

ADMINISTRATIVE AMENDMENT (PD) ADD2005-00120

ADMINISTRATIVE AMENDMENT
CITY OF BONITA SPRINGS

WHEREAS, James A. Bernet Estate c/o Development Associates filed an application for administrative approval to a Mixed Use Planned Development on a project known as Bernwood Commerce Center to reconfigure driveway access from Hunters Ridge Boulevard therefore an amendment to the Master Concept Plan on property located on the east side of Hunters Ridge Boulevard south of Bonita Beach Road, described more particularly as:

LEGAL DESCRIPTION: In Section 06, Township 46 South, Range 26 East, Lee County, Florida:

project known as D-75 Commerce Park to reconfigure Tract 1, Tract 2 and Lots 1 to 7

See Exhibit "A".

WHEREAS, the property was originally rezoned in case number 95-01-013.03Z (with subsequent amendments in case numbers 95-01-013.03Z 02.01 and ADD2001-00046); and

WHEREAS, the City of Bonita Springs 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 property is zoned Mixed Use Planned Development under Lee County Zoning Resolution Z-95-006 and; and

WHEREAS, the Master Concept Plan approved in Resolution Z-95-006 notes a 280 foot separation from Hunter's Ridge Court to Land Development Area #5; and

WHEREAS, the applicant has submitted for development order approval in case DOS2004-00344; and

WHEREAS, the driveway access places the access at 213 feet from Hunter's Ridge Court; and

WHEREAS, the access re-location will meet intersection separation for local roads and improves traffic circulation into and out of the subject property; and

WHEREAS, the subject application and plans have been reviewed by the Lee County Department of Community Development for the City of Bonita Springs 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 Mixed Use Planned Development is **APPROVED**.

1. The Development must be in compliance with the amended Master Concept Plan prepared by Q. Grady Minor and Associates, stamped received by the Permit Counter on June 7, 2005. Master Concept Plan for ADD2005-00120 is hereby **APPROVED** and adopted. A reduced copy is attached hereto.
2. Gated access is prohibited.
3. The terms and conditions of the original zoning resolutions remain in full force and effect, except as amended herein.

DULY SIGNED this 22nd day of December, A.D., 2005.

BY: _____



Pam Houck, Director
Division of Zoning
Department of Community Development

**LEGAL DESCRIPTION
GOVERNMENT LOTS 1 AND 2**

A PARCEL OF LAND LOCATED IN THE NORTH HALF OF THE NORTHEAST QUARTER OF SECTION 6, TOWNSHIP 48 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTHEAST CORNER OF SECTION 6, TOWNSHIP 48 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA; THENCE RUN S 01°04'54" E, ALONG THE EASTERLY LINE OF THE NORTHEAST QUARTER OF SAID SECTION 6, FOR A DISTANCE OF 140.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE S 01°04'54" E, ALONG SAID EASTERLY LINE, FOR A DISTANCE OF 1236.76 FEET TO A POINT ON THE SOUTHERLY LINE OF THE NORTH HALF OF THE NORTHEAST QUARTER OF SAID SECTION 6; THENCE RUN S 89°36'44" W, ALONG SAID SOUTHERLY LINE, FOR A DISTANCE OF 2615.90 FEET; THENCE RUN N 00°51'03" W, ALONG THE EASTERLY LINE OF ACCESS ROAD NO. 10, OF STATE ROAD NO. 93 (INTERSTATE 75), ALSO KNOWN AS HUNTERS RIDGE BOULEVARD, SAID LINE BEING 30.00 FEET EASTERLY AND PARALLEL TO THE WESTERLY LINE OF THE NORTHEAST QUARTER OF SAID SECTION 6, FOR A DISTANCE OF 1224.24 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF BONITA BEACH ROAD; THENCE RUN N 89°00'34" E, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, FOR A DISTANCE OF 498.06 FEET; THENCE CONTINUE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF BONITA BEACH ROAD FOR THE FOLLOWING COURSES; S 89°02'17" E FOR A DISTANCE OF 440.24 FEET, THENCE RUN N 89°00'34" E FOR A DISTANCE OF 1672.75 FEET TO THE POINT OF BEGINNING CONTAINING 73.62 ACRES, MORE OR LESS.

Applicant's Legal Checked

by *My* 21 JUNE 05

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JUN 20 2005

PERMIT COUNTER

ADD 2005-00120

36 31
1 6
N 89°05'12" E 2633.95'

INTERSTATE 75

INTERSTATE 75
(STATE ROAD No. 93)

HUNTERS RIDGE BOULEVARD

N 00°51'03" W
1348.92'

N 00°51'03" W
1224.24'

N 89°00'34" E
498.06'

S 89°02'17" E
440.24'

N 89°00'34" E
352.33'

N 89°00'34" E 2640.27'

BONITA BEACH ROAD

N 89°00'34" E 1672.75'

N 89°00'34" E 1320.42'

POINT OF COMMENCEMENT
IND. P.M. AND DSK
P.C.P. L.B. #1772
NORTHEAST CORNER OF SECTION 6-48-26

S 01°04'54" E
140.00'

POINT OF BEGINNING

BONITA GRANDE ROAD

S 01°04'54" E
1236.76'

TOTAL OVERALL AREA = 73.62 ACRES ±

A PORTION OF
GOVERNMENT LOT 2

S 89°36'44" W 1292.95'

S 89°36'44" W 2615.90'

S 89°36'44" W 1322.95'

N 01°04'54" W
1330.85'

HUNTERS RIDGE GOLF COURSE

N 00°51'03" W
1326.38'

PROPERTY DESCRIPTION

A PARCEL OF LAND LOCATED IN THE NORTH HALF OF THE NORTHEAST QUARTER OF SECTION 6, TOWNSHIP 48 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SECTION 6, TOWNSHIP 48 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA; THENCE RUN S 01°04'54" E, ALONG THE EASTERLY LINE OF THE NORTHEAST QUARTER OF SAID SECTION 6, FOR A DISTANCE OF 140.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE S 01°04'54" E, ALONG SAID EASTERLY LINE, FOR A DISTANCE OF 1236.76 FEET TO A POINT ON THE SOUTHERLY LINE OF THE NORTH HALF OF THE NORTHEAST QUARTER OF SAID SECTION 6; THENCE RUN S 89°36'44" W, ALONG SAID SOUTHERLY LINE, FOR A DISTANCE OF 2615.90 FEET; THENCE RUN N 00°51'03" W, ALONG THE EASTERLY LINE OF ACCESS ROAD NO. 10, OF STATE ROAD NO. 93 (INTERSTATE 75), ALSO KNOWN AS HUNTERS RIDGE BOULEVARD, SAID LINE BEING 30.00 FEET EASTERLY AND PARALLEL TO THE WESTERLY LINE OF THE NORTHEAST QUARTER OF SAID SECTION 6, FOR A DISTANCE OF 1224.24 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF BONITA BEACH ROAD; THENCE RUN N 89°00'34" E, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, FOR A DISTANCE OF 498.06 FEET; THENCE CONTINUE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF BONITA BEACH ROAD FOR THE FOLLOWING COURSES; S 89°02'17" E FOR A DISTANCE OF 440.24 FEET, THENCE RUN N 89°00'34" E FOR A DISTANCE OF 1672.75 FEET TO THE POINT OF BEGINNING CONTAINING 73.62 ACRES, MORE OR LESS.

NOTES

1. BEARINGS SHOWN HEREON REFER TO THE EASTERLY LINE OF THE NORTHEAST 1/4 OF SECTION 6, TOWNSHIP 48 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA; AS BEING S 01°04'54" E.
2. THIS PROPERTY IS SUBJECT TO EASEMENTS, RESERVATIONS OR RESTRICTIONS OF RECORD.
3. DIMENSIONS SHOWN HEREON ARE IN FEET AND DECIMALS THEREOF.

ADD 2005-00120
Applicant's Legal Checked
by *[Signature]* 21 JUNE 05

ADD 2005-00120

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JUN 07 2005
PERMIT COUNTER

Q. GRADY MINOR AND ASSOCIATES, P.A.
SIGNED 6/1/05

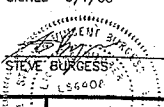
P.S.M. #6408
STATE OF FLORIDA

* NOT A SURVEY *

Revision	Date	Description	By

FIELD BOOK / PAGE
N/A
CREW CHIEF: N/A
DRAWN BY: SKR
APPROVED: SKR
SCALE: 1" = 150'

Q. GRADY MINOR AND ASSOCIATES, P.A.
CIVIL ENGINEERS • LAND SURVEYORS • PLANNERS
3800 VIA DEL REY
BONITA SPRINGS, FLORIDA 34134
PHONE: (239) 947-1144 FAX: (239) 947-0375
ENGINEERING CERTIFICATE OF AUTHORIZATION EB 0006161
SURVEYING CERTIFICATE OF AUTHORIZATION LB 0006161



STATE OF FLORIDA
SKETCH AND LEGAL
BERNWOOD PARK OF COMMERCE
SECTION 6, TOWNSHIP 48 SOUTH, RANGE 26 EAST,
LEE COUNTY, FLORIDA
DATE: JUNE 2005 PROJECT CODE: 880FG20 DRAWING NUMBER: C-700A

BERNWOOD PARK OF COMMERCE MPD/CPD

BERNWOOD ENTERPRISES, INC.
C/O DEVELOPMENT ASSOCIATES

LOCATED IN SECTION 6, TOWNSHIP 48 SOUTH, RANGE 26 EAST
BONITA SPRINGS, LEE COUNTY, FLORIDA

CONSULTANTS

DEVELOPMENT ASSOCIATES
POST OFFICE BOX 2129
BONITA SPRINGS, FLORIDA 33959

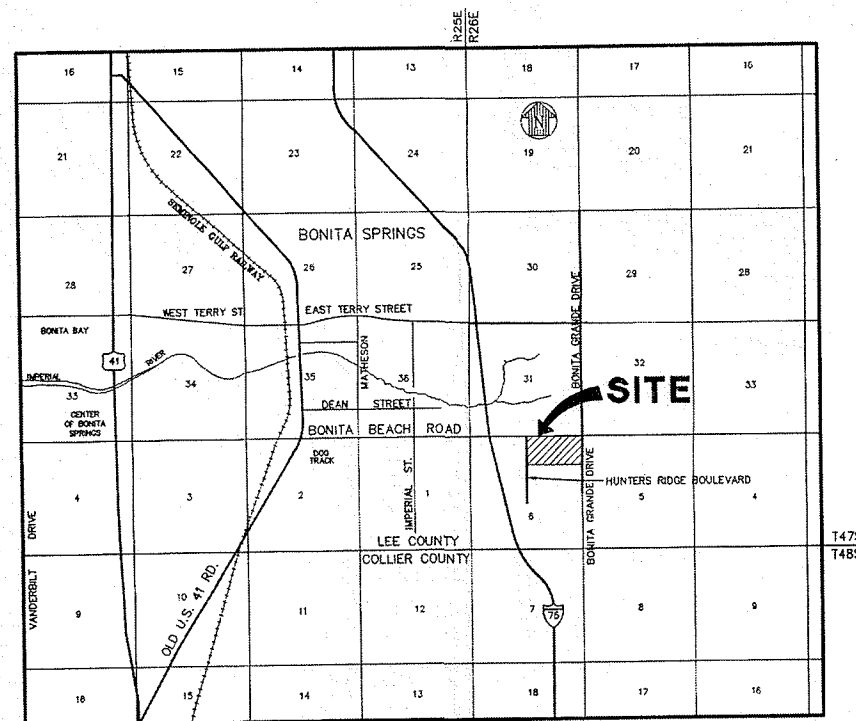
PAVESE, GARNER, HAVERFIELD, DALTON,
HARRISON & JENSEN
POST OFFICE DRAWER 1507
FORT MYERS, FLORIDA 33902

Q. GRADY MINOR AND ASSOCIATES, P.A.
3800 VIA DEL REY
BONITA SPRINGS, FLORIDA 33923

JOHNSON ENGINEERING, INC.
POST OFFICE BOX 1550
FORT MYERS, FLORIDA 33902

DAVID PLUMMER & ASSOCIATES, INC.
1531 HENDRY STREET
FORT MYERS, FLORIDA 33901

W.DEXTER BENDER & ASSOCIATES, INC.
1625 HENDRY STREET, SUITE 201
FORT MYERS, FLORIDA 33901



LOCATION MAP
N.T.S.

INDEX OF DRAWINGS

DWG. NO.	DESCRIPTION
1	COVER SHEET AND INDEX OF DRAWINGS
2	MASTER CONCEPT PLAN
3	VICINITY MAP, PROJECT IDENTIFICATION SIGN AND WALL
4	MPD DEVELOPMENT REGULATIONS AND DETAILS

APPROVED
Amendment to
Master Concept Plan
Subject to Case #ADD 2005-00120
Date 12/22/05

ADD 2005-00120

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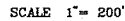
PRINTED

MAY 24 2005

Q. GRADY MINOR & ASSOCIATES, P.A.
CIVIL ENGINEERS-LAND SURVEYORS

FILE : B60INDX
DATE: JULY, 1994
DRAWING NUMBER 1 OF 4
REVISED JULY 7/94
REVISED FEBRUARY 15, 1995

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GOVERNMENT LOT 1 AND GOVERNMENT LOT 2, SECTION 6, TOWNSHIP 48 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA, LESS AND EXCEPT ACCESS ROAD NO. 10 (BERNHOLD FARMS ROAD) AND INTERSTATE 75 RIGHT-OF-WAY AS SHOWN ON STATE ROAD 93 (I-75) RIGHT-OF-WAY MAP, LEE COUNTY, FLORIDA, SECTION 12075-240 (SHEET 5), ALSO LESS AND EXCEPT EASEMENT AGREEMENT RECORDED IN O.R. 2139, PAGES 580 THRU 589, LEE COUNTY, FLORIDA.

LEE PLAN DESIGNATION : GENERAL INTERCHANGE,
URBAN COMMUNITY
ZONING DESIGNATION : AG-2, AGRICULTURE
EXISTING LAND USE : AGRICULTURE, PASTURE
PROPOSED ZONING DESIGNATION : MPD, MIXED PLANNED DEVELOPMENT (AREAS 1 THRU 5)
CPD OVERLAY (AREA 1)
MAXIMUM BUILDING HEIGHT : 45 FEET, 3 STORIES IN COMMERCIAL AND INDUSTRIAL
75 FEET, HOTEL
75 FEET, RPD
OPEN SPACE : SEE DRAWING 4 OF 4
REQUIRED PARKING : PROVIDED AT TIME OF DEVELOPMENT ORDER

1A. REQUIREMENT THAT ALL LOCAL AND ACCESS STREET RIGHTS-OF-WAY BE 45 AND 40 FEET WIDE RESPECTIVELY (SECTION 10-296, TABLE 3.) IQ 22 OR 26 FEET.

2. REQUIREMENT THAT ACCESS STREETS BE CONSTRUCTED PARALLELING CERTAIN ARTERIAL OR COLLECTOR STREETS (SECTION 10-283. (A) (1)) IQ REVERSE FRONTAGE ROAD .

3. REQUIREMENT THAT STREETS IN A PROPOSED DEVELOPMENT SHALL BE CONNECTED TO STREETS IN ADJACENT AREAS (SECTIONS 10-294 AND 10-295) IQ REQUIRE NO STUB-OUTS TO HUNTERS RIDGE SUBDIVISION.

4. REQUIREMENT THAT WEARING SURFACES FOR LOCAL AND ACCESS ROADS FOR CLASS A DEVELOPMENT SHALL BE 1-1/2 INCH ASPHALTIC CONCRETE OF FLORIDA DEPARTMENT OF TRANSPORTATION TYPE S-1 (SECTION 10-296/TABLE 4, (7)(C)) TO ALLOW FOR DECORATIVE PAVERS WITHIN THE PRIVATELY MAINTAINED INTERNAL ROADWAYS.

5. REQUIREMENT OF A MINIMUM 20 FOOT WIDE MAINTENANCE ACCESS EASEMENT ALONG THE LAKE PERIMETER (SECTION 10-328 (A)) IQ A 15 FOOT WIDE MAINTENANCE ACCESS EASEMENT AND ZERO (0) FOOT WIDE ACCESS EASEMENT ALONG THE SOUTHERN SIDE OF THE LAKE.

6. SECTION 10-329(E)(1) FROM THE REQUIRED 50 FOOT WATER RETENTION EXCAVATION SETBACK TO ANY PRIVATE PROPERTY LINE UNDER SEPARATE OWNERSHIP IQ 25 FEET.

7. REQUIREMENT OF EXCAVATION BANK SLOPES NO GREATER THAN 4:1 (SECTION 10-329(E)(4)) IQ PERMIT FORTY PERCENT (40%) OF BANKS TO UTILIZE VERTICAL BULKHEADS.

8. REQUIREMENT OF MINIMUM OF TWELVE (12) SHRUBS PER 100 LINEAL FEET MUST BE PLANTED IN EACH LANDSCAPE STRIP ADJOINING A STREET FROM COMMERCIAL AND INDUSTRIAL DEVELOPMENT (SECTION 10-415(B)) AND MINIMUM OF FIVE TREES AND EIGHTEEN (18) SHRUBS PER 100 LINEAL FEET MUST BE PLANTED IN EACH LANDSCAPE STRIP ADJOINING A STREET FOR MULTI-FAMILY DEVELOPMENTS (SECTION 10-415 (B)(2)) IQ NO SHRUBS AND:

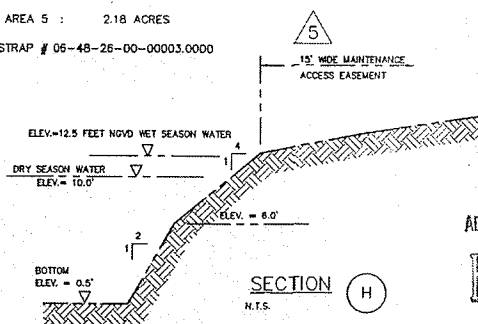
BONITA BEACH ROAD R/W - MASONRY COLUMNS AND METAL FENCE WITH 5 TREES PER 100 LINEAL FEET WITH A MINIMUM HEIGHT OF EIGHT (8) FEET.

HUNTERS RIDGE BOULEVARD - MASONRY COLUMNS AND METAL FENCE WITH 10 TREES PER 100 LINEAL FEET WITH A MINIMUM HEIGHT OF EIGHT (8) FEET.

BONITA GRANDE DRIVE - MASONRY COLUMNS AND METAL FENCE WITH 10 TREES PER 100 LINEAL FEET WITH A MINIMUM HEIGHT OF EIGHT (8) FEET.

<u>LAND USE</u>	<u>AREA</u>	<u>LIMITS</u>
HOTEL	1,2	95 UNITS
RESIDENTIAL	2,3	60 DU'S OR 240 PERSONS
COMMERCIAL	1,2,5	292,749 SQUARE FEET FLOOR AREA
INDUSTRIAL	1,2,5	373,222 SQUARE FEET FLOOR AREA
BUFFER	4	82,328 SQUARE FEET GROSS AREA

BONITA BEACH ROAD : 25' WDE , 5 TREES / 100 L.F.
BONITA GRANDE DRIVE : 25' WDE , 10 TREES / 100 L.F.
HUNTERS RIDGE BLVD. : 25' WDE , 10 TREES / 100 L.F.
SOUTH BOUNDARY : 25' WDE , 12 TREES, 25-4'SHRUBS
25-3' SHRUBS / 100 L.F.



ADD 2005-00120

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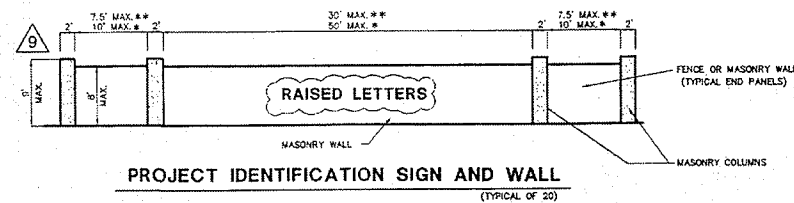
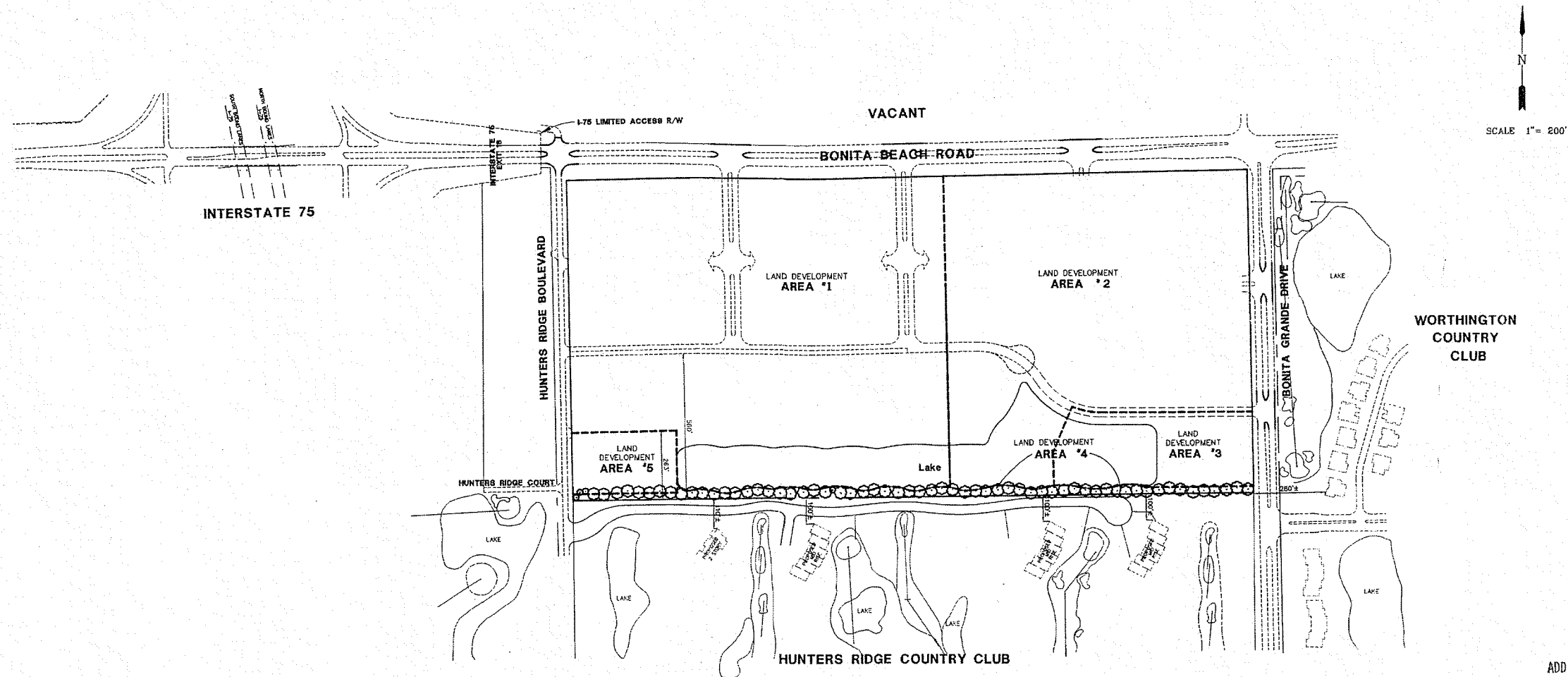
DEVELOPER

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3800 VIA DEL REY
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FILE: 180304
DATE: JUNE 1, 1994
DRAWING NUMBER: 2 OF 4
REVISED JULY 20, 1994, AUGUST 16, 1994
REVISED FEBRUARY 15, 1995, FEBRUARY 27, 1995
REVISED: 6/7/96 PER LEE COUNTY COMMENTS
REVISED: 5/16/05 PER LEE COUNTY COMMENTS

VICINITY MAP

BERNWOOD PARK OF COMMERCE MPD/CPD



PRINTED

MAY 24 2005

Q. GRADY MINOR & ASSOCIATES, P.A.
CIVIL ENGINEERS AND SURVEYORS

* TYPICAL OF 4 BOUNDARY MARKERS AT PROJECT CORNERS
** TYPICAL OF 16 AT PROJECT ENTRANCE

ADD 2005-00120

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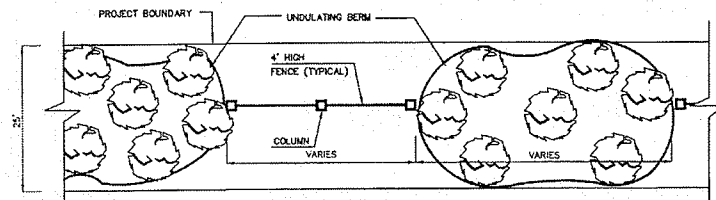
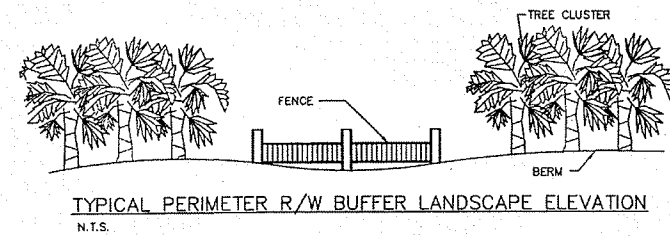
DEVELOPER

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2800 VIA DEL SOL
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FILE : 880-WC
DATE : JULY 1994
17" MINIMUM NUMBER : 3 OF 4
REVISED FEBRUARY 15, 1995
REVISED FEBRUARY 27, 1995

DEVELOPMENT REGULATIONS AND DETAILS BERNWOOD PARK OF COMMERCE MPD/CPD

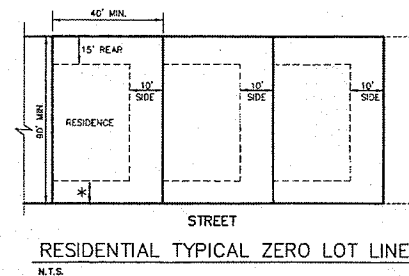
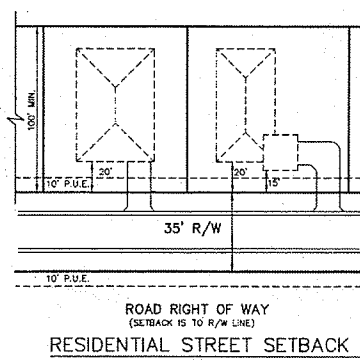
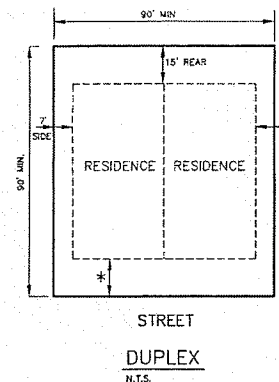
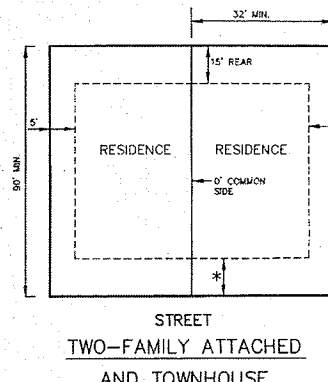
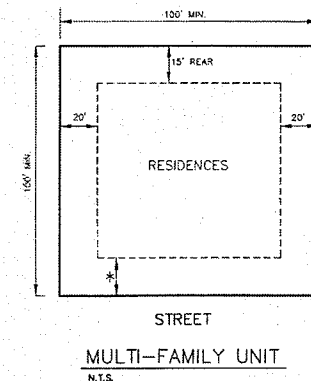
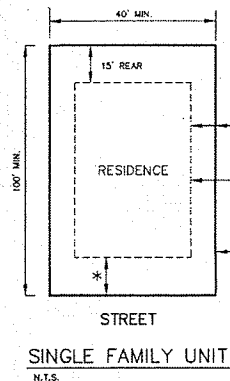
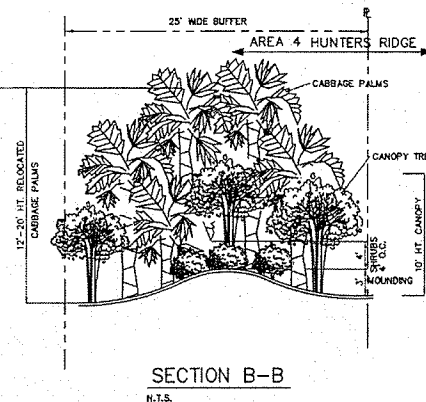
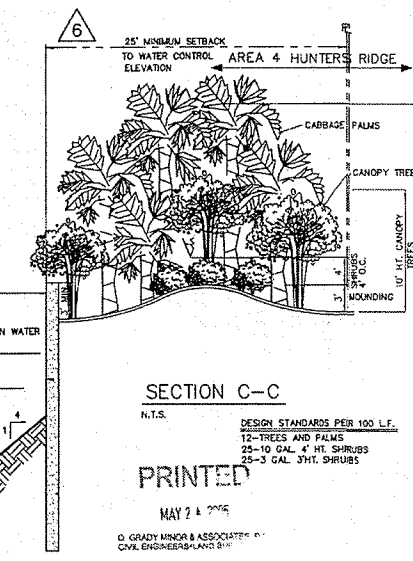
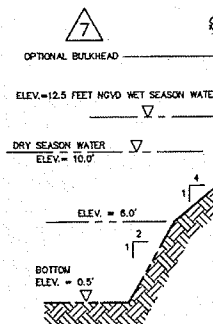


- NOTES:
- 5 TREES/100 L.F. ALONG BONITA BEACH ROAD.
 - 10 TREES/100 L.F. ALONG HUNTERS RIDGE BOULEVARD AND BONITA GRANDE DRIVE.
 - ALL TREES SHALL HAVE A MINIMUM HEIGHT OF 8 FEET AT TIME OF PLANTING WITH A MINIMUM 1 1/2" INCH CALIPER AS MEASURED 3 1/2 FEET ABOVE GRADE.
 - BERM HEIGHT UNDULATES WITH A MINIMUM HEIGHT 2.5 FEET AND MAXIMUM HEIGHT 5 FEET.

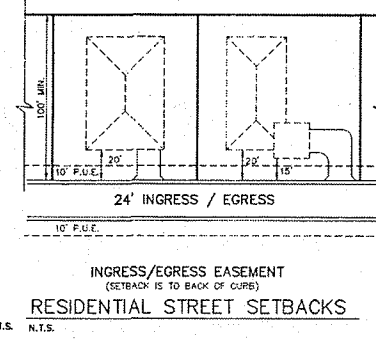
OPEN SPACE CALCULATIONS			
TYPE OF DEVELOPMENT	AREA	OPEN SPACE AS % OF DEVELOPMENT AREA	MAXIMUM CREDIT *
HOTEL	1.2	20% SMALL PROJECT 30% LARGE PROJECT	41%
RESIDENTIAL (S.F.) DETACHED OR TWO FAMILY DWELLING UNITS ERECTED ON INDIVIDUAL LOTS	2.3	NONE	N/A
OTHER RESIDENTIAL	2.3	35% SMALL PROJECT 40% LARGE PROJECT	41%
COMMERCIAL	1.2, 5	20% SMALL PROJECT 30% LARGE PROJECT	41%
INDUSTRIAL	1.2, 5	10% SMALL PROJECT 20% LARGE PROJECT	41%
RESIDENTIAL BUFFER	4	N/A	N/A

* NOTE: OPEN SPACE CREDITS APPLY ONLY TO THE REQUIRED OPEN SPACE AREA AND NOT SITE AREA. NO PARCEL SHALL CONTAIN LESS THAN 10% OPEN SPACE ON SITE, EXCLUDING CREDITS.

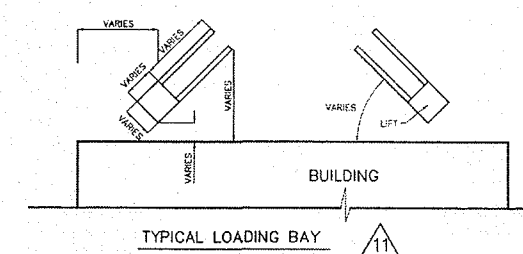
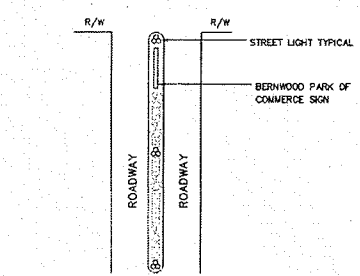
OPEN SPACE CREDIT CALCULATIONS	
WATER BODY CREDIT	
73.62 AC. ± GROSS AREA	
31.7 % AVERAGE GROSS AREA OPEN SPACE	
25 % MAXIMUM WATER BODY CREDIT	
GROSS AREA x AVERAGE OPEN SPACE = MAXIMUM	
73.62 x 0.317 = 23.54 ACRES ±	
WATER BODY CREDIT = AREA OF WATER BODY CREDIT	
73.62 x 0.317 = 23.54 ACRES ±	
WATER BODY CREDIT = 23.54 ACRES ±	
TOTAL OPEN SPACE AREA CREDIT	
LAND AREA #1 = 1.89 ACRES ±	
WATER BODY CREDIT + LAND AREA #1 =	
23.54 ACRES ± + 1.89 ACRES ± = 25.43 ACRES ±	
TOTAL MAXIMUM OPEN SPACE CREDIT AREA	
5.8 ACRES ± + 1.89 ACRES ± = 7.69 ACRES ±	
% CREDIT FOR OPEN SPACE	
TOTAL OPEN SPACE CREDIT ÷ [(GROSS AREA - LAKE AREA - AREA #2) x 30%] = % MAXIMUM CREDIT OF OPEN SPACE	
7.69 ACRES ± ÷ [(73.62 ACRES - 8.5 ACRES - 1.89 ACRES) x 30%] = 41%	



* SEE RESIDENTIAL STREET SETBACK ILLUSTRATION



INGRESS/EGRESS EASEMENT (SETBACK IS TO BACK OF CURB)



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JUN 9 7 2005

PERMIT COUNTER

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3000 VIA DEL REY
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