

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

WHEREAS, an application was filed by Lexington Associates L.L.P., on behalf of the property owner, Donald B. Fisher, Trustee, to amend the Kristen Woods Residential Planned Development (RPD)/Commercial Planned Development (CPD); and,

WHEREAS, a public hearing was advertised and held on November 29, 2000, before the Lee County Zoning Hearing Examiner, who gave full consideration to the evidence in the record for Case #DCI2000-00026; and

WHEREAS, a second public hearing was advertised and held on January 29, 2001 before the Lee County Board of Commissioners, who gave full and complete consideration to the recommendations of the staff, the Hearing Examiner, the documents on record and the testimony of all interested persons.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS:

SECTION A. REQUEST

The applicant filed a request to amend the Kristen Woods RPD/CPD (Resolution No. Z-98-093) to (a) incorporate Single-Family Detached, duplex, zero lot line and two-family attached dwelling units, and model home as permitted uses in Tract "A"; (b) incorporate property development regulations for the additional uses; (c) convert the proposed standard access from the CPD portion of the project to the residential portion to a secondary emergency access only; and (d) incorporate two additional deviations made necessary by this amendment. The property is located in the Suburban Land Use Category and legally described in attached Exhibit A. Requests (a) and (b) are APPROVED, SUBJECT TO the conditions and deviations specified in Sections B and C below. Request (c) and the two deviation requests under (d) were withdrawn at hearing by the applicant and therefore NOT APPROVED.

SECTION B. CONDITIONS:

All references to uses are as defined or listed in the Lee County Land Development Code (LDC).

1. The development of this project must be consistent with the two-page Master Concept Plan (MCP) entitled "Kristen Woods - 2000 Amendment," prepared by Banks Engineering, Inc., dated April 18, 2000, last revised February 9, 2001, stamped "Received Feb 16 2001 Permit Counter," EXCEPT AS MODIFIED BY THE CONDITIONS BELOW. This development must comply with all requirements of the LDC at time of local development order approval, except as may be granted by deviation as part of this planned development. If changes to the MCP are subsequently pursued, appropriate approvals will be necessary.

2. The following limits apply to the project and uses:

Schedules of Uses:

[All references are to applicable LDC Sections.]

[New uses are underlined and shown in **bold type**.]

a. Schedule of Uses - Tract "A"

Administrative Offices

Agricultural Uses, existing only, SUBJECT TO Condition 12 in Zoning Resolution No. Z-98-039 (republished as Condition 10 in this resolution)

Dwelling Unit, SUBJECT TO Condition 11 in this resolution:

Single-Family Detached

Duplex

Two-Family Attached

Zero-lot line

Townhouse

Multiple Family Building

Entrance Gate and Gatehouse, in compliance with LDC § 34-1749

Essential Services

Essential Service Facilities, Group I

Excavation, water retention

Fences, walls

Home occupation, with no outside help

Model Home

Model Unit

Parking Lot, accessory

Recreation Facilities, Private on-site, Personal

Recreation Facilities, including but not limited to:

Boardwalk/Overlook - EXCEPT within indigenous preserve area located along banks of Estero River as described in Condition 4

Swimming pools

Tennis courts

Shuffleboard courts

Horseshoe pits

Vita course, picnic area - EXCEPT within the indigenous preserve area located along banks of Estero River as described in Condition 4

Boccie court

Residential Accessory Uses

Signs, in compliance with LDC Chapter 30

Temporary sales center

Temporary uses (LDC § 34-3041)

Schedule of Uses - Tracts "B" and "C"

Administrative Offices

Agricultural Uses, existing only, SUBJECT TO Condition 12 in Zoning Resolution No. Z-98-039 (republished as Condition 10 in this resolution)

ATM, limited to one in southwest corner of Tract "B"

Banks and Financial Establishments, Groups I & II

Business Services, Group I
Cultural Facilities, limited to art galleries and museums
Day Care Center, adult
Day Care Center, child, limited to Tract "C" only
Essential Services
Essential Service Facilities, Group I
Excavation, water retention
Fences, walls
Health Care Facility, Group III, including pharmacy
Insurance Company
Medical Office, including pharmacy
Parking Lot, accessory
Personal Services, all groups, EXCLUDING massage parlors,
escort services, tattoo shops, coin operated laundries,
laundromats and palm readers
Pet Services, grooming only
Place of Worship
Real Estate Sales Office
Research and Development Laboratories, Groups II & IV
Signs, in accordance with LDC Chapter 30
Social Services, Group I
Studios
Laundry, Dry Cleaning, Group I

Schedule of Uses - Tract "D"

All uses permitted on Tracts "B" and "C" and including the following:

ATM
Day Care Center, Adult & Child
Drive-thru facility for bank
Pet Shop
Schools, commercial

Schedule of Uses - Tract "E"

Administrative Offices
Agricultural Uses, existing only, SUBJECT TO Condition 12 in Zoning Resolution
No. Z-98-039 (republished as Condition 10 in this resolution)
Business Services, Group I
Cultural Facilities, limited to art galleries and museums
Day Care Center, Adult & Child
Essential Services
Essential Service Facilities, Group I
Excavation, water retention
Fences, walls
Health Care Facility, Group III
Insurance Company
Medical Office
Parking Lot, accessory
Place of Worship

Real Estate Sales Office
Research and Development Laboratories, Groups II & IV
Signs, in accordance with LDC Chapter 30
Studios

Schedule of Uses - Tract "F"

Administrative Offices
Adult Living Facility
Agricultural Uses, existing only, SUBJECT TO Condition 12 in Zoning Resolution
No. Z-98-039 (republished as Condition 10 in this resolution)
Dwelling Unit:
Townhouse
Multiple Family Building
Entrance Gate and Gatehouse, in compliance with LDC § 34-1749
Essential Services
Essential Service Facilities, Group I
Excavation, water retention
Fences, walls
Health Care Facility, Groups I & II, including pharmacy
Home occupation, with no outside help
Model Unit
Parking Lot, accessory
Recreation Facilities, Private on-site, Personal
Recreation Facilities, including but not limited to:
Boardwalk/overlook
Swimming pools
Tennis courts
Shuffleboard courts
Residential Accessory Uses
Signs, in compliance with LDC Chapter 30
Temporary sales center
Temporary uses (LDC § 34-3041)

[End of Scheduled Uses]

b. **Site Development Regulations - Tracts "A" and "F"**

Minimum Lot Size: Townhouse

Lot Width Per Unit:	37.5 feet
Lot Depth:	100 feet
Lot Area Per Unit:	3,750 square feet

Minimum Lot Size: Multiple Family Building and ALF

Lot Width:	100 feet
Lot Depth:	100 feet
Lot Area:	10,000 square feet

Minimum Setbacks: Townhouse

Front (street):	20 feet
Side (exterior):	10 feet
Side (interior):	0 feet
Rear:	20 feet
	5 feet for an accessory structure

Minimum Building Separation: 20 feet

Maximum Building Height - Townhouse: 2 stories/30 feet adjacent to Estero River
3 stories/40 feet internal to the site

Minimum Setbacks - Multiple Family Building and ALF:

Front (street):	20 feet - carport/garage 15 feet - multiple family building 20 feet - ALF
Side (street):	10 feet
Side (exterior):	10 feet
Rear:	20 feet
Waterbody:	20 feet (internal waterbodies)
Accessory structures:	5 feet from rear property line

Minimum Building Separation: $\frac{1}{2}$ the sum of the building heights but not less than 20 feet

Maximum Building Height: 2 stories/30 feet adjacent to Estero River
3 stories/40 feet for all buildings internal to Tract "A"
3 stories/40 feet - Tract "F"

Minimum Separation: 10 feet
(between multiple family units and garages/carports located on the same parcel)

Minimum Setbacks - Recreational Facility, Private On-Site:

Front (street):	20 feet
Side:	10 feet
Rear (east property line-Tract "A" only):	200 feet
Waterbody:	20 feet (internal waterbodies)

Minimum Setbacks: Duplex

Front (street):	20 feet
Side:	5 feet
Rear:	20 feet
	5 feet for an accessory structure
Waterbody:	25 feet (internal waterbodies)

Minimum Setbacks: Two-Family Attached

Front (street):	20 feet
Side:	10 feet
Side (interior):	0 feet
Rear:	20 feet
	5 feet for an accessory structure
Waterbody:	25 feet (internal waterbodies)

Minimum Setbacks: Zero Lot Line

Front (street):	20 feet
Side (exterior):	10 feet
Side (interior):	0 feet
Rear:	20 feet
	5 feet for an accessory structure
Waterbody:	25 feet (internal waterbodies)

3. The terms and conditions of Resolution No. Z-98-093 remain in full force and effect except as modified by the conditions herein.

4. For clarity and ease of understanding, the following condition supersedes (through reiteration and/or revision) the provisions of Conditions 7 and 8 of Resolution No. Z-98-093:

A. Environmental Conditions:

1. Prior to local development order submittal, the Developer must field survey the eight oak trees located along the southern portion of the property. Where physically and economically feasible, the subject trees must be incorporated into the project's landscaping and site development design. If necessary, the lateral branches of the preserved trees may be trimmed or pruned, though not in a manner that alters or limits their normal mature height or crown spread.
2. a. **For a Single-Family Detached use:** Prior to local development order approval for Single-Family Detached residences, along the north side of Tract "A", a 1.3-acre area of indigenous preserve must be delineated as shown on the approved Master Concept Plan with a minimum 25-foot width from the top of the Estero River bank. The 1.3-acre area of indigenous preserve must be dedicated to Lee County as a conservation easement, which must be maintained in perpetuity by the owner of the underlying fee, or where applicable, by an established homeowner's association or similar entity. In

addition, directly south of The Groves Subdivision, there must be a minimum total 50-foot wide (from the top of the Estero River bank) conservation easement area, including the indigenous preserve area. This additional area must also be dedicated to Lee County as described above.

- b. The only uses allowed within any conservation easement will be an earthen berm along the southern edge of the easement, gopher tortoise (burrow) relocation and management, and a single controlled access point to the Estero River. Single-family lot lines **may not** extend into any portion of any conservation easement - including any portion of the 1.3-acre area of indigenous preserve. Prior to local development order approval, draft language for the conservation easement or easements must be submitted for review and approval by the County Attorney's staff. Prior to issuance of a Vegetation Removal Permit, a copy of the recorded conservation easement or easements must be submitted.
 - c. **For all uses except Single-Family Detached:** A minimum 75-foot wide conservation easement (as measured from the Estero River top of bank) must be provided along the north side of Tract "A", except for those three areas indicated on attached Exhibit "D" (a document submitted as Applicant's Exhibit 11.a in the original zoning case approved by the Board of County Commissioners on March 15, 1999). The 75-foot wide conservation easement includes and encompasses the 1.3-acre area of indigenous preserve described in the subsections above, and must also be dedicated to Lee County as an additional conservation easement area. However, that portion of the 75-foot conservation easement - outside the 1.3-acre area of indigenous preserve - is not subject to the vegetative buffering requirements of subparagraph 3 hereinbelow. Lot lines cannot extend into any portion of the conservation easement or easements.
3. Within the proposed 1.3-acre area of indigenous preserve, in areas consisting of cleared, open tracts and/or dominated by non-native vegetation, a vegetative buffer made up of entirely of native plantings will be planted by the Developer as part of the initial phase of development. The vegetative buffer will attain an opacity of 75 percent and be eight feet tall within 12 months of planting. These plantings will be subject to compatibility with the Gopher Tortoise Management Plan and Staff approval. The vegetative buffer will consist of the following native species, which must be Florida Grade A, nursery-grown plants: a) Coco Plum; b) Wax Myrtle; c) Saw Palmetto; and d) Wild Coffee.

4. Preserve signs must be placed at the corner lot lines abutting the 1.3-acre area of indigenous preserve or, where applicable, the conservation easement, in such a manner as to notify all property owners. Prior to local development order approval, the location, size, and language to be used for the preserve signs must be submitted for the Division of Planning/Environmental Sciences Staff review and approval. Prior to the issuance of a Certificate of Compliance for the first phase of development within Tract "A," the preserve signs must be installed.
- B. The gopher tortoise management plan titled "Protected Species Management Plan" counter stamped April 21, 2000, dated July 31, 1998 and revised April 10, 2000 is hereby adopted. Prior to issuance of a Vegetation Removal Permit, the invasive exotics within the "Native Estero Bank Buffer & Protected Species Conservation Area" must be removed per the approved management plan. Should the native seed source not rejuvenate to provide sufficient forage for gopher tortoises, native plants appropriate for gopher tortoise foraging must be provided. The determination by Lee County Environmental Sciences Staff will be based on the quantity of vegetation available and the number of tortoises to be relocated to the preserve. If additional forage material is deemed necessary, all plantings must be approved by Environmental Sciences Staff.
5. The minimum 75-foot-wide conservation easement adjacent to and south of the Estero River top of bank along the north side of the subject property is **mandatory** for all the housing types - EXCEPT Single-Family Detached - approved for Tract "A." Single-Family Detached units must be developed in accordance with Condition 4 set out hereinabove. Lot lines cannot extend into any portion of the conservation easement or easements.
6. Prior to issuance of a local development order for the Single-Family Detached units in Tract "A," the Applicant must demonstrate, to the satisfaction of County Staff through the use of a HEC-2 model, that adequate flood plain protection has been provided for within the proposed development along the Estero River. HEC-2 modeling is not necessary for the other housing types which must comply with the 75-foot conservation easement and site development setbacks.
7. Approval of this zoning request does not address mitigation of the project's vehicular or pedestrian traffic impacts. Additional conditions consistent with the Lee County LDC may be required to obtain a local development order.
8. Approval of this amendment does not guarantee local development order approval. Future development order approvals must satisfy the requirements of the Lee Plan Planning Communities Map and Acreage Allocation Table, Map 16 and Table 1(b), be reviewed for, and found consistent with, the retail commercial standards for site area, including range of gross floor area, location, tenant mix and general function, as well as all other Lee Plan provisions.
9. This development must comply with all of the requirements of the LDC at the time of local development order approval, except as may be granted by deviations approved as part of this planned development.

10. Any existing agricultural use must be discontinued upon issuance of a local development order for the individual tract being utilized for agricultural purposes. (Republished Condition 12 from Zoning Resolution No. Z-98-093.)
11. The number of dwelling units approved by this zoning request on Tract "A" is limited to a maximum of 95 dwelling units for Single-Family Detached, and 105 units for all other types.

Not more than 35 units of any type of dwelling unit can be located on Tract "A" along the Estero River.

If any Single-Family Detached units are located on Tract "A", then all units on Tract "A" must be Single-Family Detached.

SECTION C. DEVIATIONS:

All deviations previously approved in Resolution No. Z-98-093 remain in full force and effect except as modified herein.

1. Deviation A.1 - WITHDRAWN AT HEARING.
2. Deviation A.2 - WITHDRAWN AT HEARING.

SECTION D. EXHIBITS:

The following exhibits are attached to this resolution and incorporated by reference:

- Exhibit A: The legal description (and sketch) and STRAP number of the property.
- Exhibit B: Zoning Map (with the subject parcel indicated).
- Exhibit C: The Master Concept Plan.
- Exhibit D: Applicant's Exhibit 11.a from the original zoning case approved by the Board of County Commissioners on March 15, 1999.

SECTION E. FINDINGS AND CONCLUSIONS:

1. The applicant has proven entitlement to the amendment by demonstrating compliance with the Lee Plan, the LDC, and any other applicable code or regulation.
2. The amendment, as approved:
 - a. meets or exceeds all performance and locational standards set forth for the potential uses allowed by the request; and,
 - b. is consistent with the densities, intensities and general uses set forth in the Lee Plan; and,
 - c. is compatible with existing or planned uses in the surrounding area; and,
 - d. will not place an undue burden upon existing transportation or planned infrastructure facilities and will be served by streets with the capacity to carry traffic generated by the development; and,

- e. will not adversely affect environmentally critical areas or natural resources.
3. The amendment satisfies the following criteria:
- a. the proposed use or mix of uses is appropriate at the subject location; and
 - b. the recommended conditions to the concept plan and other applicable regulations provide sufficient safeguard to the public interest; and
 - c. the recommended conditions are reasonably related to the impacts on the public interest created by or expected from the proposed development.
4. Urban services, as defined in the Lee Plan, are, or will be, available and adequate to serve the proposed land use.
5. The approved deviations, as conditioned, enhance achievement of the planned development objectives, and preserve and promote the general intent of LDC Chapter 34, to protect the public health, safety and welfare.

The foregoing resolution was adopted by the Lee County Board of Commissioners upon the motion of Commissioner John E. Albion, seconded by Commissioner Andrew Coy and, upon being put to a vote, the result was as follows:

Robert P. Janes	NAY
Douglas R. St. Cerny	AYE
Ray Judah	NAY
Andrew W. Coy	AYE
John E. Albion	AYE

DULY PASSED AND ADOPTED this 29th day of January, 2001.

ATTEST:
CHARLIE GREEN, CLERK

BY: *Ruth Hignier*
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: *[Signature]*
Chairman

Approved as to form by:

John S. Rodriguez
County Attorney's Office

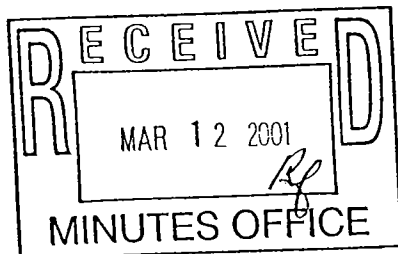


EXHIBIT "A"
LEGAL DESCRIPTION
Property located in Lee County, Florida

Banks Engineering, Inc. DCI 2000-00026
Professional Engineers, Planners & Land Surveyors
FORT MYERS • NAPLES • SARASOTA

DESCRIPTION OF A PARCEL OF LAND
LYING IN
SECTION 34, TOWNSHIP 46 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA
(KRISTEN WOODS CPD - TRACTS "B" THRU "E")

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTION 34, TOWNSHIP 46 SOUTH, RANGE 25 EAST AND BEING FURTHER BOUND AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 34, TOWNSHIP 46 SOUTH, RANGE 25 EAST; THENCE S01°10'40"E ALONG THE WEST LINE OF SAID SECTION 34 FOR 691.14 FEET; THENCE S89°50'12"E FOR 30.01 FEET TO THE EAST RIGHT-OF-WAY LINE OF SANDY LANE AND THE POINT OF BEGINNING; THENCE CONTINUE S89°50'12"E FOR 500.14 FEET; THENCE S01°10'40"E FOR 288.05 FEET TO AN INTERSECTION WITH A CURVE TO THE RIGHT, CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 2548.71 FEET AND TO WHICH INTERSECTION A RADIAL LINE BEARS N10°37'15"E; THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 01°28'26" FOR 65.57 FEET TO THE BEGINNING OF A REVERSE CURVE TO THE LEFT, CONCAVE NORTHERLY AND HAVING A RADIUS OF 1319.00 FEET; THENCE EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 29°14'19" FOR 673.10 FEET TO THE BEGINNING OF A REVERSE CURVE TO THE RIGHT HAVING A RADIUS OF 1053.20 FEET; THENCE EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 21°58'34" FOR 403.96 FEET; THENCE N01°07'24"W, NON-RADIALLY, FOR 225.34 FEET; THENCE S89°50'12"E FOR 329.56 FEET TO THE EAST LINE OF THE WEST HALF OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 34; THENCE S01°07'24"E ALONG SAID EAST LINE FOR 554.87 FEET TO THE NORTH RIGHT-OF-WAY LINE OF CORKSCREW ROAD (STATE ROAD S-850) AS DESCRIBED IN OFFICIAL RECORDS BOOK 1129, PAGE 1219 OF LEE COUNTY PUBLIC RECORDS; THENCE S89°37'03"W ALONG SAID NORTH RIGHT-OF-WAY LINE FOR 304.65 FEET; THENCE S86°45'18"W ALONG SAID NORTH RIGHT-OF-WAY LINE FOR 200.25 FEET; THENCE S89°37'03"W ALONG SAID NORTH RIGHT-OF-WAY LINE FOR 1200.00 FEET; THENCE N87°31'12"W ALONG SAID NORTH RIGHT-OF-WAY LINE FOR 200.25 FEET; THENCE S89°37'03"W ALONG SAID NORTH RIGHT-OF-WAY LINE FOR 60.00 FEET TO THE EAST RIGHT-OF-WAY LINE OF SANDY LANE; THENCE N00°22'57"W ALONG SAID RIGHT-OF-WAY LINE FOR 10.00 FEET; THENCE N89°35'43"E ALONG SAID RIGHT-OF-WAY LINE FOR 5.55 FEET; THENCE N01°10'40"W ALONG SAID RIGHT-OF-WAY LINE FOR 563.54 FEET WITH SAID EAST RIGHT-OF-WAY LINE BEING 30.00 FEET EASTERLY OF, AS MEASURED ON A PERPENDICULAR, THEN WEST LINE OF SAID SECTION 34 AND TO THE POINT OF BEGINNING.

BEARINGS ARE BASED ON THE WEST LINE OF THE NORTHWEST QUARTER OF
SECTION 34, TOWNSHIP 46 SOUTH, RANGE 25 EAST, AS BEARING S01°10'40"E.

DESCRIPTION PREPARED OCTOBER 6, 1998.
REVISED FEBRUARY 5, 2001.

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Applicant's Legal Checked
by gm 2/11/01

The applicant has indicated that the STRAP numbers for the subject property are:
34-46-25-00-00002.0000 & 34-36-25-00-00008.0000

(Page 2 of 5)

CASE NO: DCI2000-00026

SKETCH TO ACCOMPANY DESCRIPTION

A PARCEL OF LAND
LYING IN
SECTION 34, TOWNSHIP 46 SOUTH, RANGE 25 EAST,
LEE COUNTY, FLORIDA

(KRISTEN WOODS CPD - TRACTS "B" THRU "E")

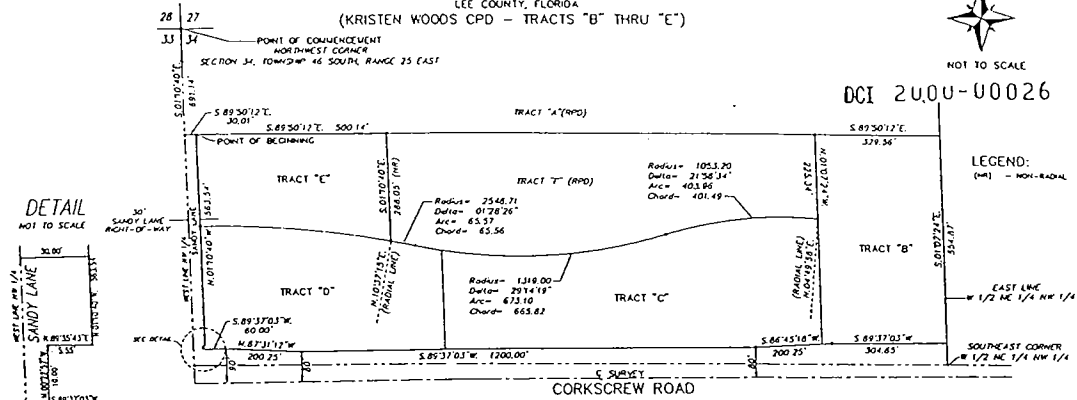


NOT TO SCALE

DCI 20,00-00026

LEGEND:

(NMR) - NON-RADICAL



THIS IS NOT A SURVEY

PREPARED BY
Danks Engineering, Inc.
PROFESSIONAL ENGINEERS, PLANNERS & LAND SURVEYORS
10601 SIX MILE CYPRESS PARKWAY - SUITE 104
FORT MYERS, FLORIDA 33912
(811) 838-5400
FLORIDA SURVEYING BUSINESS CERTIFICATION NUMBER LB 4600

Applicant's Legal Checked
by gmr 2/11/01

THOMAS R. LEHNER, JR.
PROFESSIONAL SURVEYOR & MAPPER
FLORIDA CERTIFICATION NO. 5541

THIS SKETCH IS NOT VALID UNLESS IT BEARS THE
SIGNATURE AND SEAL OF A FLORIDA
PROFESSIONAL SURVEYOR AND MAPPER

PREPARED OCTOBER 6, 1994

DCI 2000-00026

Banks Engineering, Inc.
Professional Engineers, Planners & Land Surveyors
FORT MYERS • NAPLES • SARASOTA

DESCRIPTION OF A PARCEL OF LAND
LYING IN
SECTION 34, TOWNSHIP 46 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA
(KRISTEN WOODS RPD - TRACTS "A" AND "F")

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTION 34, TOWNSHIP 46 SOUTH, RANGE 25 EAST AND BEING FURTHER BOUND AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 34, TOWNSHIP 46 SOUTH, RANGE 25 EAST; THENCE S89°50'12"E ALONG THE NORTH LINE OF THE NORTHWEST ONE QUARTER (NW1/4) OF SAID SECTION 34 FOR 30.01 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE S89°50'12"E ALONG SAID NORTH LINE FOR 1960.49 FEET TO THE EAST LINE OF THE WEST HALF (W1/2) OF THE NORTHEAST ONE QUARTER (NE1/4) OF THE NORTHWEST ONE QUARTER (NW1/4) OF SAID SECTION 34; THENCE S01°07'24"E ALONG SAID EAST LINE OF SAID FRACTION FOR 691.12 FEET; THENCE N89°50'12"W FOR 329.56 FEET; THENCE S01°07'24"E FOR 225.34 FEET TO AN INTERSECTION WITH A CURVE TO THE LEFT, HAVING A RADIUS OF 1053.20 FEET, AND TO WHICH POINT A RADIAL LINE BEARS N04°49'56"E; THENCE SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 21°58'34" FOR 403.96 FEET TO THE BEGINNING OF A REVERSE CURVE TO THE RIGHT, HAVING A RADIUS OF 1319.00 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 29°14'19" FOR 673.10 FEET TO THE BEGINNING OF A REVERSE CURVE TO THE LEFT, HAVING A RADIUS OF 2548.71 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 01°28'26" FOR 65.57 FEET; THENCE N01°10'40"W, NON-RADIALLY, FOR 288.05 FEET; THENCE N89°50'12"W FOR 500.14 FEET TO THE EAST RIGHT-OF-WAY LINE OF SANDY LANE; THENCE N01°10'40"W ALONG SAID EAST LINE, SAID EAST LINE BEING PARALLEL WITH AND LYING 30.00 FEET EASTERLY OF (AS MEASURED ON A PERPENDICULAR) THE WEST LINE OF THE NORTHWEST ONE QUARTER (NW1/4) OF SAID SECTION 34, FOR 691.14 FEET TO THE POINT OF BEGINNING.

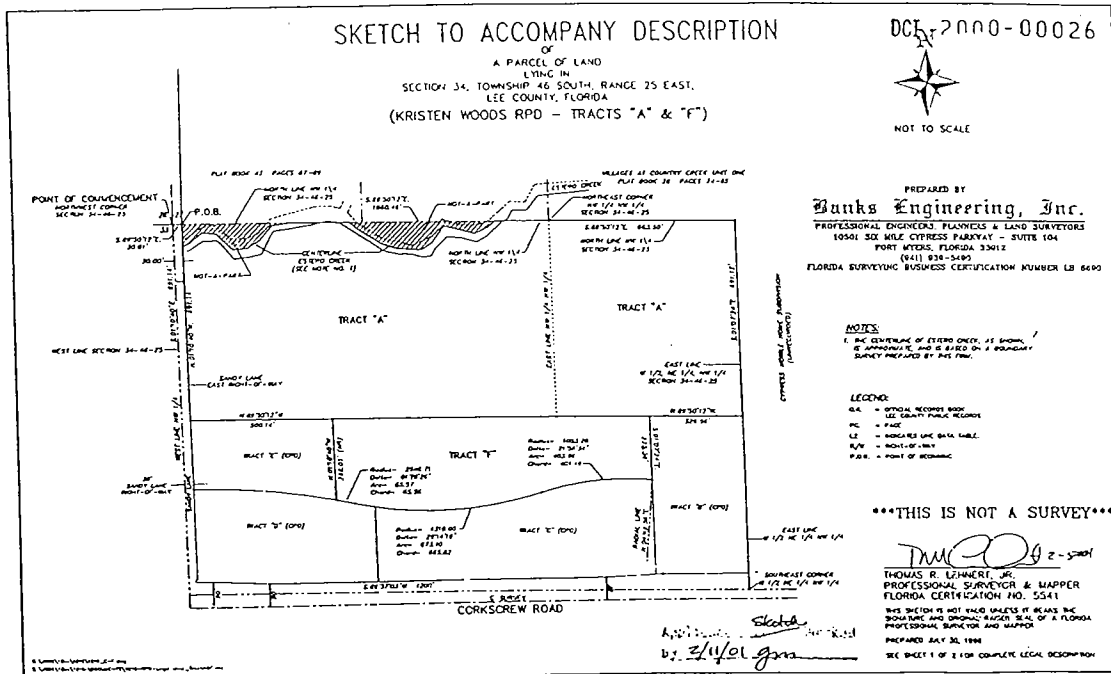
LESS AND EXCEPT ALL THAT LAND LYING NORTHERLY OF THE CENTERLINE OF THE ESTERO CREEK.

BEARINGS ARE BASED ON THE WEST LINE OF THE NORTHWEST QUARTER OF SECTION 34, TOWNSHIP 46 SOUTH, RANGE 25 EAST, AS BEARING S01°10'40"E.

DESCRIPTION PREPARED OCTOBER 6, 1998.
REVISED FEBRUARY 5, 2001.

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Applicant's Legal Checked
by 2/1/01 gm



ZONING MAP

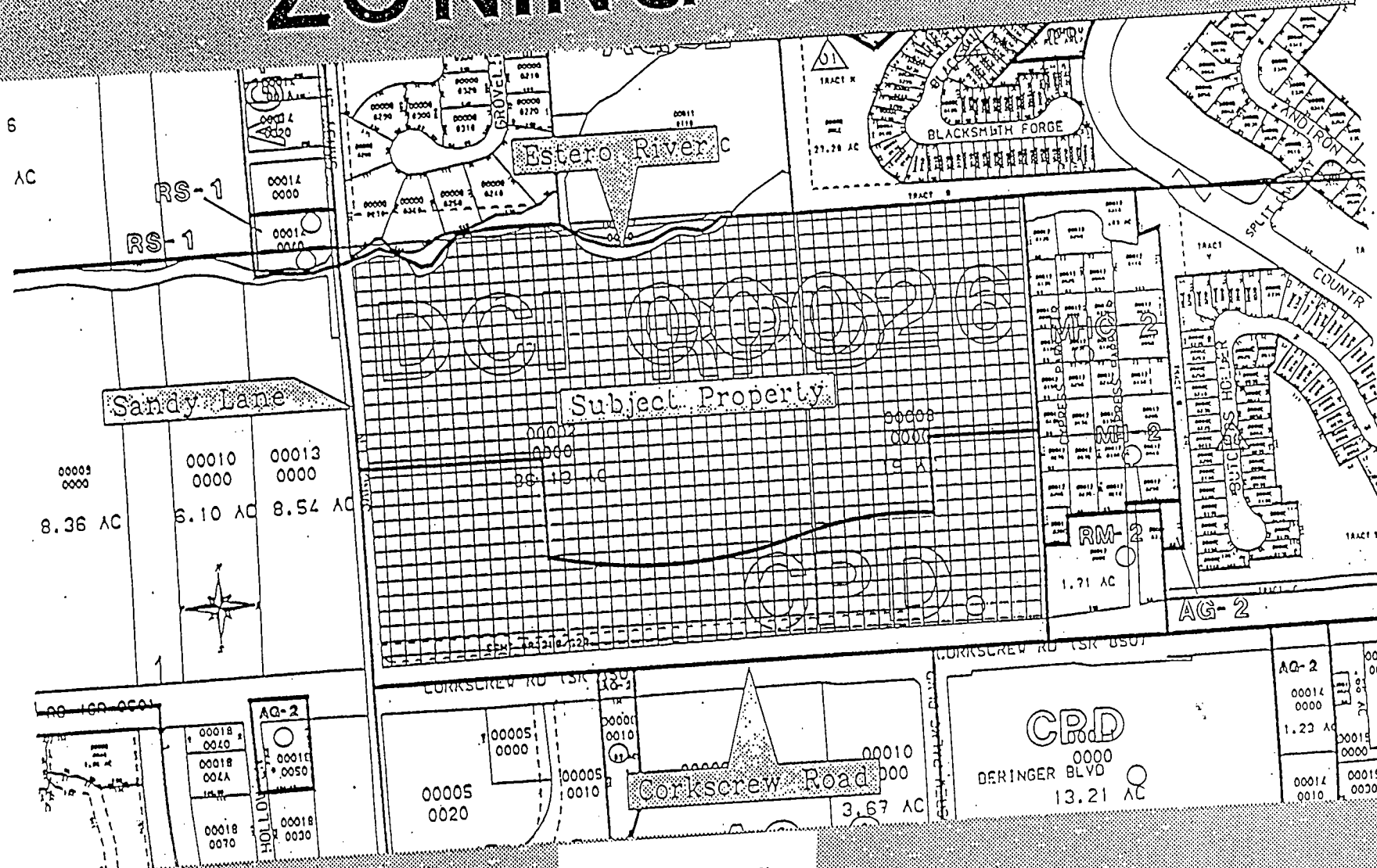


EXHIBIT "B"

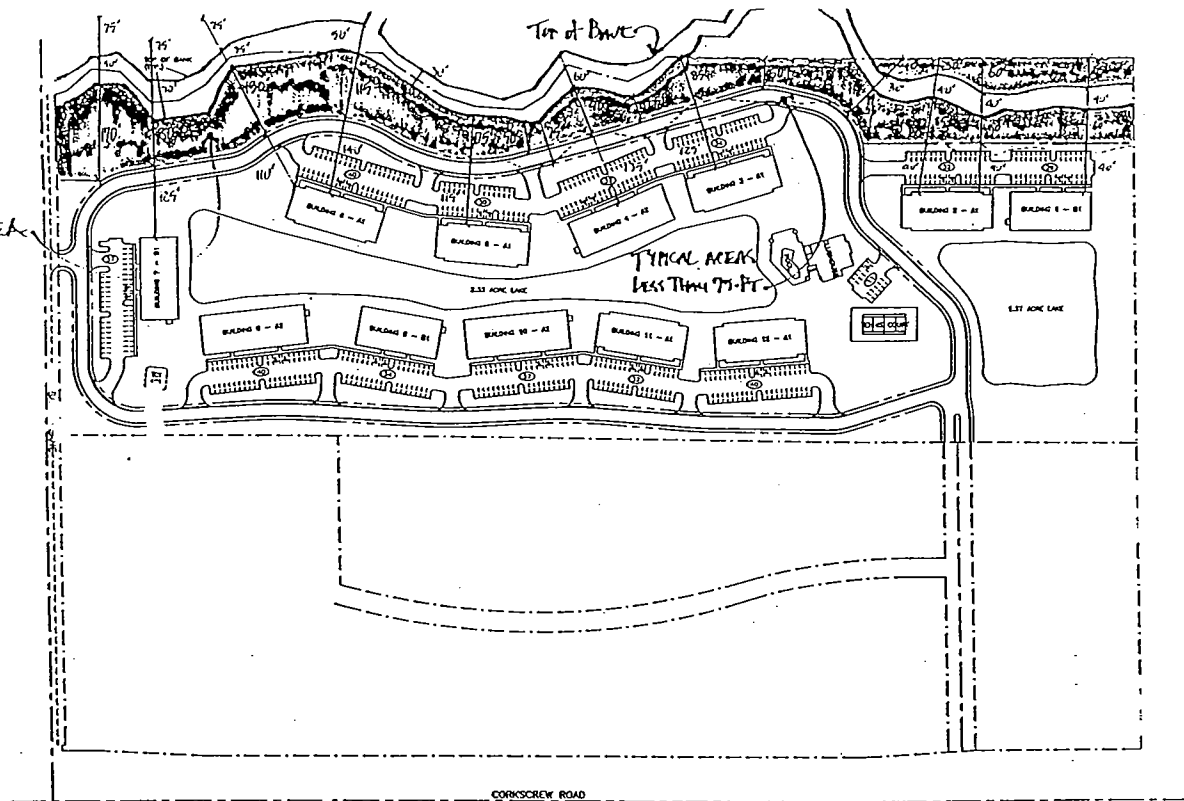
MIN. AREA ENCLOSURES:	
MIN. LOT AREA	20,000 SQ. FT.
MIN. LOT WIDTH	100 FT.
MIN. LOT DEPTH	100 FT.
MIN. BUILDING SETBACKS:	
STREET SETBACK	20 FT.
COMMONWEALTH ROAD SETBACK	20 FT.
SIDE SETBACKS	15 FT.
REAR SETBACKS	20 FT.
REAR SETBACK FROM WATER	20 FT.
MAX. BUILDING HEIGHT	35 FT./2 STOREYS

[illegible]

DCI 2000-00026
RECEIVED
FEB 16 2001

EXHIBIT "D"

DEVELOPMENT
SETBACK &
CONSERVATION AREA



SITE AREAS

2016 PARCEL AREA	= 4,307,024 SF	30.41 AC
2016 BUILDING AREA	= 1,179,241 SF	8.48 AC
2016 PAVEMENT AREA	= 1,131,763 SF	8.14 AC
2016 ROADWAY AREA	= 842,403 SF	6.07 AC
2016 DRIVEWAY AREA	= 528,215 SF	3.80 AC
2016 TOTAL PAVEMENT AREA	= 2,502,382 SF	18.08 AC
2016 TOTAL AREA	= 13,113 SF	0.09 AC
2016 TOTAL OPEN SPACE (TODAY) AREA	= 229,804 SF	1.65 AC
2016 TOTAL OPEN SPACE (TODAY) AREA	= 13,222 SF	0.09 AC
2016 TOTAL OPEN SPACE (TODAY) AREA	= 849,251 SF	6.13 AC
2016 TOTAL OPEN SPACE (TODAY) AREA	= 849,251 SF	6.13 AC

OPEN SPACE CALCULATIONS

REQUIRED: 4.4 = 4,307,024 SF	30.41 AC
PROVIDED: 1,179,241 SF (2016 BUILDING AREA)	8.48 AC
1,131,763 SF (2016 PAVEMENT AREA)	8.14 AC
842,403 SF (2016 ROADWAY AREA)	6.07 AC
528,215 SF (2016 DRIVEWAY AREA)	3.80 AC
13,113 SF (2016 TOTAL AREA)	0.09 AC

PARKING CALCULATIONS

REQUIRED:	
44 (1.41) + 84 (1.73) + 44 (2.01) = 172 SPACES	
PROVIDED:	
433 SPACES (INCLUDING 25 INVOICED)	

APPROVED

Master Concept Plan

Site Plan # 78-093 Page 2 of 3

Subject to conditions in Resolution 78-093