

ADMINISTRATIVE AMENDMENT PD-97-056

ADMINISTRATIVE AMENDMENT
LEE COUNTY, FLORIDA

WHEREAS, WCI Communities L.P. filed an application for administrative approval of additional deviations for a Residential Planned Development on a project known as Pelican Landing Parcel "R", for property located at 4541 Coconut Road, described more particularly as:

LEGAL DESCRIPTION: In Section 08, Township 47 South, Range 25 East, Lee County, Florida:

All that part of Section 08, Township 47 South, Range 25 East, Lee County, Florida, being more particularly described as follows:
BEGINNING at the Northwest corner of Tract "J", Pelican Landing Unit Twenty Five, as recorded in Plat Book 58, Pages 83 and 84, of the Public Records of Lee County, Florida, said point being on the North right-of-way line of Pelican Colony Boulevard;
THENCE along said North right-of-way line of Pelican Colony Boulevard, N59°45'12"W, 132.49 feet to a Point of Curvature;
THENCE Westerly 388.69 feet along the arc of a tangential circular curve concave to the South, having a radius of 500.00 feet, through a central angle of 44°32'25" and being subtended by chord which bears N82°01'25"W, 378.97 feet to a Point of Reverse Curvature;
THENCE leaving said right-of-way Northwest 49.05 feet along the arc of a tangential circular curve concave to the Northeast having a radius of 30.00 feet through a central angle of 93°41'20" and being subtended by a chord which bears N57°27'09"W, 43.77 feet;
THENCE N10°36'41"W, 77.24 feet to a Point of Curvature;
THENCE Northerly 52.92 feet along the arc of a tangential circular curve concave to the East, having a radius of 282.50 feet; through a central angle of 10°43'57" and being subtended by a chord which bears N05°14'42"W, 52.84 feet;
THENCE N00°07'17"E, 544.19 feet to Point of Curvature;
THENCE Northerly and Northeasterly 353.21 feet along the arc of a tangential circular curve concave to the Southeast having a radius of 357.50 feet, through a central angle of 56°36'30" and being subtended by a chord which bears N28°25'32"E, 339.02 feet;
THENCE N56°43'46"E, 252.78 feet to a Point of Curvature;
THENCE Northeasterly 56.95 feet along the arc of a tangential circular curve concave to the Northwest, having a radius of 302.50 feet, through a central angle of 10°47'12" and being subtended by a chord which bears N51°20'10"W, 56.87 feet to a Point of Reverse Curvature;
THENCE Northeasterly, Easterly and Southeasterly 42.82 feet along the arc of a tangential circular curve concave to the South, having a radius of 30.00 feet; through a central angle of 81°47'20" and being subtended by a chord which bears N86°50'10"E, 39.28 feet;

THENCE S52°16'14"E, 46.82 feet to a Point of Curvature;
THENCE Southeasterly and Easterly 135.48 feet along the arc of a
tangential circular curve concave to the Northeast having a radius of
287.50 feet through a central angle of 27°00'00" and being subtended
by a chord which bears S65°46'14"E, 134.23 feet;
THENCE S79°16'14"E, 236.95 feet;
THENCE S06°00'00"W, 480.30 feet;
THENCE S10°00'00"W, 531.05 feet to the Northeast corner of Tract
"D" of said Pelican Landing Unit Twenty Five;
THENCE along the Northerly boundary of Tracts "D" and "J" of said
Pelican Landing Unit Twenty Five, S45°00'00"W, 228.55 feet to the
POINT OF BEGINNING.
Subject to easements, restrictions, reservations, or rights-of-way of
record.
Bearings are based on the North right-of-way line of Pelican Colony
Boulevard as being North 59°45'12"W.
Containing 19.32 gross \pm acres.

WHEREAS, the property was originally rezoned in case number 95-01-050.04Z 02.01;
and

WHEREAS, the Lee County Land Development Code provides for certain
administrative changes to planned development master concept 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
administrative approval for an amendment to a Residential Planned Development to add the
following deviations:

- 1) Deviation from LDC Section 10-296(k)(1) which requires that a cul-de-sac be
constructed with a minimum outside diameter of 90 feet diameter to permit an outside
diameter of 85 feet [Deviation No. 1 on approved plan];
- 2) Deviation from LDC Section 10-296(k)(3) which requires that the transition from the
cul-de-sac pavement to the regular approaching pavement be in compliance with
Section 10-714 to permit a transition as depicted on the approved plan [Deviation No.
2 on approved plan];

- 3) Deviation from LDC Section 10-328(a) which requires a 20 foot wide lake maintenance easement to allow a 10 foot wide maintenance easement as shown on the approved plan [Deviation No. 3 on approved plan];
- 4) Request to modify Condition 11.a of resolution Z-94-014 to reduce the minimum required lot width of 40 feet to a width of 15 feet for those lots shown on the approved plan [Deviation No. 13 on approved plan];
- 5) Request to modify Condition 11.b of resolution Z-94-014 to:
 - a) Reduce the minimum setback for a principal structure from a water body from the required 15 feet to 10 feet where a bulkhead is proposed [Deviation No. 4 on approved plan];
 - b) Reduce the minimum setback for a principal structure from a street from the required 15 feet to 10 feet for those units with side entry garages [Deviation No. 5 on approved plan];
 - c) Reduce the minimum setback for a principal structure from the rear property line from the required 15 feet to 10 feet [Deviation No. 6 on approved plan];
- 6) Deviation from LDC Section 10-329(e)(1)(a) from the minimum required setback for a body of water from the street right-of-way for a local street from the required 25 feet to 15 feet [Deviation No. 7 on approved plan];
- 7) Deviation from LDC Section 10-355(a)(1) which requires 10 foot wide utility easements on each side of the street right-of-way to permit the required easements to be located within the street right-of-way [Deviation No. 8 on approved plan];
- 8) Deviation from LDC Section 10-254(b) which discourages double frontage lots to permit double frontage lots as shown on the approved plan [Deviation No. 9 on approved plan];
- 9) Deviation from LDC Section 10-254(c) which requires that side lot lines be radial to curved street lines to permit side lot lines as shown on the approved plan [Deviation No. 10 on approved plan];
- 10) Deviation from LDC Section 10-329(e)(4) which requires that excavations for water retention be sloped at a ratio of not greater than 4:1 and 2:1 to permit bulkheads as shown on the approved plan [Deviation No. 11 on approved plan];
- 11) Deviation from LDC Section 34-2221(4)(c) which allows for irregularly shaped lots on cul-de-sacs with nonparallel side lot lines to have a minimum street frontage less than the required provided that the side lot lines are radial to the center point of the cul-de-sac with a minimum angle of 45 degrees to permit the lot widths shown on the approved plan [Deviation No. 12 on approved plan];

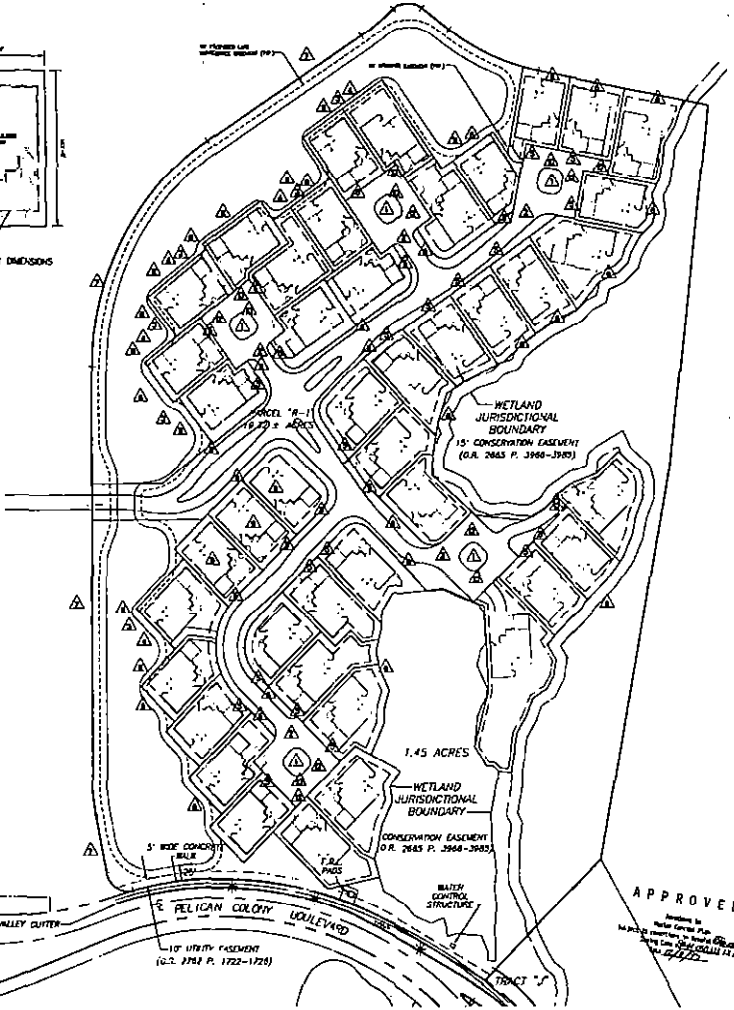
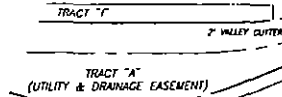
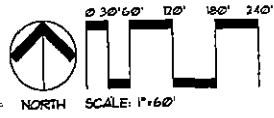
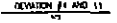
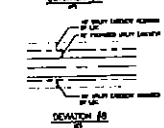
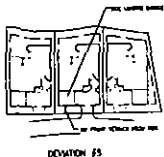
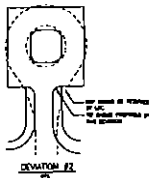
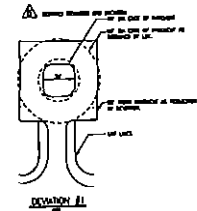
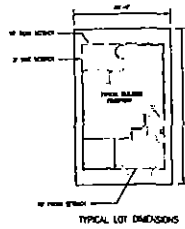
is APPROVED.

Approval is subject to the following conditions:

1. The Development must be in compliance with the approved site plan entitled "Brentwood" as prepared by Wilson, Miller, Barton and Peek, Inc., dated November 18, 1997, stamped received at the permit counter on December 10, 1997.
2. The terms and conditions of the original zoning resolution and any amending resolutions remain in full force and effect.
3. Deviation from LDC Section 10-328(a) (listed as #3 on the approved plan) is approved provided written confirmation of "no objection" is provided by the entity responsible for the maintenance of the lake.
4. Deviation from LDC Section 10-329(e)(1)(a) (listed as #7 on the approved plan) is approved provided that the street is constructed with Type "F" curb and gutter on the side adjacent to the lake and adequate protection for wayward vehicles is provided. The protection devices will be subject to review and approval by the Development Services Division.
5. Deviation from LDC Section 10-355(a)(1) (listed as #8 on the approved plan) is approved provided that the streets will be private, the design of the streets is acceptable to the appropriate Homeowners Association, and the responsibility for maintenance of the streets will rest with the Homeowners Association. In addition, any utility lines located beneath the pavement shall be constructed of heavier than standard material.
6. Deviation from LDC Section 10-254(b) (listed as #9 on the approved plan) is approved provided that the Development Order plans and recorded plat specifically state that access to the double frontage lots will be from the "internal" road only, and not from the "main entrance" road.
7. Deviation from LDC Section 10-329(e)(4) (listed as #11 on the approved plan) is approved provided that the maximum 4:1 slope will begin at a point no lower than the dry season water table elevation line, and extend to a minimum of 4 feet below the dry season water table elevation line.
8. Site Plan PD-97-056 is hereby APPROVED and adopted. A reduced copy is attached hereto.

DULY SIGNED this 11th day of December, A.D., 1997.

BY: Mary Gibbs
Mary Gibbs, Director
Department of Community Development



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**BRENTWOOD
PELICAN LANDING
ADMINISTRATIVE AMENDMENT
PREPARED FOR: WCI COMMUNITIES, L.P.**

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Sheet 1 of 1