ADMINISTRATIVE AMENDMENT
LEE COUNTY, FLORIDA

WHEREAS, Rottland Homes of Florida, Inc. filed an application for administrative approval to a Residential Planned Development on a project known as Pelican Pointe n/k/a Marsh Landing for request on property located at 22800 South Tamiami Trail, Estero, described more particularly as:

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

In Sections 04 and 09, Township 47 South, Range 25 East, Lee County, Florida:

Begin at the Northwest corner of Section 09, Township 47 South, Range 25 East;
THENCE N87°59'44"E along the North line of the Northwest Quarter (NW¼) of said Section 09 for 827.12 feet to an intersection with the Westerly line of a Florida Power and Light Company right-of-way/easement as described in Deed Book 228 at Pages 574 through 579 of the Public Records of Lee County Florida;
THENCE N21°20'53"W along said Westerly line for 540.00 feet;
THENCE N61°54'00"E for 2,002.08 feet to an intersection with a line parallel with and 500.00 feet Westerly of (as measured at right angles to) the Westerly right-of-way line of State Road 45 (US 41, Tamiami Trail);
THENCE Southerly along said parallel line for the following described two (2) courses:

(1) S06°41'21"E for 2,080.28 feet to the Point of Curvature of a circular curve concave to the West;

(2) THENCE Southerly along the arc of said curve having for its elements a radius of 10,891.16 feet and a central angle of 03°23'50" for 645.70 feet to an intersection with the South line of the North Half (N½) of the Northeast Quarter (NE¼) of the aforementioned Section 09;

THENCE S88°21'51"W along said South line for 16.49 feet to the Southeast corner of the North Half (N½) of the Northwest Quarter (NW¼) of said Section 09.
THENCE S88°14'35"W along the South line of the North Half (N½) of said of Northwest Quarter (NW¼) for 2,653.31 feet to the

Southwest corner of the North Half (N½) of the Northwest Quarter (NW¼) of said Section 09;

THENCE N01°08'03"W along the West line of said Northwest Quarter (NW¼) for 1,316.53 feet to the POINT OF BEGINNING.

TOGETHER WITH:

Commence at the Southeast corner of Section 04, Township 47 South, Range 25 East;
THENCE S88°14'22"W along the South line of the Southeast Quarter (SE¼) of said Section 04 for 2,266.44 feet to an intersection with the Westerly right-of-way line of US 41 (State Road 45, Tamiami Trail);
THENCE N06°41'21"W along said Westerly right-of-way line for 825.79 feet to the POINT OF BEGINNING of the herein described parcel of land;
THENCE continue N06°41'21"W along said Westerly right-of-way line for 100.37 feet;
THENCE S88°14'22"W for 501.86 feet to an intersection with a line parallel with and 500.00 feet Westerly of (as measured at right angles to) the aforementioned Westerly right-of-way line of US 41;
THENCE S06°41'21"E along said parallel line for 100.37 feet;
THENCE N88°14'22"E for 501.86 feet to the POINT OF BEGINNING.

Containing 1.15 acres more or less.

WHEREAS, the property was originally rezoned in case number 95-01-329.03Z 01.01; 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, during site plan review, the applicant was requested to include the 25 foot building setback line within the 1.86 acre wetland located in Development Area "C"; and

WHEREAS, the plat was revised to incorporate the 25 foot building setback line as part of the conservation easement around the wetland; and

WHEREAS, the requested inclusion of the 25 foot building setback line within the wetlands area necessitated the need to modify the minimum property development regulations for those properties abutting the perimeter of the 1.86 acre wetland; and

WHEREAS, the applicant has requested that minimum lot depth be reduced from 135 feet to 115 feet and the rear lot setback be reduced from 20 feet to zero feet; and

WHEREAS, the applicant has requested that and the minimum lot area be reduced from 4200 square feet to 3400 square feet and the maximum lot coverage be increased from 50 percent to 60 percent; and

WHEREAS, the applicant has requested that the reduction in lot depth, area, rear setback and an increase in lot coverage be limited to properties abutting the 1.86 acre wetland located within Development Area "C"; 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 is **APPROVED providing for an amendment to the Planned Development to reduce the lot depth, rear lot setback, lot square footage and increase the maximum lot coverage for properties abutting the 1.86 acre wetland in Development Area "C".**

Approval is subject to the following conditions:

1. **The Development must be in compliance with the amended Master Concept Plan, dated received, October 22, 1996, Ink Engineering, Inc., Master Concept Plan, Pelican Pointe, date 11/94, last revised 9/96, INDIGENOUS VEGETATION FOR AREA "C".**

2. **The reduced lot depth, rear lot setback, lot square footage and increased maximum lot coverage shall apply only to those properties abutting the 1.86 acre wetland in Development Area "C" as shown on the revised Master Concept Plan.**

3. **The terms and conditions of the original zoning resolutions remain in full force and effect.**

4. **Site Plan PD-96-051 is hereby APPROVED and adopted. A reduced copy is attached hereto.**

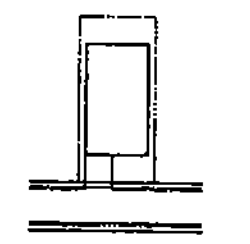
DULY SIGNED this 25TH day of OCTOBER, A.D., 1996.

BY: Mary Gibbs

Mary Gibbs, Director
Department of Community Development

DEVELOPMENT AREA "A"

TYPICAL LOT
SCALE: 1" = 60'

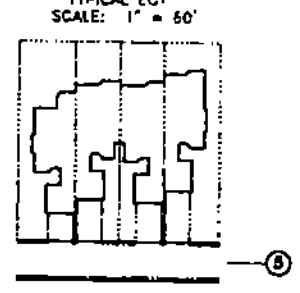


LOT WIDTH:	55 FEET (MIN)
LOT DEPTH:	120 FEET (MIN)
LOT AREA:	6600 S.F. (MIN)
STREET SETBACK:	20 FEET (MIN)
REAR SETBACK:	20 FEET (MIN)
SIDE SETBACKS:	5 FEET (MIN)
LOT COVERAGE:	35.0 % (MAX)

FOR CORNER LOTS, SIDE SETBACKS FROM STREET RIGHTS-OF-WAY WILL BE A MINIMUM OF 15 FEET

DEVELOPMENT AREA "C"

TYPICAL LOT
SCALE: 1" = 60'



LOT WIDTH:	24 FEET (MIN)	24 FEET (MIN)*
LOT DEPTH:	125 FEET (MIN)	115 FEET (MIN)*
LOT AREA:	4250 S.F. (MIN)	3400 S.F. (MIN)*
STREET SETBACK:	20 FEET (MIN)	20 FEET (MIN)*
REAR SETBACK:	20 FEET (MIN)	0 FEET (MIN)*
SIDE SETBACKS:	0 FEET (MIN)	0 FEET (MIN)*
LOT COVERAGE:	50.0 % (MAX)	60.0 % (MAX)*

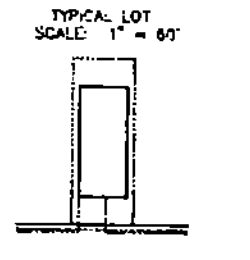
* REFLECTS AMENDED PROPERTY DEVELOPMENT REGULATIONS WHICH ARE ONLY APPLICABLE FOR THOSE LOTS ABUTTING INDIGENOUS VEGETATION AREA AROUND THE 1.86 ACRE WETLAND.

FOR CORNER LOTS, SIDE SETBACKS FROM STREET RIGHTS-OF-WAY WILL BE A MINIMUM OF 15 FEET.

THE DEVELOPMENT CRITERIA ABOVE ALSO WILL APPLY FOR INDIVIDUAL LOTS FOR TWO-FAMILY ATTACHED UNITS IN DEVELOPMENT AREA "C".

DEVELOPMENT AREA "D"

TYPICAL LOT
SCALE: 1" = 60'



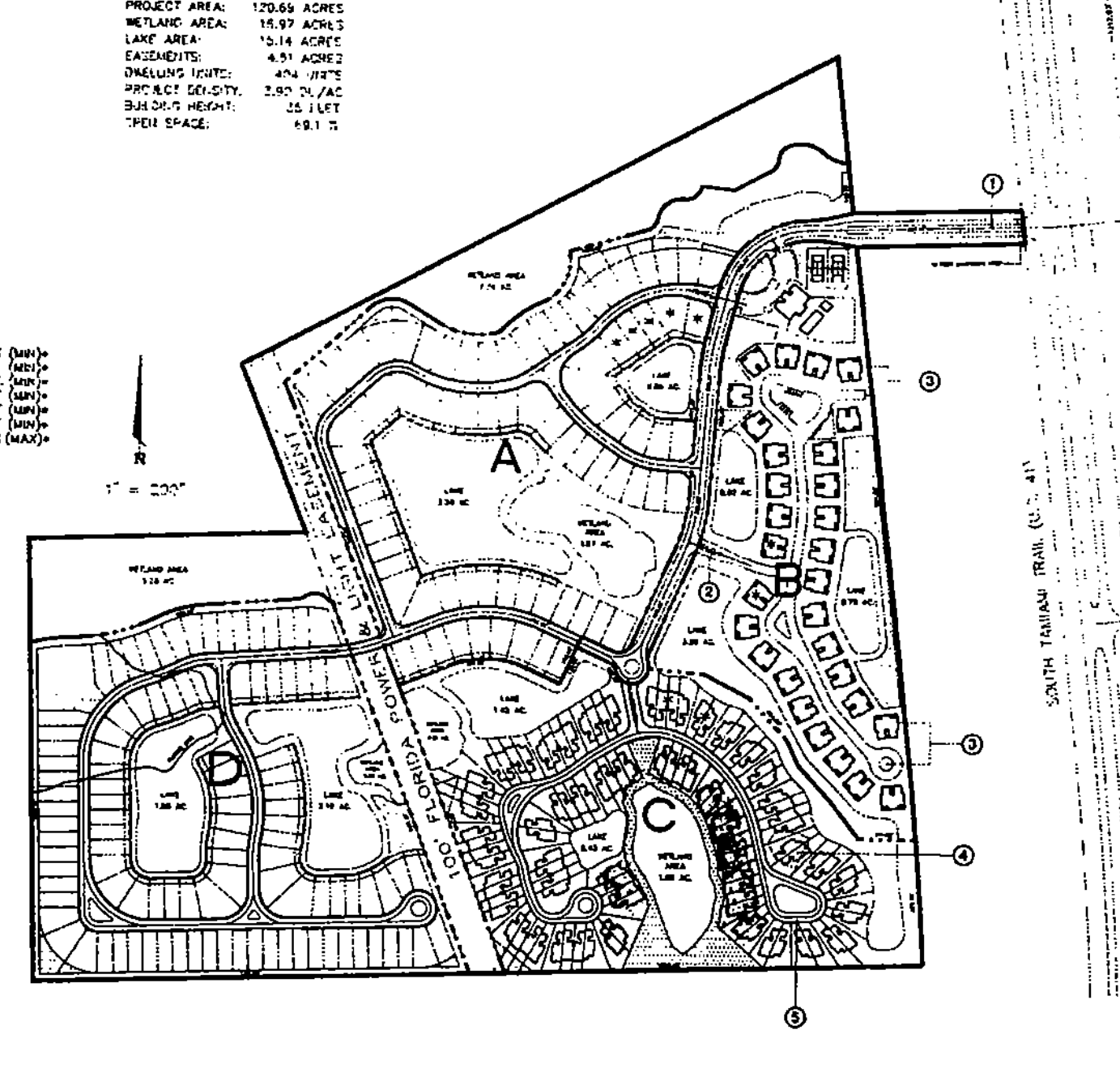
LOT WIDTH:	45 FEET (MIN)
LOT DEPTH:	120 FEET (MIN)
LOT AREA:	5400 S.F. (MIN)
STREET SETBACK:	20 FEET (MIN)
REAR SETBACK:	20 FEET (MIN)
SIDE SETBACKS:	5 FEET (MIN)
LOT COVERAGE:	52.0 % (MAX)

FOR CORNER LOTS, SIDE SETBACKS FROM STREET RIGHTS-OF-WAY WILL BE A MINIMUM OF 15 FEET.

DEVELOPMENT AREA	ACREAGE	DWELLING UNITS	UNIT TYPE	OPEN SPACE	BUILDING HEIGHT
A	29.52 AC.	80	SINGLE FAMILY	63.6 %	35 FEET
B	18.83 AC	120	MULTIPLE FAMILY	67.2 %	35 FEET
C	24.49 AC.	64	FOUR-FAMILY ATTACHED	67.3 %	35 FEET
		34	TWO-FAMILY ATTACHED		35 FEET
D	27.56 AC	106	SINGLE FAMILY	59.5 %	35 FEET

SITE DATA

PROJECT AREA:	120.69 ACRES
WETLAND AREA:	15.97 ACRES
LAKE AREA:	15.14 ACRES
EASEMENTS:	4.91 ACRES
DWELLING UNITS:	404 UNITS
PROJECT DENSITY:	3.92 DU/AC
BUILDING HEIGHT:	35 FEET
OPEN SPACE:	69.1 %



PROPOSED SCHEDULE OF USES

ACCESSORY USES AND STRUCTURES
ADMINISTRATIVE OFFICES
DWELLING UNIT: SINGLE FAMILY
TWO-FAMILY ATTACHED
FOUR-FAMILY ATTACHED
MULTIPLE-FAMILY BUILDING
ENTRANCE GATES AND GATEHOUSE
ESSENTIAL SERVICES
EXCAVATION: WATER RETENTION
FENCES, WALLS
HOME OCCUPATION
MODEL HOME, UNIT, DISPLAY CENTER
RECREATIONAL FACILITIES: PERSONAL
PRIVATE
RESIDENTIAL ACCESSORY USES
SIGNS (IN ACCORDANCE WITH CHAPTER 30)

PROPOSED SCHEDULE OF DEVIATIONS

1) DEVIATION FROM THE REQUIREMENT THAT WHERE PRACTICAL, ANY RESIDENTIAL DEVELOPMENT OF MORE THAN FIVE ACRES SHALL PROVIDE TWO OR MORE MEANS OF INGRESS OR EGRESS FOR THE DEVELOPMENT PER SECTION 10-291(3) OF THE LEE COUNTY LAND DEVELOPMENT CODE TO ALLOW ONLY ONE ACCESS TO THE DEVELOPMENT OFF OF U.S. 41.
2) DEVIATION FROM THE REQUIREMENT THAT PARKING LOT ACCESSES WHICH PROVIDE VEHICLE ACCESS TO MORE THAN 50 RESIDENTIAL UNITS AND TO MORE THAN 100 PARKING SPACES MEET THE MINIMUM ROADWAY RIGHT-OF-WAY WIDTH OF 35 FEET FOR A PRIVATELY MAINTAINED ROADWAY WITH CLOSED DRAINAGE PER SECTION 10-296(m)(4) OF THE LEE COUNTY LAND DEVELOPMENT CODE TO ALLOW A PARKING LOT ACCESS WHICH WILL PROVIDE VEHICLE ACCESS TO 120 UNITS IN DEVELOPMENT AREA "B".
3) DEVIATION FROM THE REQUIRED MINIMUM BUILDING SETBACK OF 25 FEET FROM THE DEVELOPMENT PERIMETER TO VACANT ADJACENT LAND WHICH IS NOT ZONED FOR USES THAT ARE COMPATIBLE WITH THOSE USES PROVIDED FOR THE PLANNED UNIT DEVELOPMENT PER SECTION 34-935(b)(2)a. OF THE LEE COUNTY LAND DEVELOPMENT CODE TO ALLOW A MINIMUM BUILDING AND PAVEMENT SETBACK OF [illegible] FEET.
4) DEVIATION FROM THE REQUIREMENT THAT PROHIBITS CONSTRUCTION IN RESOURCE PROTECTION AREAS AND TRANSITION ZONES PER SECTION 14-298(c) OF THE LEE COUNTY LAND DEVELOPMENT CODE TO ALLOW THE FILLING OF AN ISOLATED 0.2 ACRE RESOURCE PROTECTION AREA FOR DEVELOPMENT.
5) DEVIATION FROM THE REQUIRED MINIMUM RIGHT-OF-WAY WIDTH OF [illegible] FEET FOR A TYPICAL PRIVATELY MAINTAINED STREET WITH [illegible] DRAINAGE PER SECTION 10-296 (TABLE 3) OF THE LEE COUNTY LAND DEVELOPMENT CODE TO ALLOW A MINIMUM RIGHT-OF-WAY WIDTH OF 26 FEET FOR DEVELOPMENT AREA "C".

RECEIVED
OCT 22 1996
ZONING COUNTER

OPEN SPACE REQUIREMENTS

120.69 ACRES X 40 %	48.27 ACRES

INDIGENOUS VEGETATION REQUIREMENTS

48.27 ACRES X 50 %	24.14 ACRES

INDIGENOUS VEGETATION PROVIDED

WETLAND PRESERVE AREAS	16.37 ACRES*
UPLAND PRESERVE AREAS	8.32 ACRES*

*INDICATED ON SITE PLAN BY [ ] (ALSO SEE NOTE #5)

NOTES

1) THE ENTRANCE ROAD FROM U.S. 41 TO PORTION OF PROPERTY PRESENTLY ZONED RM-2 IS EXISTING (D.O. # 9-4-86).
2) THE LOCATION OF MODEL HOMES AND MODEL UNITS IS INDICATED BY AN ASTERISK.
3) ALL ENTRANCE GATES AND GATEHOUSES WILL BE CONSTRUCTED IN ACCORDANCE WITH SECTION 34-1749 OF THE LEE COUNTY LAND DEVELOPMENT CODE.
4) PARKING WILL MEET THE REQUIREMENTS OF SECTIONS 34-2014 THRU 34-2020 OF THE LEE COUNTY LAND DEVELOPMENT CODE. STACKING WILL BE UTILIZED FOR ALL UNITS WITH DRIVEWAYS.
5) ALL OPEN SPACE, LANDSCAPING, AND BUFFERING WILL BE IN ACCORDANCE WITH THE REQUIREMENTS ESTABLISHED IN SECTION 10 OF THE LEE COUNTY LAND DEVELOPMENT CODE. THE 15 FOOT LANDSCAPE STRIP ALONG U.S. 41 WILL CONSIST OF A MINIMUM OF 5 TREES AND 18 SHRUBS PER 100 LINEAL FEET. AT LEAST 50 PERCENT OF THE REQUIRED OPEN SPACE AREA WILL BE DESIGNED TO PRESERVE EXISTING INDIGENOUS VEGETATION, HOWEVER, SPECIFIC AREAS SHOWN ON SITE PLAN MAY VARY SLIGHTLY BASED ON FINAL WETLAND MITIGATION PLAN APPROVAL BY THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT.
6) PROPERTY DEVELOPMENT REGULATIONS FOR DEVELOPMENT AREA "A", DEVELOPMENT AREA "C", AND DEVELOPMENT AREA "D" ARE INDICATED BY TYPICAL LOT DETAILS. PROPERTY DEVELOPMENT REGULATIONS FOR DEVELOPMENT AREA "B" WILL MEET THE MINIMUM REQUIREMENTS OF THE RM-2 ZONING DISTRICT PER SECTION 34-715 OF THE LEE COUNTY LAND DEVELOPMENT CODE UNLESS OTHERWISE NOTED.
7) PUBLIC TRANSIT IS NOT PRESENTLY AVAILABLE TO THE SUBJECT PROPERTY.

PROJECT # 95-01-329.13R
PROJECT TYPE 05

9/96	DEVELOPMENT REGULATIONS FOR AREA "C"
9/96	INDIGENOUS VEGETATION FOR AREA "C"

DATE 11/94

INK ENGINEERING, INC.
ENGINEERS • SURVEYORS • PLANNERS

SEC. 4 & 9, TWP. 47 S., RGE. 25 E.
LEE COUNTY, FLORIDA

MASTER CONCEPT PLAN
PELICAN POINTE

FILE: 9434MCPR
DWG. NO. 9434
EXHIBIT IV-F