

ADMINISTRATIVE AMENDMENT (PD) ADD2014-00175

**ADMINISTRATIVE AMENDMENT
LEE COUNTY, FLORIDA**

WHEREAS, Miromar Lakes LLC filed an application for an administrative amendment to a Mixed Use Planned Development (MPD) on a project known as Costa Amalfi at Miromar Lakes for a reduced minimum setback from 20 feet to 15 feet for single-family development on Lots 3 and 4 within the Costa Amalfi subdivision on property located at 11789 & 11783 Via Savona Court, Fort Myers, FL. described more particularly as:

LEGAL DESCRIPTION: In Section 13, Township 46 South, Range 25 East, Lee County, Florida:

ATTACHED AS EXHIBIT "A"

WHEREAS, the property was originally rezoned in case number Z-99-029 (with subsequent amendments in case numbers Z-02-072, Z-12-004 and Z-13-020; and

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

WHEREAS, the Miromar Lakes Mixed Used Planned Development (MPD) and Development of Regional Impact (DRI) is +/- 1,800 acres in unincorporated Lee County; and

WHEREAS, the MPD and DRI was approved for 250,000 square feet of retail uses, 340,000 square feet of commercial office, 40,000 square feet of research and development uses, 450 hotel rooms, 650 boat slips, recreational facilities, preserve areas, and 2,600 residential dwelling units; and

WHEREAS, the Costa Amalfi subdivision is internal to the MPD and approved for 16 single-family lots per Development Order DOS2008-00112 and Administrative Amendment (Final Plan Approval) ADD2008-00130; and

WHEREAS, an administrative amendment on the subject property Costa Amalfi was approved to reduce the rear setbacks for accessory structures from 10 feet to 0 feet per ADD2009-00026 (Attachment "D"); and

WHEREAS, 13 of the 16 lots are developed within the Costa Amalfi subdivision with single-family residential development and associated infrastructure; and

WHEREAS, the applicant (per Attachment "B") is requesting to reduce the required setback per Exhibit "E" of Z-13-020 for single-family detached dwelling units from 20 to 15; and

WHEREAS, the reduced setback is necessary for single-family residential development on these two lots (per Attachment "A"); and

WHEREAS, Lot 3 is the smallest lot within the subdivision (+/- 5,556 square feet in lot area); and

WHEREAS, Lot 4 is one of the smaller lots within the subdivision (+/- 6,400 square feet in lot area); and

WHEREAS, recent supplements to the Miromar Lakes Master Association's covenants, conditions, restrictions and easements support larger sizes (5,000 square feet) for dwelling units (Attachment "E" - Supplemental Declaration – Costa Amalfi); and

WHEREAS, the applicant has submitted conceptual elevations of the single-family dwelling units developed for these two lots (Attachment "F"); and

WHEREAS, the requests for reduced setbacks to accommodate these single-family developments on Lot 3 and 4 were approved by the Miromar Lakes Master Association October 16, 2014 (Attachment "G"); and

WHEREAS, the lots on Via Savona Court are on a privately maintained right of way with no sidewalk; and

WHEREAS, the front of the lots contain a 10-foot wide public utility easement and 5-foot wide Lee County Utility easement and an 8-foot grassed area; and

WHEREAS, there is proposed a minimum of 23 feet from the residential structure to edge of pavement; and

WHEREAS, the location of the lots and the reduced setback will not create any health, welfare or safety issues; and

WHEREAS, the reduced setbacks on Lots 3-4 will allow these remaining lots to be developed in a manner consistent with the existing homes in Costa Amalfi; and

WHEREAS, otherwise the single-family development on these lots will be consistent with the Lee County LDC and the conditions of zoning per Z-13-020; 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

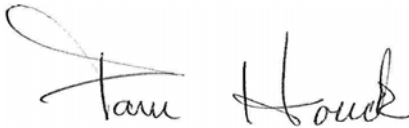
WHEREAS, the request raises no issues relating to environmental or natural resources (per Attachment "C"); and

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 a Mixed Use Planned Development (MPD) for a reduced minimum setback from 20 feet to 15 feet for single-family development on Lots 3 and 4 within the Costa Amalfi subdivision is **APPROVED subject to the following conditions:**

1. **The Development must be in compliance with Attachment "A" - Costa Amalfi: Master Concept Plan/Setback Exhibit.**
2. **The terms and conditions of the original zoning resolutions remain in full force and effect.**
3. **If it is determined that inaccurate or misleading information was provided to the County or if this decision does not comply with the LDC when rendered, then, at any time, the Director may issue a modified decision that complies with the Code or revoke the decision. If the approval is revoked, the applicant may acquire the necessary approvals by filing an application for public hearing in accordance with Chapter 34.**

DULY PASSED AND ADOPTED ON 10/27/2014

BY: 

Electronically Signed by
Pam Houck, Director
Division of Zoning
Department of Community Development

Exhibit "A" – Approved Legal Description

Attachment "A" – Master Concept Plan/Setback Exhibit

Attachment "B" – Applicant's Narrative

Attachment "C" – Environmental Sciences Staff Comments

Attachment "D" – Administrative Amendment ADD2009-00026

Attachment "E" – Supplemental Declaration – Costa Amalfi

Attachment "F" – Conceptual Elevations for Single-Family Homes - Costa Amalfi

Attachment "G" – Site Plan Approval and Variance, Miromar Lakes Master Association,
October 16, 2014

APPROVED
ADD2014-00175
Chick Jakacki, Planner
Lee Co Division of Zoning
9/24/2014

EXHIBIT A

LEGAL DESCRIPTION

LOTS 3 AND 4, MIROMAR LAKES UNIT XIII-COSTA AMALFI, A SUBDIVISION,
LOCATED IN SECTION 13, TOWNSHIP 46 SOUTH, RANGE 25 EAST, ACCORDING TO
THE PLAT THEREOF ON FILE AND RECORDED IN INSTRUMENT NUMBER
2008000338718 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

STRAP NUMBER

13-46-25-03-00000.0030

13-46-25-03-00000.0040

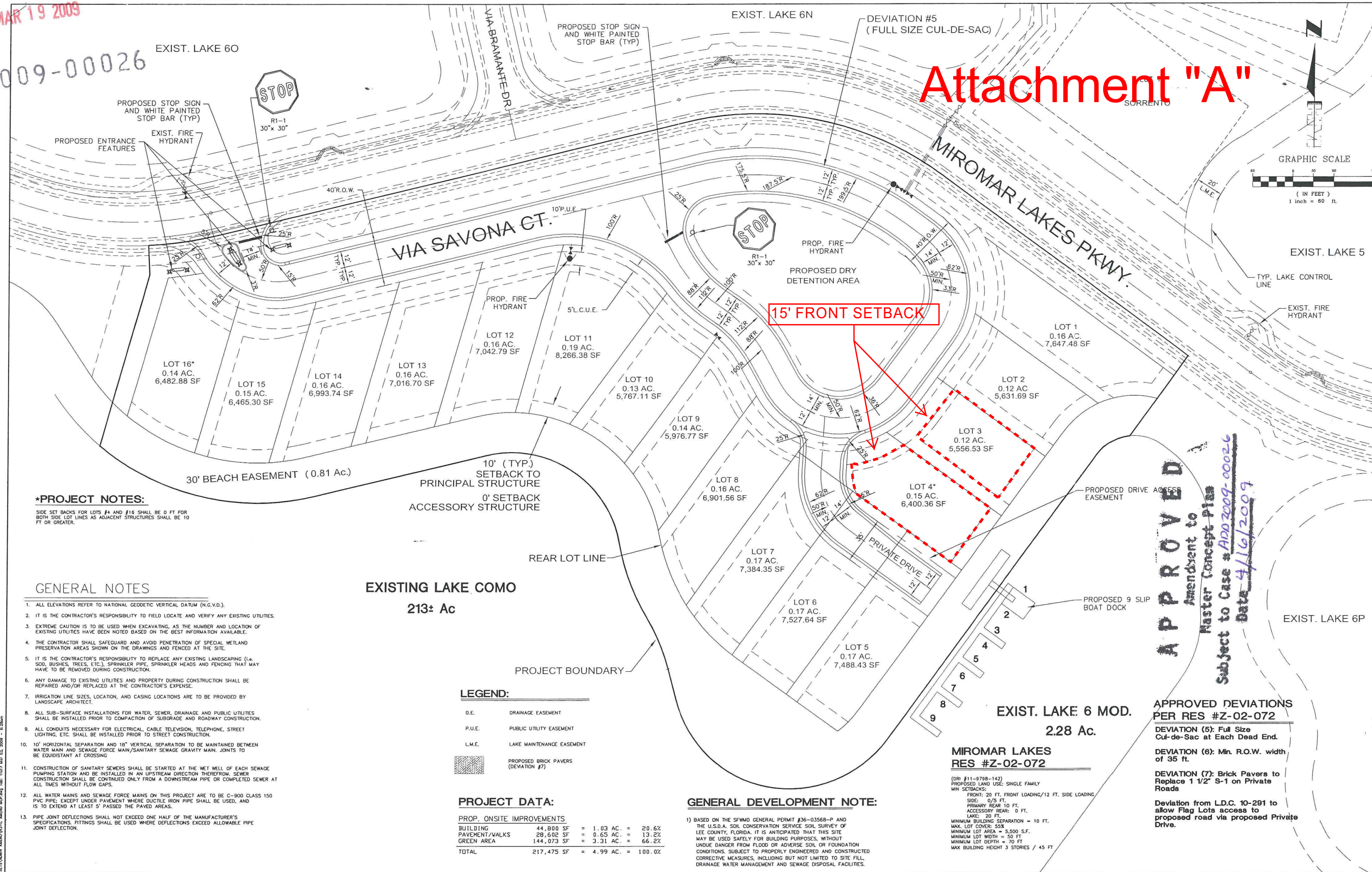
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ADD 2009-00026

EXHIBIT A
SETBACK EXHIBIT

Attachment "A"



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LETTER	REVISIONS	DATE

COSTA AMALFI
MIROMAR LAKES LLC

DESIGNED BY C.L.K.	DATE 07/25/08
DRAWN BY E.R.T.	DATE 07/25/08
CHECKED BY C.L.K.	DATE 07/26/08
VERTICAL SCALE N/A	HORIZONTAL SCALE 1" = 60'

H.M.
HOLE MONTES
ENGINEERS - PLANNERS - SURVEYORS
LANDSCAPE ARCHITECTS

6200 Whiskey Creek Drive
Fort Myers, FL. 33919
Phone: (239) 985-1200
Florida Certificate of
Authorization No.1772

EXHIBIT H-3.C.
MASTER CONCEPT PLAN

THESE DRAWINGS ARE NOT
APPROVED UNLESS SIGNED
AND SEALED BELOW :

CHARLES L. KREBS, P.E.
FLORIDA PROFESSIONAL ENGINEER
REGISTRATION #56835
DATE

CAD FILE NAME: H-3.C MCP	DRAWING NO.: 1183-ADMIN-2
PROJECT NO.: 2008.051	SHEET NO.: 2 OF 2

**WALDROP ENGINEERING**
CIVIL ENGINEERING & LAND DEVELOPMENT CONSULTANTS**28100 BONITA GRANDE DR. #305
BONITA SPRINGS, FL 34135
P: 239-405-7777
F: 239-405-7899**

**Request Narrative
Costa Amalfi Administrative Amendment**

The Miromar Lakes Mixed Use Planned Development (MPD)/Development of Regional Impact (DRI) is a 1,800+/- acre mixed-use project located east of I-75, south of Alico Road, and north of Estero Parkway in unincorporated Lee County, Florida.

The project is approved for 250,000 square feet of retail uses, 340,000 square feet of professional office space, 40,000 square feet of research and development (industrial) uses, 450 hotel rooms, 650 boat slips, 2,600 residential units, recreational facilities, and preserve areas.

The Costa Amalfi subdivision internal to the MPD is approved for a sixteen (16) single-family lots and associated infrastructure pursuant to ADD2008-00130 and DOS2008-00112. To date, thirteen (13) of the sixteen (16) lots are developed with single-family residences. The Applicant is requesting to reduce the front yard setback from twenty (20) feet to fifteen (15) feet on Lots 3 and 4 to allow for the development of an alternative product type to meet current market demand.

The request is for a reduction in front yard setbacks for Lots 3 and 4 only, and will not result in a reduction to building separation or other setbacks. Via Savona Ct. is a privately maintained right-of-way that services a minimal number of units. The frontage of Lots 3 and 4 contain a 10-foot wide public utility easement (PUE), a 5-foot wide Lee County Utility easement (LCUE), and an 8-foot grassed area. Additionally, there are no sidewalks on the street. When combined there is a minimum of 23 feet of clear space between the front of the residential structure and the back of curb, providing sufficient space to accommodate parking in the driveway. Additionally, Via Savona Court is a single-loaded street, which further mitigates the impact of the request. Please refer to the enclosed Setback Exhibit (Exhibit A), which demonstrates the proposed front yard setback in relation to the private right-of-way and easements.

The requested amendment will not increase height, density or intensity. This amendment will not result in the underutilization of public resources and public infrastructure committed to the support of this development. This amendment will not result in a reduction of total open space, buffering, landscaping or preservation areas. This amendment will not create adverse impacts to surrounding land uses. For these reasons, the Applicant respectfully requests Staff approval of this amendment.

Attachment "B"

Workman, Elizabeth

To: Palermo, Anthony
Subject: ADD2014-00175 Miromar

Tony,
ES staff has no issues on the ADD2014-00175.

Beth Workman
Environmental Planner
Department of Community Development
Division of Environmental Sciences
239.533.8793 (office) 239.485.8344 (fax)
EWorkman@leegov.com (e-mail)

Attachment "C"

Attachment "D"

ADMINISTRATIVE AMENDMENT (PD) ADD2009-00026

ADMINISTRATIVE AMENDMENT LEE COUNTY, FLORIDA

WHEREAS, Miromar Lakes, LLC., filed an application for administrative approval to the Miromar Lakes Mixed Use Planned Development (MPD) on a project known as Miromar Lakes - Costa Amalfi to reduce the approved rear setback for accessory structures, limited to swimming pools, decks and screen enclosures, from 10 feet to zero feet for 16 parcels located on Via Savona Court in Miromar Lakes Unit XIII, Costa Amalfi Subdivision, described more particularly as:

LEGAL DESCRIPTION: In Section 13, Township 46 South, Range 25 East, Lee County, Florida:

See Exhibit "A"

WHEREAS, the property was originally rezoned from Agricultural (AG-2) to Mixed Use Planned Development (MPD) in case numbers 95-01-028.03Z 01.01 and 95-01-028.04Z 02.01, DRI #11-9798-142, Resolution number Z-99-029, with subsequent amendments in case numbers DRI2001-00004 & DCI2001-00033, Resolution number Z-02-072 and ADD2008-00130; and

WHEREAS, the original rezoning in Resolution number Z-99-029 encompassed 1,271.12± acres to permit a maximum of 2,600 dwelling units; an 18-hole golf course and related ancillary uses; 250,000 square feet of retail floor area; 340,000 square feet of office floor area; 40,000 square feet of research and development floor area and 450 hotel rooms and related ancillary uses; and

WHEREAS, Resolution number Z-02-072 superceded and replaced Resolution number Z-99-029 with a Notice of Proposed Change to add 534± acres of land; 18 holes of golf; a golf clubhouse; a golf course maintenance facility; and a boat club with 250 dry slips of boat storage; and modified the Master Concept Plan (MCP), Schedule of Uses and property development regulations to reconfigure residential development areas and parameters of residential and commercial development; and

WHEREAS, the subject property is located in the University Community, Wetlands and Density Reduction/Groundwater Resource Future Land Use Category as designated by the Lee Plan; and

WHEREAS, the Costa Amalfi subdivision is platted and recorded in the official records of Lee County in Instrument No. 2008000338718; and

WHEREAS, the development of the Costa Amalfi subdivision was approved on December 1, 2008 in Development Order Case Number DOS2008-00112 for a 16-lot single-family residential subdivision and the construction of infrastructure including landscaping,

streets, utilities, decorative entrance features, four dry models, a 9-slip boat dock, stormwater drainage facilities, and related site improvements; and

WHEREAS, the applicant is requesting to reduce the rear setback for accessory structures from ten feet to zero-feet to accommodate the construction of swimming pools, decks and screen enclosures; and

WHEREAS, the lots in the Costa Amalfi subdivision are adjacent to a man-made waterbody; however, are separated by a platted 30-foot wide beach easement; thus, providing adequate distance between the single-family lots and the waterbody; 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 on surrounding land uses.

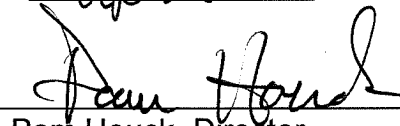
NOW, THEREFORE, IT IS HEREBY DETERMINED that the application for administrative approval for an amendment to the Miromar Lakes Mixed Use Planned Development to permit a zero-foot setback for accessory structures on 16 parcels located on Via Savona Court in Miromar Lakes Unit XIII, Costa Amalfi subdivision is **APPROVED**.

Approval is subject to the following conditions:

- 1. The Development must be in compliance with the amended Master Concept Plan, stamped received March 19, 2009. Master Concept Plan (MCP) for ADD2009-00026 is hereby APPROVED and adopted. A reduced copy is attached hereto.**
- 2. The approval is limited to the 16 single-family lots located within Miromar Lakes Unit XIII - Costa Amalfi subdivision.**
- 3. The approval of the zero-foot rear setback is limited to accessory swimming pools, decks and screen enclosures.**
- 4. The terms and conditions of the original zoning resolutions remain in full force and effect.**

DULY SIGNED this 16th day of April, A.D., 2009.

BY: _____



Pam Houck, Director

Division of Zoning

Department of Community Development

EXHIBITS:

- A. Legal Description
- B. Master Concept Plan stamped received March 19, 2009
- C. Location Map of Costa Amalfi subdivision within Miromar Lakes MPD
- C. Conceptual parcel plan depicting location of dwelling unit and accessory swimming pool



950 Encore Way • Naples, Florida 34110 • Phone: 239.254.2000 • Fax: 239.254.2075

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HM PROJECT #2008.051

3/9/2009

REF. DWG. #B-6471

Page 1 of 2

MAR 19 2009

ADD

2009-00026

LEGAL DESCRIPTION:

A PARCEL OF LAND LOCATED IN A PORTION OF SECTION 13, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT SOUTHWEST CORNER OF TRACT 'R-C', MIROMAR LAKES UNIT XII, PENINSULA, PHASE TWO, ACCORDING TO THE PLAT THEREOF AS RECORDED AS INSTRUMENT NUMBER 2006000463425 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, THE SAME BEING A POINT ON THE NORTHWESTERLY RIGHT-OF-WAY LINE OF MIROMAR LAKES PARKWAY, TRACT 'R', MIROMAR LAKES UNIT XI - PENINSULA, ACCORDING TO THE PLAT THEREOF AS RECORDED AS INSTRUMENT NUMBER 2006000456819 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE RUN S.76°27'33"W., ALONG THE NORTHWESTERLY RIGHT-OF-WAY LINE OF SAID MIROMAR LAKES PARKWAY, TRACT 'R' FOR A DISTANCE OF 177.26 FEET; THENCE RUN S.13°32'27"E., FOR A DISTANCE OF 35.00 FEET TO A POINT ON THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF SAID MIROMAR LAKES PARKWAY, TRACT 'R' AND TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED; THENCE RUN N.76°27'33"E., ALONG THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF SAID MIROMAR LAKES PARKWAY, TRACT 'R' FOR A DISTANCE OF 357.26 FEET, TO THE BEGINNING OF A TANGENTIAL CIRCULAR CURVE, CONCAVE SOUTHERLY; THENCE RUN EASTERLY, ALONG THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF SAID MIROMAR LAKES PARKWAY, TRACT 'R' AND ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 232.50 FEET, THROUGH A CENTRAL ANGLE OF 49°44'04", SUBTENDED BY A CHORD OF 195.54 FEET AT A BEARING OF S.78°40'25"E., FOR A DISTANCE OF 201.82 FEET TO THE END OF SAID CURVE; THENCE RUN S.53°48'23"E., ALONG THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF SAID MIROMAR LAKES PARKWAY, TRACT 'R' FOR A DISTANCE OF 228.60 FEET; THENCE RUN S.36°11'37"W., FOR A DISTANCE OF 73.95 FEET; TO A POINT ON A CIRCULAR CURVE, CONCAVE SOUTHEASTERLY; WHOSE RADIUS POINT BEARS S.05°43'00"E., THEREFROM; THENCE RUN SOUTHWESTERLY, ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 35.00 FEET, THROUGH A CENTRAL ANGLE OF 48°05'23", SUBTENDED BY A CHORD OF 28.52 FEET AT A BEARING OF S.60°14'18"W., FOR A DISTANCE OF 29.38 FEET TO THE END OF SAID CURVE; THENCE RUN S.36°11'37"W., FOR A DISTANCE OF 261.84 FEET, TO THE BEGINNING OF A TANGENTIAL CIRCULAR CURVE, CONCAVE NORTHERLY; THENCE RUN WESTERLY, ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 88.75 FEET, THROUGH A CENTRAL ANGLE OF 128°58'04", SUBTENDED BY A CHORD OF 160.19 FEET AT A BEARING OF N.79°19'21"W., FOR A DISTANCE OF 199.77 FEET TO THE END OF SAID CURVE; THENCE RUN N.14°50'20"W., FOR A DISTANCE OF 23.57 FEET, TO THE BEGINNING OF A TANGENTIAL CIRCULAR CURVE, CONCAVE SOUTHWESTERLY; THENCE RUN NORTHERLY, ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 150.00 FEET, THROUGH A CENTRAL ANGLE OF 15°36'05", SUBTENDED BY A CHORD OF 40.72 FEET AT A BEARING OF N.22°38'22"W., FOR A DISTANCE OF 40.84 FEET TO A POINT OF REVERSE CURVE CONCAVE EASTERLY; THENCE RUN NORTHERLY, ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 171.51 FEET, THROUGH A CENTRAL ANGLE OF 20°15'30", SUBTENDED BY A CHORD OF 60.33 FEET AT A BEARING OF N.20°18'39"W., FOR A DISTANCE OF 60.64 FEET TO A POINT OF REVERSE CURVE CONCAVE SOUTHWESTERLY; THENCE RUN NORTHWESTERLY, ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 81.50 FEET, THROUGH A CENTRAL ANGLE OF 93°21'33", SUBTENDED BY A CHORD OF 118.59 FEET AT A BEARING OF N.56°51'40"W., FOR A DISTANCE OF 132.80 FEET TO THE END OF SAID CURVE; THENCE RUN S.76°27'33"W., FOR A DISTANCE OF 131.31 FEET TO THE BEGINNING OF A TANGENTIAL CIRCULAR CURVE, CONCAVE NORTHERLY; THENCE RUN WESTERLY, ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 179.00 FEET, THROUGH A CENTRAL ANGLE OF 53°57'20", SUBTENDED BY A CHORD OF 162.40 FEET AT A BEARING OF N.76°33'47"W., FOR A DISTANCE OF 168.56 FEET TO THE END OF SAID CURVE; THENCE RUN N.15°40'27"E., FOR A DISTANCE OF 132.61 FEET; THENCE RUN N.02°46'11"W., FOR A DISTANCE OF 21.68 FEET TO A

Applicant's Legal Checked
by [Signature] 3-23-09

HM PROJECT #2008.051

3/9/2009

REF. DWG. #B-6471

Page 2 of 2

POINT ON THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF SAID MIROMAR LAKES PARKWAY, TRACT 'R' AND A POINT ON A CIRCULAR CURVE, CONCAVE NORTHERLY, WHOSE RADIUS POINT BEARS N.02°46'11"W., THEREFROM; THENCE RUN EASTERLY, ALONG THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF SAID MIROMAR LAKES PARKWAY, TRACT 'R' AND ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 267.50 FEET, THROUGH A CENTRAL ANGLE OF 10°46'16", SUBTENDED BY A CHORD OF 50.21 FEET AT A BEARING OF N.81°50'41"E., FOR A DISTANCE OF 50.29 FEET TO THE POINT OF BEGINNING; CONTAINING 4.993 ACRES MORE OR LESS.

THIS PROPERTY IS SUBJECT TO EASEMENTS, RESERVATIONS OR RESTRICTIONS OF RECORD.

BEARINGS SHOWN HEREON REFER TO THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF MIROMAR LAKES PARKWAY, TRACT 'R', MIROMAR LAKES UNIT XI - PENINSULA, ACCORDING TO THE PLAT THEREOF AS RECORDED AS INSTRUMENT NUMBER 2006000456819 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA AS BEING N.76°27'33"E.

HOLE MONTES, INC.

CERTIFICATE OF AUTHORIZATION LB #1772

BY


THOMAS M. MURPHY

P.S.M. #5628

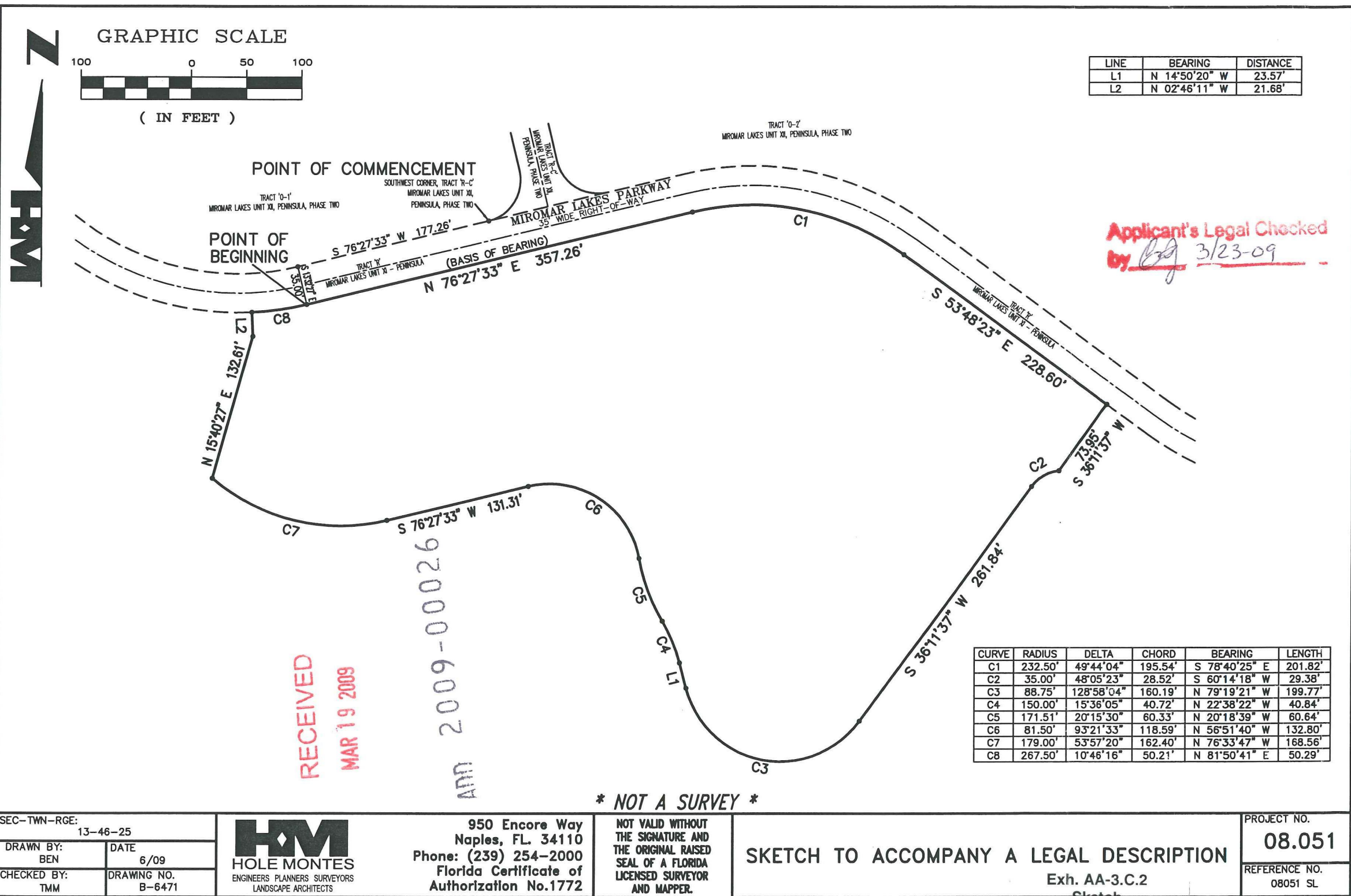
STATE OF FLORIDA

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ADD 2009-00026

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SEC-TWN-RGE: 13-46-25	
DRAWN BY: BEN	DATE 6/09
CHECKED BY: TMM	DRAWING NO. B-6471



HOLE MONTES
ENGINEERS PLANNERS SURVEYORS
LANDSCAPE ARCHITECTS

950 Encore Way
Naples, FL. 34110
Phone: (239) 254-2000
Florida Certificate of
Authorization No.1772

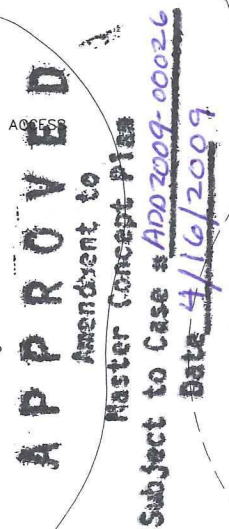
NOT VALID WITHOUT
THE SIGNATURE AND
THE ORIGINAL RAISED
SEAL OF A FLORIDA
LICENSED SURVEYOR
AND MAPPER.

SKETCH TO ACCOMPANY A LEGAL DESCRIPTION

Exh. AA-3.C.2
Sketch

PROJECT NO.
08.051

REFERENCE NO.
08051 SL



CAD FILE NAME: H-3.C MCP	DRAWING NO.: 1183-ADMIN-
PROJECT NO.: 2008.051	SHEET NO.: 2 OF 2

EXHIBIT C

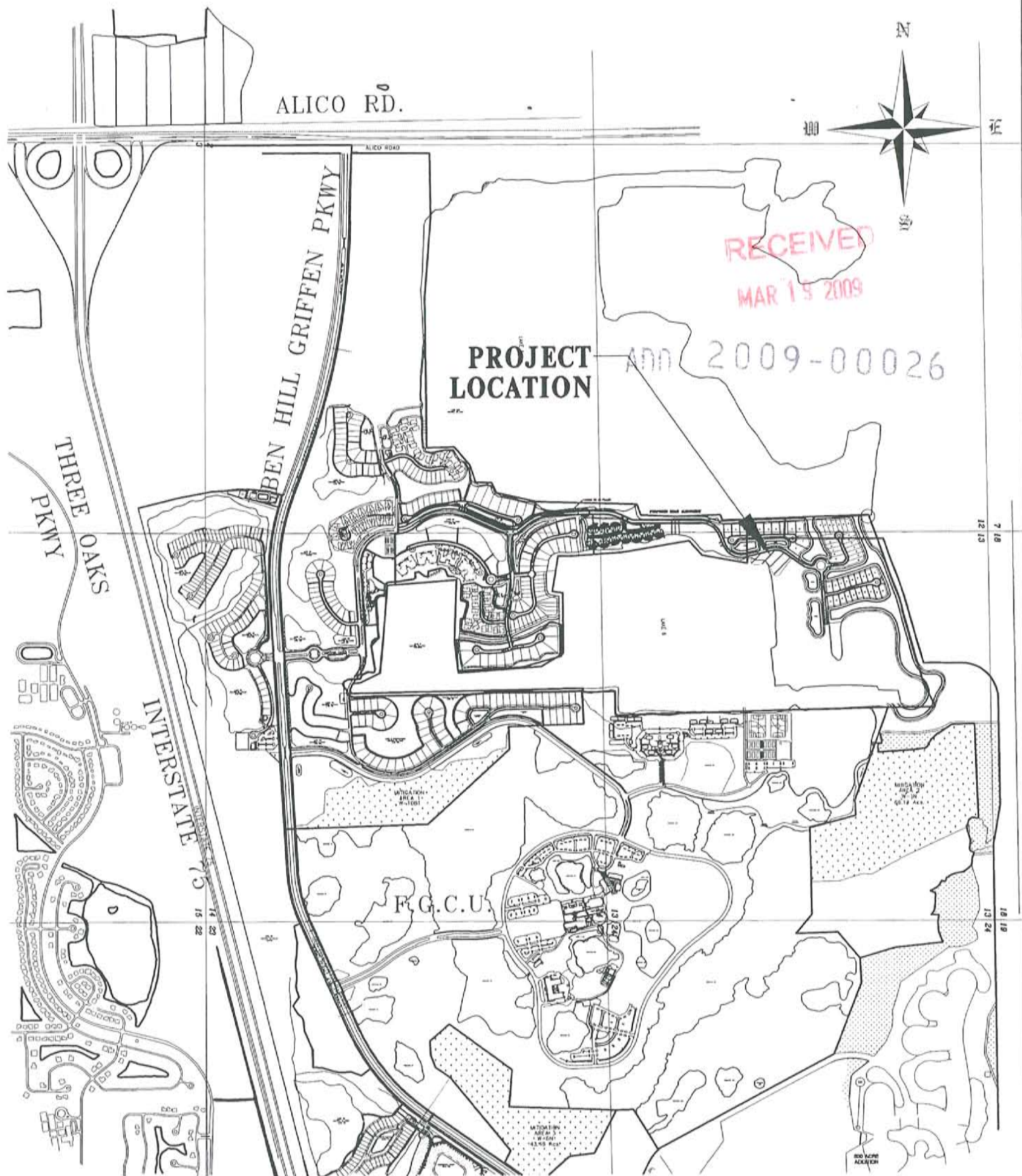


EXHIBIT D

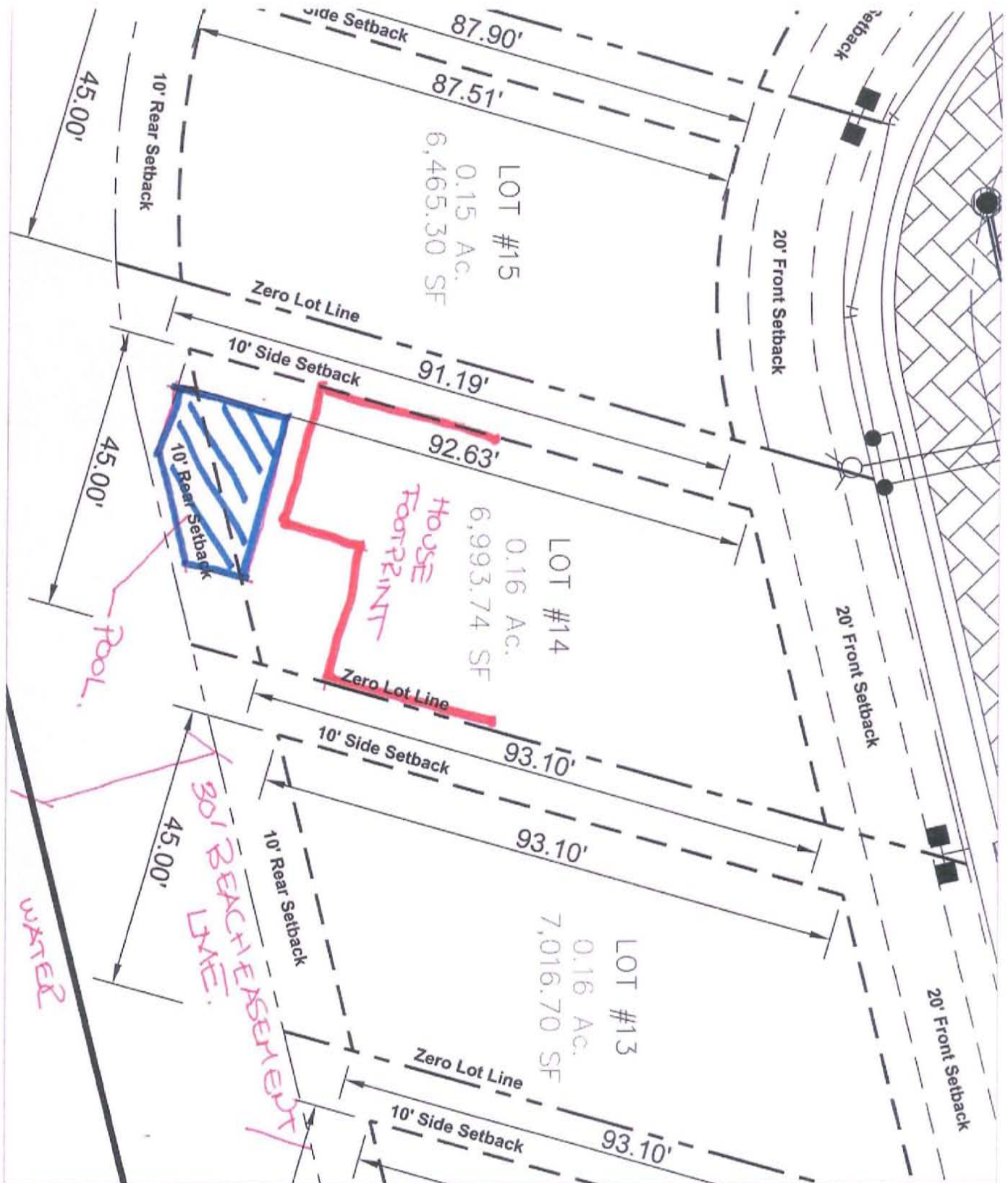


EXHIBIT A

INSTR # 2008000338719, Pages 9
Doc Type RES, Recorded 12/30/2008 at 05:23 PM,
Charlie Green, Lee County Clerk of Circuit Court
Rec. Fee \$78.00
Deputy Clerk GKORTRIGHT
#2

**THIS DOCUMENT WAS PREPARED BY
AND SHOULD BE RETURNED TO:**

Mark W. Geschwendt, Esq.
Miromar Development Corporation
10801 Corkscrew Road, Suite 305
Estero, Florida 33928
(239) 390-5100

Attachment "E"

Parcel ID No. _____

SUPPLEMENTAL DECLARATION

COSTA AMALFI

This Supplemental Declaration is made this 12th day of December 2008, by **MIROMAR LAKES, LLC**, a Florida limited liability company (the "Declarant"), and is joined in by **MIROMAR LAKES MASTER ASSOCIATION, INC.**, a Florida not-for-profit corporation (the "Master Association").

STATEMENT OF BACKGROUND INFORMATION

1. Terms used as defined terms without definition shall have the meaning ascribed to them in the Declaration of Covenants, Conditions, Restrictions and Easements for Miromar Lakes Master Association, Inc. recorded in Official Record Book 3343, Page 294, et seq. of the Public Records of Lee County, Florida, and as it may be amended from time to time (the "Declaration").
2. Declarant, with the joinder of Master Association, has declared that the Property shall be held, sold, conveyed and encumbered by the Declaration.
3. The Declaration permits the Declarant to unilaterally amend and supplement the Declaration.
4. Declarant desires to designate the real property legally described on **Exhibit "A"** attached (the "Costa Amalfi Property") as a Neighborhood called Costa Amalfi and to add additional use restrictions for Costa Amalfi.

STATEMENT OF DECLARATION

Declarant declares that the Costa Amalfi Property shall be held, sold, conveyed, encumbered, leased, occupied and improved subject to the covenants, conditions, restrictions, easements and provisions of the Declaration and this Supplement.

1. Designation. The Costa Amalfi Property is declared to be a Neighborhood called Costa Amalfi.

2. Construction Standards. All property, which is now or may hereafter be subjected to this Supplemental Declaration, is subject to architectural review and site plan approval pursuant to the Declaration. In addition to the requirements established in accordance with the Declaration and the Design Guidelines, the following standards shall govern construction of structures and improvements to Lots in Costa Amalfi Neighborhood and on the Property. These standards may be enforced pursuant to the Declaration.

3. Building Height. No structure shall exceed two (2) stories in height or be erected over a height of 35 feet measured from the finished grade of the Lot. The height of the building shall be measured as the vertical distance from grade to the highest point of the roof surface of a flat or Bermuda roof, to the deck line of a mansard roof and the mean height level between eaves and ridge of gable, hip and gambrel roofs. No structure shall have more than two (2) floor levels.

4. Building Elevation, Colors and Details. No two adjacent dwelling structures shall be designed with the same elevation, design, style or color. Each building shall have a varied design and street elevation along with variations in the roof tile, paint, and color schemes to create a varied streetscape. Minor changes in the elevation relief such as different window shapes or column types do not satisfy this restriction. The base color and the trim combinations of each dwelling shall be distinctly different from any adjacent dwelling. All driveways and walkways shall be constructed using pavers approved by the NCC.

5. Building Size. Each single family dwelling erected or constructed on any Lot in the Neighborhood shall contain a minimum of One Thousand Six Hundred (1600) square feet and a maximum of Three Thousand (3000) square feet of air conditioned floor area and shall maintain the minimum setbacks as described in Section 6. The method of determining square foot area of proposed buildings and structures or additions and enlargements shall be to multiply the outside horizontal dimensions of the building or enlargements at each floor level. Garages, porches, patios, terraces and other similar structures shall not be taken into account in calculating the minimum square foot area required.

6. Building Setbacks. All buildings shall comply with minimum setbacks as follows. All measurements shall be to the nearest point of a structure, which shall be defined as the exterior wall.

- (a) The minimum front setback from any street shall be Twenty (20) Feet. For sideloading garages, the minimum side setback shall be no less than Twelve (12) feet.
- (b) The minimum side setback from any side lot line shall be Five (5) feet. Adjoining lots may select the zero lot line option provided the Lee

County requirement for a 10 side setback is allotted for on the other side lot line.

- (c) The minimum rear setback for any Principal Structure and for any Accessory Structure shall be 10 feet.
- (d) Notwithstanding the required side setback set forth in subparagraph (b) above, the minimum side setback for equipment pad(s) (for air conditioner, pool pump and heater) shall be $\frac{1}{2}$ of the minimum side setback for Principal Structures with approval of the NCC as to location, size and landscaping.
- (e) The NCC may, in its sole discretion, grant variances from minimum rear setbacks subject to the minimum requirements established by Lee

County in Resolution Z-0272 and DRI 11-9798-142.

7. Roofs. Pitched roofs shall be required over all portions of structures except as may be otherwise permitted, and shall have a minimum pitch of 3:12, except that deviation from the minimum pitch may be approved by the NCC for gambrel and similar type roofs. All roofs shall be constructed of flat, barrel, S-shaped or villa cement tile, all as defined by common usage in Lee County, Florida. In the event some new and/or other attractive material for roofing surfaces is discovered, invented, or brought to the attention of the NCC, the NCC may, in its sole discretion, approve the use of such new material. A mansard, lesser pitched or flat roof may, in the discretion of the NCC, be permitted over porches, Florida rooms, storage rooms and utility rooms, only if approved in writing by the NCC. Such mansard, lesser-pitched or flat roofs are to be located to the rear of the building.

8. Garages, Carports, Enclosures and Mailboxes.

- (a) Each dwelling unit shall have a garage that shall accommodate not less than two (2) automobiles. All garage doors must be equipped with automatic door openers and closers. When ingress and egress to the garage is not desired, the garage doors must remain closed. Repair of vehicles shall be permitted only inside the garage. No garage or enclosed storage area shall be allowed which is detached from the dwelling unit. No carport or unenclosed storage area shall be allowed.
- (b) All enclosures (screen or unscreened), including spa, hot tub and swimming pool enclosures, shall be located, constructed and maintained only as approved by the NCC and shall be bronze in color and of compatible design and materials to the dwelling unit.
- (c) The location, style, type and appearance of Owner's mailbox shall be determined by the NCC. All mailboxes must be maintained in good condition as determined by the NCC.

9. Use Restrictions. The property described in this Supplemental Declaration may be used only for single-family dwellings and related purposes. Notwithstanding the provisions of this section, Declarant and Builders may utilize one or more Lots within the neighborhood for a sales office or models or model home parking, for so long as Declarant or Builders, their successors or assigns, shall own any Lot in the Property, and Declarant shall have the right to designate other persons or entities to likewise so utilize Lots for a sales office or models or model home parking, so long as the person or entity owns any Lot in the Property.

10. Leases. No Lot or improvement within the Costa Amalfi Property may be rented except in its entirety and all leases shall be for a minimum rental term of 30 days, and a Lot may be leased no more than three (3) time during any calendar year.

11. Roadway and Common Areas. The Declarant shall dedicate and transfer ownership of the roadway and other common property as described and depicted on the plat for the Neighborhood to the Costa Amalfi Neighborhood Association. The roadway shall be constructed and maintained using paver bricks as approved by the NCC and MC. The Costa Amalfi Neighborhood Association shall be responsible for the maintenance, repair and replacement of the roadway and common areas.

12. Assessments. Each Lot within Costa Amalfi shall be assessed as such in accordance with the provisions of Article XII and Article XV of the Declaration.

13. Supplement to Declaration. All provisions of the Declaration shall apply to Costa Amalfi, except as it may be changed or supplemented by this Supplemental Declaration. This Supplemental Declaration shall control over conflicting provisions of the Declaration.

14. Amendment. Until the Turnover, the Declarant may unilaterally amend this Supplemental Declaration. Prior to Turnover, the Members may not amend this Supplemental Declaration. After Turnover, this Supplemental Declaration may be amended by the affirmative vote of Members within the Neighborhood representing sixty-seven percent (67%) of the total votes in the Neighborhood Association. Amendments shall be recorded in the Public Records and shall be effective as of the date of recording.

Notwithstanding anything to the contrary set forth in this Section 15, no amendment shall be effective without the written joinder and consent of the Declarant (so long as the Declarant owns any portions of the Property, which is being offered for sale) to the amendment, which consent shall not be unreasonably withheld or delayed.

15. Annexation. Declarant declares that the Neighborhood shall be held, sold, conveyed, encumbered, leased, occupied and improved subject to the covenants, conditions, restrictions, easements and provisions of the Declaration and this Supplement.

16. Beach. A beach shall be constructed adjacent to the Costa Amalfi Property by the Declarant and dedicated to the Master Association. No improvements or modifications may be made to the beach area by Lot owners. The beach shall be maintained by the Master

Association and shall provide ingress and egress access and recreational use as permitted by the Master Association to all Master Association members and their guests, and other persons permitted by Declarant, including, but not limited to employees, agents, contractors and resort guests of Declarant.

17. **Dock Rights and Lake Use.** There are a limited number of docks for purchase within the Costa Amalfi neighborhood. Based upon demand, and at Developer's sole discretion, the Developer may construct up to a maximum of sixteen (16) dock slips adjacent to Costa Amalfi. Lot owners within the Costa Amalfi neighborhood may have the opportunity to purchase a dock located in the neighborhood dock area as shown on **Exhibit "B"**. All docks will be sold on a first come – first serve basis.

Use of the Lake and the docks is controlled by Miromar Lakes Master Association which promulgates rules and regulations for the safety, welfare and enjoyment of all of the residents of Miromar Lakes. (Please contact the Master Association for a copy of the rules and regulations.) The construction of docks and use of the lake is further subject to certain agreements contained within the Documents, including, but not limited to, the following:

1. Easement Agreement Including Non-Exclusive Navigational and Recreational Rights dated September 21, 1993 and recorded at OR BK 2497 OG 1569, et seq., Lee County Records.
2. Agreement dated September 24, 2001 and recorded at OR BK 3605 PG 4776, et seq., Lee County, Records.

18. **Personal Concierge Services.** In addition to any other assessment provided for under this Supplement or the Declaration, each Lot shall be assessed by the Master Association for the cost of the Personal Concierge Services Plan ("Plan"). The terms and conditions of the Plan and the amount of the assessment shall be established, and may be changed from time to time, as determined by the Master Association in its sole discretion.

19. **Easements.** All private and public utility installers and users shall be obligated to repair and restore any landscape buffer, sod, paving, brick drives or streets, sidewalks, curbing or any other improvement that are disturbed in connection with the installation of any utility or the use of any easement within the Costa Amalfi Neighborhood. All facilities constructed on or installed by any private or public utilities through an easement located within the Costa Amalfi Neighborhood shall be placed underground.

20. **Reservation of Easements.** The Declarant, its successors and assigns, (1) reserve an easement over and across the Costa Amalfi Property for enforcement of the covenants and restrictions set forth in the Declaration, (2) reserve an easement for access and use across tracts "B-1", "B-2" and "B-3" of the Miromar Lakes Unit XIII-Costa Amalfi plat for lake/water management and stormwater management, (3) reserve an easement and the right to use the waterways, lakes, canals and ponds for recreational purposes, provided that such uses shall not interfere with the ability to maintain the water management facilities.

This Supplemental Declaration has been executed as of the date first written above.

Witnesses:

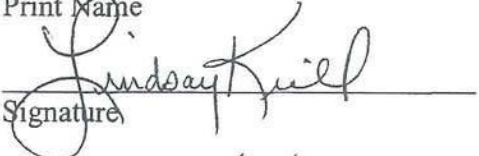
MIROMAR LAKES, L.L.C., a Florida
limited liability company

**By: MIROMAR DEVELOPMENT
CORPORATION**, a Florida corporation,
Its: Managing Member



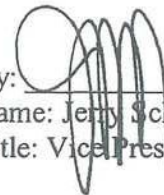
Signature

HERMINE MEEKS
Print Name



Signature

Lindsay Krill
Print Name

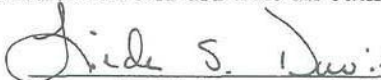
By: 
Name: Jerry Schmoyer
Title: Vice President

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was acknowledged before me this 12th day of December, 2008, by Jerry Schmoyer, as Vice President, of Miromar Development Corp., a Florida corporation, Managing Member of Miromar Lakes, L.L.C., a Florida limited liability company, on behalf of the limited liability company. He is personally ☒ known to me or ☐ has provided a driver's license as identification and did take an oath.



Linda S. Davis
Commission # DD471200
Expires September 12, 2009
Bonded Troy Farm Insurance, Inc. 800-385-7019


Notary Public, State of Florida
Print Name: LINDA S. DAVIS

My Commission Expires: 9/12/2009

JOINDER BY MASTER ASSOCIATION

The Miromar Lakes Master Association, Inc., joins in and consents to the Supplemental Declaration for the Costa Amalfi Property dated the 12 day of DECEMBER 2008.

Witnesses:

**MIROMAR LAKES MASTER
ASSOCIATION, INC.**, a Florida
not-for-profit corporation

Hermine Weeks

By:

Steven C. Lewis
Steven C. Lewis, President

HERMINE WEEKS
Print Name

Lindsay Krill
Print Name

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was acknowledged before me this 12th day of December, 2008, by Steven C. Lewis, as President of Miromar Lakes Master Association, Inc., a Florida not-for-profit corporation, on behalf of the corporation. He is personally known to me or has provided a driver's license as identification and did take an oath.



Linda S. Davis
Commission # DD471200
Expires September 12, 2009
Bonded Troy Fam - Insurance, Inc. 800-385-7019

Linda S. Davis
Notary Public, State of Florida

Print Name: LINDA S. DAVIS

My Commission Expires: 9/12/09

EXHIBIT "A"

Lots 1 through 16, inclusive and all tracts identified on the Plat of MIROMAR
LAKES UNIT XIII – COSTA AMALFI as recorded in Instrument No.
2007000338718 of the Public Records of Lee County, Florida.

THIS DOCUMENT WAS PREPARED BY
AND SHOULD BE RETURNED TO:

Mark W. Geschwendt, Esq.
Miromar Development Corporation
10801 Corkscrew Road, Suite 305
Estero, Florida 34135

Parcel ID:

SECOND AMENDMENT TO SUPPLEMENTAL DECLARATION

COSTA AMALFI

This Second Amendment to Supplemental Declaration ("Second Amendment") is made this 28th day of September, 2009, by **MIROMAR LAKES, LLC**, a Florida limited liability company (the "Declarant"), and is joined in by **MIROMAR LAKES MASTER ASSOCIATION, INC.**, a Florida not-for-profit corporation (the "Master Association"), **MARK STUART AIN** and **CAROL AND LEN, LLC**, a Florida limited liability company.

STATEMENT OF BACKGROUND INFORMATION

1. Terms used as defined terms without definition shall have the meaning ascribed to them in the Declaration of Covenants, Conditions, Restrictions and Easements for Miromar Lakes Master Association, Inc. recorded in Official Record Book 3343, Page 294 et seq. of the Public Records of Lee County, Florida, as the same may be amended from time to time (the "Declaration").

2. Paragraph 22.2 of the Declaration permits the Declarant to unilaterally amend the Declaration, any supplement or any neighborhood supplement prior to turnover and turnover has not yet occurred.

3. The Declarant desires to amend certain provisions of the Supplemental Declaration recorded on December 30, 2008, instrument number 2008000338719 of the Public records for Lee County, Florida and the First Amendment to Supplemental Declaration recorded March 4, 2009, instrument number 2009000057166 ("Supplemental Declaration") to allow for larger single family dwelling units.

4. The covenants and restrictions set forth in this Second Amendment to Supplemental Declaration are appurtenant to and run with the real property legally described on **Exhibit "A"** attached (the "Property").

AMENDED SUPPLEMENTAL DECLARATION

1. Amendment to Supplemental Declaration. Declarant amends paragraph 5 of the Supplement Declaration to provide that the maximum square footage for a single family dwelling constructed on Lots 11 and 16 within Costa Amalfi shall be Four Thousand Five Hundred (4,500) square feet of air-conditioned floor area constructed with the minimum setbacks

as described in the Supplemental Declaration and subject to approval of the NCC.

2. Building Setbacks. Subpart "(b)" to paragraph 6 of the Supplemental Declaration is deleted and replaced with the following:

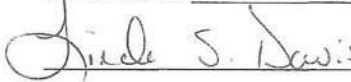
"The minimum side setbacks for each Lot shall be zero (0) on one side lot line and ten (10) feet on the other side lot line. Lee County requires a minimum ten (10) foot side set back for all principal structures. The NCC shall designate the side lot line that is the zero (0) side lot line set back. Lots 4 and 16 may utilize a minimum five (5) foot side setback from the side lot line (opposite the zero side lot line) near or contiguous to the Joint Access Easement or the Neighborhood common area."

3. Continuing Effect of Supplemental Declaration. Except as modified, supplemented and amended by this Second Amendment to the Supplemental Declaration, all of the provisions, terms and conditions of the Supplemental Declaration for Costa Amalfi shall remain in full force and effect. Declarant ratifies and confirms the Declaration and Supplemental Declaration, as amended by this Second Amendment to Supplemental Declaration and all restrictions, covenants, easements, charges and liens set forth in this Second Amendment.

This Second Amendment to Supplemental Declaration has been executed as of the date first above written.

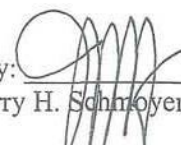
Witnesses:


 Print Name: CHERYL A HOFFMANN


 Print Name: LINDA S. DAVIS

MIROMAR LAKES, LLC, a Florida
 limited liability company

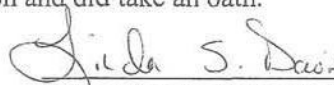
By: **MIROMAR DEVELOPMENT
 CORPORATION**, a Florida corporation,
 Its: Managing Member

By: 
 Jerry H. Schmoyer, Executive Vice President

STATE OF FLORIDA
 COUNTY OF LEE

The foregoing instrument was acknowledged before me this 25 day of September, 2009, by Jerry Schmoyer, as Executive Vice President, of Miromar Development Corporation, a Florida corporation, Managing Member of Miromar Lakes, LLC, a Florida limited liability company, on behalf of the limited liability company. He is personally known to me or has provided a driver's license as identification and did take an oath.




 Notary Public, State of Florida
 Print Name: LINDA S. DAVIS
 My Commission Expires:

JOINDER BY MASTER ASSOCIATION

The Miromar Lakes Master Association, Inc., joins in and consents to the Second Amendment to Supplemental Declaration for the Costa Amalfi property dated the 25 day of September, 2009.

Witnesses:

**MIROMAR LAKES MASTER
ASSOCIATION, INC.**, a Florida
not-for-profit corporation

Cheyl A. Hoffmann
Print Name: CHERYL A. HOFFMANN

By: *Steven C. Lewis*
Steven C. Lewis, President

Linda S. Davis
Print Name: LINDA S. DAVIS

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was acknowledged before me this 25 day of September, 2009, by Steven C. Lewis, as President of Miromar Lakes Master Association, Inc., a Florida not-for-profit corporation, on behalf of the corporation. He is personally known to me or has provided a driver's license as identification and did take an oath.

Linda S. Davis
Notary Public, State of Florida
Print Name: LINDA S. DAVIS
My Commission Expires:



JOINDER BY MARK STUART AIN

Mark Stuart Ain joins in and consents to the Second Amendment to Supplemental Declaration for the Costa Amalfi property dated the 25 day of September, 2009.

Witnesses:

Cheryl L. Ferruccio

Print Name: Cheryl L. Ferruccio

Maria M. Graham

Print Name: Maria M. Graham

By: Mark Stuart Ain

Mark Stuart Ain

Commonwealth
~~STATE OF FLORIDA~~ State of Massachusetts
~~COUNTY OF LEE~~ County of Middlesex

The foregoing instrument was acknowledged before me this 25 day of September, 2009, Mark Stuart Ain. He is personally known to me or has provided a driver's license as identification and did take an oath.



KIRK DOUGLAS FREVOLD
 Notary Public
 Commonwealth of Massachusetts
 My Commission Expires
 May 9, 2014

Kirk Frevold
 Notary Public
 Print Name: Kirk Frevold
 My Commission Expires: May 9, 2014

JOINDER BY LEN AND CAROL, LLC

Len and Carol, LLC, a Florida limited liability company, joins in and consents to the Second Amendment to Supplemental Declaration for the Costa Amalfi property dated the 21st day of September, 2009.

Witnesses:

LEN AND CAROL, LLC, a Florida limited liability company

By: Leonard W. Szkotak, Carol Szkotak

Its: Managing Member

[Signature]
Print Name: Jeff Garard

[Signature]
Print Name: Jeff Garard

By: [Signature]
Leonard W. Szkotak

By: [Signature]
Carol Szkotak

STATE OF NJ
COUNTY OF CAMDEN

The foregoing instrument was acknowledged before me this 21st day of September, 2009, Leonard W. Szkotak, and Carol Szkotak as Managing Members of Len and Carol, LLC, a Florida limited liability company. He is personally known to me or has provided a driver's license as identification and did take an oath.

[Signature]
Notary Public, State of Florida NJ
Print Name: JOAN MARIE MILLER
My Commission Expires: 7-18-2011



EXHIBIT "A"

COSTA AMALFI LEGAL DESCRIPTION

Lots 1 through 16, inclusive and all tracts identified on the Plat of Miromar Lakes Unit XII – Costa Amalfi as recorded in Instrument No. 2008000338718, of the Public records of Lee County, Florida.

THIS DOCUMENT WAS PREPARED BY
AND SHOULD BE RETURNED TO:

Mark W. Geschwendt, Esq.
Miromar Development Corporation
10801 Corkscrew Road, Suite 305
Estero, Florida 34135

INSTR # 2011000127454, Pages 4
Doc Type AGR, Recorded 06/02/2011 at 11:09 AM,
Charlie Green, Lee County Clerk of Circuit Court
Rec. Fee \$35.50
Deputy Clerk LFAHRNER
#2

Parcel ID: 13-46-25-03-00000.0120

THIRD AMENDMENT TO SUPPLEMENTAL DECLARATION

COSTA AMALFI

This Third Amendment to Supplemental Declaration ("Third Amendment") is made this 24th day of May, 2011, by **MIROMAR LAKES, LLC**, a Florida limited liability company (the "Declarant"), and is joined in by **MIROMAR LAKES MASTER ASSOCIATION, INC.**, a Florida not-for-profit corporation (the "Master Association").

STATEMENT OF BACKGROUND INFORMATION

1. Terms used as defined terms without definition shall have the meaning ascribed to them in the Declaration of Covenants, Conditions, Restrictions and Easements for Miromar Lakes Master Association, Inc. recorded in Official Record Book 3343, Page 294 et seq. of the Public Records of Lee County, Florida, as the same may be amended from time to time (the "Declaration").

2. Paragraph 22.2 of the Declaration permits the Declarant to unilaterally amend the Declaration, any supplement or any neighborhood supplement prior to turnover and turnover has not yet occurred.

3. The Declarant desires to amend certain provisions of the Supplemental Declaration recorded on December 30, 2008, instrument number 2008000338719 of the Public records for Lee County, Florida, the First Amendment to Supplemental Declaration recorded March 4, 2009, instrument number 2009000057166 and the Second Amendment to the Supplemental Declaration recorded on September, 28, 2009, instrument number 2009000263266 ("Supplemental Declaration") to allow for larger single family dwelling units.

4. The covenants and restrictions set forth in this Third Amendment to Supplemental Declaration are appurtenant to and run with the real property legally described on **Exhibit "A"** attached (the "Property").

AMENDED SUPPLEMENTAL DECLARATION

1. Amendment to Supplemental Declaration. Declarant amends paragraph 5 of the Supplement Declaration to provide that the maximum square footage for a single family dwelling constructed on Lots 1, 2, 3, 4, 6, 7, 9, 10, 12, 13, and 14 within Costa Amalfi, subject to Lee County Building Restrictions, shall be Five Thousand (5,000) square feet of air-conditioned floor area constructed with the minimum setbacks as

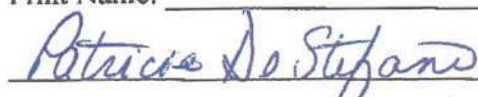
described in the Supplemental Declaration and subject to approval of the NCC.

3. Continuing Effect of Supplemental Declaration. Except as modified, supplemented and amended by this Third Amendment to the Supplemental Declaration, all of the provisions, terms and conditions of the Supplemental Declaration, as amended, for Costa Amalfi shall remain in full force and effect. Declarant ratifies and confirms the Declaration and Supplemental Declaration, as amended by this Third Amendment to Supplemental Declaration and all restrictions, covenants, easements, charges and liens set forth in this Third Amendment.

This Third Amendment to Supplemental Declaration has been executed as of the date first above written.

Witnesses:


 Print Name: MICHAEL BELGO


 Print Name: Patricia DeStefano

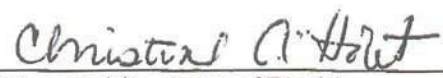
MIROMAR LAKES, LLC, a Florida
 limited liability company
 By: **MIROMAR DEVELOPMENT
 CORPORATION**, a Florida corporation,
 Its: Managing Member

By: 
 Jerry H. Schmoyer, Executive Vice President

STATE OF FLORIDA
 COUNTY OF LEE

The foregoing instrument was acknowledged before me this 24th day of May, 2011, by Jerry Schmoyer, as Executive Vice President, of Miromar Development Corporation, a Florida corporation, Managing Member of Miromar Lakes, LLC, a Florida limited liability company, on behalf of the limited liability company. He is personally known to me or has provided a driver's license as identification and did take an oath.

NOTARY PUBLIC-STATE OF FLORIDA
 Christine A. Hobot
 Commission #DD793166
 Expires: JUNE 29, 2012
 BOUND THRU ATLANTIC BONDING CO., INC.


 Notary Public, State of Florida
 Print Name: Christine A. Hobot
 My Commission Expires: June 29, 2012

JOINDER BY MASTER ASSOCIATION

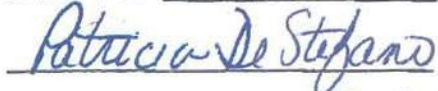
The Miromar Lakes Master Association, Inc., joins in and consents to the Third Amendment to Supplemental Declaration for the Costa Amalfi property dated the 24th day of May, 2011.

Witnesses:

**MIROMAR LAKES MASTER
ASSOCIATION, INC.**, a Florida
not-for-profit corporation



Print Name: MICHAEL B. ELGIN



Print Name: Patricia DeStefano

By:



Timothy Bial, President

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was acknowledged before me this 24th day of May, 2011, by Timothy Bial, as President of Miromar Lakes Master Association, Inc., a Florida not-for-profit corporation, on behalf of the corporation. He is personally known to me or has provided a driver's license as identification and did take an oath.

NOTARY PUBLIC-STATE OF FLORIDA
Christine A. Hobot
Commission #DD793166
Expires: JUNE 29, 2012
BONDED THRU ATLANTIC BONDING CO., INC.

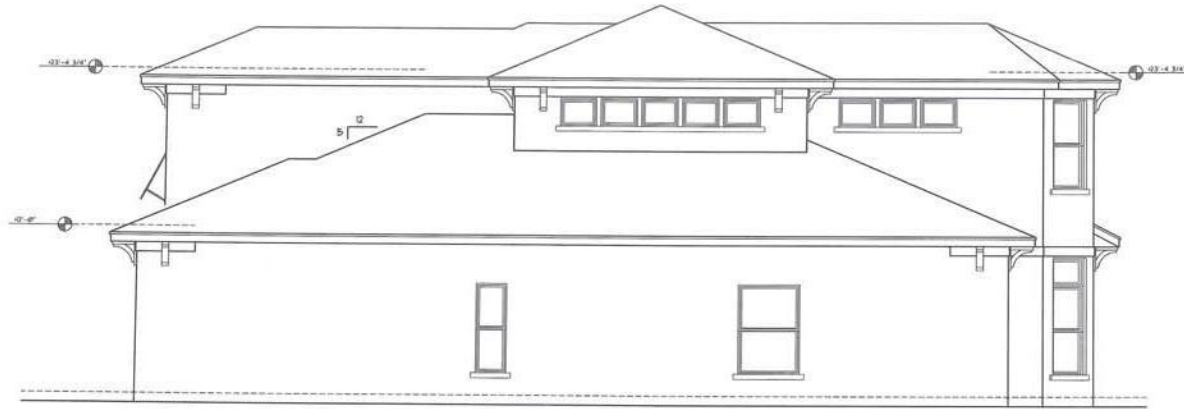

Notary Public, State of Florida
Print Name: Christine A. Hobot
My Commission Expires: June 29, 2012

EXHIBIT "A"

COSTA AMALFI LEGAL DESCRIPTION

Lots 1 through 16, inclusive and all tracts identified on the Plat of Miromar Lakes Unit XII – Costa Amalfi as recorded in Instrument No. 2008000338718, of the Public records of Lee County, Florida.

EXHIBIT "B"



Right Elevation

1/4" = 1'-0"



Front Elevation

1/4" = 1'-0"

Attachment "F"



The Cilento
Lot 3 Costa Amalfi
Miramar



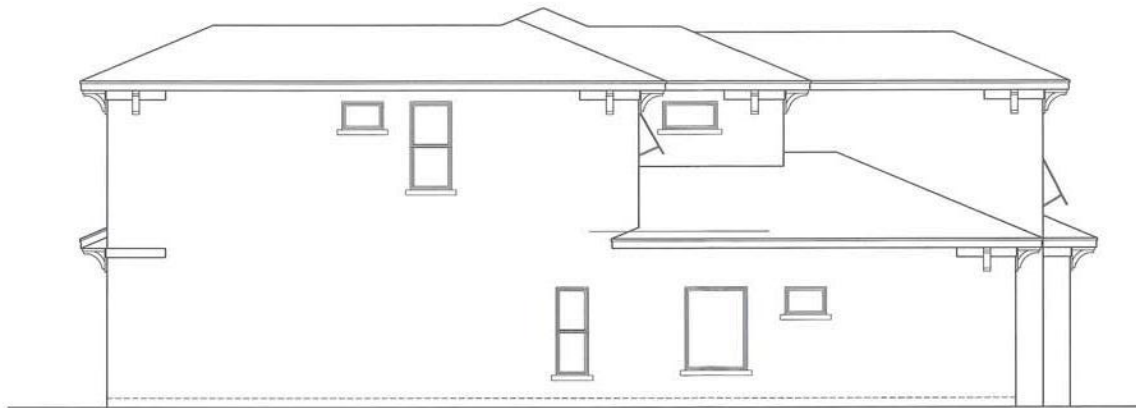
Hapourside Custom Homes
Phone (435) 349-0200

DATE	DATE
DRAWN	DRAWN
CHECK	JOB#
REVISIONS	



Rear Elevation

1/4" = 1'-0"



Left Elevation

1/4" = 1'-0"



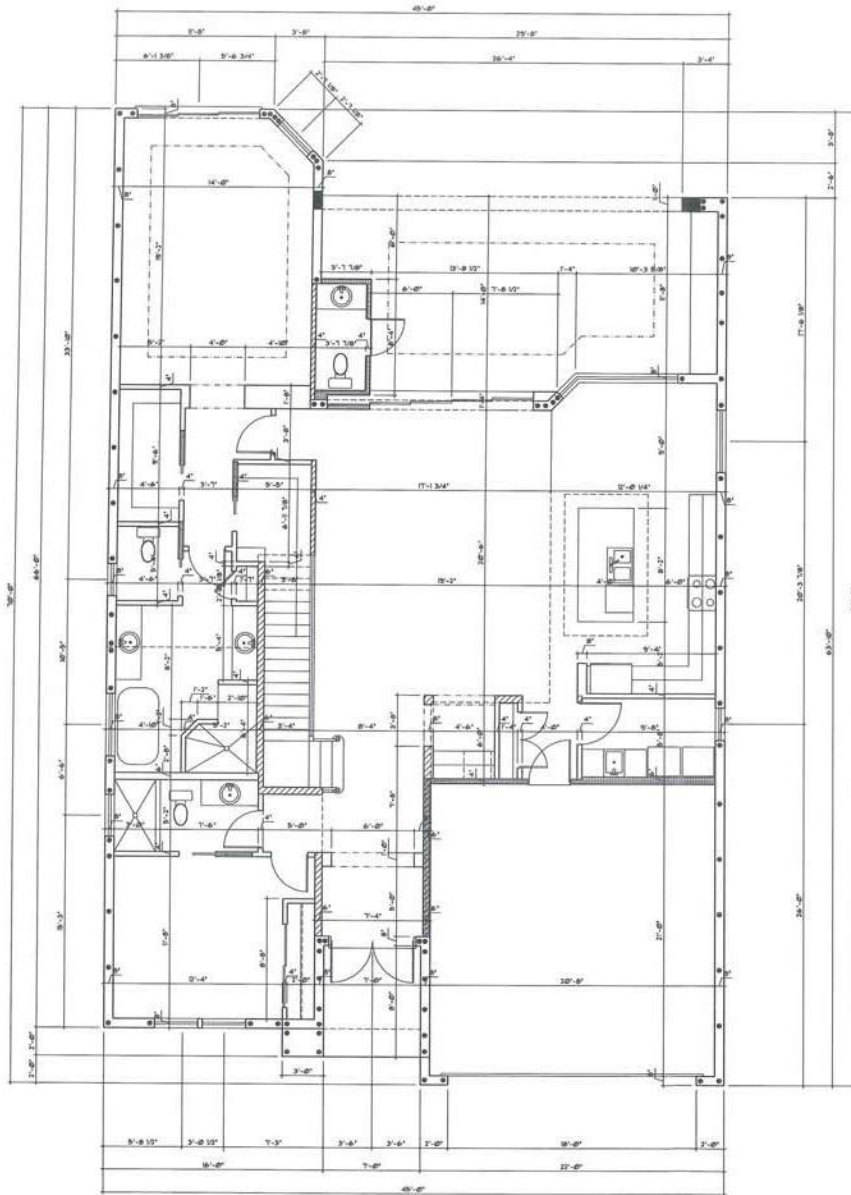
Niles Design Group, Inc.
Architects
10000 N. US Highway 1
Suite 100
Fort Myers, FL 33907
Phone: (813) 938-1234
Fax: (813) 938-1235
Email: info@nilesdesign.com

The Cilento
Lot 3 Costa Amalfi
Miramar



Hapbourds Custom Homes
Phone: (435) 349-0200

DATE	DATE
DRAWN	DRAWN
CHECK	JOB#
REVISIONS	



1st Floor Plan w/Dimensions

1/4" = 1'-0"



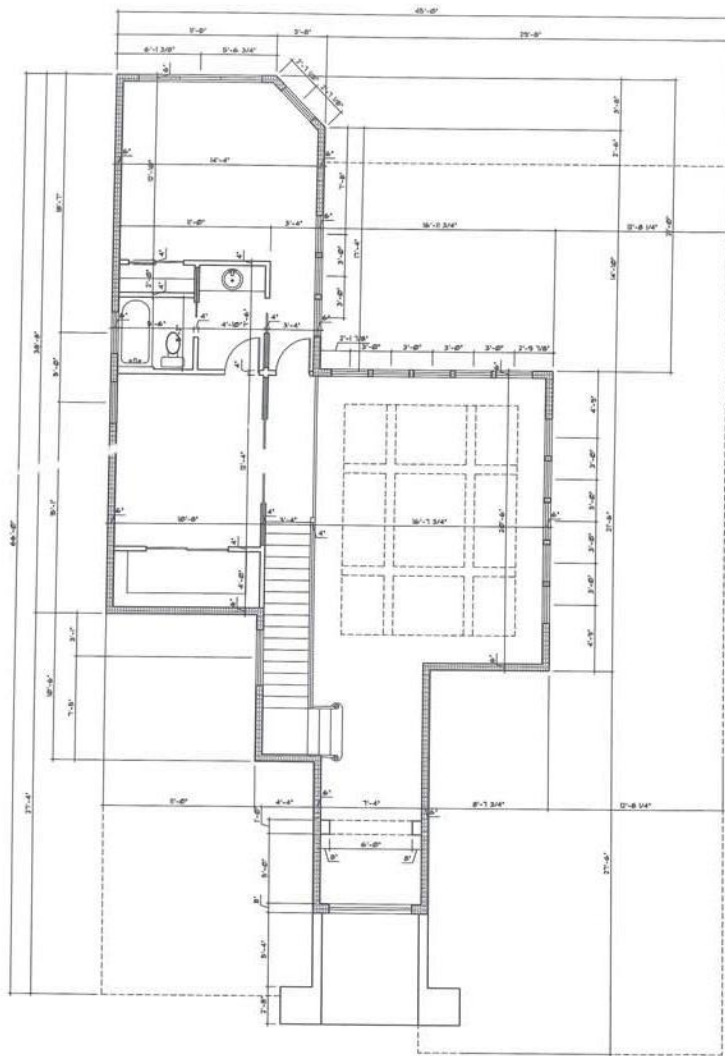
Niles Design Group, Inc.
11111 Niles Road, Suite 100
Niles, IL 60064
Phone: (847) 234-1111
Fax: (847) 234-1112

The Cilento
Lot 3 Costa Amalfi
Miramar



Harbourside Custom Homes
Phone (435) 349-0200

DATE	DATE
DRAWN	DRAWN
CHECK	JOB#
REVISIONS	



2nd Floor Plan w/Dimensions

1/4" = 1'-0"

DATE	DATE
DRAWN	DRAWN
CHECK	JOB#
REVISIONS	



Harbourside Custom Homes
Phone (239) 949-0200

The Cilento
Lot 3 Costa Amalfi
Miramar



Niles Design Group, Inc.
1101 S. W. 10th St., Suite 100
Fort Lauderdale, FL 33315
E-Mail: info@nilesdesign.com

EXHIBIT C



October 16, 2014

Attachment "G"

Shannan O'Brien
Harbourside Custom Homes
8200 Health Center Blvd. #104
Bonita Springs, FL 34135
(239) 949-0200/(239) 949-3339 fax
Shannan@hchfl.com

Re: Costa Amalfi, Lot 3 and 4, Miromar Lakes

Dear Shannon:

We are in receipt of the Preliminary Submission for the Two (2) proposed Custom Residence at 11789 and 11783 Via Savona Court in Miromar Lakes. Your variance request is **Approved**.

- Site Plan – **Approved**.
 - A variance request in the front setback for a front loaded garage is approved for a reduction from 20'-0" to 15'-0" front setback.

Thank you for submitting the plans for our review and should you have any questions, please do not hesitate to call us.

Sincerely,

A handwritten signature in blue ink, appearing to read "Tim Byal".

Tim Byal
Miromar Lakes Master Association, President