

ADMINISTRATIVE AMENDMENT (FPA) ADD2015-00132**ADMINISTRATIVE AMENDMENT
LEE COUNTY, FLORIDA**

WHEREAS, Miromar Lakes, LLC filed an application for Final Zoning Plan Approval (FPA) to a Mixed-Use Planned Development (MPD) on a project known as The Peninsula Phase IV at Miromar Lakes to allow:

1. Final Plan Approval (FPA) for a 56-unit single-family detached subdivision known as the Peninsula Phase IV at Miromar Lakes; and
2. Deviation #1 from LDC Sec. 10-328(a) which prohibits lake maintenance easements from being located within the limits of a platted single-family residential lot, to allow for lake maintenance easements within the limits of the platted single-family lots within the subject tract (Approved per ADD2014-00102); and
3. Deviation #2 from LDC Sec. 10-329(d)(4) which requires lake banks to be sloped at a 6:1 ratio from the top of bank to a water depth of two feet below the dry season water table, to allow for a minimum ratio of 4:1 where turf reinforcement mat is proposed, and a minimum ratio of 2:1 where rip-rap shoreline is proposed (Approved per ADD2014-00102) ; and
4. Deviation #3 from LDC Sec. 34-1744(b)(2)(a)(i) which allows a maximum height of 3 feet for fences or walls located between a street right-of-way or easement and the minimum required street setback line, to allow for a maximum height of 8 feet for decorative fences and walls located at the entry to residential dwelling units for Lots 23 through 33 (Approved per ADD2014-00102 with a different lot configuration); and
5. Deviation #4 from LDC Sec. 10-418(3) which allows riprap revetments or other similar hardened shoreline structures to comprise up to 20% of an individual lake shoreline, but cannot be used adjacent to single-family residential uses, to allow for riprap to be adjacent to single-family residential uses within lots 1-22 and 34-56 (Approved per ADD2014-00102 with a different lot configuration); and
6. Deviation #5 from LDC Sec. 10-296(p)(1) which requires dead-end streets to be closed at one end by a circular turnaround for vehicles, to allow a dead-end at the south terminus of Via Lugano Court (new request); and
7. Deviation #6 from LDC Sec. 34-1954(b)(2) to allow for dry models on lots 6, and 46-48 (new request).

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

ATTACHED AS EXHIBIT "A"

WHEREAS, the property was rezoned in case number Z-99-029 with subsequent amendments per zoning resolutions Z-02-072, Z-06-064, Z-10-019, 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 Use Planned Development (MPD)/Development of Regional Impact (DRI) is a +/- 1,800-acre mixed use project approved for 250,000 square feet of retail uses, 340,000 square feet of office uses, 40,000 square feet of industrial/research and development uses, 450 hotel rooms, 650 boat slips, 2,600 residential units, recreational facilities and preserve areas; and

WHEREAS, Condition 1.c. of Z-13-020 requires Final Plan Approval prior to the issuance of a local development order for the parcel development that includes vertical (structural) development; and

WHEREAS, the applicant received Final Plan Approval per ADD2014-00102 on August 15, 2015 for a 38-acre tract known as the Peninsula IV at Miromar Lakes including 48 multi-family units and 37 single-family detached units and associated infrastructure (Attachment "E"); and

WHEREAS, the applicant currently seeks Final Plan Approval for the same property for a 56-unit single-family detached subdivision also known as the Peninsula IV at Miromar Lakes (Attachment "B"); and

WHEREAS, the proposal includes a new site plan for Final Plan Approval and six deviation requests including 4 approved per ADD2014-00102 and 2 new requests (Attachment "C") as follow:

Deviation #1 from LDC Sec. 10-328(a) which prohibits lake maintenance easements from being located within the limits of a platted single-family residential lot, to allow for lake maintenance easements within the limits of the platted single-family lots within the subject tract (Approved per ADD2014-00102); and

Deviation #2 from LDC Sec. 10-329(d)(4) which requires lake banks to be sloped at a 6:1 ratio from the top of bank to a water depth of two feet below the dry season water table, to allow for a minimum ratio of 4:1 where turf reinforcement mat is proposed, and a minimum ratio of 2:1 where rip-rap shoreline is proposed (Approved per ADD2014-00102) ; and

Deviation #3 from LDC Sec. 34-1744(b)(2)(a)(i) which allows a maximum height of 3 feet for fences or walls located between a street right-of-way or easement and the minimum required street setback line, to allow for a maximum height of 8 feet for decorative fences and walls located at the entry to residential dwelling units for Lots 23 through 33 (Approved per ADD2014-00102 with a different lot configuration); and

Deviation #4 from LDC Sec. 10-418(3) which allows riprap revetments or other similar hardened shoreline structures to comprise up to 20% of an individual lake shoreline, but cannot be used adjacent to single-family residential uses, to allow for riprap to be adjacent to single-family residential uses within lots 1-22 and 34-56 (Approved per ADD2014-00102 with a different lot configuration); and

Deviation #5 from LDC Sec. 10-296(p)(1) which requires dead-end streets to be closed at one end by a circular turnaround for vehicles, to allow a dead-end at the south terminus of Via Lugano Court (new request); and

Deviation #6 from LDC Sec. 34-1954(b)(2) to allow for dry models on lots 6, and 46-48 (new request).

WHEREAS, Administrative Amendment ADD2015-00070 is being reviewed concurrently by staff to address the deviation requests to increase limits of allowable hardened shoreline adjacent to single family residential uses, and the reduction in lake bank slopes where turf reinforcement mat and rip rap is used within the entire Miromar Lakes development; and

WHEREAS, these deviation requests are all applicable to this project's shoreline as depicted on the Miromar Peninsula Phase IV Final Plan Approval; and

WHEREAS, the proposed Final Plan Approval and deviation requests have been reviewed by Lee County Department of Community Development's Environmental and Development Services staff (Attachment "D"); and

WHEREAS, conditions have been incorporated as recommended by Environmental and Development Services staff; and

WHEREAS, the deviation requests enhance the objectives of the planned development, and preserves and promotes the general intent of the LDC to protect the public health, safety and welfare; and

WHEREAS, the subject plans and deviation requests are consistent with the approved zoning resolutions and Development of Regional Impact (DRI) as amended, 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 Final Zoning Plan Approval to the Mixed Use Planned Development (MPD) for the Peninsula Phase IV at Miromar Lakes, for a 56-unit single-family detached subdivision and six deviation requests, is **APPROVED with the following conditions:**

1. **The development must be in substantial compliance with the Final Zoning Plan per Attachment "A".**
2. **The developer must install signage at the nearest intersection to notify vehicles and emergency responders of the dead-end.**
3. **Development order plans must depict compensatory littoral areas are to be installed and planted per ADD2015-00070 approvals regardless of whether turf reinforcement mat or rip rap is proposed.**
4. **Development order landscape plans must depict any proposed rip rap shoreline to be consistent with and not to exceed the more detailed design specifications of ADD2015-00070. If turf reinforcement mats are proposed then the turf reinforced lake bank cross sections must depict at minimum 1-gallon littorals installed at a minimum 2-feet on centers, from a minimum 2-feet below control to 4-feet above control.**
5. **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.**
6. **Administrative Amendment ADD2014-00102 is hereby rescinded and rendered null and void by the approval of this administrative amendment.**

Duly passed, adopted, and electronically signed on 10/6/2015 by

Pam Houck, Zoning Manager
Department of Community Development

Exhibit “A” – Approved Legal, Sketch & Survey.

Attachment “A” – FPA Plan

Attachment “B” – Project Narrative

Attachment “C” - Deviation Narrative

Attachment “D” – Environmental Sciences Staff Report

Attachment “E” – ADD2014-00102 Peninsula IV at Miromar Lakes

EXHIBIT A

APPROVED
ADD2015-00132
Chick Jakacki, Planner
Lee Co Division of Zoning
10/7/2015

LEGAL DESCRIPTION

BEING ALL OF TRACTS "B-9" AND "B-10" TOGETHER WITH PORTIONS OF TRACTS "B-5", "B-6", "B-7", AND "O-3", MIROMAR LAKES UNIT XIII - PENINSULA, ACCORDING TO THE PLAT THEREOF RECORDED AS INSTRUMENT NUMBER 2013000142438 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, TOGETHER WITH A PORTION OF SECTION 13, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEASTERLY CORNER OF TRACT "B-10", MIROMAR LAKES UNIT XIII - PENINSULA, ACCORDING TO THE PLAT THEREOF RECORDED AS INSTRUMENT NUMBER 2013000142438 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, THE SAME BEING A POINT ON A NON-TANGENTIAL CURVE, THE SAME BEING A POINT ON THE BOUNDARY OF TRACT "R" OF SAID PLAT; THENCE RUN THE FOLLOWING THREE (3) COURSES ALONG THE BOUNDARY OF SAID TRACT "R"; COURSE NO. 1: SOUTHERLY, 32.83 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 39.00 FEET, THROUGH A CENTRAL ANGLE OF 48°13'27" AND BEING SUBTENDED BY A CHORD THAT BEARS SOUTH 19°16'58" WEST, 31.86 FEET TO A POINT OF REVERSE CURVATURE; COURSE NO. 2: SOUTHERLY, 45.36 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE EASTERLY, HAVING A RADIUS OF 53.91 FEET, THROUGH A CENTRAL ANGLE OF 48°12'55" AND BEING SUBTENDED BY A CHORD THAT BEARS SOUTH 19°17'14" WEST, 44.04 FEET; COURSE NO. 3: SOUTH 04°49'14" EAST, 17.01 FEET TO A POINT ON THE BOUNDARY OF TRACT "B-9" OF SAID PLAT; THENCE RUN THE FOLLOWING ELEVEN (11) COURSES ALONG THE BOUNDARY OF SAID TRACT "B-9"; COURSE NO. 1: SOUTH 85°10'46" WEST, 30.00 FEET; COURSE NO. 2: NORTH 04°49'14" WEST, 4.82 FEET TO A POINT ON A NON-TANGENTIAL CURVE; COURSE NO. 3: NORTHWESTERLY, 16.27 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 20.01 FEET, THROUGH A CENTRAL ANGLE OF 46°34'52" AND BEING SUBTENDED BY A CHORD THAT BEARS NORTH 27°48'16" WEST, 15.82 FEET TO A POINT ON A NON-TANGENTIAL CURVE; COURSE NO. 4: NORTHWESTERLY, 27.90 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 80.00 FEET, THROUGH A CENTRAL ANGLE OF 19°58'58" AND BEING SUBTENDED BY A CHORD THAT BEARS NORTH 61°33'16" WEST, 27.76 FEET TO A POINT OF COMPOUND CURVATURE; COURSE NO. 5: SOUTHWESTERLY, 158.16 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 80.00 FEET, THROUGH A CENTRAL ANGLE OF 113°16'28" AND BEING SUBTENDED BY A CHORD THAT BEARS SOUTH 51°49'00" WEST, 133.63 FEET; COURSE NO. 6: SOUTH 04°49'14" EAST, 199.28 FEET TO A POINT OF CURVATURE; COURSE NO. 7: SOUTHERLY, 116.12 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 500.00 FEET, THROUGH A CENTRAL ANGLE OF 13°18'22" AND BEING SUBTENDED BY A CHORD THAT BEARS SOUTH 01°49'57" WEST, 115.86 FEET TO A POINT OF REVERSE CURVATURE; COURSE NO. 8: SOUTHEASTERLY, 480.56 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 245.00 FEET, THROUGH A CENTRAL ANGLE OF 112°22'58" AND BEING SUBTENDED BY A CHORD THAT BEARS SOUTH 47°42'21" EAST, 407.14 FEET TO A POINT OF REVERSE CURVATURE; COURSE NO. 9: SOUTHEASTERLY, 71.54 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 40.00 FEET, THROUGH A CENTRAL ANGLE OF 102°28'07" AND BEING

SUBTENDED BY A CHORD THAT BEARS SOUTH 52°39'46" EAST, 62.38 FEET TO A POINT OF COMPOUND CURVATURE; COURSE NO. 10: SOUTHERLY, 140.02 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 210.00 FEET, THROUGH A CENTRAL ANGLE OF 38°12'09" AND BEING SUBTENDED BY A CHORD THAT BEARS SOUTH 17°40'21" WEST, 137.44 FEET TO A POINT OF REVERSE CURVATURE; COURSE NO. 11: SOUTHWESTERLY, 12.26 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 120.00 FEET, THROUGH A CENTRAL ANGLE OF 05°51'08" AND BEING SUBTENDED BY A CHORD THAT BEARS SOUTH 33°50'52" WEST, 12.25 FEET; THENCE SOUTH 22°37'20" WEST, A DISTANCE OF 17.55 FEET TO A POINT OF CURVATURE; THENCE SOUTHERLY, 19.54 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE EASTERLY, HAVING A RADIUS OF 500.00 FEET, THROUGH A CENTRAL ANGLE OF 02°14'20" AND BEING SUBTENDED BY A CHORD THAT BEARS SOUTH 21°30'10" WEST, 19.54 FEET TO A POINT ON A NON-TANGENTIAL CURVE, THE SAME BEING A POINT ON THE BOUNDARY OF SAID TRACT "B-9"; THENCE RUN THE FOLLOWING THREE (3) COURSES ALONG THE BOUNDARY OF SAID TRACT "B-9"; COURSE NO. 1: SOUTHERLY, 95.31 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE EASTERLY, HAVING A RADIUS OF 120.00 FEET, THROUGH A CENTRAL ANGLE OF 45°30'28" AND BEING SUBTENDED BY A CHORD THAT BEARS SOUTH 09°36'36" EAST, 92.83 FEET TO A POINT OF REVERSE CURVATURE; COURSE NO. 2: SOUTHERLY, 49.95 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 40.00 FEET, THROUGH A CENTRAL ANGLE OF 71°33'14" AND BEING SUBTENDED BY A CHORD THAT BEARS SOUTH 03°24'47" WEST, 46.77 FEET; COURSE NO. 3: SOUTH 88°34'19" WEST, 38.75 FEET TO A POINT ON THE BOUNDARY OF SAID PLAT; THENCE RUN THE FOLLOWING TWO (2) COURSES ALONG THE BOUNDARY OF SAID PLAT; COURSE NO. 1: SOUTH 01°16'00" EAST, 90.21 FEET; COURSE NO. 2: NORTH 88°53'34" EAST, 659.97 FEET TO A POINT ON THE BOUNDARY OF SAID TRACT "B-7"; THENCE RUN THE FOLLOWING NINE (9) COURSES ALONG THE BOUNDARY OF SAID TRACT "B-7" COURSE NO. 1: NORTH 23°51'13" WEST, 3.70 FEET TO A POINT OF CURVATURE; COURSE NO. 2: NORTHERLY, 41.92 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE EASTERLY, HAVING A RADIUS OF 50.00 FEET, THROUGH A CENTRAL ANGLE OF 48°02'20" AND BEING SUBTENDED BY A CHORD THAT BEARS NORTH 00°09'57" EAST, 40.70 FEET TO A POINT OF REVERSE CURVATURE; COURSE NO. 3: NORTHERLY, 16.97 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 150.00 FEET, THROUGH A CENTRAL ANGLE OF 06°28'50" AND BEING SUBTENDED BY A CHORD THAT BEARS NORTH 20°56'42" EAST, 16.96 FEET TO A POINT OF COMPOUND CURVATURE; COURSE NO. 4: NORTHERLY, 151.28 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 325.00 FEET, THROUGH A CENTRAL ANGLE OF 26°40'09" AND BEING SUBTENDED BY A CHORD THAT BEARS NORTH 04°22'13" EAST, 149.91 FEET TO A POINT OF REVERSE CURVATURE; COURSE NO. 5: NORTHERLY, 39.20 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE EASTERLY, HAVING A RADIUS OF 200.00 FEET, THROUGH A CENTRAL ANGLE OF 11°13'53" AND BEING SUBTENDED BY A CHORD THAT BEARS NORTH 03°20'55" WEST, 39.14 FEET TO A POINT OF REVERSE CURVATURE; COURSE NO. 6: NORTHERLY, 274.48 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 775.00 FEET, THROUGH A CENTRAL ANGLE OF 20°17'33" AND BEING SUBTENDED BY A CHORD THAT BEARS NORTH 07°52'45" WEST, 273.05 FEET TO A POINT OF REVERSE CURVATURE; COURSE NO. 7: NORTHERLY, 47.39 FEET ALONG THE ARC OF A

CIRCULAR CURVE, CONCAVE EASTERLY, HAVING A RADIUS OF 130.00 FEET, THROUGH A CENTRAL ANGLE OF $20^{\circ}53'13''$ AND BEING SUBTENDED BY A CHORD THAT BEARS NORTH $07^{\circ}34'56''$ WEST, 47.13 FEET TO A POINT OF REVERSE CURVATURE; COURSE NO. 8: NORTHERLY, 76.91 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 550.00 FEET, THROUGH A CENTRAL ANGLE OF $08^{\circ}00'42''$ AND BEING SUBTENDED BY A CHORD THAT BEARS NORTH $01^{\circ}08'40''$ WEST, 76.84 FEET TO A POINT OF COMPOUND CURVATURE; COURSE NO. 9: NORTHWESTERLY, 18.10 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 25.00 FEET, THROUGH A CENTRAL ANGLE OF $41^{\circ}28'57''$ AND BEING SUBTENDED BY A CHORD THAT BEARS NORTH $25^{\circ}53'29''$ WEST, 17.71 FEET; THENCE NORTH $43^{\circ}22'02''$ EAST, A DISTANCE OF 20.00 FEET; THENCE NORTH $85^{\circ}10'44''$ EAST, A DISTANCE OF 11.29 FEET TO A POINT ON THE BOUNDARY OF SAID PLAT; COURSE NO. 1: NORTH $05^{\circ}09'01''$ WEST, 15.00 FEET; COURSE NO. 2: NORTH $85^{\circ}10'44''$ EAST, 109.62 FEET TO A POINT OF CURVATURE; COURSE NO. 3: SOUTHEASTERLY, 28.73 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 24.50 FEET, THROUGH A CENTRAL ANGLE OF $67^{\circ}11'49''$ AND BEING SUBTENDED BY A CHORD THAT BEARS SOUTH $61^{\circ}13'37''$ EAST, 27.11 FEET; THENCE NORTH $85^{\circ}10'44''$ EAST, A DISTANCE OF 10.58 FEET TO A POINT ON A NON-TANGENTIAL CURVE, THE SAME BEING A POINT ON THE BOUNDARY OF TRACT "B-6" OF SAID PLAT; THENCE SOUTHERLY, 4.85 FEET ALONG THE BOUNDARY OF SAID TRACT "B-6" AND ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 34.48 FEET, THROUGH A CENTRAL ANGLE OF $08^{\circ}03'46''$ AND BEING SUBTENDED BY A CHORD THAT BEARS SOUTH $16^{\circ}46'27''$ EAST, 4.85 FEET TO A POINT ON THE BOUNDARY OF SAID PLAT; THENCE RUN THE FOLLOWING THREE (3) COURSES ALONG THE BOUNDARY OF SAID PLAT; COURSE NO. 1: NORTH $81^{\circ}26'59''$ EAST, 40.09 FEET; COURSE NO. 2: NORTH $08^{\circ}32'29''$ WEST, 52.63 FEET; COURSE NO. 3: NORTH $84^{\circ}13'30''$ EAST, 173.44 FEET; THENCE SOUTH $15^{\circ}05'35''$ EAST, A DISTANCE OF 257.51 FEET TO A POINT ON A NON-TANGENTIAL CURVE; THENCE SOUTHERLY, 90.10 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE EASTERLY, HAVING A RADIUS OF 1,385.01 FEET, THROUGH A CENTRAL ANGLE OF $03^{\circ}43'38''$ AND BEING SUBTENDED BY A CHORD THAT BEARS SOUTH $16^{\circ}38'46''$ EAST, 90.08 FEET TO A POINT OF COMPOUND CURVATURE; THENCE SOUTHEASTERLY, 81.65 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 395.19 FEET, THROUGH A CENTRAL ANGLE OF $11^{\circ}50'14''$ AND BEING SUBTENDED BY A CHORD THAT BEARS SOUTH $24^{\circ}25'42''$ EAST, 81.50 FEET; THENCE SOUTH $30^{\circ}20'49''$ EAST, A DISTANCE OF 85.50 FEET TO A POINT ON A NON-TANGENTIAL CURVE; THENCE SOUTHEASTERLY, 98.32 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 114.41 FEET, THROUGH A CENTRAL ANGLE OF $49^{\circ}14'08''$ AND BEING SUBTENDED BY A CHORD THAT BEARS SOUTH $49^{\circ}12'49''$ EAST, 95.32 FEET; THENCE SOUTH $73^{\circ}49'53''$ EAST, A DISTANCE OF 135.63 FEET TO A POINT OF CURVATURE; THENCE EASTERLY, 57.49 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE SOUTHERLY, HAVING A RADIUS OF 300.00 FEET, THROUGH A CENTRAL ANGLE OF $10^{\circ}58'46''$ AND BEING SUBTENDED BY A CHORD THAT BEARS SOUTH $68^{\circ}20'30''$ EAST, 57.40 FEET; THENCE SOUTH $62^{\circ}51'07''$ EAST, A DISTANCE OF 33.27 FEET TO A POINT OF CURVATURE; THENCE SOUTHEASTERLY, 16.40 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 15.00 FEET, THROUGH A CENTRAL ANGLE OF $62^{\circ}38'24''$ AND BEING SUBTENDED BY A CHORD THAT BEARS SOUTH $31^{\circ}31'55''$ EAST, 15.59 FEET;

THENCE SOUTH $00^{\circ}12'43''$ EAST, A DISTANCE OF 43.71 FEET TO A POINT OF CURVATURE; THENCE SOUTHERLY, 24.41 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 75.00 FEET, THROUGH A CENTRAL ANGLE OF $18^{\circ}38'45''$ AND BEING SUBTENDED BY A CHORD THAT BEARS SOUTH $09^{\circ}06'39''$ WEST, 24.30 FEET TO A POINT OF COMPOUND CURVATURE; THENCE SOUTHWESTERLY, 293.41 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 811.84 FEET, THROUGH A CENTRAL ANGLE OF $20^{\circ}42'28''$ AND BEING SUBTENDED BY A CHORD THAT BEARS SOUTH $28^{\circ}47'16''$ WEST, 291.82 FEET TO A POINT OF COMPOUND CURVATURE; THENCE WESTERLY, 206.99 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 130.00 FEET, THROUGH A CENTRAL ANGLE OF $91^{\circ}13'48''$ AND BEING SUBTENDED BY A CHORD THAT BEARS SOUTH $84^{\circ}45'24''$ WEST, 185.81 FEET; THENCE NORTH $49^{\circ}37'42''$ WEST, A DISTANCE OF 72.66 FEET TO A POINT OF CURVATURE; THENCE NORTHWESTERLY, 68.27 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 1,000.00 FEET, THROUGH A CENTRAL ANGLE OF $03^{\circ}54'41''$ AND BEING SUBTENDED BY A CHORD THAT BEARS NORTH $51^{\circ}35'03''$ WEST, 68.26 FEET; THENCE NORTH $53^{\circ}32'23''$ WEST, A DISTANCE OF 121.96 FEET TO A POINT OF CURVATURE; THENCE NORTHWESTERLY, 46.03 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 715.00 FEET, THROUGH A CENTRAL ANGLE OF $03^{\circ}41'20''$ AND BEING SUBTENDED BY A CHORD THAT BEARS NORTH $55^{\circ}23'03''$ WEST, 46.03 FEET TO A POINT ON THE BOUNDARY OF THOSE CERTAIN LANDS DESCRIBED AS PARCEL FOUR AND RECORDED IN OFFICIAL RECORDS BOOK 3165, PAGES 1800 THROUGH 1832 (PAGES 1815 THROUGH 1818 FOR PARCEL FOUR) OF THE PUBLIC RECORDS OF SAID LEE COUNTY, FLORIDA; THENCE RUN THE FOLLOWING THREE (3) COURSES ALONG THE BOUNDARY OF LAST SAID LANDS; COURSE NO. 1: NORTH $89^{\circ}21'30''$ WEST, 1,660.73 FEET; COURSE NO. 2: NORTH $06^{\circ}34'37''$ WEST, 526.71 FEET; COURSE NO. 3: NORTH $01^{\circ}50'22''$ WEST, A DISTANCE OF 1,185.30 FEET TO A POINT ON A NON-TANGENTIAL CURVE, THE SAME BEING A POINT ON THE BOUNDARY OF MIROMAR LAKES UNIT XIII – COSTA AMALFI, ACCORDING TO THE PLAT THEREOF RECORDED AS INSTRUMENT NUMBER 2008000338718 IN THE PUBLIC RECORDS OF SAID LEE COUNTY, FLORIDA; THENCE RUN THE FOLLOWING EIGHT (8) COURSES ALONG THE BOUNDARY OF LAST SAID PLAT; COURSE NO. 1: SOUTHEASTERLY, 70.39 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 81.50 FEET, THROUGH A CENTRAL ANGLE OF $49^{\circ}29'13''$ AND BEING SUBTENDED BY A CHORD THAT BEARS SOUTH $34^{\circ}55'31''$ EAST, 68.22 FEET TO A POINT OF REVERSE CURVATURE; COURSE NO. 2: SOUTHERLY, 60.64 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE EASTERLY, HAVING A RADIUS OF 171.51 FEET, THROUGH A CENTRAL ANGLE OF $20^{\circ}15'30''$ AND BEING SUBTENDED BY A CHORD THAT BEARS SOUTH $20^{\circ}18'40''$ EAST, 60.33 FEET TO A POINT OF REVERSE CURVATURE; COURSE NO. 3: SOUTHEASTERLY, 40.84 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 150.00 FEET, THROUGH A CENTRAL ANGLE OF $15^{\circ}36'05''$ AND BEING SUBTENDED BY A CHORD THAT BEARS SOUTH $22^{\circ}38'22''$ EAST, 40.72 FEET; COURSE NO. 4: SOUTH $14^{\circ}50'20''$ EAST, 23.57 FEET TO A POINT OF CURVATURE; COURSE NO. 5: EASTERLY, 199.77 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 88.75 FEET, THROUGH A CENTRAL ANGLE OF $128^{\circ}58'04''$ AND BEING SUBTENDED BY A CHORD THAT BEARS SOUTH $79^{\circ}19'21''$ EAST, 160.19 FEET; COURSE NO. 6: NORTH $36^{\circ}11'37''$ EAST, 261.84 FEET TO A POINT OF CURVATURE; COURSE NO. 7:

NORTHEASTERLY, 29.38 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 35.00 FEET, THROUGH A CENTRAL ANGLE OF 48°05'23" AND BEING SUBTENDED BY A CHORD THAT BEARS NORTH 60°14'18" EAST, 28.52 FEET; COURSE NO. 8: NORTH 36°11'37" EAST, A DISTANCE OF 73.95 FEET TO A POINT ON THE BOUNDARY OF MIROMAR LAKES UNIT XI – PENINSULA, ACCORDING TO THE PLAT THEREOF RECORDED AS INSTRUMENT NUMBER 2006000456819 IN THE PUBLIC RECORDS OF SAID LEE COUNTY, FLORIDA; THENCE RUN THE FOLLOWING SIX (6) COURSES ALONG THE BOUNDARY OF LAST SAID PLAT; COURSE NO. 1: SOUTH 53°48'23" EAST, 45.21 FEET TO A POINT OF CURVATURE; COURSE NO. 2: EASTERLY, 174.67 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 267.50 FEET, THROUGH A CENTRAL ANGLE OF 37°24'47" AND BEING SUBTENDED BY A CHORD THAT BEARS SOUTH 72°30'47" EAST, 171.59 FEET TO A POINT OF REVERSE CURVATURE; COURSE NO. 3: SOUTHEASTERLY, 34.70 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 37.50 FEET, THROUGH A CENTRAL ANGLE OF 53°01'23" AND BEING SUBTENDED BY A CHORD THAT BEARS SOUTH 64°42'29" EAST, 33.48 FEET TO A POINT OF REVERSE CURVATURE; COURSE NO. 4: SOUTHEASTERLY, 48.80 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 90.00 FEET, THROUGH A CENTRAL ANGLE OF 31°04'09" AND BEING SUBTENDED BY A CHORD THAT BEARS SOUTH 53°43'52" EAST, 48.21 FEET TO A POINT OF REVERSE CURVATURE; COURSE NO. 5: SOUTHEASTERLY, 42.18 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 37.50 FEET, THROUGH A CENTRAL ANGLE OF 64°26'43" AND BEING SUBTENDED BY A CHORD THAT BEARS SOUTH 37°02'35" EAST, 39.99 FEET; COURSE NO. 6: SOUTH 04°49'14" EAST, 469.08 FEET TO A POINT ON THE BOUNDARY OF AFORESAID PLAT OF MIROMAR LAKES UNIT XIII – PENINSULA; THENCE SOUTH 85°08'35" WEST, ALONG THE BOUNDARY OF LAST SAID PLAT, A DISTANCE OF 5.50 FEET TO THE POINT OF BEGINNING.

CONTAINING 1,661,688 SQUARE FEET OR 38.147 ACRES, MORE OR LESS.

Attachment "A"

FINAL PLAN APPROVAL THE PENINSULA PHASE IV AT MIROMAR LAKES A PORTION OF STRAP # 13-46-25-00-00001.0030 LEE COUNTY, FLORIDA

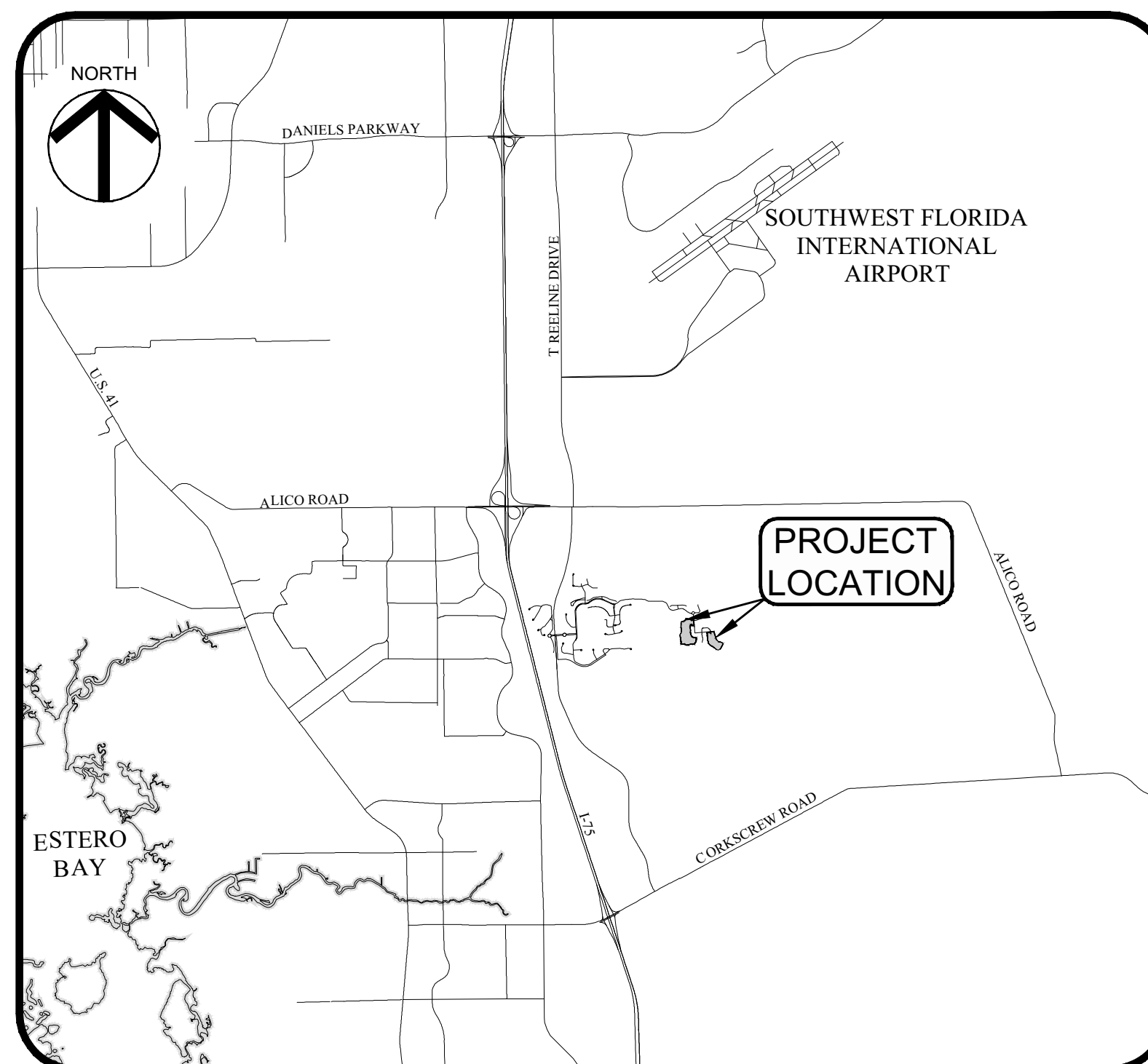
FPA APPROVAL HISTORY				
LEE COUNTY RESOLUTION NO.	TRACT NAME	DATE	TYPE	QUANTITY
ADD2000-00110	PHASE ONE	7/27/2000	SINGLE FAMILY	11 UNITS
ADD2000-00111	PHASE ONE	7/27/2000	SINGLE FAMILY	30 UNITS
ADD2000-00117	PHASE TWO	7/31/2000	SINGLE FAMILY	51 UNITS
ADD2000-00161	GOLF MAINT.	12/19/2000	COMMERCIAL	7,500 S.F.
ADD2000-00191	TEMP. CLUBHOUSE	1/8/2001	COMMERCIAL	6,526 S.F.
ADD2001-00018	VALENCIA	5/24/2001	MULTI-FAMILY	80 UNITS
ADD2001-00085	TRACT M & N	5/24/2001	SINGLE FAMILY	27 UNITS
ADD2001-00113A	BEACH CLUB	4/1/2002	RECREATION	4.77 ACRES
ADD2001-00125	TIVOLI	10/16/2001	SINGLE FAMILY	113 UNITS
ADD2001-00142	SALES CENTER	12/20/2001	COMMERCIAL	4,147 S.F.
ADD2002-00045	BELLAVISTA	6/28/2001	MULTI-FAMILY	60 UNITS
ADD2002-00077	MED. VILLAGE - PH I	8/5/2002	SINGLE FAMILY	33 UNITS
ADD2002-00168	CAPRINI GREENS	12/17/2002	SINGLE FAMILY	27 UNITS
ADD2003-00028	VIVALDI	4/4/2003	MULTI-FAMILY	60 UNITS
ADD2003-00047	PERM. GOLF CLUBHOUSE	5/14/2003	RECREATION	5.45 ACRES
ADD2003-00151	CAPRINI GREENS MOD.	12/18/2003	AMENDMENT TO ADD2002-00168	
ADD2004-00033	SAN MARINO	7/21/2004	MULTI-FAMILY	160 UNITS
ADD2004-00042	MIRASOL ACCESS	4/2/2004	ACCESS	5.07 ACRES
ADD2004-00045	C1/C2 ACCESS	4/2/2004	ACCESS	1.06 ACRES
ADD2004-00054	PORTO ROMANO	5/11/2004	SINGLE FAMILY	55 UNITS
ADD2004-00074	CAPRINI GREENS MOD.	4/21/2004	AMENDMENT TO ADD2002-00168	
ADD2004-00070	MIRASOL RESIDENTIAL	7/27/2004	MULTI-FAMILY	120 UNITS
ADD2004-00176	MIRASOL ACCESS MOD.	11/17/2004	AMENDMENT TO ADD2004-00042	
ADD2004-00177A	CASTELLI & ANACAPRI	12/3/2004	SINGLE FAMILY	18 UNITS
ADD2004-00223	MONTEBELLO	1/10/2005	MULTI-FAMILY	40 UNITS
ADD2004-00253	VOLTERRA & BELLINI	4/25/2005	SINGLE FAMILY & MULTI-FAMILY	72 UNITS
ADD2005-00134	MIRASOL PH II	8/2/2005	MULTI-FAMILY	120 UNITS
ADD2005-00190	RAVENNA	3/31/2006	MULTI-FAMILY	60 UNITS
ADD2006-00002	MIROMAR LAKES PKWY EXT.	3/13/2006	ACCESS	133.08 ACRES
ADD2006-00004	BEACH CLUB PH II	3/13/2006	RECREATION	7.67 ACRES
ADD2006-00009	EAST 100 ACRES	4/10/2006	SINGLE FAMILY	51 UNITS
ADD2008-00130	TRACT F-F (BEACH COTTAGES)	12/5/2008	SINGLE FAMILY	16 UNITS
ADD2008-00144	SORRENTO LME MOD.	4/1/2009	MODIFICATION TO ADD2006-00009	
ADD2009-00026	COSTA AMALFI	4/16/2009	MODIFICATION TO ADD2008-00130	
ADD2010-00021	COSTA AMALFI MOD.	3/8/2010	MODIFICATION TO ADD2009-00026	
ADD2012-00110	PENINSULA PHASE III	12/26/12	SINGLE FAMILY	28 UNITS
ADD2014-00102	PENINSULA PHASE IV	8/15/2014	SINGLE FAMILY & MULTI-FAMILY	85 UNITS
PENDING	PENINSULA PHASE IV	PENDING	SINGLE FAMILY	56 UNITS

BOAT DOCK HISTORY		
SINGLE FAMILY SUBDIVISIONS ⁽¹⁾	APPROVED SLIPS	PROPOSED SLIPS
VERONA LAGO	55	0
CAPRINI GREENS	18	0
ISOLA BELLA	13	0
CASTELLI & ANACAPRI	18	0
VOLTERRA	12	0
BEACH COTTAGES/COSTA AMALFI	9	0
SORRENTO (EAST 100 AC)	12	0
PORTOFINO (EAST 100 AC)	20	0
MURANO (EAST 100 AC)	19	0
NAVONA (PENINSULA PHASE III)	18	0
SALERNO (PENINSULA PHASE III)	10	0
PENINSULA PHASE IV	0	56
SUBTOTAL	204	56
SF SUBDIVISION TOTAL		260
ANCILLARY ⁽²⁾	APPROVED NO. OF SLIPS	PROPOSED NO. OF SLIP
BEACH CLUB PH 1	13	0
BEACH CLUB PH 2	7	0
BEACH CLUB PH 3	10	0
VIVALDI	18	0
MIRASOL BEACH PH 1 & 2	18	0
MONTEBELLO	18	0
BELLINI	18	0
RAVENNA	60	0
SUB TOTAL	162	0
ANCILLARY TOTAL		162

(1) EACH SINGLE-FAMILY LAKEFRONT LOT IS ALLOWED TO HAVE ONE DOCK. SINGLE-FAMILY LAKEFRONT LOTS MAY BE CONVERTED TO MULTIPLE-FAMILY SLIPS FOR WET BOAT STORAGE ON A ONE FOR ONE (1:1) BASIS.

(2) A MAXIMUM OF 250 ANCILLARY DOCKS ARE PERMITTED.

SHEET INDEX	
1	COVER SHEET
2	FINAL PLAN



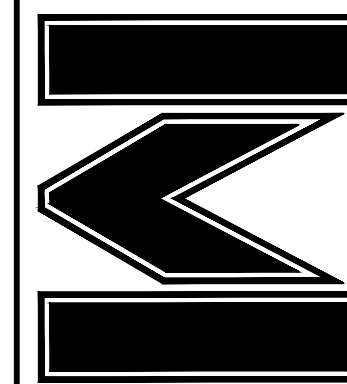
PROJECT LOCATION MAP
NO SCALE



DEVELOPED BY:
MIROMAR LAKES, L.L.C.
10801 CORKSCREW ROAD - SUITE #305
ESTERO, FL 33928
PHONE: (239) 390-5100

OPEN SPACE SUMMARY	
OPEN SPACE	AREA (AC)
GOLF COURSE	218.96
PHASE 1	61.72
PHASE 2	13.10
GOLF MAINTENANCE	0.92
VALENCIA	8.08
TRACT M & N	4.77
BEACH CLUB	2.34
TIVOLI	0
BELLAVISTA	3.55
MEDITERRANEAN VILLAGE	6.71
CAPRINI GREENS	1.19
VIVALDI	0
GOLF CLUBHOUSE	2.51
SAN MARINO	13.40
MIRASOL ACCESS DRIVE	1.31
TRACT C1/C2 ENTRANCE	0.39
PORTO ROMANO	2.90
MIRASOL RESIDENTIAL	0
CASTELLI & ANACAPRI	0.92
VOLTERRA & BELLINI	5.89
RAVENNA	3.17
BEACH CLUB PH 2	2.73
MIROMAR LAKES PKWY. EXTENSION	0
EAST 100 ACRES	0
BEACH COTTAGES / COSTA AMALFI	3.31
PENINSULA PHASE III	6.16
PENINSULA PHASE IV	12.58
TOTAL	376.61

**WALDROP
ENGINEERING**



CIVIL ENGINEERING &
LAND DEVELOPMENT CONSULTANTS
291400 DONATA GRANDE DRIVE - SUITE 305 DONATA SPRINGS, FL 34135
P: 239-405-7777 F: 239-405-7589 EMAIL: info@waldropengineering.com

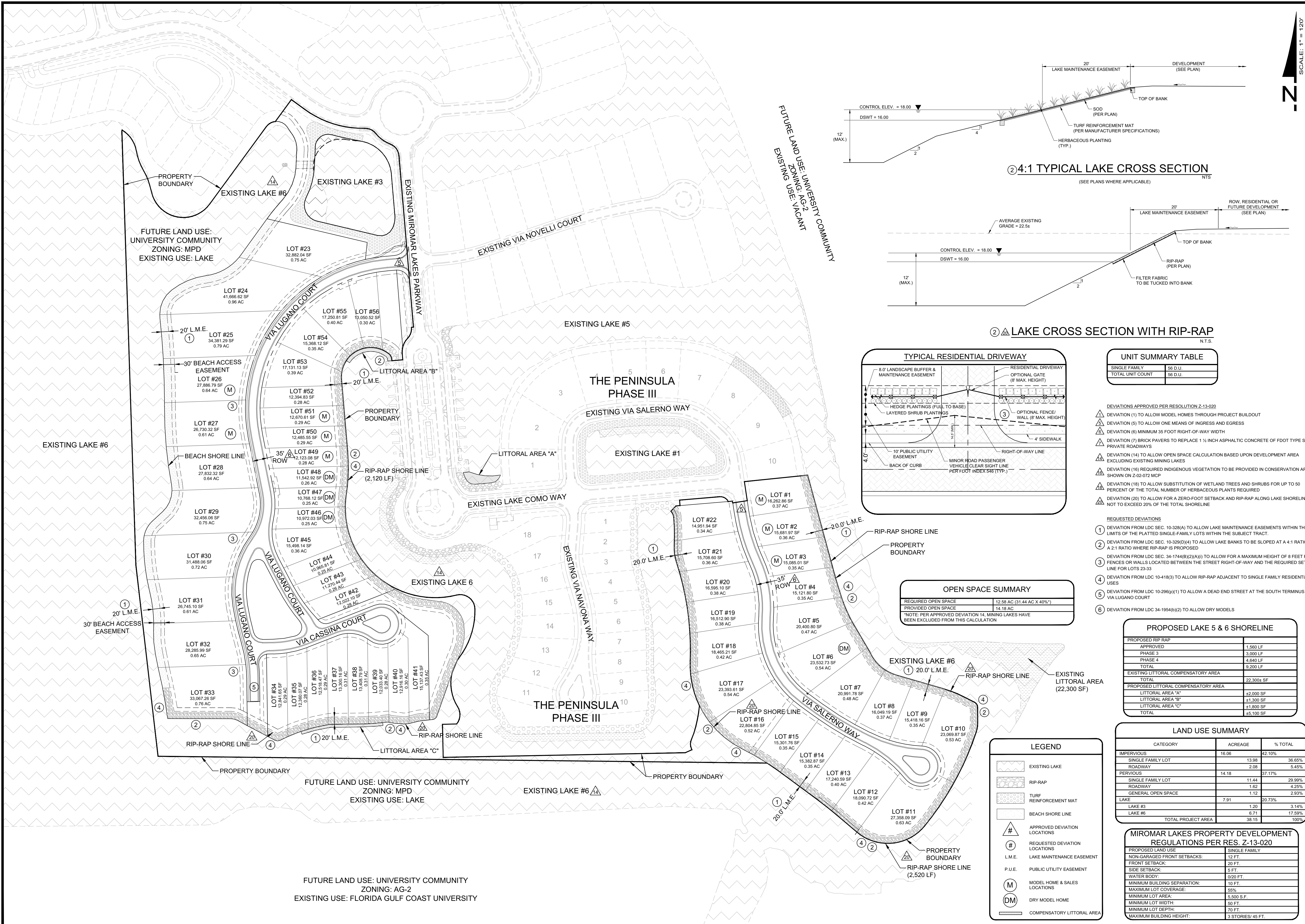
THE PENINSULA PHASE IV
AT MIROMAR LAKES
CLIENT: MIROMAR LAKES, L.L.C.

COVER SHEET

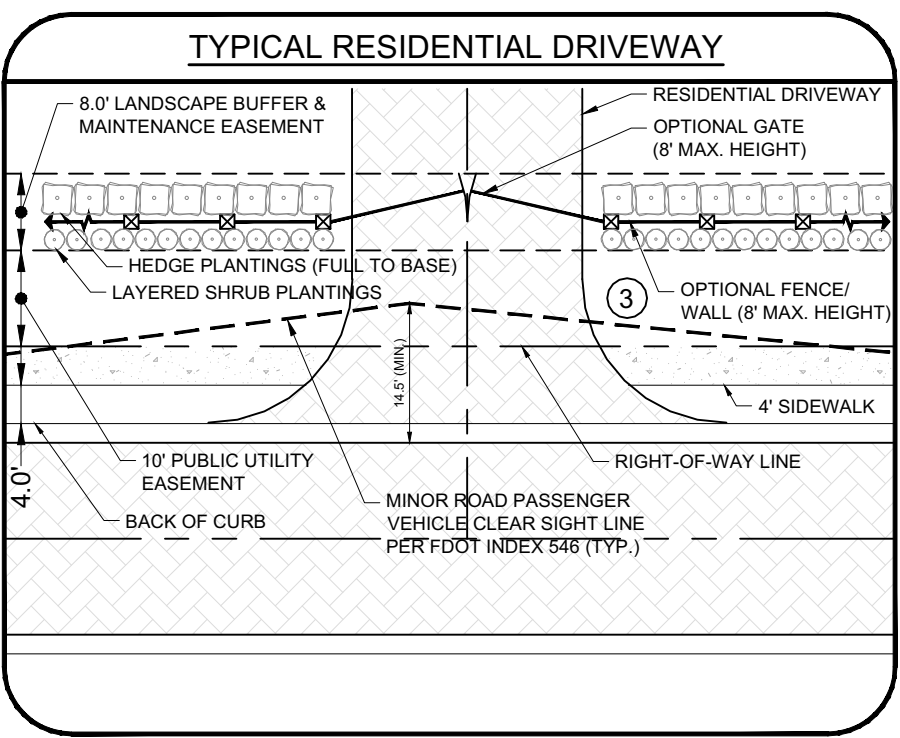
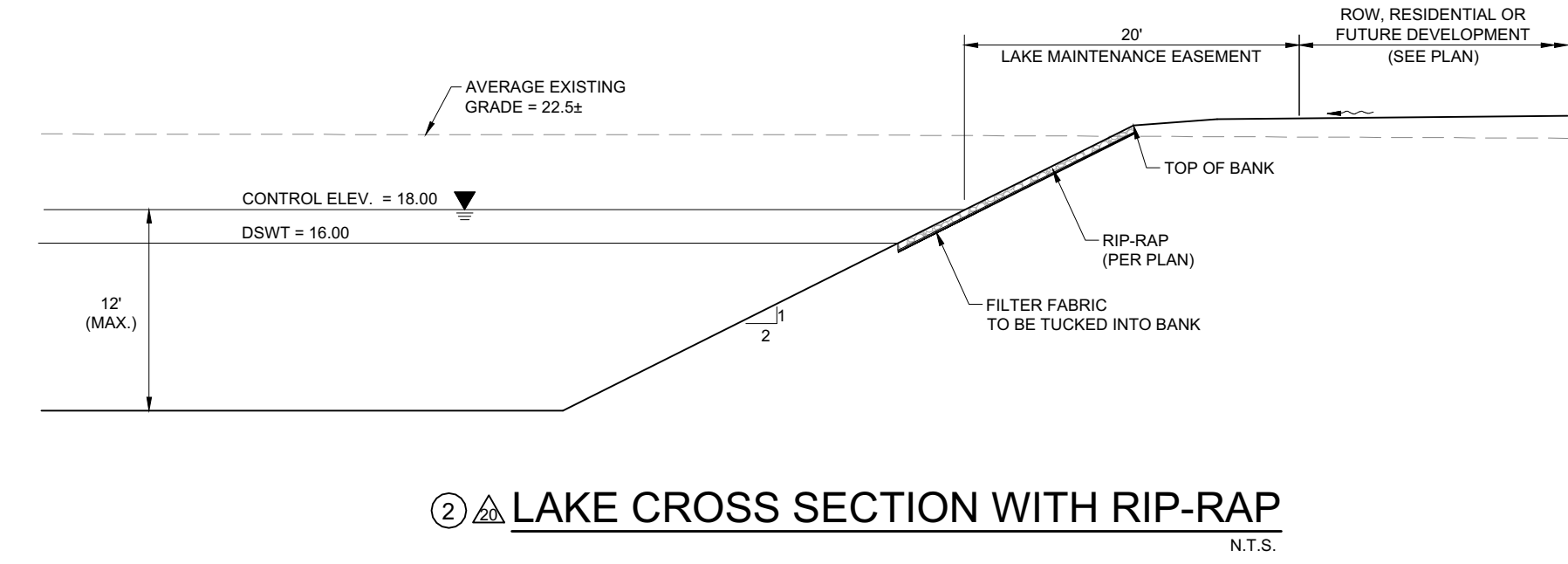
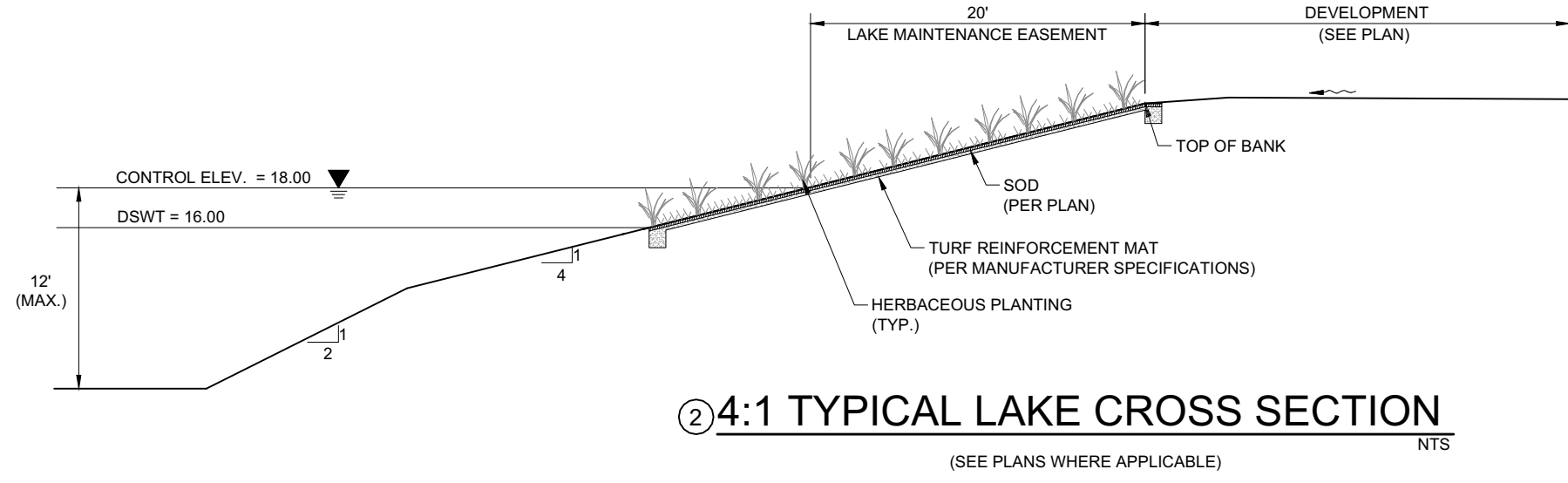
PLAN REVISIONS	
1	8/22/2015 REVISED PER COUNTY COMMENTS
2	9/22/2015 REVISED PER COUNTY COMMENTS
3	9/22/2015 REVISED PER COUNTY COMMENTS
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FLORIDA CERTIFICATE OF AUTHORIZATION #8856

SET NUMBER: 256-17-02
SHEET: 01



FUTURE LAND USE: UNIVERSITY COMMUNITY
EXISTING USE: VACANT



UNIT SUMMARY TABLE	
SINGLE FAMILY	56 D.U.
TOTAL UNIT COUNT	56 D.U.

- DEVIATIONS APPROVED PER RESOLUTION Z-13-020
- DEVIATION (1) TO ALLOW MODEL HOMES THROUGH PROJECT BUILDOUT
 - DEVIATION (5) TO ALLOW ONE MEANS OF INGRESS AND EGRESS
 - DEVIATION (6) MINIMUM 35 FOOT RIGHT-OF-WAY WIDTH
 - DEVIATION (7) BRICK PAVERS TO REPLACE 1 1/2 INCH ASPHALTIC CONCRETE OF FDOT TYPE S-1 ON PRIVATE ROADWAYS
 - DEVIATION (14) TO ALLOW OPEN SPACE CALCULATION BASED UPON DEVELOPMENT AREA EXCLUDING EXISTING MINING LAKES
 - DEVIATION (16) REQUIRED INDIGENOUS VEGETATION TO BE PROVIDED IN CONSERVATION AREAS SHOWN ON Z-02-072 MCP
 - DEVIATION (18) TO ALLOW SUBSTITUTION OF WETLAND TREES AND SHRUBS FOR UP TO 50 PERCENT OF THE TOTAL NUMBER OF HERBACEOUS PLANTS REQUIRED
 - DEVIATION (20) TO ALLOW FOR A ZERO-FOOT SETBACK AND RIP-RAP ALONG LAKE SHORELINES NOT TO EXCEED 20% OF THE TOTAL SHORELINE

- REQUESTED DEVIATIONS
- DEVIATION FROM LDC SEC. 10-328(A) TO ALLOW LAKE MAINTENANCE EASEMENTS WITHIN THE LIMITS OF THE PLATTED SINGLE-FAMILY LOTS WITHIN THE SUBJECT TRACT.
 - DEVIATION FROM LDC SEC. 10-328(D)(4) TO ALLOW LAKE BANKS TO BE SLOPED AT A 4:1 RATIO AND A 2:1 RATIO WHERE RIP-RAP IS PROPOSED
 - DEVIATION FROM LDC SEC. 34-1744(B)(2)(A)(i) TO ALLOW FOR A MAXIMUM HEIGHT OF 8 FEET FOR FENCES OR WALLS LOCATED BETWEEN THE STREET RIGHT-OF-WAY AND THE REQUIRED SETBACK LINE FOR LOTS 23-33
 - DEVIATION FROM LDC 10-418(3) TO ALLOW RIP-RAP ADJACENT TO SINGLE FAMILY RESIDENTIAL USES
 - DEVIATION FROM LDC 10-296(p)(1) TO ALLOW A DEAD END STREET AT THE SOUTH TERMINUS OF VIA LUGANO COURT
 - DEVIATION FROM LDC 34-1954(b)(2) TO ALLOW DRY MODELS

OPEN SPACE SUMMARY	
REQUIRED OPEN SPACE	12.58 AC (31.44 AC X 40%)
PROVIDED OPEN SPACE	14.18 AC
NOTE: PER APPROVED DEVIATION 14, MINING LAKES HAVE BEEN EXCLUDED FROM THIS CALCULATION	

PROPOSED LAKE 5 & 6 SHORELINE	
PROPOSED RIP-RAP	1,560 LF
APPROVED	3,000 LF
PHASE 3	4,640 LF
PHASE 4	9,200 LF
TOTAL	22,300 LF
EXISTING LITTORAL COMPENSATORY AREA	22,300 SF
TOTAL	22,300 SF
LITTORAL AREA "A"	±2,000 SF
LITTORAL AREA "B"	±1,300 SF
LITTORAL AREA "C"	±1,800 SF
TOTAL	±5,100 SF

LAND USE SUMMARY		
CATEGORY	ACREAGE	% TOTAL
IMPERVIOUS	18.06	42.10%
SINGLE FAMILY LOT	13.98	36.65%
ROADWAY	2.08	5.45%
PERVIOUS	14.18	37.17%
SINGLE FAMILY LOT	11.44	29.99%
ROADWAY	1.02	4.25%
GENERAL OPEN SPACE	1.12	2.93%
LAKE	7.91	20.73%
LAKE #3	1.20	3.14%
LAKE #5	6.71	17.59%
TOTAL PROJECT AREA	38.15	100%

LEGEND	
	EXISTING LAKE
	RIP-RAP
	TURF REINFORCEMENT MAT
	BEACH SHORE LINE
	APPROVED DEVIATION LOCATIONS
	REQUESTED DEVIATION LOCATIONS
	L.M.E. LAKE MAINTENANCE EASEMENT
	P.U.E. PUBLIC UTILITY EASEMENT
	MODEL HOME & SALES LOCATIONS
	DRY MODEL HOME
	COMPENSATORY LITTORAL AREA

MIROMAR LAKES PROPERTY DEVELOPMENT REGULATIONS PER RES. Z-13-020	
PROPOSED LAND USE	SINGLE FAMILY
NON-GARAGED FRONT SETBACKS:	12 FT.
FRONT SETBACK:	20 FT.
SIDE SETBACK:	5 FT.
WATER BODY:	0/20 FT.
MINIMUM BUILDING SEPARATION:	10 FT.
MINIMUM LOT COVERAGE:	55%
MINIMUM LOT AREA:	5,500 S.F.
MINIMUM LOT WIDTH:	50 FT.
MINIMUM LOT DEPTH:	70 FT.
MAXIMUM BUILDING HEIGHT:	3 STORIES/45 FT.

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THE PENINSULA PHASE IV
AT MIROMAR LAKES
CLIENT: MIROMAR LAKES, L.L.C.

FINAL PLAN

PLAN REVISIONS	1	02/20/2015	REVISED PER COUNTY COMMENTS
	2	02/20/2015	REVISED PER COUNTY COMMENTS
	3	02/20/2015	REVISED PER COUNTY COMMENTS
	4	02/20/2015	REVISED PER COUNTY COMMENTS
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	100	02/20/2015	REVISED PER COUNTY COMMENTS

FLORIDA CERTIFICATE OF AUTHORIZATION #8836

PREPARED FOR:

We are where you want to be

SET NUMBER: 256-17-02
SHEET: 02



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Attachment "B"

Project Narrative

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 Corkscrew Road 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.

Per Condition 1.c. of Resolution Z-13-020, the Applicant is requesting Final Plan Approval (FPA) for Peninsula Phase IV at Miromar Lakes, which consists of 38+/- acres. The proposed development will consist of 56 single-family detached units. The subject property was approved for 37 single-family and 48 multi-family units and associated deviations pursuant to ADD2014-00102. The purpose of this request is to convert the project to solely single-family detached residential uses based upon changes to market demand since the original FPA approval. The result is a net decrease to the overall density of the development tract.

The proposed FPA is consistent with the allowable uses and density approved per Z-13-020 and the Development of Regional Impact (DRI) Development Order, as amended. The enclosed Final Plan provides a tabulation of approved density/intensity and open space to demonstrate the project's compliance with the aforementioned approvals.

As outlined in the Schedule of Deviations and Justifications the Applicant is seeking five (5) new deviations (four of which were approved per ADD2014-00102) to allow for: 4:1 lake bank slopes; to locate lake maintenance easements within platted single-family lots; to allow for fences/walls within the street setback up to a maximum height of eight feet (8'); to allow for rip-rap adjacent to single-family residential uses; and to allow for a dead-end street at the southern terminus of Via Lugano Court. These deviations are requested to maintain consistency with the constructed portions of the community, and to enhance the privacy and visual appeal of this residential enclave. Additionally, the deviations relating to lake bank slope and the location of lake maintenance easements are vested through previous development approvals.

Per Resolution Z-13-020, the Applicant is also requesting previously approved deviations #1, #5, #6, #7, #14, #16, #18 and #20.

Based upon this application's compliance with Z-13-020, DRI #11-9798-142, the Lee Plan and applicable LDC regulations, the Applicant respectfully requests staff approval of the proposed FPA.



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Attachment "C"

Schedule of Deviations & Justifications

Deviations Approved per Z-02-072 & Z-12-004 & Z-13-020

Deviation #1 from LDC Sec. 34-1954(d)(1), which restricts model homes to a time limitation of three (3) years, to allow model homes through the build out of the project.

Deviation #5 from LDC Sec. 10-291(3) (Access to Street), which requires two (2) or more means of ingress and egress to residential development of at least five (5) acres in size; to allow one (1) means of ingress and egress for those development parcels that are surrounded by golf course, water body, conservation areas, or any combination thereof.

Deviation #6 from LDC Sec. 10-296(b), Table 3, which requires a right-of-way width of 35 feet for two-way closed drainage, rear lot drainage or inverted crown; to allow a right-of-way width to coincide with the back of curb for local private roads.

Deviation #7 from LDC Sec. 10-296(d), Table 4(7)c), which requires asphaltic concrete, to allow for cement concrete or decorative pavers within private local roadways within Miromar Lakes.

Deviation #14 from LDC Sec. 10-415(a), which requires that open space be calculated as a percentage of development area; to allow open space based on the areas of development excluding that portion of the development consisting of the existing mining lakes, as approved by Resolution Z-99-029 with the following condition:

The entire acreage of the existing minimum lakes located east of Ben Hill Griffin Parkway is exempt from open space requirements. These lakes may not be used to satisfy open space requirements on the site. This deviation is APPROVED for the entire project.

Deviation #16 from LDC Sec. 10-415(b), which requires 50 percent of the required open space to incorporate existing indigenous vegetation; to allow all of the required indigenous vegetation to be provided in the conservation areas shown on the MCP and to permit all of the restored vegetation within the wetland slough to count toward the required indigenous vegetation requirement. This deviation was approved by Resolution Z-99-029 with the condition that existing indigenous preservation requirement be met within the Conservation Area shown on the MCP last revised August 16, 1999. This deviation is approved for the 534-acre addition to the project subject to the following condition:

In conjunction with an application for local development order approval, the developer must submit a detailed invasive exotic removal and replanting plan for the Division of Environmental Sciences' Staff review and approval. The developer must delineate on the local development

order plans a minimum of 111 acres of indigenous preservation and 47.7 acres of restoration consistent with the MCP.

Deviation #18 from LDC Sec. 10-418(a)(2)b, which requires a minimum number of native wetland herbaceous plants per linear foot of lake shoreline; to allow required plants in compliance with the Lake Management Plan and Lake Shoreline Planting Plan approved by Zoning Resolution No. Z-99-029, provided that herbaceous plant requirements per LDC Sec. 10-418 are calculated on the entire length of the lake shoreline, including bulkhead portions. The developer may substitute wetland trees and shrubs for up to 50 percent of the total number of herbaceous plants required, at a ratio of 1 tree or 2 shrubs for 10 herbaceous plants.

Deviation #20 from LDC Sec. 34-2194(c)(1)(a) revised and approved, but limited to 5,527 linear feet of lake frontage within the areas delineated on the MCP. In addition, a compensatory littoral zone must be provided as pocket marshes instead of a 5-foot-wide linear littoral shelf, per Sec. 10-418(3)(a). The compensatory pocket marsh area must be a minimum 0.50 acres of marsh planted with a minimum of our native wetland plants and providing a 50 percent coverage at time of planting (herbaceous plants must be a minimum 2-inch linear; shrubs and grasses must be a minimum 1-gallon container size; trees must be a minimum 3-gallon size). The compensatory pocket marsh area must be provided along the shoreline of Tract C-2. Additionally, the total amount of linear feet of lake frontage that utilizes the zero-foot setback, plus any rip-rap installed for shoreline erosion control cannot exceed 20 percent or 11,504 linear feet of shoreline.

Requested Deviations

1. Deviation from LDC Section 10-328(a), which prohibits lake maintenance easements from being located within the limits of a platted single-family residential lot; to allow for lake maintenance easements within the limits of the platted single-family lots within the subject tract.

JUSTIFICATION: The Applicant is proposing to locate the required lake maintenance easements (LMEs) within the single family lots as shown the attached final plan. This design standard is vested for this development, and is requested to ensure the consistency and continuity of development with the overall community.

The Peninsula tract is surrounded by existing lakes and has a defined development footprint. This developable area was designed and constructed prior to the LDC amendment that prohibited the placement of LMEs within single family lots. Therefore, the Applicant is encumbered with spatial constraints based upon a development footprint constructed in good faith based upon the existing regulations at the time. These existing conditions warrant the requested deviation.

From a safety and maintenance standpoint, there are extensive deed restrictions in place to ensure the LMEs are available for maintenance as intended by the LDC. All principal and accessory structures are regulated by a 20' water body setback that further ensures access to the easements. Moreover, all development within the project is regulated by the Lake Management Plan and approved per Z-99-029, Exhibit J, to ensure proper lake function,

maintenance of littoral vegetation, prevention of lake bank erosion, and removal of exotic and nuisance plants.

For these reasons, the requested deviation will not negatively impact public health, safety or welfare and will uphold the intent of the LDC.

Please note this deviation was approved for Peninsula Phase IV pursuant to ADD2014-00102.

2. Deviation from LDC Section 10-329(d)(4), which requires lake banks to be sloped at a 6:1 ratio from the top of bank to a water depth of two feet below the dry season water table; to allow for a minimum ratio of 4:1 where turf reinforcement mat is proposed, and a minimum ratio of 2:1 where rip-rap shoreline is proposed.

JUSTIFICATION: As noted above, the subject tract is located within a large-scale master-planned community that is partially built-out. The proposed 4:1 lake bank slope is vested for this development, and will comply with previous approvals. Similarly, rip-rap shoreline has been permitted in previous phases of the development as proposed.

As noted above, the overall Peninsula tract has a defined development footprint constrained by the existing recreational lakes, which were constructed with a 4:1 lake bank slope prior to the LDC amendment to 6:1 slopes. Therefore, continuation of the 4:1 lake bank slope through the entirety of the subject property is integral to upholding the design established prior to the LDC amendment.

Additionally, the Applicant has deed restrictions and a lake management plan in place to ensure the proper function and maintenance of the lakes. As shown on the enclosed final plan, turf reinforcement mats are proposed in certain areas to mitigate lake bank erosion, in addition to 4,076 enhanced littoral plantings, which are provided in excess of the LDC requirements. Where 2:1 lake bank slopes are shown, rip-rap is proposed to mitigate erosion.

Therefore, the requested deviation will not negatively impact public health, safety or welfare, and will uphold the intent of the LDC.

Please note this deviation was approved for Peninsula Phase IV pursuant to ADD2014-00102.

3. Deviation from LDC Section 34-1744(b)(2)(a)(i), which allows a maximum height of 3 feet for fences or walls located between a street right-of-way or easement and the minimum required street setback line, to allow a maximum height of 8 feet for decorative fences and walls located at the entry to residential dwelling units for lots 23-33.

JUSTIFICATION: The Applicant is proposing decorative entry features to enhance the access points to single-family units within Phase IV as shown on the enclosed Final Plan. The proposed fences and walls will meet the required setbacks set forth in LDC Section 34-1744 as shown on the typical residential driveway detail. The fences and walls front along a private street internal to the master-planned community, and will not impact public health, safety or welfare. The additional height will provide for residential privacy in this exclusive enclave neighborhood,

and is will provide for architectural features such as columns, cupolas, parapets, etc...The fences and walls will be constructed to present the finished side of the fence or wall to the adjacent internal right-of-way. Fences and walls within the same development tract will demonstrate a unified architectural theme in a manner that enhances the project.

Please note this deviation was approved for Peninsula Phase IV pursuant to ADD2014-00102.

4. Deviation from LDC Section 10-418(3), which allows riprap revetments or other similar hardened shoreline structures to comprise up to 20 percent of an individual lake shoreline, but cannot be used adjacent to single-family residential uses, to allow for riprap to be adjacent to single-family residential uses within the lots 10, 11, 16, 17, 40, 41, 33, 34 and 35.

JUSTIFICATION: The above deviation is requested due to the unique size and configuration of Lake Como, which results in significant wave action and subsequent erosion along the subject property's shorelines. The proposed rip-rap will help to mitigate erosion as implemented through the community-wide lake management plan and maintained by the HOA and master developer. While this deviation has not been explicitly requested in past FPA applications, there is rip-rap adjacent to the single-family residential uses throughout the community, as reviewed and approved by County Staff. Examples of this include the Sorrento and Portofino tracts within the Peninsula portion of the project. Proper instruction will be provided to future homeowners on those lots via the HOA documents and deed restrictions. Additionally, the proposed rip-rap is in compliance with the maximum allowable hardened shoreline set forth in Deviation 20 of the MPD zoning resolution, as amended. Therefore, the requested deviation will not negatively impact public health, safety or welfare, and will uphold the intent of the LDC.

Please note this deviation was approved for Peninsula Phase IV pursuant to ADD2014-00102.

5. Deviation from LDC Section 10-296(p)(1), which requires dead-end streets to be closed at one end by a circular turnaround for vehicles, to allow a dead-end at the south terminus of Via Lugano Court.

JUSTIFICATION: This deviation is requested solely for the south terminus of Via Lugano Court, as shown on the enclosed final plan. The proposed dead-end street is in compliance with the NFPA and is less than the 150-foot length. The dead-end segment serves 2 single-family dwellings, or 3% of proposed units within the FPA boundary. This deviation and street design has been approved within other development tracts in Miromar Lakes, including Via Savona Court and Vivaldi Court. Additionally, the developer will install signage at the nearest intersection to notify vehicles and emergency responders of the dead-end. For these reasons the design will not impact public health, safety or welfare.

**MEMORANDUM
FROM
DEPARTMENT OF COMMUNITY DEVELOPMENT
ZONING SECTION**

Attachment "D"

Date: October 1, 2015

To: Tony Palermo, Senior Planner

From: Susie Derheimer, Environmental Planner
Phone: (239) 533-8158
E-mail: sderheimer@leegov.com

Project: The Peninsula Phase IV at Miromar Lakes

Case: ADD2015-00132

STRAP: 13-46-25-00-00001.0030



The Division of Zoning Environmental staff has reviewed the proposed Final Plan Approval (FPA) for 56 single family detached units within The Peninsula Phase IV at Miromar Lakes and offer the following analysis and comments:

PARCEL HISTORY:

Miromar Lakes is an 1,800± acre parcel, zoned MPD (mixed use planned development), and is in a DRI (development of regional impact) located east of I-75, south of Alico Road and north of Corkscrew Road. The proposed Peninsula Phase IV is a 38.15 acre portion of the Miromar Lakes development located in the northeast corner of the site abutting the large Lake #6.

FINAL PLAN APPROVAL:

Zoning Resolution Z-13-020 Section B. Conditions: 1.c. indicates that “the developer must obtain Final Plan Approval when parcel development includes vertical (structural) development or when additional deviations are requested. If a FPA is required, then the developer must file an application prior to, or simultaneous with, a local development order that proposes vertical development. The purpose of this process is to ensure that vertical development is generally in compliance with the approved zoning resolution, MCP and DRI Development Order, while at the same time allowing flexibility in response to changing development practices”.

In the case of The Peninsula Phase IV, the developer is requesting vertical construction of 56 residential single family lots with associated water management and shoreline structures. Therefore, a final plan has been provided for the 38.15 acre area and new deviations have been requested to seek relief from current Land Development Code (LDC) requirements.

Zoning Resolution Z-13-020 Section B. Conditions: 1.d. further identifies the requirements to be provided in the FPA application. Per the condition the applicant has provided the following relevant requirements: viii. open space, including an ongoing tabulation of required open space and ix. detailed drawing showing the location and application of deviations.

Open Space:

Zoning Resolution Z-13-020 B. Conditions: 15. Requires open space provided per Exhibit H. Exhibit H indicates that required open space for Miromar Lakes will be met within Miromar Lakes and that required open space will be calculated on the development area excluding the existing mining lakes. In addition, required open space for residential users must provide 40% common open space for tracts requiring open space. The exemptions from the open space requirements include single family lots with minimum lot size of 6,500 square feet and a maximum 45% lot coverage, duplex lot with minimum lot size of 7,500 square feet and a maximum 45% lot coverage, or two family attached lot minimum lot size of 3,750 square feet and a maximum 45% lot coverage.

The FPA approved zoning resolution allows minimum lot sizes of 5,500 square feet (s.f.) with maximum lot coverage of 55%. Although the proposed FPA depicts lots sizes ranging from 10,900± s.f. to 41,000± s.f. the plans continue to request the allowed maximum 55% lot coverage; therefore, 40% open space is required. The FPA depicts the minimum 40% open space is to be provided through on-site lake #3 (excluding the existing mining lake #6), general open space and single family lots which meets zoning resolution requirements.

Additional Deviations:

ADD2015-00070 FPA is being reviewed concurrently to address deviation requests to increase limits of allowable harden shoreline on the recreation lake, harden shoreline adjacent to single family residential uses, and the reduction in lake bank slopes where turf reinforcement mat and rip rap is used within the entire Miromar Lakes development. These deviation requests are all applicable to this project's shoreline as depicted on the Miromar Peninsula FPA.

ADD2015-00070 requests to deviate from LDC Section 10-418(3) which requires hardened shoreline structures may comprise up to 20 percent of an individual lake shoreline; to allow up to 65% of the shoreline on the developed portions of the north and south recreational lakes within the Miromar Lakes community at the time of this application to address the continued erosion of the shoreline. The Peninsula Miromar Phase IV plan depicts rip rap linear footage and location and required compensatory littoral areas B & C square footage and location consistent with ADD2015-00070 plans. The applicant would like to maintain the option to utilize turf reinforcement mats (non-harden shoreline) on a portion of the shoreline but has requested the worst case scenario as part of the deviation. Environmental staff recommends regardless of whether turf reinforcement mat or rip rap is proposed compensatory littoral areas are to be installed and planted per ADD2015-00070 approvals.

ADD2015-00070 requests to deviate from LDC Section 10-418(3) which prohibits the use of harden shoreline adjacent to single family uses; to allow for the placement of rip rap adjacent to single family lots. The Peninsula Miromar Phase IV plan depicts proposed rip rap adjacent to single family lots 1- 22 and 34-56.

ADD2015-00070 requests to deviate from LDC Section 10-329(d)(4) which requires lake banks to be sloped at a 6:1 ratio from the tip of bank to a water depth of two feet below the dry season water table; to allow 4:1 slopes where turf reinforcement mats are used or 2:1 slopes where rip rap is used. The Peninsula Miromar Phase IV provides typical cross sections to illustrate slopes if turf mats or rip rap is proposed. Environmental staff recommends that at the time of local development order if rip rap is proposed it must be consistent with the more detailed design specifications of ADD2015-00070. If turf reinforcement mats are proposed then the turf reinforced lake bank cross sections must depict at minimum 1-gallon littorals installed at a minimum 2-feet on centers, from a minimum 2-feet below control to 4-feet above control as enhancements required by LDC Section 329(d)(4).

If the ADD2015-00070 deviations move forward with an approval Environmental staff recommends the following conditions to ensure the Miromar Peninsula Phase IV shoreline is consistent with the Miromar Lakes overall lake shoreline plan:

Development order plans must depict compensatory littoral areas are to be installed and planted per ADD2015-00070 approvals regardless of whether turf reinforcement mat or rip rap is proposed.

Development order landscape plans must depict any proposed rip rap shoreline to be consistent with the more detailed design specifications of ADD2015-00070. If turf reinforcement mats are proposed then the turf reinforced lake bank cross sections must depict at minimum 1-gallon littorals installed at a minimum 2-feet on centers, from a minimum 2-feet below control to 4-feet above control.

Attachment "E"

ADMINISTRATIVE AMENDMENT (FPA) ADD2014-00102

ADMINISTRATIVE AMENDMENT LEE COUNTY, FLORIDA

WHEREAS, Miromar Lakes, LLC., filed an application for Final Zoning Plan Approval to a Mixed Use Planned Development (MPD) on a project known as The Peninsula Phase IV at Miromar Lakes to allow:

1. Final Plan Approval for a 48-multi-family and 37-single-family detached unit subdivision known as the Peninsula Phase IV at Miromar Lakes; and
2. Deviation #1 from LDC Sec. 10-328(a) which prohibits lake maintenance easements from being located within the limits of a platted single-family residential lot, to allow for lake maintenance easements within the limits of the platted single-family lots within the subject tract;
3. Deviation #2 from LDC Sec. 10-329(d)(4) which requires lake banks to be sloped at a 6:1 ratio from the top of bank to a water depth of two feet below the dry season water table, to allow for a minimum ratio of 4:1 where turf reinforcement mat is proposed, and a minimum ratio of 2:1 where rip-rap shoreline is proposed; and
4. Deviation #3 from LDC Sec. 34-1744(b)(2)(a)(i) which allows a maximum height of 3 feet for fences or walls located between a street right-of-way or easement and the minimum required street setback line, to allow for a maximum height of 8 feet for decorative fences and walls located at the entry to residential dwelling units for Lots 23 through 37; and
5. Deviation #4 from LDC Sec. 10-418(3) which allows riprap revetments or other similar hardened shoreline structures to comprise up to 20% of an individual lake shoreline, but cannot be used adjacent to single-family residential uses, to allow for riprap to be adjacent to single-family residential uses within lots 10, 11, 16, 17, and 37.
6. Deviation #5 from LDC Sec. 10-261 which requires the provision of container space for refuse and solid waste disposal (216 square feet for the first 25 units plus 8 square feet for each additional unit) for multi-family development, to allow for curb-side pick-up of solid waste and recycling for the multi-family residential units within the project.

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

Exhibit "A".

WHEREAS, the property was rezoned in case number Z-99-029 with subsequent amendments per zoning resolutions Z-02-072, Z-06-064, Z-10-019, 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 Use Planned Development (MPD)/Development of Regional Impact (DRI) is a +/- 1,800-acre mixed use project approved for 250,000 square feet of retail uses, 340,000 square feet of office uses, 40,000 square feet of industrial/research and development uses, 450 hotel rooms, 650 boat slips, 2,600 residential units, recreational facilities and preserve areas; and

WHEREAS, Condition 1.c. of Z-13-020 requires Final Plan Approval prior to the issuance of a local development order for the parcel development that includes vertical (structural) development; and

WHEREAS, the applicant is seeking Final Plan approval for a 38-acre tract known as the Peninsula IV at Miromar Lakes including 48 multi-family units and 37 single-family detached units and associated infrastructure; and

WHEREAS, the proposal includes a master site plan and five additional deviation requests, (also see Attachment "C") as follow:

1. Deviation from LDC Sec. 10-328(a) which prohibits lake maintenance easements from being located within the limits of a platted single-family residential lot, to allow for lake maintenance easements within the limits of the platted single-family lots within the subject tract;
2. Deviation from LDC Sec. 10-329(d)(4) which requires lake banks to be sloped at a 6:1 ratio from the top of bank to a water depth of two feet below the dry season water table, to allow for a minimum ratio of 4:1 where turf reinforcement mat is proposed, and a minimum ratio of 2:1 where rip-rap shoreline is proposed; and
3. Deviation from LDC Sec. 34-1744(b)(2)(a)(i) which allows a maximum height of 3 feet for fences or walls located between a street right-of-way or easement and the minimum required street setback line, to allow for a maximum height of 8 feet for decorative fences and walls located at the entry to residential dwelling units for Lots 23 through 37; and
4. Deviation from LDC Sec. 10-418(3) which allows riprap revetments or other similar hardened shoreline structures to comprise up to 20% of an individual lake shoreline, but cannot be used adjacent to single-family residential uses, to allow for riprap to be adjacent to single-family residential uses within lots 10, 11, 16, 17, and 37.

5. Deviation from LDC Sec. 10-261 which requires the provision of container space for refuse and solid waste disposal (216 square feet for the first 25 units plus 8 square feet for each additional unit) for multi-family development, to allow for curb-side pick-up of solid waste and recycling for the multi-family residential units within the project.

WHEREAS, the proposed Final Plan Approval and deviation requests have been reviewed by Lee County Department of Community Development's Environmental Sciences and Development Services staff Attachments "D" and "E"; and

WHEREAS, the deviation requests enhance the objectives of the planned development, and preserves and promotes the general intent of the LDC to protect the public health, safety and welfare; and

WHEREAS, the subject plans and deviation requests are consistent with the approved zoning resolutions and Development of Regional Impact (DRI) as amended, 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

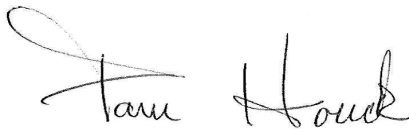
WHEREAS, it is found that the proposed amendment does not increase density or intensity within the development; does not decrease buffers or open space required by the LDC; does not underutilize public resources or infrastructure; does not reduce total open space, buffering, landscaping or preservation areas; and does not otherwise adversely impact on surrounding land uses.

NOW, THEREFORE, IT IS HEREBY DETERMINED that the application for Final Zoning Plan Approval to the Mixed Use Planned Development (MPD) for the Peninsula Phase IV at Miromar Lakes, for a 48 multi-family and 37 single-family dwelling unit subdivision and five additional deviation requests, is **APPROVED with the following conditions:**

1. **The Development must be in substantial compliance with the 2-page Final Plan Approval: Peninsula Phase IV at Miromar Lakes, by Waldrop Engineering per (Attachment "A").**
2. **Any development which is not consistent with the final site plan approved herein and attached hereto, will require an additional, amended final plan approval.**
3. **Final Zoning Plan ADD2014-00102 is hereby APPROVED and adopted. A reduced copy is attached hereto.**

4. **Deviation # 5 is approved with the following two conditions:**
 - A. **The development must provide written approval from the franchise waste hauler that curb-side pickup will be acceptable.**
 - B. **Receptacles for solid waste and recycling for residential units must be otherwise in compliance with Lee County Solid Waste Ordinance #11-27.**
5. **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 8/15/2014

BY: 

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

Exhibit "A" – Approved Legal, Sketch & Survey.

Attachment "A" – Cover Sheet & Master Site Plan.

Attachment "B" – Rip Rap Exhibit.

Attachment "C" - Schedule of Deviations & Justifications/Project Narrative.

Attachment "D" – Environmental Sciences Staff Report.

Attachment "E" – Development Services Staff Comments.