

ADMINISTRATIVE AMENDMENT (PD) ADD2009-00054

ADMINISTRATIVE AMENDMENT
LEE COUNTY, FLORIDA

WHEREAS, Herons Glen Recreation District filed an application for administrative approval to a Residential Planned Development on a project known as Heron's Glen (also known as Heron's Glen/Magnolia Landing) **to amend the use of the Existing Sewer/Water Utilities site and Sewer/Water Expansion site to Sewer/Water Utility and Accessory Maintenance Facility Site** for property located at 2250 Avenida Del Vera, described more particularly as:

LEGAL DESCRIPTION: In Section 04, Township 43 South, Range 24 East, Lee County, Florida:

See attached Exhibit A

WHEREAS, the property was originally rezoned in case number 88-3-18-DRI (Z-88-069) (with subsequent amendments in Resolution numbers Z-89-076 and Z-00-078 and Administrative Amendment approvals AAA-PD-90-017, 95-01-207.12A, ADD2002-00005, ADD2002-00088, ADD2003-00096, ADD2004-00217, ADD2004-00018, ADD2005-00209, ADD2006-00080); and

WHEREAS, the subject property is located in the Outlying Suburban and Wetlands Future Land Use Categories 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, the applicant seeks to only change the designated use of the depicted existing and future expansion area for the utilities site to be also permitted to have the use of accessory maintenance facility within the designated parcel; 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 is **APPROVED, subject to the following conditions:**

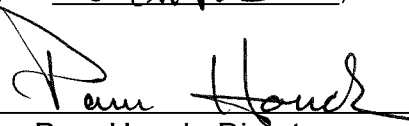
1. The area on the Master Concept Plan depicted as the "Sewer/Water Utilities Site" and "Sewer/Water Utilities Expansion Site" found in the northern portion of Phase 1B and Phase 2 is hereby amended to be "Sewer/Water Utility and Accessory Maintenance Facility Site". This may be found on the attached Plan labeled "H-3.B, Existing Master Concept Plan".

No other change is authorized by this action. The Master Concept Plan remains otherwise unchanged including the conceptual perimeter outline of this "Sewer/Water Utility and Accessory Maintenance Facility Site" on the Plan.

2. The terms and conditions of the original zoning resolution and amendments remain in full force and effect, except as noted in this action.

DULY SIGNED this 22nd day of October, A.D., 2009.

BY:


Pam Houck, Director
Division of Zoning
Department of Community Development

LEGAL DESCRIPTION FOR WATER RECLAMATION FACILITY:

A TRACT OR PARCEL OF LAND LYING IN SECTION 4, TOWNSHIP 43 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SECTION NO. 1 UNIT NO. 2, LAKEVILLE, AS RECORDED IN PLAT BOOK 10, PAGE 48, PUBLIC RECORDS OF LEE COUNTY, FLORIDA, THENCE RUN NORTH 00°11'07" WEST, FOR A DISTANCE OF 205.00 FEET; THENCE NORTH 89°48'53" EAST, FOR A DISTANCE OF 25.00 FEET; THENCE NORTH 00°11'07" WEST, FOR A DISTANCE OF 650.00 FEET; THENCE NORTH 89°48'53" EAST, FOR A DISTANCE OF 35.48 FEET; THENCE NORTH 00°11'07" WEST, FOR A DISTANCE OF 125.00 FEET; THENCE SOUTH 89°48'53" WEST, FOR A DISTANCE OF 39.71 FEET; TO THE POINT OF INTERSECTION WITH A NON-TANGENT CURVE; THENCE RUN NORTHERLY ALONG AN ARC OF A CURVE TO THE RIGHT OF RADIUS 236.25 FEET (DELTA 31°56'41") (CHORD BEARING NORTH 16°09'28" WEST) (CHORD 130.02 FEET) FOR A DISTANCE OF 131.72 FEET; THENCE NORTH 00°11'07" WEST, FOR A DISTANCE OF 361.50 FEET TO THE POINT OF BEGINNING. FROM SAID BEGINNING POINT CONTINUE NORTH 00°11'07" WEST, FOR A DISTANCE OF 238.50 FEET; THENCE SOUTH 89°48'53" WEST, FOR A DISTANCE OF 60.00 FEET; THENCE NORTH 00°11'07" WEST, FOR A DISTANCE OF 335.35 FEET; THENCE NORTH 89°48'47" EAST, FOR A DISTANCE OF 1169.25 FEET THENCE SOUTH 24°38'53" WEST, FOR A DISTANCE OF 635.31 FEET; THENCE SOUTH 90°00'00" WEST, FOR A DISTANCE OF 842.42 FEET TO THE POINT OF BEGINNING.

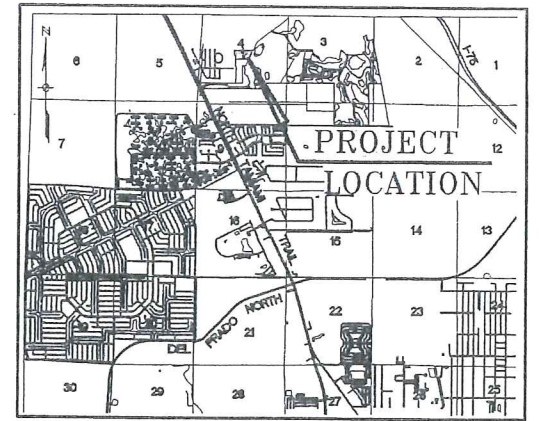
ADD 2009-00054

**Applicant's Legal Checked
by CSJ 7-24-09**

BOUNDARY SURVEY

TRACTS OR PARCELS OF LAND IN

SECTION 4, TOWNSHIP 43 SOUTH, RANGE 24 EAST



LOCATION MAP

NOT TO SCALE

LEGEND

LB	= LICENSED BUSINESS
O.R.	= OFFICIAL RECORD
W/	= WITH
PLS	= PROFESSIONAL LAND SURVEYOR
S.F.	= SQUARE FEET
AC.	= ACRES
PG.	= PAGE
POC	= POINT OF COMMENCEMENT
POB	= POINT OF BEGINNING
END	= END
PLAT	= PLAT
MEAS	= MEASURED
CALC	= CALCULATED
EDG	= EDGE OF PAVEMENT
PCP	= PERMANENT CONTROL POINT

0 25 50 100
SCALE: 1"=50'

TRACT "L"

LOT 26

LOT 27

LOT 28

BLOCK 17

LOT 29

LOT 30

LOT 31

LOT 32

LOT 33

LOT 34

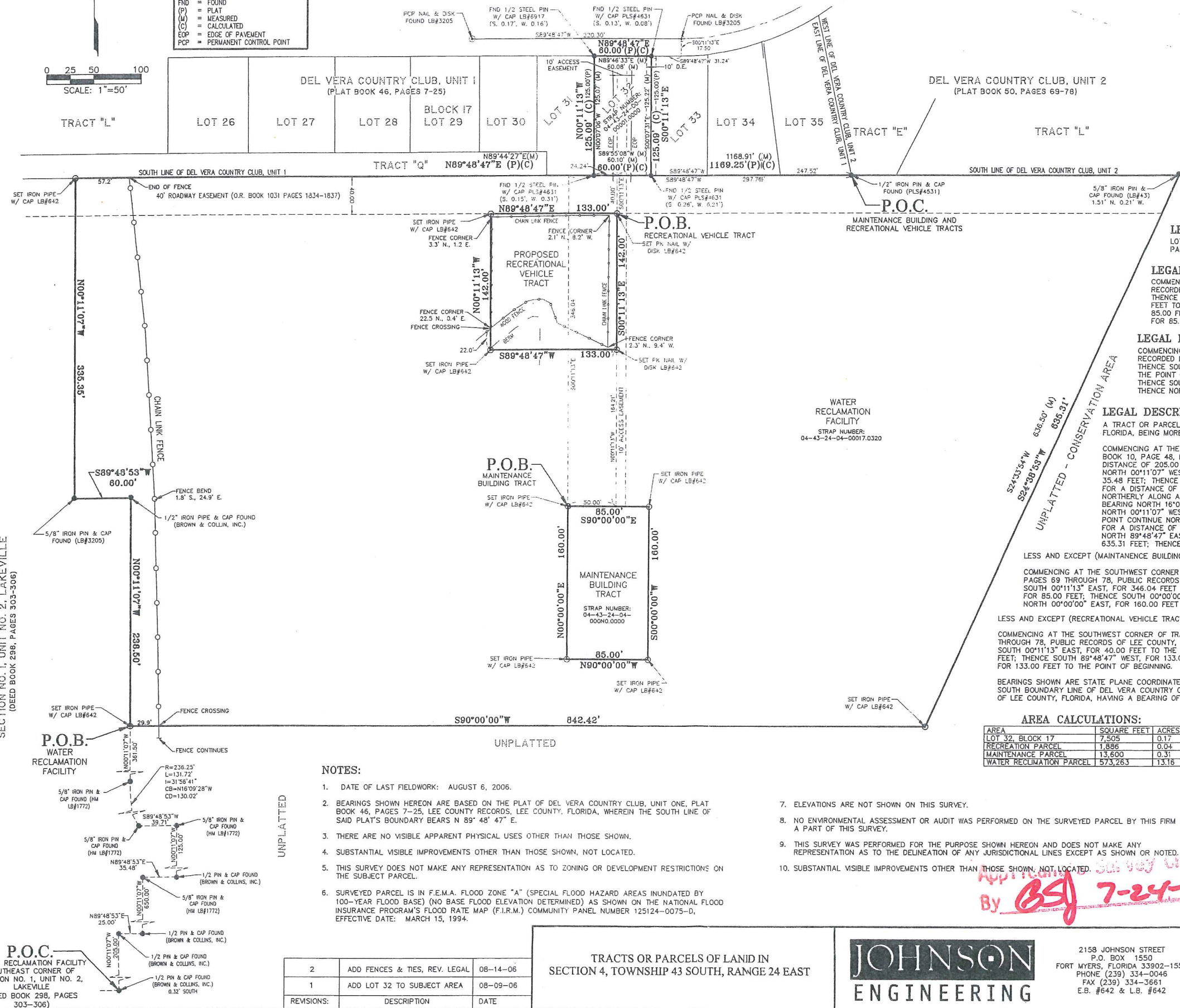
LOT 35

TRACT "E"

TRACT "L"

DEL VERA COUNTRY CLUB, UNIT 1
(PLAT BOOK 46, PAGES 7-25)

DEL VERA COUNTRY CLUB, UNIT 2
(PLAT BOOK 50, PAGES 69-78)



LEGAL DESCRIPTION FOR LOT 32:

LOT 32, BLOCK 17 OF "DEL VERA COUNTRY CLUB UNIT 1", RECORDED IN PLAT BOOK 46, PAGES 7 THROUGH 25, PUBLIC RECORDS OF LEE COUNTY, FLORIDA;

LEGAL DESCRIPTION FOR MAINTENANCE BUILDING TRACT:

COMMENCING AT THE SOUTHWEST CORNER OF TRACT "E" OF "DEL VERA COUNTRY CLUB UNIT 2", RECORDED IN PLAT BOOK 50, PAGES 69 THROUGH 78, PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE SOUTH 89°48'47" WEST, FOR 297.76 FEET; THENCE SOUTH 00°11'13" EAST, FOR 346.04 FEET TO THE POINT OF BEGINNING. FROM SAID BEGINNING POINT RUN SOUTH 90°00'00" EAST, FOR 85.00 FEET; THENCE SOUTH 00°00'00" WEST, FOR 160.00 FEET; THENCE NORTH 90°00'00" WEST, FOR 85.00 FEET; THENCE NORTH 00°00'00" EAST, FOR 160.00 FEET TO THE POINT OF BEGINNING.

LEGAL DESCRIPTION FOR RECREATIONAL VEHICLE TRACT:

COMMENCING AT THE SOUTHWEST CORNER OF TRACT "E" OF "DEL VERA COUNTRY CLUB UNIT 2", RECORDED IN PLAT BOOK 50, PAGES 69 THROUGH 78, PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE SOUTH 89°48'47" WEST, FOR 297.76 FEET; THENCE SOUTH 00°11'13" EAST, FOR 40.00 FEET TO THE POINT OF BEGINNING. FROM SAID BEGINNING POINT RUN SOUTH 00°11'13" EAST, FOR 142.00 FEET; THENCE SOUTH 89°48'47" WEST, FOR 133.00 FEET; THENCE NORTH 00°11'13" EAST, FOR 142.00 FEET; THENCE NORTH 89°48'47" EAST, FOR 133.00 FEET TO THE POINT OF BEGINNING.

LEGAL DESCRIPTION FOR WATER RECLAMATION FACILITY:

A TRACT OR PARCEL OF LAND LYING IN SECTION 4, TOWNSHIP 43 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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LESS AND EXCEPT (MAINTENANCE BUILDING TRACT)

COMMENCING AT THE SOUTHWEST CORNER OF TRACT "E" OF "DEL VERA COUNTRY CLUB UNIT 2", RECORDED IN PLAT BOOK 50, PAGES 69 THROUGH 78, PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE SOUTH 89°48'47" WEST, FOR 297.76 FEET; THENCE SOUTH 00°11'13" EAST, FOR 40.00 FEET TO THE POINT OF BEGINNING. FROM SAID BEGINNING POINT RUN SOUTH 00°11'13" EAST, FOR 142.00 FEET; THENCE SOUTH 89°48'47" WEST, FOR 133.00 FEET; THENCE NORTH 00°11'13" EAST, FOR 142.00 FEET; THENCE NORTH 89°48'47" EAST, FOR 133.00 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT (RECREATIONAL VEHICLE TRACT)

COMMENCING AT THE SOUTHWEST CORNER OF TRACT "E" OF "DEL VERA COUNTRY CLUB UNIT 2", RECORDED IN PLAT BOOK 50, PAGES 69 THROUGH 78, PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE SOUTH 89°48'47" WEST, FOR 297.76 FEET; THENCE SOUTH 00°11'13" EAST, FOR 40.00 FEET TO THE POINT OF BEGINNING. FROM SAID BEGINNING POINT RUN SOUTH 00°11'13" EAST, FOR 142.00 FEET; THENCE SOUTH 89°48'47" WEST, FOR 133.00 FEET; THENCE NORTH 00°11'13" EAST, FOR 142.00 FEET; THENCE NORTH 89°48'47" EAST, FOR 133.00 FEET TO THE POINT OF BEGINNING.

BEARINGS SHOWN ARE STATE PLANE COORDINATE FOR THE WEST ZONE OF FLORIDA (NAD 83/90 ADJUSTMENT) AND ARE BASED ON THE SOUTH BOUNDARY LINE OF DEL VERA COUNTRY CLUB UNIT ONE, AS RECORDED IN PLAT BOOK 46, AT PAGES 7-25, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, HAVING A BEARING OF NORTH 89°48'47" EAST.

AREA CALCULATIONS:

AREA	SQUARE FEET	ACRES
LOT 32, BLOCK 17	7,505	0.17
RECREATION PARCEL	1,886	0.04
MAINTENANCE PARCEL	13,600	0.31
WATER RECLAMATION PARCEL	573,263	13.16

THIS SURVEY IS ONLY FOR THE BENEFIT OF:

COOLIDGE FT. MYERS REALTY, LTD.
HERONS GLEN RECREATION DISTRICT
STUMP, CALLAHAN, DIETRICH & SPEARS, P.A.
KNOTT, CONSOER, EBELINI, AND SWETT, P.A.
CHICAGO TITLE INSURANCE COMPANY

NO OTHER PERSON OR ENTITY MAY RELY ON THIS SURVEY.

IN MY PROFESSIONAL OPINION, AS A LICENSED FLORIDA PROFESSIONAL SURVEYOR AND MAPPER, THIS PLAT IS A TRUE AND CORRECT REPRESENTATION OF A RECENT SURVEY MADE AND PLATTED UNDER MY DIRECTION AND MADE IN ACCORDANCE WITH CHAPTER 472.027, FLORIDA STATUTES.

KEVIN M. RISCASSI (FOR THE FIRM L.B. 642)
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERTIFICATE NO. 6433

DATE SIGNED: AUG 14 2006
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

NOTES:

- DATE OF LAST FIELDWORK: AUGUST 6, 2006.
- BEARINGS SHOWN HEREON ARE BASED ON THE PLAT OF DEL VERA COUNTRY CLUB, UNIT ONE, PLAT BOOK 46, PAGES 7-25, LEE COUNTY RECORDS, LEE COUNTY, FLORIDA, WHEREIN THE SOUTH LINE OF SAID PLAT'S BOUNDARY BEARS N 89° 48' 47" E.
- THERE ARE NO VISIBLE APPARENT PHYSICAL USES OTHER THAN THOSE SHOWN.
- SUBSTANTIAL VISIBLE IMPROVEMENTS OTHER THAN THOSE SHOWN, NOT LOCATED.
- THIS SURVEY DOES NOT MAKE ANY REPRESENTATION AS TO ZONING OR DEVELOPMENT RESTRICTIONS ON THE SUBJECT PARCEL.
- SURVEYED PARCEL IS IN F.E.M.A. FLOOD ZONE "A" (SPECIAL FLOOD HAZARD AREAS INUNDATED BY 100-YEAR FLOOD BASE) (NO BASE FLOOD ELEVATION DETERMINED) AS SHOWN ON THE NATIONAL FLOOD INSURANCE PROGRAM'S FLOOD RATE MAP (F.I.R.M.) COMMUNITY PANEL NUMBER 125124-0075-D, EFFECTIVE DATE: MARCH 15, 1994.

UNPLATTED

REVISIONS:	DESCRIPTION	DATE
2	ADD FENCES & TIES, REV. LEGAL	08-14-06
1	ADD LOT 32 TO SUBJECT AREA	08-09-06

TRACTS OR PARCELS OF LAND IN
SECTION 4, TOWNSHIP 43 SOUTH, RANGE 24 EAST

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

BOUNDARY SURVEY

DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
AUGUST 9, 2006	20066418	4-43-24	1" = 50'	1 OF 1

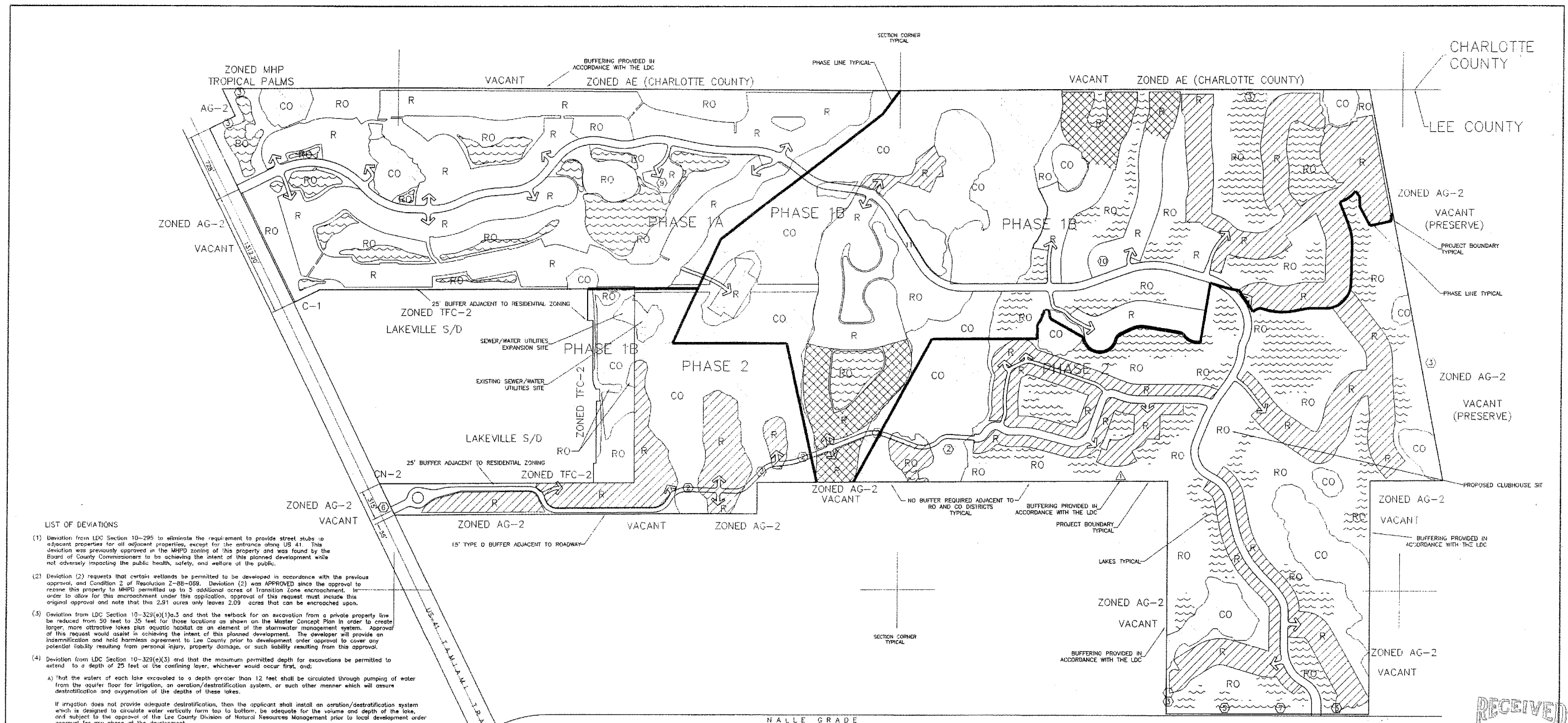
AA-3.D.1

SECTION NO. 1, UNIT NO. 2, LAKEVILLE
(DEED BOOK 296, PAGES 303-306)

P.O.B.
WATER RECLAMATION FACILITY

P.O.C.
WATER RECLAMATION FACILITY
SOUTHEAST CORNER OF
SECTION NO. 1, UNIT NO. 2,
LAKEVILLE
(DEED BOOK 296, PAGES
303-306)

RECEIVED
JUL 24 2006
ADD 2009-00054
COMMUNITY DEVELOPMENT



- LIST OF DEVIATIONS**
- (1) Deviation from LDC Section 10-295 to eliminate the requirement to provide street stubs to adjacent properties for all adjacent properties, except for the entrance along US 41. This deviation was previously approved in the MHPD zoning of this property and was found by the Board of County Commissioners to be achieving the intent of this planned development while not adversely impacting the public health, safety, and welfare of the public.
- (2) Deviation (2) requests that certain wetlands be permitted to be developed in accordance with the previous approval, and Condition 2 of Resolution 2-08-059. Deviation (2) was APPROVED since the approval to rezone this property to MHPD permitted up to 5 additional acres of Transition Zone encroachment. In order to allow for this encroachment under this application, approval of this request must include this original approval and note that this 2.91 acres only leaves 2.09 acres that can be encroached upon.
- (3) Deviation from LDC Section 10-329(a)(1)(a) and that the setback for an excavation from a private property line be reduced from 50 feet to 35 feet for those locations as shown on the Master Concept Plan in order to create larger, more attractive lakes plus aquatic habitat as an element of the stormwater management system. Approval of this request would assist in achieving the intent of this planned development. The developer will provide an indemnification and hold harmless agreement to Lee County prior to development order approval to cover any potential liability resulting from personal injury, property damage, or such liability resulting from this approval.
- (4) Deviation from LDC Section 10-329(a)(3) and that the maximum permitted depth for excavations be permitted to extend to a depth of 25 feet or the confining layer, whichever would occur first, and:
- A) That the waters of each lake excavated to a depth greater than 12 feet shall be circulated through pumping of water from the aquifer floor for irrigation, an aeration/destratification system, or such other manner which will assure destratification and oxygenation of the depths of these lakes.
- If irrigation does not provide adequate destratification, then the applicant shall install an aeration/destratification system which is designed to circulate water vertically from top to bottom, be adequate for the volume and depth of the lake, and subject to the approval of the Lee County Division of Natural Resources Management prior to local development order approval for any phase of the development.
- B) A lake management plan shall be submitted to and approved by the Lee County Division of Natural Resources Management prior to the local development order approval for any phase. This plan shall include the following:
- 1) Utilization of the in-site wetlands in conjunction with the excavated lakes and naturally vegetated buffer strips around all resource protection areas and transition zone areas to reduce pollutant and silt loads; and
- 2) Emergent and submergent aquatic plantings throughout the littoral zone of all lakes; and
- 3) Annual monitoring reports to Division of Natural Resources Management regarding lake depth and slope, plantings, destratification and water quality compliance.
- (5) Deviation (5) requests a reduction in the required setback for a water retention excavation from a street right-of-way as depicted on the Official Trafficways Map. A barrier will be erected and any road damage incurred within the Nalle Grade Road right-of-way will be repaired by the developer to the satisfaction of the Department of Transportation. A "Hold Harmless Agreement" releasing Lee County from liability will be provided.
- (6) Deviation from LDC Section 10-285(a) allowing a reduction from the required intersection separation for the access point onto US 41 from a required distance of 600 feet to 330 feet. This provides an additional access point onto US 41 which reduces the impact on the other access into the project from US 41 and the future access point on Nalle Grade Road.
- (7) Deviation (7) requests elimination of the requirement for access streets paralleling Nalle Grade Road.
- The following deviation was approved as part of Administrative Deviation # 97-12-277.02A for Unit 1:
- (9) Deviation from Section 10-296(k) which requires a minimum outside edge of pavement and minimum right-of-way dimensions for the cul-de-sac on Portofino Way of 45', 90', and 110' respectively to 25', 70', and 90' respectively.
- The following deviations were approved for Units 7, 8, and 9 by Administrative Deviation # 99-08-280.02A:
- (10) Deviation from LDC Section 10-296(k)(3) which requires a cul-de-sac transition to regular pavement to be a radius of 100' to allow a radius of 50' at the designated cul-de-sac in Unit 8.
- (11) Deviation from LDC Section 10-329(a)(1)(c), to reduce lake excavation setback from designated local streets from the required 25 feet to allow a setback of 9.0 feet to the edge of a private local street right-of-way.

LAND USE SUMMARY		
SYMBOL	DESCRIPTION	ACRES
R	RESIDENTIAL	357.42
RO	RECREATION/OPEN SPACE	439.24
CO	CONSERVATION AREAS	271.81
	TRANSPORTATION	
	MAIN PROJECT ROAD	32.68
TOTAL ACRES		1,150.95
NOTE: PORTIONS OF ANY AGENCY'S FOR INTERNAL ROADS INCLUDED IN RESIDENTIAL PARCELS		
RESIDENTIAL		
SINGLE FAMILY LOTS (DETACHED)	1,620 UNITS	
ZERO LOT LINE HOMES	540 UNITS	
TOWNHOUSE UNITS	540 UNITS	

LAND USE TABLE				
LAND USE DESCRIPTION	PHASE 1A	PHASE 1B	PHASE 2	TOTALS
RESIDENTIAL	532 UNITS	506 UNITS	1,882 UNITS	2,700 UNITS
RECREATION/OPEN SPACE	3450 SQ FT	3450 SQ FT	3450 SQ FT	3450 SQ FT
CONSERVATION AREAS	81.48 AC	59.33 AC	131.00 AC	252.41 AC
TRANSPORTATION	39.83 AC	48.22 AC	48.22 AC	137.27 AC

(1) SALES CENTER WILL BE RELOCATED TO PHASE 1B WHEN THAT PHASE IS BEING DEVELOPED

DEVIATION LOCATION INDEX

DEVIATION 4 APPLIES THROUGHOUT THE COMMUNITY

LEGEND

ALL RESIDENTIAL USES LISTED IN THE "USE SCHEDULE" ARE PERMITTED

ALL RESIDENTIAL USES LISTED IN THE "USE SCHEDULE" ARE PERMITTED, EXCEPT TOWNHOUSE #2.

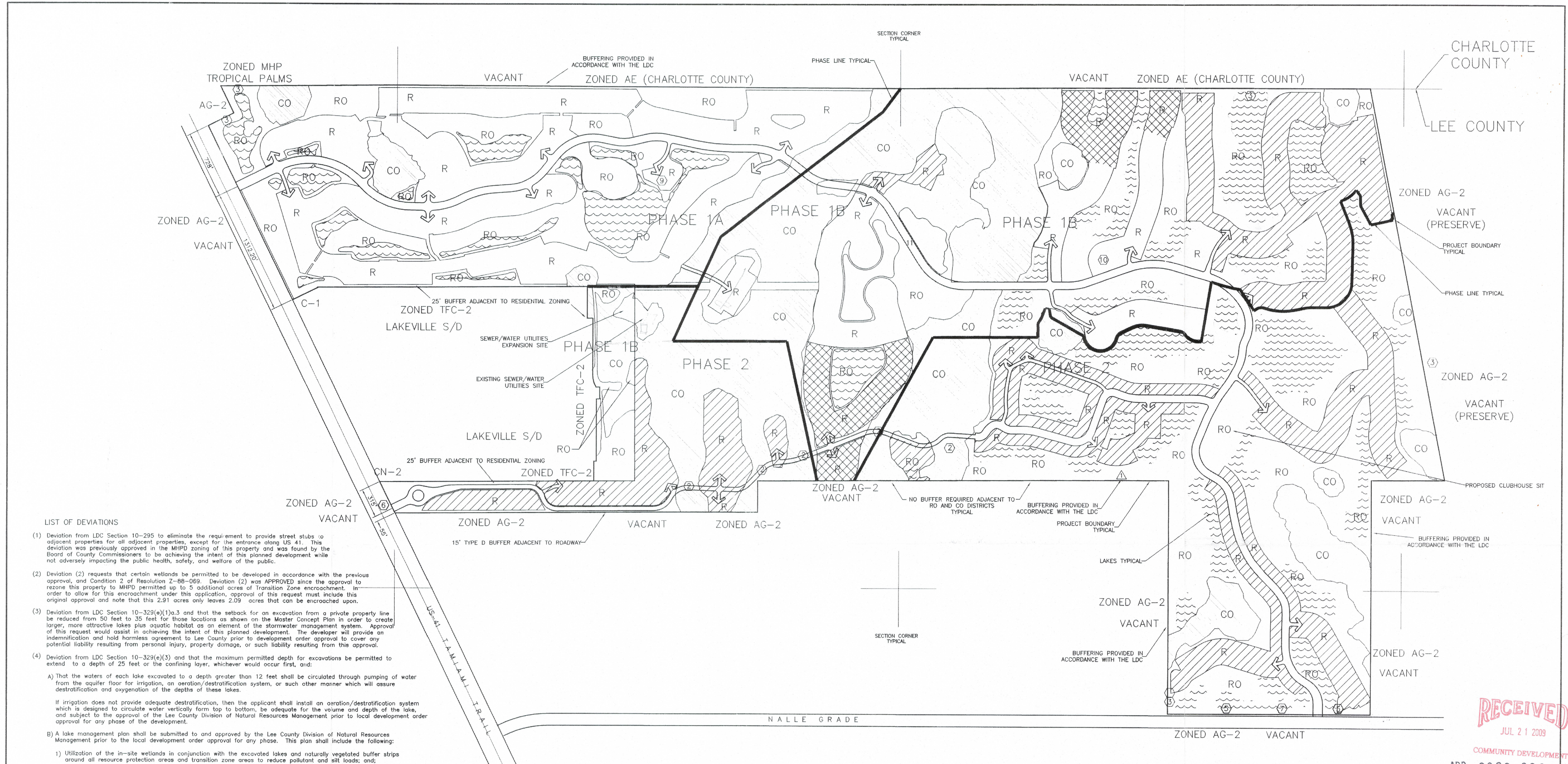
PROPERTY DEVELOPMENT REGULATIONS														
Minimum Lot														
RESIDENTIAL USE	Area (sq. ft.)	Depth (feet)	Width (feet)	Side (feet)	Rear (feet)	Front/Road (feet)	Water Body (feet)	Firearm (includes target buffer)	Golf Course	Maximum Height (feet)	Number of Floors	Minimum Building Separation (feet)	Minimum Lot Coverage (sq. ft.)	Maximum Lot Coverage (sq. ft.)
Single-Family Detached	5,000	100	60	0	10	20	0	10	0	35	2	10	10	50
Single-Family Attached	3,500	70	50	0	10	20	0	10	0	35	2	10	10	50
Multi-Family (Type A)	3,375	75	45	0	10	20	0	10	0	35	2	10	10	50
Multi-Family (Type B)	3,500	100	55	0	10	20	0	10	0	35	2	10	10	50
Zero Lot Line	2,500	80	35	0	10	20	0	10	0	35	2	10	10	50
1st Side	2,450	80	30	0	10	20	0	10	0	35	2	10	10	50
2nd Side	2,450	80	30	0	10	20	0	10	0	35	2	10	10	50
Townhouse #1	3,000	125	24	0	10	20	0	10	0	35	1	20	20	70
Townhouse #2	3,000	125	24	0	10	20	0	10	0	35	1	20	20	70
ACCESSORY STRUCTURES	n/a	n/a	n/a	5	5	10	0	10	0	35	n/a	15	n/a	n/a
POOL DECK	n/a	n/a	n/a	5	5	10	0	10	0	35	n/a	15	n/a	n/a

NOTES:

(1) Any structure more than two stories in height will maintain a 20 foot minimum building separation.

(2) Lot coverage means that portion of the lot area, expressed as a percentage, occupied by all roofed buildings or structures.

(3) Setbacks for project walls are allowed within 1 foot of the right-of-way line.



LIST OF DEVIATIONS

- (1) Deviation from LDC Section 10-295 to eliminate the requirement to provide street stubs to adjacent properties for all adjacent properties, except for the entrance along US 41. This deviation was previously approved in the MHPD zoning of this property and was found by the Board of County Commissioners to be achieving the intent of this planned development while not adversely impacting the public health, safety, and welfare of the public.
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- (3) Deviation from LDC Section 10-329(a)(1)a.3 and that the setback for an excavation from a private property line be reduced from 50 feet to 35 feet for those locations as shown on the Master Concept Plan in order to create larger, more attractive lakes plus aquatic habitat as an element of the stormwater management system. Approval of this request would assist in achieving the intent of this planned development. The developer will provide an indemnification and hold harmless agreement to Lee County prior to development order approval to cover any potential liability resulting from personal injury, property damage, or such liability resulting from this approval.
- (4) Deviation from LDC Section 10-329(a)(3) and that the maximum permitted depth for excavations be permitted to extend to a depth of 25 feet or the confining layer, whichever would occur first, and:
- A) That the waters of each lake excavated to a depth greater than 12 feet shall be circulated through pumping of water from the aquifer floor for irrigation, an aeration/destratification system, or such other manner which will assure destratification and oxygenation of the depths of these lakes.
- If irrigation does not provide adequate destratification, then the applicant shall install an aeration/destratification system which is designed to circulate water vertically from top to bottom, be adequate for the volume and depth of the lake, and subject to the approval of the Lee County Division of Natural Resources Management prior to local development order approval for any phase of the development.
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- (10) Deviation from LDC Section 10-296(k)(3) which requires a cul-de-sac transition to regular pavement to be a radius of 100' to allow a radius of 50' at the designated cul-de-sac in Unit 8.
- (11) Deviation from LDC Section 10-329(a)(1)(a), to reduce lake excavation setback from designated local streets from the required 25 feet to allow a setback of 9.0 feet to the edge of a private local street right-of-way.

LAND USE SUMMARY		
SYMBOL	DESCRIPTION	ACRES
R	RESIDENTIAL	357.42
RO	RECREATION/OPEN SPACE	489.24
CO	CONSERVATION AREAS, TRANSPORTATION, MAIN PROJECT ROAD	271.61
TOTAL ACRES		1,150.95
NOTE: RIGHTS OF WAY ACRES ARE FOR INTERNAL ROADS INCLUDED IN INDIVIDUAL PARCELS.		
RESIDENTIAL		
SINGLE FAMILY LOTS (DETACHED)	1,620 UNITS	
ZERO LOT LINE HOMES	540 UNITS	
TOWNHOUSE UNITS	540 UNITS	

① DEVIATION LOCATION INDEX

④ DEVIATION 4 APPLIES THROUGHOUT THE COMMUNITY

LEGEND

- ALL RESIDENTIAL USES LISTED IN THE "USE SCHEDULE" ARE PERMITTED.
- ALL RESIDENTIAL USES LISTED IN THE "USE SCHEDULE" ARE PERMITTED, EXCEPT TOWNHOUSE #2.

LAND USE TABLE

LAND USE DESCRIPTION	PHASE 1A	PHASE 1B	PHASE 2	TOTALS
RESIDENTIAL	532 UNITS	508 UNITS	1,662 UNITS	2,700 UNITS
NON-RESIDENTIAL				
SALES CENTER	3450 SQ FT	3450 SQ FT(1)	3450 SQ FT	3450 SQ FT
COMMERCIAL SERVICES (12,000 SQFT LOCATED WITHIN CLUBHOUSES)	5420 SQ FT	3000 SQ FT	12000 SQ FT	20420 SQ FT
GOLF COURSE (CLUBHOUSES, TEES, GREENS, FARTHS)	61.48 AC	59.33 AC	131.60 AC	252.41 AC
LAKES	39.83 AC	49.22 AC	48.52 AC	137.57 AC

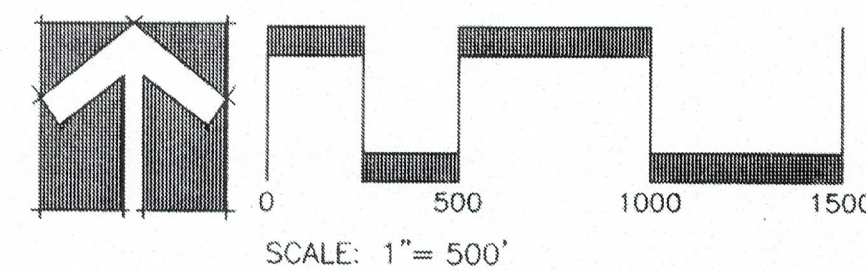
(1) SALES CENTER WILL BE RELOCATED TO PHASE 1B WHEN THAT PHASE IS BEING DEVELOPED.

PROPERTY DEVELOPMENT REGULATIONS

	Minimum Lot					Minimum Setback(3)					Preserve (includes undeveloped buffer)	Golf Course	Maximum Height (feet)	Number of Habitable Floors	Minimum Building Separation (feet)(1)	Maximum Lot Coverage (%)(2)
	Area (a.f.)	Depth (feet)	Width (feet)	Side (feet)	Rear (feet)	Front/Road (feet)	Water Body (feet)	Pool Deck	Pool Deck							
"RO"																
RECREATION, OPEN SPACE, GOLF COURSE, BUFFERS & LAKES	n/a	n/a	n/a	15	20	20	0	10	0	50	0	0	0	0	0	0
CLUBHOUSES	n/a	n/a	n/a	5	5	5	5	5	5	5	5	5	5	5	5	5
ACCESSORY STRUCTURES	n/a	n/a	n/a	5	5	5	5	5	5	5	5	5	5	5	5	5
POOL DECK	n/a	n/a	n/a	5	5	5	5	5	5	5	5	5	5	5	5	5
"R"																
	Minimum Lot					Minimum Setback(3)					Preserve (includes undeveloped buffer)	Golf Course	Maximum Height (feet)	Number of Habitable Floors	Minimum Building Separation (feet)(1)	Maximum Lot Coverage (%)(2)
RESIDENTIAL USES	Area (a.f.)	Depth (feet)	Width (feet)(3)	Side (feet)	Rear (feet)	Front/Road (feet)	Water Body (feet)	Pool Deck	Pool Deck							
Single-Family Detached	6,000	100	80	5	**10	20/**12	20	10	**10	35	2	10	50			
Patio Homes	3,500	75	50	0	**10	20/**12	20	10	**10	35	2	10	70			
Patio Homes (Type #5)	3,375	75	45	0	**10	20/**12	20	10	**10	35	2	10	70			
Two-Family Attached	3,500	100	35	0	**10	20/**12	20	10	**10	35	2	10	70			
Zero Lot Line	2,800	80	30	0	**10	20/**12	20	10	**10	35	2	10	70			
1st Side																
2nd Side																
Townhouse #1	2,400	80	30	0	**10	**12	20	10	**10	35	2	20	70			
1st Side																
2nd Side																
Townhouse #2	3,000	125	24	0	10	**12	20	10	**10	35	1	20	70			
1st Side																
2nd Side																
ACCESSORY STRUCTURES	n/a	n/a	n/a	5	5	5	5	5	5	5	5	5	5	5	5	5
POOL DECK	n/a	n/a	n/a	5	5	5	5	5	5	5	5	5	5	5	5	5

NOTES:

- (1) Any structure more than two stories in height will maintain a 20 foot minimum building separation.
- (2) Lot coverage means that portion of the lot area, expressed as a percentage, occupied by all roofed buildings or structures.
- (3) Setbacks for project walls are allowed within 1 foot of the right-of-way line.



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REVISIONS		
ADD/ADRI		10/10/04

T.C.W. At Herons Glen L.L.C., Dba
T.W.C. At Magnolia Landing

MAGNOLIA LANDING
LEE COUNTY, FLORIDA

JOHNSON
ENGINEERING

2158 JOHNSON STREET
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FORT MYERS, FLORIDA 33902-1550
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E.B. #642 & L.B. #642

EXISTING MASTER CONCEPT PLAN

DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
NOVEMBER 2005	20055665	4-43-24	As Shown	5