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RECORD VERIFIED - CHARLIE GREEN, CLERK BY₂ H. FERNSTROM, D.C.

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RESOLUTION NUMBER ZAB-85-97

2085258

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS

OF LEE COUNTY, FLORIDA

WHEREAS, Pine Lakes Country Club, has properly filed an application for: A district boundary change from Preliminary PUD to Final PUD for final plan approval of a residential development of 867 mobile home sites on 362.5 acres of land. The proposed development will also include a golf course and driving range, a club house allowing the consumption-on-premises of alcoholic beverages, RV/boat storage, a guardhouse, model homes and sales office, an entry sign and wetland preserves on a piece of property located on west side of US 41, approximately 2 1/2 miles north of the Shell Factory in North Fort Myers, Florida, described more particularly as;

LEGAL DESCRIPTION: Section 8 & 9, Township 43S, Range 24E, Lee County, Florida.

A tract or parcel of land lying in Section 8, Township 43 South, Range 24 East, Lee County, Florida which tract or parcel is described as follows:

Beginning at the northeast corner of that parcel described in deed recorded in Official Record Book 1086 at page 797, Lee County Records run S 88 31' 00" W parallel with the south line of the southeast quarter (SE %) of said Section 8 along the north line of said parcel for 2,349.30 feet to an intersection with a line parallel with and 2,200 feet north of (as measured on a line parallel with the east line of Section 8) the south line of the southwest quarter (SW %) of said Section 8, said point being at the directional change on the north line of said parcel; thence run N 88° 31' 33" W along said parallel line along the north line of said parcel for 1612.32 feet to the northwest corner of said parcel; thence run S 00° 11' 10" W, parallel with the east line of said Section 8 along the west line of said parcel for 2,200.00 feet to the south line of said Section 8; thence run N 88° 31' 33" W along said south line for 1032.12 feet to the southwest corner of said Section 8; thence run N 02° 22' 02" W along the west line of the southwest quarter (SW %) of said Section 8 for 2,689.76 feet to the northwest corner of said fraction of a section; thence run N 02° 13' 44" E along the west line of the northwest quarter (NW %) for 1,979.63 feet to the southwest corner of the north half (N $\frac{1}{2}$) of the north half (N $\frac{1}{2}$) of the north half (N $\frac{1}{2}$) of said Section 8; thence run along the south line of said fraction of a section, S 89° 31' 02" E for 2,339.65 feet, S 89° 51' 51" E for 2,701.74 feet to the southeast corner of said fraction of a section; thence run S 00° 11' 10" W along the east line of said Section 8 for 2,446.83 feet to the Point of Beginning.

Containing 344.37 acres of land more or less.

Bearings hereinabove mentioned are derived from plat of Indian Pines, Unit 1 as recorded in Plat Book 29 at pages 65 through 72, Lee County Records.

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AND:

A tract or parcel of land lying in Section 9, Township 43 South, Range 24 East, Lee County, Florida, which tract or parcel is described as follows:

From the intersection of the north line of said Section 9 and the former westerly right-of-way line (100 feet from the centerline) of State Road 45 run S 25° 53' 00" E along said former right-of-way line for 400.00 feet; thence run S 64° 07' 00" W, perpendicular with said former right-of-way line, for 60.00 feet to the new westerly right-of-way line (160 feet from the centerline) of State Road 45 as described in instrument recorded in Official Record Book 1080 at page 190, Lee County Records and the Point of Beginning.

From said Point of Beginning run S 25° 53' 00" E along said new right-of-way line for 360.53 feet to a point of transitional right-of-way width of said State Road 45; thence run S 25° 30' 05" E along said transitional right-of-way line for 239.47 feet; thence run S 64° 07' 00" W, perpendicular with the former right-of-way line of said State Road 45, for 1,002.93 feet to the west line of said Section 9; thence run N 00° 11' 10" E along said west line for 667.96 feet to an intersection with a line perpendicular to said former right-of-way line passing through the Point of Beginning; thence run N 64° 07' 00" E along said perpendicular line for 710.98 feet to the Point of Beginning.

SUBJECT TO a 100 foot Florida Power & Light Company Transmission Line easement, the centerline of which being parallel with and 500 feet southwesterly of the former right-of-way line (100 feet from the centerline) of said State Road 45.

Containing 11.81 acres of land more or less.

Bearings hereinabove mentioned are derived from plat of Indian Pines, Unit 1 as recorded in Plat Book 29 at pages 65 through 72, Lee County Records.

AND:

A tract or parcel of land lying in Section 9, Township 43 South, Range 24 East, Lee County, Florida, which tract or parcel is described as follows:

From the intersection of the north line of said Section 9 and the former westerly right-of-way line (100 feet from the centerline) of State Road 45 run S 25° 53' 00" E along said former right-of-way line for 1,000.00 feet; thence run S 64° 07' 00" W, perpendicular with said former right-of-way line, for 61.60 feet to a point on the new right-of-way line as described in instrument recorded in Official Record Book 1001 at page 781, Lee County Records and the Point of Beginning.

From said Point of Beginning continue S 64° 07' 00" W along said perpendicular line for 1,002.93 feet to the west line of said Section 9; thence run S 00° 11' 10" W along said west line for 293.45 feet to the southwest corner of the north half (N ½) of the northwest quarter (NW ½) of the southwest quarter (SW ½) of the northwest quarter (NW ½) of said Section 9; thence run S 89° 51' 49" E along the south line of said fraction of a section for 827.35 feet to an intersection with a line parallel with and 450 feet southwesterly of said former right-of-way line; thence run N 25° 53' 00" W along said parallel line for 376.53 feet to an intersection with a southwesterly prolongation of the southeasterly line of that parcel of land recorded in Deed Book 247 at page 447 of the land records of Lee County, Florida; thence run N 64° 07' 00" E along said southwesterly prolongation for 386.74 feet to an intersection with the new

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right-of-way line of said State Road 45; thence run N 25° 30' 05" W along said new right-of-way line for 250.01 feet to the Point of Beginning.

SUBJECT TO a 100 foot Florida Power & Light Company Transmission Line Easement, the centerline of which being parallel with and 500 feet southwesterly of the former right-of-way line (100 feet from the centerline) of said State Road 45.

SUBJECT TO a Lee County Electric Cooperative, Inc. right-of-way easement as described in Official Record Book 982 at page 213 of the land records of Lee County, Florida.

Containing 9.43 acres of land more or less.

Bearings hereinabove mentioned are derived from plat of Indian Pines, Unit 1 as recorded in Plat Book 29 at page 65 through 72 Lee County Records.

WHEREAS, proper authorization has been given to Robert Brown, by Henry E. Wolff/Carmine and Louise C. Salvatore, the trustee/owners of the subject parcel, to act as agent(s) to pursue this zoning application;

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

WHEREAS, the Lee County Zoning Board fully reviewed the matter and recommended approval to final PUD for final plan approval of a residential development of 867 mobile home sites on 362.5 acres of land. The proposed development will also include a golf course and driving range, a club house allowing the consumption-on-premises of alcoholic beverages, RV/boat storage, a guardhouse, model homes and sales office, an entry sign and wetland preserves with conditions based on the analysis contained in the staff report of May 22, 1985, and the testimony given at the May 28, 1985 Zoning Board hearing; 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 Local Planning Agency, the Zoning Board, the documents on file with the County, and the testimony of all interested persons:

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(0782Z)

LEGISLATIVE HISTORY:

The Local Planning Agency found the request consistent with the Lee County Comprehensive Plan. The Zoning Board concurred with the staff recommendation to approve the request for: a district boundary change from Preliminary PUD to Final PUD for final plan approval of a residential development of 867 mobile home sites on 362.5 acres of land. The proposed development will also include a golf course and driving range, a club house allowing the consumption-on-premises of alcoholic beverages, RV/boat storage, a guardhouse, model homes and sales office, an entry sign and wetland preserves with conditions as contained in the Minutes Report of May 28, 1985. The Board of County Commissioners discussed the concern with Nalle Grade extension running through the center of the project, as per the Trafficways Map. Staff recommended the road extension alignment be at the northern boundary line. Legal staff noted that the vested rights issue would be brought about if the Board tried to apply what may be on the Trafficways Map that may or may not be adopted. Commissioner Goss moved to approve the project final PUD subject to the four conditions, A, B, C, and D, leaving out E, as listed in the staff Summary Report of June 12, 1985. Commissioner Goss stated the motion should read that the realignment of Nalle Grade extension west of US 41 will be to pursue some option other than through this property. Commissioner Wallace stated her concerns were the impacts on the aquatic preserves and changing of sheet flow.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS AS THE ZONING APPEALS BOARD, that the Zoning Appeals Board does hereby grant a district boundary change from Preliminary PUD to Final PUD for final plan approval of a residential development of 867 mobile home sites on 362.5 acres of land. The proposed development will also include a golf course and driving range, a club house allowing the consumption-on-premises of alcoholic beverages, RV/boat storage, a guardhouse, model homes and sales office, an entry sign and wetland preserves with the following conditions as stated in the staff Summary Report of June 12, 1985:

- a. The applicant shall enter into an agreement with the North Fort Myers Fire District and a signed copy of the agreement shall be submitted to the Division of Community Development prior to the issuance of a final development order.
- b. Parkland dedication funds shall be paid in a lump sum and proof of payment shall be submitted to the Division of Community Development prior to the issuance of a final development order.

- The applicant shall facilitate the preservation of trees during the construction of the project as per the project plans. The precise c. location of roads, parking areas, structures, excavations and golf facilities may be altered to preserve trees through administrative modification in the PUD under the provision of Section 606.G of the Zoning Regulations.
- đ. The applicant shall supply an executed deed for the 75 foot section line dedication on the western property line of the project to the Division of Community Development prior to the issuance of the final development order.

Site Plan SP-85-97 is attached hereto and incorporated herein by reference.

The foregoing Resolution was adopted by the Lee County Board of County Commissioners upon a motion by Commissioner Goss, and seconded by Commissioner Fussell and, upon being put to a vote, was as follows:

Porter J. Goss	Aye
Roland Eastwood	Aye
Mary Ann Wallace	Nay
Bill Fussell	Aye
Donald D. Slisher	Aye

DULY PASSED AND ADOPTED this 17th day of June, A.D., 1985.

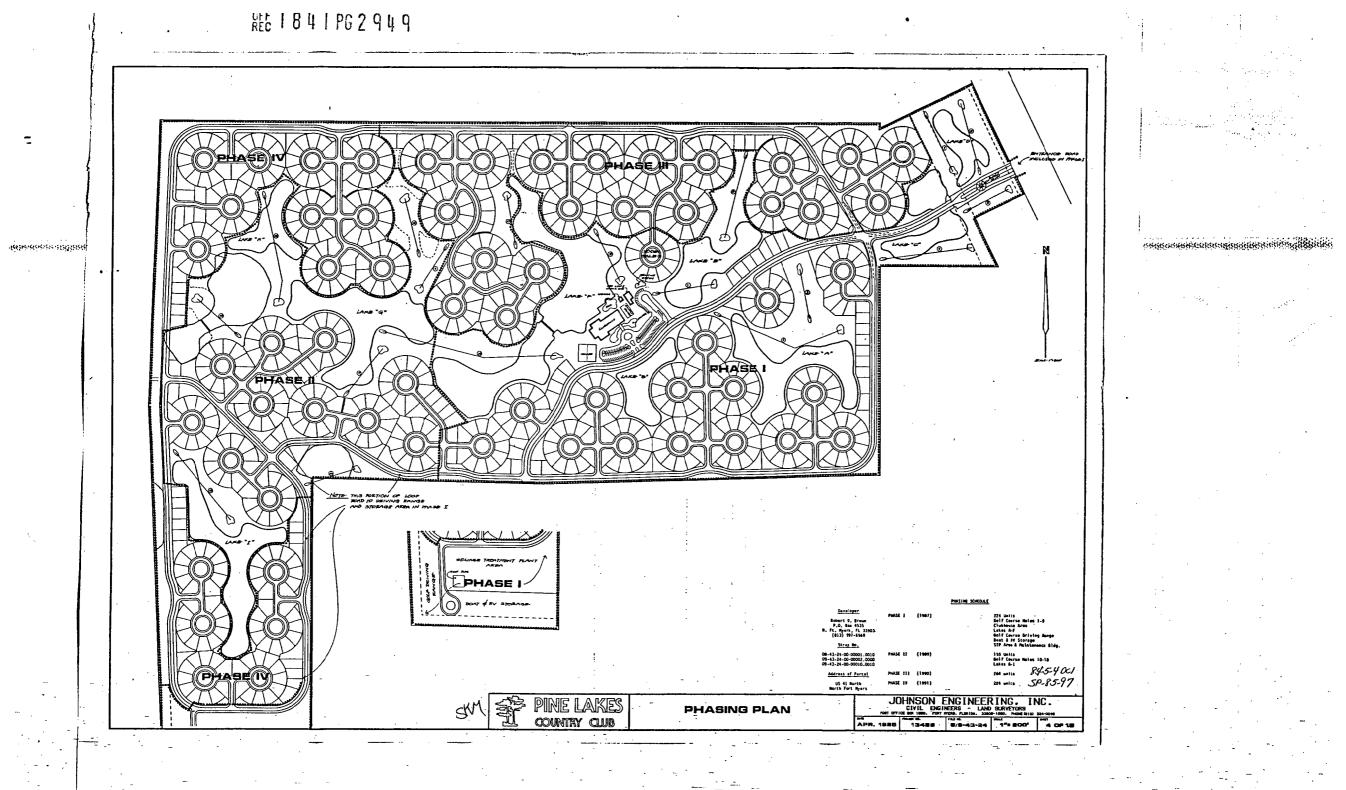
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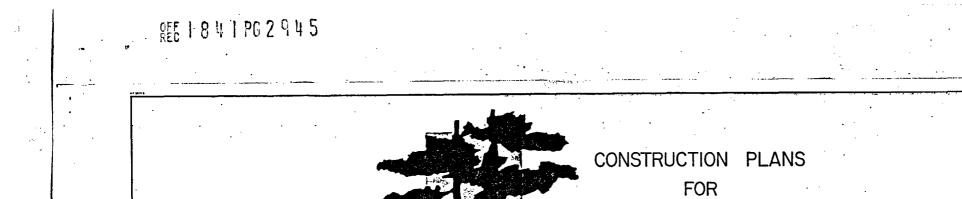
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Approved as to form by: County Attorney's Office

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ENTRANCE ROAD DETAILS

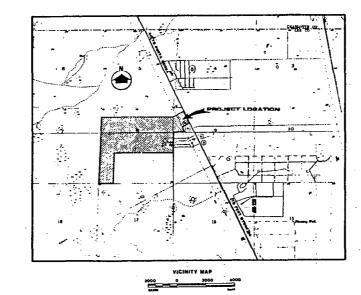
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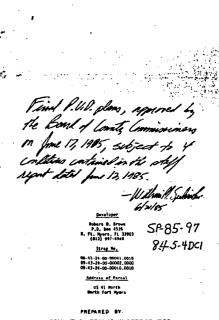
COVER SHEET

PINE LAKES COUNTRY CLUB

LEE COUNTY, FLORIDA



APRIL 1985

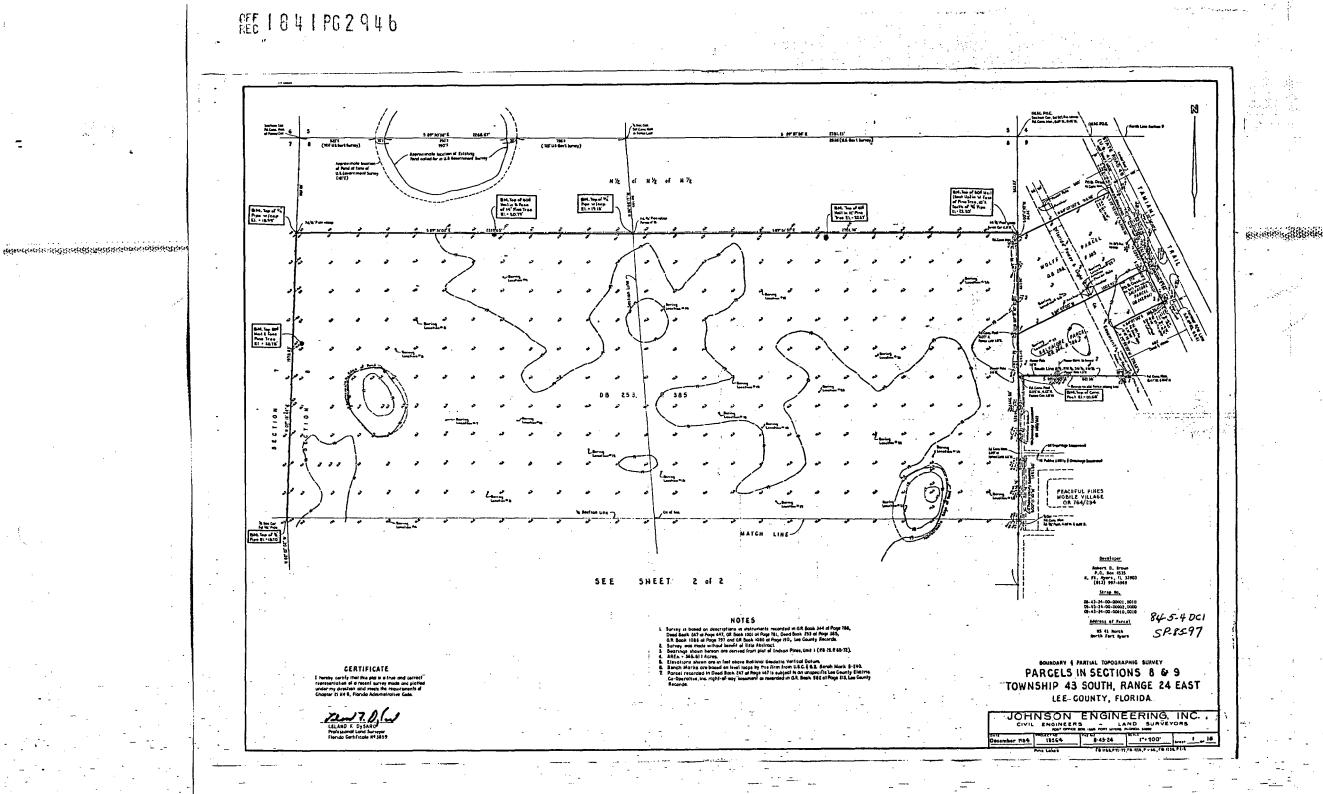


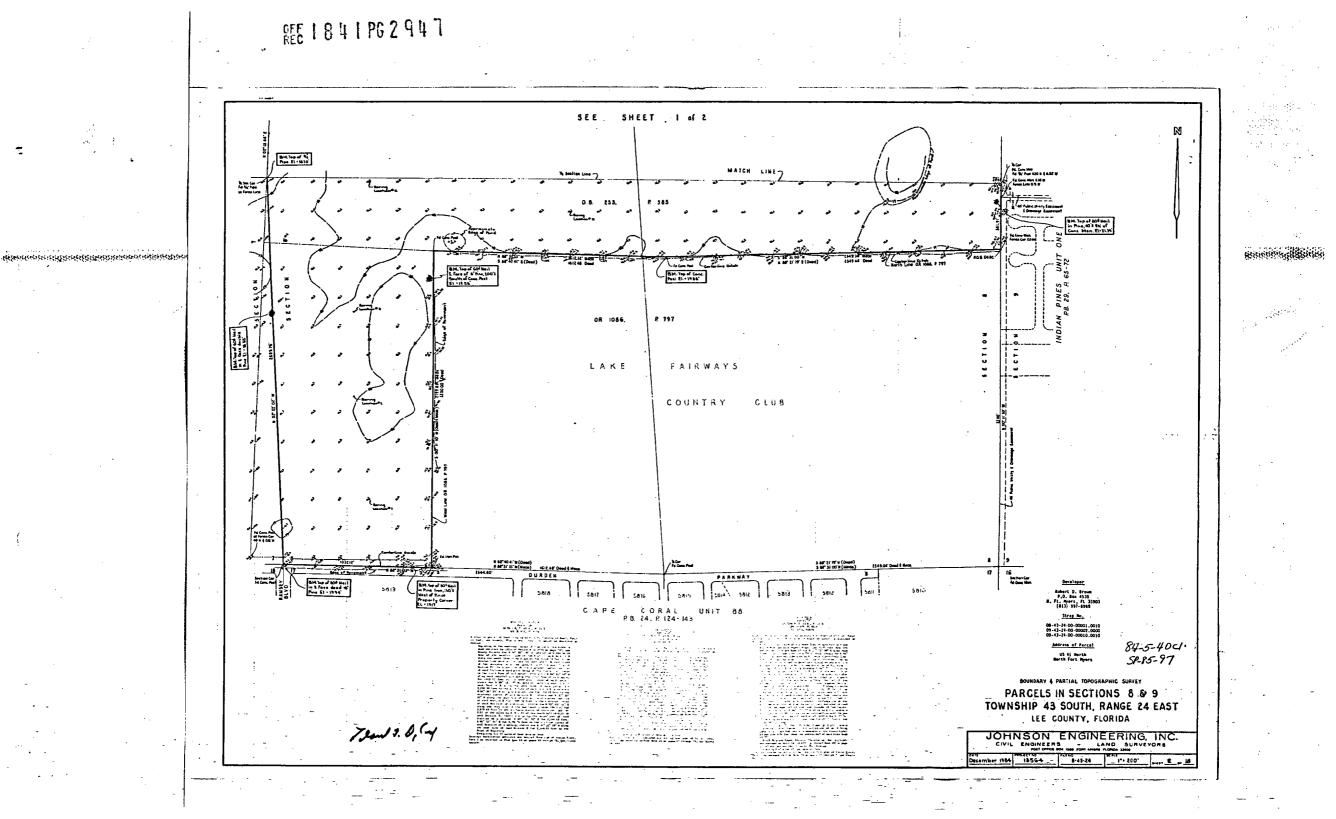
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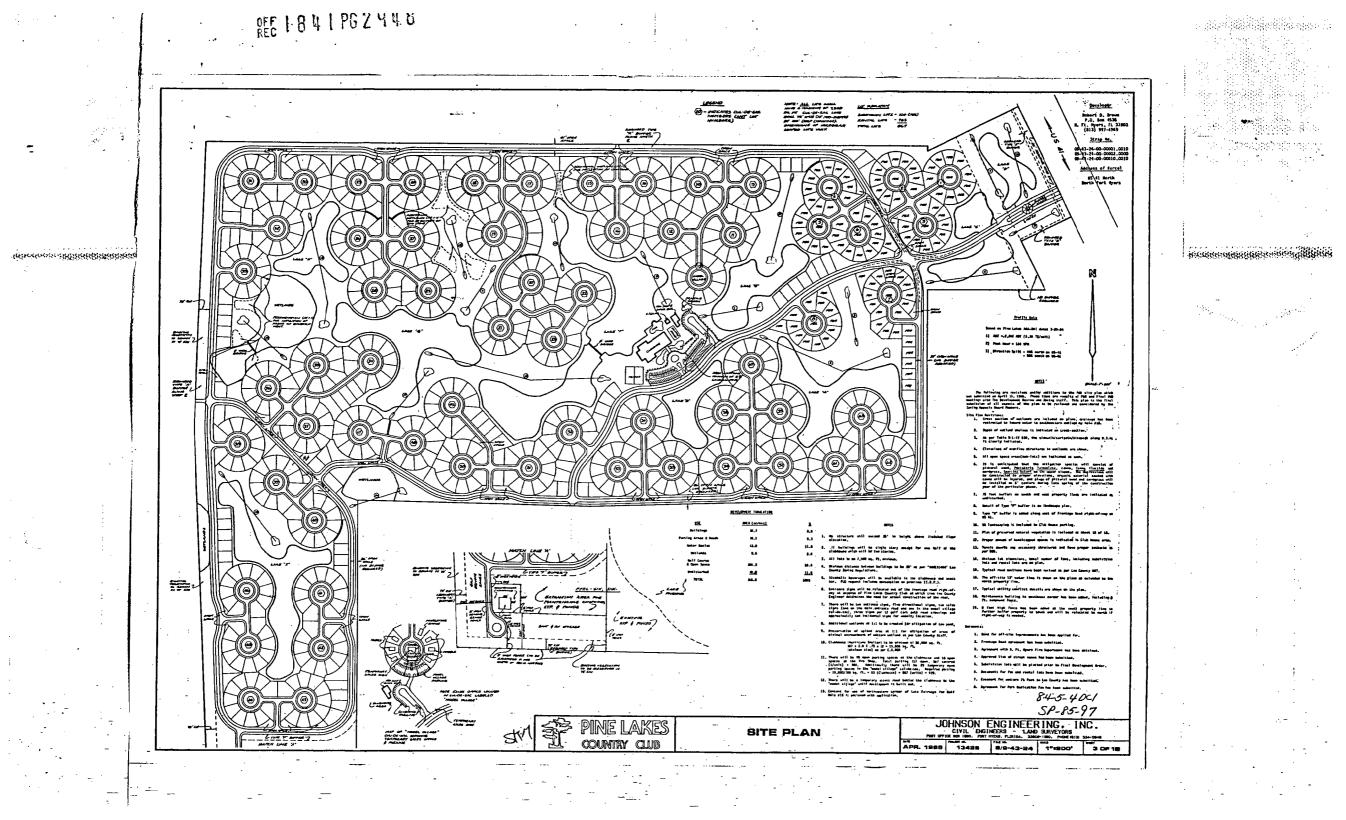
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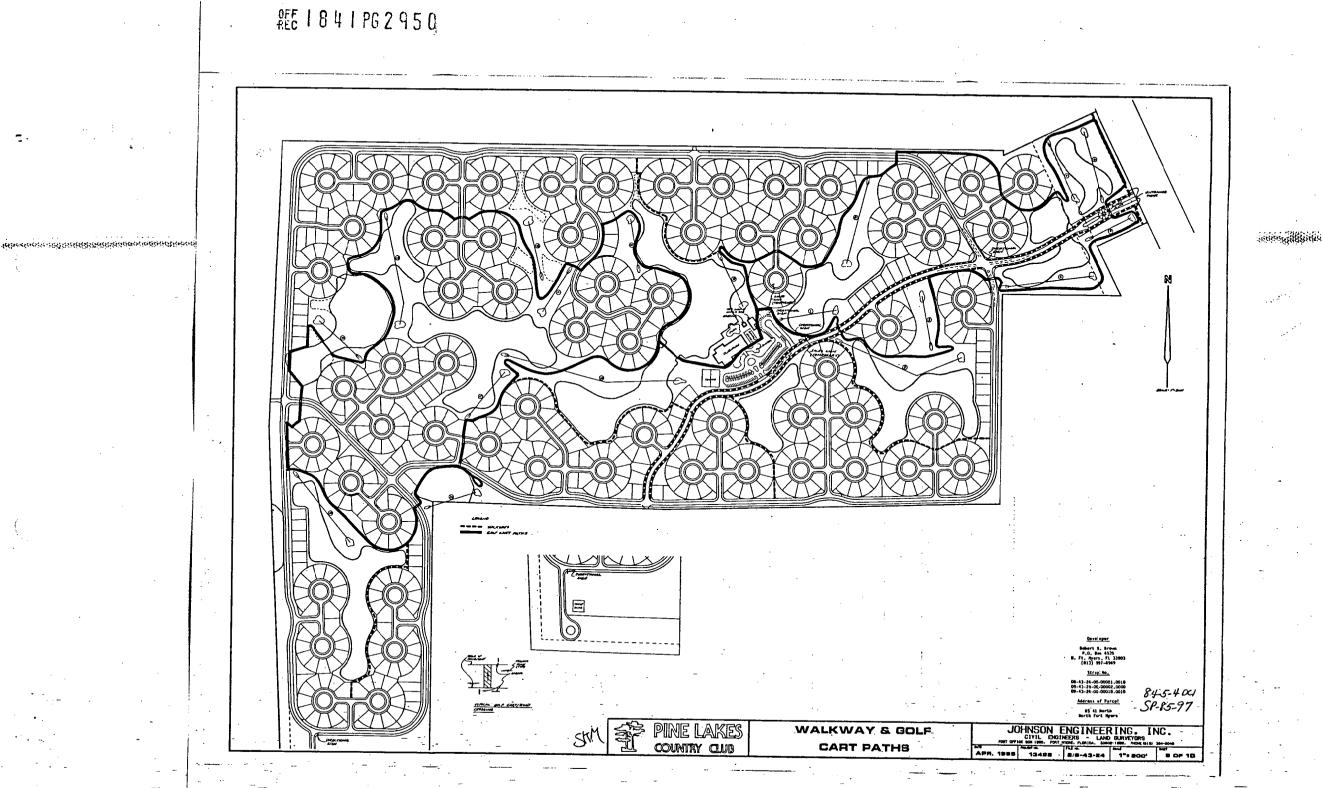
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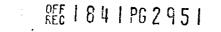


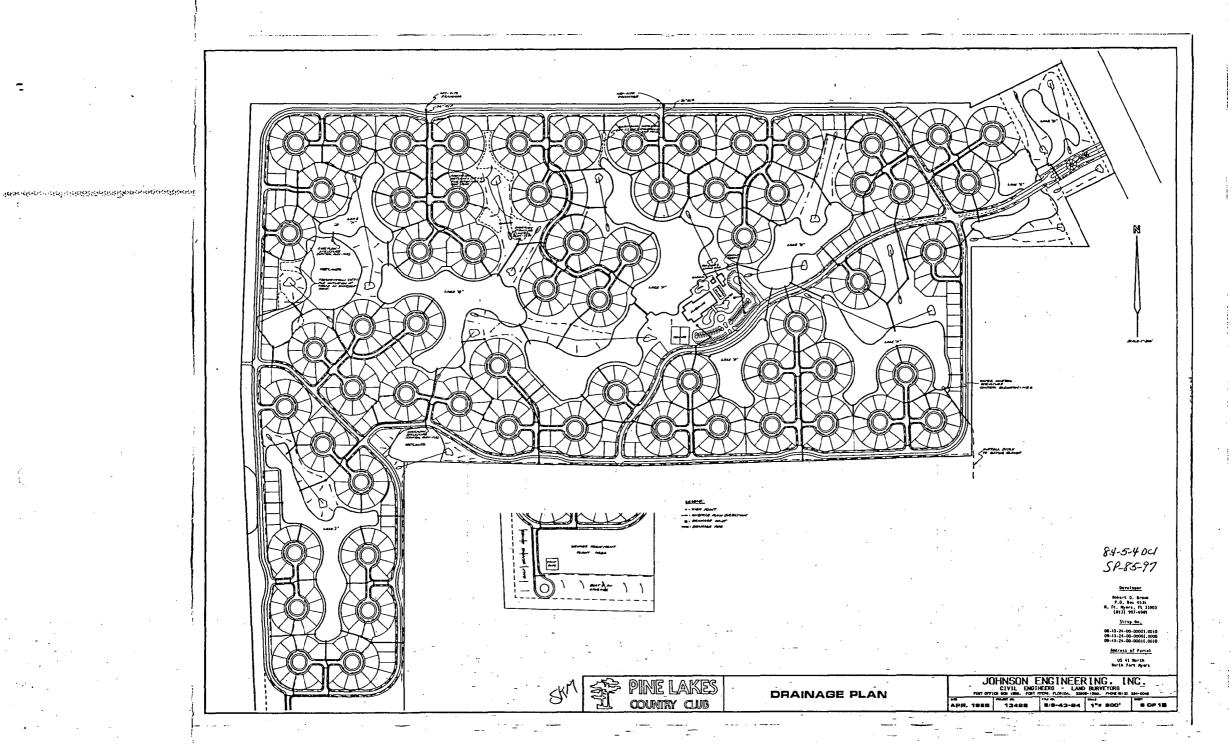


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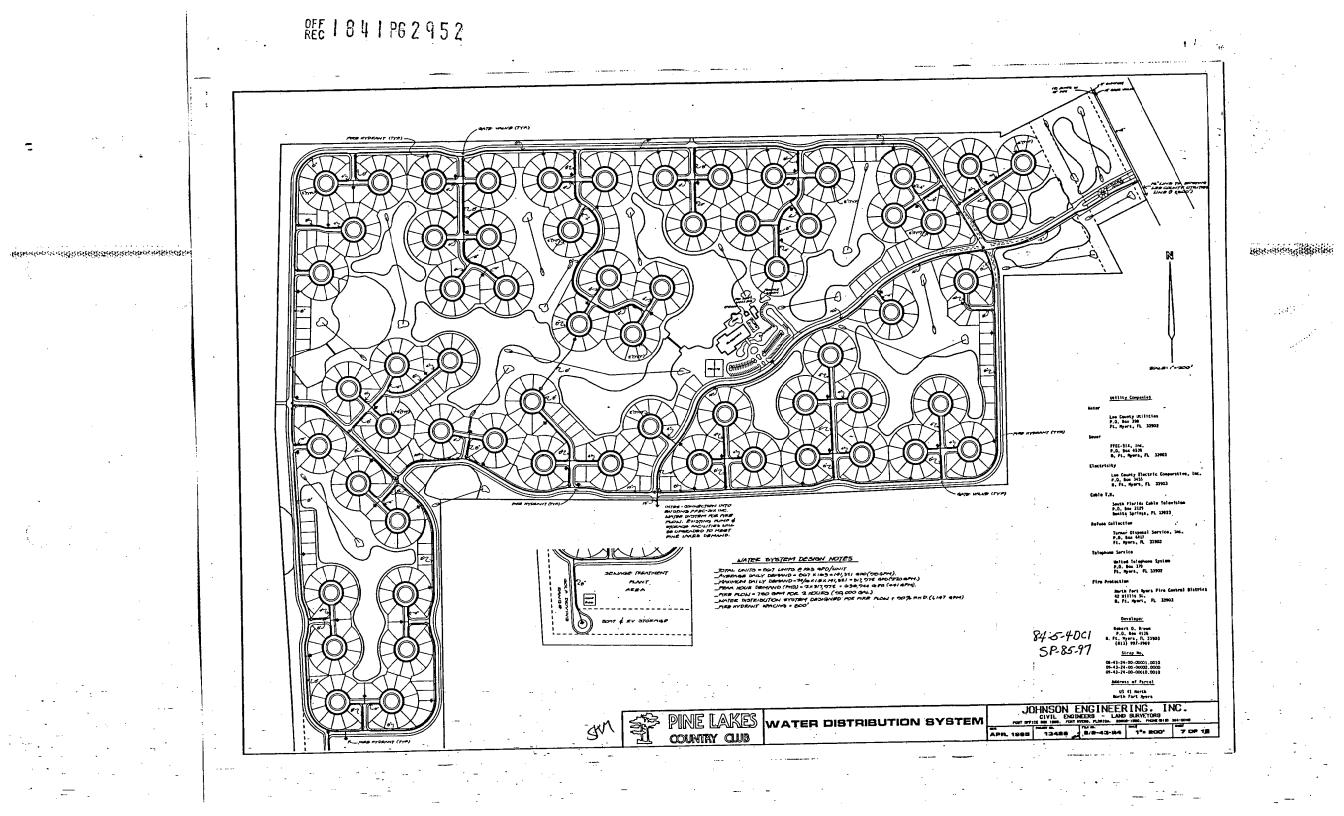
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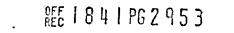
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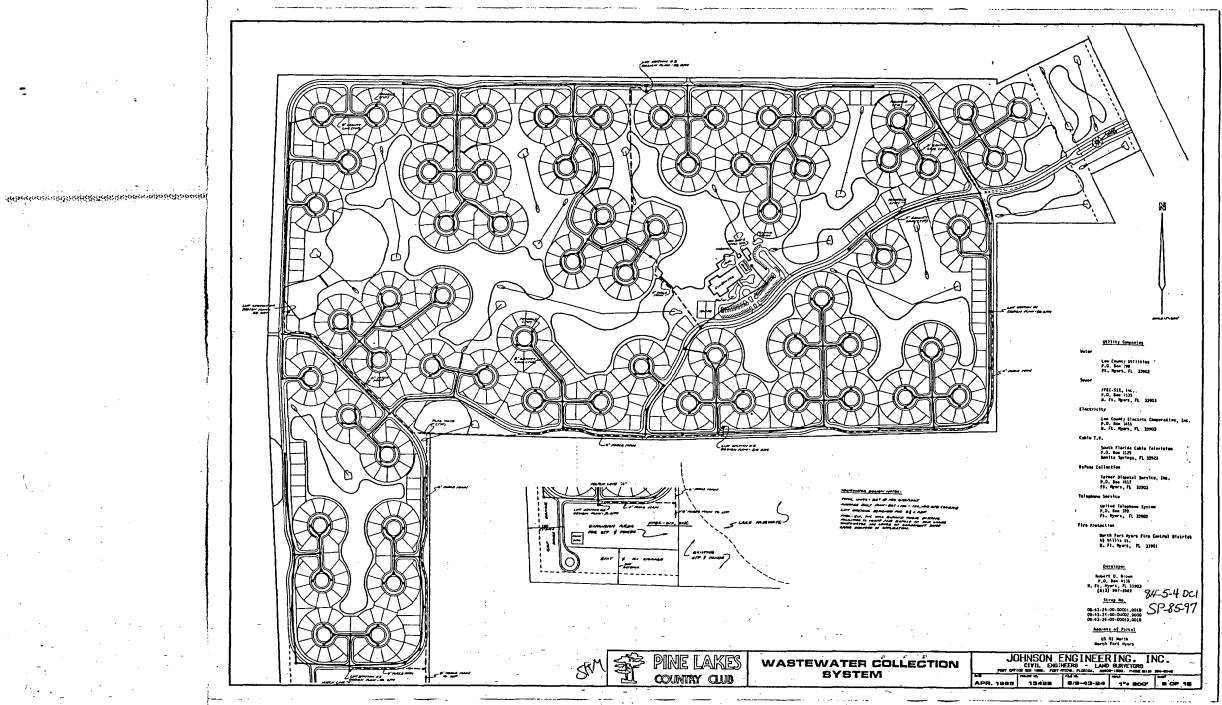


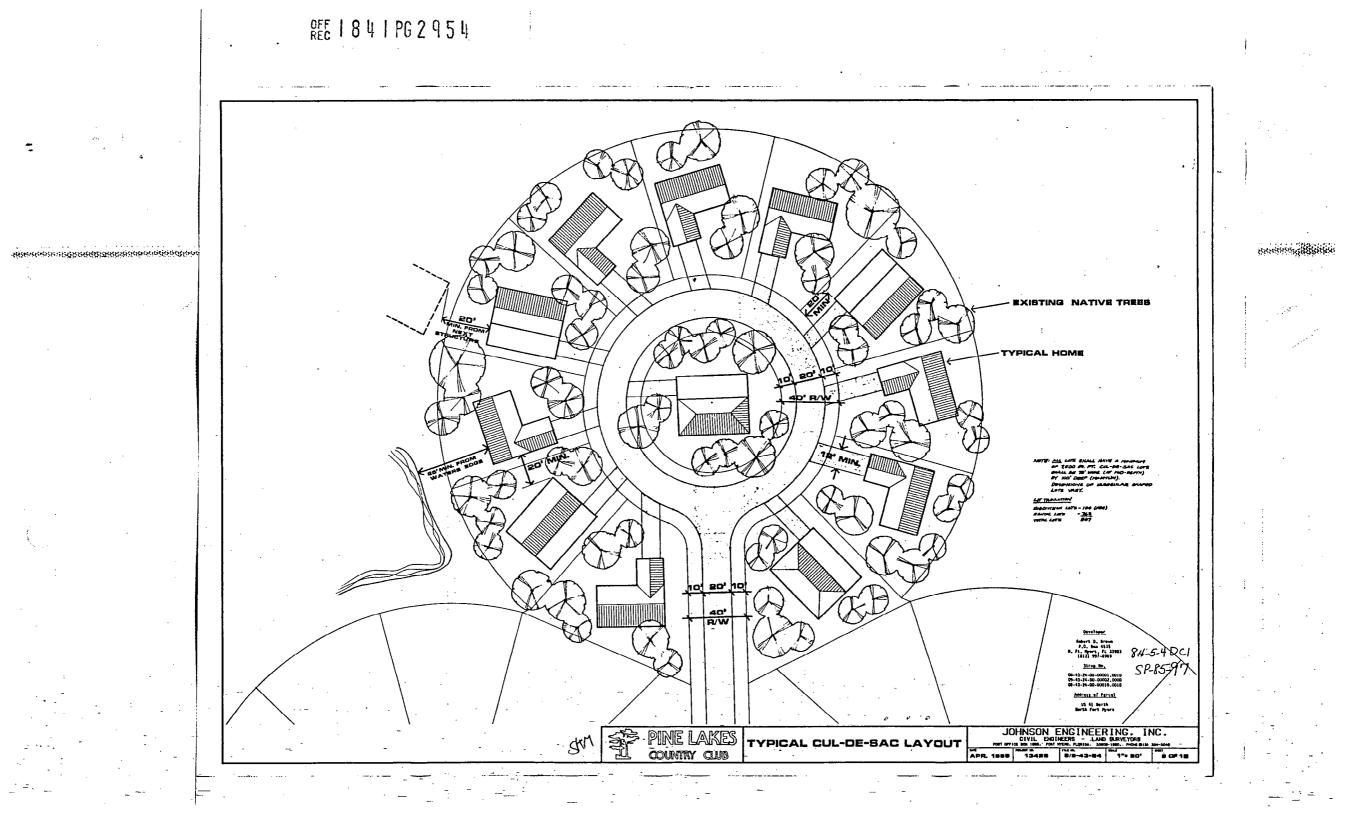


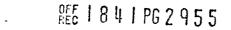
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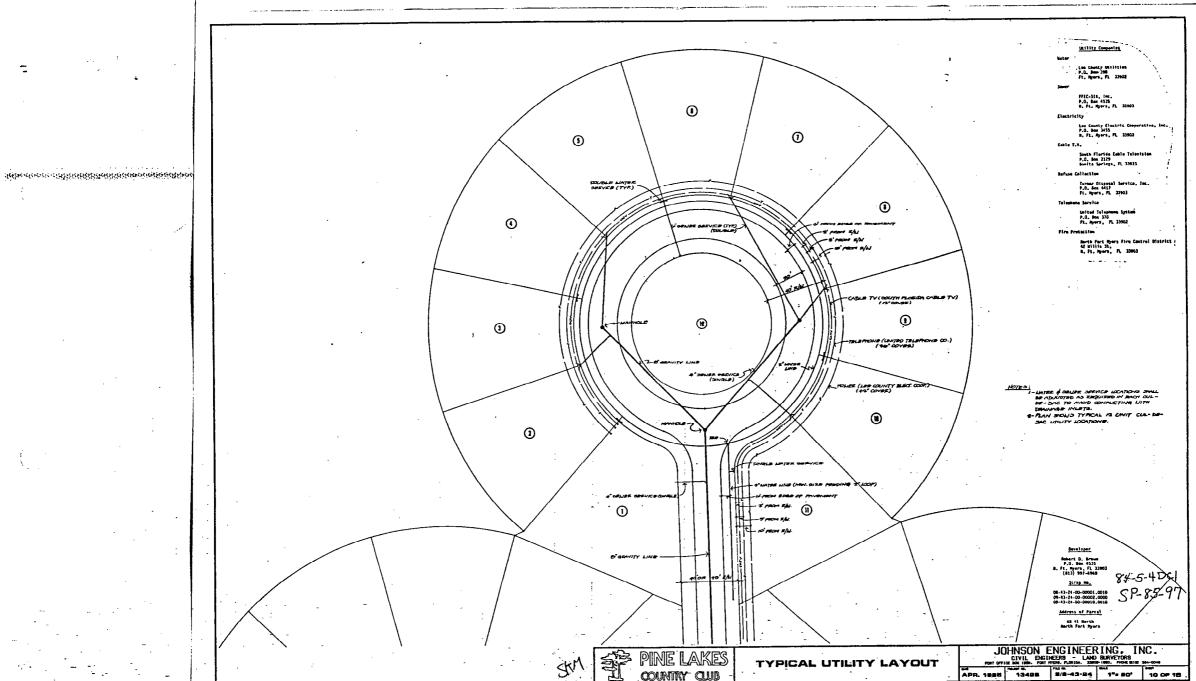






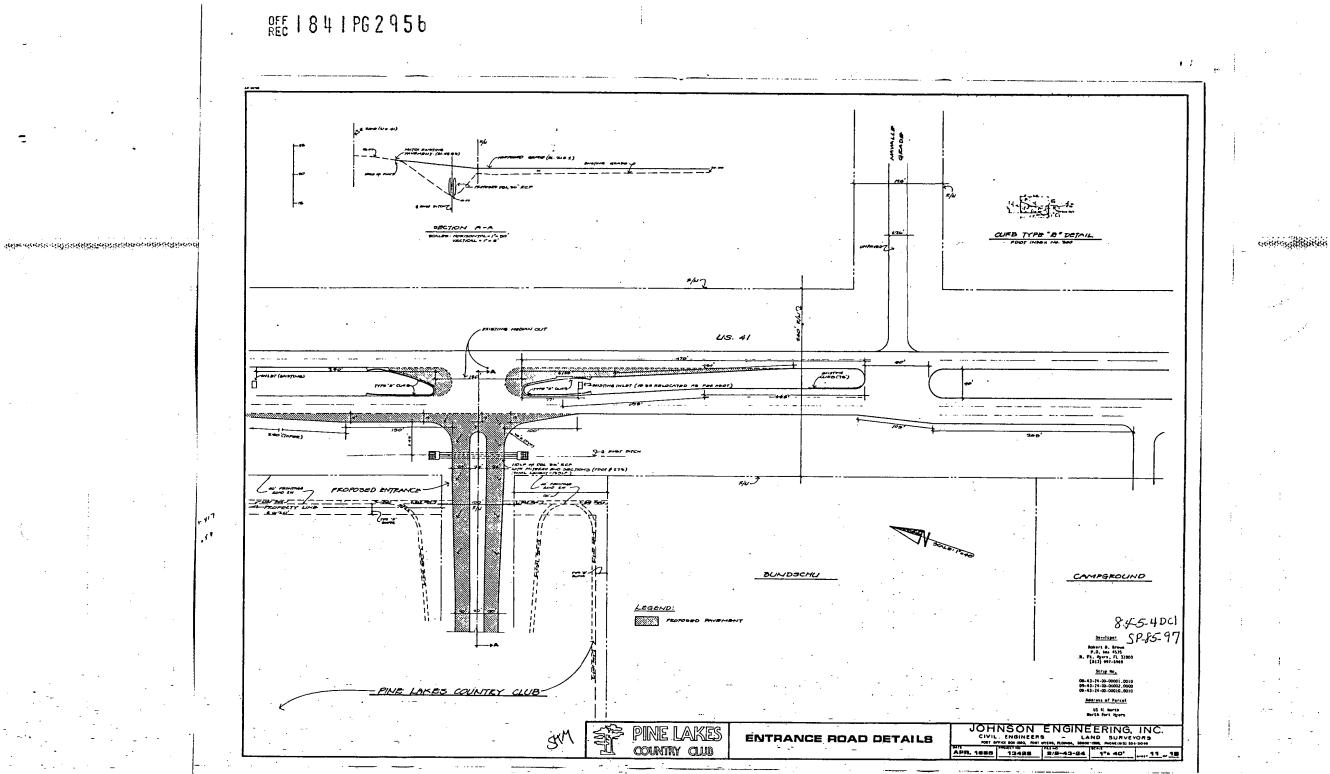


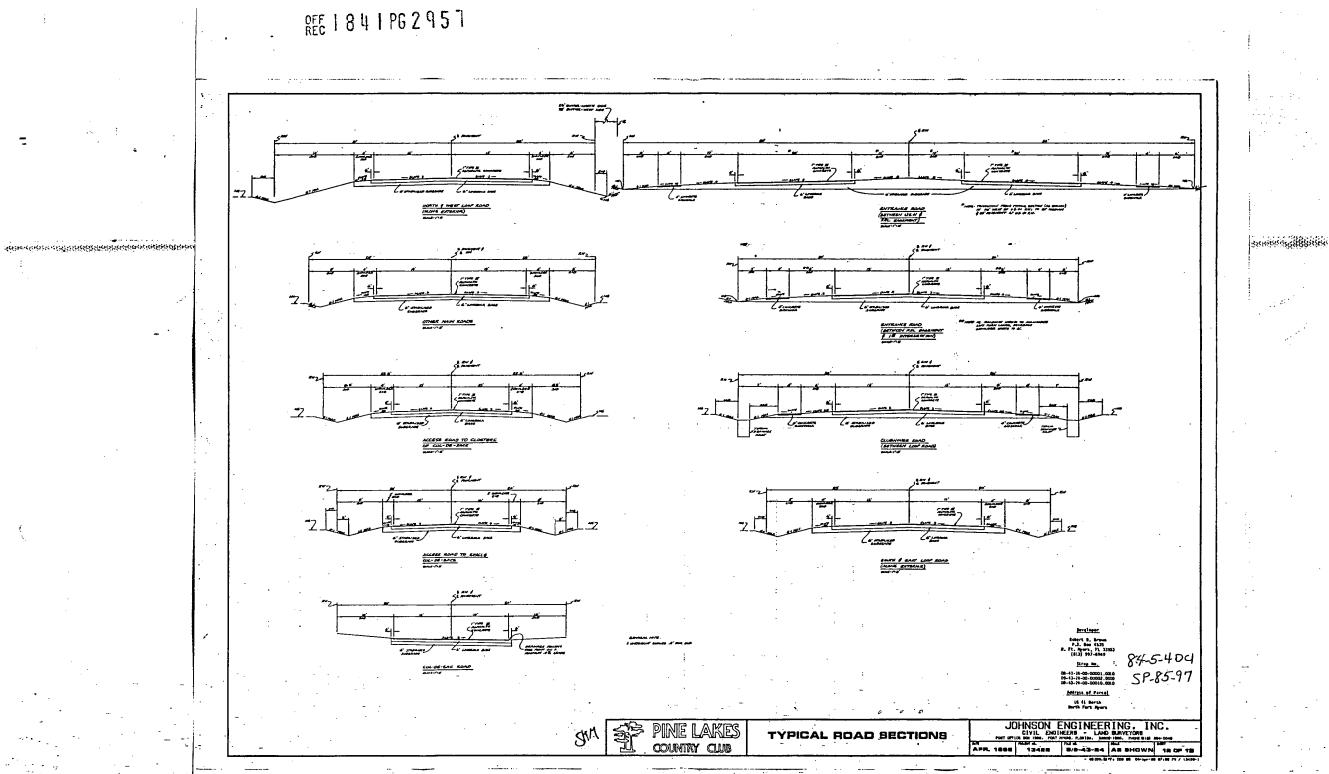




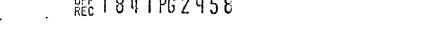
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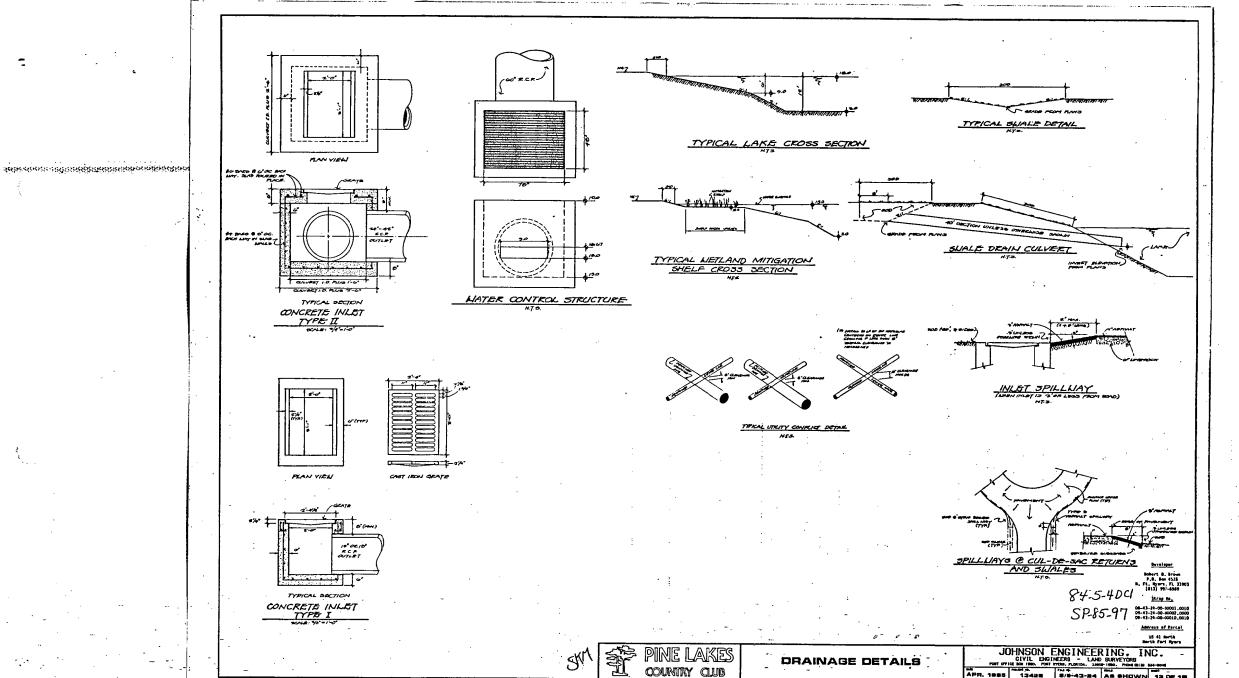
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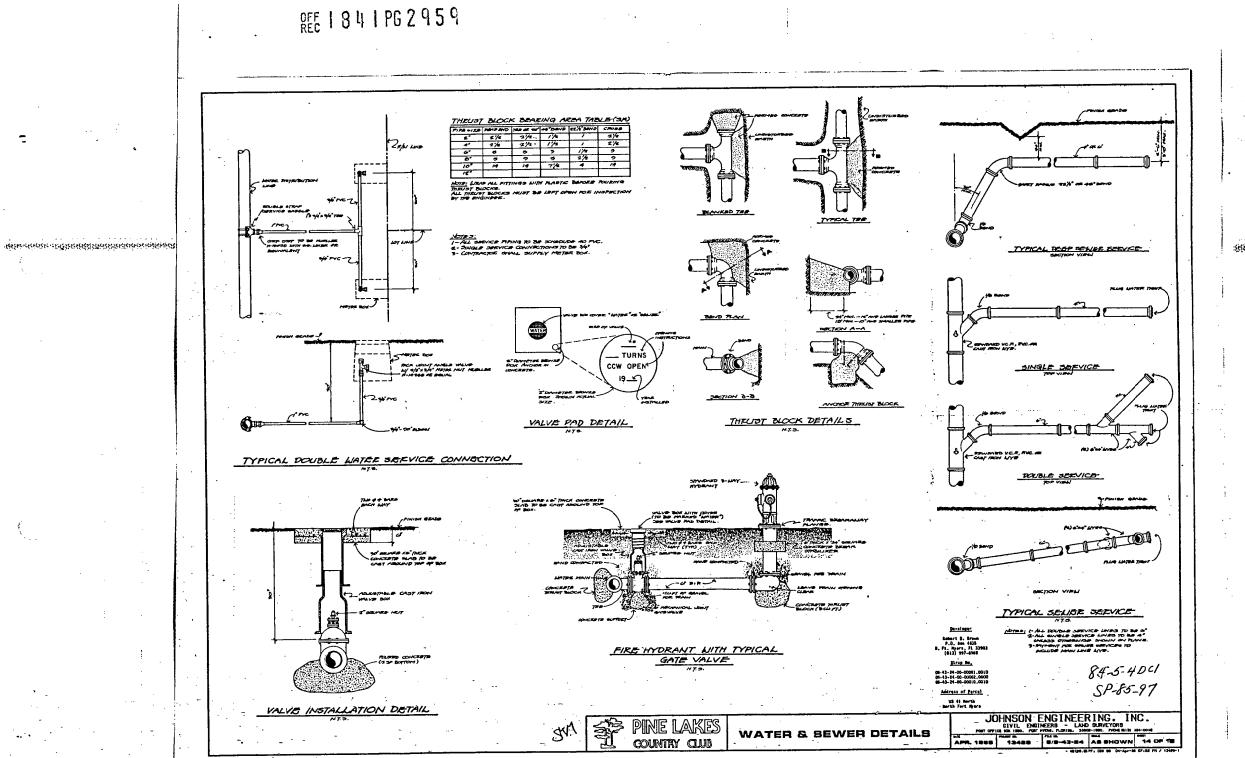




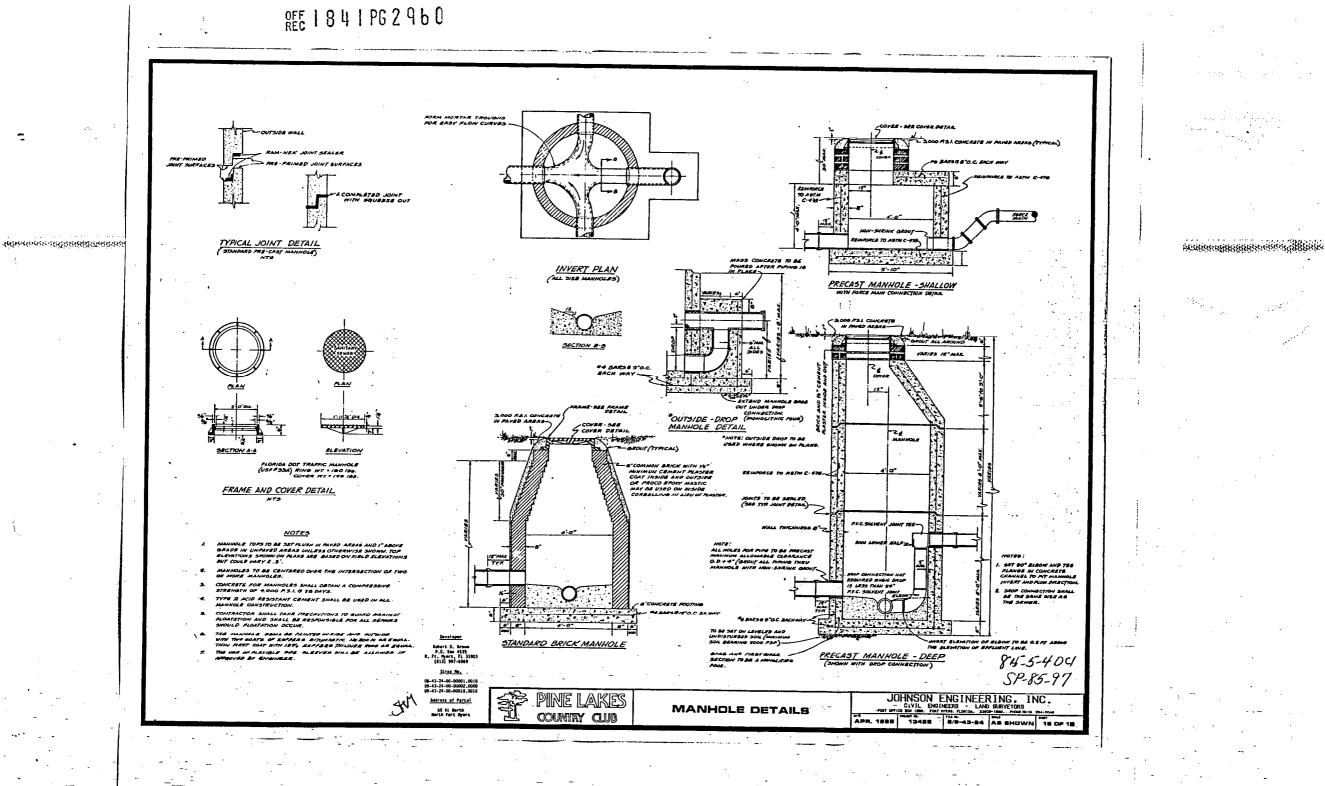
COUNTRY CLUB

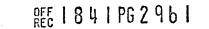
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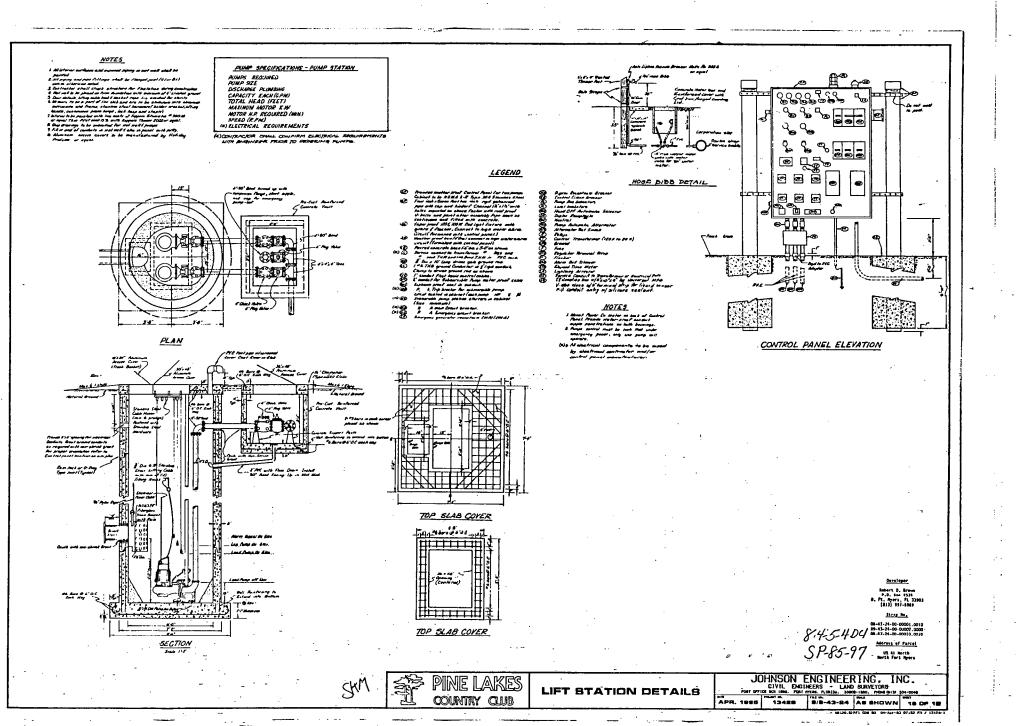
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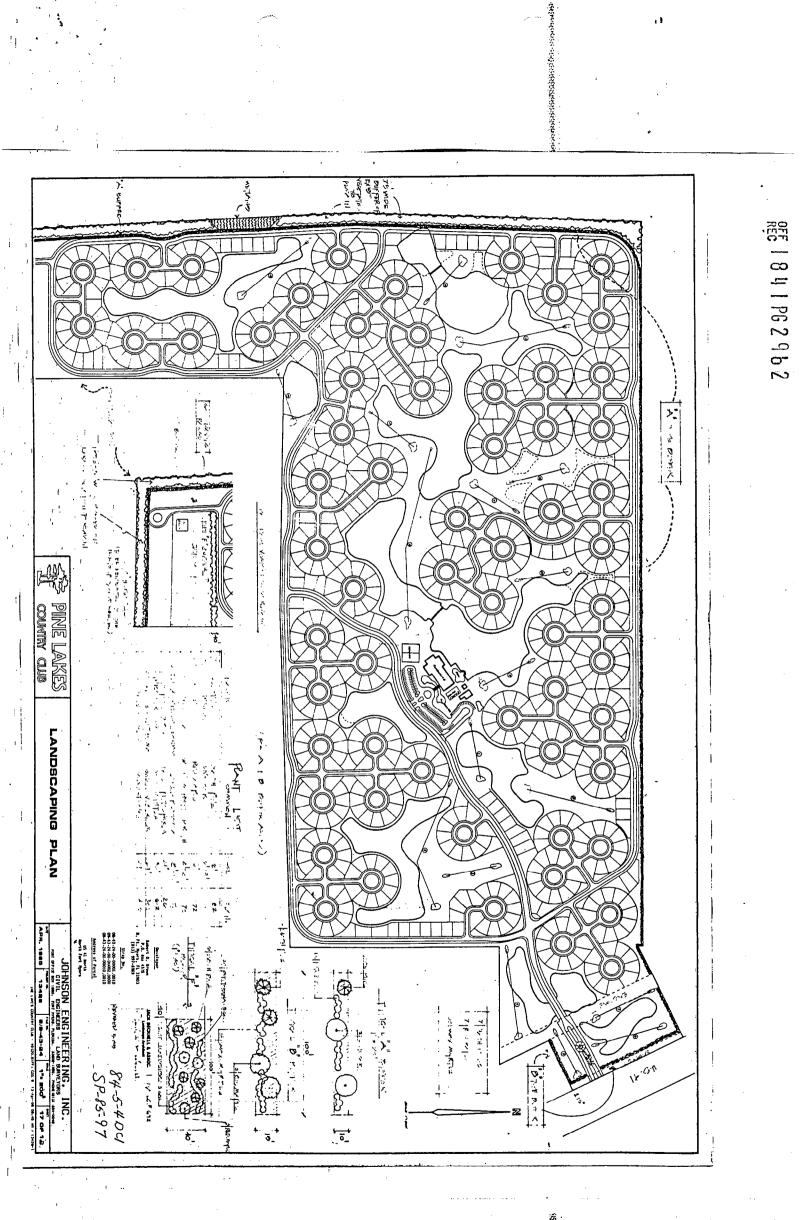


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