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BILLED

Prepared by:
N. Gluck, Lee County
Zoning & Development Review Division
1831 Hendry Street
Fort Myers, FL 33901

2557959

RESOLUTION NUMBER Z-88-292

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

WHEREAS, The Banyan Group, Inc., in reference to the Vines Country Club (formerly known as the Vintage Golf and Country Club), has properly filed an application for:

In the PUD district, amendments to:

A. Change the residential dwelling unit mix as follows:

1. Within Tract F, decrease the number of units to 115, to include 67 zero lot line units and 48 multi-family units (186 multi-family units originally approved);
2. Within Tract G, increase the number of multi-family units to 336 (289 multi-family units originally approved);
3. Within Tract H (clubhouse area), increase the number of multi-family units to 24 (none originally approved);

B. Deviations as follows:

1. Reduce the minimum required lot area of 6500 square feet (434.01.A) to 5000 square feet;
2. Reduce the minimum required lot width of 65 feet (434.01.A) to 50 feet;
3. Increase the maximum lot coverage of 45% (434.01.A) to 60%;
4. Reduce the minimum required side setback of 6.5 feet (434.01.B) to 0 feet;
5. Reduce the minimum required rear setback of 20 feet (434.01.B) to 5 feet;
6. Reduce the minimum required setback from a body of water from 25 feet (434.01.B) to 20 feet;
7. Reduce the minimum required setback between buildings within a PUD from the required 1/2 the sum of the height of buildings or not less than 20 feet (484.E.5) to 6 feet;
8. Reduce the minimum required building separation for detached zero lot line housing units of 10 feet from the building opposite the zero setback line (431.C.2.b.2.) to zero feet from both lot lines with a minimum of 6 feet separation between roof overhangs;

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9. Reduce the minimum required setback from the centerline of a private roadway of $\frac{1}{2}(\text{ROW})+20$ feet (202.15.B.2.a.) to $\frac{1}{2}(\text{ROW})+15$ feet;
10. Prohibit flag lots (DSO C.2.d.3.) to allow flag lots; and
11. Modification from the required 20-foot maintenance right-of-way to be provided along lakes (DSO C.4.B) to allow a 20-foot maintenance easement which will be included as part of the lot ; and

WHEREAS, the subject property is located on the east side of U.S. 41 across from Pine Road within the Vines Country Club (formerly known as the Vintage Golf & Country Club), described more particularly as:

LEGAL DESCRIPTION: In Sections 20 and 21, Township 46 South, Range 25 East, Lee County, Florida:

Tract "H" of Vintage Golf and Country Club according to the plat thereof as recorded in Plat Book 37, Pages 41 through 50 of the Public Records of Lee County, Florida. A portion of Tract "F" of Vintage Golf and Country Club, a subdivision in Sections 20 and 21, Township 46 South, Range 25 East, Lee County, Florida, more particularly described as follows:

Commence at the Southwest corner of the Northwest One Quarter (NW 1/4) of Section 21, Township 46 South, Range 25 East; THENCE N.00°42'46"W. along the West line of said Northwest One Quarter (NW 1/4) for 391.11 feet to an intersection with the Westerly extension of the South line of Lot 26 of Vintage Golf and Country Club; THENCE N.89°17'14"E. along said South line for 355.00 feet to the POINT OF BEGINNING of the herein described parcel of land, being a point on the boundary of the aforementioned Tract "F"; THENCE along the boundary of said Tract "F" for the following described twelve (12) courses (1) N.16°19'17"E. for 900.00 feet; (2) THENCE S.73°43'47"E. for 426.79 feet; (3) THENCE S.02°53'16"E. for 353.76 feet; (4) THENCE S.15°39'17"E. for 214.44 feet; (5) THENCE S.60°00'24"E. for 192.07 feet; (6) THENCE S.24°40'20"E. for 551.59 feet; (7) THENCE S.50°46'04"W. for 160.00 feet; (8) THENCE N.50°27'01"W. for 424.60 feet; (9) THENCE N.14°03'16"W. for 69.24 feet; (10) THENCE N.48°41'04"W. for 287.00 feet; (11) THENCE N.72°12'02"W. for 199.55 feet; (12) THENCE S.45°00'00"W. for 196.58 feet; THENCE N.44°24'00"W. for 92.09 feet; THENCE S.89°17'14"W. for 57.76 feet to the POINT OF BEGINNING, containing 14.84 acres more or less.

WHEREAS, the applicant has indicated the property's current STRAP numbers are 21-46-25-01-0000C.0000 and 21-46-25-01-0000F.0000; and

WHEREAS, proper authorization has been given to Humphrey, Jones & Myers, P.A., by Godfrey Santini of The Banyan Group, Inc., the fee simple owners 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 Planning and Zoning Commission, with full consideration of all the evidence available to the Planning and Zoning Commission; and

WHEREAS, the Lee County Planning and Zoning Commission fully reviewed the matter in a public hearing held on October 3, 1988; and

WHEREAS, a public hearing was legally and properly advertised and held before the Lee County Board of County Commissioners; and

WHEREAS, in the legislative process the Lee County Board of County Commissioners gave full and complete consideration to the recommendations of the staff, the Planning and Zoning Commission, 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 of all requests with the following conditions:

1. This development shall conform to the two-page plan titled "Silver Oaks Village at the Vines Country Club" and "The Suites at the Vines Country Club" both prepared by Ink Engineering, Inc. and stamped received August 31, 1988, except as modified herein.
2. 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.
3. All requested deviations are for the 67 proposed zero lot line units contained within Silver Oak Village; deviations 1, 2, 6, 7, 9, and 10 are hereby APPROVED. Deviation 3 is hereby APPROVED for individual lots provided the total lot coverage for the entire development does not exceed the required 40% maximum for a PUD. Deviations 4 and 8 are APPROVED provided there is a 6 foot separation between roof overhangs. Deviation 5 is hereby APPROVED for those units that are adjacent to permanent open space (fairways or recreational areas). Deviation 11 is hereby APPROVED subject to the restriction that no buildings or structures be constructed within this easement.
4. New Covenant of Unified Control to be fully executed by the new developer/owner and recorded in the public records.

Site Plan 88-292 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 amendment to the PUD zoning:

1. The proposed uses are appropriate at the subject location;
2. Sufficient safeguards to the public interest are provided by the previously adopted conditions and the conditions of this approval;
3. All recommended conditions are reasonably related to the impact on the public's interest created by or expected from this proposed amendment; and

4. The amendments recommended for approval enhance the achievement of the objectives of the planned development, meet the general intent of these regulations, and will preserve and protect the public health, safety, and welfare.

The foregoing Resolution was adopted by the Lee County Board of County Commissioners upon a motion by Commissioner John E. Manning, and seconded by Commissioner Charles L. Bigelow, Jr. and, upon being put to a vote, the result was as follows:

John E. Manning	AYE
Charles L. Bigelow, Jr.	AYE
Mary Ann Wallace	NAY
Bill Fussell	ABSENT
Donald D. Slisher	AYE

DULY PASSED AND ADOPTED this 14th day of November, A.D., 1988.

ATTEST:
CHARLIE GREEN, CLERK

BY: Charlie Green
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: Bill Fussell
Chairman

Approved as to form by:

[Signature]
County Attorney's Office

FILED

NOV 29 88

CLERK CIRCUIT COURT
BY Charlie Green D.C.

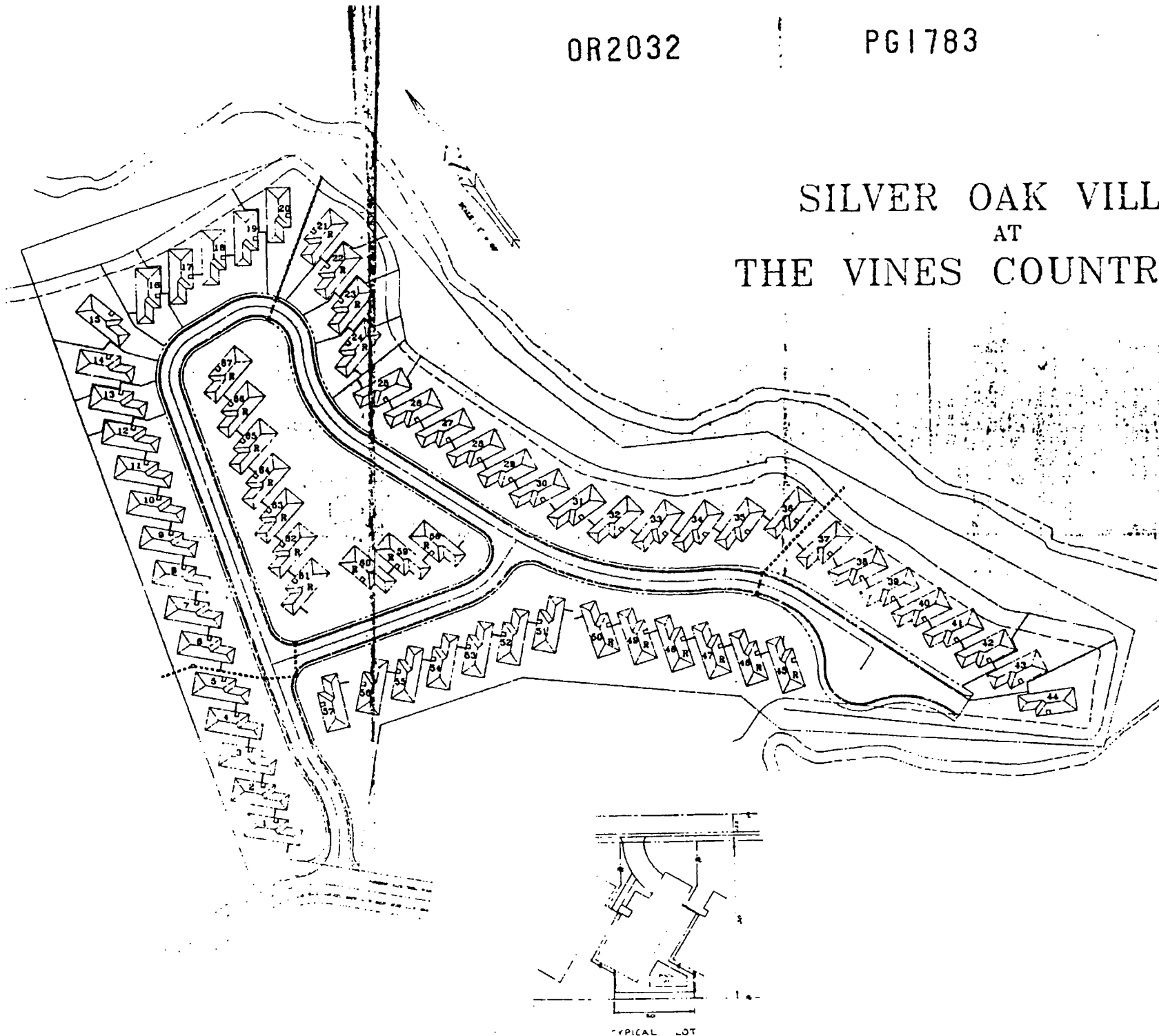
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SILVER OAK VILLAGE
AT
THE VINES COUNTRY CLUB



APPROVED

Master Concept Plan
Site Plan # 02-172, Page 1 of 2
Subject to conditions in Resolution 2-88-292
Zoning Code # 15-1-187-1 DCJ

PRINTED ON

AUG 31 1988

RECEIVED
AUG 31 1988

BONING COUNTY

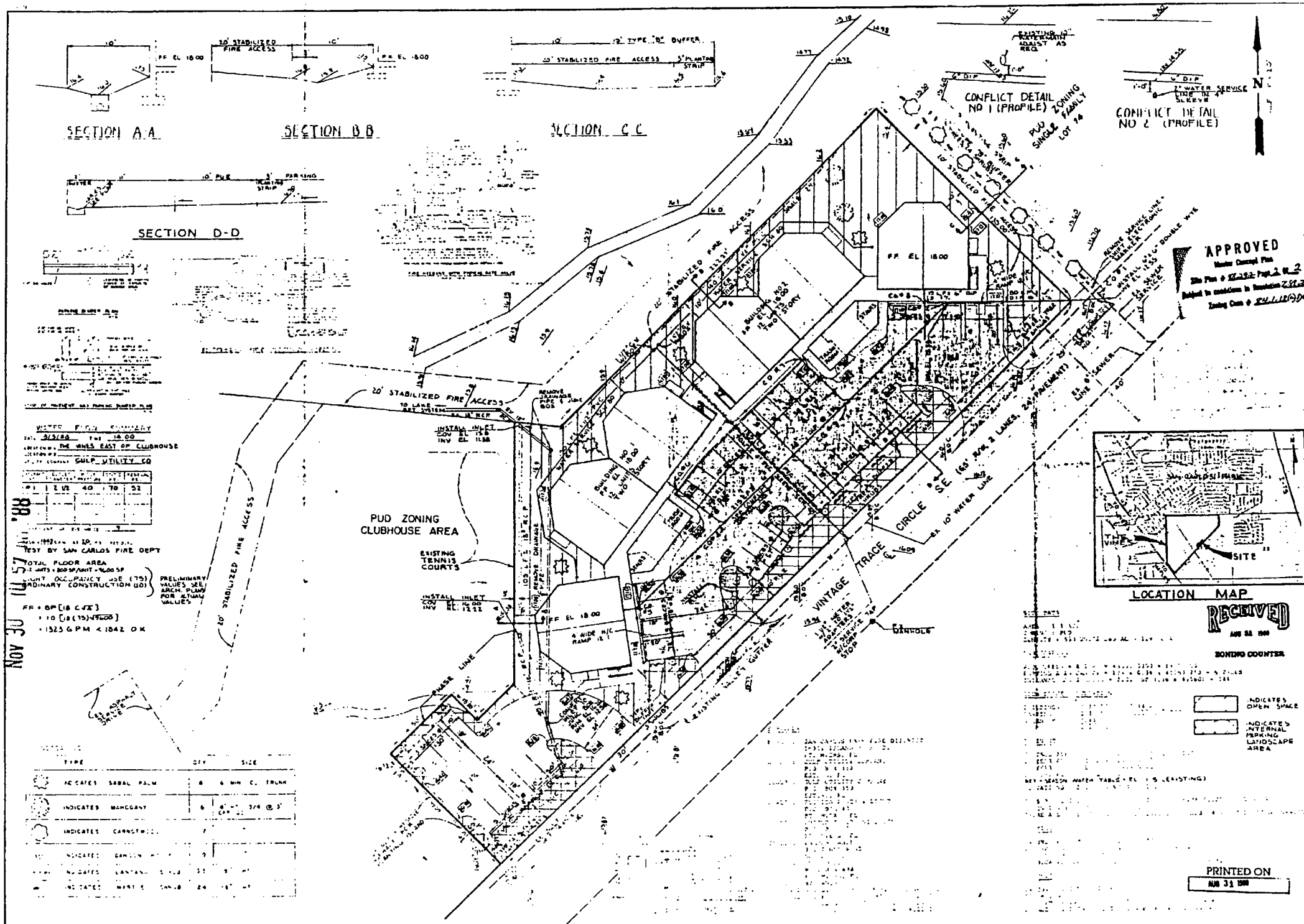
OWNER/DEVELOPER :
THE BANYAN GROUP, INC.
8100 COLLEGE PARKWAY
FORT MYERS, FLORIDA 33907

PREPARED BY :
INK ENGINEERING, INC.
6320 BEAU DRIVE
N. FT. MYERS, FLORIDA 33903
TEL : (813)-993-8500

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REC'D & RECORD VERIFIED
Nov 30 1984
Hartigan
FOR CIRCUIT
11/30/84



DATE: 8/22/84
SCALE: 1"=20'
SHEET: 1 OF 1
PROJECT: 1784

INK ENGINEERING INC.
ENGINEERS • SURVEYORS • PLANNERS
1000 S.W. 10th Ave. • Fort Lauderdale, Florida 33307

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INDICATES OPEN SPACE
INDICATES INTERNAL PARKING LANDSCAPE AREA

PRINTED ON
AUG 31 1984

(FORMERLY THE VINTAGE #4-21-84)

SITE PLAN
THE SITES AT THE VINES COUNTRY CLUB
SECTION 21, T 46 S, R 25 E
LEE COUNTY, FLORIDA

DWG. NO.
8433
1 OF 1