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ADMINISTRATIVE AMENDMENT PD-98-026/1

ADMINISTRATIVE AMENDMENT
LEE COUNTY, FLORIDA

WHEREAS, WCI Communities LP and Las Palmas Villas Ltd. filed an application for administrative approval to a Residential Planned Development on a project known as Pelican Landing Parcel "R" for an amendment to a previously approved Administrative Amendment PD-97-056 on property located at 4541 Coconut Road, Bonita Springs, described more particularly as:

LEGAL DESCRIPTION: All that part of Section 08, Township 47 South, Range 25 East, Lee County, Florida, being more particularly described as follows:

Parcel R-1:

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 388.68 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°32'24" and being subtended by chord which bears

N82°01'24"W, 378.97 feet to a Point of Reverse Curvature;

THENCE leaving said right-of-way Northwesterly 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°40'55" 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°47'15" and being subtended by a chord which bears N51°20'10"E, 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 more or less acres.

Parcel R-2:

All that part of Section 08, Township 47 South, Range 25 East, Lee County, Florida, being more particularly described as follows:

Commencing at the Northeast corner of Tract "D", PELICAN LANDING UNIT TWENTY-FIVE, according to the plat thereof as recorded in Plat Book 58, Pages 83 and 84 of the Public Records of Lee County, Florida;
THENCE leaving the boundary of said Tract "D" along the boundary of those lands as recorded in Official Record Book 2906, Pages 4032 through 4034, Public Records of Lee County, Florida, in the following two (2) described courses:

1. N10°00'00"E, 531.05 feet;
2. N06°00'00"E, 480.30 feet to the POINT OF BEGINNING of the parcel herein described;

THENCE continue along said boundary of those lands in the following four (4) described courses;

1. N79°16'14"W, 236.95 feet;
2. Westerly and Northwesterly, 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 N65°46'14"W, 134.23 feet;
3. N52°16'14"W 46.82 feet;
4. Northwesterly 23.76 feet along the arc of a tangential circular curve concave to the Southwest having a radius of 30.00 feet, through a central angle of 45°22'34" and being subtended by a chord which bears N74°57'27"W 23.14 feet to a Point of Cusp;

THENCE leaving said curve and said boundary of those lands recorded in Official Record Book 2906, Pages 4032 through 4034, N82°21'16"E, 84.62 feet;

THENCE S83°16'32"E, 164.32 feet;
THENCE S55°28'52"E 204.60 feet;
THENCE S06°00'00"W 9.99 feet to the POINT OF BEGINNING of the parcel herein described;
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 N59°45'12"W.
Containing 0.57 gross acres, more or less.

Parcel R-3

All that part of Section 08, Township 47 South, Range 25 East, Lee County, Florida, being more particularly described as follows:

Commencing at the Northeast corner of Tract "D", PELICAN LANDING UNIT TWENTY-FIVE, according to the plat thereof as recorded in Plat Book 58, Pages 83 and 84 of the Public Records of Lee County, Florida;
THENCE leaving the boundary of said Tract "D" along the boundary of those lands as recorded in Official Record Book 2906, Pages 4032 through 4034, Public Records of Lee County, Florida, in the following two (2) described courses:

1. N10°00'00"E, 531.05 feet;
2. N06°00'00"E, 480.30 feet;

THENCE leaving said boundary of those lands, continue N06°00'00"E 9.99 feet;

THENCE N55°28'52"W 204.60 feet;

THENCE N83°16'32"W, 164.32 feet;

THENCE S82°21'16"W, 84.62 feet to a point on said boundary of those lands recorded in Official Record Book 2906, Pages 4032 through 4034, and the POINT OF BEGINNING of the parcel herein described;

THENCE along said boundary of those lands in the following eight (8) described courses:

1. Continue along said curve, Southwesterly 19.07 feet along the arc of said curve concave to the Southeast, through a central angle of 36°24'46" and being subtended by a chord which bears S64°08'53"W, 18.75 feet to a point of reverse curvature;
2. Southwesterly 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°47'15" and being subtended by a chord which bears S51°20'10"W, 56.87 feet;
3. S56°43'46"W, 252.78 feet;
4. Southwesterly and Southerly 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°36'31" and being subtended by a chord which bears S28°25'32"W, 339.02 feet;
5. S00°07'17"W, 544.19 feet;
6. Southerly 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 S05°14'42"E
52.84 feet;

7. S10°36'41"E, 77.24 feet
8. Southeasterly, 4905. 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°40'55" and being subtended by a chord which bears S57°27'09"E, 43.77 feet to a point on the North right-of-way line of Pelican Colony Boulevard as shown on said plat of "PELICAN LANDING UNIT TWENTY-FIVE";

THENCE leaving said lands recorded in Official Record Book 2906, Page 4032, along said North right-of-way line in the following two (2) described courses:

1. S74°01'23"W, 29.39 feet;
2. Westerly 90.31 feet along the arc of a tangential circular curve concave to the North, having a radius of 500.00 feet, through a central angle of 10°20'57" and being subtended by a chord which bears S77°30'39"W, 90.19 feet to the Southeast corner of Tract I of said "PELICAN LANDING UNIT TWENTY-FIVE";

THENCE leaving said right-of-way line along the East line of said Tract I, N00°07'17"E, 20.18 feet to the Northeast corner of said Tract I;

THENCE leaving said boundary of PELICAN LANDING UNIT TWENTY-FIVE, continue N00°07'17"E, 486.45 feet;

THENCE N70°21'18"W, 97.41 feet;

THENCE N03°42'28"E, 87.05 feet;

THENCE N19°38'44"E, 69.30 feet;

THENCE N33°58'02"E, 123.29 feet;

THENCE N19°38'44"E, 203.89 feet;

THENCE N63°10'51"E, 247.18 feet;

THENCE N59°43'46"E, 184.12 feet;

THENCE N82°21'16"E, 45.71 feet to the POINT OF BEGINNING of the parcel herein.

Subject to easements, restrictions, reservation, or rights-of-way of record.

Bearings are based on the North right-of-way line of Pelican Colony Boulevard as being N59°45'12"W.

Containing 2.10 gross acres, more or less.

WHEREAS, the property was originally rezoned in case number 94-04-05-DRI-01 [with subsequent amendments in case numbers 95-01-050.04Z 02.01, 95-01-050.04Z 03.01, 95-01-050.04Z 04.01, 95-01-050.04Z 06.01, 95-01-050.04Z 06.01, 95-01-050.04Z 07.01, 95-01-050.13A 01.01, 95-01-050.13A, 02.01, 95-01-050.13A 03.01, 95-01-050.13A 04.01, 95-01-050.13A 05.01, 95-01-050.13A 06.01, 95-01-050.13A 07.01, 95-01-050.13A 08.01, 95-01-050.13A 09.01, 95-01-050.13A 10.01, 95-01-050.13A 11.01, 95-01-050.13A 12.01 and 95-01-050.13A 13.01]; and

WHEREAS, a previously approved Administrative Amendment PD-97-056 was approved in December of 1997; and

WHEREAS, the applicant requests adding 2.67 acres and 7 additional dwelling units for a total of 21.99 acres and 49 dwelling units within Las Palmas Villas; and

WHEREAS, the applicant requests deviations on the overall 21.99 acres and 49 dwelling units; 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 administrative approval for an amendment to Residential Planned Development is APPROVED for a) the additional 2.67 acres and 7 dwelling units and for b) 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; 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 10 foot radius [Deviation No.2 on the 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 easement as shown on approved plan [Deviation No. 3 on approved plan];
- 4) Deviation to modify condition 11.b. of resolution Z-94-014 to:
 - a) 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.4];
 - b) Reduce the setback for a principal structure from a water body from the required 15 feet to 10 feet where a bulkhead is proposed [Deviation No.5];
 - c) Reduce the minimum setback for a principal structure from the rear property line from the required 15 feet to 5 feet [Deviation No. 6];

- 5) 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];
- 6) 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];
- 7) Deviation from LDC Section 10-254(c) which requires side lot lines be radial to curved street lines; to permit side lot lines as shown on the approved plan [Deviation No.9];
- 8) 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. 10 on approved plan];
- 9) 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 [Definition No. 11 on the approved plan];
- 10) 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. 12];

Approval is subject to the following conditions:

1. **The Development must be in compliance with the approved site plan entitled "Las Palmas" as prepared by Wilson, Miller, Barton and Peek, Inc. dated march 12, 1998, stamped received at the permit counter on March 19, 1998.**
2. **The terms and conditions of the original zoning 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" from 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 some type of guardrail or similar traffic barrier be placed on each side of the internal street where it crosses the lake and adequate protection for wayward vehicles be provided between the north side of the internal street and the lake. The protection design 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 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 10-329(e)(4) (listed as #10 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.
7. Site Plan PD-98-026/1 is hereby APPROVED and adopted. A reduced copy is attached hereto.

DULY SIGNED this 6th day of May, A.D., 1998.

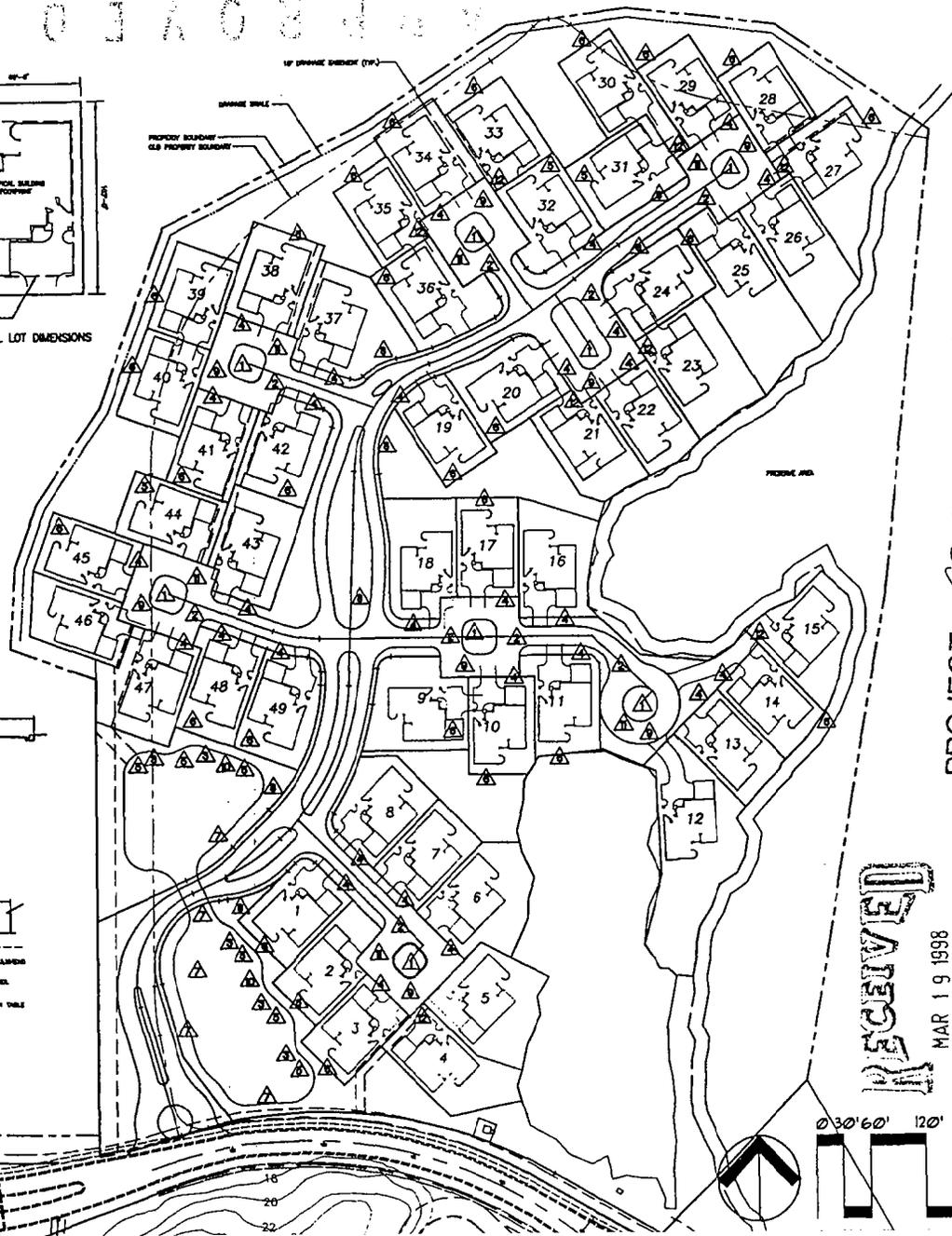
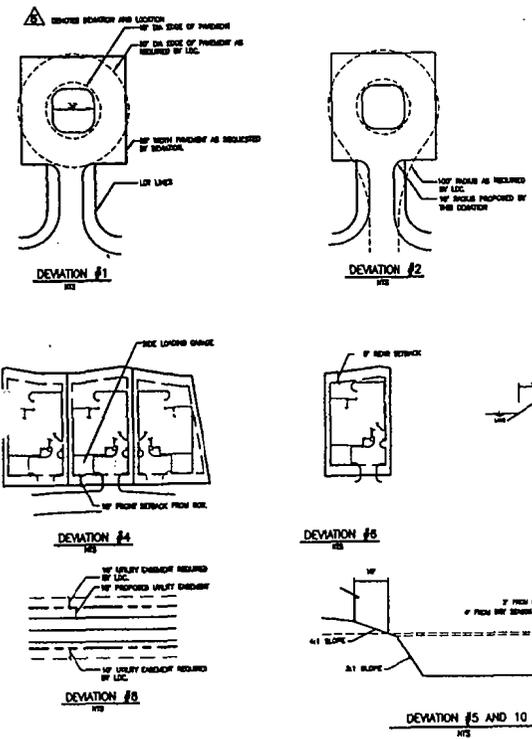
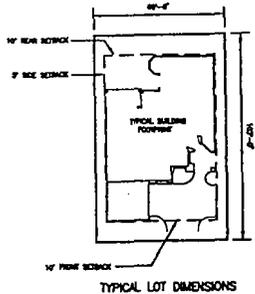
BY: Mary Gibbs
Mary Gibbs, Director
Department of Community Development

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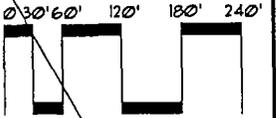
DEVIATIONS REQUESTED

1. REQUEST TO ACCEPT THE DEVIATION OF PARALLEL TO REAR EDGE OF CURB OR INSIDE EDGE OF PARADISE FROM THE REAR BOUNDARY OF 10' TO 10'-0" TO ALLOW FOR 10' OUTSIDE DIAMETER APPROACHING THROUGH TURN IN CURB TO 10'-0" TO ALLOW FOR TRANSMISSION AS SHOWN.
2. REQUEST TO ACCEPT THE DEVIATION FROM 10'-0" TO 10'-0" TO ALLOW FOR 10' OUTSIDE DIAMETER APPROACHING THROUGH TURN IN CURB TO 10'-0" TO ALLOW FOR TRANSMISSION AS SHOWN.
3. REQUEST TO ACCEPT THE APPROACH SHAPE FROM 10'-0" TO 10'-0" TO ALLOW FOR 10' OUTSIDE DIAMETER APPROACHING THROUGH TURN IN CURB TO 10'-0" TO ALLOW FOR TRANSMISSION AS SHOWN.
4. REQUEST TO ACCEPT THE APPROACH SHAPE FROM 10'-0" TO 10'-0" TO ALLOW FOR 10' OUTSIDE DIAMETER APPROACHING THROUGH TURN IN CURB TO 10'-0" TO ALLOW FOR TRANSMISSION AS SHOWN.
5. REQUEST TO ACCEPT THE APPROACH SHAPE FROM 10'-0" TO 10'-0" TO ALLOW FOR 10' OUTSIDE DIAMETER APPROACHING THROUGH TURN IN CURB TO 10'-0" TO ALLOW FOR TRANSMISSION AS SHOWN.
6. REQUEST TO ACCEPT THE APPROACH SHAPE FROM 10'-0" TO 10'-0" TO ALLOW FOR 10' OUTSIDE DIAMETER APPROACHING THROUGH TURN IN CURB TO 10'-0" TO ALLOW FOR TRANSMISSION AS SHOWN.
7. REQUEST TO ACCEPT THE APPROACH SHAPE FROM 10'-0" TO 10'-0" TO ALLOW FOR 10' OUTSIDE DIAMETER APPROACHING THROUGH TURN IN CURB TO 10'-0" TO ALLOW FOR TRANSMISSION AS SHOWN.
8. REQUEST TO ACCEPT THE APPROACH SHAPE FROM 10'-0" TO 10'-0" TO ALLOW FOR 10' OUTSIDE DIAMETER APPROACHING THROUGH TURN IN CURB TO 10'-0" TO ALLOW FOR TRANSMISSION AS SHOWN.
9. REQUEST TO ACCEPT THE APPROACH SHAPE FROM 10'-0" TO 10'-0" TO ALLOW FOR 10' OUTSIDE DIAMETER APPROACHING THROUGH TURN IN CURB TO 10'-0" TO ALLOW FOR TRANSMISSION AS SHOWN.
10. REQUEST TO ACCEPT THE APPROACH SHAPE FROM 10'-0" TO 10'-0" TO ALLOW FOR 10' OUTSIDE DIAMETER APPROACHING THROUGH TURN IN CURB TO 10'-0" TO ALLOW FOR TRANSMISSION AS SHOWN.
11. REQUEST TO ACCEPT THE APPROACH SHAPE FROM 10'-0" TO 10'-0" TO ALLOW FOR 10' OUTSIDE DIAMETER APPROACHING THROUGH TURN IN CURB TO 10'-0" TO ALLOW FOR TRANSMISSION AS SHOWN.
12. REQUEST TO ACCEPT THE APPROACH SHAPE FROM 10'-0" TO 10'-0" TO ALLOW FOR 10' OUTSIDE DIAMETER APPROACHING THROUGH TURN IN CURB TO 10'-0" TO ALLOW FOR TRANSMISSION AS SHOWN.
13. REQUEST TO ACCEPT THE APPROACH SHAPE FROM 10'-0" TO 10'-0" TO ALLOW FOR 10' OUTSIDE DIAMETER APPROACHING THROUGH TURN IN CURB TO 10'-0" TO ALLOW FOR TRANSMISSION AS SHOWN.



PROJECT # 95-01-050-13A
 PROJECT TYPE 05

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 MAR 19 1998
 PERMIT CENTER



WILSON MILLER
 Planners - Environmental Consultants - Engineers
 Surveyors - Landscape Architects - Construction Managers
 1000 West 10th Street, Suite 100
 Portland, Oregon 97201
 Phone: 503/222-1234

LAS PALMAS
 PELICAN LANDING
 ADMINISTRATIVE AMENDMENT
 PREPARED FOR: WCI COMMUNITIES, INC.

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