

HUMPHREY & KNOTT

GEORGE H. KNOTT*†
GEORGE L. CONSOER, JR.**
MARK A. EBELINI
GAREY F. BUTLER
THOMAS B. HART
H. ANDREW SWETT

PROFESSIONAL ASSOCIATION
ATTORNEYS-AT-LAW

1625 HENDRY STREET (33901)
P. O. BOX 2449
FORT MYERS, FLORIDA 33902-2449

TELEPHONE (941) 334-2722

TELECOPIER (941) 334-1446

MRoeder@humphreyandknott.com

MATTHEW D. UHLE
AARON A. HAAK

OF COUNSEL
JAMES T. HUMPHREY

DIRECTOR OF ZONING AND
LAND USE PLANNING
MICHAEL E. ROEDER, AICP

*Board Certified Civil Trial Lawyer
**Board Certified Real Estate Lawyer
†Board Certified Business Litigation Lawyer

August 27, 2001

Director, Division of Commission Clerk &
Administrative Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

Re: Notice of Application for an Extension of Wastewater Service Area by
North Fort Myers Utility

011006-SU

Dear Sir or Madam:

Please be advised that I am a planning consultant retained by the Bayshore Steering Committee to help prepare a community plan for the Bayshore area. The intent of this group is to maintain the rural lifestyle of the Bayshore area, and the draft plan amendment that will be submitted to Lee County in September reflects that intent. In particular, Objective 20.3 of that plan would discourage central sewage service north of Bayshore Road, in order to maintain this rural density. This draft plan was approved at a public meeting on June 6, 2001 attended by more than 400 residents.

We recognize that there is a proposal by U.S. Homes to develop a large golf course community called Heritage Creek along Pritchett Parkway, and this expansion request may be partly in response to that proposal. Since there is a small package treatment plan in that vicinity that could not serve this large project, we would not object to extending service to Heritage Creek if the County Commission should approve that rezoning request. There is also an existing campground in the area that could probably benefit from sewer service. Likewise, there are some higher density developments on the south side of Bayshore Road which could benefit from central sewer service, and we would not object to North Fort Myers Utilities providing service to those areas.

However, we would strongly object to any further expansion of central service in the Bayshore area, beyond those established or planned uses, and many landowners are concerned that they

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will be saddled with assessments and/or mandatory hookups to sewer service they do not want and do not need. We would also be opposed to an expanded franchise area being used as a justification to amend the County Comprehensive Plan to increase allowable densities. We would therefore put the Public Service Commission and North Fort Myers Utility on notice that while some individual projects might benefit from central sewer service in the Bayshore area, we do not see the need nor would we support a generalized expansion of the franchise area beyond these identifiable land uses.

Thank you very much for your attention to this matter.

Very truly yours,

HUMPHREY & KNOTT, P.A.

A handwritten signature in black ink, appearing to read "Mike Roeder". The signature is written in a cursive, somewhat stylized font.

Michael E. Roeder, Director of Planning

MER:ma

cc: Martin S. Friedman, Esq.
Mr. Rick Diaz

BAYSHORE COMMUNITY PLAN
FOURTH DRAFT - June 8, 2001

GOAL 20: BAYSHORE COMMUNITY

To protect the existing rural, agricultural and equestrian-oriented character of the community by maintaining low residential densities and minimal commercial activities, while excluding incompatible uses, such as mining, that are destructive to the character of this rural residential environment. For the purposes of this goal and related objectives and policies, the boundaries of the Bayshore Community will be I-75 on the west, SR 31 on the east, the Caloosahatchee River on the south and the Charlotte County line on the north.

OBJECTIVE 20.1: LAND USE

The existing land use designations of the Lee Plan (as of September 30, 2001) are appropriate to achieving the goal of the Bayshore Plan. No land use map amendments to a more intensive category will be permitted after the adoption of this amendment, unless a finding of overriding public necessity is made by three members of the Board of County Commissioners.

POLICY 20.1.1: Retail commercial activity shall be limited to the Interstate Interchange designation at Bayshore and I-75, plus minor commercial uses at the intersections of Nalle Road and Bayshore, SR 31 and Bayshore, and SR 31 and Old Bayshore. Non-retail commercial uses are permitted elsewhere consistent with the Lee Plan and the Land Development Code.

POLICY 20.1.2: No new industrial activities or industrial rezonings are permitted.

OBJECTIVE 20.2: TRANSPORTATION

To protect and maintain the rural character of the Bayshore Community, no new arterial or collector roads will be constructed nor existing arterial or collector roads widened or extended, with the exception of the widening of Bayshore Road in the future. Public transportation expenditures shall be limited to routine maintenance and bike paths and/or bridle paths. New local roads may be constructed with private funds or municipal service taxing or benefit units.

OBJECTIVE 20.3: SEWER AND WATER

Given the desire to maintain a low residential density, central sewage service is not economically feasible and should be discouraged north of Bayshore Road. Central water service for enhanced fire protection will be encouraged where economically feasible.

OBJECTIVE 20.4: PARKS AND RECREATION

The County will explore, with the support of the residents of Bayshore, the feasibility of establishing an equestrian park as the primary recreation facility for this community.