

Cape Coral City Planning Division Case Report

VAC26-000011

Review Date: October 1, 2026

Property Owners: Island Pearl 1 LLC & Daniel Aguirre, Trustee, of Island Pearl 2 Land Trust

Location: See Exhibit 1 below for ownership and location information.

**Applicant/
Representative:** Quattrone & Associates, Inc, Jamie Rivera

Request: Vacate 36,018 sq. ft. of street right-of-way and underlying easements between Unit 58, Block 5336, Lots 24-38, and Unit 58, Block 5337, Lots 1-16, being a portion of SW 32nd Place.

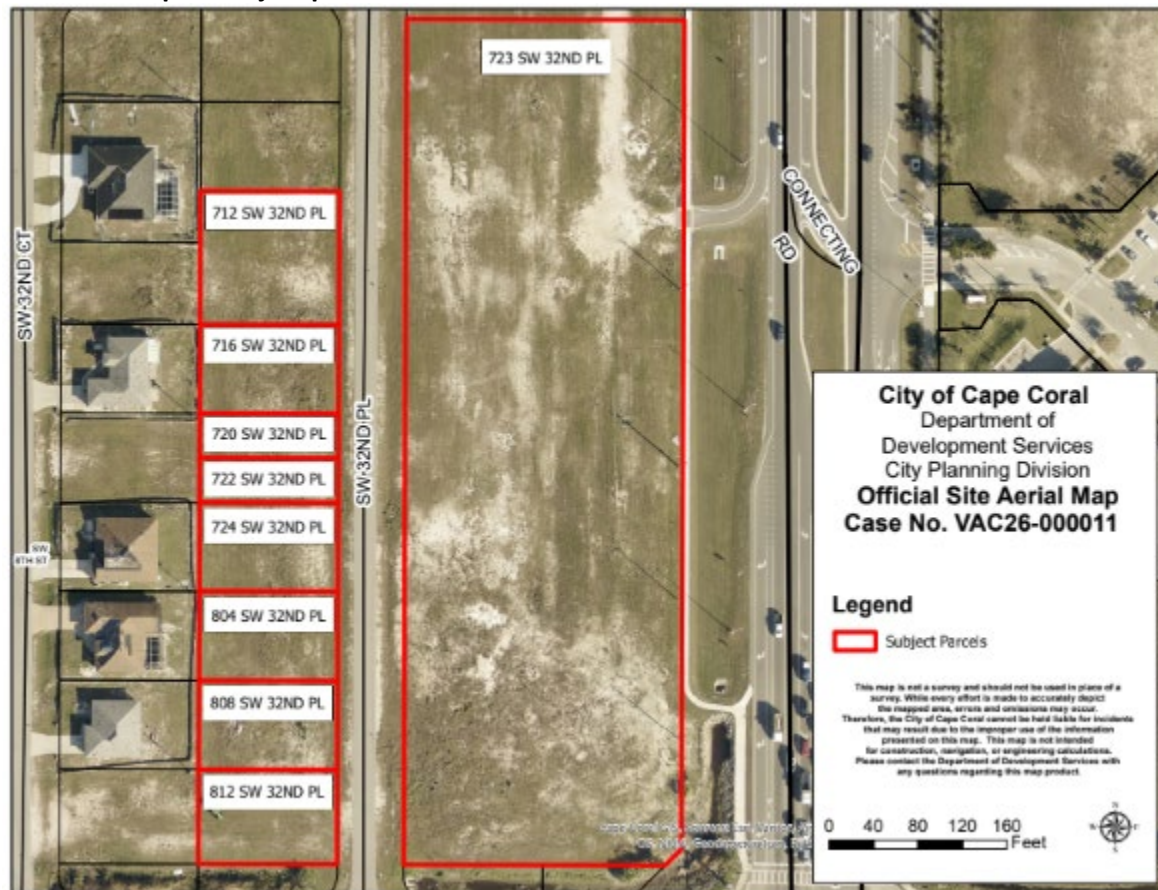
Prepared By: Patrick Carlton White, AICP, Principal Planner

Approved By: Mike Struve, AICP, Planning Team Coordinator

Recommendation: Approval with conditions

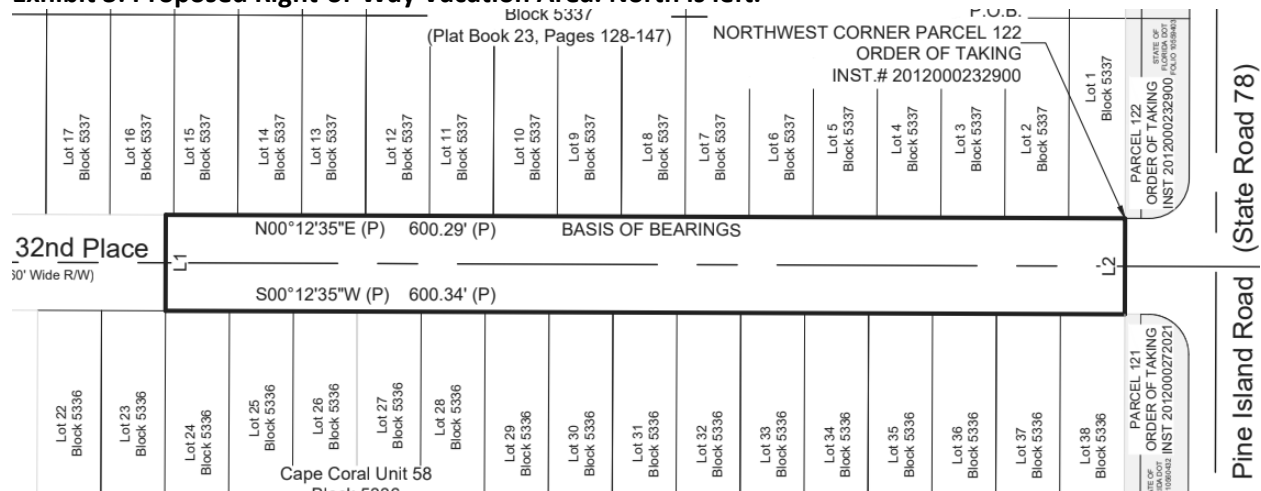
Exhibit 1: Table of parcel addresses, strap numbers, owners, blocks, lots

ADDRESS	STRAP	OWNER	BLOCK	LOT
716 SW 32ND PL	18-44-23-C3-05336.0270	Daniel Aguirre-Trustee for Island Pearl 2 Land Trust	5336	LOTS 27 + 28
712 SW 32ND P	18-44-23-C3-05336.0240	Daniel Aguirre-Trustee for Island Pearl 2 Land Trust	5336	LOTS 24 THRU 26
723 SW 32ND PL	18-44-23-C3-05337.0010	Daniel Aguirre-Manager Island Pearl 1, LLC	5337	N 1/2 OF LOTS 1 + 54 + LOTS 2 THRU LOT 19 + LOTS 36 THRU 53 LESS 2021000424364
812 SW 32ND PL	18-44-23-C3-05336.0370	Daniel Aguirre-Trustee for Island Pearl 2 Land Trust	5336	LOTS 37 + 38 LESS SLY 35 FT AS DESC IN INST#2012000272021
808 SW 32ND PL	18-44-23-C3-05336.0350	Daniel Aguirre-Trustee for Island Pearl 2 Land Trust	5336	LOTS 35 + 36
804 SW 32ND PL	18-44-23-C3-05336.0330	Daniel Aguirre-Trustee for Island Pearl 2 Land Trust	5336	LOTS 33 + 34
724 SW 32ND PL	18-44-23-C3-05336.0310	Daniel Aguirre-Trustee for Island Pearl 2 Land Trust	5336	LOTS 31 + 32
722 SW 32ND PL	18-44-23-C3-05336.0300	Daniel Aguirre-Trustee for Island Pearl 2 Land Trust	5336	LOT 30
720 SW 32ND PL	18-44-23-C3-05336.0290	Daniel Aguirre-Trustee for Island Pearl 2 Land Trust	5336	LOT 29

Exhibit 2: Map of subject parcel addresses.**Background:**

SW 32nd Place is a two-lane local roadway that extends north from Pine Island Road for approximately 0.22 miles until the road segment's intersection and terminus at Ceitus Parkway. The roadway divides two assemblages of land owned by the applicant, generally referred to as the Island Pearl site. The applicant has assembled all of Block 5337, east of SW 32nd Place, and a large portion of Block 5336 on the west side of SW 32nd Place.

The applicant proposes to vacate the street right-of-way (Exhibit 3) to increase development flexibility between these two assembled properties. To prevent SW 32nd Place from dead ending, the applicant proposes a 20-foot-wide cross-access easement to connect the unvacated section of SW 32nd Place to Pine Island Road.

Exhibit 3: Proposed Right-of-Way Vacation Area. North is left.**DESCRIPTION OF THE RIGHT-OF-WAY REQUESTED TO BE VACATED**

SW 32nd Place is an improved two-lane local street with a platted width of 60 feet. A 15-inch diameter storm water pipe traverses the street south of Lots 9 and 30, near the middle of the proposed vacation area. The roadway itself runs north to south and connects SW Pine Island Road with Ceitus Parkway about 0.22 miles north. There are no driveways along the roadway segment proposed to be vacated.

FUTURE LAND USE AND ZONING HISTORY

The FLUC of Block 5336, Lots 24-38, was amended from Commercial/Professional (CP) to Pine Island Road District (PIRD) by Ordinance 38-02. The zoning of Lots 24-38 was amended from Single-Family Residential (R-1) to Commercial Corridor (CC) by Ordinances 154-07 and 60-22.

The FLUC of Block 5337, Lots 1, 2-19, 36-53, and 54 was amended from Commercial/Professional (CP) to Pine Island Road District (PIRD) by Ordinance 38-02. The zoning of the lots were amended from Single-Family Residential (R-1) to Commercial Corridor (CC) by Ordinance 154-07.

MINIMUM STANDARDS

The applicant is eligible to file the requested vacations as this application provides the following:

- Proof of color of title or ownership of land abutting the rights-of-way requested to be vacated.
- Letters of no objection provided by Comcast, Lee County Electric Cooperative (LCEC), and Lumen.
- A survey sketch and legal description showing the street right-of-way and easements that will be vacated.

ANALYSIS

Staff analyzed this request with the Land Development Code (LDC), Section 3.4.5, "*Vacation of Plats, Easements, and Rights-of-Way.*" The Comprehensive Plan was also reviewed for policies on vacations.

1. Whether the plat, easements, or rights-of-way are required by the City for any future transportation, access, water management, or public utility purposes.

The right-of-way is not required in the area proposed for this vacation. The applicant owns property abutting both sides of the proposed vacation area and seeks to improve the development

potential by eliminating part of an unnecessary right-of-way and combining the sites on both sides of this street. Any utilities within the subject vacation area will be relocated by the developer to PUEs following approval of the City Public Works Department.

Six-foot-wide perimeter easements will continue to exist around each individual property. The applicant has informed staff that they will be replatting the project area following the vacation to eliminate internal PUEs. Staff will require a six-foot-wide PUE around the assembled site as required by the Land Development Code.

The applicant has proposed a 20-foot-wide cross-access easement in the middle of the subject vacation area which will extend from the remaining SW 32nd Place and connect to SW Pine Island Road to provide public access to the northern, unvacated segment of SW 32nd Place. Currently the intersection of SW Pine Island Road and SW 32nd Place is multi-directional. It is possible that when SW Pine Island Road is improved in the future, access to SW 32nd Place may be eliminated, and a staff condition of approval accounts for this possibility.

2. Whether any required easements are necessary to accommodate the vacation of any plat, easement, or right-of-way.

A cross-access easement will be provided by the applicant to allow vehicle access from SW Pine Island Road to the unvacated portion of SW 32nd Place. The provision of a cross-access easement by the developer to the City is a recommended condition of approval of this vacation.

3. If alternate routes are required or available that do not cause adverse impacts to surrounding areas.

A cross-access easement provided by the owners to the City will provide an alternative route for vehicles.

4. If the closure of a right-of-way negatively affects areas utilized for vehicles to turn around and exit an area.

The applicant has provided a cross-access easement to allow vehicles access through the subject vacation area. This easement will provide public access for drivers exiting or entering Pine Island Road from SW 32nd Place.

5. Whether local utility providers have given consent to the vacation of the plat, easements, or rights-of-way. The local utility providers may require additional easements or relocation of existing utilities facilities to complete the vacation.

Lumen, Comcast, and LCEC provided letters stating they have no objection to the vacation as submitted provided that if facilities are found or damaged within the vacated area that the developer will bear the cost of relocating, and repairing said facilities. The Public Works Department also reviewed this request and have no objection to the requested vacations. The Transportation Department has also reviewed this request and has recommended a condition regarding coordination with FDOT that appears at the end of this report.

Consistency with the Comprehensive Plan

Future Land Use Element

Policy 1.15: The Commercial Corridor (CC) Zoning is consistent with the Pine Island Road District (PIRD) Future Land Use Classification of this site.

Policy 3.7: The City may consider the vacation of rights-of-way to facilitate land assembly and the development of a unified, contiguous commercial project.

This vacation will allow multiple parcels to be strapped together into one contiguous development site.

Recommendation:

Staff recommends **approval with conditions** of the requested vacation:

Conditions of Approval

1. The owners shall be responsible for all costs associated with relocating any utility provider facilities that may be affected by this vacation. In the event any utilities are damaged during construction activities, the developer shall bear the cost of relocating the facilities to a new easement and repairing said facilities.
2. The owners are to coordinate with FDOT and/or Lee County on access management and permissible turning movements from the intersection of SW Pine Island Road and SW 32nd Place. The driveway is not identified as full access in the adopted FDOT Corridor Access Management Plan (CAMP).
3. The vacation of the street right-of-way shall be consistent with that shown in the sketch and accompanying legal descriptions prepared by Plan Right Surveying, Inc., with a seal date of February 2, 2026, and labeled as Exhibit A.
4. Within 60 days from the date of adoption of this vacation, the owners shall provide to the City a perpetual cross-access easement consistent with the sketch and accompanying legal description prepared by Plan Right Surveying, Inc., with a seal date of May 22, 2026, and labeled, as Exhibit B. The final easement shall be reviewed and found to be acceptable by the City prior to acceptance.
5. In order to ensure that this vacation request complies with the City's duty to hold certain platted lands in trust for the public interest, the owners shall make a one-time, non-refundable contribution totaling \$210,686.94 into the General Tree Fund. The City may use these funds to acquire and plant trees on property owned by the City of Cape Coral, or for any other appropriate purposes in accordance with the City of Cape Coral Land Development Code. The General Tree Fund contribution shall be paid by the owners prior to holding the final public hearing on this vacation before the City Council. In the event this vacation case is not approved by the City Council, this contribution shall be refunded to the owners.

6. The City shall retain easements sufficient for maintaining a minimum six-foot-wide public utility and drainage easement around the perimeter of the expanded site.
7. Positive drainage shall be maintained at 706 SW 32ND Place during construction and in the final configuration, unless acquired by applicants.
8. The owners shall reimburse the City of Cape Coral the cost of recording this resolution with the Office of the Lee County Clerk of Court.
9. The City shall record this resolution with the Office of the Lee County Clerk of Court following the receipt of the recording fees from the Petitioners.
10. A violation of any condition of approval by either owner shall be enforceable by all remedies available to the City, including but not limited to, all code compliance procedures.

Staff Contact Information

Patrick Carlton White, AICP, Principal Planner

PH: 239-574-0605

Email: PWhite@CapeCoral.net

© COPYRIGHT 2026 PLAN RIGHT SURVEYING, INC. DRAWINGS MAY NOT BE USED OR REPRODUCED WITHOUT WRITTEN PERMISSION. CONSENT IS HEREBY GRANTED SPECIFICALLY TO GOVERNMENTAL AGENCIES TO REPRODUCE THIS DOCUMENT IN COMPLIANCE WITH F.S. CHAPTER 119.

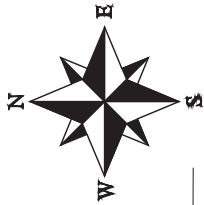
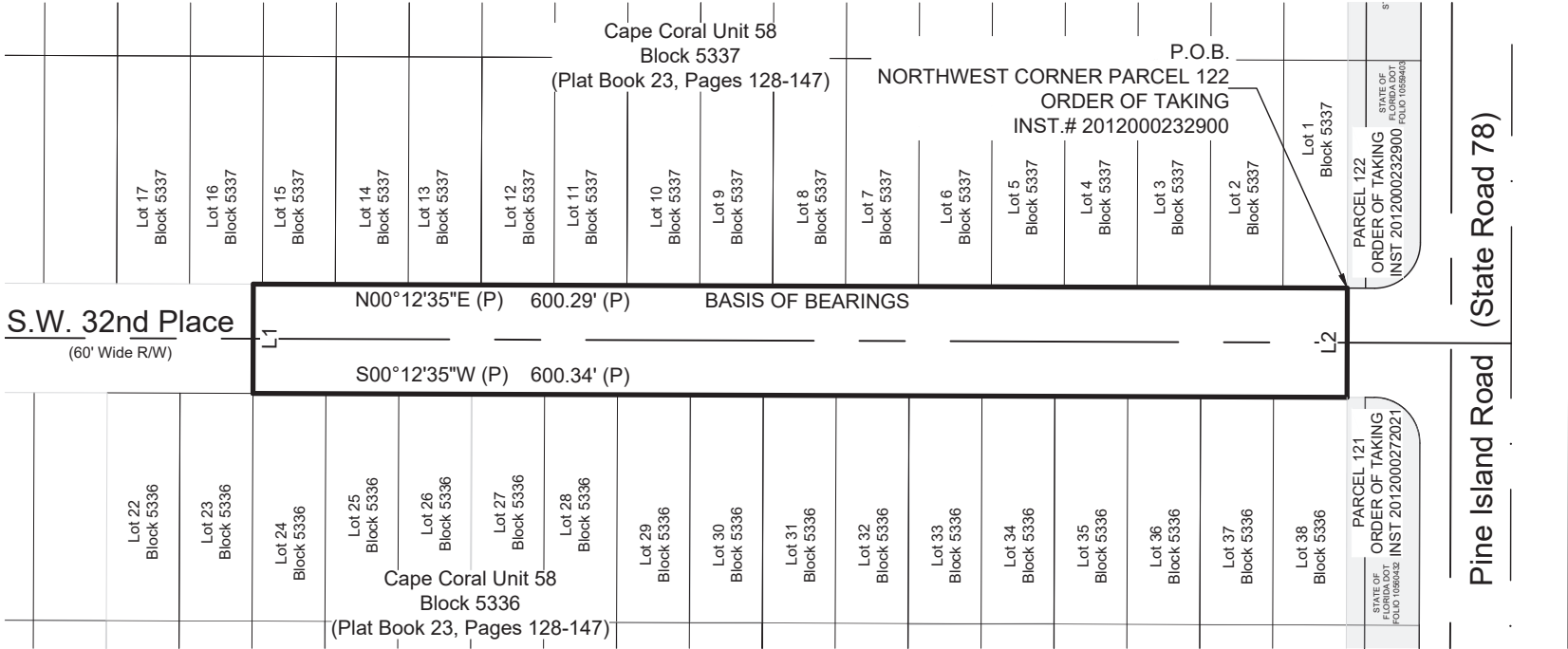


Exhibit A

Sketch



LINE	BEARING	DISTANCE
L1	N 89°47'25" W (P)	60.00' (P)
L2	S 89°50'18" E (P)	60.00' (P)



SURVEY NOTES:

1. This is not a boundary survey.
 2. Bearings shown hereon are based on the West line of Block 5337, Cape Coral Unit 58, bearing N00°12'35"E.
 3. Measurements shown hereon are in U.S. Survey feet and decimals thereof.
 4. Revisions or modifications to this survey or associated reports by any party other than the signing Professional Surveyor and Mapper are prohibited without written consent.
- © Copyright 2026, Plan Right Surveying, Inc. All rights reserved.

NOT VALID WITHOUT SHEET 2 OF 2.

LEGEND:

- P.O.B. Point of Beginning
P.O.C. Point of Commencement
(P) Plat
R/W Right-of-Way
P.B. Plat Book
PG. Page
O.R. Official Records
INST. Instrument

Sheet 1 of 2

THIS IS NOT A SURVEY

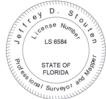
SHEET 1 OF 2
JOB # 25-0103
PREPARED FOR: Creighton Properties of FL, LLC
SECTION 18, TOWNSHIP 44S, RANGE 23E

Sketch to Accompany Description
Right-of-way Vacation
Blocks 5336 and 5337, Unit 58,
Cape Coral Subdivision
lying in Section 18, Township 44 South,
Range 23 East,
City of Cape Coral, Lee County, Florida.



PLAN RIGHT SURVEYING, INC.
1228-2 Lafayette Street,
Cape Coral, Florida, 33904
Phone: (239) 276-2861
<https://planrightsurvey.com>
License L.B. #8561

I hereby certify that this survey of the herein described property was made under my supervision and was prepared in accordance with the "Standards of Practice" set forth by the Florida Board of Professional Surveyors & Mappers in Chapter 5J-17, F.A.C. pursuant to section 472.027, Florida Statutes, subject to all notations shown herein. This survey is not intended to meet any other municipal or national standard or requirement unless noted.



Digitally signed by Jeffrey D Stouten
Date: 2026.02.02 15:57:16 -05'00'

JEFFREY D. STOUTEN (FOR THE FIRM)
FLORIDA PROFESSIONAL SURVEYOR & MAPPER NO.6584
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OR DIGITAL SIGNATURE OF A FLORIDA LICENSED SURVEYOR AND MAPPER

Description

Subject Parcel Description:

A right-of-way vacation lying in Unit 58, Cape Coral Subdivision, recorded in plat book 23, page 128 of the public records of Lee County Florida, lying in Section 18, Township 44 South, Range 23 East, City of Cape Coral, Lee County, Florida, the boundary of said right-of-way vacation being described herein:

Beginning at the Northwest corner of Parcel 122, an Order of Taking recorded in Instrument #2012000232900 of the public records of Lee County Florida, also being a point on the Westerly line of Block 5337 of said Unit 58, run Northerly along the Westerly line of Block 5337, a bearing of N00°12'35"E, a distance of 600.29 feet; Thence leaving said Westerly line of Block 5337 run Westerly, a bearing of N89°47'25"W, a distance of 60.00 feet to an intersection with the Easterly line of Block 5336 of said Unit 58 and the Northeast corner of Lot 24 of said Block 5336; Thence run Southerly along said Easterly line of Block 5336, a bearing of S00°12'35"W, a distance of 600.34 feet; Thence leaving said Easterly line of Block 5336 run Easterly, a bearing of S89°50'18"E, a distance of 60.00 feet to the **Point of Beginning**.

Said parcel contains 36,018 sq. ft. (more or less)

Subject to easements, restrictions, reservations and right-of-way of record.

Description Prepared 02-02-2026.

Bearings are based on West line of Block 5337, Cape Coral Unit 58, bearing N00°12'35"E.

THIS IS NOT A SURVEY

Description to Accompany Sketch
Right-of-way Vacation
Blocks 5336 and 5337, Unit 58,
Cape Coral Subdivision
lying in Section 18, Township 44 South, Range 23 East,
City of Cape Coral, Lee County, Florida.

Not Valid without Sheet 1 of 2

Sheet 2 of 2

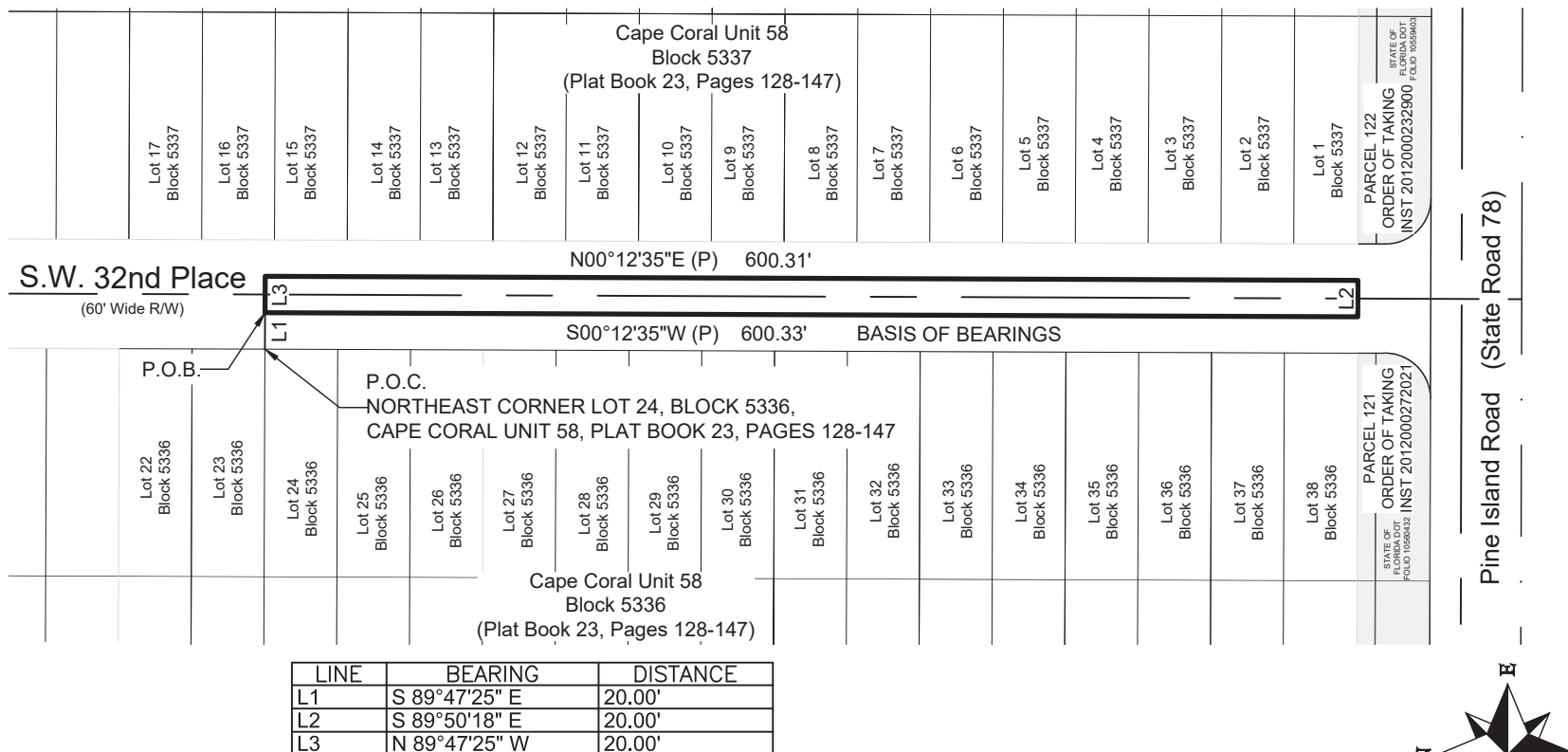


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License L.B. #8561

*See Sheet 1 of 2 for
Signature, Seal, Notes, and Legend.*

JOB # 25-0103 SECTION 18, TOWNSHIP 44S, RANGE 23E
PREPARED FOR: Creighton Properties of FL, LLC

Sketch



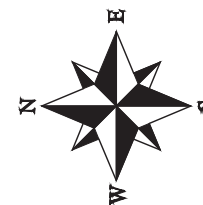
SURVEY NOTES:

1. This is not a boundary survey.
 2. Bearings shown hereon are based on the East line of Block 5336, Cape Coral Unit 58, bearing S00°12'35"W.
 3. Measurements shown hereon are in U.S. Survey feet and decimals thereof.
 4. Revisions or modifications to this survey or associated reports by any party other than the signing Professional Surveyor and Mapper are prohibited without written consent.
- © Copyright 2026, Plan Right Surveying, Inc. All rights reserved.

NOT VALID WITHOUT SHEET 2 OF 2.

LEGEND:

P.O.B. *Point of Beginning*
P.O.C. *Point of Commencement*
(P) *Plat*
R/W *Right-of-Way*
P.B. *Plat Book*
PG. *Page*
O.R. *Official Records*
INST. *Instrument*



Sheet 1 of 2

THIS IS NOT A SURVEY

SHEET 1 OF 2

JOB # 25-0103

PREPARED FOR: Creighton Properties of FL, LLC

SECTION 18, TOWNSHIP 44S, RANGE 23E

Sketch to Accompany Description

Access Easement

Blocks 5336 and 5337, Unit 58,
Cape Coral Subdivision
lying in Section 18, Township 44 South,
Range 23 East,
City of Cape Coral, Lee County, Florida.

**PLAN RIGHT SURVEYING, INC.**

1228-2 Lafayette Street,
Cape Coral, Florida, 33904
Phone: (239) 276-2861
<https://planrightsurvey.com>
License L.B. #8561

I hereby certify that this survey of the herein described property was made under my supervision and was prepared in accordance with the "Standards of Practice" set forth by the Florida Board of Professional Surveyors & Mappers in Chapter 5J-17, F.A.C. pursuant to section 472.027, Florida Statutes, subject to all notations shown herein. This survey is not intended to meet any other municipal or national standard or requirement unless noted.



Digitally signed by Jeffrey D Stouten
Date: 2026.05.22 14:10:08
-04'00'

JEFFREY D. STOUTEN (FOR THE FIRM)

FLORIDA PROFESSIONAL SURVEYOR & MAPPER NO.6584
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OR DIGITAL SIGNATURE OF A FLORIDA LICENSED SURVEYOR AND MAPPER

Description

Subject Parcel Description:

An Access Easement lying in Unit 58, Cape Coral Subdivision, recorded in plat book 23, page 128 through 147, of the public records of Lee County Florida, lying in Section 18, Township 44 South, Range 23 East, City of Cape Coral, Lee County, Florida, the boundary of said Access Easement being described herein:

Commencing at the Northeast corner of Lot 24, Block 5336 of said Unit 58, also being a point on the Easterly line of Block 5336 of said Unit 58, run Easterly, a bearing of S89°47'25"E, a distance of 20.00 feet to the **Point of Beginning**;

From said Point of Beginning run Southerly, a bearing of S00°12'35"W, a distance of 600.33 feet; Thence run Easterly, a bearing of S89°50'18"E, a distance of 20.00 feet; Thence run Northerly, a bearing of N00°12'35"E, a distance of 600.31 feet; Thence run Westerly, a bearing of N89°47'25"W, a distance of 20.00 feet to the **Point of Beginning**.

Said parcel contains 12,006 sq. ft. (more or less)

Subject to easements, restrictions, reservations and right-of-way of record.

Description Prepared 05-22-2026.

Bearings are based on East line of Block 5336, Cape Coral Unit 58, bearing S00°12'35"W.

THIS IS NOT A SURVEY

Description to Accompany Sketch
Access Easement
Blocks 5336 and 5337, Unit 58,
Cape Coral Subdivision
lying in Section 18, Township 44 South, Range 23 East,
City of Cape Coral, Lee County, Florida.

Not Valid without Sheet 1 of 2

Sheet 2 of 2



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*See Sheet 1 of 2 for
Signature, Seal, Notes, and Legend.*

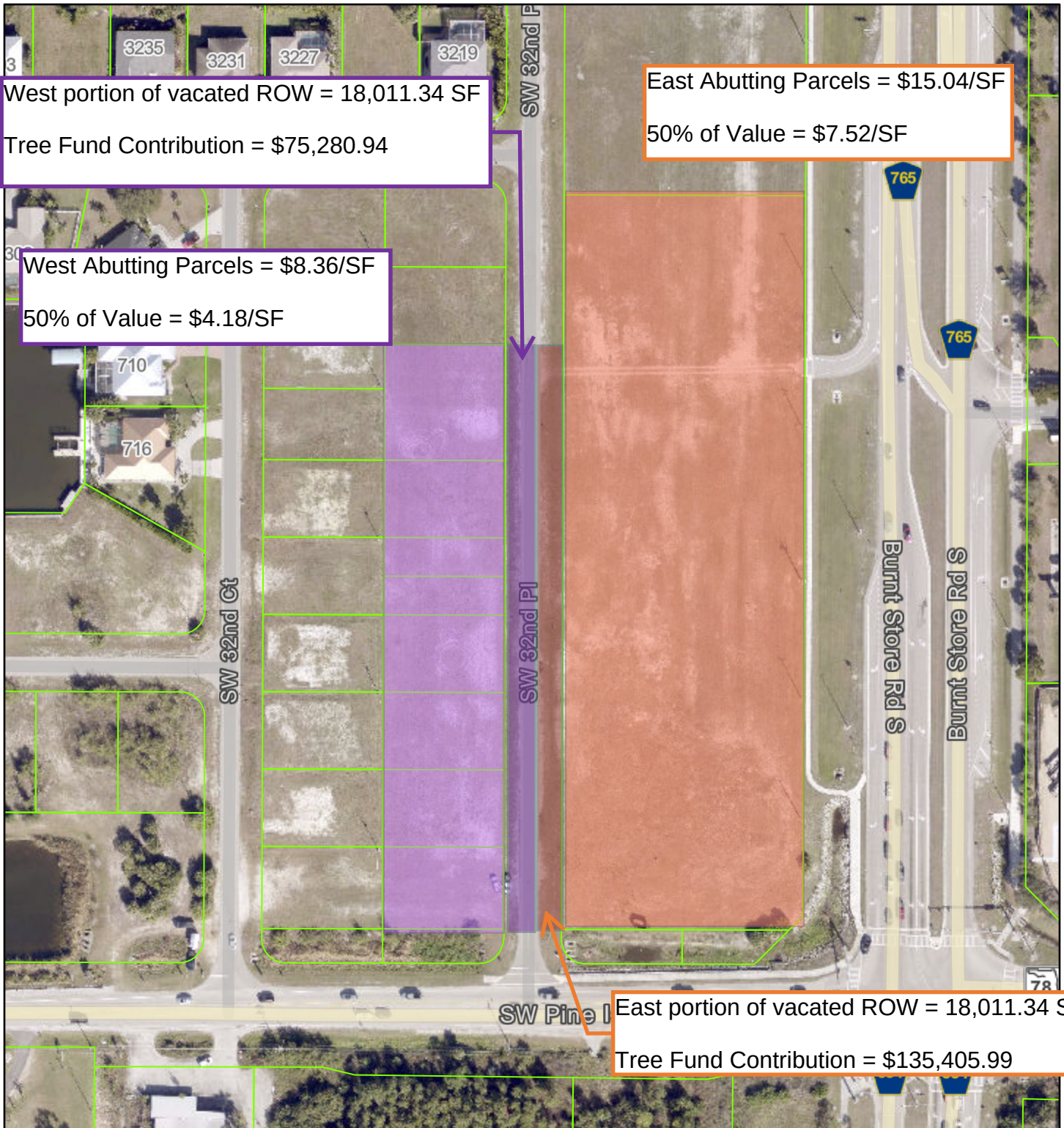
JOB # 25-0103 SECTION 18, TOWNSHIP 44S, RANGE 23E

PREPARED FOR: Creighton Properties of FL, LLC

West Abutting Parcels						
STRAP	OWNER	BLOCK	LOT	2025 Trim Final Value	Area	Unit Value
				\$	SF	\$/SF
18-44-23-C3-05336.0270	Daniel Aguirre-Trustee for Island Pearl 2 Land Trust	5336	LOTS 27 + 28	80,750	10,019	\$ 8.06
18-44-23-C3-05336.0240	Daniel Aguirre-Trustee for Island Pearl 2 Land Trust	5336	LOTS 24 THRU 26	98,515	14,985	\$ 6.57
18-44-23-C3-05336.0370	Daniel Aguirre-Trustee for Island Pearl 2 Land Trust	5336	LOTS 37 + 38	105,850	10,585	\$ 10.00
18-44-23-C3-05336.0350	Daniel Aguirre-Trustee for Island Pearl 2 Land Trust	5336	LOTS 35 + 36	100,190	10,019	\$ 10.00
18-44-23-C3-05336.0330	Daniel Aguirre-Trustee for Island Pearl 2 Land Trust	5336	LOTS 33 + 34	80,750	10,019	\$ 8.06
18-44-23-C3-05336.0310	Daniel Aguirre-Trustee for Island Pearl 2 Land Trust	5336	LOTS 31 + 32	80,750	10,019	\$ 8.06
18-44-23-C3-05336.0300	Daniel Aguirre-Trustee for Island Pearl 2 Land Trust	5336	LOT 30	40,375	5,009	\$ 8.06
18-44-23-C3-05336.0290	Daniel Aguirre-Trustee for Island Pearl 2 Land Trust	5336	LOT 29	40,375	5,009	\$ 8.06
Weighted Average Unit Price =				\$		8.36
50% of Assessed Value =				\$		4.18
50% of Vacated ROW Area (SF) =						18011.34
West Abutting Tree Fund Contribution =				\$		75,280.94

East Abutting Parcels						
STRAP	OWNER	BLOCK	LOT	2025 Trim Final Value	Area	Unit Value
				\$	SF	\$/SF
18-44-23-C3-05337.0010	Daniel Aguirre-Manager Island Pearl 1, LLC	5337	LOTS 1 + 54 + LOTS 2 THRU LOT 19 + LOTS 36 THRU 53	2,847,510	189,384	\$ 15.04
Weighted Average Unit Price =				\$		15.04
50% of Assessed Value =				\$		7.52
50% of Vacated ROW Area (SF) =						18011.34
East Abutting Tree Fund Contribution =				\$		135,405.99
Total Tree Fund Contribution =						\$210,686.94

LeeGIS Data Explorer



7/31/2026, 8:13:35 AM

Parcels

2026 Aerial Imagery

West Abutting Parcels

West Vacated ROW

East Abutting Parcels

East Vacated ROW



1:1,747

0 0.01 0.03 0.05 mi

0 0.02 0.04 0.09 km

TOTAL FUND CONTRIBUTION = \$210,686.94

Eagle View, Lee County Property Appraiser, Lee County GIS



DEPARTMENT OF DEVELOPMENT SERVICES
CITY PLANNING DIVISION

For Internal Use Only

Case _____

Date _____

Tel. (239) 574-0553
Fax (239) 574-0591
P.O. Box 150027
Cape Coral, FL 33915-0027

VACATIONS OF A PLAT, EASEMENTS, AND RIGHT-OF-WAY APPLICATION

VACATIONS REQUIREMENTS

PRE-APPLICATION MEETING REQUIRED: *Before submitting a vacation application with the city, applicants are required to request and participate in a pre-application meeting with Planning staff. New vacation applications will not be accepted until a meeting with staff has been held.*

1. ☒ Application, Acknowledgement Form, Authorization to Represent.
 - All forms must be filled out completely and legible.
 - All forms must be signed by the property owner(s) and must be notarized.
 - If the owner does not own the property in his/her personal name (e.g. LLC, trust, etc.), the owner must sign all applicable forms in his/her corporate capacity.
 - If the authorized representative is an attorney, the application and the Acknowledgement Form may be signed by the attorney, and an Authorization to Represent Property Owner Form is not required.
2. ☒ Letter of intent clearly identifying the request and why the vacation is sought.
3. ☒ Proof of title to the tract or parcel of land covered by the plat or, of the plat of which vacation is sought.
4. ☒ Letters of approval from the following utility companies:

LCEC (Electric)	Century Link (Telephone)	Comcast (Cable)
Steve Sousa	Bill Paul	Christopher Plank
Right-of-Way Agent	Network Infrastructure Services	Construction Specialist II
PO Box 3455 North Ft Myers, FL 33918-3455	8441 Littleton Rd. North Fort Myers, FL 33903	12600 Westlinks Drive Ste. 4 Fort Myers, FL 33913
steve.sousa@lcec.net	William.d.paul@centurylink.com	Christopher_Plank@Comcast.com
PH: (239) 656-2228	PH: (727) 449-3544	PH: (574) 808-8943

5. ☒ Sketches and legal descriptions of the area proposed to be vacated.
6. ☐ If there are any deed restrictions on the property, a copy of the restrictions will be required.
7. ☒ Certified topographic survey (done within the past six months, and showing all pavement, utility and drainage features in said area, including but not limited to water, sewer and irrigation lines and manholes; power, cable and utility lines and poles; catch basins, inlets, pipes, and swales. In the case where no features exist, a signed, sealed and dated certification by a Florida registered Professional Engineer can be submitted which certifies that there are no such roadway, utility or drainage features within the limits of and adjacent to the proposed vacated area.
8. ☐ Any additional required supporting documents.
9. ☐ Refer to LDC, Section 3.4.5 for information on regulations concerning vacations.



DEPARTMENT OF DEVELOPMENT SERVICES
CITY PLANNING DIVISION

Tel. (239) 574-0553
Fax (239) 574-0591
P.O. Box 150027
Cape Coral, FL 33915-0027

VACATIONS OF PLAT REQUEST TO THE HEARING EXAMINER AND CITY COUNCIL

FEE: \$843.00 – In addition to the application fee, all required advertising costs are to be paid by the applicant (ORD 39-03, Sec. 5.4) Advertising costs must be paid prior to public hearing otherwise the case may be continued to a future hearing date.

If the vacation is approved, the applicant shall be responsible for reimbursing the City to record the final resolution or ordinance with the Lee County Clerk of Court. Until these fees are paid, restrictions on the issuance of any City permits will remain on the affected property that will prevent the City from issuing any applicable building permits, site plans, or certificates of occupancy for any property covered by the resolution or ordinance.

PROPERTY INFORMATION	
Project Name:	<u>Pine Island & Burnt Store Commercial</u>
Location/Address	<u>SW 32</u>
Strap Number	<u>See additional list</u> Unit _____ Block _____ Lot (s) _____
Strap Number	_____ Unit _____ Block _____ Lot (s) _____
Plat Book	<u>23</u> Page <u>130</u> Future Land Use <u>PIRD</u> Current Zoning <u>CC</u>
PROPERTY OWNER (S) INFORMATION	
Owner	<u>Island Pearl 1, LLC</u> Address <u>2503 Del Prado Blvd. S.</u>
Phone	_____ City <u>Cape Coral</u>
Email	_____ State <u>FL</u> Zip <u>33904</u>
Owner	<u>Island Pearl 2 Land Trust</u> Address <u>2503 Del Prado Blvd. S.</u>
Phone	_____ City <u>Cape Coral</u>
Email	_____ State <u>FL</u> Zip <u>33904</u>
APPLICANT INFORMATION (If different from owner)	
Applicant	<u>Quattrone & Associates, Inc</u> Address <u>4301 Veronica Shoemaker Blvd</u>
Phone	<u>239-936-5222</u> City <u>Fort Myers</u>
Email	<u>permits@qainc.net</u> State <u>FL</u> Zip <u>33916</u>
AUTHORIZED REPRESENTATIVE INFORMATION (If Applicable)	
Representative	<u>Jamie Rivera</u> Address <u>4301 Veronica Shoemaker Blvd</u>
Phone	<u>239-936-5222</u> City <u>Fort Myers</u>
Email	<u>jamie@qainc.net</u> State <u>FL</u> Zip <u>33916</u>



DEPARTMENT OF DEVELOPMENT SERVICES
CITY PLANNING DIVISION

Tel. (239) 574-0553
Fax (239) 574-0591
P.O. Box 150027
Cape Coral, FL 33915-0027

If the owner does not own the property in his/her personal name, the owner must sign all applicable forms in his/her corporate capacity.

(SIGNATURE MUST BE NOTARIZED)

The owner of this property, or the applicant agrees to conform to all applicable laws of the City of Cape Coral and to all applicable Federal, State, and County laws and certifies that all information supplied is correct to the best of their knowledge.

Daniel Aguirre Trust for Island Pearl 2 Land Trust+Island Pearl 1, LLC

CORPORATION/COMPANY NAME (IF APPLICABLE)

Daniel Aguirre

OWNER'S NAME (TYPE OR PRINT)

OWNER'S SIGNATURE

OWNER'S NAME (TYPE OR PRINT)

OWNER'S SIGNATURE

APPLICANT NAME (TYPE OR PRINT)

APPLICANT SIGNATURE

I have read and understand the above instructions. Hearing date(s) will be confirmed when I receive a copy of the Notice of Public Hearing stipulating the day and time of any applicable hearings.

STATE OF Florida

COUNTY OF Lee

Sworn to (or affirmed) and subscribe before me, by means of ☒ physical presence or ☐ online

notarization, on this 13th day of March, 2026 by Daniel Aguirre

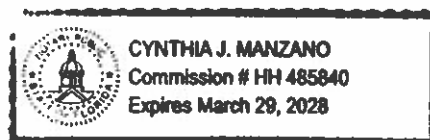
know is personally known to me or produced _____ as identification.

Exp Date: 3/29/2028 Commission Number: HH 485840

Signature of Notary Public:

Printed Name of Notary Public:

CYNTHIA MANZANO





DEPARTMENT OF DEVELOPMENT SERVICES
CITY PLANNING DIVISION

Tel. (239) 574-0553

Fax (239) 574-0591

P.O. Box 150027

Cape Coral, FL 33915-0027

AUTHORIZATION TO REPRESENT PROPERTY OWNER(S)

PLEASE BE ADVISED THAT Quattrone & Associates, Inc-Jamie Rivera
(Name of person giving presentation)

IS AUTHORIZED TO REPRESENT ME IN THE REQUEST BEFORE THE HEARING EXAMINER
AND CITY COUNCIL FOR:

Vacation portion of ROW known as SW 32nd PL

(Type of Public Hearing, PUD, Rezone, Special Exception, Vacation of Plat, Variance, etc.)

UNIT 58 BLOCK 5336/5337 LOT(S) _____ SUBDIVISION Cape Coral

OR LEGAL DESCRIPTION SW 32nd Place ROW

LOCATED IN THE CITY OF CAPE CORAL, COUNTY OF LEE, FLORIDA.

Island Pearl 2 Land Trust

PROPERTY OWNER (Please Print)

Island Pearl 1, LLC

PROPERTY OWNER (Please Print)

[Signature]
PROPERTY OWNER (Signature & title)

[Signature]
PROPERTY OWNER (Signature & title)

STATE OF Florida

COUNTY OF Lee

Sworn to (or affirmed) and subscribe before me, by means of ☒ physical presence or ☐ online

notarization, on this 13th day of MARCH, 2020 by Daniel Aguirre

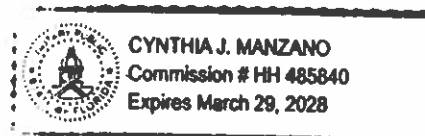
know is personally known to me or produced _____ as identification.

Exp Date: 3/29/2023 Commission Number: HH 485840

Signature of Notary Public: [Signature]

Printed Name of Notary Public: Cynthia Manzano

Note: Please list all owners. If a corporation, please supply the City Planning Division with a copy of corporation papers.





DEPARTMENT OF DEVELOPMENT SERVICES
CITY PLANNING DIVISION

Tel. (239) 574-0553
Fax (239) 574-0591
P.O. Box 150027
Cape Coral, FL 33915-0027

ACKNOWLEDGEMENT FORM

I have read and understand the above instructions. Hearing date(s) will be confirmed when I receive a copy of the Notice of Public Hearing stipulating the day and time of any applicable hearings.

I acknowledge that I, or my representative, must attend any applicable meetings scheduled for the Hearing Examiner and City Council.

I will have the opportunity at the hearing to present information pertaining to my request that may not be included in my application.

I understand any decision rendered by the CITY shall be subject to a thirty (30) day appeal period. Any work performed within the thirty (30) day time frame or during the APPEAL process will be completed at the applicant's risk.

I understand I am responsible for all fees, including advertising and recording costs. All fees are to be submitted to the City of Cape Coral with the application.

By submitting this application, I acknowledge and agree that I am authorizing the City of Cape Coral to inspect the subject property and to gain access to the subject property for inspection purposes reasonably related to this application and/or the permit for which I am applying.

I hereby acknowledge that I have read and understood the above affidavit on the 13th Day of MARCH, 2026.

Daniel Aguirre Trust for Island Pearl 2 Land Trust+Island Pearl 1, LLC

CORPORATION/COMPANY NAME

Daniel Aguirre

OWNER'S NAME (TYPE or PRINT)

OWNER'S SIGNATURE

STATE OF

Florida

COUNTY OF

Lee

Sworn to (or affirmed) and subscribe before me, by means of ☒ physical presence or ☐ online notarization, on this 13th day of MARCH, 2026 by Daniel Aguirre

know is personally known to me or produced _____ as identification.

Exp Date:

3/29/2028

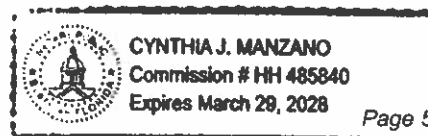
Commission Number:

HH 4858410

Signature of Notary Public:

Printed Name of Notary Public:

Cynthia Manzano





DEPARTMENT OF DEVELOPMENT SERVICES
CITY PLANNING DIVISION

Tel. (239) 574-0553

Fax (239) 574-0591

P.O. Box 150027

Cape Coral, FL 33915-0027

DOCUMENTARY EVIDENCE (LDC, Section 3.1.11F.6)

A copy of all documentary evidence shall be made available to the decision-making body or the Hearing Examiner and to staff no later than three business days prior to the hearing of the application. This requirement includes information that the applicant intends to present at public hearing.

I have read the above requirement and agree to comply with this provision.

Daniel Aguirre

OWNER/APPLICANT
(PLEASE TYPE OR PRINT)

OWNER/APPLICANT SIGNATURE

(SIGNATURE MUST BE NOTARIZED)

STATE OF Florida

COUNTY OF Lee

Sworn to (or affirmed) and subscribe before me, by means of ☒ physical presence or ☐ online

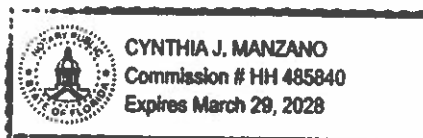
notarization, on this 13th day of MARCH, 2020 by Daniel Aguirre

know is personally known to me or produced _____ as identification.

Exp Date: 3/29/2023 Commission Number: HH 485840

Signature of Notary Public:

Printed Name of Notary Public: Cynthia Manzano



LETTER OF AUTHORIZATION

The undersigned do hereby swear or affirm that they are the fee simple title holders and owners of record of property commonly known as address and strap number as follows:

ADDRESS See Attached List

STRAP NUMBER See Attached List

The property described herein is the subject of an application for zoning or development. We hereby designate **QUATTRONE & ASSOCIATES, INC.** as the legal representative of the property and as such, this individual is authorized to legally bind all owners of the property in the course of seeking the necessary approvals to develop. This authority includes but is not limited to the hiring and authorizing of agents to assist in the preparation of applications, plans, surveys, and studies necessary to obtain zoning, water management and development on the site. This representative will remain the only entity to authorize development activity on the property until such time as a new or amended authorization is delivered.


Owner / Authorized Representative

Daniel Aguirre-Manager

Printed Name

Island Pearl 1, LLC

Name of Company / LLC /

STATE OF

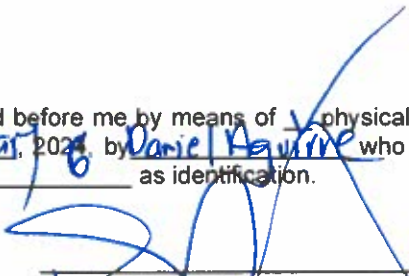
Florida

COUNTY OF

Lee

The foregoing instrument was acknowledged before me by means of physical presence or online notarization on this 27th day of February, 2024, by Daniel Aguirre who is personally known to me or who has produced _____ as identification.

(Affix Notary Seal)


NOTARY PUBLIC SIGNATURE ABOVE

NOTARY NAME:

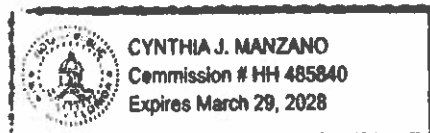
Cynthia Manzano

COMMISSION NO.:

HH 485840

COMMISSION EXP. DATE:

3/29/28



Daniel Aguirre-Manager Island Pearl 1, LLC

18-44-23-C3-05336.0270

18-44-23-C3-05336.0240

18-44-23-C3-05337.0010

18-44-23-C3-05337.0200

LETTER OF AUTHORIZATION

The undersigned do hereby swear or affirm that they are the fee simple title holders and owners of record of property commonly known as address and strap number as follows:

ADDRESS See Attached List

STRAP NUMBER See Attached List

The property described herein is the subject of an application for zoning or development. We hereby designate **QUATTRONE & ASSOCIATES, INC.** as the legal representative of the property and as such, this individual is authorized to legally bind all owners of the property in the course of seeking the necessary approvals to develop. This authority includes but is not limited to the hiring and authorizing of agents to assist in the preparation of applications, plans, surveys, and studies necessary to obtain zoning, water management and development on the site. This representative will remain the only entity to authorize development activity on the property until such time as a new or amended authorization is delivered.


Owner / Authorized Representative

Daniel Aguirre

Printed Name

Island Pearl 2 Land Trust

Name of Company / LLC /

STATE OF

Florida

COUNTY OF

Lee

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization on this 27th day of February, 2024, by Daniel Aguirre who is personally known to me or who has produced _____ as identification.

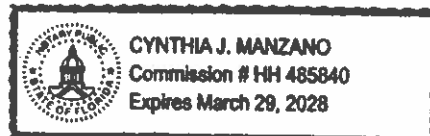
(Affix Notary Seal)


NOTARY PUBLIC SIGNATURE ABOVE

NOTARY NAME: Cynthia Manzano

COMMISSION NO.: HH 485840

COMMISSION EXP. DATE: 3/29/28



Daniel Aguirre-Trustee for Island Pearl 2 Land Trust

18-44-23-C3-05336.0180 701 SW 32ND CT CAPE CORAL FL 33991
18-44-23-C3-05336.0150 707 SW 32ND CT CAPE CORAL FL 33991
18-44-23-C3-05336.0140 711 SW 32ND CT CAPE CORAL FL 33991
18-44-23-C3-05336.0110 715 SW 32ND CT CAPE CORAL FL 33991
18-44-23-C3-05336.0090 719 SW 32ND CT CAPE CORAL FL 33991
18-44-23-C3-05336.0070 723 SW 32ND CT CAPE CORAL FL 33991
18-44-23-C3-05336.0050 803 SW 32ND CT CAPE CORAL FL 33991
18-44-23-C3-05336.0030 807 SW 32ND CT CAPE CORAL FL 33991
18-44-23-C3-05336.0010 811 SW 32ND CT CAPE CORAL FL 33991
18-44-23-C3-05336.0370 812 SW 32ND PL CAPE CORAL FL 33991
18-44-23-C3-05336.0350 808 SW 32ND PL CAPE CORAL FL 33991
18-44-23-C3-05336.0330 804 SW 32ND PL CAPE CORAL FL 33991
18-44-23-C3-05336.0310 724 SW 32ND PL CAPE CORAL FL 33991
18-44-23-C3-05336.0300 722 SW 32ND PL CAPE CORAL FL 33991
18-44-23-C3-05336.0290 720 SW 32ND PL CAPE CORAL FL 33991
18-44-23-C3-05336.0200 702 SW 32ND PL CAPE CORAL FL 33991



Engineers, Planners & Development Consultants

**4301 Veronica Shoemaker Blvd. Fort Myers, FL
239.936.5222 | QAINC.net | f 239.936.7228**

May 7, 2026

Director
Department of Community Development
City of Cape Coral
P. O. Box 150027
Cape Coral, FL 33915-0027

RE: Vacation of Plat Application-ROW
SE 32nd Place
Letter of Intent

Dear Director:

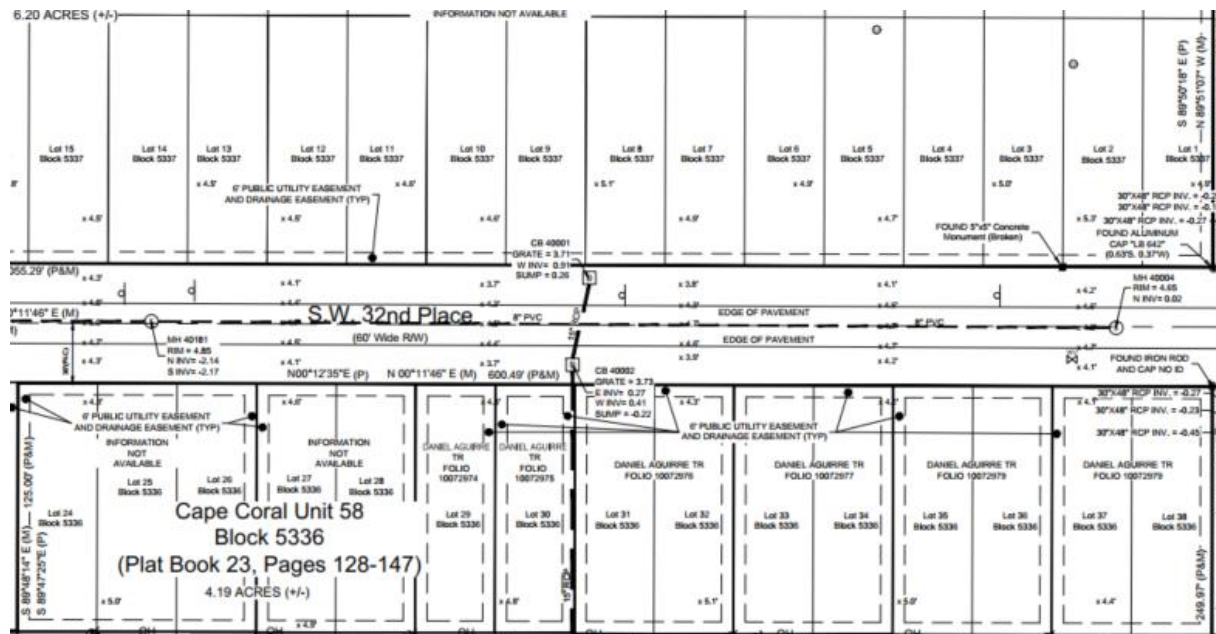
It is the intent of the property owner, Island Pearl and Island Peral 2 Land Trust, to vacate a portion of the right-of-way and underlying easements known as SE 32nd Place, located between Block 5337 (Lots 1 through 15 and Lots 40 through 54) and Block 5336 (Lots 24 through 38) of Cape Coral Unit 58.

The subject properties are associated with the following STRAP numbers:

- 18-44-23-C3-05337.0010
- 18-44-23-C3-05336.0240
- 18-44-23-C3-05336.0270
- 18-44-23-C3-05336.0290
- 18-44-23-C3-05336.0300
- 18-44-23-C3-05336.0310
- 18-44-23-C3-05336.0330
- 18-44-23-C3-05336.0350
- 18-44-23-C3-05336.0370

The purpose of this request is to facilitate the re-platting and reconfiguration of the existing property lines associated with the development. The proposed right-of-way vacation will remove a portion of SE 32nd Place that is not currently utilized or necessary to serve the site or surrounding properties.

The requested vacation will allow for a more efficient site layout and future development configuration while maintaining appropriate access and utility considerations.



Thank you for your consideration of this request. Please contact us if additional information is required

If you have any questions, please don't hesitate to call.

Sincerely,
QUATTRONE & ASSOCIATES, INC.

Sharon Hrabak
Permit Manager



3/23/26

Quattrone & Associates, Inc.
ATTN: Sharon Hrabak
4301 Veronica Shoemaker Boulevard
Fort Meyers, Florida 33916

WITH Reservations

SUBJECT: vacation of a portion of the SE 32nd Place Right-of-Way, located between Block 5337 (Lots 1 through 15 and Lots 40 through 54) and Block 5336 (Lots 24 through 38) of Cape Coral Unit 58, Lee County, FL

**APN: 18-44-23-C3-05337.0010; 18-44-23-C3-05336.0240; 18-44-23-C3-05336.0240;
18-44-23-C3-05336.0290; 18-44-23-C3-05336.0300; 18-44-23-C3-05336.0310;
18-44-23-C3-05336.0330; 18-44-23-05336.0350; 18-44-23-C3-05336.0370**

To Whom It May Concern:

CENTURYLINK OF FLORIDA, INC. ("CenturyLink") has reviewed the request for the subject vacation and has determined that in order to protect its facilities CenturyLink must reserve its rights.

Please SAVE AND EXCEPT an EASEMENT to CenturyLink over the following area/s:

SW 32nd Place, as further described and/or depicted on the attached Exhibit "A", said Exhibit "A" attached hereto and incorporated by this reference.

It is the intent and understanding of CenturyLink that this Vacation shall not reduce our rights to any other existing easement or rights we have on this site or in the area.

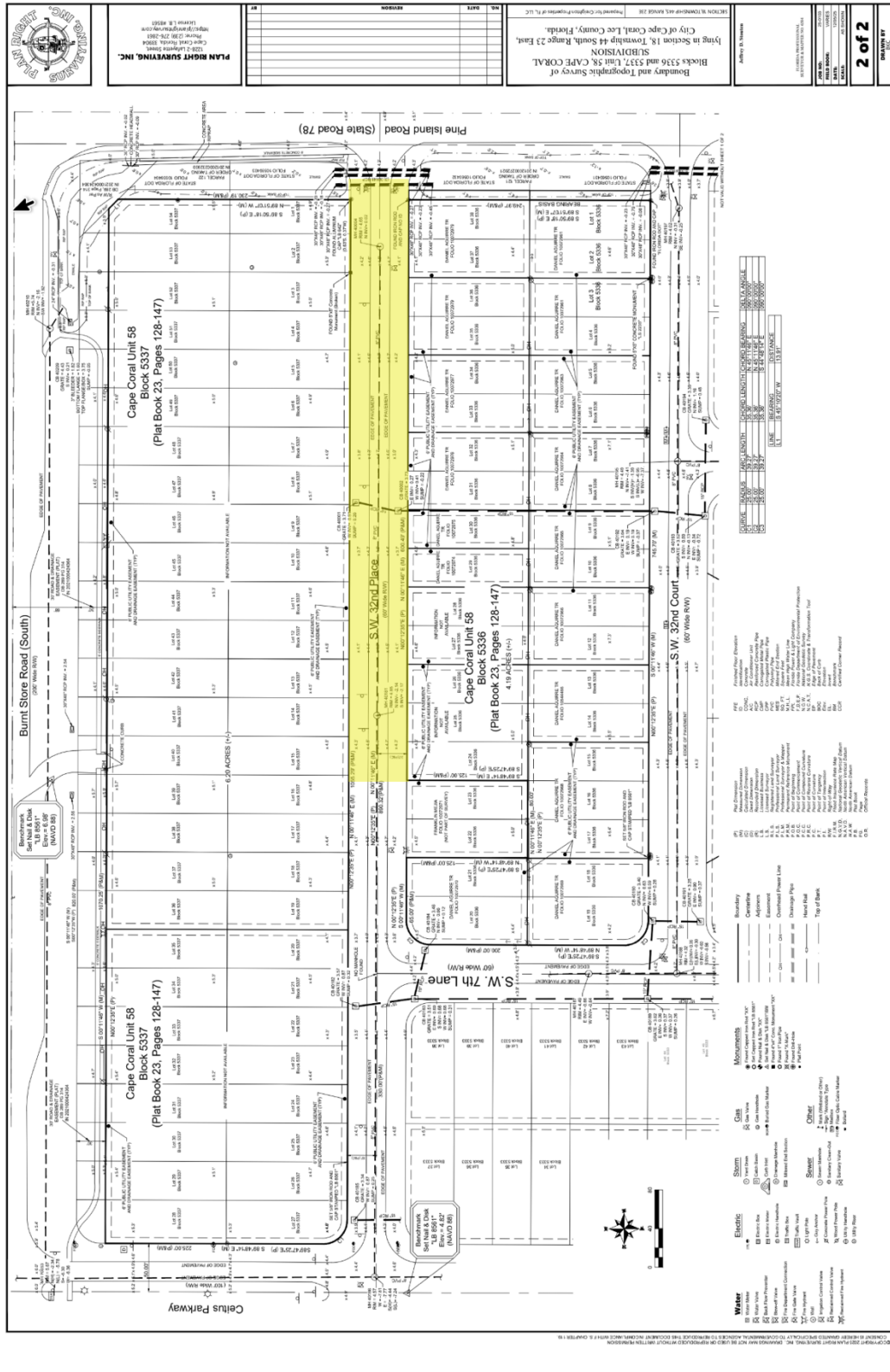
This response is submitted with the additional stipulation that if CenturyLink facilities are damaged within the area, the Applicant will bear the cost of relocation and repair of said facilities.

If you would like to further discuss this action, please contact Briana Salles at (361) 652-8608, Briana.Salles@lumen.com , or nre.easement@lumen.com.

Sincerely yours,

Briana Salles
Network Infrastructure Services
Lumen
P869391

Exhibit A





March 10th 2026

Attn: Sharon Hrabak

RE- Letter of No Objection for ROW Vacation SW 32nd Pl Cape Coral FL 33909. Unit 58 Block 5337
Lots 1- 15 and Lots 40-54 and Block 5336 Lots 24- 38

Dear Sharon Hrabak,

Thank you for contacting Comcast regarding your proposed vacation. This is to inform you that Comcast does not have facilities within the sites development area and Comcast has no objection to the vacation.

It is the intent and understanding of Comcast that this vacation shall not reduce our rights to any other existing easement or rights we have on this site or in the area. This vacation response is submitted WITH THE STIPULATION that if Comcast facilities are found and/or damaged within the area as described, the applicant will bear the cost of repairs or relocation of said facilities.

If you have any further questions or concerns, please do not hesitate to contact me at (574) 808-8943.

Sincerely,

Christopher Plank
Construction Manager SWFL

12600 Westlinks Dr. Suite #4
Fort Myers, FL 33913
574-808-8943
Christopher.Plank@Comcast.com

February 19, 2026

Sharon Hrabak
Quattrone & Associates, Inc
4301 Veronica Shoemaker Blvd
Fort Myers, FL

Re: Letter of Review and Recommendation to Vacation of Right of Way located at **SW 32nd Place, Cape Coral, FL 33909:**

Between Strap No.: 18-44-23-C3-05337.0010, 18-44-23-C3-05336.0240, 18-44-23-C3-05336.0240, 18-44-23-C3-05336.0290, 18-44-23-C3-05336.0300, 18-44-23-C3-05336.0310, 18-44-23-C3-05336.0330, 18-44-23-05336.0350, 18-44-23-C3-05336.0370

Unit 58, Block 5337 Lots 1 thru 15 + Lots 40 thru 54 and Block 5336 Lots 24 thru 38

We received your petition asking LCEC for a letter to vacate the right of way between the parcels described above:

We have reviewed your request, with the submitted related documents, and our internal files. LCEC has **No Objection** to the requested vacation. However, all existing public utility easements and drainage easements must remain.

Please be advised, that should there be any substantial changes to the plans as submitted, LCEC reserves its rights to additional, and further review and comment with additional conditions, if necessary, consistent with its findings. Should no definitive action, no approval, by local jurisdiction be received by the petitioner, this letter will terminate within one year from the date listed above. This letter is not assignable to a third party and is non-recordable. This letter will become immediately void upon recordation.

Should there be any questions please call me at 239-656-2228, or, if you prefer, I may be reached by email at Steve.Sousa@lcec.net.

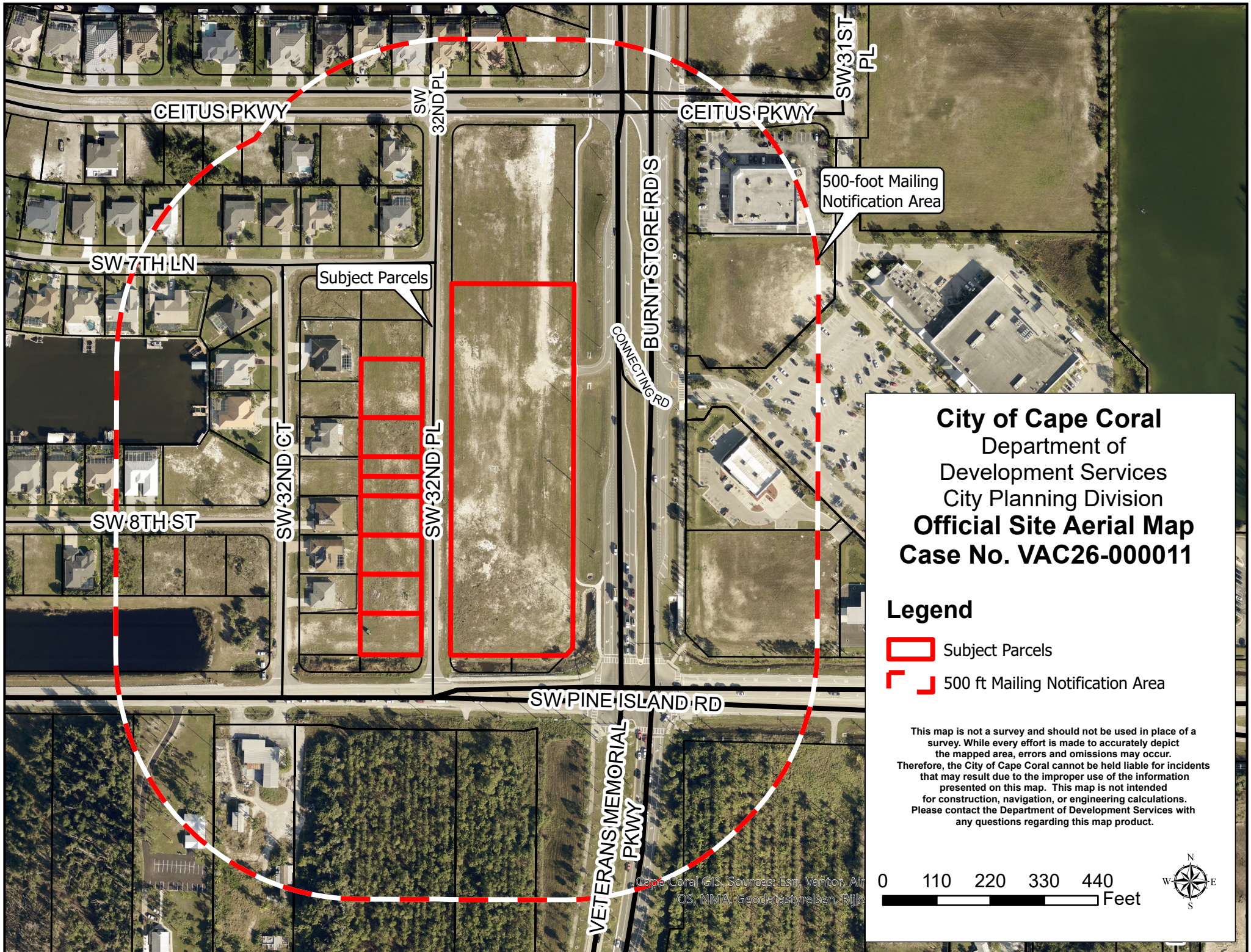
Very truly yours,



Steve Sousa
Right of Way Agent

LEE COUNTY ELECTRIC COOPERATIVE, INC.

RE: 401285708



City of Cape Coral
Department of
Development Services
City Planning Division
Official Site Aerial Map
Case No. VAC26-000011

Legend

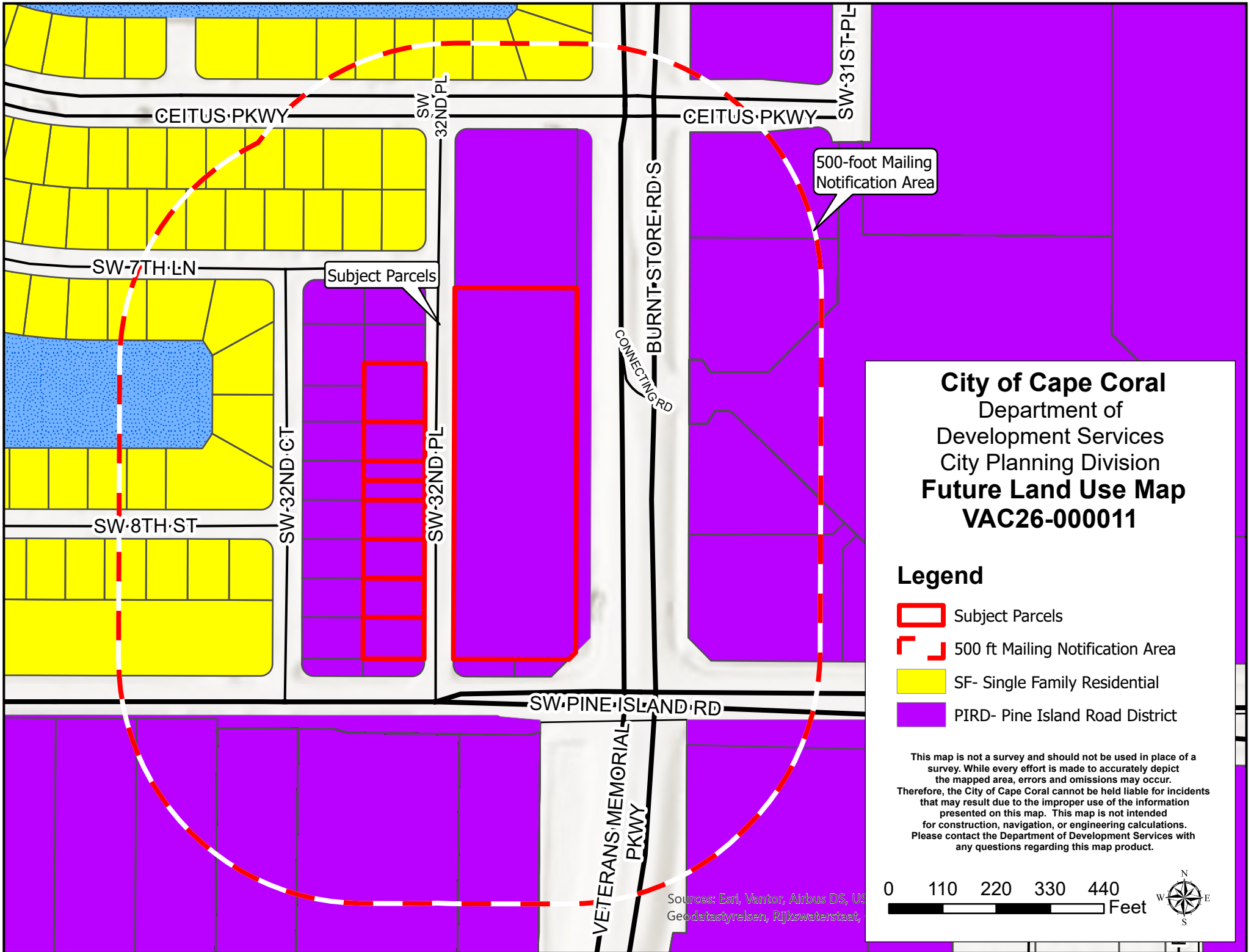
-  Subject Parcels
-  500 ft Mailing Notification Area

This map is not a survey and should not be used in place of a survey. While every effort is made to accurately depict the mapped area, errors and omissions may occur. Therefore, the City of Cape Coral cannot be held liable for incidents that may result due to the improper use of the information presented on this map. This map is not intended for construction, navigation, or engineering calculations. Please contact the Department of Development Services with any questions regarding this map product.

0 110 220 330 440 Feet



Cape Coral GIS, Sources: Esri, Vantop, Air
OS, NMA, Geodatesyrielsen, Rijk

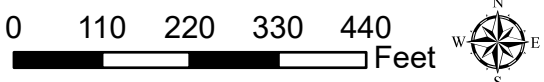


City of Cape Coral
 Department of
 Development Services
 City Planning Division
Future Land Use Map
VAC26-000011

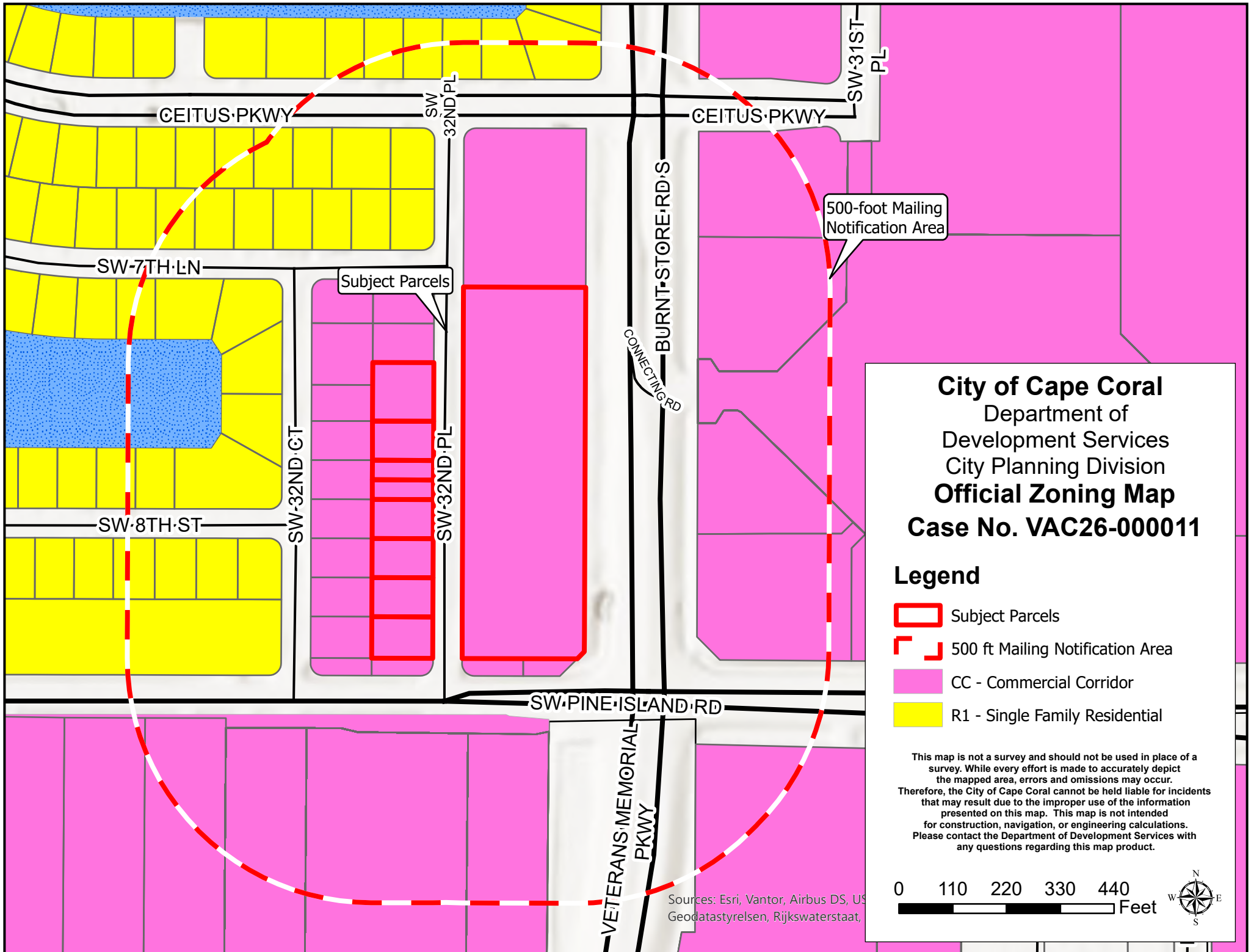
Legend

- Subject Parcels
- 500 ft Mailing Notification Area
- SF- Single Family Residential
- PIRD- Pine Island Road District

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Sources: Esri, Vantor, Airbus DS, US
 Geodatastyrelsen, Rijkswaterstaat,

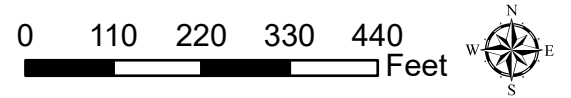


City of Cape Coral
Department of
Development Services
City Planning Division
Official Zoning Map
Case No. VAC26-000011

Legend

-  Subject Parcels
-  500 ft Mailing Notification Area
-  CC - Commercial Corridor
-  R1 - Single Family Residential

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Sources: Esri, Vantor, Airbus DS, US
Geodatastyrelsen, Rijkswaterstaat,