RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS

OF LEE COUNTY, FLORIDA

WHEREAS, Keith Miller, Trustee, in reference to Woodside Lakes, has properly filed an application for an amendment to Resolution Z-86-215 to delete fringe road and all references to fringe impact fee, and to add a deviation from the following:

(1) The requirement that street stubs to adjoining areas be provided where required to give access to such areas or to provide for proper traffic circulation (DSO Section C.3.f.), to allow that no street stubs be provided.; and

WHEREAS, the subject property is located on the north side of Coconut Road, described more particularly as:

LEGAL DESCRIPTION: In Section 09, Township 47 South, Range 25 East, Lee County, Florida:

COMMENCE at the West Quarter (W¼) corner of Section 09, Township 47 South, Range 25 East, Lee County, Florida;
THENCE run N01°00'32"W along the West line of the Northwest Quarter (NW¼) of the said Section 09 for a distance of 55.00 feet to a point on the Northerly right-of-way line of Coconut Road (50.00 foot right-of-way) as the same is described in Official Records Book 1738 at Page 2538 of the Public Records of Lee County, Florida;
THENCE run S89°56'40"E along the Northerly right-of-way line of Coconut Road for a distance of 60.01 feet to the POINT OF BEGINNING of the parcel of land herein described;
THENCE run N01°00'32"W for a distance of 603.22 feet to a point 660.00 feet South of, as measured at right angles to, the North line of the South Half (S½) of the Northwest Quarter (NW¼) of the said Section 09;
THENCE run N88°20'48"E, parallel with the North line of the South Half (S½) of the Northwest Quarter (NW¼) of the said Section 09 for a distance of 600.04 feet to a point 660.00 feet east of, as measured at right angles to, the West line of the South Half (S½) of the Northwest Quarter (NW¼) of the said Section 09;
THENCE run N01°00'32"W, parallel with the West line of the South Half (S½) of the Northwest Quarter (NW¼) of the said Section 09 for a distance of 660.04 feet to a point on the North line of the South Half (S½) of the Northwest Quarter (NW¼) of the said Section 09;
THENCE run N88°20'48"E along the North line of the South Half (S½) of the Northwest Quarter (NW¼) of the said Section 09 for a distance of 1,849.70 feet;
THENCE run S01°39'12"E for a distance of 660.00 feet;
THENCE run S88°20'48"W for a distance of 858.32 feet to a point on a line 50.00 feet Easterly of, as measured at right angles to, the centerline of an existing Florida Power and Light transmission line;
THENCE run S21°14'38"E parallel with the centerline of said Florida Power and Light transmission line, for a distance of 698.52 feet to a point on the Northerly right-of-way line of Coconut Road;

continued



7-23-90

THENCE run N89°56'40"W along the Northerly right-of-way line of Coconut Road for a distance of 1,840.66 feet to the POINT OF BEGINNING, containing 59.902 acres, more or less.

WHEREAS, the applicant has indicated the property's current STRAP number is 09-47-25-00-00002.0000; and

WHEREAS, proper authorization has been given to Carleton Ryffel, AICP by Keith A. Miller, the owner of the subject parcel, to act as agent to pursue this zoning application; and

WHEREAS, a public hearing was legally and properly advertised and held before the Lee County Hearing Examiner, with full consideration of all the evidence available; and

WHEREAS, the Lee County Hearing Examiner fully reviewed the matter in a public hearing held on May 22, 1990; and

WHEREAS, a public hearing was legally and properly advertised and held before the Lee County Board of County Commissioners; and

WHEREAS, in the legislative process the Lee County Board of County Commissioners gave full and complete consideration to the recommendations of the staff, the Hearing Examiner, the documents on file with the county, and the testimony of all interested persons.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS, that the Board of County Commissioners does hereby APPROVE the requested amendments to delete the fringe road and all references to the fringe impact fee as set forth in Resolution Z-86-215, subject to the following condition:

> The applicant shall participate in any appropriate privately funded infrastructure assessments including, but not limited to, MSBU's, MSTU's or other funding mechanisms for provision of other services or facilities including, but not limited to, drainage, roads, water, sewer, libraries, fire protection, etc.; and

the Board of County Commissioners does further APPROVE Deviation #1 herein.

The foregoing Resolution was adopted by the Lee County Board of County Commissioners upon a motion by Commissioner Bill Fussell, and seconded by Commissioner Douglas St. Cerny and, upon being put to a vote, the result was as follows:

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| John E. Manning | ABSENT |
| Douglas St. Cerny | AYE |
| Ray Judah | NAY |
| Bill Fussell | AYE |
| Donald D. Slisher | AYE |

DULY PASSED AND ADOPTED this 23rd day of July, A.D., 1990.

ATTEST:
CHARLIE GREEN, CLERK

BY: Clare J. Wauck
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: J Manning
Chairman

Approved as to form by:

County Attorney's Office

FILED
AUG 08. 90
CLERK CIRCUIT COURT
BY C. Wauck D.C.



(8050L/3)