RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS

OF LEE COUNTY, FLORIDA

WHEREAS, PHH Homequity Corporation, represented by Charleston Development, in reference to The Vines - Bermuda Trace Village, has properly filed an application for an amendment to the Planned Unit Development zoning; and

WHEREAS, the subject property is located at 19677 - 19839 Vintage Trace Circle SE, described more particularly as:

LEGAL DESCRIPTION: In Section 21, Township 46 South, Range 25 East, Lee County, Florida:

> Lots 38-58, THE VINES COUNTRY CLUB SUBDIVISION, as recorded in Plat Book 37, Pages 41-50, of the Public Records of Lee County, Florida, lying in Section 21, Township 46 South, Range 25 East, Lee County, Florida.

WHEREAS, the applicant has indicated the property's current STRAP numbers are 21-46-25-01-00000.0380 through 21-46-25-01-00000.0580; and

WHEREAS, proper authorization has been given to Peper, Martin, Jensen, Maichel and Hetlage, by PHH Homequity Corporation d/b/a PHH Asset Management, the fee simple owner of the subject parcel, to act as agent to pursue this zoning application; and

WHEREAS, a public hearing was legally and properly advertised and held before the Lee County Hearing Examiner, with full consideration of all the evidence available; and the Lee County Hearing Examiner fully reviewed the matter in a public hearing held on Tuesday, December 15, 1992; and

WHEREAS, a public hearing was legally and properly advertised and held before the Lee County Board of County Commissioners; and in the legislative process the Lee County Board of County Commissioners gave full and complete consideration to the recommendations of the staff, the Hearing Examiner, the documents on file with the county, and the testimony of all interested persons.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS, that the Board of County Commissioners does hereby APPROVE an amendment to the Planned Unit Development zoning granted in case number 84-1-18 DCI by Resolutions ZAB-84-18 & 84-164 and amended by Resolutions ZB-85-18, Z-88-292, Z-89-097 and PUD-90-023.

The rezoning and Master Concept Plan, which deviate from certain Lee County Standards, are subject to the following conditions:

1. The development of this project shall be in accordance with the two-page Master Plan identified as "Master Plan, The Vines Country Club", Drawing #8433, sheet 1, dated April 92, last revised 9-2-92, stamped "Received Sept. 14, 1992", and "Concept Plan, Bermuda Trace Village at The Vines Country Club," Drawing #8433H, Sheet 1 of 1, dated 3/31/92, last revised 9-2-92, stamped "Received 9-14-92", prepared by Ink Engineering, except as modified by the conditions below. This plan does not alleviate compliance with the conditions set forth in previously approved preliminary and final PUD approvals and amendment modifications as it relates to the project as a whole nor does it eliminate the need to meet all county and state development regulations except as modified by this approval.

2. No structures shall be erected that exceed 35 feet in height.

3. Prior to any construction of any unit in Bermuda Trace, a "D" type planting area as described in Chapter 13, Development Standards Ordinance, shall be provided within the buffer parcel located west of and abutting Lot 59.

4. The terms and conditions of the original Zoning Resolution remain in full force and effect except as specifically amended by Conditions 1 and 2.

5. The only deviation to be considered is a request from Applicant to allow a reduction from the minimum requirement of Section 484.E.5., Lee County Zoning Ordinance, which provides that distances between buildings within a Planned Unit Development shall be the equivalent of one-half the sum of the building's height, but no less than 20 feet. Applicant desires a reduction to 10 feet to accommodate the single-family detached units planned for the 11-acre site. This deviation is APPROVED.

Site Plan 92-070 is attached hereto and incorporated herein by reference, as a reduced copy of the Master Concept Plan.

The following findings of fact were made in conjunction with this approval of Planned Unit Development zoning:

A. Sufficient safeguards to the public interest in this case are provided by the conditions to the Master Plan in evidence and by applicable regulations.

B. All conditions are reasonably related to the impacts on the public interest as created by or expected from the development.

C. The general intent of the regulations protecting the public health, safety, and welfare will be preserved and promoted.

D. The proposed amendment is consistent in all respects with the applicable provisions of the Lee Plan.

The foregoing Resolution was adopted by the Lee County Board of County Commissioners upon a motion by Commissioner Douglas R. St. Cerny, and seconded by Commissioner Franklin B. Mann and, upon being put to a vote, the result was as follows:

John E. Manning	Nay
Douglas R. St. Cerny	Aye
Ray Judah	Aye
Franklin B. Mann	Aye
John E. Albion	Aye

DULY PASSED AND ADOPTED this 5th day of April, A.D., 1993.

ATTEST:
CHARLIE GREEN, CLERK

BY: Clare J. Wauck
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: J Manning
Chairman

Approved as to form by:

Dawn E. Perry
County Attorney's Office

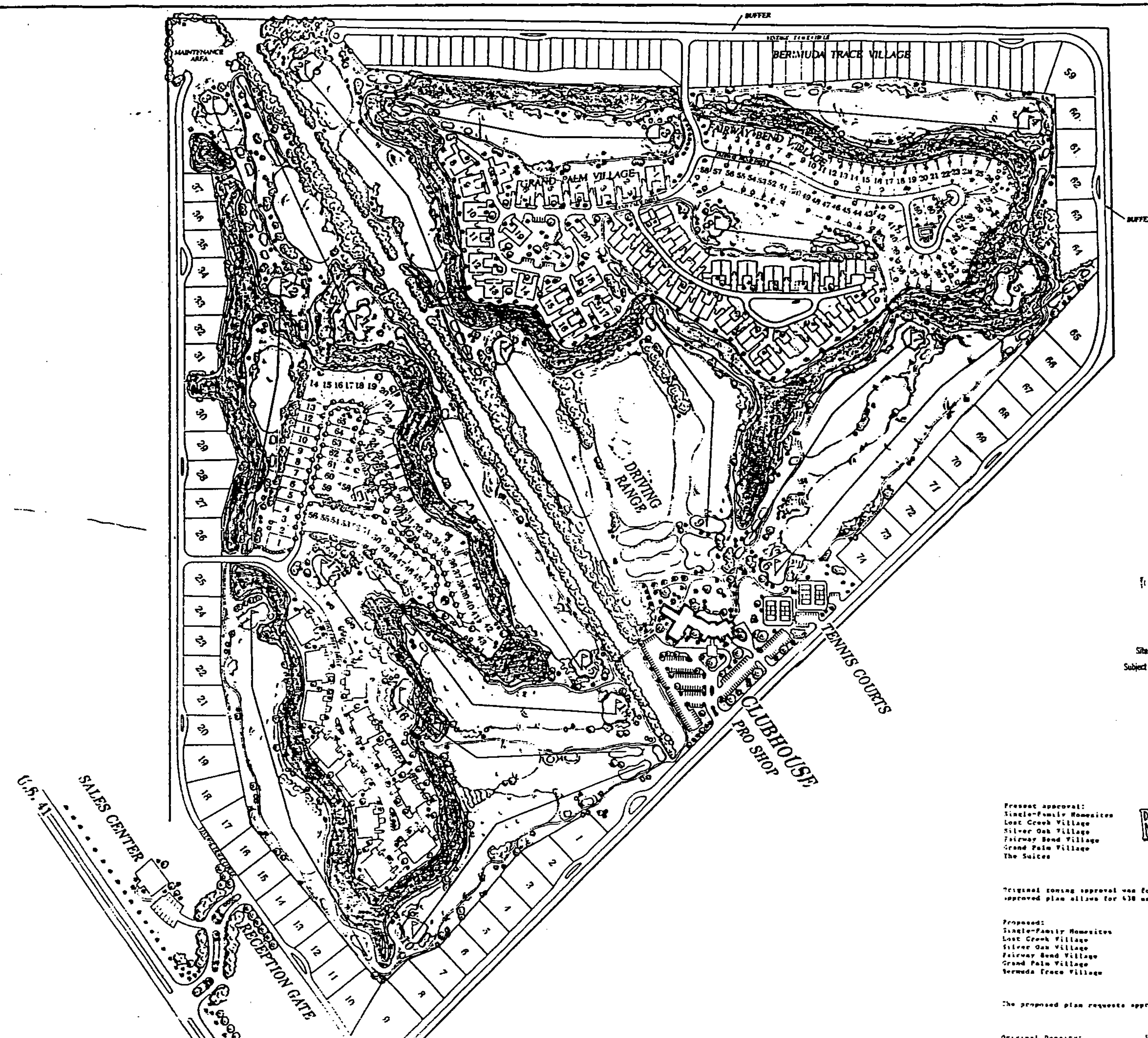
FILED

APR 16 1993

CLERK CIRCUIT COURT
BY CJW D.C.

HEARING NUMBER 84-01-18-DCI(d) RESOLUTION NUMBER Z-92-070

6683



APPROVED
Master Concept Plan
Site Plan # 92-070 Page 1 of 2
Subject to conditions in Resolution Z-92-070
Zoning Case # 84-01-15-DCI(c)

PRINTED
SEP 09 1992

RECEIVED
SEP 1 1992
ZONING COUNTER

Present approval:	Units
Single-Family Homesites	73
Lost Creek Village	48
Silver Oak Village	67
Fairway Bend Village	60
Grand Palm Village	64
The Suites	26
	338

Original zoning approval was for 530 units. The present approved plan allows for 438 units.

Proposed:	Units
Single-Family Homesites	33
Lost Creek Village	48
Silver Oak Village	64
Fairway Bend Village	60
Grand Palm Village	164
Bermuda Trace Village	33
	440

The proposed plan requests approval for 440 units.

Original Density: 530 Units/280 Ac = 2.0 U/A
Present approved Density: 438 Units/280 Ac = 1.6 U/A

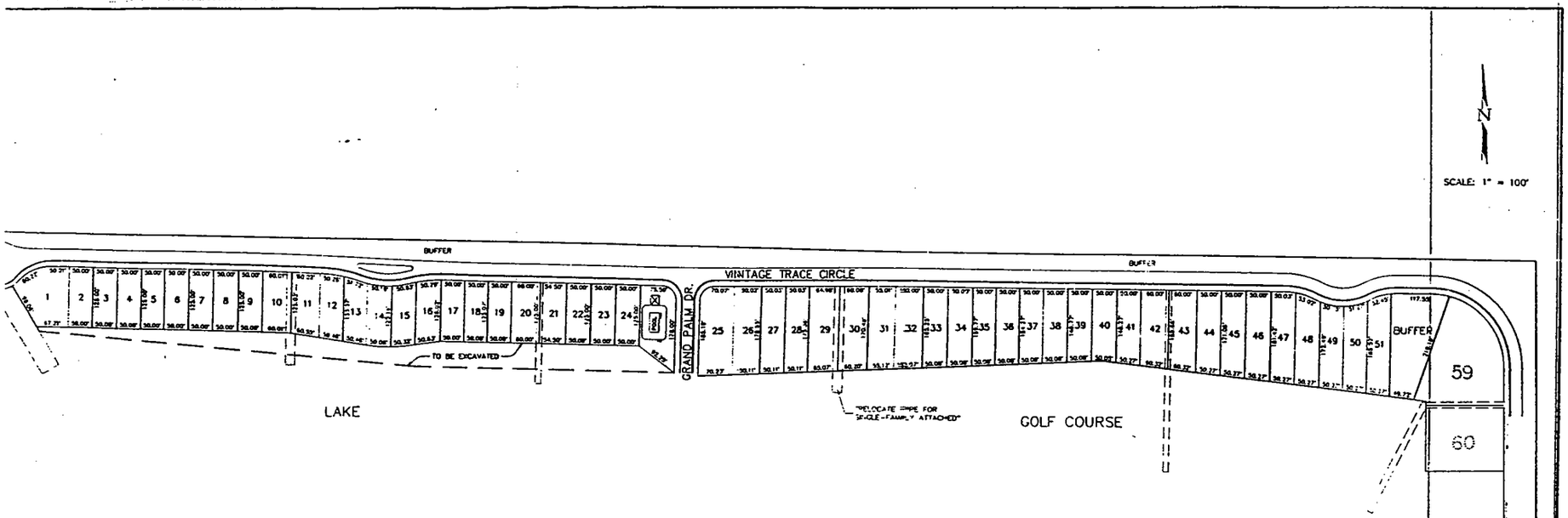
MASTER PLAN
THE VINES COUNTRY CLUB
SEC 31, TWP. 46 S, RGE. 26 E.
LEE COUNTY, FLORIDA

CHARLESTON DEVELOPMENT
2200 CORPORATE BLVD. N.W.
BOCA RATON, FL 33431
(407) 997-8884

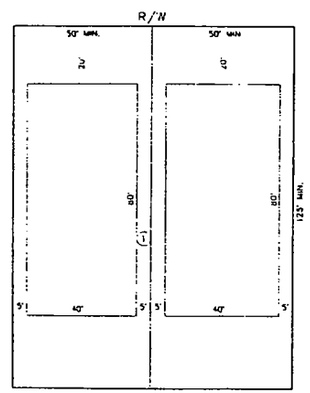
INK ENGINEERING, INC.
ENGINEERS • SURVEYORS • PLANNERS
TEL (813) 995-6500 • 6320 BEAU DRIVE • N. FT. MYERS, FLORIDA 33903

DATE	APR 92
SCALE	1"=200'
DESIGN	
DRAWN	
CHECK	
APPROVED	

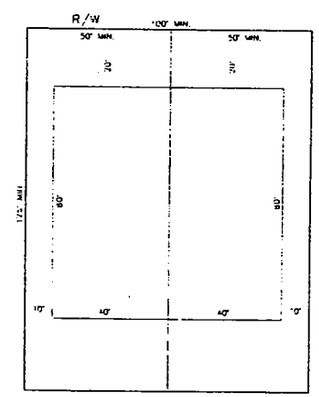
DATE	REVISION	BY
9-2-92	REVISED	RK
4-22-92	REVISED	RK



SCALE: 1" = 100'



TYPICAL
SINGLE-FAMILY DETACHED



TYPICAL
SINGLE-FAMILY ATTACHED

SCALE: 1" = 20'

SCHEDULE OF DEVIATIONS

1) Reduce the minimum required distance between buildings within a PUD of one-half the sum of the heights of the buildings, but no less than 20 feet (per Section 5.01.E.5 LCC(3) to 10 feet.

APPROVED
Master Concept Plan
Site Plan # 92-071 Page 1 of 2
Subject to conditions in Resolution 2-92-070
Zoning Case # 84-01.18-DCI(d)

PRINTED
SEP 09 1992

RECEIVED
SEP 14 1992
ZONING COUNTER

CONCEPT PLAN
BERMUDA TRACE VILLAGE
AT THE VINES COUNTRY CLUB

CHARLESTON DEVELOPMENT CO.
[illegible]
[illegible], FL [illegible]

INK ENGINEERING, INC.
ENGINEERS • SURVEYORS • PLANNERS
[illegible] • [illegible] • [illegible]

DATE	3/31/92
SCALE	1"=100'
DESIGN	
DRAWN	G.C.A.
CHECK	
9-2-92	REVISED

FILE: 8433-H
JOB NO.
8433-H
SHEET 1 OF 1
21-46-25