

ADMINISTRATIVE AMENDMENT PD-98-026/1A

ADMINISTRATIVE AMENDMENT
LEE COUNTY, FLORIDA

(Correcting Administrative Amendment PD-98-026/1)

WHEREAS, Lee County Development Services Division has executed a correction of Administrative Amendment PD-98-026/1 to include a lot depth deviation from Resolution Z-94-014, Condition 11.a.; and

WHEREAS, WCI Communities LP and Las Palmas Villas Ltd. filed an application for administrative approval to a Residential Planned Development on a project known as Pelican Landing Parcel "R" for an amendment to a previously approved Administrative Amendment PD-97-056 on property located at 4541 Coconut Road, Bonita Springs, described more particularly as:

LEGAL DESCRIPTION: All that part of Section 08, Township 47 South, Range 25 East, Lee County, Florida, being more particularly described as follows:

Parcel R-1:

Beginning at the Northwest corner of Tract "J", PELICAN LANDING UNIT TWENTY-FIVE, as recorded in Plat Book 58, Pages 83 and 84 of the Public Records of Lee County, Florida, said point being on the North right-of-way line of Pelican Colony Boulevard;

THENCE along said North right-of-way line of Pelican Colony Boulevard N59°45'12"W, 132.49 feet to a Point of Curvature;

THENCE Westerly 388.68 feet along the arc of a tangential circular curve concave to the South, having a radius of 500.00 feet, through a central angle of 44°32'24" and being subtended by chord which bears

N82°01'24"W, 378.97 feet to a Point of Reverse Curvature;

THENCE leaving said right-of-way Northwesterly 49.05 feet along the arc of a tangential circular curve concave to the Northeast having a radius of 30.00 feet through a central angle of 93°40'55" and being subtended by a chord which bears N57°27'09"W, 43.77 feet;

THENCE N10°36'41"W, 77.24 feet to a Point of Curvature;

THENCE Northerly 52.92 feet along the arc of a tangential circular curve concave to the East, having a radius of 282.50 feet; through a central angle of 10°43'57" and being subtended by a chord which bears N05°14'42"W, 52.84 feet;

THENCE N00°07'17"E, 544.19 feet to Point of Curvature;

THENCE Northerly and Northeasterly 353.21 feet along the arc of a tangential circular curve concave to the Southeast having a radius of 357.50 feet, through a central angle of 56°36'30" and being subtended by a chord which bears N28°25'32"E, 339.02 feet;

THENCE N56°43'46"E, 252.78 feet to a Point of Curvature;

THENCE Northeasterly 56.95 feet along the arc of a tangential circular curve concave to the Northwest, having a radius of 302.50 feet, through a

central angle of 10°47'15" and being subtended by a chord which bears N51°20'10"E, 56.87 feet to a Point of Reverse Curvature;
THENCE Northeasterly, Easterly and Southeasterly 42.82 feet along the arc of a tangential circular curve concave to the South, having a radius of 30.00 feet; through a central angle of 81°47'20" and being subtended by a chord which bears N86°50'10"E, 39.28 feet;
THENCE S52°16'14"E, 46.82 feet to a Point of Curvature;
THENCE Southeasterly and Easterly 135.48 feet along the arc of a tangential circular curve concave to the Northeast having a radius of 287.50 feet through a central angle of 27°00'00" and being subtended by a chord which bears S65°46'14"E, 134.23 feet;
THENCE S79°16'14"E, 236.95 feet;
THENCE S06°00'00"W, 480.30 feet;
THENCE S10°00'00"W, 531.05 feet to the Northeast corner of Tract "D" of said Pelican Landing Unit Twenty Five;
THENCE along the Northerly boundary of Tracts "D" and "J" of said Pelican Landing Unit Twenty Five, S45°00'00"W, 228.55 feet to the POINT OF BEGINNING.
Subject to easements, restrictions, reservations, or rights-of-way of record. Bearings are based on the North right-of-way line of Pelican Colony Boulevard as being North 59°45'12"W.
Containing 19.32 gross more or less acres.

Parcel R-2:

All that part of Section 08, Township 47 South, Range 25 East, Lee County, Florida, being more particularly described as follows:

Commencing at the Northeast corner of Tract "D", PELICAN LANDING UNIT TWENTY-FIVE, according to the plat thereof as recorded in Plat Book 58, Pages 83 and 84 of the Public Records of Lee County, Florida;
THENCE leaving the boundary of said Tract "D" along the boundary of those lands as recorded in Official Record Book 2906, Pages 4032 through 4034, Public Records of Lee County, Florida, in the following two (2) described courses:

1. N10°00'00"E, 531.05 feet;
2. N06°00'00"E, 480.30 feet to the POINT OF BEGINNING of the parcel herein described;

THENCE continue along said boundary of those lands in the following four (4) described courses;

1. N79°16'14"W, 236.95 feet;
2. Westerly and Northwesterly, 135.48 feet along the arc of a tangential circular curve concave to the Northeast, having a radius of 287.50 feet, through a central angle of 27°00'00" and being subtended by a chord which bears N65°46'14"W, 134.23 feet;
3. N52°16'14"W 46.82 feet;
4. Northwesterly 23.76 feet along the arc of a tangential circular curve concave to the Southwest having a radius of 30.00 feet, through a central angle of 45°22'34" and being subtended by a chord which bears N74°57'27"W 23.14 feet to a Point of Cusp;

THENCE leaving said curve and said boundary of those lands recorded in Official Record Book 2906, Pages 4032 through 4034, N82°21'16"E, 84.62 feet;

THENCE S83°16'32"E, 164.32 feet;

THENCE S55°28'52"E 204.60 feet;

THENCE S06°00'00"W 9.99 feet to the POINT OF BEGINNING of the parcel herein described;

Subject to easements, restrictions, reservations or rights-of-way of record.

Bearings are based on the North right-of-way line of Pelican Colony

Boulevard as being N59°45'12"W.

Containing 0.57 gross acres, more or less.

Parcel R-3

All that part of Section 08, Township 47 South, Range 25 East, Lee County, Florida, being more particularly described as follows:

Commencing at the Northeast corner of Tract "D", PELICAN LANDING UNIT TWENTY-FIVE, according to the plat thereof as recorded in Plat Book 58, Pages 83 and 84 of the Public Records of Lee County, Florida;

THENCE leaving the boundary of said Tract "D" along the boundary of those lands as recorded in Official Record Book 2906, Pages 4032 through 4034, Public Records of Lee County, Florida, in the following two (2) described courses:

1. N10°00'00"E, 531.05 feet;

2. N06°00'00"E, 480.30 feet;

THENCE leaving said boundary of those lands, continue N06°00'00"E 9.99 feet;

THENCE N55°28'52"W 204.60 feet;

THENCE N83°16'32"W, 164.32 feet;

THENCE S82°21'16"W, 84.62 feet to a point on said boundary of those lands recorded in Official Record Book 2906, Pages 4032 through 4034, and the POINT OF BEGINNING of the parcel herein described;

THENCE along said boundary of those lands in the following eight (8) described courses:

1. Continue along said curve, Southwesterly 19.07 feet along the arc of said curve concave to the Southeast, through a central angle of 36°24'46" and being subtended by a chord which bears S64°08'53"W, 18.75 feet to a point of reverse curvature;
2. Southwesterly 56.95 feet along the arc of a tangential circular curve concave to the Northwest, having a radius of 302.50 feet, through a central angle of 10°47'15" and being subtended by a chord which bears S51°20'10"W, 56.87 feet;
3. S56°43'46"W, 252.78 feet;
4. Southwesterly and Southerly 353.21 feet along the arc of a tangential circular curve concave to the Southeast, having a radius of 357.50 feet; through a central angle of 56°36'31" and being subtended by a chord which bears S28°25'32"W, 339.02 feet;
5. S00°07'17"W, 544.19 feet;
6. Southerly 52.92 feet along the arc of a tangential circular curve concave

to the East, having a radius of 282.50 feet, through a central angle of 10°43'57" and being subtended by a chord which bears S05°14'42"E 52.84 feet;

7. S10°36'41"E, 77.24 feet
8. Southeasterly, 4905. feet along the arc of a tangential circular curve concave to the Northeast, having a radius of 30.00 feet, through a central angle of 93°40'55" and being subtended by a chord which bears S57°27'09"E, 43.77 feet to a point on the North right-of-way line of Pelican Colony Boulevard as shown on said plat of "PELICAN LANDING UNIT TWENTY-FIVE";

THENCE leaving said lands recorded in Official Record Book 2906, Page 4032, along said North right-of-way line in the following two (2) described courses:

1. S74°01'23"W, 29.39 feet;
2. Westerly 90.31 feet along the arc of a tangential circular curve concave to the North, having a radius of 500.00 feet, through a central angle of 10°20'57" and being subtended by a chord which bears S77°30'39"W, 90.19 feet to the Southeast corner of Tract I of said "PELICAN LANDING UNIT TWENTY-FIVE";

THENCE leaving said right-of-way line along the East line of said Tract I, N00°07'17"E, 20.18 feet to the Northeast corner of said Tract I;

THENCE leaving said boundary of PELICAN LANDING UNIT TWENTY-FIVE, continue N00°07'17"E, 486.45 feet;

THENCE N70°21'18"W, 97.41 feet;

THENCE N03°42'28"E, 87.05 feet;

THENCE N19°38'44"E, 69.30 feet;

THENCE N33°58'02"E, 123.29 feet;

THENCE N19°38'44"E, 203.89 feet;

THENCE N63°10'51"E, 247.18 feet;

THENCE N59°43'46"E, 184.12 feet;

THENCE N82°21'16"E, 45.71 feet to the POINT OF BEGINNING of the parcel herein.

Subject to easements, restrictions, reservation, or rights-of-way of record.

Bearings are based on the North right-of-way line of Pelican Colony Boulevard as being N59°45'12"W.

Containing 2.10 gross acres, more or less.

WHEREAS, the property was originally rezoned in case number 94-04-05-DRI-01 [with subsequent amendments in case numbers 95-01-050.04Z 02.01, 95-01-050.04Z 03.01, 95-01-050.04Z 04.01, 95-01-050.04Z 06.01, 95-01-050.04Z 06.01, 95-01-050.04Z 07.01, 95-01-050.13A 01.01, 95-01-050.13A, 02.01, 95-01-050.13A 03.01, 95-01-050.13A 04.01, 95-01-050.13A 05.01, 95-01-050.13A 06.01, 95-01-050.13A 07.01, 95-01-050.13A 08.01, 95-01-050.13A 09.01, 95-01-050.13A 10.01, 95-01-050.13A 11.01, 95-01-050.13A 12.01 and 95-01-050.13A 13.01]; and

WHEREAS, the Lee County Land Development Code provides for certain administrative changes to planned development master concept plans and planned unit development final development plans; and

WHEREAS, Las Palmas was previously granted administrative deviations in Administrative Amendment PD-98-026/1; and

WHEREAS, during the Development Order review, it was discovered lots that #23, 28, 33, 35, 39, 40 and 44 have a lot depth of 75 feet. Condition 11.a. of Resolution Z-94-014 requires a lot depth of 100 feet for single family units; and

WHEREAS, deviation for lot depth from Resolution Z-94-014, condition 11.a. was omitted from the original review of Administrative Amendment PD-98-026/1; and

WHEREAS, the subject application and plans have been reviewed by the Lee County Department of Community Development in accordance with applicable regulations for compliance with all terms of the administrative approval procedures; and

WHEREAS, it is found that the proposed amendment does not increase density or intensity within the development; does not decrease buffers or open space required by the LDC; does not underutilize public resources or infrastructure; does not reduce total open space, buffering, landscaping or preservation areas; and does not otherwise adversely impact on surrounding land uses.

NOW, THEREFORE, IT IS HEREBY DETERMINED that the application for administrative approval for an amendment to include a lot depth deviation to 75 feet for lots 23, 28, 33, 35, 39, 40, and 44, to Administrative Amendment PD-98-026/1 is **APPROVED** subject to the following conditions:

1. The Development must be in compliance with the approved site plan entitled "Las Palmas" as prepared by Wilson, Miller, Barton and Peek, Inc. dated June 18, 1998, stamped received at the Permit Counter on June 22, 1998.
2. The terms and conditions of the original zoning resolutions and subsequent amendments remain in full force and effect.
3. The lot depth deviation from Resolution Z-94-014, condition 11.a is approved for lots 23, 28, 33, 35, 39, 40 and 44.
4. Site Plan PD-98-026/1A is hereby APPROVED and adopted. A reduced copy is attached hereto.

DULY SIGNED this 30th day of June, A.D., 1998.

BY: _____

Mary Gibbs, Director
Department of Community Development