

**NOTICE OF ACTION ON PETITION TO  
DESIGNATE A HISTORIC RESOURCE**

YOU ARE HEREBY NOTIFIED that on November 09, 2000, the Lee County Historic Preservation Board voted to:

Approve  
 Approve with conditions stated below  
 Deny

1 1000 01 000 11 000 10 100 10 100 10 100 1 1000 1 1000

**INSTR # 5022137**

**OR BK 03338 PG 1295**

A Petition to Designate the individual historic resource described below as:

'Tween Waters  
(HD District 2000-09-01)

RECORDED 12/13/00 09:58 AM  
CHARLIE GREEN CLERK OF COURT  
LEE COUNTY  
RECORDING FEE 19.50  
DEPUTY CLERK L Wheat

The designation is subject to the following conditions (if any):

NONE.

This historic resource is described as follows:

Address: 15971 Captiva Drive, Captiva, FL 33924  
STRAP No.: 35-45-21-04-00002.0000 and 35-45-21-04-00002.00A0  
Legal Description: See Attachment A

A copy of the Notice of Action on Petition to Designate 'Tween Waters (HD District 2000-09-01) and the Resolution regarding this petition is attached and will be recorded in the public records of Lee County, Florida.

I HEREBY certify that a copy of this notice and the accompanying resolution has been furnished to the following persons or entities:

Jeff Shuff, General Manager, Rochester Resorts, Inc. - Property Owner  
Mary Gibbs - Director, Department of Community Development  
Bob Stewart - Building Official, Department of Community Development  
Charlie Green - Clerk of Court  
Scott Gilbertson, Director, Lee Co. Dept of Transportation  
Ken Wilkinson - Property Appraiser

  
\_\_\_\_\_  
Signature of Historic Preservation Board Chair

Designation No. HD District 2000-09-01  
'Tween Waters

**RESOLUTION DESIGNATING  
HISTORIC RESOURCE 'Tween Waters (HD District 2000-09-01)**

WHEREAS, the Lee County Historic Preservation Board is authorized by Lee County Land Development Code (LDC), Chapter 22, Historic Preservation, to consider requests to designate archaeological resources and buildings, and structures and sites and districts as historic resources in order to preserve these resources from uncontrolled alteration or destruction; and

WHEREAS, a request has been filed to designate this resource located at 15951 Captiva Drive, Captiva, FL 33924, unincorporated Lee County, Florida, as a historic resource; and

WHEREAS, a designation report meeting the requirements of LDC Chapter 22, was filed with the Board on September 14, 2000; and

WHEREAS, Notice of Intent to designate 'Tween Waters as an historic resource was mailed by certified mail, return receipt requested, on September 15, 2000, to Jeff Shuff, General Manager, Rochester Resorts, P.O. Box 249, Captiva, FL 33924 the property owner; and

WHEREAS, Notice of Intent to Designate was advertised on November 01, 2000 for a public hearing on November 09, 2000; and

WHEREAS, the Board has determined that 'Tween Waters meets the criteria for designation set forth in the Lee County LDC, Chapter 22.

**NOW, THEREFORE, BE IT RESOLVED BY THE LEE COUNTY HISTORIC PRESERVATION BOARD THAT:**

1. The Lee County Historic Preservation Board approves the petition to designate, as a historic resource, 'Tween Waters -- HD District 2000-09-01.
2. All provisions of the Lee County LDC, Chapter 22, as may be hereafter amended, renumbered or replaced, applicable to a designated historic resource shall apply to this property 'Tween Waters -- HD District 2000-09-01.
3. This Resolution and the Notice of Action on Petition to Designate 'Tween Waters -- HD District 2000-09-01 shall be recorded in the Public Records of Lee County, Florida within twenty-five (25) days of the date the Resolution is signed, unless a timely appeal of the Board's decision as reflected in this Resolution, is filed.

Resolution Designating Historic Resource 'Tween Waters HD District 2000-09-01

The foregoing Resolution was adopted by the Lee County Historic Preservation Board upon a motion by Toni Ferrell, and seconded by Eugene Schmitt, and, upon being put to a vote, the result was as follows:

Marsa Detscher	<u>AYE</u>
Toni Ferrell	<u>ABSENT</u>
Misty Nabers	<u>AYE</u>
Juan Rodriguez	<u>ABSENT</u>
Eugene Schmitt	<u>AYE</u>
Mercedes Vergne	<u>AYE</u>
Kevin Williams	<u>AYE</u>

DULY PASSED AND ADOPTED this 9TH day of November, A.D., 2000.

ATTEST:

LEE COUNTY  
HISTORIC PRESERVATION BOARD

BY: *Blaine M. Lygo*  
As Clerk for the Lee County  
Historic Preservation Board

BY: *Marsa Detscher*  
Chair

DATE: 11-23-00

Approved as to form by:

*John J. Hedger*  
County Attorney's Office

(S:\Plan\Historic\HistoricDesignation\Petition\2000-09-01 'Tween Waters.doc)

## ATTACHMENT A

'Tween Waters-- HD District 2000-09-01LEGAL DESCRIPTION

Gulfview: Begin at a concrete monument marking the southerly line of Lot 2, John R. Dickey's subdivision, and the easterly line of Sanibel-Captiva Road; thence run N 12 degrees 13' 20" W along said easterly line, 799.92 feet to the northerly line of Lot 8; thence run N 74 degrees 58' 40" E along said northerly line, 185.0 feet; thence S 11 degrees 44' 55" E, 287.64 feet; thence S 72 degrees 28' 40" W, 76.50 feet; thence S 17 degrees 31' 20" E, 509.0 feet to the southerly line of the aforementioned Lot 2, thence S 74 degrees 58' 40" W along said southerly line, 153.43 feet to the Point of Beginning, including Riparian Rights to the GULF OF MEXICO.

Bayview: Commence at a concrete monument marking the southerly line of Lot 2, John R. Dickey's Subdivision, and the easterly line of Sanibel-Captiva Road; thence run N 74 Degrees 58' 40" E along said southerly line of Lot 2, 153.43 feet to the Point of Beginning; thence run N 17 degrees 31' 20" W, 509.0 feet; thence N 72 degrees 28' 40" E, 76.50 feet; thence N 11 degrees 44' 55" W, 287.64 feet to the northerly line of Lot 8, thence N 74 degrees, 58' 40" E along said northerly line, 171 feet more or less to the waters of Pine Island Sound; thence meander southwardly and southeastwardly along the waters (shoreline) of Pine Island Sound, 880 feet, more or less, to the southerly line of the aforementioned Lot 2, thence S 74 degrees 58' 40" W, 484.5', more or less, to the POINT OF BEGINNING.