

ADMINISTRATIVE AMENDMENT (PD) ADD2004-00018

ADMINISTRATIVE AMENDMENT  
LEE COUNTY, FLORIDA

WHEREAS, Coolidge-Ft Myers Realty Ltd Partnership, a Florida Limited Partnership, filed an application for administrative approval to a Residential Planned Development on a project known as Herons Glen RPD (f.k.a. Del Vera North f.k.a. Del Tura) for a request to

- 1.) Extend the existing residential pod into the northeast corner of the site to abut the eastern property line;
- 2.) Enlarge the existing lake in the northeast corner and decrease the size of the residential pod lying west of the lake without reducing the size of the preserve area;
- 3.) Adjust the phase line between Phases 1b and Phase 2 to meet the intent of the DRI and RPD;
- 4.) Reconfigure the residential tracts and lakes within Phase 2 including realignment of the main spine road;
- 5.) Adjust the land use summary chart to show the decrease in the residential area by 14 acres, an increase in Recreation/Open Space areas by 11.49 acres, and an increase in the internal roadways by 2.51 acres; and
- 6.) To request a deviation from Section 10-296(k)(1) regarding cul-de-sac requirements;

on property located at 2250 Avenida Del Vera, described more particularly as:

LEGAL DESCRIPTION: In Sections 02, 03, 04, 05 and 10, Township 43 South, Range 24 East, Lee County, Florida:

See Exhibit A

WHEREAS, the property was originally rezoned in case number 88-3-18 DRI (with subsequent amendments in case numbers PD-90-017, Z92-054, Z-92-060, PD-98-006, PD-98-047, MHD-99-003, Z-00-078, ADD2002-00005, ADD2002-00088, ADD2003-00096); 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, the applicant is proposing to

- 1.) Extend the existing residential pod into the northeast corner of the site to abut the eastern property line;

- 2.) Enlarge the existing lake in the northeast corner, and decrease the size of the residential pod lying west of the lake without reducing the size of the preserve area;
- 3.) Adjust the phase line between Phases 1b and Phase 2 to meet the intent of the DRI and RPD;
- 4.) Reconfigure the residential tracts and lakes within Phase 2 including realignment of the main spine road;
- 5.) Adjust the land use summary chart to show the decrease in the residential area by 14 acres, an increase in Recreation/Open Space areas by 11.49 acres, and an increase in the internal roadways by 2.51 acres, and
- 6.) A deviation from Section 10-296(k)(1) regarding cul-de-sac requirements; and

WHEREAS, the applicant is requesting to extend an existing residential pod, enlarge an existing lake, adjust the Phase Line between Phase 1B & 2, all resulting in a decrease in the residential area, an increase in open space and internal roadways; and a deviation request from the cul-de-sac requirements; 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, the land use summary chart has been adjusted to show the decrease in the residential area by 14 acres, an increase in Recreation/Open Space areas by 11.49 acres, and an increase in the internal roadways by 2.51 acres, 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

- 1.) Extend the existing residential pod into the northeast corner of the site to abut the eastern property line;
- 2.) Enlarge the existing lake in the northeast corner, and decrease the size of the residential pod lying west of the lake without reducing the size of the preserve area;
- 3.) Adjust the phase line between Phases 1b and Phase 2 to meet the intent of the DRI and RPD;

4.) Reconfigure the residential tracts and lakes within Phase 2 including realignment of the main spine road;

5.) Adjust the land use summary chart to show the decrease in the residential area by 14 acres, an increase in Recreation/Open Space areas by 11.49 acres, and an increase in the internal roadways by 2.51 acres; and

6.) To request a deviation from Section 10-296(k)(1) regarding cul-de-sac requirements

to Residential Planned Development is **APPROVED**.

**Approval is subject to the following conditions:**

1. **The Development must be in compliance with the amended Master Concept Plan, dated January 28, 2004. Master Concept Plan for ADD2004-00018 is hereby APPROVED and adopted. A reduced copy is attached hereto.**
2. **The realignment of the phase line for Phase 1b and 2 only pertains to the zoning and not the Development of Regional Impact.**
3. **The terms and conditions of the original zoning resolutions remain in full force and effect.**

DULY SIGNED this 19<sup>th</sup> day of February, A.D., 2004.

BY: Pam Houck

Pam Houck, Director  
Division of Zoning  
Department of Community Development

RECORDED BOOK 117

**LEGAL DESCRIPTION  
HERON'S GLEN**

A parcel of land being a portion of sections 2,3,4,5 and 10, township 43 south, range 24 east, Lee County Florida, being more particularly described as follows:

COMMENCE at the northeast corner of the aforementioned section 3; thence, along the north line of the northeast one-quarter of said section 3, N89°57'30"W, 355.01 feet to an intersection with the westerly right-of-way line of the former S.A.L. Railroad and the POINT OF BEGINNING; thence, continue along the north line of the northeast one-quarter of said section 3, N89°57'30"W, 2313.55 feet to the northeast corner of the northwest one-quarter of said section 3; thence, along the north line of the northwest one-quarter of said section 3, S89°48'39"W, 2667.53 feet to the northeast corner of the aforementioned section 4; thence, along the northerly boundary of Del Vera Country Club, Unit 2 as recorded in Plat Book 50 at pages 69 through 78 of the Public Records of Lee County, Florida, and the north line of said section 4, N89°42'39"W, 3036.29 feet; thence, along the boundary of Del Vera Country Club, Unit 1 as recorded in Plat Book 46 at pages 7 through 25 of the Public Records of Lee County, Florida, for the following nine (9) courses:

1. N89°42'40"W, 2299.67 feet;
2. S89°33'20"W, 1871.76;
3. S26°03'40"E, 318.64 feet;
4. S63°56'20"W, 300.77;
5. thence along the arc of a non-tangent circular curve concave to the southwest having for its elements a radius of 7739.44 feet, a central angle of 00°42'56", a chord bearing of S26°25'08"E, an chord distance of 96.66 feet, an arc distance 96.66 feet;
6. S26°03'40"E, 1943.40 feet;
7. N63°56'20"E, 300.17 feet;
8. N26°03'40"W, 4.46 feet;
9. N89°48'47"E, 2854.47 feet;

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thence S00°11'07"E, 335.36 feet; thence N89°48'53"E, 60.00 feet; thence S00°11'07"E, 600.00 feet; thence along the arc of a tangent curve concave to the Northeast, having for its elements a radius of 236.25', a central angle of 31°56'42", a chord of 130.02 feet, a chord bearing of S16°09'28"E, an arc distance of 131.72 feet; thence N89°48'53"E, 39.71 feet; thence S00°11'07"E, 125.00 feet; thence S89°48'53"W, 35.48 feet; thence S00°11'07"E, 650.00 feet; thence S89°48'53"W, 25.00 feet; thence S00°11'07"E, 205.00 feet; thence along the south line of lands described in Deed Book 224 at page 437 of the aforementioned public records, S89°48'47"W, 2273.40 feet; thence, along the northeasterly right-of-way line of Tamiami Trail

(S.R. 45, US 41), S26°03'40"E, 370.00 feet; thence N89°48'47"E, 3845.26 feet; thence N00°11'13"W, 332.91 feet; thence, along the south line of lands described in Deed Book 224 at page 437 of the aforementioned public records, N89°48'47"E, 4368.87 feet to an intersection with the northerly extension of the west line of lands described in Official Records Book 388 at page 80 of the aforementioned public records; thence, along said northerly extension and said west line, S00°02'36"W, 2451.41 feet; thence, along the north right-of-way line of Nalle Grade Road, as described in Official Records Book 1096 at page 1784 of the aforementioned public records, S89°56'45"E, 2153.08 feet; thence, along the east line of lands described in Official records Book 1516 at page 1802 of the aforementioned public records, N00°02'36"E, 2460.47 feet; thence, along the south line of lands described in Deed Book 224 at page 437 of the aforementioned public records, N89°48'47"E, 775.85 feet; thence along the westerly right-of-way line of the former S.A.L. Railroad, N11°11'01"W, 4190.51 feet to the POINT OF BEGINNING.

Said parcel contain 1150.961 acres, more or less.

**WilsonMiller, Inc.**



Stephen P. Ereik P.S.M. Professional Surveyor and Mapper  
Florida Registration No. 3273

Not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper.

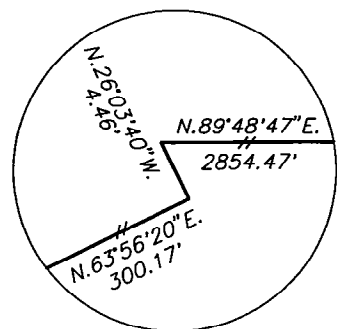
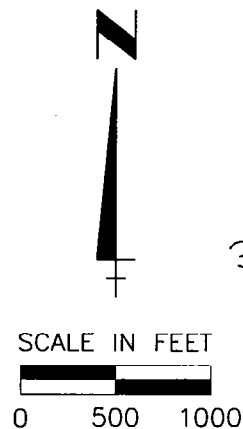
Pin #: 02898-002-P03-ZOPDA

Date: June 6, 2002

Ref: D-02898-54

**Applicant's Legal Checked**  
by Amy 03 FEB 04

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DETAIL "A"  
(NOT TO SCALE)

LEGEND  
OR = OFFICIAL RECORDS  
DB = DEED BOOK  
R/W = RIGHT OF WAY

Applicant's Legal Checked  
by [Signature] 03 FEB 04

6/5/02

NOTE:  
BEARINGS SHOWN HEREON ARE BASED ON THE PLAT OF DEL VERA  
COUNTY CLUB, UNIT 2 (PLAT BOOK 50, PAGES 69 THRU 78) FIXING  
THE NORTH LINE OF UNIT 2 AS N.89°42'39"W.

LINE TABLE		
LINE	LENGTH	BEARING
L1	205.00'	S00°11'07"E
L2	25.00'	S89°48'53"W
L3	650.00'	S00°11'07"E
L4	35.48'	S89°48'53"W
L5	125.00'	S00°11'07"E
L6	39.71'	N89°48'53"E
L7	600.00'	S00°11'07"E
L8	60.00'	N89°48'53"E
L9	335.37'	S00°11'07"E

CURVE TABLE						
NO.	RADIUS	DELTA	ARC	CHORD	CHORD BEARING	
1	7739.44'	00°42'56"	96.66'	96.66'	S.26°25'08"E.	
2	236.25'	31°56'42"	131.72'	130.02'	S.16°09'28"E.	

\* SKETCH ONLY THIS IS NOT A SURVEY \*

1 REV NO. REVISE BOUNDARY REVISION DATE DRAWN BY EMP. NO.

CLIENT: COOLIDGE FORT MYERS REALTY, L.P.  
2250 AVENIDA DEL VERA, NORTH FORT MYERS, FL. 33917

**WilsonMiller**

Planners • Engineers • Ecologists • Surveyors • Landscape Architects • Transportation Consultants

WilsonMiller, Inc.  
Naples • Fort Myers • Sarasota • Bradenton • Tampa • Tallahassee  
4571 Colonial Blvd, Suite 100 Fort Myers, Florida 33912 Phone 941-939-1020 Fax 941-939-7479 Web-Site www.wilsonmiller.com

TITLE: SKETCH OF DESCRIPTION  
HERONS GLEN

ACTIVITY	INITIALS	EMP. NO.	DATE
DRAWN BY:	GWR	1386	6/5/02
CHECKED BY:	SPE	1146	6/5/02
COMPUTED BY:	GWR	1386	6/5/02

DATE:	HORIZONTAL SCALE:	VERTICAL SCALE:	SEC:	TWP:	RGE:	FIELD BOOK:	FIELD BOOK PAGE:	TASK:	PIN:	SHEET NUMBER:	DRAWING NUMBER:
6/5/02	1" = 1000'	N/A	2,3,4,5,10	43	24	N/A	N/A	ZOPDA	02898-002-P03	1 OF 1	B-2898-54

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