				Board Of C Agenda Item	County Commis n Summary	ssioners	Blue Sheet N	Vo. 20040165
REQUES	STED MOTIC	<u>DN</u> :						
3683 South 13th WHY ACTI assement v	Lake Circle, day of	Fort Myers, April SSARY: To existing dra	FL 33908, a construct a ainage and	and adopt a , 2004. new single utility cond	resolution, set (Case No. VA -family resider	tting a Public AC2003-0005 ace, pool and	Hearing for 5:058) Ianai on the lot	asement located at 00 PM on the t. The vacation of this ary to accommodate
VHAT AC	TION ACCO	MPLISHES:	Sets the tir	me and date	of the Public	Hearing.		
	MENTAL CA SSION DISTA		04	C	4B		ETING DATE: 03-09	-2004
. AGENDA	<u>7</u> :		5. REQU		/PURPOSE:			NFORMATION:
AD	NSENT MINISTRAT PEALS	IVE	X STA ORI X ADM	TUTE DINANCE MIN. CODE	F.S. Ch. 17		MM ISSI QNER ARTMENT ISION	Community Development Development Services
	BLIC ALK ON		OTH	HER		BY	V	2-11-04
	4E REQUIRE	ED:					Pe	eter J. Eckenrode, Director
ocumentat	tion pertaining	g to this Petito	ion to Vaca	ate is availab		at the Office	the Public Hea	ring. Hearing and Exhibits.
MANAGI	EMENT REC	OMMENDA	TIONS:	•		.		
		-	9. <u>I</u>	RECOMME	NDED APPRO	VAL:		
A	B	С	D	E		F	÷ (G
Department Director	Purchasing or Contracts	Human Resources	Other	County Attorney	OA	Budget Ser	vices / <i>14/01</i> Risk G.C	County Manager
Mars (764)	N/A	N/A	N/A	Medure 2.17-04	21904	\(\)	RECEIVED	by William
). <u>COMMI</u>	SSION ACTI	<u>ON</u> :		Rec	. by CoAtty	•	COUNTY AT	DMIN:
		APPR DENII DEFE OTHE	RRED	Dat Tim			COUNTY AD FORWARDIJ	Proser
				3021 00031	I /W	• *	2/19/0	4

PETITION TO VACATE

Petitioner(s), CLIFFORD W. ROBINSON AND CHNTHA ROBINSON, HUSBAND & WIFE requests the Board of County Commissioners of Lee County, Florida, to grant this Petition to Vacate and states as follows:

8514 W. 1497H TERRACE

1. Petitioner(s) mailing address, OVERLAND PARK, KANSAS 66223.

- 2. In accordance with Florida Statute (F.S.) Chapter 177 and Lee County Administrative Code (LCAC) 13-1, Petitioner desires to vacate the public's interest in the easement, plat or portion of a plat legally described in the attached Exhibit "A".
- 3. A sketch showing the area the Petitioner desires to vacate is attached as Exhibit "B".
- 4. Proof Petitioner paid all applicable state and county taxes is attached as Exhibit "C".
- 5. Petitioner is fee simple title holder to the underlying land sought to be vacated.
- 6. Petitioner did provide notice to all affected property owners concerning the intent of this Petition in accordance with the LCAC 13-1.
- 7. In accordance with letters of review and recommendation provided by various governmental and utility entities, it is apparent if the Board grants the Petitioner's request, it will not affect the ownership or right of convenient access of persons owning other parts of the subdivision.

Wherefore Petitioner respectfully requests the Board of County Commissioners adopt a Resolution granting the Petition to Vacate.

Respectfully Submitted, 09/02/03

By: Detitioner Signature

CLIFFORD W. ROBINSON

Printed Name

Ву:

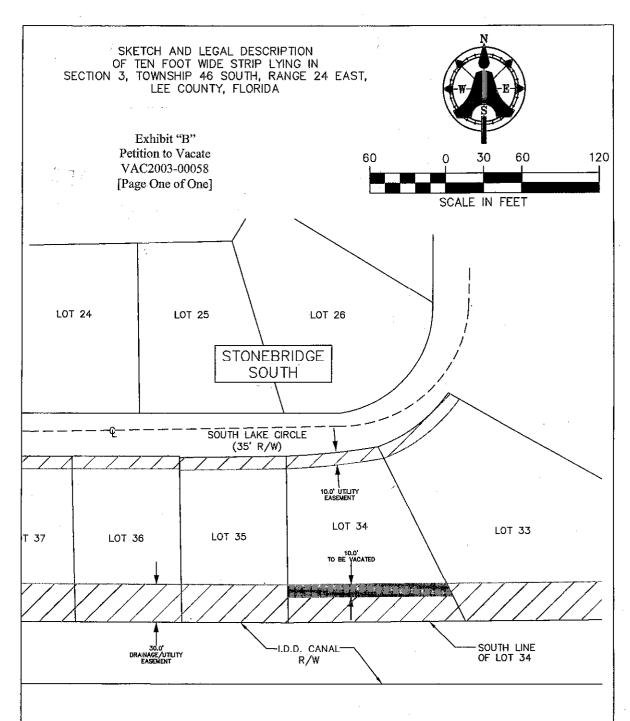
Petitioner Signature

Printed Name

EXHIBIT "A"Petition to Vacate VAC2003-00058

Legal Description of the **Drainage** and **Utility Easement** to be vacated:

A ten-foot (10') wide strip being described as the north 10 feet of the south 30 feet of Lot 34, Stonebridge South Subdivision, Section 3, Township 46 South, Range 24 East, according to the plat thereof as recorded in Plat Book 41, Pages 93 and 94 of the Public Records of Lee County, Florida.



DESCRIPTION:

A 10 FOOT WIDE STRIP BEING DESCRIBED AS THE NORTH 10 FEET OF THE SOUTH 30 FEET OF LOT 34, STONEBRIDGE SOUTH, SECTION 3, TOWNSHIP 46 SOUTH, RANGE 24 EAST, AS RECORDED IN PLAT BOOK 41, PAGE 94, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

AIM ENGINEERING & SURVEYING INC.

ROBERT TAD SIMPSON, P.S.M. PROFESSIONAL SURVEYOR AND MARPER FLORIDA CERTIFICATE NO. 5359

THIS IS NOT A SURVEY

SHEET 4 OF 1

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

MY REMISIONS, ALTERATIONS, AND OR CHANGES TO AIM ENGINEERING & SURVEYING, INC. DRAWNO(S) WITHOUT THE WRITTEN COMSENY OF APPROVAL BY AIM ENGINEERING & SURVEYING, INC. IS PROHIBITED TO A SURVEYING FOR AIM Engineering & Surveying, Inc.



AIM Engineering & Surveying, Inc.	04-8576	LEGAL AND SKETCH OF EASEMENTS TO BE VACATED				
	DRAWING BY:	CLIENT:				
	JSL	CYNTHIA AND CLIFFORD ROBINSON				
LEHIGH ACRES, FLORIDA 33971 FAX 239~332=6734			FILE: ROBINSON	COUNTY: LEE		

Exhibit "C" Petition to Vacate VAC2003-00058

[Page One of One]

Tax Roll Search - Real Property

Search the Lee County Tax Collector's real property records by selecting the search criteria for the tax year. Use the extensive search feature to view a broader range of data.

The results to your tax search are based upon information provided to the Lee County Tax Collector by the Lee County Property Appraiser. **This website should not be relied upon for a title search.** Amounts due are subject to change without notice due to statutory compliance (i.e. tax deed application, county held tax certificates, errors & insolvencies (E&I), bankruptcy, litigation, etc.)

•	View	Account for Tax Year:	All 🐷
O	Save as File		ive Searcl
Vie	View file format.	Start Search Reset	







Account	Tax Year	Owner Name/ Address	Status/ Outstan	ding Balance
03-46-24-01-00000.0340	2003	ROBINSON CLIFFORD W + CYNTHIA 8683 SOUTH LAKE CIR	PAID	Delatic
03-46-24-01-00000.0340	2002	ROBINSON CLIFFORD W + CYNTHIA 8683 SOUTH LAKE CIR	PAID	/ Details
03-46-24-01-00000.0340	2001	ROBINSON CLIFFORD W + CYNTHIA 8683 SOUTH LAKE CIR	PAID	Defails.
03-46-24-01-00000.0340	2000	ROBINSON CLIFFORD W + CYNTHIA 8683 SOUTH LAKE CIR	PAID	. Details
03-46-24-01-00000.0340	1999	ELAND/LUND ASSOCIATES %GOLDEN POND INV (JIM STANTON) 8683 SOUTH LAKE CIR	PAID	(1000)
03-46-24-01-00000.0340	1998	ELAND/LUND ASSOCIATES %GOLDEN POND INV (JIM STANTON)	PAID	Quals

INSTR # 5192921 OR BK 03455 PG 0138

RECUMBED 07/24/01 08:51 AM CHARLIE GREEN CLERK OF COURT

DUC TRX PD(F. S. 201, 02)

DEPUTY CLERK K Cartwright

LEE COUNTY RECORDING FEE



THIS INSTRUMENT PREPARED BY: GUARDIAN TITLE SERVICES CORPORATION Kelsey L. Chaney 9311 COLLEGE PARKWAY, SUITE 2 FORT MYERS, FLORIDA 33919

STRAP NO: 03-46-24-01-00000.0340 GRANTEE'S SOCIAL SECURITY NO:

THIS WARRANTY DEED Made and executed this 20th of July A.D. 2001, by:

Eland/Lund Associates, a Florida General Partnership

a general partnership existing under the laws of the State of Florida, and having its principal place of business at: 20600 County Road 81, Rogers, MN 55374

hereinafter called the grantor, to

Clifford W. Robinson and Cynthia Robinson, husband and wife

whose Post Office address is:

8514 West 149 th Therrace Overland Park KS 6622

hereinafter called the 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.

WITNESSETH: That the grantor, for and in consideration of the sum of \$10.00 and other valuable considerations, receipt whereof is hereby acknowledged, by these presents does grant, bargain, sell, allen, remise, release, convey and confirm unto the grantee, all that certain land situate in Lee County, Florida, vis:

Lot 34, Stonebridge South Subdivision, according to the plat thereof as recorded in Plat Book 41, Pages 93 and 94, in the Public Records of Lee County, Florids.

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 it is lawfully seized of said land in fee simple; that it has good right and lawful authority to sell and convey such land; that it hereby warrants the title to such 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 and assessments for the year 2000 and thereafter, conditions, restrictions, easements and limitations of record, and to all zoning rules and regulations and to any other laws, ordinances, rules and regulations of any governmental authority or otherwise.

IN WITNESS WHEREOF, the grantor has caused these presents to be executed in its name, and its corporate seal to be hereunto affixed, by its proper officers thereunto duty authorized, the day and year first above written.

Signed, sealed, and delivered

In the Streeness of

Molynda arderson

Miness & Melynda, Andersor,

STATE OF MINNESOTA

COUNTY OF HENNEPIN

EXECUTION OF the foregoing instrument was acknowledged before me this 20th day of July 2001, by Charles J. Van Heel, General Partner of Eland/Lund Associates, a Florida General Partnership, on behalf of the general partnership. He is personally known to me or has produced sufficient evidence of identification (described below), and who did not take an oath.

Description of Identification produced: \(\frac{V-540-115-441-}{V-540-115-441-} \)

NOTARY PUBLIC SIGNATURE ABOVE

/ ABOVE

NOTARY NAME & Melynda Anderson (SEAL)

COMMISSION NO. X ID#20220211

COMMISSION EXP. DATE X an .31, 2005

Notary Name/Commission No./Exp. Data - typed or printed

FILE NUMBER: F93224P ELAND BATCH



June 10, 2003

Clifford Robinson 8514 W 149th Terrace Overland Park, Kansas 66223

Re: Vacation of Easement- 8683 South Lake Circle, Ft Myers, FL 33908

Dear Mr. Clifford Robinson:

This letter will serve to inform you that Comcast has No Conflict with this petition . All underground facilities are located in the front.

If you should have any further questions or concerns, please feel free to contact me here at (239) 432-1865.

Sincerely,

Lucia Vera

Project Coordinator

May 27, 2003

COMCAST

Ms. Lucia Vera 301 Tower Road Naples, Florida 34113 Ph. 239-793-2405

RE: Request for a letter of Review and Recommendation on a proposed Utility/Drainage or road easement vacation at the following location:

LEGAL DESCRIPTION: Stonebridge South S/D,P.B.41,Pg.94,Lot34,Ft. Myers,Lee

County, Fl. 3455/138 8683 South Lake Circle Ft. Myers, Fl. 33908 03-46-24-01-00000.0340

To Whom It May Concern:

We intend to submit a Petition to the Lee County Board of Commissioners seeking to vacate the public interest in the Utility/Drainage or road easement at the location identified above in order to accomplish the following purpose:

To change the building rear setback requirements from 30 feet to 20 feet from existing drainage easement. Our current Architectural Guidelines and Review Procedures stipulate 20 feet. It is to our understanding the (RPD) has 30 feet setback in the plan. We would like to gain the additional 10 feet for the purpose of extending our home, pool and lanai area further back so we can accommodate a 3-car side load garage on the front of our home.

We have included a sketch or drawing of the Utility/Drainage or road easement we desire to vacate. Also included is a copies of Stonebridge South Architectural Guidelines and Review Procedures pertaining to setback requirements along with definitions of setback requirements from Commonwealth Land Title Insurance Company. Please provide us with a letter of review and recommendation so we can proceed with our Petition submittal. If you have any questions, please do not hesitate to contact us directly and

thank you in advance for your consideration.

Signed.

(Petitioner)
Clifford W. and Cynthia K. Robinson
8514 W. 149th Terrace
Overland Park, Kansas 66223
(home) 913-897-2074
(Cynthia's work) 816-257-5500 ext .5593
(Cliff's cell phone) 913-406-2985



P. O. Box 370 Fort Myers, FL 33902-0370

June 2, 2003

Clifford W. and Cynthia K. Robinson 8514 W. 149th Terrace Overland Park, Kansas 66223-2790

RE: Vacation of Utility/Drainage Easement Stonebridge South S/D, P.B.41, Pg. 94, Lot 34, Fort Myers, Florida 8683 South Lake Circle Fort Myers, FL 33908 03-46-24-01-00000.0340

Dear Mr. & Ms. Robinson:

Sprint-Florida Incorporated has reviewed the plans for the above referenced proposal. Based on the review of the request, we do not have any objections to the vacation of the 30' utility/drainage easement located at the rear of 1ot 34 within the Stonebridge South subdivision recorded in Plat Book 41 at Page 94 of the public records of Lee County, Florida.

If you should have any questions or require additional information, please give me a call at (239) 336-2030.

Sincerely,

Sprint-Florida Incorporated

Jack H. nitebell

Jack H. Mitchell Network Engineer I

cc: File



May 27, 2003

Denise Grabowski

Sprint P.O. Box 370 Fort Myers, Fl. 33902-0370 Ph. 239-336-2014

RE: Request for a letter of Review and Recommendation on a proposed Utility/Drainage or road easement vacation at the following location:

LEGAL DESCRIPTION: Stonebridge South S/D,P.B.41,Pg.94,Lot34,Ft. Myers,Lee

County, Fl. 3455/138 8683 South Lake Circle Ft. Myers, Fl. 33908 03-46-24-01-00000.0340

To Whom It May Concern:

We intend to submit a Petition to the Lee County Board of Commissioners seeking to vacate the public interest in the Utility/Drainage or road easement at the location identified above in order to accomplish the following purpose:

To change the building rear setback requirements from 30 feet to 20 feet from existing drainage easement. Our current Architectural Guidelines and Review Procedures stipulate 20 feet. It is to our understanding the (RPD) has 30 feet setback in the plan. We would like to gain the additional 10 feet for the purpose of extending our home, pool and lanai area further back so we can accommodate a 3-car side load garage on the front of our home.

We have included a sketch or drawing of the Utility/Drainage or road easement we desire to vacate. Also included is a copies of Stonebridge South Architectural Guidelines and Review Procedures pertaining to setback requirements along with definitions of setback requirements from Commonwealth Land Title Insurance Company. Please provide us with a letter of review and recommendation so we can proceed with our Petition submittal. If you have any questions, please do not hesitate to contact us directly and thank you in advance for your consideration.

Signed,

(Petitioner)
Clifford W. and Cynthia K. Robinson
8514 W. 149th Terrace
Overland Park, Kansas 66223
(home) 913-897-2074
(Cynthia's work) 816-257-5500 ext .5593
(Cliff's cell phone) 913-406-2985





June 5, 2003

Mr. & Mrs. Robinson 8683 South Lake Circle Fort Myers, FL 33908

Re: Proposed Partial Vacation of Easement for 8683 South Lake Circle

Dear Mr. Richards,

FPL would have no objection to vacating 10 feet of the South Side of the Drainage and Utility Easement, along the North Side of 8683 South Lake Circle, Strap # 03-46-24-01-00000.0340.

If you have any question, please call me at (941) 415-1329.

Sincerely,

Jane Gunter

Customer Project Manager

Mr. Nathan Sederstrom

Florida Power & Light 15834 Winkler Road Fort Myers, Florida 33908 239-415-1531

RE: Request for a letter of Review and Recommendation on a proposed Utility/Drainage or road easement vacation at the following location:

LEGAL DESCRIPTION: Stonebridge South S/D,P.B.41,Pg.94,Lot34,Ft. Myers,Lee

County, Fl. 3455/138 8683 South Lake Circle Ft. Myers, Fl. 33908 03-46-24-01-00000.0340

To Whom It May Concern:

We intend to submit a Petition to the Lee County Board of Commissioners seeking to vacate the public interest in the Utility/Drainage or road easement at the location identified above in order to accomplish the following purpose:

To change the building rear setback requirements from 30 feet to 20 feet from existing drainage easement. Our current Architectural Guidelines and Review Procedures stipulate 20 feet. It is to our understanding the (RPD) has 30 feet setback in the plan. We would like to gain the additional 10 feet for the purpose of extending our home, pool and lanai area further back so we can accommodate a 3-car side load garage on the front of our home.

We have included a sketch or drawing of the Utility/Drainage or road easement we desire to vacate. Also included is a copies of Stonebridge South Architectural Guidelines and Review Procedures pertaining to setback requirements along with definitions of setback requirements from Commonwealth Land Title Insurance Company. Please provide us with a letter of review and recommendation so we can proceed with our Petition submittal. If you have any questions, please do not hesitate to contact us directly and thank you in advance for your consideration.

Signed,

(Petitioner)
Clifford W. and Cynthia K. Robinson
8514 W. 149th Terrace
Overland Park, Kansas 66223
(home) 913-897-2074
(Cynthia's work) 816-257-5500 ext .5593
(Cliff's cell phone) 913-406-2985



BOARD OF COUNTY COMMISSIONERS

(941)479-8531

Writer's Direct Dial Number:

Bob Janes District One

Douglas R. St. Cerny June 5, 2003 District Two

Ray Judah District Three

Clifford W. & Cynthia K. Robinson 8514 W. 149th Terrace

Andrew W. Coy District Four

Overland Park, KS 66223

John E. Albion District Five

SUBJECT: PETITION TO VACATE PLATTED DRAINAGE AND PUBLIC UTILITY EASEMENT

STRAP #: 03-46-24-01-00000.0340 STONEBRIDGE, SOUTH - LOT 34

Donald D. Stilwell County Manager James G. Yaeger

Dear Mr. & Mrs. Robinson:

County Attorney Diana M. Parker

County Hearing

Examiner

Lee County Utilities is in receipt of your letter and associated attachments concerning a proposed Petition to Vacate a portion of the existing 30-foot wide drainage and utility easement along the rear lot line of Lot 34, Stonebridge, South as recorded in Plat Book 41, Page 94 of

Lee County Public Records. Lee County Utilities has reviewed your request and has No OBJECTION to the proposed vacation. Even though the area in question is located within Lee County Utilities' service area,

Should you have any questions or require further assistance, please do not hesitate to contact our office at 479-8531.

we have no potable water or sanitary sewer facilities within the area to be vacated.

Sincerely,

LEE COUNTY UTILITIES

Senior Engineering Technician **Utilities Engineering Division**

cc: Correspondence File



May 27, 2003

Ms. Terry E. Kelly

Lee County Utilities 1500 Monroe Street, 3rd floor Fort Myers, Florida 33901-5500 Ph. 239-479-8580

RE: Request for a letter of Review and Recommendation on a proposed Utility/Drainage or road easement vacation at the following location:

LEGAL DESCRIPTION: Stonebridge South S/D,P.B.41,Pg.94,Lot34,Ft. Myers,Lee

County, Fl. 3455/138 8683 South Lake Circle Ft. Myers, Fl. 33908 03-46-24-01-00000.0340

To Whom It May Concern:

We intend to submit a Petition to the Lee County Board of Commissioners seeking to vacate the public interest in the Utility/Drainage or road easement at the location identified above in order to accomplish the following purpose:

To change the building rear setback requirements from 30 feet to 20 feet from existing drainage easement. Our current Architectural Guidelines and Review Procedures stipulate 20 feet. It is to our understanding the (RPD) has 30 feet setback in the plan. We would like to gain the additional 10 feet for the purpose of extending our home, pool and lanai area further back so we can accommodate a 3-car side load garage on the front of our home.

We have included a sketch or drawing of the Utility/Drainage or road easement we desire to vacate. Also included is a copies of Stonebridge South Architectural Guidelines and Review Procedures pertaining to setback requirements along with definitions of setback requirements from Commonwealth Land Title Insurance Company. Please provide us with a letter of review and recommendation so we can proceed with our Petition submittal. If you have any questions, please do not hesitate to contact us directly and thank you in advance for your consideration.

Signed,

(Petitioner)
Clifford W. and Cynthia K. Robinson
8514 W. 149th Terrace
Overland Park, Kansas 66223
(home) 913-897-2074
(Cynthia's work) 816-257-5500 ext .5593
(Cliff's cell phone) 913-406-2985



HOMEOWNERS ASSOCIATION

c/o Steve Belcher, President 8642 South Lake Circle Fort Myers, Florida 33908

August 27, 2003

Julie Ende Lee County Permitting 1500 Monroe Street Fort Myers, FL 33901

RE:

Vacation of North 10' of 30' Drainage Easement: 8683 South Lake Circle, Fort Myers, FL 33908 STRAP #03-46-24-01-00000.0340 (Stonebridge South Subdivision)

Dear Ms. Ende:

Please let this letter serve as notice, on behalf of the Stonebridge Homeowners Association, that the Association has no objection to the Robinsons' request to vacate the north 10' of the 30' drainage easement located on the south side of their Lot 34. If you have any questions, please feel free to contact me.

Very truly yours,

Stonebridge Homeowners Association

Steven Belcher, President

SCH:llg

F:\WPDATA\SCH\CLIENTS\Stonebridge ARB\Ltr of Support - Robinson.wpd



ARCHITECTURAL REVIEW BOARD

c/o Steve Hartsell, Chairman 8692 South Lake Circle Fort Myers, Florida 33908

August 27, 2003

Mr. Steve Belcher, President Stonebridge Homeowners Association 8642 South Lake Circle Fort Myers, FL 33908

> RE: Cliff & Cindy Robinson (Lot 34) Request for Vacation of North 10' of 30' Drainage

Dear Steve:

The Robinsons' Lot 34 contains a 30' drainage easement on the south side of the property which is also adjacent to a 50' Iona Drainage District canal that serves for drainage as well. The Robinsons have requested the Homeowners Association to send a letter of support that would allow Lee County to vacate the north 10' of that 30' drainage easement on Lot 34 so that the Robinsons' home could be built with a 20' rear setback (instead of having to stay out of the 30' drainage easement). Originally, they had intended to have a three-car side load garage that would be located at least 25' from the front property line (which normally only requires a 20' setback). However, it now appears that they will not be able to have room for a three-car side load garage and they are presently showing a three-car front load garage.

The Architectural Review Board has reviewed the request and recommends that the Homeowners Association should write a letter of support for the 10' drainage easement vacation. However, by copy of this letter, the Architectural Review Board is expressing its concern about the appearance of the three-car front load garage that is proposed, particularly given the fact that this is a narrower, pie-shaped lot at the front. We would prefer to see a side load garage, or a two-car garage, but will review that question when the Robinsons submit their application for review.

In order to help expedite the process, I am enclosing a proposed letter to Lee County for your signature. Please feel free to call me if you have any questions.

Very truly yours.

SCH:Ilg Enclosure

Cliff & Cindy Robinson, 8514 W. 149th Ter., Overland Park, KS 66223

F:\WPDATA\SCH\CLIENTS\Stonebridge ARB\belcher.ltr.wpd

Cliff & Cindy Robinson 8514 W. 149th Terrace Overland Park, Kansas 66223 Fax/Hm# 913-897-2074 E-Mail crobinson15@kc.rr.com

Hi Steve.

Dave Rosenberg from Monopoly Builders ask us to respond to you concerning a fax you sent him. We have enclosed a floor plan of the house we would like to build. This is the floor plan we have always been talking about. The only difference is this "original" plan included a side-load 3car garage. We want to add a pool to the back and in order for this house with the pool to fit we need the rear setback to be 20 feet. By going to a front load 3car garage we will be able to put the front setback at 25 feet (instead of the required 20 feet) and still get the pool /lanai in the rear and stay within the 20 foot setback. After consideration of the aesthetics of the home we felt the front elevation may be more appeasing with the front load and easier to pull the cars in and out. We want to do beautiful landscaping and the front load offers more front yard. We were never aware of a 30 foot setback when Marsha Asp sold us this property. We became informed when a neighbor (Jason) who is building on the same side of the street with Windsor Homes ran across this situation when building his home. He has a 3car side load with similar square footage but his pool got shoved under the lanai and is only 2 ½ foot from his master bedroom door. He did not have the time to petition for a vacate since he was under a time frame. We hope to receive approval so we can proceed with the submission to Lee County. The process thru the county takes 4-6 months. We hope this helps to clarify any questions you and the committee may have. Please don't hesitate to contact Monopoly Builders or ourselves if there's anything else. We are hopeful you will approve our request so we can proceed forward. Thanking you in advance.

> Sincerely, The Robinson's



BOARD OF COUNTY COMMISSIONERS

Re:

Writer's Direct Dial Number: 479-8440

Bob Janes District One

Douglas R. St. Cerny District Two

January 9, 2004

Ray Judah District Three

Andrew W. Coy District Four

John E. Albion District Five

Donald D. Stilwell County Manager

James G. Yaeger County Attorney

Diana M. Parker County Hearing Examiner CLIFFORD W. & CYNTHIA K. ROBINSON 8514 WEST 149TH TERRACE

OVERLAND PARK, KANSAS 66223

VAC2003-00058 - Petition to vacate a 10-foot Drainage and Utility Easement located at 8683 South Lake Circle, Fort Myers situated on the rear of Lot 34 as recorded in Plat Book 41 at Page 94 of the Public Records of Lee County, Florida.

Dear Mr. & Mrs. Robinson:

You have indicated that in order to construct a new single family residence with pool and lanai in accordance with your proposed site plan, you desire to eliminate the north 10 feet of the 30-foot Drainage and Utility Easement located on the rear lot of 34.

Based on a review of the updated information provided by Lee County Department of Transportation and our subsequent research, this office has no objection to the proposed vacation.

Sincerely,

DEPARTMENT OF COMMUNITY DEVELOPMENT Development Services Division

Peter J. Eckenrode

Director

PJE/RSK

U:\200402\20030909.131\0447690\DCDLETTER.DOC



BOARD OF COUNTY COMMISSIONERS

(941) 479-8124 Writer's Direct Dial Number:

Tuesday, June 03, 2003

Bob Janes District One

Mr. & Mrs. Clifford W. Robinson

Douglas H. St. Cerny 8514 W. 149th Terrace

Overland Park, Kansas 66223

Ray Judah District Three Andrew W. Coy

District Four

John E. Albion District Five Re: Petition to Vacate a portion of a thirty (30) foot wide drainage easement

along the rear lot line of Lot 34, Stonebridge South Subdivision, as

recorded in Plat Book 41 Page 94, in Lee County, Florida.

Donald D. Stilwell County Manager

Dear Mr. & Mrs. Robinson:

James G. Yaeger County Attorney

Based on the review of the documents submitted with your request, Lee County Division of Natural Resources has no objection to the vacation of a portion of the subject drainage easement.

Diana M. Parker County Hearing Examiner

Should you have any questions, please call me at the above telephone number.

Regards,

LEE COUNTY PUBLIC WORKS DEPARTMENT



Allen L. Davies, Jr. Natural Resources Division

-cc;

Don Blackburn, Development Services Joan Henry, County Attorney's Office Margaret Lawson, LCDOT

Roland Ottolini, P.E., NRD

S:\NATRES\SURFACE\DOCUMENT\vac342.doc





Mr. Allen Davies, Engineer

Lee County Env. Services Div. 1500 Monroe Street, 3rd Floor Fort Myers, Florida 33901-5500 Ph. 239-479-8580

RE: Request for a letter of Review and Recommendation on a proposed Utility/Drainage or road easement vacation at the following location:

LEGAL DESCRIPTION: Stonebridge South S/D,P.B.41,Pg.94,Lot34,Ft. Myers,Lee County, Fl. 3455/138

8683 South Lake Circle
Ft. Myers, Fl. 33908

03-46-24-01-00000.0340

To Whom It May Concern:

We intend to submit a Petition to the Lee County Board of Commissioners seeking to vacate the public interest in the Utility/Drainage or road easement at the location identified above in order to accomplish the following purpose:

To change the building rear setback requirements from 30 feet to 20 feet from existing drainage easement. Our current Architectural Guidelines and Review Procedures stipulate 20 feet. It is to our understanding the (RPD) has 30 feet setback in the plan. We would like to gain the additional 10 feet for the purpose of extending our home, pool and lanai area further back so we can accommodate a 3-car side load garage on the front of our home.

We have included a sketch or drawing of the Utility/Drainage or road easement we desire to vacate. Also included is a copies of Stonebridge South Architectural Guidelines and Review Procedures pertaining to setback requirements along with definitions of setback requirements from Commonwealth Land Title Insurance Company. Please provide us with a letter of review and recommendation so we can proceed with our Petition submittal. If you have any questions, please do not hesitate to contact us directly and thank you in advance for your consideration.

Signed,

(Petitioner)
Clifford W. and Cynthia K. Robinson
8514 W. 149th Terrace
Overland Park, Kansas 66223
(home) 913-897-2074
(Cynthia's work) 816-257-5500 ext .5593
(Cliff's cell phone) 913-406-2985



BOARD OF COUNTY COMMISSIONERS

RE:

Writer's Direct Dial Number:

479-8580

Bob Janes District One

Douglas R. St. Cerny District Two

Ray Judah District Three

Andrew W. Coy

John E. Albion District Five

District Five

Donald D. Stilwell

County Manager

James G. Yaeger

County Attorney

Diana M. Parker County Hearing Examiner February 6, 2004

Clifford W. and Cynthia K. Robinson

8514 West 149th Terrace

Overland Park, Kansas 66223

Petition to Vacate Stonebridge South Subdivision Lot 34, Plat Book 41, page 94 (8683 South Lake Circle)

Section 3, Township 46, Range 24

Dear Mr. And Mrs. Robinson:

Lee County Department of Transportation, based upon further review, offers no objection to the vacation.

Yours very truly,

DEPARTMENT OF TRANSPORTATION

Märgaret Lawson

Right-of-way Supervisor

MAL/mlb

CC:

Terry Kelley, Utilities

Allen Davies, Natural Resources Ruth Keith, Development Review

DOT PTV File Stonebridge Lot 34 (Robinson)



RESOLUTION NO		SET PUBLIC HEARING
FOR PETITION	I TO VACATE Case Nu	ımber: <u>VAC2003-00058</u>
WHEREAS, a Petition and	n to Vacate was filed with tl	ne Board of County Commissioners;
		iscontinue, close or vacate a portion cribed in the attached Exhibit "A".
	earing in order to grant a va	e County Administrative Code, the acation affecting a public easement,
BE IT THEREFORE County, Florida, as follows:	RESOLVED by the Boar	d of County Commissioners of Lee
1. A Public Hearing		VAC2003-00058 is set for the ee County Commission Chambers.
2. A Notice of Pub accordance with the Lee Co		on to Vacate will be published in
		red into the minutes of the Board of
County Commissioners of L	ee County, Florida this	BOARD OF COUNTY COMMISSIONERS OF
CHARLIE GREEN, CLERK SOUTH	WEST	LEE COUNTY, FLORIDA
Deputy Clerk Signature	VV .Manuel V.J. A	Chairman Signature
Please Print Name		Please Print Name
	APPROVED AS TO FO	DRM
	County Attorney Signa	ture

Please Print Name

EXHIBIT "A" Petition to Vacate VAC2003-00058

Legal Description of the **Drainage** and **Utility Easement** to be vacated:

A ten-foot (10') wide strip being described as the north 10 feet of the south 30 feet of Lot 34, Stonebridge South Subdivision, Section 3, Township 46 South, Range 24 East, according to the plat thereof as recorded in Plat Book 41, Pages 93 and 94 of the Public Records of Lee County, Florida.

NOTICE OF PUBLIC HEARING FOR PETITION TO VACATE

Case Number: VAC2003-00058

TO WHOM IT MAY CONCERN:

Notice is hereby given that on the 13th day of April 2004 @5:00 PM in the County Commissioners' Meeting Room, Old Lee County Courthouse, 2120 Main Street, Fort Myers, Florida, the Board of County Commissioners of Lee County, Florida, will consider and take action on a Petition vacating the public's interest in the easement, plat or portion of a plat legally described in the attached Exhibit "A".

Interested parties may appear in person or through a representative and be heard with respect to the Petition to Vacate.

Anyone wishing to appeal the decision made by the Board with respect to any matter considered at this meeting will need a record of the proceeding for such appeal, and may need a verbatim record, to include all testimony and evidence upon which the appeal is to be based.

A copy of the Petition to Vacate is on file in the Office of the Clerk of the Circuit Court of Lee County, Florida, Minutes Office, 2115 Second Street, Fort Myers, Florida.

	CHARLIE GREEN, CLERK			Ž
SOUTH	Deputy Clerk Signature			A
	Please Print Name			
	APPROVED AS TO FORM			
	County Attorney Signature			
	Please Print Name	_		

EXHIBIT "A"Petition to Vacate VAC2003-00058

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AVALON ENGINEERING, INC. 4518-3 DEL PRADO BOULEVARD CAPE CORAL, FLORIDA

STONEBRIDGE SOUTH

A SUBDIVISION OF A PORTION OF SECTION 3, TWP. 46 SOUTH, RGE. 24 EAST LEE COUNTY, FLORIDA

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SOUTH

RONALD R. STEVENOT & ASSOC 4414 S.E. 16th PLACE CAPE CORAL, FL. 33904 813-542-7499

PLAT BOOK 4/ PAGE 93

KNOW ALL MEN BY THESE PRESENTS THAT ELAND—LUND ASSOCIATES. A FLORIDA SOURRAL PRITTERSHIP, OWNER, O'T THE HERREIM DESCRIBED LANDS HAS CALSED HIS LAW O'S STONEBRIDGE SOUTH TO BE MADE, AND DES HEREBY DEDICATE ALL ROAMY, DRAINASE EASSMENTS, AND TRACTS A, B, S C TO THE LOT O'M RES ASSICA AND TRACTS A, B, S C TO THE LOT O'M RES ASSOCIATION AND UTILITY EASSMENTS TO THE PUBLIC, BEING DEDICATED SOLELY FOR THE USES AND PURPOSES INDICATED.

IN WITNESS WHEREOF, THE OWNER ABOVE HAS CAUSED THIS DEDICATION TO BE MADE AND SIGNED THIS LOW DAY OF 7/mm271/mm2, 1988 A.D.

WITNESSES ACKNOWLEDGEMENT

ELAND-LUND ASSOCIATES A FLORIDA GENERAL PARTNERSHIP BY: midel Edul MICHAEL ELAND, GENERAL PARTNER

STATE OF FLORIDA

COUNTY OF LEE

BEFORE ME, THE UNDERSIGNED AUTHORITY PERSONALLY APPEARED MICHAEL ELAND, WHO AFTER BEING BY ME DULY CAUTIONED AND SWORN, DEPOSES AND SAYS THAT HE EXECUTED THE FOREGOING DEDICATION, AND FURTHER ACKNOWLEDGES THAT THE EXECUTED SAME FOR THE PURPOSES THEREIN EXPRESSED.

WEINESS MY HAND AND OFFICIAL SEAL THIS BODY OF

Latricia)

MY COMMISSION EXPIRES: 2/8/91

MORTGAGEE CONSENT

KNOW ALL MEN BY THESE PRESENTS THAT SUN BANK OF LEE COUNTY N.A., HOLDER OF CERTAIN MORTGAGES, RECORDED IN OFFICIAL RECORD BOOK 1957. PAGES 25 IN THE PUBIC RECORDS OF LEF COUNTY, FLORIDA, ON PARTS OF THE HEREIN DESCRIBED LAND, DOES HEREBY JOIN THE PLAT DEDICATION APPEARING HEREIN THIS JET DAY OF HOME THE LAND 1988 A.D.

ROBERT P. TOMASSO,

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ANGES:

VICE PRESIDENT

ACKNOWLEDGEMENT

STATE OF FLORIDA

COUNTY OF LEE

BEFORE ME, THE UNDERSIGNED AUTHORITY, PERSONALLY APPEARED TO BE TO ROBERT P. TOMASSO, V.P., SUN BANK OF LEE COUNTY, N.A., WHO AFTER BEING BY ME DULY CAUTIONED AND SWORN, DEPOSES AND SAYS THAT

ACKNOWLEDGES THAT THE EXECUTED SAME FOR THE PURPOSES THEREIN EXPRESSED.
WITNESS MY HAND AND OFFICIAL SEAL THIS ALL DAY OF

MY COMMISSION EXPIRES: 2/8/9/

CLERK'S CERTIFICATE

2585818

HEREBY CERTIFY THAT THE ATTACHED PLAT OF "STONEBRIDGE SOUTH" PLAT HAS BEEN EXAMINED BY ME, AND FROM MY EXAMINATION I FIND THAT SAID PLAT COMPLIES WITH THE REQUIREMENTS OF CHAPTER 177, LAWS OF FLORIDA. I FURTHER CERTIFY THAT SAID PLAT WAS FILED FOR RECORDING ON THIS 200 DAY OF TOWARY 19887A.D., AND DULY RECORDED IN PLAT BOOK 41 AT PAGES 93+94 IN PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

CLERK OF THE CHOUT COURT IN AND THE BEST OF THE CHOINTY IN CHOINTY

0F SHEET

LEGAL DESCRIPTION:

THE SOUTH ONE HALF (\$1/2) OF THE SOUTHEAST QUARTER (SE1/4) OF THE NORTHWEST QUARTER (NWI/4) OF SECTION 3, TOWNSHIP 46 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA, LESS A 50' ROAD RICHT-OF-WAY FOR WINKLER ROAD EXTENSION ON THE WEST BOUNDARY AND LESS A 50 DRAINAGE RIGHT-OF-WAY ON THE SOUTH BOUNDARY.

NOTICE:

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

NOTICE:

THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.

EASEMENT DEDICATION

SURVEYOR'S NOTES

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THE OWNER OF THIS PLAT DOES HEREBY DEDICATE TO THE PUBLIC, ALL UTILITY EASEMENTS AS SHOWN ON THE PLAT AND DOES HEREBY DEDICATE TO THE LOT OWNERS ASSOCIATION ALL DRAINAGE EASEMENTS AS SHOWN ON THE PLAT AND AS POLICIES:

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LOCATION MAP

SECTION 3. TOWNSHIP 46 SOUTH RANGE 24 EAST BEING \$88'47'13"W

. (PCP) DENOTES PERMANENT CONTROL POINT. (PK NAIL W/ METAL DISC.)

PRM'S ARE DESIGNATED ALONG BOUNDARIES, AS SHOWN (4x4 CONC MON.)

PCP'S ARE DESIGNATED ALONG STREET CENTERLINES AND RIGHT OF WAYS

BASIS OF BEARINGS: SOUTH LINE OF THE NORTHWEST 1/4 OF

(PRM) DENOTES PERMANENT REFERENCE MONUMENT

DENOTES RADIAL LINE.

(1) A TEN (10) FOOT DRAINAGE & UTILITY EASEMENT ALONG THE REAR PROPERTY LINES OF EACH LOT OR TRACT UNLESS OTHERWISE SHOWN

(2) A TWELVE (12) FOOT DRAINAGE & UTILITY EASEMENT ON EACH SIDE LOT LINE WITH SIX(6) FEET EACH SIDE OF LINE.

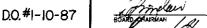
(3) A TEN (IC) FOOT UTILITY EASEMENT ON FRONT OF EACH LOT.

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE ATTACHED PLAT OF "STONEBRIDGE SOUTH"IS A TRUE AND CORRECT REPRESENTATION OF THE HEREIN DESCRIBED LANDS ACCORDING TO A RECENT SURVEY MADE AND PLATTED UNDER MY DIRECTION AND SUPERVISION. AND THAT THE SURVEY DATA COMPLIES WITH ALL OF THE REQUIREMENTS OF CHAPTER 177, FLORIDA STATUTES. I ALSO CERTIFY THAT THE PERMANENT REFERENCE MONUMENTS HAVE BEEN SET AS SHOWN ON THE PLAT

RONALD R. STEVENOT RECISTERED LAND SURVEYOR FLORIDA CERTIFICATE NO. 335

Ronald R. Stevenst



APPROVALS

CTOR OF THE DIVISION OF

COMMENCE STRUCTURED

1985 A.D. IN OPEN MEETING OF THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA

THIS PLAT ACCEPTED THIS 1/24 DAY OF JANKARY

