

ADMINISTRATIVE APPROVAL
AMENDMENT
LEE COUNTY, FLORIDA

WHEREAS, U.S. Home Corporation, acting as agent for C.S. Townhome Corporation, has filed an application for administrative approval of an amendment to a Residential Planned Development on a project known as Villages at Country Creek for property located at 20790 Country Creek Drive, Estero, described more particularly as:

LEGAL DESCRIPTION: In Section 27, Township 46 South, Range 25 East, Lee County, Florida:

A tract or parcel of land lying in Section 27, Township 46 South, Range 25 East, being part of tracts A, B, H, N, O, P, Q, R and S, according to the Plat of Villages at Country Creek Unit One Recorded in Plat Book 39 at Pages 74-85 and part of Country Creek Drive, according to the Plat of Villages at Country Creek Unit Three as Recorded in Plat Book 43 at Pages 12 thru 28 of the Public Records of Lee County, Florida, described as follows:

BEGIN at the East Quarter corner of said Section 27 also being the Northeast corner of Villages at Country Creek Unit One THENCE along the East line of said Section 27, S01°19'05"E 1,852.46 feet;
THENCE leaving said line Southwesterly 78.54 feet along the arc of a circular curve concave to the Northwest having a radius of 50.00 feet, through a central angle of 90°00'00" and being subtended by a chord which bears S43°40'55"W 70.71 feet;
THENCE S88°40'55"W 125.00 feet;
THENCE Northwesterly 93.49 feet along the arc of a circular curve concave to the Northeast having a radius of 277.28 feet through a central angle of 19°19'05" and being subtended by a chord which bears N81°39'32"W 93.05 feet;
THENCE N72°00'00"W 77.80 feet;
THENCE N18°00'00"E 121.36 feet to the East line of Tract S;
THENCE along the East line of Tracts S and R, N01°19'05"W 618.12 feet;
THENCE leaving said line S88°40'55"W 199.01 feet;
THENCE N31°19'48"W 24.88 feet;
THENCE N00°00'00"E 76.92 feet;
THENCE N39°08'08"E 101.48 feet;
THENCE Northeasterly 35.64 feet along the arc of circular curve concave to the South having a radius of 27.50 feet through a central angle of 74°15'56" and being subtended by a chord which bears N76°52'51"E 33.20 feet;
THENCE S65°59'11"E 31.54 feet;
THENCE Southeasterly 15.64 feet along the arc of a circular curve concave to the Northeast having a radius of 82.50 feet through a central angle of 10°51'34" and being subtended by a chord which bears S71°24'58"E 15.61 feet;
THENCE S76°50'45"E 45.20 feet;
THENCE Southeasterly 22.20 feet along the arc of a circular curve concave to the Northeast having a radius of 82.50 feet through a central angle of 15°25'03" and being subtended by a chord which bears S84°33'17"E 22.13 feet;
THENCE N87°44'11"E 116.13 feet;
THENCE Northeasterly 56.05 feet along the arc of a circular curve concave to the Northwest having a radius of 30.00 feet through a

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central angle of 107°02'43" and being subtended by a chord which bears N34°12'50"E 48.25 feet;
THENCE N19°18'32"W 60.64 feet;
THENCE Northwesterly 30.21 feet along the arc of a circular curve concave to the Northeast having a radius of 317.50 feet through a central angle of 05°27'08" and being subtended by a chord which bears N16°34'58"W 30.20 feet to the North line of Tract Q;
THENCE along the North line of said Tract Q S88°40'55"W 115.07 feet; to the Southeasterly most corner of Tract P;
THENCE along the boundary of Tract P in the following 10 described courses:

- (1) N01°19'05"W 118.85 feet;
- (2) S45°00'00"W 47.81 feet;
- (3) N45°00'00"W 50.00 feet;
- (4) N45°00'00"E 20.48 feet;
- (5) N28°51'10"W 52.05 feet;
- (6) N45°00'00"W 133.11 feet;
- (7) Northwesterly 141.59 feet along the arc of a circular curve concave to the Southwest having a radius of 477.20 feet through a central angle of 17°00'00" and being subtended by a chord which bears N53°30'00"W 141.07 feet;
- (8) N62°00'00"W 265.80 feet;
- (9) Northwesterly 132.91 feet along the arc of a circular curve concave to the Southwest having a radius of 264.33 feet and through a central angle of 28°48'37" and being subtended by a chord which bears N76°24'18"W 131.52 feet;
- (10) S89°11'23"W 33.64 feet to the Northwest corner of Tract P;

THENCE continue S89°11'23"W 7.50 feet;
THENCE S00°48'37"E 5.32 feet;
THENCE Southwesterly 219.71 feet along the arc of a circular curve concave to the West having a radius of 2,127.50 feet through a central angle of 05°55'02" and being subtended by a chord which bears S02°08'54"W 219.62 feet;
THENCE Southeasterly 218.17 feet along the arc of a non-tangential circular curve concave to the Southwest having a radius of 806.50 feet through a central angle of 15°29'59" and being subtended by a chord which bears S74°44'59"E 217.51 feet;
THENCE along the South line of Tract P, S67°00'00"E 174.31 feet;
THENCE continue along said line, Southeasterly 197.61 feet along the arc of a circular curve concave to the Southwest having a radius of 754.83 feet through a central angle of 15°00'00" and being subtended by a chord which bears S59°30'00"E 197.05 feet;
THENCE leaving said line S50°04'51"E 101.77 feet;
THENCE S39°08'08"W 225.67 feet;
THENCE S00°00'00"E 89.97 feet;
THENCE Northwesterly 38.12 feet along the arc of a non-tangential circular curve concave to the Southwest having a radius of 479.83 feet through a central angle of 04°33'06" and being subtended by a chord which bears N35°43'39"W 38.11 feet;
THENCE S72°47'50"W 126.14 feet;
THENCE Northwesterly 97.04 feet along the arc of a non-tangential circular curve concave to the Southwest having a radius of 1,406.89 feet through a central angle of 03°57'08" and being subtended by a chord which bears N18°42'00"W 97.02 feet to a Point of Compound Curvature;
THENCE Northwesterly 120.84 feet along the arc of a circular curve concave to the Southwest having a radius of 148.05 feet through a central angle of 46°45'59" and being subtended by a chord which bears N43°37'00"W 117.52 feet;
THENCE N67°00'00"W 138.15 feet;
THENCE N23°00'00"E 22.50 feet to a point on the North line of said Country Creek Drive;
THENCE along said line and a Westerly extension thereof Northwesterly 213.36 feet along the arc of a circular curve concave to the Southwest having a radius of 531.50 feet through a central angle of 23°00'00" and being subtended by a chord which bears N78°30'00"W 211.93 feet;

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THENCE along said Northerly line in the following three (3) described courses:

- (1) N90°00'00"W 282.79 feet;
- (2) Northwesterly 149.75 feet along the arc of a circular curve concave to the Northeast having a radius of 165.00 feet through a central angle of 52°00'00" and being subtended by a chord which bears N64°00'00"W 144.66 feet;
- (3) N38°00'00"W 162.39 feet;

THENCE leaving said line and along the Southerly boundary of said Tract N for the following four (4) described courses:

- (1) N00°00'00"E 113.62 feet;
- (2) N90°00'00"E 200.00 feet;
- (3) S00°00'00"E 30.00 feet;
- (4) N90°00'00"E 205.00 feet to the Southeast corner of Tract N;

THENCE along the South line of Tract O, N90°00'00"E 171.00 feet to the Southeast corner of Tract O;

THENCE continue N90°00'00"E 7.53 feet;

THENCE Northerly 212.39 feet along the arc of a non-tangential circular curve concave to the West having radius of 2,092.50 feet through a central angle of 05°48'56" and being subtended by a chord which bears N02°05'51"E 212.30 feet;

THENCE N00°48'37"W 5.32 feet;

THENCE S89°11'23"W 7.50 feet to the Northeast corner of Tract O;

THENCE continue along Tract O S89°11'23"W 90.42 feet;

THENCE continue along said North line Westerly 74.65 feet along the arc of a circular curve concave to the South having a radius of 1,052.96 feet through a central angle of 04°03'42" and being subtended by a chord which bears S87°09'32"W 74.63 feet to the Northwest corner of Tract O;

THENCE along the North line of Tract N for the following seven (7) described courses;

- (1) Westerly 57.48 feet along the arc of a circular curve concave to the South having a radius of 1,052.96 feet through a central angle of 03°07'41" and being subtended by a chord which bears S83°33'50"W 57.48 feet to a Point of Reverse Curvature;
- (2) Westerly 135.52 feet along the arc of a circular curve concave to the North having a radius of 1,080.00 feet through a central angle of 07°11'23" and being subtended by a chord which bears S85°35'42"W 135.43 feet;
- (3) S89°11'23"W 62.00 feet;
- (4) Westerly 210.38 feet along the arc of a circular curve concave to the North having a radius of 2,505.82 feet through a central angle of 04°48'37" and being subtended by a chord which bears N88°24'18"W 210.31 feet to a Point of Reverse Curvature;
- (5) Westerly 90.64 feet along the arc of a circular curve concave to the North having a radius of 2,255.82 feet through a central angle of 02°18'13" and being subtended by a chord which bears N87°09'06"W 90.69 feet;
- (6) S00°48'37"E 14.98 feet;
- (7) S89°11'23"W 97.17 feet to a point on the boundary of that jurisdictional area as shown on said Villages at Country Creek Unit One Plat and recorded in Official Records Book 1952, Pages 1831-1834, Public Records of Lee County Florida;

THENCE along said line in the following described nine (9) courses:

- (1) N72°52'06"W 247.29 feet;
- (2) N01°49'13"E 76.39 feet;
- (3) N76°19'22"E 36.61 feet;
- (4) N05°25'43"E 33.61 feet;
- (5) N01°30'09"W 23.81 feet;
- (6) N47°06'24"W 50.31 feet;
- (7) N18°46'26"W 32.59 feet;
- (8) N21°31'06"W 52.02 feet;
- (9) N00°47'33"W 14.87 feet to a point on the East/West Quarter Section line of said Section 27;

THENCE along said line N89°11'24"E 2,096.03 feet; TO THE POINT OF BEGINNING.

continued...

SUBJECT to easements, restrictions, reservations or rights of way of record.

CONTAINING 37.50 acres more or less.

All Tracts G, I, and J, and part of Tracts A, B, K and L according to the Plat of Villages at Country Creek Unit One recorded in Plat Book 39 at Pages 74-85 of the Public Records of Lee County, Florida, lying in Section 27, Township 46 South, Range 25 East, Lee County, Florida, described as follows:

COMMENCE at the East Quarter corner of said Section 27 also being the Northeast corner of said Villages at Country Creek Unit One;
THENCE along the North line of said Villages at Country Creek Unit One S89°11'24"W 2,153.57 feet to the POINT OF BEGINNING;
THENCE along that boundary jurisdictional area as shown on said Unit One Plat and Recorded in Official Record Book 1952, Pages 1831-1834 of the Public Records of Lee County, Florida;
THENCE along said line in the following described forty-eight (48) courses:

- (1) S00°47'43"E 12.90 feet;
- (2) S22°36'46"E 47.49 feet;
- (3) S73°08'19"E 25.76 feet;
- (4) S29°32'05"E 37.63 feet;
- (5) S21°51'32"E 33.70 feet;
- (6) N71°08'39"W 72.33 feet;
- (7) S46°05'27"W 70.82 feet;
- (8) S07°25'28"W 49.68 feet;
- (9) N49°34'03"W 64.83 feet;
- (10) N86°20'09"W 40.14 feet;
- (11) S03°53'16"W 40.69 feet;
- (12) S06°06'41"E 45.22 feet;
- (13) S47°44'08"E 45.03 feet;
- (14) S22°03'36"E 28.30 feet;
- (15) S17°27'53"W 35.36 feet;
- (16) S48°55'02"W 44.83 feet;
- (17) S13°41'48"E 20.94 feet;
- (18) S34°58'58"W 85.10 feet;
- (19) S74°34'23"W 70.01 feet;
- (20) S53°54'03"W 96.23 feet;
- (21) S08°21'52"W 91.44 feet;
- (22) S60°22'54"W 99.49 feet;
- (23) S31°41'20"W 84.81 feet;
- (24) S23°20'55"E 64.39 feet;
- (25) S12°43'51"W 133.93 feet;
- (26) S15°11'21"W 131.51 feet;
- (27) S12°52'26"W 66.58 feet;
- (28) S12°10'19"E 109.87 feet;
- (29) S60°44'19"W 47.29 feet;
- (30) S27°27'58"W 89.28 feet;
- (31) S36°20'53"W 109.52 feet;
- (32) S59°54'48"W 110.28 feet;
- (33) S53°00'53"W 115.65 feet;
- (34) S28°39'47"W 111.39 feet;
- (35) S41°08'06"W 94.32 feet;
- (36) S79°41'48"W 84.54 feet;
- (37) S50°44'09"W 134.71 feet;
- (38) S75°03'43"W 83.77 feet;
- (39) S74°40'23"W 69.93 feet;
- (40) S21°09'13"W 62.20 feet;
- (41) S19°25'40"E 58.33 feet;
- (42) S49°49'02"W 103.27 feet;
- (43) S37°10'48"W 115.95 feet;
- (44) S50°18'47"W 62.57 feet;
- (45) N55°26'53"W 112.80 feet;
- (46) N81°12'51"W 89.62 feet;
- (47) N75°41'50"W 82.15 feet;

continued...

(48) S71°32'19"W 20.15 feet to a point on the West line of Villages at Country Creek Unit One;
THENCE along said line N00°37'50"W 2,049.89 feet to the Northwest corner of Villages at Country Creek Unit One;
THENCE along the North line of Villages at Country Creek Unit One N89°11'24"E 1,792.61 feet to the POINT OF BEGINNING.

SUBJECT to any easements, restrictions, reservation or rights of way of record.

CONTAINING 57.49 acres more or less.

WHEREAS, the property was originally rezoned in hearing number 86-02-13-DCI [with subsequent amendments in hearing numbers 86-02-13-DCI(a), 86-02-13-DCI(b), 86-02-13-DCI(c), 86-02-13-DCI(d) and 86-02-13-DCI(e)]; and

WHEREAS, Lee County Ordinance 89-04 amends the Zoning Ordinance (Ordinance No. 86-17) to provide for certain administrative changes to planned development master concept plans and planned unit development final development plans; and

WHEREAS, Lee County Ordinance 94-07 amends the Development Standards Ordinance (Ordinance No. 82-42) to provide for certain administrative changes after rezoning has occurred; and

WHEREAS, specific conditions in a previous rezoning action resolution can only be amended through the public hearing process; 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.

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

Approval is subject to the following conditions:

1. Approval shall be granted for a change in product type mix to allow:
single-family attached (maximum) 265 [from 83],
single-family detached (maximum) 467 [from 180],
multi-family detached (maximum) 467 [from 722],
total units (maximum) 985 [same];
2. Three models (maximum) shall be allowed in tracts A, B, C, D and E on any lot in respective tract, subject to the proviso that the model units are for only the phase in which they are located and further, the model use shall cease and the models shall be converted to private residential uses immediately upon the sale of the last lot in that phase;
3. Approval shall be granted to adopt the table of Development Regulations for three product types called: Village Homes (Villas), Two Story, and Single Family (Patio Homes); and to establish a right-of-way setback for a Recreation Facility as follows:

Village Homes (Villas)	*	Minimum lot size 25' x 100'
		(internal lots)
	*	Minimum lot size 35' x 100'
		(external lots)
	*	0' side setback
		(internal lots only)
	*	20' setback between buildings
	*	25' water setback (control elevation) unless documented by an engineer
Two Story	*	10' setback from Golf Course
		(Rec Open space)
	*	20' setback from road (front and rear)
	*	15' side yard setback where side yard abuts a second road
	*	30' setback between buildings
	*	25' water setback (control elevation) unless documented by an engineer
	*	10' setback from Golf Course
		(Rec Open space)
Single Family (Patio Homes)	*	20' setback from road (front and rear)
	*	Minimum lot size 50' x 100'
	*	10' rear setback
		to adjacent parcel or lot
	*	20' setback from right-of-way
		(front and rear)
	*	0' setback from accessory strip from rear lot line when golf course or open space abuts
	*	10' setback from Golf Course
Recreation Facility		(Rec Open space)
	*	15' side yard setback where side yard abuts a second road
	*	5' accessory setback from rear lot line
		when another lot abuts rear
	*	25' water setback (control elevation) unless documented by an engineer
	*	15' setback from right-of-way in Tracts A, B, C, D and E

4. Approval shall be granted to allow a 0' setback from the buffer along the northern and eastern property boundary lines, but it is stipulated that the 0' setback is from the buffer that was required in Zoning Resolution ZAB-86-34, and not from any perimeter property line;
5. This action shall not provide relief from the requirement of Zoning Resolution ZAB-86-34, Condition 25 that states, "each lot shall have a minimum of 30 feet of street frontage measured at the street setback line" to permit a 25 foot minimum for the villas, except for the internal lots (25' x 100') as listed above;
6. This action shall provide relief from the requirement of Condition #27 of Zoning Resolution ZAB-86-34, to allow single-family attached or detached dwelling units along the northern perimeter of the property;
7. This action shall not provide relief from the provisions of 9.P.11.a. of the Development Standards Ordinance which requires cul-de-sacs to have a minimum pavement outside diameter of 90 feet, to allow on private streets serving not more than eight single family attached units either side of centerline a minimum right-of-way/easement diameter of 60' and a minimum pavement outside diameter of 50' with no center island provided. This condition shall not be construed to prevent the approval of an administrative DSO deviation to address this issue;
8. Approval is granted to move two golf course holes into the area designated as "Future Phase, Tract E";

9. Access for golf carts and maintenance equipment shall be provided to the area noted as "Future Phase Tract E" by a cart path on Lot 3, Block F-3, Unit 3, of the Villages at Country Creek. This path area shall be configured as described in the April 11, 1994, letter from U.S. Home Corporation to Mr. & Mrs. Randall E. Tatro, and as depicted on the Exhibit entitled, "Golf Cart Path Relocation Plan." Both are exhibits attached to this action and both are stamped, "Received 4/13/94 Zoning Counter."
10. This development shall conform to the one page Master Concept Plan entitled, "Villages at Country Creek RPD Amendment printed April 14, 1994" and stamped, "Received April 14, 1994 Zoning Counter;"
11. All other terms and conditions of the original resolution and amendments remain in full force and effect except as modified herein; and
12. Site Plan PD-94-008 is attached hereto and is incorporated herein by reference as a reduced copy of the Master Concept Plan.

DULY SIGNED this 22nd day of April, A.D., 1994.

BY: Mary Gibbs
Mary Gibbs, Director
Department of Community Development

US·Home®

U.S. HOME CORPORATION
Lee Region
13621 Fiddlesticks Boulevard
Fort Myers, Florida 33912

Rec'd 4/11/94
Barbara E. Tatro

April 11, 1994

RECEIVED
APR 13 1994

Mr. & Mrs. Randall E. Tatro
20781 Country Walk Way
Bonita Springs, Florida 33928

ZONING COUNTER

Dear Mr. & Mrs. Tatro,

This letter is to confirm your support for our golf course redesign which includes a golf path between your home and the adjoining, now vacant, lot.

The attached plan represents what we intend to do regarding the cart path foot easement for the path entirely on Lot 3. The path will be approximately six feet wide with the southern edge of the path approximately 8 feet from your lot line. A hedge will be planned on each side of the path. The hedge will consist of shrubs with six foot high oaks planted every fifteen feet on center. You will have an opportunity to review and approve the shrub selection prior to planting. The hedge will be irrigated, fertilized and maintained by the golf course to encourage thick and high growth. Our intent is to, as soon as possible, block the view of the carts between the homes.

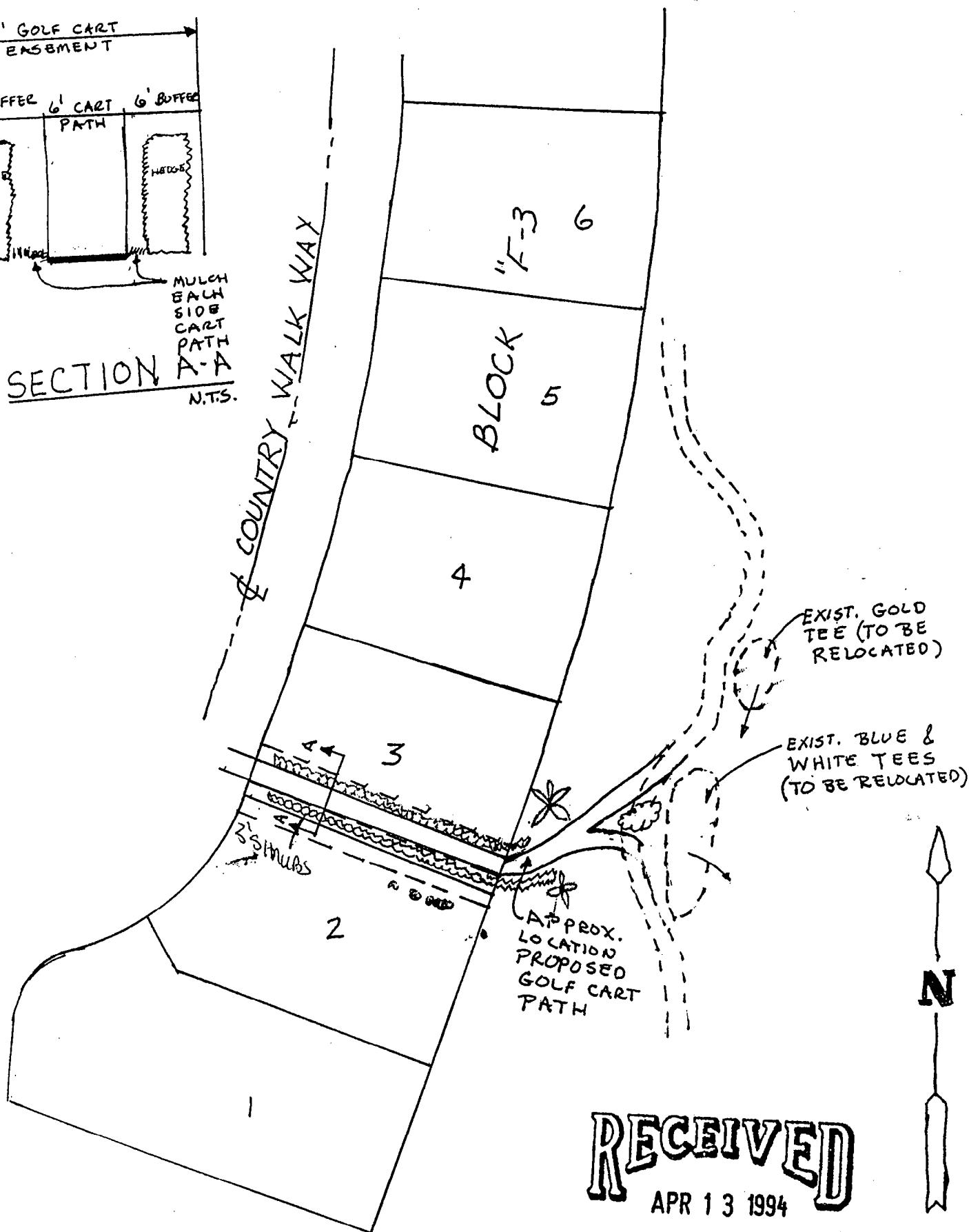
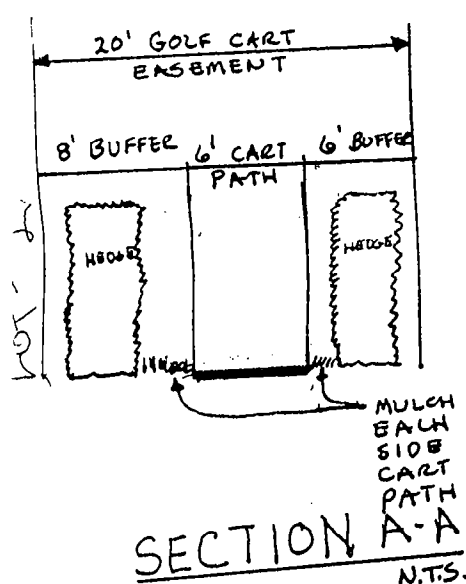
We are also in the process of redesigning the tees behind your home, attempting to reduce the number of errant shots that come toward your home.

As we discussed, we will probably need to move a palm tree and the North large net you have behind your home in order to put the cart path through. Three sabel palms of sufficient height will be planted near the rear lot line over a distance of thirty feet (30') and the net that was removed reinstalled.

If after six months (6) of full play from the new tees you feel safe from physical harm we will remove the nets.

This document and its attachments will be recorded within seven working days after your approval.

AP/ap 
Enclosures



RECEIVED

APR 13 1994

ZONING COUNTER

GOLF CART PATH
RELOCATION PLAN

1" = 50'

