

ADMINISTRATIVE AMENDMENT (PD) ADD2002-00088

ADMINISTRATIVE AMENDMENT
LEE COUNTY, FLORIDA

WHEREAS, Coolidge Fort Myers Realty, L.P. filed an application for administrative approval of an amendment to the Herons Glen Residential Planned Development, on property located at 2250 Avenida Del Vera, N. Ft. Myers, described more particularly as:

LEGAL DESCRIPTION: See attached Exhibit A.

WHEREAS, the property was originally rezoned in case number 88-3-18-DRI and subsequently amended by Resolutions Z-89-076, PD-90-017, Z-92-054, Z-92-060, PD-93-015, PD-96-018, PD-97-043, Administrative Deviation 97-12-277.02A, PD-98-006, PD-98-047, MHD-99-003, Z-00-078, ADD2002-00005; and

WHEREAS, the applicant has requested certain changes to Condition #19 of Resolution Z-00-078 in order to allow development orders to be issued prior to completion of the water main extension to Herons Glenn DRI project; 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 is **APPROVED**. Approval is subject to the following conditions:

- 1) **Condition #19 of Resolution Z-00-078 is hereby revised as follows:**
 19. **Potable Water/Fire Flow**
 - a. **No development orders building permits for residential or commercial structures will be issued beyond Unit 9 of the Herons Glen DRI, by the County until the Herons Glen development connects into provides a connection between its existing on-site water main and the Lee County Utilities' (LCU) 16 inch potable water main extension on the north side of Nalle Grade Road at the southeast corner of the Herons Glen DRI project**

and said water main connection is authorized by the State of Florida Department of Health / Lee County Public Health Unit to be placed in service. This requirement will not prohibit the issuance of a development order for the waste water treatment plant expansion. See condition 19(b) regarding plat approval.

b. The developer must pay one-half of the actual cost of constructing the 16 inch main extension from the current end/trunk point to the southeast corner of Herons Glen. (Estimated total cost is \$300,000.00) Payment is due at the time LCU presents a written request to the developer detailing the actual cost. The developer, at developer's option may choose to pay this obligation over a period of time that does not exceed five years, at an interest rate of no greater than five percent. Developer must notify LCU as to its exercise of this option in writing and include a proposed payment schedule. Failure to timely pay this obligation in full will result in a denial of any further building permits. The cost ascribed to Herons Glen for installation of this water main, both on and off site, for the development must be bonded prior to County approval of any plat beyond Unit 9.

c. Unchanged

d. Unchanged

2) The Development must be in compliance with the previously approved Master Concept Plan for Herons Glen DRI.

3) The terms and conditions of the original zoning resolutions remain in full force and effect except as specifically amended by the changes to Condition 19 of Resolution Z-00-078 listed herein.

DULY SIGNED this 6th day of August, A.D., 200 .

BY: 
Pam Houck, Director
Division of Zoning
Department of Community Development

and
BY: 
Peter J. Eckenrode, Director
Division of Development Services
Department of Community Development



RECEIVED
JUL 10 2002

ZONING COUNTER
ADD 2002-00088

**LEGAL DESCRIPTION
HERON'S GLEN**

A parcel of land being a portion of sections 2,3,4,5 and 10, township 43 south, range 24 east, Lee County Florida, being more particularly described as follows:

COMMENCE at the northeast corner of the aforementioned section 3; thence, along the north line of the northeast one-quarter of said section 3, N89°57'30"W, 355.01 feet to an intersection with the westerly right-of-way line of the former S.A.L. Railroad and the POINT OF BEGINNING; thence, continue along the north line of the northeast one-quarter of said section 3, N89°57'30"W, 2313.55 feet to the northeast corner of the northwest one-quarter of said section 3; thence, along the north line of the northwest one-quarter of said section 3, S89°48'39"W, 2667.53 feet to the northeast corner of the aforementioned section 4; thence, along the northerly boundary of Del Vera Country Club, Unit 2 as recorded in Plat Book 50 at pages 69 through 78 of the Public Records of Lee County, Florida, and the north line of said section 4, N89°42'39"W, 3036.29 feet; thence, along the boundary of Del Vera Country Club, Unit 1 as recorded in Plat Book 46 at pages 7 through 25 of the Public Records of Lee County, Florida, for the following nine (9) courses:

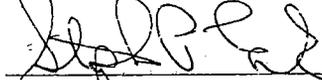
1. N89°42'40"W, 2299.67 feet;
2. S89°33'20"W, 1871.76;
3. S26°03'40"E, 318.64 feet;
4. S63°56'20"W, 300.77;
5. thence along the arc of a non-tangent circular curve concave to the southwest having for its elements a radius of 7739.44 feet, a central angle of 00°42'56", a chord bearing of S26°25'08"E, an chord distance of 96.66 feet, an arc distance 96.66 feet;
6. S26°03'40"E, 1943.40 feet;
7. N63°56'20"E, 300.17 feet;
8. N26°03'40"W, 4.46 feet;
9. N89°48'47"E, 2854.47 feet;

thence S00°11'07"E, 335.36 feet; thence N89°48'53"E, 60.00 feet; thence S00°11'07"E, 600.00 feet; thence along the arc of a tangent curve concave to the Northeast, having for its elements a radius of 236.25', a central angle of 31°56'42", a chord of 130.02 feet, a chord bearing of S16°09'28"E, an arc distance of 131.72 feet; thence N89°48'53"E, 39.71 feet; thence S00°11'07"E, 125.00 feet; thence S89°48'53"W, 35.48 feet; thence S00°11'07"E, 650.00 feet; thence S89°48'53"W, 25.00 feet; thence S00°11'07"E, 205.00 feet; thence along the south line of lands described in Deed Book 224 at page 437 of the aforementioned public records, S89°48'47"W, 2273.40 feet; thence, along the northeasterly right-of-way line of Tamiami Trail

(S.R. 45, US 41), S26°03'40"E, 370.00 feet; thence N89°48'47"E, 3845.26 feet; thence N00°11'13"W, 332.91 feet; thence, along the south line of lands described in Deed Book 224 at page 437 of the aforementioned public records, N89°48'47"E, 4368.87 feet to an intersection with the northerly extension of the west line of lands described in Official Records Book 388 at page 80 of the aforementioned public records; thence, along said northerly extension and said west line, S00°02'36"W, 2451.41 feet; thence, along the north right-of-way line of Nalle Grade Road, as described in Official Records Book 1096 at page 1784 of the aforementioned public records, S89°56'45"E, 2153.08 feet; thence, along the east line of lands described in Official records Book 1516 at page 1802 of the aforementioned public records, N00°02'36"E, 2460.47 feet; thence, along the south line of lands described in Deed Book 224 at page 437 of the aforementioned public records, N89°48'47"E, 775.85 feet; thence along the westerly right-of-way line of the former S.A.L. Railroad, N11°11'01"W, 4190.51 feet to the POINT OF BEGINNING.

Said parcel contain 1150.961 acres, more or less.

Wilson Miller, Inc.



Stephen P. Erik P.S.M. Professional Surveyor and Mapper
Florida Registration No. 3273

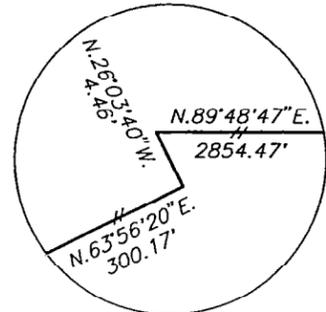
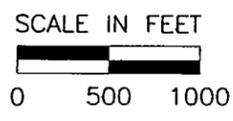
Not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper.

Pin #: 02898-002-P03-ZOPDA

Date: June 6, 2002

Ref: D-02898-54

Applicant's Legal Checked
by  7/23/02



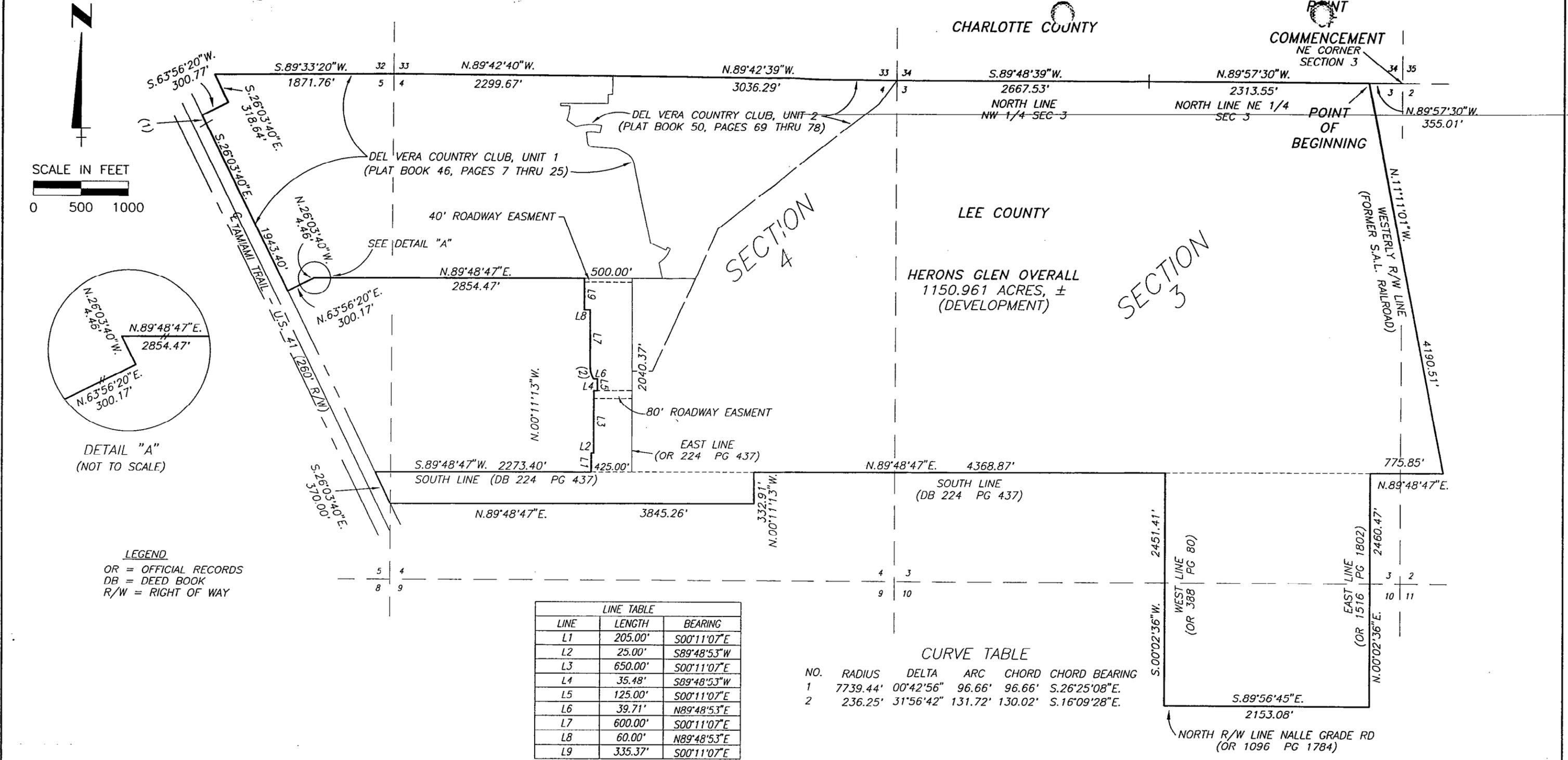
DETAIL "A"
(NOT TO SCALE)

LEGEND
OR = OFFICIAL RECORDS
DB = DEED BOOK
R/W = RIGHT OF WAY

NOTE:
BEARINGS SHOWN HEREON ARE BASED ON THE PLAT OF DEL VERA COUNTY CLUB, UNIT 2 (PLAT BOOK 50, PAGES 69 THRU 78) FIXING THE NORTH LINE OF UNIT 2 AS N.89°42'39\"/>

LINE	LENGTH	BEARING
L1	205.00'	S00°11'07\"/>
L2	25.00'	S89°48'53\"/>
L3	650.00'	S00°11'07\"/>
L4	35.48'	S89°48'53\"/>
L5	125.00'	S00°11'07\"/>
L6	39.71'	N89°48'53\"/>
L7	600.00'	S00°11'07\"/>
L8	60.00'	N89°48'53\"/>
L9	335.37'	S00°11'07\"/>

NO.	RADIUS	DELTA	ARC	CHORD	CHORD BEARING
1	7739.44'	00°42'56\"/>	96.66'	96.66'	S.26°25'08\"/>
2	236.25'	31°56'42\"/>	131.72'	130.02'	S.16°09'28\"/>



* SKETCH ONLY THIS IS NOT A SURVEY *

SEE ATTACHED FOR LEGAL DESCRIPTION

1 REV NO. REVISE BOUNDARY REVISION 6/5/02 DATE GWR DRAWN BY 1386 EMP. NO.

CLIENT: **COOLIDGE FORT MYERS REALTY, L.P.**
2250 AVENIDA DEL VERA, NORTH FORT MYERS, FL. 33917

WilsonMiller
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TITLE: **SKETCH OF DESCRIPTION
HERONS GLEN**

ACTIVITY	INITIALS	EMP. NO.	DATE
DRAWN BY:	GWR	1386	6/5/02
CHECKED BY:	SPE	1146	6/5/02
COMPUTED BY:	GWR	1386	6/5/02

DATE:	HORIZONTAL SCALE:	VERTICAL SCALE:	SEC:	TWP:	RGE:	FIELD BOOK:	FIELD BOOK PAGE:
6/5/02	1" = 1000'	N/A	2,3,4,5,10/43/24			N/A	N/A

TASK:	PIN:	SHEET NUMBER:	DRAWING NUMBER:
ZOPDA	02898-002-P03	1 OF 1	B-2898-54

ADD 2002-00003

DATE: JUN 16 2002

Jun 05, 2002 - 14:36:03 GRASHFORD\X:\SUR\02898\HERONS\28985404.dwg