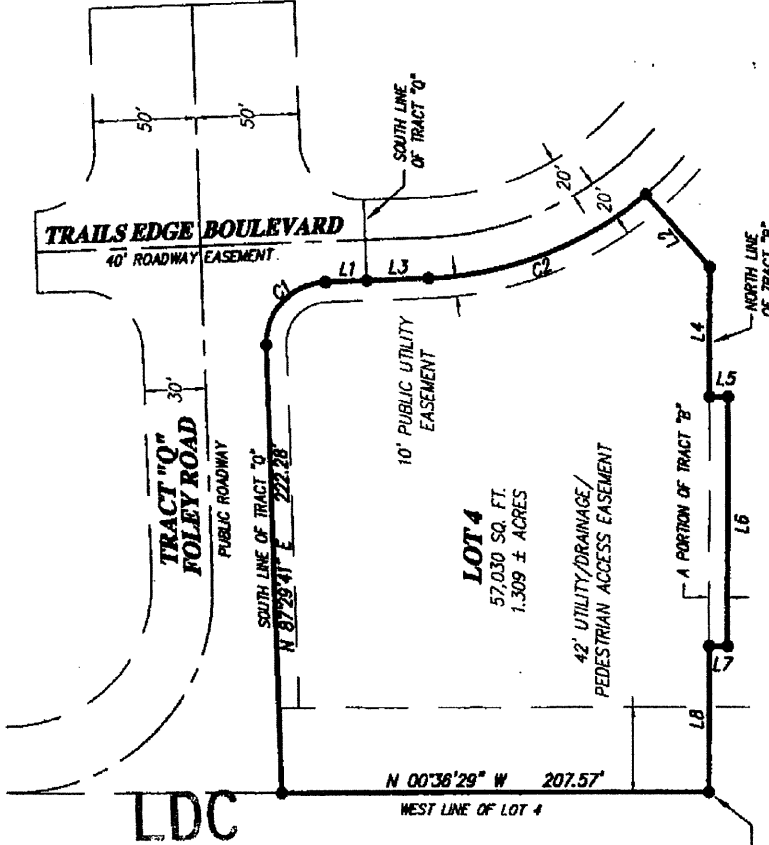
SIGNED 6-30-03

STEPHEN V. BURGESS
P.S.M. #6408
STATE OF FLORIDA

LEGAL DESCRIPTION AND SKETCH

LOT 4 AND A PORTION OF TRACT "B", WOODS EDGE
(PLAT BOOK 49, PAGES 50-56)
SECTION 4, TOWNSHIP 40 SOUTH, RANGE 25 EAST
BONITA SPRINGS, LEE COUNTY, FLORIDA

DATE: JUNE 2003 DRAWING: B-2611

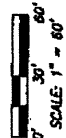


CURVE	RADIUS	LENGTH	DELTA	CHORD	BEARING
C1	30.00'	47.12'	90°00'00"	42.43'	S 47°30'19" E
C2	170.00'	115.82'	38°56'02"	113.31'	S 21°58'20" E

*** THIS IS NOT A SURVEY ***

Q. GRADY MINOR AND ASSOCIATES, P.A.
CIVIL ENGINEERS • LAND SURVEYORS • PLANNERS
3800 VIA DEL REY
BONITA SPRINGS, FLORIDA 34134
PHONE : (259) 947-1144 FAX : (259) 947-0976
CERTIFICATE OF AUTHORIZATION NUMBER LB 6161

APPROVED
JUL 11 2003



(THIS SKETCH MAY HAVE BEEN REDUCED)

LINE	BEARING	DISTANCE
L1	S 02°30'19" E	20.00'
L2	S 48°33'42" W	47.67'
L3	S 02°30'19" E	30.00'
L4	S 89°33'06" W	64.15'
L5	S 00°26'54" E	9.00'
L6	S 89°33'06" W	123.68'
L7	N 00°26'54" W	9.00'
L8	S 89°33'06" W	72.17'

P.O.B.
S.W. CORNER
LOT 4, WOODS EDGE
(PLAT BOOK 49, PAGES 50-56)

NOTES

- BEARINGS SHOWN HEREON REFER TO WOODS EDGE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 49, PAGES 50 THROUGH 56, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA.
- DIMENSIONS SHOWN HEREON ARE IN FEET AND DECIMALS THEREOF.
- THIS PROPERTY IS SUBJECT TO EASEMENTS, RESERVATIONS AND/OR RESTRICTIONS OF RECORD.

SHEET 1 OF 1
DRAWN BY: CDB
JOB CODE: DV4A
SCALE: 1" = 60'

LEGAL DESCRIPTION

ALL OF LOT 5 AND TRACT "B" OF WOODS EDGE, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 49 AT PAGES 50 THROUGH 56 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHEAST CORNER OF TRACT "B" OF WOODS EDGE, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 49 AT PAGES 50 THROUGH 56 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, THE SAME BEING THE INTERSECTION OF THE WESTERLY RIGHT-OF-WAY LINE OF THE TAMiami TRAIL (STATE ROAD NO. 45, U.S. 41) AND THE CENTERLINE OF LAKE SHORE DRIVE OF SAID WOODS EDGE PLAT; THENCE RUN SOUTH 85°58'00" WEST, ALONG THE SOUTHERLY LINE OF SAID TRACT "B", FOR A DISTANCE OF 16.27 FEET TO THE BEGINNING OF A TANGENTIAL CIRCULAR CURVE CONCAVE SOUTH; THENCE RUN WESTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, THE SAME BEING THE SOUTHERLY LINE OF SAID TRACT "B", HAVING A RADIUS OF 350.00 FEET, THROUGH A CENTRAL ANGLE OF 16°35'45", SUBTENDED BY A CHORD OF 101.02 FEET AT A BEARING OF SOUTH 77°40'08" WEST, FOR AN ARC LENGTH OF 101.38 FEET TO A POINT OF REVERSE CURVATURE; THENCE RUN WESTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, THE SAME BEING THE SOUTHERLY LINE OF SAID TRACT "B", HAVING A RADIUS OF 400.00 FEET, THROUGH A CENTRAL ANGLE OF 28°12'26", SUBTENDED BY A CHORD OF 194.94 FEET AT A BEARING OF SOUTH 83°28'28" WEST, FOR AN ARC LENGTH OF 196.92 FEET TO A POINT OF COMPOUND CURVATURE; THENCE RUN WESTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, THE SAME BEING THE SOUTHERLY LINE OF SAID TRACT "B", HAVING A RADIUS OF 300.00 FEET, THROUGH A CENTRAL ANGLE OF 17°42'32", SUBTENDED BY A CHORD OF 92.35 FEET AT A BEARING OF NORTH 73°34'03" WEST, FOR AN ARC LENGTH OF 92.72 FEET TO THE END OF SAID CURVE; THENCE RUN NORTH 64°42'47" WEST, ALONG THE SOUTHERLY LINE OF SAID TRACT "B", FOR A DISTANCE OF 117.36 FEET TO THE BEGINNING OF A TANGENTIAL CIRCULAR CURVE CONCAVE SOUTH; THENCE RUN WESTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, THE SAME BEING THE SOUTHERLY LINE OF SAID TRACT "B", HAVING A RADIUS OF 400.00 FEET, THROUGH A CENTRAL ANGLE OF 07°48'27", SUBTENDED BY A CHORD OF 54.46 FEET AT A BEARING OF NORTH 68°37'00" WEST, FOR AN ARC LENGTH OF 54.51 FEET TO THE END OF SAID CURVE, THE SAME BEING THE SOUTHWEST CORNER OF SAID TRACT "B"; THENCE RUN NORTH 02°30'19" WEST, ALONG THE WESTERLY LINE OF SAID TRACT "B", FOR A DISTANCE OF 38.19 FEET; THENCE RUN NORTH 33°30'19" WEST, ALONG THE WESTERLY LINE OF SAID TRACT "B", FOR A DISTANCE OF 150.00 FEET; THENCE RUN NORTH 02°30'19" WEST, ALONG THE WESTERLY LINE OF SAID TRACT "B", FOR A DISTANCE OF 400.00 FEET; THENCE RUN NORTH 39°42'06" EAST FOR A DISTANCE OF 339.43 FEET; THENCE RUN NORTH 00°35'42" WEST, ALONG THE WESTERLY LINE OF SAID TRACT "B", FOR A DISTANCE OF 39.15 FEET TO THE NORTHEAST CORNER OF TRACT "N" OF SAID WOODS EDGE; THENCE RUN NORTH 89°33'06" EAST, ALONG THE NORTHERLY LINE OF SAID TRACT "B", FOR A DISTANCE OF 280.00 FEET; THENCE RUN NORTH 48°33'42" EAST, ALONG THE NORTHERLY LINE OF SAID TRACT "B", FOR A DISTANCE OF 47.67 FEET TO A POINT ON A CIRCULAR CURVE CONCAVE EAST, WHOSE RADIUS POINT BEARS NORTH 48°33'52" EAST, A DISTANCE OF 170.00 FEET THEREFROM; THENCE RUN NORTHERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, THE SAME BEING THE NORTHERLY LINE OF SAID TRACT "B", HAVING A RADIUS OF 170.00 FEET, THROUGH A CENTRAL ANGLE OF 38°55'49", SUBTENDED BY A CHORD OF 113.30 FEET AT A BEARING OF NORTH 21°58'13" WEST, FOR AN ARC LENGTH OF 115.51 FEET TO THE END OF SAID CURVE; THENCE RUN NORTH 02°30'19" WEST FOR A DISTANCE OF 30.01 FEET TO A POINT ON THE SOUTHERLY LINE OF TRACT "Q" OF SAID WOODS EDGE; THENCE RUN NORTH 87°29'41" EAST, ALONG THE NORTHERLY LINE OF SAID TRACT "B", FOR A DISTANCE OF 40.00 FEET TO A POINT ON A CIRCULAR CURVE CONCAVE SOUTHEAST, WHOSE RADIUS POINT BEARS NORTH 87°29'41" EAST, A DISTANCE OF 30.00 FEET THEREFROM; THENCE RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, THE SAME BEING THE NORTHERLY LINE OF SAID TRACT "B" HAVING A RADIUS OF 30.00 FEET, THROUGH A CENTRAL ANGLE OF 90°00'00", SUBTENDED BY A CHORD OF 42.43 FEET AT A BEARING OF NORTH 42°29'41" EAST, FOR AN ARC LENGTH OF 47.12 FEET TO THE END OF SAID CURVE; THENCE RUN NORTH 87°29'41" EAST, ALONG THE NORTHERLY LINE OF SAID TRACT "B", FOR A DISTANCE OF 70.01 FEET TO THE NORTHEAST CORNER OF SAID TRACT "B", THE SAME BEING A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF THE TAMiami TRAIL (STATE ROAD NO. 45, U.S. 41); THENCE RUN SOUTH 02°30'19" EAST, ALONG THE EASTERLY LINE OF SAID TRACT "B", FOR A DISTANCE OF 1,120.18 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED, CONTAINING 12.841 ACRES, MORE OR LESS.

SUBJECT TO:

ALL OF THE ROADWAY EASEMENT WITHIN TRACT "B" OF WOODS EDGE, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 49 AT PAGES 50 THROUGH 56 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, CONTAINING 1.516 ACRES, MORE OR LESS.

THIS PROPERTY IS SUBJECT TO EASEMENTS, RESERVATIONS AND/OR RESTRICTIONS OF RECORD.

BEARINGS REFER TO WOODS EDGE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 49, PAGES 50 THROUGH 56, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

O. GRADY MINOR AND ASSOCIATES, P.A.

SIGNED 6-30-03

STEPHEN V. BURGESS

P.S.M. #6408
STATE OF FLORIDA

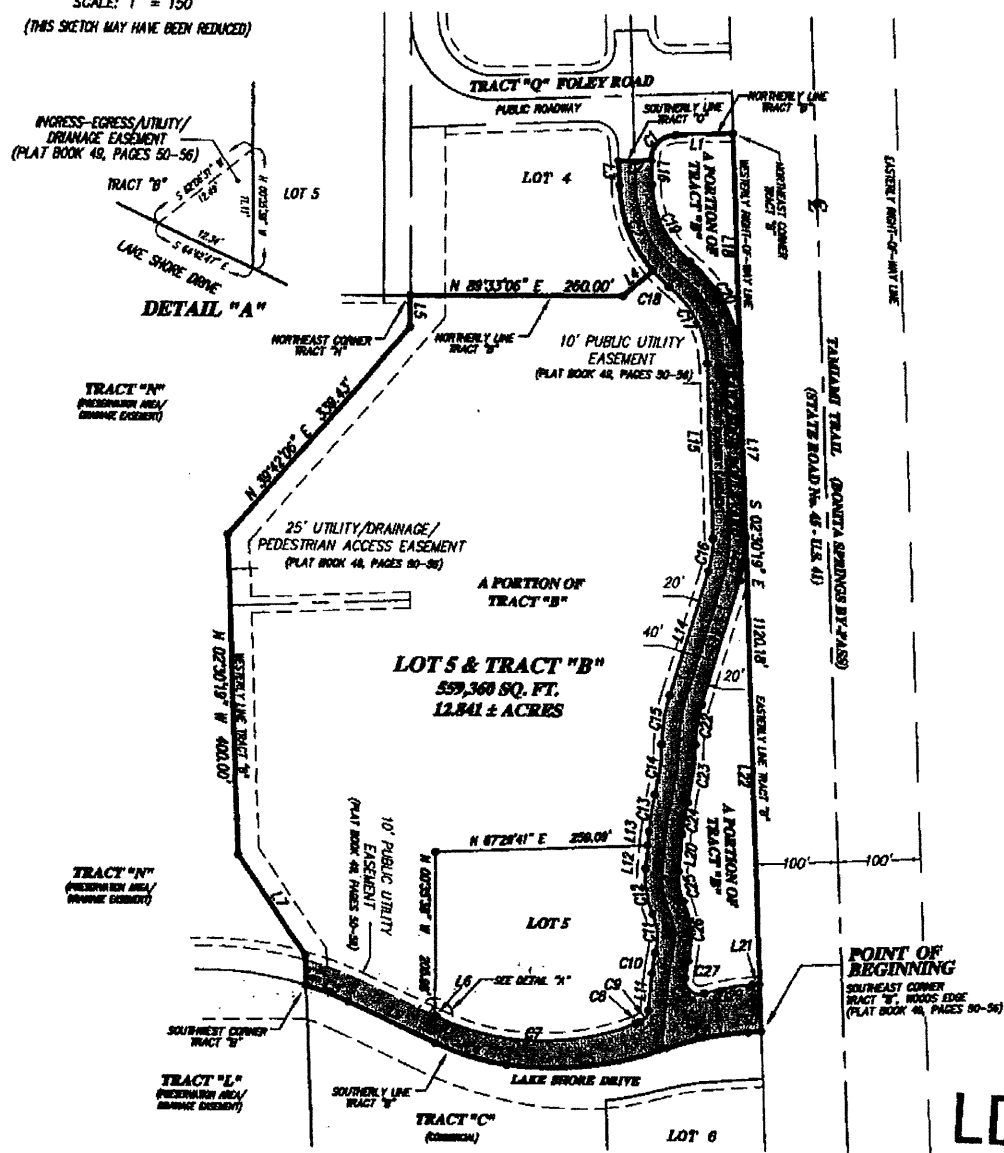
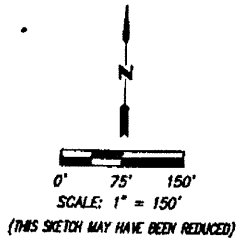
DRAWN BY: ODB	SHEET: 1 OF 5	JOB CODE: DV44
LEGAL DESCRIPTION		
LOT 5 AND TRACT "B" WOODS EDGE PLAT BOOK 49, PAGES 50-56 SECTION 4, TOWNSHIP 48 SOUTH, RANGE 25 EAST BONITA SPRINGS, LEE COUNTY, FLORIDA		
DATE: JUNE 2003	DRAWING: B-2813	

O. GRADY MINOR AND ASSOCIATES, P.A.

CIVIL ENGINEERS ■ LAND SURVEYORS ■ PLANNERS
3800 VIA DEL REY
BONITA SPRINGS, FLORIDA 34134

PHONE : (239) 947-1144 FAX : (239) 947-0375
CERTIFICATE OF AUTHORIZATION NUMBER LB 5151

**LOT 5 AND TRACT "B"
WOODS EDGE
PLAT BOOK 49, PAGES 50-56**



NOTES

1. BEARINGS SHOWN HEREON REFER TO WOODS EDGE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 49, PAGES 50 THROUGH 56, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA.
2. DIMENSIONS SHOWN HEREON ARE IN FEET AND DECIMALS THEREOF.
3. THIS PROPERTY IS SUBJECT TO EASEMENTS, RESERVATIONS AND/OR RESTRICTIONS OF RECORD.

LDC
JUL 11 2003
APPROVED

*** THIS IS NOT A SURVEY ***

DRAWN BY: CDB	SHEET: 2 OF 3	JOB CODE: DV4A
SKETCH TO ACCOMPANY		
LOT 5 AND TRACT "B" WOODS EDGE (PLAT BOOK 49, PAGES 50-56) SECTION 4, TOWNSHIP 48 SOUTH, RANGE 26 EAST BONITA SPRINGS, LEE COUNTY, FLORIDA		
DATE: JUNE 2003	DRAWING: B-2613	

Q. GRADY MINOR AND ASSOCIATES, P.A.
 CIVIL ENGINEERS - LAND SURVEYORS - PLANNERS
 3800 VIA DEL REY
 BONITA SPRINGS, FLORIDA 34134
 PHONE : (239) 947-1144 FAX : (239) 947-0375
 CERTIFICATE OF AUTHORIZATION NUMBER LB 6161

Map prepared by Q. Grady Minor, P.A. on 06/11/2003 02:24:48 PM. PLOT: 2613. 1 of 2

Official Records BK 04005 PG 3598

LOT 5 AND TRACT "B" WOODS EDGE PLAT BOOK 49, PAGES 50-56 DIMENSION SHEET

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N 87°29'41" E	70.01'
L2	N 87°29'41" E	40.00'
L3	N 02°30'19" W	30.01'
L4	N 48°33'42" E	47.67'
L5	N 00°35'42" W	39.15'
L6	N 64°42'47" W	2.21'
L7	N 33°30'19" W	150.00'
L8	N 02°30'19" W	38.19'
L9	N 64°42'47" W	117.36'
L10	S 85°38'00" W	16.27'
L11	N 04°29'51" E	46.99'
L12	N 04°35'28" E	29.11'
L13	N 04°35'28" E	17.33'
L14	N 15°38'03" E	161.48'
L15	N 02°30'19" W	218.18'
L16	S 02°30'19" E	30.01'
L17	S 02°30'19" E	218.18'
L18	S 02°30'18" E	283.62'
L19	N 15°38'03" E	161.48'
L20	N 04°35'28" E	46.44'
L21	S 85°38'00" W	8.69'
L22	S 02°30'21" E	559.35'

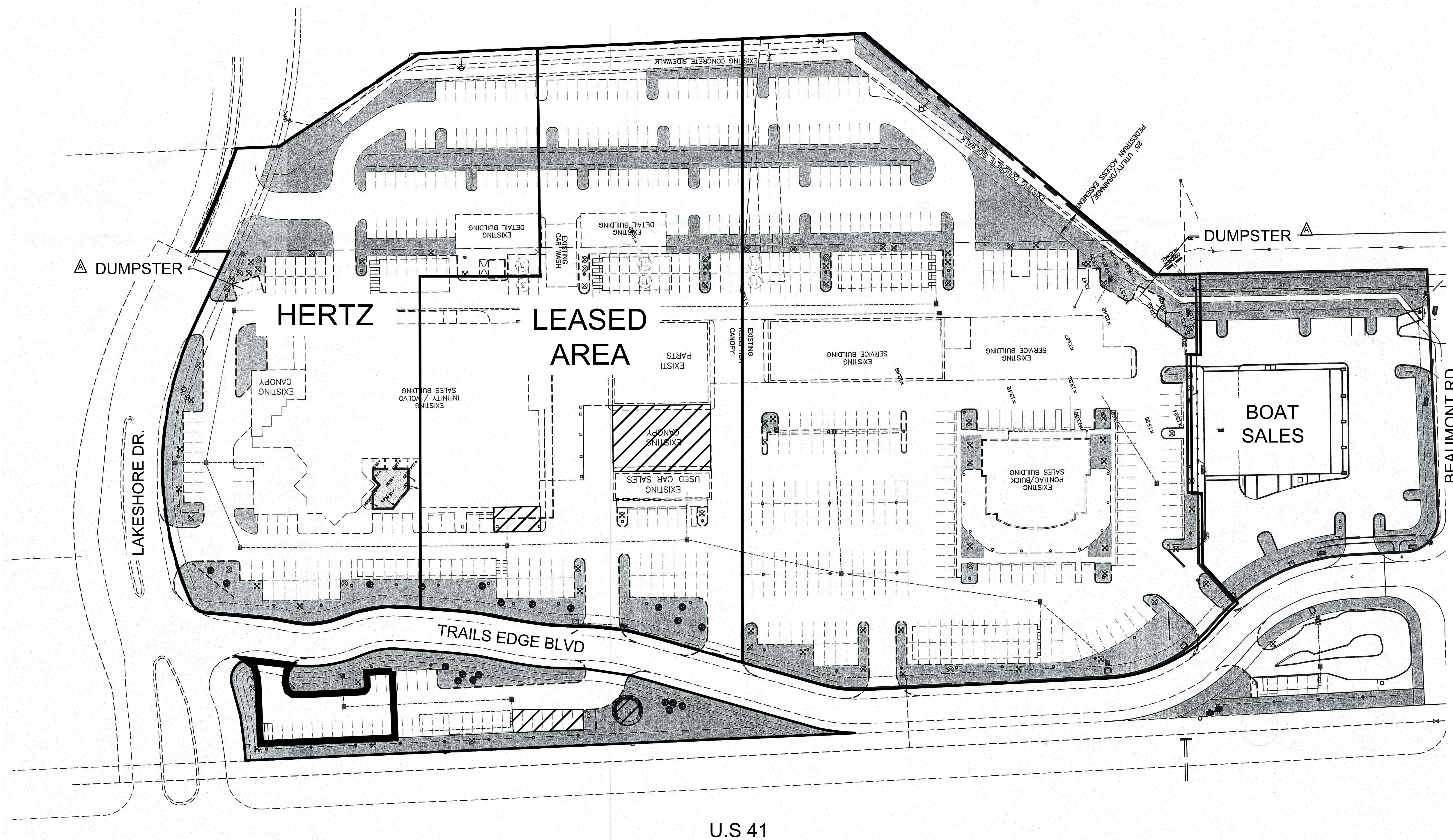
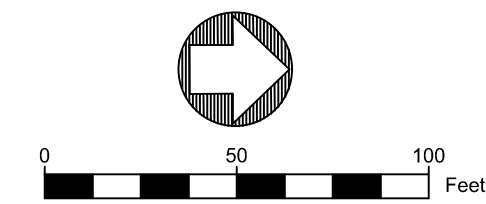
CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	CHORD	BEARING
C1	30.00'	47.12'	90°00'00"	42.43'	N 42°29'41" E
C2	170.00'	115.51'	38°55'49"	113.30'	N 21°58'13" W
C3	400.00'	54.51'	07°48'27"	54.46'	N 68°37'00" W
C4	300.00'	92.72'	17°42'32"	92.35'	N 73°34'03" W
C5	400.00'	196.92'	28°12'26"	194.94'	S 83°28'28" W
C6	350.00'	101.38'	16°35'45"	101.02'	S 77°40'08" W
C7	300.00'	250.14'	47°46'28"	242.96'	S 88°38'00" E
C8	242.00'	4.76'	01°07'39"	4.76'	N 66°56'57" E
C9	18.00'	19.44'	61°53'17"	18.51'	N 35°26'29" E
C10	170.00'	25.88'	08°43'02"	25.84'	N 08°51'22" E
C11	80.00'	50.48'	36°09'09"	49.65'	N 04°51'42" W
C12	120.00'	57.66'	27°31'44"	57.10'	N 08°10'24" W
C13	320.00'	46.78'	08°22'35"	46.74'	N 08°46'45" E
C14	280.00'	63.82'	13°03'30"	63.68'	N 06°26'18" E
C15	220.00'	61.66'	16°03'30"	61.46'	N 07°56'18" E
C16	130.00'	41.91'	18°28'22"	41.73'	N 06°43'52" E
C17	130.00'	109.34'	48°11'23"	106.14'	N 26°36'00" W
C18	170.00'	27.47'	09°15'34"	27.44'	N 46°03'55" W
C19	130.00'	109.34'	48°11'23"	106.14'	S 26°36'00" E
C20	170.00'	142.98'	48°11'23"	138.80'	S 26°36'00" E
C21	170.00'	54.81'	18°28'22"	54.57'	N 06°43'52" E
C22	180.00'	50.45'	16°03'30"	50.28'	N 07°56'18" E
C23	320.00'	72.93'	13°03'30"	72.77'	N 06°26'18" E
C24	280.00'	40.93'	08°22'35"	40.90'	N 08°46'45" E
C25	80.00'	38.44'	27°31'44"	38.07'	N 09°10'24" W
C26	120.00'	75.72'	36°09'09"	74.47'	N 04°51'42" W
C27	130.00'	19.78'	08°43'02"	19.76'	N 08°51'22" E
C28	18.00'	35.42'	112°45'06"	29.98'	N 51°52'42" W
C29	242.00'	60.06'	14°13'15"	59.91'	S 78°51'23" W

SHEET 5 OF 8
 APPROVED: S.F.R.
 DRAWN: C.D.R.
 JOB CODE: DPM

Q GRADY MINOR AND ASSOCIATES, P.A.
 CIVIL ENGINEERS - LAND SURVEYORS - PLANNERS
 800 S. SPRINGS DRIVE, SUITE 300
 BONITA SPRINGS, FLORIDA 34134
 PHONE: (259) 847-1144 FAX: (941) 947-0576
 CERTIFICATE OF AUTHORIZATION NUMBER LB 6161

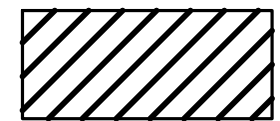
DIMENSION SHEET
 LOT 5 AND TRACT "B", WOODS EDGE
 (PLAT BOOK 49, PAGES 50-56)
 SECTION 4, TOWNSHIP 48 SOUTH, RANGE 25 EAST
 BONITA SPRINGS, LEE COUNTY, FLORIDA
 DATE: JUNE 2003 DRAWING: B-2813

ATTACHMENT A



Parking required: 2.5 spaces per 1,000 SF of total floor area per LDC Sec. 4-1732 (2)n.4.
 35,000 SF/1,000 x 2.5 = 88 spaces required
 131 parking spaces provided
 5 accessible parking spaces must be provided

▲ NOTES:
 A CROSSWALK ACROSS TRAILS EDGE BLVD WILL
 BE LOCATED AT TIME OF DEVELOPMENT ORDER

 OUTDOOR DISPLAY
 (6,657 SQUARE FEET)

N:\Project_2020\2020057-DiamondRidgeCPD\Planning\Task\SitePlan_Feb 12, 2021 - 10pm Plotted by Matt

LETTER	REVISIONS	DATE
▲		
▲		
▲	REVISED PER COUNTY COMMENTS	2/12/21
▲	REVISED PER COUNTY COMMENTS	1/11/21

DIAMOND
 RIDGE CPD

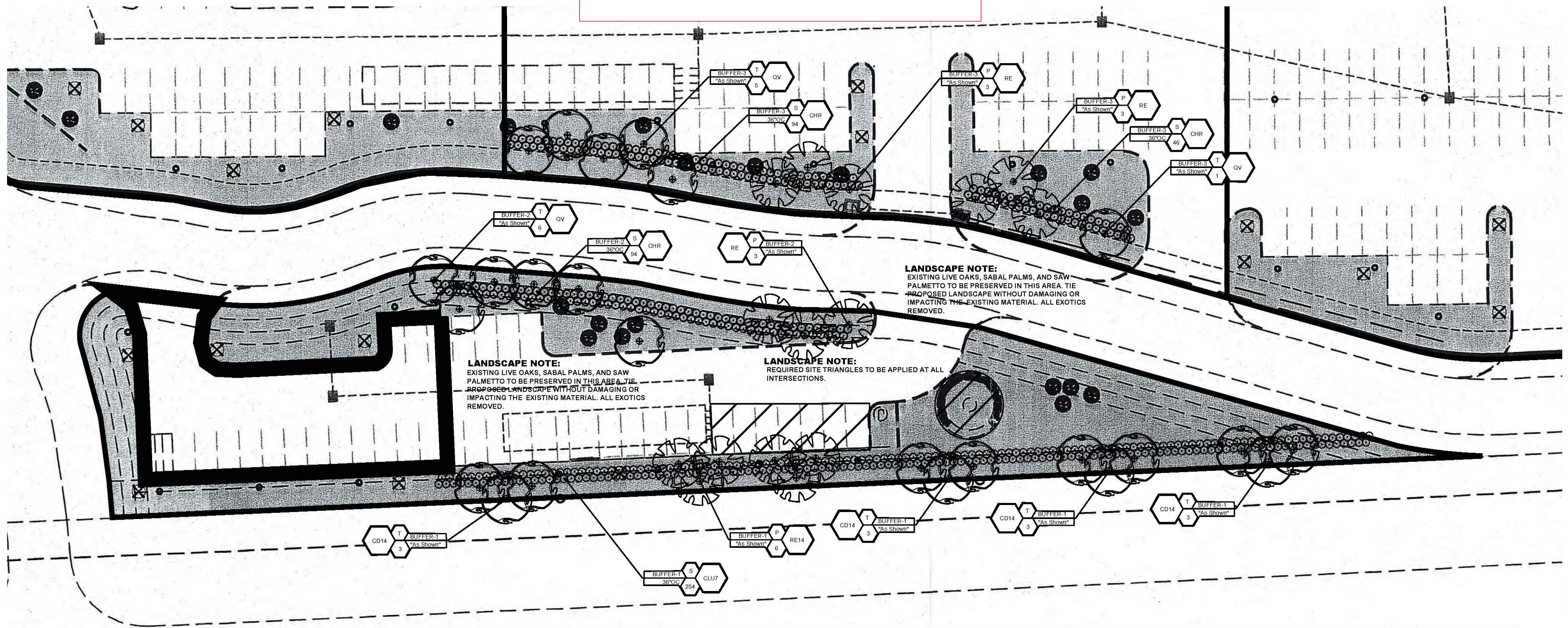
DESIGNED BY	DATE
DRAWN BY	DATE
CHECKED BY	DATE
VERTICAL SCALE	HORIZONTAL SCALE



950 Encore Way
 Naples, FL. 34110
 Phone: (239) 254-2000
 Florida Certificate of
 Authorization No.1772

POWER LODGE
 SPECIAL EXCEPTION

THESE DRAWINGS ARE NOT APPROVED FOR CONSTRUCTION UNLESS SIGNED BELOW:	REFERENCE NO.	DRAWING NO.
DATE _____	PROJECT NO. 2020.057	SHEET NO. 0F

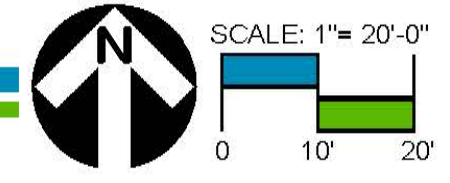


PERIMETER BUFFERS:	
BUFFER NO. 1:	
Development Area Adjacent to:	ROW (US-41 Overlay)
Buffer Type Required:	20'W Type 'D' (US-41 Overlay)
Wall (Required or Provided):	No
Length of Buffer:	357
REQUIRED TREES:	
Buffer Trees Required (X Trees per 100 LF):	17.85
Buffer Trees Provided:	18
NOTE: Trees 14'H at Installation	
REQUIRED SHRUBS:	
Buffer Shrubs Required (X Shrubs per 100 LF):	238
Buffer Shrubs Provided:	240
NOTE: Shrubs 36"H at Installation	
BUFFER NO. 2:	
Development Area Adjacent to:	Internal ROW
Buffer Type Required:	15'W Type 'D'
Wall (Required or Provided):	No
Length of Buffer:	174
REQUIRED TREES:	
Buffer Trees Required (X Trees per 100 LF):	8.7
Buffer Trees Provided:	9
REQUIRED SHRUBS:	
Buffer Shrubs Required (X Shrubs per 100 LF):	116
Buffer Shrubs Provided:	120
BUFFER NO. 3:	
Development Area Adjacent to:	Internal ROW
Buffer Type Required:	15'W Type 'D'
Wall (Required or Provided):	No
Length of Buffer:	242
REQUIRED TREES:	
Buffer Trees Required (X Trees per 100 LF):	12.1
Buffer Trees Provided:	9
REQUIRED SHRUBS:	
Buffer Shrubs Required (X Shrubs per 100 LF):	161.33
Buffer Shrubs Provided:	165
BUFFER CONDITIONS:	
1. Walls as required/provided, buffer must be on the adjacent property side of the wall	
2. Palms may not constitute more than 50% of the required buffer trees	
3. See notes for minimum requirements for Buffer Areas	

Plant Schedule									
Project Number:		2020.057LA-02-CE Program							
Date:		1/15/2021							
TREES (Florida No. 1)									
QTY	SYM	NATIVE	BOTANICAL	COMMON	SPECS	SPACING	ZONE		
12	CD14	YES	Coccoloba diversifolia	Pigeon Plum	14'-16"H x 7'-8"S, 3-1/2"Cal, 65G	As Shown	10b-11a		
12	QV	YES	Quercus virginiana	Live Oak	10'-12"H x 4'-5"S, 2"Cal, 25G	As Shown	7a-10b		
PALMS (Florida No. 1)									
QTY	SYM	NATIVE	BOTANICAL	COMMON	SPECIFICATIONS	SPACING	ZONE		
6	RE14	YES	Roystonea elata	Florida Royal Palm	8'GW, 14'-15'CT, 26'-28"OA, Full Head, Buttressed Trunk	As Shown	10a-11a		
9	RE	YES	Roystonea elata	Florida Royal Palm	5'GW, 10'-12'CT, 22'-24"OA, Full Head, Buttressed Trunk	As Shown	10a-11a		
SHRUBS (Florida No. 1)									
QTY	SYM	NATIVE	BOTANICAL	COMMON	SPECIFICATIONS	SPACING	ZONE		
254	CLU7	YES	Clusia rosea	Pitch Apple	36"H x 24"S, 7G	36"OC	10b-11a		
234	CHR	YES	Chrysobalanus icaco 'Red Tip'	Red Tip Cocoplum	24"H x 18"S, 3G	36"OC	9a-11a		
GENERAL NOTES									
1	The Plant Material for this project must adhere to the City of Bonita Springs Special Overlay District Requirements for US-41 where this project is adjacent to US-41 (Buffer). All Trees/Palms/ must be at least 14"H/14"CT at the time of installation. All Shrubs must be 36"H at time of installation.								

LANDSCAPE PLAN:

William E. Prysti, PLA, ASLA
 Digitally signed by William E. Prysti, PLA, ASLA
 Date: 2021.01.15 14:51:19 -05'00'



POWER LODGE SPECIAL EXCEPTION
 Bonita Springs, Florida

PREPARED FOR:
 DEHN ENTERPRISES, INC.
 SHEET TITLE:
 LANDSCAPE PLAN

NO.	DATE	REVISION

THESE DRAWINGS ARE NOT APPROVED UNLESS SIGNED & SEALED BELOW.

WILLIAM E. PRYSTI, PLA, ASLA
 FLORIDA PROFESSIONAL LANDSCAPE ARCHITECT REG. #0001342
 DATE: 2021/01/15

DRAWN BY: WEP DATE: 2020/12/03
 PROJECT NO.: 2020057LA
 DRAWING NO.: 2020057LA-02-LP1.00
 SHEET REFERENCE: 100 LANDSCAPE
 SHEET SET NO.: SHEET NO.: LP1.00 1 OF 5

Oak Hammock Office Park at Whiskey Creek
 6200 Whiskey Creek Drive
 Fort Myers, Florida 33919
 Office: (239) 985-1200
 Web: www.HoleMontes.com / www.HME.com
 Florida Certificate Of Authorization No. 1772



PLANT INSTALLATION & MAINTENANCE STANDARDS

INSTALLATION STANDARDS:

- INSTALLATION:** plant materials must be installed in soil conditions that are conducive to the proper growth of the plant material. Limerock located within planting areas must be removed and replaced with native or growing quality soil before planting. A plant's growth habit must be considered in advance of conflicts that might be created (e.g. views, signage, overhead power lines, lighting, buildings, circulation). Trees may not be placed where they interfere with site drainage, subsurface utilities, or overhead utility lines, or where they will require frequent pruning in order to avoid interference with overhead power lines.
- All landscape materials must be installed in a recognized horticultural correct manner. At a minimum, the following installation requirements must be met:
 - A All landscape areas must be mulched unless vegetative cover is already established.
 - B Light poles must be located outside of all parking islands containing required or specified trees.
 - C Trees and shrubs used in buffers must be planted in a minimum width area equal to one-half the required width of the buffer. However, in no case may the planting area be less than five-feet in width (5'W).
 - D All landscaped areas must be provided protection from encroachment by any type of vehicle.
 - E All required plants used in buffers and landscaping must be installed using xeriscape principles. Xeriscape principles include water conservation through drought-tolerant landscaping, the use of appropriate plant material, mulching, and the reduction of sodded areas.
 - F Utility or drainage easements may overlap required buffers; however, no code required trees or shrubs may be located in any utility easement unless a written statement, from the entity holding the beneficial interest in the easement, is submitted specifically stating that the entity has no objection to the landscaping and, that the proposed landscaping will not interfere with the long term maintenance of the infrastructure within easement area. No code required landscaping may be located in any street easement or right-of-way. To avoid conflicts with overhead utility lines, only trees less than twenty feet (20'H) in height at maturity may be used directly adjacent to an overhead line. Variances or deviations from the requirements of this subsection are prohibited.
 - G Safe sight distance triangles at intersections and vehicle connections. Where an access way intersects a right-of-way or when a property abuts the intersection of two or more rights-of-way, a minimum safe sight distance triangular area must be established. Within this area, vegetation must be planted and maintained in a way that provides unobstructed visibility at a level between thirty inches (30") and eight-feet (8') above the crown of the adjacent roadway. Landscaping must be located in accordance with the roadside recovery area provisions of the state of Florida Department of Transportation's manual of uniform minimum standards for design, construction, and maintenance of streets and highways (FDOT green book) where appropriate.
 - H Where signage is located within or adjacent to landscape buffer areas, all trees and shrubs located within landscape buffer must be located so as not to block the view of signage.
 - I If a wall is proposed, but not required, then the required buffer plantings must be installed on the exterior side (between the wall and the abutting property or street right-of-way) of the wall or fence. Where a non-opaque decorative fence is proposed, but not required, the planting may straddle the fence so long as not less than fifty percent (50%) of the plant material is on the abutting property side of the decorative fence.

INITIAL MAINTENANCE STANDARDS:

- Maintenance of Landscaping:** the OWNER is responsible for maintaining the required landscaping in a healthy and vigorous condition at all times. Tree and palm staking must be removed within twelve (12) months after installation. All landscapes must be kept free of refuse, debris, disease, pests, and weeds. Ongoing maintenance to prohibit the establishment of prohibited invasive exotic species is required. The CONTRACTOR is responsible for maintenance through substantial compliance.
- Pruning:** vegetation required by this code may only be pruned to promote healthy, uniform, natural growth of the vegetation (except where necessary to promote health, safety, and welfare) and be in accordance with "American National Standard for Tree Care Operations - Tree, Shrub, and Other Woody Plant Maintenance - Standard Practices (Pruning) (A300, part 1)" by the American National Standard Institute, and "Best Management Practices: Tree Pruning" by the International Society of Arboriculture (ISA).

Trees must not be severely pruned to permanently maintain growth at a reduced height or spread. Pruning must not interfere with the design intent of the original installation. Severely pruned trees must be replaced by the property owner. Replacement trees must meet the minimum tree size requirements of local code. A plant's growth habit must be considered in advance of conflicts which might arise (i.e. views, signage, overhead power lines, lighting, circulation, sidewalks, buildings, and similar conflicts). Any 'hat-racking, balling, or topping' of trees is prohibited.
- Maintenance Schedule:** A monthly landscape maintenance meeting shall be held between the Contractor of Record (or highered Maintenance Contractor) and OWNER to review and address landscape maintenance issues. These meetings shall include a site drive-through to observe landscape conditions and identify problem areas to be addressed by the landscape maintenance contractor. The landscape contractor shall implement the maintenance guidelines for turf, trees, palms, shrubs and groundcovers found below and communicate to the client any changes, discrepancies or alterations to the maintenance schedule and techniques.
- See the accompanying "Landscape Mammagement Manual" for specific outline, conditions, and tasks for successful ongoing care of the landscape implemented.

PERMITTING, GRADING, & PLANTING

PERMITTING NOTES:

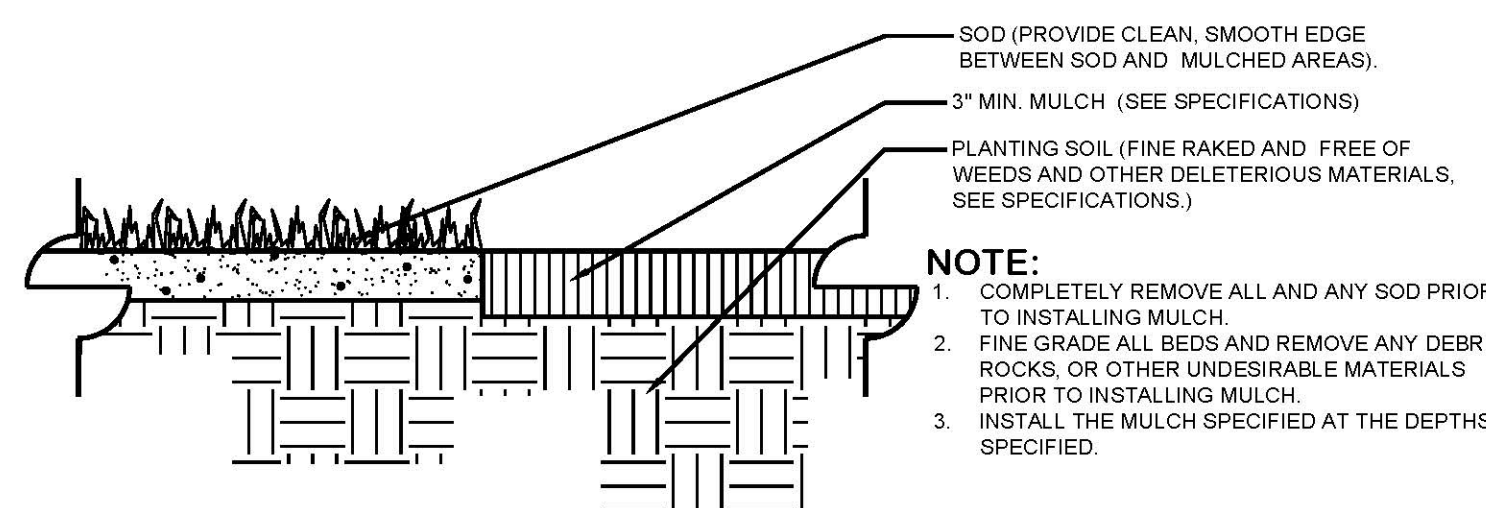
- WORK PREPARATION:** The CONTRACTOR shall be responsible for the location of all utilities and services both underground and overhead prior to the commencement of work. Protection of all utilities, appliances, and services throughout the course of work is required.
- COORDINATION OF WORK:** Coordinate all work with all trades so as to avoid and conflict with the execution of work by others. The OWNER shall not be responsible for the damage to plant materials caused by any trades through the course of work prior to final acceptance. The condition of plant material shall be in accordance to the quality standards specified herein.
- UTILITY LOCATIONS:** Call "811" at least 48 hours prior to the execution of work to have all underground utilities located. This is a mandatory measure that must be conducted prior to commencement of any work on the project.
- VEGETATION REMOVAL:** At no time may any work on the site commence without a valid vegetation removal permit as required by and made part of the permit documents. The CONTRACTOR is fully responsible for obtaining this permit prior to work and for any consequences that arise for the lack thereof.
- CONTRACTOR UTILITIES:** The CONTRACTOR assumes full responsibility for executing these documents as drawn, specified, and required. Any rework associated with the failure to execute these documents as illustrated shall be done at the CONTRACTOR'S consequence unless duly coordinated with the OWNER and LANDSCAPE ARCHITECT in writing prior to substantial compliance.

GRADING NOTES:

- GRADING & DRAINANGE:** It shall be the responsibility of the CONTRACTOR to finish grade all landscape areas eliminating all bumps, depressions, rocks, sticks, or other debris prior to the installation of any plant material. The CONTRACTOR shall also be responsible for maintaining positive sheet flow drainage away from all structures and in accordance with all drainage ways shown or implied on the civil grading & drainage drawings. See detail this sheet for additional flow way work requirements.
- FINE GRADING:** All areas will be fine graded with a drag mat or grading rake to blend all imperfections and to remove surface debris (in excess of two-inches; 2") prior to sodding, mulching, and as a condition of final acceptance
- STABILIZING GRADES:** The CONTRACTOR will be responsible for stabilizing grades using approved methods prior to landscape installation. Any repairs, alterations, or efforts to restore specified grades must be done prior to sodding or mulching.
- ROUGH GRADING:** Rough grading must be reviewed and approved by either the ENGINEER or LANDSCAPE ARCHITECT prior to final grading or the commencement of any landscape installations. All grades must be maintained as delineated on the site civil grading & drainage drawings as a prerequisite to final acceptance.

LANDSCAPE PLANTING EXECUTION:

- Sod:** Sod used on the project shall be type specified herein and shall be provided throughout or as indicated. All swales and drainage system berms shall be sodded unless indicated otherwise. All disturbed areas off-site shall be sodded or replaced with like vegetation damaged or removed prior to final acceptance.
- Guarantees:** The CONTRACTOR shall provide a guarantee and warrant all workmanship, products, and plant materials for a period of not less than one (1) year from the date of final acceptance. No guarantees that warrant any of the aforementioned for a period of time less than that stated herein shall be considered valid. These drawings supersede any time period that are may conflict. The CONTRACTOR may not offer any warranties or guarantees that are less than those indicated in these contract documents. The CONTRACTOR shall indemnify the OWNER against any documents signed that may conflict with this requirement for the CONTRACTOR to fulfill.
- Soil Testing:** The CONTRACTOR is fully responsible for providing and bearing the costs for all soil tests, soil amendments, and/or fertilizers that may be indicated as necessary through a soil test analysis. If the CONTRACTOR does not provide soil tests as specified, the CONTRACTOR shall bear full responsibility for any adverse impacts affected by the failure to execute these tasks or for any improper fertigation that may be applied.
- Plant locations:** The CONTRACTOR shall field locate all plant material either by staking or placement of plants in containers for review and approval of the LANDSCAPE ARCHITECT prior to installation. Any movement or re-execution of work determined necessary by the LANDSCAPE ARCHITECT due to the failure to have locations pre-approved will be reworked at the CONTRACTOR'S consequence.
- Specifications:** Any failure by the CONTRACTOR to adhere to the specifications herein delineated within these documents may require the re-execution of work/services, replacement of materials, or rejection of work applied.
- Grow bags:** Trees or any other materials previously grown in grow bags or grow bag material are strictly prohibited.
- Familiarity with Documents:** See all plans, details, and specification sheets for a complete outline of requirements for the project.



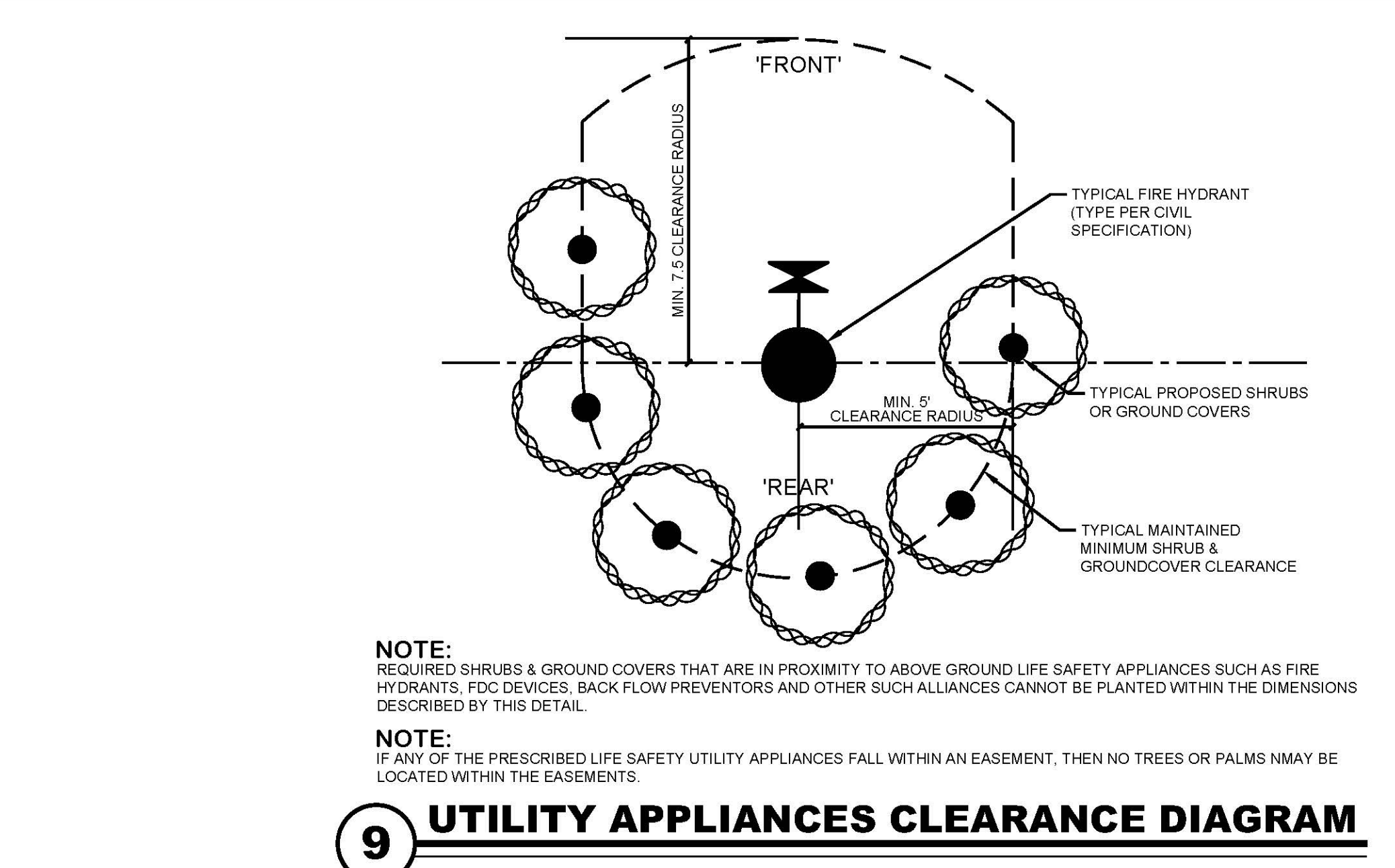
- NOTE:**
- COMPLETELY REMOVE ALL AND ANY SOD PRIOR TO INSTALLING MULCH.
 - FINE GRADE ALL BEDS AND REMOVE ANY DEBRIS, ROCKS, OR OTHER UNDESIRABLE MATERIALS PRIOR TO INSTALLING MULCH.
 - INSTALL THE MULCH SPECIFIED AT THE DEPTHS SPECIFIED.

10 MULCH APPLICATION DETAIL

CONSTRUCTION PERFORMANCE REQUIRMENTS:

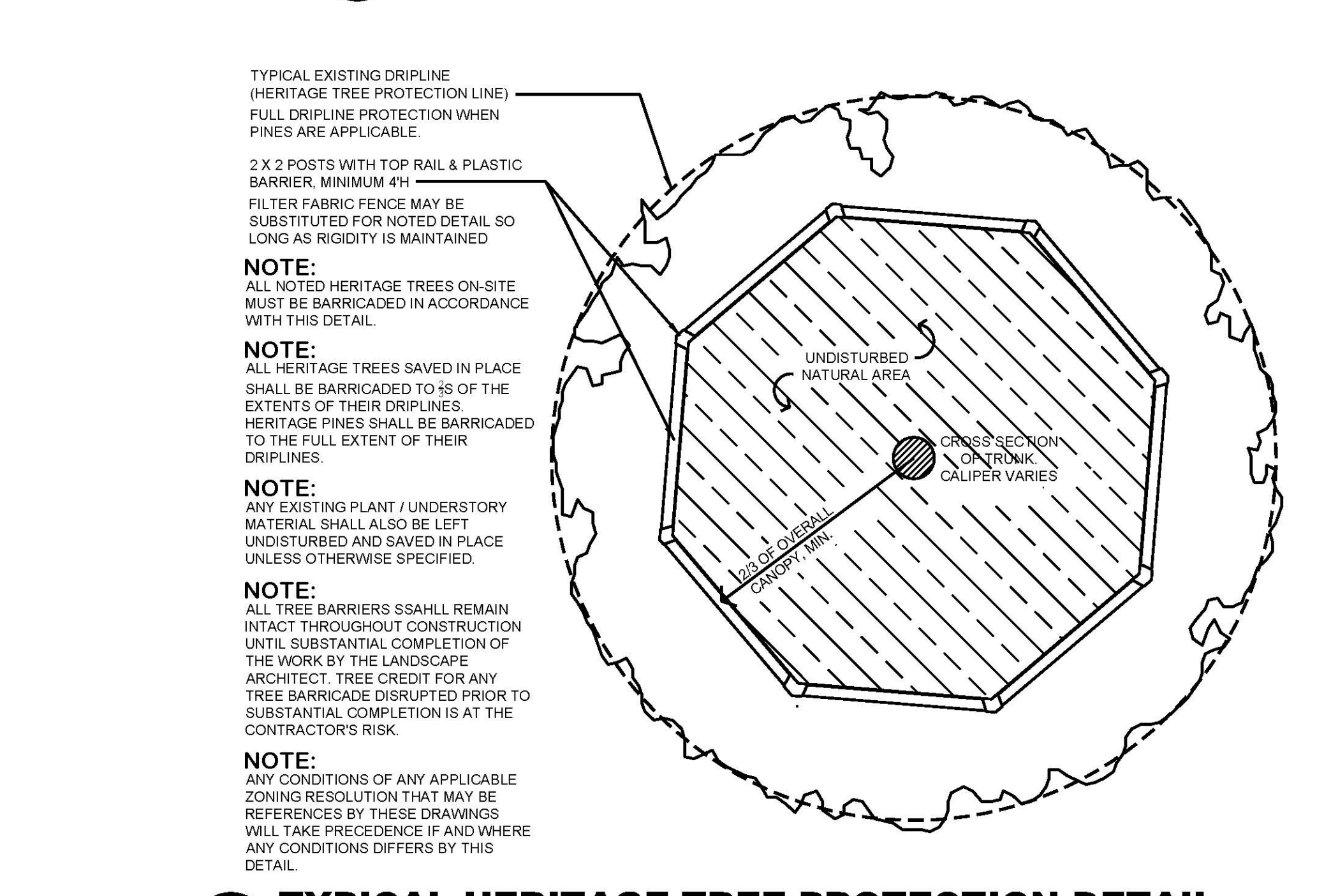
PERFORMANCE NOTES

- MULTIPLE DRAWING SHEETS:** This permit set contains multiple sheets of which collectively must be executed together to be in compliance. It is the CONTRACTOR'S responsibility to assure that all of the sheets in this set have been acquired and are the most current consistent with the approved development order or any amendments thereto prior to bidding and execution. If there is any doubt, contact the LANDSCAPE ARCHITECT prior to the commencement of work to have assurance. Working with an obsolete set of drawings will be the sole responsibility of the CONTRACTOR to bear.
- VEGETATION REMOVAL:** Prior to the execution of any work on-site, the CONTRACTOR will acquire the appropriate vegetation removal permits as may/are required by the local jurisdictional agency. Any failure to obtain the appropriate permits prior to the execution of work are the responsibility of the CONTRACTOR.
- CERTIFICATE OF COMPLIANCE:** Prior to receipt of a certificate of occupancy (CO), the CONTRACTOR shall be responsible for coordinating the appropriate inspections of substantial compliance with the LANDSCAPE ARCHITECT. The LANDSCAPE ARCHITECT will be required to determine that the project is in compliance with the permit documents, conditions, and stipulations as a requisite to obtain a certificate of compliance.
- PLANTING IN EASEMENTS:** No plants that are 'required' by code may be located within any utility or public easements. Drainage and lake maintenance easements may be planted so long as there are no obstructions to water flow or access for maintenance.
- OVERHEAD POWERLINES:** Where overhead powerlines are present, palms must be at least a palm front distance away and trees must be at least ten feet (10') away, unless the tree species is such that it will not grow and interfere with the specific powerlines at
- PLANTING NEAR BUILDINGS:** Trees may not be planted closer than eight feet (8') to any curbs, sidewalks or foundations unless the appropriate root barrier provisions have been included (see details). Trees may not be planted closer than ten feet (10') from any building (depending on building height and tree species).
- SITE PROTECTIONS:** The CONTRACTOR shall be responsible for providing and maintaining the appropriate protections for existing vegetation as herein detailed. All parking lot island applications shall meet the requirements of fill and grades as herein
- UTILITY CLEARANCES:** There is to be a minimum clearance of seven and one-half feet (7'-6") in front of and to the sides of all fire hydrants, FDC, meters, and utility control
- CANOPY TREES:** All trees and palms planted to meet the requirements of internal 'Canopy' trees (indicated herein as 'Canopy') must be planted where illustrated on the plans and as the species specified.
- PLANT SYMBOL TAGS:** The same species of plant materials may be illustrated with differing symbols. Leaders will define the species and its application. The Plant ID Tags will generally depict the category the material is intended to meet. Actual graphic symbols may vary. See Plant ID Tags for specific uses and the plant schedule for specifications.
- MULCH:** All planting required by the local Land Development Code in effect must be installed with a layer of mulch not less than two inches (2") in depth. See plant schedule for the specification of mulch.
- NATIVE PLANT SPECIES:** All tree planted to meet the requirements of codes shall meet the minimum standards defined herein. Not less than seventy-five percent (75%) of all required trees and palms & fifty percent (50%) of all required shrubs must be native species to the state of Florida, unless otherwise noted herein to be more restrictive.
- BUILDING PERIMETER PLANTING:** Not more than ten percent (10%) of the required building perimeter landscape area (where applicable) may be planted in sod. Within the jurisdictional limits of the Village of Estero, not more than ten percent (10%) of the required internal landscape areas may be planted in sod and all dry detention basins must be fully planted with natives' grasses or other wetland herbaceous material.
- SUPPORTING DOCUMENTS:** The CONTRACTOR shall note and acknowledge that these approved permit documents include supporting calculations, specifications, requirements, and conditions that are not illustrated on this sheet. However, are made part of the requirements of work to be executed.
- PLANT QUALITY:** All plant material specified for this project shall be Florida no. 1 quality or better (unless specified otherwise as Florida fancy) as defined by grades & standards (latest edition).
- NUISANCE PLANT SPECIES:** The entire project site as defined by these documents must maintain all exotic nuisance species as herein indicated free from the site in perpetuity.



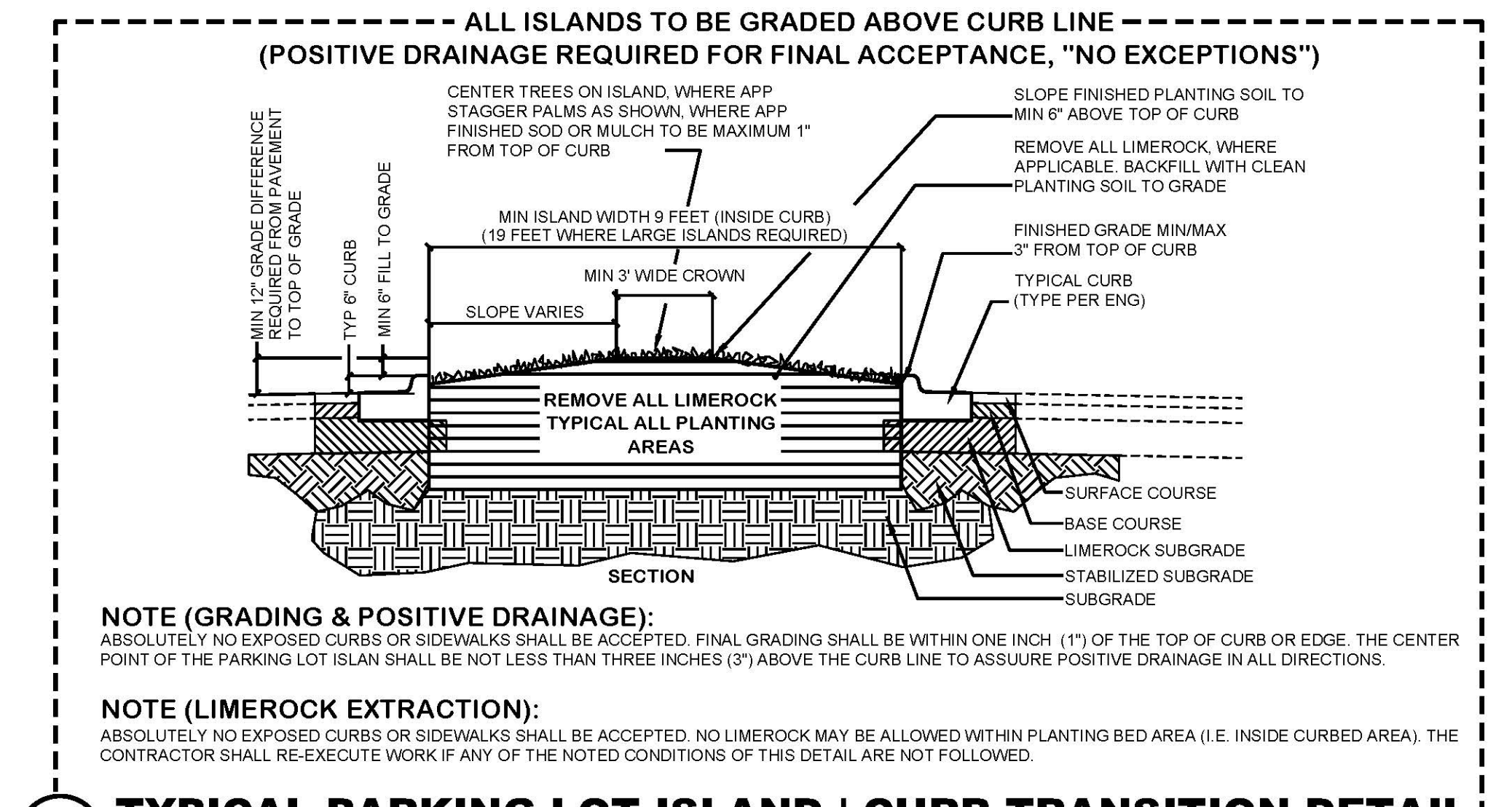
- NOTE:** REQUIRED SHRUBS & GROUND COVERS THAT ARE IN PROXIMITY TO ABOVE GROUND LIFE SAFETY APPLIANCES SUCH AS FIRE HYDRANTS, FDC DEVICES, BACK FLOW PREVENTORS AND OTHER SUCH ALLIANCES CANNOT BE PLANTED WITHIN THE DIMENSIONS DESCRIBED BY THIS DETAIL.
- NOTE:** IF ANY OF THE PRESCRIBED LIFE SAFETY UTILITY APPLIANCES FALL WITHIN AN EASEMENT, THEN NO TREES OR PALMS NMAE BE LOCATED WITHIN THE EASEMENTS.

9 UTILITY APPLIANCES CLEARANCE DIAGRAM



- NOTE:** ALL NOTED HERITAGE TREES ON-SITE MUST BE BARRICADED IN ACCORDANCE WITH THIS DETAIL.
- NOTE:** ALL HERITAGE TREES SAVED IN PLACE SHALL BE BARRICADED TO 1/3 OF THE EXTENTS OF THEIR DRIPLINES. HERITAGE PINES SHALL BE BARRICADED TO THE FULL EXTENT OF THEIR DRIPLINES.
- NOTE:** ANY EXISTING PLANT / UNDERSTORY MATERIAL SHALL ALSO BE LEFT UNDISTURBED AND SAVED IN PLACE UNLESS OTHERWISE SPECIFIED.
- NOTE:** ALL TREE BARRIERS SHALL REMAIN INTACT THROUGHOUT CONSTRUCTION UNTIL SUBSTANTIAL COMPLETION OF THE WORK BY THE LANDSCAPE ARCHITECT. TREE CREDIT FOR ANY TREE BARRICADE DISRUPTED PRIOR TO SUBSTANTIAL COMPLETION IS AT THE CONTRACTOR'S RISK.
- NOTE:** ANY CONDITIONS OF ANY APPLICABLE ZONING RESOLUTION THAT MAY BE REFERENCES BY THESE DRAWINGS WILL TAKE PRECEDENCE IF AND WHERE ANY CONDITIONS DIFFERS BY THIS DETAIL.

12 TYPICAL HERITAGE TREE PROTECTION DETAIL



- NOTE (GRADING & POSITIVE DRAINAGE):** ABSOLUTELY NO EXPOSED CURBS OR SIDEWALKS SHALL BE ACCEPTED. FINAL GRADING SHALL BE WITHIN ONE INCH (1") OF THE TOP OF CURB OR EDGE. THE CENTER POINT OF THE PARKING LOT ISLAND SHALL BE NOT LESS THAN THREE INCHES (3") ABOVE THE CURB LINE TO ASSURE POSITIVE DRAINAGE IN ALL DIRECTIONS.
- NOTE (LIMEROCK EXTRACTION):** ABSOLUTELY NO EXPOSED CURBS OR SIDEWALKS SHALL BE ACCEPTED. NO LIMEROCK MAY BE ALLOWED WITHIN PLANTING BED AREA (I.E. INSIDE CURBED AREA). THE CONTRACTOR SHALL RE-EXECUTE WORK IF ANY OF THE NOTED CONDITIONS OF THIS DETAIL ARE NOT FOLLOWED.

11 TYPICAL PARKING LOT ISLAND CURB TRANSITION DETAIL

LANDSCAPE DETAILS & CONSTRUCTION NOTES (Sheet 3 of 4):

Oak Hammock Office Park at Whiskey Creek
6200 Whiskey Creek Drive
Fort Myers, Florida 33919
Office: (239) 985-1200
www.HoleMontes.com / www.HMIEng.com
Florida Certificate Of Authorization No. 1772

HOLEMONTES
ENGINEERS, LANDSCAPE ARCHITECTS, PLANNERS, SURVEYORS

POWER LODGE SPECIAL EXCEPTION
Bonita Springs, Florida

PROJECT: POWER LODGE SPECIAL EXCEPTION
PREPARED FOR: DEHN ENTERPRISES, INC.
SHEET TITLE: LANDSCAPE DETAILS & NOTES
(Sheet 3 of 4)

DATE: 2023/01/15

REVISION: RA1 Response

DATE: 2023/01/15

THESE DRAWINGS ARE NOT APPROVED UNLESS SIGNED & SEALED BELOW

REGISTERED LANDSCAPE ARCHITECT
1342

WILLIAM E. PRYSE, P.L.A. ASLA
FLORIDA PROFESSIONAL
LANDSCAPE ARCHITECT REG.
#0001342
DATE:

DRAWN BY: WEP DATE: 2020/12/03
PROJECT NO.: 2020057LA
DRAWING NO.: 200057LA-02-LP3.02
SHEET REFERENCE: 300 LANDSCAPE
SHEET SET NO.: SHEET NO.: LP3.02 4 of 5

ALTERNATIVE PLANT SPECIES:

Acceptable Plant Alternative Notes:

- SPECIFIED MATERIALS:** Where the Plant Material Schedule specifies specific plant materials, those materials MUST be installed as prescribed. The written acceptance from the LANDSCAPE ARCHITECT is required for all and any alternatives than those specified on the Plant Material Schedule.
- ALTERNATIVE LANDSCAPE BETTERMENT PLAN:** At no time may any plant material or species specified on these plans be altered, changed, or revised when an Alternate Landscape Betterment Plan has been issued. Any changes to plant materials under the conditions of an Alternative Landscape Betterment Plan will warrant a Minor Change to the Development Order and any cost and fees associated to do so.
- ALTERNATIVE SPECIES:** Alternates to plants specified herein are acceptable for use on this project and is acknowledged that at times specified species may not be available. However, all alternatives must be accompanied with the written approval of the LANDSCAPE ARCHITECT. Canopy (VUA) trees as identified as such by these drawings as applicable to code conditions must be species that attain a spread of not less than thirty feet (30'S) at maturity. <<"> Indicates Native Species.

ALTERNATIVE SPECIES LIST:

General Trees (Minimum 30' Spread at Maturity & 75% Native)

Gumbo Limbo	Bursar simaruba
Laurel Oak	Quercus laurifolia
Live Oak	Quercus virginiana
Mahogany	Sweetenia mahogany
Mastic Tree	Mastichodendron foetidissium
Paradise Tree	Simarouba glauca
Shady Lady Black Olive	Bucida bucerus 'Shady Lady'
Southern Slash Pine	Pinus elliotti 'densa'

General Trees (Minimum 20' Spread at Maturity & 75% Native)

Green Buttonwood	Conocarpus erectus
Orange geiger	Cordia sebestena
Paradise Tree	Simarouba glauca
Pigeon Plum	Coccoloba diversifolia
Satin Leaf	Chrysophyllum oliviforme
Seagrape	Coccoloba uvifera
Silver Buttonwood	Conocarpus erectus 'servicea'

General Trees for Wetland or Detention Basin Applications

Acer rubrum	Red Maple
Bald Cypress	Taxodium distichum
Dahoon Holly	Ilex cassine
Pond Cypress	Taxodium ascendens
Sweetbay Magnolia	Magnolia virginiana

Palms:

Paurotis Palm	Acoelorrhaphes wrightii
Royal Palm	Roystonea elata
Sabal Palm	Sabal palmetto

Shrubs (Minimum Size per Code & 50% Native)

Coral Bean	Crythrina berbera
Cocoplum	Chrysobalanus icaco
Cootite	Zamia floridana
Fakatchee Grass	Tripsacum dactyloides
Firebush	Hamelia patens
Green Buttonwood	Conocarpus erectus
Jamaica Caper	Capparis cynophallophora
Muhly Grass	Mulbergia capillaris
Saw Palmetto	Serenoa repens
Silver Buttonwood	Conocarpus erectus 'servicea'
Spanish Stopper	Eugenia foetida
Spartina / Sand Cordgrass	Spartina bakerii
Yaupon Holly	Ilex vomitoria

Replacement Plants After Compliance

The plant material noted as acceptable alternatives above may not be conducive to the specific location of the site. This is a generalized list of plant species that are native and work well in most instances throughout the region. However, may not be fully compatible with the site in this location. The Owner, Association, Property Manager, or Contractor is advised to consult with the LANDSCAPE ARCHITECT of record before implementing any alternative species. It is the responsibility of the parties involved in any alternative applications to assure that the material being used is conducive to the application and the location of the site.

IMPORTANT NOTICE TO CONTRACTORS:

CONTRACT & BIDDING DOCUMENTS:

- The CONTRACTOR upon award of contract for the work depicted in these documents (aka contract documents), acknowledges that the data, plans, terms, conditions, and covenants herein set forth are the sole responsibility of the CONTRACTOR to execute as approved and required by the relevant jurisdictional agencies. The same holds true in that no terms defined by the CONTRACTOR'S agreement with the owner may be less restrictive or warrant otherwise defined herein.
- The CONTRACTOR upon award of contract further acknowledges that any significant deviations to these approved permit documents (contract documents) will require that as-built drawings and/or minor change applications will be required to be prepared by the CONTRACTOR to the LANDSCAPE ARCHITECT for submittal to the relevant jurisdictional agencies as required.
Any significant deviations to these documents that were conducted by the CONTRACTOR without the specific direction of the OWNER shall become the sole responsibility of the CONTRACTOR to rectify, where and as necessary as directed by the LANDSCAPE ARCHITECT to be compliant with these contract documents. The CONTRACTOR shall be responsible for repairing, correcting, or restoring any deviations to these approved permit documents prior to certification of substantial compliance by the LANDSCAPE ARCHITECT and receipt of a certificate of compliance by the jurisdictional agency.
OR
The CONTRACTOR shall be responsible for the costs and expenses of preparing the required as-built or minor change documents that shall be produced by the LANDSCAPE ARCHITECT. The fees for this service shall not be less than \$1,000.00 (plus an additional \$100.00 for the minor change application fee, where applicable). The fees shall be paid by the CONTRACTOR to the LANDSCAPE ARCHITECT prior to and as a prerequisite for substantial compliance of the work illustrated herein. Actual final fees and expenses shall be determined based upon the work required, time, and expenses incurred and issued to the CONTRACTOR for payment. Any delays associated with the time taken to apply these services and/or receipt of any relevant certificate of compliance shall be the sole responsibility of the CONTRACTOR.
- The CONTRACTOR shall be absolved of the responsibility of the aforementioned billable work, services and fees if the significant deviations were directed by the OWNER or APPLICANT and done so in writing and submitted to the LANDSCAPE ARCHITECT prior to execution/certification.
- The CONTRACTOR must adhere to the entirety of these drawings as delineated, noted, defined, and specified. Any deviations to such must be done so in writing and approved by the LANDSCAPE ARCHITECT and/or OWNER.

MATERIAL SCHEDULE NOTES:

PERFORMANCE NOTES

- QUANTITIES:** plans quantities & references shall take precedence over schedules at all times. If materials are indicated on the schedule and not the drawings or details, then the material is not part of the plans or illustrated depictions of work (NIC). If a material is indicated on the plans and not on the schedule, then contact the LANDSCAPE ARCHITECT immediately for a clarification. All quantities are found on the drawings & the schedule quantities are for reference only. The CONTRACTOR shall provide their own take-offs in accordance with these contract documents.
- REFERENCES:** If at any time on the drawings there is a conflict between the actual number of plant materials items (as illustrated) or the quantities in the plant material schedule itself, and the plant leader id tags, the plant leader ID tag shall govern at all times.
- LITTORALS:** the littoral planting drawings and required Deep Lake Management Plan trees (where applicable) shall be installed as illustrated and specified herein and per the All littoral and Deep Lake Management applications must be native species. See littoral planting zone diagram on the calculations sheet for reference to the appropriate planting zone for the of the installation. Aforementioned and/or specified littoral plants. Planting outside of the defined zones per plant type may warrant rejection
Littoral plantings are not required to be irrigated unless delineated as such on the irrigation drawings. Littorals must be maintained with not less than an eighty percent (80%) survival rate in perpetuity (100% at time of substantial compliance as required by code).
The required littoral plants may be indicated on the drawings as "LLP". A selection of not less than three (3) species must be installed as specified on this schedule unless specified otherwise. Combinations of shrubs & trees may be taken in accordance to the ratios defined.
- CONTAINER SIZES:** the size of all plant material specified shall supersede any conflicts with containers sizes. The minimum dimensions specified shall govern over container size.
- ACCEPTABLE PLANT MATERIAL:** see approved/acceptable plant materials list for plant selections on this project. Minimum native/exotic ratios must be maintained to meet code.

HERITAGE TREE & SABAL (CABBAGE) PALM NOTES:

HERITAGE TREES:

- The Drawings depict the accurate locations and caliper sizes of the existing Heritage Trees designated both as to remain and to be removed.
- Due to existing over growth and exotic plant infestations, it is not possible to get an accurate count of the existing heritage trees and cabbage palms on-site which fall into the required status for relocation. The applicant agrees to a condition to have an on-site meeting with representatives of the local jurisdiction and LANDSCAPE ARCHITECT subsequent of the vegetation removal permit and prior to clearing. The objective will be to clear in a manner that saves all existing heritage trees and cabbage palms for the purposes of meeting the intent of the code.
- If any existing Heritage Trees that are being credited towards the general tree requirements are impacted by development, they will be replaced in common open space areas at a ratio of one (1) twenty foot (20'H) tree of the same or similar species for each Heritage Tree impacted.
- If any additional Heritage Trees are identified that must be removed due to construction, a minor change shall be submitted to take into account the additional Heritage Tree replacement requirements.
- Protective barrier fences for native Heritage Tree preservation areas must extend to the full drip line for Heritage Slash Pines and three-quarter (3/4) line for Heritage Oaks or other native Heritage Trees.
- Where irrigation lines will be installed, they must remain outside of the full drip line for Heritage Slash Pines and three-quarter (3/4) drip line for any other Heritage Trees.

EXISTING SABAL (CABBAGE) PALMS:

- Cabbage palms with at least eight-feet of clear trunk (8'CT) that need to be relocated will be done in a horticulturally correct manner and in coordination with the LANDSCAPE ARCHITECT or local jurisdictional staff into common open space areas, prior to issuance of any vegetation removal permit, the palms to be relocated must be flagged in the field for local jurisdictional staff inspection, where and as applicable.
- Due to the lack of accessibility within the site, it is not possible to get a clear count of sabal palms (min 8'CT) that shall be relocated on-site to common open space if impacted by development. The final disposition of these palms shall be documented prior to certificate of compliance.
- If any additional Cabbage Palms are identified that must be removed due to construction, a minor change shall be submitted to take into account the additional Cabbage Palm replacement requirements.
- See additional specifications for heritage tree species or Cabbage Palm dispositions and the drawings for locations

MINIMUM PLANT MATERIAL STANDARDS:

PERFORMANCE NOTES

- QUALITY:** plant materials used to meet the requirements of this division must meet the standards for Florida No. 1 or better, as defined in grades and standards for nursery plants, parts I and II, department of agricultural, state of Florida (as amended). Root ball sizes on all transplanted plant materials must also meet these stated standards.
- NATIVE VARIETIES:** at least seventy-five percent (75%) of the trees and fifty percent (50%) of the shrubs used to fulfill these requirements must be native Florida species.
- TREES, PALMS, & SHRUBS:**
Code-Required Trees must be a minimum of ten feet in height (10'H), have a two-inch caliper (2" CAL at 12 inches above the ground) and a four-foot spread (4'S) at the time of installation. Palms must have a minimum of ten feet of clear trunk (10' CT) at planting. Trees having an average mature spread or crown less than twenty feet (20') may be
Larger Substitute Trees used to reduce the minimum number of general trees must be no less than four inches in diameter (4" CAL) at twelve-inches (12") above the ground and no less than sixteen-feet in height (16'H) at the time of planting. The general tree requirement
Shrubs and Hedges: shrubs must be a minimum of twenty-four inches (24"H) (48 inches for Type F Buffers) in height, at time of planting. Saw palmettos (serenoa repens) and coonties (zamia floridana) may be used as shrubs, provided they are twelve inches in height (12"H) and three-gallon (3G) in size at time of planting. All shrubs must be a
Required Hedges must be planted in double staggered rows and maintained so as to form a continuous, unbroken, solid visual screen within a minimum of one year after time of planting.
Tree/Palm/Shrub Heights: The height of all trees and shrubs must be measured from the final grade of the project site relative to the location of the plant material in question.
- MULCH REQUIREMENTS:** a two-inch (2") minimum layer, after watering-in, of mulch or other recycled materials must be placed and maintained around all newly installed trees, shrubs, and groundcover plantings. Each tree must have a ring of mulch no less than twenty-four inches (24") beyond its trunk in all directions. The use of cypress mulch is strongly discouraged.
- INVASIVE EXOTICS:** the exotics plants herein noted not be planted (i.e. are prohibited), and must be removed from the project site. Methods to remove invasive exotic plants will either be full removal or kill in place methods as determined by the Owner at the time of development. The development area will be maintained free from invasive exotic plants in perpetuity. (see Exotic Species Removal Sheet).
- DRY DETENTION AREAS:** if dry detention areas are planted with native clump grasses in lieu of sod or seeding, then the plants must be a minimum one-gallon (1G) container size planted three-feet on center (3'OC).

IRRIGATION NOTES:

PERFORMANCE NOTES

- Irrigation Drawings:** Formal irrigation plans for this project have been developed, however are not generally part of the permit submittal documents. The CONTRACTOR shall acquire said irrigation system designs from the LANDSCAPE ARCHITECT prior to the submission of bids or the execution work.
- As-Built Drawings:** The CONTRACTOR shall maintain as-built drawings as part of the execution of any irrigation work on the project, as-built drawings are required as part of the certificate of compliance process defined by the local permitting agency and will be collected by the LANDSCAPE ARCHITECT as a prerequisite to submission.
- Irrigation Guidelines:** The irrigation guidelines sheet may refer to the absence of irrigation plans only for the purposes of the development order permit submittal, if applicable.
- Details & Specifications:** Irrigation Guidelines & Details are part of and included with these permit documents. The CONTRACTOR will be responsible for following the details and specifications of this sheet and the resulting irrigation system installed must be compliant with those terms as a prerequisite for substantial compliance if no formal irrigation system design drawings are available from the LANDSCAPE ARCHITECT.
- Consumptive Water Use Permit:** A water use permit (consumptive use permit) must be obtained prior to the execution of work on this project. If a meter is specified or being used, coordination with the relative utility is required (impact fees may be required).

LANDSCAPE MATERIAL SCHEDULE, STANDARDS, & NOTES (Sheet 4 of 4):

LANDSCAPE MATERIAL SCHEDULE:

SEE SHEET LP1.00

PROJECT: **POWER LODGE SPECIAL EXCEPTION**
Bonita Springs, Florida

PREPARED FOR: DEHN ENTERPRISES, INC.

SHEET TITLE:

LANDSCAPE SCHEDULE & NOTES (Sheet 4 of 4)

NO.	DATE	REVISION
	2023/01/15	RA Response

THESE DRAWINGS ARE NOT APPROVED UNLESS SIGNED & SEALED BELOW



WILLIAM E. PRYS, P.L.A., A.S.L.A.
FLORIDA PROFESSIONAL
LANDSCAPE ARCHITECT REG.
#0001342
DATE:

DRAWN BY: WEP DATE: 2020/12/03

PROJECT NO.: 2020057LA

DRAWING NO.: 200057LA-02-LP3.03

SHEET REFERENCE: 300 LANDSCAPE

SHEET SET NO.: SHEET NO.:

LP3.03 5 of 5

Oak Hammock Office Park at Whiskey Creek
6200 Whiskey Creek Drive
Fort Myers, Florida 33919
Office: (239) 985-1200
Web: www.HoleMontes.com / www.HMIENG.com
Florida Certificate Of Authorization No. 1772



December 4, 2020

Jacqueline Genson, AICP
Planning and Zoning Manager
City of Bonita Springs
Department of Community Development
9101 Bonita Beach Road
Bonita Beach, FL 34135

Re: Power Lodge - Special Exception
HM File No.: 2020.057

Dear Ms. Genson:

The applicant seeks to occupy a portion of the subject site for Vehicle and equipment dealers, Groups II & III (motorcycles, ATVs, and watercraft) within the US 41 Overlay District. These uses are approved as part of the existing commercial planned development; however, the approved development order is specific to the use of a “Vehicle and equipment dealer, Group I” (Auto and truck dealers) only. Vehicle and equipment dealers are allowed within the US 41 Overlay but require approval as special exception uses.

The subject site totals approx. 11 acres and is located at 28450 S Tamiami Trail, on the west and east sides of Trails Edge Blvd., which runs parallel on the west side to US 41, approx. one-half mile south of Bonita Beach Road. The subject property is zoned Diamond Ridge/Woods Edge RPD/CPD and is within the US 41 Overlay District. The RPD/CPD includes adjacent properties to the north, west, and south.

There is a concurrent Temporary Use Permit application for the applicant to occupy the site pending approval of the Special Exception pursuant to LDC Sec. 4-253.

We enclose the following:

- One (1) copy of Cover Letter (this is the Cover Letter);
- One (1) copy of Completed Application;
- One (1) Check No. 7842 in the amount of \$5,000;
- One (1) copy of Area Location Map;
- One (1) copy of Public Information Meeting Summary;
- One (1) copy of Exhibit I-B-1, Notarized Authorization Form – *See Application*;
- One (1) copy of Exhibit I-F, Notarized Disclosure of Interest Form – *See Application*;
- One (1) copy of Exhibit II-A-1, Legal Description;
- Two (2) copies of Exhibit IV-A, Surrounding Property Owner List and Mailing Labels;
- One (1) copy of Exhibit IV-B, Surrounding Property Owner Map;
- One (1) copy of Exhibit IV-F, Narrative & Criteria;
- One (1) copy of Exhibit IV-G, Site Plan;
- One (1) copy of Exhibit IV-H, Traffic Impact Analysis;
- One (1) copy of Landscaping Exhibits; and

Jacqueline Genson, AICP
Re: Power Lodge - Special Exception
HM File No.: 2020.057
December 4, 2020
Page 2

- One (1) Flash Drive with Application and Exhibits.

If you have any questions, please don't hesitate to contact us.

Very truly yours,

HOLE MONTES, INC.



Paula N.C. McMichael, AICP
Director of Planning
PNCM/sek

Enclosures as noted.

cc: Tom Dehn w/enclosures

PRE-APPLICATION NEIGHBORHOOD MEETING SUMMARY

On Monday, Oct 26, 2020 a neighborhood meeting was held at the subject site. 7 people showed up and had a tour by one of the assistant managers. Jeff Hieber, one of the owners, called in during the meeting. The people there got a tour and Jeff asked if they would like a continuance so he could give them a personal tour and answer questions. The group agreed and the meeting was continued on Thursday Oct 29th at 7:00 PM.

On Thursday, Oct 29th, we had 19 neighbors show up and met with Jeff and the marketing director for Power Lodge of Florida. Jeff address the group and answered all their questions regarding product type being sold, serviced, tested and business plans for the site. Product type was displayed and tested for noise quality.

Jeff also assured the group that product type would not be test driven through the neighborhood and noise would be kept to the standards set forth by laws governing the type of products being sold.



PUBLIC HEARING APPLICATION FOR REZONINGS (CONVENTIONAL) & SPECIAL EXCEPTIONS

Community Development Department | 9220 Bonita Beach Road, Suite 111 | Bonita Springs, FL 34135 | Phone: (239) 444-6150 | Fax: (239) 444-6140

Applicant's Name: Tom Dehn Phone #: 612-328-2215

Address: 6781 Highway 10 NW - Ramsey, MN 55303

E-mail: tom.dehn@powerlodge.com

Project Name: Power Lodge

STRAP Number: 04-48-25-B3-0180B.0010

Application Form: Computer Generated* City Printed

* By signing this application, the applicant affirms that the form has not been altered.

STAFF USE ONLY

Case Number: _____

Date of Application: _____

Fee: _____

Current Zoning: _____

Land Use Classification(s): _____

Comp. Plan Density: _____

Date of Zoning Public Hearing: _____

Date of City Council Public Hearing: _____

Planner Assigned: _____

Staff Recommendation: _____

PART I

APPLICANT\PROPERTY OWNERSHIP INFORMATION

A. Name of applicant: Tom Dehn
Street Mailing Address: 6781 Highway 10 NW
City: Ramsey State: MN Zip: 55303
Phone Number: Area Code: 612 Number: 328-2215 Ext.
E-mail: tom.dehn@powerlodge.com

B. Relationship of applicant to property:
Owner Trustee* Option holder*
X Lessee* Contract Purchaser*
Other (indicate)*

*If applicant is NOT the owner and the application is NOT City-initiated, submit a notarized Authorization Form from the owner to the applicant. Label the attachment "Exhibit I-B-1".

* If the application is City-initiated, enter the date the action was initiated by the City Council: _____

Attach a copy of the "green sheet" and a list of all property owners, and their mailing addresses, for all properties within the area described. Names and addresses must be those appearing on the latest tax rolls of Lee County. Label the "green sheet" as "Exhibit I-B-2" and the list as "Exhibit I-B-3".

C. Name of owner of property: Devoe Family, LP
Street Mailing Address: 4100 Tamiami Trail North
City: Naples State: FL Zip: 34103
Phone Number: Area Code: 239 Number: 261-1234 Ext.

D. Date property was acquired by present owner(s): 6/1/1996

E. Is the property subject to a sales contract or sales option? X NO YES

F. Are owner(s) or contract purchasers required to file a disclosure form? X NO YES. If yes, please complete and submit Exhibit I-F (attached).

G. Authorized Agent(s): List names of authorized agents. Attach extra sheet if more space is required

Name: Hole Montes, Inc.
Contact Person: Paula N. C. McMichael, AICP, Planning Director
Address: 950 Encore Way, Naples, FL 34110
Phone: 239-254-2000 E-mail: paulamcmichael@hmeng.com

**PART II
GENERAL INFORMATION**

A. Legal Description: Is property within a platted subdivision recorded in official Plat Books of Lee County?

 X NO. Attach a legible copy of the legal description (labeled Exhibit II-A-1.) and a certified sketch of description as set out in Chapter 5J-17.053, F.A.C., Florida Administrative Code, unless the subject property consists of one or more undivided platted lots. If the application includes multiple abutting parcels, the legal description must describe the perimeter boundary of the total area, but need not describe each individual parcel. However, the STRAP number for each parcel must be included. (labeled Exhibit II-A-2.)

 YES. Property is identified as:

Subdivision Name: Woods Edge

Plat Book: 49 Page: 53-54 Unit: Block: Lot:

Submit a copy of the Plat Book page with subject property clearly marked. Label this Exhibit II-A-3.

STRAP NUMBER: 04-48-25-B3-0180B.0010

B. Project Street Address: 28450-488 South Tamiami Trail, Bonita Springs, FL 34134

C. General Location of Property (referenced to major streets)
Approximately 1/2 mile south of Bonita Beach Road - west side of US 41 at Lake Shore Drive.

D. Nature of Request: (Check applicable answers)

 Rezoning FROM: TO:

 X Special Exception for: Vehicle and Equipment Dealer, Groups II & III

E. Property Dimensions

- 1. Width (average if irregular parcel): 920± Feet
- 2. Depth (average if irregular parcel): 630± Feet
- 3. Frontage on road or street: 920± Feet
- 4. Width along waterbody (If applicable): N/A Feet
- 5. Total land area: 11.3 ac. Acres or Square Feet

F. Facilities

- 1. Fire District: Bonita Springs
- 2. Sewer Service Supplier: Bonita Springs Utilities
- 3. Water Service Supplier: Bonita Springs Utilities

G. Present Use of Property: Is the property vacant? _____ Yes No

Except for City-initiated requests, if the property is not vacant, the owner or applicant's signature on this application indicates that the Owner agrees to either remove all existing buildings and structures, OR that the use of the building or structure(s) will be in compliance with all applicable requirements of the land development code.

Briefly describe current use of the property: Vehicle and Equipment Dealer, Group I (car sales)

H. Property restrictions: Are there any deed restrictions or other types of covenants or restrictions on the property? _____ Yes No. If yes, submit a copy of the restrictions and a written statement as to how the restrictions may affect the request.

PART III
AFFIDAVIT

I, Mark A. DeVoe, certify that I am the owner or authorized representative of the property described herein, and that all answers to the questions in this application and any sketches, data or other supplementary matter attached to and made a part of this application, are honest and true to the best of my knowledge and belief. I also authorize the staff of City of Bonita Springs Community Development to enter upon the property during normal working hours for the purpose of investigating and evaluating the request made thru this application.

Mark A. DeVoe
Signature of owner or owner-authorized agent
Mark A. DeVoe
Typed or printed name

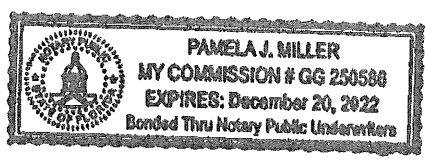
11/10/20
Date:

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was certified and subscribed before me this 10th day of NOVEMBER 2020, by Mark A. DeVoe, who is personally known to me or who has produced as identification.

(SEAL)

Pamela J. Miller
Signature of notary public
Pamela J. Miller
Printed name of notary public



PART IV - SUBMITTAL REQUIREMENTS

APPLICATION TYPE	COPIES	EXHIBIT	ITEM
All	1		Completed application ✓
All	1		Application Fee ✓
All	1		Area Location Map ✓
All	1	I-B-1	Notarized Authorization Form (if applicable) ✓
City Initiated	1	I-B-2	Green Sheet (If applicable)
City Initiated	1	I-B-3	List of Property Owners (If applicable)
All	1	I-F	Notarized Disclosure Form (if applicable) ✓
All	1	II-A-1	Legal Description ✓
All	1	II-A-2	Certified sketch of description (if applicable)
All	1	II-A-3	Plat Book Page (if applicable)
All	2	IV-A	Surrounding Property Owners List & Mailing Labels ✓
All	1	IV-B	Property Owners Map ✓
Owner Initiated	1	IV-C	Deed Restrictions & Narrative (if applicable)
Rezoning Only	1	IV-D	Narrative Regarding Zoning Request
Rezoning Only	1	IV-E	Hazardous Materials Emergency Plan (if applicable)
All	1	IV-F	Application and Exhibits on CD-ROM ✓

SPEC. EXCEPTIONS	COPIES	EXHIBIT	ITEM
All	1	IV-F	Narrative Re. Special Exception Request ✓
All	1	IV-G	Site Plan ✓
All	1	IV-H	Traffic Impact Analysis ✓
Solar/wind	1	IV-I	Needs Documentation
Temp. Parking	1	IV-J	Need Analysis
Temp. Parking	1	IV-K	Traffic/Ped. Safety Plan
Consumption on prem.	1	IV-L	Affidavit
Harvesting of Cypress	1	IV-M-1	Aerial Photograph
Harvesting of Cypress	1	IV-M-2	Forest Management Plan
Joint Parking	1	IV-O-1	Notarized Statement
Joint Parking	1	IV-O-2	Agreements
Joint Parking	1	IV-O-3	Back-up Plan
Air. Land. Facility	1	IV-P	Certified List
Animals	1	IV-Q	Number & Type animals
Communication Towers	1	IV-R-1	Map showing all tower locations
Communication Towers	1	IV-R-2	Proof of attempt to use other facilities
Communication Towers	1	IV-R-3	Proof of attempt to inform others
Communication Towers	1	IV-R-4	Shared Tower Plan Agreement
Communication Towers	1	IV-R-5	Letter from Mosquito Control (if app.)
Communication Towers	1	IV-R-6	Letter from L.C. Port Authority (if app.)

GENERAL – EXPLANATORY NOTES

ALL APPLICANTS MUST PAY THE APPLICATION FEE SET FORTH IN THE CITY OF BONITA SPRINGS EXTERNAL FEES AND CHARGES MANUAL.

UPON WRITTEN REQUEST, THE DIRECTOR MAY MODIFY THE SUBMITTAL REQUIREMENTS CONTAINED IN THIS SECTION WHERE IT CAN BE CLEARLY DEMONSTRATED THAT THE SUBMISSION WILL HAVE NO BEARING ON THE REVIEW AND PROCESSING OF THE APPLICATION. THE REQUEST AND THE DIRECTOR'S WRITTEN RESPONSE MUST ACCOMPANY THE APPLICATION SUBMITTED AND WILL BECOME A PART OF THE PERMANENT FILE.

PART I – EXPLANATORY NOTES

- A. Applicant's Name: Application may be made by the landowner or the authorized agent. Where there is more than one owner, either legal or equitable, then all such owners must jointly initiate the application. Exceptions to this are:
- 1) It is not required that both husband and wife initiate the application on private real property owned by them.
 - 2) Where the property is subject to a land trust agreement, the trustee may initiate the application.
 - 3) Where the fee owner is a corporation, any duly authorized corporate official may initiate the application.
 - 4) Where the fee owner is a partnership, the general partner may initiate the application.
 - 5) Where the fee owner is an association, the association may appoint an agent to initiate the application on behalf of the association.
 - 6) Where the property is a condominium or time-share condominium, refer to Sec. 4-193(a)(1)b. for rules.
 - 7) Where the property is a subdivision, refer to Sec. 4-193 (a)(1)c. for rules.
 - 8) Rezoning initiated by the Mayor and City Council on property not owned by the City.
- B. Relationship of applicant to owner: Except for City-Initiated rezonings, if the applicant is not the owner of the property, a **notarized** authorization form from the owner to the applicant must be submitted. If the application IS City-initiated, then attach to the application a copy of the "Green Sheet" whereby the action was authorized. Label this submittal as Exhibit I-B.
- C. Name of owner (s): see F. below
- D. Date property was acquired by present owner(s). If City-initiated rezoning and does not own the property or have it under contract for purchase, enter "Not Applicable".
- E. If the request is City-initiated and the City is not purchasing the property, enter "Not Applicable".
- F. Name of Owner(s): Except for City-Initiated rezonings, a Disclosure Form (Exhibit I-F, attached) must be submitted for any entity whose interest in the property is other than solely equity interest(s) which are regularly traded on an established commodities market in the United States or another Country.
- G. Authorized Agents: If the owner or applicant has authorized agents to act on his/her behalf, list the agent(s) name, mailing address and phone number. If City-initiated, enter "Not Applicable".

PART II – EXPLANATORY NOTES

- A. **Legal Description:** If the property is not within a platted subdivision recorded in the official plat books of Lee County, a complete legal description must be attached which is sufficiently detailed and legible so as to be able to locate said property on city maps or aerial photographs. Also include the Section, Township, Range, and parcel number(s). If the application includes multiple abutting parcels, the legal description may describe the perimeter boundary of the total area, and need not describe each individual parcel, except where different zoning requests are made on individual parcels. Label the legal description as Exhibit II-A-1.

A survey or a certified sketch of description as set out in Chapter 5J-17.053, F.A.C., Florida Administrative Code must be submitted unless the subject property consists of one or more undivided platted lots. If the application includes multiple abutting parcels, the legal description must describe the perimeter boundary of the total area, but need not describe each individual parcel. However, the STRAP number for each parcel must be included. Label the Sketch as Exhibit II-A-2.

If the request is owner-initiated and a boundary survey is required, the survey must include the location of any existing structures on the property. Label the Boundary Survey as Exhibit II-A-2.

The Director has the right to reject any legal description which is not sufficiently detailed or legible so as to locate said property, and may require a certified survey or boundary-survey prepared by a surveyor meeting the minimum technical standards for land surveying in the state, as set out in Chapter 5J-17.053, F.A.C. Boundaries must be clearly marked with a heavy line. The boundary line must include the entire area to be developed. If the request is owner-initiated the Federal Emergency Management Agency flood zone and required finished floor elevation must be shown as well as the location of existing structures on the property.

A copy of the plat may be purchased from the County Clerk's office.

NOTE: The Director has the right to reject any legal description which is not sufficiently detailed or legible so as to locate said property, and may require a certified survey or boundary sketch to be submitted.

- B. **Project Street Address:** If the street address is unknown, the address may be obtained from the Lee County E-911 Addressing Division at (239) 335-1630.
- C. **General Location:** The general location should reference known major streets so as to indicate to the general public the location of the property.
- E. **Property Dimensions:** If the parcel is irregularly shaped, indicate the average width and depth of the property. Indicate the length of property abutting any existing street rights-of-way or easements. If property abuts more than one street, indicate frontage on each street.
- F. **Facilities**
1. **Fire District:** Insert the name of the Fire District in which the property is located.
 2. **Sewer Service Supplier:** List the name of the utility company or package plant which will be providing sanitary sewer service to the project. If a new private disposal plant is proposed or if septic systems will be used, so indicate.
 3. **Potable Water Service Supplier:** List the name of the utility company which will be providing potable water service to the project. If wells are to be utilized, so indicate.
- G. **Present Use of Property:** Briefly describe the present use of the property.
- H. **Property Restrictions:** The application must include a copy of the deed restrictions or other types of covenants and restrictions on the parcel, along with a statement as to how the restrictions may affect the requested action. If there are no restrictions on the property, the applicant must indicate so on the application form.

PART III – EXPLANATORY NOTES

- A. The applicant is responsible for the accuracy and completeness of this application. Time delays or additional expenses necessitated by the submittal of inaccurate or incomplete information is the responsibility of the applicant.
- B. All information submitted with the application or submitted at the public hearing becomes a part of the public record and will be a permanent part of the file.
- C. All applications must be submitted in person. Mailed-in applications will not be processed.
- D. All attachments and exhibits submitted must be of a size that will fit or conveniently fold to fit into a letter size (8 1/2" x 11") folder.
- E. The Department staff will review this application for compliance with requirements of the City of Bonita Springs Land Development Code. If any deficiencies are noted, the applicant will be notified.

PART IV – EXPLANATORY NOTES

- **Property Owners Map: *City-initiated requests*:** A complete list of all property owners, and their mailing addresses, for all property within the area described. For the purpose of this subsection, names and addresses of property owners will be deemed to be those appearing on the latest tax rolls of the county. Label as Exhibit I-B-3.
- **Surrounding Property Owners List and Mailing Labels:** A complete list of all property owners, and their mailing addresses, for all property within three hundred seventy-five (375) feet [five hundred (500) feet if for a COP] of the perimeter of the subject property or the portion thereof that is the subject of the request. A set of mailing labels for all names and addresses. Names and addresses of property owners will be deemed to be those appearing on the latest tax rolls of the County. Information may be obtained from the Lee County Property Appraiser's office. Label as Exhibit IV-A.
- **Surrounding Property Owners Map:** A City Zoning map or other similar map displaying all of the parcels of property within three hundred seventy-five feet (375) [five hundred (500) feet if for a Consumption on Premises permit] of the perimeter of the subject parcel or the portion thereof that is the subject of the request, referenced by number or other symbol to the names on the property owners list. The applicant is responsible for the accuracy of the map. Label as Exhibit IV-B.
- **Deed Restrictions:** A copy of the deed restrictions on the subject property, if any, and a written statement as to how the deed restrictions may affect the requested action. Label as Exhibit IV- C.
- **Narrative Statement (Rezoning Only):** Label as Exhibit IV-D. State the basis or reason(s) for the requested action and address the following issues
 - a. Whether there exists an error or ambiguity which must be corrected;
 - b. Whether urban services, as defined in the Bonita Plan, are, or will be, available and adequate to serve a proposed land use change, when reviewing a proposed change to a future urban area category;
 - c. Whether a proposed change is intended to rectify errors on the official zoning map;
 - d. Whether there exist changed or changing conditions that make approval of the request appropriate;
 - e. Whether the request is consistent with the goals, objectives, policies, and intent of the Bonita Plan;
 - f. Whether the request meets or exceeds all performance and locational standards set forth for the proposed use;
 - g. Whether the request will protect, conserve or preserve environmentally critical areas and natural resources;
 - h. Whether the request will be compatible with existing or planned uses;
 - i. Whether the request will cause damage, hazard, nuisance or other detriment to persons or property;
 - j. Whether a requested use will be in compliance with all general zoning provisions and supplemental regulations pertaining to the use as set forth in LDC Chapter 4.
- **Narrative Statement (Special Exceptions Only):** Label as Exhibit IV-E. State the basis or reason(s) for the requested action and address issues d through j above.
- **Site Plans (Special Exceptions only):** Label as Exhibit IV-F. Request for a Special Exception MUST include a site plan detailing the proposed use, including where applicable:
 - a. The location and current use of all existing structures on the site, as well as those on adjacent properties within one hundred (100) feet of the perimeter boundaries of the site; and
 - b. All proposed structures and uses to be developed on the site; and
 - c. Any existing public streets, easements or land reservations within the site and the proposed means of vehicular access to and from the site; and
 - d. A traffic impact analysis for the development consistent with the Zoning Traffic Impact Statement (ZTIS) Guidelines; and
 - e. Proposed fencing and screening, if any; and
 - f. Any other reasonable information which may be required by the Director commensurate with the intent and purpose of the regulations.
- **ADDITIONAL REQUIREMENTS FOR CERTAIN SPECIAL EXCEPTIONS:** Certain Special Exceptions have specific requirements for additional submittals. Refer to the appropriate sections as indicated:
 - Solar or Wind energy modifications:
 - Temporary Parking Lots:
 - Consumption on Premises:
 - Harvesting of Cypress:
 - Joint Parking:
 - Communication Towers:
 - Aircraft Landing Facilities - Private:
 - Animals: See section
 - Farm Labor Housing:

**EXHIBIT I-F
DISCLOSURE OF INTEREST FORM FOR:**

STRAP NO. 04-48-25-B3-0180B.0010 CASE NO. _____

1. If the property is owned in fee simple by an INDIVIDUAL, tenancy by the entirety, tenancy in common, or joint tenancy, list all parties with an ownership interest as well as the percentage of such interest.

Name and Address	Percentage of Ownership
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

2. If the property is owned by a CORPORATION, list the officers and stockholders and the percentage of stock owned by each.

Name, Address, and Office	Percentage of Stock
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

3. If the property is in the name of a TRUSTEE, list the beneficiaries of the trust with percentage of interest.

Name and Address	Percentage of Interest
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

4. If the property is in the name of a GENERAL PARTNERSHIP OR LIMITED PARTNERSHIP, list the names of the general and limited partners.

Name and Address	Percentage of Ownership
Devoe Family LP	
Mark A. DeVoe, Limited Partner	33.0%
Donald P. DeVoe, Limited Partner	33.0%
Gary DeVoe Trust, Limited Partner	33.0%
DeVoe's Inc., General Partner (Mark A DeVoe, President of DeVoe's Inc.)	1.0%
_____	_____
_____	_____
_____	_____

5. If there is a CONTRACT FOR PURCHASE, whether contingent on this application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the officers, stockholders, beneficiaries, or partners.

Name, Address, & Office (if applicable)	Percentage of Stock
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Date of Contract: _____

6. If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership, or trust.

Name and Address

For any changes of ownership or changes in contracts for purchase subsequent to the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest shall be filed.

The above is a full disclosure of all parties of interest in this application, to the best of my knowledge and belief.

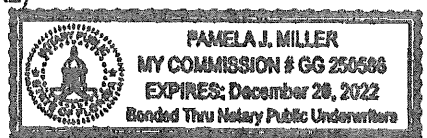
Signature: *Mark A. DeVoe*
 (Applicant)
 Mark A. DeVoe
 (Printed or typed name of applicant)

STATE OF FLORIDA
 COUNTY OF LEE

The foregoing instrument acknowledged before me this 10th day of NOVEMBER 2020, by Mark A. DeVoe _____, who is personally known to me or who has produced _____ as identification.

Pamela J. Miller
 Signature of Notary Public
 Pamela J. Miller
 Printed Name of Notary Public

(SEAL)



LETTER OF AUTHORIZATION

To Whom It May Concern:

Please be advised that DEVOE FAMILY LP, fee simple owner of a portion of the subject property, hereby authorizes DEHN ENTERPRISES, LLC, to act on its behalf in applying for a City of Bonita Springs Special Exception and Temporary Use Permit. This authority to represent our interest includes any and all documents required as part of these petitions and submitted on behalf of the Applicant, DEHN ENTERPRISES, LLC.

STRAP NUMBER(S) or LEGAL DESCRIPTION

STRAP#: 04-48-25-B3-0180B.0010

Mark Devoe

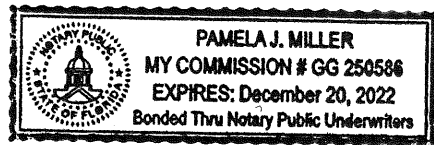
Signature of Owner
MARK DEVOE, DEVOE FAMILY LLP

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was acknowledged before me this 9th day of DECEMBER, 2020, by MARK DEVOE, who is personally known to me, or has produced _____ as identification and who did not take an oath.

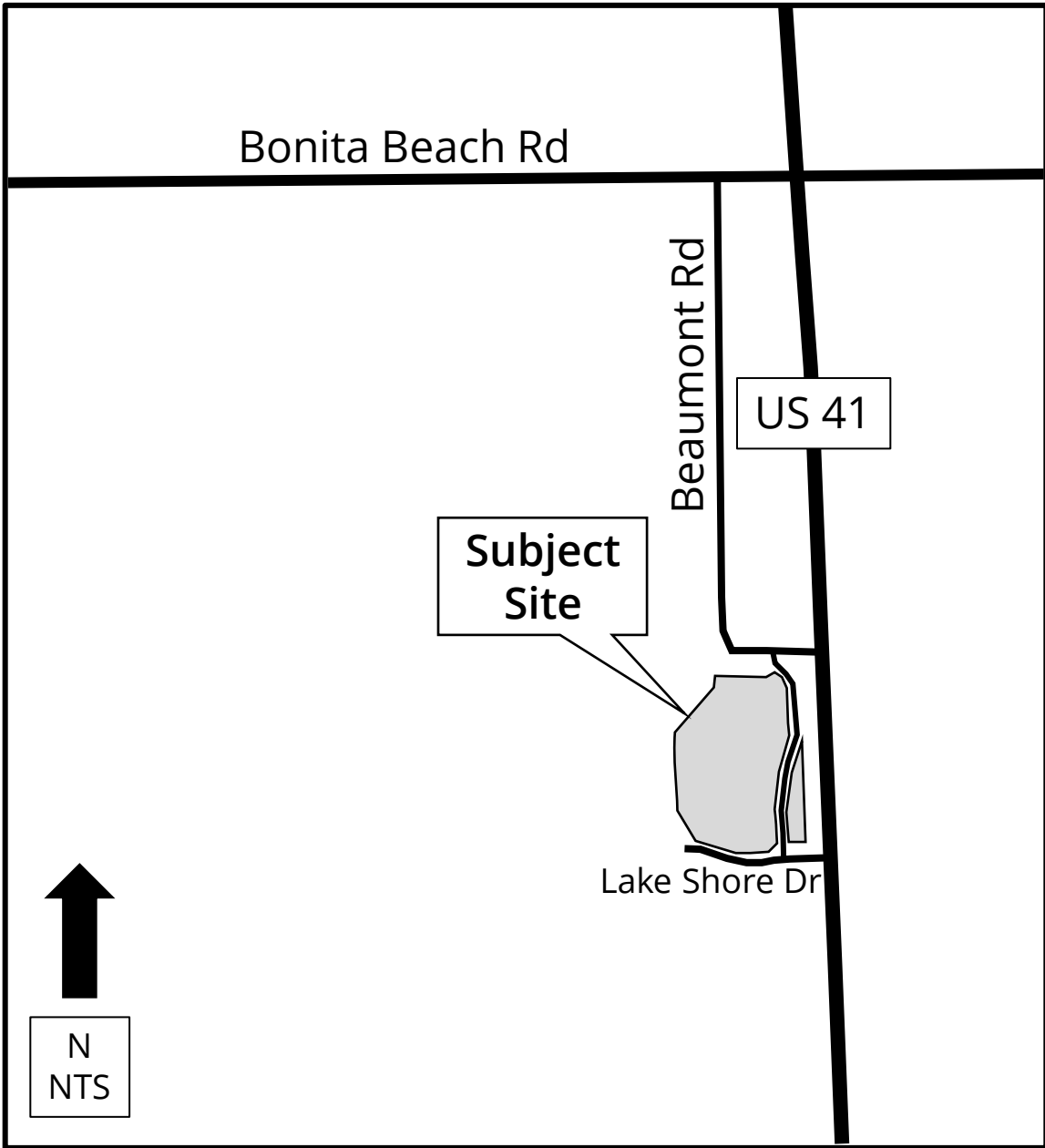
Pamela J. Miller

NOTARY PUBLIC



PAMELA J. MILLER

NOTARY, PRINTED NAME



Power Lodge Special Exception
Location Map

9



THIS LOT SPLIT APPROVAL IS FOR
RECOMBINATION OF LOTS AS NOTED HEREBIN

INSTR # 5906A24
Official Records BK 04005 PG 3591
RECORDED 07/25/2003 03:52:11 PM
CHARLIE GREEN, CLERK OF COURT
LEE COUNTY
RECORDING FEE 42.00
DEPUTY CLERK D Schaefer

NOTICE OF LOT SPLIT APPROVAL

Lee County hereby gives notice of approval of a lot split pursuant to Section 10-217 of the Lee County Land Development Code, upon the following property:

04-48-25-B2-01800.0040;04-48-25-B3-180B.0010

(Clerk Of Court Use

Only)

The property owner and applicant for the lot split approval is **DEVOE FAMILY L. P.** A reduced copy of the approved site plan is attached to this notice as "Exhibit A". For further details on this matter, any interested person should refer to file # **LDO2003-00231** located in the offices of the Lee County Development Services Division.

Peter J. Eckenrode
Director
Development Services Division

State of Florida
County of Lee

The foregoing instrument was acknowledged before me this 23 day of July 2003 by Peter J. Eckenrode, who is personally known to me, and who did not take an oath.

Notary Public, State of Florida

Elizabeth M. Valver
Printed Name

My commission expires _____



This instrument prepared by and to be returned to:

Lee County Development Services
Division
1500 Monroe Street
Fort Myers, FL 33901

EXHIBIT: D

LEGAL DESCRIPTION

ALL OF LOT 5 AND A PORTION OF TRACT "B" OF WOODS EDGE, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 49 AT PAGES 50 THROUGH 56 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHEAST CORNER OF TRACT "B" OF WOODS EDGE, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 49 AT PAGES 50 THROUGH 56 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, THE SAME BEING THE INTERSECTION OF THE WESTERLY RIGHT-OF-WAY LINE OF THE TAMiami TRAIL (STATE ROAD NO. 45, U.S. 41) AND THE CENTERLINE OF LAKE SHORE DRIVE OF SAID WOODS EDGE PLAT; THENCE RUN SOUTH 85°58'00" WEST, ALONG THE SOUTHERLY LINE OF SAID TRACT "B", FOR A DISTANCE OF 16.27 FEET TO THE BEGINNING OF A TANGENTIAL CIRCULAR CURVE CONCAVE SOUTH; THENCE RUN WESTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, THE SAME BEING THE SOUTHERLY LINE OF SAID TRACT "B", HAVING A RADIUS OF 350.00 FEET, THROUGH A CENTRAL ANGLE OF 16°35'45", SUBTENDED BY A CHORD OF 101.02 FEET AT A BEARING OF SOUTH 77°40'08" WEST, FOR AN ARC LENGTH OF 101.38 FEET TO A POINT OF REVERSE CURVATURE; THENCE RUN WESTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, THE SAME BEING THE SOUTHERLY LINE OF SAID TRACT "B", HAVING A RADIUS OF 400.00 FEET, THROUGH A CENTRAL ANGLE OF 28°12'26", SUBTENDED BY A CHORD OF 194.94 FEET AT A BEARING OF SOUTH 83°28'28" WEST, FOR AN ARC LENGTH OF 196.92 FEET TO A POINT OF COMPOUND CURVATURE; THENCE RUN WESTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, THE SAME BEING THE SOUTHERLY LINE OF SAID TRACT "B", HAVING A RADIUS OF 300.00 FEET, THROUGH A CENTRAL ANGLE OF 17°42'32", SUBTENDED BY A CHORD OF 92.35 FEET AT A BEARING OF NORTH 73°34'03" WEST, FOR AN ARC LENGTH OF 92.72 FEET TO THE END OF SAID CURVE; THENCE RUN NORTH 64°42'47" WEST, ALONG THE SOUTHERLY LINE OF SAID TRACT "B", FOR A DISTANCE OF 117.36 FEET TO THE BEGINNING OF A TANGENTIAL CIRCULAR CURVE CONCAVE SOUTH; THENCE RUN WESTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, THE SAME BEING THE SOUTHERLY LINE OF SAID TRACT "B", HAVING A RADIUS OF 400.00 FEET, THROUGH A CENTRAL ANGLE OF 07°48'27", SUBTENDED BY A CHORD OF 54.46 FEET AT A BEARING OF NORTH 68°37'00" WEST, FOR AN ARC LENGTH OF 54.51 FEET TO THE END OF SAID CURVE, THE SAME BEING THE SOUTHWEST CORNER OF SAID TRACT "B"; THENCE RUN NORTH 02°30'19" WEST, ALONG THE WESTERLY LINE OF SAID TRACT "B", FOR A DISTANCE OF 38.19 FEET; THENCE RUN NORTH 33°30'19" WEST, ALONG THE WESTERLY LINE OF SAID TRACT "B", FOR A DISTANCE OF 150.00 FEET; THENCE RUN NORTH 02°30'19" WEST, ALONG THE WESTERLY LINE OF SAID TRACT "B", FOR A DISTANCE OF 400.00 FEET; THENCE RUN NORTH 39°42'06" EAST FOR A DISTANCE OF 339.43 FEET; THENCE RUN NORTH 00°35'42" WEST, ALONG THE WESTERLY LINE OF SAID TRACT "B", FOR A DISTANCE OF 39.15 FEET TO THE NORTHEAST CORNER OF TRACT "N" OF SAID WOODS EDGE; THENCE RUN NORTH 89°33'06" EAST, ALONG THE NORTHERLY LINE OF SAID TRACT "B", FOR A DISTANCE OF 72.17 FEET; THENCE RUN SOUTH 00°26'54" EAST, FOR A DISTANCE OF 9.00 FEET; THENCE RUN NORTH 89°33'06" EAST, FOR A DISTANCE OF 123.68 FEET; THENCE RUN NORTH 00°26'54" WEST, FOR A DISTANCE OF 9.00 FEET; THENCE RUN NORTH 89°33'06" EAST, ALONG THE NORTHERLY LINE OF SAID TRACT "B", FOR A DISTANCE OF 64.15 FEET; THENCE RUN NORTH 48°33'42" EAST, ALONG THE NORTHERLY LINE OF SAID TRACT "B", FOR A DISTANCE OF 47.67 FEET TO A POINT ON A CIRCULAR CURVE CONCAVE EAST, WHOSE RADIUS POINT BEARS NORTH 48°33'52" EAST, A DISTANCE OF 170.00 FEET THEREFROM; THENCE RUN NORTHERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, THE SAME BEING THE NORTHERLY LINE OF SAID TRACT "B", HAVING A RADIUS OF 170.00 FEET, THROUGH A CENTRAL ANGLE OF 38°55'49", SUBTENDED BY A CHORD OF 113.30 FEET AT A BEARING OF NORTH 21°58'13" WEST, FOR AN ARC LENGTH OF 115.51 FEET TO THE END OF SAID CURVE; THENCE RUN NORTH 02°30'19" WEST FOR A DISTANCE OF 30.01 FEET TO A POINT ON THE SOUTHERLY LINE OF TRACT "O" OF SAID WOODS EDGE; THENCE RUN NORTH 87°29'41" EAST, ALONG THE NORTHERLY LINE OF SAID TRACT "B", FOR A DISTANCE OF 40.00 FEET TO A POINT ON A CIRCULAR CURVE CONCAVE SOUTHEAST, WHOSE RADIUS POINT BEARS NORTH 87°29'41" EAST, A DISTANCE OF 30.00 FEET THEREFROM; THENCE RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, THE SAME BEING THE NORTHERLY LINE OF SAID TRACT "B" HAVING A RADIUS OF 30.00 FEET, THROUGH A CENTRAL ANGLE OF 90°00'00", SUBTENDED BY A CHORD OF 42.43 FEET AT A BEARING OF NORTH 42°29'41" EAST, FOR AN ARC LENGTH OF 47.12 FEET TO THE END OF SAID CURVE; THENCE RUN NORTH 87°29'41" EAST, ALONG THE NORTHERLY LINE OF SAID TRACT "B", FOR A DISTANCE OF 70.01 FEET TO THE NORTHEAST CORNER OF SAID TRACT "B", THE SAME BEING A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF THE TAMiami TRAIL (STATE ROAD NO. 45, U.S. 41); THENCE RUN SOUTH 02°30'19" EAST, ALONG THE EASTERLY LINE OF SAID TRACT "B", FOR A DISTANCE OF 1,120.18 FEET TO THE **POINT OF BEGINNING** OF THE PARCEL OF LAND HEREIN DESCRIBED, CONTAINING 12.816 ACRES, MORE OR LESS.

SUBJECT TO:

ALL OF THE ROADWAY EASEMENT WITHIN TRACT "B" OF WOODS EDGE, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 49 AT PAGES 50 THROUGH 56 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, CONTAINING 1.516 ACRES, MORE OR LESS.

THIS PROPERTY IS SUBJECT TO EASEMENTS, RESERVATIONS AND/OR RESTRICTIONS OF RECORD.

BEARINGS REFER TO WOODS EDGE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 49, PAGES 50 THROUGH 56, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

Q. GRADY MINOR AND ASSOCIATES, P.A.

SIGNED **6-30-03**

Stephen V. Burgess
STEPHEN V. BURGESS

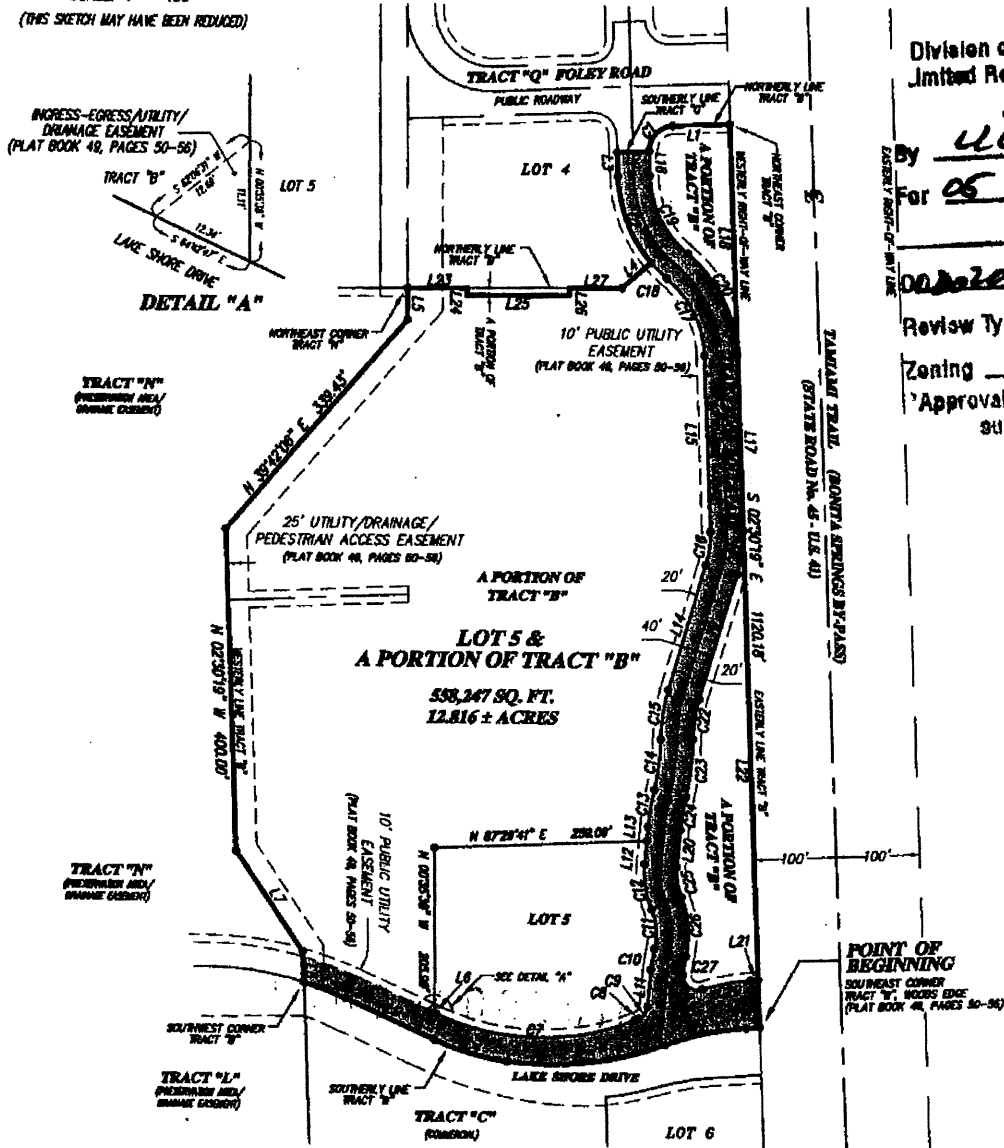
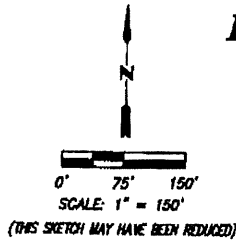
P.S.M. #6408
STATE OF FLORIDA

DRAWN BY: CDB	SHEET: 1 OF 3	JOB CODE: DV44
LEGAL DESCRIPTION		
LOT 5 AND A PORTION OF TRACT "B" WOODS EDGE (PLAT BOOK 49, PAGES 50-56) SECTION 4, TOWNSHIP 48 SOUTH, RANGE 25 EAST BONITA SPRINGS, LEE COUNTY, FLORIDA		
DATE: JUNE 2003	DRAWING: B-2617	



Q. GRADY MINOR AND ASSOCIATES, P.A.
CIVIL ENGINEERS ■ LAND SURVEYORS ■ PLANNERS
3800 VIA DEL REY
BONITA SPRINGS, FLORIDA 34134
PHONE: (239) 947-1144 FAX: (239) 947-0375
CERTIFICATE OF AUTHORIZATION NUMBER LB 5151

**LOT 5 AND A PORTION OF TRACT "B"
WOODS EDGE
PLAT BOOK 49, PAGES 50-56**



Division of Development Services
Limited Review Development Order
APPROVED

By LL Date 7-11-03
For 05

00002003-0032
Review Type LOT SPLIT

Zoning F.E.M.A.
Approval based on site information
supplied by applicant.

NOTES

1. BEARINGS SHOWN HEREON REFER TO WOODS EDGE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 49, PAGES 50 THROUGH 56, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA.
2. DIMENSIONS SHOWN HEREON ARE IN FEET AND DECIMALS THEREOF.
3. THIS PROPERTY IS SUBJECT TO EASEMENTS, RESERVATIONS AND/OR RESTRICTIONS OF RECORD.

*** THIS IS NOT A SURVEY ***

DRAWN BY: CDB SHEET: 2 OF 3 JOB CODE: DV4A

SKETCH TO ACCOMPANY

LOT 5 AND A PORTION OF TRACT "B", WOODS EDGE
(PLAT BOOK 49, PAGES 50-56)
SECTION 4, TOWNSHIP 48 SOUTH, RANGE 25 EAST
BONITA SPRINGS, LEE COUNTY, FLORIDA

DATE: JUNE 2003

DRAWING: B-2817

Q. GRADY MINOR AND ASSOCIATES, P.A.
CIVIL ENGINEERS • LAND SURVEYORS • PLANNERS
3800 VIA DEL REY
BONITA SPRINGS, FLORIDA 34134
PHONE: (239) 947-1144 FAX: (239) 947-0375
CERTIFICATE OF AUTHORIZATION NUMBER LB 5161

COPY TO: BUREAU OF RECORDS, LEE COUNTY, FLORIDA, PLAT BOOK 49, PAGES 50-56, DATE 07/11/03, BY: CDB, TITLE: LOT 5 AND A PORTION OF TRACT B, WOODS EDGE

Official Records BK 04005 PG 3593

EXHIBIT D

LOT 5 AND A PORTION OF TRACT "B" WOODS EDGE PLAT BOOK 49, PAGES 50-56


DIMENSION SHEET

LINE	BEARING	DISTANCE
L1	N 87°29'41" E	70.01'
L2	N 87°29'41" E	40.00'
L3	N 02°30'19" W	30.01'
L4	N 48°33'42" E	47.67'
L5	N 00°35'42" W	39.15'
L6	N 64°42'47" W	2.21'
L7	N 33°30'19" W	150.00'
L8	N 02°30'19" W	38.19'
L9	N 64°42'47" W	117.36'
L10	S 85°58'00" W	16.27'
L11	N 04°29'51" E	46.99'
L12	N 04°35'28" E	29.11'
L13	N 04°35'28" E	17.33'
L14	N 15°58'03" E	161.48'
L15	N 02°30'19" W	218.16'
L16	S 02°30'19" E	30.01'
L17	S 02°30'19" E	218.18'
L18	S 02°30'19" E	283.62'
L19	N 15°58'03" E	161.48'
L20	N 04°35'28" E	46.44'
L21	S 85°58'00" W	8.89'
L22	S 02°30'21" E	559.35'
L23	N 89°33'06" E	72.17'
L24	S 00°26'54" E	9.00'
L25	N 89°33'06" E	123.68'
L26	N 00°26'54" W	9.00'
L27	N 89°33'06" E	64.15'

CURVE TABLE

CURVE	RADIUS	LENGTH	DELTA	CHORD	BEARING
C1	30.00'	47.12'	90°00'00"	42.43'	N 42°29'41" E
C2	170.00'	115.51'	38°55'49"	113.30'	N 21°58'13" W
C3	400.00'	54.51'	07°48'27"	54.46'	N 68°37'00" W
C4	300.00'	92.72'	17°42'32"	92.35'	N 73°34'03" W
C5	400.00'	196.92'	28°12'26"	194.94'	S 83°28'28" W
C6	350.00'	101.38'	16°35'45"	101.02'	S 77°40'08" W
C7	300.00'	250.14'	47°46'26"	242.96'	S 88°36'00" E
C8	242.00'	4.76'	01°07'39"	4.76'	N 66°56'57" E
C9	18.00'	19.44'	61°53'17"	18.51'	N 35°26'29" E
C10	170.00'	25.86'	08°43'02"	25.84'	N 08°51'22" E
C11	80.00'	50.48'	36°09'09"	49.65'	N 04°51'42" W
C12	120.00'	57.66'	27°31'44"	57.10'	N 09°10'24" W
C13	320.00'	46.78'	08°22'35"	46.74'	N 08°46'45" E
C14	280.00'	63.82'	13°03'30"	63.68'	N 08°26'18" E
C15	220.00'	61.66'	16°03'30"	61.46'	N 07°56'18" E
C16	130.00'	41.91'	18°28'22"	41.73'	N 06°43'52" E
C17	130.00'	109.34'	48°11'23"	106.14'	N 26°36'00" W
C18	170.00'	22.47'	09°15'34"	22.44'	N 46°03'55" W
C19	130.00'	109.34'	48°11'23"	106.14'	S 26°36'00" E
C20	170.00'	142.98'	48°11'23"	138.80'	S 26°36'00" E
C21	170.00'	54.81'	18°28'22"	54.57'	N 06°43'52" E
C22	180.00'	50.45'	16°03'30"	50.28'	N 07°56'18" E
C23	320.00'	72.93'	13°03'30"	72.77'	N 06°26'18" E
C24	280.00'	40.93'	08°22'35"	40.90'	N 08°46'45" E
C25	80.00'	38.44'	27°31'44"	38.07'	N 09°10'24" W
C26	120.00'	75.72'	36°09'09"	74.47'	N 04°51'42" W
C27	130.00'	19.78'	08°43'02"	19.76'	N 08°51'22" E
C28	18.00'	35.42'	112°45'06"	29.98'	N 51°52'42" W
C29	242.00'	60.06'	141°31'15"	59.91'	S 78°51'23" W

SCALE: 3" = 1'
APPROX. S & K A
DRAWN C.B.R.
108 COND. DRW



G. GRADY MINOR AND ASSOCIATES, P.A.
CIVIL ENGINEERS - LAND SURVEYORS - PLANNERS
BONITA SPRINGS, FL 33434
PHONE: (239) 847-1144 FAX: (941) 847-0576
CERTIFICATE OF ABBREVIATION NUMBER 19 0161

LOT 5 AND A PORTION OF TRACT "B" WOODS EDGE
SECTION 4, TOWNSHIP 48 SOUTH, RANGE 25 EAST
BONITA SPRINGS, LEE COUNTY, FLORIDA
DATE: JUNE 2003

DIMENSION SHEET
DRAWING: B-8617

EXHIBIT: A

PROPERTY DESCRIPTION

OFFICIAL RECORDS BOOK 3198, PAGES 3398-3399

LOT 4, WOODS EDGE, ACCORDING TO THE PLAT RECORDED IN PLAT BOOK 49, PAGES 50 THROUGH 56, INCLUSIVE, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

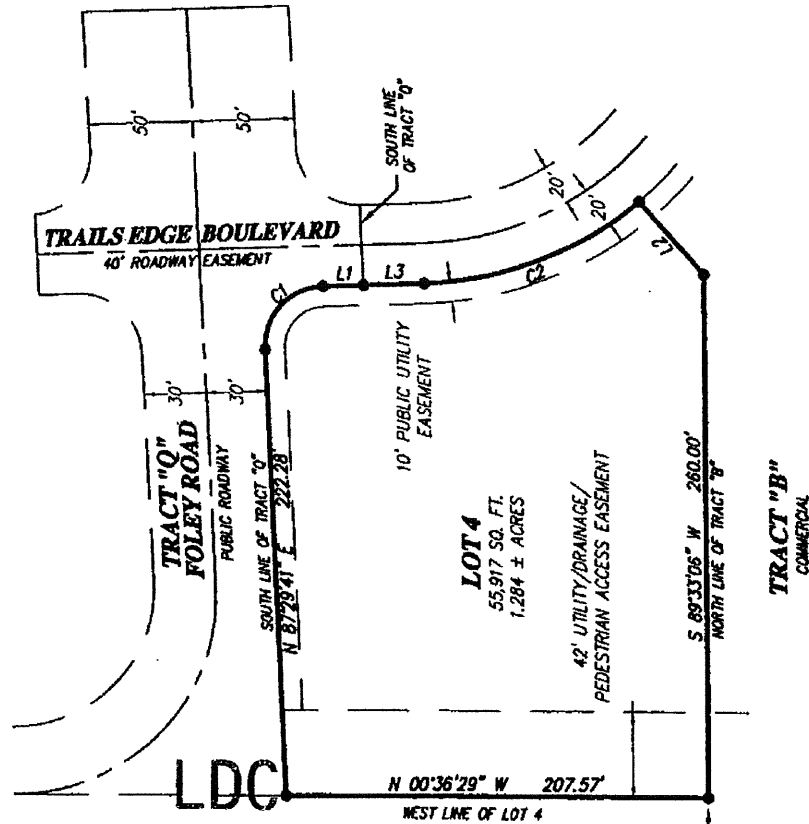
BEGIN AT THE SOUTHWEST CORNER OF LOT 4 OF WOODS EDGE, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 49 AT PAGES 50 THROUGH 56 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE RUN NORTH 00°36'29" WEST, ALONG THE WEST LINE OF SAID LOT 4, FOR A DISTANCE OF 207.57 FEET TO THE SOUTHWEST CORNER OF TRACT "Q" OF SAID WOODS EDGE; THENCE RUN NORTH 87°29'41" EAST, ALONG THE SOUTH LINE OF SAID TRACT "Q", FOR A DISTANCE OF 222.28 FEET TO THE BEGINNING OF A TANGENTIAL CIRCULAR CURVE CONCAVE SOUTHWEST; THENCE RUN SOUTHEASTERLY ALONG THE SOUTH LINE OF SAID TRACT "Q" AND THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 30.00 FEET, THROUGH A CENTRAL ANGLE OF 90°00'00", SUBTENDED BY A CHORD OF 42.43 FEET AT A BEARING OF SOUTH 47°30'19" EAST, FOR AN ARC LENGTH OF 47.12 FEET TO THE END OF SAID CURVE; THENCE RUN SOUTH 02°30'19" EAST, ALONG THE SOUTHERLY LINE OF SAID TRACT "Q", FOR A DISTANCE OF 20.00 FEET TO A POINT ON THE WEST LINE OF TRAILS EDGE BOULEVARD, A 40 FOOT WIDE ROADWAY EASEMENT, ACCORDING TO THE PLAT OF WOODS EDGE, RECORDED IN PLAT BOOK 49 AT PAGES 50 THROUGH 56 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE CONTINUE SOUTH 02°30'19" EAST, ALONG SAID WEST LINE, FOR A DISTANCE OF 30.00 FEET TO THE BEGINNING OF A TANGENTIAL CIRCULAR CURVE CONCAVE EAST; THENCE RUN SOUTHERLY ALONG SAID WEST LINE AND THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 170.00 FEET, THROUGH A CENTRAL ANGLE OF 38°36'02", SUBTENDED BY A CHORD OF 113.31 FEET AT A BEARING OF SOUTH 21°58'20" EAST, FOR AN ARC LENGTH OF 115.52 FEET TO THE END OF SAID CURVE, THE SAME BEING A POINT ON THE NORTH LINE OF TRACT "B", WOODS EDGE, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 49 AT PAGES 50 THROUGH 56 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE RUN SOUTH 48°33'42" WEST, ALONG THE NORTH LINE OF SAID TRACT "B", FOR A DISTANCE OF 47.67 FEET; THENCE RUN SOUTH 89°33'08" WEST, ALONG THE NORTH LINE OF SAID TRACT "B", FOR A DISTANCE OF 260.00 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED, CONTAINING 1.284 ACRES, MORE OR LESS.

Q. GRADY MINOR AND ASSOCIATES, P.A.
 SIGNED *Stephen V. Burges* 6-30-03
 STATE OF FLORIDA
 STEPHEN V. BURGES, P.S.M.
 P.S.M. #6408

LEGAL DESCRIPTION AND SKETCH

LOT 4, WOODS EDGE
 (PLAT BOOK 49, PAGES 50-56)
 SECTION 4, TOWNSHIP 48, SOUTH RANGE 25 EAST
 BONTA SPRINGS, LEE COUNTY, FLORIDA

DATE: JUNE 2003 DRAWING: B-2608



CURVE TABLE

CURVE	RADIUS	LENGTH	DELTA	CHORD	BEARING
C1	30.00'	47.12'	90°00'00"	42.43'	S 47°30'19" E
C2	170.00'	115.52'	38°36'02"	113.31'	S 21°58'20" E

*** THIS IS NOT A SURVEY ***

Q. GRADY MINOR AND ASSOCIATES, P.A.
 CIVIL ENGINEERS • LAND SURVEYORS • PLANNERS
 3800 VIA DEL REY
 BONTA SPRINGS, FLORIDA 34134

PHONE : (239) 947-1144 FAX : (239) 947-0376
 CERTIFICATE OF AUTHORIZATION NUMBER LB 6151

SHEET 1 OF 1
 DRAWN BY: CDB
 JOB CODE: DV44
 SCALE: 1" = 60'

NOTES

1. BEARINGS SHOWN HEREON REFER TO WOODS EDGE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 49, PAGES 50 THROUGH 56, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA.
2. DIMENSIONS SHOWN HEREON ARE IN FEET AND DECIMALS THEREOF.
3. THIS PROPERTY IS SUBJECT TO EASEMENTS, RESERVATIONS AND/OR RESTRICTIONS OF RECORD.

LINE TABLE

LINE	BEARING	DISTANCE
L1	S 02°30'19" E	20.00'
L2	S 48°33'42" W	47.67'
L3	S 02°30'19" E	30.00'

P.O.B.
 S.W. CORNER
 LOT 4, WOODS EDGE
 (PLAT BOOK 49, PAGES 50-56)

(THIS SKETCH MAY HAVE BEEN REDUCED)

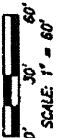


EXHIBIT: B

PROPERTY DESCRIPTION

ALL OF LOT 4 AND A PORTION OF TRACT "B" OF WOODS EDGE, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 49, PAGES 50 THROUGH 56, INCLUDING, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 4 OF WOODS EDGE, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 49 AT PAGES 50 THROUGH 56 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE RUN NORTH 00°36'29" WEST, ALONG THE WEST LINE OF SAID LOT 4, FOR A DISTANCE OF 207.57 FEET TO THE SOUTHWEST CORNER OF TRACT "Q" OF SAID WOODS EDGE; THENCE RUN NORTH 87°29'41" EAST, ALONG THE SOUTH LINE OF SAID TRACT "Q", FOR A DISTANCE OF 222.28 FEET TO THE BEGINNING OF A TANGENTIAL CIRCULAR CURVE CONCAVE SOUTHWEST; THENCE RUN SOUTHEASTERLY ALONG THE SOUTH LINE OF SAID TRACT "Q", AND THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 30.00 FEET, THROUGH A CENTRAL ANGLE OF 90°00'00", SUBTENDED BY A CHORD OF 42.43 FEET AT A BEARING OF SOUTH 47°30'19" EAST, FOR AN ARC LENGTH OF 47.12 FEET TO THE END OF SAID CURVE; THENCE RUN SOUTH 02°30'19" EAST, ALONG THE SOUTHERLY LINE OF SAID TRACT "Q", FOR A DISTANCE OF 20.00 FEET TO A POINT ON THE WEST LINE OF TRAILS EDGE BOULEVARD, A 40 FOOT WIDE ROADWAY EASEMENT; ACCORDING TO THE PLAT OF WOODS EDGE, RECORDED IN PLAT BOOK 49 AT PAGES 50 THROUGH 56 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE CONTINUE SOUTH 02°30'19" EAST, ALONG SAID WEST LINE, FOR A DISTANCE OF 30.00 FEET TO THE BEGINNING OF A TANGENTIAL CIRCULAR CURVE CONCAVE EAST; THENCE RUN SOUTHERLY ALONG SAID WEST LINE AND THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 170.00 FEET, THROUGH A CENTRAL ANGLE OF 38°56'02", SUBTENDED BY A CHORD OF 113.31 FEET AT A BEARING OF SOUTH 21°58'20" EAST, FOR AN ARC LENGTH OF 115.82 FEET TO THE END OF SAID CURVE, THE SAME BEING A POINT ON THE NORTH LINE OF TRACT "B", WOODS EDGE, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 49 AT PAGES 50 THROUGH 56 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE RUN SOUTH 48°33'42" WEST, ALONG THE NORTH LINE OF SAID TRACT "B", FOR A DISTANCE OF 47.67 FEET; THENCE RUN SOUTH 89°33'06" WEST, ALONG THE NORTH LINE OF SAID TRACT "B", FOR A DISTANCE OF 64.15 FEET; THENCE RUN SOUTH 00°26'54" EAST FOR A DISTANCE OF 9.00 FEET; THENCE RUN SOUTH 89°33'06" WEST FOR A DISTANCE OF 123.68 FEET; THENCE RUN NORTH 00°26'54" WEST FOR A DISTANCE OF 9.00 FEET TO A POINT ON THE NORTH LINE OF SAID TRACT "B"; THENCE RUN SOUTH 89°33'06" WEST, ALONG THE NORTH LINE OF SAID TRACT "B", FOR A DISTANCE OF 72.17 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED, CONTAINING 1.309 ACRES, MORE OR LESS.

Q. GRADY MINOR AND ASSOCIATES, P.A.

SIGNED 6-30-03

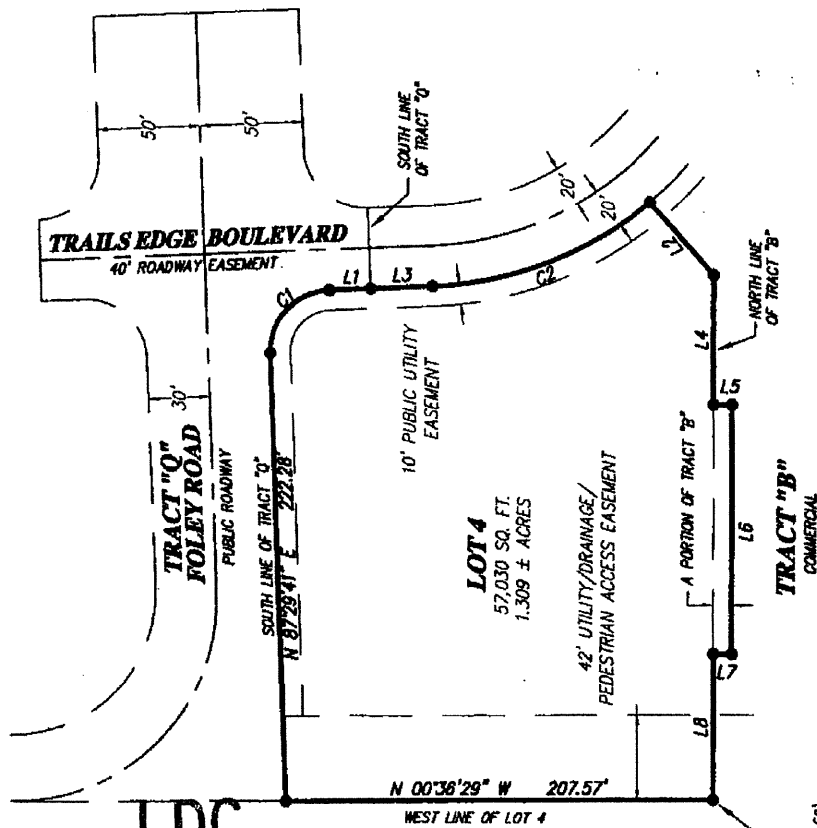
STEPHEN V. BURGESS
P.S.M. #6408
STATE OF FLORIDA

LEGAL DESCRIPTION AND SKETCH

LOT 4 AND A PORTION OF TRACT "B", WOODS EDGE
(PLAT BOOK 49, PAGES 50-56)

SECTION 4, TOWNSHIP 40 SOUTH, RANGE 25 EAST
BONITA SPRINGS, LEE COUNTY, FLORIDA

DATE: JUNE 2003 DRAWING: B-2611

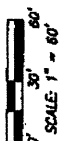


CURVE	RADIUS	LENGTH	DELTA	CHORD	BEARING
C1	30.00'	47.12'	90°00'00"	42.43'	S 47°30'19" E
C2	170.00'	115.82'	38°56'02"	113.31'	S 21°58'20" E

*** THIS IS NOT A SURVEY ***

Q. GRADY MINOR AND ASSOCIATES, P.A.
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3800 VIA DEL REY
BONITA SPRINGS, FLORIDA 34134
PHONE : (259) 947-1144 FAX : (259) 947-0976
CERTIFICATE OF AUTHORIZATION NUMBER LB 6161

APPROVED
JUL 11 2003



(THIS SKETCH MAY HAVE BEEN REDUCED)

LINE	BEARING	DISTANCE
L1	S 02°30'19" E	20.00'
L2	S 48°33'42" W	47.67'
L3	S 02°30'19" E	30.00'
L4	S 89°33'06" W	64.15'
L5	S 00°26'54" E	9.00'
L6	S 89°33'06" W	123.68'
L7	N 00°26'54" W	9.00'
L8	S 89°33'06" W	72.17'

NOTES

1. BEARINGS SHOWN HEREON REFER TO WOODS EDGE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 49, PAGES 50 THROUGH 56, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA.
2. DIMENSIONS SHOWN HEREON ARE IN FEET AND DECIMALS THEREOF.
3. THIS PROPERTY IS SUBJECT TO EASEMENTS, RESERVATIONS AND/OR RESTRICTIONS OF RECORD.

SHEET 1 OF 1
DRAWN BY: CDB
JOB CODE: DV4A
SCALE: 1" = 60'

LEGAL DESCRIPTION

ALL OF LOT 5 AND TRACT "B" OF WOODS EDGE, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 49 AT PAGES 50 THROUGH 56 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHEAST CORNER OF TRACT "B" OF WOODS EDGE, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 49 AT PAGES 50 THROUGH 56 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, THE SAME BEING THE INTERSECTION OF THE WESTERLY RIGHT-OF-WAY LINE OF THE TAMiami TRAIL (STATE ROAD NO. 45, U.S. 41) AND THE CENTERLINE OF LAKE SHORE DRIVE OF SAID WOODS EDGE PLAT; THENCE RUN SOUTH 85°58'00" WEST, ALONG THE SOUTHERLY LINE OF SAID TRACT "B", FOR A DISTANCE OF 16.27 FEET TO THE BEGINNING OF A TANGENTIAL CIRCULAR CURVE CONCAVE SOUTH; THENCE RUN WESTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, THE SAME BEING THE SOUTHERLY LINE OF SAID TRACT "B", HAVING A RADIUS OF 350.00 FEET, THROUGH A CENTRAL ANGLE OF 16°35'45", SUBTENDED BY A CHORD OF 101.02 FEET AT A BEARING OF SOUTH 77°40'08" WEST, FOR AN ARC LENGTH OF 101.38 FEET TO A POINT OF REVERSE CURVATURE; THENCE RUN WESTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, THE SAME BEING THE SOUTHERLY LINE OF SAID TRACT "B", HAVING A RADIUS OF 400.00 FEET, THROUGH A CENTRAL ANGLE OF 28°12'26", SUBTENDED BY A CHORD OF 194.94 FEET AT A BEARING OF SOUTH 83°28'28" WEST, FOR AN ARC LENGTH OF 196.92 FEET TO A POINT OF COMPOUND CURVATURE; THENCE RUN WESTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, THE SAME BEING THE SOUTHERLY LINE OF SAID TRACT "B", HAVING A RADIUS OF 300.00 FEET, THROUGH A CENTRAL ANGLE OF 17°42'32", SUBTENDED BY A CHORD OF 92.35 FEET AT A BEARING OF NORTH 73°34'03" WEST, FOR AN ARC LENGTH OF 92.72 FEET TO THE END OF SAID CURVE; THENCE RUN NORTH 64°42'47" WEST, ALONG THE SOUTHERLY LINE OF SAID TRACT "B", FOR A DISTANCE OF 117.36 FEET TO THE BEGINNING OF A TANGENTIAL CIRCULAR CURVE CONCAVE SOUTH; THENCE RUN WESTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, THE SAME BEING THE SOUTHERLY LINE OF SAID TRACT "B", HAVING A RADIUS OF 400.00 FEET, THROUGH A CENTRAL ANGLE OF 07°48'27", SUBTENDED BY A CHORD OF 54.46 FEET AT A BEARING OF NORTH 68°37'00" WEST, FOR AN ARC LENGTH OF 54.51 FEET TO THE END OF SAID CURVE, THE SAME BEING THE SOUTHWEST CORNER OF SAID TRACT "B"; THENCE RUN NORTH 02°30'19" WEST, ALONG THE WESTERLY LINE OF SAID TRACT "B", FOR A DISTANCE OF 38.19 FEET; THENCE RUN NORTH 33°30'19" WEST, ALONG THE WESTERLY LINE OF SAID TRACT "B", FOR A DISTANCE OF 150.00 FEET; THENCE RUN NORTH 02°30'19" WEST, ALONG THE WESTERLY LINE OF SAID TRACT "B", FOR A DISTANCE OF 400.00 FEET; THENCE RUN NORTH 39°42'06" EAST FOR A DISTANCE OF 339.43 FEET; THENCE RUN NORTH 00°35'42" WEST, ALONG THE WESTERLY LINE OF SAID TRACT "B", FOR A DISTANCE OF 39.15 FEET TO THE NORTHEAST CORNER OF TRACT "N" OF SAID WOODS EDGE; THENCE RUN NORTH 89°33'06" EAST, ALONG THE NORTHERLY LINE OF SAID TRACT "B", FOR A DISTANCE OF 280.00 FEET; THENCE RUN NORTH 48°33'42" EAST, ALONG THE NORTHERLY LINE OF SAID TRACT "B", FOR A DISTANCE OF 47.67 FEET TO A POINT ON A CIRCULAR CURVE CONCAVE EAST, WHOSE RADIUS POINT BEARS NORTH 48°33'52" EAST, A DISTANCE OF 170.00 FEET THEREFROM; THENCE RUN NORTHERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, THE SAME BEING THE NORTHERLY LINE OF SAID TRACT "B", HAVING A RADIUS OF 170.00 FEET, THROUGH A CENTRAL ANGLE OF 38°55'49", SUBTENDED BY A CHORD OF 113.30 FEET AT A BEARING OF NORTH 21°58'13" WEST, FOR AN ARC LENGTH OF 115.51 FEET TO THE END OF SAID CURVE; THENCE RUN NORTH 02°30'19" WEST FOR A DISTANCE OF 30.01 FEET TO A POINT ON THE SOUTHERLY LINE OF TRACT "Q" OF SAID WOODS EDGE; THENCE RUN NORTH 87°29'41" EAST, ALONG THE NORTHERLY LINE OF SAID TRACT "B", FOR A DISTANCE OF 40.00 FEET TO A POINT ON A CIRCULAR CURVE CONCAVE SOUTHEAST, WHOSE RADIUS POINT BEARS NORTH 87°29'41" EAST, A DISTANCE OF 30.00 FEET THEREFROM; THENCE RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, THE SAME BEING THE NORTHERLY LINE OF SAID TRACT "B" HAVING A RADIUS OF 30.00 FEET, THROUGH A CENTRAL ANGLE OF 90°00'00", SUBTENDED BY A CHORD OF 42.43 FEET AT A BEARING OF NORTH 42°29'41" EAST, FOR AN ARC LENGTH OF 47.12 FEET TO THE END OF SAID CURVE; THENCE RUN NORTH 87°29'41" EAST, ALONG THE NORTHERLY LINE OF SAID TRACT "B", FOR A DISTANCE OF 70.01 FEET TO THE NORTHEAST CORNER OF SAID TRACT "B", THE SAME BEING A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF THE TAMiami TRAIL (STATE ROAD NO. 45, U.S. 41); THENCE RUN SOUTH 02°30'19" EAST, ALONG THE EASTERLY LINE OF SAID TRACT "B", FOR A DISTANCE OF 1,120.18 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED, CONTAINING 12.841 ACRES, MORE OR LESS.

SUBJECT TO:

ALL OF THE ROADWAY EASEMENT WITHIN TRACT "B" OF WOODS EDGE, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 49 AT PAGES 50 THROUGH 56 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, CONTAINING 1.516 ACRES, MORE OR LESS.

THIS PROPERTY IS SUBJECT TO EASEMENTS, RESERVATIONS AND/OR RESTRICTIONS OF RECORD.

BEARINGS REFER TO WOODS EDGE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 49, PAGES 50 THROUGH 56, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

Q. GRADY MINOR AND ASSOCIATES, P.A.

SIGNED 6-30-03

[Signature]
STEPHEN V. BURGESS

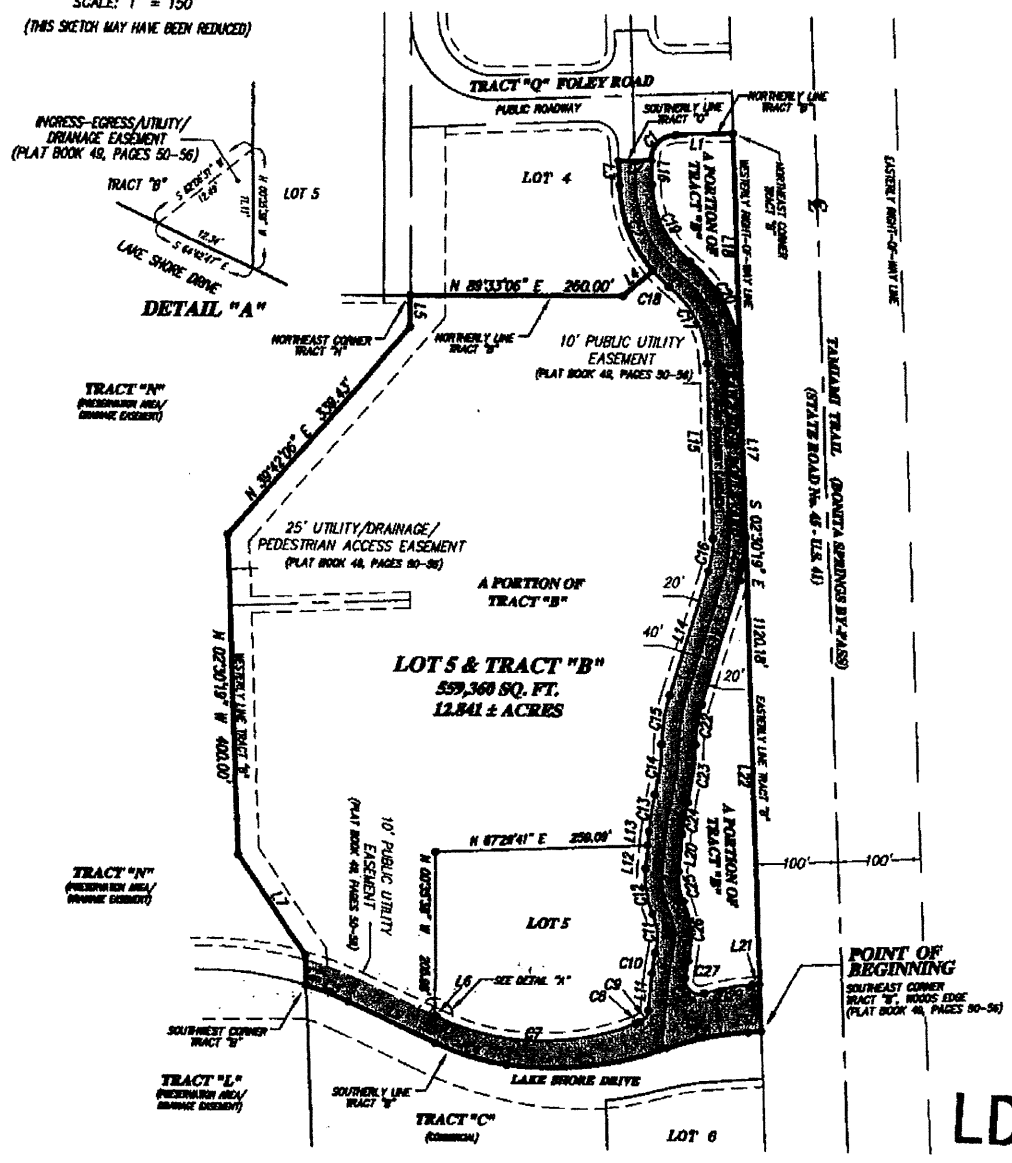
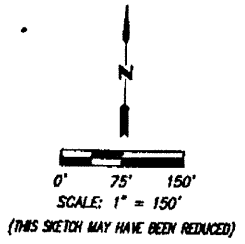
P.S.M. #6408
STATE OF FLORIDA

DRAWN BY: ODD	SHEET: 1 OF 5	JOB CODE: DV44
LEGAL DESCRIPTION		
LOT 5 AND TRACT "B" WOODS EDGE PLAT BOOK 49, PAGES 50-56 SECTION 4, TOWNSHIP 48 SOUTH, RANGE 25 EAST BONITA SPRINGS, LEE COUNTY, FLORIDA		
DATE: JUNE 2003	DRAWING: B-2813	



Q. GRADY MINOR AND ASSOCIATES, P.A.
 CIVIL ENGINEERS ■ LAND SURVEYORS ■ PLANNERS
 3800 VIA DEL REY
 BONITA SPRINGS, FLORIDA 34134
 PHONE : (239) 947-1144 FAX : (239) 947-0375
 CERTIFICATE OF AUTHORIZATION NUMBER LB 5151

**LOT 5 AND TRACT "B"
WOODS EDGE
PLAT BOOK 49, PAGES 50-56**



NOTES

1. BEARINGS SHOWN HEREON REFER TO WOODS EDGE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 49, PAGES 50 THROUGH 56, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA.
2. DIMENSIONS SHOWN HEREON ARE IN FEET AND DECIMALS THEREOF.
3. THIS PROPERTY IS SUBJECT TO EASEMENTS, RESERVATIONS AND/OR RESTRICTIONS OF RECORD.

LDC
JUL 11 2003
APPROVED

*** THIS IS NOT A SURVEY ***

DRAWN BY: CDB	SHEET: 2 OF 3	JOB CODE: DV4A
SKETCH TO ACCOMPANY		
LOT 5 AND TRACT "B" WOODS EDGE (PLAT BOOK 49, PAGES 50-56) SECTION 4, TOWNSHIP 48 SOUTH, RANGE 25 EAST BONITA SPRINGS, LEE COUNTY, FLORIDA		
DATE: JUNE 2003	DRAWING: B-2613	

Q. GRADY MINOR AND ASSOCIATES, P.A.
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 PHONE : (239) 947-1144 FAX : (239) 947-0375
 CERTIFICATE OF AUTHORIZATION NUMBER LB 6161

Map prepared by Q. Grady Minor, P.A. on 06/11/2003 02:28:48 PM. PROJECT: 2613. 1 of 2

Official Records BK 04005 PG 3598

**LOT 5 AND TRACT "B"
WOODS EDGE
PLAT BOOK 49, PAGES 50-56
DIMENSION SHEET**

LINE	BEARING	DISTANCE
L1	N 87°29'41" E	70.01'
L2	N 87°29'41" E	40.00'
L3	N 02°30'19" W	30.01'
L4	N 48°33'42" E	47.67'
L5	N 00°35'42" W	39.15'
L6	N 64°42'47" W	2.21'
L7	N 33°30'19" W	150.00'
L8	N 02°30'19" W	38.19'
L9	N 64°42'47" W	117.36'
L10	S 85°38'00" W	16.27'
L11	N 04°29'51" E	46.99'
L12	N 04°35'28" E	29.11'
L13	N 04°35'28" E	17.33'
L14	N 15°38'03" E	161.48'
L15	N 02°30'19" W	218.18'
L16	S 02°30'19" E	30.01'
L17	S 02°30'19" E	218.18'
L18	S 02°30'18" E	283.62'
L19	N 15°38'03" E	161.48'
L20	N 04°35'28" E	46.44'
L21	S 85°38'00" W	8.69'
L22	S 02°30'21" E	559.35'

CURVE	RADIUS	LENGTH	DELTA	CHORD	BEARING
C1	30.00'	47.12'	90°00'00"	42.43'	N 42°29'41" E
C2	170.00'	115.51'	38°55'49"	113.30'	N 21°58'13" W
C3	400.00'	54.51'	07°48'27"	54.46'	N 68°37'00" W
C4	300.00'	92.72'	17°42'32"	92.35'	N 73°34'03" W
C5	400.00'	196.92'	28°12'26"	194.94'	S 83°28'28" W
C6	350.00'	101.38'	16°35'45"	101.02'	S 77°40'08" W
C7	300.00'	250.14'	47°46'28"	242.96'	S 88°38'00" E
C8	242.00'	4.76'	01°07'39"	4.76'	N 66°56'57" E
C9	18.00'	19.44'	61°53'17"	18.51'	N 35°26'29" E
C10	170.00'	25.88'	08°43'02"	25.84'	N 08°51'22" E
C11	80.00'	50.48'	36°09'09"	49.65'	N 04°51'42" W
C12	120.00'	57.66'	27°31'44"	57.10'	N 08°10'24" W
C13	320.00'	46.78'	08°22'35"	46.74'	N 08°46'45" E
C14	280.00'	63.82'	13°03'30"	63.68'	N 06°26'18" E
C15	220.00'	61.66'	16°03'30"	61.46'	N 07°56'18" E
C16	130.00'	41.91'	18°28'22"	41.73'	N 06°43'52" E
C17	130.00'	109.34'	48°11'23"	106.14'	N 26°36'00" W
C18	170.00'	27.47'	09°15'34"	27.44'	N 48°03'55" W
C19	130.00'	109.34'	48°11'23"	106.14'	S 26°36'00" E
C20	170.00'	142.98'	48°11'23"	138.80'	S 26°36'00" E
C21	170.00'	54.81'	18°28'22"	54.57'	N 06°43'52" E
C22	180.00'	50.45'	16°03'30"	50.28'	N 07°56'18" E
C23	320.00'	72.93'	13°03'30"	72.77'	N 06°26'18" E
C24	280.00'	40.93'	08°22'35"	40.90'	N 08°46'45" E
C25	80.00'	38.44'	27°31'44"	38.07'	N 09°10'24" W
C26	120.00'	75.72'	36°09'09"	74.47'	N 04°51'42" W
C27	130.00'	19.78'	08°43'02"	19.76'	N 08°51'22" E
C28	18.00'	35.42'	112°45'06"	29.98'	N 51°52'42" W
C29	242.00'	60.06'	14°13'15"	59.91'	S 78°51'23" W

SHEET 5 OF 8
APPROVED: S.F.R.
DRAWN: C.D.R.
JOB CODE: DPM

Q GRADY MINOR AND ASSOCIATES, P.A.
CIVIL ENGINEERS - LAND SURVEYORS - PLANNERS
100 S. WOODS EDGE DR. SUITE 200
BONITA SPRINGS, FLORIDA 34134
PHONE: (259) 847-1144 FAX: (941) 947-0576
CERTIFICATE OF AUTHORIZATION NUMBER LB 6161

DIMENSION SHEET
LOT 5 AND TRACT "B", WOODS EDGE
(PLAT BOOK 49, PAGES 50-56)
SECTION 4, TOWNSHIP 48 SOUTH, RANGE 25 EAST
BONITA SPRINGS, LEE COUNTY, FLORIDA
DATE: JUNE 2003 DRAWING: B-2813

DIOCESE OF VENICE
DIOCESE OF VENICE LE-7
1000 PINEBROOK RD
VENICE FL 34285

CITY OF BONITA SPRINGS
9101 BONITA BEACH RD
BONITA SPRINGS FL 34135

FORTY-ONE SOUTH PROPERTY
460 VIRGINIA AVE
INDIANAPOLIS IN 46203

PREP FAST FOOD BONITA SPRINGS
PREP PROPERTY GROUP LLC
5905 E GALBRAITH RD STE 1000
CINCINNATI OH 45236

GAGLIANO HOLDINGS 2 LLC
BONITA BOAT CENTER
28380 S TAMIAMI TRL
BONITA SPRINGS FL 34134

TROMBLE + COMPANY INC
6310 MANASOTA KEY RD
ENGLEWOOD FL 34223

GAGLIANO HOLDINGS 2 LLC
BONITA BOAT CENTER
28380 S TAMIAMI TRL
BONITA SPRINGS FL 34134

GAGLIANO HOLDINGS 2 LLC
BONITA BOAT CENTER
28380 S TAMIAMI TRL
BONITA SPRINGS FL 34134

AMOS FINANCIAL LLC
WETHERINGTON HAMILTON
812 W MLK JR BLVD STE 101
TAMPA FL 33603

CITY OF BONITA SPRINGS
9101 BONITA BEACH RD
BONITA SPRINGS FL 34135

MB5 REAL ESTATE LLC
TOM MATTER
40528 US HIGHWAY 19 N
TARPON SPRINGS FL 34689

DIAMOND RIDGE PROPERTIES
ALLIANT PROPERTY MANAGEMENT
13831 VECTOR AVE
FORT MYERS FL 33907

DIAMOND RIDGE PROPERTIES
ALLIANT PROPERTY MANAGEMENT
13831 VECTOR AVE
FORT MYERS FL 33907

DIAMOND RIDGE PROPERTIES
ALLIANT PROPERTY MANAGEMENT
13831 VECTOR AVE
FORT MYERS FL 33907

DIAMOND RIDGE PROPERTIES
PROPERTY OWNERS ASSN
201 MUIRFIELD CIR
NAPLES FL 34113

BONITA DINER LLC
5051 CASTELLO DR STE 222
NAPLES FL 34103

SPC VENTURES LLC
PETE S CHRIST
2254 BIG HICKORY RUN
SYLVANIA OH 43560

WARAMAUG BONITA SPRINGS LLC
WARAMAUG HOSPITALITY ASSET MGM
500 EAST BROWARD BLVD SUITE 1
FORT LAUDERDALE FL 33394

CARLYSLE PROPERTY OWNERS
SWFL CAM SERVICES
10231 METRO PKWY # 204
FORT MYERS FL 33966

ANASTASI SARAH
28219 HIDDEN LAKE DR
BONITA SPRINGS FL 34134

HANNON COLLEEN J TR
1390 SWEETWATER COVE UNIT 101
NAPLES FL 34110

HIDDEN LAKES AT WOODS EDGE LLC
EDGE VILLAS
111 CALLOWAY CT STE 300
BOWLING GREEN KY 42103

MAZZANTI IRENE H TR
PO BOX 425
PALATINE IL 60074

SAGE SANDRA
28441 HIDDEN LAKE DR
BONITA SPRINGS FL 34134

DAHL JOAN E
4080 MAYBECK DR NE
GRAND RAPIDS MI 49525

HEHEMANN EUGENE W + DEBRA L
3580 WOODVIEW LN
BATAVIA OH 45103

SPENCE DAVID G
PO BOX 451340
WESTLAKE OH 44145

BEKIC CEDOMIR & GABRIELA +
28465 HIDDEN LAKE DR
BONITA SPRINGS FL 34134

SOEDER ROBERT C +
320 THOMPSON RUN RD
PITTSBURGH PA 15237

FAULKNER J DONALD + CATHY H
28477 HIDDEN LAKE DR
BONITA SPRINGS FL 34134

ROBERTO ANDRE & PATRICIA
28483 HIDDEN LAKE DR
BONITA SPRINGS FL 34134

VUCKOVIC MIRJANA L/E
28489 HIDDEN LAKE DR
BONITA SPRINGS FL 34134

CRAWFORD J LEE TR
28495 HIDDEN LAKE DR
BONITA SPRINGS FL 34134

PEARCE DON S + JUDITH G
28501 HIDDEN LAKE DR
BONITA SPRINGS FL 34134

WOODS EDGE VILLAS HOMEOWNERS
ALLIANT PROPERTY MANAGEMENT
13831 VECTOR AVE
FORT MYERS FL 33907

PARIS PAUL T + ANNE M
28436 HIDDEN LAKE DR
BONITA SPRINGS FL 34134

VIOTTO GIANCARLO + MARIA T
17 PALOMINO DR
SAULT STE MARIE ON P6A 5L1
CANADA

FLAHERTY GERARD M & LINDA S TR
28472 HIDDEN LAKE DR
BONITA SPRINGS FL 34134

WOODS EDGE VILLAS HOMEOWNERS
ALLIANT PROPERTY MANAGEMENT
13831 VECTOR AVE
FORT MYERS FL 33907

WOODS EDGE VILLAS HOMEOWNERS
ALLIANT PROPERTY MANAGEMENT
13831 VECTOR AVE
FORT MYERS FL 33907

28500 BONITA CROSSING BLVD L P
210 SHIELDS CT
MARKHAM ON L3R 8V2
CANADA

BONITA I LLC
FIVE DIAMONDS PROP MGMT INC
1250 TAMIAMI TRL N STE 307
NAPLES FL 34102

PHELAN FAMILIES LLC
3820 VIA DEL REY
BONITA SPRINGS FL 34134

PRESERVE AT WOODS EDGE ASSN
MELDON CONSULTANTS
4949 TAMIAMI TRL N STE 201
NAPLES FL 34103

CARLYSLE CONDOMINIUM ASSN INC
SWFL CAM SERVICES
10231 METRO PKWY # 204
FORT MYERS FL 33966

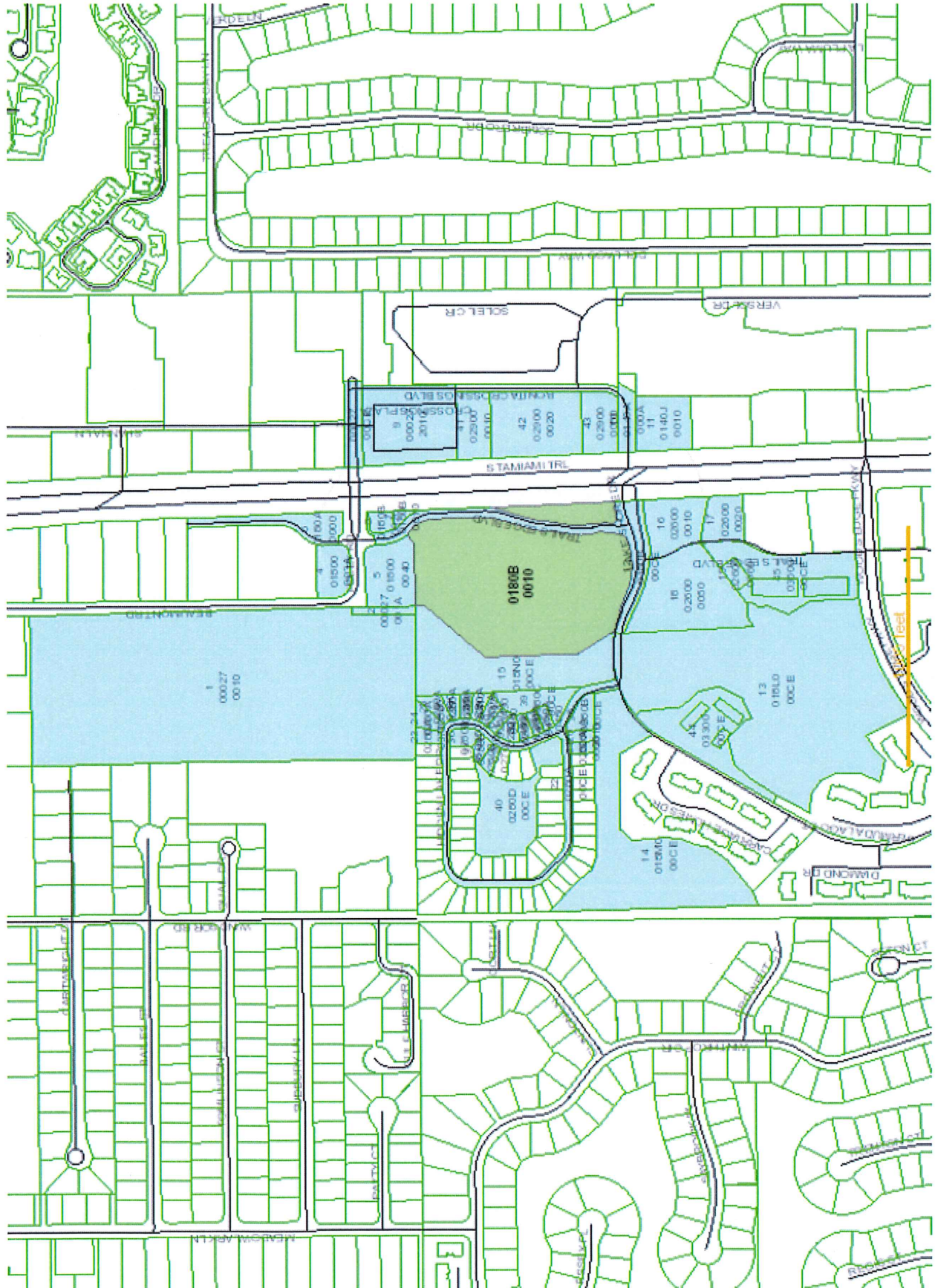


Exhibit IV-F
Narrative & Criteria

Request

The applicant seeks to occupy a portion of the subject site for Vehicle and equipment dealers, Groups II & III (motorcycles, ATVs, and watercraft) within the US 41 Overlay District.

The applicant, Power Lodge Florida, currently operates out of a location in Collier County and seeks to occupy a portion of the building on the subject property for Vehicle and equipment dealers, Group II (motorcycle and lawnmower dealers, other small vehicles) and Group III (boat and yacht dealers, other watercraft). These uses are approved as part of the existing commercial planned development; however, the approved development order is specific to the use of a “Vehicle and equipment dealer, Group I” (Auto and truck dealers) only. Vehicle and equipment dealers are allowed within the US 41 Overlay but require approval as special exception uses. Sec. 4-889(f) states (emphasis added):

Existing PDs may voluntarily bring a master concept plan into compliance with the regulations contained in this subdivision [US 41 Overlay District] administratively. Uses that are prohibited, or subject to special exception approval in accordance with this subdivision, and are approved as part of an existing PD must comply with this subdivision unless local development order approval has already been obtained for that use.

The new use does not necessitate any changes to the existing site – building footprints, parking, and stormwater management areas remain the same. Improvements to the existing landscaping will be made to comply with the requirements of the US 41 Overlay. Traffic impacts also do not increase with the change in use. Please see the landscaping exhibits and traffic memo included in this submittal.

Summary of Subject Site

The subject site totals approx. 11 acres and is located at 28450 S Tamiami Trail, on the west and east sides of Trails Edge Blvd., which runs parallel on the west side to US 41, approx. one-half mile south of Bonita Beach Road. The subject property is zoned Diamond Ridge/Woods Edge RPD/CPD and is within the US 41 Overlay District. The RPD/CPD includes adjacent properties to the north, west, and south. The applicant, Power Lodge, is a leaseholder for the central portion of the site.

Surrounding Property

	Current Use	Zoning
North	Boat dealership	RPD/CPD
East	US 41 (100' ROW), Shopping Center, Restaurant (Pincher's Crab Shack)	CC
South	Lake Shore Drive (40' ROW), Restaurant (Mel's Diner), Hotel (La Quinta)	RPD/CPD
West	Stormwater Management Pond (avg. min. width 145'), single-family homes (Hidden Lakes at Woods Edge)	RPD/CPD

The site was originally rezoned in 1988 by Lee County Zoning Resolution Z-88-156 and was part of a Development of Regional Impact (DRI). The DRI development order has expired. The property is developed with a car dealership (vehicle and equipment dealers, group I), permitted by Lee County Development Order 97-01-081.00D and modified by subsequent LDOs.

Neighborhood Information Meeting

A neighborhood information meeting was held on October 26, 2020, and continued to October 29, 2020. Approx. 19 persons attended. Based on the concerns raised at the NIM, the applicant agreed that no test drives would be conducted through the adjoining residential neighborhoods and confirmed that noise levels would be consistent with the limitations established by the City.

Relevant Land Development Code Criteria

Criteria for approval of special exceptions are found in Sec. 4-131 and criteria specific to the US 41 Overlay District are found in Sec. 4-889(f). A special exception use is a use that may not be appropriate generally or without restriction throughout a zoning district, but may be permitted, and in fact the LDC states that a special exception must be granted unless the request is found to be contrary to the public interest; the health, safety, comfort, convenience and welfare of the citizens of the city; or in conflict with the Bonita Plan or applicable zoning regulations. Please see below for the required analysis of how this request complies with all relevant criteria.

Sec. 4-131. Zoning board standard for review.

(c) Special exceptions. ...

(2) Considerations. In reaching their decision, the zoning board must consider the following, whenever applicable:

- a. Whether there exist changed or changing conditions that make approval of the request appropriate.

The existing building has sat vacant for over a year and the tenant and applicant for this request represents a viable use, similar to what is existing.

- b. The testimony of any applicant.

To be provided.

- c. The recommendation of staff.

To be provided.

- d. The testimony of the public.

To be provided.

- e. Whether the request is consistent with the goals, objectives, policies and intent of the Bonita Plan.

Please see the analysis provided below which demonstrates the request is consistent with the goals, objectives, and policies of the Bonita Plan.

- f. Whether the request meets or exceeds all performance and locational standards set forth for the proposed use.

The request meets or exceed all performance and locational standards. Please also see the analysis provided per Sec. 4-893 and Sec. 4-1099, below.

- g. Whether the request will protect, conserve or preserve environmentally critical areas and natural resources.

The property is developed and there are no impacts to environmentally critical areas or natural resources.

- h. Whether the request will be compatible with existing or planned uses.

The use is very similar to the existing use of the site as a car dealership, which was previously determined to be compatible with surrounding uses and is comparable to the surrounding commercial uses to the north, east, and south. The site immediately to the north is utilized as a boat dealership. There is a stormwater management lake, approx. 145 ft. wide, between this property and the residential neighborhood to the west, which is part of the same planned development. Properties to the south, across Lake Shore Drive, and to the east, across Tamiami Trail, are developed with commercial uses.

- i. Whether the request will cause damage, hazard, nuisance or other detriment to persons or property.

The request will not cause damage, hazard, nuisance, or other detriment to persons or property.

- j. Whether a requested use will be in compliance with all general zoning provisions and supplemental regulations pertaining to the use set forth in this chapter.

The requested use is in compliance with all applicable zoning provisions and supplemental regulations, please see the additional analysis provided below.

- (3) Findings. Before making a recommendation to the city council to grant any special exceptions, the zoning board must find that the applicant has proved entitlement to the special exception by demonstrating compliance with:

- a. The Bonita Plan;

The property is designated General Commercial on the Future Land Use Map. The existing and proposed uses are consistent with the FLU designation, which is intended to “accommodate a wide range of commercial uses serving the general population of the City. This designation recognizes, but is not specifically limited to, properties that have been developed, have received development approval or have been zoned for commercial use prior to the adoption of the Comprehensive Plan.” Appropriate uses are recognized as a wide range of commercial retail and service uses.

The proposed revisions to the landscaping to bring the site into compliance with the US 41 Overlay is consistent with FLU Objective 1.3, which encourages improving the visual and aesthetic appearance of the City, and Transportation Element Objective 1.4, which states the City shall improve the aesthetic qualities and appearances of roadways and their adjacent land uses. The site has access to adequate public facilities and services in accordance with FLU Objective 1.11.

- b. This chapter; and

Provided above.

- c. Any other applicable ordinances or codes.

Provided.

- (4) Authority.

- a. The zoning board must make the recommendation to grant the special exception unless they find the request is contrary to the public interest and the health, safety, comfort, convenience and welfare of the citizens of the city, or that the request is in conflict with subsection (c)(3) of this section.

The request is not contrary to the public interest or to the health, safety, comfort, convenience or welfare of the citizens of the city and is not in conflict with the required findings of subsection (c)(3).

Sec. 4-891. Permitted uses.

(1) Special exception approval required. The following uses require special exception approval:

...

z. Vehicle and equipment dealers, Groups I-V

1. Approval criteria. The following criteria will be utilized to evaluate special exception requests in the U.S. 41 Overlay:

(i) Consistency with the intent of the U.S. 41 Overlay District in protecting and enhancing viewsheds from U.S. 41 and other public roadways.

Additional landscaping is being provided which will enhance the viewshed from US 41 and other public roadways into the site. Please see the landscape buffer exhibit included in this submittal.

(ii) The building and site design standards incorporate innovative techniques to address the project's visual impact on the U.S. 41 corridor and demonstrate enhancements to the minimum standards.

There are no proposed changes to the exterior of the building or the building footprint. Additional landscaping is provided to address the project's visual impact on US 41.

(iii) The request addresses the balance between auto-oriented design and pedestrian access through enhanced design standards.

Additional landscaping is being provided that will help to enhance the viewshed from US 41 and create a more shaded, park-like setting adjacent to the roadway. Unfortunately, given the location of the sidewalk within the US 41 right-of-way and the further separation of the building across the secondary parallel access road, additional pedestrian interconnectivity is not achievable at this time.

(iv) Exceptional or extraordinary conditions exist which warrant the proposed use, including but not limited to demonstrated market demand and minimum spatial separation of 500 feet from a similar use.

There is demonstrated market demand for the Group II and III uses requested, and based on the long-term vacancy of the building, not for Group I. There are no dealerships for similar vehicles within 500 feet of the property.

(v) Will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

The use is consistent with the currently approved and built use of Vehicle and equipment dealers, group I, that occupy the rest of the site, and will not be detrimental to the public welfare.

- (vi) Will be compatible with existing or planned uses.

Adjacent properties are developed and the impacts of the proposed use will be similar to those of the existing Group I (auto dealership) use.

- (vii) Will cause damage, hazard, nuisance or other detriment to persons or property.

The proposed use will not cause damage, hazard, nuisance, or other detriment to persons or property.

- (viii) Will protect, conserve or preserve environmentally critical areas and natural resources.

The site is currently developed and no environmental impacts result from this request.

- (ix) Consistency with the goals, objectives, policies and intent of the Bonita Plan.

Please see the analysis provided under Sec. 4-131(3)a.

- (x) In compliance with all general zoning provisions, supplemental regulations and performance standards pertaining to the use set forth in this chapter.

Provided.

- (4) Outdoor display. In addition to the requirements of section 4-2072, outdoor display areas must be setback a minimum of 50 feet from the U.S. 41 right-of-way. Outdoor display areas exceeding 2,500 square feet, or one percent of the total site area, whichever is lesser, are prohibited in front and side yards, unless approved through the special exception or planned development process. Outdoor storage is prohibited. Outdoor display of merchandise is limited to the hours of operation for the establishment.

Areas proposed for outdoor display are indicated on the site plan and total 6,657 square feet. Approx. 2,500 square feet are located forward of the building with the remainder under roof and behind a building and therefore not visible from 41. A portion of the outdoor display (approx. 1,600 SF) will be within 50 feet of the ROW for US 41, but located approx. 50 feet from the actual constructed roadway. Vehicles will only be displayed during hours of operation.

Sec. 4-893. Site design standards.

(a) Amenity zones. Developments that abut U.S. 41 must address the public realm through the incorporation of an amenity zone that meets the following minimum criteria. These standards may be administratively waived where principal structures are located within 50 feet of the U.S. 41 right-of-way.

(1) Retention ponds smaller than five acres and visible from the U.S. 41 right-of-way must enhance the public realm through two or more of the following: ...

Not applicable.

(2) Pedestrian amenities. Developments must incorporate sidewalks, benches, street furniture, planters, and other pedestrian amenities in their design. All accessories such as railings, trash receptacles, street furniture and bicycle racks must be complementary to and consistent with the architectural design of principal building(s) within the development.

Additional landscaping is being provided that will help to enhance the viewshed from US 41 and create a more shaded, park-like setting adjacent to the roadway. Unfortunately, given the location of the sidewalk within the US 41 right-of-way and the further separation of the building across the secondary parallel access road, additional pedestrian interconnectivity is not achievable at this time.

(b) U.S. 41 right-of-way buffer. U.S. 41 right-of-way buffer requirements. Developments that directly abut the U.S. 41 right-of-way must provide the following buffer:

(1) The landscape buffer shall be a minimum of 20 feet in width with five trees per 100 lineal feet. Clustering of trees and plant material is encouraged to promote healthy growth of vegetation, screen parking areas from public view, and generally uphold the view corridors along U.S. 41.

The subject site is developed and the existing landscape buffers will remain; however, given the configuration of the site, adequate landscape buffering from US 41 will be achieved given a 15' landscape buffer along US 41, and two 15' landscape buffers along either side of Trails Edge Blvd. Landscaping has been designed to complement the improvements recently made to the Hertz portion of the building to the south.

(2) The required trees and palms shall be clustered in double rows with a minimum of three trees per cluster. Canopy trees shall be planted a minimum of 30 feet on center within a cluster. Palms shall be planted in staggered heights, a minimum of three palms per cluster, spaced at a maximum of eight feet on center, with a minimum of three feet in difference in height between each tree. The maximum spacing between canopy trees and/or palm clusters is 50 feet.

The proposed landscaping complies with this requirement.

- (3) All trees must be a minimum of 14 feet in height at the time of installation, and shrubs must be a minimum of three feet in height at time of installation. The buffer must be designed in a manner that does not block signage.

Landscaping will comply with this requirement.

- (4) The buffer must be designed in a manner that facilitates pedestrian access to the development. Where perimeter fences and walls are incorporated into the perimeter buffer design of the site, the pedestrian access point(s) must be visible and well marked from the adjacent rights-of-way, and must include an archway, pergola, or other architectural feature to identify the pedestrian access.

Landscaping will comply with this requirement.

- (5) Where buildings are located a maximum of 25 feet from the U.S. 41 right-of-way line, an alternative buffer may be permitted in accordance with LDC section 3-421.

Not applicable.

- (6) For developments defined as large-scale retail establishments within the U.S. 41 Overlay, refer also to the supplementary regulations in section 4-1560.

Not applicable.

Sec. 4-1099. Display, sale, rental or storage facilities for motor vehicles, boats, recreational vehicles, trailers, mobile homes or equipment.

- (a) Applicability. This section applies to all establishments engaged in the outdoor display, sale, rental or storage of motor vehicles, boats, recreational vehicles, trailers, mobile homes, construction or farm equipment, or other similar items, except water-oriented rental establishments outdoors, regulated by section 4-2271.

- (b) Prohibited uses. ...

Not applicable. Proposed uses are not prohibited.

- (c) Setbacks. ...

Not applicable. Buildings are existing.

- (d) Display and parking areas.

- (1) No parking space or loading zone required by the parking regulations set forth in this chapter may be used for the display of merchandise or parking of rental vehicles.

Per LDO2005-00442, the site requires 69 parking spaces and provides 87 parking spaces.

- (2) Areas used for display may be grass or other surface; provided it is maintained in a sightly, dust-free manner.

All display areas are paved.

- (e) Storage areas. Areas used for the commercial storage of motor vehicles, boats, trailers, recreational vehicles, mobile homes and construction or farm equipment which is not being displayed for sale or rent shall be enclosed (see division 36 of this article).

Storage areas are in the back of the site and are existing.

- (f) Lighting. Artificial lighting used to illuminate the premises shall be directed away from adjacent properties and streets, shining only on the subject site.

Lighting is existing and complies with this requirement.

- (g) Landscaping. The following landscape requirements are in addition to the requirements of section 3-418. Required landscaping adjacent to property boundaries:

- (1) Right-of-way buffer landscaping. ...

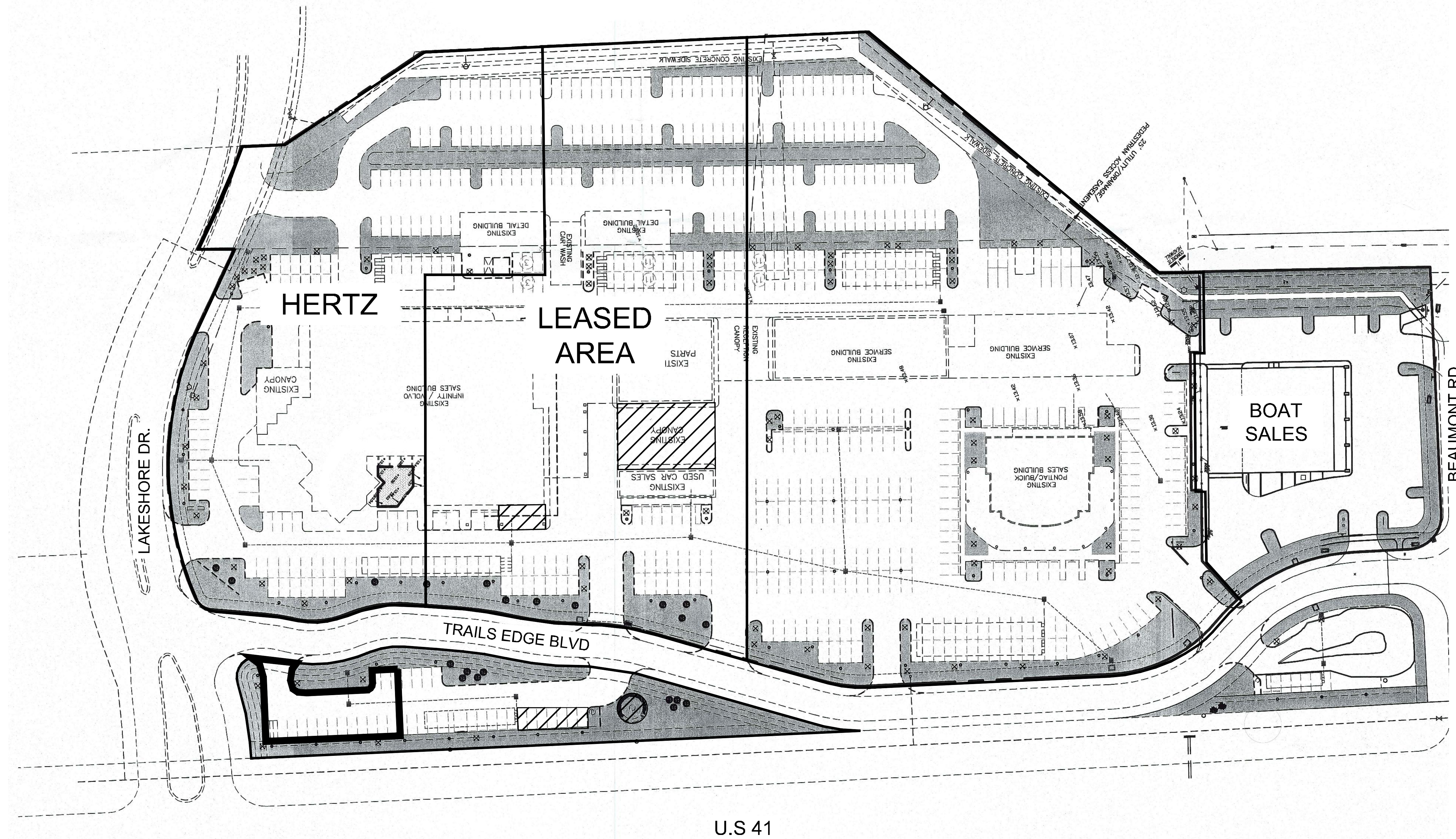
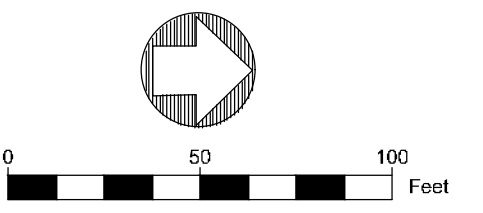
Landscaping has been provided in accordance with the US 41 Overlay.

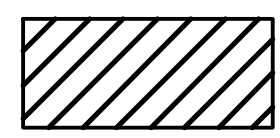
- (2) Landscaping adjacent to all other property lines. Side and rear property boundaries (other than those adjacent to road rights-of-way) must be planted with a single hedge row. The hedge must be a minimum of 24 inches in height at planting, planted at three feet on center and must be maintained at a height of 36 inches within 12 months of planting.

Landscaping adjacent to other property lines exceeds these min. requirements.

- (h) Outdoor speakers. The use of public address or loudspeaker systems that broadcast outdoors is prohibited.

Outdoor speakers will not be used.



 OUTDOOR DISPLAY
(6,657 SQUARE FEET)

P:\Project\2020\20200507\20200507\20200507\20200507.dwg Title: Special New 24, 2020 - 02:01pm Plotted by: met

LETTER	REVISIONS	DATE

**DIAMOND
RIDGE CPD**

DESIGNED BY	DATE
DRAWN BY	DATE
CHECKED BY	DATE
VERTICAL SCALE	HORIZONTAL SCALE



950 Encore Way
Naples, FL 34110
Phone: (239) 254-2000
Florida Certificate of
Authorization No.1772

**POWER LODGE
SPECIAL EXCEPTION**

THESE DRAWINGS ARE NOT APPROVED FOR CONSTRUCTION UNLESS SIGNED BELOW:	REFERENCE NO.	DRAWING NO.
	PROJECT NO. 2020.057	SHEET NO. OF
DATE		



December 4, 2020

Paula McMichael
Associate, Director of Planning
Hole Montes
950 Encore Way
Naples, FL 34110

SUBJECT: Diamond Edge Comparable Use Determination (CUD)

Dear Ms. McMichael:

The purpose of this letter is to provide a comparable use determination (CUD) for the subject site. The existing use was a new car dealership. The proposed use is a motorcycle, watercraft and All-Terrain Vehicle (ATV) dealer.

The existing use falls under the Institute of Transportation Engineers (ITE) Land Use Code 840, Automobile Sales (New). Automobile Sales (Used), Land Use Code 841, and Recreational Vehicle Sales, Land Use Code 842, are related uses. Some Recreational Vehicle dealerships may also include boat sales and servicing.

There is no specific land use code for the proposed use of motorcycle, watercraft and ATV dealer. However, these items are motorized vehicles with motorcycles being most similar to automobiles.

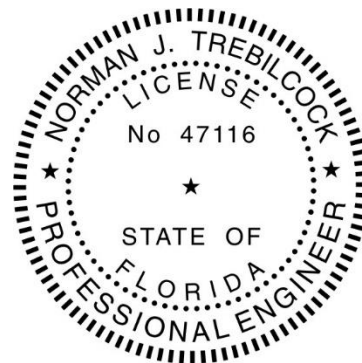
It is our opinion and belief that the proposed motorcycle, watercraft and ATV dealer would be comparable to the automobile sales ITE land use code with similar trip generation characteristics.

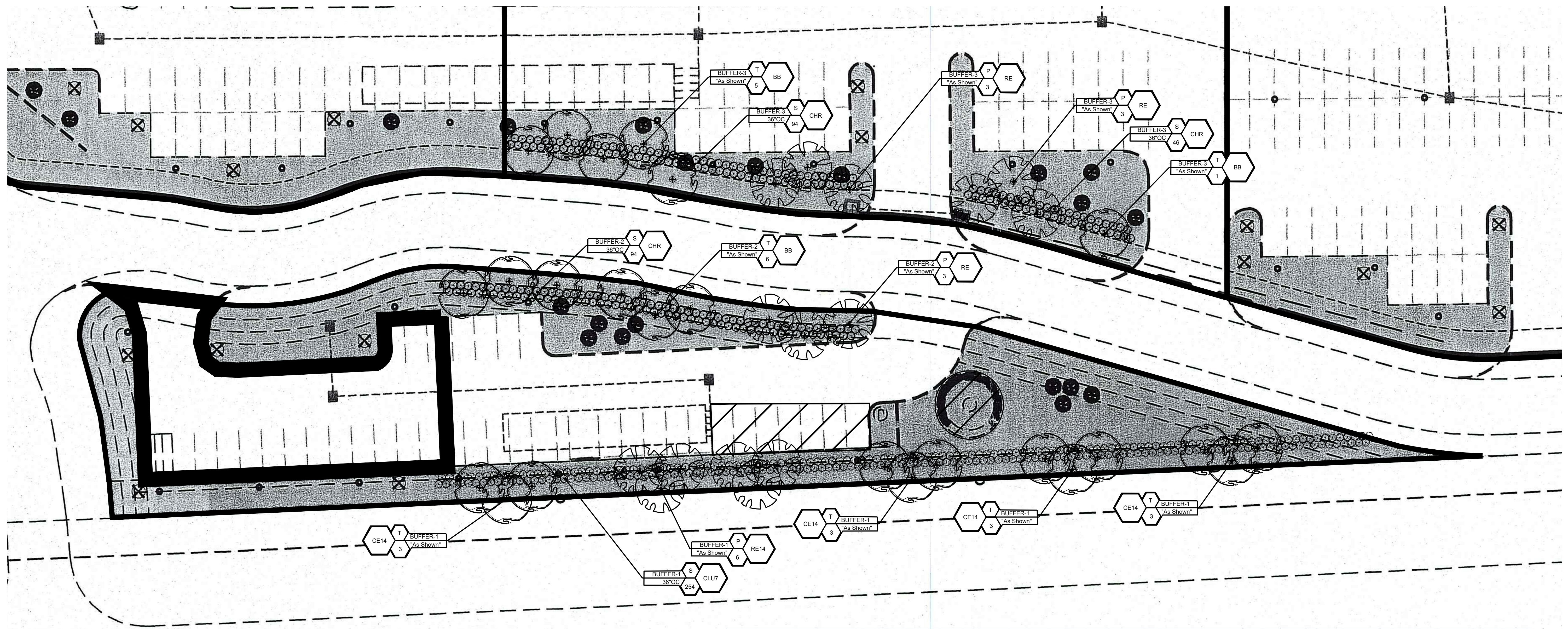
Let me know if you have any questions, or need anything else.

Sincerely,

Trebilcock Consulting Solutions, PA

Norman J. Trebilcock, AICP, PTOE, PE
President

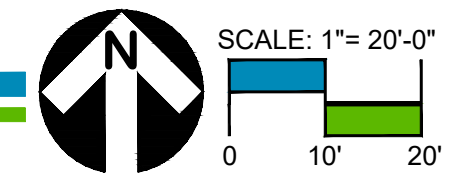




PERIMETER BUFFERS:	
BUFFER NO. 1:	
Development Area Adjacent to:	ROW (US-41 Overlay)
Buffer Type Required:	20'W Type 'D' (US-41 Overlay)
Wall (Required or Provided):	No
Length of Buffer:	357
REQUIRED TREES:	
Buffer Trees Required (X Trees per 100 LF):	17.85
Buffer Trees Provided:	18
NOTE: Trees 14'H at Installation	
REQUIRED SHRUBS:	
Buffer Shrubs Required (X Shrubs per 100 LF):	238
Buffer Shrubs Provided:	240
NOTE: Shrubs 36"H at Installation	
BUFFER NO. 2:	
Development Area Adjacent to:	Internal ROW
Buffer Type Required:	15'W Type 'D'
Wall (Required or Provided):	No
Length of Buffer:	174
REQUIRED TREES:	
Buffer Trees Required (X Trees per 100 LF):	8.7
Buffer Trees Provided:	9
REQUIRED SHRUBS:	
Buffer Shrubs Required (X Shrubs per 100 LF):	116
Buffer Shrubs Provided:	120
BUFFER NO. 3:	
Development Area Adjacent to:	Internal ROW
Buffer Type Required:	15'W Type 'D'
Wall (Required or Provided):	No
Length of Buffer:	242
REQUIRED TREES:	
Buffer Trees Required (X Trees per 100 LF):	12.1
Buffer Trees Provided:	9
REQUIRED SHRUBS:	
Buffer Shrubs Required (X Shrubs per 100 LF):	161.33
Buffer Shrubs Provided:	165
BUFFER CONDITIONS:	
1. Walls as required/provided, buffer must be on the adjacent property side of the wall	
2. Palms may not constitute more than 50% of the required buffer trees	
3. See notes for minimum requirements for Buffer Areas	

Plant Schedule									
Project Number: 2020057LA-01-Power Lodge Special Exception									
Date: 12/3/2020									
TREES (Florida No. 1)									
QTY	SYM	NATIVE	BOTANICAL	COMMON	SPECS	SPACING	ZONE		
12	CE14	YES	Conocarpus erectus	Green Buttonwood	14'-16"H x 7'-8"S, 3-1/2"Cal, 65G	As Shown	10b-11a		
12	BB	NO	Bucida buceras 'Shady Lady'	Shady Lady Black Olive	10'-12"H x 4'-5"S, 2"Cal, 25G	As Shown	10b-11a		
PALMS (Florida No. 1)									
QTY	SYM	NATIVE	BOTANICAL	COMMON	SPECIFICATIONS	SPACING	ZONE		
6	RE14	YES	Roystonea elata	Florida Royal Palm	8'GW, 14'-15"CT, 26'-28"OA, Full Head, Buttressed Trunk	As Shown	10a-11a		
9	RE	YES	Roystonea elata	Florida Royal Palm	5'GW, 10'-12"CT, 22'-24"OA, Full Head, Buttressed Trunk	As Shown	10a-11a		
SHRUBS (Florida No. 1)									
QTY	SYM	NATIVE	BOTANICAL	COMMON	SPECIFICATIONS	SPACING	ZONE		
254	CLU7	YES	Clusia rosea	Pitch Apple	36"H x 24"S, 7G	36"OC	10b-11a		
234	CHR	YES	Chrysobalanus icaco 'Red Tip'	Red Tip Cocoplum	24"H x 18"S, 3G	36"OC	9a-11a		
GENERAL NOTES									
1	The plant material for this project must adhere to the City of Bonita Springs Special Overlay District Requirements for US-41 where this project is adjacent to US-41 (Buffer-1). All Trees/Palms must be at least 14'H/14"CT at time of installation. All Shrubs must be 36"H at time of installation.								

LANDSCAPE PLAN:



NO.	DATE	REVISION

THESE DRAWINGS ARE NOT APPROVED UNLESS SIGNED & SEALED BELOW.

WILLIAM E. PRYSL, P.L.A., ASLA
 FLORIDA PROFESSIONAL LANDSCAPE ARCHITECT REG. #0001342
 DATE: _____

DRAWN BY: WEP DATE: 2020/12/03
 PROJECT NO.: 2020057LA
 DRAWING NO.: 2020057LA-01-LP1.00
 SHEET REFERENCE: 100 LANDSCAPE
 SHEET SET NO.: _____ SHEET NO.: _____
 LP-1.00 X OF X



December 21, 2020

Ms. Paula McMichael, AICP
950 Encore Way
Naples, FL 34110

Re: SPE20-75828-BOS, 24850-488 S. Tamiami Trail: Power Lodge Special Exception

Dear Ms. McMichael,

The Zoning Division has reviewed the information provided and supplemented for the special exception request referenced above. The application has been found insufficient for the reasons stated below. In addition to insufficiency comments, substantive comments have also been provided.

Please submit the aforementioned items in order for the City to process your application effectively. If the requested items are not received within sixty (60) calendar days of this letter, the application will be considered **withdrawn**.

Feel free to contact me if you have any questions.

Sincerely,
DEPARTMENT OF COMMUNITY DEVELOPMENT
Planning and Zoning Division

Mike Fiigon II
Senior Planner

Copy: Derek Rooney, City Attorney
John Dulmer, Director of Community Development
Jacqueline Genson, Planning & Zoning Manager
Sean Gibbons, Environmental Specialist/Bike-Ped Coordinator
Trisha Goff, Engineer
Brent Spain, Staff Attorney
Cynthia Vargas, Administrative Assistant

9220 Bonita Beach Road
Suite 111
Bonita Springs, FL 34135
Tel: (239) 444-6150
Fax: (239) 444-6140
www.cityofbonitaspringscd.org

Rick Steinmeyer
Mayor

Amelia Quaremba
Council Member
District One

Jesse Purdon
Council Member
District Two

Laura Carr
Council Member
District Three

Chris Corrie
Council Member
District Four

Michael Gibson
Council Member
District Five

Fred Forbes, AIA
Council Member
District Six

Arleen M. Hunter
City Manager
(239) 949-6267

Derek Rooney
City Attorney
(239) 949-6254

City Clerk
(239) 949-6247

Public Works
(239) 949-6246

Neighborhood Services
(239) 949-6257

Parks & Recreation
(239) 992-2556

Community Development
(239) 444-6150

BONITA SPRINGS Planning and Zoning

Sufficiency Comments

1. Site Plan: For clarification purposes, staff is requesting the site plan to be amended to include the following information:
 - a. Clearly label and identify customer parking and display areas
 - b. Provide the parking calculation on the site plan
 - c. Identify/indicate a pedestrian access/crosswalk that leads to the display area on the east side of Trails Edge Blvd.

2. US 41 Special Exception Requirements
 - a. Please demonstrate consistency with LDC 4-891(1)(iv): *exceptional or extraordinary conditions exist which warrant the proposed use, including but not limited to demonstrated market demand **and** minimum spatial separation of 500 feet from a similar use.*

There is a boat dealership to the north, within 500', which is classified as a Group III Vehicle and Equipment Dealer. Group III is also being requested as part of this application.

3. US 41 Site Design Standards
 - a. Please provide a more detailed explanation as to why LDC 4-893 cannot be met, especially 4-893(2).

Substantive Comments:

1. Community Development reserves the right to additional comments upon review/resubmittal from Applicant.

Please contact: Mike Fiigon II, Senior Planner
Phone: 239-444-6151
E-mail: mfiigon@cityofbonitaspringscd.org

BONITA SPRINGS Engineering

Sufficiency Comments

1. Site Plan:
 - a. Please include the dumpster location on the site plan and demonstrate that the size will be sufficient for the proposed use. Please reference LDC 3-268.

- b. Please label handicap spaces and ADA access to the building. Please demonstrate compliance with ADA standards. If this cannot be done, provide a narrative explaining proposed site modifications at time of Local Development Order to upgrade the site/building.
2. Prior to occupying the building, please explain if any of the following items are being proposed:
 - a. sealcoat/restripe
 - b. exterior painting

Substantive Comments

1. A limited review development order will be required for all site work.
2. All existing and proposed outdoor lights shall comply with the provisions of LDC Sec. 3-269. Additionally, if any new outdoor lights are proposed a photometric plan and cut sheets must be submitted with the Limited Review Development Order.

Please contact: Trisha Goff, PE
Phone: 239-444-6175
E-mail: tgoff@cityofbonitaspringscd.org

BONITA SPRINGS Landscaping and Bike-Ped

Substantive Comments

1. The Landscape Plan(s) provided by the Applicant, will provide for the quantity (number) and quality (density/size) consistent with required provisions of the US 41 Overlay District.

That being said, staff would request/require alternate species be installed to provide for visual continuity within the larger site. Specifically, the utilization of Live Oaks (QV), as opposed to, Shady Lady Black Olives (BB) trees, as well as the installation of Coco Plum (CHR) as opposed Clusia (CLU7) and the addition of Pigeon Plums (CD) within the US 41 ROW Buffer.

2. Staff would also recommend that Applicant also preserve/retain viable portions of the site's existing native landscaping/plantings (Live Oaks, Sabal Palms, and Saw Palmettos).

3. At time of Development Order, additional site (landscaping) plantings will be required consistent with LDC3- 3-414 for site compliance (i.e. Vehicle Usage Area Plantings, General Trees, Foundation Plantings, Buffers, etc.).

Please contact: Sean Gibbons, Landscape Compliance & Bike-Ped Coordinator
Phone: 239-444-6176
Email: sgibbons@cityofbonitaspringscd.org

January 19, 2021 950 Encore Way • Naples, Florida 34110 • Phone 239.254.2000 • Fax: 239.254.2099

Mike Fiigon II, Senior Planner
Planning and Zoning Manager
City of Bonita Springs
Department of Community Development
9101 Bonita Beach Road
Bonita Beach, FL 34135

**Re: Power Lodge - Special Exception
SPE20-75828-BOS
HM File No.: 2020.057**

Dear Mr. Fiigon:

In response to your comment letter dated December 21, 2020, we offer the following responses:

**Bonita Springs Planning and Zoning
Sufficiency Comments**

1. Site Plan: For clarification purposes, staff is requesting the site plan to be amended to include the following information:
 - a. Clearly label and identify customer parking and display areas
 - b. Provide the parking calculation on the site plan
 - c. Identify/indicate a pedestrian access/crosswalk that leads to the display area on the east side of Trails Edge Blvd.

Response: Display areas are identified. A parking calculation has been included. There is an existing sidewalk crossing Trails Edge at the intersection with Lake Shore Drive. The applicant will commit to providing a pedestrian access/crosswalk across Trails Edge Blvd.; however, the road is owned by Diamond Ridge Properties who will need to grant permission for the road improvements. In addition, there are utility and drainage improvements along the sides of the roadway that will need to be evaluated before a crosswalk and its associated improvements can be located. The applicant will locate the required pedestrian access/crosswalk at time of local development order.

2. US 41 Special Exception Requirements
 - a. *Please demonstrate consistency with LDC 4-891(1)(iv): exceptional or extraordinary conditions exist which warrant the proposed use, including but not limited to demonstrated market demand **and** minimum spatial separation of 500 feet from a similar use.*

There is a boat dealership to the north, within 500', which is classified as a Group III Vehicle and Equipment Dealer. Group III is also being requested as part of this application.

Response: The boat dealership and the subject site are within the same CPD zoning district (approved Zoning Resolution Z-97-017), which already allows as a permitted use Vehicle and Equipment Dealers, Groups I-III throughout the CPD. The circumstance of two such uses being located within 500 ft. of each other was already approved and anticipated. Please also note that both sites (the boat dealership and this building) were originally developed as car dealerships (Vehicle and Equipment Dealers, Group I), and reuse of the site and existing buildings makes the most sense for similar uses that operate in a similar fashion.

The bulk of the sales for the Power Lodge business will be Group II, Motorcycle and lawnmower dealers, and primarily be for motorcycles and motorbikes. Group III uses are defined as the “retail sale of new or used motorboats, yachts, and other watercraft, including boat trailers.” The applicant will not sell “motorboats or yachts,” but will limit sales to “other watercraft” such as jet skis.

3. US 41 Site Design Standards

- a. Please provide a more detailed explanation as to why LDC 4-893 cannot be met, especially 4-893(2).

Response: The site was zoned and developed to accommodate a row of car dealerships. There are no sidewalks along Trails Edge that would be served by the provision of pedestrian amenities, and the amenities listed in subsection (2) would encourage pedestrian traffic that cannot then be safely dispersed through the site due to the lack of facilities. The appropriate location for these amenities would be at the intersections, where existing sidewalks meet; however, these areas are outside of the leased area that the applicant controls. The applicant has agreed to place a crosswalk across Trails Edge Blvd. from the store to the display area to be located at time of local development order.

Substantive Comments:

1. Community Development reserves the right to additional comments upon review/resubmittal from Applicant.

Response: Acknowledged.

Bonita Springs Engineering
Sufficiency Comments

1. Site Plan:

- a. Please include the dumpster location on the site plan and demonstrate that the size will be sufficient for the proposed use. Please reference LDC 3-268.

Response: Two 15' x 26' areas (total of 780 SF) provide dumpster areas for the entire site. Building area totals 1.575 acres or 68,607 SF per LDO2005-00442, which would require 354 SF of solid waste/recycling area.

- b. Please label handicap spaces and ADA access to the building. Please demonstrate compliance with ADA standards. If this cannot be done, provide a narrative explaining proposed site modifications at time of Local Development Order to upgrade the site/building.

Response: The leased area currently has three handicap spaces; however, the final location of these spaces will be determined when the parking lot is restriped, therefore they are not indicated on the site plan for the special exception. The applicant will provide handicap spaces and access as required by ADA standards at time of local development order

2. Prior to occupying the building, please explain if any of the following items are being proposed:
- a. Sealcoat/restripe
b. Exterior painting

Response: The applicant will restripe the parking lot. No exterior painting is proposed.

Substantive Comments:

1. A limited review development order will be required for all site work.

Response: Acknowledged.

2. All existing and proposed outdoor lights shall comply with the provisions of the LDC Sec. 3-269. Additionally, if any new outdoor lights are proposed, a photometric plan and cut sheets must be submitted with the Limited Review Development Order.

Response: Acknowledged. No new outdoor lights are proposed.

Bonita Springs Landscaping and Bike-Ped

Substantive Comments:

1. The Landscape Plan(s) provided by the Applicant, will provide for the quantity (number) and quality (density/size) consistent with required provisions of the US 41 Overlay District.

That being said, staff would request/require alternate species be installed to provide for visual continuity within the larger site. Specifically, the utilization of Live Oaks (QV), as opposed to, Shady Lady Black Olives (BB) trees, as well as the installation of Coco Plum

Mike Fiigon II, Senior Planner
Re: Power Lodge - Special Exception
SPE20-75828-BOS
HM File No.: 2020.057
January 19, 2021
Page 4

(CHR) as opposed to Clusia (CLU7) and the addition of Pigeon Plums (CD) within the US 41 ROW Buffer.

Response: Alternate species have been provided as requested.

2. Staff would also recommend that Applicant also preserve/retain viable portions of the site's existing native landscaping/plantings (Live Oaks, Sabal Palms and Saw Palmettos).

Response: The applicant will retain viable existing native landscaping plants and this note has been added to the landscape plans.

3. At the time of Development Order, additional site (landscaping) plantings will be required consistent with LDC 3-3-414 for site compliance (i.e., Vehicle Usage Area Plantings, General Trees, Foundation Plantings, Buffers, etc.)

Response: Acknowledged.

We enclose the following:

- One (1) copy of Response Letter (this is the Response Letter);
- One (1) copy of Exhibit IV-G, Site Plan, revised; and
- One (1) copy of Landscaping exhibits, revised.

If you have any questions, please don't hesitate to contact us.

Very truly yours,

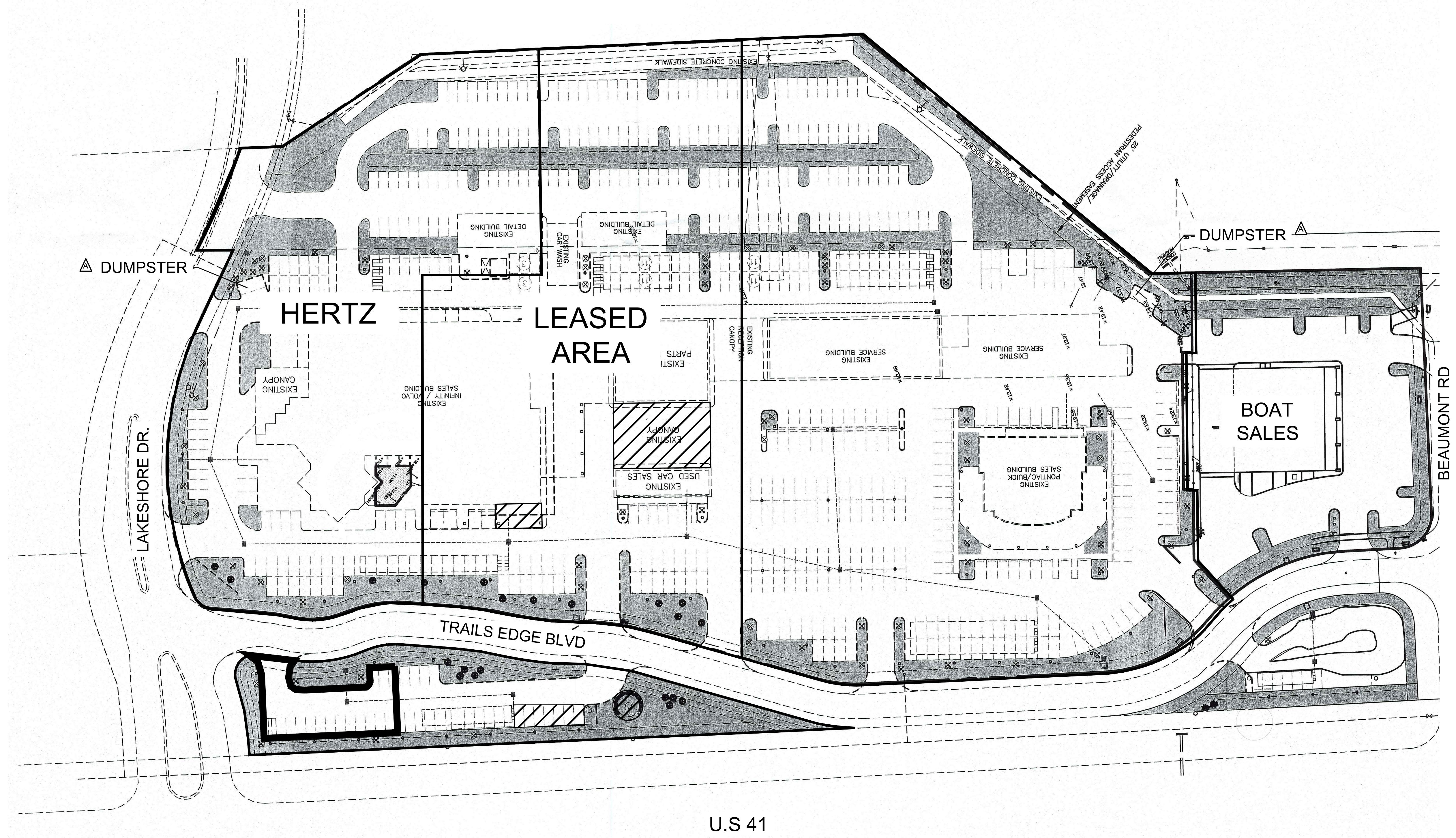
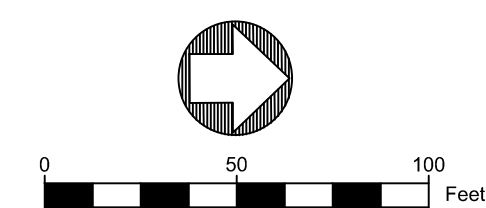
HOLE MONTES, INC.



Paula N.C. McMichael, AICP
Director of Planning
PNCM/sek

Enclosures as noted.

cc: Tom Dehn w/enclosures



Parking required: 2.5 spaces per 1,000 SF of total floor area per LDC Sec. 4-1732 (2)n.4.
 35,000 SF/1,000 x 2.5 = 88 spaces required
 131 parking spaces provided
 5 accessible parking spaces must be provided

OUTDOOR DISPLAY
 (6,657 SQUARE FEET)

\\net-01\c\Projects\2020\2020057-DiamondRidgeCPD\Plan\DiamondRidgeCPD.dwg 1/11/21 - 10:00am Plotted by hett

LETTER	REVISIONS	DATE

**DIAMOND
RIDGE CPD**

DESIGNED BY	DATE
DRAWN BY	DATE
CHECKED BY	DATE
VERTICAL SCALE	HORIZONTAL SCALE



950 Encore Way
 Naples, FL. 34110
 Phone: (239) 254-2000
 Florida Certificate of
 Authorization No.1772

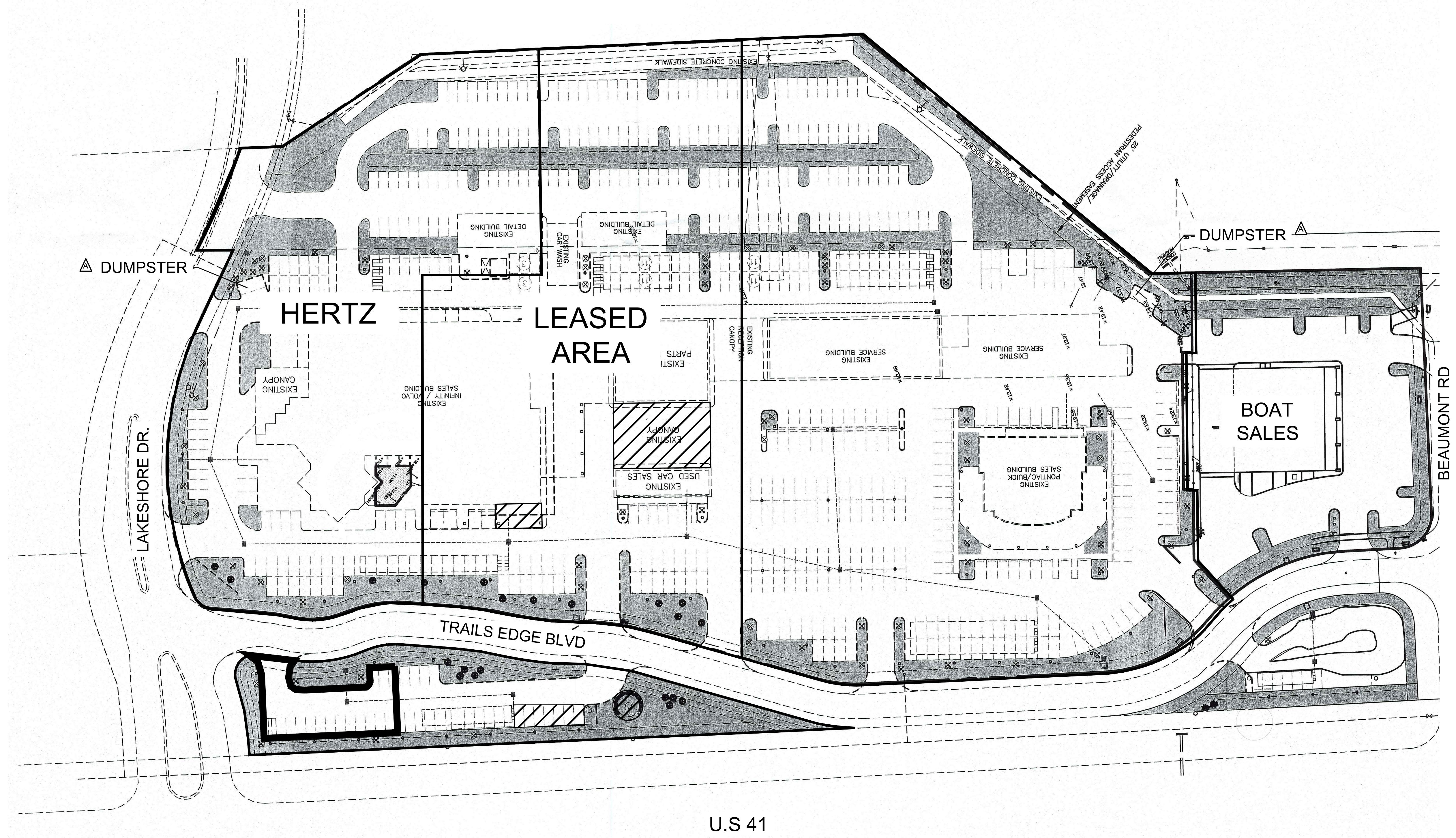
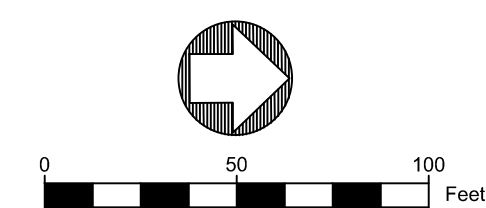
**POWER LODGE
SPECIAL EXCEPTION**

THESE DRAWINGS ARE NOT
 APPROVED FOR CONSTRUCTION
 UNLESS SIGNED BELOW:

 DATE _____

REFERENCE NO.
 PROJECT NO.
2020.057

DRAWING NO.
 SHEET NO.
0F



Parking required: 2.5 spaces per 1,000 SF of total floor area per LDC Sec. 4-1732 (2)n.4.
 35,000 SF/1,000 x 2.5 = 88 spaces required
 131 parking spaces provided
 5 accessible parking spaces must be provided

▲ NOTES:
 A CROSSWALK ACROSS TRAILS EDGE BLVD WILL BE LOCATED AT TIME OF DEVELOPMENT ORDER

▨ OUTDOOR DISPLAY (6,657 SQUARE FEET)

N:\Project_2020\2020057-DiamondRidgeCPD\Planning\TitleSheet.dwg, Feb 12, 2021 - 10:08m Plotted by Hett

LETTER	REVISIONS	DATE

**DIAMOND
RIDGE CPD**

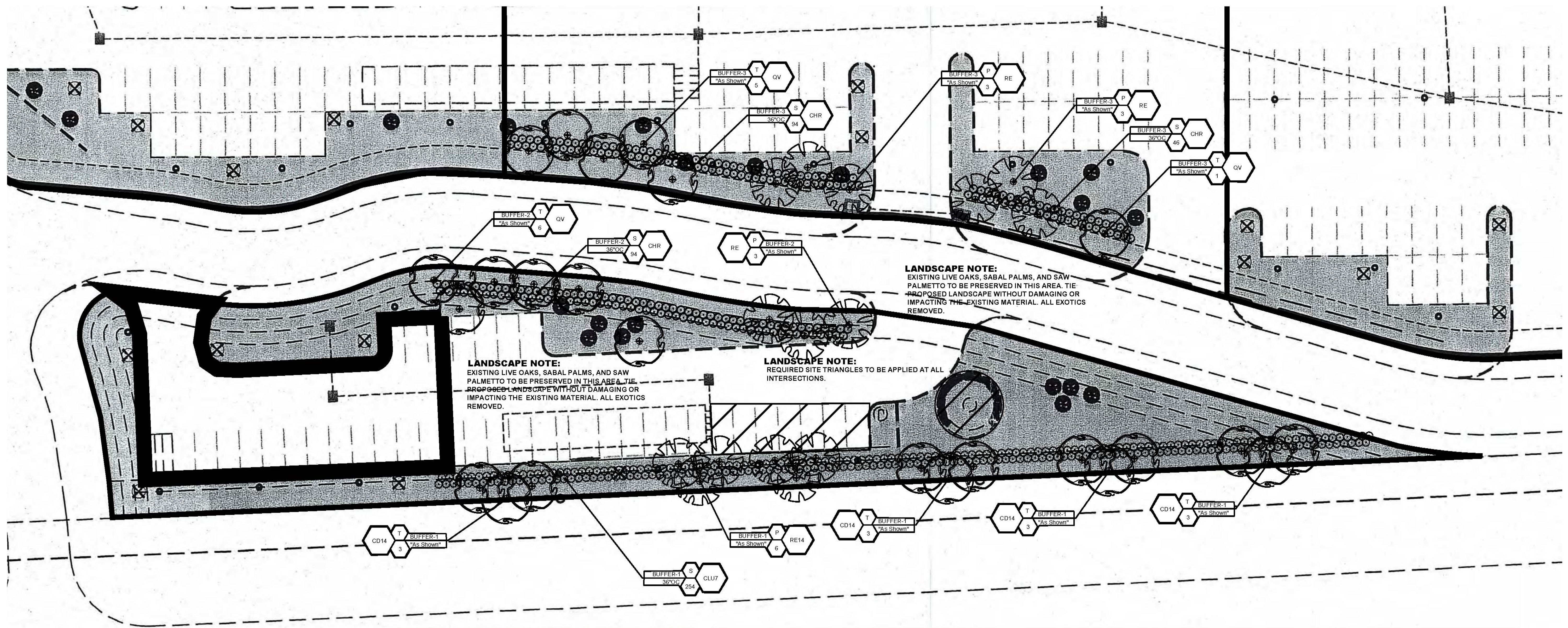
DESIGNED BY	DATE
DRAWN BY	DATE
CHECKED BY	DATE
VERTICAL SCALE	HORIZONTAL SCALE



950 Encore Way
 Naples, FL 34110
 Phone: (239) 254-2000
 Florida Certificate of
 Authorization No.1772

**POWER LODGE
SPECIAL EXCEPTION**

THESE DRAWINGS ARE NOT APPROVED FOR CONSTRUCTION UNLESS SIGNED BELOW:	REFERENCE NO.	DRAWING NO.
DATE	PROJECT NO. 2020.057	SHEET NO. 0F



LANDSCAPE NOTE:
EXISTING LIVE OAKS, SABAL PALMS, AND SAW PALMETTO TO BE PRESERVED IN THIS AREA. TIE PROPOSED LANDSCAPE WITHOUT DAMAGING OR IMPACTING THE EXISTING MATERIAL. ALL EXOTICS REMOVED.

LANDSCAPE NOTE:
REQUIRED SITE TRIANGLES TO BE APPLIED AT ALL INTERSECTIONS.

LANDSCAPE NOTE:
EXISTING LIVE OAKS, SABAL PALMS, AND SAW PALMETTO TO BE PRESERVED IN THIS AREA. TIE PROPOSED LANDSCAPE WITHOUT DAMAGING OR IMPACTING THE EXISTING MATERIAL. ALL EXOTICS REMOVED.

PERIMETER BUFFERS:

BUFFER NO. 1:	
Development Area Adjacent to:	ROW (US-41 Overlay)
Buffer Type Required:	20'W Type 'D' (US-41 Overlay)
Wall (Required or Provided):	No
Length of Buffer:	357
REQUIRED TREES:	
Buffer Trees Required (X Trees per 100 LF):	17.85
Buffer Trees Provided:	18
NOTE: Trees 14'H at Installation	
REQUIRED SHRUBS:	
Buffer Shrubs Required (X Shrubs per 100 LF):	238
Buffer Shrubs Provided:	240
NOTE: Shrubs 36"H at Installation	

BUFFER NO. 2:	
Development Area Adjacent to:	Internal ROW
Buffer Type Required:	15'W Type 'D'
Wall (Required or Provided):	No
Length of Buffer:	174
REQUIRED TREES:	
Buffer Trees Required (X Trees per 100 LF):	8.7
Buffer Trees Provided:	9
REQUIRED SHRUBS:	
Buffer Shrubs Required (X Shrubs per 100 LF):	116
Buffer Shrubs Provided:	120

BUFFER NO. 3:	
Development Area Adjacent to:	Internal ROW
Buffer Type Required:	15'W Type 'D'
Wall (Required or Provided):	No
Length of Buffer:	242
REQUIRED TREES:	
Buffer Trees Required (X Trees per 100 LF):	12.1
Buffer Trees Provided:	9
REQUIRED SHRUBS:	
Buffer Shrubs Required (X Shrubs per 100 LF):	161.33
Buffer Shrubs Provided:	165

- BUFFER CONDITIONS:**
1. Walls as required/provided, buffer must be on the adjacent property side of the wall
 2. Palms may not constitute more than 50% of the required buffer trees
 3. See notes for minimum requirements for Buffer Areas

Plant Schedule

Project Number: 2020.057LA-02-CE Program
Date: 1/15/2021

TREES (Florida No. 1)							
QTY	SYM	NATIVE	BOTANICAL	COMMON	SPECS	SPACING	ZONE
12	CD14	YES	Coccoloba diversifolia	Pigeon Plum	14'-16"H x 7'-8"S, 3-1/2"Cal, 65G	As Shown	10b-11a
12	QV	YES	Quercus virginiana	Live Oak	10'-12"H x 4'-5"S, 2"Cal, 25G	As Shown	7a-10b

PALMS (Florida No. 1)							
QTY	SYM	NATIVE	BOTANICAL	COMMON	SPECIFICATIONS	SPACING	ZONE
6	RE14	YES	Roystonea elata	Florida Royal Palm	8'GW, 14'-15'CT, 26'-28'OA, Full Head, Buttressed Trunk	As Shown	10a-11a
9	RE	YES	Roystonea elata	Florida Royal Palm	5'GW, 10'-12'CT, 22'-24'OA, Full Head, Buttressed Trunk	As Shown	10a-11a

SHRUBS (Florida No. 1)							
QTY	SYM	NATIVE	BOTANICAL	COMMON	SPECIFICATIONS	SPACING	ZONE
254	CLU7	YES	Clusia rosea	Pitch Apple	36"H x 24"S, 7G	36"OC	10b-11a
234	CHR	YES	Chrysobalanus icaco 'Red Tip'	Red Tip Cocoplum	24"H x 18"S, 3G	36"OC	9a-11a

GENERAL NOTES

1. The Plant Material for this project must adhere to the City of Bonita Springs Special Overlay District Requirements for US-41 where this project is adjacent to US-41 (Buffer). All Trees/Palms/ must be at least 14'H/14'CT at the time of installation. All Shrubs must be 36"H at time of installation.

William E. Prysti, PLA, ASLA
Date: 2021.01.15 14:51:19 -05'00'

Oak Hammock Office Park at Whiskey Creek
6200 Whiskey Creek Drive
Fort Myers, Florida 33919
Office: (239) 985-1200
Web: www.HoleMontes.com / www.HME.com
Florida Certificate Of Authorization No. 1772



POWER LODGE SPECIAL EXCEPTION
Bonita Springs, Florida
PROJECT: DEHN ENTERPRISES, INC.
SHEET TITLE: LANDSCAPE PLAN

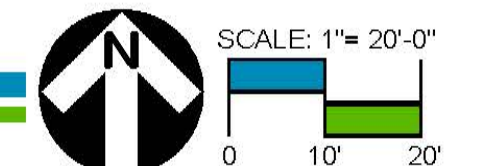
NO.	DATE	REVISION
1	2021/01/15	BA Response

THESE DRAWINGS ARE NOT APPROVED UNLESS SIGNED & SEALED BELOW

WILLIAM E. PRYSTI, PLA, ASLA
FLORIDA PROFESSIONAL LANDSCAPE ARCHITECT REG #0001342
DATE: 2021/01/15

DRAWN BY: WEP DATE: 2020/12/03
PROJECT NO.: 2020057LA
DRAWING NO.: 2020057LA-02-LP1.00
SHEET REFERENCE: 100 LANDSCAPE
SHEET SET NO.: SHEET NO.: LP1.00 1 OF 5

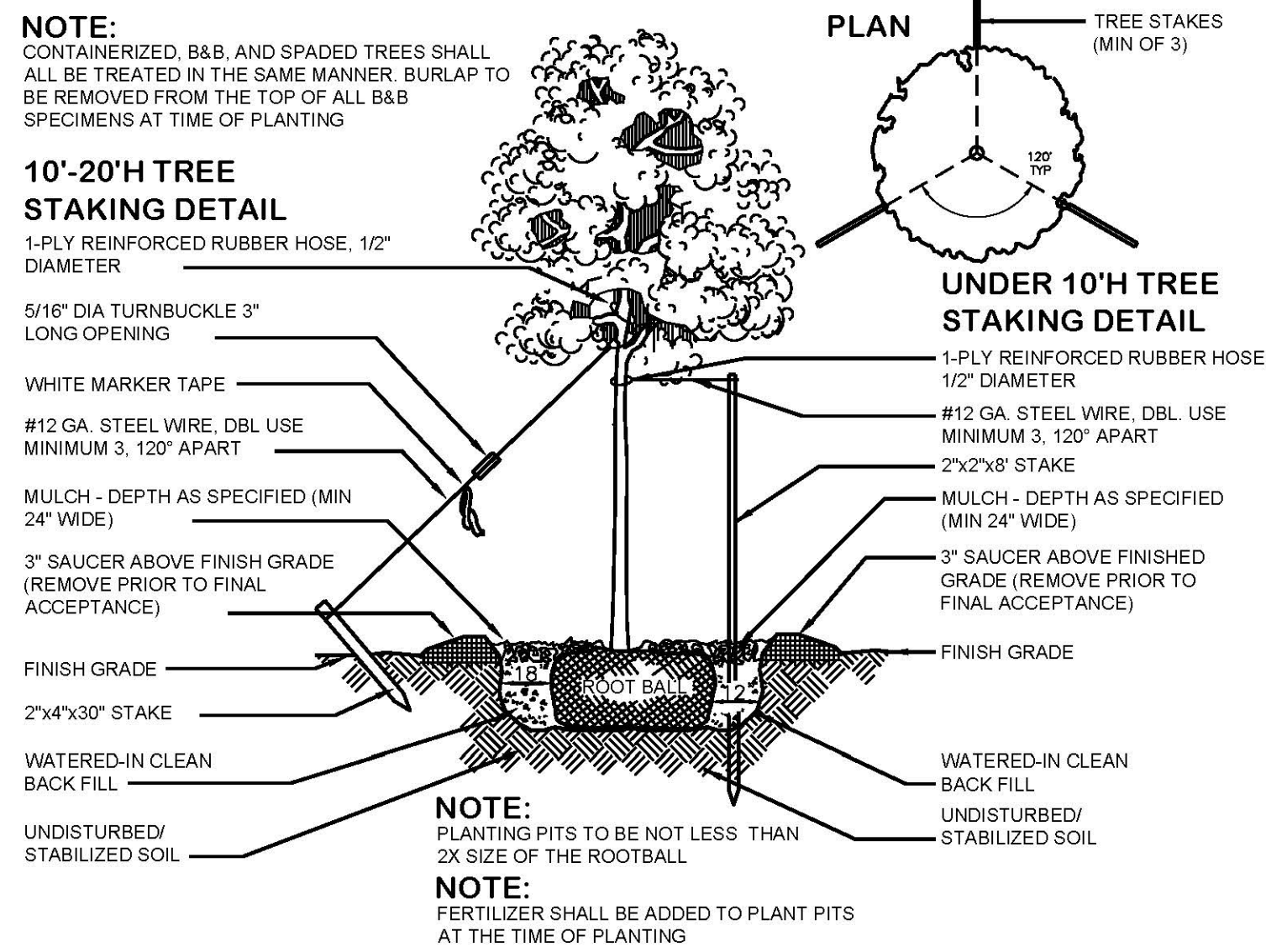
LANDSCAPE PLAN:



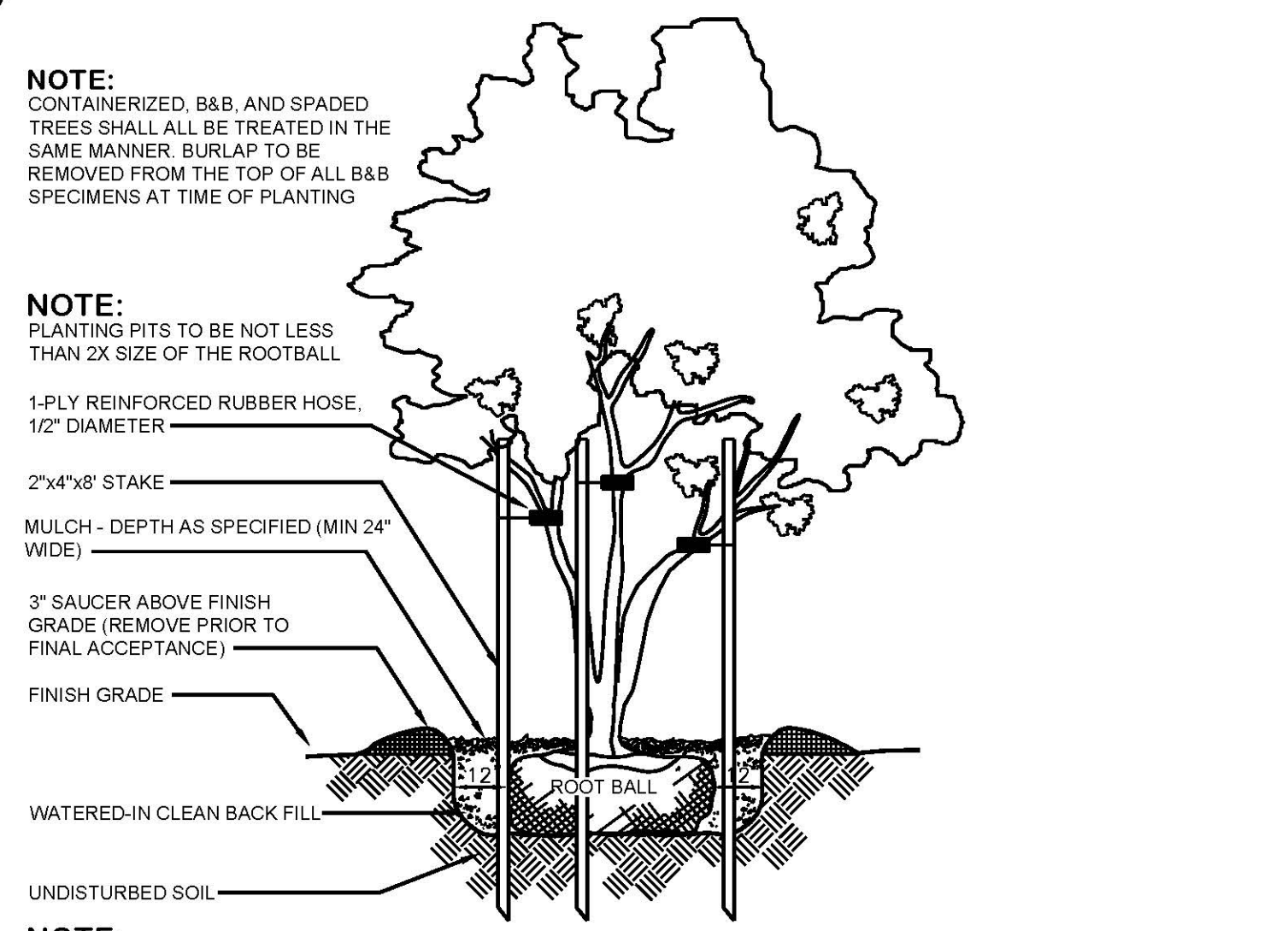
CONSTRUCTION PERFORMANCE REQUIREMENTS:

PERFORMANCE NOTES

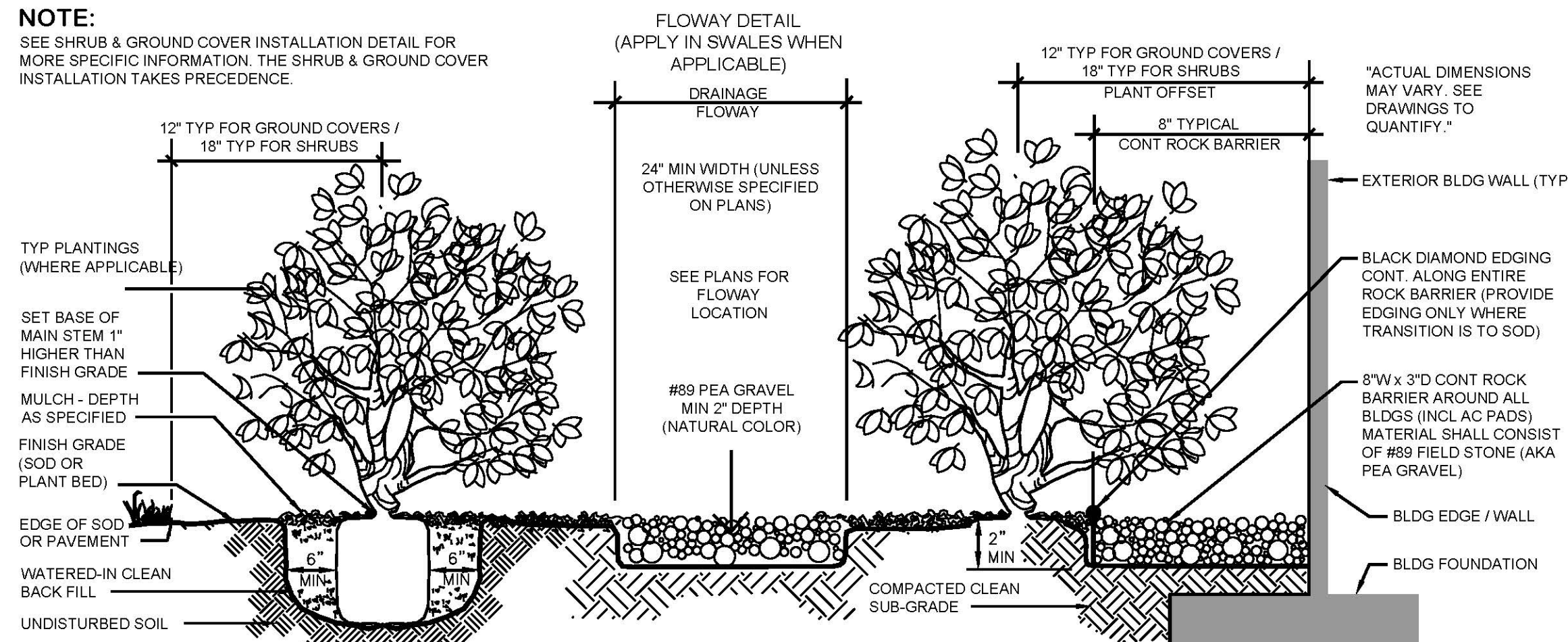
- MULTIPLE DRAWING SHEETS:** This permit set contains multiple sheets of which collectively must be executed together to be in compliance. It is the CONTRACTOR'S responsibility to assure that all of the sheets in this set have been acquired and are the most current consistent with the approved development order or any amendments thereto prior to bidding and execution. If there is any doubt, contact the LANDSCAPE ARCHITECT prior to the commencement of work to have assurance. Working with an obsolete set of drawings will be the sole responsibility of the CONTRACTOR to bear.
- VEGETATION REMOVAL:** Prior to the execution of any work on-site, the CONTRACTOR will acquire the appropriate vegetation removal permits as may/are required by the local jurisdictional agency. Any failure to obtain the appropriate permits prior to the execution of work are the responsibility of the CONTRACTOR.
- CERTIFICATE OF COMPLIANCE:** Prior to receipt of a certificate of occupancy (CO), the CONTRACTOR shall be responsible for coordinating the appropriate inspections of substantial compliance with the LANDSCAPE ARCHITECT. The LANDSCAPE ARCHITECT will be required to determine that the project is in compliance with the permit documents, conditions, and stipulations as a requisite to obtain a certificate of compliance (CC) which precedes the CO.
- PLANTING IN EASEMENTS:** No plants that are 'required' by code may be located within any utility or public easements. Drainage and lake maintenance easements may be planted so long as there are no obstructions to water flow or access for maintenance.
- OVERHEAD POWERLINES:** Where overhead powerlines are present, palms must be at least a palm frond distance away and trees must be at least ten feet (10') away, unless the tree species is such that it will not grow and interfere with the specific powerlines at maturity.
- PLANTING NEAR BUILDINGS:** Trees may not be planted closer than eight feet (8') to any curbs, sidewalks or foundations unless the appropriate root barrier provisions have been included (see details). Trees may not be planted closer than ten feet (10') from any building (depending on building height and tree species).
- SITE PROTECTIONS:** The CONTRACTOR shall be responsible for providing and maintaining the appropriate protections for existing vegetation as herein detailed. All parking lot island applications shall meet the requirements of fill and grades as herein detailed.
- UTILITY CLEARANCES:** There is to be a minimum clearance of seven and one-half feet (7'-6") in front of and to the sides of all fire hydrants, FDC, meters, and utility control valves.
- CANOPY TREES:** All trees and palms planted to meet the requirements of internal 'Canopy' trees (indicated herein as 'Canopy') must be planted where illustrated on the plans and as the species specified.
- PLANT SYMBOL TAGS:** The same species of plant materials may be illustrated with differing symbols. Leaders will define the species and its application. The Plant ID Tags will generally depict the category the material is intended to meet. Actual graphic symbols may vary. See Plant ID Tags for specific uses and the plant schedule for specifications.
- MULCH:** All planting required by the local Land Development Code in effect must be installed with a layer of mulch not less than two inches (2") in depth. See plant schedule for the specification of mulch.
- MINIMUM NATIVE SPECIES:** All trees planted to meet the requirements of code shall meet the minimum standards defined herein. Not less than 75% of all required trees and 50% of all required shrubs must be native species, unless noted to be more restrictive.
- BUILDING PERIMETER PLANTING:** Not more than ten percent (10%) of the required building perimeter landscape area (where applicable) may be planted in sod. Within the jurisdictional limits of the Village of Estero, not more than ten percent (10%) of the required internal landscape areas may be planted in sod and all dry detention basins must be fully planted with natives' grasses or other wetland herbaceous material.
- SUPPORTING DOCUMENTS:** The CONTRACTOR shall note and acknowledge that these approved permit documents include supporting calculations, specifications, requirements, and conditions that are not illustrated on this sheet. However, are made part of the requirements of work to be executed.
- PLANT QUALITY:** All plant material specified for this project shall be Florida no. 1 quality or better (unless specified otherwise as Florida fancy) as defined by grades & standards (latest edition).
- NUISANCE PLANT SPECIES:** The entire project site as defined by these documents must maintain all exotic nuisance species as herein indicated free from the site in perpetuity.



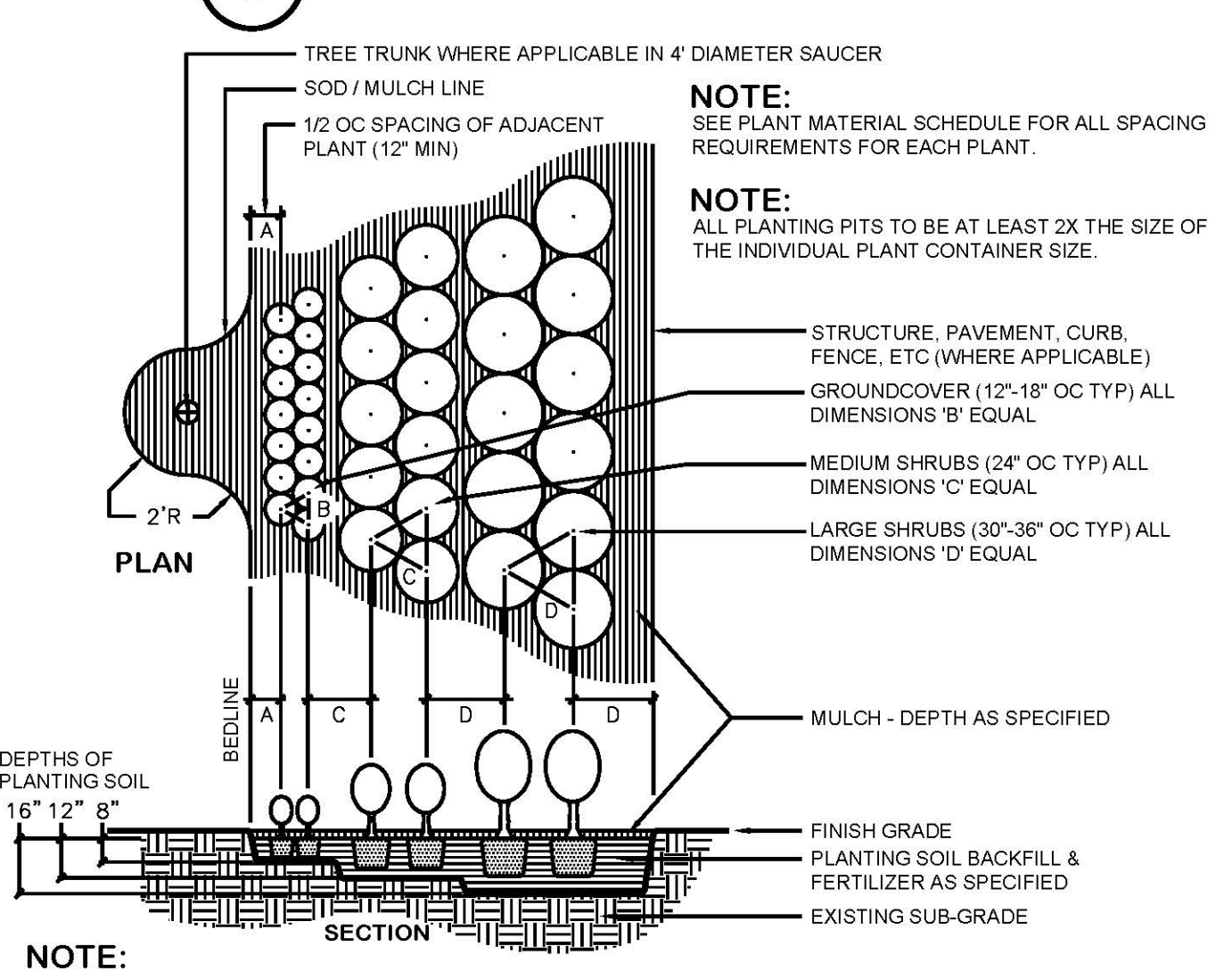
2 SINGLE TRUNK TREE DETAIL (Various Heights)



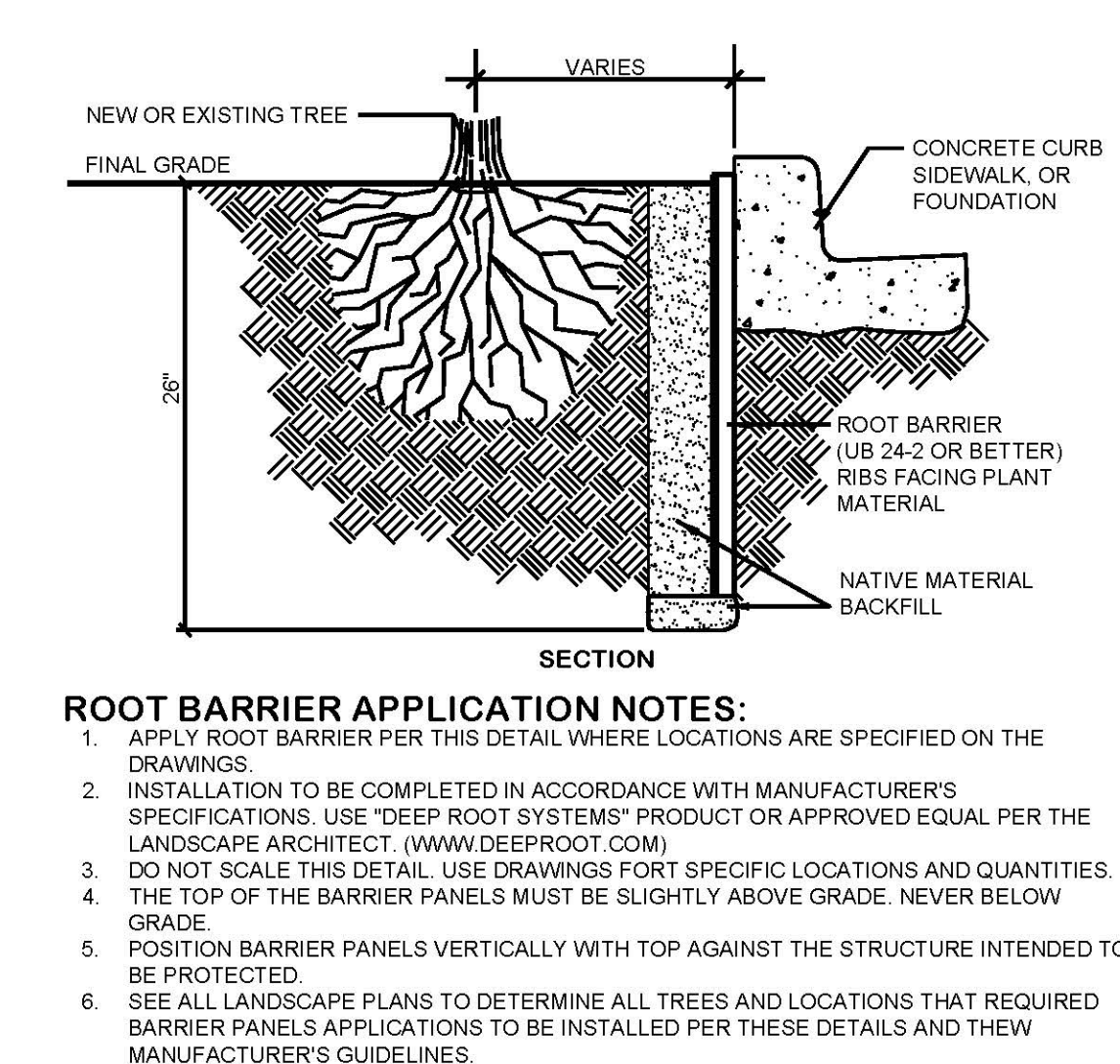
3 MULTI-TRUNK TREE DETAIL



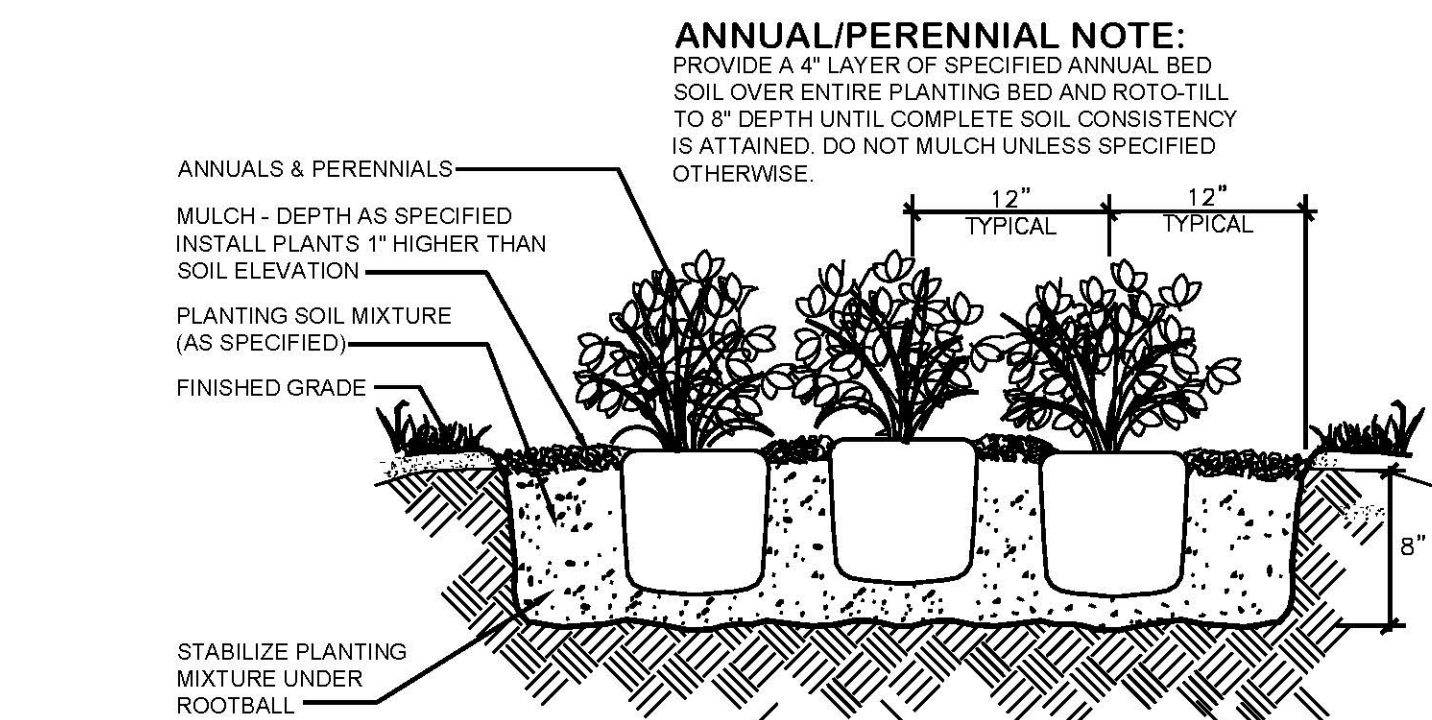
5 SHRUB INSTALLATION | TYPICAL FLOWWAY | STONE EDGING DETAILS



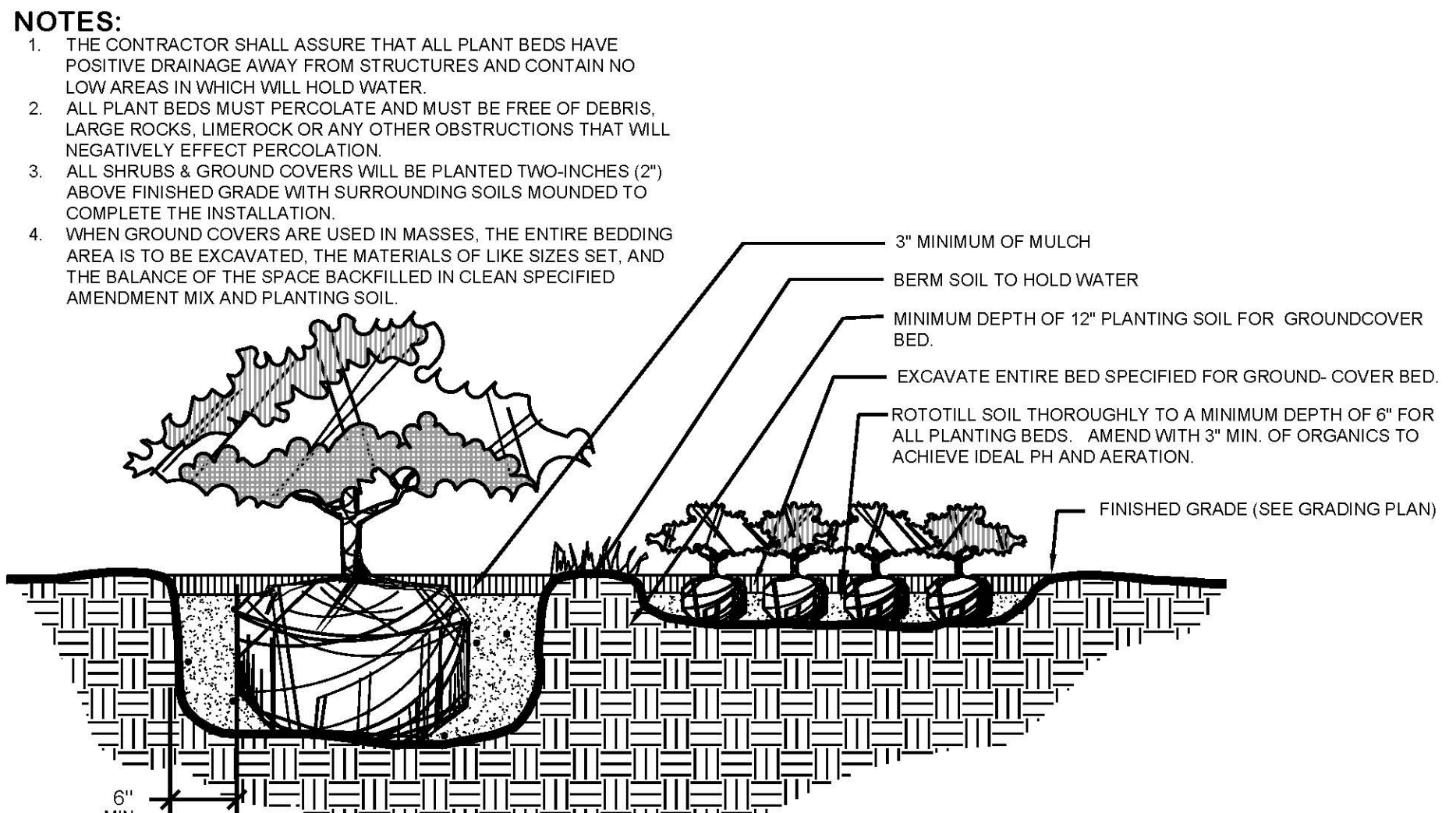
6 TYPICAL PLANT SPACING DETAIL



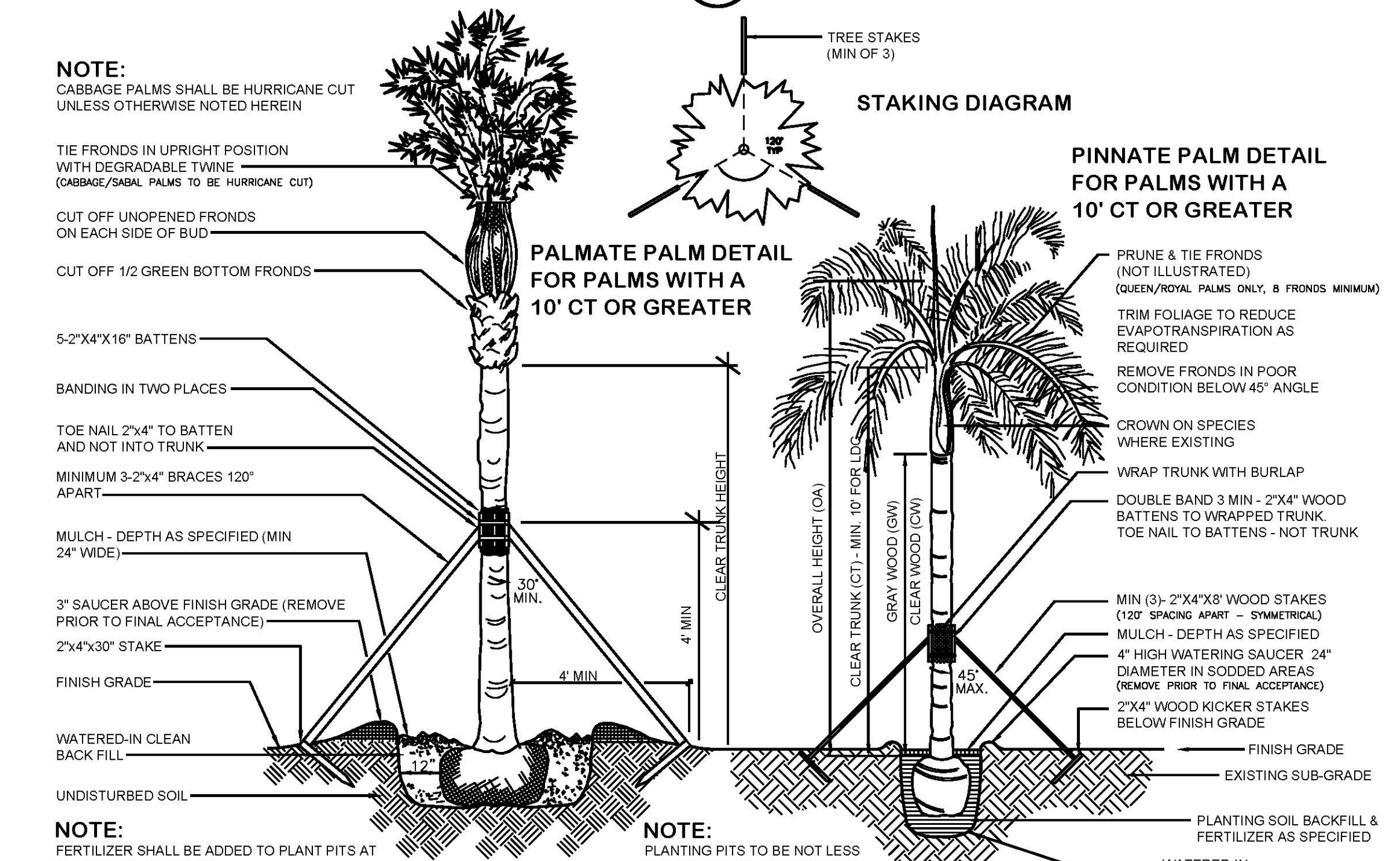
7 TYPICAL ROOT BARRIER DETAIL



1 ANNUAL & PERENNIAL PLANTING DETAIL WITH SOIL AMENDMENTS



4 SHRUB & GROUND COVER INSTALLATION DETAIL 2



8 PALMATE PALM PLANTING DETAIL | PINNATE PALM PLANTING DETAIL

NOTES:

- THE CONTRACTOR SHALL ASSURE THAT ALL PLANT BEDS HAVE POSITIVE DRAINAGE AWAY FROM STRUCTURES AND CONTAIN NO LOW AREAS IN WHICH WILL HOLD WATER.
- ALL PLANT BEDS MUST PERCOLATE AND MUST BE FREE OF DEBRIS, LARGE ROCKS, LIMESTONE OR ANY OTHER OBSTRUCTIONS THAT WILL NEGATIVELY EFFECT PERCOLATION.
- ALL SHRUBS & GROUND COVERS WILL BE PLANTED TWO-INCHES (2") ABOVE FINISHED GRADE WITH SURROUNDING SOILS MOUNDED TO COMPLETE THE INSTALLATION.
- WHEN GROUND COVERS ARE USED IN MASSES, THE ENTIRE BEDDING AREA IS TO BE EXCAVATED, THE MATERIALS OF LIKE SIZES SET, AND THE BALANCE OF THE SPACE BACKFILLED IN CLEAN SPECIFIED AMENDMENT MIX AND PLANTING SOIL.

ANNUAL/PERENNIAL NOTE:
PROVIDE A 4" LAYER OF SPECIFIED ANNUAL BED SOIL OVER ENTIRE PLANTING BED AND ROTO-TILL TO 8" DEPTH UNTIL COMPLETE SOIL CONSISTENCY IS ATTAINED. DO NOT MULCH UNLESS SPECIFIED OTHERWISE.

NOTE (REQUIRED SOIL MIXTURE AMENDMENTS):
REFER TO TECHNICAL SPECIFICATIONS FOR PLANTING SOIL REQUIREMENTS. IF NONE ARE SPECIFIED, THEN MINIMUM MIXTURE SHALL BE 30% PEAT/COMPOST, 30% SAND, & 40% PLANTING SOIL.

LANDSCAPE DETAILS & CONSTRUCTION NOTES (Sheet 2 of 4):

Oak Hammock Office Park at Whiskey Creek
6200 Whiskey Creek Drive
Fort Myers, Florida 33919
Office: (239) 985-1200
Web: www.HoleMontes.com / www.HMIENG.com
Florida Certificate of Authorization No. 1772



POWER LODGE SPECIAL EXCEPTION
Bonita Springs, Florida

PROJECT: PREPARED FOR: DEHN ENTERPRISES, INC.
SHEET TITLE: LANDSCAPE DETAILS & NOTES (Sheet 2 of 4)

NO.	DATE	REVISION

THESE DRAWINGS ARE NOT APPROVED UNLESS SIGNED & SEALED BELOW.

REGISTERED LANDSCAPE ARCHITECT
1342
WILLIAM E. PRYSE, P.C.A., A.S.L.A.
FLORIDA PROFESSIONAL LANDSCAPE ARCHITECT REG. #0001342
DATE: 2020/12/03

DRAWN BY: WEP DATE: 2020/12/03
PROJECT NO.: 2020057LA
DRAWING NO.: 200057LA-02-LP3.01
SHEET REFERENCE: 300 LANDSCAPE
SHEET SET NO.: SHEET NO.: LP3.01 3 of 5

PLANT INSTALLATION & MAINTENANCE STANDARDS

INSTALLATION STANDARDS:

- INSTALLATION:** plant materials must be installed in soil conditions that are conducive to the proper growth of the plant material. Limerock located within planting areas must be removed and replaced with native or growing quality soil before planting. A plant's growth habit must be considered in advance of conflicts that might be created (e.g. views, signage, overhead power lines, lighting, buildings, circulation). Trees may not be placed where they interfere with site drainage, subsurface utilities, or overhead utility lines, or where they will require frequent pruning in order to avoid interference with overhead power lines.
- All landscape materials must be installed in a recognized horticultural correct manner. At a minimum, the following installation requirements must be met:
 - All landscape areas must be mulched unless vegetative cover is already established.
 - Light poles must be located outside of all parking islands containing required or specified trees.
 - Trees and shrubs used in buffers must be planted in a minimum width area equal to one-half the required width of the buffer. However, in no case may the planting area be less than five-feet in width (5'W).
 - All landscaped areas must be provided protection from encroachment by any type of vehicle.
 - All required plants used in buffers and landscaping must be installed using xeriscape principles. Xeriscape principles include water conservation through drought-tolerant landscaping, the use of appropriate plant material, mulching, and the reduction of sodded areas.
 - Utility or drainage easements may overlap required buffers; however, no code required trees or shrubs may be located in any utility easement unless a written statement, from the entity holding the beneficial interest in the easement, is submitted specifically stating that the entity has no objection to the landscaping and, that the proposed landscaping will not interfere with the long term maintenance of the infrastructure within easement area. No code required landscaping may be located in any street easement or right-of-way. To avoid conflicts with overhead utility lines, only trees less than twenty feet (20'H) in height at maturity may be used directly adjacent to an overhead line. Variances or deviations from the requirements of this subsection are prohibited.
- Safe sight distance triangles at intersections and vehicle connections. Where an access way intersects a right-of-way or when a property abuts the intersection of two or more rights-of-way, a minimum safe sight distance triangular area must be established. Within this area, vegetation must be planted and maintained in a way that provides unobstructed visibility at a level between thirty inches (30") and eight-feet (8') above the crown of the adjacent roadway. Landscaping must be located in accordance with the roadside recovery area provisions of the state of Florida Department of Transportation's manual of uniform minimum standards for design, construction, and maintenance of streets and highways (FDOT green book) where appropriate.
- Where signage is located within or adjacent to landscape buffer areas, all trees and shrubs located within landscape buffer must be located so as not to block the view of signage.
 - If a wall is proposed, but not required, then the required buffer plantings must be installed on the exterior side (between the wall and the abutting property or street right-of-way) of the wall or fence. Where a non-opaque decorative fence is proposed, but not required, the planting may straddle the fence so long as not less than fifty percent (50%) of the plant material is on the abutting property side of the decorative fence.

INITIAL MAINTENANCE STANDARDS:

- Maintenance of Landscaping:** the OWNER is responsible for maintaining the required landscaping in a healthy and vigorous condition at all times. Tree and palm staking must be removed within twelve (12) months after installation. All landscapes must be kept free of refuse, debris, disease, pests, and weeds. Ongoing maintenance to prohibit the establishment of prohibited invasive exotic species is required. The CONTRACTOR is responsible for maintenance through substantial compliance.
- Pruning:** vegetation required by this code may only be pruned to promote healthy, uniform, natural growth of the vegetation (except where necessary to promote health, safety, and welfare) and be in accordance with "American National Standard for Tree Care Operations - Tree, Shrub, and Other Woody Plant Maintenance - Standard Practices (Pruning) (A300, part 1)" by the American National Standard Institute, and "Best Management Practices: Tree Pruning" by the International Society of Arboriculture (ISA).

Trees must not be severely pruned to permanently maintain growth at a reduced height or spread. Pruning must not interfere with the design intent of the original installation. Severely pruned trees must be replaced by the property owner. Replacement trees must meet the minimum tree size requirements of local code. A plant's growth habit must be considered in advance of conflicts which might arise (i.e. views, signage, overhead power lines, lighting, circulation, sidewalks, buildings, and similar conflicts). Any 'hat-racking, balling, or topping' of trees is prohibited.
- Maintenance Schedule:** A monthly landscape maintenance meeting shall be held between the Contractor of Record (or highered Maintenance Contractor) and OWNER to review and address landscape maintenance issues. These meetings shall include a site drive-through to observe landscape conditions and identify problem areas to be addressed by the landscape maintenance contractor. The landscape contractor shall implement the maintenance guidelines for turf, trees, palms, shrubs and groundcovers found below and communicate to the client any changes, discrepancies or alterations to the maintenance schedule and techniques.
- See the accompanying "Landscape Management Manual" for specific outline, conditions, and tasks for successful ongoing care of the landscape implemented.

PERMITTING, GRADING, & PLANTING

PERMITTING NOTES:

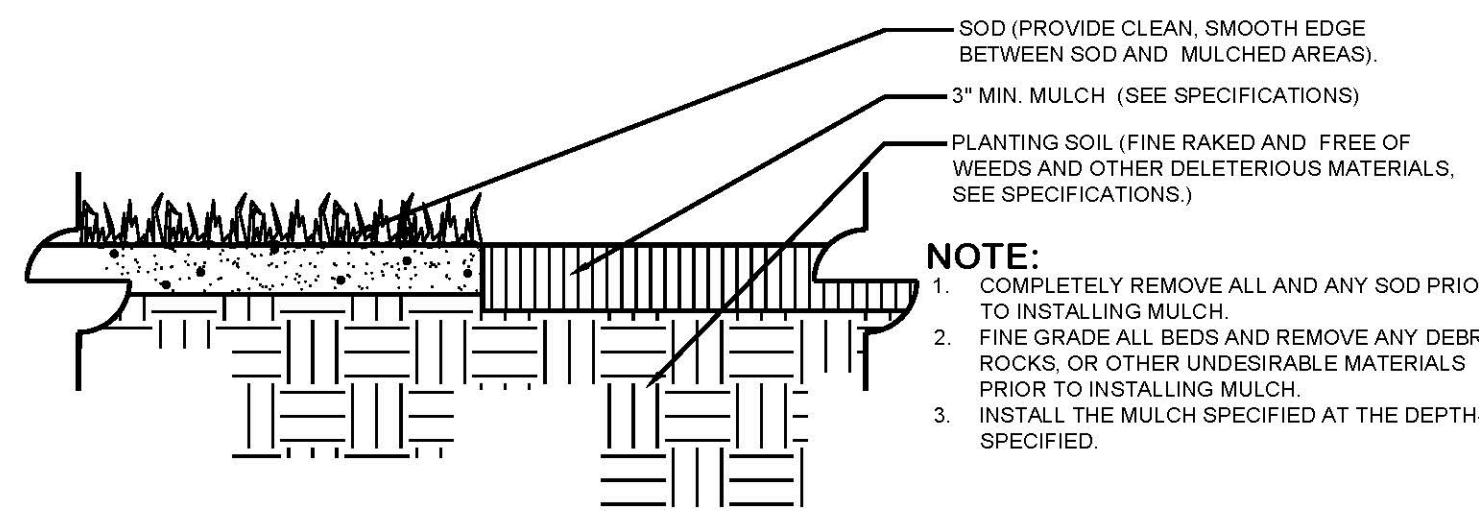
- WORK PREPARATION:** The CONTRACTOR shall be responsible for the location of all utilities and services both underground and overhead prior to the commencement of work. Protection of all utilities, appliances, and services throughout the course of work is required.
- COORDINATION OF WORK:** Coordinate all work with all trades so as to avoid and conflict with the execution of work by others. The OWNER shall not be responsible for the damage to plant materials caused by any trades through the course of work prior to final acceptance. The condition of plant material shall be in accordance to the quality standards specified herein.
- UTILITY LOCATIONS:** Call "811" at least 48 hours prior to the execution of work to have all underground utilities located. This is a mandatory measure that must be conducted prior to commencement of any work on the project.
- VEGETATION REMOVAL:** At no time may any work on the site commence without a valid vegetation removal permit as required by and made part of the permit documents. The CONTRACTOR is fully responsible for obtaining this permit prior to work and for any consequences that arise from the lack thereof.
- CONTRACTOR UTILITIES:** The CONTRACTOR assumes full responsibility for executing these documents as drawn, specified, and required. Any rework associated with the failure to execute these documents as illustrated shall be done at the CONTRACTOR'S consequence unless duly coordinated with the OWNER and LANDSCAPE ARCHITECT in writing prior to substantial compliance.

GRADING NOTES:

- GRADING & DRAINAGE:** It shall be the responsibility of the CONTRACTOR to finish grade all landscape areas eliminating all bumps, depressions, rocks, sticks, or other debris prior to the installation of any plant material. The CONTRACTOR shall also be responsible for maintaining positive sheet flow drainage away from all structures and in accordance with all drainage ways shown or implied on the civil grading & drainage drawings. See detail this sheet for additional flow way work requirements.
- FINE GRADING:** All areas will be fine graded with a drag mat or grading rake to blend all imperfections and to remove surface debris (in excess of two-inches; 2") prior to sodding, mulching, and as a condition of final acceptance
- STABILIZING GRADES:** The CONTRACTOR will be responsible for stabilizing grades using approved methods prior to landscape installation. Any repairs, alterations, or efforts to restore specified grades must be done prior to sodding or mulching.
- ROUGH GRADING:** Rough grading must be reviewed and approved by either the ENGINEER or LANDSCAPE ARCHITECT prior to final grading or the commencement of any landscape installations. All grades must be maintained as delineated on the site civil grading & drainage drawings as a prerequisite to final acceptance.

LANDSCAPE PLANTING EXECUTION:

- Sod:** Sod used on the project shall be type specified herein and shall be provided throughout or as indicated. All swales and drainage system berms shall be sodded unless indicated otherwise. All disturbed areas off-site shall be sodded or replaced with like vegetation damaged or removed prior to final acceptance.
- Guarantees:** The CONTRACTOR shall provide a guarantee and warrant all workmanship, products, and plant materials for a period of not less than one (1) year from the date of final acceptance. No guarantees that warrant any of the aforementioned for a period of time less than that stated herein shall be considered valid. These drawings supersede any time period that are may conflict. The CONTRACTOR may not offer any warranties or guarantees that are less than those indicated in these contract documents. The CONTRACTOR shall indemnify the OWNER against any documents signed that may conflict with this requirement for the CONTRACTOR to fulfill.
- Soil Testing:** The CONTRACTOR is fully responsible for providing and bearing the costs for all soil tests, soil amendments, and/or fertilizers that may be indicated as necessary through a soil test analysis. If the CONTRACTOR does not provide soil tests as specified, the CONTRACTOR shall bear full responsibility for any adverse impacts affected by the failure to execute these tasks or for any improper fertigation that may be applied.
- Plant locations:** The CONTRACTOR shall field locate all plant material either by staking or placement of plants in containers for review and approval of the LANDSCAPE ARCHITECT prior to installation. Any movement or re-execution of work determined necessary by the LANDSCAPE ARCHITECT due to the failure to have locations pre-approved will be reworked at the CONTRACTOR'S consequence.
- Specifications:** Any failure by the CONTRACTOR to adhere to the specifications herein delineated within these documents may require the re-execution of work/services, replacement of materials, or rejection of work applied.
- Grow bags:** Trees or any other materials previously grown in grow bags or grow bag material are strictly prohibited.
- Familiarity with Documents:** See all plans, details, and specification sheets for a complete outline of requirements for the project.



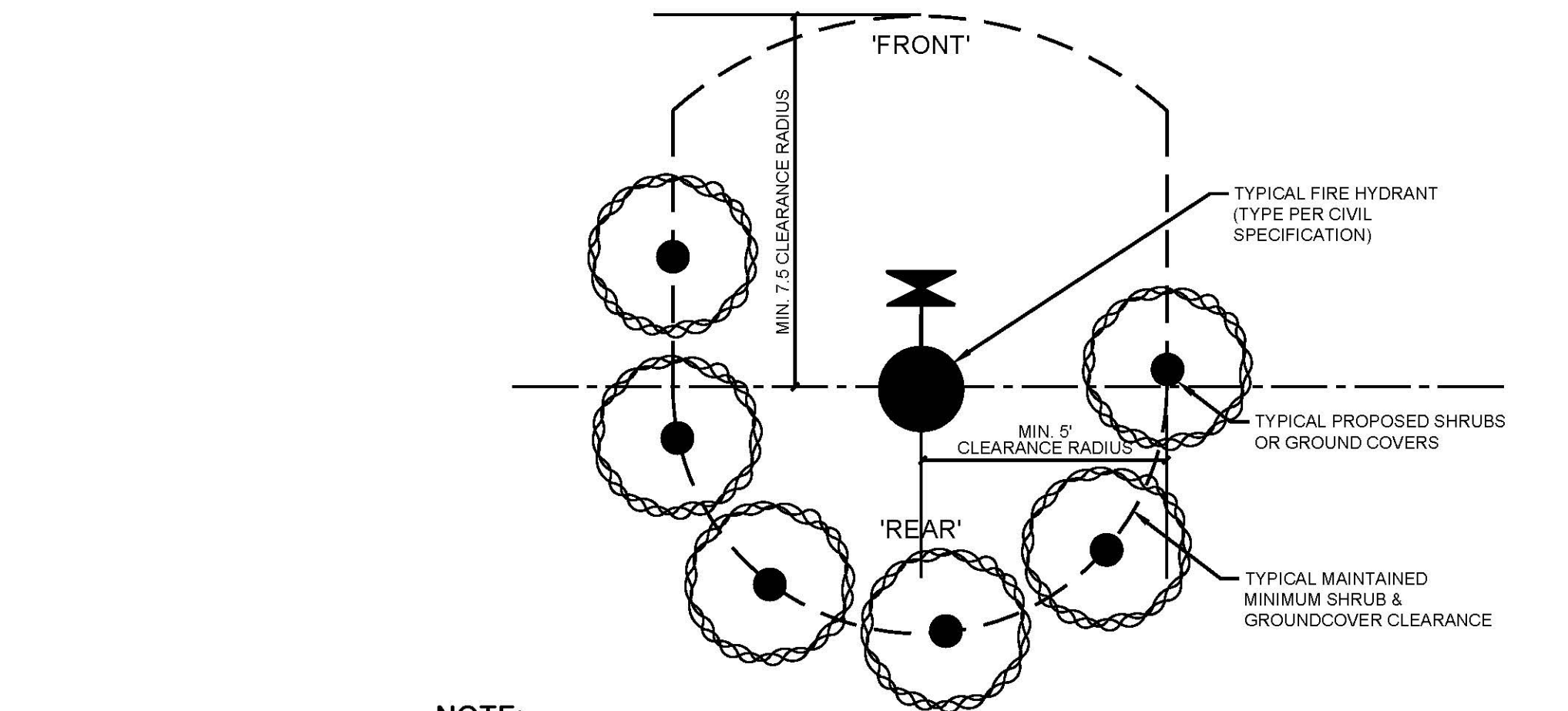
- NOTE:**
- COMPLETELY REMOVE ALL AND ANY SOD PRIOR TO INSTALLING MULCH.
 - FINE GRADE ALL BEDS AND REMOVE ANY DEBRIS, ROCKS, OR OTHER UNDESIRABLE MATERIALS PRIOR TO INSTALLING MULCH.
 - INSTALL THE MULCH SPECIFIED AT THE DEPTHS SPECIFIED.

10 MULCH APPLICATION DETAIL

CONSTRUCTION PERFORMANCE REQUIREMENTS:

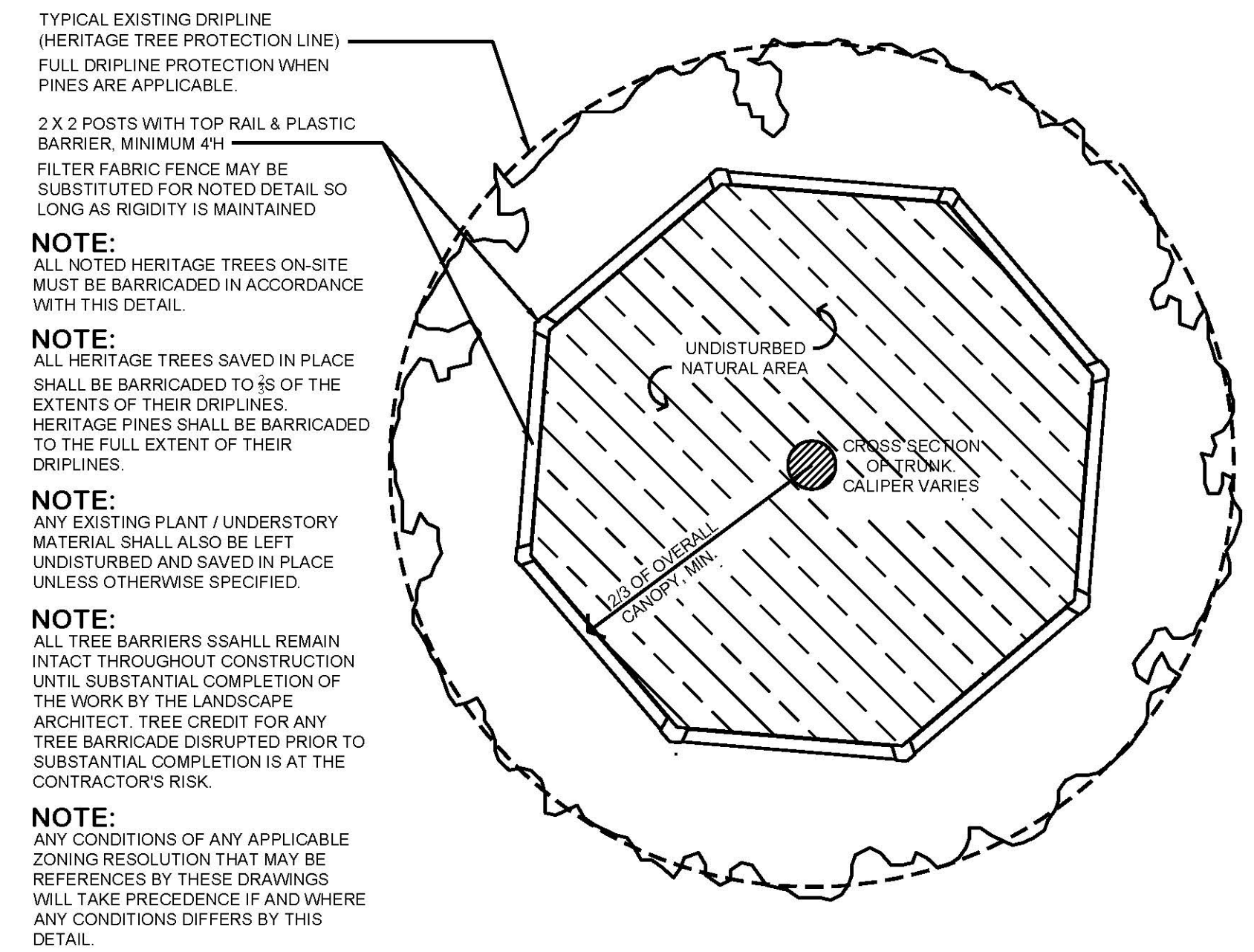
PERFORMANCE NOTES

- MULTIPLE DRAWING SHEETS:** This permit set contains multiple sheets of which collectively must be executed together to be in compliance. It is the CONTRACTOR'S responsibility to assure that all of the sheets in this set have been acquired and are the most current consistent with the approved development order or any amendments thereto prior to bidding and execution. If there is any doubt, contact the LANDSCAPE ARCHITECT prior to the commencement of work to have assurance. Working with an obsolete set of drawings will be the sole responsibility of the CONTRACTOR to bear.
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- CERTIFICATE OF COMPLIANCE:** Prior to receipt of a certificate of occupancy (CO), the CONTRACTOR shall be responsible for coordinating the appropriate inspections of substantial compliance with the LANDSCAPE ARCHITECT. The LANDSCAPE ARCHITECT will be required to determine that the project is in compliance with the permit documents, conditions, and stipulations as a requisite to obtain a certificate of compliance.
- PLANTING IN EASEMENTS:** No plants that are 'required' by code may be located within any utility or public easements. Drainage and lake maintenance easements may be planted so long as there are no obstructions to water flow or access for maintenance.
- OVERHEAD POWERLINES:** Where overhead powerlines are present, palms must be at least a palm front distance away and trees must be at least ten feet (10') away, unless the tree species is such that it will not grow and interfere with the specific powerlines at
- PLANTING NEAR BUILDINGS:** Trees may not be planted closer than eight feet (8') to any curbs, sidewalks or foundations unless the appropriate root barrier provisions have been included (see details). Trees may not be planted closer than ten feet (10') from any building (depending on building height and tree species).
- SITE PROTECTIONS:** The CONTRACTOR shall be responsible for providing and maintaining the appropriate protections for existing vegetation as herein detailed. All parking lot island applications shall meet the requirements of fill and grades as herein
- UTILITY CLEARANCES:** There is to be a minimum clearance of seven and one-half feet (7'-6") in front of and to the sides of all fire hydrants, FDC, meters, and utility control
- CANOPY TREES:** All trees and palms planted to meet the requirements of internal 'Canopy' trees (indicated herein as 'Canopy') must be planted where illustrated on the plans and as the species specified.
- PLANT SYMBOL TAGS:** The same species of plant materials may be illustrated with differing symbols. Leaders will define the species and its application. The Plant ID Tags will generally depict the category the material is intended to meet. Actual graphic symbols may vary. See Plant ID Tags for specific uses and the plant schedule for specifications.
- MULCH:** All planting required by the local Land Development Code in effect must be installed with a layer of mulch not less than two inches (2") in depth. See plant schedule for the specification of mulch.
- NATIVE PLANT SPECIES:** All tree planted to meet the requirements of codes shall meet the minimum standards defined herein. Not less than seventy-five percent (75%) of all required trees and palms & fifty percent (50%) of all required shrubs must be native species to the state of Florida, unless otherwise noted herein to be more restrictive.
- BUILDING PERIMETER PLANTING:** Not more than ten percent (10%) of the required building perimeter landscape area (where applicable) may be planted in sod. Within the jurisdictional limits of the Village of Estero, not more than ten percent (10%) of the required internal landscape areas may be planted in sod and all dry detention basins must be fully planted with natives' grasses or other wetland herbaceous material.
- SUPPORTING DOCUMENTS:** The CONTRACTOR shall note and acknowledge that these approved permit documents include supporting calculations, specifications, requirements, and conditions that are not illustrated on this sheet. However, are made part of the requirements of work to be executed.
- PLANT QUALITY:** All plant material specified for this project shall be Florida no. 1 quality or better (unless specified otherwise as Florida fancy) as defined by grades & standards (latest edition).
- NUISANCE PLANT SPECIES:** The entire project site as defined by these documents must maintain all exotic nuisance species as herein indicated free from the site in perpetuity.



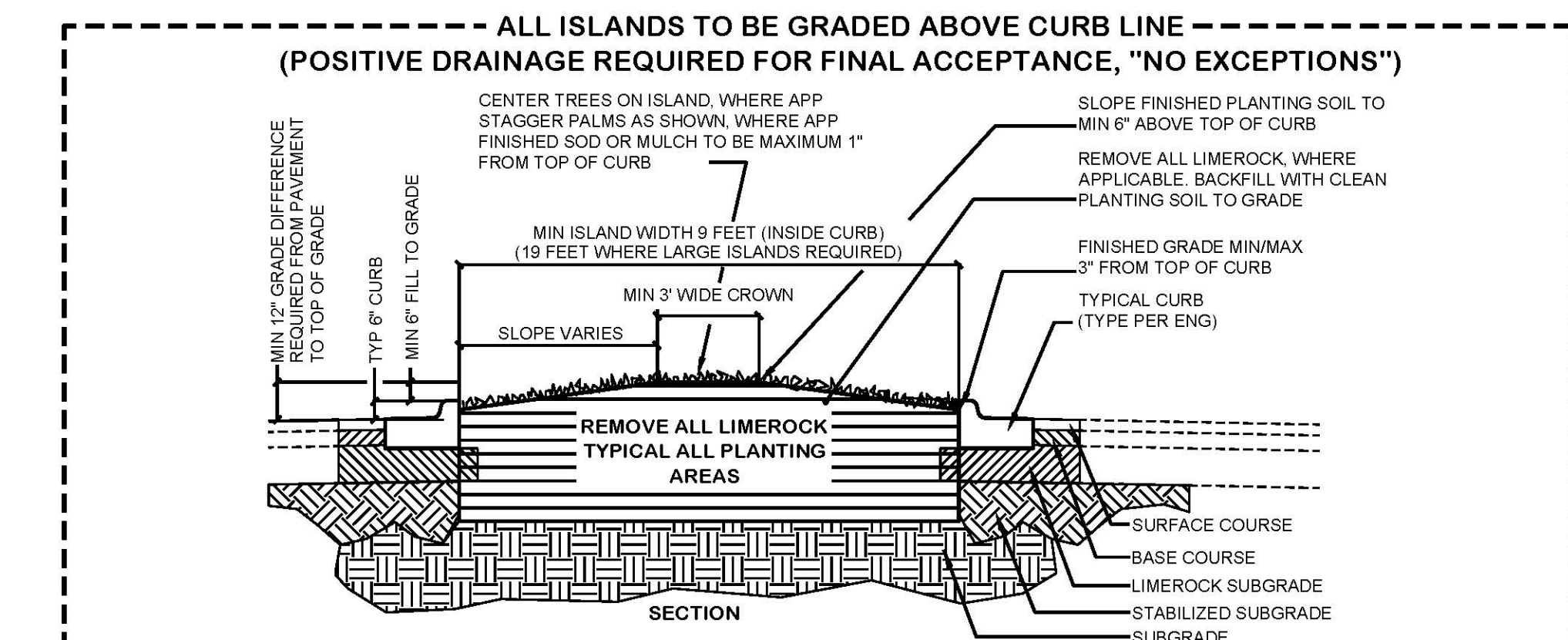
- NOTE:** REQUIRED SHRUBS & GROUND COVERS THAT ARE IN PROXIMITY TO ABOVE GROUND LIFE SAFETY APPLIANCES SUCH AS FIRE HYDRANTS, FDC DEVICES, BACK FLOW PREVENTORS AND OTHER SUCH ALLIANCES CANNOT BE PLANTED WITHIN THE DIMENSIONS DESCRIBED BY THIS DETAIL.
- NOTE:** IF ANY OF THE PRESCRIBED LIFE SAFETY UTILITY APPLIANCES FALL WITHIN AN EASEMENT, THEN NO TREES OR PALMS MAY BE LOCATED WITHIN THE EASEMENTS.

9 UTILITY APPLIANCES CLEARANCE DIAGRAM



- NOTE:** ALL NOTED HERITAGE TREES ON-SITE MUST BE BARRICADED IN ACCORDANCE WITH THIS DETAIL.
- NOTE:** ALL HERITAGE TREES SAVED IN PLACE SHALL BE BARRICADED TO 1/3 OF THE EXTENTS OF THEIR DRIPLINES. HERITAGE PINES SHALL BE BARRICADED TO THE FULL EXTENT OF THEIR DRIPLINES.
- NOTE:** ANY EXISTING PLANT / UNDERSTORY MATERIAL SHALL ALSO BE LEFT UNDISTURBED AND SAVED IN PLACE UNLESS OTHERWISE SPECIFIED.
- NOTE:** ALL TREE BARRIERS SHALL REMAIN INTACT THROUGHOUT CONSTRUCTION UNTIL SUBSTANTIAL COMPLETION OF THE WORK BY THE LANDSCAPE ARCHITECT. TREE CREDIT FOR ANY TREE BARRICADE DISRUPTED PRIOR TO SUBSTANTIAL COMPLETION IS AT THE CONTRACTOR'S RISK.
- NOTE:** ANY CONDITIONS OF ANY APPLICABLE ZONING RESOLUTION THAT MAY BE REFERENCES BY THESE DRAWINGS WILL TAKE PRECEDENCE IF AND WHERE ANY CONDITIONS DIFFERS BY THIS DETAIL.

12 TYPICAL HERITAGE TREE PROTECTION DETAIL



- NOTE (GRADING & POSITIVE DRAINAGE):** ABSOLUTELY NO EXPOSED CURBS OR SIDEWALKS SHALL BE ACCEPTED. FINAL GRADING SHALL BE WITHIN ONE INCH (1") OF THE TOP OF CURB OR EDGE. THE CENTER POINT OF THE PARKING LOT ISLAND SHALL BE NOT LESS THAN THREE INCHES (3") ABOVE THE CURB LINE TO ASSURE POSITIVE DRAINAGE IN ALL DIRECTIONS.
- NOTE (LIMEROCK EXTRACTION):** ABSOLUTELY NO EXPOSED CURBS OR SIDEWALKS SHALL BE ACCEPTED. NO LIMEROCK MAY BE ALLOWED WITHIN PLANTING BED AREA (I.E. INSIDE CURBED AREA). THE CONTRACTOR SHALL RE-EXECUTE WORK IF ANY OF THE NOTED CONDITIONS OF THIS DETAIL ARE NOT FOLLOWED.

11 TYPICAL PARKING LOT ISLAND | CURB TRANSITION DETAIL

LANDSCAPE DETAILS & CONSTRUCTION NOTES (Sheet 3 of 4):

Oak Hammock Office Park at Whiskey Creek
6200 Whiskey Creek Drive
Fort Myers, Florida 33919
Office: (239) 985-1200
www.HoleMontes.com / www.HMIEng.com
Florida Certificate Of Authorization No. 1772

ENGINEERS, LANDSCAPE ARCHITECTS, PLANNERS, SURVEYORS

POWER LODGE SPECIAL EXCEPTION
Bonita Springs, Florida

PROJECT: PREPARED FOR: DEHN ENTERPRISES, INC.

SHEET TITLE: LANDSCAPE DETAILS & NOTES (Sheet 3 of 4)

DATE: 2023/01/15

REVISION: REV 1

DATE: 2020/12/03

PROJECT NO.: 2020057LA

DRAWING NO.: 200057LA-02-LP3.02

SHEET REFERENCE: 300 LANDSCAPE

SHEET SET NO.: LP3.02

SHEET NO.: 4 of 5

THESE DRAWINGS ARE NOT APPROVED UNLESS SIGNED & SEALED BELOW

REGISTERED LANDSCAPE ARCHITECT

1342

WILLIAM E. PRYSE, P.L.A. ASLA
FLORIDA PROFESSIONAL
LANDSCAPE ARCHITECT REG.
#0001342
DATE:

DRAWN BY: WEP DATE: 2020/12/03

PROJECT NO.: 2020057LA

DRAWING NO.: 200057LA-02-LP3.02

SHEET REFERENCE: 300 LANDSCAPE

SHEET SET NO.: LP3.02

SHEET NO.: 4 of 5

ALTERNATIVE PLANT SPECIES:

Acceptable Plant Alternative Notes:

- SPECIFIED MATERIALS:** Where the Plant Material Schedule specifies specific plant materials, those materials MUST be installed as prescribed. The written acceptance from the LANDSCAPE ARCHITECT is required for all and any alternatives than those specified on the Plant Material Schedule.
- ALTERNATIVE LANDSCAPE BETTERMENT PLAN:** At no time may any plant material or species specified on these plans be altered, changed, or revised when an Alternate Landscape Betterment Plan has been issued. Any changes to plant materials under the conditions of an Alternative Landscape Betterment Plan will warrant a Minor Change to the Development Order and any cost and fees associated to do so.
- ALTERNATIVE SPECIES:** Alternates to plants specified herein are acceptable for use on this project and is acknowledged that at times specified species may not be available. However, all alternatives must be accompanied with the written approval of the LANDSCAPE ARCHITECT. Canopy (VUA) trees as identified as such by these drawings as applicable to code conditions must be species that attain a spread of not less than thirty feet (30'S) at maturity. <<"> Indicates Native Species.

ALTERNATIVE SPECIES LIST:

General Trees (Minimum 30' Spread at Maturity & 75% Native)

Gumbo Limbo	Bursar simaruba
Laurel Oak	Quercus laurifolia
Live Oak	Quercus virginiana
Mahogany	Sweetenia mahogany
Mastic Tree	Mastichodendron foetidissium
Paradise Tree	Simarouba glauca
Shady Lady Black Olive	Bucida bucerus 'Shady Lady'
Southern Slash Pine	Pinus elliotti 'densa'

General Trees (Minimum 20' Spread at Maturity & 75% Native)

Green Buttonwood	Conocarpus erectus
Orange geiger	Cordia sebestena
Paradise Tree	Simarouba glauca
Pigeon Plum	Coccoloba diversifolia
Satin Leaf	Chrysophyllum oliviforme
Seagrape	Coccoloba uvifera
Silver Buttonwood	Conocarpus erectus 'servicea'

General Trees for Wetland or Detention Basin Applications

Acer rubrum	Red Maple
Bald Cypress	Taxodium distichum
Dahoon Holly	Ilex cassine
Pond Cypress	Taxodium ascendens
Sweetbay Magnolia	Magnolia virginiana

Palms:

Paurotis Palm	Acoelorrhaphes wrightii
Royal Palm	Roystonea elata
Sabal Palm	Sabal palmetto

Shrubs (Minimum Size per Code & 50% Native)

Coral Bean	Crythrina berbera
Cocoplum	Chrysobalanus icaco
Cootite	Zamia floridana
Fakatchee Grass	Tripsacum dactyloides
Firebush	Hamelia patens
Green Buttonwood	Conocarpus erectus
Jamaica Caper	Capparis cynophallophora
Muhly Grass	Mulbergia capillaris
Saw Palmetto	Serenoa repens
Silver Buttonwood	Conocarpus erectus 'servicea'
Spanish Stopper	Eugenia foetida
Spartina / Sand Cordgrass	Spartina bakerii
Yaupon Holly	Ilex vomitoria

Replacement Plants After Compliance

The plant material noted as acceptable alternatives above may not be conducive to the specific location of the site. This is a generalized list of plant species that are native and work well in most instances throughout the region. However, may not be fully compatible with the site in this location. The Owner, Association, Property Manager, or Contractor is advised to consult with the LANDSCAPE ARCHITECT of record before implementing any alternative species. It is the responsibility of the parties involved in any alternative applications to assure that the material being used is conducive to the application and the location of the site.

IMPORTANT NOTICE TO CONTRACTORS:

CONTRACT & BIDDING DOCUMENTS:

- The CONTRACTOR upon award of contract for the work depicted in these documents (aka contract documents), acknowledges that the data, plans, terms, conditions, and covenants herein set forth are the sole responsibility of the CONTRACTOR to execute as approved and required by the relevant jurisdictional agencies. The same holds true in that no terms defined by the CONTRACTOR'S agreement with the owner may be less restrictive or warrant otherwise defined herein.
- The CONTRACTOR upon award of contract further acknowledges that any significant deviations to these approved permit documents (contract documents) will require that as-built drawings and/or minor change applications will be required to be prepared by the CONTRACTOR to the LANDSCAPE ARCHITECT for submittal to the relevant jurisdictional agencies as required.
Any significant deviations to these documents that were conducted by the CONTRACTOR without the specific direction of the OWNER shall become the sole responsibility of the CONTRACTOR to rectify, where and as necessary as directed by the LANDSCAPE ARCHITECT to be compliant with these contract documents. The CONTRACTOR shall be responsible for repairing, correcting, or restoring any deviations to these approved permit documents prior to certification of substantial compliance by the LANDSCAPE ARCHITECT and receipt of a certificate of compliance by the jurisdictional agency.
OR
The CONTRACTOR shall be responsible for the costs and expenses of preparing the required as-built or minor change documents that shall be produced by the LANDSCAPE ARCHITECT. The fees for this service shall not be less than \$1,000.00 (plus an additional \$100.00 for the minor change application fee, where applicable). The fees shall be paid by the CONTRACTOR to the LANDSCAPE ARCHITECT prior to and as a prerequisite for substantial compliance of the work illustrated herein. Actual final fees and expenses shall be determined based upon the work required, time, and expenses incurred and issued to the CONTRACTOR for payment. Any delays associated with the time taken to apply these services and/or receipt of any relevant certificate of compliance shall be the sole responsibility of the CONTRACTOR.
- The CONTRACTOR shall be absolved of the responsibility of the aforementioned billable work, services and fees if the significant deviations were directed by the OWNER or APPLICANT and done so in writing and submitted to the LANDSCAPE ARCHITECT prior to execution/certification.
- The CONTRACTOR must adhere to the entirety of these drawings as delineated, noted, defined, and specified. Any deviations to such must be done so in writing and approved by the LANDSCAPE ARCHITECT and/or OWNER.

MATERIAL SCHEDULE NOTES:

PERFORMANCE NOTES

- QUANTITIES:** plans quantities & references shall take precedence over schedules at all times. If materials are indicated on the schedule and not the drawings or details, then the material is not part of the plans or illustrated depictions of work (NIC). If a material is indicated on the plans and not on the schedule, then contact the LANDSCAPE ARCHITECT immediately for a clarification. All quantities are found on the drawings & the schedule quantities are for reference only. The CONTRACTOR shall provide their own take-offs in accordance with these contract documents.
- REFERENCES:** If at any time on the drawings there is a conflict between the actual number of plant materials items (as illustrated) or the quantities in the plant material schedule itself, and the plant leader id tags, the plant leader ID tag shall govern at all times.
- LITTORALS:** the littoral planting drawings and required Deep Lake Management Plan trees (where applicable) shall be installed as illustrated and specified herein and per the All littoral and Deep Lake Management applications must be native species. See littoral planting zone diagram on the calculations sheet for reference to the appropriate planting zone for the of the installation. Aforementioned and/or specified littoral plants. Planting outside of the defined zones per plant type may warrant rejection
Littoral plantings are not required to be irrigated unless delineated as such on the irrigation drawings. Littorals must be maintained with not less than an eighty percent (80%) survival rate in perpetuity (100% at time of substantial compliance as required by code).
The required littoral plants may be indicated on the drawings as "LLP". A selection of not less than three (3) species must be installed as specified on this schedule unless specified otherwise. Combinations of shrubs & trees may be taken in accordance to the ratios defined.
- CONTAINER SIZES:** the size of all plant material specified shall supersede any conflicts with containers sizes. The minimum dimensions specified shall govern over container size.
- ACCEPTABLE PLANT MATERIAL:** see approved/acceptable plant materials list for plant selections on this project. Minimum native/exotic ratios must be maintained to meet code.

HERITAGE TREE & SABAL (CABBAGE) PALM NOTES:

HERITAGE TREES:

- The Drawings depict the accurate locations and caliper sizes of the existing Heritage Trees designated both as to remain and to be removed.
- Due to existing over growth and exotic plant infestations, it is not possible to get an accurate count of the existing heritage trees and cabbage palms on-site which fall into the required status for relocation. The applicant agrees to a condition to have an on-site meeting with representatives of the local jurisdiction and LANDSCAPE ARCHITECT subsequent of the vegetation removal permit and prior to clearing. The objective will be to clear in a manner that saves all existing heritage trees and cabbage palms for the purposes of meeting the intent of the code.
- If any existing Heritage Trees that are being credited towards the general tree requirements are impacted by development, they will be replaced in common open space areas at a ratio of one (1) twenty foot (20'H) tree of the same or similar species for each Heritage Tree impacted.
- If any additional Heritage Trees are identified that must be removed due to construction, a minor change shall be submitted to take into account the additional Heritage Tree replacement requirements.
- Protective barrier fences for native Heritage Tree preservation areas must extend to the full drip line for Heritage Slash Pines and three-quarter (3/4) line for Heritage Oaks or other native Heritage Trees.
- Where irrigation lines will be installed, they must remain outside of the full drip line for Heritage Slash Pines and three-quarter (3/4) drip line for any other Heritage Trees.

EXISTING SABAL (CABBAGE) PALMS:

- Cabbage palms with at least eight-feet of clear trunk (8'CT) that need to be relocated will be done in a horticulturally correct manner and in coordination with the LANDSCAPE ARCHITECT or local jurisdictional staff into common open space areas, prior to issuance of any vegetation removal permit, the palms to be relocated must be flagged in the field for local jurisdictional staff inspection, where and as applicable.
- Due to the lack of accessibility within the site, it is not possible to get a clear count of sabal palms (min 8'CT) that shall be relocated on-site to common open space if impacted by development. The final disposition of these palms shall be documented prior to certificate of compliance.
- If any additional Cabbage Palms are identified that must be removed due to construction, a minor change shall be submitted to take into account the additional Cabbage Palm replacement requirements.
- See additional specifications for heritage tree species or Cabbage Palm dispositions and the drawings for locations

MINIMUM PLANT MATERIAL STANDARDS:

PERFORMANCE NOTES

- QUALITY:** plant materials used to meet the requirements of this division must meet the standards for Florida No. 1 or better, as defined in grades and standards for nursery plants, parts I and II, department of agricultural, state of Florida (as amended). Root ball sizes on all transplanted plant materials must also meet these stated standards.
- NATIVE VARIETIES:** at least seventy-five percent (75%) of the trees and fifty percent (50%) of the shrubs used to fulfill these requirements must be native Florida species.
- TREES, PALMS, & SHRUBS:**
Code-Required Trees must be a minimum of ten feet in height (10'H), have a two-inch caliper (2" CAL at 12 inches above the ground) and a four-foot spread (4'S) at the time of installation. Palms must have a minimum of ten feet of clear trunk (10' CT) at planting. Trees having an average mature spread or crown less than twenty feet (20') may be
Larger Substitute Trees used to reduce the minimum number of general trees must be no less than four inches in diameter (4" CAL) at twelve-inches (12") above the ground and no less than sixteen-feet in height (16'H) at the time of planting. The general tree requirement
Shrubs and Hedges: shrubs must be a minimum of twenty-four inches (24"H) (48 inches for Type F Buffers) in height, at time of planting. Saw palmettos (serenoa repens) and coonties (zamia floridana) may be used as shrubs, provided they are twelve inches in height (12"H) and three-gallon (3G) in size at time of planting. All shrubs must be a
Required Hedges must be planted in double staggered rows and maintained so as to form a continuous, unbroken, solid visual screen within a minimum of one year after time of planting.
Tree/Palm/Shrub Heights: The height of all trees and shrubs must be measured from the final grade of the project site relative to the location of the plant material in question.
- MULCH REQUIREMENTS:** a two-inch (2") minimum layer, after watering-in, of mulch or other recycled materials must be placed and maintained around all newly installed trees, shrubs, and groundcover plantings. Each tree must have a ring of mulch no less than twenty-four inches (24") beyond its trunk in all directions. The use of cypress mulch is strongly discouraged.
- INVASIVE EXOTICS:** the exotics plants herein noted not be planted (i.e. are prohibited), and must be removed from the project site. Methods to remove invasive exotic plants will either be full removal or kill in place methods as determined by the Owner at the time of development. The development area will be maintained free from invasive exotic plants in perpetuity. (see Exotic Species Removal Sheet).
- DRY DETENTION AREAS:** if dry detention areas are planted with native clump grasses in lieu of sod or seeding, then the plants must be a minimum one-gallon (1G) container size planted three-feet on center (3'OC).

IRRIGATION NOTES:

PERFORMANCE NOTES

- Irrigation Drawings:** Formal irrigation plans for this project have been developed, however are not generally part of the permit submittal documents. The CONTRACTOR shall acquire said irrigation system designs from the LANDSCAPE ARCHITECT prior to the submission of bids or the execution work.
- As-Built Drawings:** The CONTRACTOR shall maintain as-built drawings as part of the execution of any irrigation work on the project, as-built drawings are required as part of the certificate of compliance process defined by the local permitting agency and will be collected by the LANDSCAPE ARCHITECT as a prerequisite to submission.
- Irrigation Guidelines:** The irrigation guidelines sheet may refer to the absence of irrigation plans only for the purposes of the development order permit submittal, if applicable.
- Details & Specifications:** Irrigation Guidelines & Details are part of and included with these permit documents. The CONTRACTOR will be responsible for following the details and specifications of this sheet and the resulting irrigation system installed must be compliant with those terms as a prerequisite for substantial compliance if no formal irrigation system design drawings are available from the LANDSCAPE ARCHITECT.
- Consumptive Water Use Permit:** A water use permit (consumptive use permit) must be obtained prior to the execution of work on this project. If a meter is specified or being used, coordination with the relative utility is required (impact fees may be required).

LANDSCAPE MATERIAL SCHEDULE, STANDARDS, & NOTES (Sheet 4 of 4):

LANDSCAPE MATERIAL SCHEDULE:

SEE SHEET LP1.00

Oak Hammock Office Park at Whiskey Creek
6200 Whiskey Creek Drive
Fort Myers, Florida 33919
Office: (239) 985-1200
Web: www.HoleMontes.com / www.HMIENG.com
Florida Certificate Of Authorization No. 1772



PROJECT: POWER LODGE SPECIAL EXCEPTION
Bonita Springs, Florida

PREPARED FOR: DEHN ENTERPRISES, INC.

SHEET TITLE:

LANDSCAPE SCHEDULE & NOTES
(Sheet 4 of 4)

NO.	DATE	REVISION
1	2023/01/15	RA Response

THESE DRAWINGS ARE NOT APPROVED UNLESS SIGNED & SEALED BELOW



WILLIAM E. PRYS, P.L.A., A.S.L.A.
FLORIDA PROFESSIONAL
LANDSCAPE ARCHITECT REG.
#0001342
DATE:

DRAWN BY: WEP DATE: 2020/12/03

PROJECT NO.: 2020057LA

DRAWING NO.: 200057LA-02-LP3.03

SHEET REFERENCE: 300 LANDSCAPE

SHEET SET NO.: SHEET NO.:

LP3.03 5 of 5



February 16, 2021

Ms. Paula McMichael, AICP
950 Encore Way
Naples, FL 34110

Re: SPE20-75828-BOS, 24850-488 S. Tamiami Trail: Power Lodge Special Exception

Dear Ms. McMichael,

The Zoning Division has reviewed the information provided and supplemented for the special exception request referenced above. The application has been found sufficient and the following request language is being proposed:

A special exception request to allow a Vehicle & Equipment Dealer Group II and III use on a property located within the US 41 Overlay, pursuant to LDC 4-891.

Please provide in writing, your comments on this proposed language by February 22, 2021.

Feel free to contact me if you have any questions.

Sincerely,
DEPARTMENT OF COMMUNITY DEVELOPMENT
Planning and Zoning Division

Mike Fiigon II
Senior Planner

Copy: Derek Rooney, City Attorney
John Dulmer, Director of Community Development
Jacqueline Genson, Planning & Zoning Manager
Sean Gibbons, Environmental Specialist/Bike-Ped Coordinator
Trisha Goff, Engineer
Brent Spain, Staff Attorney
Cynthia Vargas, Administrative Assistant

9220 Bonita Beach Road
Suite 111
Bonita Springs, FL 34135
Tel: (239) 444-6150
Fax: (239) 444-6140
www.cityofbonitaspringscd.org

Rick Steinmeyer
Mayor

Amelia Quaremba
Council Member
District One

Jesse Purdon
Council Member
District Two

Laura Carr
Council Member
District Three

Chris Corrie
Council Member
District Four

Michael Gibson
Council Member
District Five

Fred Forbes, AIA
Council Member
District Six

Arleen M. Hunter
City Manager
(239) 949-6267

Derek Rooney
City Attorney
(239) 949-6254

City Clerk
(239) 949-6247

Public Works
(239) 949-6246

Neighborhood Services
(239) 949-6257

Parks & Recreation
(239) 992-2556

Community Development
(239) 444-6150



April 14, 2021

Mike Fiigon II, Senior Planner
Planning and Zoning Manager
City of Bonita Springs
Department of Community Development
9101 Bonita Beach Road
Bonita Beach, FL 34135

RECEIVED
CITY OF BONITA SPRINGS
APR 15 2021
COMMUNITY DEVELOPMENT
DEPARTMENT

**Re: Power Lodge - Special Exception
SPE20-75828-BOS
HM File No.: 2020.057**

Dear Mr. Fiigon:

Enclosed please find the Neighborhood Meeting Summary along with the attendee sign-in sheet and copy of the Neighborhood Meeting ad which ran in the NewsPress on March 17, 2021.

If you have any questions, please don't hesitate to contact us.

Very truly yours,

HOLE MONTES, INC.

Paula N.C. McMichael, AICP
Vice President, Planning Services
PNCM/sek

Enclosures as noted.

cc: Tom Dehn w/enclosures

**Neighborhood Meeting Summary
Power Lodge – Special Exception
April 8, 2021, 5:30 PM
28470 S. Tamiami Trail, Bonita Springs, FL 34134**

Attendees: 19

Applicants:

Tom Dehn, Power Lodge

Jeff Hieber, Power Lodge

On Behalf of the Applicant:

Paula McMichael, AICP, Hole Montes, Inc.

Approximately 19 members of the public attended.

Ms. McMichael started the presentation by introducing the applicants. Ms. McMichael then provided an overview of the project, explained the process for approval of the Special Exception, and provided an overview of the conditions of approval. Mr. Hieber provided an overview of business operations. Mr. Dehn provided a brief history of Power Lodge.

Following the presentation there was approximately fifteen minutes of questions from the public in attendance. After the questions from the public, Mr. Dehn and Mr. Heiber gave a tour of the facility. Please see below for a summary of public comments.

Summary of Public Comments

Facility

Questions were asked regarding the facility. The property is owned by the Devoe family. The building is ready for operations to commence once the Special Exception process is complete. Power Lodge is in the middle of the property, between Bonita Springs Mitsubishi to the north and Hertz Car Sales to the south.

Business Operations

Questions were asked regarding repair services that will be offered. Modified motorcycles can be brought in for repair, however, Power Lodge will not perform services on modified exhausts. The repair services offered do not require motorcycles to be revved. Most repair work and vehicle prep will be done indoors. The operating hours will be similar to those typically found in the area: the service department will generally be open 8:00 AM to 5:00 PM and the sales department will generally be open 9:00 AM – 6:00 PM, Monday through Saturday. This may change in response to the needs of the business.

Zoning

Questions were asked regarding the approval of the Special Exception. The existing zoning allows the proposed use. The applicant will agree to a condition that limits the Special Exception to applicant, requiring new users to go through Special Exception process.

PUBLIC INFORMATION MEETING
28470 S. TAMiami TRAIL, BONITA SPRINGS, FL
THURSDAY, APRIL 8th AT 5:30PM
PLEASE PRINT CLEARLY

Please be advised

The information on this sheet is to contact you regarding this project and future public meetings. Under Florida law, e-mail addresses, phone numbers and certain home addresses are public records once received by a government agency. If you do not want your e-mail address, phone number or home address released if the city receives a public records request, you can refrain from including such information on this sheet. You have the option of checking with the city staff on your own to obtain updates on the project as well as checking the city Web site for additional information.


Name	Address	City, State Zip	E-Mail Address
Dot + MC Rohne	28750 Leach Edge Blvd #406	Aurora Springs 34134	MARSH@AOL.COM
Bandy Sage	28441 Hidden Lake DR.	Bonita Spgs.	SNH5AGE@GMAIL.COM
Se-haral Hloctey	28324 Triolar Lake Dr	Bonita Spgs	
Don Pearce	28501 "	" "	donpearce@comcast.net
Anne & Paul Pais	28436 "	" "	pparis103@gmail.com
George Wilke	28321 "	" "	NA
Thomas R. Hartshorn	28700 Tr. Edge Blvd #301	" "	T19681@aol.com
Lee Crawford	28495 Hidden Lake Dr.	" "	
DAN Haines	28495 Hidden Lake Dr	" "	
Fary Shubinsky	28381 Hidden Lake Dr	" "	
Fred Shubinsky	28381 Hidden Lakes Dr	" "	
Phil Farney	28282 "	" "	
Michele Hanley	28406 Hidden Lake Dr	" "	

PUBLIC INFORMATION MEETING
28470 S. TAMiami TRAIL, BONITA SPRINGS, FL
THURSDAY, APRIL 8th AT 5:30PM
PLEASE PRINT CLEARLY

Please be advised

The information on this sheet is to contact you regarding this project and future public meetings. Under Florida law, e-mail addresses, phone numbers and certain home addresses are public records once received by a government agency. If you do not want your e-mail address, phone number or home address released if the city receives a public records request, you can refrain from including such information on this sheet. You have the option of checking with the city staff on your own to obtain updates on the project as well as checking the city Web site for additional information.

Name	Address	City, State Zip	E-Mail Address
Jeanine Cadotte MICHAEL RICHTER	28255 Hidden Lake Dr 28327 HIDDEN LAKE	Bonita Springs FL 34134	
Daniel E. Weston	28700 Trails Edge	34134	
Margaret Casey	28429 Hidden Lake Dr.		

 **Legal Notices**

Applicant: DEHN ENTERPRISES, LLC
The property is generally located on the west side of US 41, south of Bonita Beach Rd., approx. 400 feet north of the intersection of S. Tamiami Trail and Lake Shore Drive at 28470 S. Tamiami Trail, Bonita Springs, FL.

Action requested: A special exception request to allow a Vehicle & Equipment Dealer Group II and III use (retail sales of motorcycles, motorbikes, watercraft, and other similar small type vehicles) on a property located within the US 41 Overlay, pursuant to LDC 4-891.

Location: Power Lodge Florida, 28470 S. Tamiami Trail, Bonita Springs, FL 34134

Presentation date: Thursday, April 8, 2021 at 5:30pm.

For additional information, contact Paula McMichael, AICP, Vice President, Planning Services, Hole Montes, Inc.; 239-254-2000, email: paulamcmichael@hmeng.com

AD#4641571 3/17/2021

Stephanie Karol

From: Paula McMichael
Sent: Tuesday, March 30, 2021 9:08 AM
To: Stephanie Karol
Cc: Jeremie Chastain
Subject: FW: Special Exception Petition

Please include a copy of this email with the information we provide to the city.

Paula N. C. McMichael, AICP
Hole Montes, Inc.
(239) 254-2000

From: Maureen Unton <munton17@gmail.com>
Sent: Friday, March 26, 2021 12:14 PM
To: Paula McMichael <PaulaMcMichael@hmeng.com>
Subject: Special Exception Petition

Dear Ms. McMichael,

In regard to the special exception petition for the property at 28470 Tamiami Trail, Bonita Springs, FL, I am against allowing the use for motorcycles, motorbikes or similar small type vehicles due to the noise and traffic we already have. I am an owner at 28750 Trails Edge Blvd and the noise from test drives at Gulf Coast Motorworks is loud, disruptive and annoying in addition to heavy traffic from US 41 turning onto Woods Edge who use it as a raceway. The Fire and Emergency vehicles use Woods Edge also and put their sirens on one quarter mile before US 41. Due to these situations it is difficult to talk or hear when we sit out on our lanai and testing motorcycles and motorbikes, which are inherently noisy, would add to an already loud and annoying situation.

Maureen Unton
28750 Trails Edge Blvd
Unit 602
Bonita Springs, FL 34134

Stephanie Karol

From: Paula McMichael
Sent: Tuesday, March 30, 2021 9:08 AM
To: Stephanie Karol
Cc: Jeremie Chastain
Subject: FW: Proposed Motor Cycle Shop.

Please include a copy of this email with the information we provide to the city.

Paula N. C. McMichael, AICP
Hole Montes, Inc.
(239) 254-2000

From: Robert Soeder <metropgh@hotmail.com>
Sent: Thursday, March 25, 2021 11:18 AM
To: Paula McMichael <PaulaMcMichael@hmeng.com>
Subject: Proposed Motor Cycle Shop.

Hello Paula. My home is just directly across the small lake behind your proposed Motorcycle sales and repair. I am Very Much Against the opening due to the Noise Factor of revving motorcycles being shown and repaired.

We have a very quiet community and wish to keep it that way! Please let my opinion be known to the proposed Company.

Robert Soeder

Metro Motors 734 Ohio River Blvd.
Pgh., Pa. 15202
412-766-2222

Website: metromotorspgh.com
Email: metropgh@hotmail.com

December 4, 2020

Jacqueline Genson, AICP
Planning and Zoning Manager
City of Bonita Springs
Department of Community Development
9101 Bonita Beach Road
Bonita Beach, FL 34135

Re: Temporary Use Permit Application
HM File No.: 2020.057

Dear Ms. Genson:

The subject site totals approximately 11 acres and is located at 28450 S Tamiami Trail, on the west and east sides of Trails Edge Blvd., which runs parallel on the west side to US 41, approx. one-half mile south of Bonita Beach Road. The subject property is zoned Diamond Ridge/Woods Edge RPD/CPD and is within the US 41 Overlay District.

The applicant seeks to occupy a portion of the subject site for Vehicle and equipment dealers, Groups II & III (motorcycles, ATVs, and watercraft) within the US 41 Overlay District. These uses are approved as part of the existing commercial planned development; however, the approved development order is specific to the use of a “Vehicle and equipment dealer, Group I” (Auto and truck dealers) only. Vehicle and equipment dealers are allowed within the US 41 Overlay but require approval as special exception uses.

This application for a Temporary Use Permit has been submitted concurrently with the application for special exception approval of the vehicle and equipment dealers, groups II & III. The applicant is requesting the ability to occupy the site for the intended use prior to the approval of the Special Exception, as permitted by Sec. 4-253 of the Land Development Code. The applicant, Mike Dehn, currently operates Power Lodge Motor Sports out of a location in Collier County and has invested significantly in the redesign of the building in order to move his business to the City of Bonita Springs. He will also be making investments to the landscaping to bring the site further into compliance with the City’s US 41 Overlay. Please see below for an analysis of how this request meets the requirements of Sec. 4-253.

Sec. 4-253. - Authority to permit uses pending a zoning action.

(a) The director is authorized to permit proposed uses that are not permitted on a subject parcel for a period of not more than 180 days under the following circumstances:

- (1) The property owner, contract purchaser or other authorized person has filed an application for a rezoning or a special exception for the subject parcel that would, if approved, make the requested use a permitted use;

The application is being submitted concurrently with this request.

- (2) The requested rezoning or special exception, in the opinion of the director, is clearly compatible with the neighboring uses and zoning and is consistent with the Bonita Plan;

The requested use of Vehicle and equipment dealers, Groups II & III, is permitted by the Planned Development zoning and is clearly comparable to the existing use of Vehicle and equipment dealers, Group I, with similar impacts. The Future Land Use designation of General Commercial allows for a wide range of commercial and service activities.

- (3) The proposed use of the property is a business that is being relocated due to the city economic development efforts or as the result of threatened or ongoing condemnation proceedings;

The business is being relocated to the city and will occupy a building that has been vacant for over a year.

- (4) No new principal structures are to be constructed on the subject property; and

No new principal structures are being constructed.

- (5) The applicant agrees in writing that the proposed use will cease within 180 days of the date of the administrative approval, unless the city council or zoning board, whichever is applicable, has rendered a final decision approving the requested rezoning or special exception. Upon execution, the agreement must be recorded in the public records of the county.

The applicant will agree in writing that the proposed use will cease within 180 days of the administrative approval unless the special exception requested has been approved.

- (b) Decisions by the director pursuant to this section are discretionary and may not be appealed pursuant to section 4-124(a).

Acknowledged.

- (c) The director may extend the effective date of the approval up to an additional 90 days upon good cause shown.

Acknowledged.

Jacqueline Genson, AICP
Re: Temporary Use Permit
HM File No.: 2020.057
December 4, 2020
Page 3

(d) No approval issued pursuant to this section will excuse any property owner from compliance with any city regulation, except the list of permitted uses in the zoning district in question.

Acknowledged.

We respectfully request your approval for the applicant to occupy the site while diligently pursuing the approval of the special exception request. The intended use is very similar to the use already occupying the site – vehicle and equipment dealers – and other than improvements to landscaping, there are no site changes that will impact adjacent properties.

Very truly yours,

HOLE MONTES, INC.



Paula N.C. McMichael, AICP
Director of Planning
PNCM/sek

Enclosures as noted.

cc: Tom Dehn w/enclosures



Temp 20. 75829- BOS

TEMPORARY EVENT/USE PERMIT APPLICATION

PERMIT # _____

Community Development Dept. | 9220 Bonita Beach Road, Ste. 111 | Bonita Springs, FL 34135 | (239) 444-6150 | permitting@cityofbonitaspringscd.org

Applicant Name: Tom Dehn Company: Power Lodge
Property Owner Name: Devoe Family, LP
Site Address: 28450-488 South Tamiami Trail Bonita Springs, FL ZIP: 34134
Unit Number: Strap Number: 04 -- 48 -- 25 -- B 3 -- 0180B 0010
Phone Number: (612) 328 - 2215 Email Address: tom.dehn@powerlodge.com
Type of use requested: Permit use pending zoning action per LDC Sec. 4-253
Date of Event: Starts: 1/1/2021 Ends: N/A Hours: N/A till N/A
Number of Tents: N/A Sq. Ft. per Tent N/A
Side Walls: [] Yes [] No Electric: [] Yes [] No Fence: [] Yes [] No

PLEASE READ THE FOLOWING CAREFULLY: If any of the following two (2) items is circled, kindly proceed to City Hall Special Events Department for processing as a Special Event Permit is required prior to submittal of this permit.

- 1. Participants exceeding 200 at one time during the event.
2. Air shows; art shows (excluding arts and crafts and other sales less than 30 booths / vendors provided they obtain a temporary use permit); running or walking events (including triathlons); carnivals; concerts; festivals; fireworks; parades; commercial photography shoots; musical presentations; street dances; other similar event activities requiring offsite parking, street closures, sound amplification EXCEEDING THE NOISE ORDINANCE (above 65 decibels); City co-sponsorship or use of City personnel or public property.

ADDITIONAL REQUIRED INFORMATION - MUST BE PROVIDED AT TIME OF APPLICATION

- A. A copy of your current Business Tax Receipt for that location or a completed Business Tax Receipt application. If you are an out of county merchant, you will need to go to the Lee County Tax Collectors Office (239)339-6037 for a Transient Merchants License. OK
B. Notarized letter from property owner giving permission for use of property (unless you own the property). OK
C. Proof of sanitary facilities (port-a-let contract) or letter from neighboring business, stating that restroom facilities are available for their use, indicating that hours of operation are compatible. N/A
D. Copy of public liability insurance, plus property damage in amount of \$50/100,000 minimum coverage (unless the event falls under the City's insurance policy). N/A
E. Two (2) site plans indicating: available parking, adjoining structures and location of tent (if applicable). N/A
F. If the tent is 100sq. ft. and over the plans will need to be reviewed by Bonita Springs Fire & Rescue. N/A
G. Two (2) copies of flame retardant certificates are required for each tent. N/A
H. Sounds emanating from the temporary use shall not adversely affect any surrounding property. N/A
I. TEMPORARY PROMOTIONAL BALLOONS are allowed for 15 days, three times per calendar year. A separate permit required can only be issued to a licensed contractor. N/A
J. TEMPORARY PROMOTIONAL SIGNS/BANNERS are allowed 15 days, three times per calendar year. A separate permit is required. N/A
K. TEMPORARY CONSUMPTION ON PREMISES: If a temporary alcoholic consumption will be offered, a temporary COP permit is required from Community Development. Visit the following page to download the application: http://cityofbonitaspringscd.org/special-events/ N/A

L. FEES

- \$25.00 for Temporary Sign/Banner Permit.
- \$25.00 for Temporary Use w/o Tent.
- \$150.00 for Temporary Use Permit for the following: Carnival, Christmas Tree Sales, Circus, Construction Trailer, Fireworks, Parking Lot and Roads Side Stand.
- Permits with a tent larger than 10x10 require Fire District approval and Plan Review fees.

M. TEMPORARY CONSTRUCTION TRAILERS ONLY

- Two (2) site plans showing location of trailer with tie down details.
- Contractor License #: _____
- Building Permit Number or Development Order Number: _____
- Port-a-let contract

COMMUNITY DEVELOPMENT

AFFIDAVIT FOR TENTS NOT APPLICABLE

I hereby affirm that the following criteria will be met for the tents to be erected at: (Address)

for (Business Name) _____

for the purpose of (Event) _____

Tent(s) are under 2500 square feet and do not have sidewalls.

Tents will not be used for a placed of assembly (more than 50 people), kitchen or mess hall.

Tents will not block any driveway, fire hydrant or fire access to any building.

Tents will be at least twelve (12) feet from all property lines and have an unobstructed passage-way or fire road not less than twelve (12) feet wide and free from guy ropes or other obstructions on all sides of tent.

One (1) classification type 2A fire extinguisher will be provided in every tent having a floor area of more than five hundred (500) square feet but less than one thousand (1000) square feet, and also one (1) in each auxiliary tent adjacent thereto. Two (2) classification type 2A fire extinguishers will be provided for each tent from 1000 to 25000 square feet.

"NO SMOKING" signs will be positioned approximately every twenty (20) feet around the perimeter if the tent.

NOTE: At a minimum, all tents displaying or selling any sparklers shall have at least one (1) 10LB. 4A-60BC Fire extinguisher per NFPA-a Chapter-16.

Tents that will be occupied after sunset will have lights and emergency lighting.

Flame resistance certificates will be on the job site for inspection.

All other applicable requirements of N.F.P.A. 102 will be compiled with.

I understand that it is the responsibility of the permit holder to call the Inspections Office for inspection request and Bonita Springs Fire to receive final fire inspection prior to using the tent.

Signature: _____

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

Signature (owner/authorized agent): Paula N. C. McMichael Date: 12-4-2020

Type or print name: Paula N. C. McMichael, AICP

BUILDING AND FIRE MARSHALL CODES FOR TEMPORARY PERMIT

Permit Required

No person may erect, operate, or maintain a tent or air supported structure covering an area in excess of one hundred twenty (120) square feet without a permit. Tents used exclusively for camping are exempt from the above requirement.

Place of Assemblage

A place of assemblage includes any circus, carnival, tent show, theater, skating rink, dance hall or other place of assemblage in or under which persons may gather for any purpose.

Location of Tents and Air Supported Structures

- 1) A tent or air supported structure must be so located from any property line or permanent structure so as to be readily accessible by fire equipment.
- 2) Tents or air supported structures having an area of fifteen thousand (15,000) sq. ft. or more must be located not less than fifty (50) feet from any other tent or structure as measured from the side wall of the tent unless joined together by a corridor.
- 3) Tents and air supported structures may be joined together by means of corridors, but such corridors must be open to the sky. On each side of such corridor and approximately opposite each other, there must be provided openings not less than twelve (12) feet in width. These openings must be equipped with sliding curtains.
- 4) An unobstructed passageway or fire road not less than twelve (12) feet in width and free from guy ropes or other obstructions must be maintained on all sides of all tents or air supported structures unless otherwise approved by the fire authority having jurisdiction.

Structural Stability

Tents or air supported structures and their appurtenances must be adequately roped, braced and anchored to withstand the elements of weather against collapsing.

Flame-Retardant Treatment

The side wall, drops and top of all tents and air supported structures and all decorations must be of flame-retardant material or must be made fire retardant.

An affidavit or affirmation must be retained on the premises at which the tent or air supported structure is located, attesting to the following information relative to the flame retardant treatment of the fabrics:

1. Date fabric was last treated with flame-retardant solution.
2. Trade name or kind of chemical used in treatment.
3. The name or person or firm treating the material.
4. The name and address of the owners of the tent.

Fire-Safety Standards

- 1) Smoking must not be permitted in any tent or air supported structure. Approved "NO SMOKING" signs must be conspicuously posted.
- 2) No fireworks, open flame or other device emitting flame or fire may be used in or immediately adjacent to any tent or air supported structure while open to the public.

Fire Extinguishers and Other Fire-Protection Equipment

Fire extinguishers and other fire protection equipment must be provided in every tent or air supported structure as follows:

1. One 2-A type extinguisher must be provided in every tent or air supported structure having a floor area of more than five hundred (500) square feet but less than one thousand (1000) square feet and also one in each auxiliary tent or air supported structure adjacent thereto.
2. One additional 2-A type extinguisher must be provided for each additional two thousand (2000) square feet or fraction thereof.



Local Business Tax Application

Check one: Original Transfer

1. Type of business: Powersports Sales and Service EIN/SSN(Required): 84-3811205

2. Business name (Doing Business As): Power Lodge Florida

If the business is exempt from filing a **Fictitious Name Registration**, check the appropriate box below:

- Business name indicates my full legal name
- Business name is a corporation, LLC, LLP, Partnership or registered trademark
- Attorney, regulated by Department of Business & Professional Regulation, or regulated by the Department of Health

3. Corporate/Owner Name: Dehn Enterprises, LLC.

Licensed Professional/Qualifier Name:	<u>Dehn</u>	<u>Thomas</u>	<u>A</u>
	Last Name	First Name	Middle Initial

4. Professional/Qualifier County/State License or Certification Number: Applied For

Note: Enter license number and attach a copy of your current license or certification.

5. Physical Address: 28470 S Tamiami TRL

City: Bonita Springs State: FL ZIP: 34134

Business Location: Residential Commercial Parcel (STRAP): 04-48-25-B3-0180B.0010 (Part of)

6. Mailing Address: 28470 S Tamiami TRL

City: Bonita Springs State: FL ZIP: 34134

7. Business Phone: (239) 594-5535 Cell Phone: (612) 328-2215

8. Email: Tom.Dehn@powerlodge.com

9. Opening date at this location in Lee County: 12/22/2020

10. Changes to an existing Local Business Tax Account:

Current Local Business Tax Receipt Number: 46-8018029023-7

Check All Boxes That Apply:

- | | |
|---|---|
| <u>No Fee:</u> | <u>Fee: \$3.00</u> |
| <input checked="" type="checkbox"/> Business/Owner Name | <input type="checkbox"/> Transfer of Ownership – Include copy of Bill of Sale |
| <input type="checkbox"/> Mailing Address | <input type="checkbox"/> Physical Address |
| | <input type="checkbox"/> Type of Business |

Under penalties of perjury, I hereby declare the information above is true and correct to the best of my knowledge.

Owner/Qualifier Signature: _____ Date: 11/14/2020

Zoning Approval: This section must be completed by the applicable city/county zoning agency.

Refer to zoning approval requirements on reverse side.		
HOL-USE or COM#: _____		
Approved By: _____	Title: _____	Date: _____

Local Business Tax Information

Local Business Tax Fee:

Full Year Fee (Oct – Sept): \$50.00 Half Year Fee (Apr – Jun): \$25.00 Quarter Year Fee (Jul – Sept): \$12.50

Other Services and Fees:

To obtain information and fees for an Escort Service, Flea Market, Going Out of Business/Fire Sale, Professional Landscape, Special Event, or a Transient Merchant, contact the Lee County Tax Collector’s office at 239.533.6000.

Payment Options:

- Check or money order made payable to Lee County Tax Collector
- Cash, check, money order, debit card (PIN required), and all major credit cards. A convenience fee is charged when using a credit or debit card and is subject to service provider rates which may vary. No portion of this fee is retained by the Tax Collector’s office.

Zoning Approval:

Prior to the issuance of the Lee County Local Business Tax Receipt, the business location must be properly zoned.

City Locations:

If the business is located within one of the cities listed below, a city local business tax receipt or city zoning approval must be obtained before applying for a county business tax receipt.

Contact the appropriate agency:

Bonita Springs	239.444.6150	www.cityofbonitaspringscd.org
Cape Coral	239.574.0430	www.capecoral.net
Fort Myers	239.321.7990	www.cityftmyers.com
Fort Myers Beach	239.765.0202	www.fortmyersbeachfl.gov
Sanibel	239.472.9615	www.mysanibel.com
Village of Estero	239.221.5035	www.estero-fl.gov

Unincorporated Lee County:

If the business is operating from a residential location and the type of business is on the zoning exemption list, complete the Home/Truck affidavit and submit the signature page with your application. This information is available on our official website at www.leetc.com. All other residential businesses must contact Lee County Community Development at 239.533.8329 or www.leegov.com/dcd for zoning approval.

If the business is operating from a commercial location, Lee County Community Development must complete the “Zoning Approval” section on the application or attach a copy of the Certificate of Use or Certificate of Occupancy.

Tax Collector Office Hours

Monday – Friday 8:30 a.m. to 5:00 p.m. (except holiday closings)

Information/Questions: Call 239.533.6000 or visit our official website at www.leetc.com
PO Box 1549 • Fort Myers, FL • 33902

**DELINQUENT TANGIBLE PERSONAL
PROPERTY (DELQTPP)**

Tangible personal property taxes become delinquent April 1 of each year, at which time interest and additional fees are due and added to the bill for collection. A reminder notice is mailed to the property owner showing the additional fees. Tangible personal property accounts that remain unpaid on May 1 of each year will be referred to Revenue Recovery Solutions, Inc. for collection. Accounts referred for collection will be subject to an additional fee assessed by the vendor.

A list of delinquent tangible personal property taxpayers are advertised in a local newspaper, the cost of which is added to the tax bill.

Pursuant to Florida Statute 197.413, tax warrants are issued by the Tax Collector prior to April 30 of the next year on all unpaid tangible personal property taxes. The Tax Collector will also apply to the circuit court for an order granting levy and seizure of the tangible personal property for the amount of the unpaid taxes and costs.

If the delinquent taxes cannot be made in one payment and the amount due is at least \$40.00, a payment plan may be available. To inquire about a payment plan contact delqtp@leetc.com. An application can be found at: www.leetc.com/taxes/delinquent-taxes.

IMPORTANT CONTACTS

Lee County Tax Collector
Delinquent Tangible Taxes
239.533.6000
www.leetc.com
delqtp@leetc.com

Lee County Property Appraiser
Tangible Tax Department
239.533.6140
www.leepa.org
TPP@leepa.org

Larry D. Hart
LEE COUNTY
Tax Collector

**BUSINESS OWNER'S
GUIDE TO TANGIBLE
TAXES**

This information is provided to assist you in understanding the requirements associated with Tangible Personal Property Taxes.

Visit our official website at
www.leetc.com

OFFICE HOURS AND LOCATIONS
Monday - Friday 8:30 a.m. to 5:00 p.m.
Except holiday closings

Bonita Springs 25987 S Tamiami Trl
Cape Coral 1039 SE 9th Ave
Fort Myers 2480 Thompson St
Lehigh Acres 3114 Lee Blvd
North Fort Myers 15201 N Cleveland Ave
South Fort Myers 15680 Pine Ridge Rd

Mailing Address: PO Box 630
Fort Myers, FL 33902-0630



TAX COLLECTOR	
September 30	Local Business Tax renewals due
November 1 – March 31	Current year taxes due
April 1	Taxes delinquent

PROPERTY APPRAISER	
January 1	Assessment date & DR-405 available online
April 1	Filing deadline for TPP and extension requests
May 15	Filing deadline for TPP with extensions, penalties applied
Mid-August	TRIM notices mailed out

DO YOU OWN A BUSINESS OR RENT PROPERTY?

If you operate a business, or rent real property, you are subject to an ad valorem assessment. Tangible personal property tax is an ad valorem tax based on the following categories of property:

- Businesses - furnishings, fixtures, signs, supplies, tools, and equipment used in the operation of business. Items owned, used, or leased by a business are considered tangible personal property.
- Rental Furnishings - furnishings and appliances provided in a rental unit.

BUSINESS OWNER REQUIREMENTS

Business owners will receive a Lee County tangible personal property tax notice. Based on Florida Statute 193.052, anyone in possession of assets on January 1 must file a Tangible Personal Property Tax Return (DR-405) with the Property Appraiser by April 1 each year. The Property Appraiser uses the return to determine the value of the assets. If the furnishings or equipment are used in the course of business, it needs to be reported. This includes any fully depreciated or expensed assets and personally owned assets.

All tangible property must be reported.

HOW TO FILE A TANGIBLE PERSONAL PROPERTY TAX RETURN

The DR-405 and filing options are available on the Property Appraiser's website at www.leepa.org.

DIDN'T FILE A TANGIBLE PERSONAL PROPERTY TAX RETURN?

Failure to file, or filing after April 1, will result in a penalty and/or additional costs. Florida Statute 193.073(2) authorizes the Property Appraiser to assess any business or rental property that does not file with an average cost of similar businesses. To ensure the proper reporting and valuation of your assets and an accurate tax bill, you must file a DR-405 by April 1 annually.

\$25,000 TANGIBLE PERSONAL PROPERTY EXEMPTION

If you file a Tangible Personal Property Return (DR-405) by April 1, you may be eligible for an exemption.

TAX COLLECTION PROCESS

Your Tax Collector

- Prepares and mails tax notices (tax bills)
- Collects property tax payments based on certified rolls received from Property Appraiser and Levying Authority
- Distributes revenue to Levying Authority

An example of the documents can be found on our website

ASSESSING YOUR PROPERTY

Your Property Appraiser

- Determines property values, exemptions, and late filing penalties
- Maintains assessed owner(s) name, mailing address, site address, and legal description
- Mails Notice of Proposed Property Taxes (TRIM), in August, which includes values and public hearing dates.
- Certifies tax roll and corrections to Tax Collector

NO LONGER IN BUSINESS OR RENTING PROPERTY?

A final return or disposition of assets should be completed for all businesses and rental properties that have sold or closed. The return or form should include the closing date or sale date and if sold, to whom and the business owner signature. Both forms are available on the Property Appraiser's website www.leepa.org or call 239.533.6140.

PAYMENT OPTIONS

CURRENT YEAR TANGIBLE PERSONAL PROPERTY

Pay in Full

Pay in full between November 1 to March 31 at any one of our six locations or online at www.leetc.com.

Partial Payments

To make partial payments:

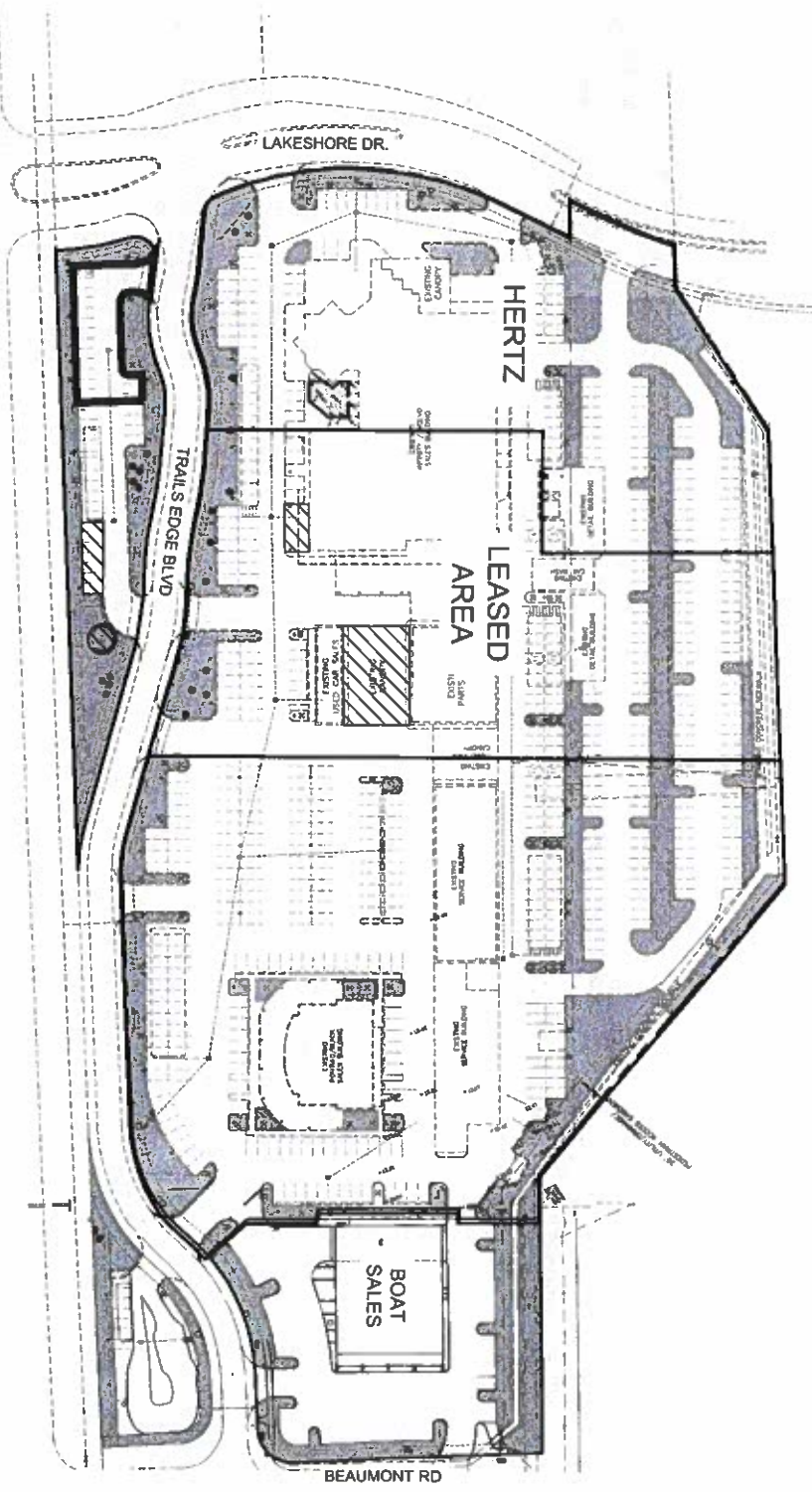
- Complete an Agreement form and submit with the first partial payment.
- Remit all partial payments during the current tax year, November 1 to March 31.
- Taxpayer will pay an additional fee for each partial payment made.

Installment Payment Plan

Property taxes can be paid by the installment method if the prior year's tangible tax bill is more than \$100. To participate in the installment plan, taxpayers must submit an application for each account to the Tax Collector by April 30 of the tax year.

For more information visit

www.leetc.com/taxes/installments-and-partial-payments.



U.S. 41

<p>APPROVED BY: _____ DATE: _____</p> <p>DESIGNED BY: _____ DATE: _____</p> <p>CHECKED BY: _____ DATE: _____</p> <p>REVISIONS:</p>	<p>DIAMOND RIDGE CPD</p>	<p>HOLE MONITES EXHIBIT JANS09A-1700</p>	<p>954 E. Grove Way Naples, FL 34110 Phone: (239) 254-2000 Faxed: (239) 254-2000 Administration: (239) 254-1772</p>	<p>POWER LODGE SPECIAL EXCEPTION</p>	<p>DATE: _____</p> <p>APPROVED BY: _____</p> <p>2020.057</p>	<p>DATE: _____</p> <p>APPROVED BY: _____</p> <p>OF _____</p>
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 OUTDOOR DISPLAY
(6,657 SQUARE FEET)

USE AGREEMENT PENDING ZONING ACTION PER LDC 4-253

This AGREEMENT made this 22 day of Dec 2020, by and between the City of Bonita Springs, 9101 Bonita Beach Road, Bonita Springs, Florida, 34135 and Dehn Enterprises, LLC whose physical address is 28470 S. Tamiami Trail, Bonita Springs, Florida 34134.

RECITALS

WHEREAS, Dehn Enterprises, LLC., is the authorized person and applicant (the "Applicant") for the application for Special Exception for the real property at 28470 S. Tamiami Trail, Bonita Springs, Florida, 34134; and

WHEREAS, the Applicant desires to operate as a Vehicle and Equipment Dealer, Groups I-III; and

WHEREAS, the subject property is zoned Commercial Planned Development (CPD) and is currently owned by Devoe Family LP and the schedule of uses permits Vehicle and Equipment Dealers Groups I, II, and III; and

WHEREAS, the property is located within the US 41 Overlay, which requires a special exception for all groups of Vehicle and Equipment Dealers, unless a development order has been approved for that use, pursuant to LDC Sec. 4-889(f); and

WHEREAS, the property was issued a local development order by Lee County (97-01-031.00D) for a Vehicle and Equipment Dealer Group I use; and

WHEREAS, the Vehicle and Equipment Dealer Group II and Group III use requires a Special Exception, pursuant to LDC Sec. 4-891; and

WHEREAS, the Community Development Director is authorized to permit proposed uses that are not permitted on a subject parcel for a period of not more than 180 days; and

WHEREAS, the Community Development Director provides the following findings of fact:

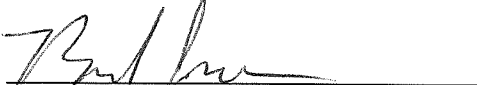
1. The authorized person has filed an application for a special exception (SPE20-75828-BOS—Power Lodge Florida) for the subject parcel that would, if approved, make the requested use a permitted use, subject to conditions including but not limited to: site upgrades and limited development order approval; and
2. The requested special exception (subject to conditions), in the opinion of the director, is clearly compatible with the neighboring uses and zoning and is consistent with the Bonita Plan; and
3. No new principal structures are to be constructed on the subject property; and
4. The Applicant agrees by executing this agreement that the proposed use will cease within 180 days of the date of this administrative approval unless the City

Council renders a final decision to approve the requested special exception at a later date.

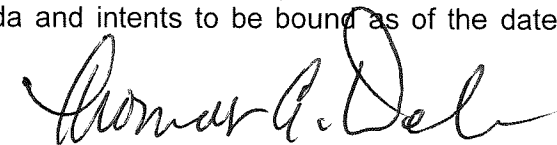
NOW THEREFORE, in consideration of the forgoing, the mutual promises and covenants set forth herein, the Applicant agrees to the following:

1. The above Recitals are true and correct and the substantive provision and terms are incorporated herein; and
2. Upon execution, the agreement must be recorded in the public records of the county at the applicant's expense; and
3. No new principal structures are to be constructed on the subject property; and
4. All sales and inventory of any Vehicle and Equipment Dealer Group II and II shall occur indoors or under the roofline of the existing building; and
5. Any product being test-driven shall not go through the abutting neighborhood; and
6. The City of Bonita Springs Noise Control Ordinance remains in full force and effect; and
7. The applicant agrees by executing this agreement that the proposed use will cease within 180 days of the date of this administrative approval, unless an extension is approved per LDC 4-253 or that the City Council renders a final decision approving the requested special exception.

IN WITNESS WHEREOF, the Applicant has executed this above Agreement in order to effectuate the opening of the Power Lodge Florida and intends to be bound as of the date written above.



Witness

BY: 

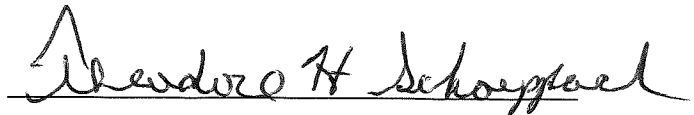
Applicant

Date: 12/22/2020

Witness

STATE OF FLORIDA
COUNTY OF LEE

The forgoing instrument was acknowledged before me this 22 day of DECEMBER, 2020 by Tom Dehn, applicant, Dehn Enterprises, LLC. He is personally known to me or has produced mw DL as identification.



Notary



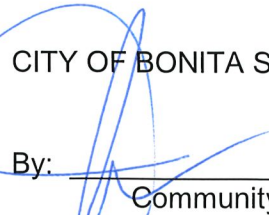
Signature of Notary Public

THEODORE H SCHOEPFACK
Printed Name of Notary Public

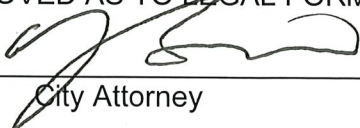
Attest:

By: 
City Clerk

CITY OF BONITA SPRINGS

By: 
Community Development Director

APPROVED AS TO LEGAL FORM:

By: 
City Attorney

2115 Second St.
P. O. Box 2278
Fort Myers, FL 33902
(239) 533-5007

Transaction # 103346418	Name: HOLE MONTES INC
Receipt # 20234340	
Date: December 28, 2020 11:02 am	Address:
Cashier: LAMBROSIO	
Department: Recording	
Source: Over the Counter	Attention:
Returned: Over the Counter	

AGREEMENT

CFN: 2020000325598

RECORDING FEE	\$27.00
COPY FEE	\$3.00
CERTIFY	\$2.00

PAYMENT:			
CHECK	59303	AMOUNT:	\$32.00

Total Payments:	Total Fees:	Escrow Deposit:	Overage/Refund:
\$ 32.00	\$ 32.00	\$ 0.00	\$0.00

THIS INSTRUMENT PREPARED BY: | Mike Fiigon II, Senior Planner, City of Bonita Springs
Community Development Department: Planning & Zoning Division |
9200 Bonita Beach Road Suite 109| Bonita Springs, Florida 34135 |

USE AGREEMENT PENDING ZONING ACTION PER LDC 4-253

This AGREEMENT made this 22 day of Dec 2020, by and between the City of Bonita Springs, 9101 Bonita Beach Road, Bonita Springs, Florida, 34135 and Dehn Enterprises, LLC whose physical address is 28470 S. Tamiami Trail, Bonita Springs, Florida 34134.

RECITALS

WHEREAS, Dehn Enterprises, LLC., is the authorized person and applicant (the "Applicant") for the application for Special Exception for the real property at 28470 S. Tamiami Trail, Bonita Springs, Florida, 34134; and

WHEREAS, the Applicant desires to operate as a Vehicle and Equipment Dealer, Groups I-III; and

WHEREAS, the subject property is zoned Commercial Planned Development (CPD) and is currently owned by Devoe Family LP and the schedule of uses permits Vehicle and Equipment Dealers Groups I, II, and III; and

WHEREAS, the property is located within the US 41 Overlay, which requires a special exception for all groups of Vehicle and Equipment Dealers, unless a development order has been approved for that use, pursuant to LDC Sec. 4-889(f); and

WHEREAS, the property was issued a local development order by Lee County (97-01-031.00D) for a Vehicle and Equipment Dealer Group I use; and

WHEREAS, the Vehicle and Equipment Dealer Group II and Group III use requires a Special Exception, pursuant to LDC Sec. 4-891; and

WHEREAS, the Community Development Director is authorized to permit proposed uses that are not permitted on a subject parcel for a period of not more than 180 days; and

WHEREAS, the Community Development Director provides the following findings of fact:

1. The authorized person has filed an application for a special exception (SPE20-75828-BOS—Power Lodge Florida) for the subject parcel that would, if approved, make the requested use a permitted use, subject to conditions including but not limited to: site upgrades and limited development order approval; and
2. The requested special exception (subject to conditions), in the opinion of the director, is clearly compatible with the neighboring uses and zoning and is consistent with the Bonita Plan; and
3. No new principal structures are to be constructed on the subject property; and
4. The Applicant agrees by executing this agreement that the proposed use will cease within 180 days of the date of this administrative approval unless the City



Council renders a final decision to approve the requested special exception at a later date.

NOW THEREFORE, in consideration of the forgoing, the mutual promises and covenants set forth herein, the Applicant agrees to the following:

1. The above Recitals are true and correct and the substantive provision and terms are incorporated herein; and
2. Upon execution, the agreement must be recorded in the public records of the county at the applicant's expense; and
3. No new principal structures are to be constructed on the subject property; and
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5. Any product being test-driven shall not go through the abutting neighborhood; and
6. The City of Bonita Springs Noise Control Ordinance remains in full force and effect; and
7. The applicant agrees by executing this agreement that the proposed use will cease within 180 days of the date of this administrative approval, unless an extension is approved per LDC 4-253 or that the City Council renders a final decision approving the requested special exception.

IN WITNESS WHEREOF, the Applicant has executed this above Agreement in order to effectuate the opening of the Power Lodge Florida and intends to be bound as of the date written above.

[Signature]
Witness

BY: [Signature: Thomas D. Dehn]
Applicant

Witness

Date: 12/22/2020

STATE OF FLORIDA
COUNTY OF LEE

The forgoing instrument was acknowledged before me this 22 day of DECEMBER, 2020 by Tom Dehn, applicant, Dehn Enterprises, LLC. He is personally known to me or has produced mw Deh as identification.



[Signature: Alexander H. Schaeffer]



Signature of Notary Public

THEODORE H SCHOEPFASH
Printed Name of Notary Public

Attest:

By: *Debra Lynch*
City Clerk

CITY OF BONITA SPRINGS

By: *[Signature]*
Community Development Director

APPROVED AS TO LEGAL FORM:

By: *[Signature]*
City Attorney



I CERTIFY THIS DOCUMENT TO BE A TRUE AND CORRECT COPY OF THE ORIGINAL ON FILE IN MY OFFICE LINDA DOGGETT, CLERK OF CIRCUIT COURT, STATE OF FLORIDA, COUNTY OF LEE

REDACTED COPY PER F.S.119.071

BY: *Linda Doggett*
DATED: 28-Dec-20 Deputy Clerk

RETURN TO:
City of Bonita Springs
Community Development Department
Attn: Mike Fiigon II
9220 Bonita Beach Road, Suite 109
Bonita Springs, FL 34135

Support Oppose

Application: SPE20-75828-BOS, Power Lodge Special Exception

DATE: 4-30-21
NAME: Keith + Jacquelyn Kissand PHONE: 630-306-8282
ADDRESS: 28430 Hidden Lakes Drive CITY/STATE/ZIP: Bonita Springs, FL 34134

RECOMMENDATIONS AND POSTPONEMENTS: The Board may accept, reject or modify staff recommendations and take such other appropriate and lawful action including continuing said public hearings.

CONDUCT OF HEARINGS: These hearings are quasi-judicial and must be conducted to afford all parties due process. Any communication that Council Members have outside of the public hearing must be fully disclosed at the hearing. Anyone who wishes to speak at the hearing will be sworn in and may be subject to questions by the board, city staff or applicant. Public comment is encouraged and all relevant information should be presented to the Board so a fair and appropriate decision can be made. Tapes are limited to three (3) minutes in length and are to be submitted to the Zoning Division one week prior to the meeting date for review. All tapes/information submitted for the public record will not be returned.

GROUP REPRESENTATIVES: Any person representing a group or organization must provide written authorization to speak on behalf of that group. The representative shall inform Staff prior to the hearing of their intent to speak on behalf of a group and provide staff the name of that group.

I will have a representative at the Zoning Board Hearing and/or City Council. My representative's name, address, and phone are:	
NAME: _____	PHONE: _____
ADDRESS: _____	CITY/STATE/ZIP: _____

APPEALS: If a person decides to appeal any final decision made by the City Council, with respect to any matter considered at such hearing, they are responsible at their own expense for ordering from the court reporter to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence on which the appeal is to be based.

**CITY OF BONITA SPRINGS
COMMUNITY DEVELOPMENT DEPARTMENT
NOTICE OF PUBLIC HEARING
APPLICATION: SPE20-75828-BOS**

This is a courtesy notice of a proposed zoning action within 375 feet of property you own. You are encouraged to attend these public hearings and/or complete and return the attached Citizen Response Form, should you have any comments or concerns regarding this matter. If you have any questions or would like further information, please contact **Mike Fiigon II, Senior Planner**, at **(239) 444-6150**, or **mfiigon@cityofbonitaspringscd.org**. Copies of the staff report will be available one week prior to the hearing. This file may be reviewed at the Community Development department, 9220 Bonita Beach Road, Suite 109, Bonita Springs, FL 34135 or online at:

<http://cityofbonitasprings.org/cms/one.aspx?pagelid=13788499>

<p>Zoning Board of Adjustments: May 18, 2021 at 9:00am Bonita Springs Recreational Center 26740 Pine Avenue Bonita Springs, Florida 34135</p>	<p>City Council: (First Reading) June 2, 2021 at 5:30pm (Tentative) Bonita Springs Recreation Center 26740 Pine Ave, Bonita Springs, FL 34135</p> <p>(Second Reading) Date: June 16, 2021 (Tentative) Location: TBA</p>
--	--

CASE NUMBER: SPE20-75828-BOS

CASE NAME: Power Lodge Special Exception

REQUEST: A special exception request to allow a Vehicle & Equipment Dealer Group II and III use on a property located within the US 41 Overlay, pursuant to LDC 4-891.

LOCATION: The subject property is located at 28450-488 Tamiami Trail, Bonita Springs FL 34134. STRAP: 04-48-25-B3-0180B.0010

In accordance with the Americans with Disabilities Act, reasonable accommodations will be made upon request. If you are in need of a reasonable accommodation, contact Meg Weiss, Director of Administrative Services, at (239) 949-6262 at least 48 hours prior to the hearing.

RETURN TO:
City of Bonita Springs
Community Development Department
Attn: Mike Fiigon II
9220 Bonita Beach Road, Suite 109
Bonita Springs, FL 34135

Support _____ Oppose X

Application: SPE20-75828-BOS, Power Lodge Special Exception

I LIVE IN HIDDEN LAKES VILLAS. MY HOUSE (REAR) IS RIGHT BEHIND PROPOSED MOTORCYCLE SHOP.

WE ARE VERY CONCERNED ABOUT THE NOISE FACTOR OF REVING MOTORCYCLE NOISE THAT WILL BE AN ANNOYANCE TO OUR QUIET HOUSING DEVELOPMENT! WE DEFINITELY OPPOSE THIS PROPOSED BUSINESS.

DATE: 4-27-2021
NAME: ROBERT SOEPER PHONE: 412-260-0888
ADDRESS: 38471 HIDDEN LAKES DR. DONIA SPRINGS 34134 CITY/STATE/ZIP: _____

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Community Development Department
Attn: Mike Fiigon II
9220 Bonita Beach Road, Suite 109
Bonita Springs, FL 34135

Support _____ Oppose X

Application: SPE20-75828-BOS, Power Lodge Special Exception

DATE: 4-28-2021
NAME: EUGENE HEHEMANN + DEBRA PHONE: 513-543-7384
ADDRESS: 3580 WOODVIEW LN. CITY/STATE/ZIP: BATAVIA, OH 45103

RECOMMENDATIONS AND POSTPONEMENTS: The Board may accept, reject or modify staff recommendations and take such other appropriate and lawful action including continuing said public hearings.

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City of Bonita Springs
Community Development Department
Attn: Mike Fiigon II
9220 Bonita Beach Road, Suite 109
Bonita Springs, FL 34135

Support _____ Oppose XXX

Application: SPE20-75828-BOS, Power Lodge Special Exception

Please record our strong opposition to this exception. We have been documenting motorcycle noise emanating from this location, contrary to what the principles claim, and we do not want this nuisance to continue near our community. We DO NOT want special treatment - we only want existing laws enforced as written.

DATE: 05/03/2021

NAME: Andre & Patricia Roberto

PHONE: 239.949.7922

ADDRESS: 28483 Hidden Lake Dr

CITY/STATE/ZIP: Bonita Springs FL 34134

RECOMMENDATIONS AND POSTPONEMENTS: The Board may accept, reject or modify staff recommendations and take such other appropriate and lawful action including continuing said public hearings.

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PHONE: _____

ADDRESS: _____

CITY/STATE/ZIP: _____

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Publication Date
2021-04-30

Subcategory
Miscellaneous Notices

Notice of Public Meeting of the City of Bonita Springs Board for Land Use Hearings & Adjustments and Zoning Board of Appeals TUESDAY, May 18, 2021 at 9:00am Bonita Springs Recreation Center 26740 Pine Avenue Bonita Springs, FL 34135 I. CALL TO ORDER II. INVOCATION III. PLEDGE OF ALLEGIANCE IV. ROLL CALL V. APPROVAL OF MINUTES: February 23, 2021 VI. PUBLIC COMMENT VII. PUBLIC HEARINGS EACH CASE WILL INCLUDE A PUBLIC COMMENT PERIOD AT THE CONCLUSION OF THE APPLICANT AND STAFF PRESENTATION A. CASE NAME: POWER LODGE SPECIAL EXCEPTION (SPE20-75828-BOS) A SPECIAL EXCEPTION REQUEST TO ALLOW A VEHICLE & EQUIPMENT DEALER GROUP II AND III USE ON A PROPERTY LOCATED WITHIN THE US 41 OVERLAY, PURSUANT TO LDC 4-891. VIII. NEXT MEETING: TENTATIVE- June 15, 2021 IX. ADJOURNMENT Any person requiring special accommodations at any of the meetings because of a disability or physical impairment should contact Meg Weiss, Director of Administrative Services at 239-949-6262, at least 48 hours prior to the meeting. If a person decides to appeal a decision made by the Board in any matter considered at this meeting/hearing, such person may need to ensure that a verbatim record of the proceeding is made, to include the testimony and evidence upon which any such appeal is to be based. NOTE: This meeting is televised on Comcast Channel 98. You may also view the meeting on hotwire channel 398; century link/prism tv channel 87; and summit broadband channel 96. Meetings can be viewed and agendas are available at www.cityofbonitasprings.org one week prior to the public hearing. AD# 4712385 4/30/2021