

Estero group to revive suit vs. county, planned 1,325 homes

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The Estero Council of Community Leaders will continue its legal fight against Lee County and a developer that has proposed a gated community known as Corkscrew Farms, the group's lawyer said Thursday.

Lee Circuit Court Judge Alane Laboda has dismissed a lawsuit filed by the ECCL and the Responsible Growth Management Coalition. But she gave them 20 days to return with an amended complaint.

Ralf Brookes, a lawyer representing the ECCL and RGMC, said the groups will file an updated complaint within those 20 days.

The ECCL and RGMC had challenged

The homes would be built along Corkscrew Road about 6 miles east of Interstate 75 in the largely rural DRGR area deemed crucial for Lee's drinking water.

how Lee County came to grant Cameratta Cos. permission to build as many as 1,325 homes on land within a groundwater resource area known as the DRGR.

Cameratta Cos., added itself to the lawsuit as a defendant.

Laboda said the ECCL and RGMC failed to establish they had any "legally recognized rights" to sue.

The proposed project often has been referred to as Corkscrew Farms. Cameratta Cos., based in Fort Myers, has named

it The Place at Corkscrew.

The homes would be built along Corkscrew Road, about 6 miles east of Interstate 75 and well outside Estero.

The ECCL and RGMC contend the effects of a gated community on that property would go against Lee County's stated goals for the DRGR and would harm wildlife in the largely rural area.

Lee County created the DRGR area in the early 1990s and has restricted development there because the land was

deemed crucial for Lee's drinking water supply.

Cameratta has promised the county on-site perks such as 700 acres of preservation land and a few acres for a new fire district station.

Laboda said the ECCL and RGMC failed to prove they had legal standing — such as ownership of an adjacent property — to sue.

Brookes said this case is "unusual" because the Cameratta Cos. property is so secluded. He will ask Laboda to consider a broader interpretation that is allowed under state law, Brookes said.

"There really aren't any neighboring property owners," Brookes said. "There are Florida panthers."