

MEMORANDUM
FROM THE
DEPARTMENT OF
COMMUNITY DEVELOPMENT
ZONING DIVISION

RECEIVED
NOV 07 2008
HOLE MONTES, INC.

DATE: November 6, 2008

TO: WHOM IT MAY CONCERN

FROM: Debbie Carpenter
Administrative Assistant

Attachment "C"

RE: ADMINISTRATIVE AMENDMENT

<u>Case Number</u>	<u>Case Name</u>
ADD2008-00130	Miromar Lakes - Tract F.F. Beach Cottages

cc: Miromar Development Corp., Applicant (c/o Hole Montes, attn: Charles Krebs, Agent)
Julie Dalton, Property Appraiser Office
Matt Noble, Planning
Chick Jakacki, Zoning
Bob Stewart, Building Official
File

ADMINISTRATIVE AMENDMENT (FPA) ADD2008-00130

ADMINISTRATIVE AMENDMENT
LEE COUNTY, FLORIDA

WHEREAS, Miromar Development Corporation filed an application for Final Zoning Plan Approval to a Mixed Use Planned Development on a project known as Miromar Lakes - Tract F-F, Beach Cottages for Final Plan Approval of 16 single-family residential lots and the addition of a deviation from LDC Sec. 10-291 to allow access to three lots from a private drive on property located at Miromar Lakes, described more particularly as:

LEGAL DESCRIPTION: In Section 13, Township 45 South, Range 25 East, Lee County, Florida:

SEE ATTACHED THREE-PAGE "EXHIBIT A"

WHEREAS, the property was originally rezoned in case number Z-95-094, with subsequent amendments in resolution number Z-99-029, Z-02-072, ADD2000-00110, ADD2000-00111, ADD2000-00117, ADD2000-00161, ADD2001-00018, ADD2001-00085, ADD2001-00113A, ADD2001-00125, ADD2002-00045, ADD2002-00077, ADD2002-00168, ADD2003-00028, ADD2003-00046, ADD2003-00151; and

WHEREAS, the subject property is located in the University Community 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, Condition 1.c. of resolution Z-02-072 requires Final Plan Approval for all development within the Miromar Lakes MPD; and

WHEREAS, the applicant has requested Final Plan Approval for 16 single-family residential lots in a portion of the project known as Miromar Lakes - Tract F-F, Beach Cottages; and

WHEREAS, the applicant's proposed final plan, attached hereto as "Exhibit B," indicates that all 16 lots will comply with the minimum required lot area and dimensional requirements of Resolution Z-02-072; and

WHEREAS, the applicant has requested a deviation from LDC Sec. 10-291 to allow lots 5, 6 and 7 to be accessed by a private drive with no cul-de-sac, because they do not have frontage on the proposed Via Savona Court; and

WHEREAS, Lee County Plan Review Fire Inspector Dan Notte has reviewed the plans and found that the 3 lots are well within normal requirements for access to a fire hydrant, and determined that there will be no issues with respect to emergency responders access to Lots 5, 6 and 7; and

WHEREAS, the Lee County Solid Waste Division has reviewed the plans and found that there will be no problems accessing lots 5, 6, and 7 for curb-side trash service; and

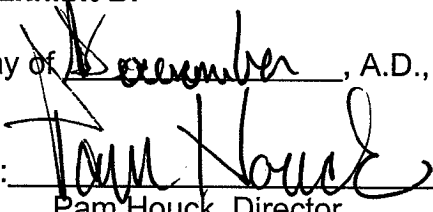
WHEREAS, the subject application and plans have been reviewed by the Lee County Department of Community Development in accordance with applicable regulations for compliance with all terms of the administrative approval procedures; and

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 Final Zoning Plan Approval for approval of a private recreational facility known as Miromar Lakes - Tract F-F, Beach Cottages for the Miromar Lakes Mixed Use Planned Development is **APPROVED with the following conditions:**

1. The Development must be in substantial compliance with the two page Final Zoning Plan entitled Miromar Lakes Tract F-F Beach Cottages, prepared by Hole Montes, stamped received by Community Development on October 31, 2008.
2. The Proposed 16 slip boat dock shown on the above-referenced Final Zoning Plan has not been reviewed as part of this request and is not approved as part of this Final Plan Approval. This will be approved at time of Local Development Order and through the dock and shoreline permitting process.
3. The development of the subject property must comply with all terms and conditions of Resolution Z-02-072.
4. Final Zoning Plan ADD2008-00130 is hereby APPROVED and adopted. A reduced copy is attached hereto as "Exhibit B."

DULY SIGNED this 5th day of November, A.D., 2008.

BY: 

Pam Houck, Director
Division of Zoning
Department of Community Development

Exhibits:

- A - 3-page legal description
- B - 2-page final zoning plan

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

Applicant's Legal Checked

by Cef9-24-08

Ann

2008-00130

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SEP 19 2008

p4142

COMMUNITY DEVELOPMENT

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 $93^{\circ}21'33''$, SUBTENDED BY A CHORD OF 118.59 FEET AT A BEARING OF $N.56^{\circ}51'40''W.$, FOR A DISTANCE OF 132.80 FEET TO THE END OF SAID CURVE; THENCE RUN $S.76^{\circ}27'33''W.$, 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 $53^{\circ}57'20''$, SUBTENDED BY A CHORD OF 162.40 FEET AT A BEARING OF $N.76^{\circ}33'47''W.$, FOR A DISTANCE OF 168.56 FEET TO THE END OF SAID CURVE; THENCE RUN $N.15^{\circ}40'27''E.$, FOR A DISTANCE OF 132.61 FEET; THENCE RUN $N.02^{\circ}46'11''W.$, FOR A DISTANCE OF 21.68 FEET TO A 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 $N.02^{\circ}46'11''W.$, 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 $10^{\circ}46'16''$, SUBTENDED BY A CHORD OF 50.21 FEET AT A BEARING OF $N.81^{\circ}50'41''E.$, FOR A DISTANCE OF 50.29 FEET TO THE POINT OF BEGINNING; CONTAINING 4.993 ACRES MORE OR LESS.

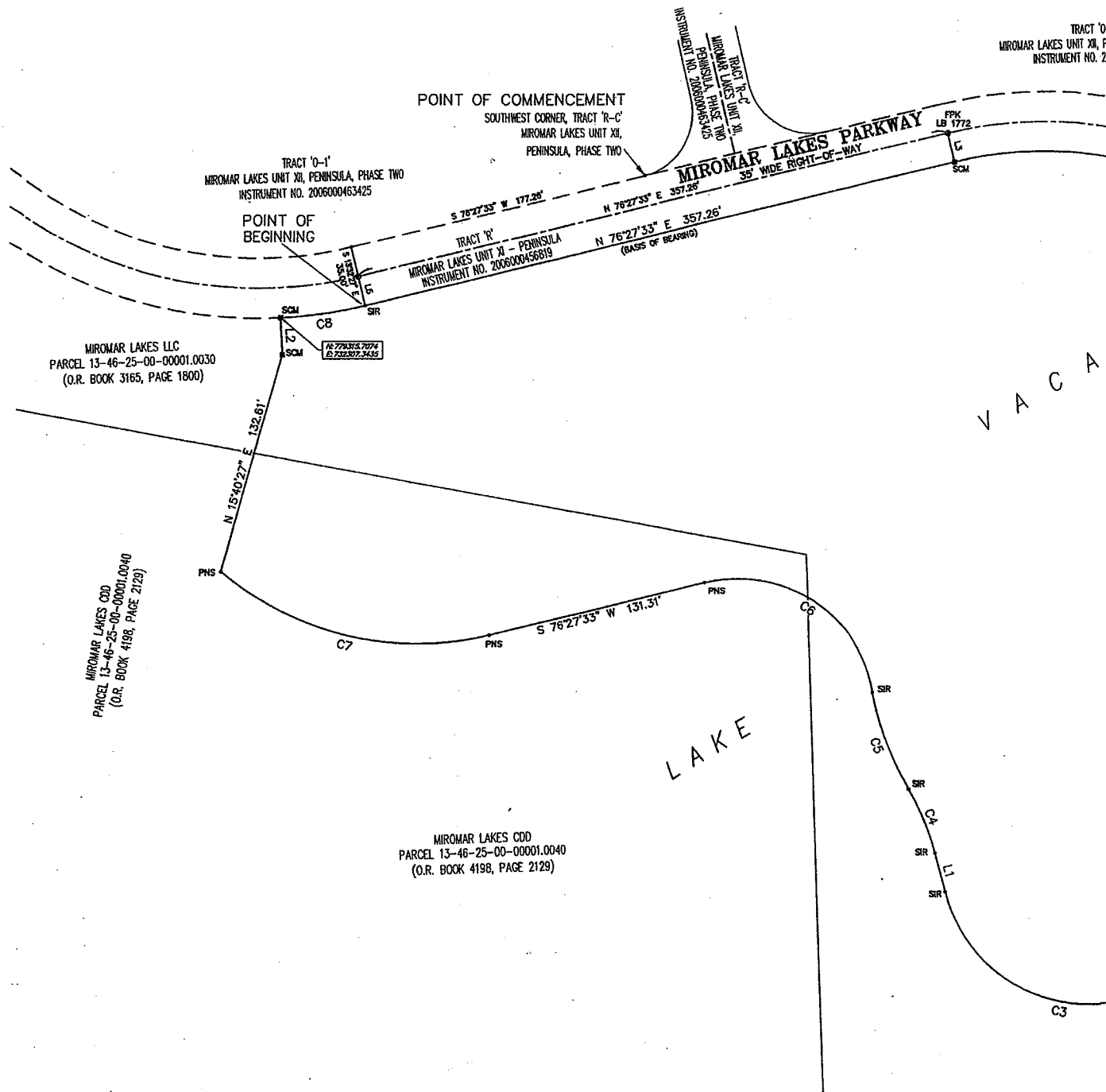
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SEP 19 2008

COMMUNITY DEVELOPMENT

ADD 2008-00130

Pg 242



SCM	SET CONCRETE MONUMENT
SIR	SET IRON ROD WITH CAP LB 1772
PNS	POINT NOT SET
FPK	FOUND PK NAIL AND WASHER LB 1772

FIELD BOOK		993/65	
⚠			
⚠			
⚠			
⚠			
LETTER	REVISIONS	DATE	REV BY

TRACT 'F--F'

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

PARTY CHIEF:	AT	DATE:	9/10/08
DRAWN BY:	AM/BEN	DATE:	9/08
CHECKED BY:	TMM	DATE:	9/08
SEC-TWN-RGE	13-46-25	HORIZONTAL SCALE:	1"=40'

EXHIBIT H-4.D. FIN

MIROMA

TRAC

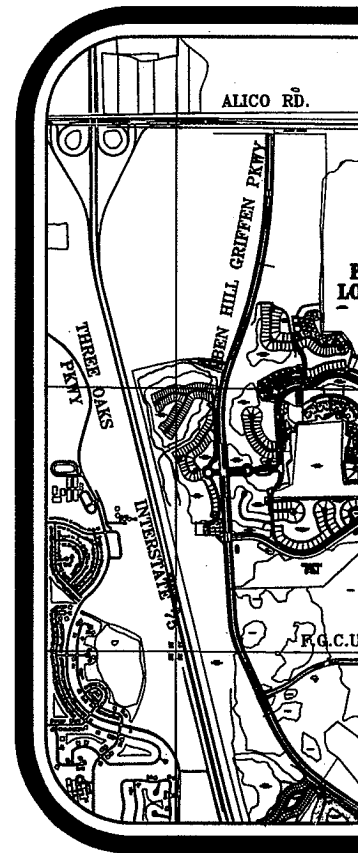
BEACH C

SECTION 13

LEE COUN

DATE: SEPT

APPROVAL HISTORY				
LEE COUNTY NUMBER	TRACT	DATE	TYPE	QUANTITY
ADD 2001-0018	GOLF MAINT.	APPROVED	COMMERCIAL	7500 S.F.
ADD 2000-00110	PHASE ONE	07/27/00	SINGLE FAMILY	11 UNITS
ADD 2000-00111	PHASE ONE	07/27/00	SINGLE FAMILY	30 UNITS
ADD 2000-00117	PHASE TWO	07/31/00	SINGLE FAMILY	81 UNITS
ADD 2000-00161	VALENCIA	APPROVED	MULTI FAMILY	80 UNITS
ADD 2001-00085	TRACT M & N	APPROVED	SINGLE FAMILY	27 UNITS
ADD2001-00113A	BEACH CLUB	APPROVED	RECREATION	4.77 ACRES
ADD 2001-00125	TIVOLI	APPROVED	SINGLE FAMILY	113 UNITS
ADD 2002-00045	BELLAVISTA	APPROVED	MULTI-FAMILY	60 UNITS
ADD 2002-00077	MED. VILLAGE	APPROVED	SINGLE FAMILY	33 UNITS
ADD 2002-00168	CAPRIN GREENS	APPROVED	SINGLE FAMILY	27 UNITS
ADD 2003-00028	VAVALDI	APPROVED	MULTI-FAMILY	80 UNITS
ADD 2003-00047	GOLF CLUBHOUSE	APPROVED	RECREATION	5.45 ACRES
ADD 2003-00191	CAPRIN GREENS MOD	APPROVED	AMEND ADD 2002-00168	
ADD 2004-00033	SAN MARINO	APPROVED	MULTI-FAMILY	160 UNITS
ADD 2004-00042	MIRASOL ACCESS	APPROVED	ACCESS	5.07 ACRES
ADD 2004-00045	C1/C2 ACCESS	APPROVED	ACCESS	1.02 ACRES
ADD 2004-00054	PORTO ROMANO	APPROVED	SINGLE FAMILY	55 UNITS
ADD 2004-00070	MIRASOL RESIDENTIAL	APPROVED	MULTI-FAMILY	120 UNITS
ADD 2004-00177	CASTELLI & ANACAPRI	APPROVED	SINGLE FAMILY	15 UNITS
ADD 2004-00253	VOLTERRA & BELLINI	APPROVED	SINGLE FAMILY/ MULTI-FAMILY	72 UNITS
ADD 2005-00190	RAVENNA	APPROVED	MULTI-FAMILY	80 UNITS
ADD 2006-00004	BEACH CLUB PH. 2	APPROVED	RECREATION	7.67 ACRES
ADD 2006-00002	MIROMAR LAKES PKWY EXTENSION	APPROVED	ACCESS	133.06 ACRES
ADD 2006-00005	EAST 100 A.	APPROVED	SINGLE FAMILY	51 UNITS
PENDING	BEACH COTTAGES	PENDING	SINGLE FAMILY	16 UNITS



BOAT DOCK HISTORY

SINGLE FAMILY SUBDIVISIONS
VERONA LAKE
CAPRIN GREENS/BELLAMARE
ISOLA BELLA
CASTELLI & ANACAPRI
VOLTERRA
BEACH COTTAGES
TOTAL

BOAT SLIPS APPROVED
55
18
12
18
12
0
118

BOAT SLIPS PROPOSED
0
0
0
0
0
18
0

ANCILLARY (250 MAXIMUM)

BEACHCLUB PH 1

VIVALDI

MIRASOL BEACH PH 1&2

MONTEBELLO

BELLINI

RAVENNA

EAST 100 ACRES

TOTAL ANCILLARY

TOTAL REMAINING ANCILLARY

BOAT SLIPS APPROVED

13

18

18

18

18

60

51

BOAT SLIPS PROPOSED

0

0

0

0

0

0

0

188

54

*PER ZONING RESOLUTION Z-02-072
EACH SINGLE-FAMILY LAKEFRONT LOT IS ALLOWED TO HAVE ONE DOCK. SINGLE-FAMILY LAKEFRONT LOT DOCKS MAY BE CONVERTED TO
MULTIPLE-FAMILY SLIPS FOR WET BOAT STORAGE ON A ONE FOR ONE (1:1) BASIS. AN ADDITIONAL 250 (MAXIMUM) ANCILLARY SLIPS FOR WET
BOAT STORAGE ARE ALLOWED ON THE LAKE. A MAXIMUM 400 SLIPS FOR DRY BOAT STORAGE ARE ALLOWED IN CONJUNCTION WITH THE BOAT
CLUB.

PREPARED FOR :

MIROMAR DEVELOPMENT CORP.

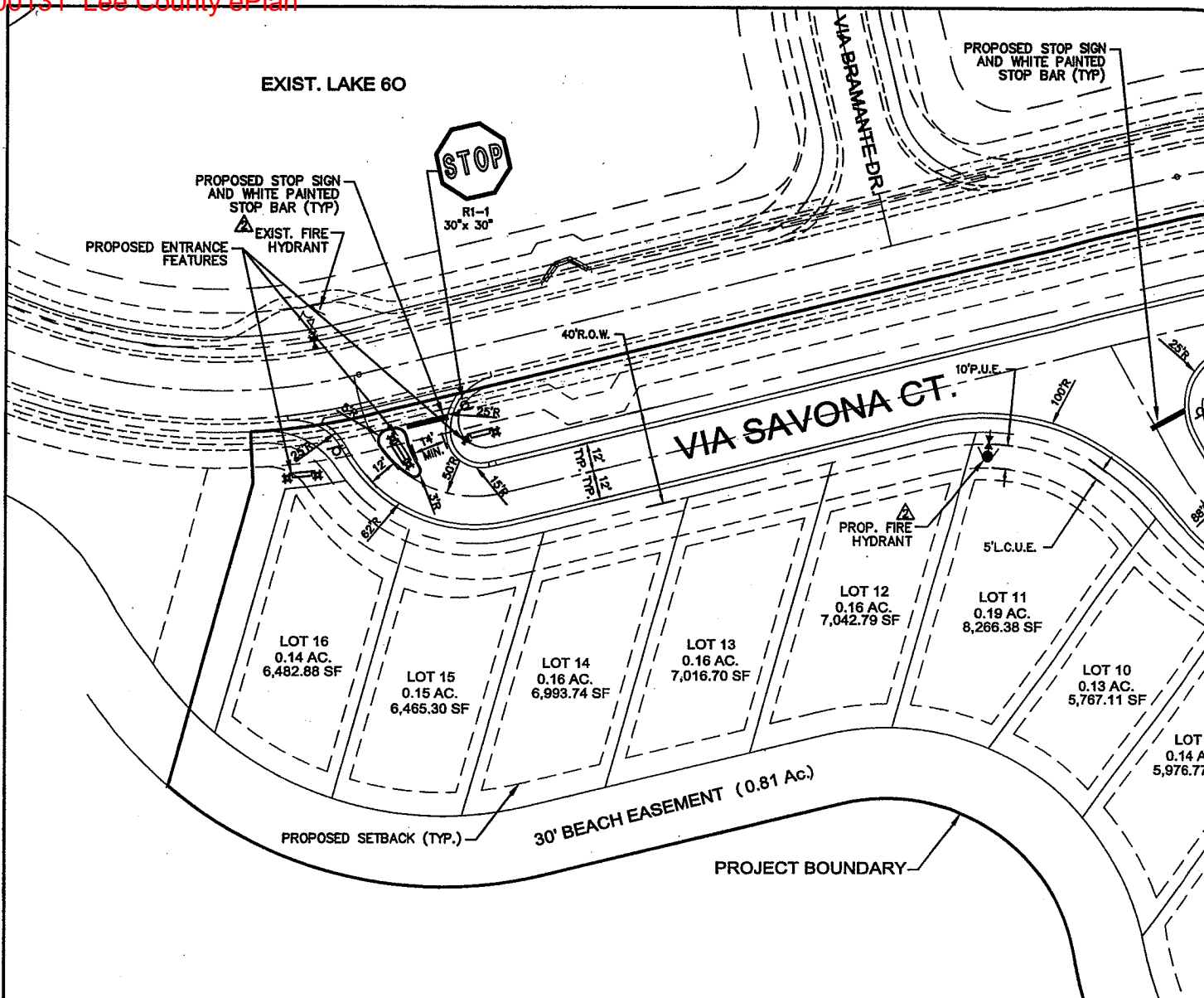
CONTACT PERSON: MIKE ELGIN
18881 CORKSCREW ROAD STE. 305
ESTERO, FL 33928
PH (239) 948-3666
FX (239) 948-3667

PROPERTY L
N.

STRAP NOS. 13-4

APP

Final
for Mixed Use
Subject to C
Date



GENERAL NOTES

1. ALL ELEVATIONS REFER TO NATIONAL GEODETIC VERTICAL DATUM (N.G.V.D.).
2. IT IS THE CONTRACTOR'S RESPONSIBILITY TO FIELD LOCATE AND VERIFY ANY EXISTING UTILITIES.
3. EXTREME CAUTION IS TO BE USED WHEN EXCAVATING, AS THE NUMBER AND LOCATION OF EXISTING UTILITIES HAVE BEEN NOTED BASED ON THE BEST INFORMATION AVAILABLE.
4. THE CONTRACTOR SHALL SAFEGUARD AND AVOID PENETRATION OF SPECIAL WETLAND PRESERVATION AREAS SHOWN ON THE DRAWINGS AND FENCED AT THE SITE.
5. IT IS THE CONTRACTOR'S RESPONSIBILITY TO REPLACE ANY EXISTING LANDSCAPING (I.E. SOD, BUSHES, TREES, ETC.), SPRINKLER PIPE, SPRINKLER HEADS AND FENCING THAT MAY HAVE TO BE REMOVED DURING CONSTRUCTION.
6. ANY DAMAGE TO EXISTING UTILITIES AND PROPERTY DURING CONSTRUCTION SHALL BE REPAIRED AND/OR REPLACED AT THE CONTRACTOR'S EXPENSE.
7. IRRIGATION LINE SIZES, LOCATION, AND CASING LOCATIONS ARE TO BE PROVIDED BY LANDSCAPE ARCHITECT.
8. ALL SUB-SURFACE INSTALLATIONS FOR WATER, SEWER, DRAINAGE AND PUBLIC UTILITIES SHALL BE INSTALLED PRIOR TO COMPACTION OF SUBGRADE AND ROADWAY CONSTRUCTION.
9. ALL CONDUITS NECESSARY FOR ELECTRICAL, CABLE TELEVISION, TELEPHONE, STREET LIGHTING, ETC. SHALL BE INSTALLED PRIOR TO STREET CONSTRUCTION.
10. 10" HORIZONTAL SEPARATION AND 18" VERTICAL SEPARATION TO BE MAINTAINED BETWEEN WATER MAIN AND SEWAGE FORCE MAIN/SANITARY SEWAGE GRAVITY MAIN JOINTS TO BE EQUIDISTANT AT CROSSING.
11. CONSTRUCTION OF SANITARY SEWERS SHALL BE STARTED AT THE WET WELL OF EACH SEWAGE PUMPING STATION AND BE INSTALLED IN AN UPSTREAM DIRECTION THEREFROM. SEWER CONSTRUCTION SHALL BE CONTINUED ONLY FROM A DOWNSTREAM PIPE OR COMPLETED SEWER AT ALL TIMES WITHOUT FLOW GAPS.
12. ALL WATER MAINS AND SEWAGE FORCE MAINS ON THIS PROJECT ARE TO BE 8-200 CLASS 150 PVC PIPE, EXCEPT UNDER PAVEMENT WHERE DUCTILE IRON PIPE SHALL BE USED, AND IS TO EXTEND AT LEAST 5' PAST THE PAVED AREAS.
13. PIPE JOINT DEFLECTIONS SHALL NOT EXCEED ONE HALF OF THE MANUFACTURER'S SPECIFICATIONS. FITTINGS SHALL BE USED WHERE DEFLECTIONS EXCEED ALLOWABLE PIPE JOINT DEFLECTION.

EXISTING LAKE COMO

213± Ac

LEGEND:

D.E.	DRAINAGE EASEMENT
P.U.E.	PUBLIC UTILITY EASEMENT
L.M.E.	LAKE MAINTENANCE EASEMENT
	PROPOSED BRICK PAVERS (DEVIATION #7)

PROJECT DATA:

PROP. ONSITE IMPROVEMENTS			
BUILDING	44,800 SF	= 1.03 AC.	= 20.6%
PAVEMENT/WALKS	28,602 SF	= 0.65 AC.	= 13.2%
GREEN AREA	144,073 SF	= 3.31 AC.	= 66.2%
TOTAL	217,475 SF	= 4.99 AC.	= 100.0%

LETTER	REVISIONS	DATE
	REVISED PER LEE COUNTY COMMENTS	10/21/08
	REVISED PER LEE COUNTY COMMENTS	10/21/08
	REVISED PER LEE COUNTY COMMENTS	10/09/08

MIROMAR LAKES

TRACT F-F

BEACH COTTAGES

DESIGNED BY	C.L.K.	DATE	07/25/08
DRAWN BY	E.R.T.	DATE	07/25/08
CHECKED BY	C.L.K.	DATE	07/28/08
VERTICAL SCALE	N/A	HORIZONTAL SCALE	1" = 60'

HV
HOLE MONT
ENGINEERS - PLANNERS - SURV
LANDSCAPE ARCHITECT