

ADMINISTRATIVE AMENDMENT (PD) ADD2010-00071

ADMINISTRATIVE AMENDMENT
LEE COUNTY, FLORIDA

WHEREAS, Bean, Whitaker, Lutz & Kareh, Inc. represented by Ahmad R. Kareh, P.E., filed an application for administrative approval to a Residential Planned Development on a project known as Island Club at Corkscrew Woodlands to **amend Condition Number 4.g. approved in Administrative Amendment (PD) ADD2008-00153A** on the property located in Lee County, described more particularly as:

LEGAL DESCRIPTION: In Section 35, Township 46 South, Range 25 East, Lee County, Florida:

See Exhibit "A"

WHEREAS, this Amendment encompasses three properties (Lots 148, 195, and 197) located in The Island Club at Corkscrew Woodlands rezoned from Recreational Vehicle District (RV-3) to Residential Planned Development (RPD) by Resolutions Z-94-047 and Z-96-023 (copies of which are attached as Exhibit "B") consisting of approximately 55 acres including infrastructure that is common to The Island Club at Corkscrew Woodlands and Corkscrew Woodlands RV development (such as water management, lake areas, roads and other infrastructure); and

WHEREAS, subsequent amendments include Z-81-513, ZB-82-356, Z-94-047, PD-95-005, PD-95-009, Z-96-023, ADD2008-00153 and ADD2008-00153A (a copy of which is attached as Exhibit "C"); and

WHEREAS, the subject property is located in the Urban Community and Wetlands Future Land Use Categories as designated by the Lee Plan; and

WHEREAS, ADD2008-00153 and ADD2008-00153A were approved in accord with the Compliance Agreement recorded in the public records at OR Book 4811, Page 4330, to facilitate abatement of 238 code violations within The Island Club at Corkscrew Woodlands; and

WHEREAS, Condition number 4.g. of ADD2008-00153A states "the existing improvements on Lots 148, 195, and 197 (see Exhibit "D") as depicted in Exhibit "I" may remain. However, they must be permitted in accordance with Condition Number 8a. No future additions or alterations may be made to the structures with the exception of necessary repairs"; and

WHEREAS, Condition number 8.a. states, "Within 60 days after the expiration of the Acquisition Period, permit applications must be submitted to Lee County to obtain approval for the construction of accessory improvements on the aggregated lot in accordance with Lee County regulations. If an applicant seeks to obtain approval for an existing, unpermitted structure, the structure must be brought into compliance with the regulation in effect at the

time of the permit application. Notwithstanding the Compliance Agreement, Lee County has no obligation to approve non-compliant existing structures. Existing structures that do not comply or cannot be brought into compliance with existing permit requirements must be removed; and

WHEREAS, the applicant is requesting to remove the restriction of "no future additions or alterations to the structures with the exception of necessary repairs" for Lots 148, 195, and 197 so that the property owners may be afforded the same rights as the remainder of the development; and

WHEREAS, the three subject properties are developed with single-family residential dwelling units, screened lanais, and a dock extending into the adjacent lake; and

WHEREAS, the signature of the three affected property owners, John E. Yazel (Lot 148), Julian P. and Diane E. Komeshak (Lot 195), and Thomas Pollard (Lot 197) have been received providing authorization to the amendment relative to their specific properties; and

WHEREAS, the Island Club at Corkscrew Woodlands Homeowner's Association has also provided authorization of the request relative to the small lots (currently common space) that will be combined with the adjacent and most contiguous originally platted primary lots in accord with Conditions 5 and 7 of ADD2008-00153A; and

WHEREAS, in accordance with ADD2008-00153A approved on March 5, 2010, the subject property owners will be required to comply with all conditions and deviations associated with the small lots and the improvements; and

WHEREAS, the requested amendment is internal to the residential planned development and meets the intent of the Compliance Agreement, the conditions, and deviations approved in ADD2008-00153A; and

WHEREAS, the small lots (148A, 195A, and 197A) have been calculated as impervious surface in the water management calculations, which were submitted and approved by the South Florida Water Management District in Permit Number 36-00388-S, as modified ; and

WHEREAS, a limited review development order in case number LDO2009-00172 was approved on June 30, 2010 to allow accessory lots to be created, platted, and transferred to the contiguous principal lots; and

WHEREAS, The re-platting of The Island Club at Corkscrew Woodlands was approved on September 8, 2010 in Instrument Number 2010000226322 for 250 lots and one tract in accordance with case number PLT2009-00008; 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

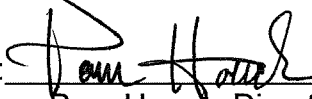
WHEREAS, the subject application and plans have been reviewed by the Lee County Department of Community Development in accordance with applicable regulations for compliance with all terms of the administrative approval procedures; and

WHEREAS, 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 the health, safety, and welfare of the surrounding land uses.

NOW, THEREFORE, IT IS HEREBY DETERMINED that the application for administrative approval to **amend Condition Number 4.g. approved in Administrative Amendment (PD) ADD2008-00153A** for The Island Club at Corkscrew Woodlands, a Residential Planned Development, is **APPROVED subject to the following conditions:**

1. **The Development must be in compliance with the amended Site Plans, stamped received August 31, 2010. The revised site plans for ADD2010-00071 are hereby approved and adopted. A reduced copy of the Master Concept Plan is attached hereto as Exhibit "E".**
2. **Condition Number 4.g. is hereby amended to read, "The existing improvements on Lots 148, 195, and 197 may remain. However, they must be permitted in accordance with Condition Number 8a."**
3. **This approval is subject to compliance with the all conditions and deviations approved in ADD2008-00153A.**
4. **The terms and conditions of the original zoning resolutions, Z-94-047 and Z-96-023, remain in full force and effect.**

DULY SIGNED this 17th day of September, 2010.

BY: 
Pam Houck, Director
Division of Zoning
Department of Community Development

Exhibits:

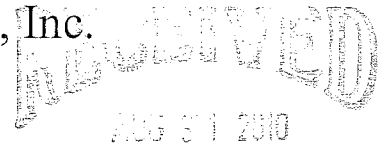
- A. Legal Description
- B. Resolutions Z-94-047 and Z-96-023
- C. ADD2008-00153A (see file for attachments)
- D. Sketches of Lots 148 and 148A; 195 and 195A; and 197 and 197A
- E. MCP approved in ADD2008-00153A

EXHIBIT A



Bean, Whitaker, Lutz & Kareh, Inc.

13041 McGregor Boulevard
Fort Myers, Florida 33919-5910
email – fmoffice@bwlk.net
(Ph) 239-481-1331 (Fax) 239-481-1073



COMMUNITY DEVELOPMENT

Description of a Parcel of Land
Lying in
Section 35, Township 46 South, Range 25 East
Lee County, Florida

ADD 2010-00071

(The Island Club at Corkscrew Woodlands - Zoning Boundary)

A parcel of land situated in the State of Florida, County of Lee, Section 35, Township 46 South, Range 25 East and being part of a parcel described in Official Record Book 1803 at Page 2677, and further described as follows:

Commencing at the southwest corner of the East One Half (E 1/2) of the Southwest One Quarter (SW 1/4) of Section 35, Township 46 South, Range 25 East; thence N00°44'07"W along the west line of said fraction for 1,366.54 feet to the southwest corner of said parcel as described in Official Record Book 1803 at Page 2677 and the Point of Beginning; thence continue N00°44'07"W along the west line of said fraction and said parcel for 560.00 feet to the northwest corner of said parcel; thence S90°00'00"E along said parcel for 700.00 feet; thence N19°00'00"E along said parcel for 900.00 feet; thence N68°30'00"E along said parcel for 916.51 feet; thence S90°00'00"E along said parcel for 492.82 feet to an intersection with the westerly right-of-way line of Interstate 75; thence S26°59'09"E along said right-of-way line and said parcel for 63.30 feet; thence S25°06'01"E along said right-of-way line and said parcel for 209.26 feet; thence S21°19'46"E along said right-of-way line and said parcel for 209.25 feet; thence S19°26'38"E along said right-of-way line and said parcel for 632.08 feet to the northeast corner of Corkscrew Woodlands - Phase Four as recorded in Plat Book 42 at Pages 10 through 12, inclusive; thence S70°33'22"W, departing said right-of-way line and said parcel and running along the north line of said subdivision, for 469.59 feet; thence N19°26'38"W along said subdivision for 49.05 feet; thence N88°53'36"W along said subdivision for 192.29 feet to the northwest corner of said subdivision; thence N90°00'00"W for 104.29 feet to an intersection with said parcel as described in Official Record Book 1803 at Page 2677; thence continue N90°00'00"W along said parcel for 200.00 feet; thence S43°48'47"W along said parcel for 265.16 feet; thence S67°59'15"W along said parcel for 242.00 feet; thence N75°45'27"W along said parcel for 21.25 feet to the southeast corner of a parcel as described in Official Record Book 3519 at Page 1059; thence N08°16'34"E along said parcel as described in Official Record Book 3519 at Page 1059 for 17.09 feet to the beginning of a non-tangent curve concave to the northeast having a radius of 212.00 feet and to which point a radial line bears S08°16'34"W; thence continue northwesterly along said parcel and said curve through a central angle of 30°38'04" for 113.35 feet; thence N75°45'27"W along said parcel for 91.27 feet; thence S32°38'41"W along said parcel for 82.14 feet to the southwest corner of said parcel and an intersection with the south line of said parcel as described in Official Record Book 1803 at Page 2677; thence S64°07'59"W along said parcel as described in Official Record Book 1803 at Page 2677 for 313.65 feet; thence S72°58'54"W along said parcel for 215.75 feet; thence S61°56'12"W along said parcel for 291.35 feet; thence S89°15'53"W along said parcel for 372.63 feet to the Point of Beginning.

Parcel contains 55.19 acres, more or less.

Subject to easements, restrictions, reservations and rights-of-way (recorded and unrecorded, written and unwritten).

Bearings are based on the west line of the East One Half (E 1/2) of the Southwest One Quarter (SW 1/4) of said Section 35 as bearing N00°44'07"W.

Bean, Whitaker, Lutz & Kareh, Inc. (LB 4919)

APPROVED
LEGAL
08-08-08
92-10

28992_DESC1

Scott C. Whitaker, P.S.M. 4324

PRINCIPALS:

SCOTT C. WHITAKER, PSM, PRESIDENT
JOSEPH L. LUTZ, PSM
AHMAD R. KAREH, PE, MSCE, VICE PRESIDENT

CONSULTING ENGINEERS - SURVEYORS AND MAPPERS - PLANNERS



ASSOCIATES:

JAMES A. HESSLER, PSM
CHARLES D. KNIGHT, PSM
MUNIR R. SULEH, PE, M.S.E.E.

SKETCH TO ACCOMPANY DESCRIPTION

OF A PARCEL OF LAND
LYING IN
SECTION 35, TOWNSHIP 46 SOUTH, RANGE 25 EAST,
LEE COUNTY, FLORIDA.

REFER TO BOUNDARY SURVEY FOR DELINEATION OF
EASEMENTS.

BEARINGS ARE BASED ON THE WEST LINE OF THE EAST
ONE HALF (E 1/2) OF THE SOUTHWEST ONE QUARTER
(SW 1/4) OF SAID SECTION 35 AS BEARING
N00°44'07"W

CO-ORDINATES SHOWN ARE BASED ON THE STATE
PLANE CO-ORDINATE SYSTEM FLORIDA WEST ZONE
(NORTH AMERICAN DATUM OF 1983-2007 ADJUSTMENT).

P.O.C. = POINT OF COMMENCEMENT
P.O.B. = POINT OF BEGINNING
O.R. = OFFICIAL RECORD BOOK
P.B. = PLAT BOOK
PGS. = PAGES
PG. = PAGE
R/W = RIGHT-OF-WAY

NW CORNER
O.R. 1803 PG. 2677

P.O.B.
N:759955.19
E:726690.92
SW CORNER
O.R. 1803 PG. 2677

P.O.C.
N:758588.76
E:726708.52
SW CORNER
E1/2 SW1/4
SECTION 35-46-25

(BEARING BASIS)
N00°44'07"W 560.00'
WEST LINE E1/2 SW1/4
SECTION 35-46-25
S89°15'53"W 372.63'
1366.54'
N00°44'07"W

APPROVED
LEGAL
9.2.20

NORTH LINE
O.R. 2145 PG. 1668

S89°51'17"W 1320.86'

EXISTING 100' WIDE
ROADWAY EASEMENT
O.R. 1614 PG. 1260

N:761366.15
E:727676.88

N19°00'00"E 900.00'

S32°38'41"W 82.14'
S64°07'59"W 313.65'
S72°58'54"W 215.75'
S61°56'12"W 291.35'

SOUTHERLY LINE
O.R. 1803 PG. 2677

EXCLUDED PARCEL
DEEDED TO CORKSCREW
WOODLANDS ASSOCIATION, INC.
O.R. 3519 PG. 1059
(0.15 ACRES)

S1/4 CORNER
SECTION 35-46-25

A=113.35'
R=212.00'
Δ=30°38'04"
CH=112.01'
CB=N66°24'24"W

NORTHERLY LINE
O.R. 1803 PG. 2677

N68°30'00"E 916.51'

S90°00'00"E 492.82'

N:761702.12
E:729022.22

CENTERLINE OF EXISTING CORKSCREW
WOODLANDS BOULEVARD (30' WIDE EASEMENT)
O.R. 1803 PG. 2677 AND ALSO SHOWN ON
THE RECORD PLAT OF CORKSCREW
WOODLANDS - PHASE TWO - SECTION A
P.B. 35 PGS. 96-102, INCLUSIVE

SUBJECT ZONING PARCEL

(55.19 ACRES)
O.R. 1803 PG. 2677
O.R. 3519 PG. 1350

NW CORNER
CORKSCREW WOODLANDS-PHASE FOUR

N90°00'00"W 200.00'

N90°00'00"W 104.29'

SOUTHERLY LINE
O.R. 1803 PG. 2677

CORKSCREW WOODLANDS:
THE RV LANDMINIUM
COMMUNITIES ASSOCIATION, INC.
O.R. 2145 PG. 1668

N19°26'38"W 49.05'

S43°48'47"W 265.16'

S67°59'15"W 242.00'

N75°45'27"W 21.25'

N08°16'34"E 17.09'

N08°53'36"W 192.29'

S70°33'22"W 469.59'

S19°26'38"E 632.08'

S28°59'09"E 63.30'

S28°59'09"E 63.30'

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S28°59'09"E 63.30'

S28°59'09"E 63.30'

*** THIS IS NOT A SURVEY ***

Bean, Whitaker, Lutz & Kareh, Inc.

SCOTT C. WHITAKER, P.S.M.
Florida Certificate No. 4324

THE ISLAND CLUB AT CORKSCREW WOODLANDS

Bean, Whitaker, Lutz & Kareh, Inc. (LB 4919)

CIVIL ENGINEERS - SURVEYORS AND MAPPERS - PLANNERS

13041 MCGREGOR BOULEVARD, FORT MYERS, FLORIDA 33919-5910 (239) 481-1331

SK28992.DWG

DATE	PROJECT NO.	DRAWN BY	SCALE	SHEET	FILE NO. (S-T-R)
B-8-08	28992	CNA	1" = 300'	1 OF 1	35-46-25

ADD 2010-00074

EXHIBIT B

RESOLUTION NUMBER Z-94-047

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA

ADD 2010-00071

WHEREAS, David F. Davis, Trustee, represented by Ronald L. Davis, Trustee, in reference to Corkscrew Woodlands, has properly filed an application for a rezoning from RV-3 to Residential Planned Development; and

WHEREAS, the subject property is located at 21460 Corkscrew Woodlands Boulevard, Estero, described more particularly as:

LEGAL DESCRIPTION: In Section 35, Township 46 South, Range 25 East, Lee County, Florida:

A tract or parcel of land situated in the State of Florida, County of Lee, lying in Section 35, Township 46 South, Range 25 East, and further bounded and described as follows:

Starting at the Southwest corner of the East Half (E1/2) of the Southwest Quarter (SW1/4) of said Section 35;
THENCE N00°44'07"W along the West line of said fraction for 1,366.54 feet to the Southwest corner of a parcel described in Official Record Book 1803 at Page 2677 and the POINT OF BEGINNING;
THENCE continue N00°44'07"W along the West line of said fraction and said parcel for 560.00 feet to the Northwest corner of said parcel;
THENCE East along the Northerly line of said parcel for 700.00 feet;
THENCE N19°00'00"E along the Northwesterly line of said parcel for 900.00 feet;
THENCE N68°30'00"E along the Northerly line of said parcel for 311.23 feet to the centerline of a roadway easement (30 feet wide) as recorded in Official Record Book 1803 at Page 2677 and as shown on the record plat of "Corkscrew Woodlands - Phase Two - Section A" as recorded in Plat Book 35 at Pages 96-102, inclusive, said point being on a curve concave to the Northeast having a radius of 100.00 feet and to which point a radial line bears S64°13'46"W;
THENCE Southeasterly along said curve and the centerline of said roadway easement 30.00 feet wide (the sidelines of said easement lying 15.00 feet each side of said centerline) through a central angle of 22°37'12" for 39.48 feet to a POINT OF REVERSE CURVE concave to the Southwest having a radius of 225.46 feet;
THENCE Southeasterly along said curve and said centerline through a central angle of 34°33'09" for 135.96 feet;
THENCE S13°50'16"E along said centerline for 115.99 feet to the beginning of a curve concave to the Northwest having a radius of 188.00 feet;
THENCE Southwesterly along said curve and said centerline through a central angle of 55°54'11" for 183.43 feet;
THENCE S42°03'55"W along said centerline for 45.37 feet to the beginning of a curve concave to the Southeast having a radius of 204.95 feet;
THENCE Southwesterly along said curve and said centerline through a central angle of 52°27'30" for 187.65 feet to a POINT OF REVERSE CURVE concave to the Northwest having a radius of 204.64 feet;
THENCE Southwesterly along said curve and said centerline through a central angle of 52°31'43" for 187.61 feet;
THENCE S42°08'08"W along said centerline for 53.66 feet to the beginning of a curve concave to the Southeast having a radius of 202.00 feet;
THENCE Southwesterly along said curve and said centerline through a central angle of 52°36'46"W for 185.49 feet to a POINT OF COMPOUND CURVE concave to the Northeast having a radius of 630.22 feet;
THENCE Southeasterly along said curve and said centerline through a central angle of 12°24'37" for 136.51 feet to the South line of said parcel recorded in Official Record Book 1803 at Page 2677;
THENCE S64°07'59"W along said Southerly line for 380.00 feet;
THENCE S72°58'54"W along said Southerly line for 215.75 feet;
THENCE S61°56'12"W along said Southerly line for 291.35 feet;
continued...

THENCE S89°15'53"W along said Southerly line for 372.63 feet to the POINT OF BEGINNING.

Containing 20.99 acres, more or less.

Bearings are based on the West line of the East Half (E1/2) of the Southwest Quarter (SW1/4) of said Section 35 as bearing N00°44'07"W. Subject to easements, restrictions, reservations and rights-of-way (recorded and unrecorded).

WHEREAS, the applicant has indicated the property's current STRAP number is 35-46-25-00-00001.1040; and

WHEREAS, proper authorization has been given to Bean, Whitaker, Lutz & Barnes, Inc., Scott Barker and Ronald L. Davis, Trustee, by David F. Davis, Trustee for Fredric Trust #3, the owner of the subject parcel, to act as agent to pursue this zoning application; and

WHEREAS, a public hearing was legally and properly advertised and held before the Lee County Hearing Examiner, with full consideration of all the evidence available; and the Lee County Hearing Examiner fully reviewed the matter in a public hearing held on October 11, 1994; and

WHEREAS, a public hearing was legally and properly advertised and held before the Lee County Board of County Commissioners; and the Lee County Board of County Commissioners gave full and complete consideration to the recommendations of the staff, the Hearing Examiner, the documents on file with the county, and the testimony of all interested persons.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS, that the Board of County Commissioners does hereby APPROVE with conditions a rezoning from RV-3 to RPD.

The rezoning and Master Concept Plan are subject to the following conditions:

1. The development and use of the subject property shall be in substantial compliance with the approved two-page Master Concept Plan entitled "Master Concept Plan Corkscrew Woodlands Minor RPD" (File No. 35-46-25, Project Number 3918, Sheet 1, last revised 8/17/94, with Sheet 1 stamped received August 19, 1994 and Sheet 2 stamped received July 21, 1994) as prepared by Bean, Whitaker, Lutz & Barnes, except as may modified by the conditions herein. Total units within this planned development shall not exceed 87 units. However, the development may be permitted a maximum of 120 dwelling units if the Developer is able to obtain approval under the provisions of the Housing Density Bonus Ordinance (Ord. 89-45, as amended or replaced) or the Transfer of Development Rights Ordinance (Ord. 86-18, as amended or replaced) for additional density within this development.
2. Lots within this development shall be developed in accordance with the following Property Development Regulations:

Minimum Lot Area and Dimensions:

Area: 2,200 square feet

Minimum Setbacks:

Street: Variable according to the functional classification of the street or road (Section 34-2192)
Attached accessory garages and carports may be allowed a minimum street setback of 10 feet.

Side: Right side of lot (parcel) - 1 foot
Left side of lot (parcel) - 9 feet
In no case shall the minimum separation between individual units be less than 10 feet.

Rear: 0 (zero) feet

Water Body: 18 feet

Maximum Building Height: 35 feet

3. The following shall be the approved Schedule of Uses for this planned development:

TEMPORARY CONSTRUCTION OFFICE (Section 34-3044)
MODEL HOMES with real estate sales (Section 34-1954)
SPECULATIVE HOMES (Section 34-1953)
DWELLING UNIT: Single family
Zero lot line (rear lot line only)
EXCAVATION: Water retention
SIGNS, in conformance with the Land Development Code
RESIDENTIAL ACCESSORY USES [Section 34-622(c)(42)]
RECREATIONAL FACILITIES: Private

4. This zoning approval does not signify that the project's traffic impacts have been mitigated. Additional conditions may be required at the time of issuance of a local Development Order per the Lee County Land Development Code or other Lee County Ordinance.
5. Approval of this rezoning does not give the Developer the undeniable right to receive any local Development Order approval that exceeds the Year 2010 Overlay use allocation, if such allocation exists, for the applicable district.
6. DEVIATION (1) WAS WITHDRAWN AT THE HEARING.
7. Prior to the sale of the first lot or unit within this development, the Developer shall be required to formulate an emergency hurricane preparedness plan, subject to the approval of the Division of Emergency Management.
8. Any drawing included as part of an application for a local Development Order or Plat approval for the subject property in accordance with Chapter 10 of the Land Development Code, are to show all "cypress heads" also labeled as "Preserve."
9. All applicable environmental requirements of the Land Development Code must be met before local Development Order approval.

Site Plan 94-047 is attached hereto and incorporated herein by reference, as a reduced copy of the Master Concept Plan.

The following findings and conclusions were made in conjunction with this approval of RPD zoning:

- A. That changes in development criteria and market conditions concerning the preference of conventional housing over modular housing makes approval of the rezoning appropriate.
- B. That the RPD zoning, as conditioned, will not have an adverse impact on Chapter 34, Land Development Code.
- C. That the RPD zoning, as conditioned, is consistent with the goals, objectives, policies and intent of the Lee Plan, and with the densities, intensities and general uses set forth in the Lee Plan and the Housing Bonus Density Ordinance (#89-45, as amended).
- D. That the RPD, as conditioned, meets or exceeds all performance and locational standards set forth for the proposed uses.
- E. That the RPD, as conditioned, will protect, conserve or preserve environmentally critical areas and natural resources.
- F. That the RPD, as conditioned, is compatible with existing or planned uses, and will not cause damage, hazard, nuisance or other detriment to persons or property.
- G. That the RPD, as conditioned, will not place an undue burden upon existing transportation or other services and facilities, and will be served by streets with the capacity to carry traffic generated by the development.

- H. That the RPD, as conditioned, will comply with all applicable general zoning provisions and supplemental regulations pertaining to the uses, as set forth in Chapter 34, Land Development Code.
- I. That the uses proposed are appropriate for this location.
- J. That the public's interest, health, safety and welfare will be adequately protected by the conditions imposed on the RPD and by the land development regulations and other Lee County ordinances.
- K. That the conditions imposed on the RPD zoning are reasonably related to the the impacts anticipated from the development.

The foregoing Resolution was adopted by the Lee County Board of County Commissioners upon a motion by Commissioner John Manning, and seconded by Commissioner Franklin Mann and, upon being put to a vote, the result was as follows:

John E. Manning	<u>AYE</u>
Douglas R. St. Cerny	<u>AYE</u>
Ray Judah	<u>AYE</u>
Franklin B. Mann	<u>AYE</u>
John E. Albion	<u>AYE</u>

DULY PASSED AND ADOPTED this 21st day of November, A.D., 1994.

ATTEST:
CHARLIE GREEN, CLERK

BY: Joach P. Price
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: John E. Albion
Chairman

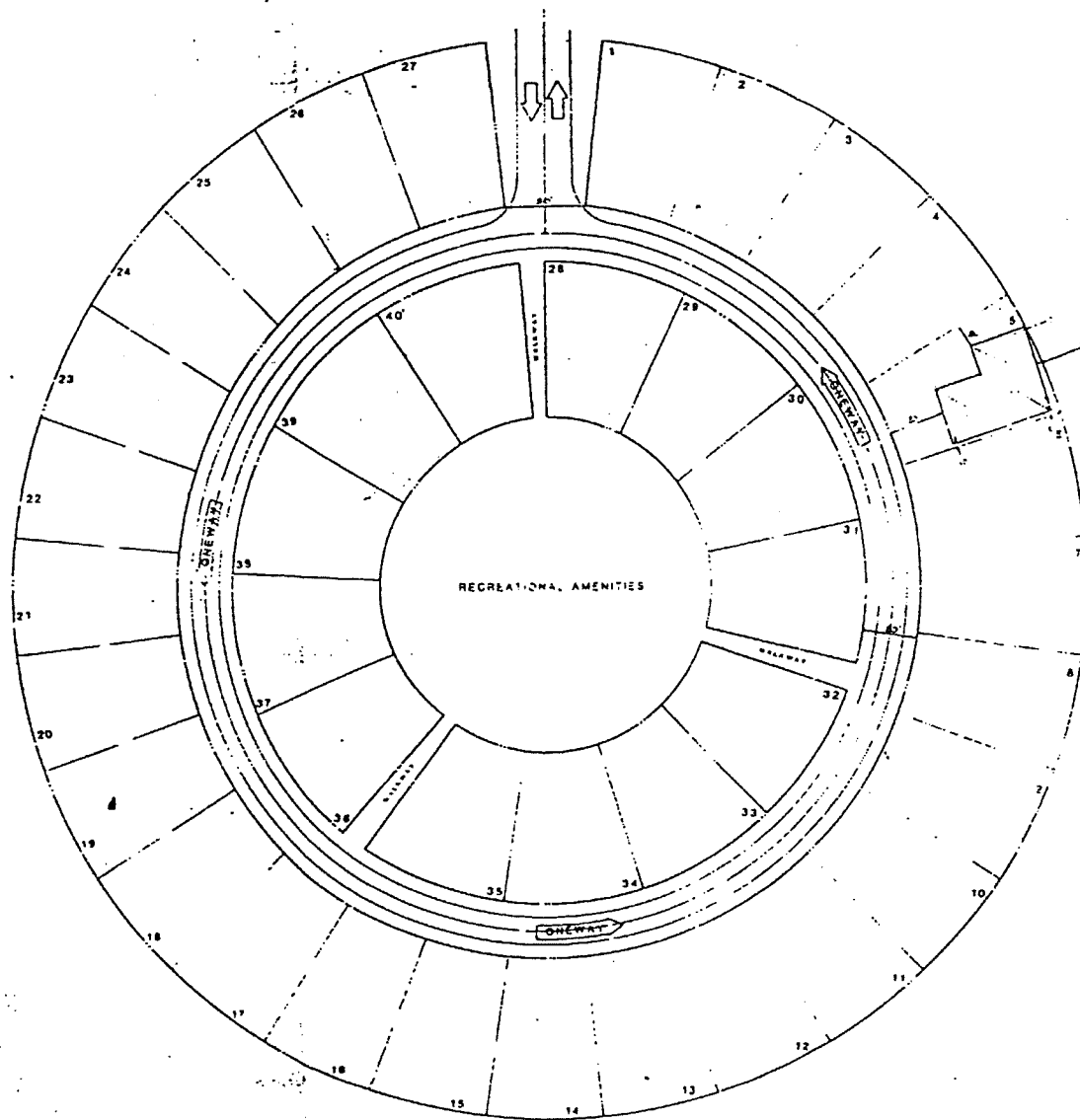
Approved as to form by:

General
County Attorney's Office

FILED

DEC 7 1994

CLERK CIRCUIT COURT
BY sp D.C.



TYPICAL ILLUSTRATION
TO SHOW SETBACKS

APPROVED
SEAL OF THE
SUN FIDELITY
SUN FIDELITY
SUN FIDELITY

RECEIVED
JUN 21 1964
ZONING COUNTER

TYPICAL COMMUNITY PLAN
CORKSCREW WOODLANDS RPD

Dean Whitaker, Lutz & Barnes, Inc.

RECEIVED
AUG 31 2010

RESOLUTION NUMBER Z-96-023

COMMUNITY DEVELOPMENT
RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

WHEREAS, Frederic Trust No. 3, represented by David F. Davis, Trustee, filed an application to rezone the northeast parcel of the Corkscrew Woodlands Development from RV-3 (Conventional Recreational Vehicle District) to RPD (Residential Planned Development), in reference to Corkscrew Woodlands, Phases A, B, C and D; and

WHEREAS, the subject property is located at 21460 Corkscrew Woodlands Boulevard, Estero, and is described more particularly as:

LEGAL DESCRIPTION: In Section 35, Township 46 South, Range 25 East, Lee County, Florida:

Starting at the Southwest corner of the East Half (E½) of the Southwest Quarter (SW¼) of said Section 35;

THENCE N00°44'07"W along the West line of said fraction for 1,366.54 feet to the Southwest corner of a parcel described in Official Record Book 1803 at Page 2677;

THENCE continue N00°44'07"W along the West line of said fraction and said parcel for 5.60 feet to the Northwest corner of said parcel;

THENCE East along the Northerly line of said parcel for 700.00 feet;

THENCE N19°00'00"E along the Northwesterly line of said parcel for 900.00 feet;

THENCE N68°30'00"E along the Northerly line of said parcel for 311.23 feet to the centerline of a roadway easement (30 feet wide) as recorded in Official Record Book 1803 at Page 2677 and as shown on the record plat of "CORKSCREW WOODLANDS - PHASE TWO - SECTION A" as recorded in Plat Book 35 at Pages 96-102, inclusive, said point being the POINT OF BEGINNING, and a point lying on a curve concave to the Northeast, having a radius of 100.00 feet and to which point a radial line bears S64°13'46"W;

THENCE Southeasterly along said curve and the centerline of said roadway easement 30.00 feet wide (the sidelines of said easement lying 15.00 feet each side of said centerline) through a central angle of 22°37'12" for 39.48 feet to a point of reverse curve concave to the Southwest having a radius of 225.46 feet;

THENCE Southeasterly along said curve and said centerline through a central angle of 34°33'09" for 135.96 feet;

THENCE S13°50'16"E along said centerline for 115.99 feet to the beginning of a curve concave to the Northwest having a radius of 188.00 feet;

THENCE Southwesterly along said curve and said centerline through a central angle of 55°54'11" for 183.43 feet;

THENCE S42°03'55"W along said centerline for 45.37 feet to the beginning of a curve concave to the Southeast having a radius of 204.95 feet;

THENCE Southwesterly along said curve and said centerline through a central

angle of 52°27'30" for 187.65 feet to a point of reverse curve concave to the Northwest having a radius of 204.64 feet;
THENCE Southwesterly along said curve and said centerline through a central angle of 52°31'43" for 187.61 feet;
THENCE S42°08'08"W along said centerline for 53.66 feet to the beginning of a curve concave to the Southeast having a radius of 202.00 feet;
THENCE Southwesterly along said curve and said centerline through a central angle of 52°36'46"W for 185.49 feet to a point of compound curve concave to the Northeast having a radius of 630.22 feet;
THENCE Southeasterly along said curve and said centerline through a central angle of 12°24'37" for 136.51 feet to the South line of said parcel recorded in Official Record Book 1803 at Page 2677;
THENCE S75°45'31"E along said South line for 200.00 feet;
THENCE N67°59'15"E along said South line for 242.00 feet;
THENCE N43°48'47"E along said South line for 265.16 feet;
THENCE East along said South line for 304.29 feet to the Northwest corner of Corkscrew Woodlands - Phase IV as recorded in Plat Book 42 at Pages 10-12 of the Public Records of Lee County, Florida;
THENCE S88°53'36"E along the Northerly line of said subdivision for 192.29 feet;
THENCE S19°26'38"E along said subdivision for 49.05 feet;
THENCE N70°33'22"E along the Northerly line of said subdivision for 469.59 feet to the Westerly right-of-way line of I-75;
THENCE N19°26'38"W along said Westerly right-of-way line for 632.08 feet;
THENCE N21°19'46"W along said Westerly right-of-way line for 209.25 feet;
THENCE N25°06'01"W along said Westerly right-of-way line for 209.26 feet;
THENCE N26°59'09"W along said Westerly right-of-way line for 63.30 feet to the Northeast corner of said parcel described in Official Record Book 1803 at Page 2677;
THENCE West along the Northerly line of said parcel for 492.82 feet;
THENCE S68°30'00"W along said Northerly line for 605.28 feet
to the POINT OF BEGINNING.
Containing 34.35 acres, more or less.

WHEREAS, the applicant has indicated the property's current STRAP number is 35-46-25-00-00001.1040; and

WHEREAS, Frederic Trust No. 3, represented by David F. Davis, Trustee owner of the subject parcel, authorized Bean, Whitaker, Lutz & Barnes, Inc. and R. Scott Barker to act as agents to pursue this zoning application; and

WHEREAS, a public hearing was advertised and held on May 21, 1996 before the Lee County Hearing Examiner who gave full consideration of the evidence available; and

WHEREAS, a public hearing was advertised and held on July 15, 1996 before the Lee County Board of County Commissioners who gave full and complete consideration to the

recommendations of staff, the Hearing Examiner, the documents on file with the county, and the testimony of all interested persons.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS, that the Board **APPROVES** with conditions the requested rezoning from RV-3 to RPD.

SECTION A. CONDITIONS:

The rezoning and Master Concept Plan are subject to the following conditions:

1. The development and use of the subject property is to be in substantial compliance with the approved two-page Master Concept Plan entitled "Master Concept Plan Minor RPD, Corkscrew Woodlands East Parcel" (File No. 35-46-25, Project No. 28992, Page 1 last revised 5-17-96, stamped received May 21, 1996 and Page 2 last revised 3-12-96, stamped received March 19, 1996) prepared by Bean, Whitaker, Lutz & Barnes, Inc., except as may be modified by the conditions herein.
2. This planned development may not exceed 200 dwelling units. The development is entitled to 134 units by right under the existing Lee Plan. The remaining 66 units may be allowed, individually or by combination of the following methods:
 - a. In accordance with the provisions of the Land Development Code, Chapter 34, Article VII., Division 12, Subdivision III (Housing Density Bonus for Provision of Low and Moderate-Income Housing); and/or
 - b. In accordance with any future amendment to the Lee Plan which allows bodies of water to be included as part of the acreage upon which density may be calculated; and/or
 - c. In accordance with any future amendment to the Lee Plan which allows density to be increased in the land use category in which the site is located.
3. The following uses are permitted:

TEMPORARY CONSTRUCTION OFFICE [Section 34-3044]
MODEL HOMES with real estate sales [Section 34-1954]
SPECULATIVE HOMES [Section 34-1953]
DWELLING UNIT: Conventional Single Family Zero Lot Line
EXCAVATION, Water Retention
SIGNS, in conformance with LDC Chapter 30
RESIDENTIAL ACCESSORY USES [Section 34-622(c)(42)]

RECREATIONAL FACILITIES, Private
ENTRANCE GATE OR GATEHOUSE

4. Development of the RPD will comply with the following Property Development Regulations:

Minimum Lot Area and Dimensions:

Area: 2,200 square feet

Minimum Setbacks:

Street: 20 feet without garage/carport or feet with garage/carport or 15 feet with garage/carport.
Corner Lots: Setbacks along each entrance road may be one foot or nine feet, whichever causes the 10-foot structural separation to be maintained to the adjacent unit.
Side: Nine feet on one side and one foot on opposite side. In no instance may there be less than 10 feet of separation between units.
Rear: Zero feet
Water Body: 18 feet measured from the outside of the building wall to the point where the bank side slope intercepts the control elevation of the water body.

Maximum Building Height: 35 feet

5. This zoning approval does not address the mitigation of the project's vehicular or pedestrian traffic impacts. Additional conditions may be required at the time of local Development Order.
6. Prior to the sale of the first lot within this planned development, the Developer must formulate an emergency hurricane preparedness plan subject to the approval of the Division of Emergency Management.
7. Approval of this rezoning does not give the Developer the undeniable right to receive local Development Order approval that exceeds the Year 2010 Overlay use allocation for the applicable district.
8. This development must comply with all of the requirements of the Lee County Land Development Code at the time of local Development Order approval, except as may be granted by deviation as part of this planned development.

SECTION B. DEVIATIONS:

The Master Concept Plan deviates from several Lee County development standards. The proposed deviations are granted as set forth below:

1. Deviation (1) requests relief from LDC Section 34-2194(3)(b) to allow a zero foot setback from a water body. The requested deviation is **APPROVED** with the condition that a fence or other acceptable safety device is provided along the edge of the pool deck in the recreational area.
2. Deviation (2) requests relief from LDC Section 34-935 (c)(2) to allow the internal road or street to be set back five feet from the north and northeast perimeter property line as shown on the Master Concept Plan. The requested deviation is **APPROVED**.
3. Deviation (3) requests relief from LDC Section 34-935(b)(2)(a) to allow a 10-foot structural setback from the southern perimeter property line. The requested deviation is **APPROVED**.

SECTION C. Master Concept Plan:

A two page reduced copy of the Master Concept Plan is attached and incorporated into this resolution by reference.

SECTION D. FINDINGS AND CONCLUSIONS:

The following findings and conclusions were made in conjunction with the approval of the requested RPD rezoning:

1. The applicant has proved entitlement to the RPD rezoning by demonstrating compliance with the Lee Plan, the Land Development Code, and other applicable codes and regulations.
2. The requested zoning:
 - a) meets or exceeds all performance and locational standards set forth for the potential uses allowed by the request;
 - b) is consistent with the densities, intensities and general uses set forth in the Lee Plan;
 - c) is compatible with existing or planned uses in the surrounding area; and
 - d) will not adversely affect environmentally critical areas and natural resources.
3. Approval of the request will not unduly burden existing transportation or planned

infrastructure facilities and the property will be served by streets with the capacity to carry traffic generated by the development.

4. Urban services, as defined in the Lee Plan, are, or will be, available and adequate to serve the proposed land use.
5. The proposed use or mix of uses is appropriate at the subject location.
6. The recommended conditions to the concept plan and other applicable regulations provide sufficient safeguards to the public interest.
7. The recommended conditions are reasonably related to the impacts on the public's interest created by or expected from the proposed development.
8. The deviations granted:
 - a) enhance the objectives of the planned development; and
 - b) preserve and promote the general intent of the LDC to protect the public health, safety and welfare.

The foregoing resolution was adopted by the Lee County Board of County Commissioners upon a motion by Commissioner John E. Manning, and seconded by Commissioner Andrew W. Coy and, upon being put to a vote, the result was as follows:

John E. Manning	AYE
Douglas R. St. Cerny	AYE
Ray Judah	AYE
Andrew W. Coy	AYE
John E. Albion	AYE

DULY PASSED AND ADOPTED this 15th day of July, A.D., 1996.

ATTEST:
CHARLIE GREEN, CLERK

BY: [Signature]
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: [Signature]
Chairman

FILED

JUL 17 1996

Approved as to form by:

[Signature]
County Attorney's Office

CLERK CIRCUIT COURT
BY: [Signature] D.C.

CASE NO. 96-02-108.027
A:\CRKWDRS.RES

RESOLUTION NO. Z-96-023
Page 6 of 6

RECREATION AREA

Note:
Setbacks are typical, however, the applicant retains the right to move the building envelope on the lot as long as setbacks are met and 10' is maintained between structures.

REFER TO SHEET 1 OF 2 FOR REFERENCE LINE

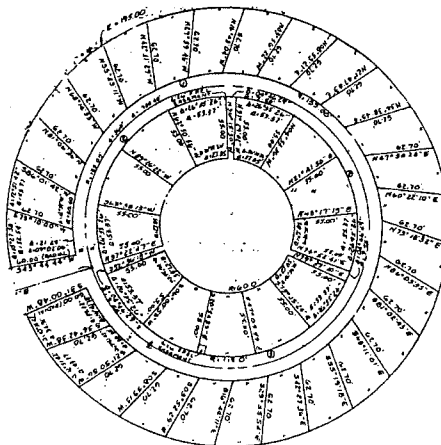
Note:
Lot areas and dimensions are minimums.

C

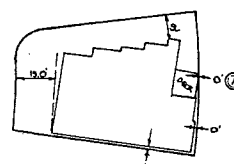
EXISTING LAKE TO BE FILLED (AS NEEDED) IN ACCORDANCE WITH U.S. ARMY CORP OF ENGINEERS PERMIT 199200942

ALTERNATIVE #4
(RECTANGULAR LOT LAYOUT)
(40 LOT COMMUNITY)

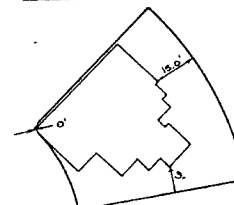
EXISTING PLATTED COMMUNITY



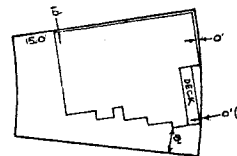
ALTERNATIVE #3
(40 LOT COMMUNITY)



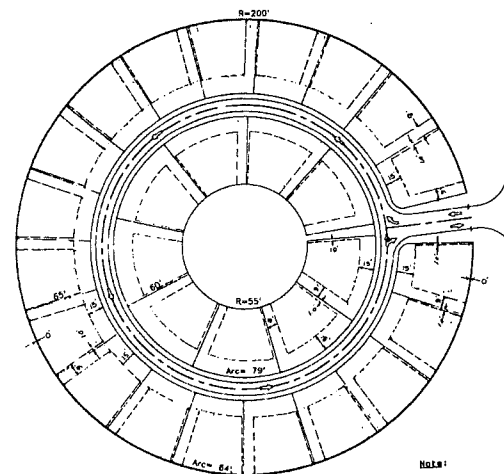
TYPICAL CORNER LOT



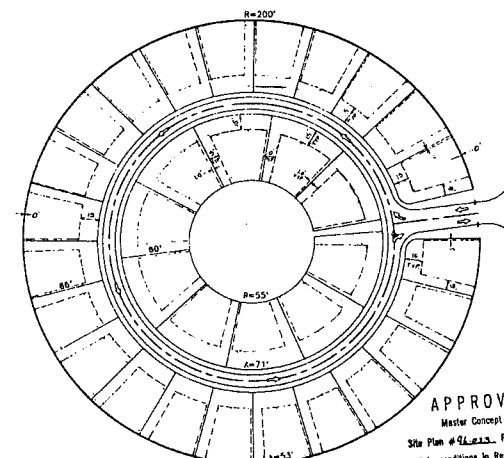
TYPICAL INTERIOR LOT



TYPICAL EXTERIOR LOT



ALTERNATIVE #1
(28 LOT COMMUNITY)



ALTERNATIVE #2
(33 LOT COMMUNITY)

Note:
Setbacks are typical, however, the applicant retains the right to move the building envelope on the lot as long as setbacks are met and 10' is maintained between structures.

APPROVED

Master Concept Plan
Site Plan # 96-02-108-02-2
Subject to conditions in Resolution Z-96-22-2
Zoning Case # 96-02-108-02-2

PROJECT # 96-02-108-02-2
PROJECT TYPE 13

RECEIVED

MAR 19 1996

ZONING COUNTER

ALTERNATIVE LOT LAYOUTS
CORKSCREW WOODLANDS EAST PARCEL

Bean, Whitaker, Lutz & Barnes, Inc.
CONSULTING ENGINEERS AND SURVEYORS

13141-B MCGREGOR BOULEVARD, FORT MYERS, FLORIDA 33919 (813) 481-1331

ZONING1	CWIC	DATE	PROJECT NO.	DRAWN BY	SCALE	SHEET	FILE NO. (S-T-R)
		2-05-96	28992	SCW	1" = 50'	3 OF 3	35-48-25

REVISED 3-2-96

RECEIVED
AUG 31 2010

ADD 2010-00071

ADMINISTRATIVE AMENDMENT (PD)
ADD2008-00153A

COMMUNITY DEVELOPMENT

ADMINISTRATIVE AMENDMENT
LEE COUNTY, FLORIDA

WHEREAS, The Island Club at Corkscrew Woodlands Homeowners Association, Inc., filed an application for Administrative Amendment of the Residential Planned Development project approval known as The Island Club at Corkscrew Woodlands, in accord with the Compliance Agreement recorded in the public records at OR Book 4811, Page 4330, and attached as Exhibit "C." to facilitate abatement of 238 code violations on property located in Lee County and more particularly described in attached Exhibit A; and,

WHEREAS, this Amendment encompasses the subject property rezoned from Recreational Vehicle District (RV-3) to Residential Planned Development (RPD) by Resolutions Z-94-047 and Z-96-023 (copies of which are attached as Exhibit "B"), consisting of approximately 55 acres including infrastructure that is common to The Island Club at Corkscrew Woodlands and Corkscrew Woodlands RV development (such as water management, lakes areas, roads and other infrastructure); and,

WHEREAS, the subject property is located at the southwest corner of the intersection of Corkscrew Road and Interstate 75 at 21460 Corkscrew Woodlands Boulevard; and,

WHEREAS, the subject property is located in the Urban Community and Wetlands Future Land Use Categories as designated by the Lee Plan; and,

WHEREAS, numerous encroachments have occurred within The Island Club at Corkscrew Woodlands into areas designated as open space, common space and utility or drainage easements resulting in 238 code violations issued to approximately 180 property owners for setback encroachments and unpermitted structures; and,

WHEREAS, in order to facilitate the abatement of the code violations and provide the framework for compliance with LDC regulations, Lee County has entered into a Compliance Agreement with The Island Club at Corkscrew Woodlands Homeowners' Association; and

WHEREAS, subsequent to entering into the Compliance Agreement, the Association filed a Declaratory Judgment action intended to provide the Association with the authority to convey portions of the common area in accord with the terms of the Compliance Agreement; and,

WHEREAS, the parties to the lawsuit entered into a settlement agreement establishing that the Association has the requisite authority to seek development approvals and take action in accord with the Compliance Agreement, as evidenced by the Certificate

of Amendment recorded at instrument No. 2007000280887 and attached as Exhibit "C"; and,

WHEREAS, the Compliance Agreement allows the County to administratively amend the Master Concept Plan (MCP); and,

WHEREAS, for purposes of this Administrative Amendment, accessory structures include patios and decks with or without screen enclosures, docks and piers; and,

WHEREAS, for purposes of this Administrative Amendment, the principal or primary lots are the platted single-family lots consisting of approximately 2,200 square feet in area and the proposed small lots are approximately 195 square-foot lots that may only be associated and aggregated to the adjacent primary lot subsequent to creation via a recorded plat in accord with the Compliance Agreement; and,

WHEREAS, this Administrative Amendment will permit creation of substandard small lots via a recorded plat to enable the recording of deeds to aggregate small lots with the adjacent contiguous primary lots to facilitate the permitting and construction of accessory structures and additions to the aggregated residential lot; and,

WHEREAS, Section C.2.b of the Compliance Agreement establishes the process to amend the MCP for Corkscrew Woodlands RPD; and,

WHEREAS, the subject application and plans have been reviewed by the Lee County Department of Community Development (DCD) in accordance with the Compliance Agreement and all terms of the administrative approval process.

NOW, THEREFORE, IT IS HEREBY DETERMINED that the application for administrative approval for an amendment to The Island Club at Corkscrew Woodlands RPD is **APPROVED** subject to the following findings, deviations and conditions.

FINDINGS

1. The applicant met with the Estero Community Planning Panel on October 20, 2008, to review the proposed amendment to Zoning Resolutions Z-94-047 and Z-96-023. The Panel gave the Administrative Amendment its complete endorsement. A copy of the Minutes is attached hereto as Exhibit "D."
2. The applicant has provided an amended MCP, included as Exhibit "E," depicting the additional 195± square foot small lots. The MCP further identifies the lots subject to the code violations.
3. The Island Club at Corkscrew Woodlands was originally approved with a principal structure separation of 10 feet and side setbacks of one foot and nine feet which allows a 10 foot separation. The applicant has provided a letter from the Estero Fire

and Rescue District, dated February 26, 2008, attached as Exhibit "F", noting that the Fire District's jurisdiction does not include authority to determine compliance with the National Fire Protection Codes, the Florida Statutes or the Florida Fire Prevention Code with respect to single-family residences. However, the District recommended a minimum separation of 10 feet between structures to allow access to the rear of the subject properties in the event of an emergency.

4. The applicant has provided a report prepared by W. Dexter Bender and Associates, Inc. based upon a site inspection conducted September 2008 to determine current site conditions as they pertain to the wetlands and preservation areas. The report was based upon The Island Club at Corkscrew Woodlands Phases 4, 5, 6, 7 and 8 Open Space/Landscape Plan as prepared by Southwest Engineering, the Survey Plat, and Corkscrew Woodlands preliminary survey prepared by Bean, Whitaker, Lutz and Kareh, which was a basis for drafting the Compliance Agreement. A copy of the report dated September 29, 2008 is attached hereto as Exhibit "G."
5. In accord with Section C.2.b(7) of the Compliance Agreement, the applicant recorded an amendment to the 10 foot setback requirement originally recorded in OR Book 3224, Page 2723 (Instrument 2008000255939), which grants The Island Club at Corkscrew Woodlands the right to encroach into designated setback requirement areas.
6. The existing drainage and public utility easements at the center of each "circle" have been modified to accommodate creation of the small lots without impact to the existing easements. New easements will be created via the plat between Phases I and II; Phases II and III; Phases IV and V-1; Phases V-1 and VIII; Phases VII and VIII and Phases VI-A and VI-B to protect existing or potential drainage facilities. The easements between the separate phases (circles) are depicted on the MCP and must be shown on the Development Order Plans and recorded plat.
7. The creation of the small lots and the resulting reduction in setbacks are internal to The Island Club at Corkscrew Woodlands and do not have a detrimental effect to the public health, safety, and welfare of the existing and external land uses.
8. Approval of this Administrative Amendment will facilitate the issuance of permits in accord with County zoning and property development regulations in order to legitimize a number of the currently illegal structures existing within The Island Club at Corkscrew Woodlands and ensure compatibility with the existing residential land uses.
9. 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 infrastructures; does not reduce total open space, buffering, landscaping or preservation areas; will not precipitate or create external impacts, and does not otherwise adversely impact surrounding land uses.

10. County approval of this Administrative Amendment in accord with the Compliance Agreement does not obligate the County to approve improvements constructed prior to approval of this Administrative Amendment without required County permits. Notwithstanding approval of this Administrative Amendment, the County is not liable for damages of any kind attributable to unpermitted structures or improvements within The Island Club at Corkscrew Woodlands.
11. The applicant has provided a copy of the recorded Declaration of Covenants, Conditions, Restrictions, and Reservations for The Island Club at Corkscrew Woodlands, Phase I attached hereto as Exhibit "H." When the subject property was developed under Southwest Florida Water Management District Permit No. 36-00338-S, a lake maintenance agreement was not required. The subject property and development has been constructed to capacity, providing no space along the lake bank to provide a maintenance easement. The Island Club at Corkscrew Woodlands Homeowners Association, Inc., has entered into a lake maintenance agreement with Corkscrew Woodlands Association, Inc., with regard to the lake that is in common use by said associations. Said agreement was approved by the Southwest Florida Water Management District and recorded as Instrument Number 2009000343574 in the public records of Lee County, Florida. The applicant has provided language in the Declaration of Covenants, Conditions, Restrictions and Reservations for The Island Club at Corkscrew Woodlands, Phase I, acknowledging the responsibility of lake maintenance as provided for in the aforementioned lake maintenance agreement. Access to the portion of the lake to be maintained by The Island Club at Corkscrew Woodlands Homeowners Association, Inc., is provided between Lots 152 and 153, Phase V-A and between the recreation area and Lot 198, Phase VI-B.

DEVIATIONS

The applicant is requesting 12 deviations from the Land Development Code (LDC) addressed as follows:

1. Deviation from the LDC Section 26-71(d)(2) requirement to provide setbacks for docks is **DENIED**. This deviation is not required because LDC Section 26-71(d)(2) is applicable to natural water bodies and not manmade lakes.
2. Deviation from the LDC Section 26-73(2) that requires fishing piers or observation decks must be constructed to provide access walkways and terminal platforms at five feet above mean high water, to allow such platforms that are existing to be a minimum of three feet above average high water of the non-tidal manmade lake is **APPROVED**, subject to the following condition:

□No mooring□ signs must be placed on observation decks along handrails, to prevent boats from utilizing the structure as a dock.

3. Deviation from the LDC Section 26-73(1) that requires fishing piers or observation decks be designed to prohibit launching and mooring of watercraft, to allow launching and mooring of non-motorized watercraft is **DENIED**.
4. Deviation from the LDC Section 10-291(1) that requires development must be designed so as not to create remnants and landlocked areas unless those areas are established as common areas, to allow small lots to be created by plat that will be immediately adjacent and contiguous to the principal lots in The Island Club at Corkscrew Woodlands. Each accessory lot will only be attached to its contiguous adjacent primary lot. **This deviation is APPROVED subject to Condition Numbers 5 and 6.**
5. Deviation from the LDC Section 34-1174(a) that requires that accessory uses, buildings or structures must be located on the same premises as the principal use, to allow accessory uses, buildings and structures to be located on separate abutting small lots as depicted on the MCP. **This deviation is DENIED. (NOTE: The small lots, upon which accessory uses, buildings or structures currently or in the future will exist, will in effect cease to exist once said small lot is transferred to the primary lot owner and the lots are aggregated.**
6. Deviation from the LDC Section 10-291(2) that requires all development, other than common areas excepted under Section 10-291(1), must abut and have access to a public or private street designed and constructed or improved to meet the standards in Section 10-296, to allow the proposed small lots to be platted without benefit of direct access until recording of the plat allows for aggregation of small lots to the adjacent contiguous primary lot by separate deed. **This deviation is APPROVED subject to Condition Numbers 5 and 6.**
7. Deviation from the LDC Section 10-259 that requires no building or structure may be placed in easements where placing a building or structure in the easement is contrary to the terms of the easement, or interferes with the use of the easement to allow accessory structures within areas that are designated as drainage and public utility easements on the recorded plats. **This deviation is APPROVED subject to Condition Number 5 that specifically allows the encroachment. The easement on encroachments subject to this deviation must be clearly identified on the plat in compliance with Condition Number 6 and be subject to a separate recorded easement document setting forth the terms of the easement. The easement must be reviewed and approved by the County prior to recording, and recorded prior to or in conjunction with the plat.**
8. Deviation from the LDC Section 10-328(b) that requires closed drainage easements must be a minimum of 15 feet wide for pipes that are 48 inches or less in diameter, to allow a five-foot wide easement over existing pipes between aisles. **This deviation is APPROVED subject to Condition Number 6.**

9. Deviation from the LDC Section 10-329 (4) that requires banks of excavations permitted under this section must be sloped at a ratio not greater than 4:1, to allow a minimum 2:1 slope. **This deviation is APPROVED subject to Condition Number 5.**
10. Deviation from LDC Section 10-415(b)(1) that requires large developments with existing native vegetation communities to provide 50 percent of their open space requirement through on-site preservation of existing native vegetation communities, to allow the existing forested portions of the site, including the wetland preserve, to be maintained free of exotics and continue to function as undisturbed open space within The Island Club at Corkscrew Woodlands development. **This deviation is APPROVED subject to the following condition:**

Prior to approval of a development order, the portion of the small island east of the wetland preserve that is located within the subject property, must be preserved with six-foot native trees planted 10-feet on center and 24-inch native shrubs planted three-feet on center.

CONDITIONS OF APPROVAL

Approval is subject to the following conditions:

1. The development must be in substantial compliance with the amended MCP, stamped received October 30, 2008. The MCP for ADD2008-00153 is hereby APPROVED and adopted. A reduced copy is attached as Exhibit "E".
2. The terms and conditions of Resolutions Z-94-047 and Z-96-023 remain in full force and effect except as amended by the conditions and modifications of this Administrative Approval.

3. Property Development Regulations:

Minimum lot area (principal lot):	2,200 square feet
Minimum lot width:	35 feet
Minimum lot depth:	60 feet

Minimum lot area (small lot):	195 square feet
Minimum lot width:	Varies
Minimum lot depth:	Varies

Minimum Setbacks:

Perimeter boundary	
North	5 feet
East	25 feet

South Phases IV and VI-A	0 feet
Phase III	2.5 feet
West	10 feet
Corkscrew Woodlands Boulevard	0 feet
Sanctuary Drive	17 feet
(rear of structure to right-of-way)	
<u>Interior Roads</u>	
Dwelling units with garage	15 feet
Dwelling units with carport	20 feet
Lake	0 feet
(from control elevation of 13± feet MSL (NGVD 1929))	
Wetland	0 feet
Minimum separation between principal structures	10 feet
Side yard	1 foot and 9 feet
Rear yard	0 feet
<u>Accessory Structures</u>	
Private Street	0 feet
(includes Corkscrew Woodlands Boulevard and Sanctuary Drive)	
Lake	0 feet
(from control elevation of 13± feet)	
Side Yard	0 feet
Rear Yard	0 feet
(Existing; rear yard for proposed accessory structures)	
<u>Streets:</u>	
One-way	20 feet
(right-of-way with 11 feet of pavement)	
Two-way	30 feet
(right-of-way with 20 feet of pavement)	
Maximum Building Height	35 feet

Schedule of Uses

Accessory Uses, buildings and structures, including porches, patios (open or enclosed), decks, open mesh screen enclosures, docks, piers and structures attached to the principle structure by a pan roofed porch, breezeway, patio or similar structure

Administrative Office

Temporary Construction Office
in accordance with LDC Section 34-3044
Model Homes with real estate sales
in accordance with LDC Section 34-1954
Speculative Homes
in accordance with LDC Section 34-1953
Dwelling Unit, Conventional single-family dwelling unit,
limited to a maximum of 320 dwelling units
Excavation, Water Retention only
Signs, in accordance with LDC Chapter 30
Residential Accessory Uses
in accordance with LDC Section 34-622(c)(42)
Real Estate Sales Office, Temporary
Recreational Facilities, Private on-site
Entrance Gate or Gatehouse,
Existing and in accordance with LDC Section 34-1748
Essential Services
Essential Service Facilities, Group I

4. Environmental

Prior to development order approval, Lee County Division of Environmental Sciences (ES) recommends the following conditions:

- a. Preservation of the wetlands abutting residential lots must be provided per the approved MCP. In order to provide preservation of the wetlands, a conservation easement deeded to Lee County must be provided for the two wetland preserve areas.
- b. The lake must meet previous littoral planting requirements of one per linear foot plus additional littoral requirements for rip rap addition. (See LDO98-01-170-12L, Approved 1-2-02). The LDC littoral plantings for the lake must be concentrated along the shoreline directly abutting the wetland preserve area and small island located east of the wetland preserve.
- c. The entire 55± acres subject to this Administrative Amendment and the Compliance Agreement must be maintained clear of invasive exotic species in perpetuity. (Compliance Agreement Condition C.2.b.(6))
- d. Observation decks and docks associated with single-family residences may not exceed 15 feet in length as measured from the lake control elevation and may not negatively affect adjacent property.
- e. All new and existing dock and shoreline structures must obtain a permit from Lee County Environmental Sciences.

- f. No docks or piers may be enclosed. Any enclosures on docks or piers existing at the time of this Administrative Amendment must be removed prior to development order approval.
- g. The existing improvements on Lots 148, 195, and 197 as depicted in Exhibit "I" may remain. However, they must be permitted in accordance with Condition Number 8a. No future additions or alterations may be made to the structures with the exception of necessary repairs.

5. Development Order

The Association must submit an application for a local development order within 60 days of approval of this Administrative Amendment that includes and depicts the following information:

- a) Engineering submittal information, subject to approval of the Director of Development Services, which establishes that the surface water management system functions in accordance with applicable regulations. The submittals must provide for peak flows based upon a 25-year storm/3-day event. The submittals must provide the same data and documentation as required by the South Florida Water Management District.
- b) The development order must provide for creation of small lots that will be aggregated with the primary lots in accordance with the Compliance Agreement, except as modified herein. The small lots will be created in all instances where common area is physically available adjacent to, and contiguous with, the primary lots. The small lots, once deeded to the owner of the primary lot, will expand the existing primary lots to accommodate accessory structures and improvements associated with the single family residence.
- c) The applicant must provide a copy of the emergency hurricane preparedness plan for the review and approval of the Division of Emergency Management.
- d) The South Florida Water Management District Permit No. 36-00338-S must be modified and approved prior to issuance of a development order. Once obtained, a copy of the amended SFWMD permit must be submitted including a Certificate of Compliance.
- e) A lake maintenance agreement, including lake maintenance easements or similar rights, will be required with the development order approving the plat to create the small lots.

- f) The development order must include all of the items identified in Section C.2.b. of the Compliance Agreement.

6. Platting

- a) Upon approval of the development order, the Association will record a plat creating the small lots in accord with Florida Statutes Chapter 177 and Lee County Administrative Code 13-19.
- b) The plat must be recorded within 60 days of development order approval.
- c) Prior to, or in conjunction with, the plat recording, the Association must record covenants and restrictions applicable to the area being platted and specifically addressing the small lots. These covenants must be reviewed and approved by the County Attorney's Office prior to recording. The contents of the covenants must include the following:
 - (1) A conspicuous statement substantially similar to the following: The small lots created by the recorded plat are substandard, non-buildable lots that do not meet County zoning regulations. They cannot be used to support improvements or typical residential accessory uses unless aggregated to the adjacent and most contiguous originally platted (primary) lot. Aggregation of the lots is required prior to submittal and approval of a building permit to construct improvements upon the small lots in conjunction with the primary lot.
 - (2) Title to the small lots may only be transferred to the adjacent and most contiguous primary lot owner. Once transferred, both the original platted (primary) lot and the accessory lot will become a single building site and must remain under unified ownership for as long as the lots are used to support residential improvements and uses.
 - (3) All lots, subsequent to aggregation, must abut and have access to a public or private street designed and constructed or improved to meet the standards in LDC Section 10-296.

7. Title Transfers to Facilitate Lot Combinations

- a) Within 7 days after the plat is recorded, the Association must notify, by certified mail, return receipt requested, all owners of the adjacent or contiguous primary lots that the small lots are available for transfer of title. The notice ("Notice for Acquisition") shall include the final (binding) terms under which that transfer of title will occur and that the Association is ready, willing, and able to perform the transfer of title under those terms. The notice must provide the owners of properties that are the subject of the Notice of

Violations identified in the Compliance Agreement that they have 30 days from the date of the Notice for Acquisition (the "Acquisition Period") to acquire title to the small lots. In addition, the notice must provide that, if the property owners do not acquire the after-the-fact permits within 60 days from acquiring title to the small lots, Lee County will move forward with Code Enforcement violations against each individual property owner. Prior to mailing, the terms of the notice must be approved by the County Attorney's Office.

- b) To ensure that all small lots for properties that are subject to the Notice of Violations are aggregated to the appropriate originally platted (primary) lot, the Association must provide a copy of each deed for properties that are subject to the Notice of Violations to the County Attorney's Office upon recording. The Association will also provide to the County Attorney's Office a list identifying properties subject of the Notice of Violations that have not been acquired by the owners of the originally platted (primary) lot prior to the expiration of this Acquisition Period.

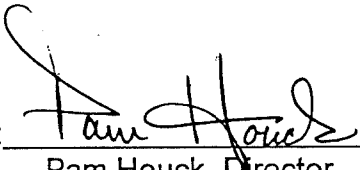
8. Building Permit Approval for all Outstanding Structures

- a) Within 60 days after the expiration of the Acquisition Period, permit applications must be submitted to Lee County to obtain approval for the construction of accessory improvements on the aggregated lot in accordance with Lee County regulations. If an applicant seeks to obtain approval for an existing, unpermitted structure, the structure must be brought into compliance with the regulation in effect at the time of the permit application. Notwithstanding the Compliance Agreement, Lee County has no obligation to approve non-compliant existing structures. Existing structures that do not comply or cannot be brought into compliance with existing permit requirements must be removed.
- b) The County agrees to waive its entitlement to after-the-fact permit fees. However, the standard building permit fee will be charged for the improvements being permitted in accordance with the Compliance Agreement.
- c) If the accessory structures, including patios, decks with or without screen enclosures, docks and piers, are not permitted or actively and in good faith pursuing permits within 60 days after the expiration of the Acquisition Period, any existing unpermitted structures must be removed by the lot owner. Any additional code enforcement action that must be pursued by the County to enforce this provision will be treated as a repeat violation under LDC Chapter 2.

9. Zoning Conditions

- a) The small lots may only be combined with the adjacent and most contiguous originally platted primary lot in accordance with the MCP attached as Exhibit "E".
- b) No additional deviations or variances may be granted as a result of the development order or building permit approvals required under the Compliance Agreement.
- c) All lot dimensions and areas must comply with the minimum requirements of LDC Chapter 34, to allow small lots in The Island Club at Corkscrew Woodlands and property abutting the exterior and interior perimeter of each circle to be as depicted in the MCP under "Amended Site Development Standards" and Typical Details including Sheets 1 through 15 inclusive.
- d) Any accessory building or structure that is structurally a part of the principal building must comply in all respects with the regulations for a principal building. This includes existing and proposed roofed screen rooms. All improvements must meet the setbacks for accessory structures as depicted on the MCP.
- e) Approval of this Administrative Amendment does not obligate the County to approve improvements constructed with required County permits prior to the execution of this Administrative Amendment. Accordingly, the County is not liable for damages of any kind attributable or related to existing or future unpermitted structures and improvements within The Island Club at Corkscrew Woodlands.

DULY SIGNED this 5th day of March 2010.

BY: 
Pam Houck, Director
Division of Zoning
Department of Community Development

Exhibits:

- A. Legal Description
- B. Copies of Zoning Resolutions Z-94-047 and Z-96-023
- C. Copy of the Compliance Agreement between The Island Club at Corkscrew Woodlands Homeowner's Association, Inc. and Lee County.
- D. Copy of Minutes of the Estero Community Planning Panel October 20, 2008 meeting
- E. Master Concept Plan (MCP) stamped received October 30, 2008
- F. Copy of letter from Estero Fire District dated February 26, 2008
- G. Copy of letter from W. Dexter Bender & Associates, Inc. dated September 29, 2008
- H. Copy of Agreement to Modify Setback Restrictions
- I. Copy of Declaration of Covenants, Conditions, Restrictions and Reservations for The Island Club at Corkscrew Woodlands, Phase I
- J. Pictures of existing improvements to Lots 148, 195 and 197.
- K. Table depicting the Code Violations issued for the Island Club at Corkscrew Woodlands
- L. Typical Detail Sheets 1 through 15
- M. Copy of Agreement for Shared Operation and Maintenance of Surface Water Management System Serving Corkscrew Woodlands and The Island Club at Corkscrew Woodlands (INSTR2009-000343574) recorded 12/29/2009

ACTIVE: 2896908_1

SKETCH OF LOT 148 & 148A

ADD 2010-00071

APPROVED

Plan

(UNPLATTED)

Subject to Case # ADD 2010-00071

Date 9/17/2010

THE ISLAND CLUB AT
CORKSCREW WOODLANDS
PHASE V
(P.B. 63 PG. 82)

10' PUBLIC UTILITY
EASEMENT

147

148

1 STORY CONCRETE
BLOCK STRUCTURE

13' CONTOUR
(N.G.V.D. 1929)
(CONTROL ELEVATION)

149

CURVE #1
R=135.00'
 $\Delta=15^{\circ}30'40''$
A=36.55'
CH=36.44'
CB=S38°27'47"E

CURVE #2
R=200.00'
 $\Delta=15^{\circ}30'40''$
A=54.14'
CH=53.98'
CB=S38°27'47"E

NOTE:

NOTE: THE PLAT FOR LOT 148A, ISLAND CLUB AT CORKSCREW WOODLANDS - PHASE IX, WAS NOT RECORDED AT THE TIME OF THIS SKETCH.

ZONING EXHIBIT LOTS 148 AND 148A
THE ISLAND CLUB AT CORKSCREW WOODLANDS

Bean, Whitaker, Lutz & Kareh, Inc. (LB 4919)

CONSULTING ENGINEERS - SURVEYORS AND MAPPERS - PLANNERS

13041 MCGREGOR BOULEVARD, FORT MYERS, FLORIDA 33919-5910 (239) 481-1331

LOT_148_EXHIBIT.DWG

DATE
08-13-10

PROJECT NO.
28992

DRAWN BY	
C.D.K.	

SCALE
1" = 20'

SHEET
1 OF 1

FILE NO. (S-T-R)

35-46-25

LEGEND

(R) = RADIAL

R/W = RIGHT-OF-WAY

SKETCH OF LOT 195 & 195A

LYING IN
SECTION 35, TOWNSHIP 46 SOUTH, RANGE 25 EAST,
LEE COUNTY, FLORIDA

ADD 2010-00071

COMMUNITY DEVELOPMENT

CURVE #1

R=135.00'
Δ=15°30'40"
A=36.55'
CH=36.44'
CB=N17°50'40"E

CURVE #2

R=200.00'
Δ=15°30'40"
A=54.14'
CH=53.98'
CB=N17°50'40"E

CURVE #3

R=211.00'
Δ=15°30'40"
A=57.12'
CH=56.95'
CB=N17°50'40"E

13' CONTOUR
(N.G.V.D. 1929)
(CONTROL ELEVATION)

LAKE
(UNPLATTED)

THE ISLAND CLUB AT
CORKSCREW WOODLANDS
PHASE VIA AND VIB
(P.B. 67 PGS. 56-57)

195A

196

194

195
1 STORY CONCRETE
BLOCK STRUCTURE

APPROVED
Plan

Subject to Case # ADD2010-00071
Date 9/17/2010

NOTE:
THE PLAT FOR LOT 195A, ISLAND CLUB AT CORKSCREW
WOODLANDS - PHASE IX, WAS NOT RECORDED AT THE
TIME OF THIS SKETCH.

LEGEND

(R) = RADIAL
R/W = RIGHT-OF-WAY
P.U.E. = PUBLIC UTILITY EASEMENT
[C] = CONCRETE PAD

ZONING EXHIBIT LOTS 195 AND 195A
THE ISLAND CLUB AT CORKSCREW WOODLANDS

Bean, Whitaker, Lutz & Kareh, Inc. (LB 4919)

CONSULTING ENGINEERS - SURVEYORS AND MAPPERS - PLANNERS

13041 MCGREGOR BOULEVARD, FORT MYERS, FLORIDA 33919-5910 (239) 481-1331

LOT_195_EXHIBIT.DWG

DATE	PROJECT NO.	DRAWN BY	SCALE	SHEET	FILE NO. (S-T-R)
08-13-10	28992	C.D.K.	1" = 20'	1 OF 1	35-46-25

SKETCH OF LOT 197 & 197A

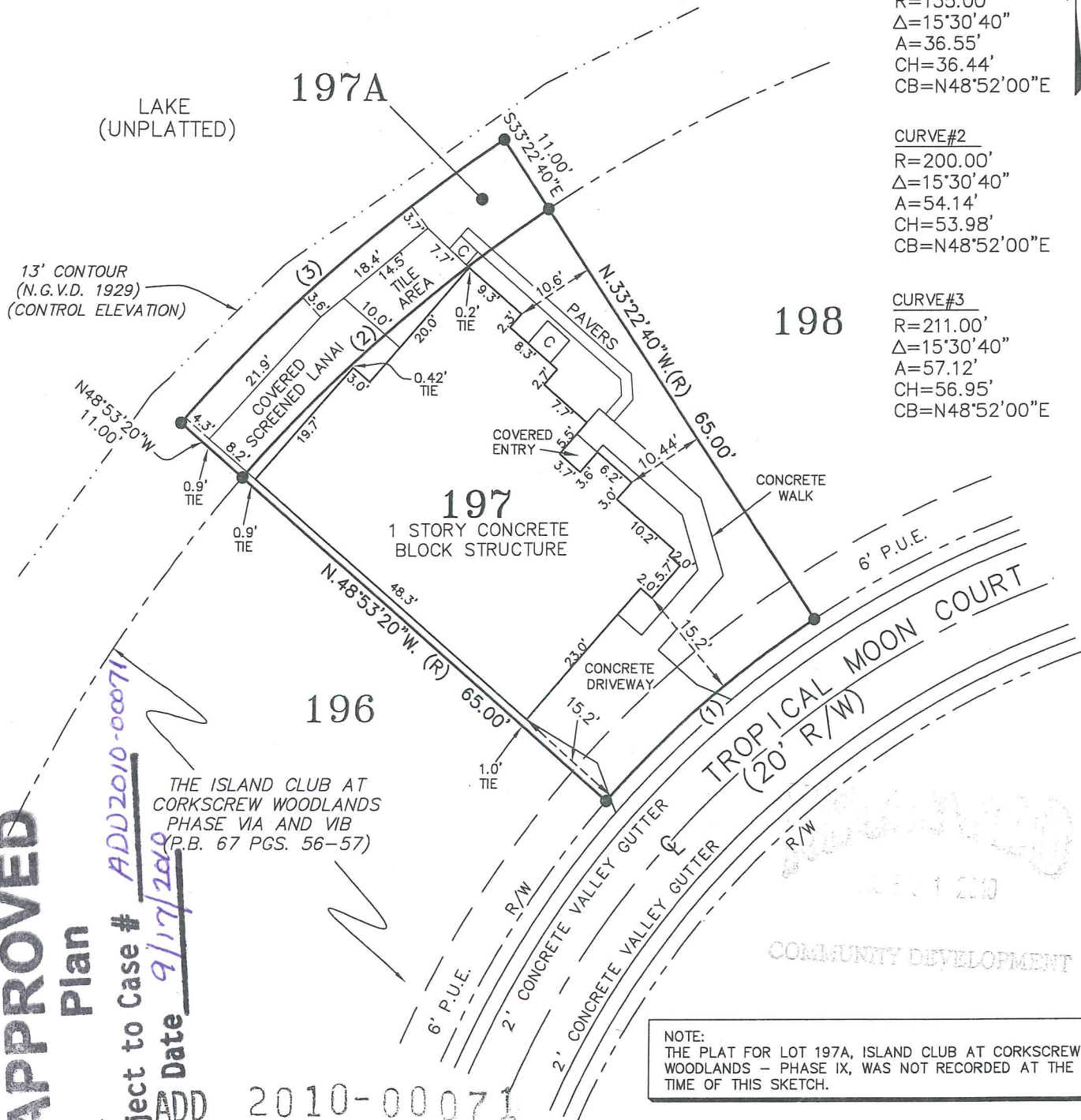
LYING IN
SECTION 35, TOWNSHIP 46 SOUTH, RANGE 25 EAST,
LEE COUNTY, FLORIDA



CURVE #1
R=135.00'
Δ=15°30'40"
A=36.55'
CH=36.44'
CB=N48°52'00"E

CURVE #2
R=200.00'
Δ=15°30'40"
A=54.14'
CH=53.98'
CB=N48°52'00"E

CURVE #3
R=211.00'
Δ=15°30'40"
A=57.12'
CH=56.95'
CB=N48°52'00"E



NOTE:
THE PLAT FOR LOT 197A, ISLAND CLUB AT CORKSCREW WOODLANDS - PHASE IX, WAS NOT RECORDED AT THE TIME OF THIS SKETCH.

APPROVED
Plan

Subject to Case # ADD 2010-00071
Date 9/17/2010
ADD 2010-00071

THE ISLAND CLUB AT
CORKSCREW WOODLANDS
PHASE VIA AND VIB
(P.B. 67 PGS. 56-57)

ZONING EXHIBIT LOTS 197 AND 197A THE ISLAND CLUB AT CORKSCREW WOODLANDS

- LEGEND
(R) = RADIAL
R/W = RIGHT-OF-WAY
P.U.E. = PUBLIC UTILITY EASEMENT
[C] = CONCRETE PAD

Bean, Whitaker, Lutz & Kareh, Inc. (LB 4919)					
CONSULTING ENGINEERS - SURVEYORS AND MAPPERS - PLANNERS					
13041 MCGREGOR BOULEVARD, FORT MYERS, FLORIDA 33919-5910 (239) 481-1331					
LOT_197_EXHIBIT.DWG					
DATE 08-13-10	PROJECT NO. 28992	DRAWN BY C.D.K.	SCALE 1" = 20'	SHEET 1 OF 1	FILE NO. (S-T-R) 35-46-25

EXHIBIT E

RECEIVED

OCT 31 2008

ADD 2008-0015

EXISTING SITE DATA - APPROVED Z-94-047 & Z-96-023

1. TOTAL AREA = 55.35 AC +/- 2,411,046 SF +/-
2. WETLAND AREA = 8.7 AC +/- 378,972 SF +/- (6.8 AC +/- WEST & 1.9 AC +/- EAST)
3. LAKE AREA = 10.25 AC +/- 446,490 SF +/-
4. IMPERVIOUS AREA = 15.3 AC +/- 667,225 SF +/-
5. OPEN SPACE = 33.21 AC +/- 1,445,921 SF +/- (60%)
6. LEE PLAN DESIGNATION - URBAN COMMUNITY - 6 U/AC
7. EXISTING ZONING - RPD
8. MAXIMUM BUILDING HEIGHT - 35 FEET OR 3 STORIES ABOVE FINISH FLOOR GRADE
9. DENSITY - 320 UNITS/5.8 U/AC APPROVED 250 LOTS EXISTING - 4.5 U/AC

SCHEDULE OF DEVIATIONS - APPROVED IN Z-94-047 - NONE

SCHEDULE OF DEVIATIONS - APPROVED IN Z-96-023

1. A. DEVIATION FROM LOC SECTION 34-2194(3)(B) TO ALLOW A ZERO FOOT SETBACK FROM A WATER BODY PROVIDED A FENCE OR OTHER ACCEPTABLE SAFETY DEVICE IS PROVIDED ALONG THE EDGE OF THE POOL DECK IN THE RECREATION AREA.
2. A DEVIATION FROM LOC SECTION 34-935(C)(2) TO ALLOW THE INTERNAL ROAD OR STREET TO BE SET BACK FIVE (5) FEET FROM THE NORTH AND NORTHEAST PERIMETER PROPERTY LINE AS SHOWN ON THE MASTER CONCEPT PLAN.
3. A DEVIATION FROM LOC SECTION 34-935(B)(2)(A) TO ALLOW A TEN (10) FOOT STRUCTURAL SETBACK FROM THE SOUTHERN PERIMETER PROPERTY LINE.

PROPOSED SITE DATA

1. TOTAL AREA = 55.19 AC +/- 2,404,130 SF +/-
2. WETLAND AREA = 8.7 AC +/- 378,972 SF +/- (6.8 AC +/- WEST & 1.9 AC +/- EAST)
3. LAKE AREA = 9.34 AC +/- 406,730 SF +/-
4. IMPERVIOUS AREA = 28.05 AC +/- 1,221,811 SF +/-
5. OPEN SPACE = 17.58 AC +/- 765,761 SF +/- PLUS LAKE CREDIT OF 5.32 AC +/- 240,413 SF +/- 23.10 AC +/- 765,761 SF +/- 240,413 SF +/- 1,006,174 SF +/- OR 23.10 AC +/- 55.19 AC +/- 2,404,130 SF +/- THEREFORE THE PROPOSED OPEN SPACE EXCEEDS REQUIREMENTS OF 40%

AMENDED SITE DEVELOPMENT STANDARDS

1. MINIMUM LOT AREA:
 - A. PRINCIPAL LOT - 2,200 SF
 - DEPTH - 35 LF
 - WIDTH - 60 LF
 2. ACCESSORY LOT (VARIES) - 194 +/- SF (MIN)
 - DEPTH - VARIES
 - WIDTH - VARIES
 3. MINIMUM SETBACKS:
 - A. PRINCIPAL STRUCTURE (UNDER ROOF)
 - 1) PERIMETER BOUNDARY - NORTH - 5 LF
 - EAST - 25 LF
 - SOUTH - 0 LF PHASES IV & VI-A; 2.5 LF PHASE III
 - WEST - 10 LF TO WEST BOUNDARY LINE
 - 2) CORKSCREW WOODLANDS BOULEVARD - 0 FEET
 - SAFETY DRIVE - 17 FEET (REAR OF STRUCTURE TO RIGHT-OF-WAY)
 - 4) INTERIOR ROADS
 - UNIT W/GARAGE - 15 LF
 - UNIT W/CARPORT - 20 LF
 - 5) LAKE - 0 LF FROM CONTROL ELEVATION OF +13.0 FEET MSL (NGVD 1929)
 - WETLAND - 0 LF TO DEVELOPMENT LIMITS
 - APPROVED IN A.C.O.E. PERMIT NO. 159200942(1P-KC)
 - 6) MINIMUM SEPARATION BETWEEN PRINCIPAL STRUCTURES - 10 LF
 - 7) SIDE YARD - 10 LF & 9.0 LF
 - 8) REAR YARD - 0 LF
4. ACCESSORY STRUCTURES:
 - 1) PRIVATE STREET (INCLUDES CORKSCREW WOODLANDS BLVD AND SANCTUARY DR) - 0 LF
 - 2) LAKE - 0 LF FROM CONTROL ELEVATION +13.0'
 - 3) SIDE YARD - 0 LF
 - 4) REAR YARD - 0 LF - EXISTING; REAR YARD FOR PROPOSED ACCESSORY STRUCTURES - VARIES-MAXIMUM 10 FEET FROM THE REAR BOUNDARY OF THE PRINCIPAL LOT LINE
5. STREETS:
 - ONE-WAY - 20' RIGHT-OF-WAY WITH 11' PAVEMENT
 - TWO-WAY - 30' RIGHT-OF-WAY WITH 20' PAVEMENT

WETLAND PRESERVE AREA

EASEMENT AGREEMENT IN O.R. 1803, PG. 2677 (PARCEL D-1) BETWEEN CORKSCREW WOODLANDS, LTD. (GRANTOR) & FREDERIC TRUST #3 (GRANTEE) WETLAND EASEMENT TO BENEFIT BOTH GRANTOR AND GRANTEE DATED 09-11-1985 (NOT A JURISDICTIONAL LINE)

DENOTES PHASE NUMBER & SHEET IDENTIFICATION FOR ENCROACHMENT DETAIL SHEET

GENERAL NOTES:

1. UTILITY LOCATIONS AND EASEMENTS MAY BE WITHIN THE RIGHTS-OF-WAY. UTILITY SERVICE IS IN PLACE PROVIDED BY LEE COUNTY UTILITIES, INC.
2. BOULEVARD AND PRIVATE STREET DESIGN BASED ON APPROVED DEVELOPMENT PLAN OF CORKSCREW WOODLANDS RV LANDMINIMUM ON FILE AT LEE COUNTY COMMUNITY DEVELOPMENT.
3. EXISTING CORKSCREW WOODLANDS BOULEVARD FUNCTIONS AS AN ACCESS STREET TO ADJOINING PROPERTY.
4. STORM WATER MANAGEMENT SYSTEM TO BE MAINTAINED IN CONFORMANCE WITH SOUTH FLORIDA WATER MANAGEMENT DISTRICT PERMIT NO. 36-00338-S AND ALL SUBSEQUENT MODIFICATIONS, CONDITIONS AND LIMITING CONDITIONS.
5. THE TOTAL PARCEL - 179.21 ACRES - RECEIVED A VESTING DETERMINATION (VR-85-06-21) JUNE 16, 1985 FOR 960 SITES.
6. THIS REZONING DOES NOT "GRANDFATHER" OR LEGALIZE ANY CODE VIOLATIONS NOT SPECIFICALLY CORRECTED BY THE APPROVAL OF THE DEVIATIONS AND AMENDED SITE DEVELOPMENT STANDARDS INCLUDED IN THE APPLICATION.
7. EXISTING RESIDENTIAL ACCESSORY STRUCTURES AS THEY RELATE TO THIS DEVELOPMENT INCLUDE PORCHES, PATIOS, DECKS, OPEN MESH SCREEN ENCLOSURES, DOCKS AND PIERS.
8. STRUCTURES ATTACHED TO THE PRINCIPLE STRUCTURES BY A ROOFED PORCH, BREEZEWAY, PATIO OR SIMILAR STRUCTURES ARE CONSIDERED ACCESSORY STRUCTURES FOR THE PURPOSES OF THIS APPLICATION.
9. DEVIATIONS AND DETAIL DRAWINGS TO ABATE CODE VIOLATIONS RECORDED IN O.R. BOOK 4811 AT PAGE 4330 ARE SHOWN ON EXHIBIT "X".

LOT COUNT

- | | |
|--------------|-----------------|
| PHASE I | 33 LOTS |
| PHASE II | 33 LOTS |
| PHASE III | 32 LOTS |
| PHASE IV | 32 LOTS |
| PHASE V | 22 LOTS |
| PHASE VI-A | 9 LOTS |
| PHASE VI-B | 17 LOTS |
| PHASE VII | 24 LOTS |
| PHASE VIII | 31 LOTS |
| TOTAL | 260 LOTS |

SCHEDULE OF USES

- ADMINISTRATIVE OFFICE
- DWELLING UNIT - SINGLE FAMILY RESIDENTIAL, CONVENTIONAL
- ACCESSORY USES: BUILDINGS AND STRUCTURES INCLUDING PORCHES, PATIOS - (OPEN OR ENCLOSED), DECKS, OPEN MESH SCREEN ENCLOSURES, DOCKS, PIERS AND STRUCTURES ATTACHED TO THE PRINCIPLE STRUCTURE BY A ROOFED PORCH, BREEZEWAY, PATIO OR SIMILAR STRUCTURE.
- REAL ESTATE SALES OFFICE - TEMPORARY
- RECREATION FACILITIES - PRIVATE ON-SITE
- ESSENTIAL SERVICES
- ESSENTIAL SERVICE FACILITIES - GROUP 1

APPROVED

Amended to
Master Concept Plan
Subject to Case # 2002008-CO/53A
Date 3/5/2015

Z-94-047; AAPD 95-005
AAPD 96-009
95-02-072.12L

Z-96-023
98-01-170.12L

CPD VACANT

CPD VACANT

CPD VACANT

WETLAND PRESERVE AREA

RV-3
CORKSCREW WOODLANDS
RV PARK

INTERSTATE-75

LOCATION SKETCH

SCALE: N.T.S.

KEY / ABBREVIATIONS

- Δ = DEVIATION NUMBER
- P.B. = PLAT BOOK
- P.G. = PAGE
- PH. = PHASE
- R/W = RIGHT-OF-WAY
- O.R. = OFFICIAL RECORD BOOK PUBLIC RECORDS LEE COUNTY, FLORIDA

SCHEDULE OF DEVIATIONS Δ

SCHEDULE OF DEVIATIONS

1. A DEVIATION FROM THE REQUIREMENT OF SECTION 26-710(2) LOC SETBACKS FOR: A) MARGINAL DOCKS FROM 10 FEET TO 9 FEET. B) ALL OTHER DOCKS FROM 25 FEET TO 5 FEET.
2. A DEVIATION FROM THE REQUIREMENT OF SECTION 26-73(2) THAT FISHING PIERS OR OBSERVATION DECKS MUST BE CONSTRUCTED TO PROVIDE ACCESS WALKWAYS AND TERMINAL PLATFORMS AT 5 FEET ABOVE MEAN HIGH WATER OF THE NON-TIDAL MAINMADE LAKE.
3. A DEVIATION FROM THE REQUIREMENT OF SECTION 26-73(1) LOC THAT FISHING PIERS OR OBSERVATION DECKS BE DESIGNED TO PROHIBIT LAUNCHING AND MOORING OF WATERCRAFT TO ALLOW LAUNCHING AND MOORING OF NON-MOTORIZED WATERCRAFT.
4. A DEVIATION FROM THE SECTION 10-254(A) REQUIREMENT THAT ALL LOT DIMENSIONS AND AREAS SHALL COMPLY WITH THE MINIMUM REQUIREMENTS OF CHAPTER 34 TO ALLOW SMALL ACCESSORY LOTS IN ISLAND CLUB AT CORKSCREW WOODLANDS AND PROPERTY ABUTTING THE EXTERIOR AND INTERIOR PERIMETER OF EACH CIRCLE TO BE AS DEPICTED IN THE MASTER CONCEPT PLAN UNDER "AMENDED SITE DEVELOPMENT STANDARDS" AND "TYPICAL DETAIL".
5. A DEVIATION FROM THE SECTION 34-1174(A) REQUIREMENT THAT ACCESSORY USES, BUILDINGS OR STRUCTURES MUST BE LOCATED ON THE SAME PREMISES - AS THE PRINCIPAL USE TO ALLOW ACCESSORY USES, BUILDINGS AND STRUCTURES TO BE LOCATED ON SEPARATE ABUTTING ACCESSORY LOTS AS DEPICTED ON THE MASTER CONCEPT PLAN.
6. A DEVIATION FROM SECTION 10-291(1) THAT STATES THE DEVELOPMENT MUST BE DESIGNED SO AS NOT TO ALLOW ACCESSORY LOTS TO BE CREATED BY PLAT THAT WILL BE IMMEDIATELY ADJACENT AND CONTIGUOUS TO THE PRINCIPAL LOTS IN ISLAND CLUB AT CORKSCREW WOODLANDS. EACH ACCESSORY LOT WILL BE ATTACHED CONTIGUOUS TO ITS ADJACENT PRINCIPAL LOT.
7. A DEVIATION FROM SECTION 10-261(2) THAT STATES ALL DEVELOPMENT MUST ABUT AND HAVE ACCESS TO A PUBLIC OR PRIVATE STREET DESIGNED AND CONSTRUCTED OR IMPROVED TO MEET THE STANDARDS IN SECTION 10-298 TO ALLOW THE PROPOSED ACCESSORY LOTS TO BE PLATTED WITHOUT BENEFIT OF DIRECT ACCESS UNTIL RECORDING OF THE PLAT ALLOWS FOR "ATTACHMENT" TO THE ADJACENT CONTIGUOUS PRINCIPAL LOT BY SEPARATE DETAIL.
8. A DEVIATION FROM SECTION 34-1172(B)(1) THAT STATES ANY ACCESSORY BUILDING OR STRUCTURE WHICH IS STRUCTURALLY A PART OF THE PRINCIPAL BUILDING SHALL COMPLY IN ALL RESPECTS WITH THE REGULATIONS FOR A PRINCIPAL BUILDING TO ALLOW EXISTING AND PROPOSED ROOFED SCREEN ROOMS TO MEET THE SETBACKS FOR ACCESSORY STRUCTURES DEPICTED ON THE FACE OF THE MASTER CONCEPT PLAN.
9. A DEVIATION FROM THE SECTION 10-298 REQUIREMENT THAT NO BUILDING OR STRUCTURE SHALL BE PLACED IN EASEMENT OR INTERFERES WITH THE USE OF THE EASEMENT TO ALLOW EXISTING ACCESSORY STRUCTURES WITHIN AREAS THAT ARE DESIGNATED AS DRAINAGE AND PUBLIC UTILITY EASEMENTS ON THE PLATS.
10. A DEVIATION FROM THE REQUIREMENT OF SECTION 10-328(B) LOC THAT ... CLOSED DRAINAGE EASEMENTS MUST BE A MINIMUM OF 15 FEET WIDE FOR PIPES THAT ARE 48 INCHES OR LESS IN DIAMETER TO ALLOW A 5 FOOT WIDE EASEMENT OVER EXISTING PIPES BETWEEN AISLES.
11. A DEVIATION FROM THE REQUIREMENTS OF SECTION 10-3984 LOC THAT THE BANKS OF EXCAVATIONS PERMITTED UNDER THIS SECTION MUST BE SLOPED AT A RATIO NOT GREATER THAN 4:1 TO ALLOW A MINIMUM 2:1 SLOPE.
12. A DEVIATION FROM SECTION 10-4158(B)(1) LOC THAT REQUIRES LARGE DEVELOPMENTS WITH EXISTING NATIVE VEGETATION COMMUNITIES TO PROVIDE 50% OF THEIR OPEN SPACE REQUIREMENT THROUGH ON-SITE PRESERVATION OF EXISTING NATIVE VEGETATION COMMUNITIES TO ALLOW THE EXISTING FORESTED PORTIONS OF THE SITE, INCLUDING THE WETLAND PRESERVE, TO BE MAINTAINED FREE OF EXOTICS AND CONTINUE TO FUNCTION AS UNDISTURBED OPEN SPACE WITHIN THE ISLAND CLUB DEVELOPMENT.

Bean, Whitaker, Lutz & Karch, Inc.

CONSULTING ENGINEERS - SURVEYORS AND MAPPERS - PLANNERS

13041 MAGNOLIA BLVD., SUITE 1, FORT MYERS, FL 33919 (239) 481-1331

AUTHORIZATION NUMBER: EB4919

DESIGNED BY: SCW

APPROVED BY: TRACY BEAN

DATE: SEPTEMBER 29, 2008

SCALE: 1" = 100'

MASTER CONCEPT PLAN

SHEET 1 OF 1

FILE: 35-46-25

MCP28992.DWG