

ADMINISTRATIVE AMENDMENT (FPA) ADD2016-00206

**ADMINISTRATIVE AMENDMENT
LEE COUNTY, FLORIDA**

WHEREAS, Miromar Lakes LLC, Mike Elgin filed an application for Final Zoning Plan Approval to a Mixed Use Planned Development (MPD) on a project known as Sardinia at Miromar Lakes for 8 residential single-family units and related infrastructure on property located on the south side of Miromar Lakes Parkway west of Via Savona Court described more particularly as:

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

ATTACHED AS EXHIBIT "A"

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

WHEREAS, the property was originally rezoned in case number Z-99-029 with subsequent amendments in case numbers Z-02-072, Z-06-064, Z-10-019, Z-12-004, Z-13-020 and ADD2015-00209; 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, Resolution Z-13-020 requires, as a prerequisite to approval of any local Development Order, an approved Final Zoning Plan (FPA) that specifies the type, intensity and configuration of development for the particular site; 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 (FPA) for a 3.58-acre tract for 8 residential single-family dwelling units and related infrastructure (Attachment "A"); and

WHEREAS, Administrative Amendment ADD2015-00209 included Final Plan Approval for 40 multi-family units within two buildings with 5 stories over parking (65 feet maximum building height) on the subject property (Attachment "D"); and

WHEREAS, the applicant is no longer seeking multi-family development on this subject property; and

WHEREAS, approval of this request will supersede ADD2015-00209; and

WHEREAS, with the addition of the single-family units on the subject property the subject property does not have to provide additional open space due to lots meeting lot size (Attachment "B"); and

WHEREAS, the applicant has provided for adequate buffering, landscaping, plantings and other improvements (Attachment "B") generally consistent with the Land Development Code and Zoning Resolution Z-13-020; and

WHEREAS, the applicant is also utilizing Deviation 7 per Zoning Resolution Z-13-020 relating to access and use of brick pavers (Attachment "C"); and

WHEREAS, the applicant requests a new deviation from LDC Sec. 34-1954(b)(2) to allow "dry models" on site without sanitary sewer and potable water utilities; and

WHEREAS, the applicant makes a case the developer will be able to show the potential buyers examples of different unoccupied homes prior to certification of sanitary sewer and potable water services are available; and

WHEREAS, the applicant makes a case that Miromar Lakes operates a sales center at the entrance to Miromar Lakes for visitors to visit rest rooms; and

WHEREAS, staff has reviewed the deviation requests and find that the planned development will be enhanced and that the intent of such regulations to protect health, safety and welfare will be served; and

WHEREAS, Environmental and Development Services staff have reviewed the request and had no objections; 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 subject application and plans have been reviewed for compliance with the MCP and all of the conditions approved by Resolution Z-13-020, as subsequently amended; 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 a Mixed Use Planned Development (MPD) on a project known as Sardinia at Miromar Lakes for 8 residential single-family dwelling units and related infrastructure on +/- 3.58 acres on property is **APPROVED with the following conditions:**

1. The Development must be in substantial compliance with the Final Plan Approval: Site Plan 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. 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 Zoning Manager 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.
4. This approval supersedes ADD2015-00209 per Attachment "D".
5. Deviation #7 is approved with the following condition per Z-13-020: "The structural number of the proposed alternative cross-section will be equal or exceed the structural number of a "standard" Class A local road flexible pavement cross-section."
6. A deviation from LDC Sec. 34-1954(b)(2) is approved with the following conditions:
 - a. Use of dry models is limited to single-family development consistent with the Final Plan Approval: Site Plan per Attachment "A".
 - b. Each model home within this development must have a floor plan that is distinctly different from other model homes within the development, per LDC Sec. 34-1954(b)(4).
 - c. Dry models are limited to two in locations to be determined at time of permitting.

Duly passed, adopted, and electronically signed on 1/6/2017 by

Audra Ennis, Zoning Manager
Lee County Community Development

Exhibit "A" – Approved Legal Description

Attachment "A" –Site Plan (Final Plan Approval)

Attachment "B" – Environmental Staff Report

Attachment "C" – Applicant's Cover Letter

Attachment "D" – ADD2015-00209 Positano at Miromar Lakes

SUPERSEDED BY ADD2016-00206A DATED 4/3/17

EXHIBIT A

STRAP NUMBER

13-46-25-L1-08OS1.DDCE

REVIEWED
ADD2016-00206
Jessica Leatherman
Planner
Lee County DCD
1/6/2017

SUPERSEDED BY ADD2016-00206A DATED 4/3/17

ALICO RD.

THREE OAKS PKWY

BEN HILL GRIFFEN PKWY

PROJECT LOCATION

F.G.C.U.

INVESTATE 75

SUPERSEDED BY MOD 2016-00206A DATED 4/3/17

N

12-46-25-L4-08001.0000
12-46-25-L1-08002.0000
13-46-25-L1-080S1.00CE
13-46-25-L1-080L1.00CE

OPEN SPACE	
OPEN SPACE	AREA (ACRES)
GOLF COURSE	218.96
PHASE I	61.72
PHASE II	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
VAVALDI	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 Ac.	0
BEACH COTTAGES	3.31
PENINSULA PHASE III	6.16
PENINSULA PHASE IV	16.33
UNIVERSITY VILLAGE PH I	24.74
LAKE SHORE STABILIZATION	0
TRACT M--M	1.90
POSITANO	1.60
TEMPORARY BOAT STORAGE FACILITY	0.92
RESORT VILLAGE PHASE 1	53.52
SARDINIA	1.27
TOTAL	464.31 AC.

BOAT DOCK HISTORY		
<u>SINGLE FAMILY SUBDIVISIONS</u>	BOAT SLIPS APPROVED	BOAT SLIPS PROPOSED
VERONA LAGO	55	0
CAPRINI GREENS/BELLAMARE	18	0
ISOLA BELLA	13	0
CASTELLI & ANACAPRI	17	0
VOLTERRA	12	0
COSTA AMALFI (BEACH COTTAGES)	9	0
ORFENITO (EAST 100 AC.)	11	0
PORTOFINO (EAST 100 AC.)	20	0
MURANO (EAST 100 AC.)	19	0
NAVONA (PENINSULA PH III)	18	0
SALERNO (PENINSULA PH III)	10	0
SALERNO (PENINSULA PH IV)	22	0
ESTATE LOTS (PENINSULA PH IV)	0	0
VILLA LOTS (PENINSULA PH IV)	0	0
TRACT M-M	0	0
POSITANO	0	0
RESORT VILLAGE - PHASE 1	0	0
SARDINIA	0	8
TOTAL	235	8
<u>ANCILLARY (250 MAXIMUM)</u>	BOAT SLIPS APPROVED	BOAT SLIPS PROPOSED
BEACH CLUB PH I	13	0
BEACH CLUB PH II	13	0
BEACH CLUB PH III	13	0
VIVALDI	18	0
MIRASOL BEACH PH 1&2	18	0
BELLINI	18	0
RAVENNA	60	0
THE PENINSULA PH IV	16	0
	169	0
<u>TOTAL PROPOSED & APPROVED ANCILLARY SLIPS</u>		169
<u>TOTAL REMAINING ANCILLARY SLIPS</u>		81

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.

AN ADDITIONAL 250 (MAXIMUM) ANCILLARY SLIPS FOR WET BOAT STORAGE ARE ALLOWED ON THE LAKE.

LEE COUNTY, FLORIDA



I:\2016\2016087\MIROMAR LAKES\Aerial SETS\VP1\02-AER.dwg Job: 1408-02 Aerial Photograph Dec 06, 2016 - 3:17pm

LETTER	REVISIONS	DATE

MIROMAR LAKES, LLC.
SARDINIA AT MIROMAR LAKES

LEE COUNTY, FLORIDA

DESIGNED BY C.L.K.	DATE 01/15
DRAWN BY C.L.K./J.K.H.	DATE 01/15
CHECKED BY C.L.K.	DATE 01/15
VERTICAL SCALE N/A	HORIZONTAL SCALE 1"=60'



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

AERIAL PHOTOGRAPH

SEC 13 TWP 46 RNG 25

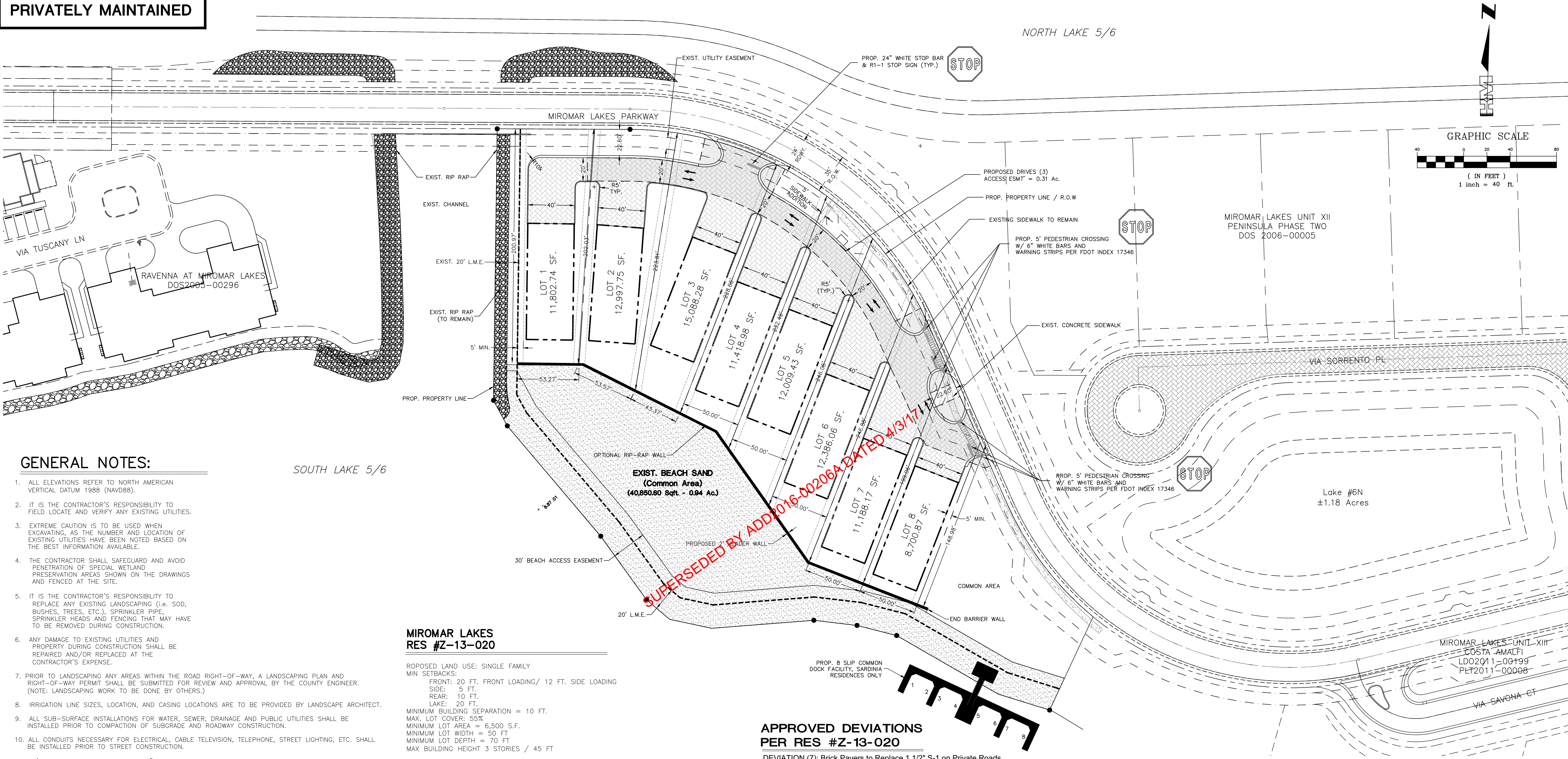
THESE DRAWINGS ARE NOT
APPROVED UNLESS SIGNED
AND SEALED BELOW :

CHARLES L. KREBS
FLORIDA PROFESSIONAL ENGINEER
REGISTRATION #56835
DATE _____

CAD FILE NAME: 16087-AER	DRAWING NO.: 1406-02
PROJECT NO.: 2016.087	SHEET NO.: 2 of 3

ALL STREETS TO BE PRIVATELY MAINTAINED

SECTION 13, TOWNSHIP 46 SOUTH, RANGE 25 EAST



GENERAL NOTES:

- ALL ELEVATIONS REFER TO NORTH AMERICAN VERTICAL DATUM 1988 (NAVD88).
- IT IS THE CONTRACTOR'S RESPONSIBILITY TO FIELD LOCATE AND VERIFY ANY EXISTING UTILITIES.
- EXTREME CAUTION IS TO BE USED WHEN EXCAVATING, AS THE NUMBER AND LOCATION OF EXISTING UTILITIES HAVE BEEN NOTED ON THE BEST INFORMATION AVAILABLE.
- THE CONTRACTOR SHALL SAFEGUARD AND AVOID PENETRATION OF SPECIAL WETLAND PRESERVATION AREAS SHOWN ON THE DRAWINGS AND FENCED AT THE SITE.
- 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.
- ANY DAMAGE TO EXISTING UTILITIES AND PROPERTY DURING CONSTRUCTION SHALL BE REPAIRED AND/OR REPLACED AT THE CONTRACTOR'S EXPENSE.
- PRIOR TO LANDSCAPING ANY AREAS WITHIN THE ROAD RIGHT-OF-WAY, A LANDSCAPING PLAN AND RIGHT-OF-WAY PERMIT SHALL BE SUBMITTED FOR REVIEW AND APPROVAL BY THE COUNTY ENGINEER. (NOTE: LANDSCAPING WORK TO BE DONE BY OTHERS.)
- IRRIGATION LINE SIZES, LOCATION, AND CASING LOCATIONS ARE TO BE PROVIDED BY LANDSCAPE ARCHITECT.
- ALL SUB-SURFACE INSTALLATIONS FOR WATER, SEWER, DRAINAGE AND PUBLIC UTILITIES SHALL BE INSTALLED PRIOR TO COMPACTION OF SUBGRADE AND ROADWAY CONSTRUCTION.
- ALL CONDUITS NECESSARY FOR ELECTRICAL, CABLE TELEVISION, TELEPHONE, STREET LIGHTING, ETC. SHALL BE INSTALLED PRIOR TO STREET CONSTRUCTION.
- 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
- 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.
- ALL WATER MAINS AND SEWAGE FORCE MAINS ON THIS PROJECT ARE TO BE C-900 CLASS 150 PVC PIPE; EXCEPT UNDER PAVEMENT WHERE DUCTILE IRON PIPE SHALL BE USED, AND IS TO EXTEND AT LEAST 5' PASSED THE PAVED AREAS.
- PIPE JOINT DEFLECTIONS SHALL NOT EXCEED ONE HALF OF THE MANUFACTURER'S SPECIFICATIONS. FITTINGS SHALL BE USED WHERE DEFLECTIONS EXCEED ALLOWABLE PIPE JOINT DEFLECTION.
- MODEL HOMES SHALL BE ALLOWED Z-13-020
- CONTRACTOR TO PROVIDE GEOTECHNICAL REPORT SHOWING A MINIMUM 95 PERCENT OF THE MAXIMUM DRY DENSITY (MODIFIED PROCTOR) FOR EMBANKMENTS THAT WILL SUPPORT STRUCTURES & 90 PERCENT OF THE MAXIMUM DRY DENSITY (MODIFIED PROCTOR) FOR OTHER EMBANKMENTS IN ACCORDANCE WITH ASTM D1557
- NO ADVERSE IMPACTS TO EXISTING GROUND AND/OR SURFACE WATER
- NO ADVERSE IMPACTS TO FLOOD PLAINS OR RIVERINE AREAS
- THE PROPOSED IMPROVEMENTS ARE CONSISTENT WITH THE LEE PLAN

SOUTH LAKE 5/6

MIROMAR LAKES RES #Z-13-020

PROPOSED LAND USE: SINGLE FAMILY MIN SETBACKS:
FRONT: 20 FT. FRONT LOADING/ 12 FT. SIDE LOADING
SIDE: 5 FT.
REAR: 10 FT.
LAKE: 20 FT.
MINIMUM BUILDING SEPARATION = 10 FT.
MAX. LOT COVER: 55%
MINIMUM LOT AREA = 6,500 S.F.
MINIMUM LOT WIDTH = 50 FT
MINIMUM LOT DEPTH = 70 FT
MAX BUILDING HEIGHT 3 STORIES / 45 FT

OPEN SPACE

PER ZONING RES Z-13-20
REQUIRED OPEN SPACE
SINGLE-FAMILY UNITS - N/A

ZONING RES. Z-13-20

APPROVED S.F. UNITS -	700	APPROVED M.F.-FAMILY	= 1,900
D.O. APPROVED M.F. UNITS	= 533	REVISD PER THIS APPLICATION	= 1,096
THIS APPLICATION -	8	TOTAL S.F. APPROVED	= 1,056
TOTAL S.F. APPROVED -	541		

PARKING CALCULATIONS

34-2020 REQUIRED PARKING
PHASE 1 SINGLE-FAMILY 2 SPACES PER UNIT
8 PROPOSED UNITS X 2 SPACES PER UNIT = 16 SPACES
TOTAL REQ'D = 16 SPACES REQUIRED
TOTAL PRV'D = 16 SPACES PROVIDED 2 SPACES PER HOME SITE

TOTAL REFUSE/SOLID WASTE DISPOSAL AREA REQ'D:
(per Lee County Land Development Code Sec. 10-261(a))

Phase 1 Single Family Units - N/A

APPROVED DEVIATIONS PER RES #Z-13-020

DEVIATION (7): Brick Pavers to Replace 1 1/2" S-1 on Private Roads

REQUESTED DEVIATION:

- Deviation from LDC 34-1954(b)(2) to allow dry models.

LANDSCAPE NOTES:

PER LDC SEC 10-416(d)(3) HAS NO BUFFER REQUIREMENT FOR SINGLE FAMILY AGAINST RIGHT-OF-WAY.

GENERAL SITE LAND USE

USE	AREA	ACREAGE	PERCENTAGE
RESIDENTIAL LOTS			
BUILDINGS	= 32,000.0	= 0.73 Ac.	20.39 %
DRIVES / DRIVEWAYS	= 29,235.6	= 0.67 Ac.	18.72 %
GREEN AREA	= 39,715.5	= 0.91 Ac.	25.42 %
OPEN SPACE			
BEACH AREA	= 40,850.6	= 0.94 Ac.	26.25 %
COMMON AREA	= 14,190.9	= 0.33 Ac.	9.22 %
PROJECT AREA	= 3.58 Ac.		

GENERAL DEVELOPMENT NOTE:

- BASED ON THE SFWMD GENERAL PERMIT #36-03568-P AND THE U.S.D.A. SOIL CONSERVATION SERVICE SOIL SURVEY OF LEE COUNTY, FLORIDA. IT IS ANTICIPATED THAT THIS SITE MAY BE USED SAFELY FOR BUILDING PURPOSES, WITHOUT UNDUE DANGER FROM FLOOD OR ADVERSE SOIL OR FOUNDATION CONDITIONS. SUBJECT TO PROPERLY ENGINEERED AND CONSTRUCTED CORRECTIVE MEASURES, INCLUDING BUT NOT LIMITED TO SITE FILL, DRAINAGE WATER MANAGEMENT AND SEWAGE DISPOSAL FACILITIES.

LEGEND

- ACCESS ESMT' AREA
- PROPOSED BEACH
- BRICK PAVERS
- SIDEWALK
- PROP. CONC/STONE WALL

NOTE: CONCRETE PAVERS TO BE INSTALLED IN ACCORDANCE WITH FDOT SECTION 526 DEVELOPER HAS THE OPTION OF USING BRICK PAVES (ASTM C902) OR CONCRETE PAVERS (ASTM C936)

LETTER	REVISIONS	DATE
1		
2		
3		
4		

MIROMAR LAKES, LLC.
SARDINIA AT MIROMAR LAKES

LEE COUNTY, FLORIDA

DESIGNED BY C.L.K.	DATE 11/16
DRAWN BY C.L.K./J.K.H.	DATE 11/16
CHECKED BY C.L.K.	DATE 11/16
VERTICAL SCALE N/A	HORIZONTAL SCALE 1"=40'

H.M.
HOLE MONTES
ENGINEERS-PLANNERS-SURVEYORS

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

MASTER CONCEPT PLAN

THESE DRAWINGS ARE NOT APPROVED UNLESS SIGNED AND SEALED BELOW :	CAD FILE NAME: 16087-MCP	DRAWING NO.: 1406-03
CHARLES L. KREBS FLORIDA PROFESSIONAL ENGINEER REGISTRATION #56835 DATE	PROJECT NO.: 2016.087	SHEET NO.: 3 of 3



Department of Community Development
Zoning Division
Environmental Review

MEMORANDUM

Date: December 12, 2016
To: Anthony Palermo, Senior Planner
From: Beth Workman, Environmental Planner
239.533.8793
EWorkman@leegov.com
Subject: Sardinia at Miromar Lakes
ADD2016-00206

Environmental Sciences (ES) Zoning staff has reviewed the Final Plan Approval with the two proposed deviations that pertain to ES zoning staff review.

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 development 3.58 acre portion of the Miromar Lakes Sardinia development located at the eastern portion. Per zoning resolution Z-13-020 condition 1c, "the developer must obtain Final Plan Approval (FPA) when parcel development includes vertical (structural) development or when further deviations are requested. If 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 Miromar Lakes Sardinia, the developer is requesting to add eight single family homes. There are no environmental issues and the open space is in compliance with the zoning and the LDC.

ATTACHMENT "B"



6200 Whiskey Creek Drive • Fort Myers, Florida 33919 • Phone 239.985.1200 • Fax: 239.985.1259

December 13, 2016

Mr. Tom Sawtell
Development Review Representative
Lee County Development Services
Department of Community Development
1500 Monroe Street
Fort Myers, FL

**RE: Sardinia at Miromar Lakes
FINAL PLAN APPROVAL
HM Project #2016.087**

ATTACHMENT "C"
SUPERSEDED BY ADD2016-00206A DATED 4/3/17

Dear Mr. Sawtell:

Hole Montes, Inc. is pleased to submit this application for Final Plan Approval for Sardinia at Miromar Lakes as required by Resolution Z-13-020. This request is for the approval of a 3.58 ac. parcel of land that is to be developed into eight (8) single-family homes.

The following approved deviations are requested as part of this development:

- Deviation #7 – Brick Pavers to replace 1.5 inches of S-1 on Private Roads.
- Deviation from LDC 34-195(1)(2) to allow dry models. Miromar operates a sales center adjacent to their main entrance. The use of dry models allows the developer to show potential buyers examples of different home styles prior to the certification of sanitary sewer and portable water utilities. The models will not be continuously occupied.

The filing fee of \$1,000.00 is included with this submittal. If you have any questions or need further information, please do not hesitate to contact me at 239-985-1200.

Very truly yours,
HOLE MONTES, INC.

Charles L. Krebs, PE
Associate / Project Manager

CLK/jlt

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ATTACHMENT "D"

ADMINISTRATIVE AMENDMENT (FPA) ADD2015-00209

ADMINISTRATIVE AMENDMENT LEE COUNTY, FLORIDA

WHEREAS, Positano Investment of SWFL, LLC. filed an application for Final Plan Approval (FPA) for a Mixed Used Planned Development (MPD) on a project known as Positano at Miromar Lakes for approval of 40 multi-family units within two buildings with 5 stories over parking (65 feet maximum building height), with open space areas and related infrastructure on property located on Miromar Lakes Parkway, Fort Myers, FL. described more particularly as:

LEGAL DESCRIPTION: In Section 12, Township 46 South, Range 25 East, Lee County, Florida:

ATTACHED AS EXHIBIT "A"

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

WHEREAS, the property was originally rezoned in case number Z-99-029 (with subsequent amendments in case number Z-02-012, Z-06-064, Z-10-019, Z-12-004 and 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, Resolution Z-13-020 (Attachment "D") requires, as a prerequisite to approval of any local Development Order, an approved Final Zoning Plan (FPA) that specifies the type, intensity and configuration of development for the particular site; 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 (FPA) for a 3.58-acre tract known as Tract N-N Positano at Miromar Lakes including 40 multi-family units within two buildings with 5 stories over parking (65 feet maximum building height), with open space areas and related infrastructure (Attachment "A"); and

WHEREAS, the Property Development Regulations per Z-13-020 permit a maximum building height of 65 feet for multi-family buildings within this location within Miromar Lakes; and

WHEREAS, the applicant has provided the required 40% open space for this proposed development; and

WHEREAS, the proposal includes utilization of Deviation 7 approved per Zoning Resolution Z-13-020 to permit the use of brick pavers on private roads within Miromar Lakes (Attachment "B"); and

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

WHEREAS, the deviation request – as conditioned – enhances 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 application and plans have been reviewed for compliance with the MCP and all of the conditions approved by Resolution Z-13-020; 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 FPA 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 Plan Approval (FPA) to the Mixed Use Planned Development (MPD) for approval of 40 multi-family units within two buildings with 5 stories over parking (65 feet maximum building height), with open space areas and related infrastructure is **APPROVED with the following conditions:**

1. The Development must be in substantial compliance with the Final Plan Approval: Site Plan 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. Deviation #7 per Zoning Resolution Z-13-020 is approved with the following conditions:
 - A. The proposed stone/concrete wall must be removed from the lake maintenance easement prior to Development Order approval.
 - B. A structural equivalency analysis for the pavers vs. asphalt must be submitted with the Development Order application.
 - C. The parking layout underneath the building must be provided with the Development Order application.
4. 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 Zoning Manager 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, adopted, and electronically signed on 1/12/2016 by

Pam Houck, Zoning Manager
Department of Community Development

Exhibit "A" - Approved Legal Description

Attachment "A" – Final Plan Approval - Site Plan

Attachment "B" – Narrative/Cover Letter

Attachment "C" – Environmental Staff Comments

Attachment "D" – Zoning Resolution Z-13-020

SUPERSEDED BY ADD2016-00206A DATED 4/3/17

LEGAL DESCRIPTION

APPROVED
ADD2015-00209
Chick Jakacki, Planner
Lee Co Division of Zoning
1/6/2016

LEGAL DESCRIPTION

A PARCEL LOCATED IN SECTIONS 12 AND 13, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS

COMMENCING AT THE NORTHWEST CORNER OF TRACT "B-1", ALSO BEING A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF MIROMAR LAKES PARKWAY, AS SHOWN ON THE PLAT OF MIROMAR LAKES UNIT XIII - COSTA AMALFI, AS RECORDED IN INSTRUMENT NUMBER 2008000338718 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA,
 THENCE ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF MIROMAR LAKES PARKWAY AS SHOWN ON THE PLAT OF MIROMAR LAKES UNIT XI - PENINSULA, AS RECORDED IN INSTRUMENT NUMBER 2006000456819 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA ALSO BEING A CURVE TO THE RIGHT, HAVING A RADIUS OF 267 50 FEET, AT A BEARING OF N 02°46'11"W THEREFROM, THROUGH A CENTRAL ANGLE OF 42°16'30", SUBTENDED BY A CHORD OF 192 92 FEET, AT A BEARING OF N 71°37'56"W , FOR AN ARC LENGTH OF 197 37 FEET, TO THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED,
 THENCE LEAVING SAID SOUTHERLY RIGHT-OF-WAY LINE RUN S 24°58'23"W FOR A DISTANCE OF 88 59 FEET, THENCE RUN N 72°42'39"W FOR A DISTANCE OF 46 40 FEET, THENCE RUN N 60°02'04"W FOR A DISTANCE OF 100 92 FEET, THENCE RUN N 76°42'05"W FOR A DISTANCE OF 35 24 FEET, THENCE RUN N 83°17'45"W FOR A DISTANCE OF 37 43 FEET, THENCE RUN S 85°31'29"W FOR A DISTANCE OF 88 28 FEET, THENCE RUN N 77°51'56"W FOR A DISTANCE OF 37 00 FEET, THENCE RUN N 49°48'31"W FOR A DISTANCE OF 26 13 FEET, THENCE RUN N 35°46'15"W FOR A DISTANCE OF 67 33 FEET, THENCE RUN N 40°16'06"W FOR A DISTANCE OF 124 52 FEET, THENCE RUN N 28°28'33"W FOR A DISTANCE OF 24 95 FEET, TO THE SOUTHEAST CORNER OF THE PARCEL DESCRIBED IN INSTRUMENT NUMBER 2008000269233 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, THENCE RUN N 00°46'49"E FOR A DISTANCE OF 233 82 FEET TO THE NORTHEAST CORNER OF SAID PARCEL, ALSO BEING A POINT ON SAID SOUTHERLY RIGHT-OF-WAY LINE OF SAID MIROMAR LAKES PARKWAY, THENCE ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF MIROMAR LAKES PARKWAY, AS SHOWN ON THE PLAT OF MIROMAR LAKES UNIT XI - PENINSULA, AS RECORDED IN INSTRUMENT NUMBER 2006000456819 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA THE FOLLOWING FOUR (4) DESCRIBED COURSES

- 1) THENCE RUN S 89°44'39"E FOR A DISTANCE OF 114 39 FEET, TO THE BEGINNING OF A TANGENTIAL CIRCULAR CURVE TO THE RIGHT
- 2) THENCE ALONG SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 282 50 FEET, AT A BEARING OF S 00°15'21"W THEREFROM, THROUGH A CENTRAL ANGLE OF 66°03'12", SUBTENDED BY A CHORD OF 307 94 FEET, AT A BEARING OF S 56°43'03"E , FOR AN ARC LENGTH OF 325 68 FEET,
- 3) THENCE RUN S 23°41'27"E FOR A DISTANCE OF 165 64 FEET, TO THE BEGINNING OF A TANGENTIAL CIRCULAR CURVE TO THE LEFT,

THENCE ALONG SAID CURVE TO THE LEFT, HAVING A RADIUS OF 267 50 FEET, AT A BEARING OF N 66°18'33"E THEREFROM, THROUGH A CENTRAL ANGLE OF 26°48'14", SUBTENDED BY A CHORD OF 124 00 FEET, AT A BEARING OF S 37°05'34"E , FOR AN ARC LENGTH OF 125 14 FEET, TO THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED

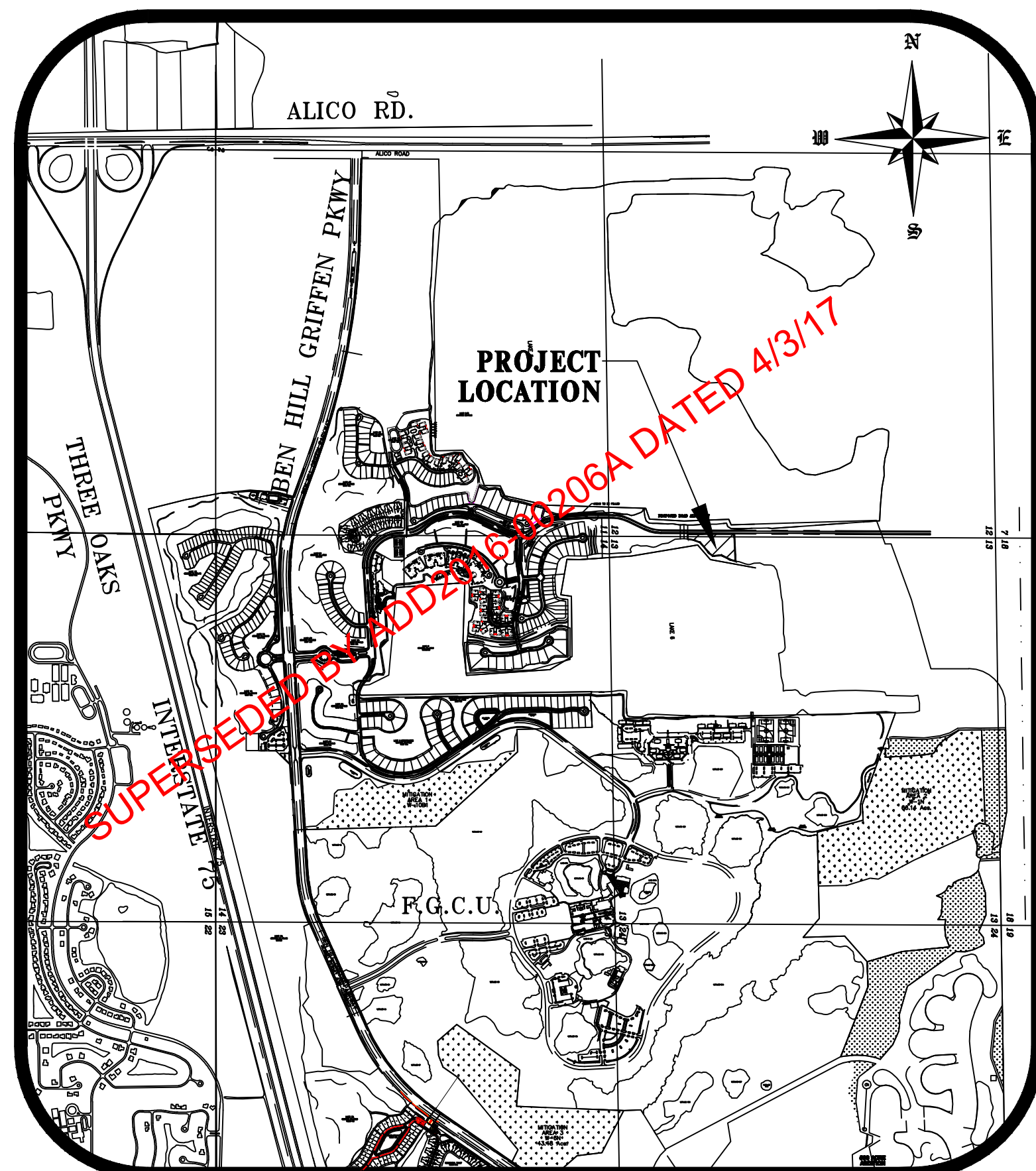
CONTAINING 155,991 SQUARE FEET OR 3 58 ACRES, MORE OR LESS

BEARINGS SHOWN HEREON REFER TO THE WESTERLY RIGHT-OF-WAY LINE OF MIROMAR LAKES PARKWAY, AS BEING S 23°41'27" E

APPROVAL HISTORY				
LEE COUNTY NUMBER	TRACT	DATE	TYPE	QUANTITY
Z-99-029	MIROMAR LAKES	9/29/1999	RESOLUTION	N/A
ADD2000-00110	PHASE 1	7/27/2000	SINGLE FAMILY	11 UNITS
ADD2000-00111	PHASE 1	7/27/2000	SINGLE FAMILY	30 UNITS
ADD2000-00117	PHASE 2	7/31/2000	SINGLE FAMILY	51 UNITS
ADD2000-00161	GOLF MAINT.	12/19/2000	COMMERCIAL	7500 S.F.
ADD2000-00191	TEMP CLUBHOUSE	1/8/2001	COMMERCIAL	6,500 S.F.
ADD2001-00018	VALENCIA	5/24/2001	MULTI. FAMILY	80 UNITS
ADD2001-00085	TRACT M & N	9/17/2001	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	6/28/2002	MULTI-FAMILY	60 UNITS
ADD2002-00077	MED. VILLAGE	8/5/2002	SINGLE FAMILY	33 UNITS
ADD2002-00168	CAPRINI GREENS	12/17/2002	SINGLE FAMILY	27 UNITS
ADD2003-00028	VAVALDI	4/4/2003	MULTI-FAMILY	60 UNITS
ADD2003-00047	GOLF CLUBHOUSE	5/14/2003	RECREATION	5.45 ACRES
Z-02-072	MIROMAR LAKES	12/15/2003	RESOLUTION	N/A
ADD2003-00151	CAPRINI GREENS MOD	12/18/2003	ADMEND. TO ADD2002-00168	
ADD2004-00033	SAN MARINO	7/21/2004	MULT-FAMILY	160 UNITS
ADD2004-00042	MIRASOL ACCESS	4/2/2004	ACCESS	5.07 ACRES
ADD2004-00045	C1/C2 ACCESS	4/2/2004	ACCESS	1.02 ACRES
ADD2004-00054	PORTO ROMANO	5/11/2004	SINGLE FAMILY	55 UNITS
ADD2004-00070	MIRASOL RESIDENTIAL	7/27/2004	MULTI-FAMILY	120 UNITS
ADD2004-00074	CAPRINI GREENS MOD	4/21/2004	ADMEND. TO ADD2002-00168	
ADD2004-00176	MIRASOL ACCESS MOD	11/17/2004	ADMEND. TO ADD2004-00042	
ADD2004-00177	CASTELLI & ANACAPRI	12/3/2004	SINGLE FAMILY	18 UNITS
ADD2004-00223	MONTEBELLO	01/10/2005	MULTI-FAMILY	120 UNITS
ADD2004-00253	VOLTERRA & BELLINI	4/25/2005	SINGLE FAMILY/MULTI-FAMILY	72 UNITS
ADD2005-00134	MIRASOL PHASE 2	8/2/2005	MULTI-FAMILY	120 UNITS
ADD2005-00190	RAVENNA	3/31/2006	MULTI-FAMILY	60 UNITS
ADD2006-00004	BEACH CLUB PH. 2	3/13/2006	RECREATION	7.67 ACRES
ADD2006-00002	MIROMAR LAKES PKWY EXTENSION	3/13/2006	ACCESS	133.08 ACRES
ADD2006-00009	EAST 100 Ac.	4/10/2006	SINGLE FAMILY	51 UNITS
Z-06-064	MIROMAR LAKES	10/16/2006	RESOLUTION	N/A
ADD2008-00130	BEACH COTTAGES	12/5/2008	SINGLE FAMILY	16 UNITS
ADD2008-00144	SORRENTO LME MOD.	4/1/2009	ADMEND. TO ADD2006-00009	
ADD2009-00026	COSA AMALFI MOD.	4/16/2009	ADMEND. TO ADD2008-00130	
ADD2009-00026	COSA AMALFI MOD	3/8/2010	ADMEND. TO ADD2009-00026	
Z-10-019	MIROMAR LAKES	10/16/2006	RESOLUTION	N/A
Z-12-004	MIROMAR LAKES	10/16/2006	RESOLUTION	N/A
ADD2012-00110	PENINSULA PHASE III	5/16/2012	SINGLE FAMILY	28 UNITS
ADD2014-00102	PENINSULA PHASE IV	8/15/2014	SF / MF	28/48 UNITS
ADD2014-00175	COSTA AMALFI MOD.	10/27/2014	ADMEND. TO ADD2008-00130	
ADD2014-00213	UNIVERSITY VILLAGE PH. 1	PENDING	MIXED USE	168 MF UNITS 75,000 S.F.
ADD2015-00070	LAKE SHORELINE STABILIZATION	10/6/2015	RECREATIONAL	RIP RAP TO 65%
ADD2015-00079	TRACT M-M	07/14/2015	SINGLE FAMILY	12 UNITS

FINAL PLAN APPROVAL
FOR
POSITANO
AT MIROMAR LAKES
LEE COUNTY, FLORIDA

DATE: DECEMBER 2015



PROPERTY LOCATION MAP
N.T.S.

STRAP NOS. 13-46-25-00-00001.0010
13-46-25-00-00001.0020

OPEN SPACE	
OPEN SPACE	AREA (ACRES)
GOLF COURSE	218.96
PHASE I	61.72
PHASE II	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
VAVALDI	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 Ac.	0
BEACH COTTAGES	3.31
PENINSULA PHASE III	6.16
PENINSULA PHASE IV	16.33
UNIVERSITY VILLAGE PH I	24.74
LAKE SHORE STABILIZATION	0
TRACT M-M	1.90
POSITANO	1.60
TOTAL	408.60

BOAT DOCK HISTORY		
SINGLE FAMILY SUBDIVISIONS		
VERONA LAGO	BOAT SLIPS APPROVED	BOAT SLIPS PROPOSED
CAPRINI GREENS/BELLAMARE	18	0
ISOLA BELLA	13	0
CASTELLI & ANACAPRI	17	0
VOLTERRA	12	0
COSTA AMALFI (BEACH COTTAGES)	9	0
SORRENTO (EAST 100 AC.)	11	0
PORTOFINO (EAST 100 AC.)	20	0
MURANO (EAST 100 AC.)	19	0
NAVONA (PENINSULA PH III)	18	0
SALERNO (PENINSULA PH III)	10	0
SALERNO (PENINSULA PH IV)	22	0
ESTATE LOTS (PENINSULA PH IV)	0	0
VILLA LOTS (PENINSULA PH IV)	0	0
TRACT M-M	0	0
POSITANO	0	0
TOTAL	235	0
ANCILLARY (250 MAXIMUM)		
BEACH CLUB PH I	BOAT SLIPS APPROVED	BOAT SLIPS PROPOSED
BEACH CLUB PH II	13	0
BEACH CLUB PH III	13	0
VIVALDI	18	0
MIRASOL BEACH PH 1&2	18	0
BELLINI	18	0
RAVENNA	60	0
THE PENINSULA PH IV	16	0
TOTAL	169	0
TOTAL PROPOSED & APPROVED ANCILLARY SLIPS		169
TOTAL REMAINING ANCILLARY SLIPS		81
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.		

PREPARED FOR:

POSITANO INVESTMENT OF SWFL, LLC.

CONTACT PERSON: GUSTAVO A. PARPAL - V.P.
10471 VIA LOMBARDIA COURT
FT. MYERS, FL 33913
PH (239) 209-1082

Attachment "A"

PREPARED BY:



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

THESE DRAWINGS ARE NOT
APPROVED UNLESS SIGNED
AND SEALED BELOW :

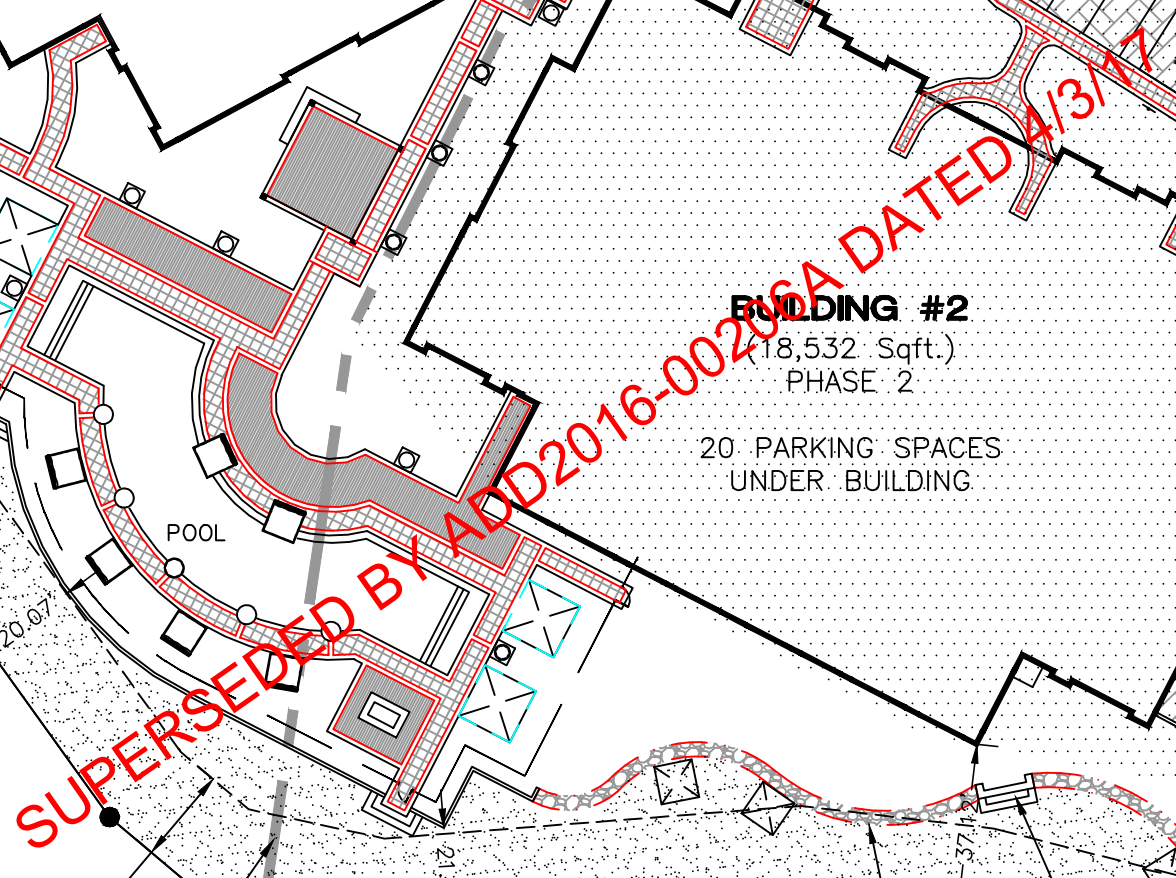
DRAWING NO. 1368
PROJECT NO. 14.099

POSITANO
AT MIROMAR LAKES
LEE COUNTY, FLORIDA

DATE
REVISIONS

THESE DRAWINGS ARE NOT
APPROVED UNLESS SIGNED
AND SEALED BELOW :

DRAWING NO. 1368
PROJECT NO. 14.099



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 REPAIR ANY EXISTING LANDSCAPING (i.e. 500' BUSHES, TREES, ETC.) DAMAGED DURING CONSTRUCTION. REMOVAL 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. PRIOR TO LANDSCAPING ANY AREAS WITHIN THE RIGHT-OF-WAY, A LANDSCAPING PLAN AND RIGHT-OF-WAY PERMIT SHALL BE SUBMITTED FOR REVIEW AND APPROVAL BY THE COUNTY ENGINEER.
(NOTE: LANDSCAPING WORK TO BE DONE BY OTHERS.)
8. IRRIGATION LINE, SIZE, LOCATION, AND CASING LOCATIONS ARE TO BE PROVIDED BY LANDSCAPE ARCHITECT.
9. ALL SUB-SURFACE INSTALLATIONS FOR WATER, SEWER, DRAINAGE AND PUBLIC UTILITIES SHALL BE INSTALLED PRIOR TO COMPLETION OF SUBGRADE AND ROADWAY CONSTRUCTION.
10. ALL CONDITIONS NECESSARY FOR ELECTRICAL, CABLE TELEVISION, TELEPHONE, STREET LIGHTING, ETC. SHALL BE INSTALLED PRIOR TO STREET CONSTRUCTION.
11. 10' HORIZONTAL SEPARATION AND 18" VERTICAL SEPARATION TO BE MAINTAINED BETWEEN WATER MAIN AND 18" DRAINAGE MAN/SEWAGE GRAVITY MAIN. JOINTS TO BE EQUIVALENT AT CROSSING.

2. 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.
3. ALL WATER MAINS AND SEWAGE FORCE MAINS ON THIS PROJECT ARE TO BE C-900 CLASS 150 PVC PIPE, EXCEPT UNDER PAVEMENT WHERE DUCTILE IRON PIPE SHALL BE USED, AND IS TO EXTEND AT LEAST 5' PASTED THE PAVED AREAS.
4. PIPE JOINT DEFLECTIONS SHALL NOT EXCEED ONE HALF OF THE MANUFACTURER'S SPECIFICATIONS. FITTINGS SHALL BE USED WHERE DEFLECTIONS EXCEED ALLOWABLE PIPE JOINT DEFLECTION.

GENERAL DEVELOPMENT NOTE:

- 1) BASED ON THE SFWMD GENERAL PERMIT #36-03568-P AND THE U.S.D.A. SOIL CONSERVATION SERVICE SOIL SURVEY OF LEE COUNTY, FLORIDA, IT IS ANTICIPATED THAT THIS SITE MAY BE USED SAFELY FOR BUILDING PURPOSES, WITHOUT UNDUE DANGER FROM FLOOD OR ADVERSE SOIL OR FOUNDATION CONDITIONS. SUBJECT TO PROPERLY ENGINEERED AND CONSTRUCTED CORRECTIVE MEASURES, INCLUDING BUT NOT LIMITED TO SITE FILL, DRAINAGE WATER MANAGEMENT AND SEWAGE DISPOSAL FACILITIES.

APPROVED DEVIATIONS
PER RES #Z-13-020

DEVIATION (7): Brick Pavers to Replace 1 1/2" S-1 on Private Roads

GENERAL SITE LAND USE

USE	AREA	PERCENTAGE
BUILDINGS	= 0.86 Ac.	24.0%
DRIVES/ PARKING	= 0.68 Ac.	19.0%
SIDEWALKS/POOL DECK	= 0.44 Ac.	12.3%
LAKES AREA	= N/A	0%
OPEN SPACE	= 1.60 Ac.	44.7%
PROJECT AREA	= 3.58 Ac.	100%

PARKING CALCULATIONS

34-2020 REQUIRED PARKING
MULTI-FAMILY 2 SPACES PER UNIT
40 PROPOSED UNITS X 2 SPACES PER UNIT = 80 SPACES
+ NOTE: REQUIRED 10% ADDITIONAL FOR GUEST
80 SPACES X 10% = 8 SPACES
TOTAL REQ'D = 88 SPACES REQUIRED (84 STANDARD, 4 H/C)
TOTAL PRVD = 96 SPACES PROVIDED (92 STANDARD, 4 H/C)

PHASE NOTES

- PHASE 1) A. WATER, DRAINAGE, SANITARY, AND FIRE SERVICE FOR BUILDING #1.
B. ENTRANCES, PARKING LOT 13-48 & 20 SPACES UNDER BUILDING.
C. LANDSCAPING UP TO ENTRANCES / PHASE 1 LINE.
D. POOL DECK & SIDEWALKS TO PHASE 1 LINE.
- PHASE 2) A. WATER, DRAINAGE, SANITARY & FIRE SERVICES FOR BUILDING 2.
B. PARKING LOT SPACES 1-12, 49-50 & 20 SPACES UNDER BUILDING.
C. LANDSCAPING UP TO SECOND ENTRANCE / PHASE 2 LINE.
D. REMAINING SIDEWALKS TO PHASE 2 LINE.

LEGEND

	PHASE 2 IMPROVEMENTS		PROP. CONC./STONE WALL
	PROPOSED BEACH		
	BRICK PAVERS (Deviation #7)		
	SIDEWALK		

CAD FILE NAME:	DRAWING NO.:
14099DMSP	1368-05
PROJECT NO.:	SHEET NO.:
2014.099	5 of 12





6200 Whiskey Creek Drive, Fort Myers, Florida 33919 Phone: 239.985.1200 Fax: 239.985.1259

December 30, 2015

Attachment "B"

Mr. Ben Dickson
Acting Director
Lee County Department of Community Development
Development Services Division
1500 Monroe Street, 2nd Floor
Ft. Myers, Florida 33901

**RE: *Miromar Lakes*
 Tract N-N, Positano
 Final Plan Approval
 *HM Project No. 2014.099***

Dear Mr. Dickson:

Hole Montes, Inc. is pleased to submit this application for Final Plan Approval for Tract N – N, Positano at Miromar Lakes as required by Resolution Z-13-028. This request is for the approval of a 3.58 ac. parcel of land that is to be developed into 40 multi-family units within two (2) - 5 stories over parking buildings.

The following approved deviations are requested as part of this development.

- Deviation #7 – Brick Pavers to replace 1.5 inches of S-1 on Private Roads.

The filing fee of \$1000.00 is included with this submittal. If you have any questions, or require additional information, please contact me.

Very truly yours,

HOLE MONTES, INC.

A blue ink signature of Charles L. Krebs, P.E., written over the company name.

Charles L. Krebs, P.E.
Senior Project Manager/Associate

Dbm/clk
Enclosures
cc: Mike Elgin

**STAFF REPORT
FROM
DEPARTMENT OF COMMUNITY DEVELOPMENT
DIVISION OF ENVIRONMENTAL SCIENCES**

Attachment "C"

Date: January 8, 2016

To: Tony Palermo, Senior Planner

From: Beth Workman, Environmental Planner
Phone: (239) 533-8793
E-mail: EWorkman@leegov.com

Project: Positano at Miromar Lakes

Case: ADD2015-00209

STRAP: 12-46-25-00-00001.0010 & 13-46-25-00-00001.0020

The Division of Development Services (DS) staff has reviewed the Final Plan Approval as it pertains to buffering, landscape strips, and open space. DS staff offers the following analysis:

PARCEL HISTORY:

Miromar Lakes is an 1,800 acre parcel, zoned MRL (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 development is for a 3.58 acre portion of the Miromar Lakes development located in Tract N-N of the approved Master Concept Plan (MCP). Per zoning resolution Z-13-020 condition 1d, "the developer must obtain Final Plan Approval (FPA) when parcel development includes vertical (structural) development or when further deviations are requested. If 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 Positano at Miromar Lakes, the developer is requesting vertical construction so a FPA is required and one deviation to request to use brick pavers to replace 1.5 inches of S-1 on Private Roads. Condition 1d (vii and viii) requires that the FPA must include the open space, buffers, and landscape strips when vertical construction is proposed.

FINAL PLAN APPROVAL:

Per condition 1d of the Z-13-020, the applicant has provided the required 40% open space on the MCP. There are no buffer or landscape strip requirements for this phase. The Limited Development Order must provide the required landscaping per Chapter 10-416 of the LDC.

Therefore, the Peninsula Phase III at Miromar Lakes meets all the specific parameters required per the Z-13-020.

SUPERSEDED BY ADD2016-00206A DATED 4/3/17