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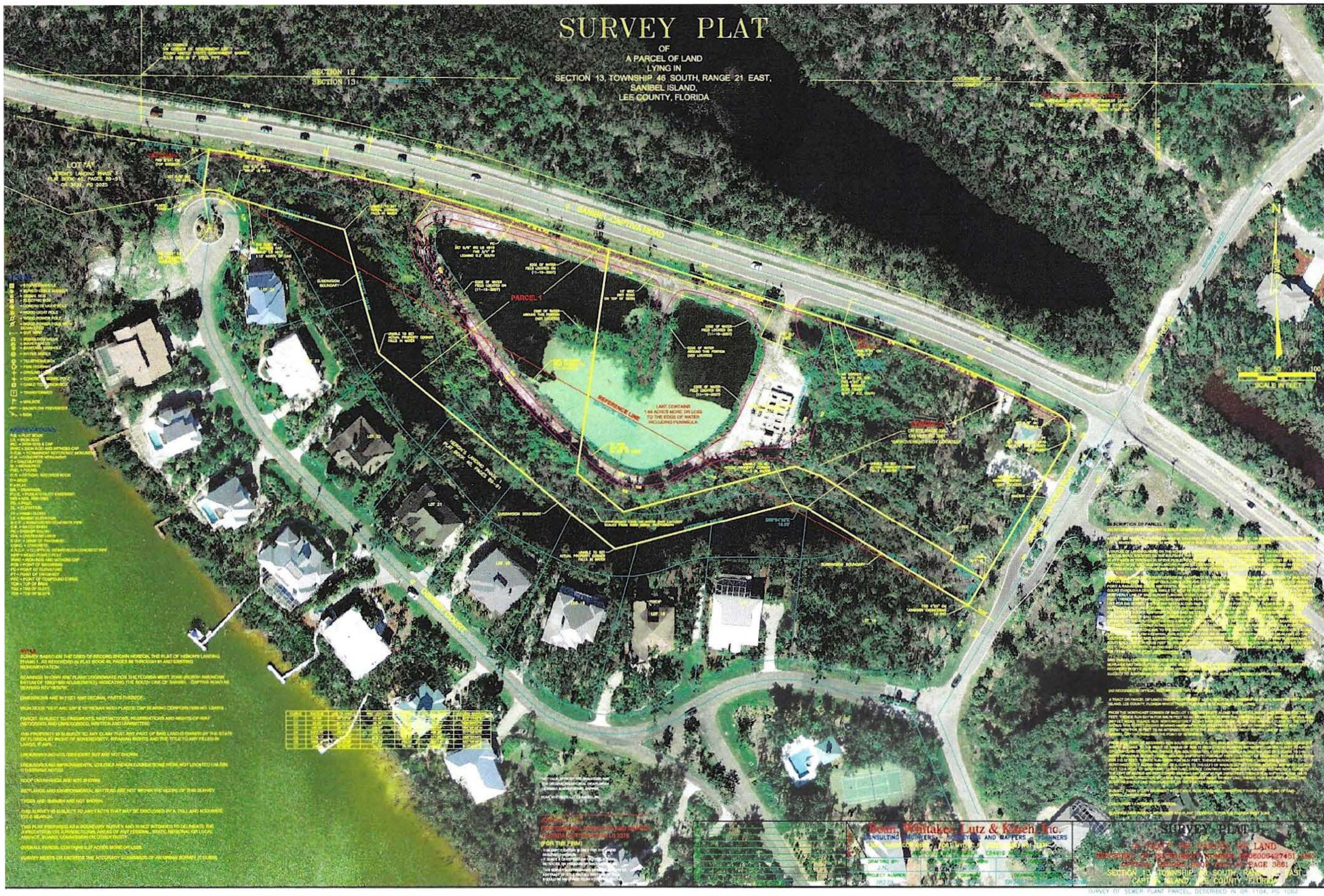
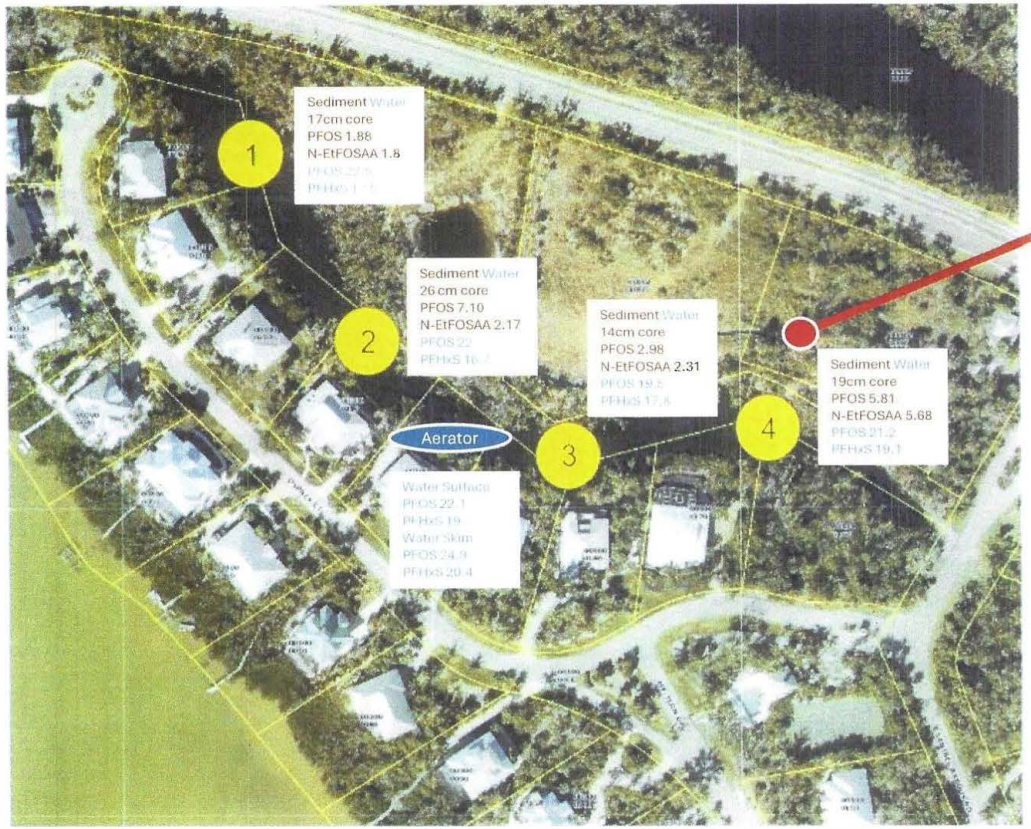
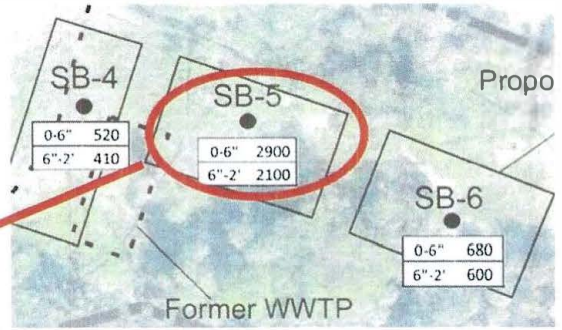

SURVEY PLAT
OF
A PARCEL OF LAND
LYING IN
SECTION 13, TOWNSHIP 46 SOUTH, RANGE 21 EAST,
SANIBEL ISLAND,
LEE COUNTY, FLORIDA
SECTION 12
SECTION 13
LOT "A"
PARCEL 1
REFERENCE LINE
SCALE IN FEET
Bean, Whitaker, Lutz & Kareh, Inc.
SURVEY PLAT
SECTION 13, TOWNSHIP 46 SOUTH, RANGE 21 EAST
SURVEY OF SEWER PLANT PARCEL, DESCRIBED IN OR 1104, PG 1062



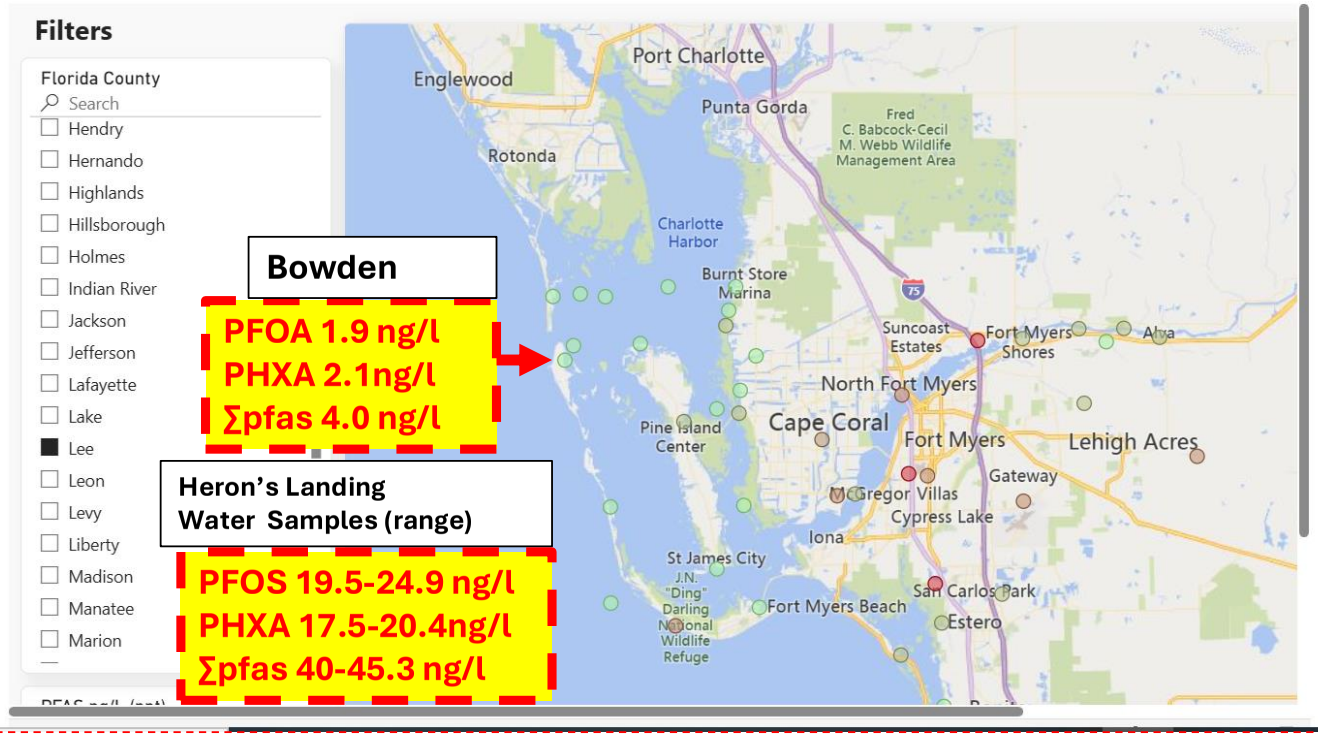
PFAS Sampling (July 17, 2024), EPA 1633 – Aqueous & Solid (units ng/l)



"Startling" Phosphorus 2900-2100 mg/kg (June 15, 2023)

Photograph Heron's Landing Lake (June 28, 2023)

https://www.bowdenlaboratory.com/florida-surface-water.html



https://www.bowdenlaboratory.com/florida-surface-water.html

Table 3. PFAS Concentration (ng/L) by Florida County[a]

Florida county	no of samples	max ΣPFAS (ng/L)	mean ΣPFAS (ng/L)	standard deviation ΣPFAS (ng/L)	median ΣPFAS (ng/L)	no. unique PFAS[b]	Florida county	no of samples	max ΣPFAS (ng/L)	mean ΣPFAS (ng/L)	standard deviation ΣPFAS (ng/L)	median ΣPFAS (ng/L)	no. unique PFAS[b]
Alachua	80	411	56	74	49	19	Lee	50	141	32	29	22	21
Baker	10	NA	NA	NA	NA	4	Leon	21	42	10	11	5	14
Bay	41	279	16	49	4	15	Levy	16	NA	NA	NA	NA	4
Bradford	4	32	20	10	20	8	Liberty	3	19	11	8	11	9
Brevard	88	239	50	41	51	17	Madison	5	9	5	5	5	9
Broward	63	3048	71	385	16	19	Manatee	43	101	21	24	10	12
Calhoun	6	15	6	6	2	9	Marion	29	40	12	11	11	14
Charlotte	49	152	15	23	9	12	Martin	41	25	8	6	5	8
Citrus	35	15	15	15	15	4	Miami-Dade	104	86	24	21	18	17
Clay	18	141	46	43	29	14	Monroe	95	226	15	29	8	23
Collier	98	88	14	18	6	15	Nassau	42	90	16	22	4	15
Columbia	14	170	26	45	13	16	Okaloosa	49	185	31	42	12	18
DeSoto	8	29	22	7	22	9	Okeechobee	12	21	12	4	14	6

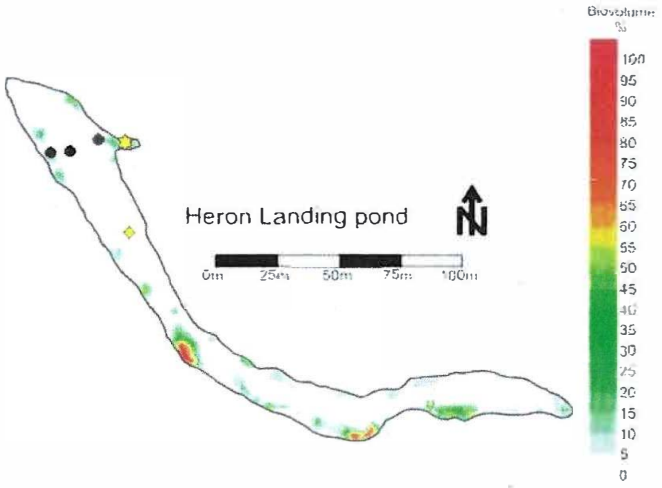


Figure 27: SAV cover in Heron Landing pond

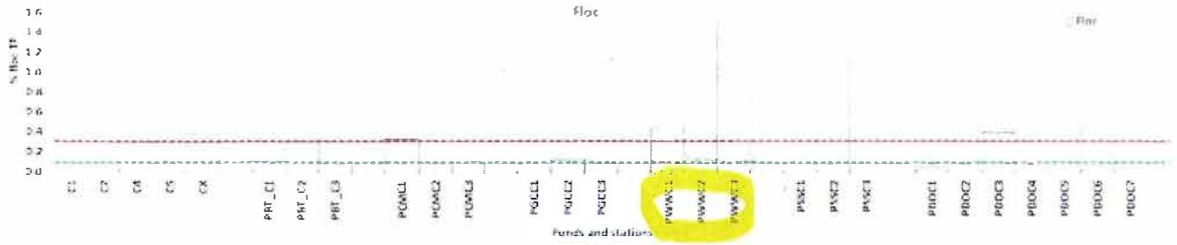


Figure 28: TP content in the floc (2% TP equates to 20,000ug/g). The red dotted line refers to the average TP content in the floc of golf course ponds in Pelican Landing development. The green dotted line refers to the most pristine ponds (abutting a Preserve) in the same development.

v. Heron landing pond

The water column is being destratified in Heron Landing pond since the temperature curve represents mixing occurring between the epi and hypolimnion. DO are alarming low and typical of anoxia. pH is typical of brackish and saline water which agrees with the specific conductance. Specific conductance is also lower on the surface than in deeper water and shows a weak halo/pycnocline which is being destroyed. ORP is very negative showing a very reducing environment in par with the anoxia observed. Water clarity is very poor as PAR profiles prove very challenging as light would attenuate too quickly. Particulates other than phytoplankton and likely heterotrophic bacteria and other particulates attenuate light in the water column

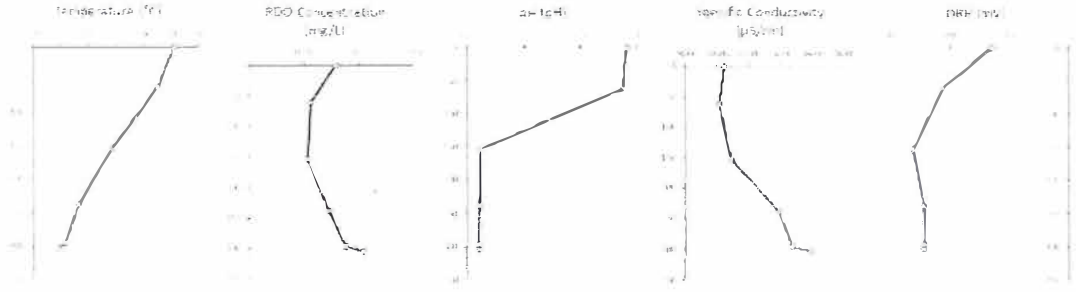


Figure 29: (from left to right) Water column profiles of temperature, DO, pH, specific conductance and ORP in Heron Landing pond

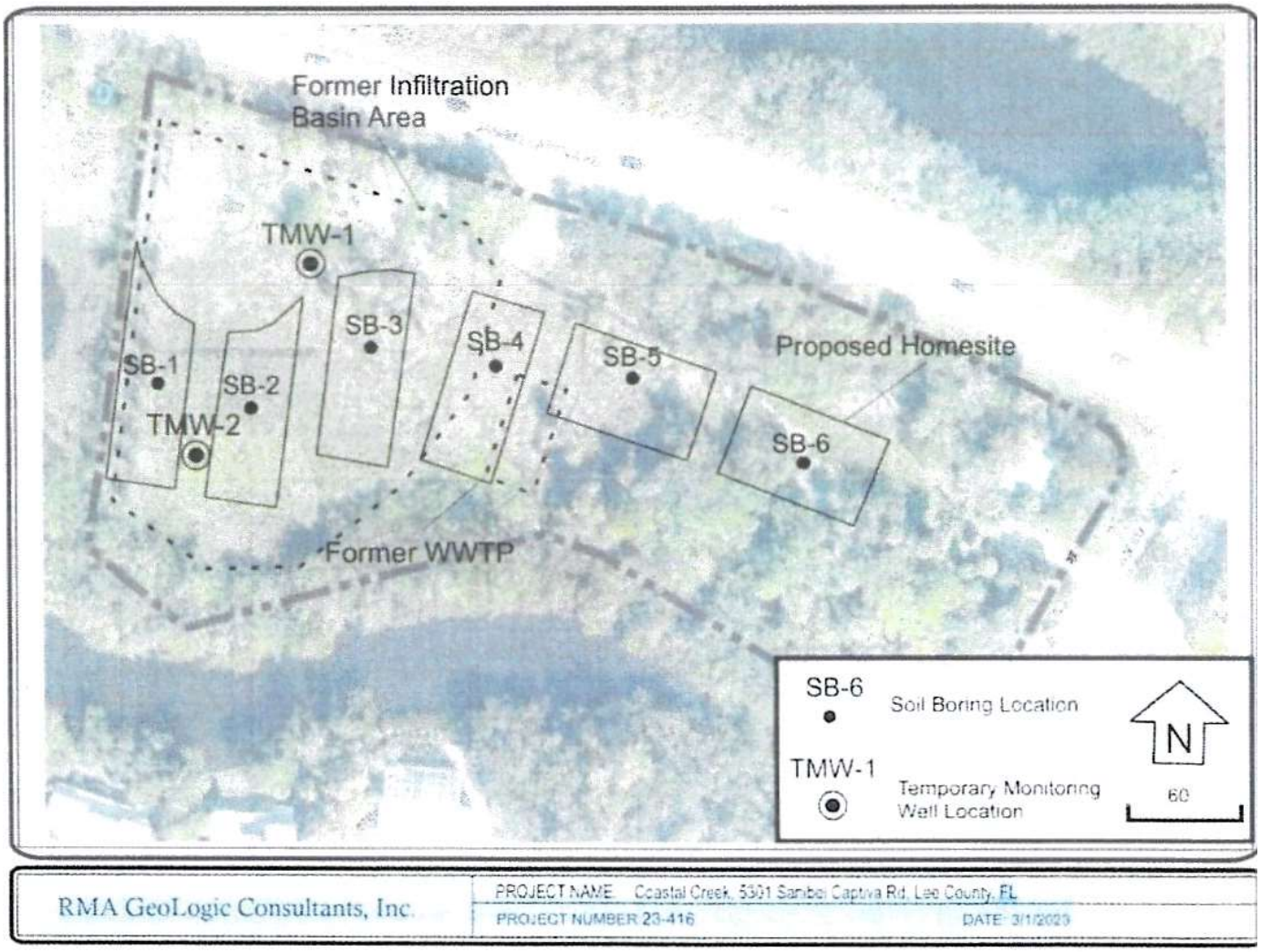
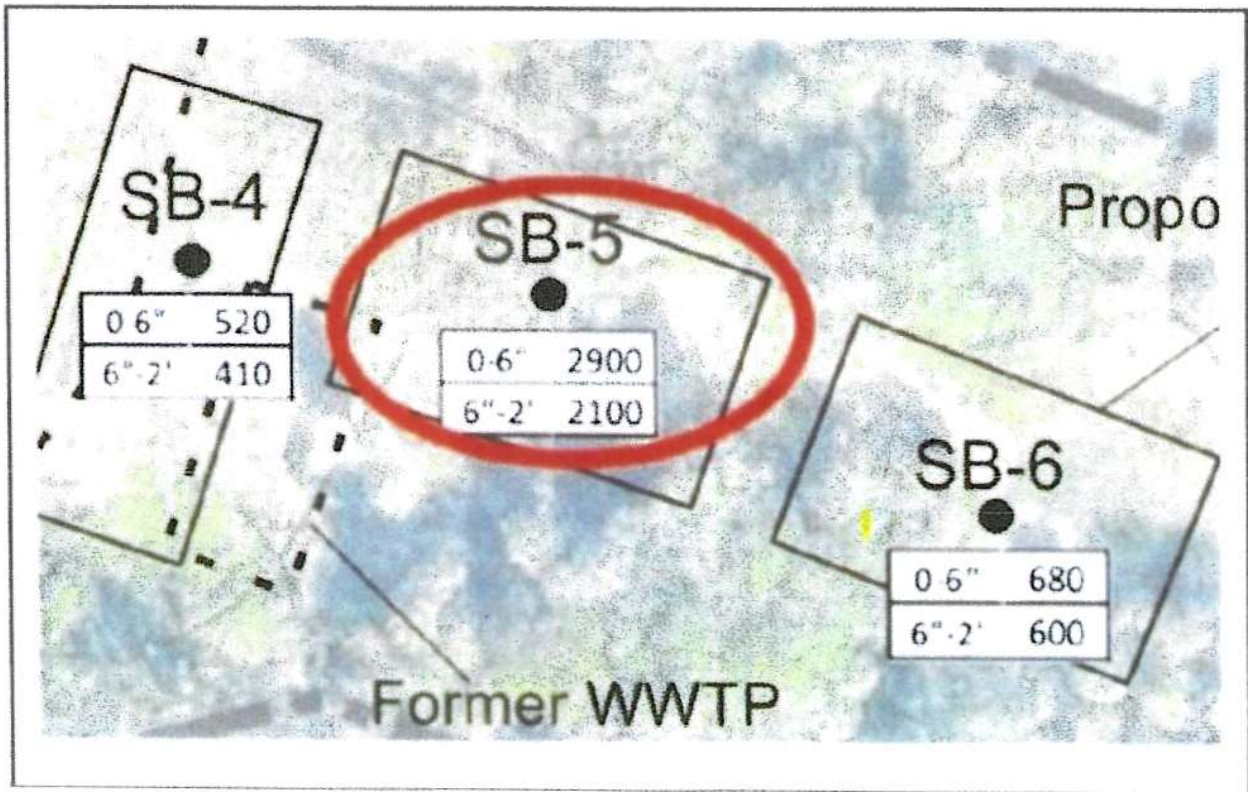


FIGURE 1 - Site Map Showing Former WWTP & Infiltration Basin, Future Homesites, and Soil and Groundwater Sample Locations



For canal reporting on Sanibel Island, please visit Sanibel Clean Canals

2023 Ranking of Concern

2

out of 23

Water Quality Grade 2023

F

View All Rankings

Heron's Landing

26.47001, -82.15974

Share on Facebook | Share on Twitter

Report Algae Blooms/Fish Kills

Have you implemented some best management practices here?

Let us know!

Data Summary

Nutrients	2018	2020	2022	2023
IN	0.028	0.409	0.112	0.86
TN	3.42	2.51	11.1	2.88
OP	2.97	1.845	0.622	0.49
TP	3.02	1.89	0.75	0.48
Chl-*a*	14.5	91	36.35	199.5
TSI	99.6	98.2	93.4	88
Salinity	14.5	18.5	9.55	26.1
DO	2.8	2.4	3.35	3.4

For canal reporting on Sanibel Island, please visit Sanibel Clean Canals

concerned) to 84 (least concerned) .

Recommendations

Alerts 0 new

Activity Tracker

Aeration

Aeration prevents stratification, the separation of the water column into distinct layers, of dissolved oxygen. (continue reading)

Floating Treatment Wetlands (FTWs)

A FTW is essentially a floating mat upon which plants grown hydroponically uptake excess nutrients via there root system. (continue reading)

Lake-Friendly Landscaping/Gardening

Properly planned landscapes and gardens can greatly reduce impacts to water quality (continue reading)

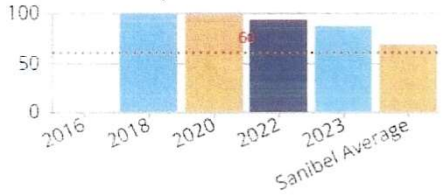
Mechanical Removal of Algae and Aquatic Pest Plants

Runoff Control

Homeowners should implement features that have the ability to deflect or slow roof and pavement runoff. (continue reading)

• • • • • = State Criteria: measurements above this line suggest impairment to the waterbody

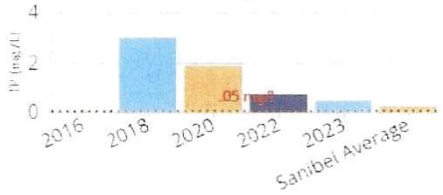
Trophic State Index



Total Nitrogen

Chlorophyll a

Total Phosphorus



Historical Data

Rankings

2023 Ranking: 2

2016 Ranking: NR

Water Quality Grade

2023 Grade: F

2022 Grade: F

2020 Grade: F

2018 Grade: F

2016 Grade: NR

Most Impaired - Top 5

1. Sanibel Island Golf Course: Reclaimed Water Pond
2. Pond Apple Park: Shipley Trail
3. Sanibel Bayous: Buck Key Road
4. Pond Apple Park: Reuse Pond
5. Heron's Landing

Least Impaired - Top 5

84. Sanibel Lake Estates
83. Beach Road Villas
82. Twin Ponds (or Rancho Way)
81. Periwinkle Place
80. Pondiana Circle

NEWS & VIEWS

Potentially dangerous levels of ‘forever chemicals’ found across Tampa Bay region

Researchers documented levels of PFAS that far exceed the EPA recommendations in Tampa Bay’s water, fish and sediments.

by **Vicki Parsons** and **Bay Soundings**
February 6, 2026

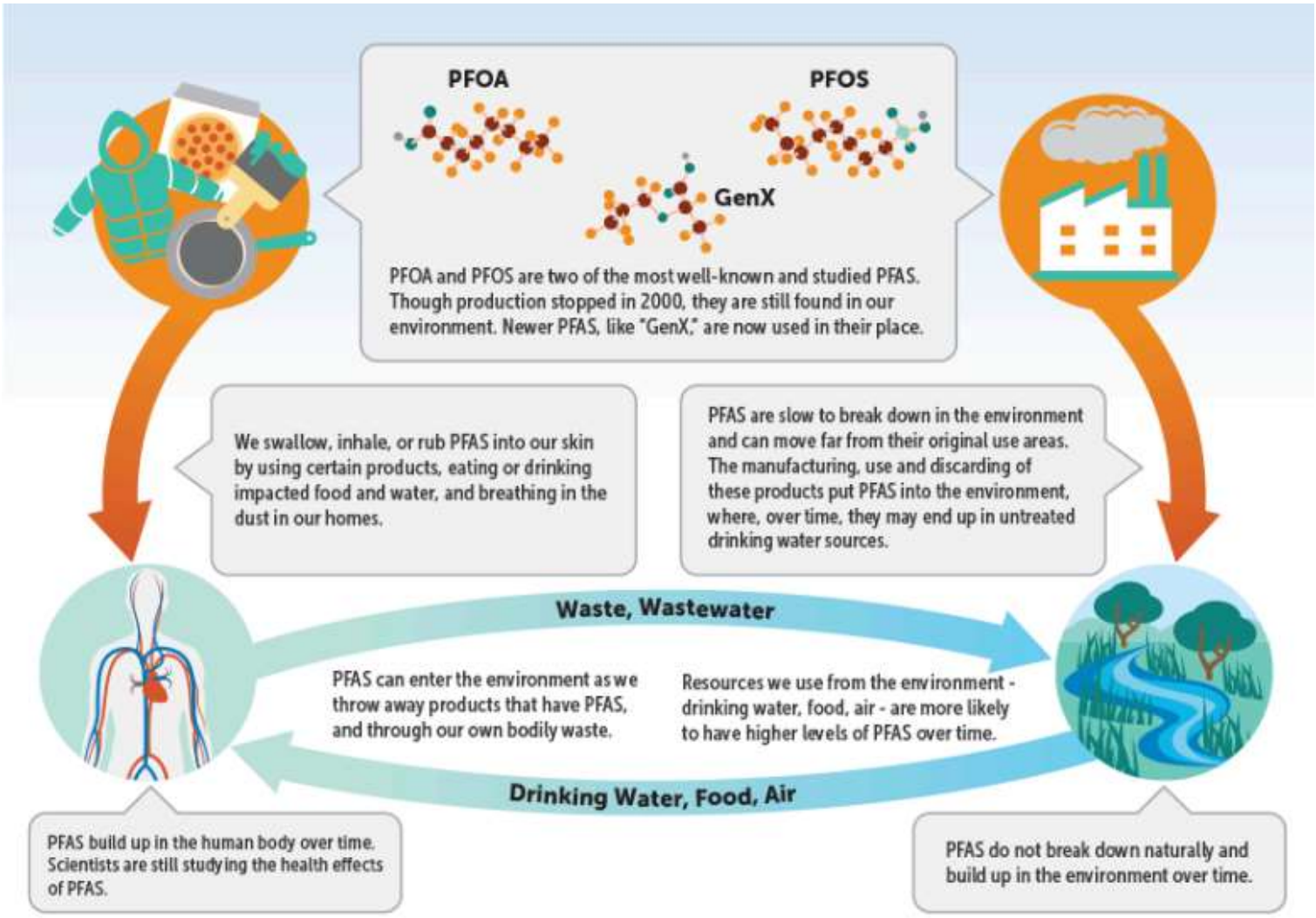
Credit: Michael O'Keene / Shutterstock

Like DDT when it was first introduced in the 1930s, PFAS were originally considered miracle products. They made fire-fighting foam more effective, prevented food from sticking to cookware, enabled water- and stain-resistant fabrics and carpets, and extended the wear time of lipstick and mascara. But like DDT, researchers are uncovering the dangers of PFAS long after they were unleashed in the world.

PFAS, formally known as per- and polyfluoroalkyl substances, have extraordinarily strong bonds so they're dubbed "forever chemicals." They're found nearly everywhere – from drinking water, dust and dairy products to fire-fighting foam, fish and food packaging. Researchers have linked them to a wide variety of illnesses, including decreased fertility in women, developmental delays in children, and an increased risk of some cancers such as prostate, kidney, and testicular cancer.

And they're toxic in such tiny concentrations that the Environmental Protection Agency's (EPA) standards for drinking water limit two types of PFAS to **four parts per trillion (ppt),** or about one drop of water in 20 Olympic-sized swimming pools.

While ongoing tests by Tampa Bay Water, the region's primary water utility, show that **PFAS levels meet standards** in most locations, the utility was awarded $21 million in a class-action lawsuit against PFAS manufacturers to treat water as needed.



Credit: Photo by Colin Hackley/NSF

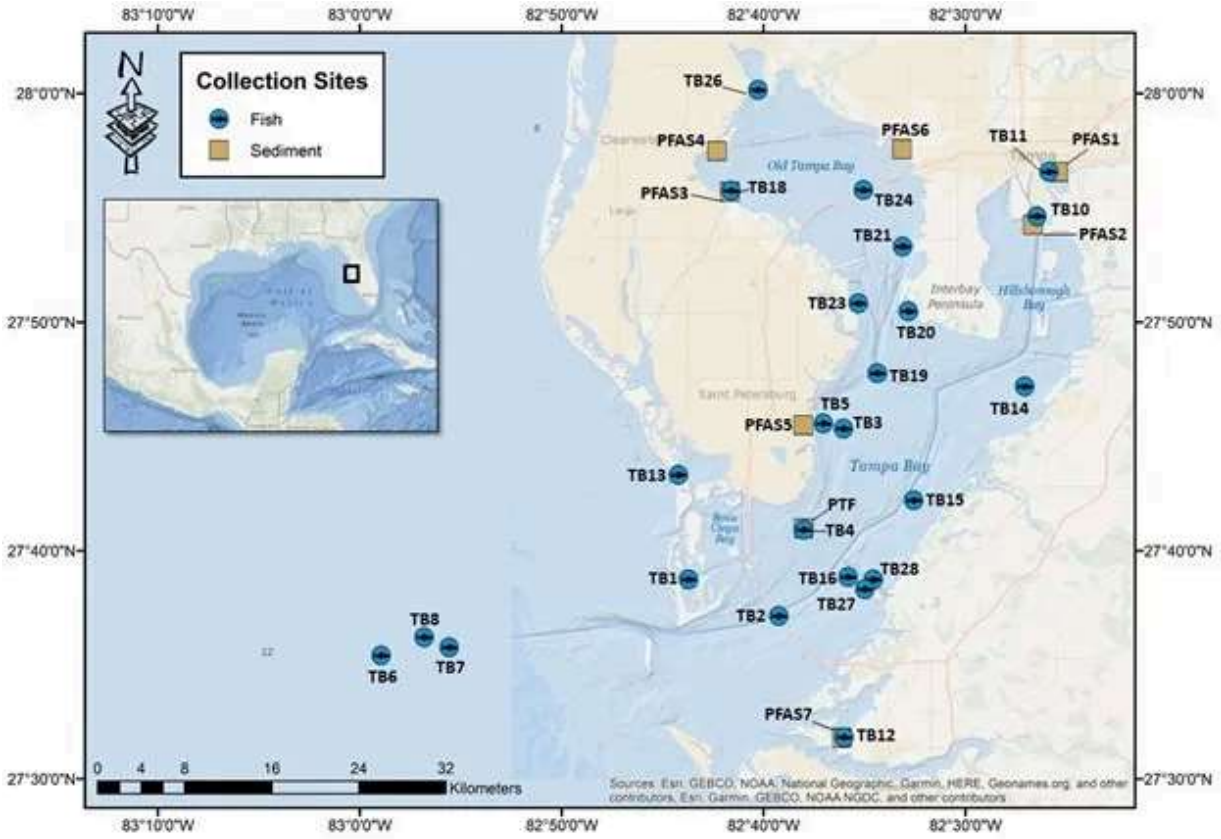
Although drinking water for much of the region appears to meet those standards, water, sediments, and fish in Tampa Bay often don't. Three researchers—John Bowden at the University of Florida (UF) and Steve Murawski and Sherryl Gilbert at the University of South Florida USF)—are documenting levels of PFAS that far exceed the EPA recommendations in Tampa Bay's water, fish and sediments.

Bowden, who sampled more than 2,300 sites in surface waters across the state with a team of citizen scientists, notes that **PFAS levels are significantly higher in Tampa Bay than in other areas**. Pinellas and then Hillsborough rank highest on the list of counties for hits above the maximum contaminant levels for PFAS found in Florida counties. "There's no clear source for them," he adds. "Military bases, where fire-fighting foam is used, are one source, but it doesn't explain high levels at other sites."

Wastewater spills, like those that often occur after heavy rain events, may also be implicated. Bowden compared data from the Florida Department of Environmental Protection documenting 7,395 wastewater

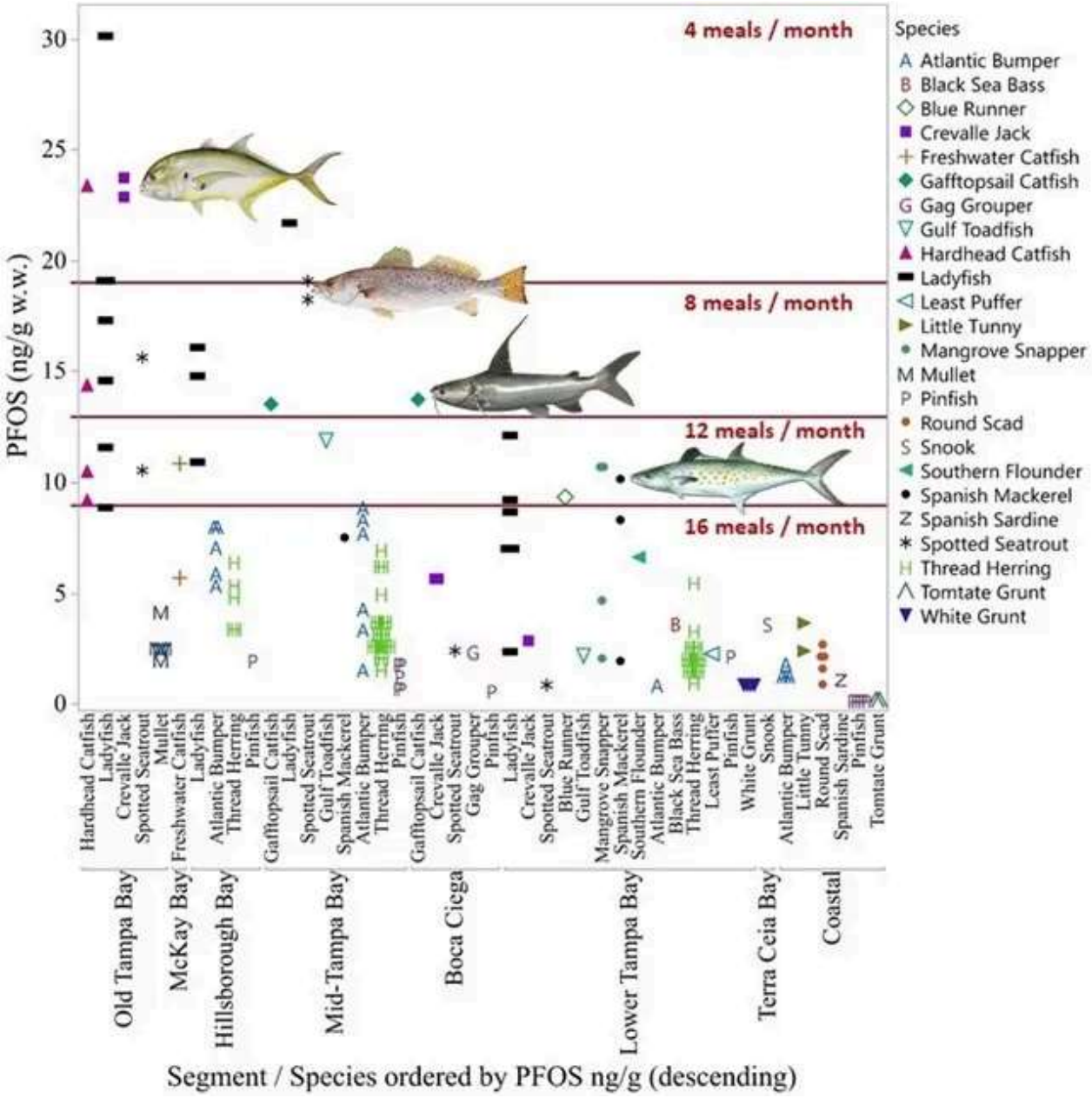
spills with the statewide PFAS heatmap, which showed a striking similarity. “More research is needed to investigate this potential source of PFAS pollution,” he said.

Even treated wastewater can be a source of PFAS because most facilities only remove about 10% of PFAS, Bowden adds. “Most of the contaminants in the processed material are dumped back into our waterways,” Bowden said. “If our drinking water comes from these sources, it will often contain PFAS. What should be alarming for all Floridians is that in the springs, which are often destined for use as drinking water, PFASs are present.”



Collection sites for samples in the USF study

Closer to home, Murawski and his team from USF had begun looking at **PFAS in Tampa Bay in 2020** and documented concentrations of more than 1,000 ppt in sediments in Old Tampa Bay and Hillsborough Bay, with lower concentrations noted in other bay segments. Perhaps more concerning is the extreme levels of PFAS in some fish caught in the bay. Catfish, ladyfish, and crevalle jack caught in Old Tampa Bay had concentrations of more than 20,000 ppt. According to guidelines drafted by the State of Michigan, fishermen should limit consumption of two of the most fish popular fish caught in Tampa Bay—snook and spotted seatrout.



Credit: Photo by Dave Decker

The **Tampa Bay Surveillance Project** is a five-year study that began in 2023 with $3.4 million in funding from the National Oceanic and Atmospheric Administration and the South Carolina Sea Grant Consortium. Murawski's team is taking a closer look at multiple contaminants in the bay and the living resources they impact. Along with PFAS, they are documenting levels of pharmaceuticals, herbicides and pesticides, and their potential impact on fish, oysters, and barnacles.

Their first efforts focus on the fish most likely to be eaten—including red drum, spotted seatrout, snook, and sheepshead—with a target of harvesting 10 of each fish in each of the bay's six segments four times a year. Separate studies looking at contaminant levels in oysters and barnacles also are planned.

A companion study, underway in partnership with Eckerd College, is looking at the effects of combined contaminants – including PFAS, pharmaceuticals, PCBs, PAHs and pesticides and other chemicals among **subsistence fishermen**.

The concept for the Tampa Bay Surveillance (TBS) project began more than 15 years ago with the Deepwater Horizon disaster. Scientists from USF were on the scene soon after the disaster and the team collected water samples and other critical information near the blowout site. Murawski went on to lead an international consortium that studied the environmental impacts of the oil spill, comprising 18 institutions and culminating in more than 250 scientific publications.

“Through our work on the spill, we learned a lot about the impacts of these contaminants and acquired highly specialized equipment to do the science,” Murawski said. “TBS is a natural extension of our work on Deepwater Horizon.”

This is the second part in a three-part series on PFAS. The first, **Diamonds have nothing on PFAS,** *focused on how PFASs became so widespread, and why they are dangerous. The third,* Avoiding PFAS: Easier said than done*, will be published on January 30.*

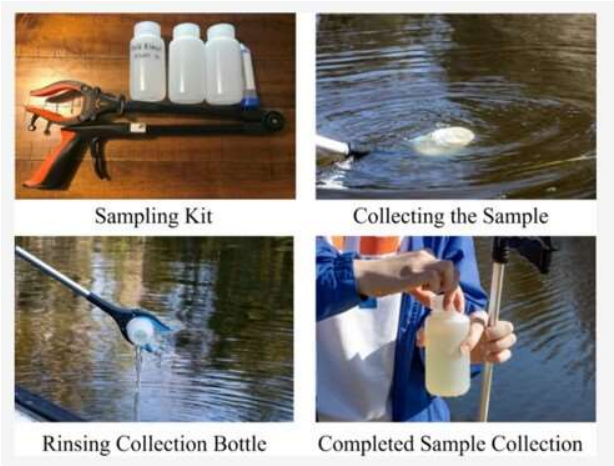
Recent Stories

‘We’ll see’: DeSantis won’t rule out another run for president

His comment comes after he spent $160 million on his 2024 campaign for president before dropping out after the Iowa caucus.

Florida's water bodies are vital for drinking, agriculture, recreation, tourism, and climate resilience. The monitoring of water quality is critical for the state, with consequences for both human health and the economy. This work describes our statewide monitoring of per- and polyfluoroalkyl substances (PFAS) within a myriad of water bodies in Florida to establish a PFAS baseline and determine hotspots. Surface water samples were obtained between April 2020 and December 2021, from 2323 sites, via crowdsourcing from all 67 counties in Florida and were subsequently analyzed for 50 PFAS via high-performance liquid chromatography-tandem mass spectrometry. The mean concentration of ΣPFAS across Florida was 29 ng/L, with a maximum ΣPFAS

were created. First attempts were made to identify possible PFAS pollution sources by overlaying suspect entities (airports, military installations, and wastewater treatment plants), in addition to relating data to historical pollution spill notifications (e.g., wastewater influent, effluent, and sludge).



To provide an efficient statewide collection of surface water samples in Florida, a water collection program, consisting of two crowdsourcing cycles, was implemented. The first crowdsource cycle engaged >120 undergraduate students at the University of Florida via social media outreach. The second cycle of water sampler recruitment focused on engaging >70 citizen scientists and environmentally focused organizations

geographical representation. While some sites in proximity to potential pollution sources were targeted, maximizing geographical coverage of Florida remained one of the main objectives in this study. In addition to written instructions, we also provided a YouTube training video to supplement sampler training. By utilizing crowdsourcing, we were able to collect 2323 surface water samples in all 67 counties in Florida

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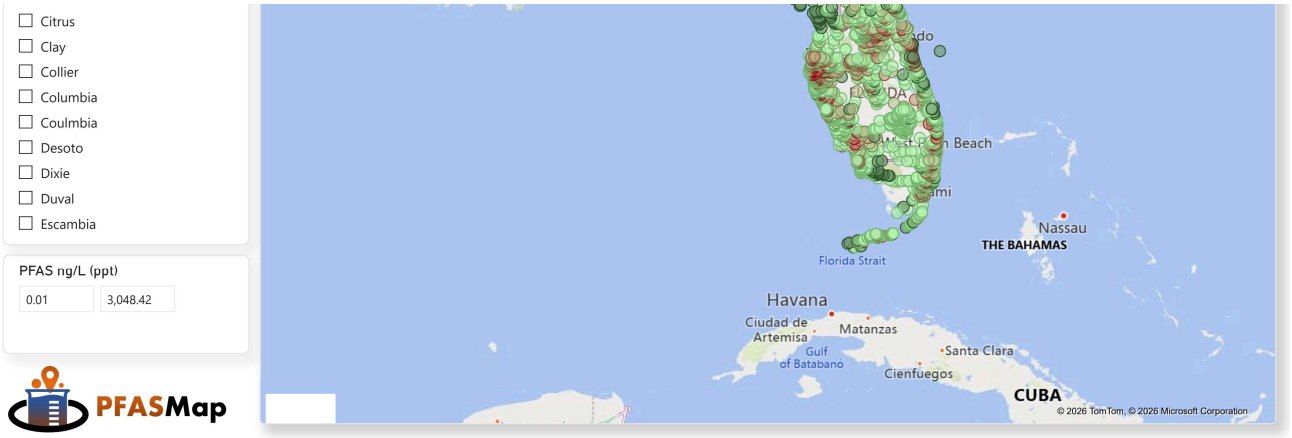
Below is a map of all sites sampled in Florida. You can search by county or you can zoom in on the map for the region you want to check. Once you have a site you would like to see the PFAS concentrations, put your cursor over the dot and an information window should pop up. In the information box, only those PFAS that were detected are shown (concentration in ng/L or ppt). Note that for some locations, the GPS coordinates may be slightly off, in these instances, the concentrations are from the water body closest to the point. Remember that the pending MCL for PFOA and PFOS is 4 ppt (ng/L).



Microsoft Power BI

(A) Map of Florida with dots representing all surface water sampling sites with quantifiable levels of PFAS (n = 2056). Dot color corresponds to the measured ΣPFAS concentration, according to the key. Six regions (light gray circles) with high densities of yellow/red circles, indicating elevated levels of ΣPFAS, are highlighted. (B) Predictive heat map of Florida PFAS levels based on the measured ΣPFAS concentrations of the surface water samples. These predictions are extrapolated from surface water values and do not intend to describe land PFAS values.

Table 1. Concentrations and Frequencies of Individual PFAS (and Sum, Σ) across the State of Florida[a]

PFAS	frequency detection	frequency quantified	frequency by county	mean (ng/L)	max (ng/L)	median (ng/L)
PFOA	94%	83%	100%	5	81	3
PFBS	65%	64%	93%	5	48	4
PFHxA	61%	61%	82%	6	180	4
PFNA	54%	39%	96%	2	352	1
PFOS	53%	48%	91%	10	1135	6
PFHpA	53%	44%	87%	5	84	4
PFHxS	50%	17%	94%	17	365	12
PFDA	33%	16%	90%	2	27	2
Syn35	24%	1%	75%	6	24	5
PFHxPA	16%	14%	54%	15	322	10
FBSA	11%	11%	42%	5	85	5
Syn32	9%	6%	21%	1	7	1
PFPrS	5%	3%	51%	5	24	4
PFUdA	4%	4%	42%	3	114	2
PFPeS	3%	0%	36%	29	58	20
4_2FTS	3%	0%	25%	1	1	1
PFDoA	3%	2%	25%	1	4	1
PFECHS	3%	0%	31%	2	5	2
FHxSA	2%	2%	27%	19	320	10
Oak6	2%	0%	22%	1	3	1
Syn34	2%	NA	24%	NA	NA	NA
P4MOA	2%	0%	13%	4	12	2
ΣPFAS	**NA**	**NA**	**NA**	**29**	**3048**	**13**

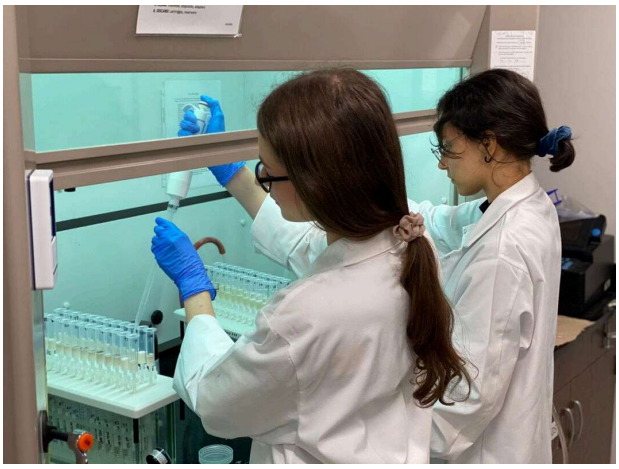
a Data for all sampling sites (n = 2323) sorted by detection frequency. Excluding those PFAS with less than 30 detection hits (<2% of samples). Peaks determined to be < LOD or < LOQ were not utilized in calculating the mean or median concentrations. However, peaks LOD < x < LOQ were used in calculating detection frequency. Internal laboratory abbreviations defined as perfluoro-3,7-

Citrus	35	15	15	15	15	4	Miami-Dade	104	86	24	21	18	17
Clay	18	141	46	43	29	14	Monroe	95	226	15	29	8	23
Collier	98	88	14	18	6	15	Nassau	42	90	16	22	4	15
Columbia	14	170	26	45	13	16	Okaloosa	49	185	31	42	12	18
DeSoto	8	29	22	7	22	9	Okeechobee	12	21	12	4	14	6
Dixie	14	5	3	3	3	4	Orange	57	133	36	26	26	20
Duval	59	867	62	135	26	16	Osceola	26	524	55	99	39	20
Escambia	52	118	12	21	4	11	Palm Beach	113	465	27	52	13	20
Flagler	26	17	9	8	6	10	Pasco	32	76	15	17	8	12
Franklin	25	10	4	3	4	11	Pinellas	120	500	56	60	41	25
Gadsden	6	18	10	6	9	14	Polk	57	97	34	25	32	15
Gilchrist	6	3	1	1	1	7	Putnam	17	25	7	6	6	8
Glades	42	19	11	3	11	12	Santa Rosa	36	279	24	63	6	20
Gulf	28	79	10	17	4	10	Sarasota	91	115	29	28	20	20
Hamilton	6	10	3	3	1	8	Seminole	22	121	39	26	37	12
Hardee	1	31	31	31	31	6	St. Johns	62	311	22	45	12	19
Hendry	12	25	12	6	12	8	St. Lucie	21	47	19	14	16	13
Hernando	10	23	7	7	5	9	Sumter	11	57	23	17	22	9
Highlands	25	60	23	15	17	16	Suwannee	9	4	2	1	2	6
Hillsborough	89	354	42	53	28	22	Taylor	8	6	3	3	1	4
Holmes	4	1	1	0	1	2	Union	9	22	9	8	4	9
Indian River	28	12	7	3	7	8	Volusia	58	98	19	23	10	15
Jackson	11	21	5	8	1	9	Wakulla	24	18	6	5	3	12
Jefferson	7	3	1	1	1	4	Walton	18	29	6	9	4	12
Lafayette	7	1	1	0	1	4	Washington	8	2	1	0	1	4
Lake	42	49	17	9	15	17							

b Indicates that these PFAS were detected in at least one sample per county. Peaks determined to be < LOD or < LOQ were not utilized in calculating the mean or median concentrations.

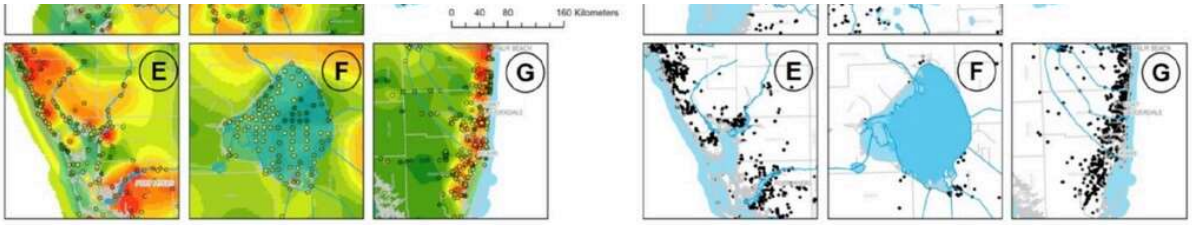
Polk (n = 57)	43 (75%)	Okaloosa (n = 49)	38 (78%)
Broward (n = 63)	36 (57%)	Palm Beach (n = 113)	36 (32%)
Volusia (n = 58)	30 (52%)	Duval (n = 59)	31 (53%)
Lee (n = 50)	28 (56%)	St. Johns (n = 62)	30 (48%)
Duval (n = 59)	27 (46%)	Lee (n = 50)	26 (52%)
Collier (n = 98)	23 (23%)	Volusia (n = 58)	23 (40%)
St. Johns (n = 62)	22 (35%)	Broward (n = 63)	18 (29%)
Martin (n = 41)	20 (49%)	Manatee (n = 43)	18 (42%)
Seminole (n = 22)	20 (91%)	Polk (n = 57)	18 (32%)
Osceola (n = 26)	17 (65%)	Highlands (n = 25)	17 (68%)
Lake (n = 42)	16 (38%)	Martin (n = 41)	16 (39%)
Clay (n = 18)	15 (83%)	Osceola (n = 26)	16 (62%)
Pasco (n = 32)	15 (47%)	Clay (n = 18)	14 (78%)
Escambia (n = 52)	14 (27%)	Nassau (n = 42)	12 (29%)
Highlands (n = 25)	13 (52%)	Collier (n = 98)	10 (10%)
Manatee (n = 43)	13 (30%)	Lake (n = 42)	10 (24%)
Nassau (n = 42)	13 (31%)		
Charlotte (n = 49)	12 (24%)		
Okaloosa (n = 49)	10 (20%)		

a Percentages indicate the ratio of Hits above the MCL to the total number of samples collected in each respective county. b Only shown are counties with at least 10 hits.

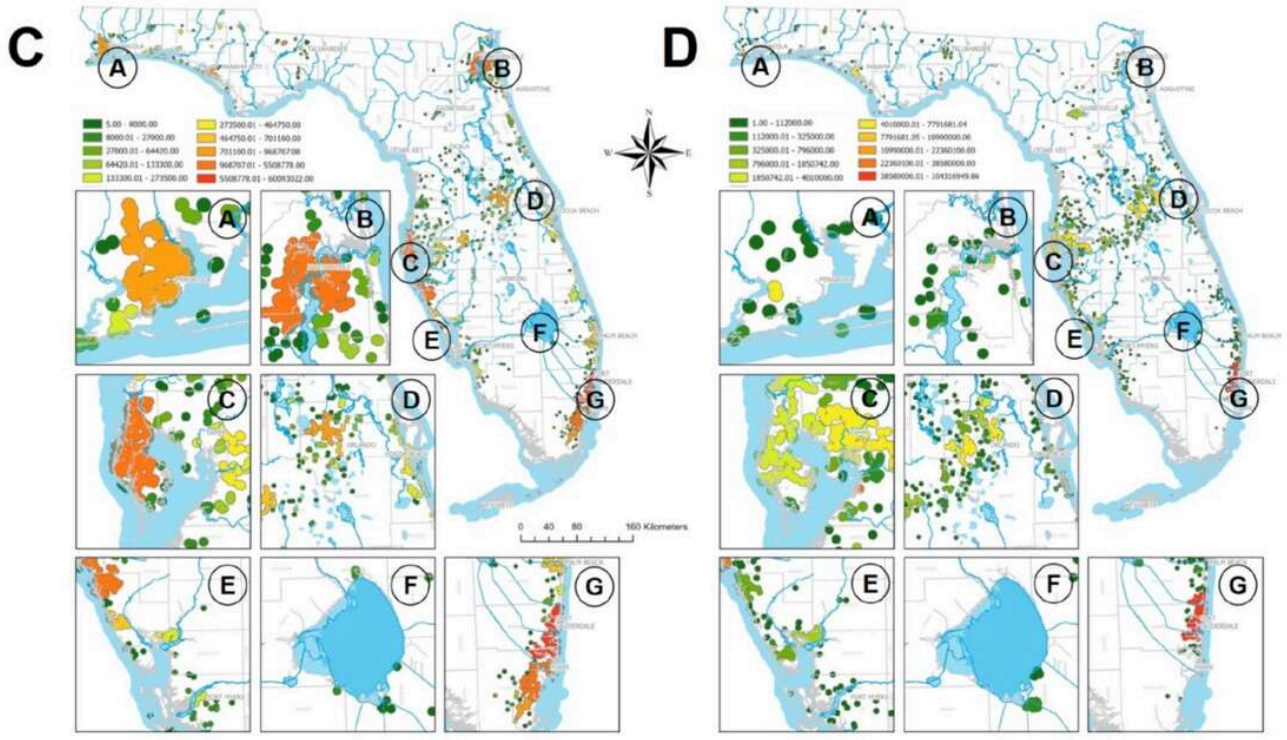


Zoomed in heat map of Pinellas and Hillsborough County Florida for individual PFAS. The redder the dot and heat map, the higher sum PFAS concentration.

Since 2017, the FDEP has documented every pollution based spill, as self-reported by local entities. This information is publicly available at **here**. Exporting all pollution notices prior to 2022 (up to last surface water sample collected in this study), we found a total of 7395 spills with GPS coordinates (this is after removing duplicates and citations with inaccurate coordinates). Over these 7395 spills, approximately 78% of these listed estimated volumes (in gallons) for what was spilled. The spill type and amount were tallied from the incident reports and organized into five categories (with number of incidents prior to 2022): raw sewage (2152), untreated/partially treated wastewater (1936), treated wastewater (755), solids (sludge/biosolids, 111), and various liquids (e.g., fuel, 765, liquid which did not fit into the other four categories). Summing all the estimated spills per category (in gallons), resulted in high volumes spilled: raw sewage (104 million gallons), untreated/ partially treated wastewater (341 million gallons), treated wastewater (970 million gallons), solids/sludge (2.3 million gallons), and various liquids (10 million gallons). Note that within these incident reports, a significant contributor to spills occurrence was large episodic weather events, such as hurricanes, flooding and overflows. A map that shows all spill locations (prior to 2022) is shown in Figure B below. We then compared the location and quantity spilled with the PFAS heatmap (A), notice any similarities?? More research is needed to investigate this potential source of PFAS pollution.



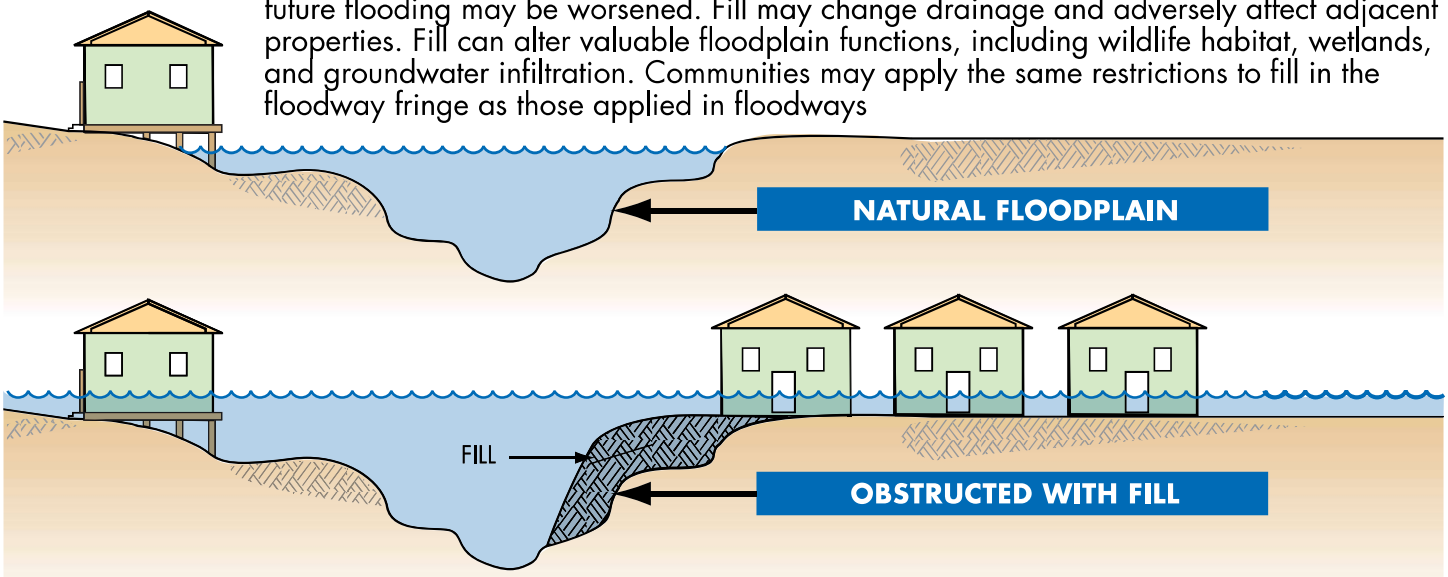
(A) Predictive heat map for ΣPFAS, (B) Map of Florida with all reported spill locations by the FDEP between 2017 and 2022. All maps include regional inserts around (A) Pensacola, (B) Jacksonville, (C) Tampa Bay, (D) Orlando/Cocoa Beach, (E) Sarasota/Ft Myers, (F) Lake Okeechobee, and (G) Miami/Ft Lauderdale.



(C) Map of Florida with reported raw sewage spills (in gallons), and (D) Map of Florida with reported untreated/partially treated wastewater spilled (in gallons). All maps include regional inserts around

Fill Can Adversely Affect Floodplain Functions

Floodplains are supposed to store floodwater. If storage space is blocked by fill material, future flooding may be worsened. Fill may change drainage and adversely affect adjacent properties. Fill can alter valuable floodplain functions, including wildlife habitat, wetlands, and groundwater infiltration. Communities may apply the same restrictions to fill in the floodway fringe as those applied in floodways

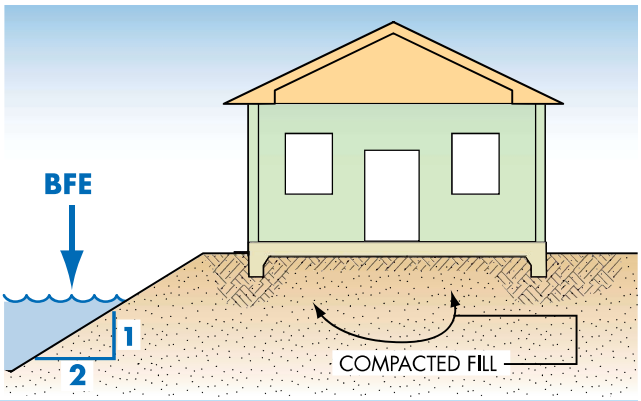


Communities should make sure fill in flood zones won't harm neighboring properties. Before deciding to use fill, property owners should check with local planning, engineering, or permit offices. Engineering analyses may be required to demonstrate that fill will cause "no rise" (see page 13).

Placement and Compaction of Fill in Zone A/AE

Earthen fill used to raise the ground above the flood elevation must be placed properly so that it does not erode or slump when water rises. For safety and to meet requirements, fill should:

- Not be placed in areas with poor drainage or where the fill may divert water onto adjacent properties. Instead, use perimeter walls, piers or pilings to minimize drainage problems.
- Be good clean soil, free of large rocks, construction debris, and woody material (stumps, roots)
- Be machine-compacted to 95 percent of the maximum density (determined by a design professional)
- Have graded side slopes that are not steeper than 2:1 (one foot vertical rise for every 2 feet horizontal extent); 3:1 flatter slopes are recommended
- Have slopes protected against erosion (vegetation for "low" velocities, durable materials for "high" velocities – determined by a design professional)
- Avoid the floodway (see page 12)



Engineers can find more information in FEMA's instructions for Letters of Map Revision based on Fill (FEMA Form MT-1) and NFIP Technical Bulletin #10.

Agenda Item. 7.e.
Meeting of March 24, 2026

CITY OF SANIBEL
PLANNING COMMISSION RESOLUTION 26-10

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANIBEL, FLORIDA, RELATING TO PERMIT APPLICATION NO. SPLT-2022-000074 FILED PURSUANT TO SECTIONS 82-421(1), 82-422, AND 114-106 OF THE LAND DEVELOPMENT CODE FOR REVISION OF AN APPROVED PRELIMINARY PLAT, TO AMEND ALLOCATED IMPERMEABLE COVERAGE FOR LOTS 1 THROUGH 6 AT A UNIFIED RESIDENTIAL HOUSING (CLUSTER HOUSING) DEVELOPMENT KNOWN AS "COASTAL CREEK" SUBDIVISION, ON PROPERTY OWNED BY BUCKINGHAM 225 DEVELOPMENT, INC. (DANIEL W. DODRILL), AND LOCATED AT 5325 AND 5301 SANIBEL CAPTIVA ROAD, PARCEL NOS. 13-46-21-T2-00002.4000 AND 13-46-21-T2-00002.2000, RESPECTIVELY, MORE FULLY DESCRIBED HEREIN; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Sections 82-421 and 82-422 of the Land Development Code detail the application and notice requirements for development permit consideration by the Planning Commission; and Section 114-106 of the Land Development Code provides for requirements and procedures for preliminary plats; and

WHEREAS, Buckingham 225 Development, Inc. (Daniel W. Dodrill), owner of the property located at 5325 and 5301 Sanibel Captiva Road has authorized Brain Smith, Ensite, Inc., to submit Subdivision Plat Application No. SPLT-2022-000074 to amend allocated impermeable coverage for lots 1 through 6 at a unified residential housing (cluster housing) development known as "Coastal Creek" Subdivision; and

WHEREAS, the application seeks to amend the preliminary plat of the Coastal Creek Subdivision, previously approved by the Planning Commission Resolution 23-24, so that the preliminary plat accurately reflects the maximum allowable impermeable coverage on lots 1 through 6 within the subdivision; and

WHEREAS, a duly noticed public hearing of the subject applications, seeking revision of the previously-approved preliminarily plat, was held before the Planning Commission on March 24, 2026; and

WHEREAS, after providing the applicant, staff, and the public an opportunity to present testimony and evidence, and having reviewed the record, and all applicable sections of the Land Development Code, the Planning Commission finds that the criteria for granting the application have been / have not been met and that the application should therefore be approved/denied.

NOW, THEREFORE, BE IT RESOLVED, THE PLANNING COMMISSION OF THE CITY OF SANIBEL finds that Subdivision Plat Application No. SPLT-2022-000074 to amend allocated impermeable coverage for lots 1 through 6 at a unified residential housing (cluster housing) development known as "Coastal Creek" Subdivision, on property owned by Buckingham 225 Development, Inc. (Daniel W. Dodrill), and located at 5325 and 5301 Sanibel Captiva Road, and more fully identified as Parcel Nos. 13-46-21-T2-00002.4000 and 13-46-21-T2-00002.2000, respectively, is hereby approved.

Any approval of this Permit Application is pursuant to the application and attachments included with these items, and subject to the following condition(s) contained in the March 24, 2026, staff report:

All 24 conditions of the preliminary plat approval found in Planning Commission Resolution 23-24 (attached hereto as Exhibit A) and upheld by City Council Resolution 23-049 (attached hereto as

Exhibit B) remain in full force and effect, with the exception that the originally approved preliminary plat is hereby replaced with the amended preliminary plat (attached hereto as Exhibit C).

EXPIRATION OF PLANNING COMMISSION ACTION; In accordance with Land Development Code Section 82-424(f), when a development order is approved with conditions imposed thereon, such conditions shall be satisfied within the time limit specified in the development order issued by the Planning Commission. When such conditions specify requirements to be completed before a development permit is issued, and no particular time limit is specified for satisfaction of the conditions, such conditions must be satisfied within six months after issuance of the development order. Failure to satisfy a condition imposed upon the approval of a development permit, within the time limit specified therefor, or such extended time period as the Planning Commission may approve upon timely application of the permittee, shall cause the development order approving the development permit to be null and void and of no further force or effect.

EFFECTIVE DATE OF PLANNING COMMISSION ACTION: In accordance with Land Development Code Section 82-97, all actions of the Planning Commission, including those which constitute final decisions, shall be effective upon the date of filing of the adopted Resolution with the City Manager, or at a later date if provided in the Resolution. However, permits authorized by final decisions shall not be issued until one of the following has occurred: 1) The time for filing an appeal to City Council has elapsed; 2) The applicant and all other persons having appeal rights have filed a written waiver of appeal rights; 3) If an appeal has been timely filed, the City Council has finally disposed of the matter.

RIGHT TO APPEAL PLANNING COMMISSION ACTION: In accordance with Land Development Code Section 82-98. Appeals. The applicant is hereby advised that the following persons have the right to appeal a final decision of the Planning Commission adverse to their interests: 1) The applicant; 2) The owner of the property proposed for development; 3) The developer of the property proposed for development; and 4) Any other person residing upon, or owning property within the City, or owning or operating a business within the City, who participated by written comment before or at the Planning Commission hearing or who participated in person or through an authorized agent at the Planning Commission hearing. The appeal shall be filed within 15 days after the date that the Planning Commission decision was filed. The appeal shall be filed with the City manager, and the filing fee shall be paid as a prerequisite to filing.

DISCLAIMER & PERMIT CONDITION (APPLICABLE ONLY IF FEDERAL OR STATE PERMITS ARE REQUIRED): Issuance of a development permit by the City does not create any right to obtain a permit from a State or Federal agency and does not create any liability on the part of the City for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a State or Federal agency or undertakes actions that result in a violation of State or Federal law. If applicable, all other State or Federal permits must be obtained before commencement of the project.

PASSED IN OPEN AND REGULAR SESSION OF THE PLANNING COMMISSION OF THE CITY OF SANIBEL, FLORIDA, THIS 24TH DAY OF MARCH 2026.

Attest:

Anna M. Hicks, Deputy City Clerk

Paul Nichols, Chair

Approved as to form and legality:

John D. Agnew, City Attorney

Date filed with City Clerk: March 24, 2026

Vote of Commission Members:

Nichols	Aye
Steiner	Aye
Burns	Aye
Colter	Aye
Schopp	Aye
Sergeant	Aye
Welch	Aye

EXHIBIT A OF RESOLUTION

Agenda Item 7.b.
Meeting of July 25, 2023

CITY OF SANIBEL
PLANNING COMMISSION RESOLUTION 23-24

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANIBEL; RELATING TO A DEVELOPMENT PERMIT (APPLICATION NO. SPLT-2022-000074 AND DP-2021-001803) FILED PURSUANT TO SECTIONS 82-421(1), 82-422, AND 114-106 OF THE LAND DEVELOPMENT CODE FOR PRELIMINARY PLAT, TO ALLOW A UNIFIED RESIDENTAIL HOUSING (CLUSTER HOUSING) DEVELOPMENT INCLUDING SIX PARCELS FOR SINGLE-FAMILY RESIDENTIAL USE AND ASSOCIATED IMPROVEMENTS, KNOWN AS "COASTAL CREEK" SUBDIVISION, ON PROPERTY OWNED BY BUCKINGHAM 225 DEVELOPMENT, INC. (DANIEL W. DODRILL), AND LOCATED AT 5301-5326 SANIBEL CAPTIVA ROAD, PARCEL NO. 13-46-21-T2-00002.2000 AND 13-46-21-T2-00002-4000, MORE FULLY DESCRIBED HEREIN; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Sections 82-421(1) and 82-422 of the Land Development Code detail the application and notice requirements for development permit consideration by the Planning Commission; and Section 114-106 of the Land Development Code provides for requirements and procedures for preliminary plats; and

WHEREAS, Buckingham 225 Development, Inc. (Daniel W. Dodrill), owner of the property located at 5301-5326 Sanibel Captiva Road, has authorized Brian Smith, Ensite, Inc., to submit Development Application No. DP-2021-001803 and Major Subdivision Plat Application No. SPLT-2022-000074 (the "subject applications") to allow for a Unified Residential Housing (Cluster Housing) development including six parcels for single-family residential use and associated improvements, known as "Coastal Creek" subdivision; and

WHEREAS, the subject applications were initially approved by Sanibel Planning Commission Resolution 23-001; however, a timely appeal of Planning Commission Resolution 23-001 was filed pursuant to Land Development Code Section 82-98 – Appeals; and City Council, after consideration of the appeal, remanded the subject applications back to Planning Commission for a new hearing by Sanibel City Council Resolution 23-024; and

WHEREAS, the applicant has reiterated its requests for approval of the subject applications; and

WHEREAS, a duly noticed public hearing of the subject applications was held before the Planning Commission on July 25, 2023; and

WHEREAS, after providing the applicant, staff, and the public an opportunity to present testimony and evidence, and having reviewed the record, and all applicable sections of the Land Development Code including Section 86-40(b), the Planning Commission finds that the criteria for granting the applications have been met and that the application should therefore be approved.

NOW, THEREFORE, BE IT RESOLVED, THE PLANNING COMMISSION OF THE CITY OF SANIBEL finds that Development Permit Application No. DP-2021-001803 and Major Subdivision Plat Application No. SPLT-2022-000074 to allow for a Unified Residential Housing (Cluster Housing) development including six parcels for single-family residential use and associated improvements, known as "Coastal Creek" subdivision on property owned by Buckingham 225 Development, Inc. (Daniel W. Dodrill), and located at 5301-5326 Sanibel Captiva Road, and more fully identified as Tax Parcel No. 13-46-21-T2-00002.2000 and 13-46-21-T2-00002.4000, is approved.

Any approval of this Development Permit Application is pursuant to the application and attachments included with these items, and subject to the following condition(s) contained in the July 25, 2023, staff report:

1. A copy of the approved preliminary plat is attached to this resolution as Exhibit "A". Preliminary plat approval shall be effective and valid for a period of three years. The planning commission may, however, extend this effective period for an additional two years, provided that, at the time such extension is granted, the preliminary plat continues in compliance with all requirements of this Land Development Code and the Sanibel Plan. If all requirements for approval of a final subdivision plat, and the recording of such plat, are not completed within the time period for which preliminary approval is valid and effective, such preliminary approval and all rights conferred thereby shall be terminated and expire.
2. Preliminary plat approval may be extended by city council for an additional period of time beyond the three-year effective time period and the two-year extension that may be approved by the planning commission due to the necessity of achieving compliance with federal, state or local regulations pertaining to endangered or protected species and respective habitat or due to other unforeseen environmental conditions.
3. The applicant shall submit for final approval, a final subdivision plat in accordance with the requirements of *Land Development Code Section 114-89 -- Final plat review and approval.*
4. A copy of the approved Coastal Creek Site Development Plans is attached to this resolution as Exhibit "B".
5. All future land use and development shall comply with Exhibit "A" and "B", and all associated requirements of the Land Development Code including, but not limited to:
    a. Single-family residential and associated accessory uses
    b. Lot sizes
    c. Setbacks
    d. Limitations on vegetation removal and developed area
    e. Limitation on coverage with impermeable surfaces
    f. Minimum distance between buildings
    g. Environmental performance standards
6. The applicant shall execute, and record in the public records of Lee County, a declaration that the residential density allocation for the property has been fully utilized. If the development is to be phased and only a portion of the residential density allocated to the property is to be utilized, then the declaration shall reflect that portion so utilized. The declaration shall be prepared, executed and recorded in accordance with the formalities required under state law for the conveyance of real property, for which the developer shall be responsible. Completion permits shall not be issued for any dwelling units in the development and the subdivision shall not be final until such time as the developer shows compliance with this section.
7. The applicant shall establish a legal entity (a property owner's association) with responsibility for complying with the requirements of this development permit and maintaining the private road, drainage system, utilities, landscape buffers, and wetland preservation. Restrictive covenants for the subdivision are to include the following provisions:
    a. A provision that requires compliance with the conditions of development permit DP-2021-1803;
    b. A provision that prohibits any dwelling unit in the subdivision from use as resort housing;
    c. A provision requiring the Association to maintain the private street, stormwater management system, utilities, landscape buffers, and wetland preservation as conditions of approval for the preliminary plat and construction plans. The Association shall have the authority to make assessments and enforce liens to

cover the costs and assessments;

d. A provision giving the City of Sanibel the right to enforce the Associations obligations to maintain the private street, the stormwater management system, utilities, landscape buffers, and wetland preservation required as conditions of approval for the preliminary plat and construction plans;

e. A provision authorizing the City of Sanibel to make repairs and perform maintenance on required facilities, if not done by the Association, and giving the City the right to make assessments and enforce liens for costs of repairs and maintenance;

f. A provision providing a notice to lot purchasers that the street within the subdivision is not a public street, is to be maintained by the owners at their expense and is intended to remain a private street in perpetuity;

g. A provision that specifies as to each lot how many dwelling units are permitted thereon, including the amount of developed area and coverage assigned to each single-family lot;

h. A provision requiring the applicant to provide each property purchase/owner with information about the common open space and preservation areas, including Tracts B, C, D-1, and D-2; and

i. A provision in the amendment section of the documents prohibiting amendments to the preceding provisions without the written jointer or consent of the City of Sanibel.

8. Preliminary plat approval shall not relieve the applicant from the requirement of obtaining permits from and complying with lawful requirements imposed by the Florida Department of Environmental Protection, South Florida Water Management District, and any other applicable local, State and Federal law.
9. The applicant shall install all monuments as required by Chapter 177, Florida Statutes, and construct all streets, street signs, drainage facilities, sewage treatment facilities, and other improvements as are necessary to bring the proposed subdivision in full compliance with the following requirements of the Land Development Code:
    a. All streets and other improvements in proposed subdivisions shall be constructed in accordance with all specifications as provided in this chapter and as may be adopted by the city council by resolution as "Subdivision Improvement Construction Requirements;"
    b. All necessary street signs shall be installed by the applicant in accordance with the prevailing scheme of identifying public and private streets in the city; and
    c. All necessary drainage facilities shall be constructed as required and approved by the city manager so as to meet the minimum requirements of this Land Development Code and as to accomplish the intent and purpose of this Land Development Code.
10. The applicant shall obtain formal approval of the proposed subdivision and street names from the City in accordance with Ordinance No. 86-27 and City Council Resolution No. 86-67 prior to final plat approval.
11. The applicant may not begin construction of required improvement until construction plans are approved by the City Manager and a construction bond with good and sufficient surety, an irrevocable letter of credit, or equivalent security is provided to the City in an amount equal to the cost of all required improvements, and in a form approved by the City Attorney, conditioned upon satisfactory completion of required improvements in accordance with he approved construction plans during the effective period of the preliminary plat approval.
12. No facility installed underground may be covered over until the facility has been inspected by the City Manager. Other periodic inspections may be required. Construction of required improvements shall not be complete unless and until all the improvements have been finally inspected and approved by the City Manager.
13. Prior to the commencement of development activity, the applicant shall obtain a

vegetation permit to approve revisions of the vegetation plan.

14. A native vegetation buffer shall be installed along the north property line, pursuant to LDC Chapter 122, Article II, Division 3 – Residential Development Along Arterial and Collector Roads.
15. The proposed native plant buffer along the western boundary shall be permitted to mature to the natural height and growth pattern of the plants and maintained in perpetuity to prevent encroachment into the adjacent city-owned preserve.
16. Pursuant to Sec. 122-169(3) and Sec. 122-191, all City-listed and Florida Invasive Species Council (formerly FLEPPC) listed plant species shall be removed from the site and maintained free in perpetuity.
17. The applicant shall submit a copy of the SFWMD preserve management plan annual monitoring reports to the City.
18. The trimming of mangroves or other vegetation within Tract C and Tract D-2 is strictly prohibited, except to access utilities. The Coastal Creek subdivision does not abut the Heron's Landing Lake; property owners do not have riparian rights and are not entitled to a view of the waterbody.
19. All landscaping within the Coastal Creek subdivision shall be 100% native except the six platted lots which are required to be at least 75% native; the use of sod is prohibited.
20. The use of fertilizer containing nitrogen and phosphorus is prohibited within the Coastal Creek subdivision.
21. All new vegetation within stormwater retention areas, including lands between designated home sites, shall comply with Sec. 118-286 – Planting. A revised vegetation plan shall be submitted detailing the native plants installed to vegetate the common area tracts to ensure compliance with this condition.
22. All soil excavated from the site shall be disposed of properly at an off-island location.
23. The applicant shall comply with all provisions of Chapter 86 – Site Preparation, including but not limited to:
    a. Development activities shall be designed to minimize the amount of fill used in preparation of the site. Soil and other materials shall not be temporarily nor permanently stored in locations which would result in the unnecessary destruction of vegetation. Excess soil, or other material, including dredged spoil, to be disposed of off-site, shall be deposited at specified locations in a manner causing minimal environmental damage.
    b. Erosion and sediment control measures shall be coordinated with the sequence of grading, development, and construction operations; and shall be maintained for the duration of construction until final landscaping has been installed.
    c. Removal of vegetation shall be limited to the minimum necessary to carry out development activity, except as required by other provisions of the Land Development Code. The removal of vegetation, by any means other than the use of hand-held tools, shall not occur prior to issuance of a development permit.
    d. Permanent vegetation shall be installed on the construction site as soon as utilities are in place and final grades are completed. This permanent vegetation must be cared for and maintained in a healthy condition.
    e. All on-site facilities shall be properly maintained by the owner so that they do not become nuisances. Nuisance conditions shall include but not be limited to:
        1. Improper storage resulting in uncontrolled runoff and overflow;
        2. Stagnant water with concomitant algae growth, insect breeding and odors;
        3. Discarded debris;
        4. Unnecessary noise; and
        5. Safety hazards created by the facility's operations.
    f. The design, location and construction and the maintenance of all development shall be in a manner that minimizes environmental damage. The developer shall completely restore any environmentally sensitive area or wetland area damaged

during construction. Complete restoration means that the damaged area shall, within two years, be operating as effectively as the natural system did before being destroyed or altered. In designing the site for its ultimate end use, the site shall be graded in such a manner, and development and use shall take place in such a manner, so that there are no point discharges into coastal waters resulting from stormwater runoff and/or from wastewater effluent.

24. Planning Commission recommends that "Tract C", as shown and described by Exhibit "A", approved as conservation use for the protection of wetlands, is designated for inclusion within the Environmentally Sensitive Lands Conservation District and map upon City Council consideration of an amendment to the Sanibel Plan.

EXPIRATION OF PLANNING COMMISSION ACTION; In accordance with Land Development Code Section 82-424(f), when a development order is approved with conditions imposed thereon, such conditions shall be satisfied within the time limit specified in the development order issued by the Planning Commission. When such conditions specify requirements to be completed before a development permit is issued, and no particular time limit is specified for satisfaction of the conditions, such conditions must be satisfied within six months after issuance of the development order. Failure to satisfy a condition imposed upon the approval of a development permit, within the time limit specified therefor, or such extended time period as the Planning Commission may approve upon timely application of the permittee, shall cause the development order approving the development permit to be null and void and of no further force or effect.

EFFECTIVE DATE OF PLANNING COMMISSION ACTION: In accordance with Land Development Code Section 82-97, all actions of the Planning Commission, including those which constitute final decisions, shall be effective upon the date of filing of the adopted Resolution with the City Manager, or at a later date if provided in the Resolution. However, permits authorized by final decisions shall not be issued until one of the following has occurred: 1) The time for filing an appeal to City Council has elapsed; 2) The applicant and all other persons having appeal rights have filed a written waiver of appeal rights; 3) If an appeal has been timely filed, the City Council has finally disposed of the matter.

RIGHT TO APPEAL PLANNING COMMISSION ACTION: In accordance with Land Development Code Section 82-98. Appeals. The applicant is hereby advised that the following persons have the right to appeal a final decision of the Planning Commission adverse to their interests: 1) The applicant; 2) The owner of the property proposed for development; 3) The developer of the property proposed for development; and 4) Any other person residing upon, or owning property within the City, or owning or operating a business within the City, who participated by written comment before or at the Planning Commission hearing or who participated in person or through an authorized agent at the Planning Commission hearing. The appeal shall be filed within 15 days after the date that the Planning Commission decision was filed. The appeal shall be filed with the City manager, and the filing fee shall be paid as a prerequisite to filing.

DISCLAIMER & PERMIT CONDITION (APPLICABLE ONLY IF FEDERAL OR STATE PERMITS ARE REQUIRED): Issuance of a development permit by the City does not create any right to obtain a permit from a State or Federal agency and does not create any liability on the part of the City for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a State or Federal agency or undertakes actions that result in a violation of State or Federal law. If applicable, all other State or Federal permits must be obtained before commencement of the project.

PASSED IN OPEN AND REGULAR SESSION OF THE PLANNING COMMISSION OF THE CITY OF SANIBEL, FLORIDA, THIS 25TH DAY OF JULY 2023.

Attest:

Scott Lyon Kelly, City Clerk
Anna M. Hicks, Clerk

Roger Grogman, Chair

Approved as to form and legality:

John D. Agnew, City Attorney

Date filed with City Clerk: 7/25/23

Vote of Commission Members:

Grogman	Aye
Pfeifer	Aye
DeBruce	Excused
Colter	Aye
Nichols	Aye
Welch	Excused
Symroski	Nay

EXHIBIT B OF RESOLUTION

Agenda Item 17
Meeting of 10/3/23

CITY OF SANIBEL
RESOLUTION 23-049

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANIBEL, FLORIDA, UPHOLDING IN ALL RESPECTS THE PLANNING COMMISSION'S DECISION DETAILED IN SANIBEL PLANNING COMMISSION RESOLUTION 23-024 EXCEPT TO MODIFY CONDITION 22, REGARDING DEVELOPMENT PERMIT APPLICATION NO. DP-2021-001803 AND MAJOR SUBDIVISION APPLICATION NO. SPLT 2022-000074 DATED JULY 25, 2023, FOR THE PROJECT KNOWN AS COASTAL CREEK SUBDIVISION AND LOCATED AT 5301-5325 SANIBEL CAPTIVA ROAD; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on July 25, 2023, the Sanibel Planning Commission conducted a quasi-judicial hearing for consideration of Development Permit Application No. DP-2021-001803 and Major Subdivision Application No. SPLT 2022-00007 (the "Applications"); and

WHEREAS, the Applications, filed by Brian Smith with Ensite, Inc. on behalf of owner Buckingham 225 Development, Inc. (the "Applicant"), seek approval to allow for a unified residential housing (cluster housing) development including six parcels for single-family residential use and associated improvements, known as "Coastal Creek" subdivision, located at 5301-5325 Sanibel Captiva Road, Sanibel; and

WHEREAS, Land Development Code Sections 82-421(8) and 82-422 detail the application and notice requirements for development permit consideration by the Planning Commission; and Land Development Code Section 114-106 provides the requirements and procedures for preliminary plats; and

WHEREAS, at the conclusion of its July 25, 2023 hearing, the Planning Commission, by a 4-1 vote, approved the Applications together with 24 conditions; and

WHEREAS, a Notice of Appeal of Planning Commission Resolution 23-024 was timely filed on August 8, 2023, by Ralph Brookes, Esq., on behalf of the Heron's Landing Homeowners Association of Sanibel, Inc. and six Sanibel residents (the "Appellants"), opposing the approval of the applications with the 24 conditions, as approved; and

WHEREAS, pursuant to Land Development Code Section 82-98(d), the City Council's consideration on appeal is limited to whether the Planning Commission properly interpreted and applied the provisions of the Land Development Code, based upon the Applications and evidence presented to the Planning Commission; and

WHEREAS, on appeal, the Appellants argue, among other things, that the Coastal Creek site should have certain additional testing and site remediation performed before the site is developed, as approved; and

WHEREAS, the City Council conducted a duly noticed hearing on appeal on September 11, 2023, for which the City Council reviewed and considered the record before the Planning Commission, Planning Commission Resolution 23-024, minutes of the Planning Commission, and the written and oral arguments presented by or on behalf of the Appellants, the Applicant, and Planning Staff; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SANIBEL, FLORIDA:

SECTION 1. The above "whereas" recitals are hereby found to be correct and are incorporated herein as part of this Resolution.

SECTION 2. The City Council makes the following findings:

(a) The Appellants have standing to appeal and timely filed their appeal to City Council; and

(b) All parties had notice and opportunity to be heard in the appeal; and

(c) No objections were raised to form or procedure of the appeal; and

(d) In approving the Applications, the Planning Commission properly interpreted and applied the provisions of the Land Development Code, based upon the Applications and evidence presented to the Planning Commission; and

(e) Condition 22 of Planning Commission Resolution 23-024 should be modified to clarify the definition of "excavated soil."

SECTION 3. Planning Commission Resolution 23-024 is hereby **UPHELD** in all respects, except Condition 22 is **MODIFIED** to read as follows:

> 22. All excavated soil from the site shall be disposed of properly at an off-island location. For this project, "excavated soil" shall include all soil dug up or scraped from predevelopment grade, other than *de minimus* removal of soil for the planting of vegetation or other, similar minor soil disturbances.

SECTION 4. This resolution shall take effect immediately upon adoption.

PASSED IN OPEN AND REGULAR SESSION OF THE CITY COUNCIL OF THE CITY OF SANIBEL, FLORIDA THIS 3RD DAY OF OCTOBER 2023.

Attest:

Scotty Lynn Kelly, CMC
Scotty Lynn Kelly, City Clerk

Richard Johnson
Richard Johnson, Mayor

Approved as to form and legality:

John D. Agnew, City Attorney

Date filed with City Clerk: October 3, 2023

Vote of Council Members:

Johnson	Aye
Miller	Aye
Crater	Nay
Henshaw	Aye
Smith	Aye

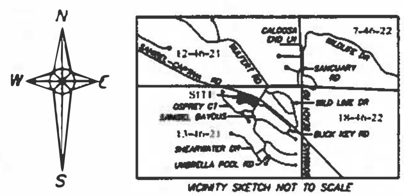
THIS INSTRUMENT PREPARED BY
HARRIS JORGENSEN, LLC
PHILIP M. MOULD LS6815
CERTIFICATE OF AUTHORIZATION No. 6821
3046 DEL PRADO BLVD. S. SUITE 100
CAPE CORAL, FLORIDA 33904
[illegible]

INSTRUMENT NUMBER:

SHEET 1 OF 2

COASTAL CREEK

A SUBDIVISION LYING IN
SECTION 13, TOWNSHIP 46 SOUTH, RANGE 21 EAST,
CITY OF SANIBEL, LEE COUNTY, FLORIDA



VICINITY SKETCH NOT TO SCALE

DEDICATION:

KNOW ALL MEN BY THESE PRESENTS THAT [illegible] 225 DEVELOPMENT, INC. HAVE CAUSED THIS PLAT OF COASTAL CREEK, A SUBDIVISION LYING IN SECTION 13, TOWNSHIP 46 SOUTH, RANGE 21 EAST, SANIBEL ISLAND, LEE COUNTY, FLORIDA TO BE MADE AND DOES HEREBY MAKE THE FOLLOWING DEDICATION:

A. TO THE COASTAL CREEK PROPERTY OWNERS ASSOCIATION, INC.:

1. TRACT "A" AS DEPICTED ON THE PLAT IS DEDICATED FOR PRIVATE ROADWAY ACCESS EASEMENT (A.E.), DRAINAGE (D.E.), AND UTILITY PURPOSES (P.U.E.) WITH MAINTENANCE RESPONSIBILITIES.
2. ALL DRAINAGE EASEMENTS (D.E.) AS DEPICTED ON THE PLAT, WITH MAINTENANCE RESPONSIBILITIES.
3. NON-EXCLUSIVE USE OF A SIX (6') FOOT PUBLIC UTILITY EASEMENT (P.U.E.) ADJACENT TO TRACT "A" AS SHOWN ON THE PLAT, FOR THE PURPOSE OF PLACEMENT OF UTILITIES AND MAINTENANCE THEREOF.

B. TRACT "B" AS DEPICTED ON THE PLAT IS DEDICATED FOR LANDSCAPE BUFFER WITH MAINTENANCE RESPONSIBILITIES.

C. TRACT "C" AS DEPICTED ON THE PLAT IS DEDICATED AS WETLAND WITH MAINTENANCE RESPONSIBILITIES.

D. TRACTS "D-1" AND "D-2" AS DEPICTED ON THE PLAT IS DEDICATED AS DRAINAGE AND OPEN SPACE WITH MAINTENANCE RESPONSIBILITIES.

E. TO PUBLIC AND PRIVATE UTILITY COMPANIES:
THE EASEMENTS DESCRIBED BELOW ARE HEREBY DEDICATED TO PUBLIC AND PRIVATE UTILITY COMPANIES, INCLUDING, BUT NOT LIMITED TO, LEE COUNTY ELECTRIC CO-OP, INTERNET, CABLE T.V., AND PHONE SERVICES, FOR THE PURPOSE OF CONSTRUCTION, INSTALLATION, MAINTENANCE AND OPERATION OF THEIR FACILITIES, INCLUDING, BUT NOT LIMITED TO PROVIDING CABLE TELEVISION SERVICES, TELEPHONE, GAS, ELECTRIC OR OTHER PUBLIC AND PRIVATE UTILITY SERVICES. PROVIDED, HOWEVER, NO SUCH CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION OF SERVICES SHALL INTERFERE WITH THE FACILITIES AND SERVICES OF ANOTHER PUBLIC OR PRIVATE UTILITY. IN THE EVENT ANYONE DAMAGES THE FACILITIES OF A PUBLIC OR PRIVATE UTILITY, THE PARTY CAUSING THE DAMAGE WILL BE SOLELY RESPONSIBLE FOR THE DAMAGES.
1. NON-EXCLUSIVE USE OF A SIX (6') FOOT PUBLIC UTILITY EASEMENT (P.U.E.) ADJACENT TO TRACT "A" AS SHOWN ON THE PLAT.
2. EASEMENTS CREATED BY THIS PLAT THAT ARE CO-LOCATED WITHIN PLATTED UTILITY EASEMENTS SHALL BE SUBORDINATE TO THE PUBLIC UTILITY EASEMENT.

IN WITNESS WHEREOF, ______________ HAS EXECUTED AND CAUSED THIS DEDICATION TO BE MADE AND SIGNED THIS ____ DAY OF ______________ 2026.

______________ BY: ______________
WITNESS
PRINT NAME ______________

____
WITNESS
PRINT NAME ______________

ACKNOWLEDGMENT:

STATE OF FLORIDA
COUNTY OF LEE

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME BY MEANS OF ___ PHYSICAL PRESENCE OR ___ ONLINE NOTARIZATION ON THIS ____ DAY OF ______________ 2026, BY ______________ WHO IS [illegible]

(AFFIX NOTARY SEAL)

____
NOTARY PUBLIC SIGNATURE ABOVE
NOTARY NAME: ______________
COMMISSION NO.: ______________
COMMISSION EXP. DATE: ______________

SURVEYORS CERTIFICATION:

I HEREBY CERTIFY THAT THE ATTACHED PLAT OF COASTAL CREEK, A SUBDIVISION LYING IN SECTION 13, TOWNSHIP 46 SOUTH, RANGE 21 EAST, SANIBEL ISLAND, LEE COUNTY, FLORIDA, WAS PREPARED UNDER MY DIRECTION AND SUPERVISION AND COMPLIES WITH ALL OF THE SURVEY REQUIREMENTS OF CHAPTER 177, FLORIDA STATUTES. I FURTHER CERTIFY THAT THE PERMANENT REFERENCE MONUMENTS (P.R.M.'S) HAVE BEEN PLACED AT THE LOCATIONS SHOWN ON THE PLAT.

DONE THIS ____ DAY OF ______________, 2026

____
PHILIP M. MOULD, PSM 6815
PROFESSIONAL LAND SURVEYOR AND MAPPER
HARRIS JORGENSEN, LLC
CERTIFICATE NUMBER LB 6821
3046 DEL PRADO BOULEVARD S. #100
CAPE CORAL, FLORIDA 33904

SURVEYOR SEAL

DESCRIPTION:

A PARCEL OF LAND LYING IN GOVERNMENT LOT 1, SECTION 13, TOWNSHIP 46 SOUTH, RANGE 21 EAST, SANIBEL ISLAND, LEE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID GOVERNMENT LOT 1; THENCE RUN [illegible] ALONG THE NORTH LINE OF SAID SECTION FOR A DISTANCE OF [illegible] FEET; THENCE RUN [illegible] FOR A DISTANCE [illegible] FEET TO AN INTERSECTION WITH THE CENTERLINE OF SANIBEL-CAPTIVA ROAD (66 FEET WIDE) BEING A POINT OF CUSP OF CURVATURE; THENCE RUN NORTHWESTERLY ALONG SAID CENTERLINE AND ALONG THE ARC OF A CURVE [illegible] FOR A DISTANCE OF 378.15 FEET TO A POINT OF TANGENCY; THENCE RUN [illegible] FOR A DISTANCE OF 33.00 FEET TO AN INTERSECTION WITH THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF SAID SANIBEL-CAPTIVA ROAD, BEING A POINT OF CUSP OF CURVATURE AND THE POINT OF BEGINNING.
FROM SAID POINT OF BEGINNING RUN SOUTHEASTERLY ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY LINE AND ALONG THE ARC OF A CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF [illegible] FEET (CHORD BEARING [illegible]) FOR A DISTANCE OF 304.13 FEET TO A POINT OF COMPOUND CURVATURE; THENCE RUN SOUTHEASTERLY AND SOUTHERLY ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 25.00 FEET (CHORD BEARING [illegible]) FOR A DISTANCE OF 40.57 FEET TO A POINT OF TANGENCY; THENCE RUN [illegible] FOR A DISTANCE OF 210.12 FEET; THENCE RUN [illegible] FOR A DISTANCE OF [illegible] FEET; THENCE RUN NORTHEASTERLY ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS 25.00 FEET (CHORD BEARING [illegible]) FOR A DISTANCE OF [illegible] FEET; THENCE RUN [illegible] FOR A DISTANCE OF 200.55 FEET; THENCE RUN [illegible] FOR A DISTANCE OF [illegible] FEET; THENCE RUN [illegible] FOR A DISTANCE OF 230.93 FEET; THENCE RUN [illegible] FOR A DISTANCE OF 77.71 FEET; THENCE RUN [illegible] FOR A DISTANCE OF [illegible] FEET TO A POINT ON THE AFORESAID SOUTHWESTERLY RIGHT-OF-WAY LINE; THENCE RUN [illegible] ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY LINE FOR A DISTANCE OF 330.87 FEET TO THE POINT OF BEGINNING.

BEARINGS ARE BASED ON THE NORTH LINE OF THE AFORESAID SECTION 13 AS BEING [illegible].

SAID TRACT CONTAINS [illegible] SQUARE FEET OR 3.357 ACRES, MORE OR LESS.

APPROVALS:

THIS PLAT IS ACCEPTED AND APPROVED BY THE CITY OF SANIBEL, LEE COUNTY, FLORIDA
THIS ____ DAY OF ______________, 2026.

____
DANA SOUZA
CITY OF SANIBEL MANAGER

____
SCOTTY LYNN KELLY

____
JOHN D. AGNEW
CITY ATTORNEY

ON BEHALF OF THE CITY OF SANIBEL, I HAVE REVIEWED THE ATTACHED PLAT OF COASTAL CREEK SUBDIVISION, A SUBDIVISION LYING IN SECTION 13, TOWNSHIP 46 SOUTH, RANGE 21 EAST, CITY OF SANIBEL, LEE COUNTY, FLORIDA AND FIND THAT IT COMPLIES WITH ALL OF THE REQUIREMENTS OF CHAPTER 177, PART 1, FLORIDA STATUTES.

____
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERTIFICATE NO. ______________
PRINTED NAME: ______________

NOTICE:

"LANDS DESCRIBED IN THIS PLAT MAY BE SUBDIVIDED BY THE DEVELOPER WITHOUT THE ROADS, DRAINAGE, WATER AND SEWER FACILITIES BEING ACCEPTED FOR MAINTENANCE BY LEE COUNTY. ANY PURCHASER OF A LOT IN THIS SUBDIVISION IS ADVISED TO DETERMINE WHETHER THE LOT MAY BE SUBJECT TO ASSESSMENT OR CALLED UPON TO BEAR A PORTION OR ALL OF THE EXPENSE OF CONSTRUCTION, MAINTENANCE, OR IMPROVEMENT OF ROADS, DRAINAGE, WATER, AND SEWER FACILITIES."

NOTICE:

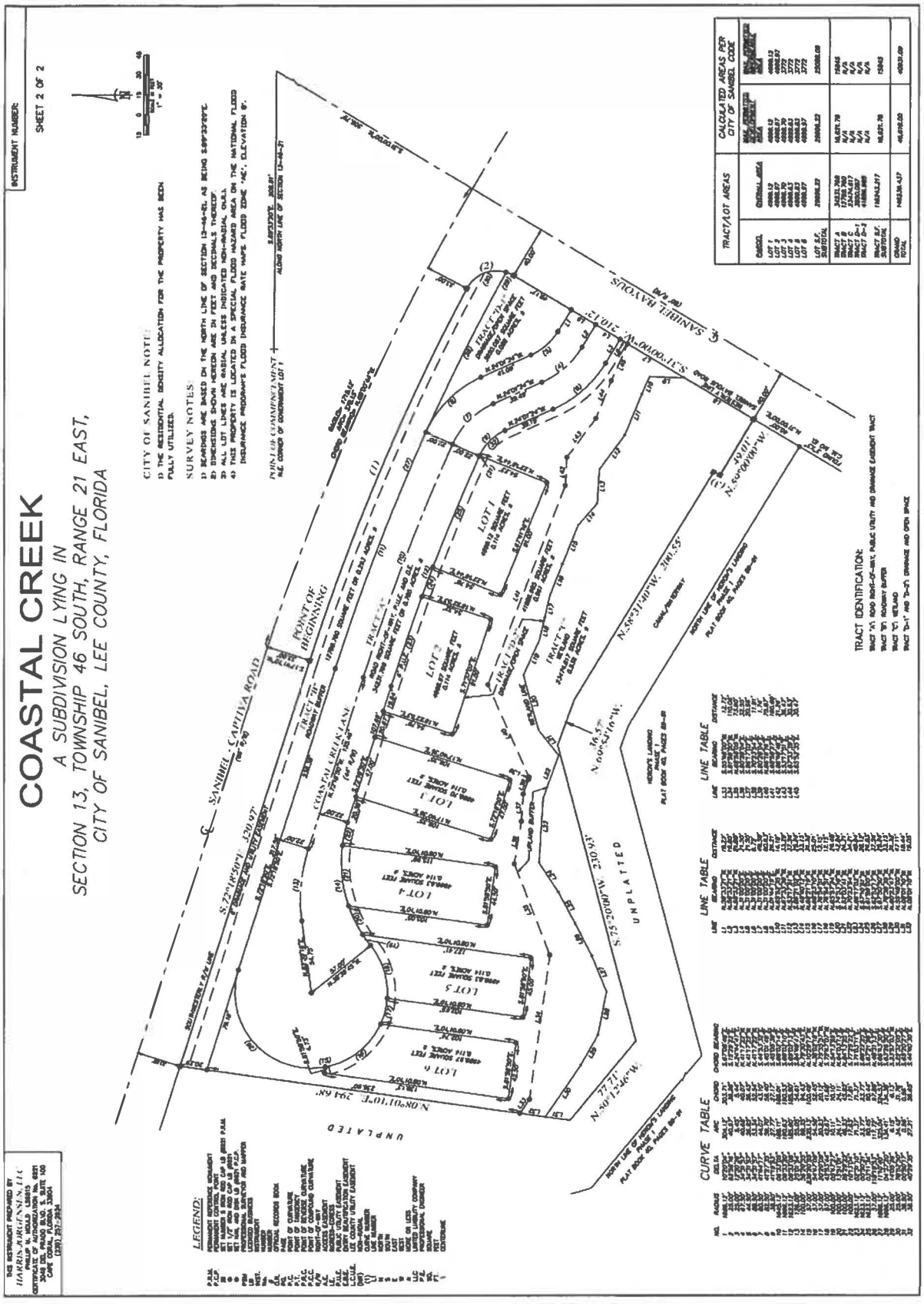
THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL IN NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY AND/OR THE CITY OF SANIBEL.

CLERK OF COURT CERTIFICATION:

I HEREBY CERTIFY THAT THE ATTACHED PLAT OF COASTAL CREEK, A SUBDIVISION LYING IN SECTION 13, TOWNSHIP 46 SOUTH, RANGE 21 EAST, SANIBEL ISLAND, LEE COUNTY, FLORIDA, WAS FILED FOR RECORD AT ____M, THIS ____ DAY OF ______________ 2026 AND DULY RECORDED AS INSTRUMENT NUMBER ______________ PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

____
KEVIN C. KARNES
LEE COUNTY CLERK OF COURT

CLERK SEAL


COASTAL CREEK
A SUBDIVISION LYING IN
SECTION 13, TOWNSHIP 46 SOUTH, RANGE 21 EAST,
CITY OF SANIBEL, LEE COUNTY, FLORIDA
SHEET 2 OF 2
INSTRUMENT NUMBER:
SANIBEL - CAPTIVA ROAD
POINT OF BEGINNING
POINT OF COMMENCEMENT
SANIBEL BAYOUS
UNPLATTED
LOT 1
LOT 2
LOT 3
LOT 4
LOT 5
LOT 6
TRACT "A"
TRACT "B"
TRACT "C"
TRACT "D-1"
TRACT "D-2"
CITY OF SANIBEL NOTE:
SURVEY NOTES:
LEGEND:
CURVE TABLE
LINE TABLE
TRACT/LOT AREAS
CALCULATED AREAS PER CITY OF SANIBEL CODE
TRACT IDENTIFICATION: