

ADMINISTRATIVE AMENDMENT (PD) ADD2000-00131

ADMINISTRATIVE AMENDMENT
LEE COUNTY, FLORIDA

WHEREAS, Neese & Associates, Inc., on behalf of WCI Communities, Inc., filed an application for administrative approval to allow the development of Phase II to include 18 residential units on a project known as Harbor Villas Residential Planned Development, Lots 34-39 and 59-70, on property located on Matecumbe Key Road, described more particularly as:

LEGAL DESCRIPTION: In Section 06, Township 43 South, Range 23 East, Lee County, Florida:

See Legal Description (Attached as Exhibit A)

WHEREAS, the applicant has indicated the Phase II properties' current STRAP numbers are: 06-43-23-00000.0340, 06-43-23-00000.0350, 06-43-23-00000.0360, 06-43-23-00000.0370, 06-43-23-00000.0380, 06-43-23-00000.0390, 06-43-23-00000.0590, 06-43-23-00000.0600, 06-43-23-00000.0610, 06-43-23-00000.0620, 06-43-23-00000.0630, 06-43-23-00000.0640, 06-43-23-00000.0650, 06-43-23-00000.0660, 06-43-23-00000.0670, 06-43-23-00000.0680, 06-43-23-00000.0690, 06-43-23-00000.0700, and 06-43-23-00004.0030; and

WHEREAS, the property was originally rezoned to Residential Planned Development in case number DCI957891 (master number 97-08-081.02Z 01.01), Zoning Resolution Z-98-005, with a subsequent amendment in case number ADD2000-00119; and

WHEREAS, WCI Communities, Inc., the owner of the subject site, has duly authorized Neese & Associates, Inc., to act as their agent in regards to the subject amendment; and

WHEREAS, an administrative amendment to allow the development of Phase II following the approval of a Small Scale Comprehensive Plan Amendment from the Rural to the Outlying Suburban Land Use Category was required per Zoning Resolution Z-98-005, Condition #3; and

WHEREAS, the Small Scale Plan Amendment, Ordinance No. 00-16, was adopted by the Lee County Board of County Commissioners on August 8, 2000 with an effective date of September 8, 2000; 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 allow the development of Phase II to include 18 residential units on a project known as Harbor Villas Residential Planned Development, Lots 34-39 and 59-70, is **APPROVED** subject to the following conditions:

1. The Development must be in compliance with the amended Master Concept Plan, dated 7/97, last revised 7/00, and stamped received by the Permit Counter August 7, 2000. Master Concept Plan for ADD2000-00131 is hereby APPROVED and adopted. A reduced copy is attached hereto.
2. Prior to the issuance of a Final Certificate of Compliance, the applicant must provide evidence of compliance with Zoning Resolution Z-98-005, Condition #10, pertaining to an Emergency Preparedness Plan.
3. Prior to the issuance of a Final Certificate of Compliance for the development, the applicant must provide evidence that the Declaration of Covenants and the Articles of Incorporation have been properly executed, recorded in the records of Lee County and accepted and recorded at the Florida Division of Land Sales and Condominiums.
4. The terms and conditions of the original zoning resolutions remain in full force and effect, except as may be amended herein.

DULY SIGNED this 8th day of September, A.D., 2000.

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

EXHIBIT "A"

LEGAL DESCRIPTION

A parcel of land lying in Section 6, Township 43 South, Range 23 East, Lee County, Florida, comprised of three parcels as follows:

Parcel A-2

The North 415.00 feet of the East 565.71 feet of the West 1697.13 feet of the North 830.00 feet of the South 1660.00 feet of Section 6, Township 43 South, Range 23 East, Lee County, Florida.

Parcel A-3

The North 415.00 feet of the East 565.71 feet of the West 2262.84 feet of the North 830.00 feet of the South 1660.00 feet of Section 6, Township 43 South, Range 23 East, Lee County, Florida.

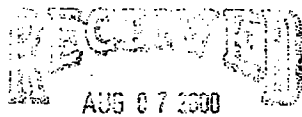
Parcel L

The North 830.00 feet of the West 1131.43 feet of the South 1660.00 feet of Section 6, Township 43 South, Range 23 East, Lee County, Florida.

More particularly described as follows:

Commencing at the Southwest corner of Section 6, Township 43 South, Range 23 East, thence run along the West line of aforesaid Section 6, N 00°33'37" E a distance of 830.60 feet to the Southwest corner of the aforementioned Parcel L also being the Point of Beginning; thence continue along the West line of aforesaid Section 6, N 00°33'37" E a distance of 830.60 feet also being the West line of Parcel L to the North line of the South 1660 feet of the aforesaid Section 6; thence run N 88°22'02" E a distance of 2264.49 feet along the North line of the South 1660 feet of the aforesaid Section 6, also being the North line of the aforementioned Parcels L, A-2 and A-3 to the Northeast corner of Parcel A-3; thence run S 00°33'37" W a distance of 415.30 feet along the East line of Parcel A-3 to the Southeast corner of Parcel A-3; thence run S 88°22'02" W for a distance of 1132.24 feet to the Southwest corner of Parcel A-2 also being on the East line of Parcel L; thence run S 00°33'37" W for a distance of 415.30 feet along the East line of Parcel L to the Southeast corner of Parcel L; thence run S 88°22'02" W for a distance of 1132.25 feet along the South line of Parcel L to the Point of Beginning.

Applicant's Legal Checked
by gm 8/14/00



PERMIT COUNTER

ADD 2000-00131

job number 970019.00
draw norms 9719MCPA1096
scale back 1" = 100'
sheet 1 of 1 sheets