

ADMINISTRATIVE AMENDMENT (FPA) - ADD2004-00070

ADMINISTRATIVE AMENDMENT
LEE COUNTY, FLORIDA

WHEREAS, Vanasse & Daylor LLP filed an application for Final Zoning Plan Approval to a Mixed Use Planned Development on a project known as Mirasol for 120 multi-family units on 6.76 acres for a final plan approval on property located at Miromar Lakes, described more particularly as:

LEGAL DESCRIPTION: In Section 14, Township 46 South, Range 25 East, Lee County, Florida:

Exhibit A

WHEREAS, the property was originally rezoned in case number Z-00-029[with subsequent amendments in case numbers ADD2000-00110, ADD2000-0011, ADD2000-00117, ADD20000-00161, ADD2001-00018, ADD2001-00085, ADD2001-00113A, ADD2001-00125, ADD2002-00045, ADD2002-00077, ADD2002-00168, ADD20023-00028, ADD2003-00047, ADD2003-00151, ADD2004-00042, ADD2004-00045, ADD2004-00074]; and

WHEREAS, the subject property is zoned Mixed Use Planned Development (MPD) through Resolution Number Z-02-072; and

WHEREAS, Condition 1.c. of Resolution Number Z-99-029 requires final plan approval prior to issuance of a local development order for parcel development that includes vertical (structural) development; and

WHEREAS, the subject property is within the Residential portion of the Miromar Lakes DRI, as shown on the approved Master Concept Plan, approved in the Lee County Zoning Resolution Z-02-072; and

WHEREAS, the Mirasol subdivision consist of 120 multi-family units with a minimum lot area of 6,000 square feet per lot; and

WHEREAS, the proposed Final Plan Approval has been reviewed by Lee County Environmental Sciences; and

WHEREAS, the proposed Final Plan Approval has been reviewed by the Lee County Development Services Division; 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

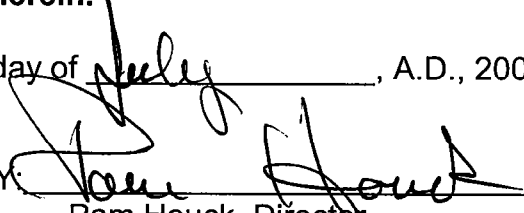
WHEREAS, the subject application and plans have been reviewed by the Lee County Department of Community Development in accordance with applicable regulations for compliance with all terms of the administrative approval procedures; and

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 Final Zoning Plan Approval to the Planned Development for Mirasol for 120 multi-family units on 6.76 acres at Miromar Lakes is **APPROVED** with the following conditions:

1. **The Development must be in substantial compliance with the 3 page Final Zoning Plan, by Hole Montes, dated June 21, 2004, stamped received by the Permit Counter on June 22, 2004.**
2. **Final Zoning Plan ADD2004-00070 is hereby APPROVED and adopted. A reduced copy is attached hereto.**
3. **Any development which is not substantially consistent with the final site plan approved herein and attached hereto, will require an additional, amended final plan approval.**
4. **Terms and conditions of the original zoning resolutions remain in full force and effect except as amended herein.**

DULY SIGNED this 27th day of July, A.D., 2004.

BY: 

Pam Houck, Director
Division of Zoning
Department of Community Development

EXHIBIT A

LEGAL DESCRIPTION:

A PARCEL OF LAND LOCATED IN A PORTION OF TRACT C, MIROMAR LAKES UNIT V – ISOLA BELLA SUBDIVISION ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 74, AT PAGES 9 THROUGH 12 OF THE PUBLIC RECORDS OF LEE COUNTY, AND A PORTION OF SECTION 14, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF TRACT E – COSTA DEL LAGO DRIVE, MIROMAR LAKES UNIT V – ISOLA BELLA SUBDIVISION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 74, AT PAGES 9 THROUGH 12, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA: THE SAME BEING THE BEGINNING OF A CIRCULAR CURVE, CONCAVE SOUTHWESTERLY, WHOSE RADIUS POINT BEARS S.11°47'31"W., A DISTANCE OF 44.00 FEET THEREFROM; THENCE RUN SOUTHEASTERLY, ALONG THE WESTERLY BOUNDARY OF SAID TRACT E, AND ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 44.00 FEET, THROUGH A CENTRAL ANGLE OF 81°36'19", SUBTENDED BY A CHORD OF 57.50 FEET AT A BEARING OF S.37°24'20"E., FOR A DISTANCE OF 62.67 FEET TO THE END OF SAID CURVE; THENCE RUN S.03°23'50"W., ALONG THE WESTERLY BOUNDARY OF SAID TRACT E, FOR A DISTANCE OF 58.11 FEET TO THE BEGINNING OF A TANGENTIAL CIRCULAR CURVE, CONCAVE EASTERLY; THENCE RUN SOUTHERLY, ALONG THE WESTERLY BOUNDARY OF SAID TRACT E, AND ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 1,333.00 FEET, THROUGH A CENTRAL ANGLE OF 12°06'54", SUBTENDED BY A CHORD OF 281.33 FEET AT A BEARING OF S.02°39'38"E., FOR A DISTANCE OF 281.86 FEET TO THE END OF SAID CURVE; THENCE RUN S.08°43'05"E., ALONG THE WESTERLY BOUNDARY OF SAID TRACT E, FOR A DISTANCE OF 167.57 FEET TO THE BEGINNING OF A TANGENTIAL CIRCULAR CURVE, CONCAVE WESTERLY; THENCE RUN SOUTHERLY, ALONG THE WESTERLY BOUNDARY OF SAID TRACT E, AND ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 732.50 FEET, THROUGH A CENTRAL ANGLE OF 07°37'07", SUBTENDED BY A CHORD OF 97.33 FEET AT A BEARING OF S.04°54'31"E., FOR A DISTANCE OF 97.40 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED, THE SAME BEING A POINT OF COMPOUND CURVE, CONCAVE WESTERLY; THENCE RUN SOUTHERLY, ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 732.50 FEET, THROUGH A CENTRAL ANGLE OF 00°17'31", SUBTENDED BY A CHORD OF 3.73 FEET AT A BEARING OF S.00°57'12"E., FOR A DISTANCE OF 3.73 FEET; THENCE RUN S.89°11'34"W., FOR A DISTANCE OF 26.38 FEET; THENCE RUN N.29°21'39"W., FOR A DISTANCE OF 8.46 FEET TO THE BEGINNING OF A TANGENTIAL CIRCULAR CURVE, CONCAVE SOUTHERLY; THENCE RUN WESTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 21.29 FEET, THROUGH A CENTRAL ANGLE OF 103°15'27", SUBTENDED BY A CHORD OF 33.38 FEET AT A BEARING OF N.80°59'23"W., FOR A DISTANCE OF 38.37 FEET TO THE END OF SAID CURVE; THENCE RUN S.57°07'30"W., FOR A DISTANCE OF 71.95 FEET TO THE BEGINNING OF A TANGENTIAL CIRCULAR CURVE, CONCAVE NORTHERLY; THENCE RUN WESTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 100.00 FEET, THROUGH A CENTRAL ANGLE OF 28°35'58", SUBTENDED BY A CHORD OF 49.40 FEET AT A BEARING OF S.71°25'29"W., FOR A DISTANCE OF 49.92 FEET TO THE END OF SAID CURVE; THENCE RUN S.85°43'28"W., FOR A DISTANCE OF 59.98 FEET TO THE BEGINNING OF A TANGENTIAL CIRCULAR CURVE, CONCAVE SOUTHEASTERLY; THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 24.83 FEET, THROUGH A CENTRAL ANGLE OF 87°35'17", SUBTENDED BY A CHORD OF 34.37 FEET AT A BEARING OF S.41°55'50"W., FOR A DISTANCE OF 37.96 FEET TO THE END OF SAID CURVE; THENCE RUN S.89°55'58"W., FOR A DISTANCE OF 141.18 FEET; THENCE RUN N.59°47'00"W., FOR A DISTANCE OF 120.11 FEET; THENCE RUN S.81°50'27"W., FOR A DISTANCE OF 212.16 FEET; THENCE RUN N.02°07'33"W., FOR A DISTANCE OF 28.07 FEET; THENCE RUN N.28°30'16"W., FOR A DISTANCE OF 54.42 FEET; THENCE RUN N.67°53'01"W., FOR A DISTANCE OF 36.52 FEET; THENCE RUN N.78°45'39"W., FOR A DISTANCE OF 70.14 FEET; THENCE RUN

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N.44°27'09"W., FOR A DISTANCE OF 46.77 FEET; THENCE RUN N.24°52'12"W., FOR A DISTANCE OF 37.16 FEET; THENCE RUN N.30°23'07"W., FOR A DISTANCE OF 17.80 FEET; THENCE RUN N.62°04'14"W., FOR A DISTANCE OF 56.78 FEET; THENCE RUN S.71°43'42"W., FOR A DISTANCE OF 28.47 FEET; THENCE RUN N.03°59'51"E., FOR A DISTANCE OF 356.01 FEET TO A POINT ON A CIRCULAR CURVE, CONCAVE SOUTHERLY, WHOSE RADIUS POINT BEARS S.04°18'15"W., A DISTANCE OF 977.50 FEET THEREFROM; THENCE RUN EASTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 977.50 FEET, THROUGH A CENTRAL ANGLE OF 10°29'52", SUBTENDED BY A CHORD OF 178.85 FEET AT A BEARING OF S.80°26'49"E., FOR A DISTANCE OF 179.10 FEET TO THE END OF SAID CURVE; THENCE RUN S.75°11'53"E., FOR A DISTANCE OF 0.87 FEET TO THE BEGINNING OF A TANGENTIAL CIRCULAR CURVE, CONCAVE SOUTHWESTERLY; THENCE RUN SOUTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 677.50 FEET, THROUGH A CENTRAL ANGLE OF 51°18'48", SUBTENDED BY A CHORD OF 586.69 FEET AT A BEARING OF S.49°32'29"E., FOR A DISTANCE OF 606.76 FEET TO A POINT OF COMPOUND CURVE, CONCAVE WESTERLY; THENCE RUN SOUTHERLY, ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 25.00 FEET, THROUGH A CENTRAL ANGLE OF 64°32'50", SUBTENDED BY A CHORD OF 26.70 FEET AT A BEARING OF S.08°23'21"W., FOR A DISTANCE OF 28.16 FEET TO A POINT OF REVERSE CURVE, CONCAVE NORTHEASTERLY; THENCE RUN SOUTHEASTERLY, ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 73.00 FEET, THROUGH A CENTRAL ANGLE OF 191°16'22", SUBTENDED BY A CHORD OF 145.29 FEET AT A BEARING OF S.54°58'25"E., FOR A DISTANCE OF 243.70 FEET TO A POINT OF REVERSE CURVE, CONCAVE SOUTHEASTERLY; THENCE RUN NORTHEASTERLY, ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 25.00 FEET, THROUGH A CENTRAL ANGLE OF 55°30'20", SUBTENDED BY A CHORD OF 23.28 FEET AT A BEARING OF N.57°08'34"E., FOR A DISTANCE OF 24.22 FEET; THENCE RUN N.84°53'44"E., FOR A DISTANCE OF 34.82 FEET TO THE BEGINNING OF A TANGENTIAL CIRCULAR CURVE, CONCAVE NORTHERLY; THENCE RUN EASTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 230.50 FEET, THROUGH A CENTRAL ANGLE OF 09°20'50", SUBTENDED BY A CHORD OF 37.56 FEET AT A BEARING OF N.80°13'19"E., FOR A DISTANCE OF 37.60 FEET TO THE END OF SAID CURVE; THENCE RUN N.75°32'54"E., FOR A DISTANCE OF 76.60 FEET, TO THE BEGINNING OF A TANGENTIAL CIRCULAR CURVE, CONCAVE SOUTHWESTERLY; THENCE RUN SOUTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 35.00 FEET, THROUGH A CENTRAL ANGLE OF 103°21'08", SUBTENDED BY A CHORD OF 54.92 FEET AT A BEARING OF S.52°46'32"E., FOR A DISTANCE OF 63.13 FEET TO THE POINT OF BEGINNING, CONTAINING 258,162.340 SQUARE FEET OR 5.927 ACRES, MORE OR LESS.

Applicant's Legal Checked

by *[Signature]* 09 JULY 04

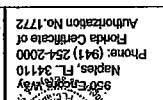
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3994	M	W	3	1072.57	119
3993	M	W	3	1074.93	118
3992	M	W	3	1040.54	117
3991	M	W	3	1055.93	116
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3951	M	W	3	1044	

DATE	12/18/03	DATE	AT	PARTY CRIES:
DATE	12/03	DATE	AM/TH	EXPLAN BY:
DATE	12/03	DATE	TMM	ENTERED BY:
HORIZONTAL SCALE =100	N/A	VERTICAL SCALE AND MAPPER	NOT VALID WITHOUT THE ORIGINAL PASTED SEAL OF A LICENSED SURVEYOR	



035938ND1	REFERENCE NO.
03.593	PROJECT NO.
A-1622-1	DRAWING NO.

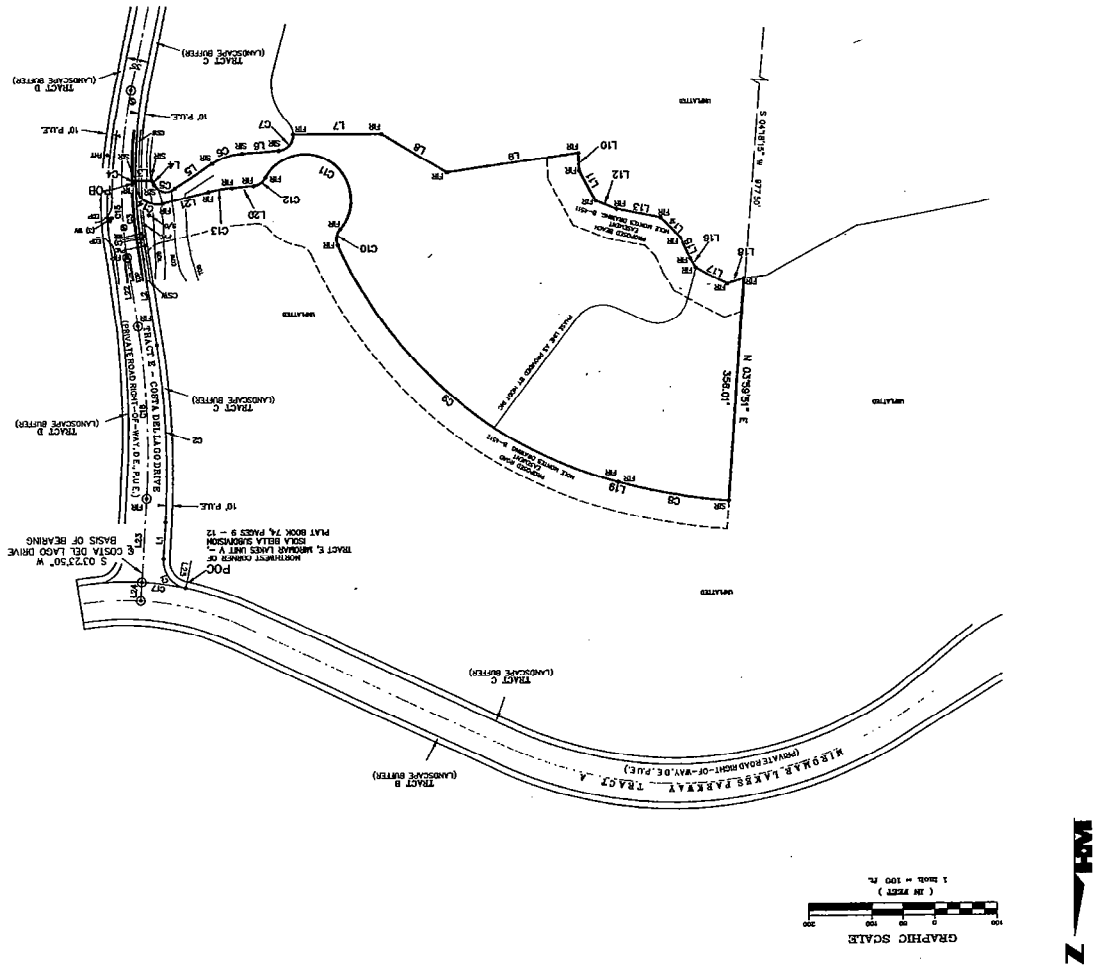
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FEDERAL COURTESY

DEPT OF JUSTICE
FBI NEW YORK OFFICE

THIS SURVEY MEETS THE NATIONAL TECHNICAL
STANDARD PURPOSES OF WHICH IT HAS BEEN GRANTED AND
IS NOT TO BE USED FOR ANY OTHER PURPOSE.



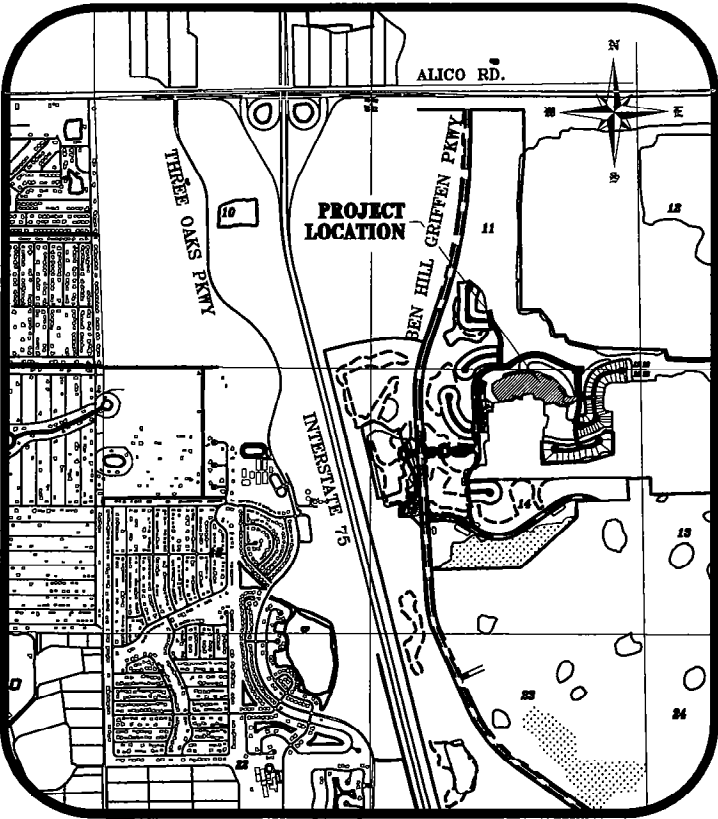
FINAL PLAN APPROVAL
FOR
**MEDITERRANEAN
VILLAGE PHASE V
MIRASOL**
AT MIROMAR LAKES
ZONING RESOLUTION NUMBER Z-02-072

DATE: MARCH, 2004

APPROVAL HISTORY				
LEE COUNTY NUMBER	TRACT	DATE	TYPE	QUANTITY
ADD 2001-0018	GOLF MAINT.	APPROVED	COMMERCIAL	7500 S.F.
ADD 2000-00110	PHASE ONE	07/27/00	SINGLE FAMILY	11 UNITS
ADD 2000-00111	PHASE ONE	07/27/00	SINGLE FAMILY	30 UNITS
ADD 2000-00117	PHASE TWO	07/31/00	SINGLE FAMILY	51 UNITS
ADD 2000-00161	VALENCIA	APPROVED	MULTI FAMILY	80 UNITS
ADD 2001-00085	TRACT M & N	APPROVED	SINGLE FAMILY	27 UNITS
ADD2001-00113A	BEACH CLUB	APPROVED	RECREATION	4.77 ACRES
ADD 2001-00125	TIVOLI	APPROVED	SINGLE FAMILY	113 UNITS
ADD 2002-00045	BELLAVISTA	APPROVED	MULTI-FAMILY	80 UNITS
ADD 2002-00077	MED. VILLAGE	APPROVED	SINGLE FAMILY	33 UNITS
ADD 2002-00168	CAPRINI GREENS	APPROVED	SINGLE FAMILY	27 UNITS
ADD 2003-00028	VAVALDI	APPROVED	MULTI-FAMILY	60 UNITS
ADD 2003-00047	GOLF CLUBHOUSE	APPROVED	RECREATION	5.45 ACRES
ADD 2003-00151	CAPRINI GREENS MOD	APPROVED	AMEND ADD 2002-00168	
ADD 2004-00042	MIRASOL ACCESS	APPROVED	ACCESS	5.07 ACRES
ADD 2004-00045	C1/C2 ACCESS	APPROVED	ACCESS	1.02 ACRES
ADD 2004-00054	PORTO ROMANO	APPROVED	SINGLE FAMILY	55 UNITS
ADD 2004-00070	MIRASOL RESIDENTIAL	PENDING	MULTI-FAMILY	120 UNITS

LAND USE SUMMARY

DESCRIPTION	TOTAL UNITS PER MPD/DRI	UNITS PREVIOUSLY APPROVED	UNITS THIS APPROVAL	UNITS REMAINING
RESIDENTIAL				
SINGLE-FAMILY	700 d.u.	347	0	353 d.u.
MULTI-FAMILY	1,900 d.u.	200	120	1,580 d.u.
TOTAL RESIDENTIAL UNITS	2,600 d.u.	547	120	1,933 d.u.
COMMUNITY COMMERCIAL				
RETAIL COMMERCIAL SQUARE FEET	250,000 (GFA)	7500	0	242,500 (GFA)
OFFICE SQUARE FEET	340,000 (GFA)	0	0	340,000 (GFA)
RESEARCH & DEVELOPMENT SQUARE FEET	40,000 (GFA)	0	0	40,000 (GFA)
HOTEL ROOMS	450	0	0	450
RECREATION, LAKES, AND BUFFERS				
LAKE / MISCELLANEOUS RECREATION / BUFFERS	263 AC.	13.20 AC.	0	249.80 AC.
CONSERVATION				
CONSERVATION AREAS	186 AC.	0	0	186



LOCATION MAP
SECTION 14, TOWNSHIP 46 SOUTH, RANGE 25 EAST
STRAP No. 14-46-25-00-00001.0110
14-46-25-00-00001.0020

OPEN SPACE	
OPEN SPACE	AREA (ACRES)
GOLF COURSE	218.96
PHASE I	61.72
PHASE II	13.10
GOLF MAINTENANCE	0.92
VALENCIA	8.08
TRACT M & N	4.77
BEACH CLUB	2.34
TIVOLI	0
BELLAVISTA	3.55
MEDITERRANEAN VILLAGE	6.71
CAPRINI GREENS	1.19
VAVALDI	0
GOLF CLUBHOUSE	2.51
MIRASOL ACCESS DRIVE	1.31
TRACT C1/C2 ENTRANCE	0.39
PORTO ROMANO	2.90
MIRASOL RESIDENTIAL	0
TOTAL	328.45

APPROVED
Final Plan Approval
for ~~MIXED USE~~ Planned Development
Subject to Case # ADD2004-00070
Date 7/27/04

PREPARED FOR:

PARADIGM-MIRASOL COMPANIES, LLC

CONTACT PERSON: ART FRIEDMAN, PRESIDENT
460 2nd AVENUE NORTH
NAPLES, FL 34102
PH (239) 643-6495
FX (239) 643-6470

- 1.) THESE PLANS HAVE BEEN PREPARED IN ACCORDANCE WITH AND ARE GOVERNED BY THE STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION, ROADWAY AND TRAFFIC DESIGN STANDARDS (BOOKLET DATED JANUARY, 2004), AND AMENDMENTS THERETO.
- 2.) GOVERNING SPECIFICATIONS: STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION, STANDARD SPECIFICATIONS, DATED 2004, AND AMENDMENTS THERETO, AS NOTED IN THE TECHNICAL SPECIFICATIONS AND CONTRACT DOCUMENTS FOR THIS PROJECT.



PREPARED BY:

6202-F Presidential Court
Fort Myers, FL 33919
Phone : (941) 985-1200
Florida Certificate of
Authorization No.1772

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JUN 22 2004

COMMUNITY DEVELOPMENT

ADD2004-00070

THESE PLANS HAVE BEEN PREPARED IN ACCORDANCE WITH AND ARE GOVERNED BY THE STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION, ROADWAY AND TRAFFIC DESIGN STANDARDS (BOOKLET DATED JANUARY, 2004), AND AMENDMENTS THERETO.	DATE
PARADIGM-MIRASOL COMPANIES, LLC	
MIRASOL	
AT MIROMAR LAKES	
LEE COUNTY, FLORIDA	
DRAWING NO. 1017	PROJECT NO. 04.033

