LEE COUNTY
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RESOLUTION NUMBER Z-02-015

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

WHEREAS, an application was filed by the property owner, Centex Homes and Elsie D. Rich Family Partnership, to rezone 423.10± acres from Residential Planned Development (RPD), Planned Unit Development (PUD) and Agricultural (AG-2) to Residential Planned Development (RPD), in reference to Crown Colony RPD; and,

WHEREAS, a public hearing was advertised and held on March 27, 2002, with the record held open for written submissions until April 3, 2002, before the Lee County Zoning Hearing Examiner, who gave full consideration to the evidence in the record for Case #DCI2001-00028; and

WHEREAS, a second public hearing was advertised and held on May 20, 2002 before the Lee County Board of Commissioners, who gave full and complete consideration to the recommendations of the staff, the Hearing Examiner, the documents on record and the testimony of all interested persons.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS:

SECTION A. REQUEST

The applicant filed a request to rezone from RPD, PUD and AG-2 to Residential Planned Development (RPD) to permit a maximum of 734 dwelling units consisting of a mix of residential unit types, golf course, clubhouse, and accessory uses in buildings not to exceed 60 feet in height, on 423.10± total acres of land. The property is located in the Suburban and Wetlands Land Use Category and legally described in attached Exhibit A. The request is APPROVED SUBJECT TO the conditions and deviations specified in Sections B and C below.

SECTION B. CONDITIONS:

All references to uses are as defined or listed in the Lee County Land Development Code (LDC).

1. The development of this project must be consistent with Sheet 2 and Sheet 3 of the 4-page Master Concept Plan (MCP) entitled "Crown Colony Resort RPD, Lee County, Florida (Master Concept Plan, Parcels 1, 2, & 3)," Sheet 2 dated 9-28-01, Sheet 3 dated 8-19-01, both sheets last revised Oct., 2002, and stamped "Received Oct 07 2002, Zoning Counter" except as modified by the conditions below. This development must comply with all requirements of the Lee County LDC at time of local development order approval, except as may be granted by deviation as part of this planned development. If changes to the MCP are subsequently pursued, appropriate approvals will be necessary.

2. The following limits apply to the project and uses:

a. Schedule of Uses

Administrative Offices
Club, Country
Commercial Uses (ancillary to this project only), as listed below and limited to a maximum of 7,500 square feet, and as further restricted in LDC § 34-937. The following uses are to be calculated in the 7,500-square-foot limitation, and must be located in the Clubhouse or Practice Complex:
- Accessory Uses and Structures
- Bait and Tackle Shop, Accessory only
- Business Services, Group I
- Convenience Food & Beverage Store, not to exceed 1,000 square feet, limited to 6:00 a.m. until 10:00 p.m. only
- Drugstore/Pharmacy
- Food Stores, Group I, including a gourmet grocery store
- Laundry & Dry Cleaning, Group I
- Medical Office
- Package Store
- Personal Services, Group I
- Real Estate Sales Office, limited to this project only
- Restaurants, Groups I, II and III--only within the clubhouse
- Specialty Retail Shops, Group I, II and IV

Consumption on Premises, limited to the Clubhouse area only
Daycare Center, Child
Dwelling Units: maximum of 734 units for the entire project including Parcels 1, 2, and 3, to consist of a mix of the following: single-family, duplex, two-family attached, townhouse, zero lot line, and, a maximum of 374 multi-family units.
Entrance Gates and Gatehouses
Essential Services
Essential Service Facilities, Group I
Excavation, Water Retention
Fences and Walls
Food and Beverage Service, Limited
Golf Course and Accessory Facilities
Golf Driving Range and Golf Training Facility
Home Occupation
Model Home, Model Unit and Model Display Center - a maximum of eight units in Parcel 1 and 8 units in Parcels 2 and 3 combined, for a total of 16 units, further limited by to the following:
1. Model use is for this project only; and
2. Each model must be a unique example; and
3. Model sites must be designated on the Development Order Plans; and
4. Prior to constructing model homes within the Crown Colony Resort RPD, the lots upon which the model homes will be constructed will have

been shown on a preliminary plat filed concurrently with a required local development order for this project. Such model homes will comply with all setbacks set forth within the Property Development Regulations for the Crown Colony Resort RPD or the Land Development Code, whichever applies. Should setback problems arise after the construction of a model home, it will be the responsibility of the owner/developer to resolve the setback problem; and

5. Model use must be in compliance with the LDC regulations for model homes, model units and model display center; and
6. Dry models are prohibited.

Parking Lot, Accessory
Parks--Private, Group I
Private Boat Ramp and Observation/Fishing Pier
Recreational Facilities, Personal & Private
Residential Accessory Uses
Signs, in accordance with Chapter 30
Storage, Indoor only
Temporary uses

b. Site Development Regulations

Minimum Lot Size:	Single-Family Detached
Lot Width	50 feet
Lot Depth	70 feet
Lot Area	3,500 square feet
Maximum Lot Coverage	60 percent

Minimum Setbacks:	Single-Family Detached
Front (street, private)	20 feet
Side	5 feet
Rear	5 feet
Waterbody	20 feet

Minimum Lot Size:	Duplex
Lot Width	50 feet
Lot Depth	70 feet
Lot Area	3,500 square feet
Maximum Lot Coverage	60 percent

Minimum Setbacks:	Duplex
Front (street, private)	15 feet
Side (Interior)	0 feet
Side (Exterior)	7.5
Rear	10 feet
Waterbody	20 feet

Minimum Lot Size:	Zero Lot Line
Lot Width	45 feet
Lot Depth	70 feet
Lot Area	3,150 square feet
Maximum Lot Coverage	60 percent

Minimum Setbacks:	Zero Lot Line
Front (street, private)	15 feet
Side (Interior)	0 feet
Side (Exterior)	4 feet
Rear	10 feet
Waterbody	20 feet

Minimum Lot Size:	Multiple-Family Building
Lot Width	100 feet
Lot Depth	100 feet
Lot Area	10,000 square feet
Maximum Lot Coverage	60 percent

Minimum Setbacks:	Multiple-Family Building
Front (street)	20 feet
Side	10 feet
Rear	20 feet
Water body	25 feet

Minimum Lot Size:	Townhouse
Lot Width	28 feet
Lot Depth	70 feet
Lot Area	1,960 square feet
Maximum Lot Coverage	70 percent

Minimum Setbacks:	Townhouse
Front (street)	20 feet
Side (Interior)	0 feet
Side (Exterior)	10 feet
Rear	10 feet
Water body	25 feet

Minimum Lot Size:	Commercial
Lot Width	100 feet
Lot Depth	100 feet
Lot Area	10,000 square feet
Maximum Lot Coverage	60 percent

Minimum Setbacks:	Commercial
Front	20 feet
Side	10 feet
Rear	20 feet
Water body	20 feet

Minimum Lot Size:	Clubhouse
Lot Width	80 feet
Lot Depth	80 feet
Lot Area	6,400 square feet
Maximum Lot Coverage	70 percent

Minimum Setbacks:	Clubhouse
Front (street)	20 feet
Side	15 feet
Rear	20 feet
Water body	0 feet

Maximum Building Height:	
Townhouse	35 feet / 3 stories
Zero Lot Line	35 feet / 3 stories
Duplex	35 feet / 3 stories
Multi Family	35 feet / 3 stories
Single Family	35 feet / 2 stories
Clubhouse	60 feet / 6 stories
Commercial	45 feet / 3 stories

3. All provisions of zoning resolution number Z-99-034 will remain in effect, and will apply to all areas within Crown Colony Resort RPD, Parcels 1, 2, and 3, unless specifically modified herein.

4. Prior to local development order approval, a replanting plan for the "Natural Area" (1.5 acres) as delineated on the approved MCP must be submitted for Lee County Division of Environmental Sciences Staff review and approval. The area must be planted with native vegetation typical of a pine flatwoods, hardwood hammock or cabbage palm hammock. The plant species, numbers and sizes must be included on the development order plans. The restoration plan must be prepared by an environmental consultant or a landscape architect.

5. Lake Slopes/Bulkhead Condition:

   a. Littoral planting zones are SUBJECT TO review and approval by the Environmental Sciences staff and must be provided on the outside edge of the bulkhead; and

   b. The native wetland herbaceous plants required per LDC § 10-418 must be provided based on the entire linear length of lake shoreline, including the bulkhead portions; and

c. The bulkheads must not encroach into easements required by the South Florida Water Management District; and

d. The lake slope must be maintained at 4:1 from the toe of the bulkhead to four feet below dry season water table.

6. Deviation 7, regarding maintenance access easements along lake perimeters, is SUBJECT TO administrative review and additional conditioning by the Director during the development order process.

7. Unless Conditions 7.a. through 7.d., below, or the Lee County Blasting Ordinance (that is in effect at the time blasting on this project occurs) are more restrictive, Condition 6 of Zoning Resolution Z-99-034 will apply to all blasting conducted on the site. These conditions are attached to this resolution as Exhibit D. [*Condition 6 of Zoning Resolution Z-99-034 was attached to the Hearing Examiner's recommendation as Exhibit "B."*]

a. Prior to approval of a development order and initiation of blasting activities on Parcels 2 and 3, the developer will submit for approval by the County a monitoring program to be conducted by an engineering firm with expertise in blasting that is independent of the blasting contractor performing the actual blasting operations. At a minimum, the monitoring program will include a full-time representative of the monitoring firm assigned to the site during all preparatory and blasting operations, a minimum of three seismographs at locations approved by the County, and daily pre-blast and post-blast reports submitted to the County by 5:00 p.m. on the day following any blasting activity.

b. In addition to offering pre-blast and post-blast inspections to those property owners who are required to be offered them under the Lee County Blasting Ordinance, the developer will offer pre-blast and post-blast inspections to any property owner within the Stonebridge subdivision who requests such inspections.

c. An employee of the developer (as opposed to the blasting firm) will be designated by the developer to field, address, monitor, and follow-up on any blasting complaints received from nearby residents or the County. This individual will be designated by the developer and identified to the County prior to the commencement of any further blasting on the Crown Colony project. The designated employee will attend any meeting held with the blasting firm and the County or nearby residents.

d. In lieu of the mediation available pursuant to Condition 6.h. of Resolution Z-99-034, a complainant may request and the developer will agree to undertake binding arbitration to resolve the complaint. The arbitrator will be a single individual acceptable to both parties, and the arbitrator's fees will be paid by the developer. The arbitration will be binding only upon the developer and will not preclude a complainant from pursuing further legal remedies if arbitration does not produce a result satisfactory to the complainant.

e. Prior to any blasting on parcels 2 and 3, the developer will excavate a trench through the first layer of rock along the northern boundary of parcel 3. The

design and location of the trench will be reviewed and approved in advance by the Director of Development Services, and will be designed and located in such a manner as to reduce the potential vibrations on the Stonebridge subdivision from blasting on the site.

8. The "Optional Recreational" area shown on the MCP may be relocated to one of the multi-family pods through an administrative amendment to the MCP as specified in LDC § 34-80(b). The relocation will result in no reduction of total open space, buffering, landscaping and preservation areas, and may not adversely impact surrounding land uses. The recreation area will not be located less than 40 feet from a residential dwelling unit.

9. Buildings exceeding 35 feet in height must maintain additional building separation as regulated by LDC § 34-2174(a).

10. Golf Course Management Condition:

    a. Fertilizers with a low leaching potential (slow release) must be used, must not be applied to dormant turfgrass, and must be kept to the lowest reasonable levels; and

    b. To reduce sources of pollutants, especially nutrients and pesticides associated with the golf course, the golf course manager must implement a chemicals management plan which includes an integrated pest management (IPM) program and a nutrient management program such that nutrients and pesticides are used only when absolutely necessary. The program must address prevention, diagnosis, and limited treatment with pesticides when necessary rather than blanket treatment with broad spectrum pesticides as insurance against all pest species. The application of pesticides will involve only the purposeful and minimal application of pesticides, aimed only at identified targeted species. The regular widespread application of broad spectrum pesticides is prohibited. The IPM program must minimize the use of pesticides and must include the use of the US Department of Agriculture - Natural Resources Conservation Service (USDA-NRCS) Soil Pesticide Interaction Rating guide to select pesticides for use that have a minimum potential for leaching or loss from runoff. The nutrient management program must be based upon the USDA-NRCS Nutrient Management Standard or the document entitled "Best Management Practices for Florida Golf Courses," and must include the use of soil tests to determine needed applications of nutrients. Only EPA-approved chemicals may be used. No turf managed areas (including fairways, tees, and greens) are permitted within 35 feet of wetlands or preserve areas in Parcels 2 or 3. The chemicals management plan must be submitted to and approved by Lee County Natural Resources Staff prior to the development order approval.

    c. The golf course manager must coordinate the application of pesticides with the irrigation practices (the timing and application rates of irrigation water) to reduce runoff and the leaching of any applied pesticides and nutrients.

    d. The utilization of a golf course manager licensed by the State of Florida to use restricted pesticides, and experienced in the principles of IPM, is required. The golf course manager is responsible for ensuring that the golf course fertilizers are

selected and applied to minimize fertilizer runoff into the surface water and the leaching of those same fertilizers into the groundwater.

e. The storage, mixing, and loading of fertilizer and pesticides must be designed to prevent/minimize the pollution of the natural environment.

f. 1) Prior to the issuance of a local development order for golf course areas within Parcels 2 and 3, the developer must demonstrate compliance with "Best Management Practices for Golf Course Maintenance Departments," prepared by the Florida Department of Environmental Protection, May 1995, as amended.

2) Equipment to apply pesticides and fertilizers must be stored in an area protected from rainfall.

g. The golf course must be planted with a turfgrass cultivated variety that is drought and pest resistant, while requiring relatively low fertilizer use;

h. The irrigation system must operate on an "as needed" basis through the utilization of weather forecasting and ongoing assessment of the moisture content of the soil.

i. Stormwater run-off from the golf course areas in Parcels 2 and 3 must be pre-treated through an acceptable recreated natural system or dry retention and/or detention and water retention system, prior to discharging the run-off into existing lake or wetland (any aquatic) systems.

j. Prior to development order approval for the golf course on Parcels 2 and 3, the developer must conduct a groundwater and surface water quality analysis and submit the analysis to Lee County Division of Natural Resources. This analysis is intended to establish baseline data for future groundwater and surface water monitoring for the project area. The analysis must be designed to identify those nutrients and chemicals that are anticipated to be associated with the project.

k. An annual monitoring report of ground water and surface water quality is required for the golf course operation. The monitoring program must include: testing to assess whether there are any herbicide, pesticide or fertilizer pollution of the water within the area of the golf course; identifying the locations for the ground water monitoring and testing on a map(s); setting forth the testing and recording requirements. The Developer must submit the test results with the monitoring report to the Lee County Natural Resources Division. The monitoring program will be established and operated at the expense of the Developer, or other comparable legal entity charged with the legal responsibility of managing the golf course. This plan will be evaluated in accordance with the directives of Chapter 62-302, F.A.C., water quality standards. The developer or its successor(s) and Staff will review this monitoring requirement every three years to determine if reduction or elimination of the monitoring requirement is justified; if so, the condition may be proposed for modification through the public hearing process.

l. If groundwater or surface water pollution occurs, as that term is defined by the rules or regulations in effect at the time of development order, and should the pollution be caused by the application of fertilizers, herbicides or pesticides to the golf course, the application must cease until there is a revised management plan. If mitigation is necessary to address the pollution, a mitigation plan approved by Lee County must be implemented by the Developer.

11. Approval of this zoning request does not address mitigation of the project's vehicular or pedestrian traffic impacts. Additional conditions consistent with the Lee County LDC may be required to obtain a local development order.

12. Approval of this rezoning does not guarantee local development order approval. Future development order approvals must satisfy the requirements of the Lee Plan Planning Communities Map and Acreage Allocation Table, Map 16 and Table 1(b), and be reviewed for, and found consistent with, all other Lee Plan provisions.

13. At the time of development order submittals, the applicant must provide evidence that the structural number of the proposed alternate pavement cross-section will equal or exceed the structural number of a "standard" Category A or B local road flexible pavement cross-section.

14. No excess excavated material may be removed from the site unless the developer can demonstrate to the Director of Community Development that the material to be removed: 1) is unsuitable material that cannot be used on-site and 2) the material must be excavated to meet the minimum requirements to provide a water management system on the site. The purpose of this condition is to prohibit the voluntary creation of excess fill material for use off-site.

15. Agriculture is not a permitted use in the approved Schedule of Uses for this property. All existing bona fide agricultural uses must cease upon approval of the requested rezoning, EXCEPT as follows:

    a. Bona fide agricultural uses in existence at the time this Resolution is approved may continue until approval of a local development order for the area of the project containing those uses, PROVIDED

       Within 30 days of the zoning approval, the developer provides documentation indicating the extent of the existing bonafide agricultural uses. The developer must provide a notarized statement from the property owner describing the type and intensity of bona fide agricultural uses in existence on the date of the zoning approval, i.e., livestock grazing or crop production. The developer must include acreage figures for each use as part of the notarized statement. The statement must include an exhibit depicting the location of the uses on a copy of the boundary sketch. The exhibit should be entitled "Bona fide Agricultural Uses at time of Zoning Approval."

b. Additional clearing or grading of existing agricultural areas is prohibited. Existing areas of agricultural use may be maintained, i.e., mowed, but not cleared or expanded.

c. Intensification of existing agricultural uses is prohibited. For example, livestock grazing area may not be intensified to crop production, wooded areas may not be cleared for grazing, etc.

d. The property owner must terminate any agricultural tax exemption for the property beginning with the next tax year following zoning approval. The property owner must provide a copy of the termination to the Office of the County Attorney.

e. Unless an agricultural use has already been terminated concurrent with the issuance of a local development order, all agricultural uses on the property must be terminated no later than five years from the date this Resolution is approved.

SECTION C. DEVIATIONS:

1. Deviation (1) seeks relief from the LDC § 10-415(a) requirement that large residential projects provide 40 percent open space, to allow adoption of the open space table shown on the MCP. This deviation is APPROVED.

2. Deviation (2) seeks relief from the LDC § 34-935 requirement that sets forth the property development regulations for residential zoning districts, to allow adoption of the Crown Colony Resort property development regulations shown on the MCP. This deviation is APPROVED.

3. Deviation (3) - WITHDRAWN.

4. Deviation (4) seeks relief from the LDC § 10-296, Table 4, requirement that wearing surfaces for local and access roads for Class A development must be 1.5-inch asphaltic concrete of Florida Department of Transportation Type S-III, in accordance with Table 4(7)(c), to allow for decorative paver blocks within the privately-maintained roadways. This deviation is APPROVED, SUBJECT TO Condition 13.

5. Deviation (5) - WITHDRAWN.

6. Deviation (6) seeks relief from the LDC § 10-329(e)(4) requirement that excavation bank slopes be no greater than 4:1, to allow 40 percent of lake banks to utilize vertical bulkheads. This deviation is APPROVED, SUBJECT TO the following conditions: (see Condition 5)

    1. Littoral planting zones are SUBJECT TO review and approval by the Environmental Sciences staff and must be provided on the outside edge of the bulkhead; and

2. The native wetland herbaceous plants required per LDC § 10-418 must be provided based on the entire linear length of lake shoreline, including the bulkhead portions; and

3. The bulkheads must not encroach into easements required by the South Florida Water Management District; and

4. The lake slope must be maintained at 4:1 from the toe of the bulkhead to four feet below dry season water table.

7. Deviation (7) seeks relief from the LDC § 10-328(a) requirement of a minimum 20-foot-wide maintenance access easement along lake perimeters, to allow zero feet where bulkheads are constructed. This deviation is APPROVED, SUBJECT TO the following conditions: (see also Conditions 5 and 6)

   1. The bulkheads must not encroach into any easements required by the South Florida Water Management District; and

   2. This deviation is SUBJECT TO administrative review and additional conditioning by the Director during the Development Order process.

SECTION D. EXHIBITS:

The following exhibits are attached to this resolution and incorporated by reference:

Exhibit A: The legal description and STRAP numbers of the property.
Exhibit B: Zoning Map (subject parcel identified with shading)
Exhibit C: The Master Concept Plan
Exhibit D: Condition 6 from Zoning Resolution Z-99-034 (*attached to the HEX recommendation as Exhibit "B"*)

SECTION E. FINDINGS AND CONCLUSIONS:

1. The applicant has proven entitlement to the rezoning by demonstrating compliance with the Lee Plan, the LDC, and any other applicable code or regulation.

2. The rezoning, as approved:

   a. meets or exceeds all performance and locational standards set forth for the potential uses allowed by the request; and,

   b. is consistent with the densities, intensities and general uses set forth in the Lee Plan; and,

   c. is compatible with existing or planned uses in the surrounding area; and,

d. will not place an undue burden upon existing transportation or planned infrastructure facilities and will be served by streets with the capacity to carry traffic generated by the development; and,

e. will not adversely affect environmentally critical areas or natural resources.

3. The rezoning satisfies the following criteria:

a. the proposed use or mix of uses is appropriate at the subject location; and

b. the recommended conditions to the concept plan and other applicable regulations provide sufficient safeguard to the public interest; and

c. the recommended conditions are reasonably related to the impacts on the public interest created by or expected from the proposed development.

4. Urban services, as defined in the Lee Plan, are, or will be, available and adequate to serve the proposed land use.

5. The approved deviations, as conditioned, enhance achievement of the planned development objectives, and preserve and promote the general intent of LDC Chapter 34, to protect the public health, safety and welfare.

The foregoing resolution was adopted by the Lee County Board of Commissioners upon the motion of Commissioner Ray Judah, seconded by Commissioner John E. Albion and, upon being put to a vote, the result was as follows:

Robert P. Janes	Aye
Douglas R. St. Cerny	Absent
Ray Judah	Aye
Andrew W. Coy	Aye
John E. Albion	Aye

DULY PASSED AND ADOPTED this 20th day of May, 2002.

ATTEST:
CHARLIE GREEN, CLERK

BY: Michele B Cooper
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: _____
Chairman

Approved as to form by:

_____
County Attorney's Office

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EXHIBIT "A"

LEGAL DESCRIPTION

Property located in Lee County, Florida

JOHNSON ENGINEERING

SINCE 1946

November 6, 2001

DESCRIPTION DCI 2001-00028

PARCEL IN
SECTION 3, TOWNSHIP 46 SOUTH, RANGE 24 EAST
LEE COUNTY, FLORIDA

A tract or parcel of land being all of the subdivision known as "Crown Colony" as recorded in Plat Book 68 at Pages 23 through 38, of the Public Records Book of Lee County, Florida, and part of the East Half (E-1/2) of the West Half (W-1/2) of Section 3, Township 46 South, Range 24 East, Lee County, Florida, lying east of the easterly right-of-way of Winkler Road, which tract or parcel is described as follows:

Beginning at the northwest corner of said Crown Colony Subdivision run the following five (5) courses and distances along the boundary of Crown Colony: N 88° 50' 06" E along the north line of the Northwest Quarter (NW-1/4) of said Section 3 for 1271.54 feet; N 89° 14' 04" E along the north line of the Northeast Quarter (NE-1/4) of said Section 3 for 2648.91 feet; S 00° 46' 22" E along the east line of the Northeast Quarter (NE-1/4) of said Section 3 for 2633.20 feet; S 00° 36' 10" E along the east line of the Southeast Quarter (SE-1/4) of said Section 3 for 2722.66 feet; S 89° 12' 16" W along the south line of the Southeast Quarter (SE-1/4) of said Section 3 for 2635.53 feet to the South Quarter corner of said Section 3; thence leaving said boundary run S 89° 16' 57" W along the south line of the Southeast Quarter (SE-1/4) of the Southwest Quarter (SW-1/4) of said Section 3 for 1269.67 feet to an intersection with the easterly right-of-way line of Winkler Road (100 feet wide); thence run N 00° 53' 31" W along said easterly right-of-way line for 2028.69 feet to an intersection with the north line of the South Half (S-1/2) of the Northeast Quarter (NE-1/4) of the Southwest Quarter (SW-1/4) of said Section 3; thence run N 89° 03' 23" E along said north line for 1271.89 feet to an intersection with the aforementioned boundary of Crown Colony; thence run the following four (4) courses and distances along said boundary: N 00° 49' 46" W along the west line of the East Half (E-1/2) of said Section 3 for 2000.22 feet; S 88° 54' 14" W along the south line of the Northeast Quarter (NE-1/4) of the Northwest Quarter (NW-1/4) for 1273.85 feet to an intersection with said easterly right-of-way line of Winkler Road; N 00° 52' 39" W along said right-of-way line for 1194.10 feet to a point of curvature; northeasterly along said right-of-way line and along an arc of said curve to the right of radius 2384.54 feet (chord bearing N 00° 39' 26" E) (chord 127.74 feet) (delta 03° 04' 11") for 127.75 feet to the Point of Beginning.

Parcel contains 423.10 acres, more or less.

Bearings hereinabove mentioned are based on the north line of the Northeast Quarter (NE-1/4) of Section 3, Township 46 South, Range 24 East to bear N 89° 14' 04" E.

Frances L. Yerdon (for the Firm LB-642)
Professional Surveyor and Mapper
Florida Certificate No. 5652

Checked
jm 1/7/02

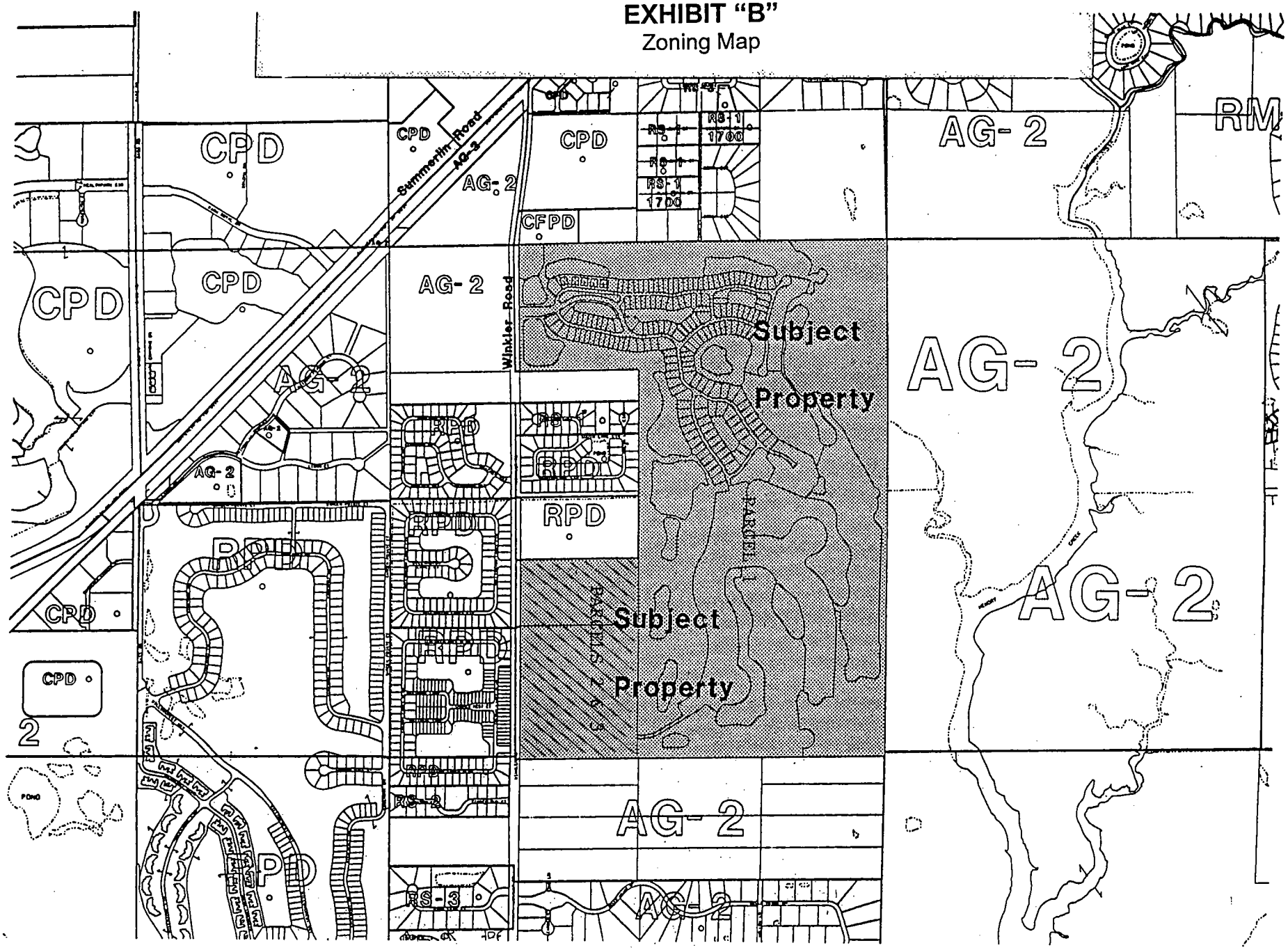
20012723/Description 110601

2158 Johnson Street ▪ Post Office Box 1550 ▪ Fort Myers, Florida 33902-1550
(941) 334-0046 ▪ Fax (941) 334-3661

The applicant has indicated that the STRAP numbers for the subject property are: 03-46-24-00-00003.0030; 03-46-24-07-0000A.0010; 03-46-24-07-0000A.0020; 03-46-24-07-0000A.0030; 03-46-24-07-0000A.0040; 03-46-24-07-0000A.0050; 03-46-24-07-0000A.0060; 03-46-24-07-0000A.0070; 03-46-24-07-0000A.0080; 03-46-24-07-0000A.0090; 03-46-24-07-0000A.0100; 03-46-24-07-0000A.0110; 03-46-24-07-0000A.0120; 03-46-24-07-0000A.0130; 03-46-24-07-0000A.0140; 03-46-24-07-0000A.0150; 03-46-24-07-0000A.0160; 03-46-24-07-0000A.0170; 03-46-24-07-0000A.0180; 03-46-24-07-0000A.0190; 03-46-24-07-0000A.0200; 03-46-24-07-0000A.0210; 03-46-24-07-0000A.0220; 03-46-24-07-0000A.0230; 03-46-24-07-0000A.0240; 03-46-24-07-0000A.0250; 03-46-24-07-0000A.0260; 03-46-24-07-0000A.0270; 03-46-24-07-0000A.0280; 03-46-24-07-0000A.0290; 03-46-24-07-0000A.0300; 03-46-24-07-0000B.0310; and 03-46-24-07-00FD1.0000.

EXHIBIT "B"

Zoning Map



SITE DATA PARCELS 1, 2 & 3

LAND AREA: PARCEL 1 = 393.80 AC.
PARCEL 2 = 30.49 AC.
PARCEL 3 = 18.81 AC.
TOTAL LAND AREA = 423.10 AC.

OPEN SPACE CALCULATIONS PARCEL 1 (1)

TOTAL AREA:	363.8 AC.±
OPEN SPACE REQUIRED:	
TOTAL AREA (363.8 AC.± @ 40%)	145.5 AC.± (40%)
OPEN SPACE PROVIDED:	
WETLAND PRESERVATION AREAS	28.79 AC.±
WETLAND ENHANCEMENT/RESTORATION AREAS	22.24 AC.±
OTHER WETLAND (100 CANAL/INGRESS-EGRESS ESM'T)	2.87 AC.±
25' UPLAND BUFFER	2.76 AC.±
LAKE AREA (25% OF 145.5)	36.74 AC.±
INTERNAL DEVELOPMENT AREAS (Residential, Clubhouse & Practice Complex & Maintenance Area) (125 AC. @ 10%)	12.00 AC.±
GOLF COURSE	104.10 AC.±
UPLAND PRESERVE AREAS	23.38 AC.±
TOTAL PROVIDED	252.68 AC.± (69.53%)
INDIGENOUS AREA REQUIRED:	
INDIGENOUS AREA REQUIRED (145.5 AC. @ 50%)	72.80 AC.
INDIGENOUS AREA PROVIDED:	
WETLAND PRESERVATION AREAS	28.79 AC.±
WETLAND ENHANCEMENT/RESTORATION AREAS	22.24 AC.±
25' UPLAND BUFFER	2.76 AC.±
UPLAND PRESERVE AREAS	23.38 AC.±
TOTAL:	77.17 AC.±

PARCEL 1 SITE DATA

TOTAL SITE AREA: 363.80± ACRES

SITE BREAKDOWN

WETLAND PRESERVATION AREAS:	28.79 AC.±
WETLAND ENHANCEMENT/RESTORATION AREAS:	22.24 AC.±
OTHER WETLAND (100 CANAL/INGRESS-EGRESS ESM'T):	2.87 AC.±
RESIDENTIAL AREA:	98.18 AC.±
PRACTICE COMPLEX/CLUBHOUSE/COMMERCIAL AREA:	16.70 AC.±
GOLF COURSE AREAS:	104.10 AC.±
LAKE AREAS:	36.74 AC.±
MAINTENANCE AREA:	2.00 AC.±
25' UPLAND BUFFER AREAS:	2.76 AC.±
UPLAND PRESERVATION AREAS:	23.38 AC.±
OTHER OPEN SPACE AREAS: (INGRESS/EGRESS ESM'T., 100 CANAL)	8.34 AC.±
	363.80 AC.±

PARCELS 2 & 3 SITE DATA

TOTAL SITE AREA: 383.30± ACRES

SITE BREAKDOWN

NATURAL AREA (TO BE RESTORED)	1.5 AC.±
WOODLAND AREA (INCLUDES 4.0 AC.± INDIGENOUS)	6.1 AC.±
LAKE	8.8 AC.±
RESIDENTIAL	27.7 AC.±
GOLF COURSE / OTHER OPEN SPACE	11.7 AC.±
	59.3 AC.±

OPEN SPACE CALCULATIONS PARCELS 2 & 3 (1)

TOTAL AREA:	59.3 AC.±
OPEN SPACE REQUIRED:	
INDIGENOUS AREA REQUIRED (59.3 AC.± @ 40%)	23.72 AC.±
INDIGENOUS AREA REQUIRED:	
TOTAL AREA (59.3 AC.± @ 20%)	11.86 AC.±
INDIGENOUS VEGETATION EXISTING ON SITE:	
TOTAL INDIGENOUS	4.0 AC.±
PRESERVATION AREAS PROVIDED:	
WOODLAND AREA (INCLUDES 4.0 AC.± INDIGENOUS)	6.1 AC.±
NATURAL AREA (TO BE RESTORED)	1.5 AC.±

EXHIBIT "C"
Crown Colony Resort RPD - Master Concept Plan"
Z-02-015
Page Two of Two

APPROVED
Blanket Master Concept Plan
Master Plan # 02-015 Page 2 of 3
Project to carry over to Resolution # 02-06-045
Case # DCI2001-00028

DCI 2001-00028

EXHIBIT IV-G-4

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REVISIONS		
FEB., 2003		
SEP., 2002		
OCT., 2002		

CENTEX HOMES

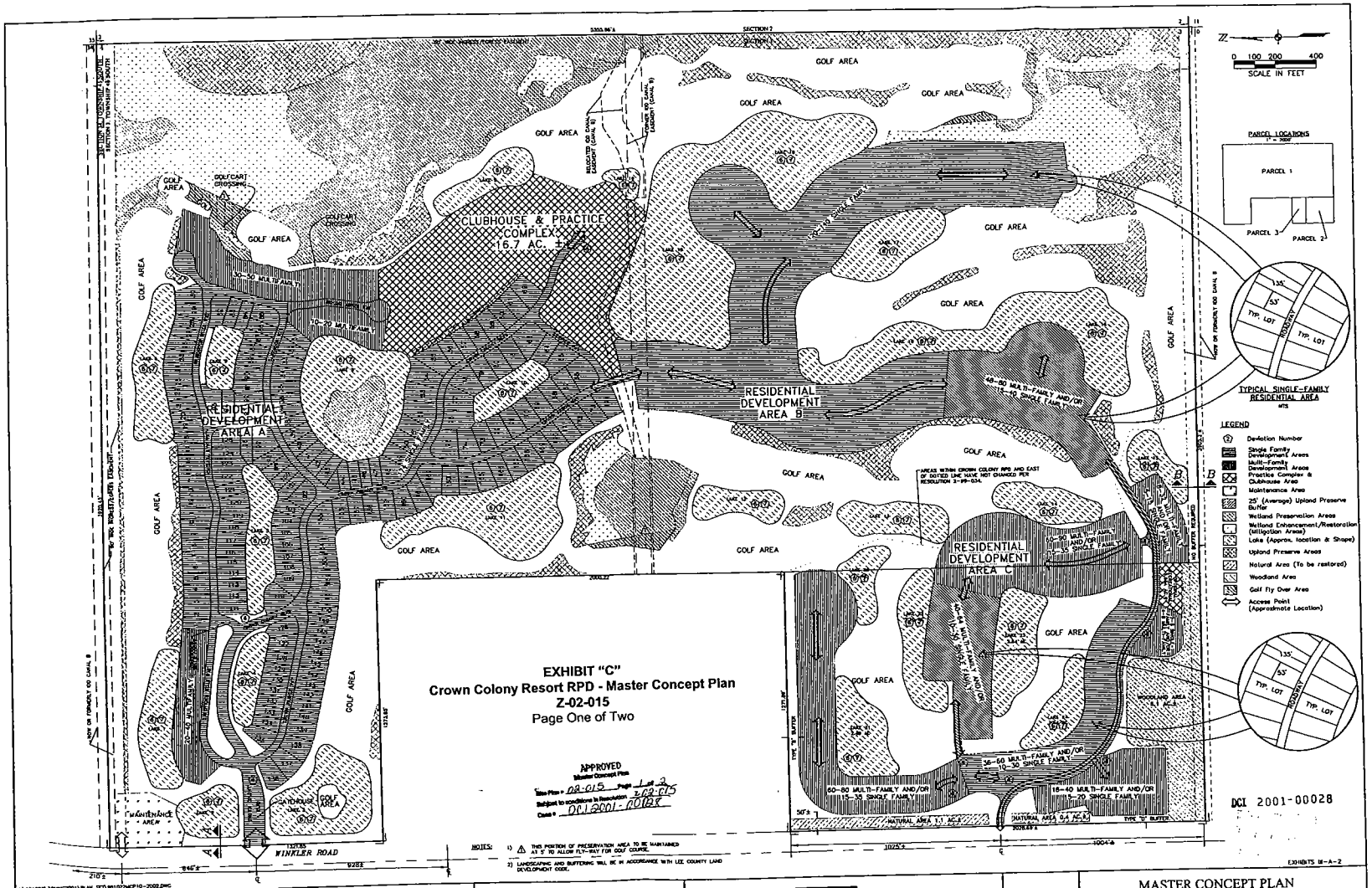
CROWN COLONY RESORT RPD
LEE COUNTY, FLORIDA

JOHNSON ENGINEERING

2158 JOHNSON STREET
P.O. BOX 1550
FORT MYERS, FLORIDA 33902-1550
PHONE (941) 334-0046
FAX (941) 334-3661
C.A. #642 & L.B. #642

PROPERTY DEVELOPMENT REGULATIONS,
SITE DATA AND OPEN SPACE
PARCELS 1, 2 & 3

DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
8-19-03	20012553	3-46-24	AS SHOWN	3



REVISIONS
FEB. 2002
SEPT. 2002
OCT. 2002

CENTEX HOMES

CROWN COLONY RESORT RPD
LEE COUNTY, FLORIDA

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MASTER CONCEPT PLAN
PARCELS 1, 2 & 3

DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
9-28-01	20012553	3-46-74	1" = 200'	2

HEARING EXAMINER EXHIBIT "B"

CONDITION 6 FROM ZONING RESOLUTION Z-99-034

6.Unless the Lee County Blasting Ordinance (that is in effect at the time blasting on this project occurs) is more restrictive, the following conditions will apply:

a.Insurance: The Applicant will employ a licensed blaster who has comprehensive general liability insurance for bodily and personal injury in the amount of $5 million for each occurrence and aggregate, and property damage insurance in the amount of $5 million for each occurrence and aggregate.

b.Notice to nearby Owners: Provisions of written notification by regular U.S. Mail or hand delivery to the property owner at least 20 days prior to blasting to all owners of property containing structures located with a radius calculated using a Scaled Distance Formula of 150 feet.

c.Pre-Blast and Post-Blast Inspections: Offering and conducting pre-blast and post-blast inspections at no cost to property owners with structures that are within a distance from the blast site equal to or less than a scaled distance of 150 feet times the square root of the charge away from the blast, computed using the Scaled Distance Formula. Any such pre-blast inspection must include, if requested by the property owner, a pre-blast inspection of any potable well on the property and a follow-up post-blast inspection of the well that specifically tests for increases in suspended solids and production capacity of the well. Requests for inspections must be acted upon promptly.

d.Blast Measurement: Blasting will not be allowed to create a resultant peak particle velocity in excess of .50 inches per second from a line measured from the northern property line of the subject property to a point 1,320 feet south of that line. The peak particle velocity south of the 1,320 foot line will not exceed .70 inches per second.

e.Excavation of Trench: Prior to any blasting on the site, the Applicant will excavate a trench through the first layer of rock along the northern boundary of the site adjacent to the Heritage Farms/Heritage Pines subdivision. The design and location of the trench will be reviewed and approved in advance by the Director of Development Services, and will be designed and located in such a manner as to reduce the potential vibrations on Heritage Farms/Heritage Pines from blasting on the site.

f.Blasting Schedule: Blasting is limited to Mondays through Fridays from 9:00 a.m. to 5:00 p.m., and prohibited on nationally recognized holidays.

g.Initial Blasting: Initial blast(s) on the project will occur on the proposed lakes in the south-central portion of the project. Seismic monitors to measure the initial blasts will be located at locations acceptable to the Director of Development Services. Seismic data from the initial blast(s) will be reviewed by the County and the Applicant to determine whether adjustments or refinements to the blasting operations are necessary prior to blasting that occurs closer to existing residences.

h.Mediation: If complaints are received from residents in the vicinity of the blasting who claim to have received damage from the blasting operation, the Applicant will agree to be bound to undertake mediation to address the complaint if the complainant requests it. The mediator will be someone acceptable to both parties and the mediator's fees will be paid by the Applicant.

EXHIBIT "D"
Condition 6 from Zoning
Resolution Z-99-034 (HEX Exhibit "B")