

ADMINISTRATIVE AMENDMENT (PD) ADD2004-00067A

ADMINISTRATIVE AMENDMENT
LEE COUNTY, FLORIDA

WHEREAS, Landmar Group, LLC filed an application for administrative approval to a Residential Planned Development on a project known as Hawks Haven to allow modification to the Master Concept Plan to:

1. Revise the Master Concept Plan to show the emergency access as required in Condition 8, Lee County Zoning Resolution Z-99-056; and
2. Revise Environmental Condition 3.e, Lee County Zoning Resolution Z-99-056; and
3. Revise Environmental Condition 3.f, Lee County Zoning Resolution Z-99-056; and
4. Relocate Open Storage and Golf Maintenance Facilities to allow for the changes to the access and preservation areas; and
5. Show the location of a proposed 20+/- acre school site,

on property located in Alva, described more particularly as:

LEGAL DESCRIPTION: In Sections 25, 26, 27, 34, 35 & 36, Township 43 South, Range 26 East, Lee County, Florida:

See Legal Description attached hereto as Exhibit A

WHEREAS, the property was originally rezoned in case number DCI962447; 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 application has been reviewed by Lee County Development Services, Lee County Environmental Sciences, and Lee County Department of Natural Resources; and

WHEREAS, the applicant has requested to modify the Indigenous Preservation areas; and

WHEREAS, there is an overall increase in the amount of Indigenous Preservation areas; and

WHEREAS, the applicant is requesting to provide an emergency access from the property to the west of the subject property; and

WHEREAS, Condition 8 Lee County Resolution Z-99-056, requires that emergency access be provided to the west of the subject property; and

WHEREAS, the emergency access will be provided to access through the proposed Portico property to the west; and

WHEREAS, an access agreement has been provided to show the emergency access to the abutting property to the west; and

WHEREAS, the School District of Lee County is proposing a new school on the subject property; and

WHEREAS, the proposed school site is for the development of a public school for the Lee County Board of Education; and

WHEREAS, the relocation and/or reconfiguration of on-site facilities include Golf Maintenance Facility Open Storage areas, and certain residential development areas; and

WHEREAS, the relocation of the Open Storage and Golf Maintenance Facilities will not create an increased impact on surrounding properties due to the increased buffer provided on page 2 of the attached Master Concept Plan; and

WHEREAS, the proposed changes will not create an increase in density or intensity; 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 to allow modifications to the Master Concept Plan is **APPROVED** to:

1. Revise the Master Concept Plan to show the emergency access as required in Condition 8 of Lee County Zoning Resolution Z-99-056; and
2. Revise Environmental Condition 3.e, Zoning Resolution Z-99-056; and
3. Revise Environmental Condition 3.f, Zoning Resolution Z-99-056; and
4. Relocate Open Storage and Golf Maintenance Facilities to coincide with the changes to access and preservation areas; and
5. Show the location of a proposed 20+/- acre school site.

Approval is subject to the following conditions:

1. **The Development must be in compliance with the amended two-page Master Concept Plan, entitled Hawks Haven Master Concept Plan dated May 19, 2004,**

stamped received by the Permit Counter on May 20, 2004 . Master Concept Plan for ADD2004-00067 is hereby APPROVED and adopted. A reduced copy is attached hereto.

2. The terms and conditions of the original zoning resolutions remain in full force and effect, except as amended herein.
3. Condition 3.e of Lee County Zoning Resolution Z-99-056 is amended to read as follows:

Open space must be provided per the open space table on the Master Concept Plan counter-stamped received July 15, 1999. May 12 19, 2004. The open space table provides 643.9 acres of preserves and lakes. The golf course tract provides 531 acres of open space. All individual tracts, excluding tracts of single family lots greater than 6,500 square feet, must provide a minimum of ten percent open space within the tract. Individual tract open space may be met with private open space.

4. Condition 3.f of Lee County Zoning Resolution Z-99-056 is amended to read as follows:

Indigenous open space must be provided per the "Impact and Mitigation Plan" dated February 22, 1999 revised May 5, 1999. A minimum of 463.09 acres of indigenous preservation areas must be provided in substantial compliance with the Master Concept Plan. The preserves must be delineated on the local development order plans when they are within or adjacent to the development phase or tract being developed.

5. The school site is limited to a Public School operated by the School District of Lee County.
6. Outdoor Storage Areas must be in compliance with Section 34-3001 et seq, of the Lee County Land Development Code with the additional requirements as outlined on page 2 of the attached Master Concept Plan, including a 200-foot setback and enhanced buffer.
7. The Golf Course Maintenance Facility shall be landscaped at the time of Development Order Approval, in accordance with the two-page Master Concept Plan, entitled Hawks Haven Master Concept Plan dated May 19, 2004..

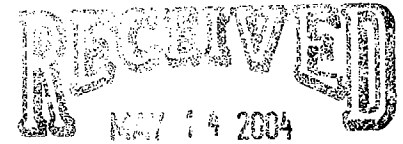
DULY SIGNED this 4th day of June, A.D., 2004.

BY: _____

Pam Houck, Director
Zoning Division
Department of Community Development

DESCRIPTION

Parcel in
Sections 25, 26, 27 34, 35 and 36, Township 43 South, Range 26 East
Lee County, Florida



PUBLIC COUNTER

A tract or parcel of land lying in Sections 25, 26, 27 34, 35 and 36, Township 43 South, Range 26 East, Lee County, Florida, said tract or parcel of land being more particularly described as follows:

Beginning at the Southeast corner of said Section 34 run $N00^{\circ}59'34''W$ along the East line of the Southeast Quarter ($SE \frac{1}{4}$) of said Section 34 for 2,654.70 feet to the East Quarter Corner of said Section 34; thence run $S89^{\circ}15'30''W$ along the North line of the South Half ($S \frac{1}{2}$) of said Section 34 for 5,100.92 feet to a point on a non-tangent curve at the intersection with the Easterly line of lands described in a deed recorded in Official Record Book 4107, at Page 886, Lee County Records; thence run northwesterly along said Easterly line and along an arc of curve to the left of radius 240.00 feet (delta $21^{\circ}30'24''$) (chord bearing $N34^{\circ}21'11''W$) (chord 89.56 feet) for 90.09 feet to a point of tangency; thence run $N45^{\circ}06'23''W$ along said Easterly line for 156.71 feet to a point of curvature; thence run northwesterly along said Easterly line and along an arc of curve to the left of radius 240.00 feet (delta $06^{\circ}54'55''$) (chord bearing $N48^{\circ}33'50''W$) (chord 28.95 feet) for 28.97 feet to and intersection with the West line of the Northwest Quarter ($NW \frac{1}{4}$) of said Section 34; thence run $N00^{\circ}49'55''W$ along said West line for 2,437.57 feet to the Southwest Corner of said Section 27, being designated as POINT "A"; thence run $N00^{\circ}49'48''W$ along the West line of the Southwest Quarter ($SW \frac{1}{4}$) of said Section 27 for 659.59 feet to the Southwest corner of the Northwest Quarter ($NW \frac{1}{4}$) of the Southwest Quarter ($SW \frac{1}{4}$) of the Southwest Quarter ($SW \frac{1}{4}$) of said Section 27; thence run $N89^{\circ}06'39''E$ along the South line of the North Half ($N \frac{1}{2}$) of the Southwest Quarter ($SW \frac{1}{4}$) of the Southwest Quarter ($SW \frac{1}{4}$) of said Section 27 for 1,318.66 feet to the Southeast corner of the Northeast Quarter ($NE \frac{1}{4}$) of the Southwest Quarter ($SW \frac{1}{4}$) of the Southwest Quarter ($SW \frac{1}{4}$) of said Section 27; thence run $S00^{\circ}50'33''E$ along the East line of the Southwest Quarter ($SW \frac{1}{4}$) of the Southwest Quarter ($SW \frac{1}{4}$) of said Section 27 for 66.37 feet to an intersection with the Northerly right of way line of the former Seaboard All Florida Railroad (100 feet wide); thence run $N89^{\circ}00'08''E$ along said Northerly right of way line for 659.34 feet to an intersection with the East line of the Southwest Quarter ($SW \frac{1}{4}$) of the Southeast Quarter ($SE \frac{1}{4}$) of the Southwest Quarter ($SW \frac{1}{4}$) of said Section 27; thence run along said East line $N00^{\circ}50'55''W$ for 65.12 feet to the Northeast corner of said Fraction; thence run $S89^{\circ}06'39''W$ along the North line of said Fraction for 659.33 feet to the Southeast corner of the Northeast Quarter ($NE \frac{1}{4}$) of the Southwest Quarter ($SW \frac{1}{4}$) of the Southwest Quarter ($SW \frac{1}{4}$) of said Section 27; thence run $N00^{\circ}50'33''W$ along the East line of said Fraction for 660.48 feet to the Northeast Corner of said Fraction; thence run $S89^{\circ}04'20''W$ along the North line of said Fraction for 659.26 feet to the Southeast corner of the Southwest Quarter ($SW \frac{1}{4}$) of the Northwest Quarter ($NW \frac{1}{4}$) of the Southwest Quarter ($SW \frac{1}{4}$) of said Section 27; thence run $N00^{\circ}50'10''W$ along the East line of said Fraction for 660.23 feet to the Northeast Corner of said Fraction; thence run $S89^{\circ}02'22''W$ along the North line of said Fraction for 659.19 feet to an intersection with the West line of the Southwest Quarter ($SW \frac{1}{4}$) of said Section 27; thence run $N00^{\circ}49'48''W$ along said West line for 659.85 feet to the West Quarter Corner of said Section 27; thence run $N00^{\circ}47'16''W$ along the West line of the Northwest Quarter ($NW \frac{1}{4}$) of said Section 27 for 1,328.51 feet to an intersection with the Southerly right of way line of State Road 80, (150 feet wide); thence run $N77^{\circ}10'14''E$ along said Southerly right of way line for 2,020.27 feet to and intersection with the West line of the Southeast Quarter ($SE \frac{1}{4}$) of the Northeast Quarter ($NE \frac{1}{4}$) of the Northwest Quarter ($NW \frac{1}{4}$) of said Section 27;

DESCRIPTION (cont.)

thence run S00°50'17"E along said West line for 421.56 feet to the Southwest Corner of said Fraction, being designated as POINT "B"; thence run N88°54'52"E along the South line of said Fraction for 658.74 feet to an intersection with the West line of the East Half (E 1/2) of said Section 27; thence run S00°51'17"E along said West line for 3,420.35 feet to an intersection with the North line of the South 50 feet of said former Seaboard All Florida Railroad right of way (100 feet wide); thence run N89°00'08"E along said North line for 7,949.61 feet to an intersection with the West line of the Southwest Quarter (SW 1/4) of said Section 25; thence run N00°33'55"W along said West line for 50.00 feet to an intersection with the Northerly right of way line of the former Seaboard All Florida Railroad (100 feet wide); thence run N89°00'08"E along said right of way line for 5,295.61 feet to an intersection with the East line of the Southeast Quarter (SE 1/4) of said Section 25; thence run S01°39'28"E along said East line for 629.62 feet to the Northeast Corner of said Section 36 being designated as POINT "C"; thence run S00°16'51"E along the East line of the Northeast Quarter (NE 1/4) of said Section 36 for 2,647.36 feet to the East Quarter Corner of said Section 36; thence run S00°45'42"E along the East line of the Southeast Quarter (SE 1/4) of said Section 36 for 2,644.68 feet to the Southeast Corner of said Section 36; thence run S89°12'27"W along the South line of the Southeast Quarter (SE 1/4) of said Section 36 for 2,644.62 feet to the South Quarter Corner of said Section 36; thence run S89°11'43"W along the South line of the Southwest Quarter (SW 1/4) of said Section 36 for 2,643.63 feet to the Southeast Corner of said Section 35; thence run N00°43'38"W along the East line of the Southeast Quarter (SE 1/4) of said Section 35 for 2,635.53 feet to the East Quarter Corner of said Section 35; thence run S89°04'31"W along the North line of the Southeast Quarter (SE 1/4) of said Section 35 for 2,647.42 feet to the Center of Section 35; thence run S00°47'45"E along the West line of the Southeast Quarter (SE 1/4) of said Section 35 for 1,982.29 feet to the Southwest Corner of the North Half (N 1/2) of the Southwest Quarter (SW 1/4) of the Southeast Quarter (SE 1/4) of said Section 35; thence run N88°57'10"E along the South line of said Fraction for 1,322.53 feet to an intersection with the West line of the Southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4) of said Section 35; thence run S00°47'27"E along said West line for 660.06 feet to an intersection with the South line of the Southeast Quarter (SE 1/4) of said Section 35; thence run S88°54'06"W along said South line for 1,321.81 feet to the South Quarter Corner of said Section 35; thence run S88°53'41"W along the South line of the Southwest Quarter (SW 1/4) of said Section 35 for 2,642.70 feet to the POINT OF BEGINNING.

LESS and EXCEPT the following described parcels.

From the point designated as POINT "A" run N89°08'57"E along the South line of the Southwest Quarter (SW 1/4) of said Section 27 for 1,318.80 feet to the Southwest Corner of the Southwest Quarter (SW 1/4) of the Southeast Quarter (SE 1/4) of the Southwest Quarter (SW 1/4) of said Section 27 and POINT OF BEGINNING.

From said Point of Beginning run N00°50'33"W along the West line of said Fraction for 494.10 feet to an intersection with the Southerly right of way line of the former Seaboard All Florida Railroad (100 feet wide); thence run N89°00'08"E along said Southerly right of way line for 659.35 feet to and intersection with the East line of said Fraction; thence run S00°50'55"E along said West line for 495.79 feet to the Southeast Corner of said Fraction; thence run S89°08'57"W along the South line of said Fraction for 659.40 feet to the POINT OF BEGINNING.

RECEIVED
MAY 11 2004
CIVIL ENGINEER

DESCRIPTION (cont.)

AND

From the point designated as POINT "B" run S88°54'52"W along the South line of the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of said Section 27 for 658.74 feet to the Northeast Corner of the Northeast Quarter (NE 1/4) of the Southwest Quarter (SW 1/4) of the Northwest Quarter (NW 1/4) of said Section 27 and POINT OF BEGINNING.

From said Point of Beginning run S00°49'17"E along the East line of said Fraction for 660.13 feet to the Southeast Corner of said Fraction; thence run S88°57'38"W along the South line of said Fraction for 658.93 feet to the Southwest Corner of said Fraction; thence run N00°48'16"W along the West line of said Fraction for 659.60 feet to the Northwest Corner of said Fraction; thence run N88°54'52"E along the North line of said Fraction for 658.74 feet to the POINT OF BEGINNING.

AND

From the point designated as POINT "C" run S88°44'46"W along the South line of the Southeast Quarter (SE 1/4) of said Section 25 for 2,674.22 feet to the South Quarter Corner of said Section 25 and POINT OF BEGINNING.

From said Point of Beginning run S89°12'44"W along the South line of the Southwest Quarter (SW 1/4) of said Section 25 for 2,633.46 feet to the Southeast Corner of said Section 26; thence run S89°14'15"W along the South line of the Southeast Quarter (SE 1/4) of said Section 26 for 1,327.50 feet to the Southwest Corner of the Southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4) of said Section 26; thence run N00°23'46"W along West line of said Fraction for 526.48 feet to an intersection with the Southerly right of way line of the former Seaboard All Florida Railroad (100 feet wide); thence run N89°00'08"E along said Southerly right of way line for 3,955.57 feet to an intersection with the East line of the Southwest Quarter (SW 1/4) of said Section 25; thence run S00°58'48"E along said East line for 541.54 feet to the POINT OF BEGINNING.

Containing a Total Area of 1,797.26, more or less.

Bearings hereinabove mentioned are State Plane for the Florida West Zone (1983/90 adjustment) and are based on the west line of the Northwest Quarter (NW 1/4) of said Section 34 to bear N00°49'55"W.

Applicant's Legal Checked

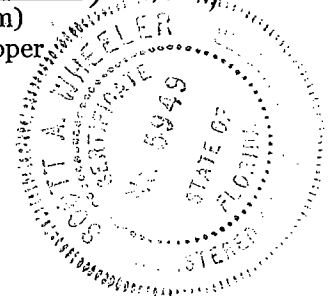
by AMM 17 MAY 04

Scott A. Wheeler 5/14/04
Scott A. Wheeler (For The Firm)
Professional Surveyor and Mapper
Florida Certificate No. 5949

L:\21988 - Hawks Haven\DESC\21988SKo4desc.doc

RECEIVED
MAY 14 2004

FRONT COVER



THIS IS NOT A SURVEY

Scott A. Wheeler
SCOTT A. WHEELER (FOR THE FIRM - LB-6940)
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERTIFICATE NO. 5949

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

ADD 2004-00067

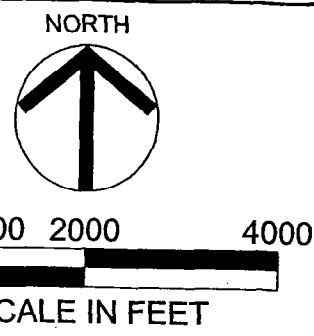
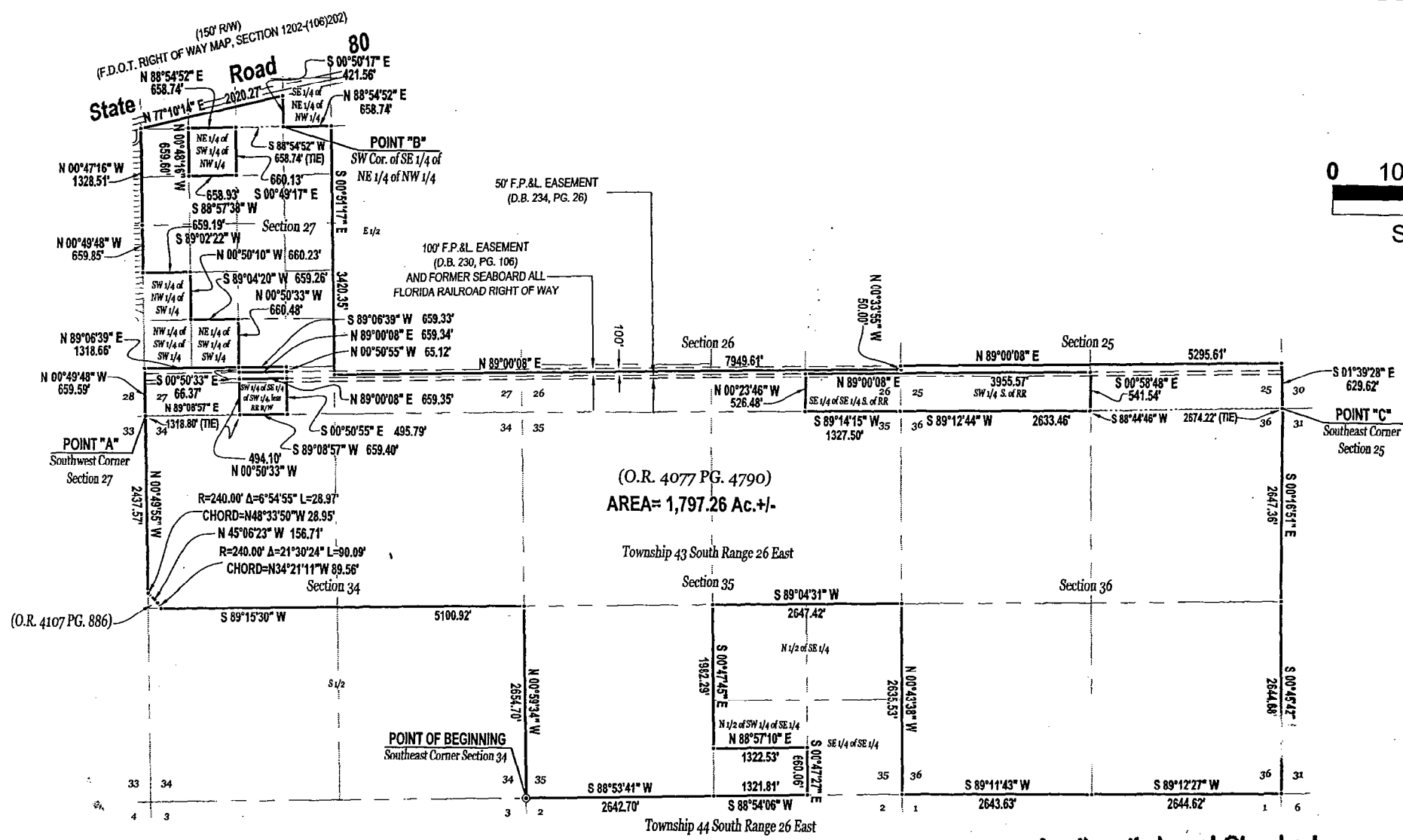
RECEIVED
MAY 14 2004

PERMIT CENTER

Applicant's Legal Checked by *Agg* 17 MAY 04

NOTES:

1. ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.
2. O.R. - DENOTES OFFICIAL RECORD BOOK, LEE COUNTY PUBLIC RECORDS.
3. PG. - DENOTES PAGE.
4. D.B. - DENOTES DEED BOOK, LEE COUNTY PUBLIC RECORDS.
5. BEARINGS AS SHOWN ARE BASED ON THE WEST LINE OF THE NORTHWEST 1/4 OF SECTION 34 TO BEAR NORTH 00°49'55" WEST.
6. DESCRIPTION IS ATTACHED



Barraco and Associates, Inc. CIVIL ENGINEERING - LAND SURVEYING LAND PLANNING - LANDSCAPE DESIGN www.barraco.net 2271 MCGREGOR BOULEVARD POST OFFICE BOX 2800 FORT MYERS, FLORIDA 33902-2800 PHONE (239) 481-3170 FAX (239) 481-3169 FLORIDA CERTIFICATE OF AUTHORIZATION ENGINEERING 7595 - SURVEYING LB-8940 PREPARED FOR	
 2202 NORTH WEST SHORE BOULEVARD SUITE 125 TAMPA, FLORIDA 33607 PHONE (813) 207-0138 FAX (813) 764-6398	
PROJECT DESCRIPTION	
HAWK'S HAVEN	
PART OF SECTIONS 25, 26, 27, 34, 35 AND 36 TOWNSHIP 43 SOUTH RANGE 26 EAST LEE COUNTY, FLORIDA	
PROJECT SURVEYOR	
 NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER	
FILE NAME	219830.DWG
LAYOUT	LAYOUT
LOCATION	131 HAWK'S HAVEN SURVEYING AND MAP
PLOT DATE	PRI 5-14-2004 - 2:08 PM
PLOT BY	PICTOR OLSEN
DRAWING DATA	
SURVEY DATE	05-13-04
DRAWN BY	PTD
CHECKED BY	SAW
SCALE	1"=200'
FIELD BOOK	
PLAN REVISIONS	
STRAP NUMBERS	
SKETCH TO ACCOMPANY DESCRIPTION	
PROJECT / FILE NO.	SHEET NUMBER

[illegible][illegible]

CATEGORY	AGE/AGE
PLATINUM	63.15
DIAMANT	46.57
POUR LE DÉFI	54.90
CONGRATULATIONS ET BON VOYAGE	49.25
LOUPE (100)	306.16
RECEVONS VOS MEILLEURS SOUS-CONTES	314.89
CHIFFRE D'ÉVALUATION	
REGISTRATION DES ÉVALUÉS	30.00
SCHOOL LIFE	35.00
SALES & INFORMATION CENTER	2.10
GOUL D'OR MATH	10.00
GOUL D'OR MATHS	3.85
TOTAL PROJET AGE/AGE	797.55

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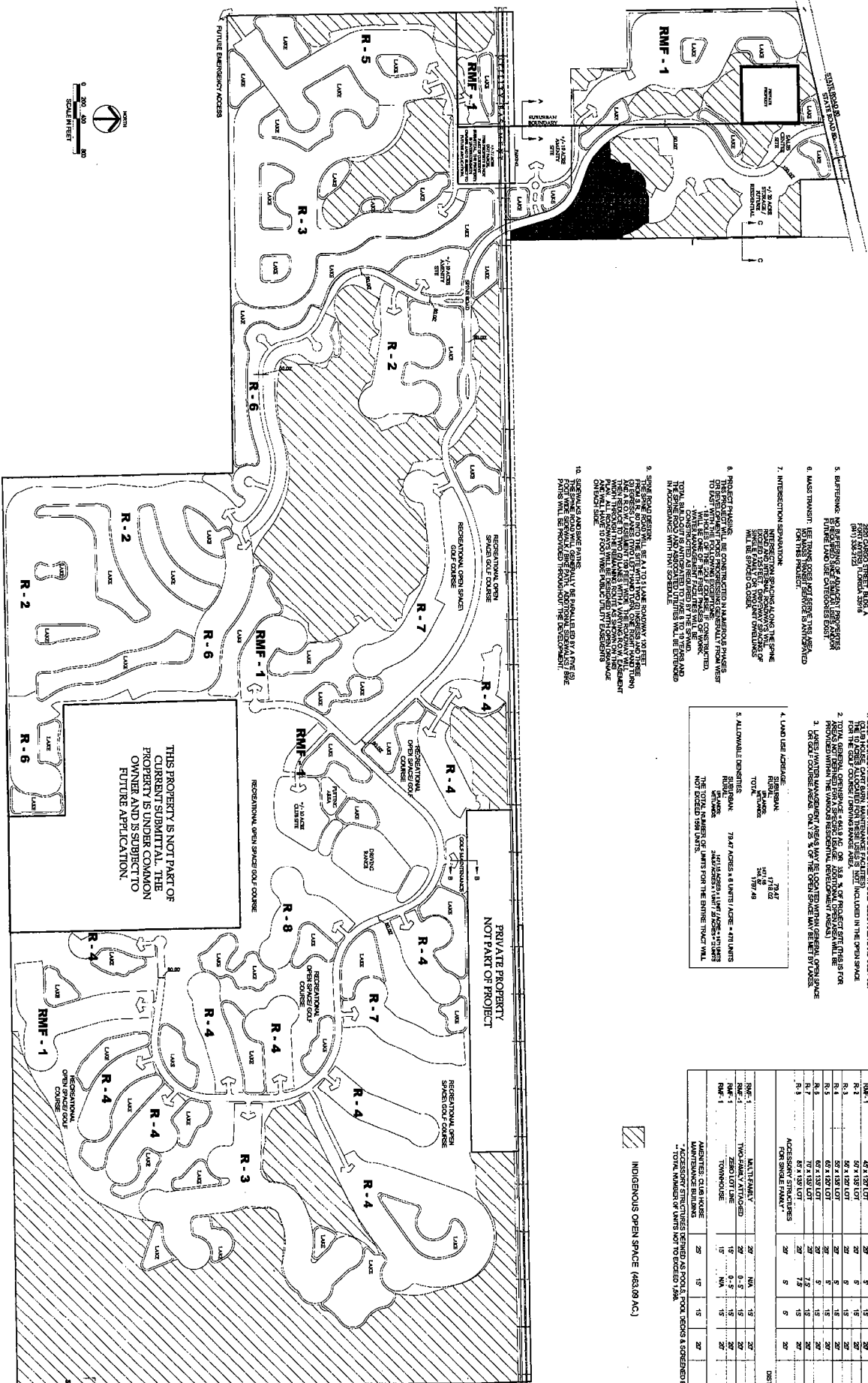
PARCEL	LAND USE
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1. ALL STRUCTURES WITHIN THE PROJECT RESPECTING CLIMATE RESILIENT INFRASTRUCTURE BUILDING AND OTHER ACCESSORY FACILITIES ARE LIMITED TO 3 STORYS IN HEIGHT.
2. LOTS CONNECTING DIRECTLY TO THE MAIN HIGHWAY SHALL NOT HAVE DIRECT BACKCUT ONTO THE HIGHWAY. DESIGNER/DEVELOPER SHALL BE PROVIDED.
3. ZEROED LOT LINE, AND TWO FAMILY ATTACHED LOTS IN MULTIFAMILY AREAS SHALL HAVE A MINIMUM AREA OF 4,000 SQ. FT.
4. MULTIFAMILY BUILDING PARCELS SHALL HAVE A MINIMUM AREA OF 20,000 SQ. FT. AND MINIMUM LOT OF 150.
5. MULTIFAMILY LOTS IN MULTIFAMILY AREAS SHALL HAVE A MINIMUM AREA OF 2,500 S.F. TOWNHOUSE LOTS IN MULTIFAMILY AREAS SHALL HAVE A MINIMUM AREA OF 2,500 S.F.

TOTAL DEVELOPMENT

DEVELOPMENT STANDARDS									
PRICE	LAND USE	ROAD			SEWER		EDGE OF		LOT COVERAGE
		BIKE	REAR	WATER	BIKE	WATER			
R#1-1	RESIDENTIAL	20'	5'	15'	5'	15'	20'	60%	
R-1	60 x 120 LOT	20'	5'	15'	5'	15'	20'	60%	
R-1	50 x 120 LOT	20'	5'	15'	5'	15'	20'	60%	
R-1	40 x 120 LOT	20'	5'	15'	5'	15'	20'	60%	
R-1	30 x 120 LOT	20'	5'	15'	5'	15'	20'	60%	
R-1	60 x 120 LOT	20'	5'	15'	5'	15'	20'	60%	
R-1	50 x 120 LOT	20'	5'	15'	5'	15'	20'	60%	
R-1	40 x 120 LOT	20'	5'	15'	5'	15'	20'	60%	
R-1	30 x 120 LOT	20'	5'	15'	5'	15'	20'	60%	
R-1	20 x 120 LOT	20'	5'	15'	5'	15'	20'	60%	
R-1	10 x 120 LOT	20'	5'	15'	5'	15'	20'	60%	
DISTANCE BETWEEN BLOSS									
R#1-1	MULTI-FAMILY TWO-UNIT/TWO- ZERO LOT LINE	20'	NA	15'	20'	20'	20'	15'	
R#1-1	TOWNHOUSE	15'	NA	15'	20'	20'	20'	20'	
DISTANCE TO CURB MAINTENANCE BUILDING									
		25'	15'	15'	20'			10'	

* ACCESSORY STRUCTURES DEFINED AS POOLS, POOL DECKS & SCREENED ENCLOSURES
 ** TOTAL NUMBER OF UNITS NOT TO EXCEED 1,598.



THIS PROPERTY IS NOT PART OF
CURRENT SUBMITTAL. THE
PROPERTY IS UNDER COMMON
OWNER AND IS SUBJECT TO
FUTURE APPLICATION.

APPROVED
 Approved to
 Pastor Conner Film
 sent to Cass 4/20/04 sent to
 Date 4/20/04
 Date 4/14/04
 Received
 MAY 10 2004
 TOLSON COPY 77338

ADD 2004-00067

HAWKS HAVEN

MASTER CONCEPT PLAN

Baracco
and Associates, Inc.
CITIZENSHIP: U.S.A. and FOREIGN
LAND: ALL TYPES, DOMESTIC AND
INTERNATIONAL

www.baracco.net
2211 MADISON BOULEVARD
FLOOR FOUR, SUITE 2000
AUSTIN, TEXAS 78705-3500
PHONE (737) 487-5175
FAX (737) 487-5186

FLORIDA CREDIT COUNCIL OF ALTERNATIVE INVESTMENT OPPORTUNITIES
EXHIBITION 7881 - INTERNATIONAL LANDMARKS

LandMar
GROUP, LLC

APRIL 2004

2382 NORTH WEST 34TH BOULEVARD
SUITE 125
TAMPA, FLORIDA 33607

PHONE: (813) 287-0738
FAX: (813) 764-0588

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