ADMINISTRATIVE AMENDMENT (PD) ADD2002-00006

ADMINISTRATIVE AMENDMENT
LEE COUNTY, FLORIDA

WHEREAS, Heritage Naples Acquisition, Inc. filed an application for administrative approval to amend a Residential Planned Development on a project known as Coconut Shores; and

WHEREAS, the subject property has been platted since the project was first approved and, the applicant has revised the property description to reflect this change:

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

COCONUT SHORES SUBDIVISION, PLAT BOOK 65, PAGES 29-31, PUBLIC RECORDS OF LEE COUNTY, FLORIDA

WHEREAS, the approval requested approval would amend the planned development to **allow a reduction in the required minimum rear yard setback of 20 feet to between 14.96 feet and 19.4 feet for the principal structure and to 5 feet for pool/jacuzzi** on properties located at 23245, 23241, 23235, 23231, 23225, 23221, 23215, 23211, 23205, 23201, 23195, and 23191 Coconut Shores Drive, which properties are more particularly described as:

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

LOTS 3 THROUGH 14, COCONUT SHORES SUBDIVISION, PLAT BOOK 65, PAGES 29-31, PUBLIC RECORDS OF LEE COUNTY, FLORIDA

WHEREAS, the property was originally rezoned in case number 86-12-14-DCI (with subsequent amendments in case numbers 86-12-14-DCI(a); 95-10-025.13A 01.01; 95-10-025.13A 02.01; 95-10-025.13A 03.01; 99-02-146.02A; ADD2000-00132; & 98-07-190.00D); 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, Administrative Amendment PD-98-061 provides for the development of Two-Family Attached dwelling units and also provides for minimum lot dimensions and setbacks, and

WHEREAS, the applicant seeks to revise the required rear yard setbacks for the principal building and for a pool/jacuzzi, 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 proposed rear yard setbacks for the principal building are based upon a drawing showing the layout of actual proposed units for each of the lots in question, and

WHEREAS, LDC Section 34-1174(d) already provides that residential accessory buildings and structures may have a minimum rear yard setback of five (5) feet for this type of use (including a pool/jacuzzi) provided that open mesh screen enclosures are used as provided for in LDC Section 34-1176, and

WHEREAS, it is found that the proposed amendment in the rear yard setback, as conditioned, 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 Residential Planned Development is **PARTIALLY APPROVED. Specifically, the rear setback amendment from 20 feet to between 14.96 feet and 19.4 feet for the principal structure is APPROVED as conditioned in the following and the proposed accessory structure setback is DENIED.**

Approval is subject to the following conditions:

1. **The Development must be in compliance with the amended Master Concept Plan, dated 12-11-2001, as prepared by Trask Associates, Inc., and stamped received on January 25, 2002. Master Concept Plan for ADD2002-00006 is hereby APPROVED and adopted. A reduced copy is attached hereto.**

2. **All terms and conditions of the original zoning resolutions, and amendments, remain in full force and effect, except as may be modified by this action. This approval in no way grants administrative approval to reduce the required minimum lot area, lot width, or lot depth for lots or parcels within this approved planned development.**

3. **This amendment only is effective for Lots 3 through 14 of the Coconut Shores Subdivision, as recorded in Plat Book 65, Page 29.**

4. **All residential accessory uses must comply with the required setbacks of the Lee County Land Development Code.**

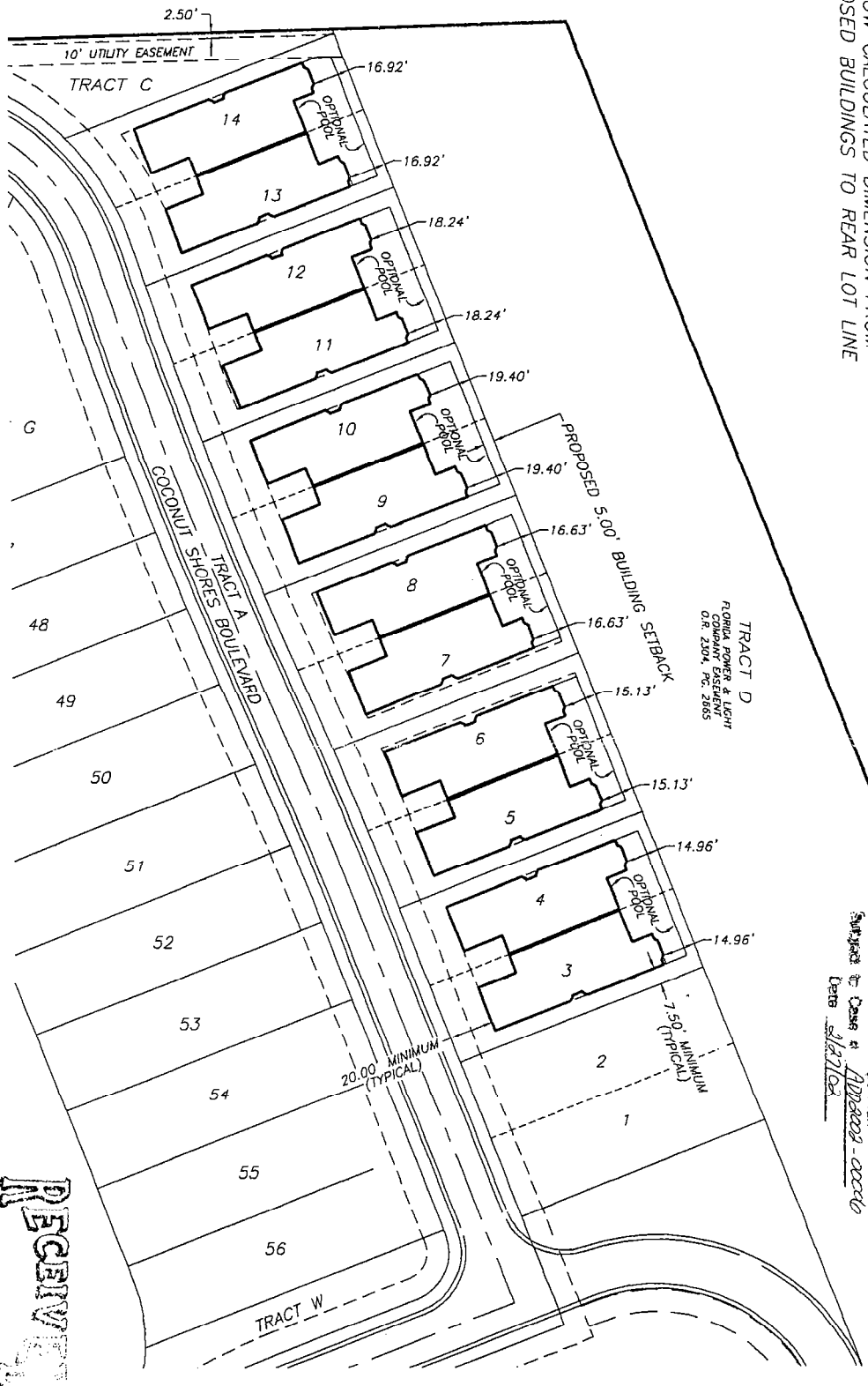
DULY SIGNED this 27th day of February, A.D., 2002.

BY: Pam Houck

Pam Houck, Director
Division of Zoning
Department of Community Development

SITE PLAN

PART OF COCONUT SHORES SUBDIVISION, PLAT BOOK 65, PAGE 29, LEE COUNTY PUBLIC RECORDS TO SHOW CALCULATED DIMENSION FROM PROPOSED BUILDINGS TO REAR LOT LINE



APPROVED

Amendment to Master Concept Plan

Case # DRA2002-00006

Date 3/27/02

ADD 2002-00006

RECEIVED

JAN 25 2002

DEVELOPMENT SERVICES

TRASK ASSOCIATES, INC.
surveyors

5884 ENTERPRISE PARKWAY
FORT MYERS, FLORIDA 33905
941-694-2335 PHONE
LICENSED BUSINESS NO. LB7136

PREPARED FOR: HERITAGE RESIDENTIAL

COCONUT SHORES VILLAS

FILE NO.: 01-0008 F.B./PG. N/A

SCALE: 1" = 50' DATE: 12-11-2001

REVISIONS:	DATE:

Kenneth E. Trask

KENNETH E. TRASK
PROFESSIONAL LAND SURVEYOR
FLORIDA CERTIFICATE NO. LS4684

1-24-01

DATE SIGNED: