

ADMINISTRATIVE AMENDMENT (PD) ADD2012-00079

ADMINISTRATIVE AMENDMENT  
LEE COUNTY, FLORIDA

WHEREAS, Riverview Homes LLC filed an application for administrative approval to a Residential Planned Development on a project known as Palomino Lane RPD for a deviation from Land Development Code Section 10-329(d)(1)a.3 which requires a minimum of 50 foot water retention lake setback from all property lines to allow 25 foot lake setback on Lots 1 and 2 as depicted on the Master Concept Plan on properties located at 12300 & 12350 Palomino Lane, described more particularly as:

LEGAL DESCRIPTION: In Section 15, Township 45 South, Range 25 East, Lee County, Florida:

See Exhibit "A"

WHEREAS, the property was originally rezoned in case number DCI2005-00068 (Z-06-008) with subsequent amendment in case number ADD2010-00087; and

WHEREAS, the subject property is located in the Outlying Suburban Future Land Use Category as designated by the Lee Plan; and

WHEREAS, the Lee County Land Development Code provides for certain administrative changes to planned development master concept plans and planned unit development final development plans; and

WHEREAS, the site contains of four (4) residential single family lots each consisting about 2.45 acres in area; and

WHEREAS, ADD2010-00087 granted a deviation from LDC Section 10-329(d)(1)a.3., which requires a fifty (50) foot setback from any private property line under separate ownership for water retention and detention excavations to allow two most southern lots (Lots 3 and 4) to share a water retention lake with no setback from their common property line; and

WHEREAS, the applicant has requested this deviation for the two remaining lots to the north to enable them to each have a lake with 25 foot setback from property lines; and

WHEREAS, Division of Development Services has reviewed the request and has not indicated any objection to the granting of this deviation; 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 for a deviation for lake setback Lots 1 and 2 from 50 feet to 25 feet is **APPROVED subject to the following conditions:**

1. The development of this RPD must be in substantial compliance with the revised Master Concept Plan stamped received August 20, 2012.
2. The terms and conditions of the original zoning resolutions remain in full force and effect.
3. This deviation is only applicable to Lots 1 and 2. A separate deviation from LDC Section 10-329(d)(1)a.3 was approved via ADD2010-00087 for Lots 3 and 4.

DULY SIGNED this 23<sup>rd</sup> day of August, A.D., 2012.

BY: Pam Houck

Pam Houck, Director  
Division of Zoning  
Department of Community Development

# EXHIBIT A

## SKETCH & DESCRIPTION

A PARCEL LYING IN SECTION 15, TWP 45S, RGE 25E,  
LEE COUNTY FLORIDA

### DESCRIPTION:

PARCEL 1 AS DESCRIBED IN INSTRUMENT #2008000333184 (LEE COUNTY RECORDS)

### MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST ONE QUARTER (W 1/4) CORNER OF SECTION 15, TOWNSHIP 45 SOUTH, RANGE 25 EAST, THENCE ALONG THE WEST LINE OF THE NORTHWEST ONE-QUARTER (NW 1/4) OF SAID SECTION 15, N00°56'21"W FOR 661.33 FEET TO THE POINT OF BEGINNING.

FROM SAID POINT OF BEGINNING, CONTINUE ALONG SAID WEST LINE N00°56'21"W FOR 330.67 FEET; THENCE LEAVING SAID LINE RUN N89°35'03"E FOR 645.59 FEET TO AN INTERSECTION WITH THE WEST LINE OF TRACT PR-1 OF RENAISSANCE AS RECORDED IN PLAT BOOK 72, PAGES 18-30 OF THE PUBLIC RECORDS OF LEE COUNTY FLORIDA; THENCE RUN ALONG SAID LINE S00°57'24"E FOR 330.69 FEET; THENCE LEAVING SAID LINE RUN S89°35'09"W FOR 645.70 FEET TO THE POINT OF BEGINNING. PARCEL CONTAINS 4.90 ACRES +/-

TOGETHER WITH AN EASEMENT FOR INGRESS AND EGRESS OVER AND ACROSS THE EASTERN 30 FEET THEREOF.

RECEIVED  
APPROVED  
LEGAL  
COMMENT \* THIS IS NOT A SURVEY \*

- NOTE: 2012-00079
1. BEARING-BASIS IS THE NORTH LINE OF TRACT K OF "RENAISSANCE" (PB 72 PG 20) AS N89°35'15"E (PLAT).
  2. SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.
  3. THIS CERTIFICATION IS ONLY FOR LAND DESCRIBED HEREON.

PREPARED FOR: RIVERVIEW HOMES

I HEREBY CERTIFY THAT, TO THE BEST OF MY KNOWLEDGE AND BELIEF, THE SKETCH REPRESENTED HEREON, MADE UNDER MY DIRECTION ON OCTOBER 25, 2010 IS IN ACCORDANCE WITH MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF LAND SURVEYORS, PURSUANT TO SECTION 472.027 FLORIDA STATUTES.

DATE	REVISION	BY
10-25-10		J.S.S.
10-25-10		D.S.S.
10-25-10		61-0451

**STOUTEN & ASSOCIATES, INC.**  
SURVEYING & MAPPING  
321 Mulford Parkway West, Suite E, Cape Coral, FL 33914  
Phone: (941) 542-7100 Fax: (941) 545-0214  
www.stoutenassociates.com

APPROVED BY: [Signature]  
DATE: 11/10/10

SCALE  
1" = 80'

B.15.12  
APPROVED  
LEGAL  
ZLH

ADD 2012-00079

# SKETCH AND LEGAL DESCRIPTION

A PARCEL LYING IN SECTION 15, TWP 45S, RGE 25E, LEE COUNTY FLORIDA

ADD 2010-00057

RECEIVED

COMMUNITY DEVELOPMENT



SCALE  
1" = 80'

\* THIS IS NOT A SURVEY \*  
PAGE 1 OF 1

APPROVED  
LEGAL

ced 10/10/10

## DESCRIPTION:

THE NORTH ONE HALF (1/2) OF PARCEL 1 AS DESCRIBED IN INSTRUMENT #2008000333184 (LEE COUNTY RECORDS)

MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST ONE QUARTER (W 1/4) CORNER OF SECTION 15, TOWNSHIP 45 SOUTH, RANGE 25 EAST, THENCE ALONG THE WEST LINE OF THE NORTHWEST ONE-QUARTER (NW 1/4) OF SAID SECTION 15, N00°56'21"W FOR 826.67 FEET TO THE POINT OF BEGINNING. FROM SAID POINT OF BEGINNING, CONTINUE ALONG SAID WEST LINE N00°56'21"W FOR 165.33 FEET; THENCE LEAVING SAID LINE RUN N89°35'03"E FOR 645.59 FEET TO AN INTERSECTION WITH THE WEST LINE OF TRACT PR-1 OF RENAISSANCE AS RECORDED IN PLAT BOOK 72, PAGES 18-30 OF THE PUBLIC RECORDS OF LEE COUNTY FLORIDA; THENCE RUN ALONG SAID LINE S00°57'24"E FOR 165.34 FEET; THENCE LEAVING SAID LINE RUN S89°35'06"W FOR 645.65 FEET TO THE POINT OF BEGINNING. PARCEL CONTAINS 2.45 ACRES +/-

TOGETHER WITH AN EASEMENT FOR INGRESS AND EGRESS OVER AND ACROSS THE EASTERN 30 FEET THEREOF.

## NOTE:

1. BEARING BASIS IS THE NORTH LINE OF TRACT K OF "RENAISSANCE" (PB 72 PG 20) AS N89°35'15"E (PLAT).
2. SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.
3. THIS CERTIFICATION IS ONLY FOR LAND DESCRIBED HEREON.

PREPARED FOR: RIVERVIEW HOMES

I HEREBY CERTIFY THAT, TO THE BEST OF MY KNOWLEDGE AND BELIEF, THE SKETCH AND DESCRIPTION REPRESENTED HEREON, MADE UNDER MY DIRECTION ON OCTOBER 5, 2010 IS IN ACCORDANCE WITH MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF LAND SURVEYORS, PURSUANT TO SECTION 472.027 FLORIDA STATUTES.

STOUTEN ASSOCIATES, INC. SURVEYING & MAPPING 3214 Mulford Parkway West, Suite E, Cape Coral, FL 33904 Phone: (239) 340-4100 Fax: (239) 340-4244 www.stoutenassociates.com	APPROVED & CERTIFIED, F.L.S. #000000000000000000
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8.15.12  
APPROVED  
LEGAL  
ZMA

ADD 2012-00079



A PARCEL LYING IN SECTION 15, TWP 45S, RGE 25E, LEE COUNTY FLORIDA

NORTH ONE HALF (1/2) OF PARCEL 1  
2.45 AC +/-

INST #2008000333184  
STRAP 15-45-25-00-00001.0070  
4.90 AC +/-

N89°35'06"E      645.65'

SOUTH ONE HALF (1/2) OF PARCEL 1  
2.45 AC +/-

S89°35'09"W 645.70'

PARCEL 2  
UNPLATTED  
INST #2008000333184  
STRAP 15-45-25-00-00001.0240  
4.90 AC +/-

UNPLATED  
OR 1561 PG 1786  
STR4.P 15-45-25-11-00000.0250

POINT OF  
BEGINNING

N 810598.25  
E 719397.92

N00°56'21"W 661.33

WEST 1/4 CORNER OF SECTION 15  
FDEP CCR DOC # 084416 (lablrs.org)  
FOUND 3"X5" CONCRETE MONUMENT (NO ID)  
N 809937.01  
E 719408.78

THE SOUTH ONE HALF (1/2) OF PARCEL 1 AS DESCRIBED IN INSTRUMENT #2008000333184 (LEE COUNTY RECORDS)

COMMENCING AT THE WEST ONE QUARTER (W ¼) CORNER OF SECTION 15, TOWNSHIP 45 SOUTH, RANGE 25 EAST, THENCE ALONG THE WEST LINE OF THE NORTHWEST ONE-QUARTER (NW ¼) OF SAID SECTION 15, N00°56'21"W FOR 661.33 FEET TO THE POINT OF BEGINNING.  
FROM SAID POINT OF BEGINNING, CONTINUE ALONG SAID WEST LINE N00°56'21"W FOR 165.34 FEET; THENCE LEAVING SAID LINE RUN N89°35'06"E FOR 645.65 FEET TO AN INTERSECTION WITH THE WEST LINE OF TRACT PR-1 OF RENAISSANCE AS RECORDED IN PLAT BOOK 72, PAGES 18-30 OF THE PUBLIC RECORDS OF LEE COUNTY FLORIDA; THENCE RUN ALONG SAID LINE S00°57'24"E FOR 165.35 FEET; THENCE LEAVING SAID LINE RUN S89°35'09"W FOR 645.70 FEET TO THE POINT OF BEGINNING.  
PARCEL CONTAINS 2.45 ACRES +/-

TOGETHER WITH AN EASEMENT FOR INGRESS AND EGRESS OVER AND ACROSS THE EASTERN 30 FEET THEREOF.

\* THIS IS NOT A SURVEY\*  
PAGE 1 OF 1

SCALE  
1" = 80'

NOTE:

1. BEARING BASIS IS THE NORTH LINE OF TRACT K OF "RENAISSANCE" (PB 72 PG 20) AS N89°35'15"E (PLAT).
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3. THIS CERTIFICATION IS ONLY FOR LAND DESCRIBED HEREON.

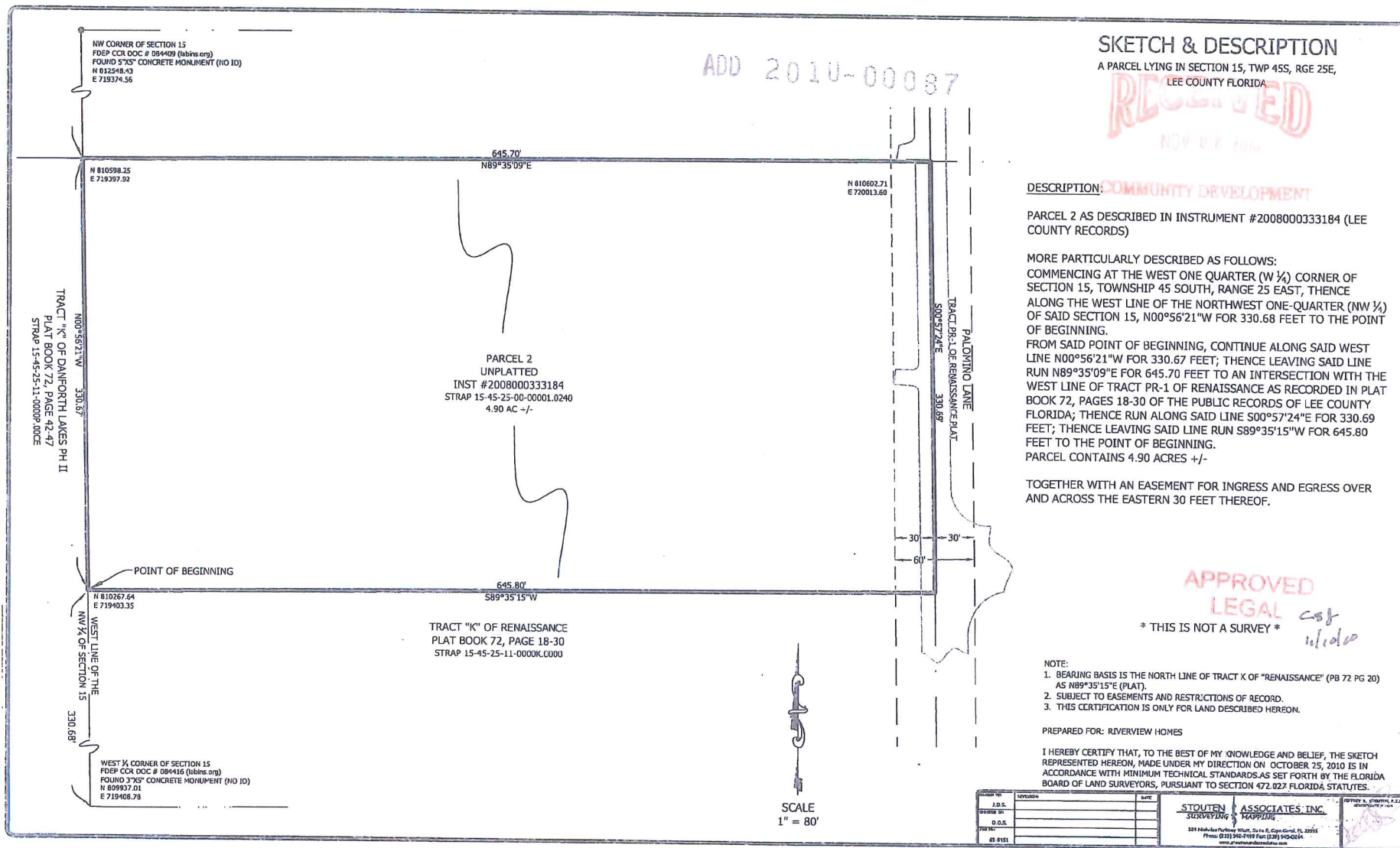
PREPARED FOR: RIVERVIEW HOMES

I HEREBY CERTIFY THAT, TO THE BEST OF MY KNOWLEDGE AND BELIEF, THE SKETCH AND DESCRIPTION REPRESENTED HEREON, MADE UNDER MY DIRECTION ON OCTOBER 5, 2010, IS IN ACCORDANCE WITH MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF LAND SURVEYORS, PURSUANT TO SECTION 472.027 FLORIDA STATUTES.

CLIENT ID#	PROJECT#	DATE	<p><b>STOUTEN ASSOCIATES, INC.</b> SURVEYING &amp; MAPPING</p> <p>324 Michaela Ramsey Way, Suite A, Cross Fork, TX 75752 Phone (202) 242-1919 Fax (254) 945-0244 www.stoutenassociates.com</p>	<p>DAVID D. STOUTEN, P.S.M. REGISTERED PROFESSIONAL</p>
3.0.S.				
PROJECT#				
0.0.S.				
TEST NO.				
61-0451				

8.15.12  
APPROVED  
LEGAL

ADD 2012-00079



8.15.12  
APPROVED  
LEGAL  
TMA

ADD 2012-00079

# SKETCH AND LEGAL DESCRIPTION

A PARCEL LYING IN SECTION 15, TWP 45S, RGE 25E, LEE COUNTY FLORIDA

ADD 2010-00087

RECORDED

COMMUNITY DEVELOPMENT



SCALE  
1" = 80'

\* THIS IS NOT A SURVEY\*  
PAGE 1 OF 1

APPROVED  
LEGAL

11/10/10

## NOTE:

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PREPARED FOR: RIVERVIEW HOMES

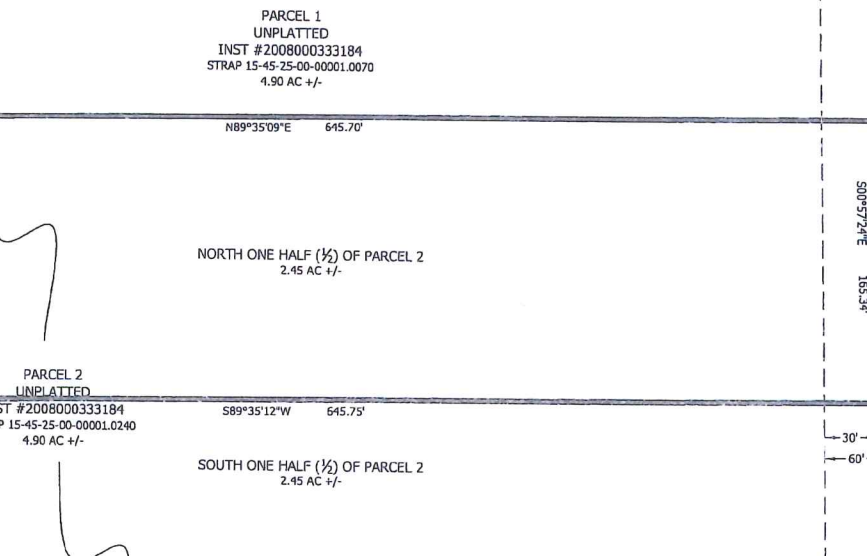
I HEREBY CERTIFY THAT, TO THE BEST OF MY KNOWLEDGE AND BELIEF, THE SKETCH AND DESCRIPTION REPRESENTED HEREON, MADE UNDER MY DIRECTION ON OCTOBER 5, 2010 IS IN ACCORDANCE WITH MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF LAND SURVEYORS, PURSUANT TO SECTION 472.027 FLORIDA STATUTES.

DATE	REVISION	DATE
10-05-10		
10-05-10		
10-05-10		
10-05-10		

STOUTEN ASSOCIATES, INC.

201 Highland Parkway North, Suite 100, Cape Coral, FL 33914  
Phone: (239) 545-2400 Fax: (239) 545-0151  
www.stoutenassociates.com

Surveyor's Seal and Signature



## DESCRIPTION:

THE NORTH ONE HALF (1/2) OF PARCEL 2 AS DESCRIBED IN INSTRUMENT #2008000333184 (LEE COUNTY RECORDS)

MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST ONE QUARTER (1/4) CORNER OF SECTION 15, TOWNSHIP 45 SOUTH, RANGE 25 EAST, THENCE ALONG THE WEST LINE OF THE NORTHWEST ONE-QUARTER (NW 1/4) OF SAID SECTION 15, N00°56'21"W FOR 496.00 FEET TO THE POINT OF BEGINNING.  
FROM SAID POINT OF BEGINNING, CONTINUE ALONG SAID WEST LINE N00°56'21"W FOR 165.33 FEET; THENCE LEAVING SAID LINE RUN N89°35'09"E FOR 645.70 FEET TO AN INTERSECTION WITH THE WEST LINE OF TRACT PR-1 OF RENAISSANCE AS RECORDED IN PLAT BOOK 72, PAGES 18-30 OF THE PUBLIC RECORDS OF LEE COUNTY FLORIDA; THENCE RUN ALONG SAID LINE S00°57'24"E FOR 165.34 FEET; THENCE LEAVING SAID LINE RUN S89°35'12"W FOR 645.75 FEET TO THE POINT OF BEGINNING.  
PARCEL CONTAINS 2.45 ACRES +/-

TOGETHER WITH AN EASEMENT FOR INGRESS AND EGRESS OVER AND ACROSS THE EASTERN 30 FEET THEREOF.

8.15.12  
APPROVED  
LEGAL  
WHT

ADD 2012-00079



# SKETCH AND LEGAL DESCRIPTION

A PARCEL LYING IN SECTION 15, TWP 45S, RGE 25E, LEE COUNTY FLORIDA

ADD 2010-00087

RECEIVED  
NOV 18 2010

COMMUNITY DEVELOPMENT



SCALE  
1" = 80'

\* THIS IS NOT A SURVEY\*  
PAGE 1 OF 1

APPROVED  
LEGAL

*2/11/12*

- NOTE:
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PREPARED FOR: RIVERVIEW HOMES

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DATE: 10/5/10	DRAWN BY: [Signature]	CHECKED BY: [Signature]
DESIGNED BY: [Signature]	D.O.S. [Signature]	STOUTEN ASSOCIATES, INC.
REMARKS:	41 0151	3714 Midland Parkway West, Suite C, Cape Coral, FL 33914 Phone (239) 542-1499 Fax (239) 545-0214 www.stoutenassociates.com

## DESCRIPTION:

THE SOUTH ONE HALF (½) OF PARCEL 2 AS DESCRIBED IN INSTRUMENT #2008000333184 (LEE COUNTY RECORDS)

MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST ONE QUARTER (W ¼) CORNER OF SECTION 15, TOWNSHIP 45 SOUTH, RANGE 25 EAST, THENCE ALONG THE WEST LINE OF THE NORTHWEST ONE-QUARTER (NW ¼) OF SAID SECTION 15, N00°56'21"W FOR 330.68 FEET TO THE POINT OF BEGINNING.  
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PARCEL CONTAINS 2.45 ACRES +/-

TOGETHER WITH AN EASEMENT FOR INGRESS AND EGRESS OVER AND ACROSS THE EASTERN 30 FEET THEREOF.

8-15-12  
APPROVED  
LEGAL

ADD 2012-00079

NW CORNER OF SECTION 15  
FDEP CCR DOC # 084409 (abins.org)  
FOUND 3"x5" CONCRETE MONUMENT (NO 10)  
N 812548.43  
E 719374.56

NORTH ONE HALF (½) OF PARCEL 2  
2.45 AC +/-

PARCEL 2  
UNPLATTED

INST #2008000333184  
STRAP 15-45-25-00-00001.0240  
4.90 AC +/-

SOUTH ONE HALF (½) OF PARCEL 2  
2.45 AC +/-

N 810432.95  
E 719400.63

S89°35'15"W 645.80'

TRACT "K" OF RENAISSANCE  
PLAT BOOK 72, PAGE 18-30  
STRAP 15-45-25-11-0000K.0000

POINT OF  
BEGINNING

N 810267.64  
E 719403.33

WEST LINE OF THE  
NW ¼ OF SECTION 15

WEST ¼ CORNER OF SECTION 15  
FDEP CCR DOC # 081416 (abins.org)  
FOUND 3"x5" CONCRETE MONUMENT (NO 10)  
N 809937.01  
E 719408.78

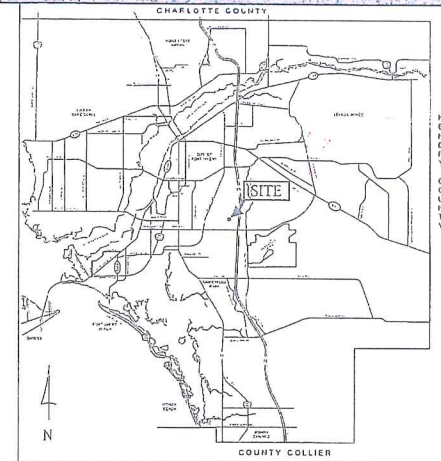
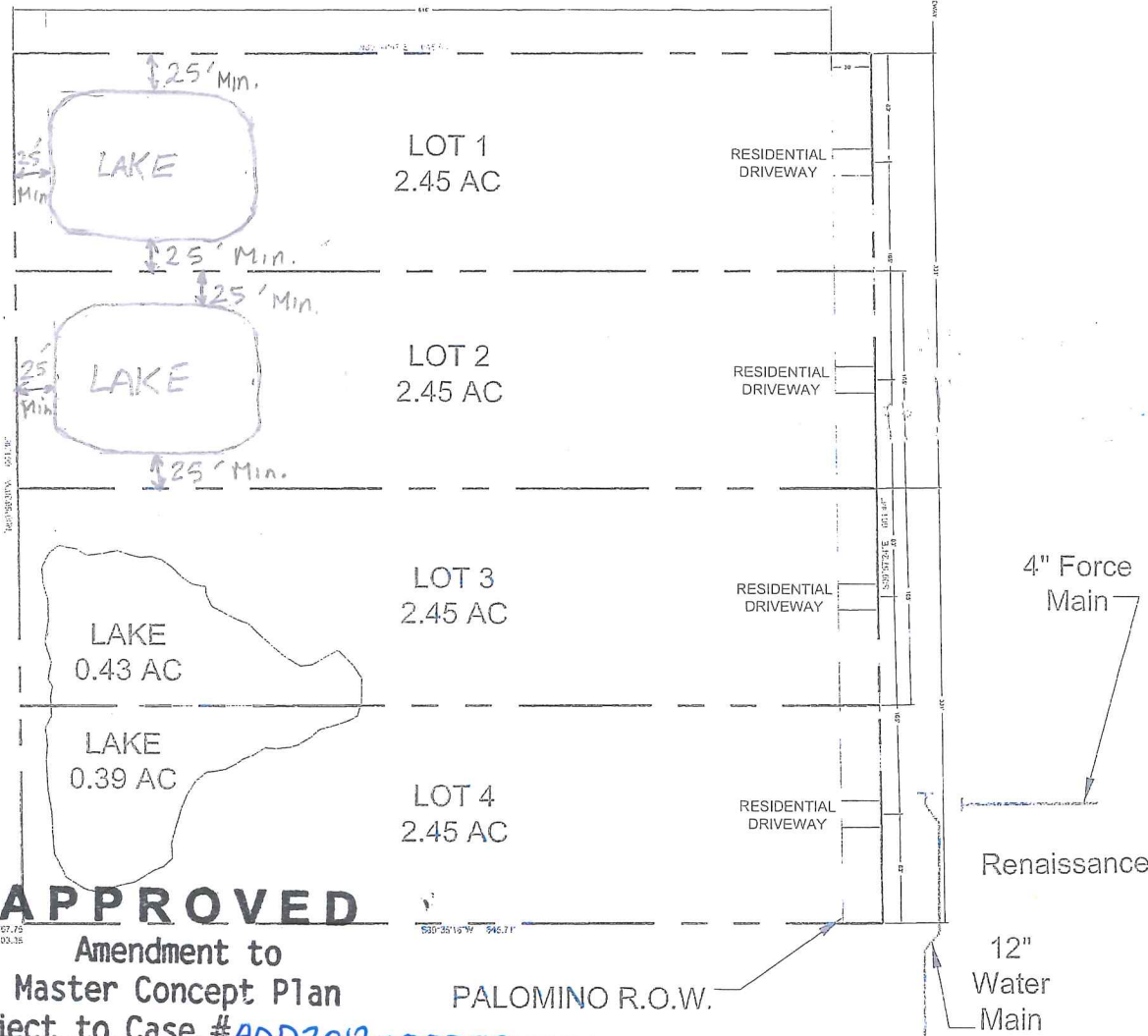
TRACT "K" OF DANFORTH LAKES PH II  
PLAT BOOK 72, PAGE 42-47  
STRAP 15-45-25-11-0000K.1000E

N00°56'21"W 330.68'



MASTER CONCEPT PLAN: 12400 PALOMINO LANE  
 LOCATED IN SECTION 15, TOWNSHIP 45 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA

MCP



LOCATION MAP  
 (NOT TO SCALE)

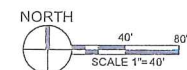
PROJECT SUMMARY:

ZONING: RPD  
 STRAP NUMBER(S): 15-45-25-00-00001.0070  
 15-45-25-00-00001.0240  
 PROJECT ACREAGE: 407,167 SF (9.35 AC)

4 SINGLE-FAMILY LOTS

**RECEIVED**  
 AUG 20 2012

**COMMUNITY DEVELOPMENT**



**Quattrone & Associates, Inc.**  
 Engineers, Planners, & Development Consultants  
 3001 Yonkers Boulevard, Suite 100, Fort Myers, FL 33916 | 239.526.3332 | QAMLSA

**APPROVED**  
 Amendment to  
 Master Concept Plan  
 Subject to Case # ADD2012-00079  
 Date 8/23/2012

**ADD 2012-00079**