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January 19, 2012

ROBERT D. HUTCHERSON, AICP
ROBERT HUTCHERSON PLANNING SER
1712 SE 8TH TERRACE
CAPE CORAL, FL 33990

Re: THE KINSEY INN
DCI2011-00048 - PDS Application (Minor PD)

Dear ROBERT D. HUTCHERSON, AICP :

The Zoning Division has reviewed the information provided for the above zoning application. The Land Development Code requires additional information for the application to be sufficient. Please respond to each requirement not satisfied on the attached sufficiency checklists. For your assistance, we have enclosed any additional memoranda from the various Lee County reviewing agencies.

If you do not provide the requested supplements or corrections within 60 calendar days of this letter, the Code requires that this application be considered withdrawn. Please feel free to contact me or the staff reviewers if you have any questions.

Sincerely,

DEPARTMENT OF COMMUNITY DEVELOPMENT
Zoning Division

Nettie M Richardson
Principal Planner

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cc: Pamela Houck, Division Director
Paul O'Connor, Planning
Susie Derheimer, Environmental Sciences
Sam Lee, Natural Resources
Robert Price, TIS Reviewer
Jamie Prancing, DCD Administration
Michael D Jacob, Assistant County Attorney
Becky Penfield, Development Review
DCI Zoning File
DCI Working File

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LC Public Hearing for Zoning Action Checklist (Ord. 09-23)

27) Captiva Planning Community. If the proposed development is located within the Captiva Planning Community, a meeting is required with the community and a copy of the Captiva Planning Community Meeting Summary Document must be submitted {see LC Public Hearing Application Form, Part 4.H}. [Lee Plan Policy 13.1.7]

Provide a summary of the Captiva community meeting, indicating the names of the attendees, the issues discussed and how if any of the issues will be solved.

35) Contact. The Zoning Planner may be contacted regarding any questions on the LC Public Hearing for Zoning Action Checklist.

Contact Nettie Richardson at 533-8786.

**LC Public Hearing for Planned Development
Application-Supplement D Checklist (Ord 09-23)**

10I) Narrative Compliance Statements. Narrative explanations as to how the proposed development complies with several elements must be submitted {see Items #10I1, #10I2, & 10I3 below}. [34-373(a)(5)]

IN the Lee Plan narrative the following should be corrected:

- on page 1, the 1st paragraph states the property is zoned C-2 which it is not, it is zoned C-1. Please correct.

- on page 12, in the Objective/Policies 105-114 paragraph, a statement is made that the development is not located seaward of the 1991 CCCL, however, GIS shows that it is seaward of the 1991 CCCL. Please correct and provide the status of permitting with the State, if any.

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11) Master Concept Plan, Non-PRFPD . A graphic illustration (Master Concept Plan) of the proposed development, clearly legible depicting the correct scale for the drawing showing and identifying the following information required by LCLDC Section 34-373(a)(6)a. - (a)(6)i. must be submitted in both 24" X 36" size and 11" X 17" size. [34-373(a)(6)]

Clarify if the 20' x 65' (1300 sq. ft) is the total square footage for the entire lodge building (both floors).

The development will provide golf cart parking. Please indicate where the parking will be on the MCP.

Please provide property development regulations.

Please provide the type of COP liquor license at the pool bar.

On the MCP, Note 1 makes reference to a 14 unit inn but the application is for a 17 unit inn. Please correct.

On the MCP, the deviations have typos showing question marks. Please correct.

11a) Easements. The exact location and explanation of all existing easements, whether or not those easements are recorded, must be shown on the Master Concept Plan. If an easement is based upon a recorded document, the official records book reference must be stated. [34-373(a)(6)a.]

Please show the 7.5 foot road easement along the west property line on the MCP.

11m) Deviations. The location of any requested deviations must be shown on the Master Concept Plan, keyed to the schedule of deviations, including drawings demonstrating the effect the requested deviations will have on the site plan. [34-373(a)(6)l.]

In the schedule of deviations, request 2 requests a buffer reduction to 20 inches but the MCP shows a 20 foot buffer. Please clarify.

In the justification for deviation request #2, the following statements need to be corrected:

- the reference to a 60 foot hedge; and
- the reference to the sf home on the adjacent lot being zoned C-2 but it is zoned C-1.

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24) Miscellaneous items.

Comments from Environmental Sciences (ES) staff was not available at this time. Comments from ES staff will be forthcoming shortly.

See attached email from County Attorney's Office dated January 12, 2012.

See attached email from Natural Resources dated January 11, 2012.

25) Contact. The Zoning Planner may be contacted regarding any questions on the LC Public Hearing for Planned Development Application-Supplement D Checklist.

Contact Nettie Richardson at 533-8786.

10a) The boundary survey must identify and depict all easements affecting the subject property, whether recorded or unrecorded, and all other physical encumbrances readily identified by a field inspection. [34-202(a)(2)]

10c) The survey must be tied to the state plane coordinate system for the Florida West Zone (the most current Adjustment is required) with two coordinates, one coordinate being the point of beginning (POB) and the other an opposing corner. The perimeter boundary must be clearly marked with a heavy line and must include the entire area to be developed. [34-202(a)(2)]

Please add State Plane Coordinates to the survey and resubmit two copies.

LC ZTIS PD Application Sufficiency Checklist (Ord 09-23)

10) Miscellaneous items.

No TIS was provided as a part of this application. Either a TIS indicating the project's traffic impacts or an approved waiver from the requirement to submit a TIS must be provided.

11) Contact. The Staff reviewer may be contacted with any questions relative to this LC ZTIS PD Application Sufficiency Checklist.

Please contact Rob Price at RPrice@leegov.com or 239-533-8355 with any questions regarding these comments.

1) Miscellaneous Items.

The Master Concept Plan should be revised to incorporate required facilities for solid waste/recycling storage and pick-up in compliance with LDC Section 10-261 and Ordinance # 08-10.

2) The reviewer may be contacted for additional information regarding this Public Works checklist.

Please contact Mike Pavese at 533-8360 or by email at pavesemp@leegov.com if there are any questions regarding these review comments.

Richardson, Nettie

From: Jacob, Michael
Sent: Thursday, January 12, 2012 10:31 AM
To: Richardson, Nettie
Subject: Kinsey Inn (DCI2011-00048)

Nettie,

I have reviewed the initial submittal date stamped December 22, 2011 for the above referenced case. I offer the following comments:

Survey: The survey is insufficient. Please remove notes 1 and 7. The survey must show all easements recorded or unrecorded. Also, the survey must be based on the Title Certification issued in accordance with 34-202. The survey references a Title Policy. Note 6 must be revised to comply with 34-202.

MCP: The MCP contains several notes that must be removed. Please remove all notes except for the information provide in Note 4.

I have no further comments at this time.

Michael D. Jacob
Assistant County Attorney
Lee County Attorney's Office
(239) 533-2236 (telephone)
(239) 485-2106 (facsimile)
mjacob@leegov.com

"Whatever the consequences, we must accept the plain meaning of plain words." Justice Oliver Wendell Holmes-*United States v. Brown*, 206 U.S. 240, 244 (1907).

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Richardson, Nettie

From: Boutelle, Stephen
Sent: Wednesday, January 11, 2012 8:06 AM
To: Richardson, Nettie
Cc: Lee, Samuel; McBride, Justin
Subject: The Kinsey Inn DCI2011-00048

Nettie,

Reviewing the subject plans, we note that the proposed multi-slip docking facility will need to be reviewed for consistency with the Lee County Manatee Protection Plan. This will require documentation of water depths and seagrass within the dock footprint and ingress/egress pathways, as well as slip numbers and definition of any intense, repetitive commercial uses.

Thank you for the opportunity to comment. I will defer to Sam Lee regarding potential comments on any other Natural Resources Division issues.

Steve Boutelle
Marine Operations Manager
Lee County - Natural Resources Division
1500 Monroe Street
Fort Myers, Florida 33901

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