

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS  
OF LEE COUNTY, FLORIDA

WHEREAS, SunTrust Bank, Southwest Florida, represented by William Hoffman, filed an application for a rezoning from Mobile Home Residential (MH-2) to Recreational Vehicle Planned Development (RVPD) in reference to Orange Harbor Mobile Home & RV Park; and

WHEREAS, the subject property is located at 5749 Palm Beach Boulevard, and is described more particularly as:

LEGAL DESCRIPTION: In Sections 34 and 35, Township 43 South, Range 25 East, Lee County, Florida, described as follows:

beginning at the East Quarter (E¼) corner of said Section 34;  
THENCE along the East/West Quarter section line of said Section 34  
S89°20'20"W a distance of 113.00 feet;  
THENCE N00°57'40"W a distance of 85.00 feet;  
THENCE N89°20'20"E a distance of 80.00 feet;  
THENCE N00°57'40"W a distance of 60.00 feet;  
THENCE S89°20'20"W a distance of 80.00 feet;  
THENCE N00°57'40"W a distance of 535.00 feet;  
THENCE N28°42'59"E a distance of 161.46 feet to the point of curvature  
of a curve to the right, having a radius of 50.00 feet, a central angle of  
60°19'21", a chord bearing of N58°52'40"E and a chord length of 50.24  
feet;  
THENCE along the arc of said curve, an arc length of 52.64 feet to the  
point of tangency of said curve;  
THENCE N89°02'20"E a distance of 14.61 feet;  
THENCE N65°04'35"E a distance 29.55 feet;  
THENCE N80°40'23"E a distance of 171.83 feet;  
THENCE S00°57'40"E a distance of 40.00 feet;  
THENCE N89°02'20"E a distance of 138.00 feet;  
THENCE S00°57'40"E a distance of 762.00 feet;  
THENCE S59°17'38"W a distance of 40.31 feet;  
THENCE S71°08'04"W a distance of 68.31 feet;  
THENCE S65°36'37"W a distance of 32.70 feet;  
THENCE S56°14'22"W a distance of 51.86 feet to the East/West Quarter  
Section line of said Section 35;  
THENCE along said Quarter Section line S89°20'20"W a distance of  
186.41 feet to the POINT OF BEGINNING of the Parcel herein described;  
Parcel contains 8.82 acres, more or less; and

WHEREAS, the applicant has indicated the property's current STRAP number is 35-43-25-00-00012.0010; and

6/16/97

WHEREAS, SunTrust Bank, Southwest Florida, the owner of the subject parcel, authorized William Hoffman to act as agent to pursue this zoning application; and

WHEREAS, a public hearing was advertised and held on May 6, 1997 before the Lee County Hearing Examiner in Case No. 96-10-326.02Z 01.01, who gave full consideration to the evidence available; and

WHEREAS, a public hearing was advertised and held on June 16, 1997 before the Lee County Board of County Commissioners who gave full and complete consideration to the recommendations of 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 LEE COUNTY BOARD OF COUNTY COMMISSIONERS, that the Board **APPROVES with conditions** the requested rezoning from MH-2 to RVPD, as follows:

SECTION A. CONDITIONS:

The rezoning and Master Concept Plan are subject to the following conditions:

1. The development and use of the property must be in substantial compliance with the approved Master Concept Plan entitled "Proposed Orange Harbor R.V. Section" (dated September 5, 1996 and stamped received February 26, 1997) drawn by Bill Hoffman, except as modified by the conditions herein.
2. A maximum of 134 recreational vehicle units are allowed within this planned development.
3. The following uses are permitted:

Recreational Vehicles (including park trailers)

The following Accessory uses to the principal use of a recreational vehicle park are permitted:

Accessory Uses and Structures [34-1171 et seq., 34-2442 et seq.]

Essential Services

Essential Service Facilities, Group I [34-622(c)(13)]

Fences And Walls

Models: Home and Display Center

Parking Lot: Accessory only

Recreation Facilities: Personal and Private

Rental or Leasing Establishment, Group I only [34-622(c)(39)]

Signs, in accordance with Chapter 30 of the Land Development Code

Storage, Open

Vehicle And Equipment Dealers, Group IV [34-622(c)(55)]

3. Development of the RVPD will comply with the following Property Development Regulations:

Minimum Lot Area and Dimensions:

Lots 1 through 21, 25 through 40, 50 through 60, and 70 through 134

Area: 2450 square feet  
Width: 35 feet  
Depth: 60 feet

Lots 22 through 24, 41 through 49, and 61 through 69

Area: 1685 square feet  
Width: 30 feet  
Depth: 50 feet

Minimum Setbacks: (for all lots)

Street: 10 feet  
Side: 5 feet  
Rear: 10 feet  
Water Body: 10 feet

Maximum Building Height: 15 feet

5. This zoning approval does not address the mitigation of the project's vehicular or pedestrian traffic impacts. Additional conditions may be required at the time of local development order approval.
6. This rezoning approval does not give the Developer an undeniable right to receive local development order approval that exceeds the Year 2010 Overlay use allocation, if such allocation exists, for the applicable district.
7. Except as granted by deviation herein, this development must comply with the Lee County Land Development Code in effect at the time of local development order approval.
8. Signage erected on State Road 80 or other off-site location advertising the display or sale of RV homes is prohibited.

SECTION B. DEVIATIONS:

The Master Concept Plan deviates from Lee County development standards. The proposed deviation is granted as set forth below:

1. Deviation (1) requests relief from LDC Section 34-939(3) requiring a buffer at least 40 feet wide adjacent to and completely around the boundary of the site, except for any portion of the boundary abutting a parcel currently zoned RV or RVPD, to not require any buffer. The requested deviation is **APPROVED**, subject to a 7-foot high opaque screen being maintained along the perimeter of the RVPD adjacent to the existing mobile home park.

#### SECTION C. Master Concept Plan:

A one-page reduced copy of the Master Concept Plan is attached and incorporated into this resolution by reference, as modified herein.

#### SECTION D. FINDINGS AND CONCLUSIONS:

The following findings and conclusions were made in conjunction with the approval of the requested rezoning:

1. The applicant has proven entitlement to the Recreational Vehicle Planned Development zoning by demonstrating compliance with the Lee Plan, the Land Development Code, and other applicable codes and regulations.
2. The requested RVPD zoning as conditioned:
  - a. is consistent with the densities, intensities and general uses set forth in the Lee Plan;
  - b. is compatible with existing or planned uses in the surrounding area; and
  - c. will not adversely affect environmentally critical areas or natural resources.
3. Approval of the request will not unduly burden existing transportation or planned infrastructure facilities and the site will be served by streets with the capacity to carry traffic generated by the development.
4. Urban services, as defined in the Lee Plan, are available and adequate to serve the proposed land use.
5. The proposed use or mix of uses is appropriate at the subject location.
6. The recommended conditions to the concept plan and other applicable regulations provide sufficient safeguards to the public interest.
7. The recommended conditions are reasonably related to the impacts on the public's interest created by or expected from the proposed development.
8. The deviation granted will:

- a. enhance the objectives of the planned development; and
- b. preserve and promote the general intent of the LDC to protect the public health, safety and welfare.

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

John E. Manning	Aye
Douglas R. St. Cerny	Aye
Ray Judah	Aye
Andrew W. Coy	Aye
John E. Albion	Absent

DULY PASSED AND ADOPTED this 16th day of June, 1997.

ATTEST:  
CHARLIE GREEN, CLERK

BY: Ruth F. Green  
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS  
OF LEE COUNTY, FLORIDA

BY: [Signature]  
Chairman

Approved as to form by:

[Signature]  
County Attorney's Office

**FILED**

**JUN 19 1997**

CLERK CIRCUIT COURT  
BY: Ruth F. Green D.C.

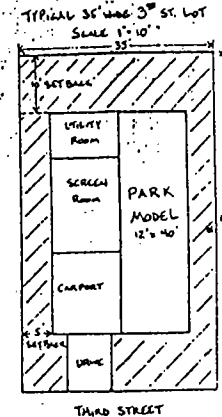
# - PROPOSED - ORANGE HARBOR R.V. SECTION

MOBILE HOME SECTION MH-2

W/W 375'  
DEVELOPMENT ALLOWED  
(100% 22' 8")

TEMPLE DRIVE

SHORELAND DRIVE

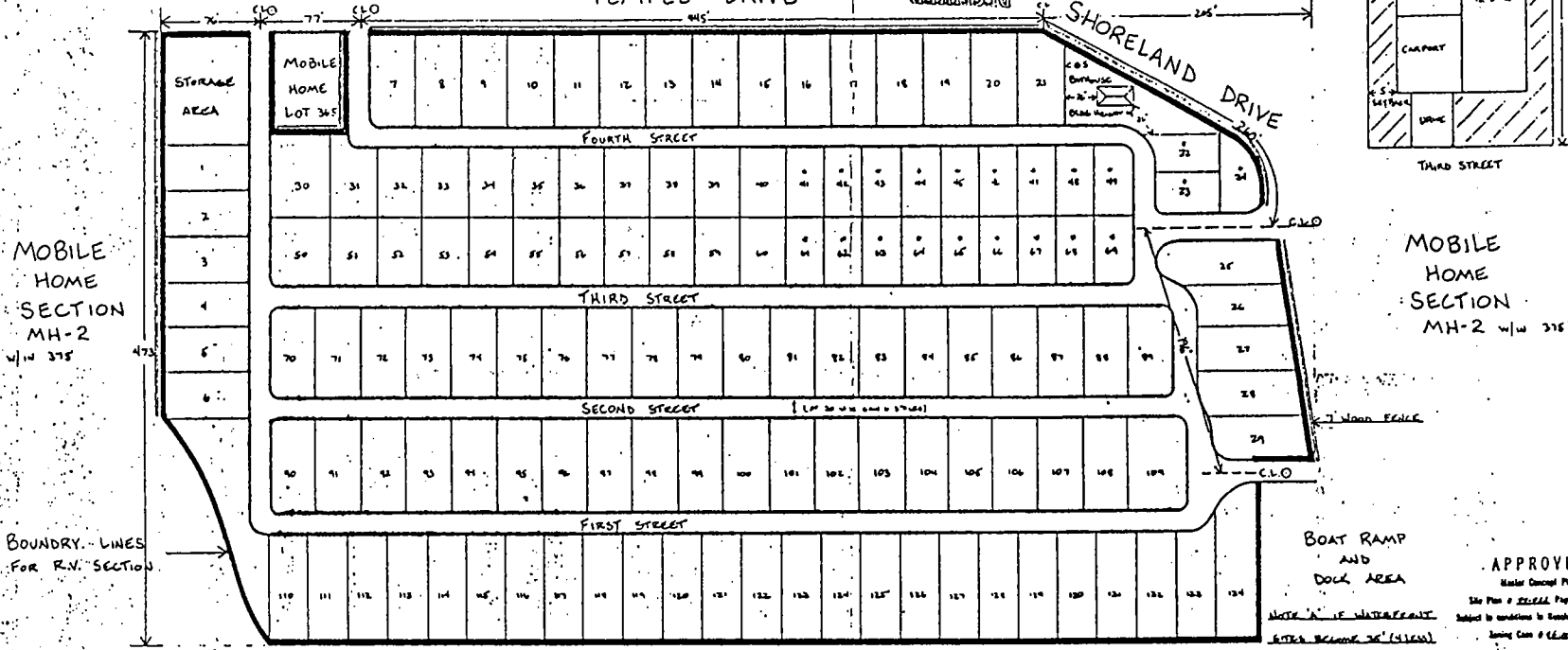


REVISIONS	

ORANGE HARBOR MOBILE HOME & R.V. PARK  
5,19 PALM BEACH BLVD., FT. MY. S., FLORIDA

DATE	BY	CHKD
9-10-326-022	9-10-326-022	9-10-326-022
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PLEASE USE ALL DIMENSIONS AND APPROXIMATIONS



## SITE MODIFICATIONS :

1. FIRST STREET WATERFRONT (UNCHANGED) TOTAL SPACES = 26 @ 21' WIDE LOTS
2. 4 INDICATES 30' WIDE LOT ONE (W/W 36' LONG) TOTAL SPACES = 21
3. UN-MARKED NON-WATERFRONT LOTS INDICATE 35' WIDE LOTS = 88 (AVERAGE LENGTH 70')

LOT TOTAL = 130-134

CURRENT ZONING ALLOWS A TOTAL OF 145 SPACES  
\* CURRENT LBS. PLAN AND USE CLASSIFICATIONS CENTRAL URBAN

C.L.-DENOTES CENTER LINE OF THE  
O - VEHICULAR, WALKWAY AND EGRESS

NOTE:

BATH HOUSE IS 10' HIGH  
PARK MODEL IS 13' HIGH

LAND USE  
AG-2 VACANT  
W/W 375'

## LOT AND SITE COMPARISONS

1. LOT SIZE HAS INCREASED 400' 800' TO 2160' FOR 36' WIDE LOTS (800')
2. 30' LOTS ARE 20% LARGER BY 275' (SAME LENGTH DIMENSION) (1675' TOTAL)
3. ONE GOAL IS TO MAXIMIZE THE 36' WIDE SITE LOT WHICH WOULD YIELD 126 TOTAL LOTS. THE GREATEST NUMBER OF LOTS (830' WIDE) WILL NOT EXCEED 115
4. BASED UPON INITIAL PLANNING AND MARKET STUDY, WE ANTICIPATE AN ESTIMATED TOTAL 130 LOTS OVER A PERIOD OF SEVERAL YEARS.
5. DENSITY IS REQUIRED FROM 115 LOTS TO 130, OR 21.2% A LOT.

A DEVIATION HAS BEEN APPLIED FOR REASONING PROJECT TYPES  
THE PROPOSED PERCENTAGE OF OPEN SPACE.

PROPOSED SCHEDULE OF USES  
SEE ATTACHED ADDENDUM

APPROVED

Master Concept Plan  
Site Plan & Section Paper 10  
Subject to conditions to Resolution 2-72-10  
Issued Date 8-6-32-11-11-11

NOTE: IF WATERFRONT  
LOT# BECOMES 36' (115)