

ADMINISTRATIVE AMENDMENT PD-97-038

ADMINISTRATIVE AMENDMENT
LEE COUNTY, FLORIDA

WHEREAS, WCI Communities, L.P. filed an application for administrative approval to amend the Unit Eighteen & Pinewater Minor Residential Planned Development. The request is for property located at 3637 Olde Cottage Lane within the Cottages at Pelican Landing, described more particularly as:

LEGAL DESCRIPTION: In Section 21, Township 47 South, Range 25 East, Lee County, Florida:

Lot 22, Block A, Unit 18, PELICAN LANDING UNIT EIGHTEEN
SUBDIVISION, as recorded in Plat Book 56, Pages 21-26, of the
Public Records of Lee County, Florida, lying in Section 21, Township
47 South, Range 25 East, Lee County, FL.

WHEREAS, the property was originally rezoned in case number 94-04-05-DRI-01 with subsequent amendments in case numbers 94-05-24-DCI 02(a) and 94-05-24-DCI 02(b); 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, the Unit Eighteen & Pinewater Minor RPD Master Concept Plan specifies that a 5 foot setback from the rear property line is required for pool decks on lots numbered 11 through 34; and

WHEREAS, the applicant is requesting relief from the required 5 foot setback for accessory structures to allow for a .4 foot rear setback on lot 22 within the Cottages at Pelican Landing to accommodate a portion of the proposed spa, pool deck and enclosure; and

WHEREAS, the subject property is located in a subdivision that is not under unified ownership and the majority of the lots within the subdivision have received building permits; and

WHEREAS, Section 34-380(b) of the Lee County Land Development Code regarding administrative amendments to approved master concept plans provides that ".The director may not approve changes which result in a reduction of total open space, buffering, landscaping and preservation areas or which adversely impacts on surrounding land uses;" and

WHEREAS, the request may adversely impact the neighboring properties thereby warranting a public hearing since it does not meet the requirements of the Lee County Land Development Code with respect to administrative approvals.

NOW, THEREFORE, IT IS HEREBY DETERMINED that the application for administrative approval for an amendment to the Unit Eighteen & Pinewater Minor Residential Planned Development is **DENIED**.

DULY SIGNED this 15th day of August, A.D., 1997.

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