



AGENDA FOR THE HEARING EXAMINER

Tuesday, October 16, 2018

9:00 AM

Council Chambers

1. HEARINGS CALLED TO ORDER

2. HEARINGS

- A. Case #VA18-0017*; Address: 1730 and 1822 Savona Parkway West; Applicant: Savona Parkway Apartments, LLC
- B. Case #ZA18-0007*; Address: Multiple addresses. Southeast of Veterans Parkway and Skyline Boulevard intersection; Applicant: Sullico II, LLC

3. DATE AND TIME OF NEXT HEARINGS

- A. Tuesday, November 6, 2018, 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:
 - 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.
 - 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.
 - 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.
 - The Applicant may cross-examine any witness and respond to any testimony presented.
 - Staff may cross-examine any witness and respond to any testimony presented.
 - 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.
 - The Hearing Examiner, may ask questions of the staff, Applicant, and Participants.
 - Final argument may be made by the Applicant, related solely to the evidence in the record.
 - Final argument may be made by the staff, related solely to the evidence in the record.
 - For good cause shown, the Hearing Examiner may grant additional time to any of the hereinabove time limitations.
 - The Hearing Examiner's, decisions must be based upon Competent Substantial Evidence in the record.

Item Number: 2.A.
Meeting Date: 10/16/2018
Item Type: HEARINGS

AGENDA REQUEST FORM
CITY OF CAPE CORAL



TITLE:

Case #VA18-0017*; Address: 1730 and 1822 Savona Parkway West; Applicant: Savona Parkway Apartments, LLC

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 applicant is requesting a 7.5-foot variance from the Land Use and Development Regulations (LUDR), Section 2.7.2.D, which allows a maximum height of 38 feet for buildings in the R-3 District.

LEGAL REVIEW:

EXHIBITS:

See attached "Backup Materials"

PREPARED BY:

Kristin
Kantarze Division- Planning Department- Community Development

SOURCE OF ADDITIONAL INFORMATION:

Justin Heller, Planner, 239-574-0587, jheller@capecoral.net

ATTACHMENTS:

Description	Type
□ Backup Materials	Backup Material
□ 3 CC_Savona Bldg Ht Exhibit 8.16.18 enlarged	Backup Material
4 CC_Savona 40-plex Design Intent Drawings	

- ▣ 8.16.18 Backup Material
- ▣ 5 CC_Savona 80-plex Design Intent Drawings
8.16.18 Backup Material
- ▣ 6 CC_Savona Site Plan Exhibit 8.16.18 Backup Material



DEPARTMENT OF COMMUNITY DEVELOPMENT

APPLICATION FOR VARIANCE

Questions: 239-574-0776

CASE # VA18-0017

REQUEST TO HEARING EXAMINER FOR A VARIANCE

FEE: SINGLE-FAMILY RESIDENTIAL USE \$150.00 (\$150.00 PER EACH ADDITIONAL REQUEST) ALL OTHER USES \$673.00. 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 will be billed and must be paid prior to hearing.

Following the approval of your request, the applicant shall be responsible for paying the City to electronically record the final signed Resolution or Ordinance with the Lee County Clerk of Court. Until this fee is 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, certificates of use, or certificates of occupancy for any property covered by the Resolution or Ordinance.

OWNER OF PROPERTY

Savona Parkway Apartments, LLC.

Address: 200 45th St South

City: Fargo State: ND Zip 58103

Phone: 701-356-5050

APPLICANT

Savona Parkway Apartments, LLC. Larry Nygard - Managing Member

Address: 200 45th St South

EMAIL

lnyard@roers.com

City: Fargo State: ND Zip 58103

Phone: 701-356-5050

AUTHORIZED REPRESENTATIVE

Jeremy Easum

Address: 200 45th St South

EMAIL

jeasum@roers.com

City: Fargo State: ND Zip 58103

Phone: 701-219-4511

Unit 70 Block 4775 Lot(s) Subdivision

Address of Property 1730 & 1822 Savona Pkwy. W., Cape Coral, FL 33914

Current Zoning R-3 (future land use MF) Plat Book 22 , Page 81

Strap Number 04-45-23-C3-04775.0010 & 04-45-23-C3-04775.0000

THIS APPLICATION SHALL ALSO HAVE ANY ADDITIONAL REQUIRED SUPPORTING DOCUMENTS

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.

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.



DEPARTMENT OF COMMUNITY DEVELOPMENT

APPLICATION FOR VARIANCE

Questions: 239-574-0776

CASE # _____

Savona Parkway Apartments, LLC. Larry Nygard - Managing Member

APPLICANT NAME (PLEASE TYPE OR PRINT)

[Signature]
APPLICANT'S SIGNATURE

(SIGNATURE MUST BE NOTARIZED)

STATE OF ND, COUNTY OF Cass

Sworn to (or affirmed) and subscribed before me this 5th day of July, 2018 by
Larry Nygard who is personally known or produced personally known
as identification

Exp. Date: _____ Commission Number: _____



Signature of Notary Public:
Printed name of Notary Public:

[Signature]
JANICE I Simonson



DEPARTMENT OF COMMUNITY DEVELOPMENT

CASE # _____

APPLICATION FOR VARIANCE

Questions: 239-574-0776

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 verbal 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 costs. All fees are to be submitted to the City of Cape Coral with the application or the item may be pulled from the agenda and continued to future date after fees are paid.

Please obtain all necessary permits prior to commencing any phase of construction.

Please indicate on a separate sheet those persons to whom you wish a copy of the Public Hearing Notice sent.

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.

(SIGNATURE MUST BE NOTARIZED)

Savona Parkway Apartments, LLC.

CORPORATION/COMPANY NAME

Savona Parkway Apartments, LLC. Larry Nygard - Managing Member

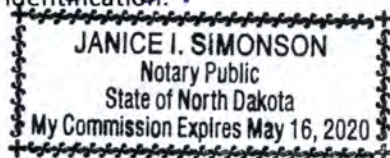
PROPERTY OWNER (PLEASE TYPE OR PRINT)


PROPERTY OWNER'S SIGNATURE

STATE OF ND, COUNTY OF Cass

Sworn to (or affirmed) and subscribed before me this 5th day of July 2018 by

Larry Nygard who is personally known or produced personally known
as identification.



Exp. Date: _____ Commission Number: _____

Signature of Notary Public: Janice I. Simonson

Printed name of Notary Public: Janice I. Simonson



DEPARTMENT OF COMMUNITY DEVELOPMENT

CASE # _____

APPLICATION FOR VARIANCE

Questions: 239-574-0776

AUTHORIZATION TO REPRESENT PROPERTY OWNER(S)

PLEASE BE ADVISED THAT

Larry Nygard, Jeremy Easum, Elissa Novotny or Tyler Petersen

(Name of person giving presentation)

IS AUTHORIZED TO REPRESENT ME IN THE REQUEST TO THE HEARING EXAMINER, OR CITY COUNCIL FOR
Height Variance

(Type of Public Hearing – i.e., PDP, Zoning, Special Exception, Variance, etc.)

UNIT 70 BLOCK 4775 LOT(S) SUBDIVISION

OR LEGAL DESCRIPTION

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

Savona Parkway Apartments, LLC. Larry Nygard - Managing Member

PROPERTY OWNER (Please Print)

Larry Nygard
PROPERTY OWNER (Please Print)

PROPERTY OWNER (Signature & Title)

PROPERTY OWNER (Signature & Title)

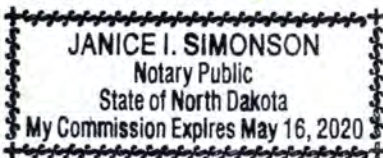
STATE OF Cass, COUNTY OF Cass

Subscribed and sworn to (or affirmed) before me this

Larry Nygard who is personally known or produced
as identification.

5th day of July, 2018 by

personally known



Exp. Date: _____

Commission Number: _____

Signature of Notary Public: _____

Printed name of Notary Public: _____

Janice I Simonson
Janice I Simonson

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



DEPARTMENT OF COMMUNITY DEVELOPMENT

APPLICATION FOR VARIANCE

Questions: 239-574-0776

CASE # _____

DOCUMENTARY EVIDENCE (LUDR, Section 8.3.1.C.6.f)

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 two 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.

Savona Parkway Apartments, LLC. Larry Nygard - Managing Member

OWNER/APPLICANT (PLEASE TYPE OR PRINT)



OWNER/APPLICANT SIGNATURE

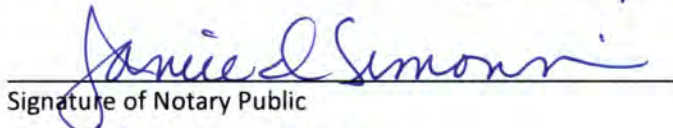
(SIGNATURE MUST BE NOTARIZED)

STATE OF ND COUNTY OF Cass

Sworn to (or affirmed) and subscribed before me on this 5th day of July, 2018 by Larry Nygard, who is personally known or who has produced personally known as Identification.

Exp. Date _____

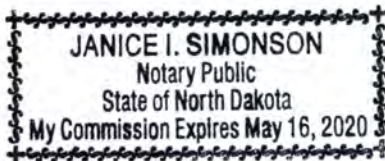
Commission # _____



Signature of Notary Public

Janice I Simonson

Print Name of Notary Public



August 16, 2018

City of Cape Coral
Department of Community Development Director
1015 Cultural Park Blvd
Cape Coral, FL 33990

Dear Director,

Current zoning classification for property at 1730 & 1822 Savona Parkway W, Cape Coral, FL 33914 is R-3 with the following dimensional regulations [Table R-3 Dimensional Regulations (R-3 District)]:

Max Density: Multi-family 16 du/acre

Minimum Setbacks: Front Yard = 25ft.

Side Yard = 7.5ft.

Rear Yard = 20ft.

Minimum Lot Width: 120ft.

Minimum Lot Depth: 100ft.

Maximum Building Height: 38ft.(c.)

(c) The Hearing Examiner may approve variances to permit additional height where one additional foot is added to the required front and side yards for each additional one foot of building height, and all other criteria for approval of a variance are met.

(Ord. 103-00, § 2, 10-23-2000)

A variance is requested to increase the maximum height from 38 feet to 39'-10" for the main roof and a max of 45'-6" for the architectural features that include the portion of the roof over the central building core with a bearing height at 45'-6" to conceal the elevator shaft over-run and the (2) architectural features per building that have a maximum height of 42'-6" to add architectural character.

- a. Special Conditions – The subject property is a two-lot platted parcel with an area of approximately 20 acres, currently zoned as R-3 and future zoning anticipated to be Residential Multi-Family Medium (RMM). This property is one of the few undeveloped lots that allow for a larger multi-family development to offset the housing shortage in Cape Coral, and we desire to maximize its potential by building 4-story apartment buildings to maximize the 16du/acre density permitted under the current R-3 Zoning. The District Regulations under Table R-3, subparagraph (c) note that *"the Hearing Examiner may approve variances to permit*

additional height where one additional foot is added to the required front and side yards for each additional one foot of building height, and all other criteria for approval of a variance are met” (Ord. 103-00, § 2, 10-23-2000). The proposed site plan shows that the 4-story buildings honor a minimum 100’ building setback where current zoning allows a minimum of 25’, meeting the requirements of the District Regulations for consideration of a height variance

- b. No Special Privilege – We do not believe this variance would give us special privilege because other multi-family complexes would be able to build to the maximum density per acre at other locations. Also, the conditions of the variance would not be applicable generally to other property within the same zoning district as we understand that the City of Cape Coral is in the process of revising the zoning districts and due to the size of these two 10acre lots, they would likely be reclassified in 2019 as Residential Multi-Family Medium (RMM) that would entitle property Owners within the same zoning district a maximum height of 50’-0”.
- c. Hardship – The literal interpretation of this ordinance would deprive us of building out the apartment complex site to the maximum allowed density of 16 units per acre due to the site area required for storm water management and parking, limiting site area to add an additional building footprint. A max 38’ height would limit the project to 3-story buildings totaling 240 units in lieu of 4-story buildings totaling 320 units. See attached Site Plan Exhibit demonstrating the site area necessary to meet the stormwater and parking requirements for a 320 unit complex that maximizes density with 16units/acre, assuming 4-stories to obtain the 320 units.
- d. Minimum Variance – A variance is requested to increase the maximum height from 38 feet to 39’-10” for the main roof and a max of 45’-6” for architectural features that include the following:
 - a. The portion of the roof over the central building core with a bearing height at 45’-6” to conceal the elevator shaft over-run. Note that an elevator is required per the Florida Building Code for buildings 4-stories.
 - b. The (2) architectural features per building that have a maximum height of 42’-6” to add architectural character and with the narrower portion of roof affected, the ridge height of the architectural feature is significantly less than the ridge height of the main roof that has a maximum (bearing) height of 39’-10”.

See attached Building Height Exhibit demonstrating the maximum height allowed for current zoning, guideline for additional height permitted pending approval of Hearing Examiner per (*Ord. 103-00, § 2, 10-23-2000*), and finally the height variance requested with conditions for the architectural features that also conceal the elevator shaft over-run.

- e. Purpose and Intent; Public Interest – This height variance will not be injurious to the area involved or otherwise detrimental to the public welfare as outlined below and is within purpose of this ordinance.
 - a. The height variance approval with the significant building setback provided will not impair adequate supply of daylight and air to adjacent properties.
 - b. The height variance approval for this apartment complex with its significant building setback and with it being fully fire sprinkled will not increase the hazard of fire or other dangers to this property or adjacent property.
 - c. The height variance approval will not diminish property values within the neighborhood for reasons noted above and will actually assist in providing for a more visually pleasing building exterior if the additional height is allowed for the architectural features.

Respectfully submitted,



Larry Nygard

Vice President Roers Development &

Managing Member Savona Parkway Apartments, LLC

July 11, 2018

RE: Savona Apartment Projects, Cape Coral, FL

To Whom It May Concern:

Savona Parkway Apartments, LLC (SPA) with Roers Development, Inc. serving as project developer, is the managing member of a joint venture tentatively named The Cape at Savona, LLC ("The Cape").

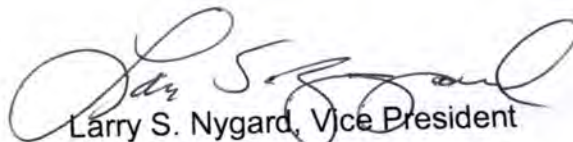
The Cape project consists of 320 apartments located at 1800 Savona Parkway West. I have attached a Development Agreement between Savona Parkway Apartments, LLC and Savona of SW Florida, LLC which describes the relationship of the parties and management authority of SPA in more detail.

As managing member, I will over see the development of this project and make my self available for any questions or clarifications.

Sincerely,



Larry S. Nygard, Managing Member
Savona Parkway Apartments, LLC Member
The Cape at Savona, LLC



Larry S. Nygard, Vice President
Roers Development, Inc.

MASTER AGREEMENT ON DEVELOPMENT AND OWNERSHIP

SAVONA PARKWAY APARTMENT PROJECT

This Master Agreement is made and entered into effective this 5th day of June, 2018, ("Effective Date") by and between:

SAVONA OF SW FLORIDA, LLC

14975 Technology Court
Fort Myers, FL 33912-4422
(hereinafter "SSWF")

and

SAVONA PARKWAY APARTMENTS LLC

200 45th St. S.
Fargo, ND 58103
(hereinafter "SPA")

RECITATONS:

- A. SSWF is the owner of 10 acres of undeveloped real property with a street address of 1822 Savona Parkway West, Cape Coral, Florida ("1822").
- B. SPA is the owner of 10 acres of undeveloped real property with a street address of 1730 Savona Parkway West, Cape Coral, Florida ("1730").
- C. Wen Wu and Maylene Kiang (collectively "Wu" whether one or more) is a financially successful business owner in the Fort Myers, Florida area. Wu owns a number of real estate investments. Wu is aware of the development plan for 1730. Wu owns SSWF. Wu wishes to capitalize on and participate in the simultaneous development of the SSWF property at 1822 as part of the same project as 1730.
- D. SPA and its principals, James P. Roers ("Jim") and Larry S. Nygard ("Larry"), formed SPA to develop, build, own, manage, and operate a 160 unit apartment complex located at 1730. Jim and Larry have significant experience in the development, design, construction, management and disposition of real estate assets. They have extensive experience performing these tasks with respect to multi-family apartment properties.
- E. Jim and Larry, through SPA, purchased 1730. They have also made significant progress regarding the development of the multi-family apartment project at 1730, including the commissioning of a detailed market study and the conducting of significant market research, regarding the suitability of the 1730 project in the Cape Coral, FL market. Jim and Larry have also caused SPA to do additional development work accomplished through the employing of the use of various

professionals, including, but not limited to, architects, engineers, surveyors, attorneys, financial consultants, environmental surveyors, and contractors.

- F. Wu became aware of the development plans for 1730. Wu desires to capitalize on and participate in the simultaneous development of 1822 along with 1730 for a total of 320 apartments (the "Project").
- G. Wu, Jim, Larry, SSWF and SPA believe that the economics and efficiencies of the larger development of both 1730 and 1822 at the same time will provide benefits to SSWF and to SPA. Based on these considerations, SSWF and SPA desire to join together for the benefit of the larger project.
- H. The parties desire to set forth the terms of their Master Agreement in this document.

NOW, THEREFORE, in consideration of the mutual covenants, promises and agreements of the parties, the adequacy and sufficiency of which are hereby acknowledged, the parties agree as follows:

Section 1. **Recitations.** The Recitations previously set forth are incorporated into this Agreement.

Section 2. **Formation of Single Purpose Entity.** The parties agree to form a Single Purpose Entity ("SPE"), which will likely be a Florida Limited Liability Company. SPA will be responsible for taking the actions necessary to form the SPE. The sole purpose of the SPE will be to develop, build, own, operate for a profit and sell a 320 unit multi-family project located on 1730 and 1822 in Cape Coral, FL. This will be referred to as the "Project".

Section 3. **Operating Agreement.** In conjunction with forming the SPE, SPA will cause an Operating Agreement to be drafted fairly setting forth terms consistent with the terms of this Master Agreement and not favoring either party. Each party will have the right to have the Operating Agreement reviewed by an attorney representing only that party's interest.

Section 3.1. **Terms for the SPE Operating Agreement.** The Operating Agreement for the SPE will include the following provisions:

Section 3.1.1. The SPE will have as its only Members SSWF and SPA, each owning a 50% interest.

Section 3.1.2. The SPE will have a Board of Governors.

Section 3.1.3. The Board of Governors will consist of a minimum of five (5) Governors elected by the Members. The five (5) initial Governors will be: Wen Wu, Maylene Kiang, Larry S. Nygard, James P. Roers, and Richard Freund.

Section 3.1.4. The SPE will have a Managing Member who will act in accordance with the direction of the Board of Governors.

Section 3.1.5. The Initial Managing Member will be Larry S. Nygard.

Section 3.2. The Operating Agreement will restrict transfers of Member Interest in the SPE and Member Interest in Members of the SPE as follows:

Section 3.2.1. Member Interests in the SPE may only be sold or transferred as set forth in Section 8 of this Master Agreement.

Section 3.2.2. The Members agree to restrict their own LLCs, respectively SPA and SSWF as follows:

Section 3.2.2.1. For SPA, transfers of Member Interest may only be made between James P. Roers and Larry S. Nygard; between James P. Roers or Larry S. Nygard and their respective spouse or children; or to a Trust created by James P. Roers or Larry S. Nygard with the Trustor, his spouse and/or his children as the only beneficiaries.

Section 3.2.2.2. For SSWF, transfers of Member Interest may only be made between Wen Wu and Maylene Kiang; between Wen Wu and/or Maylene Kiang and their children; or to a Trust created by Wen Wu and/or Maylene Kiang with the Trustor, his or her spouse and/or his or her children as the only beneficiaries.

Section 4. **Ownership Structure of SPE.** The SPE will be owned as follows:

Section 4.1. 50% SPA (owned by James P. Roers and Larry S. Nygard)

Section 4.2. 50% Savona of SW Florida, LLC (owned by Wen Wu and Maylene Kiang).

Section 5. **Capital Structure of the SPE.** The capital structure of the SPE will include the following:

Section 5.1. SSWF will contribute the real property constituting 1822 which will be deemed to have a value of [REDACTED].

Section 5.2. SPA will contribute the real property constituting 1730 which will be deemed to have a value of [REDACTED].

Section 5.3. The real property contributed by each party will be considered part of the required capital contribution of each party.

Section 5.4. In addition to contributing the real property, SSWF and SPA are each obligated to contribute capital, which will be equity in the Project, in the amount of [REDACTED], for a total equity contribution of [REDACTED]. Fifty percent of this amount will come from SPA. Fifty percent of this amount will come from SSWF. The Project Management fee described in Section 6 will be part of the equity contribution of SPA.

Section 5.5. If additional capital is required above the amount of [REDACTED]

[REDACTED]

Section 5.6. The Project will have first mortgage debt in the amount of approximately [REDACTED]. If personal guaranties of this obligation are required they will be provided by SPA and SSWF. If personal guaranties are required from the principals that own SPA and SSWF Jim, Larry, Wen and Maylene will provide the requested guaranties. The Board of the SPE will determine what guaranties will be provided.

Section 5.7. If capital is required above the initial capital, and the Wu loan described in Section 5.5, the capital requirements will be met equally by SPA and SSWF. These additional amounts will be treated as loans which will accrue interest at the rate of 7% per annum.

Section 5.8. Any "Cash Calls" for additional capital will be as determined by the Board of Governors and will be only for the minimum required to meet the immediate needs of the SPE. A series of Cash Calls will be used if all funds are not needed at one time.

[REDACTED]

Section 6. **Project Management.** The day to day oversight of the Project will be provided by Jim and Larry operating through SPA and will be subject to the following terms and conditions:

Section 6.1. A fee of [REDACTED] will be earned by SPA for the providing of these Project Management services through completion of construction.

Section 6.2. The cost of travel to perform these services will be borne by SPA and will not be reimbursed by the SPE.

Section 6.3. One-half of this [REDACTED] fee ([REDACTED]) will be considered earned upon execution of the construction mortgage.

Section 6.4. The remaining one-half of this fee ([REDACTED]) will be earned either in equal monthly amounts over 25 months, commencing with the Effective Date, at the rate of [REDACTED] per month; or upon obtaining the final Certificate of Occupancy for the Project, whichever occurs first.

Section 6.5. The lease up and daily operations of the project will be managed by a qualified property management company experienced in residential rentals selected by joint decision of SPA and SSWF. The expenses associated with managing the lease up and daily operations of the apartments will be an expense of the project.

Section 6.6. This Project Management fee will not be paid to SPA, Jim or Larry, but will be retained by the SPE as a portion of the equity contribution required from SPA as part of the capital structure outlined in Section 5.4 until the Project is sold or refinanced as set forth in Sections 6.7 and 6.8.

Section 6.7. At the time the Project is sold, either to a Member or a third party, this Project Management fee will be paid to SPA, the same as any cash contribution to equity would be paid to SPA.

Section 6.8. If there is a refinancing of the Project resulting in equity being returned to the investors, this Project Management fee will be paid to SPA, the same as any cash contribution would be paid to SPA.

Section 7. **Professional Services and Expenses to Date.** Jim and Larry, both prior to and after the formation of SPA have spent considerable time and effort in the development of 1730 for multi-family housing. Numerous professionals have been employed to advance the development of the Project. It is the intent of all parties to utilize these same professionals for the expanded Project. The work product that has been provided by these professionals so far will become the property of the SPE. Responsibility for contract payment for work completed that will benefit the Project will be the responsibility of the SPE. Expenses paid to date by Jim and Larry total [REDACTED] as of April 30, 2018. This amount will be considered to be part of the capital contribution of SPA as referred to in Section 5.

Section 8. **Sale of Project or Interest in SPE.** The following apply to the sale of the Project or the sale of a party's Member Interest in the SPE:

Section 8.1. The parties acknowledge that following the completion of construction of the Project the Project will be made available for sale to a third party. The decision on whether to sell and the price and terms at which to sell to a third party will be

made by the Board of Governors. The Board of Governors must approve any contract for the sale of the Project.

Section 8.2. In the event either SPA or SSWF ("Selling Member") desires to sell their interest in the SPE to a third party, and it has received either a good faith offer from a third party acceptable to the Selling Member or has made an offer to a third party acceptable to a third party, the other Member of the SPE ("Non-Selling Member") will be given written Notice of Intent to Sell and the acceptable terms for the sale of the Member Interest in the SPE, including a copy of the written offer/acceptance with the third party at least twenty-one (21) days prior to any anticipated sale Closing Date. Any such offer/acceptance shall be conditioned on the Non-Selling Member not exercising its Right Of First Refusal ("ROFR"). The Non-Selling Member of the SPE shall have the right to match the terms and conditions which have been presented in good faith as acceptable to the Selling Member and the third party. This commitment by the Non-Selling Member must be made in writing within twenty-one (21) days of having received written notice from the Selling Member setting forth the terms of the proposed sale to a third party. If the Non-Selling Member agrees to meet those terms within that twenty-one (21) day period, the sale shall occur and Close between the Selling Member and the Non-Selling Member within ninety (90) days following the written Notice of Acceptance of the terms. If the Non-Selling Member does not elect to exercise its ROFR or fails to timely Close, the Selling Member may complete the sale to the third party on the same terms and conditions as were provided to the Non-Selling Member. If any of the terms and conditions are changed, the procedure for notice and the right to exercise the ROFR must be repeated. If Closing of the sale to the third party does not occur within 120 days of the Notice of Intent to Sell and Selling Member desires to sell, the procedure set forth herein must be repeated. A sale to a third party may not be negotiated and/or made prior to a Certificate of Occupancy being issued for the entire Project.

Section 8.3. In the event either SPA or SSWF desire to sell their Member Interest to a third party and provide the Notice of Intent to Sell and information as set forth in Section 8.2, the other Member may elect to join in the transaction and sell that Member's interest to the third party on the same terms and conditions as the original Selling Member. The remaining Member must give notice of exercise of this "Tag-Along Right" within the twenty-one (21) day period following written notice from Selling Member. If notice is given of exercise of the Tag-Along Right the sale to the third party may occur only if the third party purchases both Member Interests on the same price and terms. A sale to a third party may not be negotiated and/or made prior to a Certificate of Occupancy being issued for the entire Project.

Section 8.4. If a good faith offer is received by the SPE or by either party, SPA or SSWF, for the purchase of the Project the offer shall be brought promptly to the Board of Governors. If the Board of Governors finds the third party offer to be acceptable and the third party will purchase only the entire Project or only the Member Interests of both Members, constituting 100% of the outstanding Member Interests, both Members

and the SPE will be required to cooperate with the sale of the Project (an asset sale) or the sale of the Member Interests to the third party, provided both parties receive the same price and the same terms for each percent of Member Interest which either party is selling ("Drag-Along Right").

Section 8.5. All transaction and discussions between either Member and a third party must be conducted in good faith and not with an intent to have an advantage over the other Member in the SPE. Any prior or current relationship between the Member or its principals and the third party must be fully disclosed to all Members and to the Board of Governors of the SPE.

Section 8.6. Any inquiries received by either Member of the SPE or by any principals of either Member of the SPE from a third party seeking information concerning purchasing the Project or purchasing all Member Interests in the SPE will be promptly shared with the other Member and with the Board of Governors of the SPE.

Section 9. **Notices**. All notices, demands and any and all other communications which may be or are required to be given to or made by either party to the other in connection with this Agreement shall be in writing and shall be deemed to have been properly given if delivered by hand, sent by registered or certified mail, return receipt requested, or sent by recognized overnight courier service to the addresses set out below or to such other addresses as may be specified by written notice and delivered in accordance herewith, or to an e-mail address supplied by a party, or to such other numbers as may be specified by written notice and delivered in accordance herewith.

Section 9.1. Notice given by registered or certified mail, return receipt requested, will be recognized as being given as of the day following the date of deposit with the United States Postal Service, postage prepaid.

Section 9.2. Notice given by recognized overnight courier service will be deemed to have been given as of the day following the date of delivery by sender to the overnight courier service.

Section 9.3. Notice given by e-mail shall be deemed given on the date the e-mail is sent. A copy of any notice by e-mail shall be followed by the same notice given by First-Class Mail on the same date as the e-mail.

Section 9.4. Any notice by personal delivery shall be deemed given on the date of the personal delivery.

Section 9.5. Any notice to Savona of SW Florida, LLC shall go to:

Savona of SW Florida, LLC
14975 Technology Court
Fort Myers, FL 33912-4422
E-Mail: wenwu@houseowu.com

Section 9.6. Any notice to Savona Parkway Apartments LLC shall go to:

Savona Parkway Apartments LLC
200 45th St. S.
Fargo, ND 58103
E-Mail: Inygard@roers.com

Section 9.7. **With a copy (not constituting notice) to:**

John V. Boulger
Wold Johnson, PC
500 2nd Avenue North, Ste. 400
Fargo, ND 58102
E-Mail: jrboulger@woldlaw.com

Section 10. **Construction.**

Section 10.1. It is agreed between the parties that time is of the essence in each provision of this Agreement.

Section 10.2. This agreement represents the entire agreement between the parties regarding the subject matter herein and may be amended only by a writing signed by the parties.

Section 10.3. Failure to exercise any right or remedy available under this agreement at any time shall not be considered to be a waiver or release of the right to exercise that right or remedy.

Section 10.4. This agreement and all rights and obligations hereunder, including matters of construction, validity and performance, shall be governed by the laws of the State of Florida.

Section 10.5. If any part of this agreement shall be adjudged invalid, the remainder shall not be invalidated. Any part of any section found to be invalid shall not invalidate the remaining part of said section, and the invalid Section may be reformed to be valid and enforceable to the extent allowed by law.

Section 10.6. If and to the extent that applicable law confers any rights or imposes any duties inconsistent with or in addition to any other provisions of this Agreement, the affected section shall be considered amended to conform thereto.

Section 10.7. Words and phrases herein, including any acknowledgment hereof, if any, shall be construed as the singular or plural and as masculine, feminine, or neuter gender, according to context.

Section 10.8. References to "including" are deemed to be followed by "without limitation." The words "and" and "or" mean, and are used in the inclusive sense of "and/or." References to agreements, documents, guarantees and similar agreements and instruments shall be deemed to refer as well to all schedules, exhibits, addenda, attachments, and amendments thereto.

Section 10.9. Headings and titles of sections are for convenience only. The wording of each section shall govern over its heading.

Section 10.10. This agreement will be binding on the parties, their administrators, successors and assigns.

Section 10.11. This contract may be executed by the parties in separate parts with the signature of each party to a copy of the contract, even if not the same copy, constituting the creation of a binding contract between the parties.

Section 10.12. The signing of any documents and the transmission of the signature by facsimile machine or electronically, such as by pdf file or by other electronic means, will be considered to be sufficient execution, and each party agrees that the other party may rely on their signature, whether an original or reproduced by facsimile machine, photocopier, or electronically.

Section 10.13. Exercise of any right will not be considered to be an election of remedy or the exclusive remedy of a party.

Section 10.14. This Agreement will be interpreted in a fair and neutral manner without favoring one party over the other. No provision of this Agreement will be interpreted for or against any party because the provision was drafted by that party or its legal representative.

Section 10.15. All parties hereto have been fully involved in the negotiation and drafting of this Agreement. Accordingly, the parties hereto agree that any rule of construction of contracts resolving any ambiguities against the drafting party will be inapplicable to this Agreement.

Section 10.16. The parties agree to engage in fair dealing with each other at all times, and agree to deal with each other only in good faith.

Section 10.17. The obligations under this Agreement will remain in effect regardless of additional documents signed by the parties. These obligations will not be considered merged into additional or later documents, except by express written agreement that a merger is occurring.

Section 10.18. The Recitations to this Agreement shall be construed as a material and enforceable part of this Agreement for all purposes, and shall in no event be considered prefatory language or mere surplus.

Section 10.19. All parties are skilled and experienced business professionals, and all have contributed to the negotiation and drafting of this Agreement. As a result, in no event may any adverse construction of this Agreement be attributed to any party as the drafting party.

Section 10.20. All Exhibits and Schedules attached hereto are incorporated herein by reference and made a part of this Agreement as if fully set forth herein.

Section 10.21. There are no third-party beneficiaries to this Agreement. This Agreement is intended only to benefit the parties to this Agreement.

Section 11. **Dispute Resolution.** If any dispute develops among the parties to this Agreement, each party agrees it will, in good faith, attempt to negotiate a resolution. If the parties are not successful in negotiating a resolution, they agree they will participate in good faith in mediation with a neutral third-party Mediator. If mediation is not successful, the parties agree to submit this matter to binding arbitration in Cape Coral, Florida or other location agreed to by the parties. If they cannot agree on a single arbitrator, any party may petition the Circuit Court having jurisdiction in Lee County for the appointment of a single arbitrator or a three person arbitration panel. Notice of this application will be given to all parties. Arbitration shall be in accordance with the Revised Florida Arbitration Act.

Section 12. **No Obligation for Additional Business Opportunities.** The Members and principals of the Members of the SPE agree that this business relationship and the formation of the SPE does not obligate any of the principals or the Members of the SPE to present additional business opportunities involving the development of real estate in Florida or elsewhere to the other Member of the SPE. The formation of the SPE does not prohibit either party from engaging in transaction which may be in competition with the Project. The parties may elect to engage in additional business transactions with each other, but are not obligated to do so.

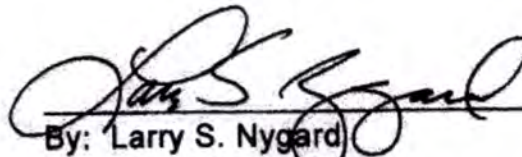
(Signature Pages Follow)

Dated this 5th day of JUNE, 2018.

SAVONA PARKWAY APARTMETNS LLC:



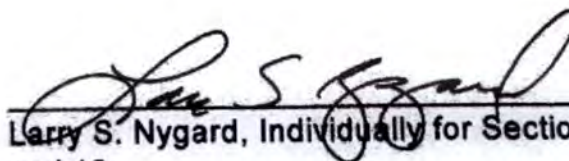
By: James P. Roers
Its: Managing Member



By: Larry S. Nygard
Its: Managing Member



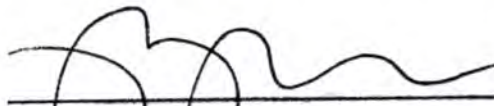
James P. Roers, Individually for Sections 8
and 12.



Larry S. Nygard, Individually for Sections 8
and 12.

Dated this 4th day of June, 2018.

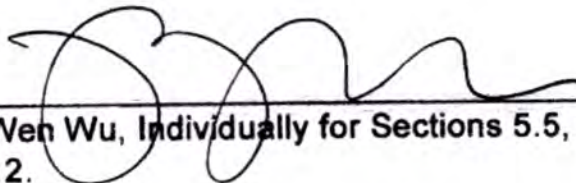
SAVONA OF SW FLORIDA, LLC:



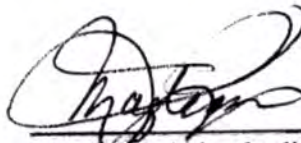
By: Wen Wu
Its: Managing Member



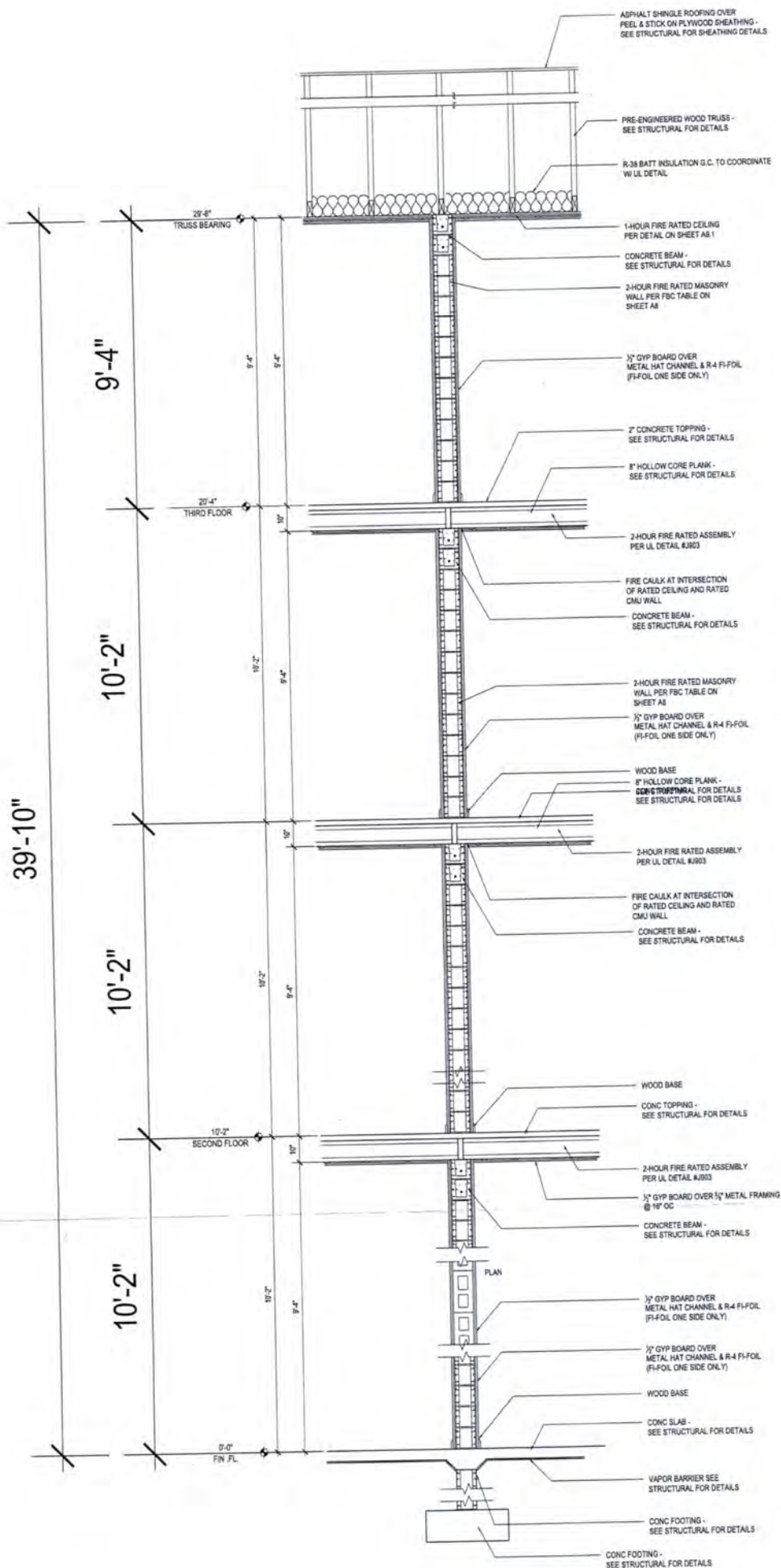
By: Maylene Wu
Its: Managing Member



Wen Wu, Individually for Sections 5.5, 8 and 12.



Maylene Wu, Individually for Sections 5.5, 8 and 12.



Prepared by and return to:
Michael S. Yashko, Esq.

Roetzel & Andress, L.P.A.
2320 First Street, Suite 1000
Fort Myers, FL 33901-2904
239-337-3850
File Number: 104269.0250A
Will Call No.:

[Space Above This Line For Recording Data]

Special Warranty Deed

This Special Warranty Deed made this 27th day of October, 2009 between **OB Savona, LLC**, a Florida limited liability company whose post office address is **2150 Goodlette Road North, Naples, FL 34102**, grantor, and **Savona of SW Florida, LLC**, a Florida limited liability company whose post office address is **14975 Technology Court, Fort Myers, FL 33912**, grantee:

(Whenever used herein the terms grantor and grantee include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

Witnesseth, that said grantor, for and in consideration of the sum TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in **Lee County, Florida**, to-wit:

A Parcel of land boated in the Section 4, Township 45 South, Range 23 East, Lee County, Florida; also being a portion of Block 4775, as shown on the Plat of Cape Coral Unit 70 as recorded in Plat Book 22 at Pages 58 through 67 of the Public Records of Lee County, Florida; and being more particularly described as follows:

BEGIN at the Southwest corner of Block 4775, as shown on the Plat of Cape Coral Unit 70, recorded in Plat Book 22 at Pages 58 through 87 of the Public Records of Lee County, Florida; the same being a point at the end of a curve and being on the East Right-of-Way line of S.W. 19th Avenue (70' Right-of-Way); Thence run North 00°41'05" West for a distance of 810.05 Feet to the beginning of a tangential circular curve concave to the southeast; thence run northeasterly along the arc of said curve to the right having a radius of 25.00 Feet through a central angle of 90°41'17", subtended by a chord of 35.57 Feet at a bearing of North 44°39'33" East, for an arc length of 39.57 Feet to the end of said curve and to a point on the South Right-of-Way line of Savona Parkway West (100' Right-of-Way); Thence run South 89°59'45" East along said line, for a distance of 483.31 Feet Thence run South 00°18'09" East for a distance of 860.01 Feet to a point on the North Right-of-Way line of S.W. 38th Terrace (70' Right-of-Way); Thence run North 89°59'48" West along said line, for a distance of 478.18 Feet to the beginning of a tangential circular curve concave to the northeast; thence run northwesterly along the arc of said curve to the right, having a radius of 25.00 Feet, through a central angle of 89°18'43", subtended by a chord of 35.14 Feet at a bearing of North 45°20'26" West for an arc length of 38.97 Feet to the end of said curve to the POINT OF BEGINNING.□□Containing 9.979 Acres, more or less.

Bearings refer to the North line of Block 4776, as shown on the Plat of Cape Coral Unit 70 as recorded in Plat Book 22 at Pages 58 through 67 of the Public Records of Lee County, Florida; as being South 89°59'48" East.

Parcel Identification Number: 04-45-23-C3-04775.0000

Grantor warrants that at the time of this conveyance, the subject property is not the Grantor's homestead within the meaning set forth in the constitution of the state of Florida, nor is it contiguous to or a part of homestead property.

Together with Grantor's rights pursuant to the Shared Access Easement Agreement by and between Hope Hospice and Community Services, Inc., a Florida corporation and OB Savona, LLC, a Florida limited liability company dated October 19, 2009 and recorded as Instrument Number 2009000283220, Public Records of Lee County, Florida.

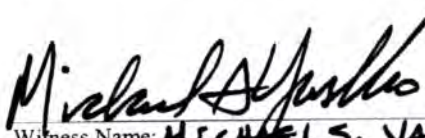
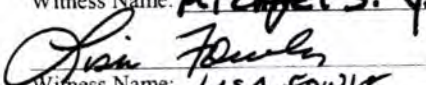
Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

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

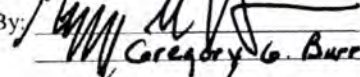
And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons claiming by, through or under grantors.

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:


Witness Name: MICHAEL S. YASHKO

Witness Name: LISA FOWLER

OB Savona, LLC, a Florida limited liability company

By: 
Gregory G. Burr, Operating Manager

(Corporate Seal)

State of Florida
County of Lee

The foregoing instrument was acknowledged before me this 27th day of October, 2009 by Gregory G. Burr Oper. Manager of OB Savona, LLC, a Florida limited liability company, on behalf of the corporation. He ☐ is personally known to me or ☒ has produced a driver's license as identification.

[Notary Seal]



Notary Public

Printed Name:

My Commission Expires:



LISA FOWLER

10/19/11

Prepared by & Return to:
Erik Halgrim
Old Florida Title
2080 McGregor Blvd. # 100
Fort Myers, Florida 33901

File Number: 17-0458

WARRANTY DEED

Made this February 13, 2018 By
Hope Hospice and Community Services, Inc., a Florida not for profit corporation
whose post office address is: 9470 Healthpark Ctr, Fort Myers, Florida 33908, hereinafter called the grantor
to
Savonna Parkway Apartments LLC, a North Dakota limited liability company
whose post office address is: 200 45th St S, Fargo, North Dakota 58103, hereinafter called the grantee

(Whenever used herein the term "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

Witnesseth, that the grantor, for and in consideration of the sum of (\$1,750,000.00) and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situate in Lee County, Florida, viz:

SEE ATTACHED EXHIBIT "A" FOR LEGAL DESCRIPTION

Said property is not the homestead of the Grantor(s) under the laws and constitution of the State of Florida in that neither Grantor(s) or any members of the household of Grantor(s) reside thereon.

Parcel ID: **04-45-23-C3-04775.0010**

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

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

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances except taxes accruing subsequent to December 31, 2017.

Prepared by & Return to:
Erik Halgrim
Old Florida Title
2080 McGregor Blvd. # 100
Fort Myers, Florida 33901

File Number: 17-0458

In Witness Whereof, the said grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in our presence:

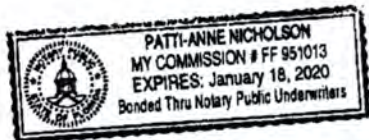
Ann M Kirby
Witness Printed Name Ann M. Kirby
William L. Iffand
Witness Printed Name William L. Iffand

**Hope Hospice and Community Services, Inc., a Florida
not for profit corporation**

Jill Lampley (Seal)
By: Jill Lampley
It's: CFO

State of Florida
County of Lee

The foregoing instrument was acknowledged before me this 13th day of February, 2018, by Jill Lampley, as CFO on behalf of Hope Hospice and Community Services, Inc., a Florida not for profit corporation, who has produced a valid Florida Driver's License as identification.



Patti-Anne Nicholson
Notary Public
Print Name: Patti-Anne Nicholson
My Commission Expires: 01-18-2020

Prepared by & Return to:
Erik Halgrim
Old Florida Title
2080 McGregor Blvd. # 100
Fort Myers, Florida 33901

File Number: 17-0458

EXHIBIT "A"

A parcel of land located in the Section 4, Township 45 South, Range 23 East, Lee County, Florida; also being a portion of Block 4775, as shown on the Plat of Cape Coral Unit 70 as recorded in Plat Book 22 at Pages 58 through 87 of the Public Records of Lee County, Florida; and being more particularly described as follows:

BEGIN at the Northeast corner of Block 4775, as shown on the Plat of Cape Coral Unit 70, recorded in Plat Book 22 at Pages 58 through 87 of the Public Records of Lee County, Florida; the same being a point at the end of a curve and being on the West Right-of-Way line of S.W. 17th Place (70' Right-of-Way); Thence run South 00 degrees 18' 09" East, along said line, for a distance of 810.01 Feet to the beginning of a tangential circular curve concave to the northwest; thence run southwesterly along the arc of said curve to the right, having a radius of 25.00 Feet, through a central angle of 90 degrees 18' 21", subtended by a chord of 35.45 Feet at a bearing of South 44 degrees 51' 02" West, for an arc length of 39.40 Feet to the end of said curve and a point on the North Right-of-Way line of S.W. 38th Terrace (70' Right-of-Way); Thence run North 89 degrees 59' 48" West, along said line, for a distance of 480.65 Feet; Thence run North 00 degrees 18' 09" West for a distance of 860.01 Feet to a point on the South Right-of-Way line of Savona Parkway West (100' Right-of-Way); Thence run South 89 degrees 59' 48" East, along said line, for a distance of 480.92 Feet to the beginning of a tangential circular curve concave to the southwest; thence run southeasterly along the arc of said curve to the right, having a radius of 25.00 Feet, through a central angle of 89 degrees 41' 39", subtended by a chord of 35.26 Feet at a bearing of South 45 degrees 08' 58" East, for an arc length of 39.14 Feet to the end of said curve and to the POINT OF BEGINNING.

Containing 9.979 Acres, more or less.

Bearings refer to the North line of Block 4775, as shown on the Plat of Cape Coral Unit 70 as recorded in Plat Book 22 at Pages 58 through 87 of the Public Records of Lee County, Florida; as being South 89 degrees 59' 48" East.

Planning Division Case Report
VA18-0017

Review Date: September 21, 2018

Owner: Savona Parkway Apartments, LLC.

Applicant: Larry Nygard, Managing Member, Savona Parkway Apartments, LLC

Representative: Jeremy Easum, Elissa Novotny, Tyler Petersen

Request: The applicant is requesting a 7.5-foot variance from the Land Use and Development Regulations (LUDR), Section 2.7.2.D, which allows a maximum height of 38 feet for buildings in the R-3 District.

Location: 1730 and 1822 Savona Parkway West
Unit 70. Block 4775.

Prepared By: Justin Heller, Planner

Reviewed By: Mike Struve, AICP, Planning Team Coordinator

Approved By: Robert Pederson, AICP, Planning Manager

Recommendation: **Denial**

Property Description/Background:

The 20-acre site is in southwest Cape Coral. This property has a Multi-Family (MF) Future Land Use Classification and Multi-Family Residential (R-3) Zoning. The site is surrounded by Single-Family Residential (R-1B) zoning.

The applicant proposes to construct five, four-story apartment buildings for 320 units (Exhibit 1). Two of the buildings will have 40 units each. The remaining three buildings will have 80 units each. The main access to the site will be from Savona Parkway West, with additional access on SW 19th Avenue and SW 17th Place.

The City defines building height as the vertical distance measured from the lowest finished floor elevation to the lowest point of the highest horizontal eave or to the highest point of the highest parapet wall, whichever is higher. The buildings will have a maximum height of 45 feet, six inches directly above the elevator shaft (Exhibit 2).

Analysis:

According to LUDR, Section 8.10.2, a variance is defined as *“a modification of the requirements of the City’s ordinance when such modification will not be contrary to the public interest where, because of*

conditions peculiar to the property involved and not the result of the actions of the applicant which occurred after the effective date of the ordinance, a literal interpretation of the ordinance would result in unnecessary and undue hardship."

The Planning Division has reviewed this application based on the five standards outlined within LUDR, Section 8.10.3a-e and offers the following analysis for consideration.

1. *Special Conditions: The special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other land, structure or buildings in the same zoning district; that the special conditions and circumstances do not result from the actions of the applicant.*

Staff determination and analysis: Standard not met by the applicant.

The subject property is flat, rectangular, and appears to be free of any physical constraints that would otherwise affect construction on the site. The site meets the minimum area and depth requirements for the R-3 District. The design of the buildings chosen by the applicant is not compliant with the City maximum height requirements, thereby triggering this variance application. As a result, special conditions are not present in this case.

2. *No Special Privilege: The granting of the variance requested will not confer on the applicant any special privilege that is denied by this ordinance to other lands, buildings or structures in the same zoning district.*

Staff determination and analysis: Standard not met by the applicant.

The R-3 district allows a maximum density of 16 units per acre. Other builders have achieved a density of about 16 units per acre without the need of a variance. The granting of this variance to allow additional building height so that the developer can attain the maximum building density would confer special privilege on the applicant.

3. *Hardship: That literal interpretation of the provisions of this ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this ordinance and would work unnecessary and undue hardships on the applicant.*

Staff determination and analysis: Standard not met by the applicant.

The applicant plans to construct five, four-story apartment buildings, with 320 units. According to the applicant, if the buildings are built to the current height standard of 38 feet, they would be limited to three stories, resulting in 240 units.

Any hardship claimed by the applicant should be considered self-imposed as the applicant could modify the proposed design of these buildings to comply with the dimensional requirements of the R-3 District without the need for a variance. At least 240 units would be able to be built on the site if the buildings are built to the current standards. The number of

units may also be increased by reducing the unit size or adding and additional building. As a result, staff finds that reasonable use of this property exists.

4. *Minimum Variance: That the variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure.*

Staff determination and analysis: Standard not met by the applicant.

The design of the project chosen by the applicant cannot be built without a variance. However, the buildings could be modified to comply with the height requirement. The applicant has not submitted any alternative designs for consideration that may reduce the extent of a variance. As a result, this request does not constitute the minimum variance required to make reasonable use of this property.

5. *Purpose and Intent; Public Interest: That the granting of the variance will be in harmony with the general intent and purpose of this ordinance, and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.*

Staff determination and analysis: Standard met by the applicant.

The regulation requires that building height does not exceed 38 ft. The purpose of this regulation is to keep properties in a neighborhood to a consistent height. This helps prevent one neighbor from towering over another, where they could potentially block views or shade another property.

The subject parcel is separated from the adjacent properties by streets on all sides. The plans also show building setbacks greater than 106 ft., which are substantially larger than the minimum setback requirements. Increased setbacks generally help mitigate additional building height as viewed from the adjacent properties. In this case, some of the additional height is from architectural features which should improve the appearance of the buildings, thereby making the buildings more visually appealing to the surrounding properties.

LUDR, Table R-3 states in part that the Hearing Examiner may approve variances to permit additional height where one additional foot is added to the required front and side yards for each additional foot of building height, and all other criteria for approval of a variance are met. While staff has found that four of the standards for approving a variance have not been met, the developer has provided greater setbacks from all four property lines, which should help mitigate the increase in building height.

Based on the above analysis, staff finds that this variance is in harmony with the general intent and purpose of this ordinance and should not be injurious to the area involved or otherwise detrimental to the public welfare.

Consistency with the Comprehensive Plan

This request is consistent with Policy 1.15b of the Future Land Use Element.

Policy 1.15: *Land development regulations adopted to implement this comprehensive plan will be based on, and will be consistent with, the standards for uses and densities/intensities as described in the following future land use classifications. In no case shall maximum densities allowable by the following classifications conflict with Policy 4.3.3 of the Conservation and Coastal Management Element regulating density of development within the Coastal High Hazard Area.*

b. Multi-Family Residential: *Not more than 16 units per acre.*

Staff comment: This request is consistent with Policy 1.15.b as R-3 zoning is consistent with the Multi-Family Future Land Use Classification. The site is ±20 acres and with 320 units, this equates to a density of 16 units per acre, the maximum density allowed in this future land use classification.

Recommendation:

Given that the applicant does not meet all five standards for a variance under LUDR, Section 8.10.3a-e, as discussed above, the Planning Division recommends **denial** of the variance request.

Exhibit 1: Site Plan

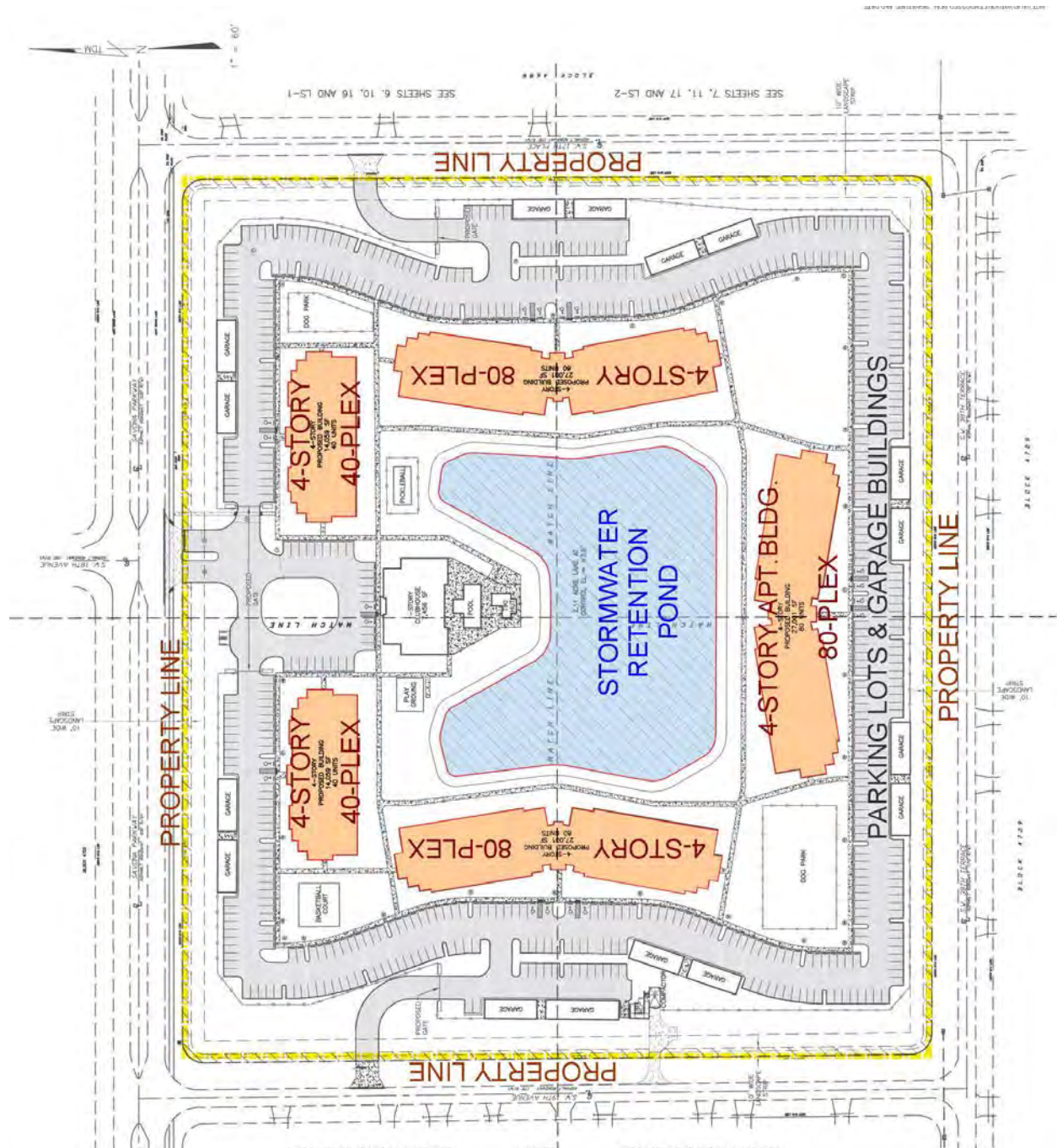
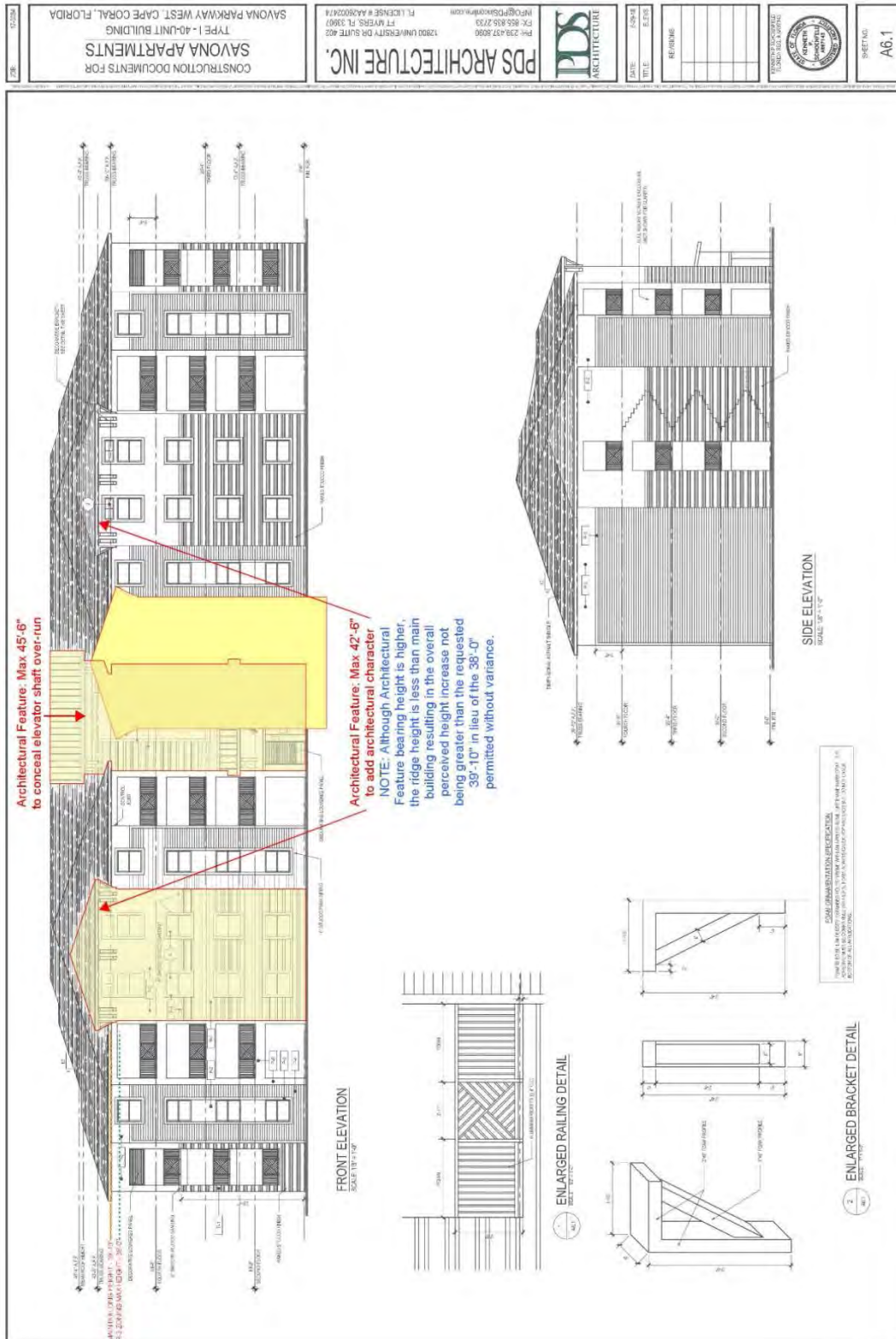
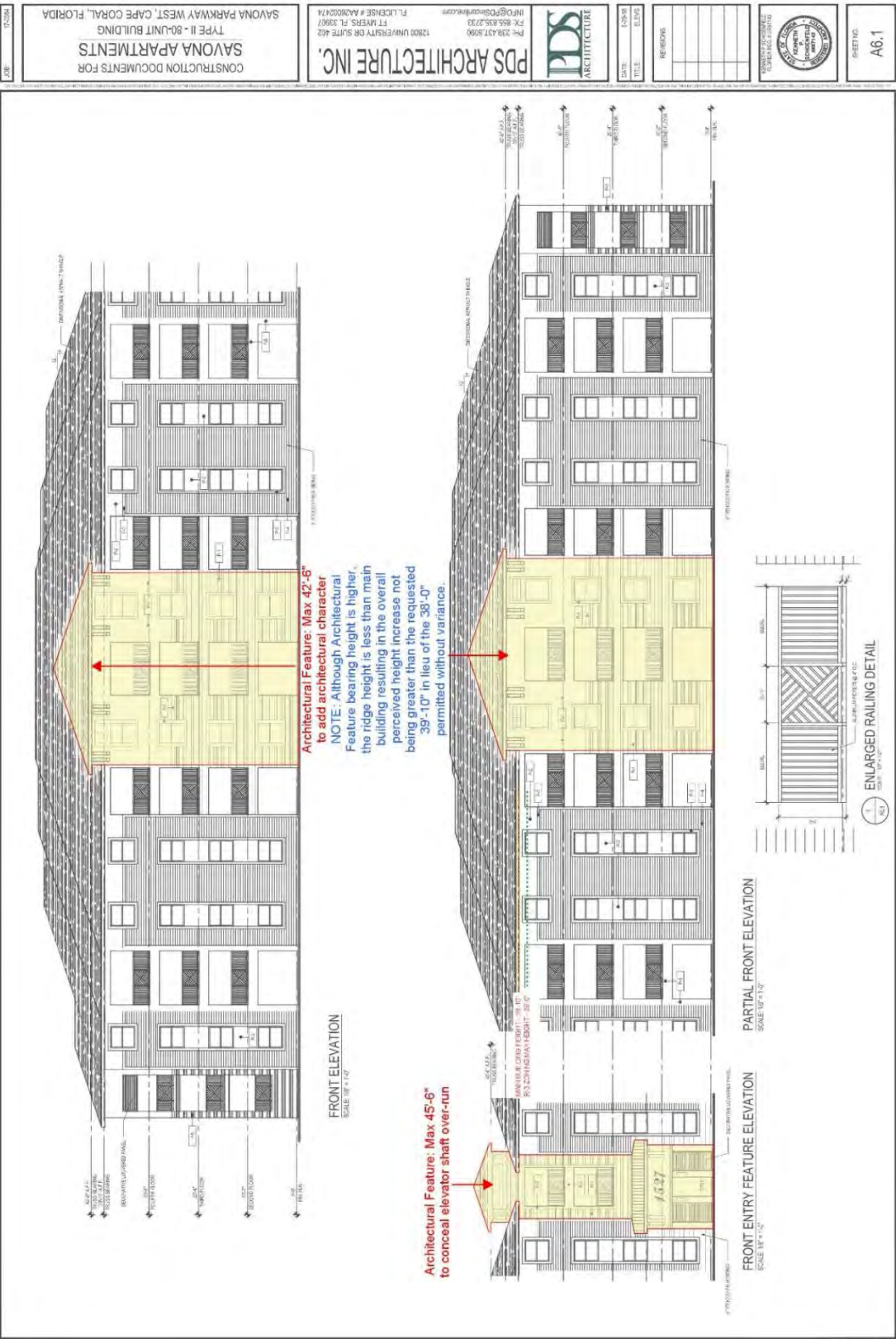


Exhibit 2: Building Elevations







NOTICE TO SURROUNDING PROPERTY OWNERS

CASE NUMBER: VA18-0017

REQUEST: The applicant is requesting a 7.5-foot variance from the Land Use and Development Regulations (LUDR), Section 2.7.2.D, which allows a maximum height of 38 feet for buildings in the R-3 District.

LOCATION: 1730 and 1822 Savona Parkway West

CAPE CORAL STAFF CONTACT: Justin Heller, Planner, 239-573-0587, jheller@capecoral.net

PROPERTY OWNER(S): Savona Parkway Apartments, LLC

AUTHORIZED REPRESENTATIVE: Jeremy Easum, Elissa Novotny, Tyler Petersen

UPCOMING PUBLIC HEARING: Notice is hereby given that the City of Cape Coral Hearing Examiner will hold a public hearing at 9:00 A.M. on Tuesday, October 16, 2018 on the above mentioned case. The public hearing will be held in the City of Cape Coral Council Chambers, 1015 Cultural Park Boulevard, Cape Coral, FL.

All interested parties are invited to appear and be heard. All materials presented before the Hearing Examiner will become a permanent part of the record. The public hearing may be continued to a time and date certain by announcement at this public hearing without any further published notice. Copies of the staff report will be available 5 days prior to the hearing. The file can be reviewed at the Cape Coral Community Development Department, Planning Division, 1015 Cultural Park Blvd., Cape Coral, FL.

DETAILED INFORMATION: The case report and colored maps for this application are available at the City of Cape Coral website, www.capecoral.net/publichearing (Click on 'Public Hearing Information', use the case number referenced above to access the information); or, at the Planning Division counter at City Hall, between the hours of 7:30 AM and 4:30 PM. The public hearing may be continued to a time and date certain by announcement at this public hearing without any further published notice.

HOW TO CONTACT: Any person may appear at the public hearing and be heard, subject to proper rules of conduct. You are allowed sufficient time to write or appear at the public hearing to voice your objections or approval. Written comments filed with the Director will be entered into the record. Please reference the case number above within your correspondence and mail to: Department of Community Development, Planning Division, P.O. Box 150027, Cape Coral, FL 33915-0027. The hearings may be continued from time to time as necessary.

ADA PROVISIONS: In accordance with the Americans With Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the Human Resources Department whose office is located at Cape Coral City Hall, 1015 Cultural Park Boulevard, Cape Coral, Florida; telephone 1-239-574-0530 for assistance; if hearing impaired, telephone the Florida Relay Service Numbers, 1-800-955-8771 (TDD) or 1-800-955-8770 (v) for assistance.

APPEALS: If a person decides to appeal any decision made by the Hearing Examiner with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she 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 to be based.

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No. of Affidavits: 1

Run Dates: 10/06/18

Text of Ad:

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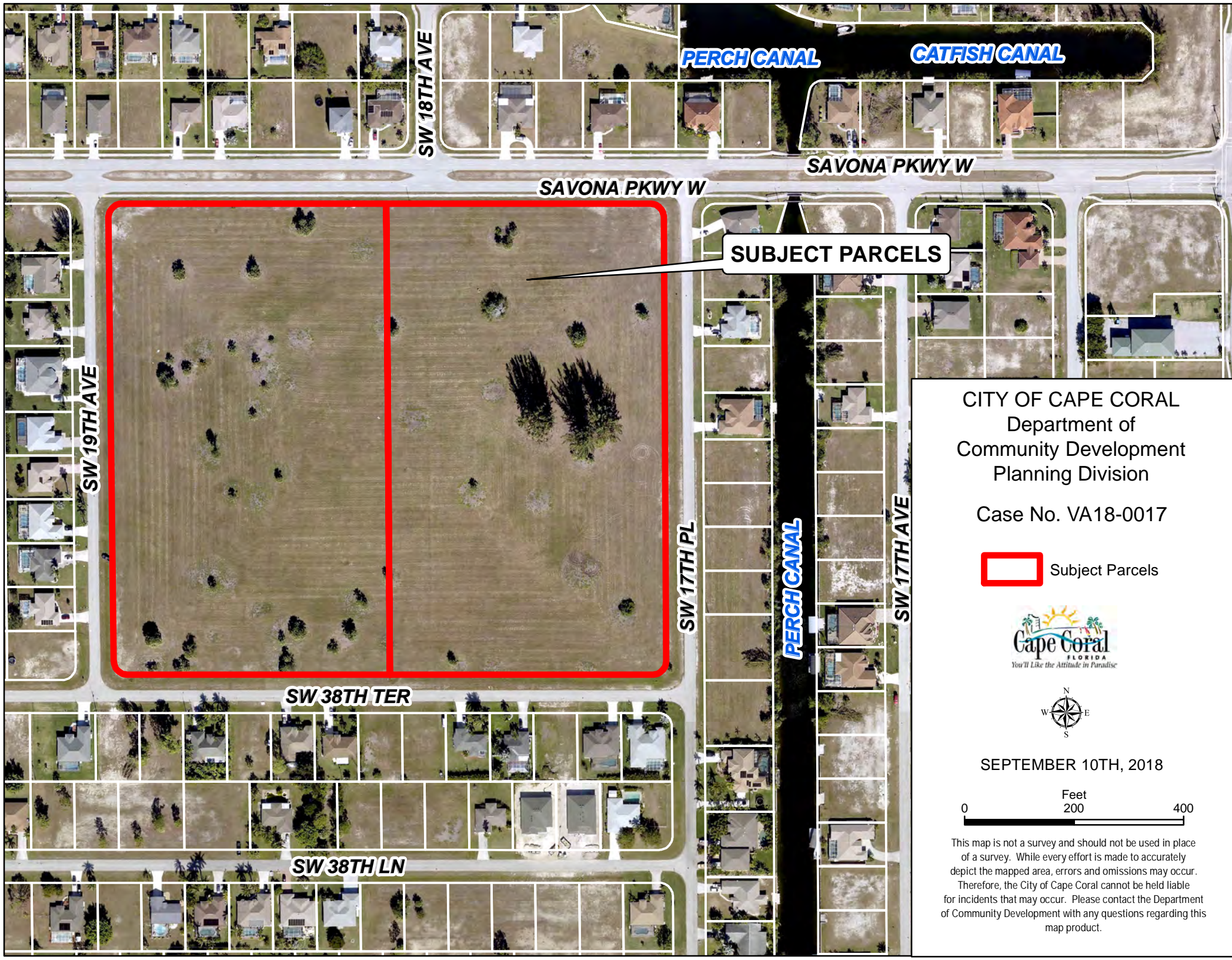
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by order of
Rebecca van Deutekom, MMC
City Clerk
REF # VA18-0017
AD# 3191459 Oct. 6, 2018



PERCH CANAL

CATFISH CANAL

SAVONA PKWY W

SAVONA PKWY W

SUBJECT PARCELS

SW 19TH AVE

SW 17TH PL

PERCH CANAL


SW 17TH AVE

SW 38TH TER

SW 38TH LN

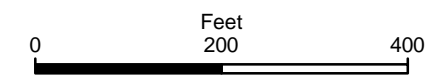
CITY OF CAPE CORAL
Department of
Community Development
Planning Division

Case No. VA18-0017

 Subject Parcels



SEPTEMBER 10TH, 2018




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 occur. Please contact the Department of Community Development with any questions regarding this map product.

CITY OF CAPE CORAL
Department of
Community Development
Planning Division

CURRENT ZONING MAP
500' Proximity Boundary

Case No. VA18-0017

LEGEND

 500' Proximity Boundary

 Subject Parcels

Zoning

 MR

 R-1A

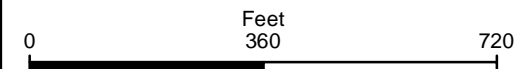
 R-1B

 R-3

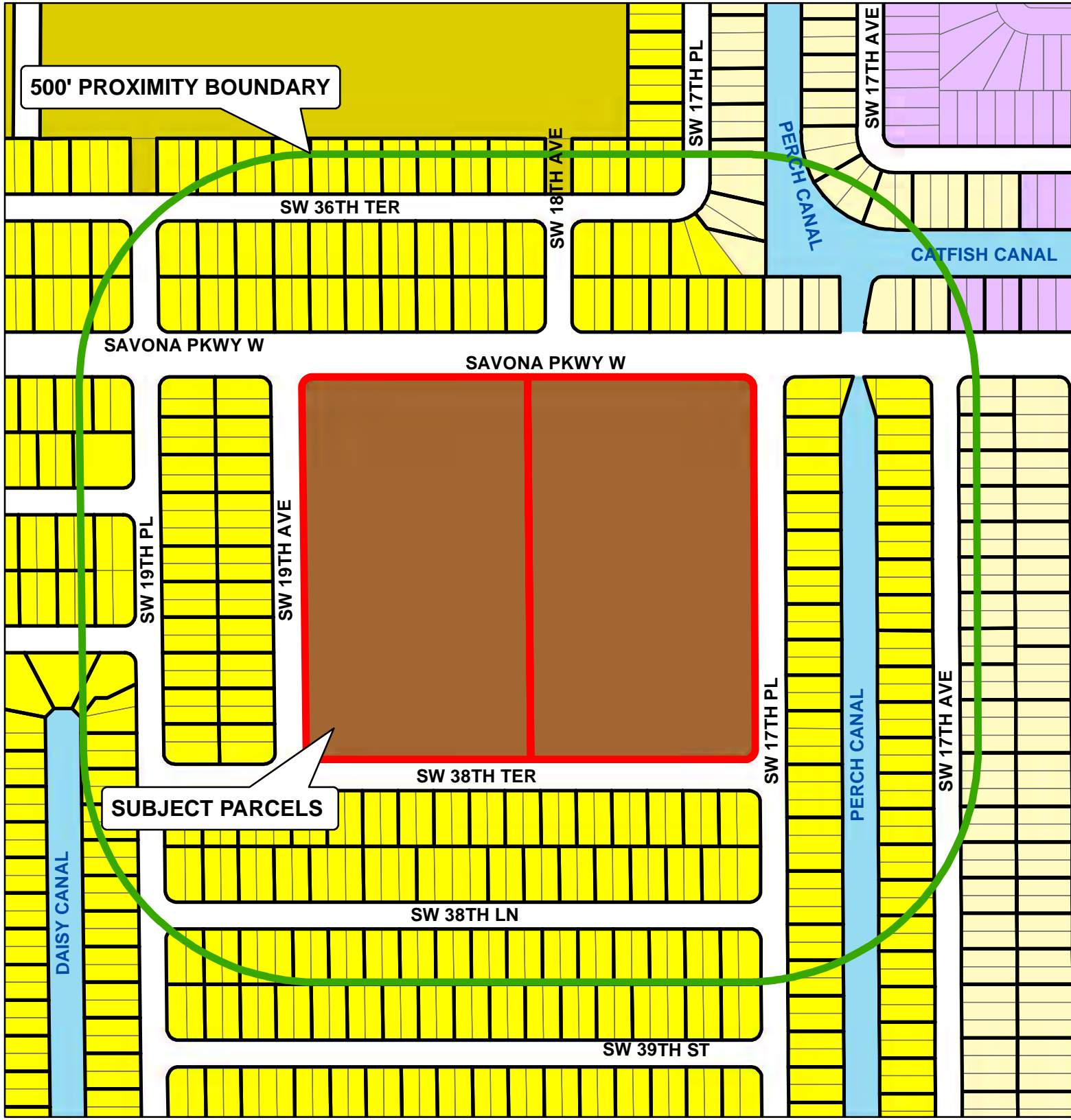
 RD



SEPTEMBER 10TH, 2018



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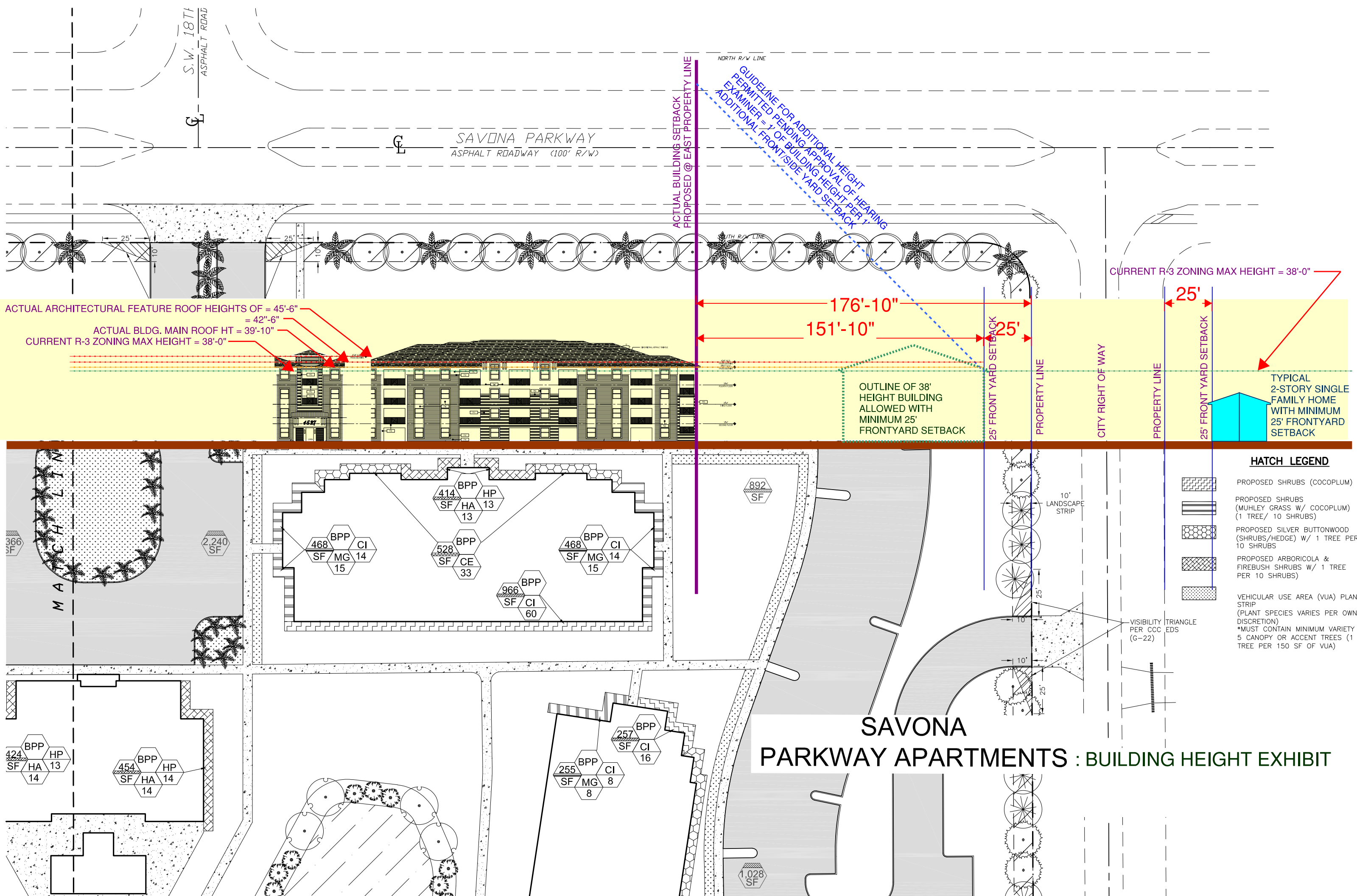


Owner_Name	Mailing_Ad	Mailing_Ci	Mailing_State	Mailing_Zip
BOTELHO ROSA	36 MEEK AVE	MONO	ON	L9W 6W8 C
FAIRHOMES ASHCROFT PROPERTIES LLC	203-139 MAIN ST	UNIONVILLE	ON	L3R 2G6 CA
ZWART JOHN A + CAROLYN A	24293 ADELAIDE RD	STRATHROY	ON	M7G 3H4 C
ACOSTA CLAUDIA	CRA 56 # 148-35 TORRE 1 APT 903	BOGOTA-CUNDINAMARCA		COLOMBIA
SR PARK RENTAL LLC BOUIN	25 ALLEE DE VERDALLE LA HUME	GUJAN MESTRAS 33470		FRANCE
HOME CHALLENGE LLC	AN DER TRAINIERBAHN 62	D-15366 HOPPEGARTEN		GERMANY
SCHROLLINGER JURGEN	LIFTENWEG 7B	82297 STEINDORF		GERMANY
RUANO FELIPE GARCIA + GARCIA SILVIA MELCHOR	30 CALLE 9-30 ZONA 11 VILLAS			
JIRON DE H/W	SAN CARLOS III	GUATEMALA CIUDAD		MEXICO
NILSSON BENGT + EVA	TREHORNIGEN 2	EKSJO SE 57595		SWEDEN
BKMP INVESTMENTS LLC	29 KNIGHTON GRANGE ROAD	LEICESTER		LE2 2LF UN
WILLIAMS PHILIP + YVONNE A	THE SHIELING DOG LANE KELSALL	TARPORLEY		CW6 0RP U
2018-2 IH2 BORROWER LP INVITATION HOMES TAX DEPT	1717 MAIN ST STE 2000	DALLAS	TX	75201
ABBOTT MICHAEL E + RHONDA L	1820 SW 38TH LN	CAPE CORAL	FL	33914
ABRO RAJA	48816 STONERIDGE DR	NORTHVILLE	MI	48168
ADVANTAIRA TRUST LLC FOR STEVEN PARKER IRA #6851001 81% + FOR IRENE PARKER IRA #6850801 19% T/C	5354 COCOA CT	CAPE CORAL	FL	33904
ALBERTS ROY TR FOR MARY M ALBERTS DISTRIBUTION LAND TRUST	2907 STONE SCHOOL RD	ANN ARBOR	MI	48104
ALEGIAN GROUP INC	1925 NE 10TH TER STE 101	CAPE CORAL	FL	33909
ALLISON BENNETT + NORA	1632 SW 36TH TER	CAPE CORAL	FL	33914
ANDERSON EDWARD	3718 SW 19TH AVE	CAPE CORAL	FL	33914
ANDERSON EDWARD L JR & MARCUS SHERRY A	13100 BELLA CASA CIR UNIT 125	FORT MYERS	FL	33966
ANDERSON ROBERT J + VICKI A	3730 SW 19TH AVE	CAPE CORAL	FL	33914
ARIAS ANA	4137 SW 7TH AVE	CAPE CORAL	FL	33914
ARIAS EVELYN E	1536 AMSTARDAM AVE 1ST FL	NEW YORK	NY	10031
ASSADI MARIO + SARAH TR FOR ASSADI FAMILY TRUST	5871 MARGARIDO DR	OAKLAND	CA	94618
BALL JAMES E + CONROY DIANE L H/W	1501 N ELM ST	JEFFERSON	IA	50129
BALLARD TOM + BAILEY JAMES J/T	3615 SW 17TH PL	CAPE CORAL	FL	33914
BARBOUR ENTERPRISES LIMITED PA	8911 DANIELS PKWY STE 6	FORT MYERS	FL	33912
BEARD WILLIAM C	1907 SAVONA PKWY W	CAPE CORAL	FL	33914
BENITEZ VALENTIN + ESTHER	3705 SW 19TH PL	CAPE CORAL	FL	33914
BERRY MICHAEL D + LAURA S	16514 LEE AVE	ORLAND PARK	IL	60467
BERTODATTO HENRY PISAPIA JEANA J/T	1732 SW 36TH TER	CAPE CORAL	FL	33914
BIER ALBERT S & KRISTIE	264 SUNDUST RD	EIGHTY FOUR	PA	15330
BRAUN ERIC & ALISON	1921 SAVONA PKWY W	CAPE CORAL	FL	33914
BUCHTER CINDA B + WARREN G	931 SW 34TH TER	CAPE CORAL	FL	33914
BUILDERS GRADE LLC LIGHTSTONE GROUP	1985 CEDAR BRIDGE AVE STE 1	LAKEWOOD	NJ	08701
BURNS ROY P	1811 SAVONA PKWY W	CAPE CORAL	FL	33914
BURT JAMES	1825 SAVONA PKWY W	CAPE CORAL	FL	33914
CALLENDER SHELLY R + DWAYNE	1734 SW 38TH TER	CAPE CORAL	FL	33914
CARLSON STEPHEN + SPANGARO GIOVANNA G	1837 SW 36TH TER	CAPE CORAL	FL	33914
CATALANO BETTY JO	3801 SW 19TH PL	CAPE CORAL	FL	33914
CAVELL GEORGE H + GAIL	3826 SW 19TH PL	CAPE CORAL	FL	33914
CERBERUS SFR HOLDINGS II L P	1850 PARWAY PL STE 900	MARIETTA	GA	30067
CHAMBON JOHN	4346 SW 19TH PL	CAPE CORAL	FL	33914
CHASE KIM	1833 SW 36TH TER	CAPE CORAL	FL	33914
CHERASIA KATHLEEN S	3720 SW 17TH AVE	CAPE CORAL	FL	33914
CLEVELAND CYNTHIA L	3727 SW 19TH PL	CAPE CORAL	FL	33914
COLLINS R STEPHEN	3705 SW 17TH PL	CAPE CORAL	FL	33914

CORONA PROPERTY HOLDINGS LLC	1310 SW 4TH TER	CAPE CORAL	FL	33991
CRAMPTON ROBERT M + CATHY A TR FOR CRAMPTON TRUST	12724 28TH ST W	MILAN	IL	61264
	10541 BEN C PRATT SIX MILE			
D R HORTON INC	CYPRESS PKWY STE 100	FORT MYERS	FL	33966
DEBONO GERALD SEAN M + DEBONO MICHAEL ANTHONY	1836 SW 36TH TER	CAPE CORAL	FL	33914
DELMAR PROPERTIES CAPE CORAL L	15496 ORLANDA DR	BONITA SPRINGS	FL	34135
DEMKO KAREN MARY & DEMKO STEPHEN MATTHEW IV	1726 SW 38TH LN	CAPE CORAL	FL	33914
DEUSTSCHE BANK NA TR FOR CERTIFICATES SERIES 2006-NC1	5720 PREMIERE PARK DR	WEST PALM BEACH	FL	33407
DF BELLAIR ENTERPRISES LLC	509 SW 52ND ST	CAPE CORAL	FL	33914
DIAZ-RAMIREZ YAMILA	3717 CHIQUITA BLVD S	CAPE CORAL	FL	33914
DIXON DENNIS W & WENDY M L/E	618 8TH AVE	LEHIGH ACRES	FL	33972
DOKTOR INC	1207 SE 25TH TER	CAPE CORAL	FL	33904
DOMINGUEZ JULIO CESAR	1722 SW 38TH TER	CAPE CORAL	FL	33914
DUENAS HUMBERTO + ANITA E	50 PAULISON AVE	RIDGEFIELD PARK	NJ	07660
DUTTON HOLDINGS LLC PRINT TEX USA	11198 AMPERE CT	LOUISVILLE	KY	40299
EGGHART HEINRICH TR + EGGHART ELISABETH TR FOR EGGHART LIVING TRUST	1911 MARTHAS RD	ALEXANDRIA	VA	22307
ESPINO F + TERESITA	6 PAMELA CT	PLAINVIEW	NY	11803
FERGUSON WILLIAM T + DEBORAH A	1813 SW 36TH TER	CAPE CORAL	FL	33914
FERNANDEZ ROBERT	14102 FENNSBURY DR	TAMPA	FL	33624
FICA MARGARITA R	PO BOX 1102	MIDDLEBURY	CT	06762
FLEITES JUAN S + VAZQUEZ NOIDA H/W	CALLE 2 #A4 VILLAS DE SAN FRAN	RIO PIEDRAS	PR	00927
FLY SOUTH LLC	735 ROSEDALE AVE	ROSELLE	IL	60172
FOSTER THOMAS E + LORI J	3727 SW 17TH AVE	CAPE CORAL	FL	33914
FRANZESE PHILIP + JOYCE	2326 SE 10TH PL	CAPE CORAL	FL	33990
FREIRE MARCOS A + SONIA	3719 SW 17TH AVE	CAPE CORAL	FL	33914
FROIS NATALIE	PO BOX 70652	NORTH DARTMOUTH	MA	02747
GAMABA CC LLC	2140 SW 8TH PL	CAPE CORAL	FL	33991
GAMEZ DANIEL	16731 NW 87TH CT	HIALEAH	FL	33018
GARCIA ANTONIO	19 RAVE ST	HICKSVILLE	NY	11801
GIARDINA GARY + KATHLEEN	3723 SW 19TH PL	CAPE CORAL	FL	33914
GOROS GEORGE T TR FOR G T GOROS TRUST	3802 SW 17TH AVE	CAPE CORAL	FL	33914
GRANDE FRANK	3807 EMERALD LAKE DR	MISSOURI CITY	TX	77459
GREBNER DARLENE TR FOR DARLENE GREBNER TRUST	2215 16TH AVE NW	ABERDEEN	SD	57401
GRIFFO TRUDI E & MARK D	3721 SW 17TH PL	CAPE CORAL	FL	33914
HADDIX DEBORAH J	3833 SW 17TH PL	CAPE CORAL	FL	33914
HAWKINS JOHN E + MARGARET T	3709 SW 17TH AVE	CAPE CORAL	FL	33914
HAYWARD GARY + ANGELA E	2300 SW 20TH ST	CAPE CORAL	FL	33991
HERNANDEZ ELLIMAY	1910 SW 36TH TER	CAPE CORAL	FL	33914
HERNANDEZ ESTEBAN + SUBERO JORGE T/C	2401 SW 17TH AVE	MIAMI	FL	33145
HOLLEY LARRY L + BEVERLY C TR FOR LARRY L + BEVERLY C HOLLEY TRUST	3719 SW 19TH PL	CAPE CORAL	FL	33914
HOPPER JODI L	1914 SW 38TH TER	CAPE CORAL	FL	33914
HUNGRY CATFISH FARMS LLC	7008 WOODSTOCK AVE	BATON ROUGE	LA	70809
HYLER JOHN G & MORGAN KELLY J	1927 SAVONA PKWY W	CAPE CORAL	FL	33914
JABT CORPORATION INC	5232 SW 5TH PL	CAPE CORAL	FL	33914
JAGLAL PRADEEP + SALIMA S	164 72TH AVE # 1	FRESH MEADOWS	NY	11365
JBH HOLDINGS LLC	4828 SW 17TH PL UNIT 8B	CAPE CORAL	FL	33914
JOHNSON MARVIN L + KAREN M	4688 MILLS RD	WALKER	IA	52352
KANE JONATHAN & JENNIFER	3819 SW 17 TH PL	CAPE CORAL	FL	33914
LAGANA LOUIS R IV & LAGANA CHRISTINA L	3809 SW 17TH AVE	CAPE CORAL	FL	33914
LAROC DEVELOPMENT LLC	295 GRANDE WAY UNIT 1603	NAPLES	FL	34110

LEE COUNTY DIST SCHOOL BOARD GULF MIDDLE	2855 COLONIAL BLVD	FORT MYERS	FL	33966
LEE DAVID S	164 WASHINGTON ST	FAIRHAVEN	MA	02719
M + S FLORIDA SERVICES INC	1222 SE 47TH ST STE C1	CAPE CORAL	FL	33904
MARKERT DIANE	23901 MONTAGUE DR	BROWNSTOWN	MI	48134
MARTINS PAUL	7 MARIAL DR	SOUTH DARTMOUTH	MA	02748
MASOUD MARIANNE	73 CENTER ST	BELLEVILLE	NJ	07109
MCFARLANE CHASE TERENCE & MCFARLANE				
NORMANDY ROSE	1729 SW 38TH LN	CAPE CORAL	FL	33914
MIEHLE JOHN TR + JOHN + SANDRA TIMMONS TRUST				
J/T FOR MIEHLE FAMILY TRUST	PO BOX 522	GENOA	NV	89411
MOLINA MARIA MARIA GARCIA	101 MOUNT VERNON ST APT B8	RIDGEFIELD PARK	NJ	07660
MORGAN DIANE + POST DAVID T/C	213 GUINEA HILL RD	SLATE HILL	NY	10973
MYERS JEREMY D	1923 SW 37TH TER	CAPE CORAL	FL	33914
NEILSON TODD B + CINDY M	3723 SW 17TH AVE	CAPE CORAL	FL	33914
NGUYEN CUONG V + LAM MAI N H/W	3708 SW 17TH AVE	CAPE CORAL	FL	33914
OPPORTUNITIES REAL ESTATE FUND	8461 SW 11TH RD	GAINESVILLE	FL	32607
ORTIZ ANDRES JR	1906 SW 36TH TER	CAPE CORAL	FL	33914
ORTIZ RICARDO + DALIA E	2264 SW 93RD CT	MIAMI	FL	33165
ORTIZ ROLANDO + ELSA	9350 SW 22ND TER	MIAMI	FL	33165
OTT KAY E	1828 SW 38TH LN	CAPE CORAL	FL	33914
PALAZZOLO CARL G 1/4 + EHRLICH ROBERT 1/4 +				
BILELLO RONALD A 1/4 + CINQUEMANI STEVEN 1/4 T/C	33 ARTHUR AVE	LYNBROOK	NY	11563
PERDOMO ELLIMAY HERNANDEZ	1910 SW 36TH TER	CAPE CORAL	FL	33914
PIQUION JOHNNY & ANGELA	1733 SW 38TH LN	CAPE CORAL	FL	33914
POINTER DASHAUN JAMAALL & TAYLOR-POINTER				
SHADAY MARIE	3713 SW 17TH AVE	CAPE CORAL	FL	33914
POLANCO ERIC + BLANCA E	3708 SW 19TH AVE	CAPE CORAL	FL	33914
PONTE KEVIN J + SANTOS DAVID T/C	4 JOHN WINTHROP ST	DARTMOUTH	MA	02747
QUESADA DIEGO P + TOLEDO MIRIAM H/W	1112 SW 45TH ST	CAPE CORAL	FL	33914
QUEVEDO TERESA	8871 NW 142ND ST	MIAMI LAKES	FL	33018
QUINTER DANE + DONNA	1928 SW 38TH ST	CAPE CORAL	FL	33914
RAO PETER D + RAO KAYLA A	3735 SW 17TH AVE	CAPE CORAL	FL	33914
REILLY JOHN T + MARINA	1920 SAVONA PKWY W	CAPE CORAL	FL	33914
REMBRANDT MICHAEL + VILMA	3825 SW 17TH PL	CAPE CORAL	FL	33914
ROSE JOAN C TR FOR JOAN C ROSE TRUST	1725 SW 38TH LN	CAPE CORAL	FL	33914
ROSS TALITHA K	1824 SW 38TH LN	CAPE CORAL	FL	33914
RUA JOSE R + MARIA L	419 NE 18TH PL	CAPE CORAL	FL	33909
RUSS JACOB W + CHERWATY MICHELLE A	3805 SW 19TH PL	CAPE CORAL	FL	33914
RUTH JEAN TAYLOR TR FOR RUTH JEAN TAYLOR TRUST	1722 SW 38TH LN	CAPE CORAL	FL	33914
SANTANA LUIS JAVIER + CABRERA MARTA M JARDIN				
CENTRAL	6 CALLE COLOSO	HUMACAO	PR	00791
SANTORICO RICHARD J TR FOR RICHARD J SANTORICO				
TRUST	1924 SAVONA PKWY W	CAPE CORAL	FL	33914
SANTOS DAVID + PONTE KEVIN T/C	10 GARRISON RD	NEW BEDFORD	MA	02745
SAVONA OF SW FLORIDA LLC	14975 TECHNOLOGY CT	FORT MYERS	FL	33912
SAVONNA PARKWAY APARTMENTS	200 45TH ST S	FARGO	ND	58103
SCARBRO PHILIP	2963 CUSSELL DR	SAINT JAMES CITY	FL	33956
SCHULZE JAMES C	665 93RD AVE N	NAPLES	FL	34108
SNOW LORI ANN	1623 SW 6TH AVE	CAPE CORAL	FL	33991
SNOW STEVEN	1925 SW 38TH ST	CAPE CORAL	FL	33914
SOLO OAK LLC	2110 PONDELLA RD	CAPE CORAL	FL	33909
SOMARU KRISHNA + BIBI	2313 SW 40TH TER	CAPE CORAL	FL	33914
SON CAL & MAO KIMMY	1828 SW 38TH TER	CAPE CORAL	FL	33914
SORKIN DAVID + LIZ	1725 SAVONA PKWY W	CAPE CORAL	FL	33914
SOUSA CATHY	97 ORCHARD ST	EAST PROVIDENCE	RI	02914

SOSA MANUEL D + KATHLEEN M	18 OVERLOOK CIR	HUDSON	NH	03051
STEITZ EILEEN + SPINNLER LAUREN	3813 SW 17TH AVE	CAPE CORAL	FL	33914
STOUT BARRY SR & CATHY	1733 SAVONA PKWY W	CAPE CORAL	FL	33914
SULLIVAN DENNIS E	1823 SW 38TH LN	CAPE CORAL	FL	33914
SWANKOSKY CRAIG R + EDITA C	1705 SAVONA PKWY W	CAPE CORAL	FL	33914
TALADRIZ SARA M	13229 LAKE LIVE OAK DR	ORLANDO	FL	32828
TAMAYO EDWINA JOSEFA	3712 SW 19TH AVE	CAPE CORAL	FL	33914
THUM VIOLET A	333 19TH ST N APT 102	FARGO	ND	58102
TORRES AMADO J + ALVAREZ MARIBEL H/W	1817 SW 36TH TER	CAPE CORAL	FL	33914
TUMAMING VICTOR M LORNA TUMAMING	356 PELTON AVE	STATEN ISLAND	NY	10310
TURNER JOHN S	1816 SW 38TH LN	CAPE CORAL	FL	33914
UNKNOWN HEIRS OF MARTEN BRIAN	1832 SW 36TH TER	CAPE CORAL	FL	33914
VAUGHAN JEFFREY R & VAUGHAN LESLIE S	1724 SW 36TH TER	CAPE CORAL	FL	33914
VERELINE PAUL J + DONNA	1921 SW 38TH ST	CAPE CORAL	FL	33914
VLADIMIR SLASTUSHINSKIY AND IR	45 LAKE LILLINONAH RD N	BRIDGEWATER	CT	06752
VO ANH + NGO KHANH	7847 KELVIN AVE	WINNETKA	CA	91306
WAGNER DUSTIN C & WAGNER TIFFANIE L	5844 22ND ST	ELK MOUND	WI	54739
WALLACE THOMAS O + KIMBERLY L	79 FITZWILLIAM LN	JOHNSTOWN	OH	43031
WEDEMEYER MARK A + SUSAN K TR FOR WEDEMEYER TRUST	1911 E 14TH ST	ATLANTIC	IA	50022
WEIDINGER HOWARD L + WEIDINGER HOWARD L TR FOR HOWARD L WEIDINGER TRUST	202 SW 45TH ST	CAPE CORAL	FL	33914
WELLS NANCY S + KIRK TIMOTHY H J/T	105 INGERSOLL GROVE	SPRINGFIELD	MA	01109
WENSEL PETER J + STEPHANIE L	3713 SW 19TH PL	CAPE CORAL	FL	33914
WESTON MARC & SAUNDRA	1714 SW PRECEDENCE RD	ANKENY	IA	50023
ZACCARINE KEITH L + RENEE M	6810 CLINTON ST	ELMA	NY	14059
ZYCH INVESTMENTS I LLC	5509 HARBOUR PRESERVE CIR	CAPE CORAL	FL	33914





FRONT ENTRY FEATURE



REAR PERSPECTIVE



AERIAL PERSPECTIVE



FRONT PERSPECTIVE

CONSTRUCTION DOCUMENTS FOR
SAVONA APARTMENTS
TYPE I - 40-UNIT BUILDING
SAVONA PARKWAY WEST, CAPE CORAL, FLORIDA

PDS ARCHITECTURE INC.

PH: 239.437.8090
FX: 855.835.2733
INFO@PDSincorline.com

PDS
ARCHITECTURE

DATE: 6-29-18
TITLE:

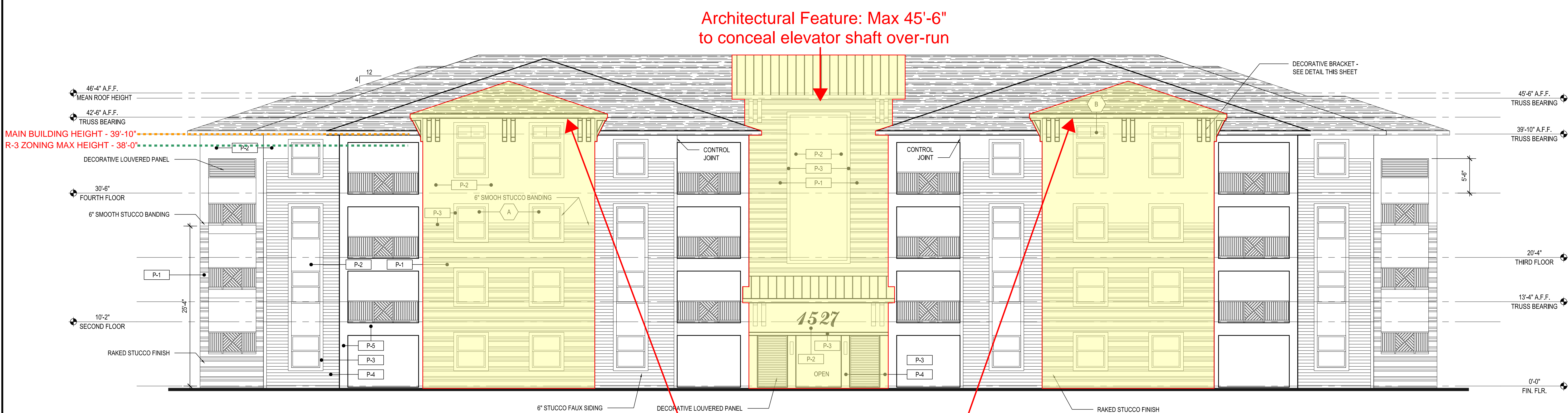
REVISIONS	

KENNETH P SCHOENFELD
FLORIDA REG. # AR97143

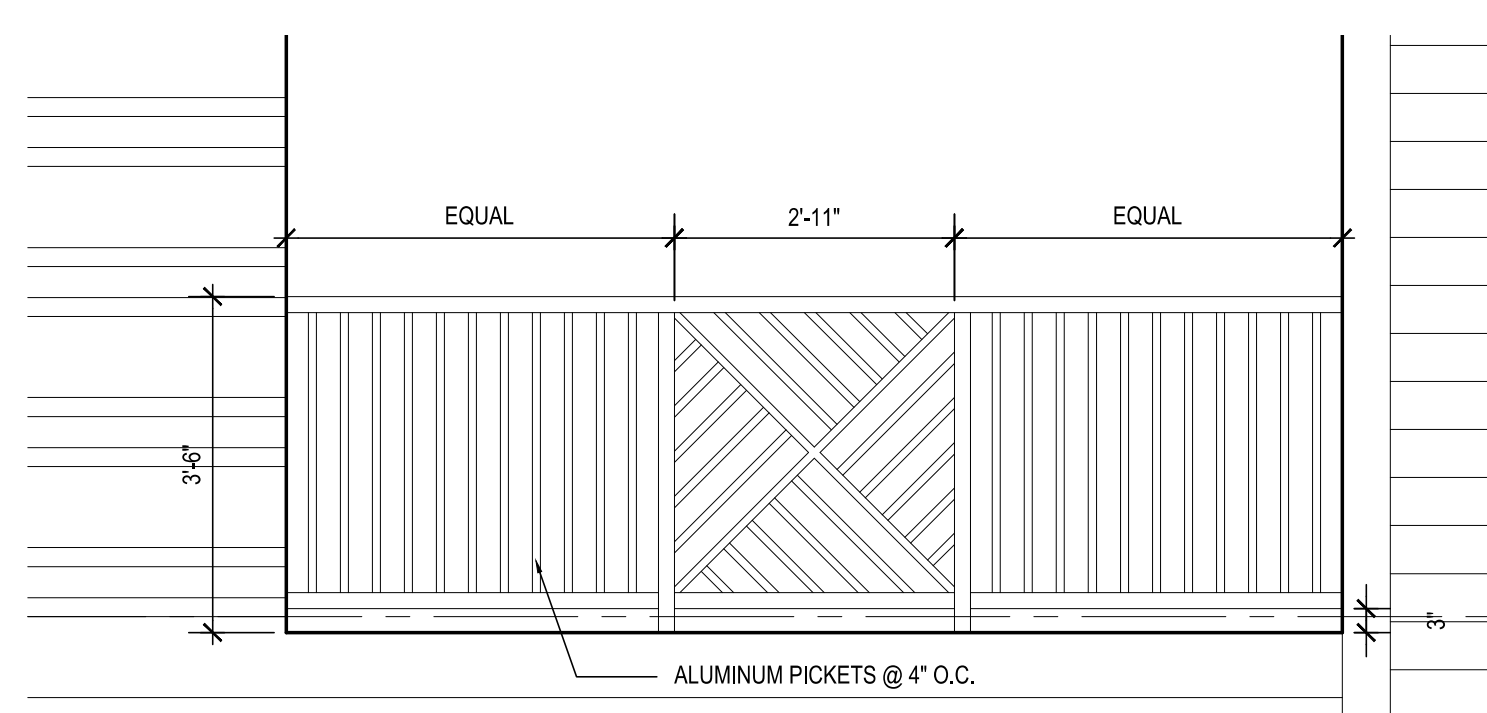
STATE OF FLORIDA
KENNETH P. SCHOENFELD
AR97143
REGISTERED ARCHITECT

SHEET NO.

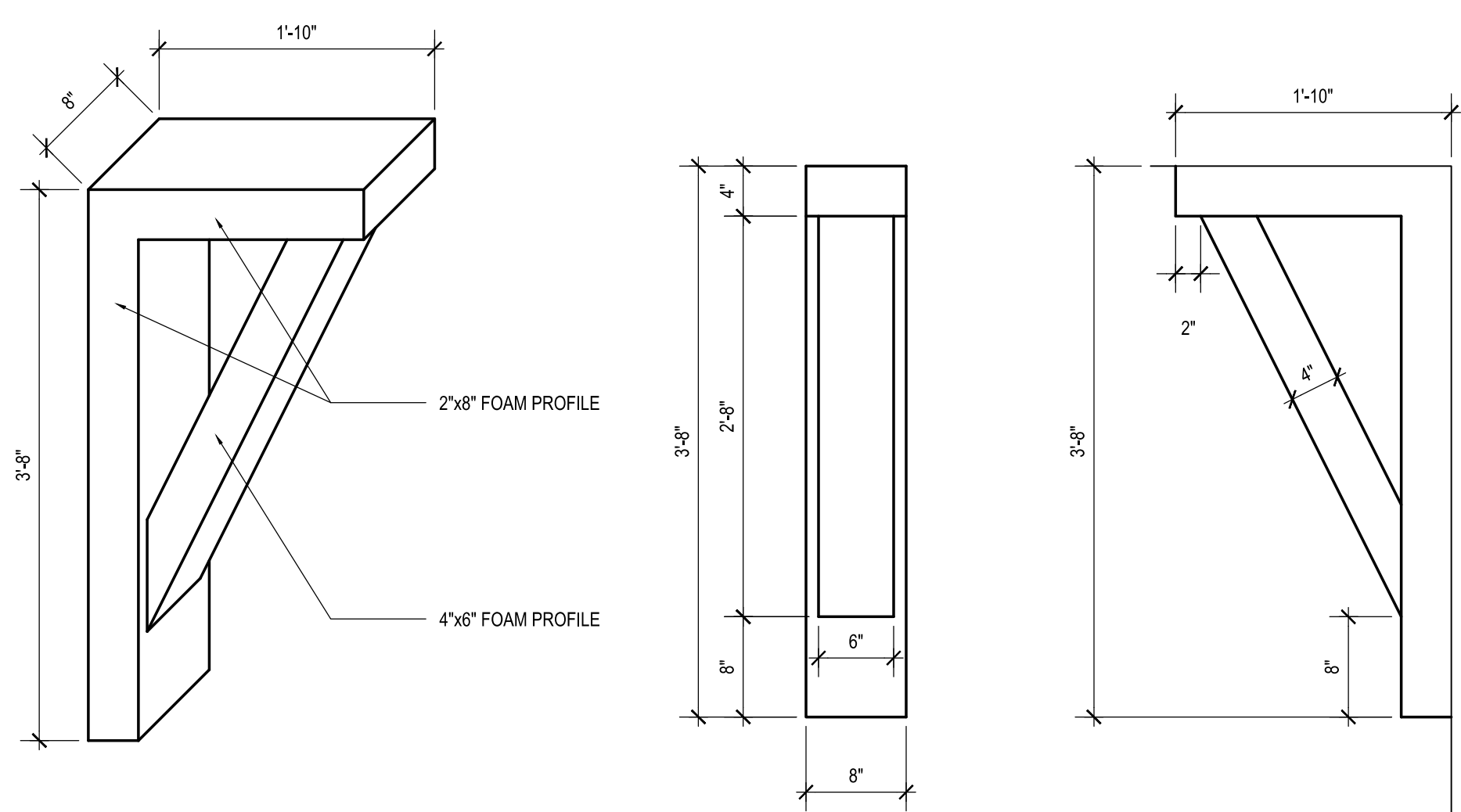
REVISIONS	



FRONT ELEVATION
SCALE: 1/8" = 1'-0"



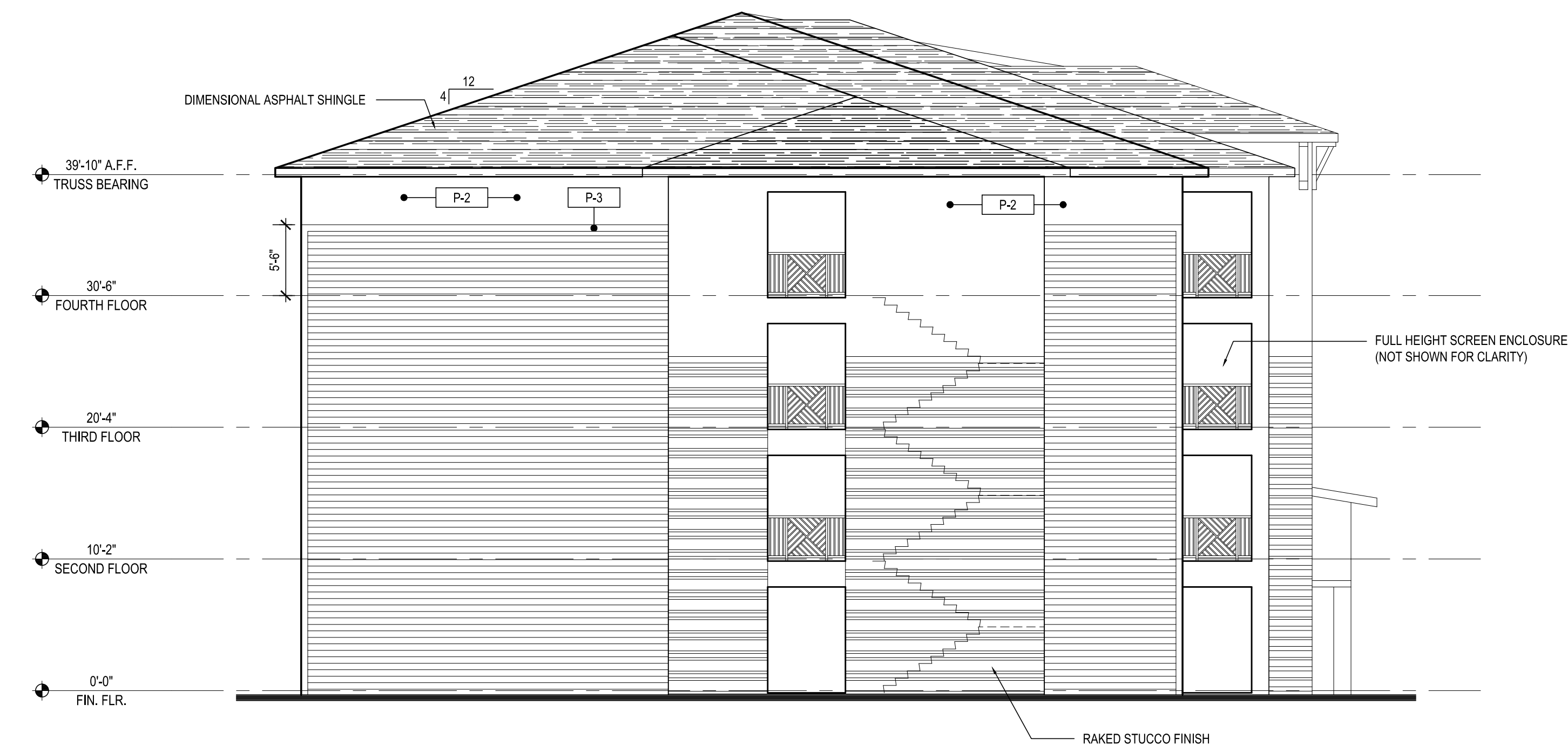
1 ENLARGED RAILING DETAIL
SCALE: 1/2" = 1'-0"



2 ENLARGED BRACKET DETAIL
SCALE: 1" = 1'-0"

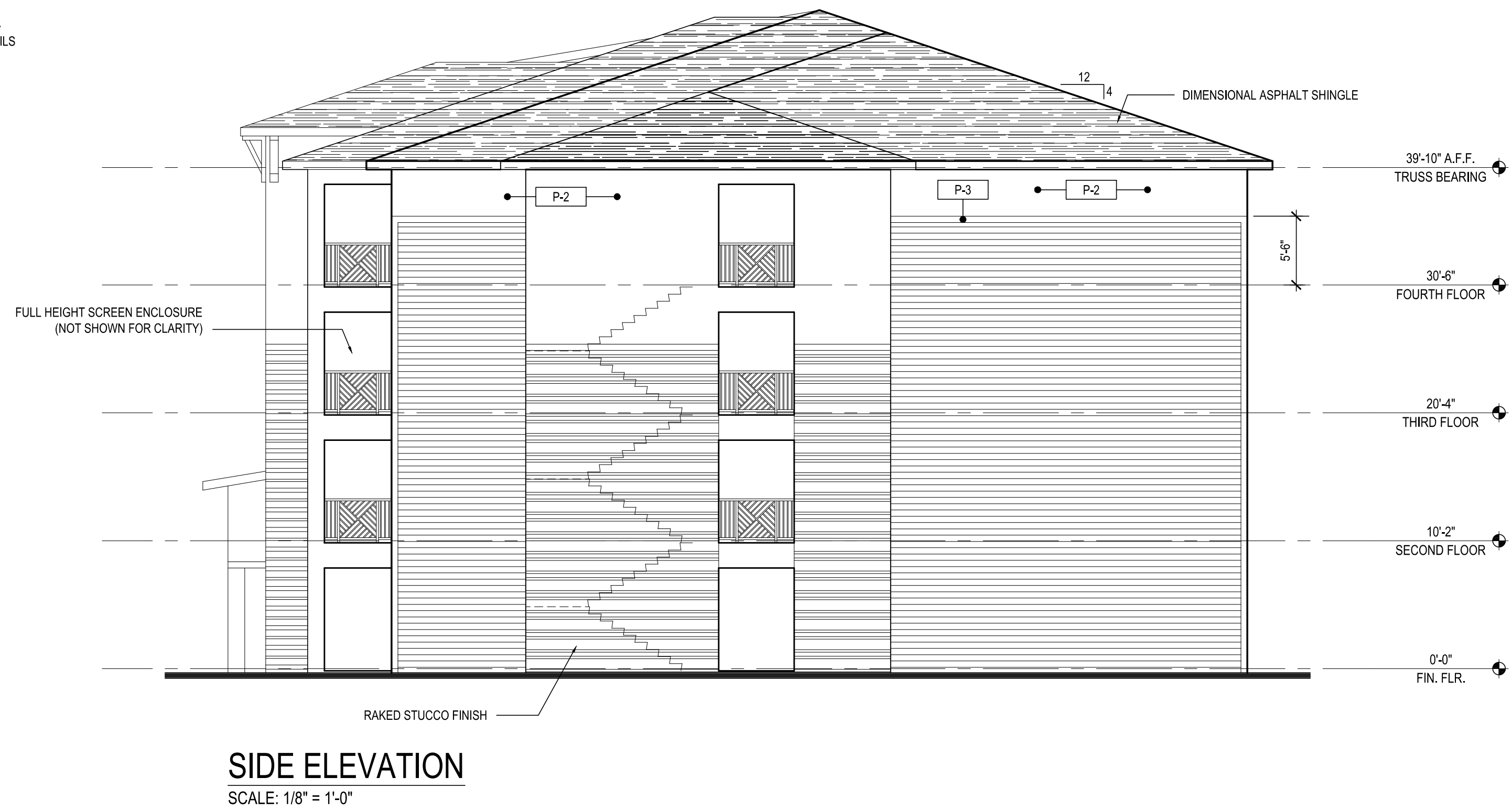
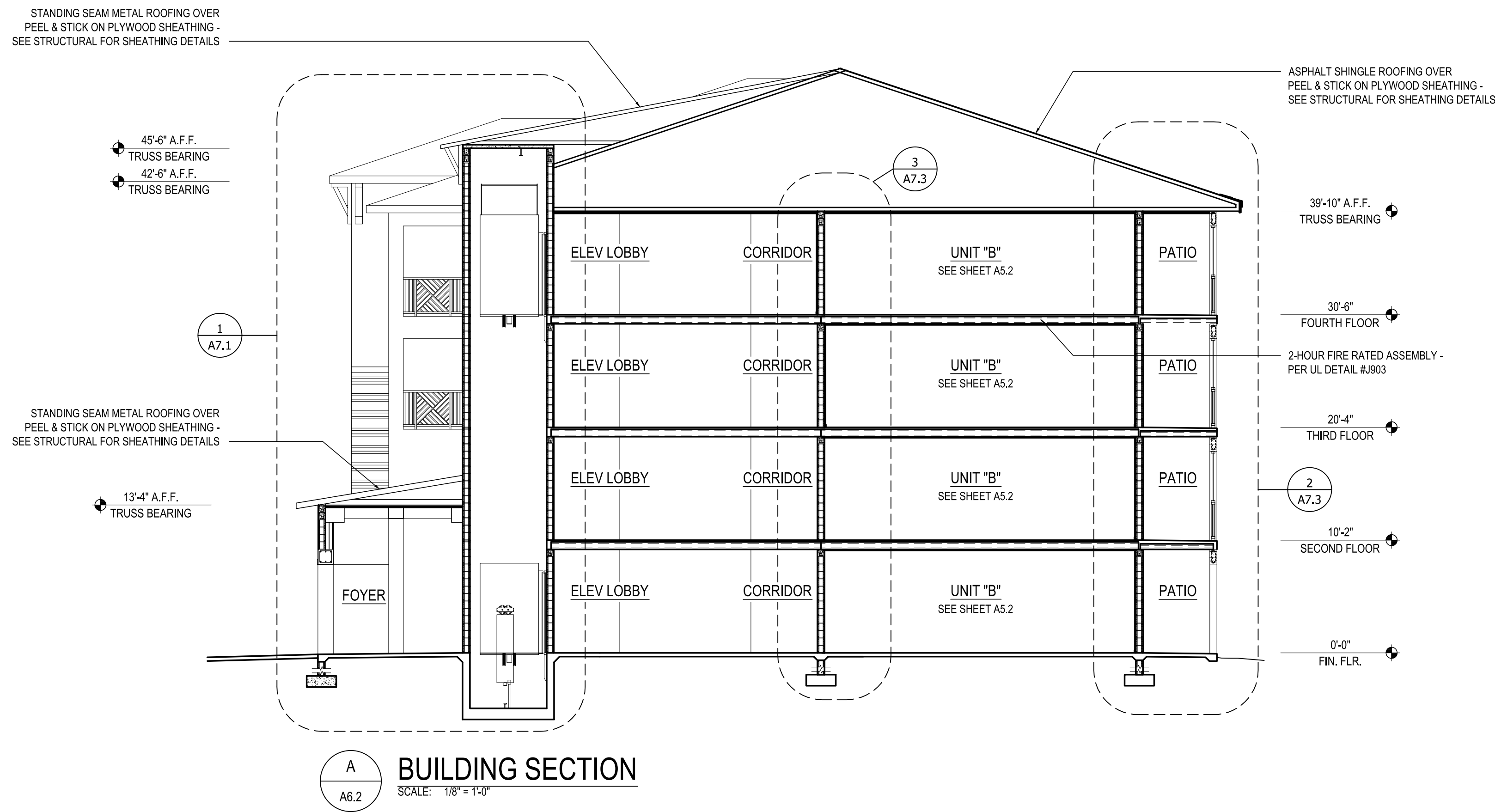
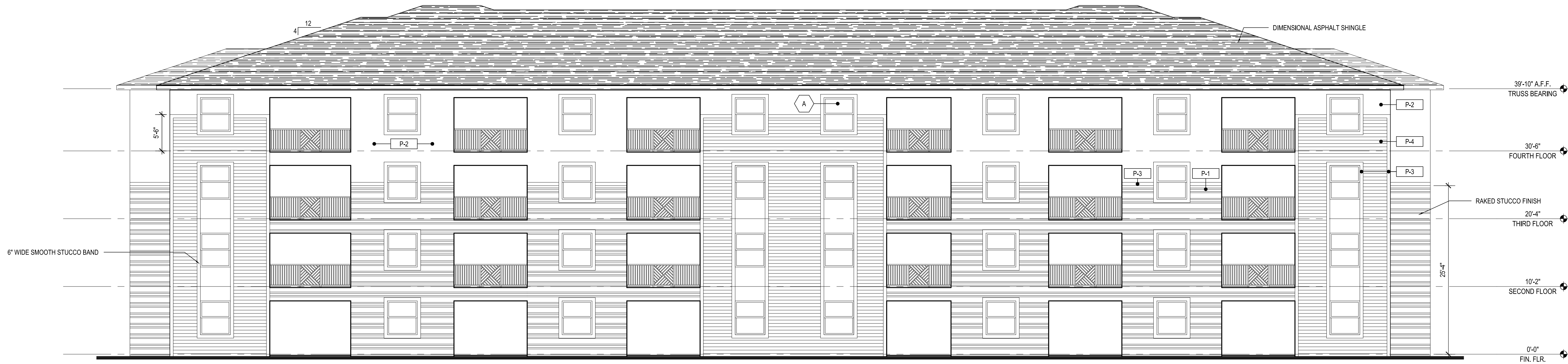
FOAM ORNAMENTATION SPECIFICATION
FOAM IS TO BE 1.5# DENSITY EXPANDED POLYSTYRENE WITH AN APPLIED 80 MIL. URETHANE HARD COAT. THE ADHESIVE MUST BE COMPATIBLE WITH E.P.S. FOAM. ALWAYS CAULK TOP AND ENDS BUT DO NOT CAULK BOTTOM OF ALL APPLICATIONS.

Architectural Feature: Max 42'-6"
to add architectural character
NOTE: Although Architectural Feature bearing height is higher, the ridge height is less than main building resulting in the overall perceived height increase not being greater than the requested 39'-10" in lieu of the 38'-0" permitted without variance.

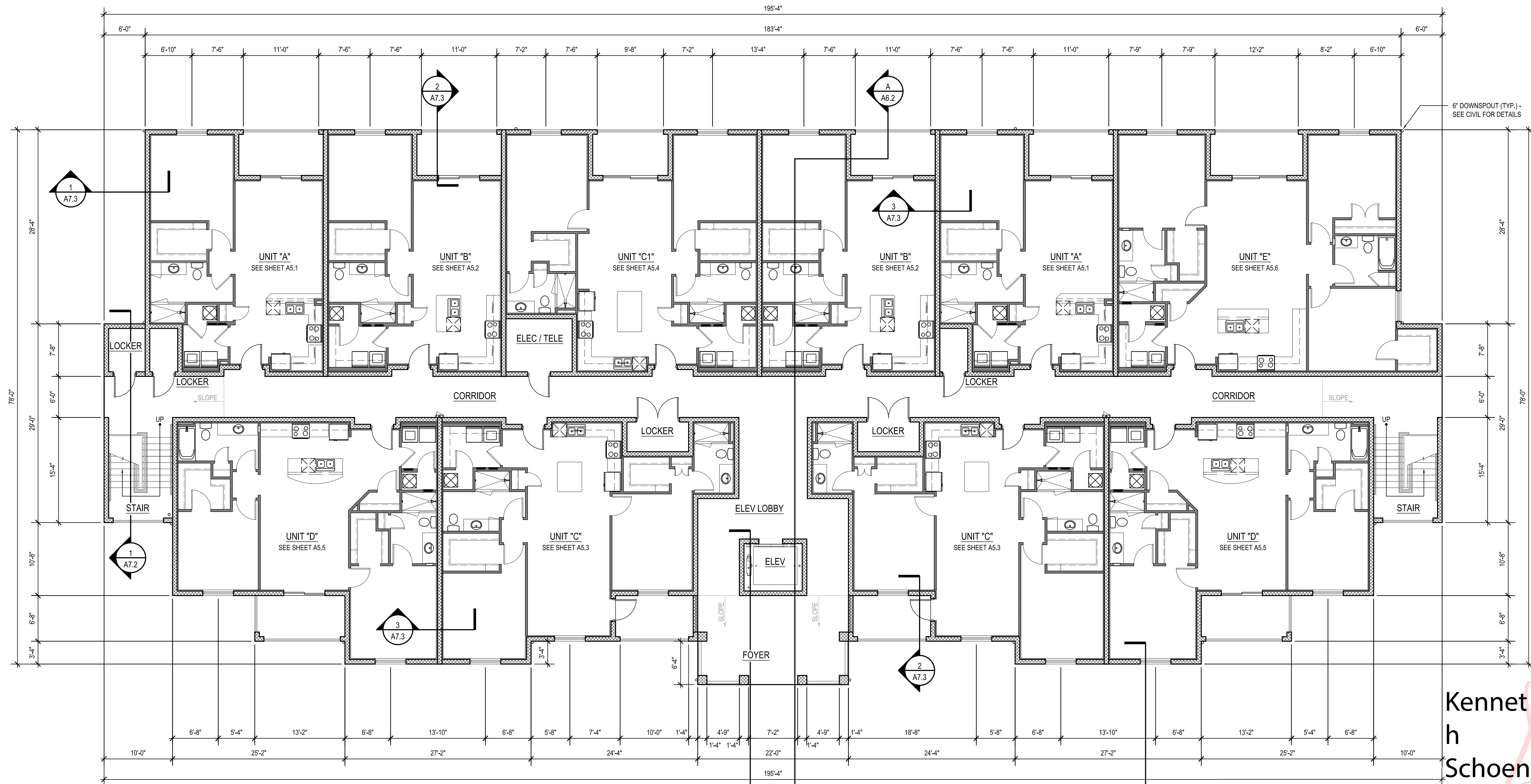
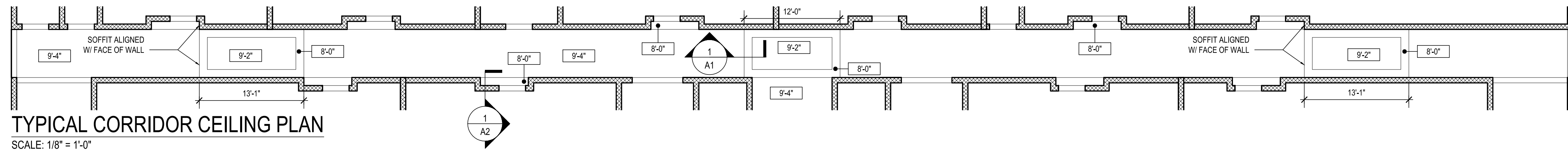


SIDE ELEVATION
SCALE: 1/8" = 1'-0"

REVISIONS	



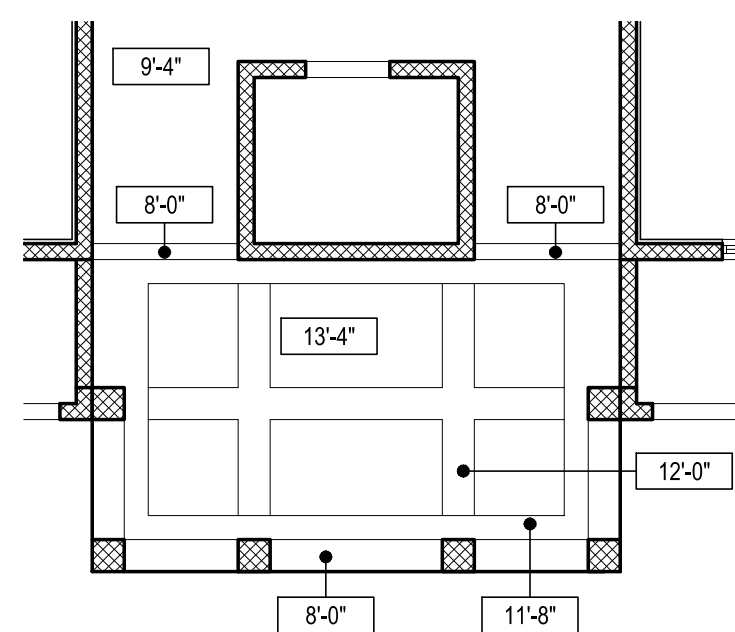
REVISIONS	

**FIRST LEVEL BUILDING PLAN**

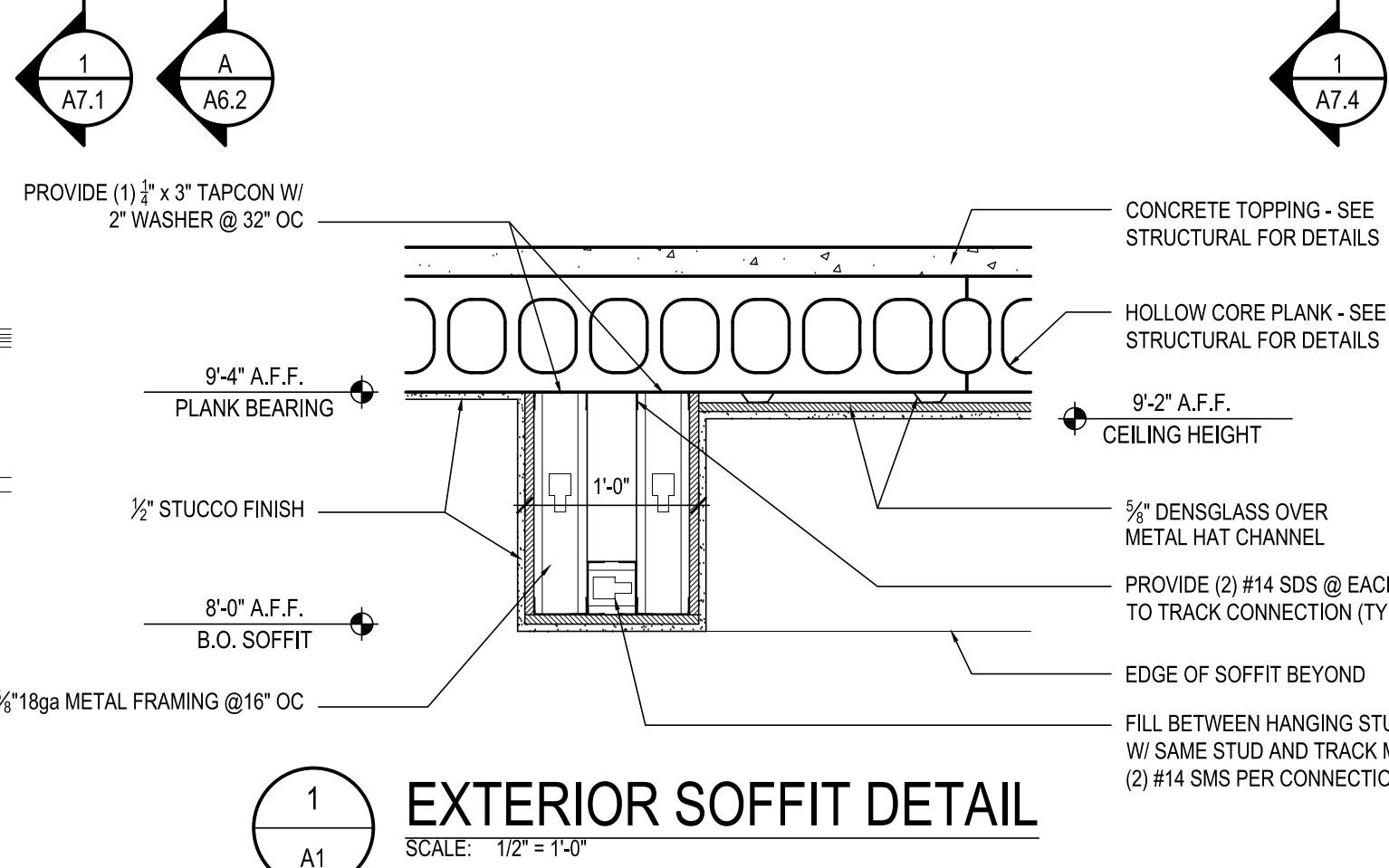
SCALE: 1/8" = 1'-0"

NOTE: ALL EXTERIOR MASONRY WALLS TO BE 2hr FIRE RATED PER FBC 722.3.2 ON SHEET A10.2

NOTE: ALL EXTERIOR WALKWAYS SHALL SLOPE TO DRAIN AT EDGE. AREAS W/O OPEN EDGE SHALL SLOPE TO NEAREST FLOOR DRAIN. G.C. SHALL COORDINATE ALL SLOPES & CONTACT ARCHITECT PRIOR TO CONST. WITH ANY QUESTIONS.

**FOYER CEILING PLAN**

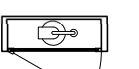
SCALE: 1/8" = 1'-0"

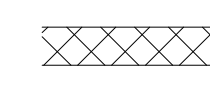

This item has been electronically signed and sealed by Kenneth P. Schoenfeld, R.A., On the date specified using a *SHA-1* authentication code.Printed copies of this document are not considered signed and sealed and the *SHA-1* authentication code must be verified on any electronic copies.**ADAPTABLE UNIT NOTES**

ALL UNITS TO BE HANDICAP ADAPTABLE - SEE ENLARGED UNIT PLANS FOR ADDITIONAL DETAILS.

AREA TABULATION

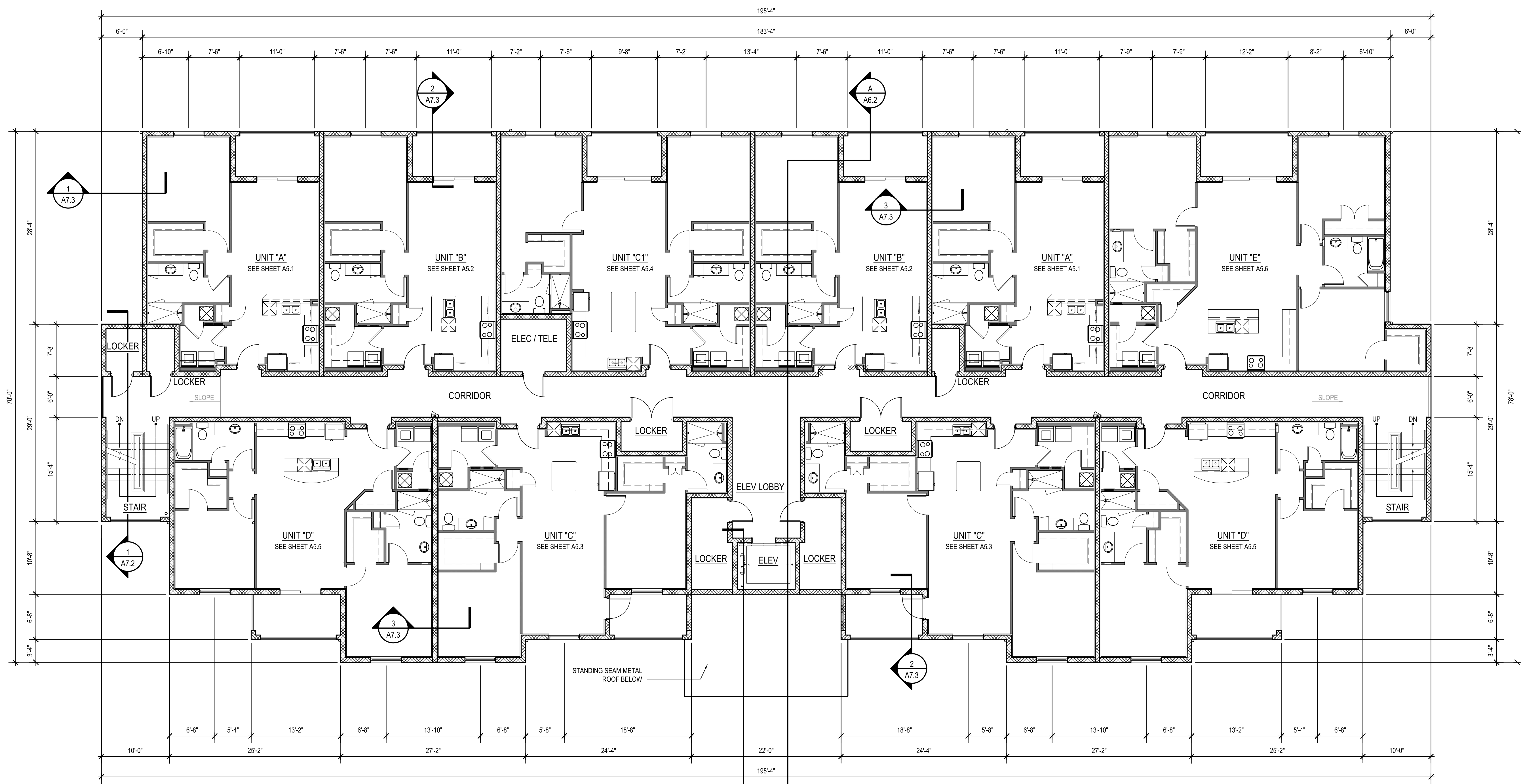
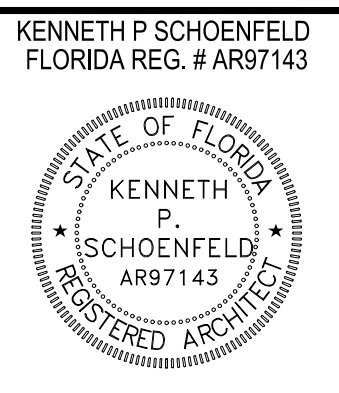
FIRST FLOOR	14,058 SQ. FT.
SECOND FLOOR	13,773 SQ. FT.
THIRD FLOOR	13,773 SQ. FT.
FOURTH FLOOR	13,773 SQ. FT.
TOTAL AREA	55,377 SQ. FT.

FIRE EXTINGUISHER LEGEND FIRE EXTINGUISHER CABINET
5 LB. ABC TYPE (3A-10BC)**WALL TYPE LEGEND**

	NEW 2-HOUR 8" CMU WALL
	NEW METAL STUD FRAMED WALL



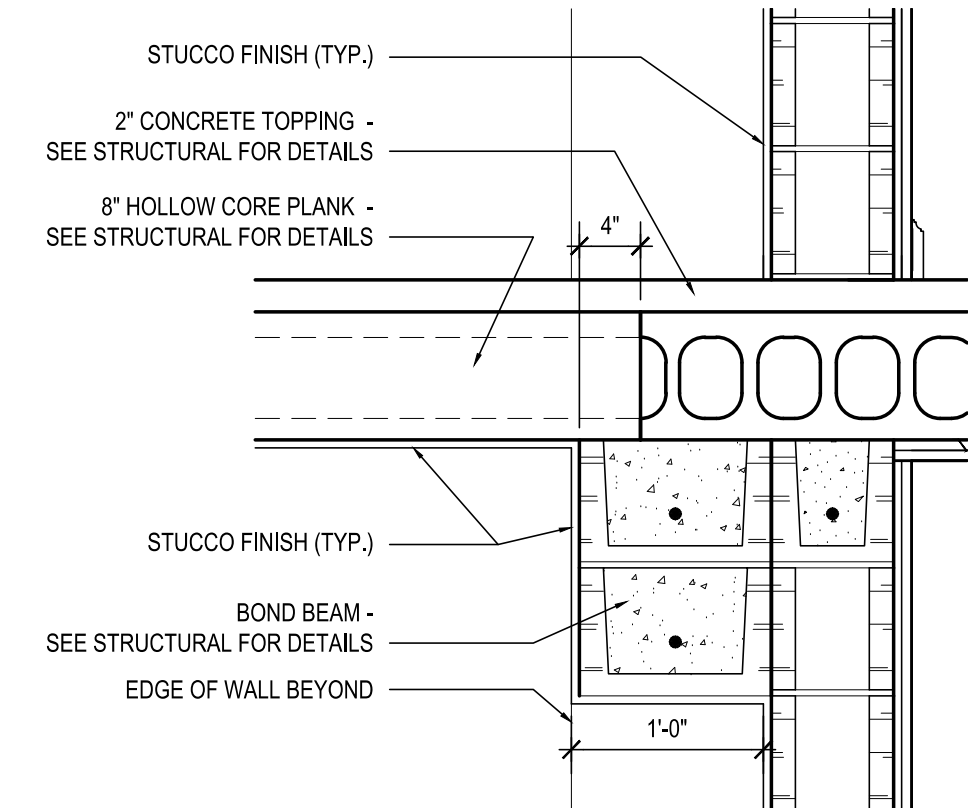
REVISIONS	



SECOND & THIRD LEVEL BUILDING PLAN

SCALE: 1/8" = 1'-0"
NOTE: ALL EXTERIOR MASONRY WALLS TO BE 2hr FIRE RATED PER FBC 722.3.2 ON SHEET A10.2

NOTE: ALL EXTERIOR WALKWAYS SHALL SLOPE TO DRAIN AT EDGE, AREAS W/O OPEN EDGE SHALL SLOPE TO NEAREST FLOOR DRAIN. G.C. SHALL COORDINATE ALL SLOPES & CONTACT ARCHITECT PRIOR TO CONST. WITH ANY QUESTIONS.



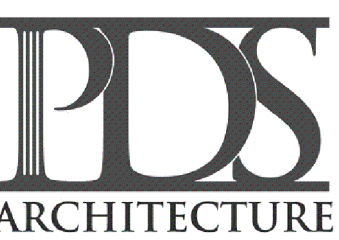
ENTRY SOFFIT DETAIL
SCALE: 1/2" = 1'-0"

ADAPTABLE UNIT NOTES	
ALL UNITS TO BE HANDICAP ADAPTABLE - SEE ENLARGED UNIT PLANS FOR ADDITIONAL DETAILS.	

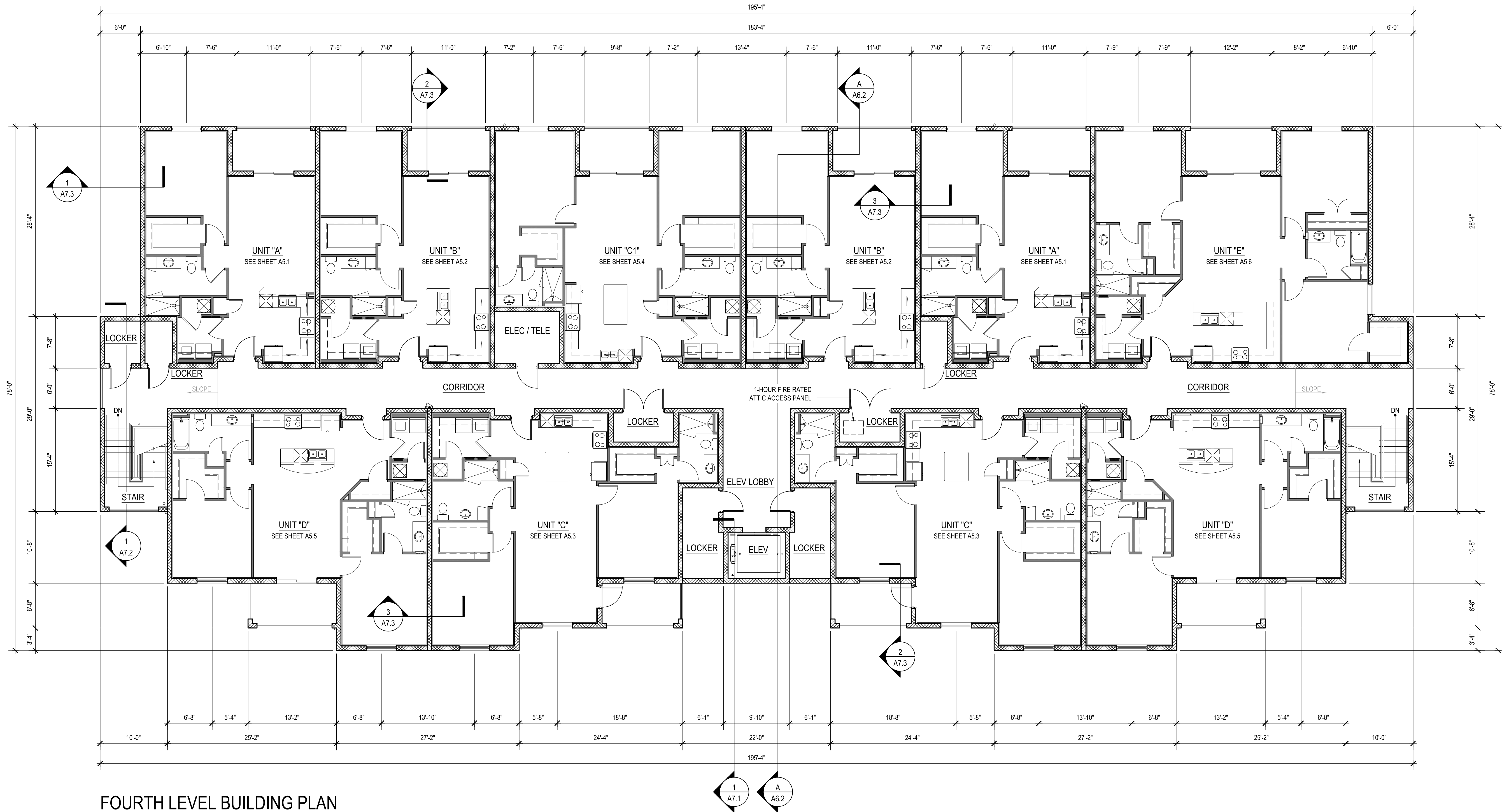
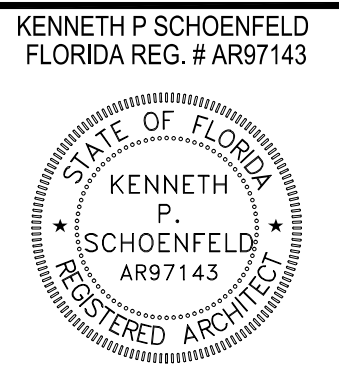
AREA TABULATION	
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SECOND FLOOR	13,773 SQ. FT.
THIRD FLOOR	13,773 SQ. FT.
FOURTH FLOOR	13,773 SQ. FT.
TOTAL AREA	55,377 SQ. FT.

FIRE EXTINGUISHER LEGEND	
	FIRE EXTINGUISHER CABINET 5 LB. ABC TYPE (3A-10BC)

WALL TYPE LEGEND	
	NEW 2-HOUR 8" CMU WALL
	NEW METAL STUD FRAMED WALL



REVISIONS	



FOURTH LEVEL BUILDING PLAN

SCALE: 1/8" = 1'-0"
NOTE: ALL EXTERIOR MASONRY WALLS TO BE 2hr FIRE RATED PER FBC 722.3.2 ON SHEET A10.2

NOTE: ALL EXTERIOR WALKWAYS SHALL SLOPE TO DRAIN AT EDGE. AREAS W/O OPEN EDGE SHALL SLOPE TO NEAREST FLOOR DRAIN. G.C. SHALL COORDINATE ALL SLOPES & CONTACT ARCHITECT PRIOR TO CONST. WITH ANY QUESTIONS.

ADAPTABLE UNIT NOTES	
ALL UNITS TO BE HANDICAP ADAPTABLE - SEE ENLARGED UNIT PLANS FOR ADDITIONAL DETAILS.	

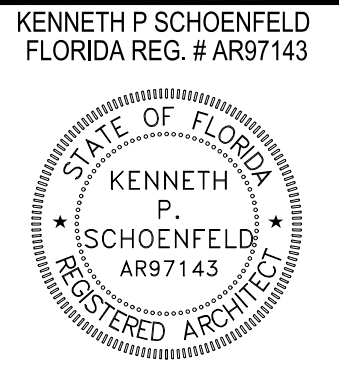
AREA TABULATION	
FIRST FLOOR	14,058 SQ. FT.
SECOND FLOOR	13,773 SQ. FT.
THIRD FLOOR	13,773 SQ. FT.
FOURTH FLOOR	13,773 SQ. FT.
TOTAL AREA	55,377 SQ. FT.

FIRE EXTINGUISHER LEGEND	
	FIRE EXTINGUISHER CABINET 5 LB. ABC TYPE (3A-10BC)

WALL TYPE LEGEND	
	NEW 2-HOUR 8" CMU WALL
	NEW METAL STUD FRAMED WALL



REVISIONS	



ROOF VENTILATION

GENERAL INFORMATION

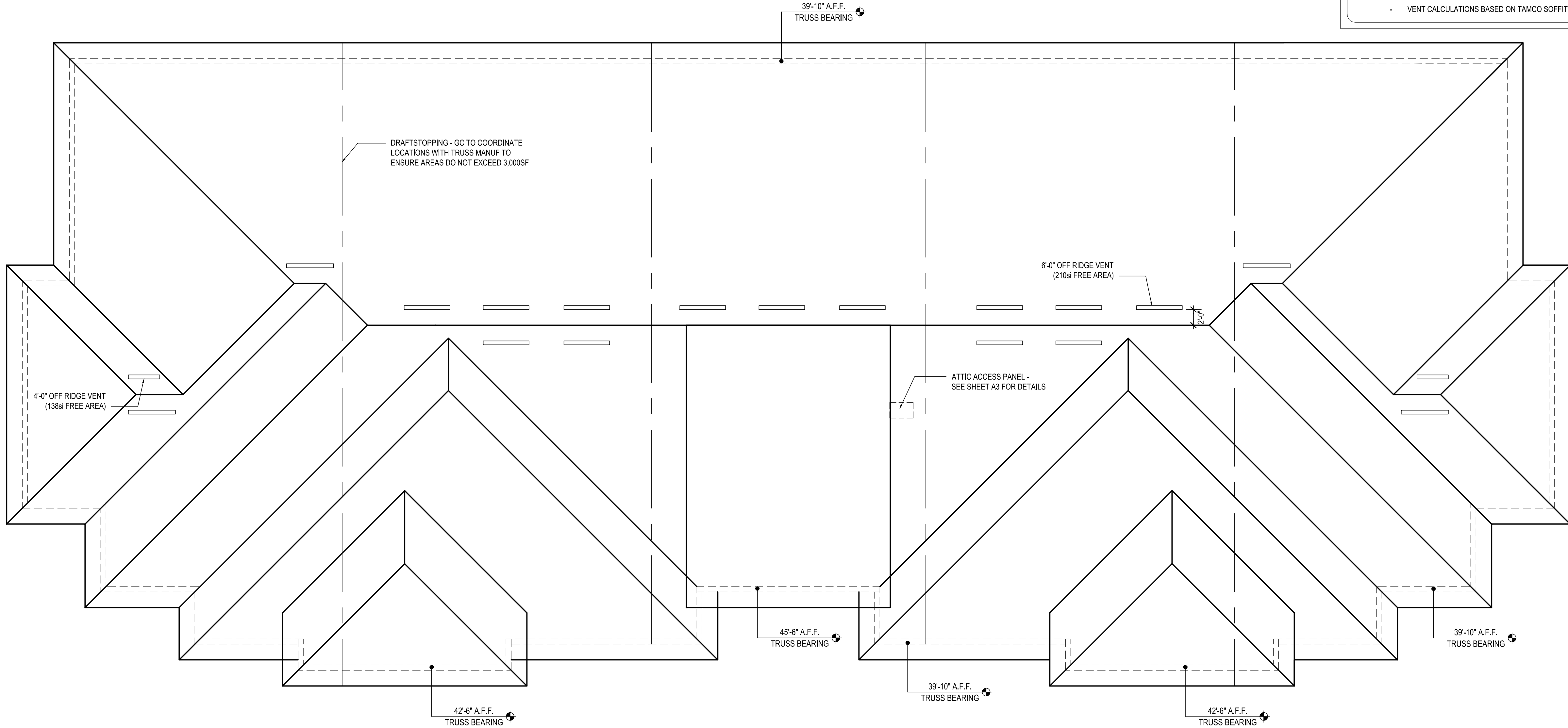
ROOF STRUCTURE CONSTRUCTION TYPE:	WOOD TRUSS
ATTIC FIRE SPRINKLER PROTECTION:	NO
DRAFT STOPPING:	NO
FIRE RATED LID ON UNDERSIDE OF TRUSS:	NO
VENTILATED ATTIC:	YES

VENTILATION REQUIREMENTS:

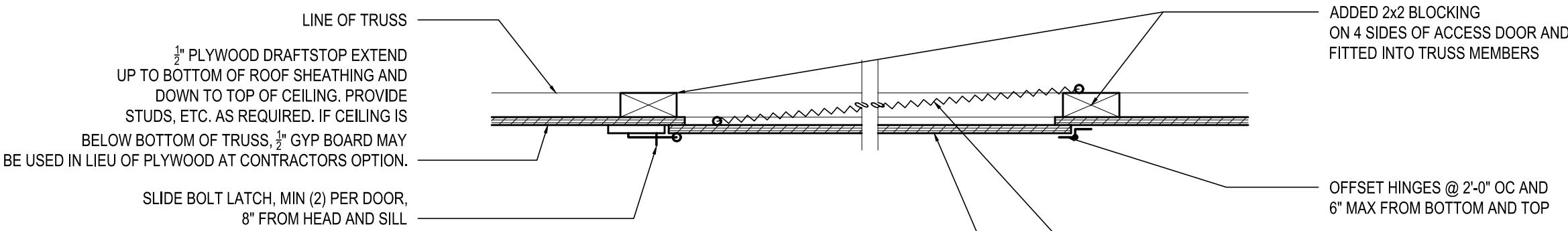
TOTAL ATTIC SQUARE FOOTAGE:	14,922 SF
VENTILATION BASED ON 1/150 or 1/300:	1/300 (14,922/ 300) = 49.74 SF X 50% = 24.87 SF X 144 = 3,582 SI MIN. 1/300 (14,922/ 300) = 49.74 SF X 50% = 24.87 SF X 144 = 3,582 SI MIN.
VENTILATED SOFFIT:	YES
TOTAL AREA OF VENTILATED SOFFIT:	1,149 S.F. X 5.9 SI/SF = 6,779 SI PROVIDED
RIDGE OR OFF-RIDGE VENTS:	(2) 4' OFF RIDGE VENT - (138 SI EACH) (17) 6' OFF RIDGE VENT - (210 SI EACH) = 3,846 SI PROVIDED

NOTES:

- VENT CALCULATIONS BASED ON TAMCO OFF RIDGE VENT FL APPROVAL #11100.4
- VENT CALCULATIONS BASED ON TAMCO SOFFIT VENT FL APPROVAL #12194-R6



ROOF PLAN
SCALE: 1/8" = 1'-0"



- NOTES:
- TRUSSES MUST BE DESIGNED TO ACCEPT ADDED WEIGHT OF DRAFTSTOPPING
 - JOINTS IN DRAFTSTOP MUST BE BACKED WITH SUPPORT STUDS IN TRUSS.
 - ANY ADDITIONAL FRAMING REQUIRED PERPENDICULAR TO THE TRUSSES IS TO BE PROVIDED AT THE GC'S EXPENSE

1 DRAFTSTOPPING DETAIL
SCALE: 1 1/2" = 1'-0"



FRONT ENTRY FEATURE



REAR PERSPECTIVE (PARTIAL)



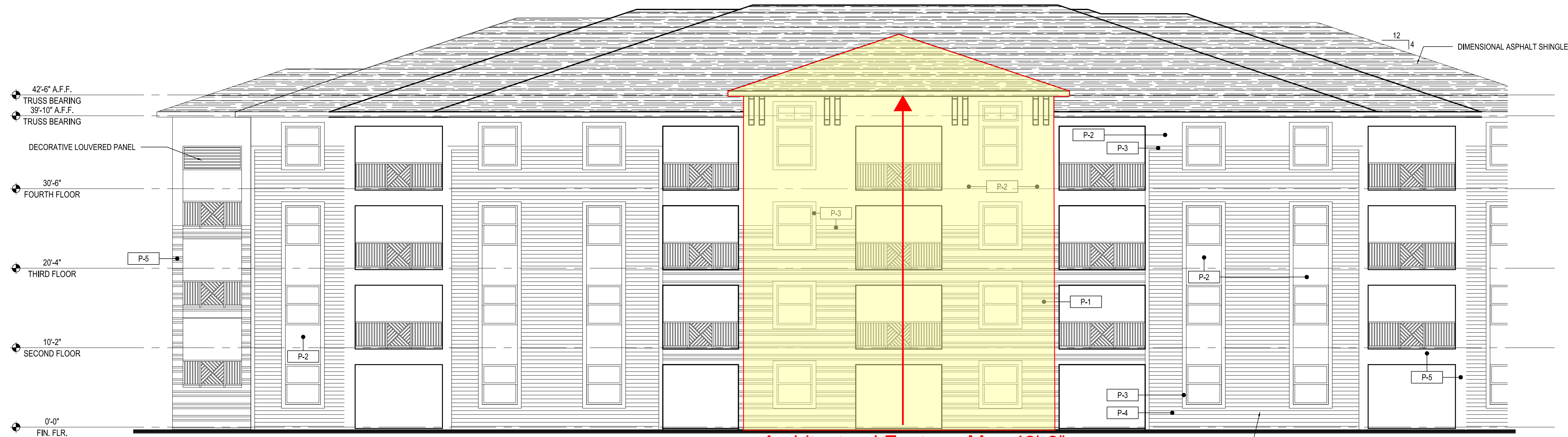
AERIAL PERSPECTIVE



FRONT PERSPECTIVE

REVISIONS	

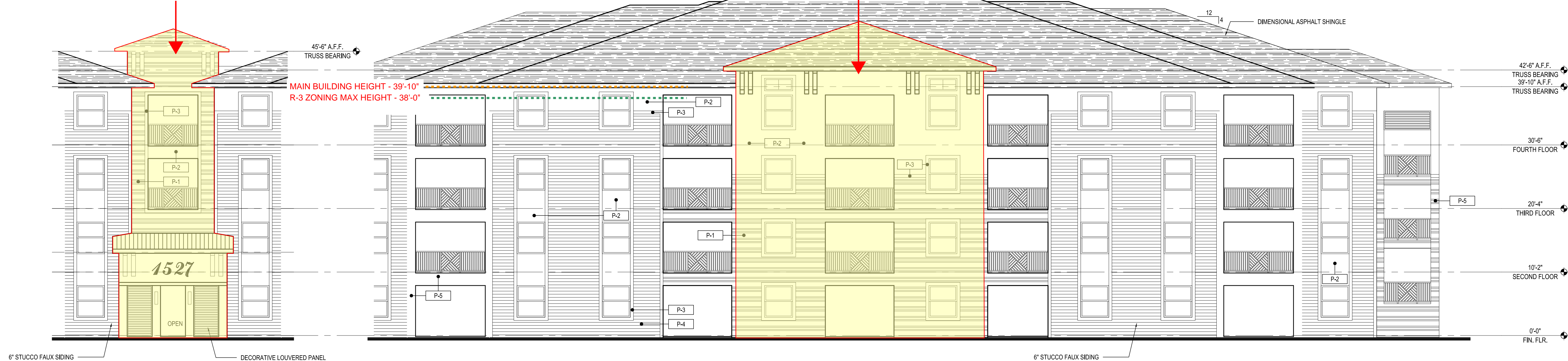
REVISIONS	



FRONT ELEVATION
SCALE: 1/8" = 1'-0"

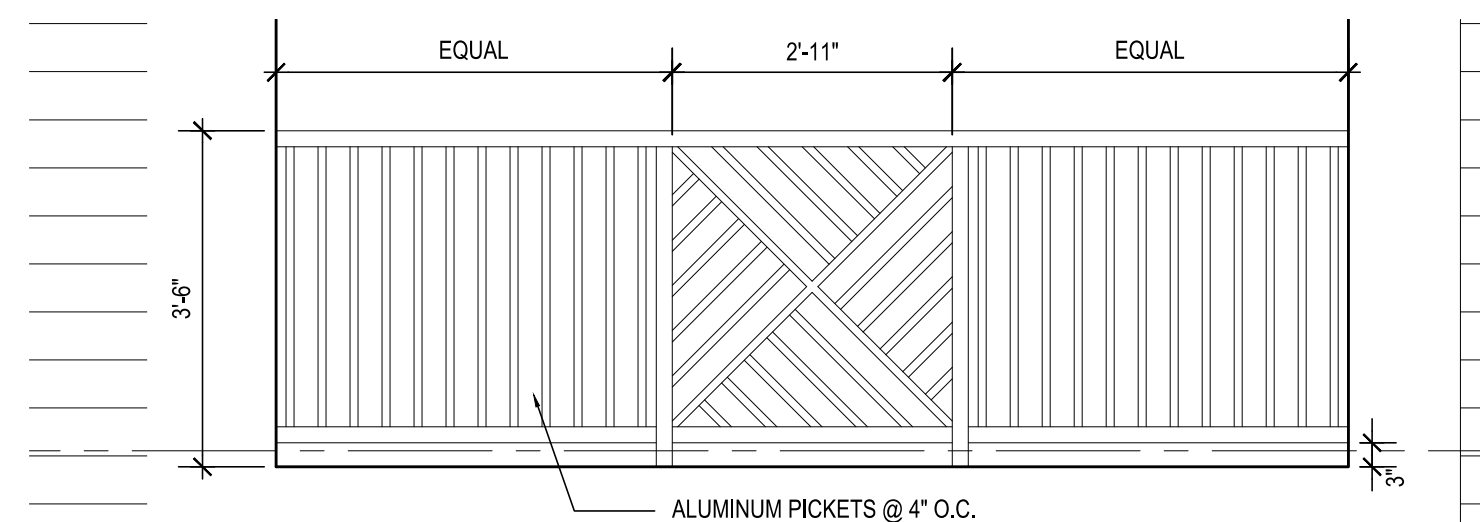
Architectural Feature: Max 42'-6"
to add architectural character
NOTE: Although Architectural
Feature bearing height is higher,
the ridge height is less than main
building resulting in the overall
perceived height increase not
being greater than the requested
39'-10" in lieu of the 38'-0"
permitted without variance.

Architectural Feature: Max 45'-6"
to conceal elevator shaft over-run

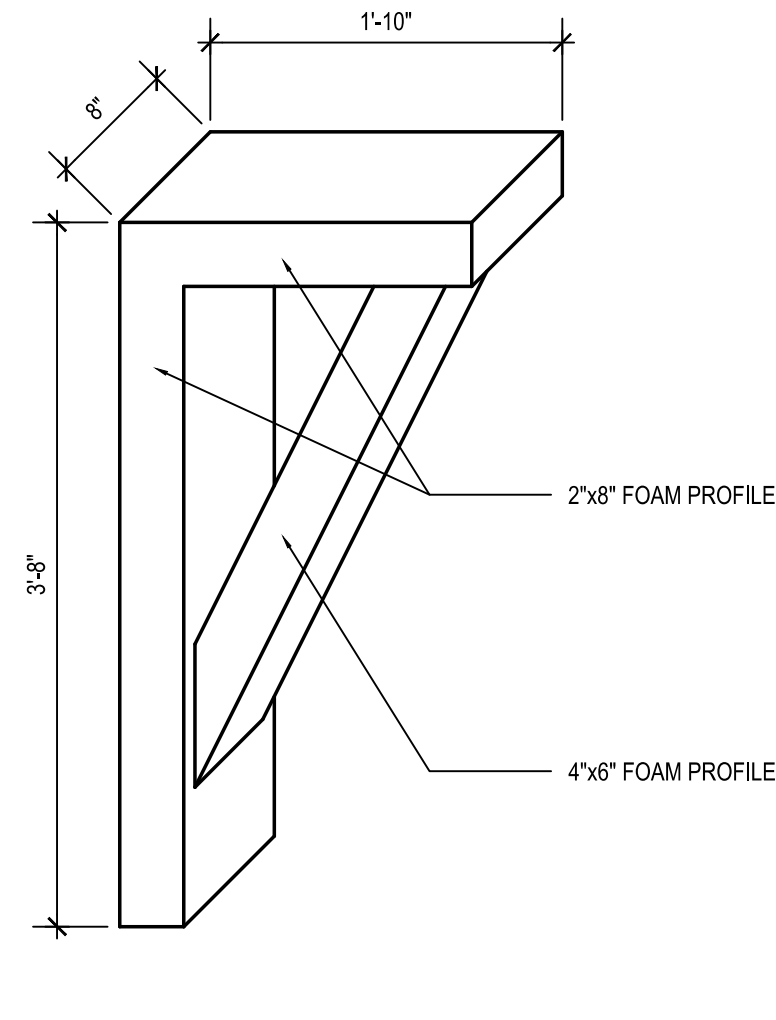


FRONT ENTRY FEATURE ELEVATION
SCALE: 1/8" = 1'-0"

PARTIAL FRONT ELEVATION
SCALE: 1/8" = 1'-0"

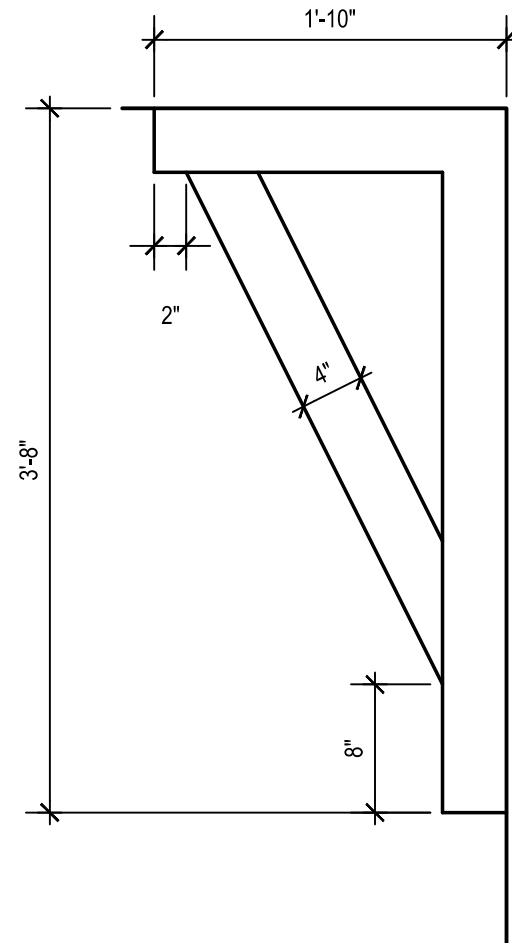


1
A6.1
ENLARGED RAILING DETAIL
SCALE: 1/2" = 1'-0"

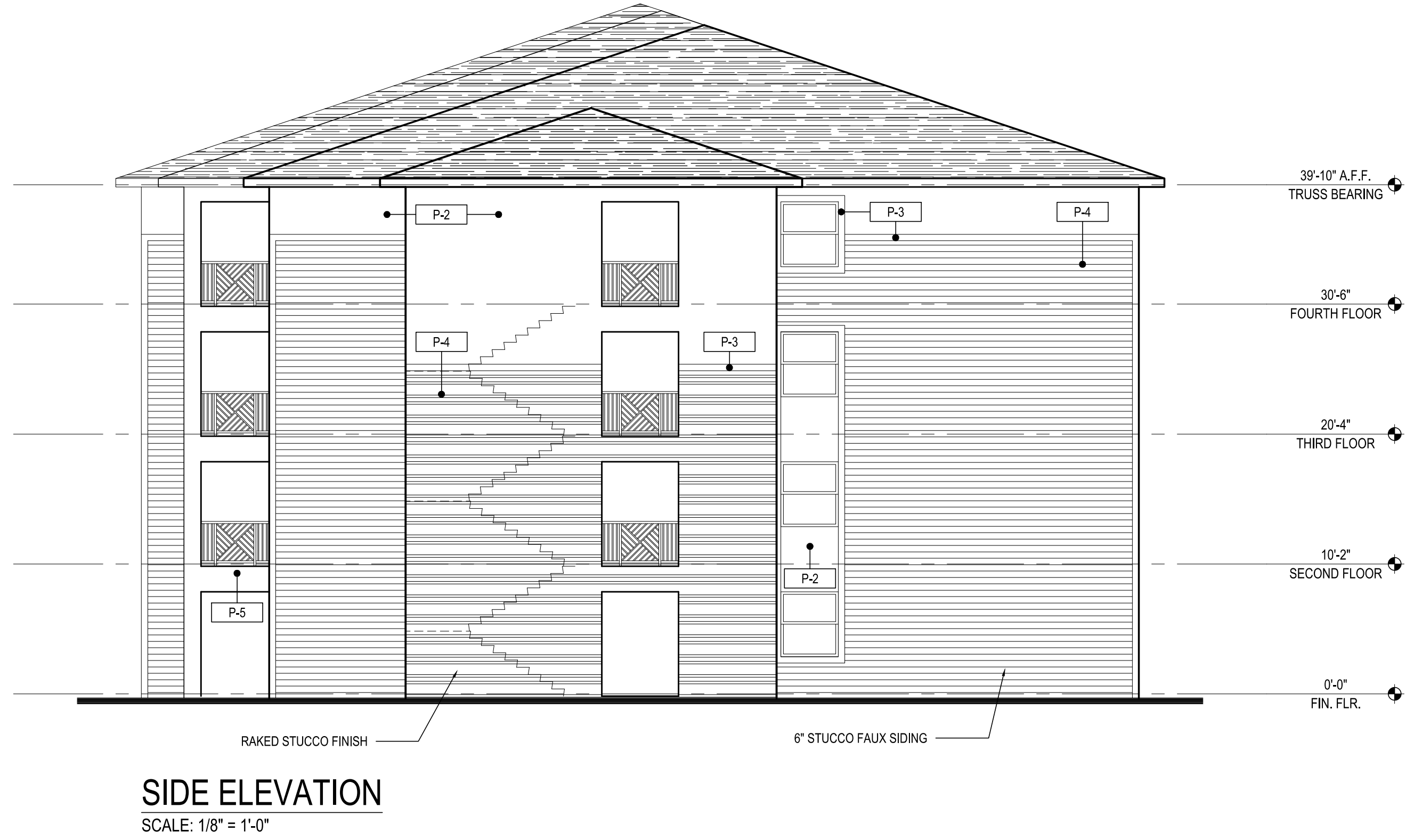


2
A6.1

ENLARGED BRACKET DETAIL
SCALE: 1" = 1'-0"

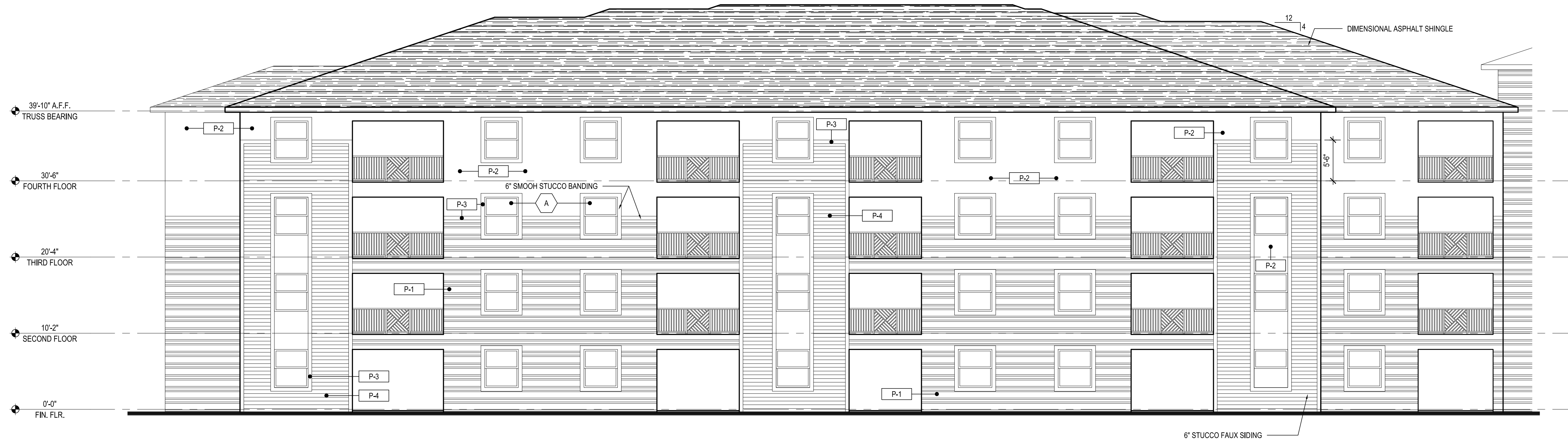


FOAM ORNAMENTATION SPECIFICATION
FOAM IS TO BE 1.5# DENSITY EXPANDED POLYSTYRENE WITH AN APPLIED 80 MIL. URETHANE HARD COAT. THE ADHESIVE MUST BE COMPATIBLE WITH E.P.S. FOAM. ALWAYS CAULK TOP AND ENDS BUT DO NOT CAULK BOTTOM OF ALL APPLICATIONS.

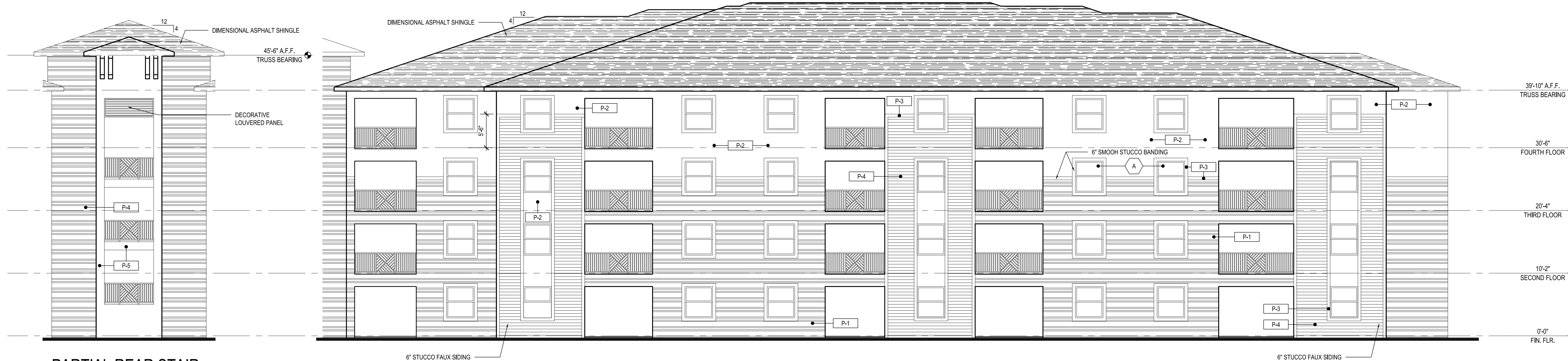


REVISIONS	

REVISIONS	



PARTIAL REAR ELEVATION
SCALE: 1/8" = 1'-0"

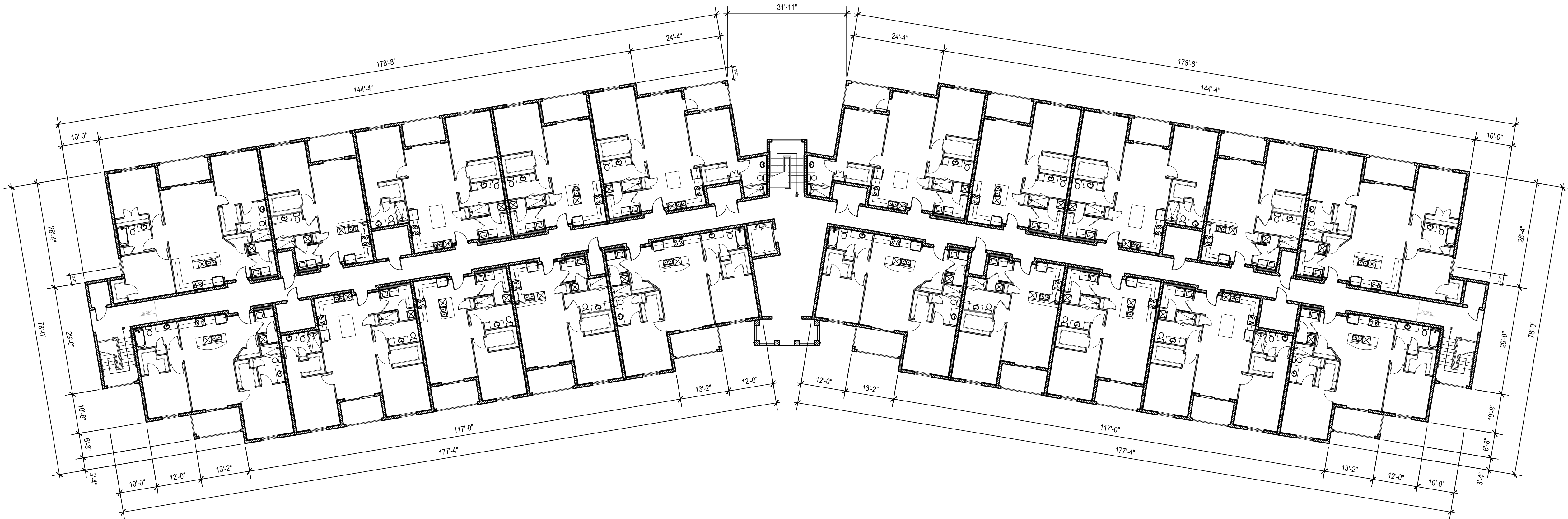
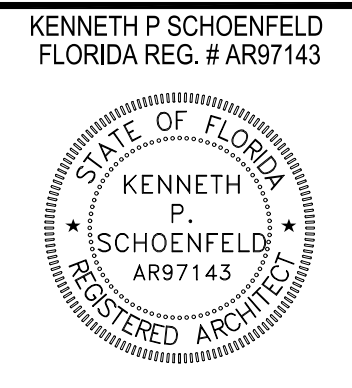


**PARTIAL REAR STAIR
FEATURE ELEVATION**
SCALE: 1/8" = 1'-0"

PARTIAL REAR ELEVATION
SCALE: 1/8" = 1'-0"



REVISIONS	



FIRST LEVEL BUILDING PLAN

SCALE: 1/16" = 1'-0"
NOTE: ALL EXTERIOR MASONRY WALLS TO BE 2hr FIRE RATED PER FBC 722.3.2 ON SHEET A10.2

NOTE: ALL EXTERIOR WALKWAYS SHALL SLOPE TO DRAIN AT EDGE, AREAS W/O OPEN EDGE SHALL SLOPE TO NEAREST FLOOR DRAIN. G.C. SHALL COORDINATE ALL SLOPES & CONTACT ARCHITECT PRIOR TO CONST. WITH ANY QUESTIONS.

Kenneth Schoenfeld, R.A.
Digitally signed by Kenneth Schoenfeld, R.A.
DN: cn=Kenneth Schoenfeld, R.A., o=State of Florida, AR97143, ou=PDS Architecture, Inc., email=ken@pdsinonline.com, c=US
Date: 2018.07.02 13:14:16 -04'00'

This item has been electronically signed and sealed by Kenneth P. Schoenfeld, R.A., On the date specified using a *SHA-1* authentication code.

Printed copies of this document are not considered signed and sealed and the *SHA-1* authentication code must be verified on any electronic copies.

ADAPTABLE UNIT NOTES	
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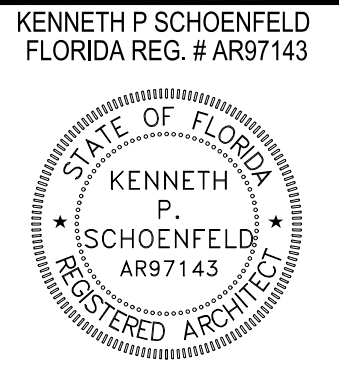
AREA TABULATION	
FIRST FLOOR	27,000 SQ. FT.
SECOND FLOOR	26,880 SQ. FT.
THIRD FLOOR	26,880 SQ. FT.
FOURTH FLOOR	26,880 SQ. FT.
TOTAL AREA	107,640 SQ. FT.

FIRE EXTINGUISHER LEGEND	
	FIRE EXTINGUISHER CABINET 5 LB. ABC TYPE (3A-10BC)

WALL TYPE LEGEND	
	NEW 2-HOUR 8" CMU WALL
	NEW METAL STUD FRAMED WALL



REVISIONS	



ENLARGED FIRST LEVEL BUILDING PLAN

SCALE: 1/8" = 1'-0"
NOTE: ALL EXTERIOR MASONRY WALLS TO BE 2hr FIRE RATED PER FBC 722.3.2 ON SHEET A10.2

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ALL UNITS TO BE HANDICAP ADAPTABLE - SEE ENLARGED UNIT PLANS FOR ADDITIONAL DETAILS.	

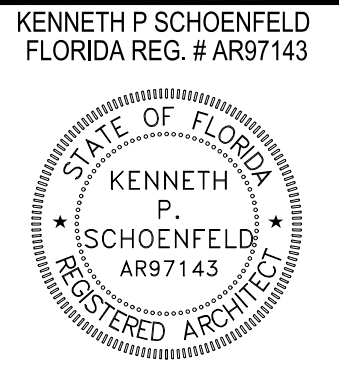
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TOTAL AREA	107,640 SQ. FT.

FIRE EXTINGUISHER LEGEND	
	FIRE EXTINGUISHER CABINET 5 LB. ABC TYPE (3A-10BC)

WALL TYPE LEGEND	
	NEW 2-HOUR 8" CMU WALL
	NEW METAL STUD FRAMED WALL



REVISIONS	



ENLARGED FIRST LEVEL BUILDING PLAN

SCALE: 1/8" = 1'-0"
NOTE: ALL EXTERIOR MASONRY WALLS TO BE 2hr FIRE RATED PER FBC 722.3.2 ON SHEET A10.2

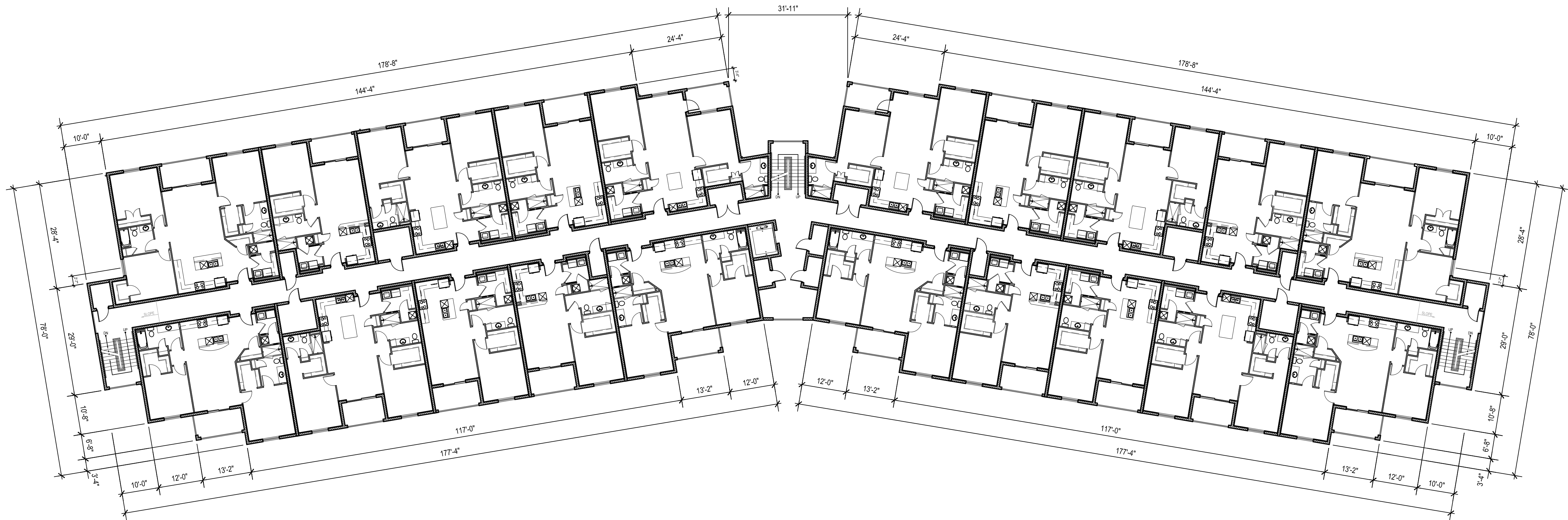
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AREA TABULATION	
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THIRD FLOOR	26,880 SQ. FT.
FOURTH FLOOR	26,880 SQ. FT.
TOTAL AREA	107,640 SQ. FT.

FIRE EXTINGUISHER LEGEND	
	FIRE EXTINGUISHER CABINET 5 LB. ABC TYPE (3A-10BC)

WALL TYPE LEGEND	
	NEW 2-HOUR 8" CMU WALL
	NEW METAL STUD FRAMED WALL



SECOND & THIRD LEVEL BUILDING PLAN

SCALE: 1/16" = 1'-0"
NOTE: ALL EXTERIOR MASONRY WALLS TO BE 2hr FIRE RATED PER FBC 722.3.2 ON SHEET A10.2

NOTE: ALL EXTERIOR WALKWAYS SHALL SLOPE TO DRAIN AT EDGE, AREAS W/O OPEN EDGE SHALL SLOPE TO NEAREST FLOOR DRAIN. G.C. SHALL COORDINATE ALL SLOPES & CONTACT ARCHITECT PRIOR TO CONST. WITH ANY QUESTIONS.

ADAPTABLE UNIT NOTES	
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SECOND FLOOR	26,880 SQ. FT.
THIRD FLOOR	26,880 SQ. FT.
FOURTH FLOOR	26,880 SQ. FT.
TOTAL AREA	107,640 SQ. FT.

FIRE EXTINGUISHER LEGEND	
	FIRE EXTINGUISHER CABINET 5 LB. ABC TYPE (3A-10BC)

WALL TYPE LEGEND	
	NEW 2-HOUR 8" CMU WALL
	NEW METAL STUD FRAMED WALL

JOB: 17-0084

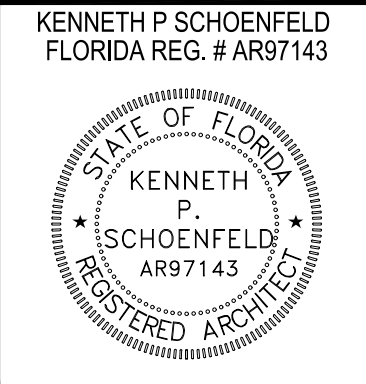
CONSTRUCTION DOCUMENTS FOR
SAVONA APARTMENTS
TYPE II - 80-UNIT BUILDING
SAVONA PARKWAY WEST, CAPE CORAL, FLORIDA

PDS ARCHITECTURE INC.
PH: 239.437.8090
FX: 855.835.2733
INFO@PDSincnline.com
12800 UNIVERSITY DR SUITE 402
FT MYERS, FL 33907
FL LICENSE # A26002474



DATE: 6-29-18
TITLE: 2nd & 3rd LEVEL

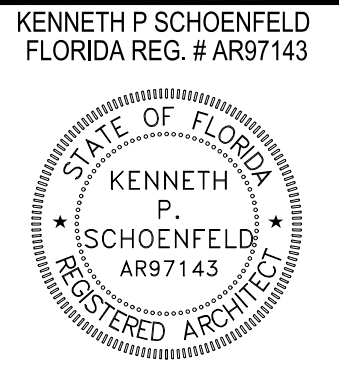
REVISIONS	



SHEET NO.
A2



REVISIONS	



ENLARGED SECOND & THIRD LEVEL BUILDING PLAN

SCALE: 1/8" = 1'-0"
NOTE: ALL EXTERIOR MASONRY WALLS TO BE 2hr FIRE RATED PER FBC 722.3.2 ON SHEET A10.2

NOTE: ALL EXTERIOR WALKWAYS SHALL SLOPE TO DRAIN AT EDGE. AREAS W/O OPEN EDGE SHALL SLOPE TO NEAREST FLOOR DRAIN. G.C. SHALL COORDINATE ALL SLOPES & CONTACT ARCHITECT PRIOR TO CONST. WITH ANY QUESTIONS.

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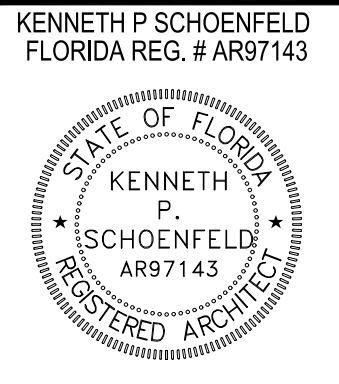
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THIRD FLOOR	26,880 SQ. FT.
FOURTH FLOOR	26,880 SQ. FT.
TOTAL AREA	107,640 SQ. FT.

FIRE EXTINGUISHER LEGEND	
	FIRE EXTINGUISHER CABINET 5 LB. ABC TYPE (3A-10BC)

WALL TYPE LEGEND	
	NEW 2-HOUR 8" CMU WALL
	NEW METAL STUD FRAMED WALL



REVISIONS	



ENLARGED SECOND & THIRD LEVEL BUILDING PLAN

SCALE: 1/8" = 1'-0"
NOTE: ALL EXTERIOR MASONRY WALLS TO BE 2hr FIRE RATED PER FBC 722.3.2 ON SHEET A10.2

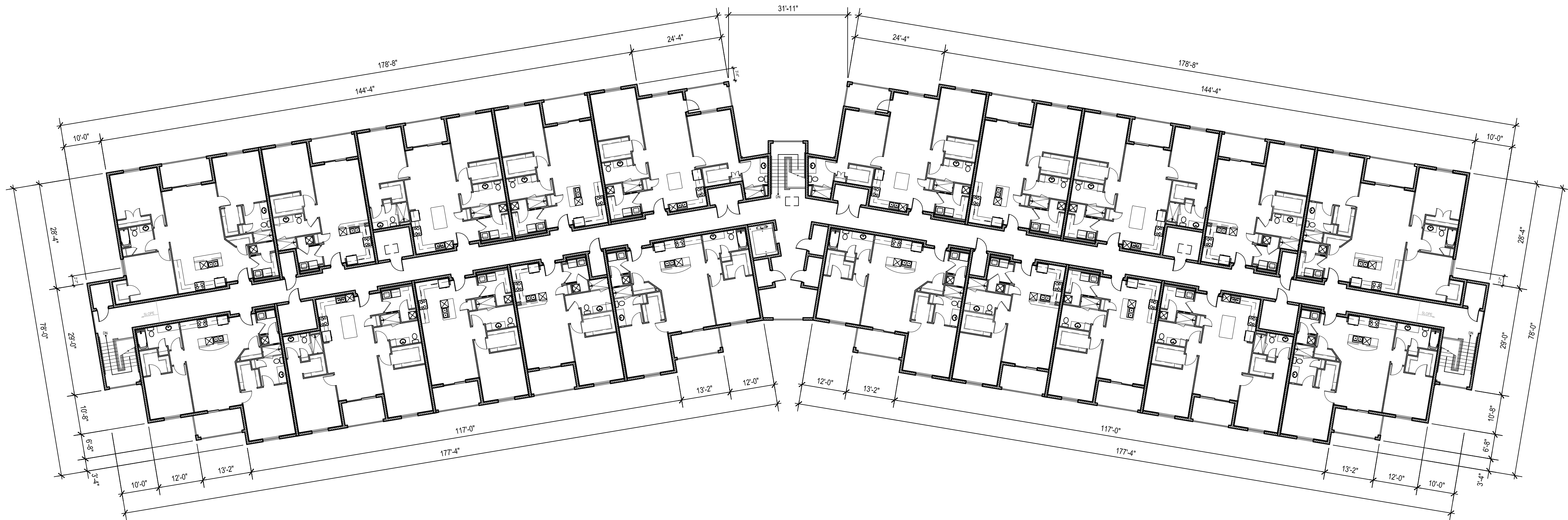
NOTE: ALL EXTERIOR WALKWAYS SHALL SLOPE TO DRAIN AT EDGE. AREAS W/O OPEN EDGE SHALL SLOPE TO NEAREST FLOOR DRAIN. G.C. SHALL COORDINATE ALL SLOPES & CONTACT ARCHITECT PRIOR TO CONST. WITH ANY QUESTIONS.

ADAPTABLE UNIT NOTES	
ALL UNITS TO BE HANDICAP ADAPTABLE - SEE ENLARGED UNIT PLANS FOR ADDITIONAL DETAILS.	

AREA TABULATION	
FIRST FLOOR	27,000 SQ. FT.
SECOND FLOOR	26,880 SQ. FT.
THIRD FLOOR	26,880 SQ. FT.
FOURTH FLOOR	26,880 SQ. FT.
TOTAL AREA	107,640 SQ. FT.

FIRE EXTINGUISHER LEGEND	
	FIRE EXTINGUISHER CABINET 5 LB. ABC TYPE (3A-10BC)

WALL TYPE LEGEND	
	NEW 2-HOUR 8" CMU WALL
	NEW METAL STUD FRAMED WALL



FOURTH LEVEL BUILDING PLAN

SCALE: 1/16" = 1'-0"
NOTE: ALL EXTERIOR MASONRY WALLS TO BE 2hr FIRE RATED PER FBC 722.3.2 ON SHEET A10.2

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THIRD FLOOR	26,880 SQ. FT.
FOURTH FLOOR	26,880 SQ. FT.
TOTAL AREA	107,640 SQ. FT.

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	FIRE EXTINGUISHER CABINET 5 LB. ABC TYPE (3A-10BC)

WALL TYPE LEGEND	
	NEW 2-HOUR 8" CMU WALL
	NEW METAL STUD FRAMED WALL

JOB: 17-0084

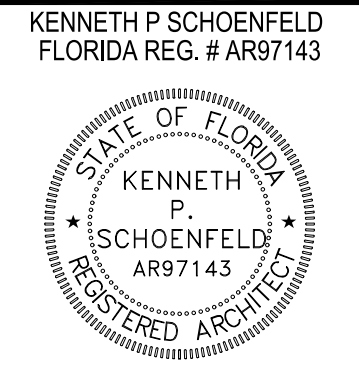
CONSTRUCTION DOCUMENTS FOR
SAVONA APARTMENTS
TYPE II - 80-UNIT BUILDING
SAVONA PARKWAY WEST, CAPE CORAL, FLORIDA

PDS ARCHITECTURE INC.
PH: 239.437.8090
FX: 855.835.2733
INFO@PDSincnline.com
12800 UNIVERSITY DR SUITE 402
FT MYERS, FL 33907
FL LICENSE # A26002474



DATE: 6-29-18
TITLE: 4th LEVEL

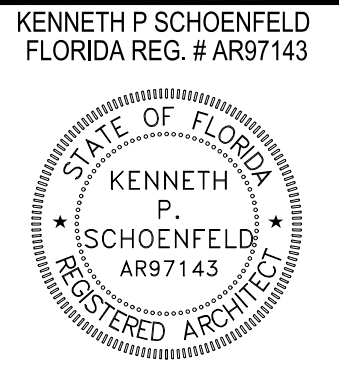
REVISIONS	



SHEET NO.
A3



REVISIONS	



ENLARGED FOURTH LEVEL BUILDING PLAN

SCALE: 1/8" = 1'-0"
NOTE: ALL EXTERIOR MASONRY WALLS TO BE 2hr FIRE RATED PER FBC 722.3.2 ON SHEET A10.2

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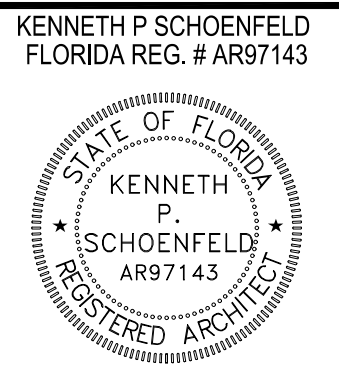
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WALL TYPE LEGEND	
	NEW 2-HOUR 8" CMU WALL
	NEW METAL STUD FRAMED WALL



REVISIONS	



ENLARGED FOURTH LEVEL BUILDING PLAN

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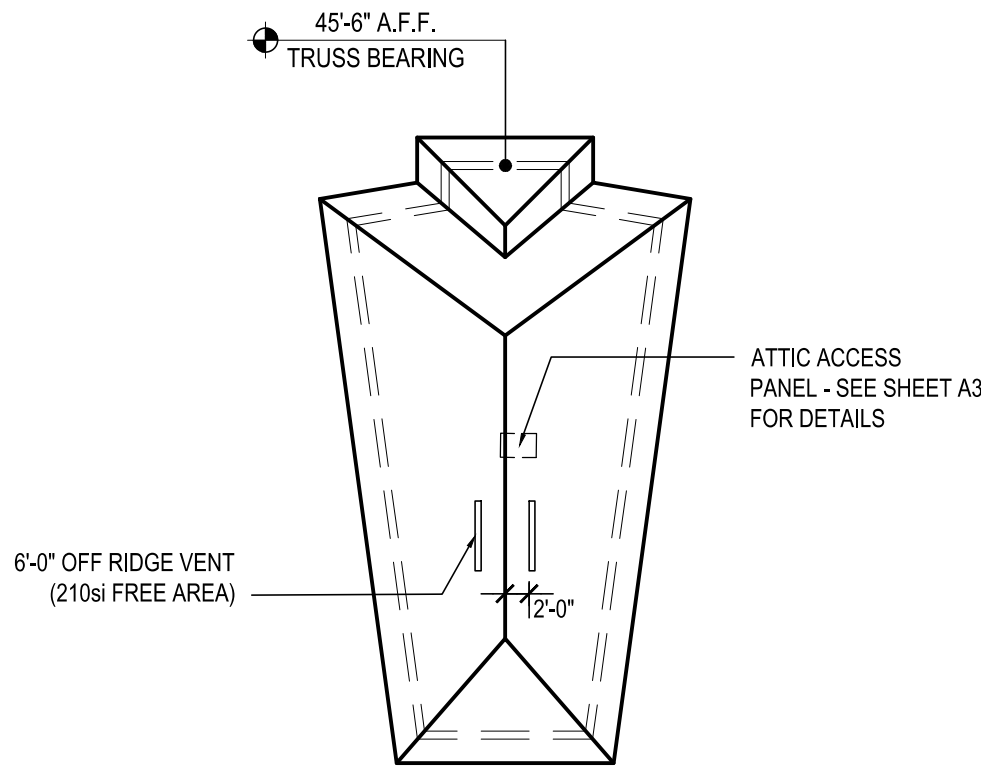
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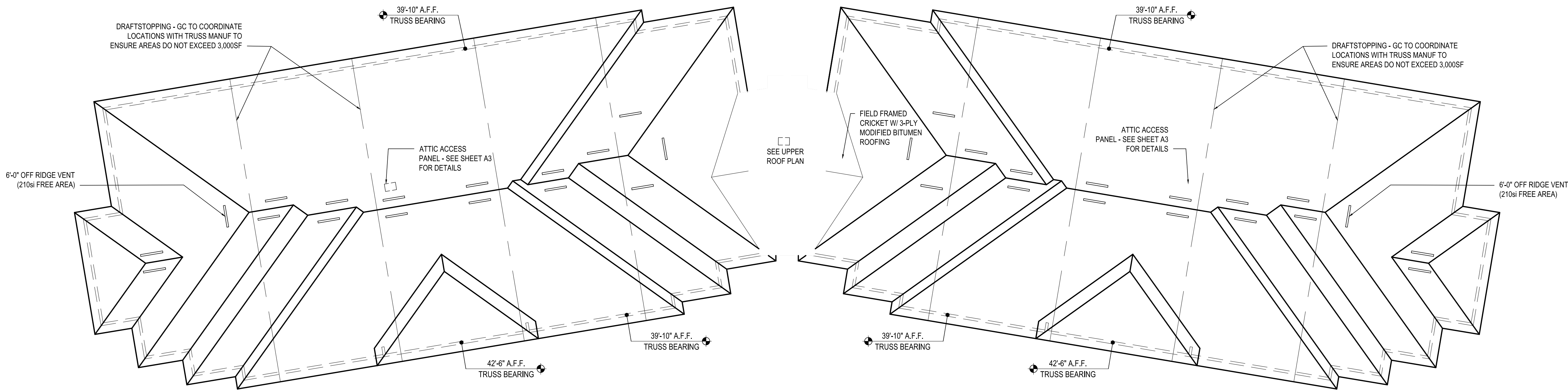
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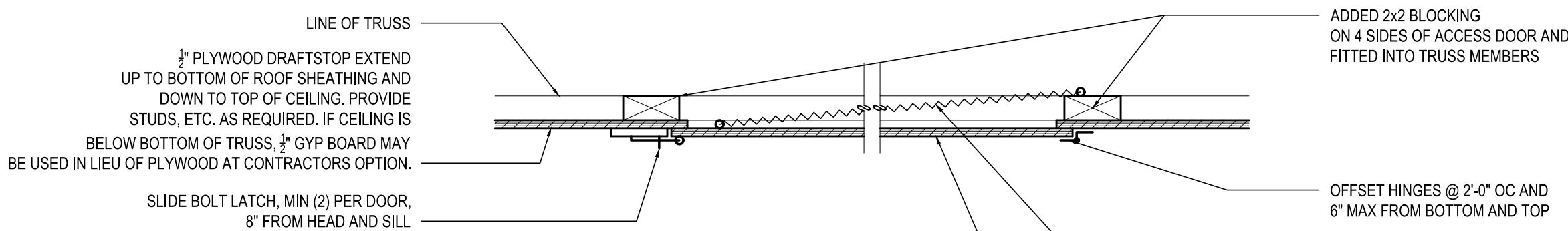
REVISIONS	



UPPER ROOF PLAN
SCALE: 1/16" = 1'-0"



ROOF PLAN
SCALE: 1/16" = 1'-0"



- NOTES:
- TRUSSES MUST BE DESIGNED TO ACCEPT ADDED WEIGHT OF DRAFTSTOPPING
 - JOINTS IN DRAFTSTOP MUST BE BACKED WITH SUPPORT STUDS IN TRUSS.
 - ANY ADDITIONAL FRAMING REQUIRED PERPENDICULAR TO THE TRUSSES IS TO BE PROVIDED AT THE GC'S EXPENSE

1
A4
DRAFTSTOPPING DETAIL
SCALE: 1/12" = 1'-0"

STREET ADDRESS

1730 & 1822 SAVONA PARKWAY WEST
CAPE CORAL, FL 33904

STRAP NUMBER

STRAP NOS. 04-45-23-C3-04775.0010
04-45-23-C3-04775.0000



1" = 100'

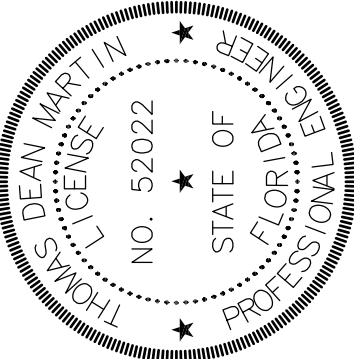


NOT VALID WITHOUT EMBOSSED SEAL SIGNATURE AND DATE.

SHEET #

3 of 27

SCALE: 1" = 100'



Dean Martin, P.E.
Florida # 52022

DATE:



Civil Engineering
and
Planning



43 Barkley Circle, Suite 200
Fort Myers, FL 33907
Phone: (239) 433-4231
Fax: (239) 433-9632
dean@tdmconsulting.com
www.tdmcivilengineering.com

SAVONA
PARKWAY APARTMENTS
AERIAL LOCATION MAP

DATE

REVISIONS

DESIGNED BY:	DATE:
PEM	
DRAWN BY:	
PEM	
CHECKED BY:	
TDM	
APPROVED BY:	
TDM	

DRAWING NAME: JOBS\Revs-Savona-Drawings\Civilsite

1730 & 1822 SAVONA PARKWAY WEST
CAPE CORAL, FL 33904

STRAP NOS. 04-45-23-C3-04775.0010
04-45-23-C3-04775.0000

CURRENT ZONING	=	R3
FUTURE LAND USE	=	MF
PROPOSED USE	=	MFR
EXIST. FLORIDA LAND USE CLASSIFICATIONS	=	#192 – INACTIVE LAND W/ STREET PATTERNS BUT W/O STRUCTURES
EXIST. SOIL TYPES	=	#13 – BOCA FINE SAND
	=	#18 – MATLACHA GRAVELLY FINE SAND, LIMESTONE SUBSTRATUM
IRRIGATION SERVICE	=	CITY OF CAPE CORAL REUSE WATER
ARCHEOLOGICAL SENSITIVITY LEVEL	=	NONE

NORTH:	R-3 TO ROW	= 10' WIDE LANDSCAPE STRIP
SOUTH:	R-3 TO R-1B	= 10' WIDE LANDSCAPE STRIP
EAST:	R-3 TO R-1B	= 10' WIDE LANDSCAPE STRIP
WEST:	R-3 TO R-1B	= 10' WIDE LANDSCAPE STRIP

NORTH (FRONT)	= 25'
SOUTH (STREET)	= 25'
EAST (STREET)	= 25'
WEST (STREET)	= 25'

PARCEL AREA:	869,394	SF	100.0%
PROPOSED BLDG. ROOF AREA:	140,111	SF	16.1%
PROPOSED PAVEMENT AREA:	207,839	SF	23.9%
PROPOSED CONCRETE AREA:	40,089	SF	4.6%
PROPOSED LAKE AREA @ CONTROL EL:	92,098	SF	10.6%
PROPOSED TOTAL IMPERVIOUS AREA:	480,128	SF	55.2%
PROPOSED OPEN GREEN AREA:	368,269	SF	42.4%
PROPOSED OTHER GREEN AREA:	3,176	SF	0.4%
PROPOSED LAKE BANK AREA:	17,811	SF	2.0%
PROPOSED TOTAL PERVIOUS AREA:	389,256	SF	44.8%

PER CAPE CORAL CODE OF ORDINANCES; ARTICLE V; SECTION 5.1

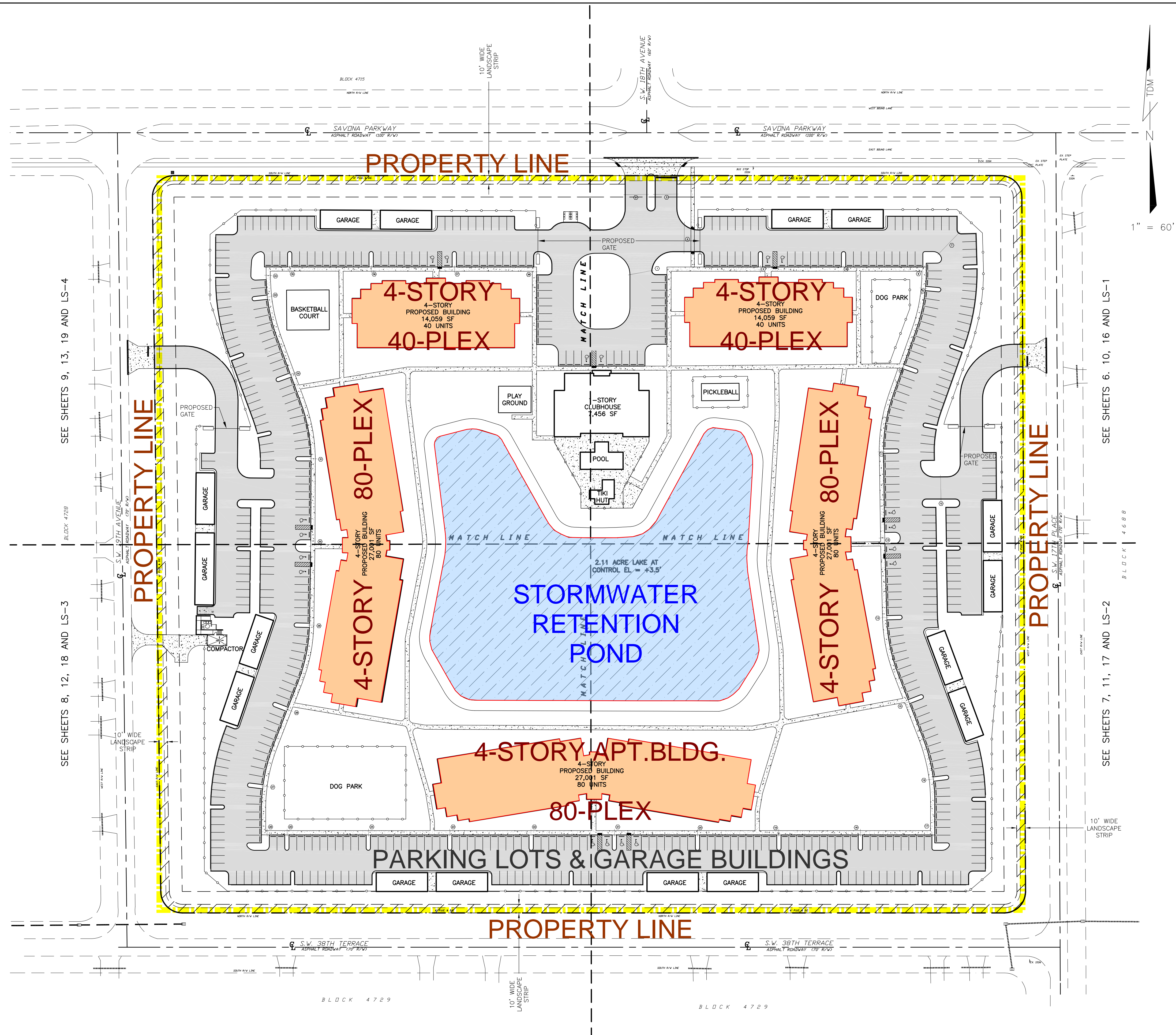
1 BEDROOM UNITS = 128 UNITS X 1.75 SPACES/UNIT = 224 SPACES
2 BEDROOM UNITS = 160 UNITS X 2.00 SPACES/UNIT = 320 SPACES
3 BEDROOM UNITS = 32 UNITS X 2.50 SPACES/UNIT = 80 SPACES


TOTAL PROVIDED SPACES = 631 SPACES INCLUDING 18 H.C. SPACES AND 82 GARAGE SPACES

PER ITE TRIP GENERATION, 10TH EDITION:
USE LUC 221 - MULTIFAMILY HOUSING (MID-RISE)
THE PROPOSE PROJECT HAS 320 DWELLING UNITS
RAW TRIP GENERATION:
AVG. VEHICLE TRIP ENDS - WEEKDAY = 1,740 (870 ENTERING, 870 EXITING)
AVG. VEHICLE TRIP ENDS - A.M. PEAK = 137 (28 ENTERING, 79 EXITING)
AVG. VEHICLE TRIP ENDS - P.M. PEAK = 105 (82 ENTERING, 53 EXITING)

THE PROPOSED SITE PROVIDES TRASH COMPACTOR TO ADEQUATELY HANDLE REFUSE AND SOLID WASTE.

ALLOWED	= 16 DEVELOPMENT UNITS PER ACRE
	= 16 UNITS/AC X 19.96 AC
	= 320 UNITS
PROPOSED	= 320 UNITS



	DATE	REVISIONS	DATE:
			02/15/2018
			DESIGNED BY:
			PEM
			DRAWN BY:
			PEM
			CHECKED BY:
			TDM
			APPROVED BY:

DRAWING NAME: JOBS-Roers-Savona-Drawings\Civilite

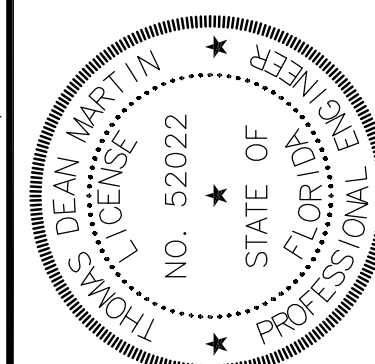
SAVONA PARKWAY APARTMENTS MASTER SITE PLAN

Civil Engineering
and
Planning

dean@tdmconsulting.com
www.tdmcivilengineering.com



43 Barkley Circle, Suite 200
Fort Myers, FL 33907
Phone: (239) 433-4231
Fax: (239) 433-9632



Dean Martin, P.E.
Florida # 52022

#13HS

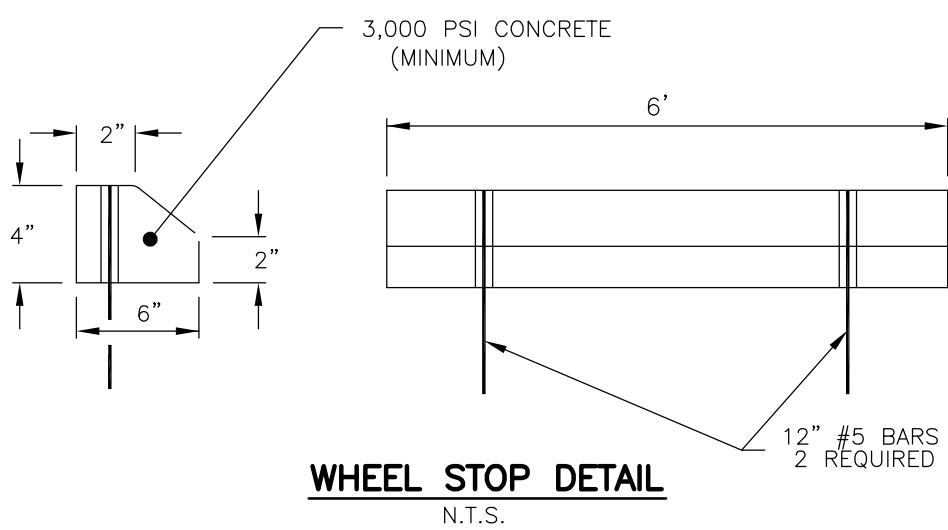
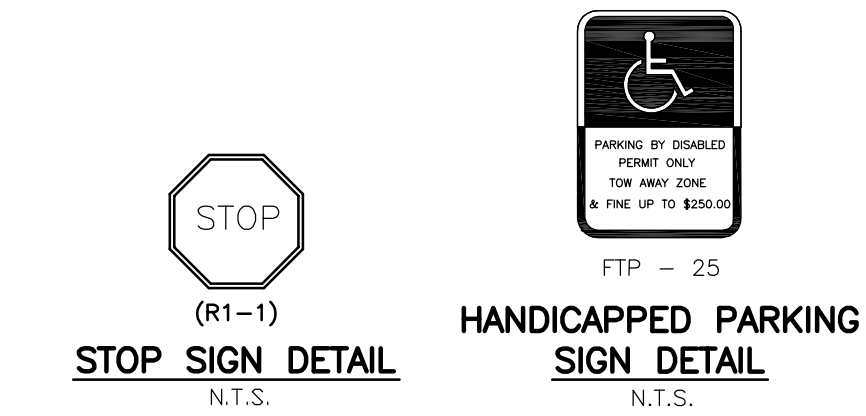
5 of 27

SCALE: 1" = 60'

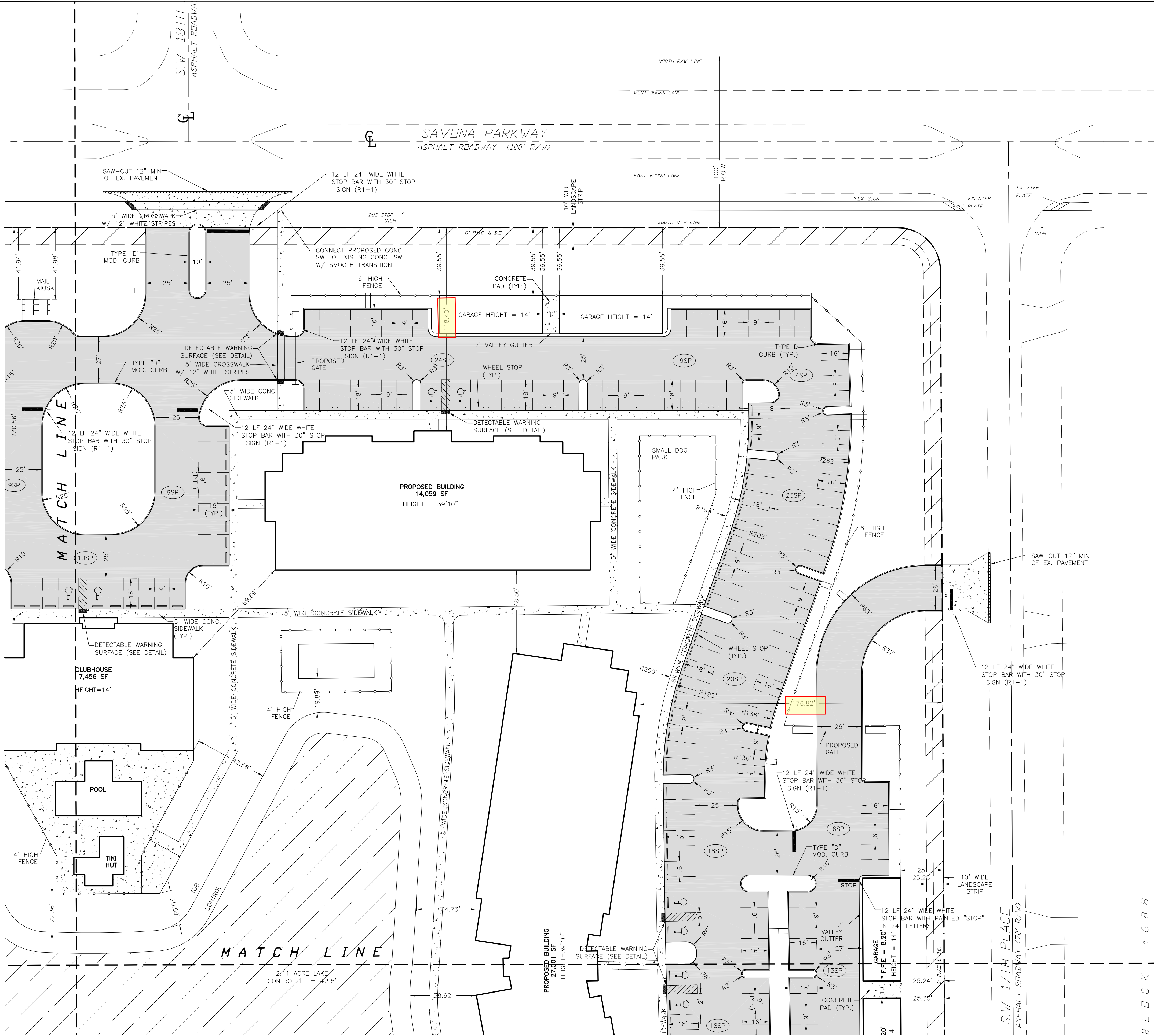
STREET ADDRESS
1730 & 1822 SAVONA PARKWAY WEST
CAPE CORAL, FL 33904

STRAP NUMBER
STRAP NOS. 04-45-23-C3-04775.0010
04-45-23-C3-04775.0000

- LEGEND**
- PROPOSED PAVEMENT
 - PROPOSED CONCRETE
 - RADIUS (5' UNLESS OTHERWISE NOTED)
 - E.O.P. EDGE OF PAVEMENT
 - R.O.W. RIGHT OF WAY
 - BSP NUMBER OF PARKING SPACES IN LOT
 - S.F. SQUARE FEET
 - P.U.E. PUBLIC UTILITY EASEMENT
 - D.E. DRAINAGE EASEMENT
 - C.C.C. CITY OF CAPE CORAL
 - C.B.S. CONCRETE BLOCK STRUCTURE
 - T.O.B. TOP OF BANK



- NOTES**
- ALL EXISTING AND PROPOSED GRADES ARE N.G.V.D. OF 1929.
 - THIS PARCEL LIES IN FLOOD ZONE "AE-E17".
 - THIS PROJECT PRESENTS NO ADVERSE IMPACTS ON LOCAL GROUND OR SURFACE WATERS.
 - THIS PROJECT DOES NOT ADVERSELY IMPACT THE FLOOD PLAIN OR ANY RIVERINE AREAS.
 - THIS SITE CAN BE USED SAFELY FOR THE DEVELOPMENT AS SHOWN WITHOUT UNDUE DANGER FROM FLOOD OR ADVERSE SOIL AND/OR FOUNDATION CONDITIONS.
 - THIS SITE DOES NOT EXHIBIT ANY SALT WATER PONDING.



1" = 30'

**SAVONA
PARKWAY APARTMENTS
SITE DIMENSION PLAN**

Civil Engineering
and
Planning

dean@tdmconsulting.com
www.tdmcivilengineering.com

TDM
CONSULTING, INC.

43 Barkley Circle, Suite 200
Fort Myers, FL 33907
Phone: (239) 433-4231
Fax: (239) 433-9632

DEAN MARTIN
NO. 52022
STATE OF
FLORIDA
PROFESSIONAL ENGINEER

DATE:

6 of 27

SCALE: 1" = 30'

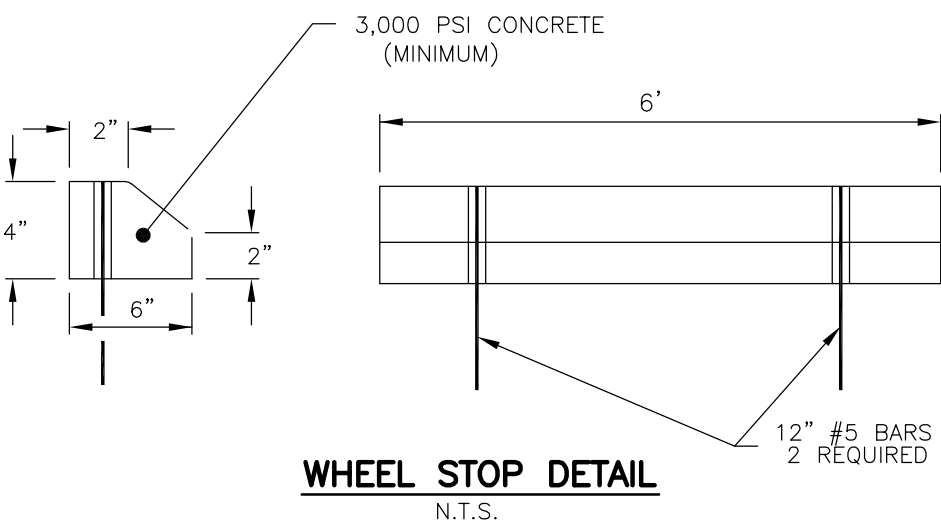
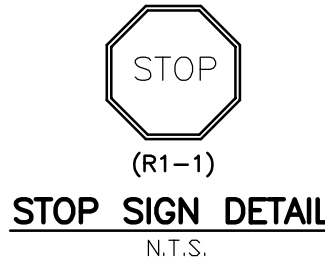
NOT VALID WITHOUT EMBOSSED SEAL SIGNATURE AND DATE.

STREET ADDRESS
1730 & 1822 SAVONA PARKWAY WEST
CAPE CORAL, FL 33904

STRAP NUMBER
STRAP NOS. 04-45-23-C3-04775.0010
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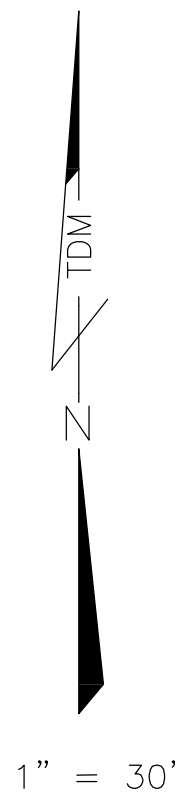
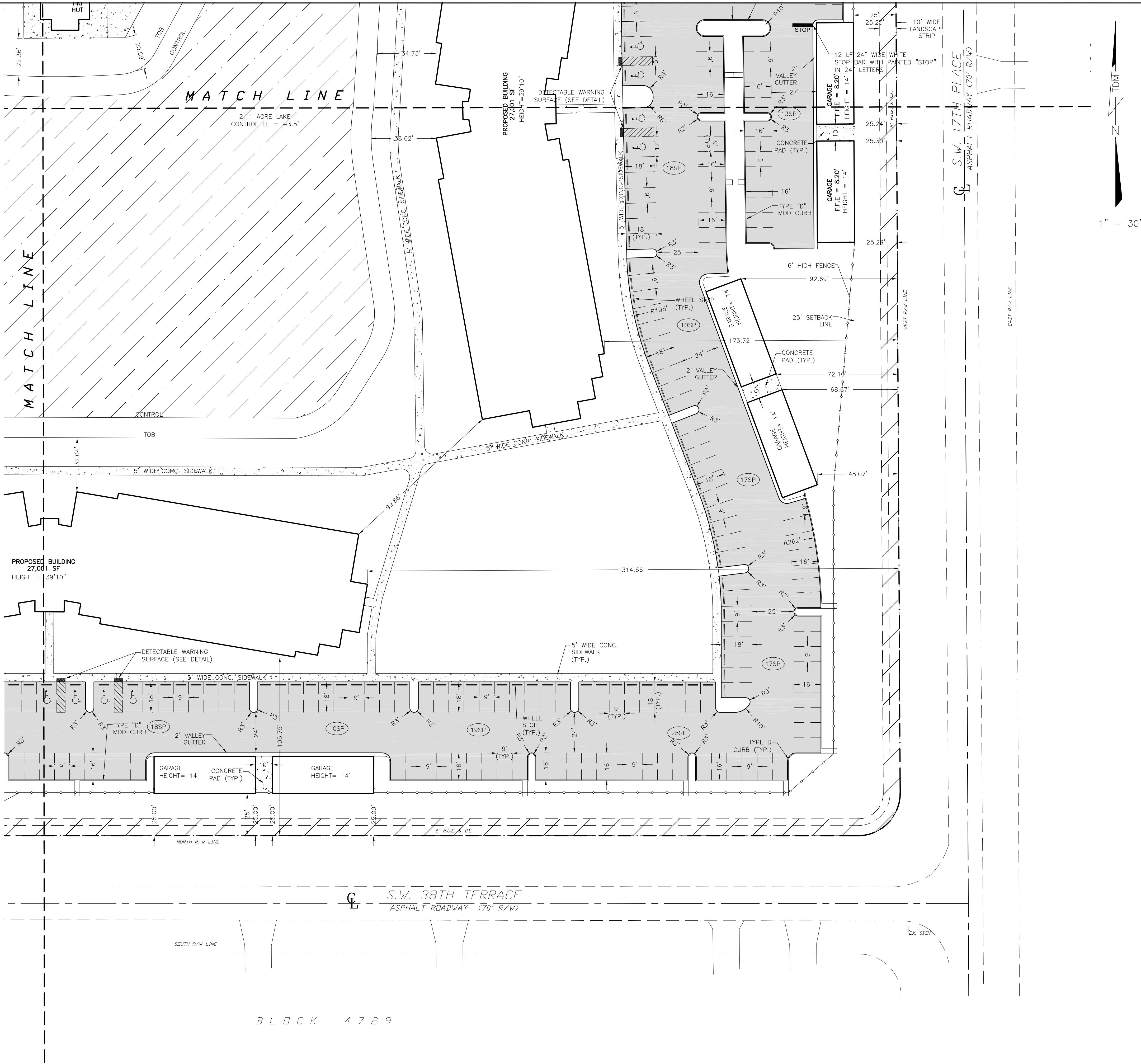
LEGEND

- PROPOSED PAVEMENT
PROPOSED CONCRETE
RADIUS (5' UNLESS OTHERWISE NOTED)
E.O.P. EDGE OF PAVEMENT
R.O.W. RIGHT OF WAY
BSP NUMBER OF PARKING SPACES IN LOT
S.F. SQUARE FEET
P.U.E. PUBLIC UTILITY EASEMENT
D.E. DRAINAGE EASEMENT
C.C.C. CITY OF CAPE CORAL
C.B.S. CONCRETE BLOCK STRUCTURE
T.O.B. TOP OF BANK



NOTES

- ALL EXISTING AND PROPOSED GRADES ARE N.G.V.D. OF 1929.
- THIS PARCEL LIES IN FLOOD ZONE "AE-EL7".
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- THIS PROJECT DOES NOT ADVERSELY IMPACT THE FLOOD PLAN OR ANY RIVERINE AREAS.
- THIS SITE CAN BE USED SAFELY FOR THE DEVELOPMENT AS SHOWN WITHOUT UNDUE DANGER FROM FLOOD OR ADVERSE SOIL AND/OR FOUNDATION CONDITIONS.
- THIS SITE DOES NOT EXHIBIT ANY SALT WATER PONDING.



DATE	DESIGNED BY	PEM	DRAWN BY	PEM	CHECKED BY	TDM	APPROVED BY	TDM
02/15/2018								

DATE	REVISIONS

SAVONA
PARKWAY APARTMENTS
SITE DIMENSION PLAN

Civil Engineering and Planning

dean@tdmconsulting.com
www.tdmcivilengineering.com

43 Barkley Circle, Suite 200
Fort Myers, FL 33907
Phone: (239) 433-4231
Fax: (239) 433-9632

DATE: _____
Dean Martin, P.E.
Florida # 52022

SHEET # **7** of **27**

SCALE: 1" = 30'

STREET ADDRESS
1730 & 1822 SAVONA PARKWAY WEST
CAPE CORAL, FL 33904

STRAP NUMBER
STRAP NOS. 04-45-23-C3-04775.0010
04-45-23-C3-04775.0000

LEGEND

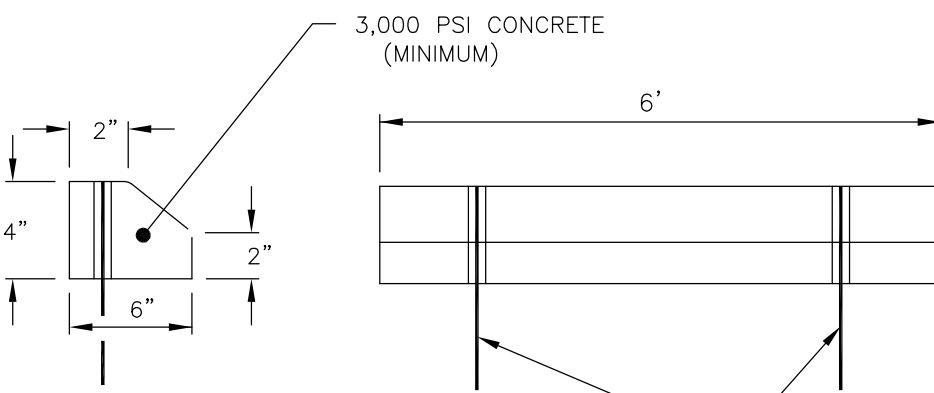
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C.C.C. CITY OF CAPE CORAL
C.B.S. CONCRETE BLOCK STRUCTURE
T.O.B. TOP OF BANK



STOP SIGN DETAIL
N.T.S.



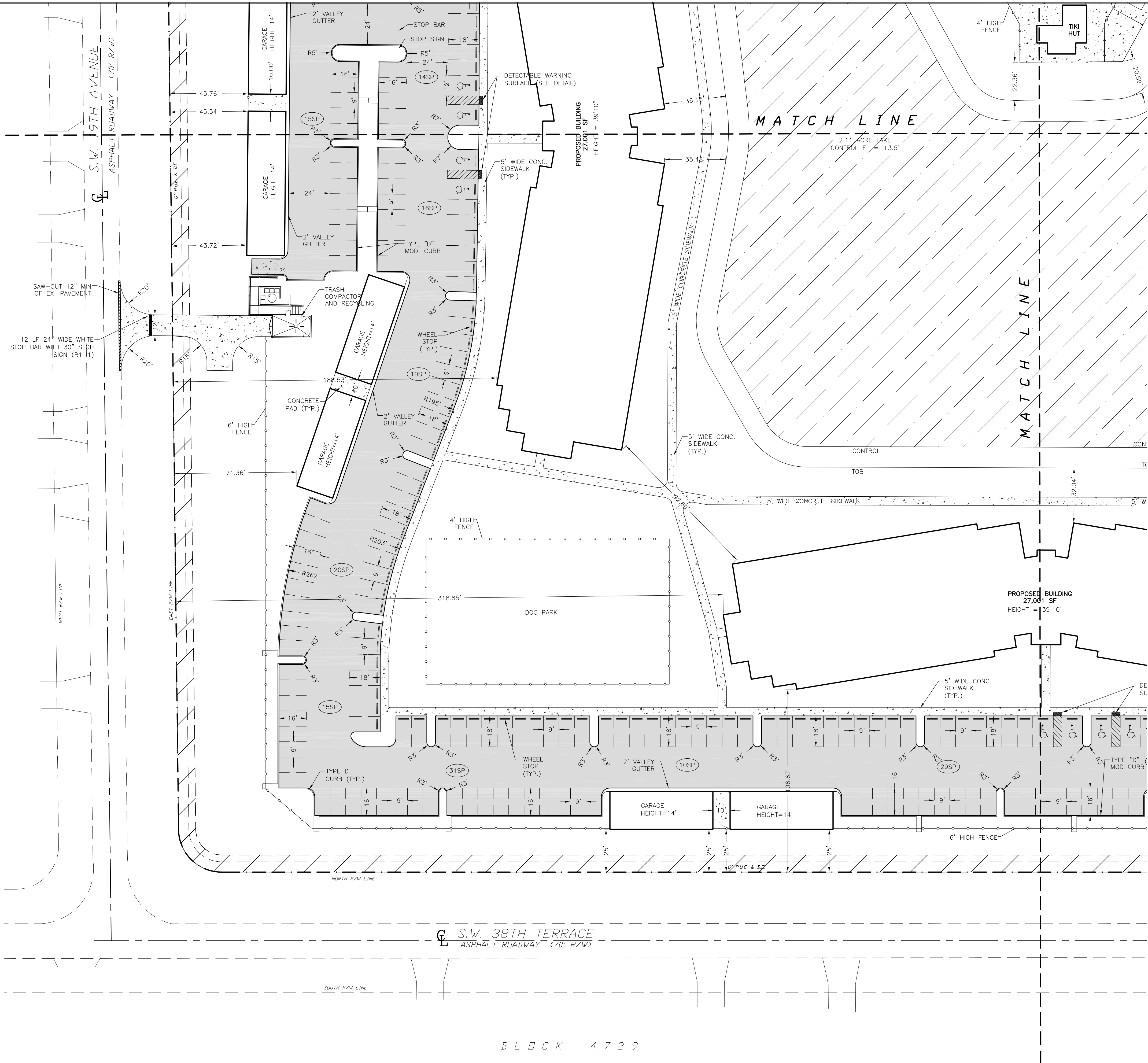
HANDICAPPED PARKING SIGN DETAIL
N.T.S.



WHEEL STOP DETAIL
N.T.S.

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1" = 30'



DATE: 02/15/2018	DESIGNED BY: PEM	DRAWN BY: PEM	CHECKED BY: PEM	APPROVED BY: TDM
REVISIONS				
DATE				
DRAWING NAME: JOBS\Revs-Savona-Drawings\Citysite				
SAVONA PARKWAY APARTMENTS SITE DIMENSION PLAN				
Civil Engineering and Planning TDM CONSULTING, INC. 43 Barkley Circle, Suite 200 Fort Myers, FL 33907 Phone: (239) 433-4231 Fax: (239) 433-9632 dean@tdmconsulting.com www.tdmcivilengineering.com				
NOT VALID WITHOUT EMBOSSED SEAL SIGNATURE AND DATE.				
 DEAN MARTIN NO. 52022 STATE OF FLORIDA PROFESSIONAL ENGINEER		DATE: Dean Martin, P.E. Florida # 52022		
SHEET #	8 of 27		SCALE: 1" = 30'	

STREET ADDRESS
1730 & 1822 SAVONA PARKWAY WEST
CAPE CORAL, FL 33904

STRAP NUMBER
STRAP NOS. 04-45-23-C3-04775.0010
04-45-23-C3-04775.0000

LEGEND

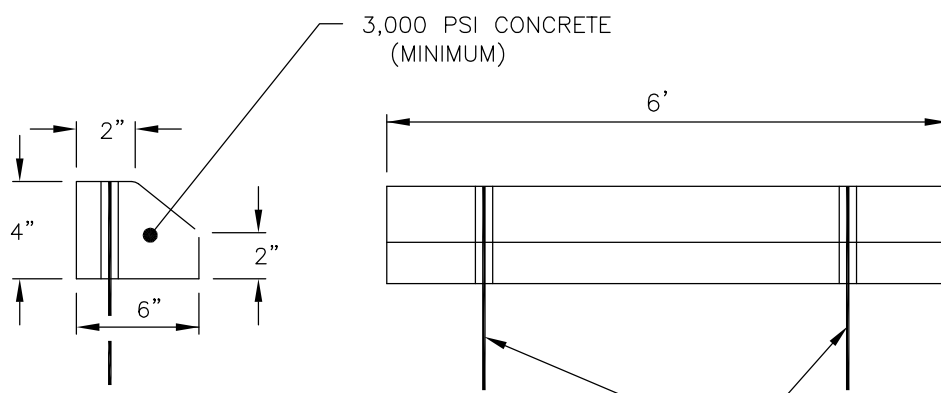
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PROPOSED CONCRETE
RADIUS (5' UNLESS OTHERWISE NOTED)
E.O.P. EDGE OF PAVEMENT
R.O.W. RIGHT OF WAY
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C.C.C. CITY OF CAPE CORAL
C.B.S. CONCRETE BLOCK STRUCTURE
T.O.B. TOP OF BANK



STOP SIGN DETAIL
N.T.S.



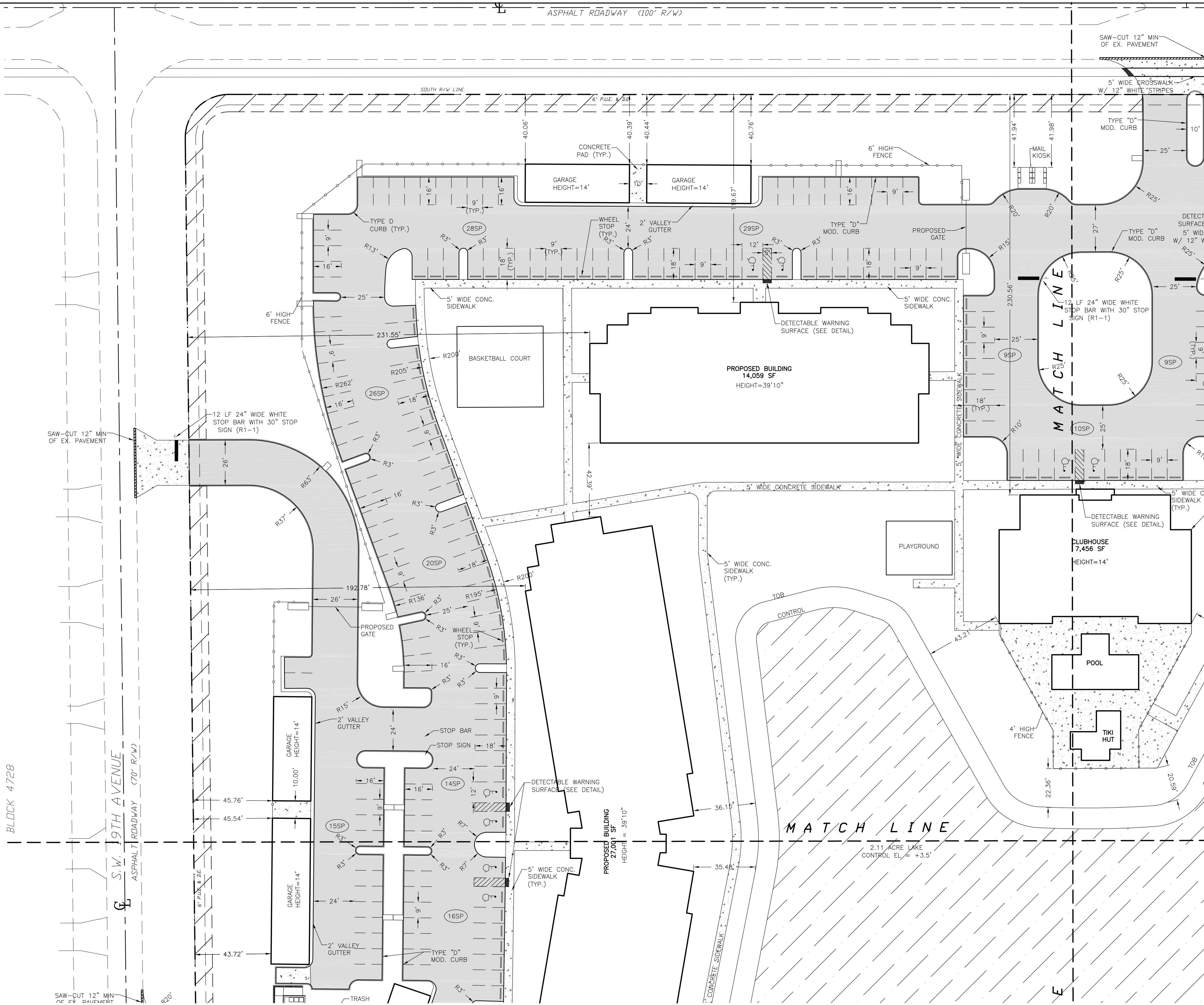
HANDICAPPED PARKING SIGN DETAIL
N.T.S.



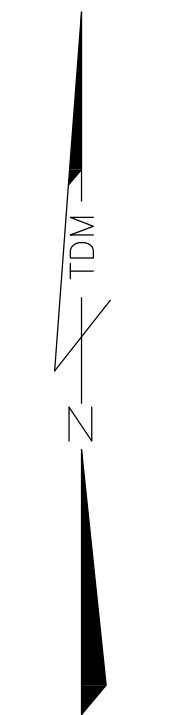
WHEEL STOP DETAIL
N.T.S.

NOTES

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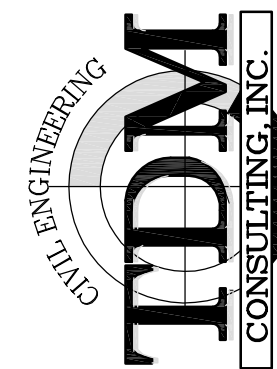
1" = 30'



DATE	DESIGNED BY	PEM	DRAWN BY	PEM	CHECKED BY	TDM	APPROVED BY	TDM
02/15/2018								
REVISIONS	DATE							

**SAVONA
PARKWAY APARTMENTS
SITE DIMENSION PLAN**

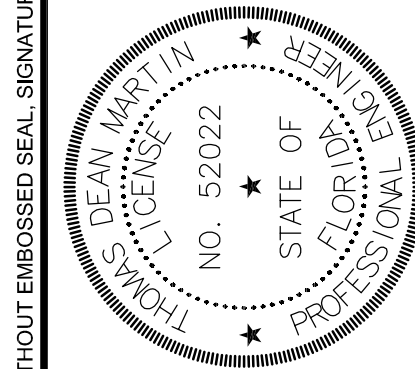
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www.tdmcivilengineering.com

NOT VALID WITHOUT EMBOSSED SEAL SIGNATURE AND DATE.



DATE:
Dean Martin, P.E.
Florida # 52022

SHEET #
9 of 27

SCALE: 1" = 30'

Item Number: 2.B.
Meeting Date: 10/16/2018
Item Type: HEARINGS

AGENDA REQUEST FORM
CITY OF CAPE CORAL



TITLE:

Case #ZA18-0007*; Address: Multiple addresses. Southeast of Veterans Parkway and Skyline Boulevard intersection; Applicant: Sullico II, LLC

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 applicant requests a rezone from the Pedestrian Commercial (C-1) zoning district to the Single-Family Residential (R-1B) district. The site is 6.42 acres, although, only 3.44 acres is owned by the applicant. The site is a mix of single-family homes and undeveloped parcels.

LEGAL REVIEW:

EXHIBITS:

See attached "Backup Materials"

PREPARED BY:

Kristin
Kantarze Division- Planning Department- Community Development

SOURCE OF ADDITIONAL INFORMATION:

Chad Boyko, Principal Planner, 239-573-3162, cboyko@capecoral.net

ATTACHMENTS:

Description	Type
Backup Materials	Backup Material



DEPARTMENT OF COMMUNITY DEVELOPMENT
REQUEST FOR REZONING APPLICATION
Questions: 239-574-0776

Case # ZA18-0007

REQUEST FOR A REZONING

FEE \$2,050.00 first 3 acres plus \$220.00 each additional acre over 3 up to 20 acres; \$22.00 per acre over the first 20 acres. 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 will be billed and must be paid prior to hearing.

Following the approval of your request, the applicant shall be responsible for paying the City to electronically record the final signed Resolution or Ordinance with the Lee County Clerk of Court. Until this fee is 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, certificates of use, or certificates of occupancy for any property covered by the Resolution or Ordinance.

OWNER OF PROPERTY

Sullico, LLC

Email:

Address: 15946 Double Eagle Drive
City Morrison State: CO Zip 80465
Phone: _____

AUTHORIZED REPRESENTATIVE

Avalon Engineering, Inc

Email: linda@avaloneng.com

Address: 2503 Del Prado Blvd Suite 200
City Cape Coral State: FL Zip 33904
Phone: 239-573-2077

Unit 66 Block 3170 Lot(s) List Subdivision Cape Coral
Address of Property Parcels on SW 8th Court and SW 9th Avenue
Current Zoning C-1 Plat Book 23 , Page 23
Proposed Zoning R-1B Strap Number See Listing

THIS APPLICATION SHALL ALSO HAVE ANY ADDITIONAL REQUIRED SUPPORTING DOCUMENTS

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.

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.



DEPARTMENT OF COMMUNITY DEVELOPMENT
REQUEST FOR REZONING APPLICATION
Questions: 239-574-0776

Case # 2A18-0007

(SIGNATURE MUST BE NOTARIZED)

Sullico II LLC

Elaine M. Sullivan, Managing Member

NAME (PLEASE TYPE OR PRINT)

Elaine M. Sullivan Managing Member
APPLICANT'S SIGNATURE

STATE OF Colorado, COUNTY OF Jefferson

Sworn to (or affirmed) and subscribed before me this 16th day of May, 2018, by
Elaine M Sullivan who is personally known or produced Florida Drivers License
as identification.

Exp. Date: 04/22/2022 Commission Number: 20024013317

Signature of Notary Public:

Kristen Lahey

Printed name of Notary Public:

Kristen Lahey

(SIGNATURE MUST BE NOTARIZED)

KRISTEN LAHEY
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20024013317
MY COMMISSION EXPIRES APRIL 22, 2022



DEPARTMENT OF COMMUNITY DEVELOPMENT
REQUEST FOR REZONING APPLICATION
Questions: 239-574-0776

Case # 2A18-0007

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 TO THE HEARING EXAMINER, OR CITY COUNCIL FOR
Zoning Map Amendment
(Type of Public Hearing – i.e., PDP, Zoning, Special Exception, Variance, etc.)

UNIT 66 BLOCK 3170 LOT(S) Listing SUBDIVISION

OR LEGAL DESCRIPTION

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

Elaine M. Sullivan, Managing Member
PROPERTY OWNER (Please Print)

Elaine M. Sullivan, Managing Member
PROPERTY OWNER (Please Print)

Elaine M. Sullivan, Managing Member
PROPERTY OWNER (Signature & Title)

N/A
PROPERTY OWNER (Signature & Title)

STATE OF Colorado COUNTY OF Jefferson

Subscribed and sworn to (or affirmed) before me this 16th day of May, 2018, by
Elaine M. Sullivan who is personally known or produced Florida drivers license
as identification.

Exp. Date: 04/22/2022 Commission Number: 20024013317

Signature of Notary Public: Kristen Lahey
Printed name of Notary Public: Kristen Lahey

KRISTEN LAHEY
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20024013317
with commission expiration 04/22/2022

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



DEPARTMENT OF COMMUNITY DEVELOPMENT
REQUEST FOR REZONING APPLICATION
Questions: 239-574-0776

Case # 2A18-0007

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, Planning & Zoning Commission/Local Planning Agency, and City Council.

I will have the opportunity, at the hearing, to present verbal 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 costs. All fees are to be submitted to the City of Cape Coral with the application or the item may be pulled from the agenda and continued to future date after fees are paid.

Please obtain all necessary permits prior to commencing any phase of construction.

Please indicate on a separate sheet those persons to whom you wish a copy of the Public Hearing Notice sent.

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 _____ day of _____, 20 18

Sullico II LLC

Elaine M. Sullivan, Managing Member

NAME (PLEASE TYPE OR PRINT)

Elaine M. Sullivan, Managing Member
APPLICANT'S SIGNATURE

STATE OF Colorado COUNTY OF Jefferson

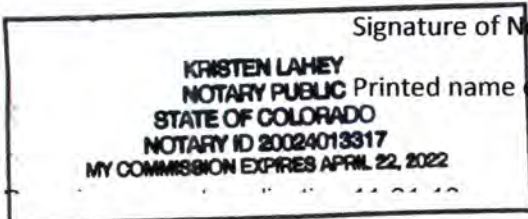
Subscribed and sworn to (or affirmed) before me this 16th day of May, 20 18, by
Elaine M. Sullivan who is personally known or Florida drivers license
as identification.

Exp. Date: 04/22/2022 Commission Number: 20024013317

Signature of Notary Public:

Printed name of Notary Public:

Kristen Lahey
Kristen Lahey





DEPARTMENT OF COMMUNITY DEVELOPMENT
REQUEST FOR REZONING APPLICATION
Questions: 239-574-0776

Case # 2A18-0007

DOCUMENTARY EVIDENCE (LUDR, Section 8.3.1.C.6.f)

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 two 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.

Sullivan II LLC

Elaine M. Sullivan, Managing Member

OWNER/APPLICANT (PLEASE TYPE OR PRINT)

Elaine M. Sullivan Managing Member
OWNER/APPLICANT SIGNATURE

(SIGNATURE MUST BE NOTARIZED)

STATE OF Colorado COUNTY OF Jefferson

Sworn to (or affirmed) and subscribed before me on this 16th day of May, 20 18
by Elaine M. Sullivan, who is personally known or who has produced Florida drivers license as identification.

Exp. Date 04/22/2022
Commission # 20024013317

Kristen Lahey
Signature of Notary Public
Kristen Lahey
Print Name of Notary Public

KRISTEN LAHEY
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20024013317
MY COMMISSION EXPIRES APRIL 22, 2022

Detail by Entity Name

Florida Limited Liability Company

SULLICO II, LLC

Filing Information

Document Number L13000173163
FEI/EIN Number 46-5305473
Date Filed 12/16/2013
Effective Date 12/12/2013
State FL
Status ACTIVE

Principal Address

83 OCEAN DRIVE
PUNTA GORDA, FL 33950

Mailing Address

83 OCEAN DRIVE
PUNTA GORDA, FL 33950

Changed: 03/02/2015

Registered Agent Name & Address

SULLIVAN, ELAINE M
83 OCEAN DRIVE
PUNTA GORDA, FL 33950

Authorized Person(s) Detail

Name & Address

Title MGRM

SULLIVAN, ELAINE M
83 OCEAN DRIVE
PUNTA GORDA, FL 33950

Annual Reports

Report Year	Filed Date
2015	03/02/2015
2016	02/12/2016
2017	01/20/2017

Document Images

01/20/2017 -- ANNUAL REPORT	View image in PDF format
02/12/2016 -- ANNUAL REPORT	View image in PDF format
03/02/2015 -- ANNUAL REPORT	View image in PDF format
04/18/2014 -- ANNUAL REPORT	View image in PDF format
12/16/2013 -- Florida Limited Liability	View image in PDF format



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

May 31, 2018

Mr. Vince Cautero, Director
Department of Community Development
City of Cape Coral
1015 Cultural Park Boulevard
Cape Coral, Florida 33990

PROJECT: BLOCK 3170 LOTS 1-28 & 55-82

SUBJECT: ZONING AMENDMENT LETTER OF INTENT

Dear Mr. Cautero:

As provided for in Section 8.7 of the City of Cape Coral Land Use and Development Regulations, and on behalf of a property owner within Block 3170, Sullico II LLC, we respectfully request an amendment to the Zoning Map to change the designation of the subject 6.42 acres within Block 3170 for Lots 1-28 and 55-82. The subject property has a Land Use designation of SF (Single Family). The applicant is requesting to amend the zoning from C-1 (Pedestrian Commercial) to R-1 (Single Family).

In addition to the applicant for this case, we have also received signed acknowledgements of support from four (4) other single family home owners within this Block, Jeffrey Oddy, Cynthia Cavanaugh, Equity Trust Company for Katherine Davis, and Maria Rosa Flick.

The subject Block is located south of Veterans Parkway and west of Skyline Blvd, just south of the Home Depot Shopping Center in Section 34, Township 44E, and Range 23 S in the SW Section of Cape Coral. There are a total of 56 Lots within Block 3170. The applicants, Sullico II, LLC owns thirty (30) Lots, for a total ownership of 53.5% of the Lots within this Block. 51% is required for the submittal of a Zoning Amendment Application.

In 2001, the Land Use and Zoning were amended for this Block and four (4) other Blocks, north to Veterans Parkway and east to Skyline Blvd, from SF (Single Family) to CP (Commercial Professional), in order to support a large commercial subdivision that was planned to contain two (2) Big Box developments, several national anchor stores, some local space, and outparcels fronting Skyline Blvd. As a result of the development of the Home Depot, the vision to incorporate this 6.42 acres into the current Shopping Center diminished, as commercial interest no longer looks favorable on a second phase of this center, for an another big box, or a couple of anchor retail stores and additional out-parcels.

Twenty-two (22) Lots (or 39% of this Block) are developed with Single Family Homes, all of which were constructed prior or during the Land Use and Zoning Amendments to commercial. No new Single Family Homes have been constructed on Block 3170 since the Land Use and Zoning was amended, as the City's C-1 (Pedestrian Commercial) Zoning does not permit single family development.

Development Blocks to the west 3172, 3171, and 3166, currently have single family development consisting of between 58% to 75%, with new single family building permits being submitted monthly within this area.

Market Studies, that have been prepared by developers of National Chains, over and over since 2003, indicate that retail development is not conducive on this Block, due to the linear distance from Skyline Blvd, however, there is much developer interest in expanding on the success of the single family development to the west of the site.

Commercial development has occurred on Blocks that have Lots fronting Skyline Blvd. Since the Lots fronting Skyline have been developed, it is not feasible for Block 3170, which is located 634 feet from Skyline Blvd to be developed with commercial uses.

Please accept this evaluation of the propose amendment with respect to determining consistency with these General Standards:

1. The extent to which the value of the property is diminished by the proposed land use restriction or zoning of the property;

The value of the property will not be diminished with the proposed Zoning Amendment. Prior to approval of the Zoning Amendment to commercial within this area of the Cape, including Block 3170, Blocks that did not front Skyline Blvd were designated as Single Family.

Eleven (11) Single Family homes were constructed within Block 3170 prior to the approval of the Zoning Amendment to Commercial Professional.

All parcels within this area have been assessed for City water, wastewater, and irrigation. Due to the commercial zoning and land use owners of the Lots within Block 3170, are currently not able to permit a single family home on their parcel.

The Zoning Amendment to commercial zoning was approved in 2001, and for seventeen years this Block has been available for commercial development. Commercial development has occurred only along Skyline Blvd and the corner of Veterans Parkway and Skyline Blvd. Since commercial development has not occurred, it is necessary to consider the needs of the existing homeowners within this Block.

2. The extent to which, the removal of a proposed land use restriction or change in zoning depreciates the value of other property in the area;

The proposed change will allow the existing single family homes to be a permitted use with the ability to rebuild in case of a natural event or an emergency. The amendment would have little effect on the existing or future commercial development, since this site, over the years, has had the ability to develop with commercial uses and has not.

3. The suitability of the property for the zoning purpose or land use restriction imposed on the property as zoned;

Block 3170 is adjacent to other existing single family zoned Blocks, directly to the west and behind the Shopping Center. The proposed zoning amendment would not only be suitable for this Block, but it will provide the current homeowners a sense of security that they deserve, as their existing home will be a permitted use and the homeowners will know that they will have only single family uses constructed adjacent to them. The current single family home owners within this Block have been living with the uncertainty of not knowing what would be built next or in close proximity to them since 2001.

4. The character of the neighborhood, existing uses, zoning of nearby and surrounding properties, and compatibility of the proposed land use restriction or zoning;

The character of the neighborhood consists of a majority of the area being single family residential with commercial zoned vacant and development parcels fronting Skyline Blvd. The current uses consist of a Home Improvement Store, automotive services (repair and parts store), fast food restaurant (Dairy Queen), convenience store with gas pumps, a bank, and a variety store. The existing commercial square footage fronts on Skyline Blvd, with residential located at least 634 feet from Skyline Blvd and 1068 feet from Veteran's Parkway.

5. The relative gain to the community as compared to the hardship, if any imposed, by the proposed land use restrictions or from rezoning said property;

There would be a positive effect in amending the zoning for Block 3170. The property would have a better chance of being developed within the next few years, which would increase the City's tax base and provide an increase in the amount and type of housing products available within the Cape.

The redevelopment of the existing Shopping Center to incorporate and integrate the proposed parcel, as required to create a commercial node and a unified development, is unlikely, thus leaving this Block isolated from the existing commercial, without visibility and direct access to a major street.

6. The community need for the use proposed by the zoning or land use restriction;

Block 3170 was originally designated for Single Family use. The Block contains 11 single family homes. Over the last 17 years, the character of the Block has not changed. The community need is to protect the existing Single Family homes within this Block and to encourage investment and development rather than foster an area that can't invest in the improvements to their developed properties, thus allowing for the possibility of Blight.

7. Length of time the property proposed to be rezoned has been vacant, as zoned, when considered in the context of the City of Cape Coral Comprehensive Land Use Plan for the development of the proposed property and surrounding property;

The Block was zoned commercial in 2001. This Block has been marketed as available commercial property since that date. There has been no interest in the development of this parcel for a commercial use, due to the lack of frontage along a major street.

8. The extent to which the proposed land use restriction or zoning promotes the health, safety, morals, or general welfare of this community;

The proposed zoning from C-1 (Pedestrian Commercial) to R-1B (Single Family) will provide the City of Cape Coral with additional housing options in an area, which are in close proximity to public transit, adjacent to shopping and within walking distance of job opportunities.

9. The extent to which the proposed land use, land use restriction, or zoning will impact the level of service standards for public facilities as specified in the Comprehensive Plan; and

This proposed zoning change from C-1 (Pedestrian Commercial) to R-1B (Single Family) will not degrade the level of service of any public facility below the adopted level of service. In addition, the peak hour trips associated with the number of Single Family homes that would be able to be developed is less than the peak hour trips associated with retail, commercial service, or even a mini-warehouse use.

10. Whether the proposed land use restriction, removal of a restriction, or zoning is consistent with the City of Cape Coral Comprehensive Land Use Plan.

Policy 1.13 of the City's Future Land Use Element of the Comprehensive Plan states that commercial nodes should be located around or in the vicinity of intersection of major city roadways.

Block 3170 is over 634 feet away from a major city roadway and over 1068 feet from the intersection. This Block would not be considered a commercial node. Commercial uses are not consistent with this Policy.

Policy 1.14 of the City's Future Land Use Element of the Comprehensive Plan states that the benefits derived by having commercial properties located in the vicinity of the intersection diminish with distance from the intersection and whether the subject property represents a new commercial property or an expansion of an existing commercial area.

New commercial properties should preferably be located adjacent to the intersection, while commercial properties that clearly represent an expansion of an existing commercial area can be any distance from the intersection, provided that such properties are integrated with existing properties.

The subject property currently has a zoning designation of commercial. If a commercial development were to occur on this site it would be considered new development according to Policy 1.14 and as such this new commercial development would not meet the requirements of this policy, which is to be located in the vicinity of the intersection. Commercial uses are not consistent with this Policy.

Policy 1.14 of the City's Future Land Use Element of the Comprehensive Plan states that in the City of Cape Coral there are two ideal access provisions for a commercial property a) Access via a platted City parking area and b) Direct access onto an arterial or collector roadway having an adopted City access management plan. If a subject property would meet the requirements for one or more of these provisions, the creation of a commercial future land use at the proposed location should be encouraged.

Block 3170 property currently has a zoning designation as commercial. If a commercial development were to develop on this site the development would not meet the requirements of this policy as it does not meet either ideal access provisions. The subject parcel should be encouraged to develop with a single family use and not a commercial use. Commercial uses are not consistent with this Policy.

The Commercial Corridor Study identified 17 separate commercial corridors within the City of Cape Coral. Each of these Corridors will require a certain amount of commercial square footage to meet the needs of that particular area, and that each of those Corridor areas should be viewed separately to determine those needs. Additional commercial land that is available within one corridor may not provide a benefit if not within an area needing commercial space nor within an area without a commercial market, as commercial is market driven.

This Block should be considered additional commercial land that is in an area that has existing commercial square footage and without a commercial market, as such this Block would be best suited for residential development.

Policy 1.15.a Single Family Residential: Sites of 10,000 square feet and greater, with densities not to exceed 4.4 units per acre.

Lots within this Block are consistent with the requirements for Single Family Development.

Single Family Land Use Advantages for this Block:

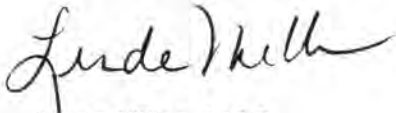
- 1) This Block contains existing single family homes.
- 2) This Block is located within a centralized area and has a large percentage of commercial square footage already developed within this corridor.
- 3) This Block has accessibility to public transit.
- 4) A single family zoning will encourage improvements to the existing single family homes, and allow the owners to obtain home mortgages and home insurance since the SF use will be permitted.
- 5) The change in zoning will allow the owners of the existing homes to market their properties as single family homes rather than future investment properties. This will create a more stable neighborhood with more owner occupied homes.
- 6) The subject parcel is located out-side of the Coastal High Hazard Area and would be permitted to request a residential zoning.
- 7) The Block is currently platted into single family lots, typical of Cape Coral, with enough land area to support a single family home and individual amenities (pools, playgrounds, barbeque areas, etc). In addition, these lots have access to City utilities.

Cautero /Letter of Intent
Zoning / Block 3170
May 31, 2018
Page 7

On behalf of the applicant, Avalon has reached out to each homeowner within this Block with two direct mailings explaining the request within this application to amend the Zoning on this Block. Avalon has not received any unfavorable response to this zoning change from the homeowners within this Block. Should you or your staff have questions or require additional information, please let us know.

Sincerely,

AVALON ENGINEERING, INC.

A handwritten signature in black ink, appearing to read "Linda Miller", written in a cursive style.

Linda Miller, AICP
Senior Planner

Exhibit A

Zoning Map Amendment Application - Block 3170

Legal Description

Lots 1-27, Block 3170, CAPE CORAL UNIT 66, according to plat thereof, recorded in Plat Book 22, Pages 2 through 26, inclusive, Public Records of Lee County, Florida.

Lot 28, Block 3170, CAPE CORAL UNIT 66, according to plat thereof, recorded in Plat Book 22, Pages 2 through 26, inclusive, Public Records of Lee County, Florida, **less and except** that portion of said Lot 28 lying within the right of way for the extension of SE 26th Street as set forth in that certain plat of Home Depot according to the map or plat thereof as bearing Official Records Instrument # 2006000203514, Public Records of Lee County, Florida.

Lot 55, Block 3170, CAPE CORAL UNIT 66, according to plat thereof, recorded in Plat Book 22, Pages 2 through 26, inclusive, Public Records of Lee County, Florida, **less and except** that portion of said Lot 55 lying within the right of way for the extension of SE 26th Street as set forth in that certain plat of Home Depot according to the map or plat thereof as bearing Official Records Instrument # 2006000203514, Public Records of Lee County, Florida.

Lots 56-82, Block 3170, CAPE CORAL UNIT 66, according to plat thereof, recorded in Plat Book 22, Pages 2 through 26, inclusive, Public Records of Lee County, Florida.

Block 3170	56 Lots (22 Developed -34 Undeveloped -30 are owned by Sullico II, LLC)			
Strap	Improved	Lot	Address	Owner
344423C2031700560	No	55, 56	2606 SW 8TH CT	INA GROUP LLC
344423C2031700570	No	57, 58	2608 SW 8TH CT	SULLICO II LLC
344423C2031700590	No	59, 60	2612 SW 8TH CT	SULLICO II LLC
344423C2031700610	No	61 - 63	2618 SW 8TH CT	SULLICO II LLC
344423C2031700640	No	64 - 66	2624 SW 8TH CT	SULLICO II LLC
344423C2031700670	No	67 - 69	2630 SW 8TH CT	SULLICO II LLC
344423C2031700700	No	70 - 72	2702 SW 8TH CT	SULLICO II LLC
344423C2031700730	Yes	73, 74	2706 SW 8TH CT	CAVANAUGH CYNTHIA A
344423C2031700750	Yes	75, 76	2710 SW 8TH CT	HANCOCK FRANCIS J
344423C2031700770	Yes	77, 78	2714 SW 8TH CT	2311803 ONTARIO INC
344423C2031700790	No	79, 80	2718 SW 8TH CT	SULLICO II LLC
344423C2031700810	No	81, 82	2722 SW 8TH CT	SULLICO II LLC
344423C2031700010	No	1, 2	2723 SW 9TH AVE	SULLICO II LLC
344423C2031700030	Yes	3, 4	2719 SW 9TH AVE	ARROW RE SUB 1 LLC
344423C2031700050	Yes	5, 6	2715 SW 9TH AVE	EQUITY TRUST COMPANY
344423C2031700070	No	7, 8	2711 SW 9TH AVE	SULLICO II LLC
344423C2031700090	Yes	9, 10	2707 SW 9TH AVE	ODDY JEFFREY A
344423C2031700110	Yes	11, 12	2703 SW 9TH AVE	NORTHUP SCOTT E
344423C2031700130	Yes	13, 14	2633 SW 9TH AVE	SASH THOMAS W
344423C2031700150	Yes	15, 16	2629 SW 9TH AVE	FLICK MARIA ROSA
344423C2031700170	No	17, 18	2625 SW 9TH AVE	SULLICO II LLC
344423C2031700190	Yes	19, 20	2621 SW 9TH AVE	KEMP STEPHEN G + ELLEN K
344423C2031700210	No	21, 22	2617 SW 9TH AVE	SULLICO II LLC
344423C2031700230	No	23, 24	2613 SW 9TH AVE	SULLICO II LLC
344423C2031700250	Yes	25, 26	2609 SW 9TH AVE	MCCRACKEN RANDY + MARLENE J
344423C2031700270	No	27, 28	2607 SW 9TH AVE	LJH INVESTMENTS LLC

Protected Species Assessment

Block 3170

Lots 1, 2, 7, 8, 17, 18, 21 - 24, 57-72, 79-82

Cape Coral, Florida 33914

Section 34, Township 44S, Range 23E

December, 2017

Prepared for:

Sullico II LLC

15946 Double Eagle Drive

Morrison, CO 80465

Prepared by:

Avalon Engineering, Inc.

2503 Del Prado Boulevard South, Suite 200

Cape Coral, Florida 33904

INTRODUCTION

This 3.44 acre area is located between SW 8th Court and SW 9th Avenue, west of Skyline Blvd and south of Veterans Parkway. Adjacent properties consist of the following: to the north is commercial building, to the south is residential, to the east is lots zoned commercial but developed with some single family homes, and to the west is developed and undeveloped single family lots. The parcel is located in Section 34, Township 44S, Range 23E, Cape Coral, Florida.

SITE CONDITIONS

A site inspection was conducted by Scott Tucker on December 27, 2017. The weather was partly cloudy with temperatures in the 50's.

VEGETATION CLASSIFICATIONS

The table below displays the (#1) vegetative associations found on the subject parcel. These vegetative associations were identified using the Florida Land Use Cover Classification System. (FLUCCS) and are shown on the table below. Also included is a description of each FLUCCS association below.

FLUCCS CODE	DESCRIPTION	APPROXIMATE ACREAGE
192	Inactive land with street patterns but without structures (routinely mowed).	3.44
TOTAL ACREAGE		3.44

SURVEY METHOD

To provide at least 100% visual coverage, four centered transects were completed at 20' intervals within the construction area. This method was selected to examine for the presence or absence of protected or listed species within the entire construction area.

If a sign or sighting was observed, an aerial photograph was marked depicting the approximate location. The attached scale aerial map depicts the results of this survey. Other listed protected species which could occur on the subject parcel according to City of Cape Coral which were surveyed for are as follows:

SPECIES	SCIENTIFIC NAME	OBSERVED
Burrowing Owl	Athene cunicularia	No
Gopher Tortoise	Gopherus polyphemus	No

RESULTS

The Protected Species Survey revealed the presence of no species listed by either the U.S. Fish & Wildlife Service (USFWS) or by the Florida Fish & Wildlife Conservation Commission (FFWCC).

Attachment: Transect Line Map



PROTECTED SPECIES TRANSECT
LINE JANUARY 10, 2018

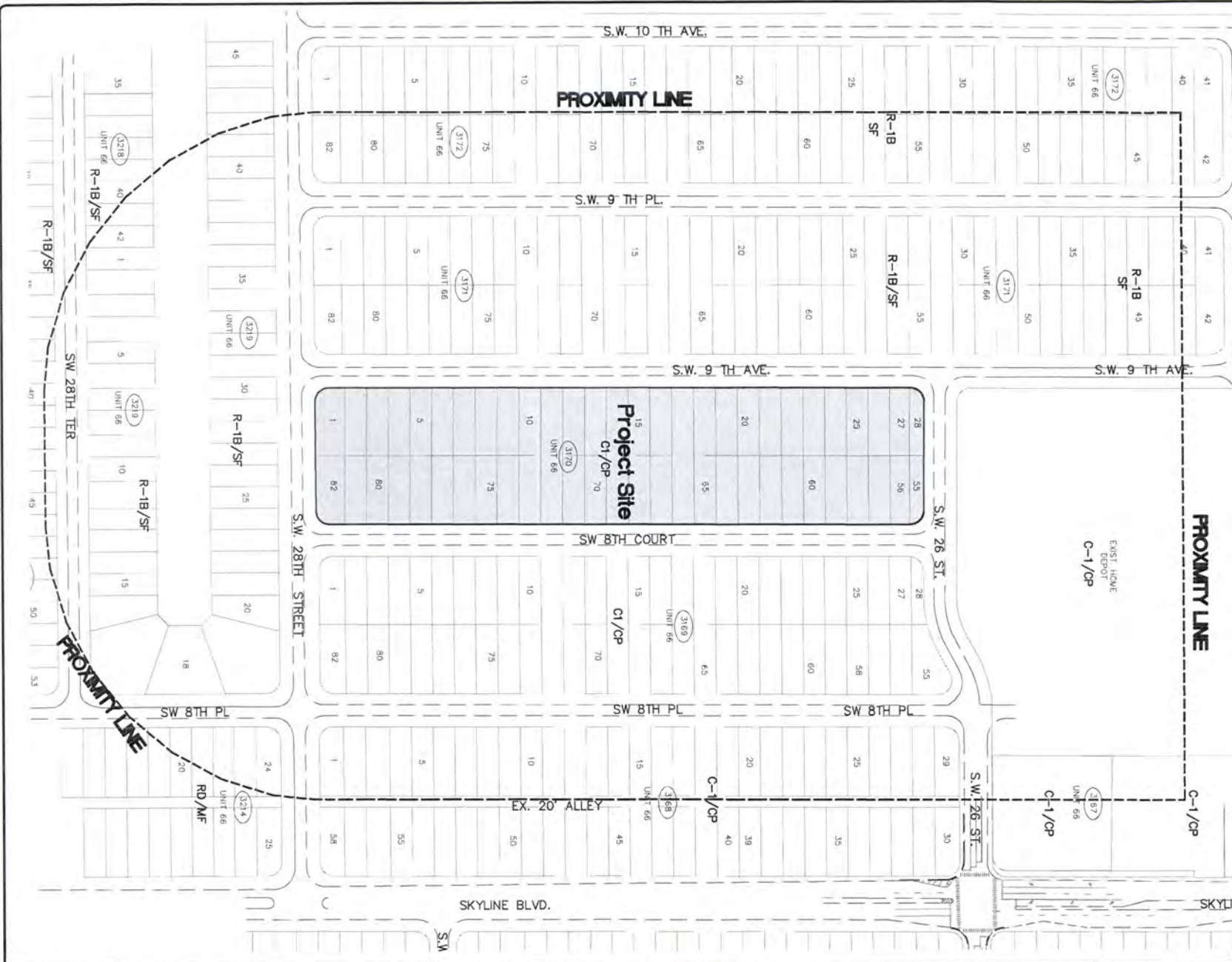
TRANSECT MAP (AERIAL)

LAND USE MAP AMENDMENT
BLOCK 3170, UNIT 66
CAPE CORAL, FLORIDA

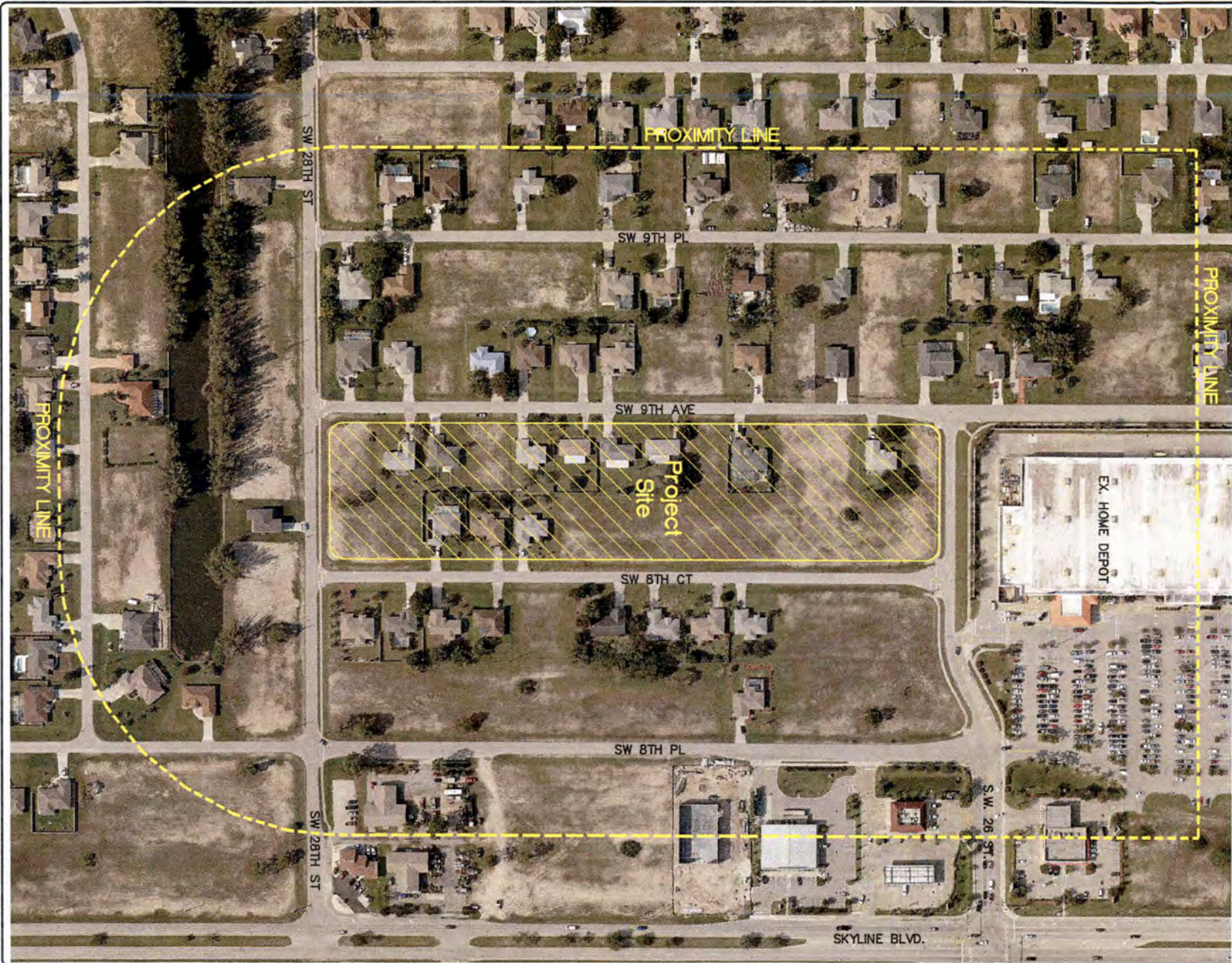
AVALON ENGINEERING, INC.
2503 DEL PRADO BLVD. #200
CAPE CORAL, FLORIDA 33904
FBPE#3128 (239) 573-2077

DATE	BY	REVISION DESCRIPTION
12/12/17	LM	INITIAL SUBMITTAL

THIS PLAN IS INTENDED FOR CONCEPTUAL PLANNING PURPOSES ONLY. SITE LAYOUT MAY CHANGE SIGNIFICANTLY BASED UPON SURVEY, ENVIRONMENTAL, AND REGULATORY CONSTRAINTS. "NOT FOR CONSTRUCTION"



500' PROXIMITY MAP	ZONING MAP AMENDMENT BLOCK 3170, UNIT 66 CAPE CORAL, FLORIDA	AVALON ENGINEERING, INC. 2503 DEL PRADO BLVD, #200 CAPE CORAL, FLORIDA 33904 FBPE#3128 (239) 573-2077	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>DATE</th> <th>BY</th> <th>REVISION DESCRIPTION</th> </tr> </thead> <tbody> <tr> <td>05/29/18</td> <td>LM</td> <td>INITIAL SUBMITTAL</td> </tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> </tbody> </table>	DATE	BY	REVISION DESCRIPTION	05/29/18	LM	INITIAL SUBMITTAL										THIS PLAN IS INTENDED FOR CONCEPTUAL PLANNING PURPOSES ONLY. SITE LAYOUT MAY CHANGE SIGNIFICANTLY BASED UPON SURVEY, ENVIRONMENTAL, AND REGULATORY CONSTRAINTS. "NOT FOR CONSTRUCTION"
DATE	BY	REVISION DESCRIPTION																	
05/29/18	LM	INITIAL SUBMITTAL																	



#17-250/204 1 of 1	VICINITY MAP (AERIAL)	ZONING MAP AMENDMENT BLOCK 3170, UNIT 66 CAPE CORAL, FLORIDA	AVALON ENGINEERING, INC. 2503 DEL PRADO BLVD. #200 CAPE CORAL, FLORIDA 33904 FBPE#3128 (239) 573-2077	DATE 05/29/18	BY LM	REVISION DESCRIPTION INITIAL SUBMITTAL	THIS PLAN IS INTENDED FOR CONCEPTUAL PLANNING PURPOSES ONLY. SITE LAYOUT MAY CHANGE SIGNIFICANTLY BASED UPON SURVEY, ENVIRONMENTAL AND REGULATORY CONSTRAINTS. "NOT FOR CONSTRUCTION"



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

May 29, 2018

Mr. Vince Cautero, Director
Department of Community Development
City of Cape Coral
1015 Cultural Park Boulevard
Cape Coral, FL 33990

PROJECT: ZONING AMENDMENT - BLOCK 3170

SUBJECT: TRAFFIC GENERATION STATEMENT

Dear Mr. Cautero,

Included herewith are the traffic generation calculations for the above referenced project. As the project creates less than 300 vehicle trips, peak hour of the generator, a traffic impact statement will not be necessary.

Source: I.T.E. Trip Generation Manual, 9th Edition
Land Use: (210) Single Family Detached Housing
Dwelling Unit: 28 (maximum dwelling units)

A.M. Peak Hour of the Generator:
0.77 Average Rate per dwelling unit

5.61 vehicles entering 26%
15.95 vehicles exiting 74%
21.56 TOTAL VEHICLES

P.M. Peak Hour of the Generator:
1.02 Average Rate per dwelling unit

18.27 vehicles entering 64%
10.29 vehicles exiting 36%
28.56 TOTAL VEHICLES

If you should have any questions or require additional information, please feel free to call me.

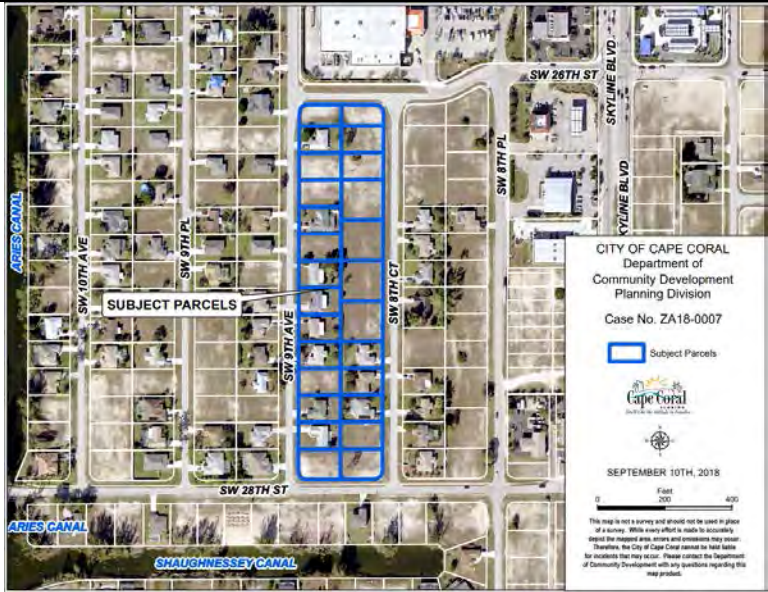
Sincerely,

AVALON ENGINEERING, INC.

Linda Miller, AICP
Senior Planner

PLANNING DIVISION STAFF REPORT
ZA18-0007

SITE ADDRESSES Multiple addresses. Southeast of Veterans Parkway and Skyline Boulevard intersection.	APPLICANT/PROPERTY OWNER Sullico II, LLC
AUTHORIZED REPRESENTATIVE Avalon Engineering, Inc.	

SUMMARY OF REQUEST The applicant requests a rezone from the Pedestrian Commercial (C-1) zoning district to the Single-Family Residential (R-1B) district. The site is 6.42 acres, although, only 3.44 acres is owned by the applicant. The site is a mix of single-family homes and undeveloped parcels.	
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MAP SOURCE

STAFF RECOMMENDATION: **Approval**

Positive Aspects of Application:	Rezone will make the site consistent with the future land use. Rezone will be compatible with area to the south and west.
Negative Aspects of Application:	Loss of commercial zoned land that has some assemblage.
Mitigating Factors:	Site has not developed for over 10 years with commercial entitlements and may not be well suited for non-residential uses.

SITE INFORMATION

Location: Multiple addresses.
Unit 66. Block 3170. Lots 1 through 28 and 55 through 82.
South of Veterans Parkway and West of Skyline Boulevard.

STRAP Numbers: Multiple STRAPs

Site Area: 6.42 acres

Site:	<i>Future Land Use</i>	<i>Zoning</i>
Current:	Single-Family Residential (SF)	Pedestrian Commercial (C-1)
Proposed:	N/A	Single-Family Residential (R-1B)
	<i>Surrounding Future Land Use</i>	<i>Surrounding Zoning</i>
North:	Commercial/Professional (CP)	C-1
South:	SF	R-1B
East:	CP	C-1
West:	SF	R-1B

Urban Service

Area: Transition

City Water/Sewer: Yes

FINDINGS OF FACT

The site is 26 parcels in Block 3170 which is in southwestern Cape Coral that totals 6.42 acres. 11 parcels in the block are developed with single-family homes, while the remaining parcels are undeveloped. The applicant, Sullico II, LLC, owns 30 parcels in the block and the remaining parcels are owned by a variety of owners. No other individual or business owns more than one parcel in the block. The site is bounded by four local streets; SW 26th Street to the north, SW 8th Court to the west, SW 28th Street to the south, and SW 9th Avenue to the east. Surrounding development consists of a Home Depot to the north and a combination of single-family homes and undeveloped parcels to east, west, and south. The Home Depot site was a part of Block 3170¹ prior to the development being approved and subdivided by a Planned Development Project (PDP) in 2005.

The parcels in Block 3170 have gone through several future land use and zoning changes in the past. The Block was designated as Single-Family/Multi-Family (SM) upon the adoption of the Comprehensive Plan in 1989. In two separate amendments in 2002 and 2005, the future land use of the parcels was amended from SM to Commercial/Professional (CP). Similarly, two separate rezones in 2002 and 2008 changed the zoning within the block from Single-Family Residential (R-1B) to Pedestrian Commercial (C-1). The future land use and zoning amendments were sought by a previous owner who owned most of the parcels in Block 3170.

¹ Prior to re-plat.

The future land use of the site was recently amended to Single-Family Residential (SF) via Ordinance 42-18. The applicant sought the amendment to build more single-family homes in the block, however, the sites must also be rezoned to Single-Family Residential (R-1B). The applicant states there is little demand for commercial development in the block, while, there is demand for single-family home development.

ANALYSIS

Comprehensive Plan

The site has a future land use designation of Single-Family Residential (SF) which is described as:

Single-Family Residential

Sites of 10,000 square feet and greater, with densities not to exceed 4.4 units per acre.

Response: The site is within the Urban Services Transition Area and municipal utilities to are available to the site. The majority of parcels are a minimum of 10,000 sq. ft.

Land Use and Development Regulations

The Planning Division reviewed this request to rezone the site from Pedestrian Commercial (C-1) to Single-Family Residential (R-1B) based on the ten General Standards in LUDR, Section 8.7.3.B and offers the following analysis for consideration:

1. The extent to which the property is diminished by the proposed zoning of the property:

Response: The rezone may decrease the value of the property. The existing C-1 zoning allows a broad range of commercial uses. The requested R-1B district allows single-family homes and a few additional uses that are compatible with single-family homes such as daycares, parks, etc. Additionally, commercial property is generally valued higher than residential property, although many factors determine property values. Planning staff notes that while the rezone may decrease the value of the property, the rezone is requested by the applicant, therefore concerns regarding diminished property values are lessened.

2. The extent to which the removal of a proposed change in zoning depreciates the value of other property in the area:

Response: The rezone is likely to not have an effect on the value of surrounding properties. The rezone will likely result in additional single-family homes which are compatible with the areas to the south and west. The areas to the north and east are commercial, however, additional single-family homes are unlikely to depreciate the value of commercial sites.

3. The suitability of the property for the zoning purpose:

Response: Planning staff finds that the site is suited for both R-1B or C-1 zoning. The site is developed with single-family homes and similar development exists to the south and west. Additionally, the site has a Single-Family future land use designation and the R-1B district is consistent with this designation. The site is also suitable for the C-1 zoning due to property assemblage and nearby commercial development.

4. The character of the neighborhood, existing uses, zoning of nearby and surrounding properties, and compatibility of the proposed zoning:

Response: The surrounding area consists of residential dwelling units to the south and west (along with corresponding future land use and zoning designations) and commercial development to the north and east. The R-1B zone will be compatible as there are several homes within the site and the R-1B zone will allow for additional construction of homes.

5. The relative gain to the community as compared to the hardship, if any imposed, from rezoning said property:

Response: While single-family homes are not a documented need in Cape Coral, the rezone will bring the site into compatibility with the recently adopted SF future land use designation. The rezone will result in a loss of C-1 zoned land, however, the land may not be suitable for commercial development.

6. The community need for the use proposed by the zoning:

Response: The rezone will add single-family homes in an area that is predominantly single-family or commercial. The rezone does not meet documented needs of adding additional commercial land or multi-family dwelling units.

7. Length of time the property proposed to be rezoned has been vacant, as zoned, when considered in the context of the City of Cape Coral Comprehensive Land Use Plan for the development of the proposed property and surrounding property:

Response: The future land use of Block 3170 was amended from Commercial/Professional (CP) to Single-Family Residential (SF) in 2018, and the site has been zoned Pedestrian Commercial (C-1) since 2002.

8. The extent to which the proposed zoning promotes the health, safety, morals, or general welfare of this community:

Response: R-1B zoning will be consistent with the City's Comprehensive Land Use Plan and the change will provide additional area for single-family residential at an appropriate location. The proposed rezone should not negatively affect the health, safety, or welfare of the community because similar zoning already exists in general proximity to the site.

9. The extent to which the proposed zoning will impact the level of service standards for public facilities as specified in the Comprehensive Plan.

Response: The site is in the City Urban Service Transition Area. Water, sewer, and irrigation are available. Future development will be required to connect to City utility system.

10. Whether the proposed zoning is consistent with the City of Cape Coral's Comprehensive Land Use Plan.

Response: The proposed rezone is consistent Comprehensive Plan Policy 1.15 as the Future Land Use classification is SF. Properties with the SF future land use are compatible with the R-1B district. Staff finds that the requested R-1B zone is appropriate for the site.

ECONOMIC DEVELOPMENT MASTER PLAN ANALYSIS

The rezone is not supported by the City Economic Development Master Plan. The site is not within an Economic Opportunity Area, however, the amendment will result in the loss of commercial land which the Economic Development Master Plan has identified as a need in Cape Coral.

PUBLIC NOTIFICATION

This case will be publicly noticed as required by LUDR, Section 8.3.2.A and 8.3.4 as further described below.

Publication: A legal ad will be prepared and sent to the *News-Press* announcing the intent of the petitioners to rezone the site described within this report. The ad will appear in the *News-Press* a minimum of 10 days prior to the public hearing scheduled before the Cape Coral Hearing Examiner. Following the public hearing before the Hearing Examiner, the ad announcing the final public hearing before the City Council will appear once in the *News-Press*. The ad will appear in the newspaper not less than 10 days prior to the date of the final public hearing before the City Council.

Written notice: Property owners located within 500 feet from the site will receive written notification of the scheduled public hearing. These letters will be mailed to the aforementioned parties a minimum of 10 days prior to the public hearing scheduled before the Hearing Examiner.

Posting of a Sign: A large sign identifying the case and providing salient information will be posted on the site, as another means of providing notice of the rezone request.

RECOMMENDATION

Through the analysis of the Cape Coral Comprehensive Plan and specifically the Future Land Use Element, the proposed rezone to Single-Family Residential (R-1B) zoning is consistent with the Comprehensive Plan, the Land Use and Development Regulations, and is compatible with the surrounding area, therefore, Planning Division staff recommends **approval** of the rezone request.



NOTICE TO SURROUNDING PROPERTY OWNERS

CASE NUMBER: ZA18-0007

REQUEST: The applicant requests a rezone from the Pedestrian Commercial (C-1) zoning district to the Single-Family Residential (R-1B) district. The site is 6.42 acres, although, only 3.44 acres is owned by the applicant. The site is a mix of single-family homes and undeveloped parcels.

LOCATION: Multiple addresses. Southeast of Veterans Parkway and Skyline Boulevard intersection.

CAPE CORAL STAFF CONTACT: Chad Boyko, Principal Planner, 239-573-3162, cboyko@capecoral.net

PROPERTY OWNER(S): Sullico II, LLC

AUTHORIZED REPRESENTATIVE: Avalon Engineering, Inc.

UPCOMING PUBLIC HEARING: Notice is hereby given that the City of Cape Coral Hearing Examiner will hold a public hearing at 9:00 A.M. on Tuesday, October 16, 2018 on the above mentioned case. The public hearing will be held in the City of Cape Coral Council Chambers, 1015 Cultural Park Boulevard, Cape Coral, FL.

All interested parties are invited to appear and be heard. All materials presented before the Hearing Examiner will become a permanent part of the record. The public hearing may be continued to a time and date certain by announcement at this public hearing without any further published notice. Copies of the staff report will be available 5 days prior to the hearing. The file can be reviewed at the Cape Coral Community Development Department, Planning Division, 1015 Cultural Park Blvd., Cape Coral, FL.

After Hearing Examiner has made a written recommendation, the case may be scheduled for a public hearing before the City Council who will review the recommendation and make a final decision. You will receive another public hearing notice if this case is scheduled for a City Council hearing.

DETAILED INFORMATION: The case report and colored maps for this application are available at the City of Cape Coral website, www.capecoral.net/publichearing (Click on 'Public Hearing Information', use the case number referenced above to access the information); or, at the Planning Division counter at City Hall, between the hours of 7:30 AM and 4:30 PM. The public hearing may be continued to a time and date certain by announcement at this public hearing without any further published notice.

HOW TO CONTACT: Any person may appear at the public hearing and be heard, subject to proper rules of conduct. You are allowed sufficient time to write or appear at the public hearing to voice your objections or approval. Written comments filed with the Director will be entered into the record. Please reference the case number above within your correspondence and mail to: Department of Community Development, Planning Division, P.O. Box 150027, Cape Coral, FL 33915-0027. The hearings may be continued from time to time as necessary.

ADA PROVISIONS: In accordance with the Americans With Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the Human Resources Department whose office is located at Cape Coral City Hall, 1015 Cultural Park Boulevard, Cape Coral, Florida; telephone 1-239-574-0530 for assistance; if hearing impaired, telephone the Florida Relay Service Numbers, 1-800-955-8771 (TDD) or 1-800-955-8770 (v) for assistance.

APPEALS: If a person decides to appeal any decision made by the Hearing Examiner with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that,

for such purpose, he or she 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 to be based.



Please contact us with changes or cancellations as soon as possible, otherwise no further action needed.

TOLL-FREE
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239-335-0258

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FNPLegals@gannett.com

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CAPE CORAL FL 33990
USA

Net Amt: \$389.45

Run Times: 1

No. of Affidavits: 1

Run Dates: 10/06/18

Text of Ad:

NOTICE OF PUBLIC HEARING

CASE NUMBER: ZA18-0007

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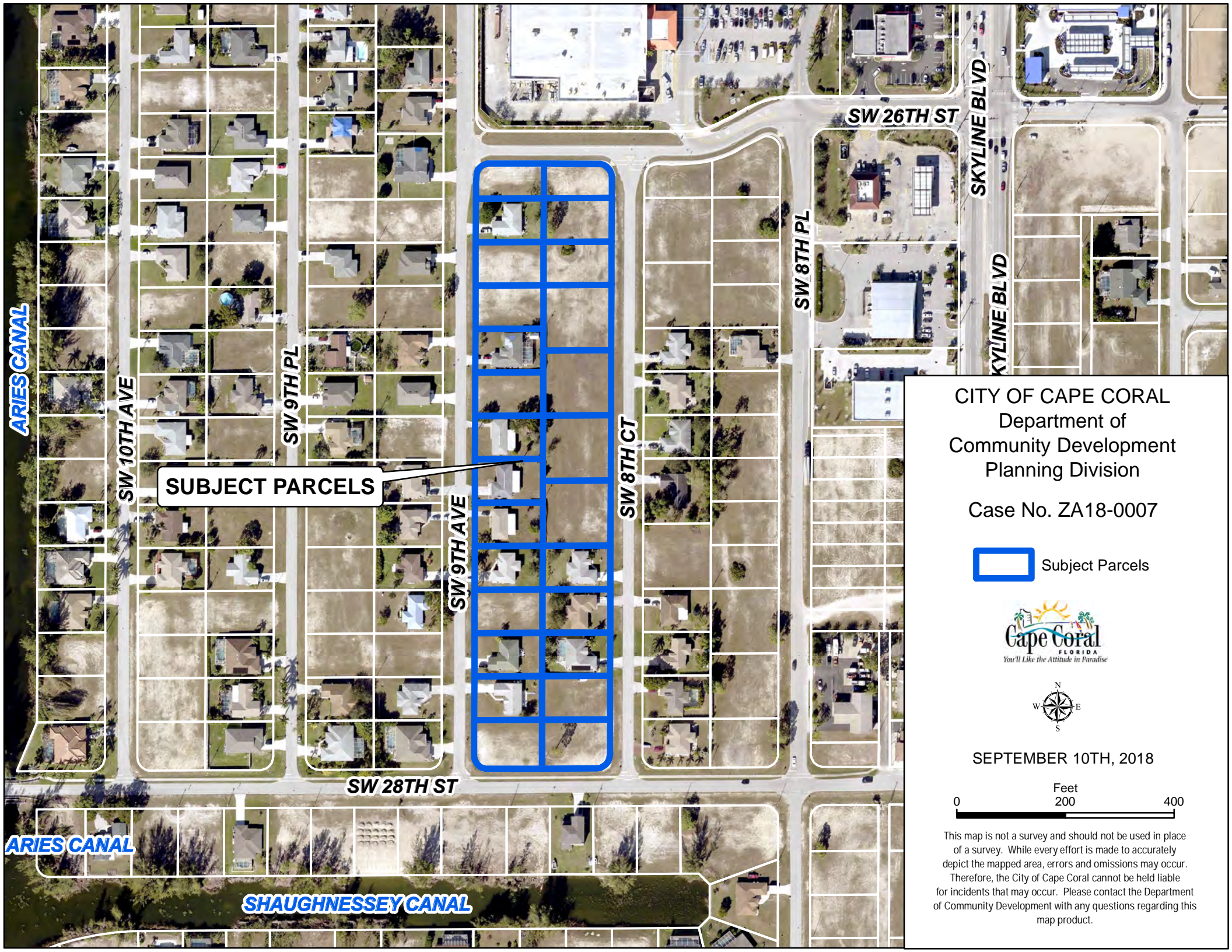
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by order of
Rebecca van Deutekom, MMC
City Clerk
REF # ZA18-0007
AD# 3191448 Oct. 6, 2018



CITY OF CAPE CORAL
Department of
Community Development
Planning Division

Case No. ZA18-0007

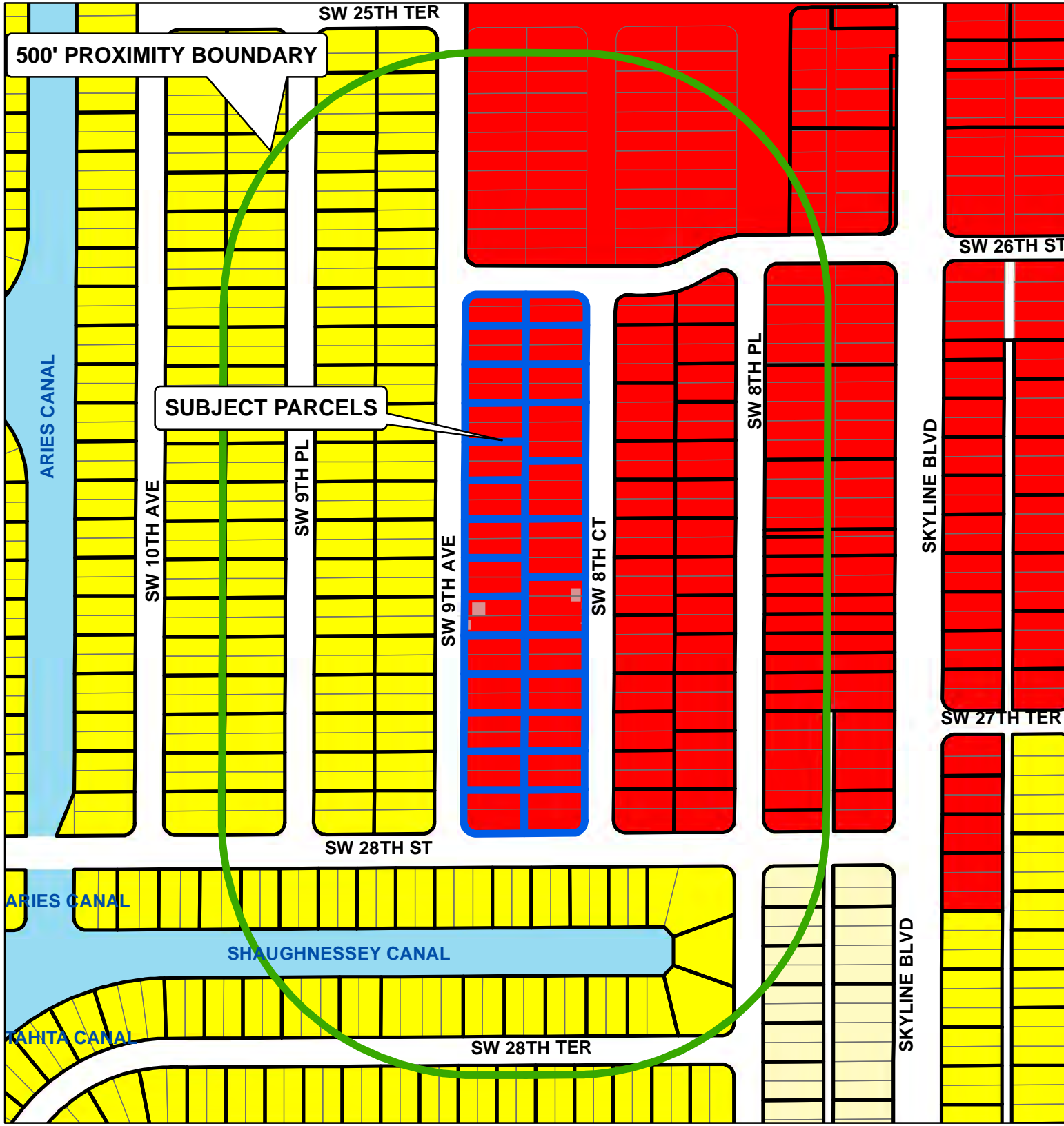
 Subject Parcels



SEPTEMBER 10TH, 2018



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 occur. Please contact the Department of Community Development with any questions regarding this map product.





CITY OF CAPE CORAL
Department of
Community Development
Planning Division

CURRENT ZONING MAP
500' Proximity Buffer

Case No. ZA18-0007

LEGEND

 500' Proximity Boundary

 Subject Parcels

Zoning

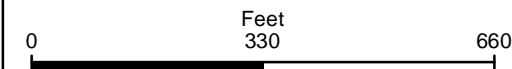
 C-1

 R-1B

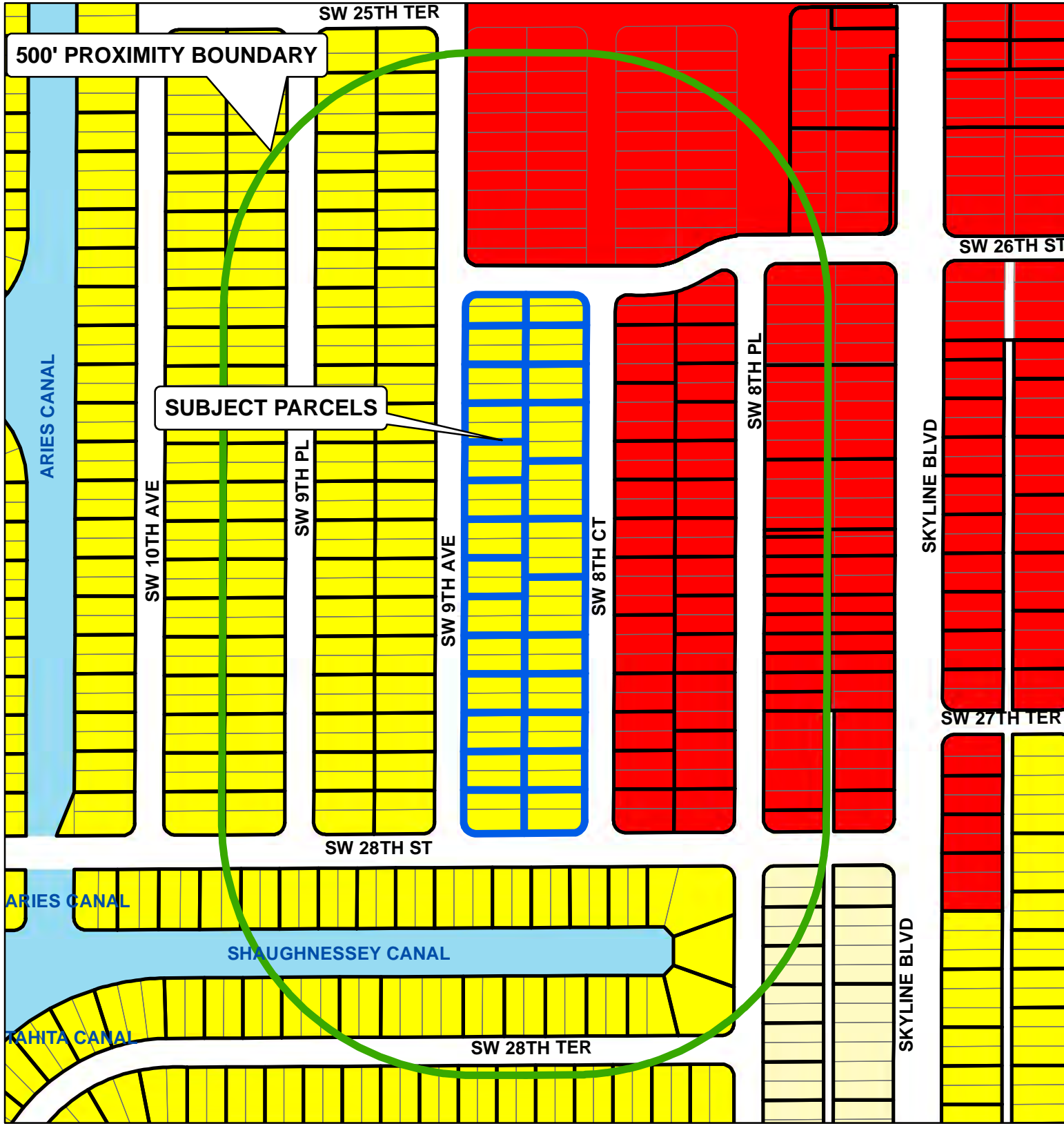
 RD



SEPTEMBER 10TH, 2018



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CITY OF CAPE CORAL
Department of
Community Development
Planning Division

PROPOSED ZONING MAP
500' Proximity Buffer

Case No. ZA18-0007

LEGEND

 500' Proximity Boundary

 Subject Parcels

Zoning

 C-1

 R-1B

 RD



SEPTEMBER 10TH, 2018





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CITY OF CAPE CORAL
Department of
Community Development
Planning Division




CURRENT FUTURE
LAND USE MAP
500' Proximity Boundary

Case No. ZA18-0007

LEGEND

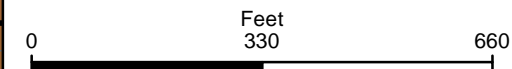
-  Subject Parcels
-  500' Proximity Boundary

Future Land Use

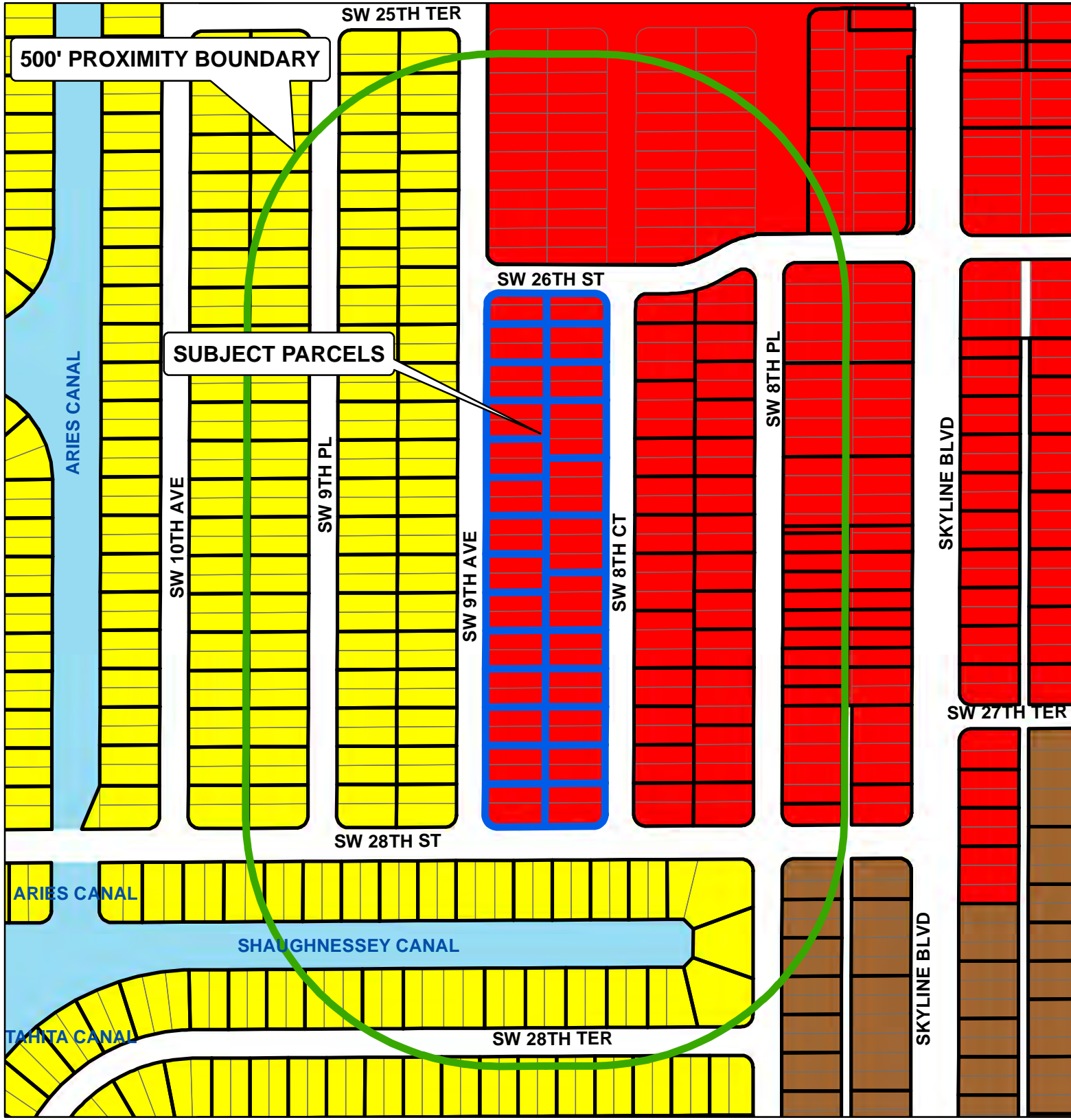
-  SF
-  MF
-  CP



SEPTEMBER 10TH, 2018



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Owner_Name	Mailing_Ad	Mailing_Ci	Mailing_Zi
2311803 ONTARIO INC	161 PEEL ST	BARRIE	ON L4M 3L7 CA
CAMIRE R + MARTHE	581 MAHEUX ST	THETFORD MINES	QC G6H 1S7 CA
MARENTETTE RONALD R	778 ASSUMPTION ST	WINDSOR	ON N9A 3B6 CA
PB&A MANAGEMENT AND			
DEVELOPMENT 2 INC	116 CHEPSTOW CLOSE	LONDON	ON N6G 3S2 CA
JOURDAIN SERGE + JOURDAIN MARC-			
FABIAN J/T	32 ALLE JACQUES THIBAUD	26000 VALENCE	FRANCE
BUECHERL HEINRICH	MUGLHOF 19	92637 WEIDEN I D OPF	GERMANY
DEJA GUENTER + SABINE	WEINBERG STR 25	74918 ANGELBACHTAL	GERMANY
HIMMELSPACH RALPH +			
HIMMELSPACH MONICA T/C	AM SONNENBERG 15	SEELBACH 77960	GERMANY
RICKERMANN ERNST	KIRCHSTRASSE 6	49774 LAEHDEN	GERMANY
HERNANDEZ J A + DOLORES	PO BOX 190	SAN PEDRO SULA	HONDURAS
LARSSON ROBIN	PO BOX 24852	NAIROBI	KENYA
CUARE LLC	CALLE GUADARRAMA 22 PORTAL 1D	MADRID	28670 SPAIN
RAMDASS RAMNARINE + JEAN TARA	4 GASTON ST	CHAGUANAS LANGE PARK	TRINIDAD A
2018-3 IH BORROWER LP	1717 MAIN ST STE 2000	DALLAS	TX 75201
ABC FINANCIAL TRUST INC	4406 DEL PRADO BLVD S	CAPE CORAL	FL 33904
AMBER US INVESTMENTS LLC	2709 SW 28TH AVE	CAPE CORAL	FL 33914
AMERICAN ESTATE + TRUST	6900 WESTCLIFF DR STE 603	LAS VEGAS	NV 89145
ANDREW R ADAM + AMANDA	840 SW 28TH TER	CAPE CORAL	FL 33914
APITZSCH RUTH	217 LAKEVIEW ST	SAINT CLAIRSVILLE	OH 43950
ARROW RE SUB 1 LLC	6358 OLD MAHOGANY CT	NAPLES	FL 34109
ASKEW NICOLE L	2632 SW 9TH PL	CAPE CORAL	FL 33914
AVENDANO GOMEZ DORIS P	2542 SW 9TH AVE	CAPE CORAL	FL 33914
BANK OF AMERICA NA	101 N TRYON ST	CHARLOTTE	NC 28255
BOSTER BRET A	PO BOX 10	TOWNSEND	MT 59644
BUSCH DONALD L + THERESA J	6334 WATERFORD RD	MADISON	WI 53719
CAHILL WILLIAM A III TR + CAHILL			
LINDA A TR FOR 2719 SW 9TH PL			
LAND TRUST	1707 SW 6TH AVE	CAPE CORAL	FL 33991
CAJUN HOMES LLC	226 SW 41ST TER	CAPE CORAL	FL 33914
CAMILO VINCENT + AIDA M	924 NE 36TH AVE	HOMESTEAD	FL 33033
CAPE CORAL POOH LLC	101 W 55TH ST	NEW YORK	NY 10019
CASTELFORTE MARIE E	2601 SW 9TH PL	CAPE CORAL	FL 33914
CATOMER JOSEPH J & CATOMER			
SAMANTHA K	2541 SW 9TH PL	CAPE CORAL	FL 33914
CAVANAUGH CYNTHIA A	2706 SW 8TH CT	CAPE CORAL	FL 33914
CERBERUS SFR HOLDINGS II LP	1850 PARKWAY PL STE 900	MARIETTA	GA 30067
COMMONWEALTH FOUNDATION			
FOR CA	800 CANAL ST STE 1900	RICHMOND	VA 23219
D R HORTON INC	10541 BEN C PRATT	FORT MYERS	FL 33966
DALASKEY DAVID B + TRACY	824 SW 28TH TER	CAPE CORAL	FL 33914
DARBIE LLC	7700 MILESTRIP RD	ORCHARD PARK	NY 14127
DUNCAN WM + ISABELLA	7588 LIME LN	PARMA	OH 44129
EASY STREET PROPERTY INVESTORS	319 VANND R STS E # 112	JACKSON	TN 38305

EQUITY TRUST COMPANY DBA				
STERLING TRUST CUSTODIAN FBO				
KATHERINE DAVIS 401K	15301 RIVER BY ROAD	FORT MYERS	FL	33908
FEDEWA THOMAS R + BARBARA	2723 SW 8TH CT	CAPE CORAL	FL	33914
FISCHER VINCENSA + FISCHER JOSEPH T/C	525 HENRY ST	BROOKLYN	NY	11231
FLICK MARIA ROSA	2629 SW 9TH AVE	CAPE CORAL	FL	33914
GAINES MARK + DEBORAH A	828 SW 28TH TER	CAPE CORAL	FL	33914
GARCIA JOAN JOSNELL &				
GUATARASMA DAVID A	2608 SW 9TH PL	CAPE CORAL	FL	33914
GARGANO GIUSEPPE + ANAHIT	2625 SW 8TH CT	CAPE CORAL	FL	33914
GATTURNA FRANCIS + BETH	2620 SW 8TH PL	CAPE CORAL	FL	33914
GEARY DAVID M + MARTHA M	2633 SW 9TH PL	CAPE CORAL	FL	33914
GOODWIN CONSTRUCTION CORP	2733 OAK RIDGE CT STE 101-102	FORT MYERS	FL	33901
GRASSL PETRA	1941 ACADEMY BLVD	CAPE CORAL	FL	33990
HANCOCK FRANCIS J	2710 SW 8TH CT	CAPE CORAL	FL	33914
HENRY JUANITA	900 SW 28TH TER	CAPE CORAL	FL	33914
HOME DEPOT USA INC	PO BOX 105842	ATLANTA	GA	30348
HOOPES ERNEST R + RACHEL M	832 SW 28TH ST	CAPE CORAL	FL	33914
INA GROUP LLC	6333 APPLES WAY STE 115	LINCOLN	NE	68516
JUMALON PENIEL T + JEANETTE R	2613 SW 9TH PL	CAPE CORAL	FL	33914
KEMP MATTHEW C	2612 SW 9TH AVE	CAPE CORAL	FL	33914
KEMP STEPHEN G + ELLEN K	2621 SW 9TH AVE	CAPE CORAL	FL	33914
KERR FRANK + SANDRA	2714 SW 9TH PL	CAPE CORAL	FL	33914
KIZZIRE TIMOTHY POWELL II + SLAFER				
SUMMER RUTH	2540 SW 9TH PL	CAPE CORAL	FL	33914
KOTLER DAVID M	2722 SW 9TH PL	CAPE CORAL	FL	33914
LADY LU LLC	6358 OLD MAHOGANY CT	NAPLES	FL	34109
LASCELLES KATHLEEN TR FOR				
KATHLEEN LASCELLES TRUST	2330 CHATHAM RD	SPRINGFIELD	IL	62704
LEVENTURES LLC	224 93RD ST	BROOKLYN	NY	11209
LIBRETTO NICHOLAS P TR FOR				
NICHOLAS P LIBRETTO TRUST	1134 NW 2ND PL	CAPE CORAL	FL	33993
LJH INVESTMENTS LLC	2524 LAUREL GLEN DR	LAKELAND	FL	33803
LONEGRAN BRADLEY A & LONEGRAN JOANNE M	22420 CEDAR DR	BETHEL	MN	55005
LONG RUSSEL H JR + PATRICIA A	91 OTIS RD	BARRINGTON	IL	60010
LOPEZ JERRY + MARIBEL	2715 SW 8TH CT	CAPE CORAL	FL	33914
LOPEZ JOSUE ARMANDO DIAZ	2530 SW 9TH AVE	CAPE CORAL	FL	33914
MANZI DOUGLAS J	PO BOX 101349	CAPE CORAL	FL	33910
MATACHANA YISSEL EMILA	2621 SW 9TH PL	CAPE CORAL	FL	33914
MCCRACKEN RANDY + MARLENE J	2609 SW 9TH AV	CAPE CORAL	FL	33914
MITCHELL DIANNIA	2221 SE 15TH ST	CAPE CORAL	FL	33990
MOHRMANN ANDREA	21740 S TAMIAMI TRL STE 112	ESTERO	FL	33928
MORAN DENNIS L + VICKIE L	2710 SW 9TH AV	CAPE CORAL	FL	33914
MPK GATOR PROPERTIES LLC	77 TROY RD	EAST GREENBUSH	NY	12061
MYOTT CAROL	15 PERHAM ST	CHELMSFORD	MA	01824
NASON JENNIFER	2711 SW 8TH CT	CAPE CORAL	FL	33914
NICHOLS MARGARET + ESTURO				
JAMES CARL	2629 SW 9TH PL	CAPE CORAL	FL	33914
NORTHUP SCOTT E	2703 SW 9TH AVE	CAPE CORAL	FL	33914

O NEAL WILLIAM DENNIS TR FOR O				
NEAL FAMILY TRUST	462 WREN AVE	MIAMI SPRINGS	FL	33166
OCONNOR TAMI L	1410 SE 21ST LANE	CAPE CORAL	FL	33990
ODDY JEFFREY A	5819 SW 1ST PL	CAPE CORAL	FL	33914
OREILLY AUTOMOTIVE STORES INC	PO BOX 9167	SPRINGFIELD	MO	65801
ORTA SAMUEL + ORTA MARIA G T/C	15221 SW 172ND ST	MIAMI	FL	33187
ORTIZ PEDRO + JACQUELINE	2604 SW 9TH AVE	CAPE CORAL	FL	33914
PAHOLSKY DANIEL JAMES &				
PAHOLSKY AMANDA LYNN	836 SW 28TH TER	CAPE CORAL	FL	33914
PEASE AMY	1500 PANTIGO LN APT 105	CHESAPEAKE	VA	23320
PERALTA JACQUELINE	4530 BROADWAY APT 3J	NEW YORK	NY	10040
PERSONALIZED HEARING SOLUTIONS				
LLC	2825 SW 35TH ST	CAPE CORAL	FL	33914
PETITTE DAWN & RONALD	2625 SW 9TH PL	CAPE CORAL	FL	33914
PINNEY NELSON M	2703 SW 10TH AVE	CAPE CORAL	FL	33914
RAUSCH ANN	1223 SW 50TH ST	CAPE CORAL	FL	33914
REALTY INCOME PROPERTIES 29 LL	PO BOX 1017	CHARLOTTE	NC	28201
REYES AMMY RAFAELA & REYES				
DANIEL RICARDO	2710 SW 9TH PL	CAPE CORAL	FL	33914
RINDL DIANNA M TR + RINDL				
MANFRED TR FOR DIANNA M RINDL				
TRUST	PO BOX 72	PERRYVILLE	MO	63775
RINDL MANFRED + DIANNA M TR FOR				
DIANNA M RINDL TRUST	PO BOX 72	PERRYVILLE	MO	63775
RIVERA ERIC + RIVERA ANNISHA T/C	804 ZANA DR	FORT MYERS	FL	33905
RODRIGUEZ VICTOR HUGO	2605 SW 10TH AVE	CAPE CORAL	FL	33914
SAINEGHI RANDY E & SAINEGHI				
REBECCA S	2600 SW 9TH PL	CAPE CORAL	FL	33914
SANTIAGO DANIEL JOSE & LUIS				
LOURDES B	2715 SW 9TH PL	CAPE CORAL	FL	33914
SANTORO DOMINIC & LINDA	4 CUTTERS RUN	BARRINGTON	IL	60010
SASH THOMAS W	18110 LONGWATER RUN DR	TAMPA	FL	33647
SCHIFF EDWARD	2821 SW 51ST ST	CAPE CORAL	FL	33914
SFR 2012-1 FLORIDA LLC	1775 HANCOCK ST STE 200	SAN DIEGO	CA	92110
SHEEHAN BRIAN G	4658 158TH ST	FLUSHING	NY	11358
SHELTON TIMOTHY A & KAREN J	1101 MCCRORY ST	PUNTA GORDA	FL	33951
SHIPLEY ADAM	2723 SW 9TH PL	CAPE CORAL	FL	33914
SMITH JANAN L	2629 SW 8TH CT	CAPE CORAL	FL	33914
SODERLUND PROPERTY LLC	5305 MALAUKA CT	CAPE CORAL	FL	33904
SORCE PASQUALE A + PATRICIA R	904 SW 28TH TER	CAPE CORAL	FL	33914
SPRUCE DOROTHY B	2612 SW 9TH PL	CAPE CORAL	FL	33914
STEELE DOROTHY J	144 SW 38TH TER	CAPE CORAL	FL	33914
SULLICO II LLC	15946 DOUBLE EAGLE DR	MORRISON	CO	80465
TAYLOR NORMAN I JR + MICHELLE	2537 SW 9TH PL	CAPE CORAL	FL	33914
TICICH CHRISTOPHER & ANGELA	2536 SW 9TH PL	CAPE CORAL	FL	33914
VANISKA JAMES	2608 SW 9TH AVE	CAPE CORAL	FL	33914
VOGTLAND H DIETER TR FOR H				
DIETER VOGTLAND TRUST	4400 GULF PINES DR	SANIBEL	FL	33957
WALDRON GERARD + JEANMARIE	2608 MALAITA CT	CAPE CORAL	FL	33991

WALKER SALLY	12 HIGH ST	MORGANVILLE	NJ	07751
WALSH MAUREEN TR FOR FRANCIS L MCVEY + MAUREEN H WALSH TRUST	2621 SW 10TH AVE	CAPE CORAL	FL	33914
WEAVER ANGIE Z TR + WEAVER DONALD J TR FOR ANGIE Z WEAVER TRUST	1725 SW 51ST ST	CAPE CORAL	FL	33914
WHEELER LISA	PO BOX 61265	FORT MYERS	FL	33906
WHEELER PATRICK	2718 SW 9TH AVE	CAPE CORAL	FL	33914
WITT DAVID C + SUSAN	2609 SW 10TH AVE	CAPE CORAL	FL	33914
YAPELLO JOSEPH NICHOLAS & BRALEY-YAPELLO BONNIE SUSAN	2617 SW 10TH AVE	CAPE CORAL	FL	33914
YEBERNETSKY LISA	6 CHERRYWOOD DR	DU BOIS	PA	15801
ZESKE THOMAS F	10569 BRANDY LN	ABINGDON	VA	24210

Item Number:	3.A.
Meeting Date:	10/16/2018
Item Type:	DATE AND TIME OF NEXT MEETING

**AGENDA REQUEST
FORM**
CITY OF CAPE CORAL



TITLE:

Tuesday, November 6, 2018, at 9:00 a.m., in Council Chambers

REQUESTED ACTION:

STRATEGIC PLAN INFO:

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

Planning & Zoning Recommendations:

SUMMARY EXPLANATION AND BACKGROUND:

WHAT THE ORDINANCE ACCOMPLISHES:

LEGAL REVIEW:

EXHIBITS:

PREPARED BY:

Division- Department-

SOURCE OF ADDITIONAL INFORMATION: