RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS

OF LEE COUNTY, FLORIDA

(Correcting and clarifying Resolution Z-92-032)

WHEREAS, Lee County Division of Zoning has properly filed for a correction of Resolution Z-92-032 regarding John C. Malpeli, in reference to San Marino Pines, to correct scrivener's error in Condition 9; and;

WHEREAS, the subject property is located at 4156 Coconut Road, Estero, described more particularly as:

LEGAL DESCRIPTION: In Section 08, Township 47, Range 25, Lee County, Florida:

> A tract or parcel of land situated in the State of Florida, County of Lee, being a part of the North Half (N1/2) of Section 08, Township 47 South, Range 25 East and further bounded and described as follows:
>
> BEGINNING at the Northeast corner of said Section 08;
> THENCE N88°07'27"W along the North line of the Northeast Quarter (NE1/4) of said Section 08 for 1,935.53 feet to the Northwest corner of the East Three Quarters (E 3/4) of the Northeast Quarter (NE1/4) of said Section 08);
> THENCE S00°11'14"E along the West line of said East Three Quarters (E 3/4) for 2,449.81 feet;
> THENCE S88°37'16"E along the North line of a parcel as described in Official Records Book 883 at Page 345 of the Public Records of said Lee County and the North line of a parcel as described in Official Records Book 543 at Page 597 of the Official Records of said Lee County for 200.00 feet;
> THENCE S00°11'14"E along the East line of said parcel as described in said Official Records Book 543 at Page 597 for 200.00 feet;
> THENCE S88°37'16"E along the South line of said Northeast Quarter (NE1/4) for 1,120.00 feet;
> THENCE N00°11'14"W for 200.00 feet;
> THENCE S88°37'16"E for 50.00 feet;
> THENCE S00°11'14"E for 200.00 feet;
> THENCE S88°37'16"E along the South line of said Northeast Quarter (NE1/4) for 557.20 feet to the Southeast corner of said Northeast Quarter (NE1/4);
> THENCE N00°01'03"W along the East line of said Northeast Quarter (NE1/4) for 2,632.82 feet to the principal PLACE OF BEGINNING.
>
> Said parcel subject to the right-of-way of Coconut Road.

WHEREAS, a public hearing was duly noticed and held before the Lee County Hearing Examiner and the Lee County Board of County Commissioners; and

WHEREAS, the Board of County Commissioners promptly and succinctly acted on the petition on July 20, 1992, and an official Resolution was prepared and filed entitled Resolution Number Z-92-032, which granted the following:

R-31-92

APPROVE WITH CONDITIONS an amendment to the Residential Planned Development zoning granted by Resolution Z-88-034 and modified by Resolution Z-90-021, to allow modifications to the Master Concept Plan.

WHEREAS, due to scrivener's and staff error, the resolution did not accurately reflect the outcome of Condition 9, and it became necessary to prepare and file an amendment to the resolution reflecting the correct outcome of Condition 9 of Hearing Number 88-2-10-DCI(b); and

WHEREAS, this correction was brought before the Lee County Board of County Commissioners at a public hearing and the correction was approved.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS, LEE COUNTY FLORIDA, that Condition 9 of Resolution Z-92-032 is hereby amended and corrected to provide as follows:

9. Deviation (1) is a request to deviate from Section C.3.f. of the Development Standards Ordinance which requires street stubs to adjoining areas be provided where required to give access to such areas or to provide for proper traffic circulation. This deviation is hereby APPROVED.

The foregoing Resolution was adopted by the Lee County Board of County Commissioners upon a motion by Commissioner John E. Manning, and seconded by Commissioner Vicki Lopez-Wolfe and, upon being put to a vote, the result was as follows:

John E. Manning	Aye
Douglas R. St. Cerny	Aye
Ray Judah	Aye
Vicki Lopez-Wolfe	Aye
Donald D. Slisher	Absent

DULY PASSED AND ADOPTED this 31st day of August, A.D., 1992.

ATTEST:
CHARLIE GREEN, CLERK

BY: _____
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: _____
Chairman

FILED

SEP 9 1992

CLERK CIRCUIT COURT
BY _____ D.C.

Approved as to form by:

_____
County Attorney's Office