

ADMINISTRATIVE AMENDMENT (PD) ADD2018-00094

ADMINISTRATIVE AMENDMENT
LEE COUNTY, FLORIDA

WHEREAS, Quadrum Lakes Park, LLC filed an application for an administrative amendment to a Residential Planned Development and Commercial Planned Development on a project known as Avida (fka Oasis Cove). The applicant has requested a deviation from Land Development Code (LDC) 10-420 that requires trees to be installed at ten feet in height and shrubs installed at 48 inches in height to allow trees to be installed six feet in height and shrubs installed at 24 inches in height along a portion of the western buffer.

WHEREAS, the property is located 7778 Gladiolus Drive & 7661-7794 Calistoble Loope, described more particularly as STRAP Numbers 35-45-24-00-00015.0000 and 35-45-24-00-00014.0000

ATTACHED AS EXHIBIT "A"

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

WHEREAS, the property was originally rezoned in case number Z-10-009 (with subsequent amendments in case number ADD2016-00139, ADD2016-00011, ADD2017-00094); and

WHEREAS, the approved Master Concept Plan (MCP), dated June 8, 2010, stated that the existing wetlands along the western property line would be preserved to connect to the offsite wetlands to the west; and

WHEREAS, the buffer areas in between the wetlands are required to be provide a 15 foot wide buffer with ten trees per 100 linear feet and a double staggered hedge row installed at 48 inches in height and maintained at 60 inches in height; and

WHEREAS, the northern portion of this buffer will be provided per the MCP condition, however the southern portion of the western buffer cannot meet the tree and shrub material specifications due to the wetland conditions and retaining wall conflict in this area per Exhibit B; and

WHEREAS, the applicant has requested a deviation to allow six feet in height trees and 24 inches in height shrubs within the 609 linear feet of Alternate Buffer 2 per Exhibit B; and

WHEREAS, the applicant has provided a buffer enhancement that will provide 131 trees, 761 shrubs, and 2,116 groundcover within Alternate Buffer 2 per Exhibit B; and

WHEREAS, the buffer enhancement provides 69 more trees, 461 more shrubs, and adding 2,116 groundcover plants exceeding what was conditioned on the MCP; and WHEREAS, the development must be in substantial compliance with Exhibit B that illustrates the locations, the planting plan, and plant specifications for the amendment, and

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

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

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

NOW, THEREFORE, IT IS HEREBY DETERMINED that the application for administrative approval for an amendment to Residential Planned Development and Commercial Planned Development is **APPROVED**.

Approval is subject to the following conditions:

1. **Prior to development order approval, the western buffer must illustrate 131 trees installed at a height of six feet, 761 shrubs installed at a height of 24 inches, and 2,116 one gallon groundcover. All plant material must be salt tolerant and native species.**
2. **The Development must be in substantial compliance with Exhibit B, dated May 23, 2018. Exhibit B for ADD2018-00094 is hereby APPROVED and adopted. A reduced copy is attached hereto.**
3. **The terms and conditions of the original zoning resolutions remain in full force and effect.**
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 6/14/2018 by

Audra Ennis, Zoning Manager
Lee County Community Development

Attachments:

Exhibit A
Exhibit B

Exhibit A

SKETCH OF DESCRIPTION

OF A
PARCEL OF LAND
LYING IN

SECTION 35, TOWNSHIP 45 SOUTH, RANGE 24 EAST
LEE COUNTY, FLORIDA

DESCRIPTION

A PARCEL OR TRACT OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTION 34, TOWNSHIP 45 SOUTH, RANGE 24 EAST AND BEING FURTHER BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 35; THENCE S.88°56'00"W. ALONG THE NORTH LINE OF SAID FRACTION FOR 1322.88 FEET TO THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION; THENCE S.01°04'20"E. ALONG THE WEST LINE OF SAID FRACTION FOR 1151.81 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF GLADIOLUS DRIVE (COUNTY ROAD 865 - 199.02 FEET WIDE); THENCE N.89°37'57"E. ALONG SAID NORTHERLY RIGHT-OF-WAY LINE FOR 680.01 FEET TO AN INTERSECTION WITH A CURVE TO THE LEFT HAVING A RADIUS OF 1312.39 FEET AND TO WHICH POINT A RADIAL LINE BEARS S.04°33'41"E.; THENCE EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 9°06'31" FOR 208.64 FEET TO AN INTERSECTION WITH A CURVE HAVING A RADIUS OF 1307.39 FEET AND TO WHICH POINT A RADIAL LINE BEARS S.14°36'39"E.; THENCE EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 13°48'42" FOR 315.16 FEET; THENCE N.56°06'08"W. FOR 3.06 FEET; THENCE N.29°10'50"W. FOR 60.46 FEET; THENCE N.28°15'16"W. FOR 30.66 FEET; THENCE N.18°42'13"E. FOR 35.83 FEET; THENCE N.14°50'17"W. FOR 59.82 FEET; THENCE N.09°03'50"E. FOR 46.83 FEET; THENCE N.18°49'48"E. FOR 39.67 FEET; THENCE N.18°12'50"E. FOR 49.13 FEET; THENCE N.37°41'02"E. FOR 20.60 FEET; THENCE N.45°28'41"E. FOR 45.15 FEET; THENCE N.25°14'18"E. FOR 40.31 FEET; THENCE N.09°24'39"E. FOR 38.83 FEET; THENCE N.10°52'34"W. FOR 27.03 FEET; THENCE N.35°51'19"E. FOR 28.90 FEET; THENCE N.70°39'04"E. FOR 29.95 FEET; THENCE S.57°54'34"E. FOR 24.44 FEET; THENCE S.77°09'08"E. FOR 20.52 FEET TO THE EAST LINE OF SAID FRACTION; THENCE N.01°10'59"W. ALONG SAID EAST LINE FOR 554.86 FEET TO THE POINT OF BEGINNING.

BEARINGS ARE BASED ON THE EAST LINE OF THE NORTHWEST QUARTER OF SECTION 35 AS BEARING N.01°10'59"W.

PARCEL CONTAINS 32.54 ACRES, MORE OR LESS.

THIS IS NOT A SURVEY

Richard M. Ritz

RICHARD M. RITZ
REGISTERED LAND SURVEYOR
FLORIDA CERTIFICATION NO. 4009

— THIS SKETCH IS NOT VALID UNLESS IT BEARS THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA PROFESSIONAL SURVEYOR AND MAPPER

— PREPARED JANUARY 14, 2009, REVISED JUNE 29, 2016.

PREPARED BY:

Banks Engineering

ENGINEERING, SURVEYING & LAND PLANNING

10511 SIX MILE CYPRESS PARKWAY - SUITE 101

FORT MYERS, FLORIDA 33966

(239) 939-5490

FLORIDA SURVEYING BUSINESS CERTIFICATION NO. 6690

O.R. 1761, PG. 1263

POINT OF BEGINNING
NORTHEAST CORNER
NORTHWEST QUARTER
SECTION 35

NORTH LINE OF NORTHWEST QUARTER SECTION 35
S.88°56'00"W. 1322.88'

O.R. 3396
PG. 4662

NORTHWEST CORNER
NORTHEAST QUARTER
NORTHWEST QUARTER

REVIEWED
ADD2018-00094
Mike Laskowski, Planning
Technician
Lee County - DCD Planning
5/25/2018

O.R. 2687
PG. 564

WEST LINE OF NORTHWEST QUARTER SECTION 35
S.01°04'20"E. 1151.81'

O.R. 760
PG. 59

O.R. 760
PG. 58

FORMER I.D.D. CANAL "H"
(NOT OPEN OR IMPROVED)
RELEASED BY LEE COUNTY O.B. 2/7/11
PG. 432

NORTH RIGHT-OF-WAY LINE
N.89°37'57"E. 680.01'

GLADIOLUS DRIVE
(COUNTY ROAD 865)

S.04°33'41"E
RADIAL LINE

S.14°36'39"E
RADIAL LINE

N.70°39'04"E. 29.95'
N.35°51'19"E. 28.90'
N.10°52'34"W. 27.03'
N.09°24'39"E. 38.83'
N.25°14'18"E. 40.31'
N.37°41'02"E. 20.60'
N.45°28'41"E. 45.15'
N.18°12'50"E. 49.13'
N.18°49'48"E. 39.67'
N.09°03'50"E. 46.83'
N.14°50'17"W. 59.82'
N.18°42'13"E. 35.83'
N.28°15'16"W. 30.66'
N.56°06'08"W. 3.06'
N.29°10'50"W. 60.46'

EAST LINE NORTHWEST QUARTER SECTION 35
N.01°10'59"W. 554.86'

O.B. 2518
PG. 3165



1"=200'

LEGEND
O.R. OFFICIAL RECORDS BOOK
PG. PAGE
C1 CURVE DATA NUMBER

CURVE TABLE					
CURVE	RADIUS	DELTA	ARC	CHORD	CHORD BEARING
C1	1312.39'	09°06'31"	208.64'	208.42'	S 80°53'03" W
C2	1307.39'	13°48'42"	315.16'	314.40'	S 68°29'00" W
C3	1307.39'	07°21'30"	167.90'	167.79'	S 57°53'54" W

B:\Projects\541-01 Avida Senior Living\Drawings-Exhibits\541-01-E28 West Buffer Deviation Exhibit\Current Plans\541-01-E28.dwg
5/21/2018 2:38:16 PM

