ADMINISTRATIVE AMENDMENT
LEE COUNTY, FLORIDA

WHEREAS, Rottlund Homes of Florida, Inc. filed an application for administrative approval to a Residential Planned Development on a project known as Pelican Pointe a/k/a Marsh Landing on property located at 22800 South Tamiami Trail, requesting:

1. A reduction in the rear setback from 20 feet to 10 feet for 54 lots in Development Area "A" and 82 lots in Development Area "D"; and

2. An increase in the maximum lot coverage from 55 percent to 62 percent for 54 lots in Development area "A"; and

3. An increase in maximum lot coverage from 52 percent to 59 percent for 82 lots in Development Area "D"; and

4. A revision to the Master Concept Plan to reflect changes approved in Development Order #97-09-090.00D;

on land described more particularly as:

LEGAL DESCRIPTION: In Section 04, Township 47 South, Range 25 East, Lee County, Florida:

Begin at the Northwest corner of Section 09, Township 47 South, Range 25 East;
THENCE N87°59'44"E along the North line of the Northwest Quarter (NW¼) of said Section 09 for 827.12 feet to an intersection with the Westerly line of a Florida Power and Light Company right-of-way/easement as described in Deed Book 228 at Pages 574 through 579 of the Public Records of Lee County, Florida;
THENCE N21°20'53"W along said Westerly line for 540.00 feet;
THENCE N61°54'00"E for 2,002.08 feet to an intersection with a line parallel with and 500.00 feet Westerly of (as measured at right angles to) the Westerly right-of-way line of State Road 45 (US 41, Tamiami Trail);
THENCE Southerly along said parallel line for the following described two courses:
(1) S06°41'21"E for 2,080.28 feet to the Point of Curvature of a circular curve concave to the West;
(2) THENCE Southerly along the arc of said curve having for its elements a radius of 10,891.16 feet and a central angle of 03°23'50" for 645.70 feet to an intersection with the South line

of the North Half (N½) of the Northeast Quarter (NE¼) of the aforementioned Section 09;
THENCE S88°21'51"W along said South line for 16.49 feet to the Southeast corner of the North Half (N½) of the Northwest Quarter (NW¼) of said Section 09;
THENCE S88°14'35"W along the South line of the North Half (N½) of said Northwest Quarter (NW¼) for 2,653.31 feet to the Southwest corner of the North Half (N½) of the Northwest Quarter (NW¼) of said Section 09;
THENCE N01°08'03"W along the West line of said Northwest Quarter (NW¼) for 1,316.53 feet to the POINT OF BEGINNING.

TOGETHER WITH:

Commence at the Southeast corner of Section 04, Township 47 South, Range 25 East;
THENCE S88°14'22"W along the South line of the Southeast Quarter (SE¼) of said Section 04 for 2,266.44 feet to an intersection with the Westerly right-of-way line of US 41 (State Road 45, Tamiami Trail);
THENCE N06°41'21"W along said Westerly right-of-way line for 825.79 feet to the POINT OF BEGINNING of the herein described parcel of land;
THENCE continue N06°41'21"W along said Westerly right-of-way line for 100.37 feet;
THENCE S88°14'22"W for 501.86 feet to an intersection with a line parallel with and 500.00 feet Westerly of (as measured at right angles to) the aforementioned Westerly right-of-way line of US 41;
THENCE S06°41'21" along said parallel line for 100.37 feet;
THENCE N88°14'22"E for 501.86 feet to the POINT OF BEGINNING.

Containing 1.15 ± acres.

WHEREAS, the property was originally rezoned in case number 95-01-329.03Z, with a subsequent amendment in case number 95-01-329.13A 01.01; 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, a local Development Order, D.O. #95-09-090.00D, has been approved for Pelican Pointe (aka Marsh Landing); and

WHEREAS, the revised Master Concept Plan reflects the changes approved in the local Development Order; and

WHEREAS, the applicant has requested additional changes to allow for site design flexibility; and

WHEREAS, the applicant has requested that the rear setback be reduced from 25 feet to 10 feet for 54 lots in Development Area A and 82 lots in Development area D; and

WHEREAS, the applicant has requested that the maximum lot coverage be increased from 55 percent to 62 percent for the 54 lots in Development Area A and from 52 percent to 59 percent for the 82 lots in development area D;

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:

1. **A reduction in the rear setback from 20 feet to 10 feet for lots in Development Area "A" and Development Area "D"; and**

2. **An increase in the maximum lot coverage from 55 percent to 62 percent for lots in Development area "A"; and**

3. **An increase in maximum lot coverage from 52 percent to 59 percent for lots in Development Area "D"; and**

4. **A revision to the Master Concept Plan reflecting changes approved in Development Order #97-09-090.00D is APPROVED.**

Approval is subject to the following conditions:

1. **The Development must be in substantial compliance with the amended Master Concept Plan, dated November, 1994, entitled "Master Concept Plan Pelican Pointe", drawing number 9434, Exhibit IV-F, and stamped received, October 28, 1997, by the zoning counter.**

2. **The terms and conditions of the original zoning resolution and amendments remain in full force and effect except as specifically amended herein.**

3. **The reduction in the rear setback from 20 feet to 10 feet in Development Area "A" is limited to 17 lots, excluded are lots within Blocks A, B, C, and D, Plat Book 58, Pages 42 through 49, of the Marsh Landing Subdivision plat and lots with drainage easements or indigenous vegetation areas (see Development Area "A" on the Master Concept Plan).**

4. **The reduction in the rear setback from 20 feet to 10 feet for the 82 lots in Development Area "D" excludes lots with drainage easements or indigenous vegetation areas (see Development Area "A" on the Master Concept Plan).**

5. **The increase in maximum lot coverage from 55 percent to 62 percent in Development Area "A" is limited to 17 lots, excluded are lots within Blocks A, B, C, and D, Plat Book 58, Pages 42 through 49, of the Marsh Landing Subdivision plat and lots with drainage easements or indigenous vegetation areas (see Development Area "A" on the Master Concept Plan).**

6. **The increase in maximum lot coverage from 55 percent to 62 percent for the 82 lots in Development Area "D" excludes lots with drainage easements or indigenous vegetation areas (see Development Area "A" on the Master Concept Plan).**

3. **Site Plan PD-97-052 is hereby APPROVED and adopted. A reduced copy is attached hereto.**

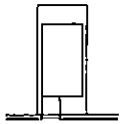
DULY SIGNED this 2nd day of December, A.D., 1997.

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

DEVELOPMENT AREA "A"

TYPICAL LOT

SCALE: 1" = 60'



LOT WIDTH	55 FEET (MIN)
LOT DEPTH	120 FEET (MIN)
LOT AREA	6600 S.F. (MIN)
STREET SETBACK	20 FEET (MIN)
REAR SETBACK	10 FEET (MIN)*
SIDE SETBACKS	5 FEET (MIN)
LOT COVERAGE	60.0 % (MAX)*

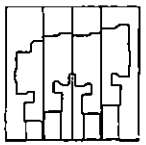
* LOTS WITH DRAINAGE EASEMENTS OR INDIGENOUS VEGETATION AREAS ALONG THE REAR PROPERTY LINES (INDICATED BY "A") WILL MAINTAIN A MINIMUM REAR SETBACK OF 20 FEET AND A MAXIMUM LOT COVERAGE OF 55 PERCENT

FOR CORNER LOTS, SIDE SETBACKS FROM STREET RIGHTS-OF-WAY WILL BE A MINIMUM OF 15 FEET.

DEVELOPMENT AREA "C"

TYPICAL LOT

SCALE: 1" = 60'



LOT WIDTH	24 FEET (MIN)	24 FEET (MIN)
LOT DEPTH	135 FEET (MIN)	115 FEET (MIN)
LOT AREA	4200 S.F. (MIN)	3400 S.F. (MIN)
STREET SETBACK	20 FEET (MIN)	20 FEET (MIN)
REAR SETBACK	20 FEET (MIN)	0 FEET (MIN)
SIDE SETBACKS	0 FEET (MIN)	0 FEET (MIN)
LOT COVERAGE	50.0 % (MAX)	80.0 % (MAX)

* REFLECTS AMENDED PROPERTY DEVELOPMENT REGULATIONS WHICH ARE ONLY APPLICABLE FOR THOSE LOTS ABUTTING INDIGENOUS VEGETATION AREA AROUND THE 1.66 ACRE WETLAND

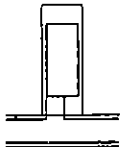
FOR CORNER LOTS, SIDE SETBACKS FROM STREET RIGHTS-OF-WAY WILL BE A MINIMUM OF 15 FEET

THE DEVELOPMENT CRITERIA ABOVE ALSO WILL APPLY TO INDIVIDUAL LOTS FOR TWO-FAMILY ATTACHED UNITS IN DEVELOPMENT AREA "C"

DEVELOPMENT AREA "D"

TYPICAL LOT

SCALE: 1" = 60'



LOT WIDTH	45 FEET (MIN)
LOT DEPTH	120 FEET (MIN)
LOT AREA	5400 S.F. (MIN)
STREET SETBACK	20 FEET (MIN)
REAR SETBACK	10 FEET (MIN)*
SIDE SETBACKS	5 FEET (MIN)
LOT COVERAGE	50.0 % (MAX)*

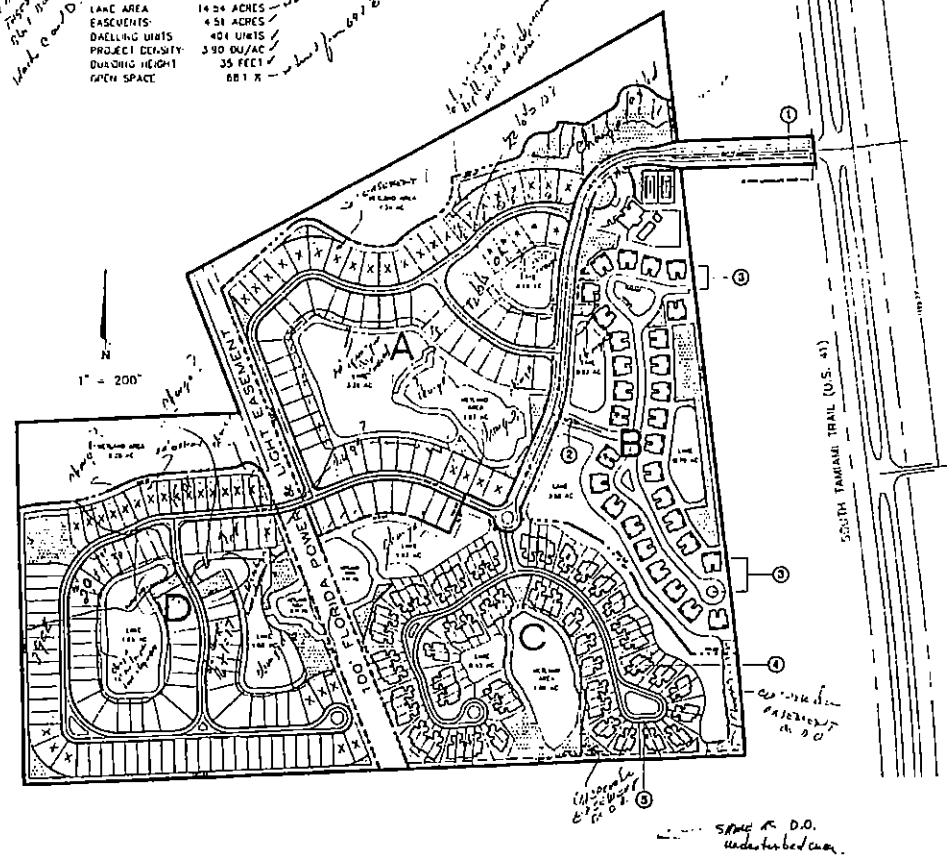
* LOTS WITH DRAINAGE EASEMENTS OR INDIGENOUS VEGETATION AREAS ALONG THE REAR PROPERTY LINES (INDICATED BY "A") WILL MAINTAIN A MINIMUM REAR SETBACK OF 20 FEET AND A MAXIMUM LOT COVERAGE OF 55 PERCENT

FOR CORNER LOTS, SIDE SETBACKS FROM STREET RIGHTS-OF-WAY WILL BE A MINIMUM OF 15 FEET

DEVELOPMENT AREA	ACREAGE	DWELLING UNITS	UNIT TYPE	OPEN SPACE	BUILDING HEIGHT
A	29.52 AC.	80	SINGLE FAMILY	61.7 %	35 FEET
B	18.83 AC.	120	MULTIPLE FAMILY	67.2 %	35 FEET
C	24.49 AC.	64	FOUR-FAMILY ATTACHED	67.3 %	35 FEET
		34	TWO-FAMILY ATTACHED		35 FEET
D	27.56 AC.	106	SINGLE FAMILY	(57.1 ±)	35 FEET

SITE DATA

PROJECT AREA	120.69 ACRES
WETLAND AREA	16.57 ACRES
LAKE AREA	14.24 ACRES
EASEMENTS	4.51 ACRES
DWELLING UNITS	404 UNITS
PROJECT DENSITY	3.90 DU/AC
BUILDING HEIGHT	35 FEET
OPEN SPACE	68.1 %



PROPOSED SCHEDULE OF USES

ACCESSORY USES AND STRUCTURES
ADMINISTRATIVE OFFICES
DWELLING UNIT: SINGLE FAMILY
TWO-FAMILY ATTACHED
FOUR-FAMILY ATTACHED
MULTIPLE-FAMILY BUILDING
ENTRANCE GATES AND GATEHOUSE
ESSENTIAL SERVICES
EXCAVATION: WATER RETENTION
FENCES, WALLS
HOME OCCUPATION
MODEL HOME, UNIT, DISPLAY CENTER
RECREATIONAL FACILITIES: PERSONAL
PRIVATE
RESIDENTIAL ACCESSORY USES
SIGNS (IN ACCORDANCE WITH CHAPTER 30)

PROPOSED SCHEDULE OF DEVIATIONS

1) DEVIATION FROM THE REQUIREMENT THAT WHERE PRACTICAL, ANY RESIDENTIAL DEVELOPMENT OF MORE THAN FIVE ACRES SHALL PROVIDE TWO OR MORE MEANS OF INGRESS OR EGRESS FOR THE DEVELOPMENT PER SECTION 10-291(3) OF THE LEE COUNTY LAND DEVELOPMENT CODE TO ALLOW ONLY ONE ACCESS TO THE DEVELOPMENT OFF OF U.S. 41.

2) DEVIATION FROM THE REQUIREMENT THAT PARKING LOT ACCESSES WHICH PROVIDE VEHICLE ACCESS TO MORE THAN 50 RESIDENTIAL UNITS AND TO MORE THAN 100 PARKING SPACES MEET THE MINIMUM ROADWAY RIGHT-OF-WAY WIDTH OF 35 FEET FOR A PRIVATELY MAINTAINED ROADWAY WITH CLOSED DRAINAGE PER SECTION 10-296(m)(a) OF THE LEE COUNTY LAND DEVELOPMENT CODE TO ALLOW A PARKING LOT ACCESS WHICH WILL PROVIDE VEHICLE ACCESS TO 120 UNITS IN DEVELOPMENT AREA "B".

3) DEVIATION FROM THE REQUIRED MINIMUM BUILDING SETBACK OF 25 FEET FROM THE DEVELOPMENT PERIMETER TO VACANT ADJACENT LAND WHICH IS NOT ZONED FOR USES THAT ARE COMPATIBLE WITH THOSE USES PROPOSED FOR THE PLANNED UNIT DEVELOPMENT PER SECTION 34-935(b)(2)a. OF THE LEE COUNTY LAND DEVELOPMENT CODE TO ALLOW A MINIMUM BUILDING AND PAVEMENT SETBACK OF 20 FEET

4) DEVIATION FROM THE REQUIREMENT THAT PROHIBITS CONSTRUCTION IN RESOURCE PROTECTION AREAS AND TRANSITION ZONES PER SECTION 14-298(c) OF THE LEE COUNTY LAND DEVELOPMENT CODE TO ALLOW THE FILLING OF AN ISOLATED 0.2 ACRE RESOURCE PROTECTION AREA FOR DEVELOPMENT.

5) DEVIATION FROM THE REQUIRED MINIMUM RIGHT-OF-WAY WIDTH OF 35 FEET FOR A TWO-WAY PRIVATELY MAINTAINED STREET WITH CLOSED DRAINAGE PER SECTION 10-296 (TABLE 3) OF THE LEE COUNTY LAND DEVELOPMENT CODE TO ALLOW A MINIMUM RIGHT-OF-WAY WIDTH OF 28 FEET FOR DEVELOPMENT AREA "C"

OPEN SPACE REQUIREMENTS

120.69 ACRES X 40 % = 48.27 ACRES

INDIGENOUS VEGETATION REQUIREMENTS

48.27 ACRES X 50 % = 24.14 ACRES

INDIGENOUS VEGETATION PROVIDED

WETLAND PRESERVE AREAS	16.97 ACRES
UPLAND PRESERVE AREAS	8.92 ACRES*

* INDICATED ON SITE PLAN BY (ALSO SEE NOTE #5)

RECEIVED
OCT 28 1997
PERMIT COUNTER

APPROVED
Amendment to Master Concept Plan
Subject to conditions in Resolution
Zoning Case # 95-04-329.10A (2)
Date 10/28/97

NOTES

1) THE ENTRANCE ROAD FROM U.S. 41 TO PORTION OF PROPERTY PRESENTLY ZONED RM-2 IS EXISTING (D.O. # 9-4-86).
2) THE LOCATION OF MODEL HOMES AND MODEL UNITS IS INDICATED BY AN ASTERISK
3) ALL ENTRANCE GATES AND GATEHOUSES WILL BE CONSTRUCTED IN ACCORDANCE WITH SECTION 34-1749 OF THE LEE COUNTY LAND DEVELOPMENT CODE.
4) PARKING WILL MEET THE REQUIREMENTS OF SECTIONS 34-2014 THRU 34-2020 OF THE LEE COUNTY LAND DEVELOPMENT CODE STACKING WILL BE UTILIZED FOR ALL UNITS WITH DRIVEWAYS
5) ALL OPEN SPACE, LANDSCAPING, AND BUFFERING WILL BE IN ACCORDANCE WITH THE REQUIREMENTS ESTABLISHED IN SECTION 10 OF THE LEE COUNTY LAND DEVELOPMENT CODE. THE 15 FOOT LANDSCAPE STRIP ALONG U.S. 41 WILL CONSIST OF A MINIMUM OF 5 TREES AND 18 SHRUBS PER 100 LINEAL FEET. AT LEAST 50 PERCENT OF THE REQUIRED OPEN SPACE AREA WILL BE DESIGNED TO PRESERVE EXISTING INDIGENOUS VEGETATION, HOWEVER, SPECIFIC AREAS SHOWN ON SITE PLAN MAY VARY SLIGHTLY BASED ON FINAL WETLAND MITIGATION PLAN APPROVAL BY THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT
6) PROPERTY DEVELOPMENT REGULATIONS FOR DEVELOPMENT AREA "A", DEVELOPMENT AREA "C", AND DEVELOPMENT AREA "D" ARE INDICATED BY TYPICAL LOT DETAILS. PROPERTY DEVELOPMENT REGULATIONS FOR DEVELOPMENT AREA "B" WILL MEET THE MINIMUM REQUIREMENTS OF THE RM-2 ZONING DISTRICT PER SECTION 34-715 OF THE LEE COUNTY LAND DEVELOPMENT CODE UNLESS OTHERWISE NOTED
7) PUBLIC TRANSIT IS NOT PRESENTLY AVAILABLE TO THE SUBJECT PROPERTY.

PROJECT # 95-04-329.10A (2)-(4)
PROJECT TYPE 05

DATE	BY	REVISIONS
5/96	GFW	REVISIONS REGARDING FOR AREA "C"
9/96	GFW	ADDITIONAL NOTES FOR AREA "C"
11/96	GFW	DEVELOPMENT REGULATIONS FOR AREA "D"
11/96	GFW	DEVELOPMENT REGULATIONS FOR AREA "D"
11/96	GFW	ADDITIONAL QUESTIONS PER DO PLAN
12-96	GFW	

INK ENGINEERING, INC.
ENGINEERS • SURVEYORS • PLANNERS
FT. MYERS, FLORIDA

SEC. 4 & 9, TWP. 46 S., RGE. 25 E.
LEE COUNTY, FLORIDA

MASTER CONCEPT PLAN
PELICAN POINTE

REF. 94216002

DWG. NO. 9434

EXHIBIT IV-F