

ADMINISTRATIVE AMENDMENT PD-96-018

ADMINISTRATIVE AMENDMENT
LEE COUNTY, FLORIDA

WHEREAS, Del Vera Limited Partnership, represented by Lorraine M. Berry, filed an application for administrative approval to a Residential Planned Development on a project known as Herons Glen, formerly known as Del Vera to allow a massage establishment to be added to this project as a permitted use within the clubhouse located at 2250 Avenida Del Vera, described more particularly as:

LEGAL DESCRIPTION: In Section 04, Township 43 South, Range 24 East, Lee County, Florida:

Tract N, Unit 1, DEL VERA COUNTRY CLUB, as recorded in Plat Book 46, Page 21, of the Public Records of Lee County, Florida, lying in Section 04, Township 43 South, Range 24 East, Lee County, FL.

WHEREAS, the property was originally rezoned in case number 88-03-18-DRI [with subsequent amendments in case numbers 88-03-18-DRI, 88-03-18-DRI(a), 88-03-18-DRI(b), 88-03-18-DRI(c), 88-03-18-DRI(d) and 88-03-18-DRI(e)]; and

WHEREAS, the applicant has requested an Administrative Amendment to include massage establishment, as defined by Florida Statutes Section 480.33, to the uses permitted within the existing clubhouse located in Phase 1A only; and

WHEREAS, the massage establishment use is similar to those uses already permitted within the Residential Planned Development; 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 the Heron Glen RPD to add massage establishment as a permitted use within the existing clubhouse is **APPROVED**.

Approval is subject to all of the following conditions:

1. The terms and conditions of the original zoning resolution Z-88-069 for case #88-03-18-DRI and DRI Development Order #6-8687-77 as amended, remain in full force and effect; and
2. The massage establishment use is limited to the existing clubhouse located in Phase 1A only; and
3. The massage establishment use is limited to Herons Glen residents and their guests; and
4. Only one massage establishment is permitted.

DULY SIGNED this 30th day of April, A.D., 1996.

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