### ADMINISTRATIVE AMENDMENT (PD) ADD2007-00018

# ADMINISTRATIVE AMENDMENT LEE COUNTY, FLORIDA

WHEREAS, Lee County Homes Associates I, LLLP/Buckingham 345 filed an application for administrative amendment approval to a Residential Planned Development (RPD) on a project known as Buckingham 345 to allow a 45 foot water retention excavation setback for Lakes 7 and 8 where a 50 foot water retention excavation setback is required from an abutting property line under separate ownership on property located at 3621 Buckingham Road, described more particularly as:

LEGAL DESCRIPTION: In Section 33, Township 43 South, Range 26 East, Lee County, Florida:

#### SEE ATTACHED EXHIBIT "A"

WHEREAS, the property was originally rezoned in resolution number Z-00-029, case number DCI964568 (with subsequent amendments in resolution number Z-05-074, case number DCI2004-00090; and resolution number Z-05-076, case number DCI2005-00075); and

WHEREAS, the subject property is located in the Outlying Suburban Future Land Use Category as designated by the Lee Plan; 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, resolution number Z-05-074, paragraph 2b, Site Development Regulations, requires setbacks for the overall project be in compliance with Land Development Code (LDC), Section 10-329 for water detention/retention excavation setbacks; and

WHEREAS, LDC, Section 10-329(d)(1)a.3. requires a water retention excavation setback of 50 feet from any private property line under separate ownership; and

WHEREAS, the Master Concept Plan (Attachment "A"), amended and approved in resolution number Z-05-074, depicts a water retention setback of 45 feet; and

WHEREAS, Lee County Development Services in its review of Development Order DOS2006-00078 for 690 single-family units noted the 5 foot discrepancy in the water retention setback of Lakes 7 and 8 advising the applicant to seek an administrative amendment; and

WHEREAS, the applicant is requesting an administrative amendment to the master concept plan to allow a water retention excavation setback of 45 feet for Lakes 7 and 8 from the adjoining southern property line under private ownership; and

WHEREAS, Environmental Sciences reviewed the request with no objections to the administrative amendment on condition that the applicant provide cross-sections for the landscape buffers for Lakes 7 and 8 prior to Development Order (DOS2006-00078) approval; 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 Residential Planned Development to allow a 45 foot water retention excavation setback for Lakes 7 and 8 where a 50 foot water retention excavation setback is required from an abutting property line under separate ownership is **APPROVED** subject to the following conditions:

- 1. The Development must be in compliance with the three page Administrative Deviation Exhibit I-3.B.2 for Buckingham 345, dated January 12, 2007, received January 29, 2007 Community Development. The three page Administrative Deviation Exhibit 1-3.B.2 for ADD2007-00018 is hereby APPROVED and adopted. A reduced copy is attached hereto (Attachment "B").
- 2. The terms and conditions of the original zoning resolutions, except as amended herein, remain in full force and effect.
- The approval is limited to a 45 foot water retention excavation setback for Lakes 3. 7 and 8 only.
- The applicant must provide cross sections for the landscape buffers for Lakes 4. 7 and 8 prior to Development Order approval.

DULY SIGNED this 23 day of \_\_\_\_\_

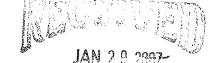
Parn Houck, Director

Division of Zoning

Department of Community Development



2007-00018



## LEGAL DESCRIPTION

COMMUNITY DEVELOPMENT

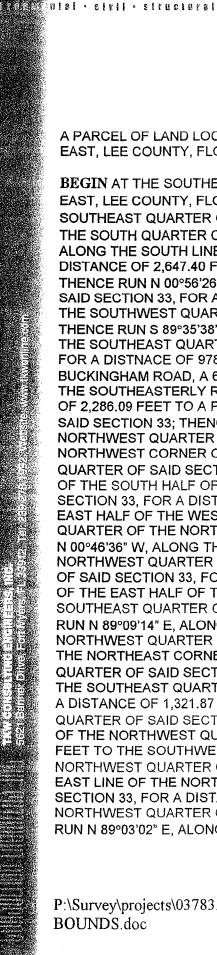
**BUCKINGHAM 345** 

A PARCEL OF LAND LOCATED IN SECTIONS 32 AND 33, TOWNSHIP 43 SOUTH! RANGE EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHEAST CORNER OF SECTION 33, TOWNSHIP 43 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA; THENCE RUN S 89°06'45" W, ALONG THE SOUTH LINE OF SOUTHEAST QUARTER OF SAID SECTION 33, FOR A DISTANCE OF 2,647.58 FEET TO THE SOUTH QUARTER CORNER OF SAID SECTION 33; THENCE RUN S 89°06'35" W. ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 33, FOR A DISTANCE OF 2,647.40 FEET TO THE SOUTHWEST CORNER OF SAID SECTION 33; THENCE RUN N 00°56'26" W, ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 33, FOR A DISTANCE OF 1,329,87 FEET TO THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 33; THENCE RUN S 89°35'38" W, ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 43 SOUTH, RANGE 26 EAST, FOR A DISTNACE OF 978.47 FEET TO THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF BUCKINGHAM ROAD, A 60 FOOT RIGHT-OF-WAY: THENCE RUN N 24°23'58" E. ALONG THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF BUCKINGHAM ROAD, FOR A DISTANCE OF 2,286.09 FEET TO A POINT ON THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 33; THENCE RUN S 00°56'26" E, ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 33, FOR A DISTANCE OF 80.68 FEET TO THE NORTHWEST CORNER OF THE SOUTH HALF OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF SAID SECTION 33; THENCE RUN N 89°04'22" E, ALONG THE NORTH LINE OF THE SOUTH HALF OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF SAID SECTION 33, FOR A DISTANCE OF 1,498.70 FEET TO THE SOUTHWEST CORNER OF THE EAST HALF OF THE WEST HALF OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 33; THENCE RUN N 00°46'36" W, ALONG THE WEST LINE OF THE EAST HALF OF THE WEST HALF OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 33, FOR A DISTANCE OF 662.58 FEET TO THE NORTHWEST CORNER OF THE EAST HALF OF THE WEST HALF OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 33, THENCE RUN N 89°09'14" E, ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 33, FOR A DISTANCE OF 1,167.13 FEET TO THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 33. THENCE RUN S 00°38'54" E. ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 33, FOR A DISTANCE OF 1,321.87 FEET TO THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 33; THENCE RUN S 88°59'29" W, ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 33, FOR A DISTANCE OF 1,330.50 FEET TO THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 33; THENCE RUN S 00°47'40" E. ALONG THE EAST LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 33, FOR A DISTANCE OF 1,331.24 FEET TO THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 33; THENCE RUN N 89°03'02" E, ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE

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(continued)

SOUTHWEST QUARTER OF SAID SECTION 33, FOR A DISTANCE OF 1,327.10 FEET TO THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 33; THENCE RUN N 89°03'03" E, ALONG THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 33, FOR A DISTANCE OF 661.05 FEET TO THE SOUTHEAST QUARTER OF THE EAST HALF OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 33; THENCE RUN N 00°41'05" W, ALONG THE WEST LINE OF THE EAST HALF OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 33, FOR A DISTANCE OF 1,333.31 FEET TO THE NORTHWEST CORNER OF THE EAST HALF OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 33; THENCE RUN N 88°59'29" E, ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 33, FOR A DISTANCE OF 1,980.63 FEET TO THE EAST QUARTER CORNER OF SAID SECTION 33; THENCE RUN S 00°47'37" E, ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 33, FOR A DISTANCE OF 2,670.83 FEET TO THE POINT OF BEGINNING, CONTAINING 344.882 ACRES, MORE OR LESS.

Applicant's Legal Checked
by 4944 ozreBo7

TKW CONSULTING ENGINEERS, INC.

SIGNED

ERIC V. SANDOVAL P.S.M

DATE: /- 14-05

STATE OF FLORIDA # 5223

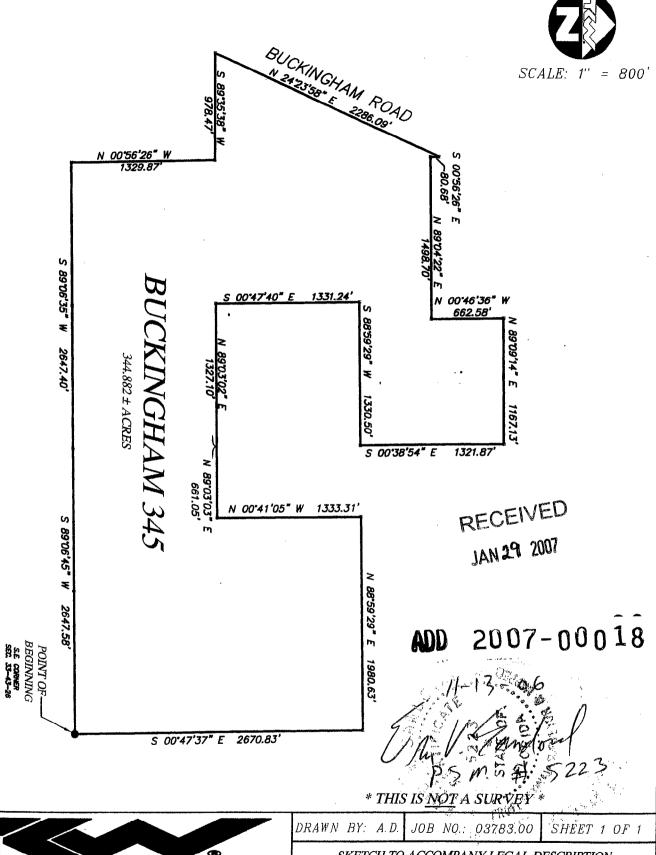
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COMMUNITY DEVELOPMENT

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# CONSULTING ENGINEERS INC

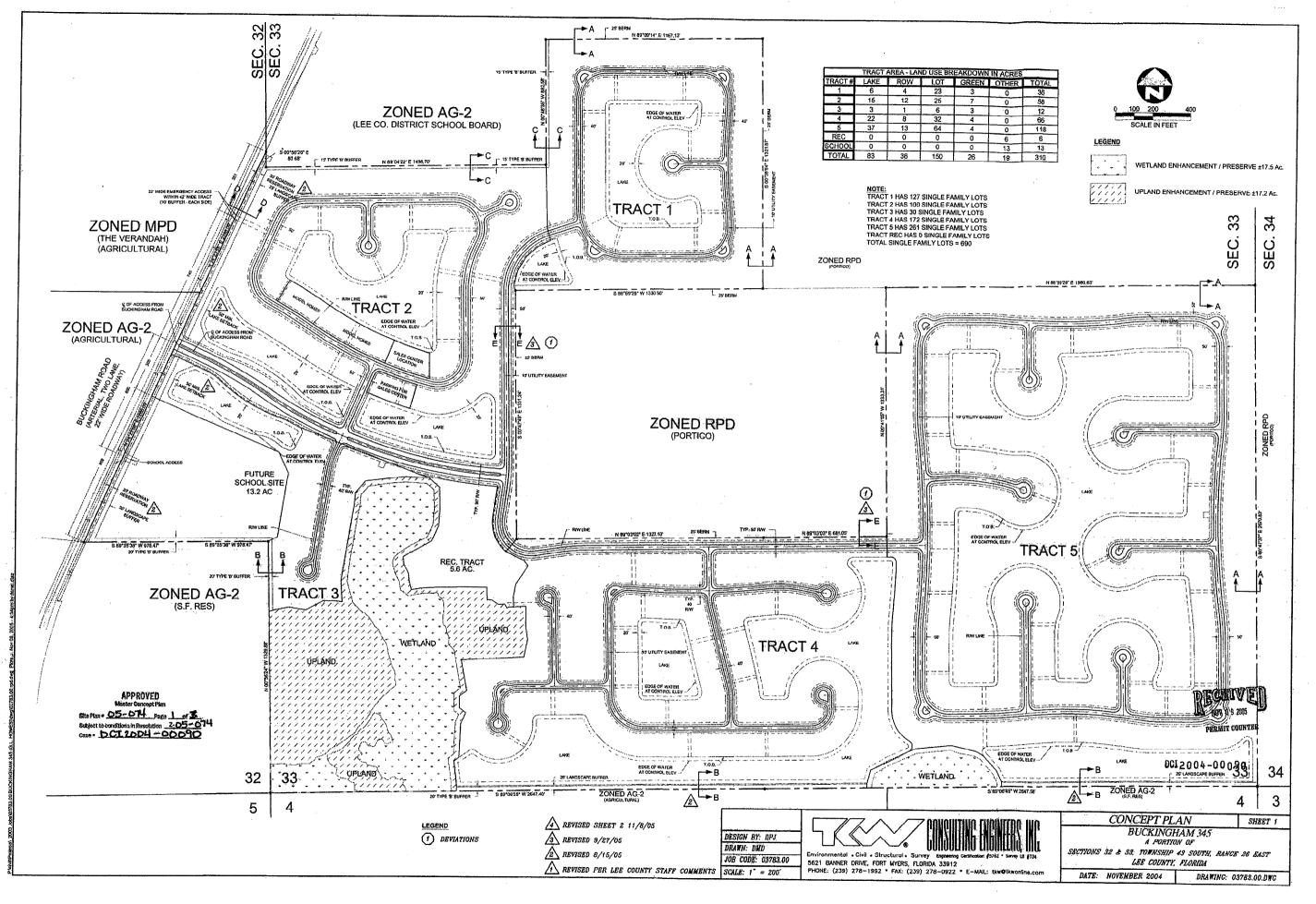
5621 Banner Drive Fort Myers, Florida 33912 (239) 278-1992 • FAX (239) 278-0922 E-MAIL tkw@tkwonline.com Certification # 734

### SKETCH TO ACCOMPANY LEGAL DESCRIPTION

BUCKINGHAM 345 A PORTION OF SECTIONS 32 & 33, TOWNSHIP 43 SOUTH, RANCE 26 EAST, LEE COUNTY, FLORIDA

DATE: JANUARY 2005

DRAWING: 03783SCKT



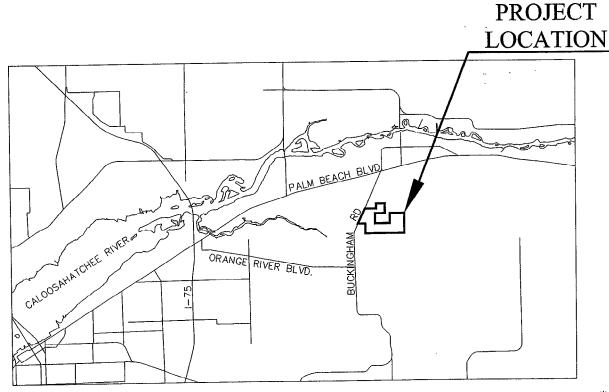
# ADMINISTRATIVE DEVIATION EXHBIT I-3.B.2 FOR BUCKINGHAM 345

SECTIONS 32 & 33, TOWNSHIP 43 SOUTH, RANGE 26 EAST LEE COUNTY, FLORIDA DOS2006-0078

OWNER / PERMITEE

LEE COUNTY HOMES ASSOCIATES I, LLLP 1600 SAWGRASS CORPORATE PARKWAY, SUNRISE, FL. 33323 (954) 753-1730

ZONING



**VICINITY MAP** 

PART OF SECTION 32 & 33, TOWNSHIP 43 SOUTH, RANGE 26 EAST LEE COUNTY, FLORIDA



## SHEET INDEX

PAVING, GRADING AND DRAINAGE PLAN

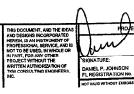
# APPROVED Plan

Subject to Case # ADD2007- OCCU & COMMUNITY DEVELOPMENT

Date 3/23/2007

ADD 2007-00018

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**GL HOMES** 

**COVER SHEET** ATTACHMENT B **BUCKINGHAM 345** 

