

ADMINISTRATIVE AMENDMENT (PD) ADD2005-00171

ADMINISTRATIVE AMENDMENT  
LEE COUNTY, FLORIDA

WHEREAS, Sail Harbour LLC., filed an application for administrative approval to a Commercial Planned Development on a project known as HealthPark Florida (Sail Harbour at HealthPark; fka Solera at HealthPark) **to revise the required 20 foot front setbacks for specific units within Sail Harbor as provided for in the following:**

**Unit 28 - encroachment of 3.44 feet for a proposed setback of 16.56 feet;**

**Unit 59 - encroachment of 0.67 feet for a proposed setback of 19.33 feet; and**

**Unit 63 - encroachment of 0.70 feet for a proposed setback of 19.3 feet.**

The subject property is located off of HealthPark Circle, described more particularly as:

LEGAL DESCRIPTION: In Section 33 and 04, Township 45 and 46 South, Range 24 East, Lee County, Florida:

See Attached Exhibit A

WHEREAS, the property was originally rezoned in case number Z-87-058 (with subsequent amendments in case numbers 87-3-10-DRI(a), 87-3-10-DRI(b), 87-3-10-DRI(c), 87-3-10-DRI(d), 96-02-220.13A 01.01, 96-02-220-13A 02.01, 96-02-220.04Z 01.01, 96-02-220.04Z, DCI2000-00054, DRI2000-00023/DCI2000-00093, ADD2001-000158, ADD2003-00087, ADD2003-00087(a), DRI2003-00003, and ADD2005-00088); 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 applicant seeks a reduction in the front setback required as part of this planned development; and

WHEREAS, the reduction in the front setback is internal to the project and the request does not seek changes that reduce required open space, buffers, nor an increase in the intensity of the planned development; 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 Commercial Planned Development is **APPROVED**, subject to the following conditions. The amendment allows the revision of the required 20 foot front setbacks for specific units within Sail Harbor as provided for in the following:

Unit 28 - encroachment of 3.44 feet for a proposed setback of 16.56 feet;  
Unit 59 - encroachment of 0.67 feet for a proposed setback of 19.33 feet; and  
Unit 63 - encroachment of 0.70 feet for a proposed setback of 19.3 feet.

**CONDITIONS:**

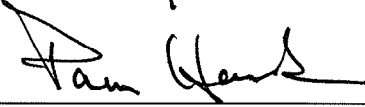
1. The only change approved as part of this administrative amendment permits the change in the required front setbacks for Units 28, 59, and 63 as described above. No other changes have been authorized as part of this amendment.

The terms and conditions of the original zoning resolutions, as amended, remain in full force and effect.

2. The overall HeathPark development must remain in compliance with the existing approved Master Concept Plan last amended by Cases DCI2004-00048 & DRI2004-00007. Development of this portion of the project must be in compliance with the Site Plan, dated June, 2003, and stamped received on August 17, 2005. A reduced copy is attached hereto. Also, development must be in substantial compliance with the three (3) attached Exhibits for Units 28, 59, and 63.

DULY SIGNED this 31st day of August, A.D., 2005.

BY: \_\_\_\_\_

  
Pam Houck, Director  
Division of Zoning  
Department of Community Development



SHEET 1 OF 3

April 29, 2005

ADD 2005-00171  
**RECEIVED**  
AUG 17 2005

## DESCRIPTION

**HEALTHPARK FLORIDA WEST  
LYING IN SECTION 33, TOWNSHIP 45 SOUTH, RANGE 24 EAST  
AND  
SECTION 4, TOWNSHIP 46 SOUTH, RANGE 24 EAST  
LEE COUNTY, FLORIDA**

A tract or parcel of land lying in Section 33, Township 45 South, Range 24 East and Section 4, Township 46 South, Range 24 East, Lee County, Florida which tract or parcel is described as follows:


Beginning at a found 6" x 6" concrete monument at the southwest corner of Section 33, Township 45 South, Range 24 East run N 01° 02' 04" W along the common line between Section 33 and Section 32 for 1324.87 feet to the northwest corner of the South Half (S-1/2) of the Southwest Quarter (SW-1/4) of said Section 33; thence run N 88° 53' 53" E along the north line of the South Half (S-1/2) of the Southwest Quarter (SW-1/4) of said Section 33 for 2570.67 feet to the westerly right-of-way line of Bass Road (150 feet wide), said point being the northwest corner of Tract "A" as shown on the plat of HealthPark Florida West as recorded in Plat Book 47 at Pages 1 through 9 of the Public Records of Lee County, Florida; thence run S 01° 02' 25" E along said right-of-way line for 1323.91 feet to an intersection with the north line of Section 4, Township 46 South, Range 24 East; thence run S 01° 16' 30" E continuing along the said right-of-way line for 2257.47 feet to an intersection with the northwesterly right-of-way line of Summerlin Road (C.R. No. 869) (225 feet wide); thence run S 44° 17' 25" W along said northwesterly right-of-way line for 408.74 feet to a point of curvature; thence run southwesterly along the curved right-of-way line of said Summerlin Road to the right of radius 2754.79 feet (delta 20° 22' 29") (chord bearing S 54° 28' 38" W) (chord 974.47 feet) for 979.62 feet to a point of tangency; thence run S 64° 39' 53" W continuing along said northwesterly right-of-way line of Summerlin Road for 1592.48 feet to a jog in the right-of-way line of said Summerlin Road; thence run N 25° 20' 07" W along said jog for 10.00 feet; thence run S 64° 39' 53" W along the northwesterly right-of-way line of said Summerlin Road for 10.78 feet to an intersection with the west line of Section 4, Township 46 South, Range 24 East; thence run N 01° 21' 46" W along said west line of Section 4 for 1096.33 feet to the southwest corner of the Northwest Quarter (NW-1/4) of said Section 4; thence run N 01° 21' 19" W along the west line of said Northwest Quarter (NW-1/4) of Section 4 for 2647.03 feet to the Point of Beginning.

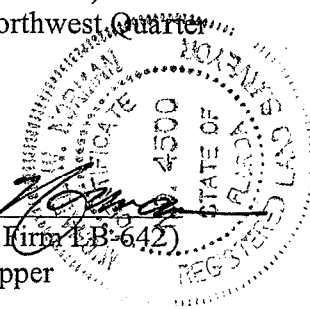
Subject to easements, restrictions and reservations of record.

Containing 262.68 acres, more or less.

**Applicant's Legal Checked**

by Amj 22 AUG 05

  
Michael W. Norman (For The Firm EB-642)  
Professional Surveyor and Mapper  
Florida Certificate No. 4500



20033872-02 HP FL West 262.78 acres 042905



ADD 2005-00171

SHEET 2 OF 3

April 29, 2005

**RECEIVED**  
AUG 17 2005**DESCRIPTION**

**HEALTHPARK FLORIDA EAST  
SECTION 33, TOWNSHIP 45 SOUTH, RANGE 24 EAST  
AND  
SECTION 4, TOWNSHIP 46 SOUTH, RANGE 24 EAST  
LEE COUNTY, FLORIDA**

A tract or parcel of land lying in Section 33, Township 45 South, Range 24 East and Section 4, Township 46 South, Range 24 East, Lee County, Florida, being described as follows:

From the southeast corner of said Section 33 run N 01° 05' 59" W along the east line of said Section 33 for 433.12 feet to an intersection with the northwesterly right-of-way line of Summerlin Road (County Road 869) (225 feet wide) and the Point of Beginning.

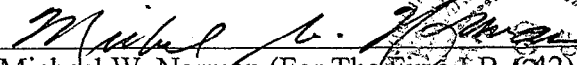
From said Point of Beginning run S 44° 17' 24" W along said northwesterly right-of-way line of Summerlin Road for 3,613.16 feet to an intersection with the east right-of-way line of Bass Road (150 feet wide) as described in deed recorded in Official Record Book 2209 at Page 2942 of the Public Records of Lee County, Florida; thence run N 01° 16' 30" W along said east right-of-way line for 2,109.86 feet to an intersection with the north line of said Section 4, thence run N 01° 02' 25" W continuing along the east right-of-way line of Bass Road as described in deed recorded in Official Record Book 2413 at Page 2522 of said Public Records for 1,323.90 feet to an intersection with the north line of the South Half (S-1/2) of the Southeast Quarter (SE-1/4) of said Section 33; thence run N 88° 58' 18" E along said north line for 2,577.29 feet to an intersection with the east line of said Section 33; thence run S 01° 05' 59" E along said Section line for 893.09 feet to the Point of Beginning.

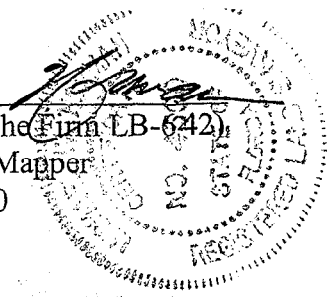
Parcel contains 5,579,214 square feet (128.08 acres), more or less.

Bearings hereinabove mentioned are based on the north line of the Northeast Quarter (NE-1/4) of Section 4, Township 46 South, Range 24 East to bear S 89° 01' 22" W.

**Applicant's Legal Checked**

by 22AUG05

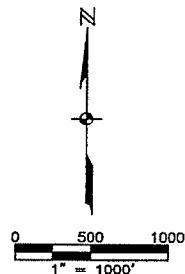
  
Michael W. Norman (For The Firm LB-642)  
Professional Surveyor and Mapper  
Florida Certificate No. 4500



200033872-02 HP FL East 128.08 Acres 042905

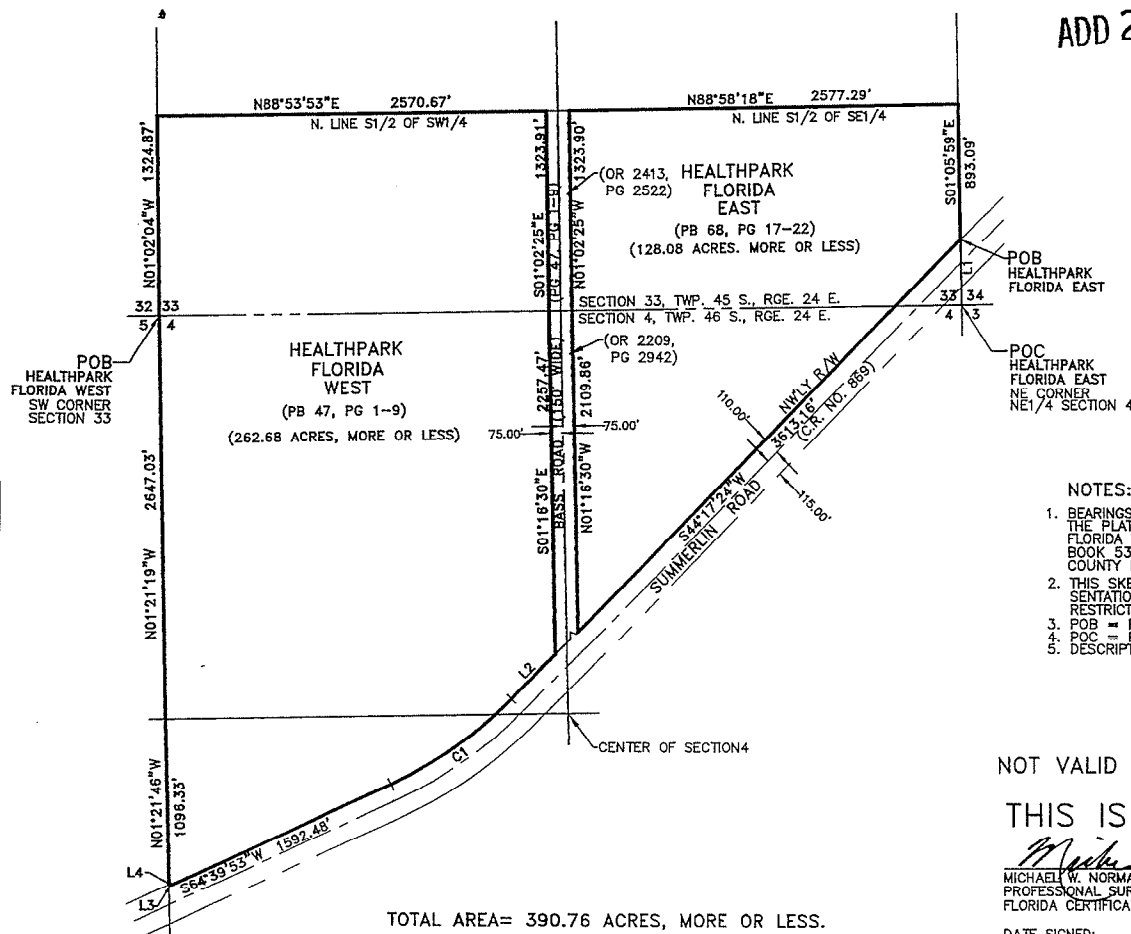
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AUG 17 2005



LINE TABLE				
LINE	BEARING	LENGTH		
L1	N01°05'59"W	433.12		
L2	S44°17'25"W	408.74		
L3	N25°20'07"W	10.00		
L4	S64°39'53"W	10.78		

CURVE TABLE					
CURVE	RADIUS	DELTA	CHORD BEARING	CHORD	LENGTH
C1	2754.79	20°22'29"	S54°28'38"W	974.47	979.62



TOTAL AREA= 390.76 ACRES, MORE OR LESS.

NOTES:

1. BEARINGS SHOWN HEREON ARE BASED ON THE PLAT OF PHASE I-F, HEALTHPARK FLORIDA WEST AS RECORDED IN PLAT BOOK 53, PAGES 81-90, IN LEE COUNTY PUBLIC RECORDS.
2. THIS SKETCH DOES NOT MAKE ANY REPRESENTATION AS TO ZONING OR DEVELOPMENT RESTRICTIONS ON SUBJECT PARCEL.
3. POB = POINT OF BEGINNING
4. POC = POINT OF COMMENCEMENT
5. DESCRIPTION ATTACHED.

NOT VALID WITHOUT SHEETS 1 & 2

THIS IS NOT A SURVEY

MICHAEL W. NORMAN  
PROFESSIONAL SURVEYOR AND MAPPER  
FLORIDA CERTIFICATE NO. 45110

DATE SIGNED: Aug 17 2005  
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

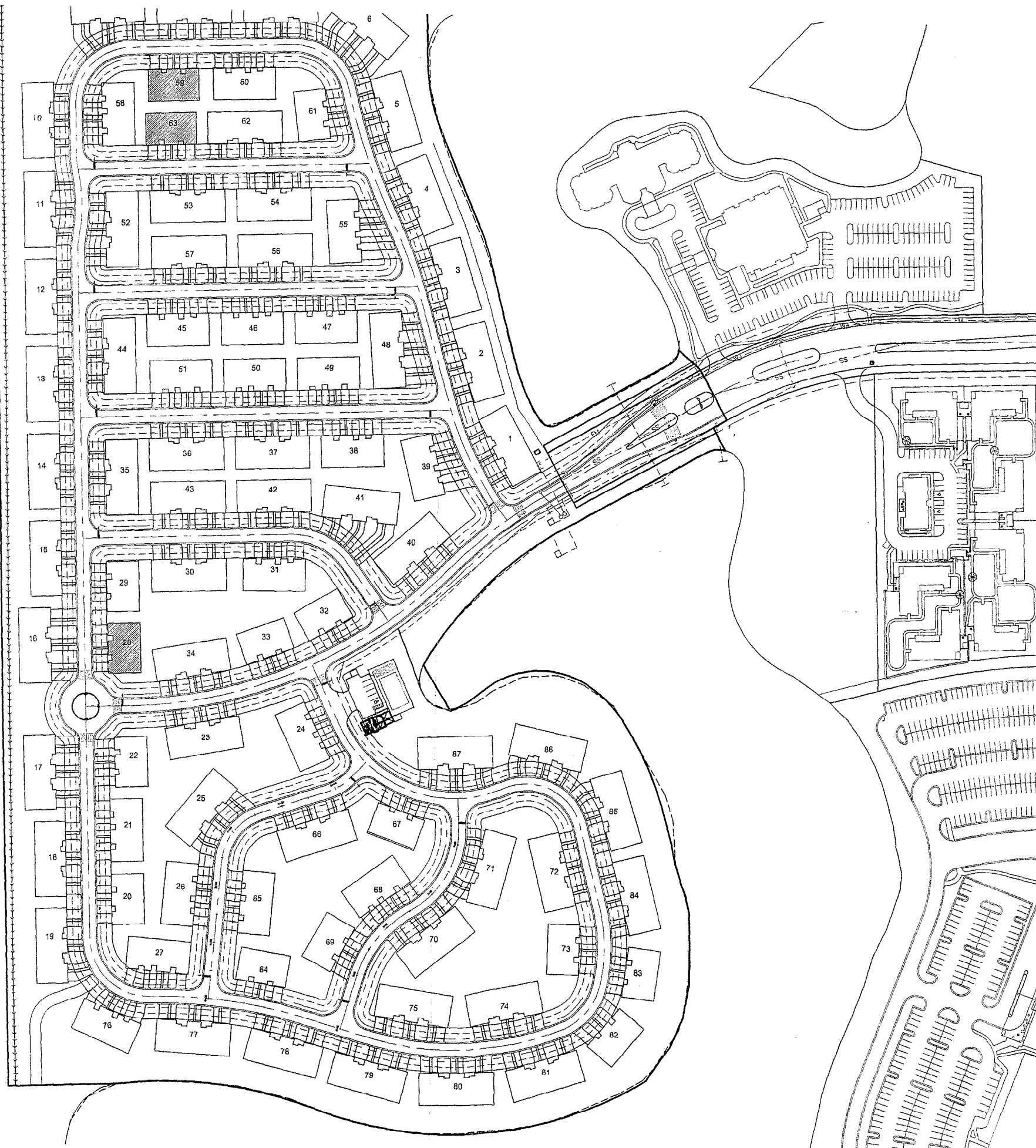
HEALTHPARK FLORIDA WEST  
AND HEALTHPARK FLORIDA EAST  
SECTION 33, TOWNSHIP 45 SOUTH, RANGE 24 EAST &  
SECTION 4, TOWNSHIP 46 SOUTH, RANGE 24 EAST  
LEE COUNTY, FLORIDA

**JOHNSON**  
ENGINEERING

2158 JOHNSON STREET  
P.O. BOX 1550  
FORT MYERS, FLORIDA 33902-1550  
PHONE (239) 334-0046  
FAX (239) 334-3661  
E.B. #642 & L.B. #642

SKETCH TO ACCOMPANY  
DESCRIPTION

DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
04/26/05	20033872-02	33-45-24	1" = 1000'	3 OF 3



ADD 2005-00171

RECEIVED  
AUG 17 2005  
APPROVED  
Plan

Subject to Case #ADD2005-00171  
Date 8/31/05

 BUILDINGS REQUESTING SETBACK RELIEF

NOTE:  
THE PRIMARY MEANS OF INGRESS/EGRESS WILL BE VIA NORTH HEALTHPARK CIRCLE WITH THE SECONDARY ACCESS BEING VIA AN RECIPROCAL EMERGENCY INGRESS/EGRESS ACCESS ALONG THE 20' STABILIZED UTILITY AND ACCESS EASEMENT.

ALL ROADS WITHIN THIS PROJECT ARE PRIVATE

BUILDING TYPE	NUMBER OF UNITS	NUMBER OF TYPE IN DEVELOPMENT
1	4	13
2	6	56
3	5	17

TOTAL NUMBER OF MULTI-FAMILY UNITS = 473

PHASING NOTE:

1. PROJECT TO BE CONSTRUCTED IN 90 PHASES AS FOLLOWS:

EACH BUILDING HAS THE NUMBER THAT REPRESENTS THE BUILDING NUMBER AND THE PHASE. BUILDINGS 1 THROUGH 86 ARE PHASES 1 THROUGH 86.

SITE WORK AS SHOWN (INCLUDING ROADWAY, DRAINAGE, WATER, SEWER, LANDSCAPING AND IRRIGATION) SHALL BE PHASE 87.

PHASE 88 SHALL BE THE CONSTRUCTION OF THE AMENITIES BUILDING, POOL, SHOWERS AND PARKING FOR POOL.

PHASE 89 SHALL BE THE TEMPORARY SALES TRAILER.

PHASE 90 SHALL BE THE DEMOLITION AND REMOVAL OF THE TEMPORARY SALES TRAILER AND ASSOCIATED DRAINAGE, UTILITIES, AND PAVEMENT.

2. SEE SHEET 23 FOR TEMPORARY SALES TRAILER SITE IMPROVEMENTS.

J:\2003\3472\EXHIBITS\3972Solera-CLDG-ENR0ACH\_SITE2.dwg (site plan) WEB Aug 15, 2005 ~ 3:36pm

REVISIONS

Solera  
at HealthPark

Health  
Park florida

JOHNSON  
ENGINEERING

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FAX (239) 334-3661  
E.B. #642 & L.B. #642

Kevin M. Winter, PE  
Cert. No. 41267

Site Plan

DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
			As Shown	3

J:\20033872\EXHIBITS\3872-MF-SETBACK-011105.dwg (UNIT 28) WEB Aug 25, 2005 - 9:02am

VIA SOLERA CIRCLE

UNIT 28

20'

20'

15' D.E.



0 10 20  
SCALE IN FEET

20'  
SETBACK

UNIT 28

10'  
P.U.E.

20.01'

UNIT 28

3.44'

RECEIVED  
AUG 25 2005  
ZONING

40' R.O.W.

NORTH HEALTHPARK CIRCLE

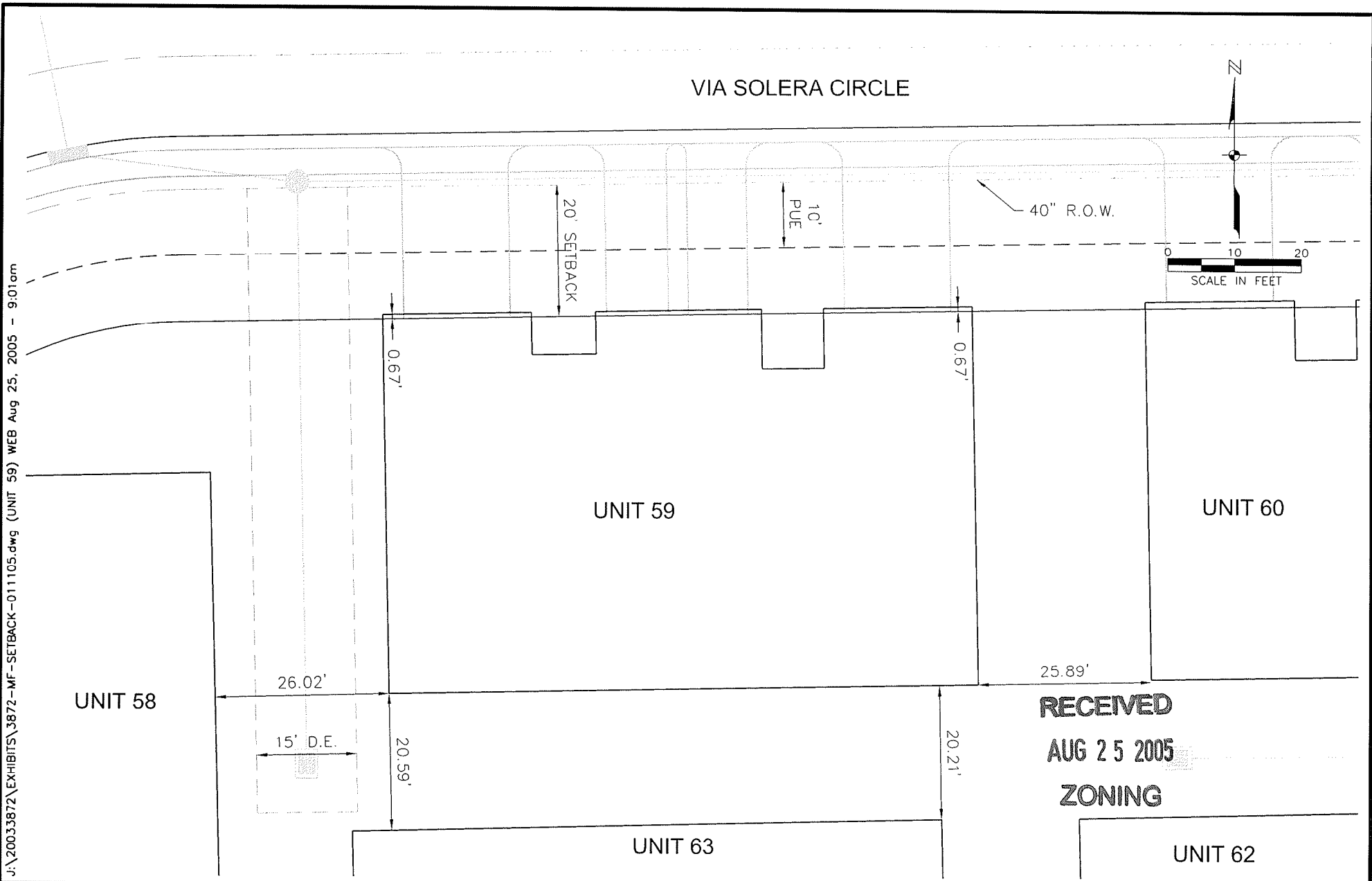
**JOHNSON**  
ENGINEERING

2158 JOHNSON STREET  
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PHONE (239) 334-0046  
FAX (239) 334-3661  
E.B. #642 & L.B. #642

UNIT 28  
EXHIBIT

DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
8/15/05	20033872	33-45-24	1" = 20'	1

J:\20033872\EXHIBITS\3872-MF-SETBACK-011105.dwg (UNIT 59) WEB Aug 25, 2005 - 9:01am



**JOHNSON**  
ENGINEERING

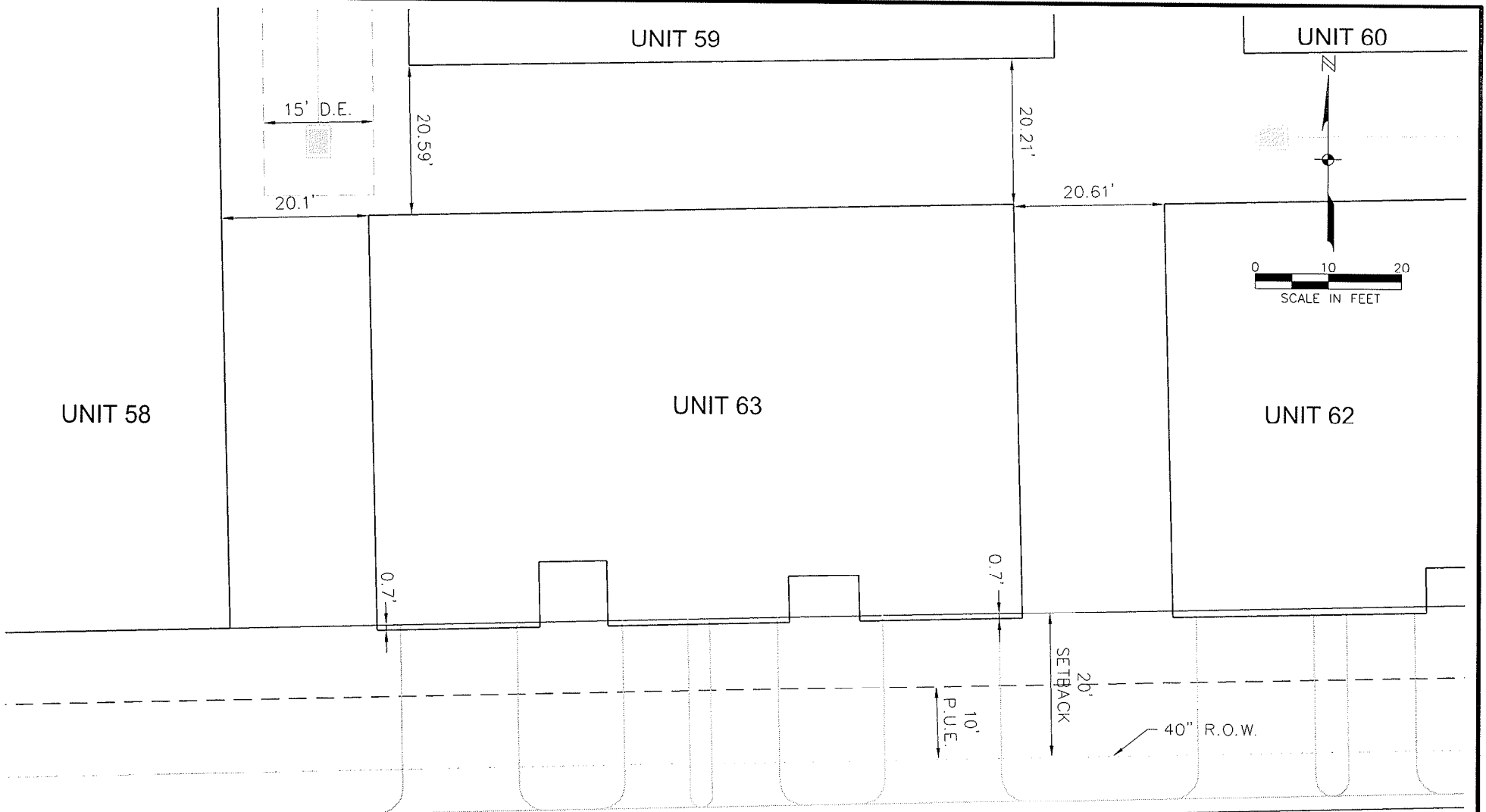
2158 JOHNSON STREET  
P.O. BOX 1550  
FORT MYERS, FLORIDA 33902-1550  
PHONE (239) 334-0046  
FAX (239) 334-3661  
E.B. #642 & L.B. #642

UNIT 59  
EXHIBIT

DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
8/15/05	20033872	33-45-24	1" = 20'	3



J:\20033872\EXHIBITS\3872-MF-SETBACK-011105.dwg (UNIT 63) WEB Aug 25, 2005 - 9:12am



BODEGO WAY

RECEIVED  
AUG 25 2005  
ZONING



**JOHNSON**  
ENGINEERING

2158 JOHNSON STREET  
P.O. BOX 1550  
FORT MYERS, FLORIDA 33902-1550  
PHONE (239) 334-0046  
FAX (239) 334-3661  
E.B. #642 & L.B. #642

UNIT 63  
EXHIBIT

DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
8/15/05	20033872	33-45-24	1" = 20'	2