

ADMINISTRATIVE AMENDMENT (PD) ADD2017-00091

ADMINISTRATIVE AMENDMENT  
LEE COUNTY, FLORIDA

WHEREAS, Carl Barraco, Barraco and Associates, Inc. filed an application for an administrative amendment to a Residential Planned Development and Commercial Planned Development for a project known as River Hall **to amend**:

- **Resolution Number Z-15-003, Condition 2.b., Minimum Setbacks, Single Family, Side Setbacks, and**
- **Resolution Number Z-05-051 (as amended by ADD2015-00069), Condition 2.b.i., Minimum Setbacks, Single Family**

**Both of which provide for specific side setbacks of 5 feet for single family homes, including the following qualifying statement:**

***Structures, including but not limited to, sidewalks, air conditioners, mechanical equipment, door stoops, walls, etc. may not be located within the required 5-foot side setback of each lot. Prior to issuance of Certificate of Occupancy on each lot, the Engineer of Record must certify that the drainage for each lot is built in compliance with the typical lot grading detail provided.***

**The intent of this request is to delete the qualifying statement.**

WHEREAS, the subject property is located within the River Hall development located along the south side of Palm Beach Boulevard, State Route 80, described more particularly as:

LEGAL DESCRIPTION: In Section Sec #35, Township T #43 South, Range R #26 East, Lee County, Florida:

ATTACHED AS EXHIBIT "A"

WHEREAS, the property was originally rezoned in case number Z-99-056 (with subsequent amendments in case number ADD2004-00067, ADD2004-00156, Resolution Number Z-05-051, ADD2005-00164, ADD2005-00219, ADD2006-00173, ADD2007-00063, ADD2007-00075, and ADD2015-00069, and Resolution Number Z-15-003); and

WHEREAS, the subject property is designated as Rural and Wetlands on the Future Land Use Map of the Lee County Comprehensive Plan; and

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

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

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

NOW, THEREFORE, IT IS HEREBY DETERMINED that the application for administrative approval for the following amendment to the Residential and Commercial Planned Development zoning is **APPROVED, subject to the following conditions:**

#### **AMENDMENTS:**

- Resolution Number Z-15-003, Condition 2.b., Minimum Setbacks, Single Family, Side Setbacks, and
- Resolution Number Z-05-051 (as amended by ADD2015-00069), Condition 2.b.i., Minimum Setbacks, Single Family

Both of which provide for specific side setbacks of 5 feet for single family homes, including the following qualifying statement:

*Structures, including but not limited to, sidewalks, air conditioners, mechanical equipment, door stoops, walls, etc. may not be located within the required 5-foot side setback of each lot. Prior to issuance of Certificate of Occupancy on each lot, the Engineer of Record must certify that the drainage for each lot is built in compliance with the typical lot grading detail provided.*

The intent of this request is to delete the qualifying statement.

#### **CONDITIONS:**

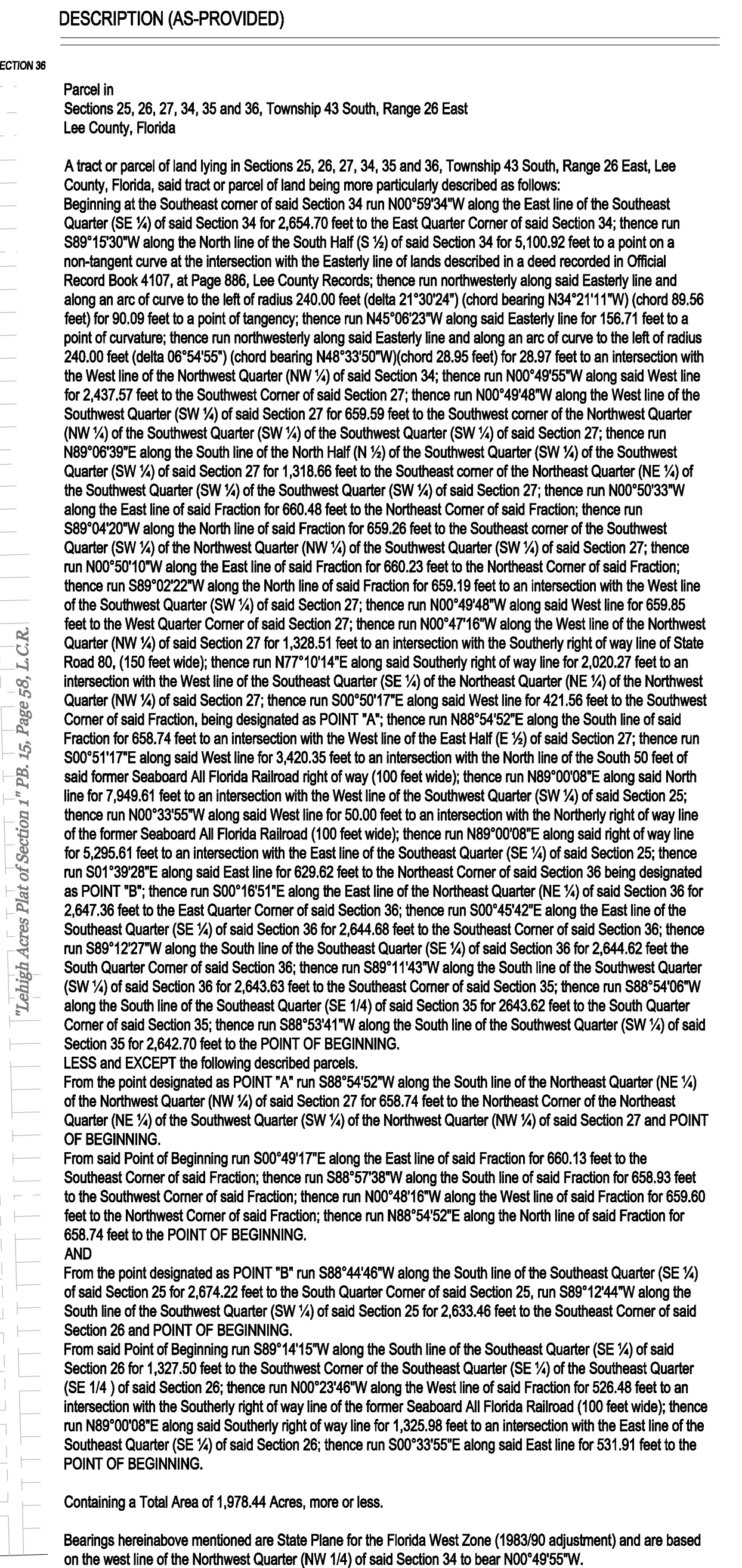
1. The terms and conditions of the original zoning resolutions remain in full force and effect, except as amended in this action.
2. There is no approved change to the approved Master Concept Plan within this planned development.
3. The required side setback for a Dwelling unit, single family is 5 feet. The qualifying statement has been deleted as follows:

~~Structures, including but not limited to, sidewalks, air conditioners, mechanical equipment, door stoops, walls, etc. may not be located within the required 5-foot side setback of each lot. Prior to issuance of Certificate of Occupancy on each lot, the Engineer of Record must certify that the drainage for each lot is built in compliance with the typical lot grading detail provided.~~

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 7/18/2017 by

Audra Ennis, Zoning Manager  
Lee County Community Development



**REVIEWED**  
**ADD2017-00091**  
**Daniel Munt, Planning**  
**Technician (GIS)**  
**Lee County DCD**  
**6/27/2017**

THIS SURVEY IS FOR THE BENEFIT OF:

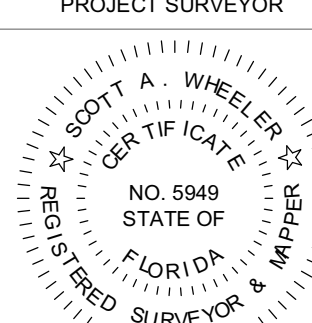
I HEREBY CERTIFY THAT A SURVEY WAS DONE UNDER MY DESCRIPTION AND MEETS THE MINIMUM TECHNICAL STANDARDS AS PER CHAPTER 610.17-FLA.C. CERTIFICATION IS ONLY FOR THE LANDS AS I DIRECTED. (IT IS NOT A CERTIFICATION OF TITLE, ZONING, EASEMENTS OR FREEDOM FROM ENCUMBRANCES. ABSTRACT NOT REVIEWED. SUBJECT TO EASEMENTS, RESTRICTIONS AND RESERVATIONS OF RECORD.

 Digitally signed by Scott A. Wheeler; PKCS#10  
Date: 2017.06.22 15:26:23 -0400

DATE SIGNED: \_\_\_\_\_

SCOTT A. WHEELER (FOR THE FIRM - LB-6040)  
PROFESSIONAL SURVEYOR AND MAPPER FLORIDA  
CERTIFICATE NO. 5946

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



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

|                |                                 |
|----------------|---------------------------------|
| FILE NAME      | 12188507.DWG                    |
| LAYOUT         | LAYOUT1                         |
| LOCATION       | 12188507.DWG(SURVEYING)         |
| PLOT DATE      | FRI. 2-4-2005 - 9:40 AM         |
| PLOT BY        | PETER OLSEN                     |
| DRAWINGS DATA  |                                 |
| SURVEY DATE    | 05-07-2004                      |
| DRAWN BY       | PFT                             |
| CHECKED BY     | SAW                             |
| SCALE          | 1"=400'                         |
| FIELD BOOK     | 89-96, 9411-22-29-41, 45, 972-5 |
| PLAN REVISIONS |                                 |
| 02-03-2005     | ADD DEAN PARCEL TO BOUNDARY     |
|                |                                 |
| STRAP NUMBERS  |                                 |
|                |                                 |



**Barraco and Associates, Inc.**  
CIVIL ENGINEERING - LAND SURVEYING  
LAND PLANNING - LANDSCAPE DESIGN

[www.barraco.net](http://www.barraco.net)

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FORT MYERS, FLORIDA 33902-2800  
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FAX (239) 461-3169

FLORIDA CERTIFICATES OF AUTHORIZATION  
ENGINEERING 7395 - SURVEYING L3-0940

PREPARED FOR



**LandMark GROUP, LLC**

2202 NORTH WEST SHORE BOULEVARD  
SUITE 125  
TAMPA, FLORIDA 33607

PHONE (813) 207-0138  
FAX (813) 784-6398

PROJECT DESCRIPTION

# HAWK'S HAVEN

PART OF SECTIONS 25, 26, 27,  
34, 35 AND 36  
TOWNSHIP 43 SOUTH  
RANGE 26 EAST  
LEE COUNTY, FLORIDA

## BOUNDARY SURVEY

PROJECT / FILE NO.

SHEET NUMBER

21868  
06-05-03

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