

**Lee County Board of County Commissioners
Agenda Item Summary**

Blue Sheet No.20020724

1. REQUESTED MOTION:

ACTION REQUESTED: Adopt resolution amending the Cypress Lake Center DRI.

WHY ACTION IS NECESSARY: Florida Statutes, Section 380.06, requires Board approval of all amendments to developments of regional impact.

WHAT ACTION ACCOMPLISHES: Amends the Master Development Plan (Map H) for the Cypress Lake Center DRI through an expedited process in accordance with Florida Statutes, Section 380.06(19)(e)(2), and Land Development Code, Section 34-145(d)(1)c.

2. DEPARTMENTAL CATEGORY:

COMMISSION DISTRICT # A12A

3. MEETING DATE:

09-03-2002

4. AGENDA:

- CONSENT
- ADMINISTRATIVE
- APPEALS
- PUBLIC
- WALK ON
- TIME REQUIRED:

5. REQUIREMENT/PURPOSE:

- (Specify)
- STATUTE 380.06(19)e.2
 - ORDINANCE 34-145(d)1.c.
 - ADMIN. CODE
 - OTHER

6. REQUESTOR OF INFORMATION:

A. COMMISSIONER
 B. DEPARTMENT DCD & County Atty
 C. DIVISION Zoning & Land Use
 BY: Donna Marie Collins
 Assistant County Attorney

7. BACKGROUND:

The Cypress Lake Center DRI was adopted by the Board of County Commissioners in May 1985. Since that time, the development order has been amended five times. The Palm Terrace Company has petitioned to amend the Cypress Lake Center DRI Development Order by revising the Master Development Plan (Map H) to redesignate a .67±-acre vacant parcel from Office Commercial to Retail Commercial. The Lee County Land Development Code, Section 34-145(d)(1)c. states that after staff review and recommendation, amendments to DRI Development Orders contemplated under Florida Statutes, Section 380.06(19)(e)(2) may proceed directly to the Board of County Commissioners and will be scheduled on the Administrative Agenda of a regular weekly meeting. The Board may vote on this amendment based upon the recommendation of staff without review by the Hearing Examiner.

(Continued on Page 2)

8. MANAGEMENT RECOMMENDATIONS:

9. RECOMMENDED APPROVAL:

A Department Director	B Purchasing or Contracts	C Human Resources	D Other	E County Attorney	F Budget Services				G County Manager
N/A	N/A	N/A	N/A	<i>[Signature]</i>	OA	OM	RISK	GC	<i>[Signature]</i>
					8/6/02	8/6/02	8/6/02	8/7/02	

10. COMMISSION ACTION:

- APPROVED
- DENIED
- DEFERRED
- OTHER

RECORDED WITH
ADMIN
 8-6-02 2:00

FORWARDED BY	<u>TD</u>
DATE	<u>8-6-02</u>
TIME	<u>3:15</u>
FORWARDED TO:	<u>BH</u>
DATE	<u>8/7/02</u>

Blue Sheet #: 20020724

Page No.: 2

Subject: Cypress Lake Center DRI Amendment

Staff supports the requested amendment to the DRI Development Order. The change will not create a likelihood of additional regional impact. Accordingly, staff recommends the Board adopt the attached resolution amending Map H of the Cypress Lake Center DRI Development Order.

Attachment: Resolution amending the Master Development Plan (Map H) for the Cypress Lake Center DRI (Sixth Development Order amendment) w/Exhibit

RESOLUTION NO. 02-____

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA, AMENDING THE CYPRESS LAKE CENTER DRI DEVELOPMENT ORDER TO MODIFY THE MASTER PLAN OF DEVELOPMENT (MAP H)

WHEREAS, the Lee County Board of Commissioners adopted a DRI Development Order for the Cypress Lake Center DRI on May 20, 1985 (DRI #7-8384-47); and

WHEREAS, the DRI was subsequently amended on June 8, 1987, November 9, 1987, November 29, 1993, March 29, 1999, and May 12, 2000; and

WHEREAS, the Palm Terrace Company has petitioned to amend the DRI Development Order by revising the Master Development Plan (Map H) to redesignate a .67±-acre parcel from Office to Retail Commercial; and

WHEREAS, the proposed change to Map H does not constitute a substantial deviation and qualifies for expedited processing pursuant to Florida Statutes Section 380.06(19)(e)2 and Land Development Code Section 34-145(d)(1)c.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Lee County, Florida, that:

1. The above stated recitals are incorporated into this resolution by reference.
2. The Master Development Plan for the Cypress Lake Center DRI is hereby amended as reflected in the attached Exhibit A.
3. This resolution constitutes the Sixth Development Order Amendment to the Cypress Lake Center Development of Regional Impact. All other terms and conditions of the development order as previously amended remain unchanged.
4. Certified copies of this resolution will be forwarded to the Southwest Florida Regional Planning Council, the Florida Department of Community Affairs, and other appropriate agencies. This amendment is rendered as of the date of transmittal, but will not be effective until the expiration of the statutory appeals period (45 days from rendition) or until the completion of any appellate proceedings, whichever time is greater. Once effective, Notice of the Adoption of this development order amendment must be recorded as provided for in Chapter 380, Florida Statutes.

The motion to adopt this resolution was offered by Commissioner _____, and seconded by Commissioner _____, and, upon poll of the members

present, the vote was as follows:

Robert P. Janes
Douglas R. St. Cerny
Ray Judah
Andrew W. Coy
John E. Albion

DULY PASSED AND ADOPTED this ____ day of _____ 2002.

ATTEST:
CHARLIE GREEN, CLERK

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

By: _____
Deputy Clerk

By: _____
Robert P. Janes, Chairman

Approved as to form by:

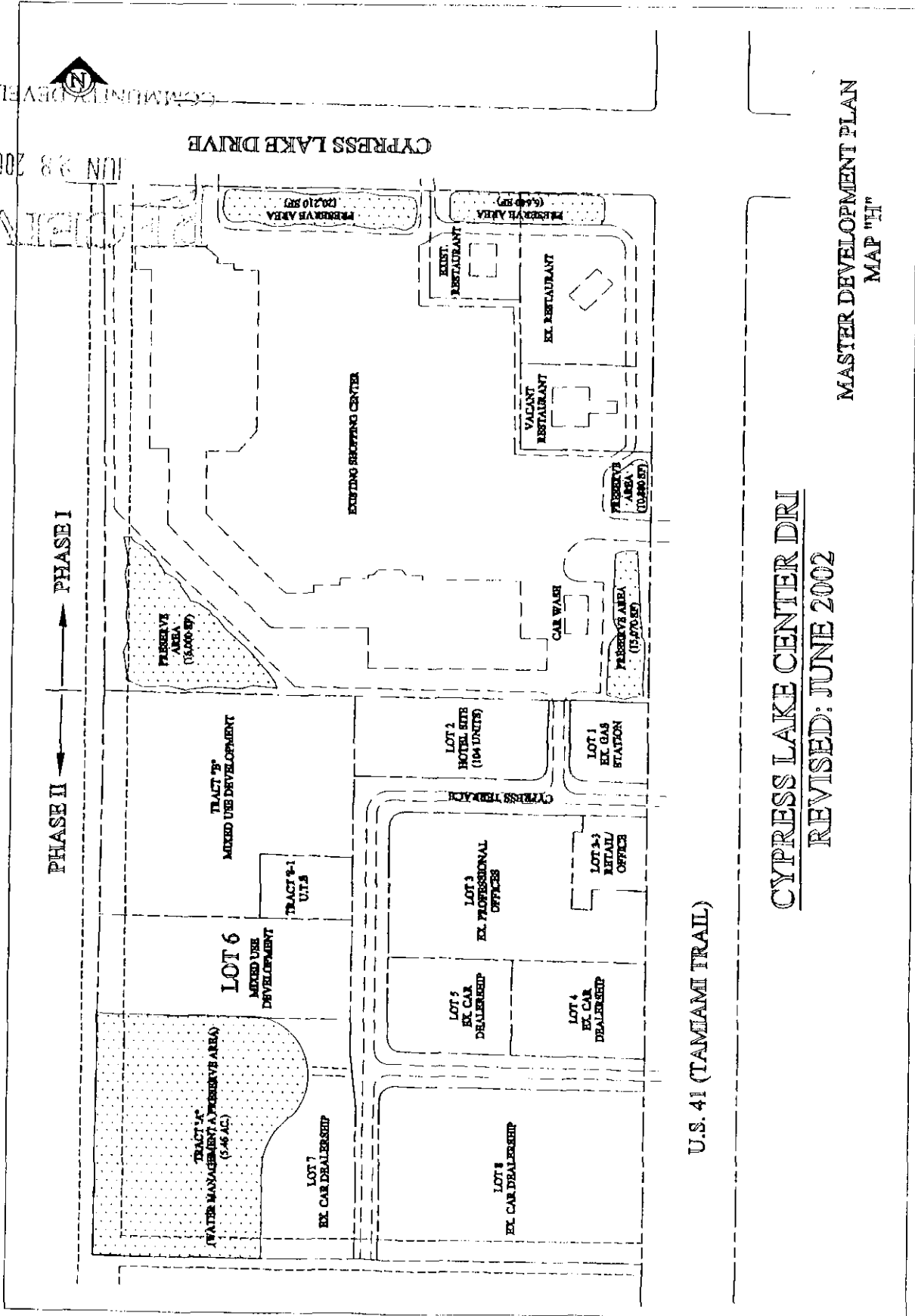
Donna Marie Collins
Assistant County Attorney

Attachment: Master Development Plan (Map H)

COMMUNITY DEVELOPMENT

JUN 28 2002

RECEIVED



U.S. 41 (TAMIAMI TRAIL)

CYPRESS LAKE CENTER DRI
REVISED: JUNE 2002

MASTER DEVELOPMENT PLAN
MAP "H"

DR11999-00019