



AGENDA FOR THE HEARING EXAMINER

Tuesday, December 15, 2020

9:00 AM

Council Chambers

1. HEARINGS CALLED TO ORDER

2. HEARINGS

- A. Case: VP20-0012*; Address: All Properties in Block 4406;
Applicant: City of Cape Coral

3. DATE AND TIME OF NEXT HEARINGS

- A. Tuesday, January 5, 2021, at 9:00 a.m. in Council Chambers

4. ADJOURNMENT

In accordance with the Americans with Disabilities Act and [Florida Statutes 286.26](#), persons needing a special accommodation to participate in this proceeding should contact the City Clerk's Department whose office is located at Cape Coral City Hall, 1015 Cultural Park Boulevard, Cape Coral, Florida; telephone 1-239-574-0411 for assistance, if hearing impaired, telephone the Florida Relay Service Numbers, 1-800-955-8771 (TDD) or 1-800-955-8700 (v) for assistance.

If a person decides to appeal any decision made by the Board/Commission/Committee with respect to any matter considered at such meeting or hearing, he will need a record of the proceedings, and for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

PLEDGE OF CIVILITY

We will be respectful of each other even when we disagree.
We will direct all comments to the issues. We will avoid personal attacks.

The hearing shall, to the extent possible, be conducted as follows:

1. The Clerk shall read into the record the Ordinance or Resolution Title and Number, or the Applicant's name, file number, and the subject matter to be decided if there is no ordinance or resolution.
2. The Applicant, staff, and all Participants requesting to speak or present evidence or both the hearing shall be collectively sworn by an oath or affirmation by the Clerk.
3. Staff will testify regarding proper notice of the Hearing in accordance with City requirements.
4. The Applicant may waive the Applicant's right to an evidentiary hearing if Applicant agrees with the staff recommendation and no one from the audience wishes to speak for or against the application. The Hearing Examiner shall rule on the matter or make a recommendation, based upon the staff report and any other materials contained within the official file. Regardless of a waiver by the Applicant, a Public Hearing shall be held for all decisions requiring an ordinance or resolution.
5. If there is an evidentiary hearing, the order of the presentation shall be as follows, unless the Hearing Examiner, determines to proceed in a different order, taking proper consideration of fairness and due process:
 - o The Applicant shall make the Applicant's presentation, including offering any documentary evidence, and introduce any witnesses as Applicant desires. The Applicant shall present the Applicant's entire case in thirty (30) minutes.
 - o Staff shall present a brief synopsis of the application; introduce any appropriate additional exhibits from the official file that have not already been transmitted to the Hearing Examiner with the agenda materials, as staff desires; summarize issues; and make a recommendation on the application. Staff shall also introduce any witnesses that it wishes to provide testimony at the hearing. Staff shall present its entire case in thirty (30) minutes.
 - o Participants in opposition to or support of the application shall make their presentation in any order as determined by the Hearing Examiner. Each Participant shall present their argument in 5 minutes.
 - o The Applicant may cross-examine any witness and respond to any testimony presented.
 - o Staff may cross-examine any witness and respond to any testimony presented.
 - o The Hearing Examiner may choose to allow Participants to respond to any testimony if the Hearing Examiner deems the response to be necessary to ensure fairness and due process.
 - o The Hearing Examiner, may ask questions of the staff, Applicant, and Participants.
 - o Final argument may be made by the Applicant, related solely to the evidence in the record.
 - o Final argument may be made by the staff, related solely to the evidence in the record.
 - o For good cause shown, the Hearing Examiner may grant additional time to any of the hereinabove time limitations.
 - o The Hearing Examiner's, decisions must be based upon Competent Substantial Evidence in the record.

Item Number: 2.A.
Meeting Date: 12/15/2020
Item Type: HEARINGS

AGENDA REQUEST FORM
CITY OF CAPE CORAL



TITLE:

Case: VP20-0012*; Address: All Properties in Block 4406; Applicant: City of Cape Coral

REQUESTED ACTION:

Approve or Deny

STRATEGIC PLAN INFO:

1. Will this action result in a Budget Amendment? No
2. Is this a Strategic Decision? No
If Yes, Priority Goals Supported are listed below.
If No, will it harm the intent or success of the Strategic Plan? No

Planning & Zoning Recommendations:

SUMMARY EXPLANATION AND BACKGROUND:

The City requests to vacate:

1. ±23,200 sq. ft. of platted alley right-of-way (ROW) between Lots 1-29 and Lots 30-58, Block 4406.
2. ±4,560 sq. ft. of easements underlying the alley ROW between Lots 1-6 and Lots 53-58, Block 4406.
3. ±2,736 sq. ft. of platted easements along the east side of Lots 1-6 and the west side of Lots 53-58, Block 4406.

LEGAL REVIEW:

EXHIBITS:

See attached Backup Materials

PREPARED BY:

Jessica M. Cruz Division- Planning Division Department- Community Development

SOURCE OF ADDITIONAL INFORMATION:

Mike Struve, AICP, LEED Green Associate, Planning Team Coordinator
Planning Division, PH: 239-242-3255, Email: mstruve@capecoral.net

ATTACHMENTS:

Description

▫ Backup Materials

Type

Backup Material



**DEPARTMENT OF COMMUNITY DEVELOPMENT
PLANNING DIVISION**

Tel. (239) 574-0776
Fax (239) 574-0591
P.O. Box 150027
Cape Coral, FL 33915-0027

VACATIONS OF PLAT REQUEST TO THE HEARING EXAMINER AND CITY COUNCIL

FEE: \$843.00 – In addition to the application fee, all required advertising costs are to be paid by the applicant (ORD 39-03, Sec. 5.4) Advertising costs must be paid prior to public hearing otherwise the case may be continued to a future hearing date.

If the vacation is approved, the applicant shall be responsible for reimbursing the City to record the final resolution or ordinance with the Lee County Clerk of Court. Until these fees are paid, restrictions on the issuance of any City permits will remain on the affected property that will prevent the City from issuing any applicable building permits, site plans, or certificates of occupancy for any property covered by the resolution or ordinance.

PROPERTY INFORMATION			
Project Name: <u>Vacation of Alley and Easements for the City of Cape Coral - Fire Station #12</u>			
Location/Address <u>Multiple Addresses - See attached Property Information Exhibit 1</u>			
Strap Number <u>Multiple Strap Numbers See attached Property Information Exhibit 1</u>	Unit _____	Block <u>4406</u>	Lot (s) <u>1-58</u>
Strap Number _____	Unit _____	Block _____	Lot (s) _____
Plat Book <u>21</u>	Page <u>53</u>	Future Land Use <u>PF / MF</u>	Current Zoning <u>R1 / RML</u>
PROPERTY OWNER (S) INFORMATION			
Owner <u>City of Cape Coral</u>		Address <u>P.O. Box 150027</u>	
Phone <u>239-574-3637</u>		City <u>Cape Coral</u>	
Email <u>rcreighton@capecoral.net (Robert Creighton)</u>		State <u>FL</u>	Zip <u>33915</u>
Owner _____		Address _____	
Phone _____		City _____	
Email _____		State _____	Zip _____
APPLICANT INFORMATION (If different from owner)			
Applicant <u>Same as Property Owner</u>		Address _____	
Phone _____		City _____	
Email _____		State _____	Zip _____
AUTHORIZED REPRESENTATIVE INFORMATION (If Applicable)			
Representative <u>Avalon Engineering, Inc. / Linda Miller</u>		Address <u>2503 Del Prado Blvd. So, Suite 200</u>	
Phone <u>239-573-2077</u>		City <u>Cape Coral</u>	
Email <u>linda@avaloneng.com</u>		State <u>FL</u>	Zip <u>33904</u>



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If the owner does not own the property in his/her personal name, the owner must sign all applicable forms in his/her corporate capacity.

(ALL SIGNATURE MUST BE NOTARIZED)

The owner of this property, or the applicant agrees to conform to all applicable laws of the City of Cape Coral and to all applicable Federal, State, and County laws and certifies that all information supplied is correct to the best of their knowledge.

CORPORATION/COMPANY NAME (IF APPLICABLE)

City of Cape Coral
By: Roberto Hernandez, City Manager

OWNER'S NAME (TYPE OR PRINT)

OWNER'S SIGNATURE (Handwritten signature)

OWNER'S NAME (TYPE OR PRINT)

OWNER'S SIGNATURE

APPLICANT NAME (TYPE OR PRINT)

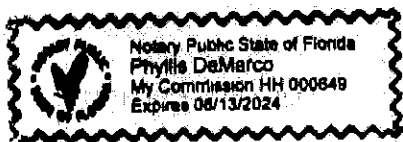
APPLICANT SIGNATURE

I have read and understand the above instructions. Hearing date(s) will be confirmed when I receive a copy of the Notice of Public Hearing stipulating the day and time of any applicable hearings.

STATE OF Florida

COUNTY OF Lee

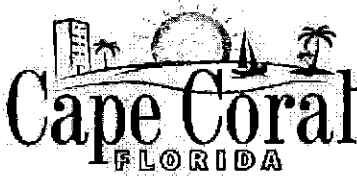
Sworn to (or affirmed) and subscribe before me, by means of [X] physical presence or [] online notarization, on this 4th day of September, 2020 by Roberto Hernandez, City Manager, know is personally known to me or produced as identification.



Exp Date: 8/13/2024 Commission Number: HH 000649

Signature of Notary Public: Phyllis DeMarco

Printed Name of Notary Public: Phyllis DeMarco



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PLANNING DIVISION

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AUTHORIZATION TO REPRESENT PROPERTY OWNER(S)

PLEASE BE ADVISED THAT Avalon Engineering Inc
(Name of person giving presentation)

IS AUTHORIZED TO REPRESENT ME IN THE REQUEST BEFORE THE HEARING EXAMINER
AND CITY COUNCIL.

UNIT 63 BLOCK 4406 LOT(S) 1-58 SUBDIVISION Cape Coral

OR LEGAL DESCRIPTION _____

LOCATED IN THE CITY OF CAPE CORAL, COUNTY OF LEE, FLORIDA.

City of Cape Coral
By: Roberto Hernandez, City Manager

PROPERTY OWNER (Please Print)


PROPERTY OWNER (Signature & title)

PROPERTY OWNER (Please Print)

PROPERTY OWNER (Signature & title)

STATE OF Florida

COUNTY OF Lee

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Exp Date: 8/13/2024 Commission Number: HH 000649

Signature of Notary Public: Phyllis DeMarco
Printed Name of Notary Public: Phyllis DeMarco

Note: Please list all owners. If a corporation, please supply the Planning Division with a copy of corporation papers.



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ACKNOWLEDGEMENT FORM

I have read and understand the above instructions. Hearing date(s) will be confirmed when I receive a copy of the Notice of Public Hearing stipulating the day and time of any applicable hearings.

I acknowledge that I, or my representative, must attend any applicable meetings scheduled for the Hearing Examiner and City Council.

I will have the opportunity at the hearing to present information pertaining to my request that may not be included in my application.

I understand any decision rendered by the CITY shall be subject to a thirty (30) day appeal period. Any work performed within the thirty (30) day time frame or during the APPEAL process will be completed at the applicant's risk.

I understand I am responsible for all fees, including advertising and recording costs. All fees are to be submitted to the City of Cape Coral with the application.

By submitting this application, I acknowledge and agree that I am authorizing the City of Cape Coral to inspect the subject property and to gain access to the subject property for inspection purposes reasonably related to this application and/or the permit for which I am applying.

I hereby acknowledge that I have read and understood the above affidavit on the 4th Day of September, 2020.

CORPORATION/COMPANY NAME

City of Cape Coral
By: Roberto Hernandez, City Manager

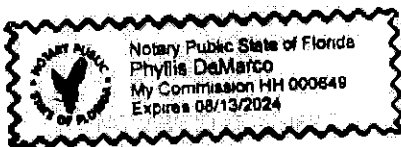
OWNER'S NAME (TYPE or PRINT)

OWNER'S SIGNATURE

STATE OF Florida

COUNTY OF Lee

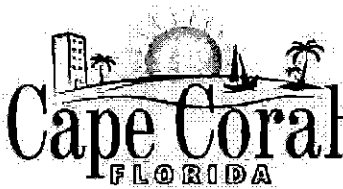
Sworn to (or affirmed) and subscribe before me, by means of physical presence or online notarization, on this 4th day of September, 2020 by Roberto Hernandez, City Manager, know is personally known to me ~~or produced~~ _____ as identification.



Exp Date: 8/13/2024 Commission Number: HH 000649

Signature of Notary Public: Phyllis DeMarco

Printed Name of Notary Public: Phyllis DeMarco



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DOCUMENTARY EVIDENCE (LDC, Section 3.1.11F.6)

A copy of all documentary evidence shall be made available to the decision-making body or the Hearing Examiner and to staff no later than three business days prior to the hearing of the application. This requirement includes information that the applicant intends to present at public hearing.

I have read the above requirement and agree to comply with this provision.

City of Cape Coral
By: Roberto Hernandez, City Manager

OWNER/APPLICANT
(PLEASE TYPE OR PRINT)

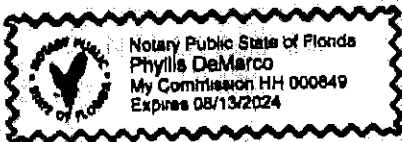
OWNER/APPLICANT SIGNATURE

(SIGNATURE MUST BE NOTARIZED)

STATE OF Florida
COUNTY OF Lee

Sworn to (or affirmed) and subscribe before me, by means of physical presence or online notarization, on this 4th day of September, 2020 by Roberto Hernandez, know is personally known to me or produced as identification.

Exp Date: 8/13/2024 Commission Number: HH 000649



Signature of Notary Public: Phyllis DeMarco

Printed Name of Notary Public: Phyllis DeMarco



Avalon Engineering, Inc.
2503 Del Prado Boulevard South, Suite 200
Cape Coral, Florida 33904
Phone: (239) 573-2077 Fax: (239) 573-2076
#AA C001936 #EB 0003128

September 8, 2020

Mr. Robert Pederson, Planning Manager
Department of Community Development
City of Cape Coral
1015 Cultural Park Boulevard
Cape Coral, Florida 33990

**SUBJECT: REQUEST FOR VACATION OF PLAT TO VACATE A PLATTED 20' ALLEY
AND A PORTION OF THE UNDERLYING AND ADJOINING EASEMENTS IN
BLOCK 4406**

Dear Mr. Pederson:

As provided for in Section 3.4.5 of the City of Cape Coral's Land Development Code, and on behalf of the property owner, the City of Cape Coral, we hereby request approval for the following vacation requests:

- Vacation of a the entire 20' platted alley for Block of 4406 between Lots 1-29 on the west and Lots 30-58 on the east, containing 23,200 square feet or 0.533 acres more or less.
- Vacation of the 20' underlying easements within a portion of the alley between Lots 1-6 and 53-58 in Block 4406, containing 4,560 square feet more or less. The City will retain the 20' underlying (Public Utility and Drainage Easement) within the alley for the remaining part of the Block.
- Vacation of the adjoining 6-foot public utility and drainage easements lying east and west of the alley between Lots 1-6 and 53-58 in Block 4406. Vacation "A" west side 6' PUE contains 1,368 square feet more or less. Vacation "B" east side 6' PUE contains 1,368 square feet more or less. The City of Cape Coral is vacating this area to construct a Fire Station within the southern corner of this block.

A new 6' Public Utility and Drainage Easement will be recorded along the northern and southern property lines of the Fire Station site to provide the required 6' PUE along the perimeter of the Fire Station site, each easement contains 120 square feet more or less.

The subject property is located on Chiquita Boulevard between SW 20th Street and SW 22nd Street. Per Section 3.4.5, the party seeking a vacation of a plat, city street, alley, canal, other right-of-way, public easement, or other property must show or submit the following:

- a. Petitioner has color of title to the tract or parcel of land covered by the plat or portion of the plat of which vacation is sought, unless the petitioner is the City of Cape Coral.

The City of Cape Coral is the owner of the parcel where Fire Station 12 will be constructed and is the applicant for this Vacation of Plat application.

- b. Letter of approval from Lee County Electric Cooperative, Inc.;

The application includes a Letter of No Objection from Lee County Electric Cooperative.

- c. Letter of approval from affected telephone companies;

The application includes a Letter of No Objection from CenturyLink.

- d. Letter of approval from affected cable companies; and

The application includes a Letter of No Objection from Comcast.

- e. Letter of approval from any other affected utility companies (e.g., water, sewer);

There are no utilities within the easement area being vacated. A boundary survey of the Fire Station site is provided within this application package.

2. Applicants requesting to vacate rights-of-way or easements shall provide a recent boundary survey or survey sketch of the property prepared by a registered surveyor showing the area to be vacated and provide a complete legal description(s). The survey or sketch shall show all pavement and all utility and drainage facilities, including water, sewer, cable lines, utility poles, swales, ditches, manholes, and catch basins. Separate drawings and legal descriptions are required for each vacation area when right-of-way and easement configurations differ.

All Legal and sketches required for the submittal of this application are provided as part of this application.

- B. Standards and Criteria. Applications for vacations shall be reviewed in accordance with the following criteria:

1. Whether the plat, easements, or rights-of-way are required by the City for any future transportation, access, water management, or public utility purposes.

The 20' Public Utility and Drainage easements underlying within the alley will be retained by the City of Cape Coral, which will provide a 16-foot-wide PUE along the rear of each site north of the Fire Station within Block 4406.

2. Whether any required easements are necessary to accommodate the vacation of any plat, easement, or right-of-way.

A new 6' Public Utility and Drainage Easement will be accepted and recorded along the northern and southern property lines of the Fire Station site.

3. If alternate routes are required or available that do not cause adverse impacts to surrounding areas.

The alley is currently not improved and is not in use by the developed parcels within this Block, which contain a single-family home.

4. If the closure of a right-of-way negatively affects areas utilized for vehicles to turn around and exit an area.

The lots north of the Fire Station site within Block 4406 are Zoned RML and have a Land Use designation of MF (Multi-family). An alley along the rear of RML Zoned parcels is not necessary for vehicle use and limits the location of a structure.

5. Whether local utility providers have given consent to the vacation of the plat, easements, or rights-of-way. The local utility providers may require additional easements or relocation of existing utilities facilities to complete the vacation.

All utility providers have given consent to this vacation of the plan.

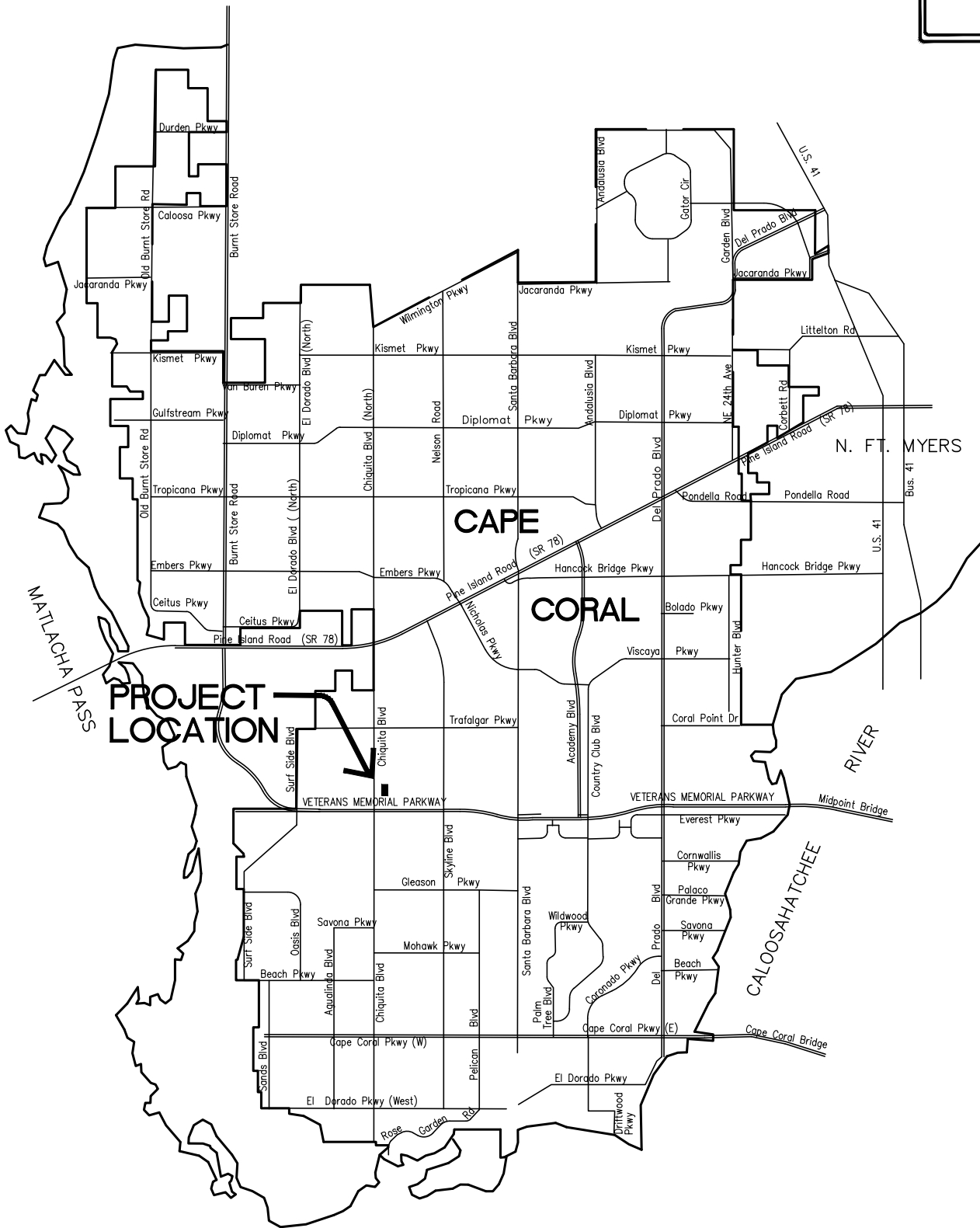
Should you or your staff have questions or require additional information, please let us know.

Sincerely,

AVALON ENGINEERING, INC.



Linda Miller, AICP
Senior Planner



LOCATION MAP
N.T.S.

THIS PLAN IS INTENDED FOR CONCEPTUAL PURPOSES ONLY. THE INFORMATION BASED UPON SURVEY, ENVIRONMENTAL AND REGULATORY CONSTRAINTS. NOT FOR CONSTRUCTION.

DATE	BY	REVISION DESCRIPTION
XX/XX/20	LM	VOP

AVOLON ENGINEERING, INC.
2503 DEL PRADO BLVD. #200
CAPE CORAL, FLORIDA 33904
FBPE#13128 (239) 573-2077

VACATION OF FLAT
(20' ALLEY)
BLK 4406, LOTS 1-6 & 50-58, UNIT 63
CAPE CORAL - FLORIDA

DEVELOPER:
SHEET SPARKMAN ARCHITECTS
2168 MAIN STREET
SARASOTA, FLORIDA 34237
(941) 952-0084

LOCATION MAP



THIS PLAN IS PREPARED FOR CONCEPTUAL PURPOSES ONLY. THE USER MAY CHANGE SIGNIFICANTLY BASED UPON SURVEY, ENVIRONMENTAL AND REGULATORY CONSTRAINTS. NOT FOR CONSTRUCTION.

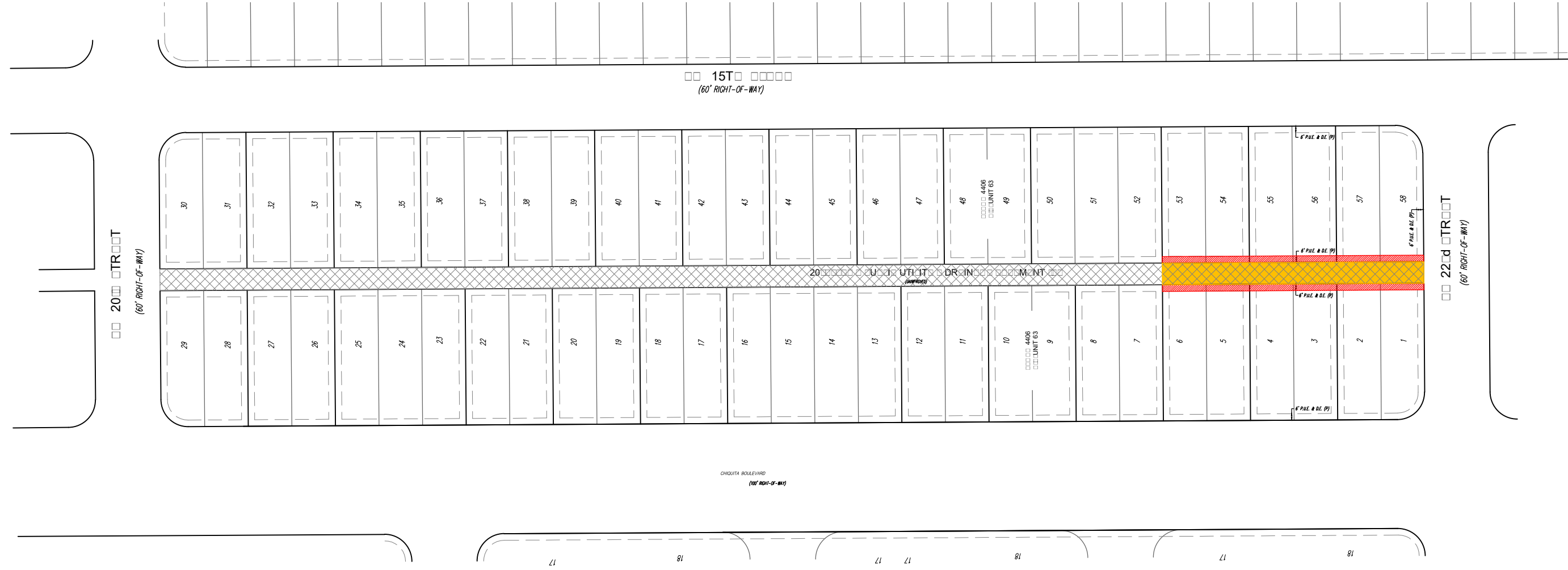
DATE	BY	REVISION DESCRIPTION
XX/XX/20	LM	VOP

AVALON ENGINEERING, INC.
 2503 DEL PRADO BLVD. #200
 CAPE CORAL, FLORIDA 33904
 FBPE#3128 (239) 573-2077

VACATION OF PLAT
 (20' ALLEY)
 BLK 4406, LOTS 1-6 & 50-58, UNIT 63
 CAPE CORAL - FLORIDA

DEVELOPER:
 SWEET SPARKMAN ARCHITECTS
 2168 MAIN STREET
 SARASOTA, FLORIDA 34237
 (941) 952-0084

500' PROXIMITY MAP



15T (60' RIGHT-OF-WAY)

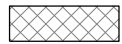


20 TR (60' RIGHT-OF-WAY)

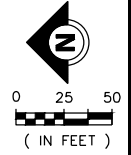
22 d TR (60' RIGHT-OF-WAY)

CHIQUITA BOULEVARD (60' RIGHT-OF-WAY)

20 UTILITY DR IN MENT

LEGEND

-  VACATION OF 20' ALLEY
-  VACATION OF 6' ADJOINING EASEMENTS
-  VACATION OF UNDERLYING ALLEY EASEMENT



DATE	BY	REVISION DESCRIPTION
08/31/20	LM	VACATION OF PLAT

AVALON ENGINEERING, INC.
 2503 DEL PRADO BLVD. #200
 CAPE CORAL, FLORIDA 33904
 FBPE#3128 (239) 573-2077

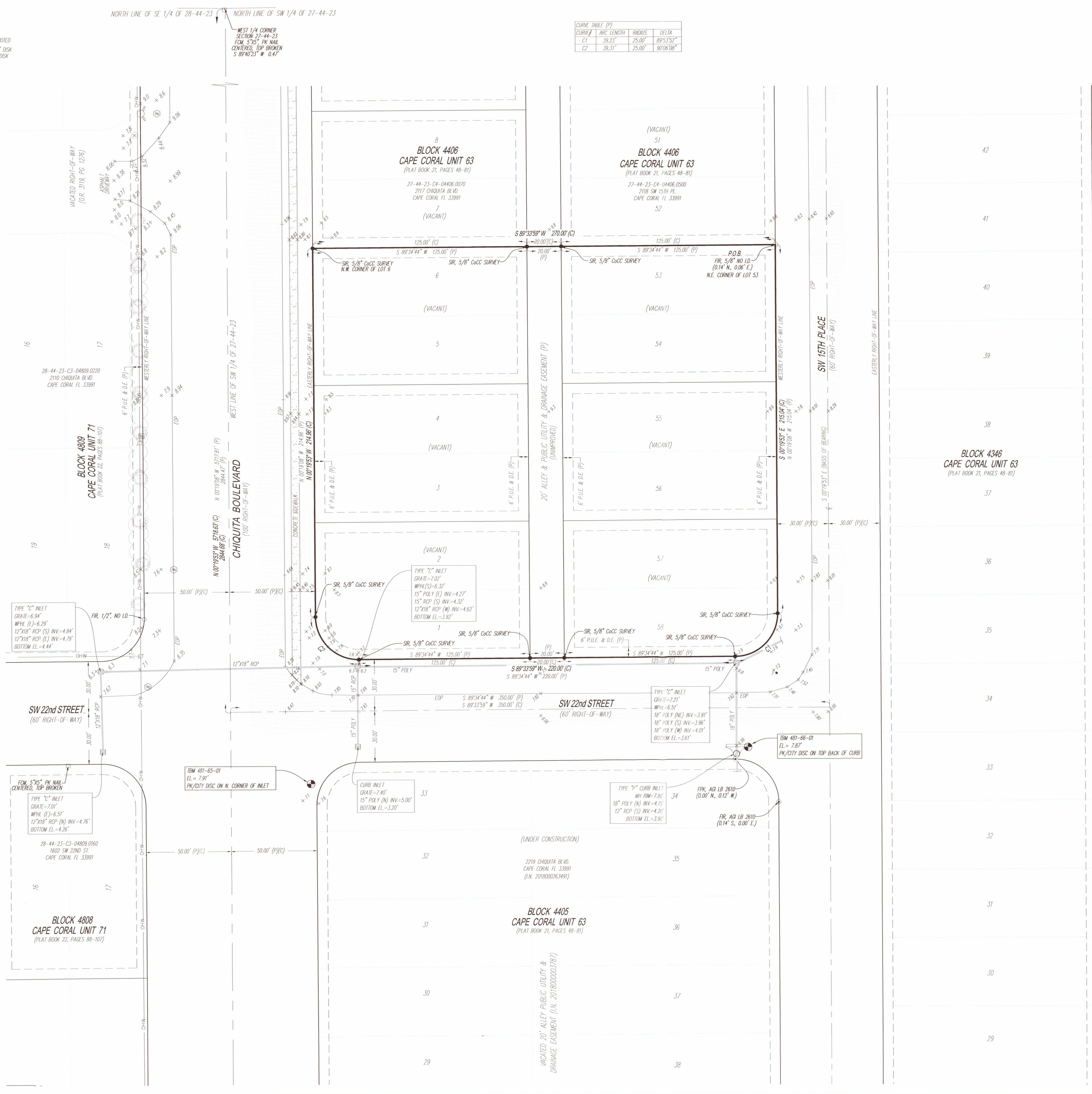
**PROPOSED CAPE CORAL
 FIRE STATION #12**
 2125 CHIQUITA BOULEVARD SOUTH
 CAPE CORAL, FLORIDA

**VACATION OF PLAT
 EXHIBIT**

- LEGEND**
- FIP FOUND IRON PIPE (SIZE AND L.D. AS NOTED)
 - FIP FOUND IRON ROD (SIZE AND L.D. AS NOTED)
 - FIP FOUND IRON ROD WITH "CAPE CORAL ENGR. DEPL." CAP
 - FIP FOUND ALUMINUM CAP (SIZE AND L.D. AS NOTED)
 - PCP PERMANENT CONTROL POINT
 - PPM PERMANENT REFERENCE MONUMENT
 - SR SET 5/8" IRON ROD WITH "CAPE CORAL P.W. SURVEY" CAP
 - SCM SET 4" x 4" CONCRETE MONUMENT
 - W/ALUMINUM CAP, "CAPE CORAL ENGR. DEPL."
 - TCM FOUND CONCRETE MONUMENT SIZE L.D. AND CONDITION AS NOTED
 - SPK SET "PARKER-KALON" NAIL WITH "CAPE CORAL ENGR. DEPL." DSK
 - FPK FOUND "PARKER-KALON" NAIL WITH "CAPE CORAL" DSK
 - FPK FOUND "PARKER-KALON" NAIL (L.D. AS NOTED)
 - (C) CALCULATED
 - (M) MEASURED
 - (P) PLAT
 - 12.31 EXISTING SPOT ELEVATION HARD SURFACE (1/1000 OF A FOOT)
 - 12.32 EXISTING SPOT ELEVATION SOFT SURFACE (1/1000 OF A FOOT)
 - BFP BACK SLOPE PREVENTOR
 - B.M. BENCHMARK
 - BOC BACK OF CURB
 - CALENDAR YEAR
 - CATV CABLE TELEVISION MARKER
 - CBX CONTROL BOX (AS NOTED)
 - CMP CORRUGATED METAL PIPE
 - CDB/CB CATCH BASIN / DRAINAGE INLET
 - CI CURB INLET
 - COCC CITY OF CAPE CORAL
 - CLF CHAIN LINK FENCE
 - CFP CONCRETE POWER POLE
 - CLP CONCRETE LIGHT POLE
 - D.E. DRAINAGE EASEMENT
 - DRP DUCTILE IRON PIPE
 - DMH DRAINAGE MANHOLE
 - ECOMP ELLIPTICAL CORRUGATED METAL PIPE
 - ELEC UNDERGROUND ELECTRIC WIRE/SERVICE
 - 240V 240V ELECTRIC WIRE
 - EM ELECTRIC METER
 - ELEV ELEVATION
 - EPP EDGE OF PAVEMENT
 - EWP EDGE OF WATER
 - ERCP ELLIPTICAL REINFORCED CONCRETE PIPE
 - FDOT FLORIDA DEPARTMENT OF TRANSPORTATION
 - FFW FENCE, GALVANIZED WIRE
 - WFF WOOD STOCKADE
 - FCL FENCE, CHAIN LINK
 - FOW OVERHEAD WIRE
 - FFE FINISHED FLOOR ELEVATION
 - FHI FIRE HYDRANT, PORTABLE WATER
 - FHW FIRE HYDRANT, REUSE WATER
 - FND FOUND
 - FO FIBER-OPTIC MARKER
 - FO FIBER-OPTIC WALK
 - FPL FLORIDA POWER & LIGHT
 - FY FISCAL YEAR
 - GAS UNDERGROUND GAS MARKER
 - GM GAS METER
 - GV GAS VALVE
 - GUY GUY WIRE & ANCHOR
 - ID IDENTIFICATION
 - IN INSTRUMENT NUMBER
 - INV INVERT
 - IRV IRRIGATION VALVE
 - ISB IRRIGATION SERVICE
 - LB LICENSED BUSINESS
 - L.M.E. LAKE MAINTENANCE EASEMENT
 - N.E. NORTHEAST
 - N.W. NORTHWEST
 - M.L.P. METAL LIGHT POLE
 - M.P.P. METAL POWER POLE
 - M.P.P. WOOD POWER POLE
 - M.P.P. WOOD LIGHT POLE
 - M.E.S. MIXED END SECTION
 - O.R.B. OFFICIAL RECORDS BOOK OF LEE COUNTY, FLORIDA
 - P.M. PALM TREE (SMALL)
 - P.M. PALM TREE (MEDIUM)
 - P.M. PALM TREE (LARGE)
 - PINE PINE TREE
 - CYP CYPRESS TREE
 - O.T. ORNAMENTAL TREE, UNKNOWN TYPE
 - O.T. ORNAMENTAL TREE, AS NOTED
 - O.S. ORNAMENTAL SHRUB
 - P.B. PLAT BOOK
 - P.C. PAGE
 - P.S. PAGES
 - M.P.P. METAL POWER POLE
 - M.P.P. WOOD POWER POLE
 - CFP CONCRETE POWER POLE
 - P.O.B. POINT OF BEGINNING
 - P.O.C. POINT OF COMMENCEMENT
 - P.U.E. PUBLIC UTILITY EASEMENT
 - RCP REINFORCED CONCRETE PIPE
 - R.M. RANGE
 - R.O.W. RIGHT-OF-WAY
 - SEC. SECTION
 - S.P.C. STATE PLANE COORDINATE SYSTEM
 - SPR SPRINKLER HEAD
 - SV SEWER CLEANOUT
 - SMH SANITARY SINKER MANHOLE
 - S.R. STATE ROAD
 - S.E. SOUTHEAST
 - S.W. SOUTHWEST
 - S.O. SOUTH
 - T.B.M. TEMPORARY BENCHMARK
 - TEL TELEPHONE RISER
 - TMH TELEPHONE MANHOLE
 - T.O.B. TOP OF BANK
 - T.O.S. TOP OF SLOPE
 - T.C.B. TRAFFIC CONTROL BOX
 - TWP. TOWNSHIP
 - U.E. UTILITY EASEMENT
 - U.S. UNITED TELEPHONE SERVICE
 - WM WATER METER
 - WV WATER VALVE
 - W.P.H. WEST P.O. HOLE
 - N.G.V.D. 29 NATIONAL GEODETIC VERTICAL DATUM OF 1929
 - N.A.V.D. 88 NORTH AMERICAN VERTICAL DATUM OF 1888

CURVE TABLE (C)					
CURVE #	ARC LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD TANGENT
C1	39.23'	25.00'	89°53'52"	S 44°37'03" W	35.32' 24.96'
C2	39.31'	25.00'	90°06'08"	N 45°22'57" W	35.39' 25.04'

CURVE TABLE (P)					
CURVE #	ARC LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD TANGENT
C1	39.23'	25.00'	89°53'52"	S 44°37'03" W	35.32' 24.96'
C2	39.31'	25.00'	90°06'08"	N 45°22'57" W	35.39' 25.04'



LEGAL DESCRIPTION

ALL OF LOTS 1-6, 53-58 IN BLOCK 4406 ALONG WITH THAT PORTION OF THE ALLEY LYING BETWEEN SAID LOTS IN BLOCK 4406 AS SHOWN IN THE PLAT OF CAPE CORAL UNIT 64 AS RECORDED IN PLAT BOOK 21 ON PAGES 48-51 IN THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER SAID LOT 53 IN BLOCK 4406, THENCE RUN SOUTH 07°19'53" EAST ALONG THE WESTERLY RIGHT-OF-WAY LINE OF S.W. 15TH PLACE FOR A DISTANCE OF 215.04 FEET TO A POINT OF CURVATURE; THENCE RUN ALONG AN ARC OF A CONCAVE CURVE TO THE RIGHT HAVING A RADIUS OF 25.00 FEET, DELTA OF 89°53'52", CHORD BEARING S 44°37'03" W, CHORD DISTANCE OF 35.32 FEET, AND A TANGENT OF 24.96 FEET, FOR A DISTANCE OF 39.23 FEET; THENCE RUN S 89°33'59" W FOR A DISTANCE OF 220.00 FEET TO A POINT OF CURVATURE; THENCE RUN ALONG AN ARC OF A CONCAVE CURVE TO THE RIGHT HAVING A RADIUS OF 25.00 FEET, DELTA OF 90°06'08", CHORD BEARING N 45°22'57" W, CHORD DISTANCE OF 35.39 FEET, AND A TANGENT OF 25.04 FEET, FOR A DISTANCE OF 39.31 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF CHIKUITA BOULEVARD; THENCE RUN N 00°19'53" W FOR A DISTANCE OF 214.96 FEET TO THE NORTHWEST CORNER OF SAID LOT 6 IN BLOCK 4406; THENCE RUN S 89°33'59" W ALONG THE SOUTHERLY LINE OF LOT 7, ACROSS THE 20 FOOT WIDE ALLEY; AND THE SOUTHERLY LINE OF LOT 52, IN BLOCK 4406 FOR A DISTANCE OF 270.00 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 64,531 SQ. FT. OR 1.481 ACRES MORE OR LESS.

SUBJECT TO EASEMENTS, COVENANTS OR RESTRICTIONS OF RECORD, IF ANY.

BEARINGS BASED ON THE CENTERLINE OF S.W. 15TH PLACE BEING SOUTH 00°19'53" EAST AS CALCULATED.

- NOTES**
- BEARINGS SHOWN HEREON REFERENCE THE STATE PLANE COORDINATE SYSTEM, FLORIDA WEST ZONE, NORTH AMERICAN DATUM 1983, 1990 ADJUSTMENT, NATIONAL GEODETIC SURVEY HIGH REFERENCE NETWORK CONTROL POINTS "HOLI" AND "MARHEWIC", WITH THE CENTERLINE OF S.W. 15TH PLACE BEING SOUTH 00°19'53" EAST.
 - THIS PROPERTY MAY BE SUBJECT TO EASEMENTS, RESERVATIONS OR RESTRICTIONS OF RECORD.
 - IMPROVEMENTS OTHER THAN THOSE SHOWN WERE NOT LOCATED.
 - DIMENSIONS SHOWN HEREON ARE IN FEET AND DECIMALS THEREOF.
 - ELEVATIONS ON THIS SURVEY REFER TO N.G.V.D. 29 DATUM.
 - THIS SURVEY DOES NOT REFLECT OR DETERMINE OWNERSHIP.
 - THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE AND ALL MATTERS OF TITLE SHOULD BE REFERRED TO AN ATTORNEY.
 - BENCHMARK ORIGIN: TBM 379-29-01, PK/CITY DISC IN EAST END OF 12"X18" CULVERT PIPE AT 1605 S.W. 22ND TERRACE, ELEV.=9.13' N.G.V.D. 29.
 - THE FIELD WORK FOR THIS SURVEY WAS ORIGINALLY COMPLETED ON AUGUST 10, 2020.
 - THIS SURVEY WAS PREPARED FOR THE EXCLUSIVE USE OF THE CITY OF CAPE CORAL.
 - THIS TOPOGRAPHIC BOUNDARY SURVEY WAS PREPARED FOR THE PURPOSE OF SHOWING EXISTING CONDITIONS OF LOTS 1-6, PART OF AN ALLEY, AND LOTS 53-58 IN BLOCK 4406, AS REQUIRED FOR THE DESIGN OF A FUTURE FIRE STATION.

SURVEYORS CERTIFICATE:

I HEREBY CERTIFY THAT THIS BOUNDARY & TOPOGRAPHIC SURVEY OF THE DESCRIBED PROPERTY, IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND THAT THEY CONFORM WITH THE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES, AND IS NOT VALID WITHOUT THE ORIGINAL SEAL AND SIGNATURE OF THE SURVEYOR.

Raymond Phillips 8/11/2020
 RAYMOND PHILLIPS PSM
 PROFESSIONAL SURVEYOR & MAPPER
 FLORIDA LICENSE NUMBER 157015

BOUNDARY & TOPOGRAPHIC SURVEY

LOTS 1-6, 53-58 BLOCK 4406
CAPE CORAL UNIT 63, P.B. 21, PGS. 48-51
 SECTION 27, TOWNSHIP 44 SOUTH, RANGE 52 EAST

SHEET 1 OF 1

CALCULATED BY: []
 CHECKED BY: []
 DRAWN BY: []
 APPROVED: []
 SCALE: 1"=30'
 PROJECT NUMBER: 2020-0065
 SURVEY ORDER NUMBER: 20-065

DESCRIPTION: []
 DATE: []
 REVISION: []
 BY: []

DRAWING NUMBER: CC-20-0065.DWG
 FIELD BOOK(S) / PAGE(S): SURVEY JOB: 2020-0065
 F.B. 481, PGS. 59-67

PUBLIC WORKS DEPARTMENT
 FLORIDA
Cape Coral
 815 NICHOLAS PARKWAY, CAPE CORAL, FL. 33990
 PHONE: (239) 574-0701

Alley Vacation Legal Description:

Beginning at the Southwest corner of Lot 58 of Block 4406 of the plat of Cape Coral Unit 63 as recorded in Plat Book 21 Pages 48 through 81 of the Public Records of Lee County, Florida being in Section 27, Township 44 South , Range 23 East; Thence along the south line of Block 4406, S.89°34 '44"W., a distance of 20.00 feet; Thence parallel to the West line of Block 4406, N.00°19'08"W., a distance of 1160.00 feet to the north line of said Block 4406; Thence along said north line, N.89°34'44"E., a distance of 20.00 feet; Thence parallel to the West line of Block 4406, S.00°09'08"E., a distance of 1160.00 feet to the Point of Beginning.

Containing 23,200 square feet or 0.533 acre more or less.

Parcel subject to covenants, easements and restrictions of record if any.

Legal Description of Easements Vacated in Alley ROW:

Commencing at the southeast corner of Lot 1 of Block 4406 of the plat of Cape Coral Unit 63 as recorded in Plat Book 21 Pages 48 through 81 of the Public Records of Lee County, Florida being in Section 27, Township 44 South, Range 23 East; Thence run N.00°19'08"W., along the east line of Lot 1 a distance of 6.00 feet to the Point of Beginning; Thence continue along the east line of Lots 1 through 6, N.00°19'08"W., 228.00 feet to a point 6.00 feet southerly of the northeast corner of lot 6; Thence N.89°34'44"E. , a distance of 20.00 feet to a point 6.00 feet southerly of the northwest corner of Lot 53; Thence S.00°19'08"E. along the west line of Lots 53 through 58, a distance of 228.00 feet to a point 6.00 feet northerly of the southwest corner of Lot 58; Thence run S.89°34'44"W., a distance of 20.00 feet to the Point of Beginning.

Containing 4,560 square feet more or less.

Parcel subject to covenants, easements and restrictions of record if any.

Legal Description of Vacated Platted Easements in Lots 1-6:

Commencing at the southeast corner of Lot 1 of Block 4406 of the plat of Cape Coral Unit 63 as recorded in Plat Book 21 Pages 48 through 81 of the Public Records of Lee County, Florida being in Section 27, Township 44 South, Range 23 East; Thence along the east line of Lots 1 through 6, run N.00°19'08"W., a distance of 6.00 feet to the north line of a 6 foot public utility and drainage easement also being the Point of Beginning; Thence along said north line being a line 6 feet northerly of and parallel to the south line of Block 4406, run S.89°34'44"W. , a distance of 6.00 feet to a line 6 feet westerly of and parallel to said east line of Lots 1 through 6; Thence along said parallel line, N.00°19'08"W., 228.00 feet to a line 6 feet southerly of and parallel to the north line of Lot 6; Thence along said parallel line, N.89°34'44"E., a distance of 6.00 feet to the easterly line of said Lots 1 through 6; Thence along said easterly line, S.00°19'08"E., a distance of 228.00 feet to the Point of Beginning.

Containing 1,368 square feet more or less

Parcel subject to covenants, easements and restrictions of record if any.

Legal Description of Vacated Platted Easements in Lots 53-58:

Commencing at the southwest corner of Lot 58 of Block 4406 of the plat of Cape Coral Unit 63 as recorded in Plat Book 21 Pages 48 through 81 of the Public Records of Lee County, Florida being in Section 27, Township 44 South, Range 23 East; Thence along the westerly line of Lots 52 through 58 run N.00°19'08"W., a distance of 6.00 feet to the Point of Beginning; Thence along said westerly line, N.00°19'08"W., 228.00 feet to a line 6 feet southerly of and parallel to the north line of Lot 52; Thence along said parallel line N.89°34'44"E. , a distance of 6.00 feet to a line 6 feet easterly of and parallel to the said westerly line of Lots 53 through 58; Thence along said parallel line, S.00°19'08"E., a distance of 228.00 feet to a line 6 feet northerly of and parallel to the south line of Block 4406; Thence along said parallel line, run S.89°34'44"W., a distance of 6.00 feet; to the Point of Beginning.

Containing 1,368 square feet more or less.

Parcel subject to covenants, easements and restrictions of record if any.



Attention:

Lynda Brooks
Sr. Administrative Coordinator
Avalon Engineering Inc.
2503 Del Prado Boulevard So., Suite 200
Cape Coral, Florida 33904
Lynda@AvalonEng.com
(239) 573 - 2077 (Office)
(239) 573 - 2076 (Fax)

Subject: - No Objection Letter.

Site Address: CITY OF CAPE CORAL FIRE STATION #12
CAPE CORAL UNIT 63 BLK 4406 PB 21 PG 53 LOTS (1-7)(53-58)

To whom it my concern

Regarding the referenced property above CenturyLink has **No Objection** to the Vacation of the 20' platted alley and the underlying and adjoining 6' PUE's within the referenced properties above.

Sincerely

Justin Lane

THANK YOU!
Justin Lane
Sr. Network Implementation Program Manager
Fort Myers District
2820 Cargo St
Fort Myers FL 33916
Office: (239)-237-4837
justin.lane@centurylink.com



August 14, 2020

Attn:
Lynda Brooks

RE- 20-119 CITY OF FT MYERS FIRE STATION #12
REQUESTING A LETTER OF NO OBJECTION TO VACATE A PLATTED 20' ALLEY AND THE
UNDERLYING AND ADJOINING EASEMENTS IN ALL OF BLOCK 4406:
CAPE CORAL UNIT 63 BLK 4406 PB 21 PG 57 LOTS 1-58

Dear Ms. Brooks,

Thank you for contacting Comcast regarding your proposed vacation. This is to inform you that Comcast Cable does not have facilities in the proposed area and Comcast has no objection to the vacation providing that any of Comcast facilities that are in need of being relocated be paid for by the customer and Comcast is granted new easements.

If you have any further question or concerns, please do not hesitate to contact me at (239)707-3998.

Sincerely,

Timothy Green
Construction Specialist II

12600 Westlinks Dr. Suite #4
Fort Myers, FL 33913
Cell (239) 707-3998
Office (239) 318-1524
Timothy.Green@Comcast.com



Lee County Electric Cooperative, Inc.

Post Office Box 3455

North Fort Myers, FL 33918-3455

(239) 995-2121 • Fax (239) 995-7904

www.lcec.net

October 5, 2020

Ms. Linda Brooks
Avalon Engineering
2503 Del Prado Boulevard South
Suite 200
Cape Coral, FL 33909

Re: Letter of No Objection to Vacation of Platted Lot Line and Alley for a parcel located on Chiquita Boulevard between SW 20th Street and SW 22nd Street, Cape Coral, FL 33991; Owner: City of Cape Coral.

Dear Ms. Brooks:

You have opened up negotiations on behalf of the City of Cape Coral concerning the vacation of particular lot lines, easements, and alley that exists between Lots 1-6 and 53-58, Block 4406, Unit 63, Cape Coral Subdivision, as recorded amongst the Public records of Lee County, Florida, in Plat Book 21 at Page 48-81, inclusive.

We have reviewed the Plat, the request submitted, and our internal records. LCEC has **no objection** to the vacation petition as submitted and reflected in the request. In the after situation, we require a 6-foot wide perimeter easement in order to service the parcel

Should there be any questions please call me at 239-656-2112, or, if you prefer, I can be reached by email at russel.goodman@lcec.net.

Very truly yours,

Russel Goodman, SR/WA
Senior Right of Way Agent

Review Date: November 30, 2020

Owners: Multiple – See Exhibit “A”

Authorized Rep: Avalon Engineering, Inc.

Request: The City requests to vacate:

1. ±23,200 sq. ft. of platted alley right-of-way (ROW) between Lots 1-29 and Lots 30-58, Block 4406.
2. ±4,560 sq. ft. of easements underlying the alley ROW between Lots 1-6 and Lots 53-58, Block 4406.
3. ±2,736 sq. ft. of platted easements along the east side of Lots 1-6 and the west side of Lots 53-58, Block 4406.

Prepared By: Mike Struve, AICP, LEED Green Associate, Planning Team Coordinator

Approved By: Robert H. Pederson, AICP, Planning Manager

Recommendation: **Approval with condition**

Urban Service Area: Transition

ROW Description:

The subject alley is in Block 4406, between Lots 1-29 and 30-58, northeast of the intersection of Veteran’s Memorial Parkway and Chiquita Boulevard. The alley is 20 feet wide, unimproved, and runs north to south, parallel to Chiquita Boulevard.

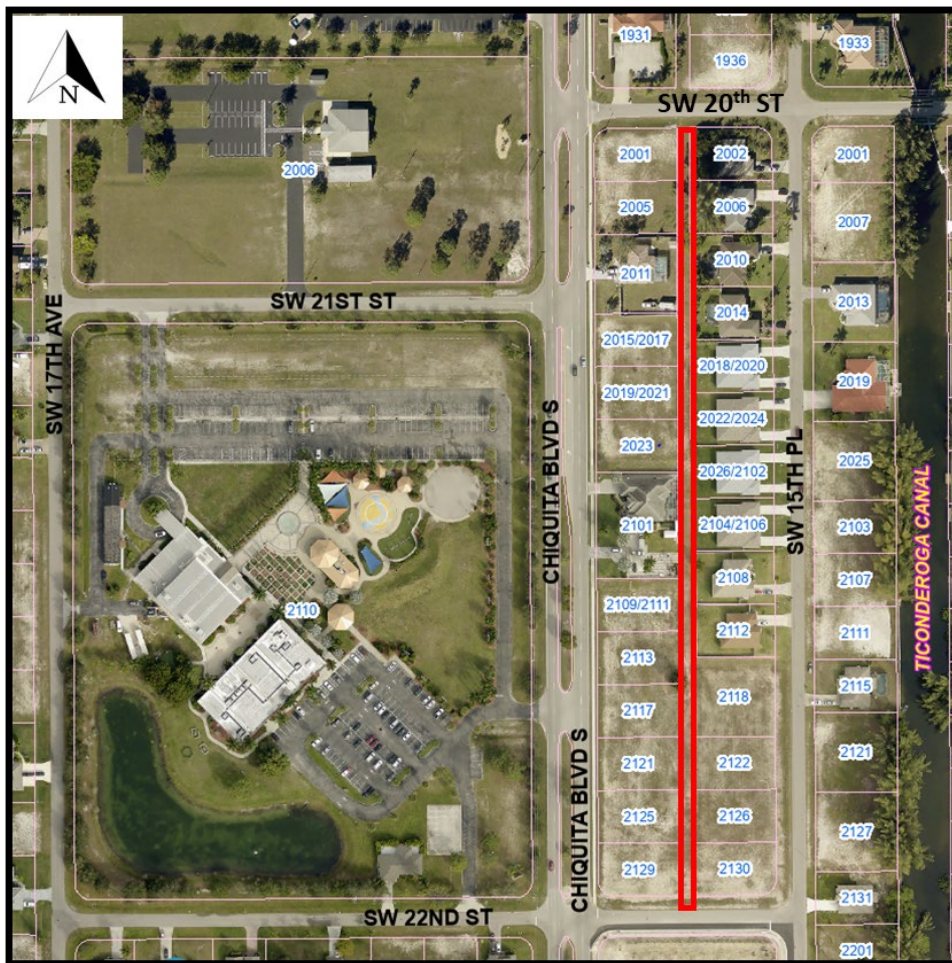
Description of Block 4406:

Block 4406 is bound by four streets: SW 20th Street to the north; SW 15th Place to the east; SW 22nd Street to the south; and Chiquita Boulevard South to the west.

Block 4406 has an area of 6.65 acres. The block has 27 parcels; 13 west of the alley and 14 to the east. Twelve parcels are improved; eight with single-family dwellings and four with duplexes.

Lots 1-8 and 55-58 have a Public Facilities Future Land Use (FLU) Classification and Single Family Residential (R1) Zoning. All remaining lots in the subject block have a Multi-Family FLU with Residential Multi-Family Low (RML) Zoning.

Figure 1. The 20-Foot Wide Alley Outlined in Red in Block 4406.



Purpose of the Vacation

The City requests vacating a platted alley in its entirety, along with the underlying easements between Lots 1-6 and Lots 53-58, in Block 4406. Platted easements along the east side of Lots 1-6 and the west side of Lots 53-58 are also requested to be vacated. If approved, these vacations will provide a single, consolidated site, unencumbered with easements, that will facilitate the development of a new fire station planned at the southern end of the block. Funding for this facility appears on the FY2020-21 Capital Improvement Plan.

Zoning History of Block 4406

The FLU and zoning history of lots in Block 4406 is provided below.

Lots 1-8 had the FLU Classification changed from Single Family/Multi Family (SM) to Public Facilities (PF) by Ordinance 1-05. The zoning of these lots was changed from Multi-Family Residential (R-3) to Residential Development (RD) by Ordinance 61-90, and from RD to R1 by Ordinance 4-19.

Lots 9-54 had the FLU Classification changed from SM to Commercial Activity Center (CAC) by Ordinance 26-10, and from CAC to Multi-Family (MF) by Ordinance 2-19. The zoning of these lots was changed from R-3 to RD by Ordinance 61-90, from RD to Marketplace-Residential (MR) by Ordinance 37-11, and from MR to RML by Ordinance 4-19.

Lots 55-58 had the FLU Classification changed from SM to PF by Ordinance 1-05. The zoning of these lots was changed from R-3 to RD by Ordinance 61-90, and from RD to R1 by Ordinance 4-19.

Minimum Standards

The applicant is eligible to file this vacation request as this application provides the following:

- The City is the petitioner consistent with LDC, Section 3.4.5.A.1.a.
- Letters of no objection from Century Link, Comcast, and Lee County Electric Cooperative (LCEC) have been provided. LCEC as a condition of approval, requires a continuous, six-foot wide perimeter easement around the City site for providing utility service.
- Survey sketches and accompanying legal descriptions for the ROW and easements that will be vacated have been provided.

Analysis:

Staff analyzed this request with the Land Development Code (LDC), Section 3.4.5, “*Vacation of Plats, Easements, and Rights-of-Way.*” The Comprehensive Plan was also reviewed for policies on vacations.

1. Whether the plat, easements, or rights-of-way are required by the City for any future transportation, access, water management, or public utility purposes. **Staff response: *The platted alley is unimproved and therefore cannot currently be used by motorists. The majority of sites in the north half of the block have residential zoning and are occupied with single-family residences or duplexes. Unlike commercial sites, the City does not require owners of residential-zoned properties to improve or pave alleys abutting their respective sites when developing property. Thus, for all residential-zoned sites in Block 4406, improvements to the alley will not be required in the future. The lots owned by the City (Lots 1-6 and 53-58) have been identified as a site for a future fire station. The alley vacation will produce a single, consolidated site offering flexibility for developing this facility. Based on the existing zoning and current development trends in the subject block, staff concludes the platted alley will serve no foreseeable purpose in the future.***

The easements requested to be vacated are associated with the City site. The City requests to vacate easements underlying the platted alley between Lots 1-6 and 53-58. The City also requests to vacate platted easements associated with the east side of Lots 1-6 and the west side of Lots 53-58. These platted easements will not be needed as the City will retain sufficient easements north and south of the vacated alley to provide a continuous six-foot wide easement around the site. This perimeter easement will be adequate for future utility installation and maintenance purposes.

2. Whether any required easements are necessary to accommodate the vacation of any plat, easement, or right-of-way. **Staff response: *New easements will not be needed. Existing platted easements, along with easements in the alley, will be retained by the City for providing a continuous, six-foot wide perimeter easement around the City site. This perimeter easement will be sufficient for future***

utility installation and maintenance purposes. Easements associated with all other sites in Block 4406 will be unaffected by the requested vacations.

3. If alternate routes are required or available that do not cause adverse impacts to surrounding areas. **Staff response: Since the alley is unpaved, this ROW does not provide vehicular access to sites in the block nor is the alley used by service providers, like garage trucks. The existing street network functions adequately for motorists traveling to and from all sites occupying the subject block. No alternative routes are necessary.**
4. If the closure of a right-of-way negatively affects areas utilized for vehicles to turn around and exit an area. **Staff response: The vacation or elimination of the platted alley will have no negative effect on the area since the alley is unpaved and cannot be used in its unimproved condition. Since the entire alley will be vacated, neither a cross-access easement or cul-de-sac will be needed to provide a means of egress for vehicles traveling on a partially-vacated alley.**
5. Whether local utility providers have given consent to the vacation of the plat, easements, or rights-of-way. The local utility providers may require additional easements or relocation of existing utilities facilities to complete the vacation. **Staff response: All three utility providers have issued letters of no objection regarding the requested vacations. LCEC does require a continuous easement around the perimeter of the City-owned site for providing service to the parcel. As a condition of approval, easements will be retained for achieving that purpose.**

Consistency with the Comprehensive Plan

The project is consistent with the following policy appearing in the Comprehensive Plan.

Future Land Use Element: Table 1 in Policy 1.15.

Staff comment: The Public Facilities FLU of Lots 1-6 and 53-58 is consistent with all zoning districts. The RLM Zoning of Lots 53-54 is consistent with the Multi-Family FLU of this site. As part of a separate application, to provide for a consistent FLU classification throughout the entire City site, staff is processing a FLU map amendment to amend the FLU of Lots 53-54 from Multi-Family to Public Facilities.

Recommendation:

Staff recommends approval of all requested vacations with the following condition:

The City shall retain six-foot wide public utility and drainage easements underlying the vacated alley at the north and south ends of the City site (Lots 1-6 and 53-58, Block 4406) as shown and described in Exhibits "B" and "C", respectively.

Staff Contact Information

Mike Struve, AICP, LEED Green Associate, Planning Team Coordinator

Planning Division

PH: 239-242-3255

Email: mstruve@capecoral.net

AREA (sq. ft.)

9,864.79
9,999.91
10,000.08
10,000.08
9,999.99
9,999.90
20,000.15
9,999.91
10,000.06
10,000.06
14,999.99
9,998.68
9,867.20
9,864.97
9,999.85
9,999.92
10,000.04
10,000.07
10,000.06
10,000.04
9,999.98
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9,999.97
15,000.05
10,000.01
9,988.04
9,877.65

289,461.51

6.645 acres

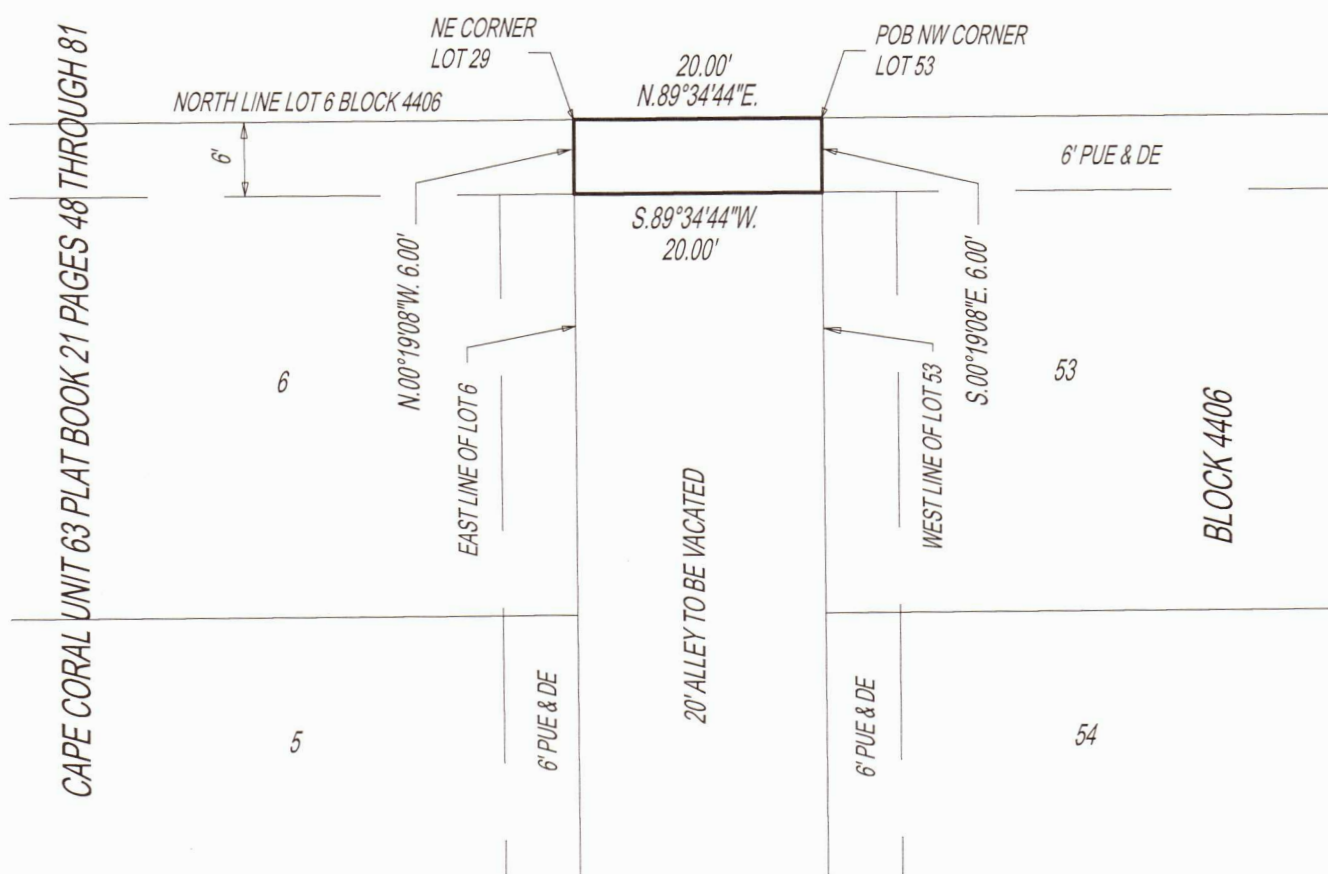
PROPOSED PUBLIC UTILITY AND DRAINAGE EASEMENT "C"
DESCRIPTION:



Beginning at the Northwest corner of Lot 53 of Block 4406 of the plat of Cape Coral Unit 63 as recorded in Plat Book 21 Pages 48 through 81 of the Public Records of Lee County, Florida being in Section 27, Township 44 South, Range 23 East; Thence along the west line of said Lot 53, S.00°19'08"E., a distance of 6.00 feet; Thence 6 feet southerly of and parallel to the north line Lot 6 of Block 4406, S.89°34'44"W., a distance of 20.00 feet to the east line of Lot 6; Thence along the east line of said Lot 6, N.00°19'08"W., 6.00 feet to the northeast corner of said Lot 6; Thence along the extension of the North line of said Block 4406, N.89°34'44"E., a distance of 20.00 feet to the Point of Beginning.

Containing 120 square feet more or less

Parcel subject to covenants, easements and restrictions of record if any.



SURVEYORS NOTES:

- 1) THIS IS A SKETCH OF DESCRIPTION, THE PURPOSE OF THIS SKETCH IS TO DEPICT THE VISUAL REPRESENTATION OF THE PROPERTY SHOWN HEREON.
- 2) INSTRUMENTS OF RECORD REFLECTING EASEMENTS, ENCUMBRANCES, RIGHTS-OF-WAY, AND OR OWNERSHIP WERE NOT FURNISHED TO THIS SURVEYOR, EXCEPT AS SHOWN HEREON.
- 3) BEARINGS SHOWN HEREON ARE BASED ON THE PLAT OF CAPE CORAL, UNIT 63 AS RECORDED IN PLAT BOOK 21 AT PAGES 48 THROUGH 81 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, SHOWING THE WEST LINE OF THE SECTION AS N.00°19'08"W.
- 4.) THIS IS NOT A SURVEY
- 5) LEGAL DESCRIPTION SHOWN ON SHEET 1 OF 1

SURVEYORS CERTIFICATE:

I HEREBY CERTIFY THAT THIS LEGAL DESCRIPTION AND SKETCH OF DESCRIPTION OF THE DESCRIBED PROPERTY, IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND THAT THEY CONFORM WITH THE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES, AND IS NOT VALID WITHOUT THE ORIGINAL SEAL AND SIGNATURE OF THE SURVEYOR.

Raymond F. Phillips
RAYMOND F. PHILLIPS PSM
PROFESSIONAL SURVEYOR & MAPPER
FLORIDA LICENSE NUMBER LS7015

LEGEND:

- P.O.B.= POINT OF BEGINNING
- P.O.C.=POINT OF COMMENCEMENT
- PUE & DE= PUBLIC UTILITY AND DRAINAGE EASEMENT

PROPOSED
PUE & DE "C"
SHEET 01 OF 01

CY - PROJECT NUMBER:	CALCULATED BY:	KC
2020-0066	CHECKED BY:	ML
FY -SURVEY WORK ORDER NUMBER:	DRAWN BY:	RFP
20-066	APPROVED:	RFP
	SCALE:	NOT TO SCALE

FLORIDA
PUBLIC WORKS DEPARTMENT
815 NICHOLAS PARKWAY, CAPE CORAL, FL. 33990
PHONE: (239) 574-0701

LEGAL DESCRIPTION SKETCH		
BLOCK 4406 CAPE CORAL UNIT 63 SECTION 27, TOWNSHIP 44 SOUTH, RANGE 23 EAST, LEE COUNTY, FLORIDA		
FIELD BOOK(S) / PAGE(S): F.B. XX, PGS XX-XX	SURVEY JOB: 2020-0066	DRAWING NUMBER: CC-20-066 LNS.DWG

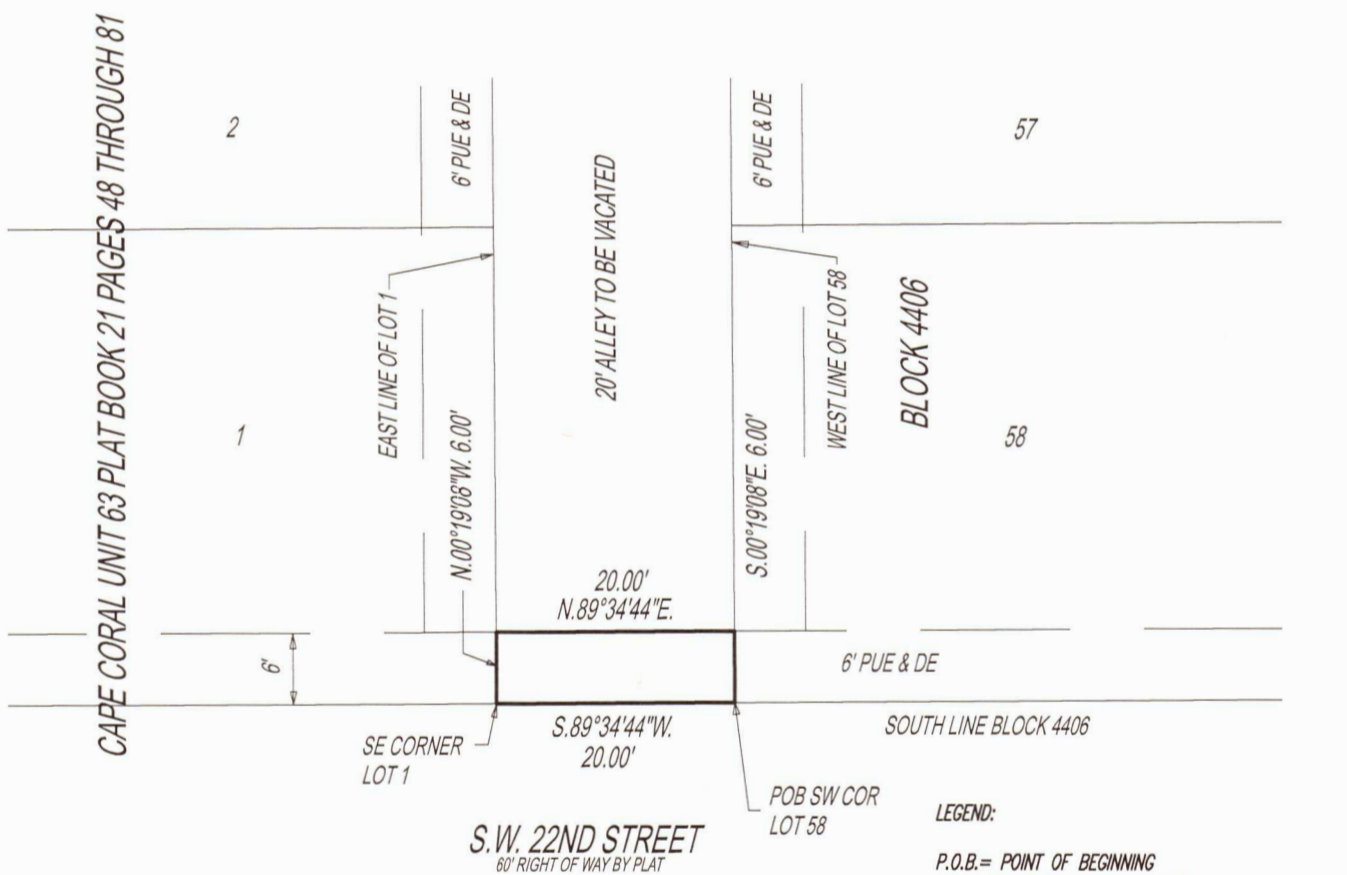


PROPOSED PUBLIC UTILITY AND DRAINAGE EASEMENT "A"
DESCRIPTION:

Beginning at the Southwest corner of Lot 58 of Block 4406 of the plat of Cape Coral Unit 63 as recorded in Plat Book 21 Pages 48 through 81 of the Public Records of Lee County, Florida being in Section 27, Township 44 South, Range 23 East; Thence along the south line of said Block 4406, S.89°34'44"W., a distance of 20.00 feet to the Southeast corner of Lot 1; Thence along the east line of said Lot 1, N.00°19'08"W., 6.00 feet; Thence 6 feet northerly of and parallel to the said south line of Block 4406, N.89°34'44"E., a distance of 20.00 feet to the west line of Lot 58; Thence along said west line, S.00°19'08"E., a distance of 6.00 feet to the Point of Beginning.

Containing 120 square feet more or less

Parcel subject to covenants, easements and restrictions of record if any.



LEGEND:
P.O.B.= POINT OF BEGINNING
P.O.C.=POINT OF COMMENCEMENT
PUE & DE= PUBLIC UTILITY AND DRAINAGE EASEMENT

SURVEYORS NOTES:

- 1) THIS IS A SKETCH OF DESCRIPTION, THE PURPOSE OF THIS SKETCH IS TO DEPICT THE VISUAL REPRESENTATION OF THE PROPERTY SHOWN HEREON.
- 2) INSTRUMENTS OF RECORD REFLECTING EASEMENTS, ENCUMBRANCES, RIGHTS-OF-WAY, AND OR OWNERSHIP WERE NOT FURNISHED TO THIS SURVEYOR, EXCEPT AS SHOWN HEREON.
- 3) BEARINGS SHOWN HEREON ARE BASED ON THE PLAT OF CAPE CORAL, UNIT 63 AS RECORDED IN PLAT BOOK 21 AT PAGES 48 THROUGH 81 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, SHOWING THE WEST LINE OF THE SECTION AS N.00°19'08"W.
- 4.) THIS IS NOT A SURVEY
- 5) LEGAL DESCRIPTION SHOWN ON SHEET 1 OF 1

SURVEYORS CERTIFICATE:

I HEREBY CERTIFY THAT THIS LEGAL DESCRIPTION AND SKETCH OF DESCRIPTION OF THE DESCRIBED PROPERTY, IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND THAT THEY CONFORM WITH THE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES, AND IS NOT VALID WITHOUT THE ORIGINAL SEAL AND SIGNATURE OF THE SURVEYOR.

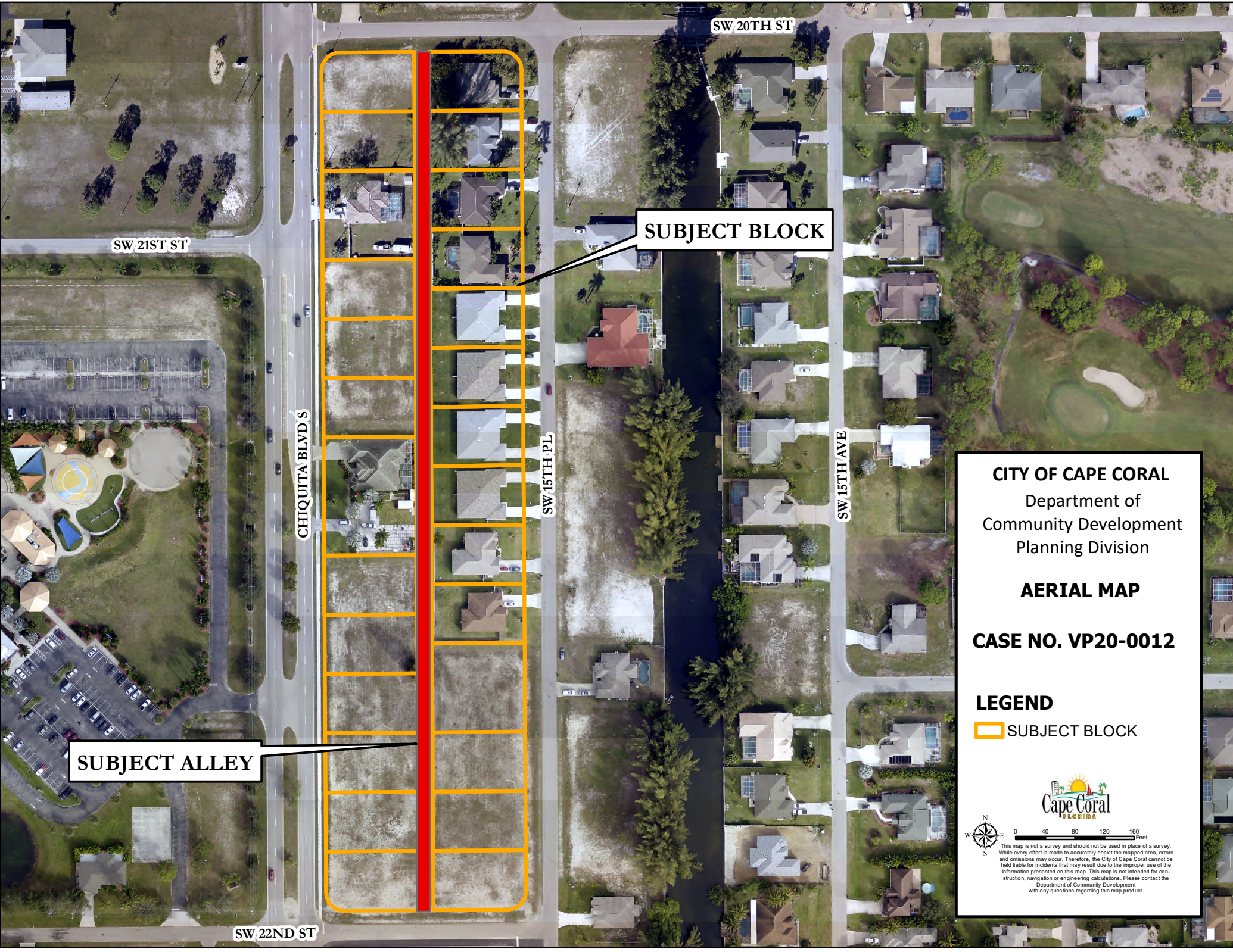
Raymond F. Phillips 8/19/2020
RAYMOND F. PHILLIPS PSM
PROFESSIONAL SURVEYOR & MAPPER
FLORIDA LICENSE NUMBER LS7015

PROPOSED
PUE & DE "A"
SHEET 01 OF 01

CY - PROJECT NUMBER:	CALCULATED BY:	KC
2020-0066	CHECKED BY:	ML
FY - SURVEY WORK ORDER NUMBER:	DRAWN BY:	RFP
20-066	APPROVED:	RFP
	SCALE:	NOT TO SCALE

PUBLIC WORKS DEPARTMENT
815 NICHOLAS PARKWAY, CAPE CORAL, FL. 33990
PHONE: (239) 574-0701

LEGAL DESCRIPTION SKETCH		
BLOCK 4406 CAPE CORAL UNIT 63 SECTION 27, TOWNSHIP 44 SOUTH, RANGE 23 EAST, LEE COUNTY, FLORIDA		
FIELD BOOK(S) / PAGE(S): F.B. XX, PGS XX-XX	SURVEY JOB: 2020-0066	DRAWING NUMBER: CC-20-066 LKSLDWG



SW 20TH ST

SW 21ST ST

SUBJECT BLOCK

CHIQUITA BLVD S

SW 15TH PL

SW 15TH AVE


SUBJECT ALLEY


SW 22ND ST


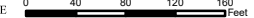
CITY OF CAPE CORAL
 Department of
 Community Development
 Planning Division

AERIAL MAP

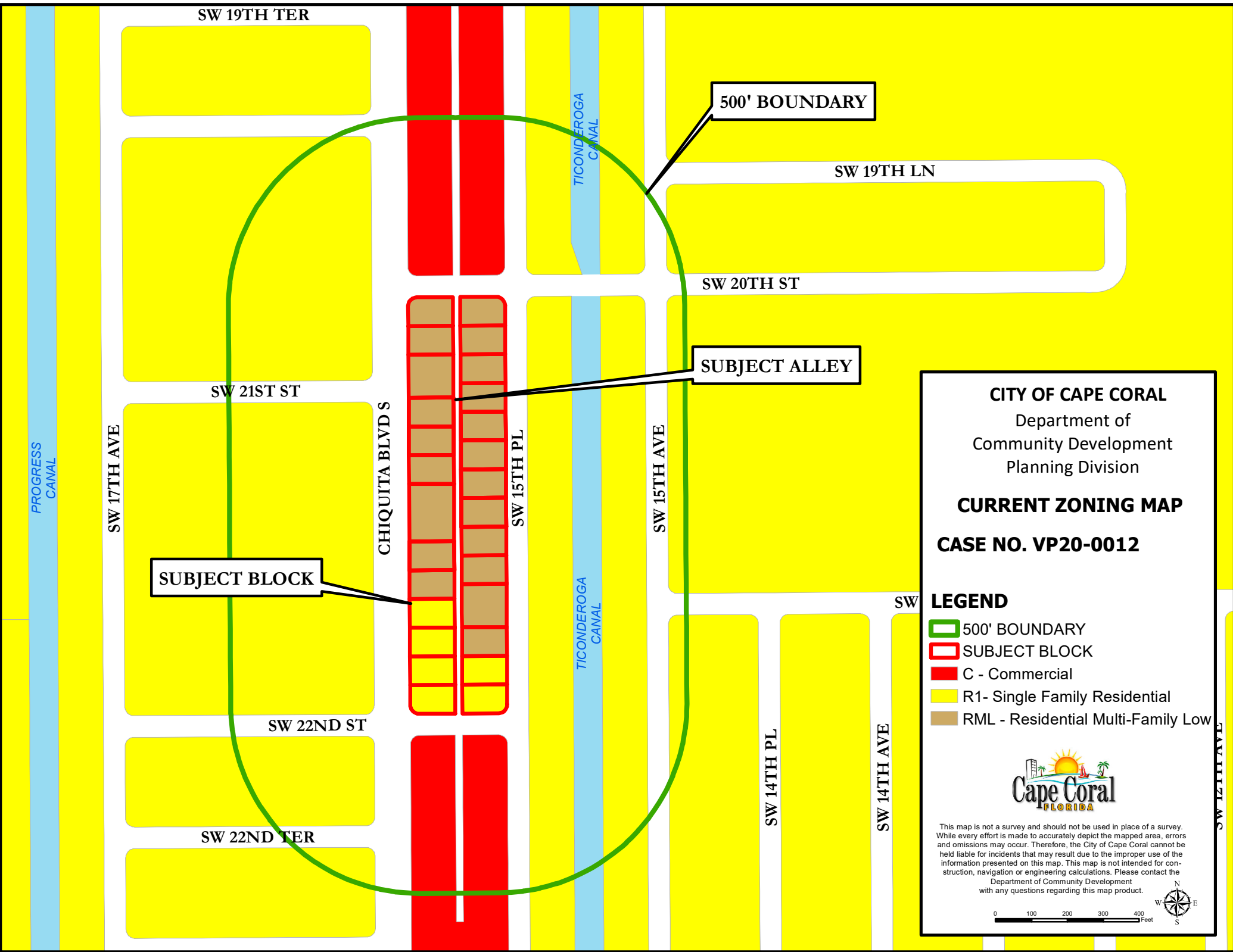
CASE NO. VP20-0012

LEGEND
 SUBJECT BLOCK



This map is not a survey and should not be used in place of a survey. While every effort is made to accurately depict the mapped area, errors and omissions may occur. Therefore, the City of Cape Coral cannot be held liable for incidents that may result due to the improper use of the information presented on this map. This map is not intended for construction, navigation or engineering calculations. Please contact the Department of Community Development with any questions regarding this map product.



SW 19TH TER

500' BOUNDARY

SW 19TH LN

SW 20TH ST

SW 21ST ST

SUBJECT ALLEY

CHIQUITA BLVD S

SW 15TH PL

SW 15TH AVE

SUBJECT BLOCK

SW

SW 22ND ST

SW 22ND TER

SW 14TH PL






SW 14TH AVE

CITY OF CAPE CORAL
 Department of
 Community Development
 Planning Division

CURRENT ZONING MAP

CASE NO. VP20-0012

LEGEND

-  500' BOUNDARY
-  SUBJECT BLOCK
-  C - Commercial
-  R1- Single Family Residential
-  RML - Residential Multi-Family Low



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