

ADMINISTRATIVE AMENDMENT
LEE COUNTY, FLORIDA

WHEREAS, Sail Harbour, LLC filed an application for administrative approval to a Commercial Planned Development on a project known as HealthPark Florida (Sail Harbour at HealthPark, fka Solera at HealthPark) **to revise the required 20 foot front setbacks for specific units within Sail Harbor as provided for in the following:**

- Unit 27 - encroachment of 3.71 feet for a proposed setback of 16.29 feet and a 1.66 foot encroachment for a proposed setback of 18.36 feet;**
- Unit 28 - encroachment of 2.31 feet for a proposed setback of 17.69 feet;**
- Unit 58 - encroachment of 4.46 feet for a proposed setback of 15.54 feet;**
- Unit 60 - encroachment of 1.00 feet for a proposed setback of 19 feet;**
- Unit 61 - encroachment of 3.20 feet for a proposed setback of 16.8 feet and a 0.69 foot encroachment for a setback of 19.31 feet; and**
- Unit 62 - encroachment of 1.00 feet for a proposed setback of 19 feet.**

The subject property is located off of HealthPark Circle, described more particularly as:

LEGAL DESCRIPTION: In Section 33 and Section 04, Township 45 South, Range 24, East, Lee County, Florida:

See attached Exhibit A

WHEREAS, the property was originally rezoned in case number Z-87-058 (with subsequent amendments in case numbers 87-3-10-DRI(a), 87-3-10-DRI(b), 87-3-10-DRI(c), 87-3-10-DRI(d), 96-02-220.13A 01.01, 96-02-220-13A 02.01, 96-02-220.04Z 01.01, 96-02-220.04Z, DCI2000-00054, DRI2000-00023/DCI2000-00093, ADD2001-000158, ADD2003-00087, ADD2003-00087(a) and DRI2003-00003); 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 applicant seeks a reduction in the front setback required as part of this planned development; and

WHEREAS, the reduction in the front setback is internal to the project and the request does not seek changes that reduce required open space, buffers, nor an increase in the intensity of the planned development; 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 Commercial Planned Development is **APPROVED**, subject to the following conditions. The amendment allows the revision of the required 20 foot front setbacks for specific units within Sail Harbor as provided for in the following:

- Unit 27 - encroachment of 3.71 feet for a proposed setback of 16.29 feet and a 1.66 foot encroachment for a proposed setback of 18.36 feet;
- Unit 28 - encroachment of 2.31 feet for a proposed setback of 17.69 feet;
- Unit 58 - encroachment of 4.46 feet for a proposed setback of 15.54 feet;
- Unit 60 - encroachment of 1.00 feet for a proposed setback of 19 feet;
- Unit 61 - encroachment of 3.20 feet for a proposed setback of 16.8 feet and a 0.69 foot encroachment for a setback of 19.31 feet; and
- Unit 62 - encroachment of 1.00 feet for a proposed setback of 19 feet.:

CONDITIONS:

1. The only change approved as part of this administrative amendment permits the change in the required front setbacks as described above. No other changes have been authorized as part of this amendment.
2. The overall HeathPark development must remain in compliance with the existing approved Master Concept Plan last amended by Cases DCI2004-00048 & DRI2004-00007. Development of this portion of the project must be in compliance with the Site Plan, dated June, 2003, and stamped received on April 18, 2005. A reduced copy is attached hereto.
3. The terms and conditions of the original zoning resolutions, as amended, remain in full force and effect.

DULY SIGNED this 12th day of May, A.D., 2005.

BY: 

Pam Houck, Director
Division of Zoning
Department of Community Development



SHEET 1 OF 3

April 29, 2005

RECEIVED
APR 29 2005DESCRIPTION**ADD 2005-00088**

**HEALTHPARK FLORIDA WEST
LYING IN SECTION 33, TOWNSHIP 45 SOUTH, RANGE 24 EAST
AND
SECTION 4, TOWNSHIP 46 SOUTH, RANGE 24 EAST
LEE COUNTY, FLORIDA**

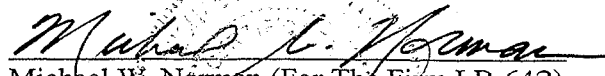
A tract or parcel of land lying in Section 33, Township 45 South, Range 24 East and Section 4, Township 46 South, Range 24 East, Lee County, Florida which tract or parcel is described as follows:

Beginning at a found 6" x 6" concrete monument at the southwest corner of Section 33, Township 45 South, Range 24 East run N 01° 02' 04" W along the common line between Section 33 and Section 32 for 1324.87 feet to the northwest corner of the South Half (S-1/2) of the Southwest Quarter (SW-1/4) of said Section 33; thence run N 88° 53' 53" E along the north line of the South Half (S-1/2) of the Southwest Quarter (SW-1/4) of said Section 33 for 2570.67 feet to the westerly right-of-way line of Bass Road (150 feet wide), said point being the northwest corner of Tract "A" as shown on the plat of HealthPark Florida West as recorded in Plat Book 47 at Pages 1 through 9 of the Public Records of Lee County, Florida; thence run S 01° 02' 25" E along said right-of-way line for 1323.91 feet to an intersection with the north line of Section 4, Township 46 South, Range 24 East; thence run S 01° 16' 30" E continuing along the said right-of-way line for 2257.47 feet to an intersection with the northwesterly right-of-way line of Summerlin Road (C.R. No. 869) (225 feet wide); thence run S 44° 17' 25" W along said northwesterly right-of-way line for 408.74 feet to a point of curvature; thence run southwesterly along the curved right-of-way line of said Summerlin Road to the right of radius 2754.79 feet (delta 20° 22' 29") (chord bearing S 54° 28' 38" W) (chord 974.47 feet) for 979.62 feet to a point of tangency; thence run S 64° 39' 53" W continuing along said northwesterly right-of-way line of Summerlin Road for 1592.48 feet to a jog in the right-of-way line of said Summerlin Road; thence run N 25° 20' 07" W along said jog for 10.00 feet; thence run S 64° 39' 53" W along the northwesterly right-of-way line of said Summerlin Road for 10.78 feet to an intersection with the west line of Section 4, Township 46 South, Range 24 East; thence run N 01° 21' 46" W along said west line of Section 4 for 1096.33 feet to the southwest corner of the Northwest Quarter (NW-1/4) of said Section 4; thence run N 01° 21' 19" W along the west line of said Northwest Quarter (NW-1/4) of Section 4 for 2647.03 feet to the Point of Beginning.

Subject to easements, restrictions and reservations of record.

Containing 262.68 acres, more or less.

Applicant's Legal Checked
by My OZMAYOS


Michael W. Norman (For The Firm LB-642)
Professional Surveyor and Mapper
Florida Certificate No. 4500

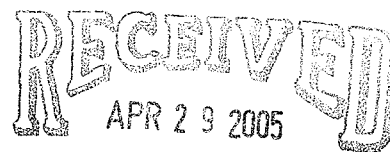
20033872-02 HP FL West 262.78 acres 042905

EXHIBIT A



SHEET 2 OF 3

April 29, 2005

DESCRIPTION

ADD 2005-00088

**HEALTHPARK FLORIDA EAST
SECTION 33, TOWNSHIP 45 SOUTH, RANGE 24 EAST
AND
SECTION 4, TOWNSHIP 46 SOUTH, RANGE 24 EAST
LEE COUNTY, FLORIDA**

A tract or parcel of land lying in Section 33, Township 45 South, Range 24 East and Section 4, Township 46 South, Range 24 East, Lee County, Florida, being described as follows:

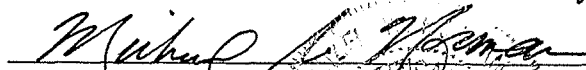
From the southeast corner of said Section 33 run N 01° 05' 59" W along the east line of said Section 33 for 433.12 feet to an intersection with the northwesterly right-of-way line of Summerlin Road (County Road 869) (225 feet wide) and the Point of Beginning.

From said Point of Beginning run S 44° 17' 24" W along said northwesterly right-of-way line of Summerlin Road for 3,613.16 feet to an intersection with the east right-of-way line of Bass Road (150 feet wide) as described in deed recorded in Official Record Book 2209 at Page 2942 of the Public Records of Lee County, Florida; thence run N 01° 16' 30" W along said east right-of-way line for 2,109.86 feet to an intersection with the north line of said Section 4, thence run N 01° 02' 25" W continuing along the east right-of-way line of Bass Road as described in deed recorded in Official Record Book 2413 at Page 2522 of said Public Records for 1,323.90 feet to an intersection with the north line of the South Half (S-1/2) of the Southeast Quarter (SE-1/4) of said Section 33; thence run N 88° 58' 18" E along said north line for 2,577.29 feet to an intersection with the east line of said Section 33; thence run S 01° 05' 59" E along said Section line for 893.09 feet to the Point of Beginning.

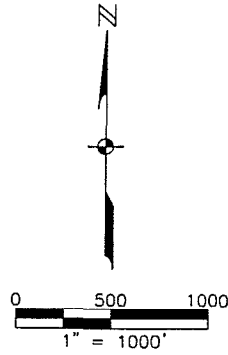
Parcel contains 5,579,214 square feet (128.08 acres), more or less.

Bearings hereinabove mentioned are based on the north line of the Northeast Quarter (NE-1/4) of Section 4, Township 46 South, Range 24 East to bear S 89° 01' 22" W.

Applicant's Legal Checked
by My OZMAY05


Michael W. Norman (For The Firm LB-642)
Professional Surveyor and Mapper
Florida Certificate No. 4500

200033872-02 HP FL East 128.08 Acres 042905

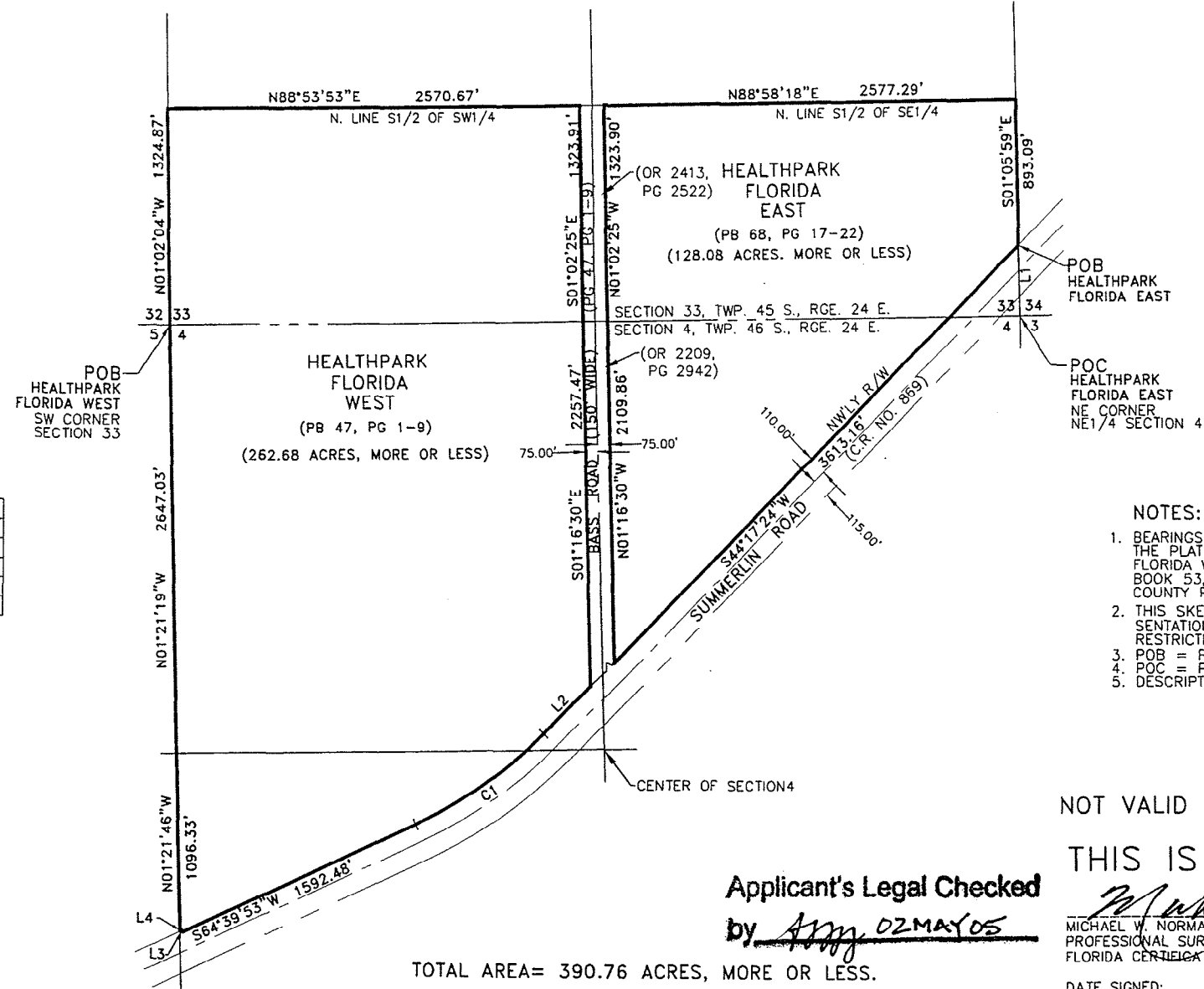


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LINE TABLE		
LINE	BEARING	LENGTH
L1	N01°05'59"W	433.12
L2	S44°17'25"W	408.74
L3	N25°20'07"W	10.00
L4	S64°39'53"W	10.78

CURVE TABLE					
CURVE	RADIUS	DELTA	CHORD BEARING	CHORD	LENGTH
C1	2754.79	20°22'29"	S54°28'36"W	974.47	979.62



NOTES:

1. BEARINGS SHOWN HEREON ARE BASED ON THE PLAT OF PHASE 1-F, HEALTHPARK FLORIDA WEST AS RECORDED IN PLAT BOOK 53, PAGES 81-90, IN LEE COUNTY PUBLIC RECORDS.
2. THIS SKETCH DOES NOT MAKE ANY REPRESENTATION AS TO ZONING OR DEVELOPMENT RESTRICTIONS ON SUBJECT PARCEL.
3. POB = POINT OF BEGINNING
4. POC = POINT OF COMMENCEMENT
5. DESCRIPTION ATTACHED.

NOT VALID WITHOUT SHEETS 1 & 2

THIS IS NOT A SURVEY

Applicant's Legal Checked
by AMY OZMAYOS

MICHAEL W. NORMAN (FOR THE FIRM L.B.#42)
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERTIFICATE NO. 4500

DATE SIGNED: APR 29 2005
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

TOTAL AREA= 390.76 ACRES, MORE OR LESS.

HEALTHPARK FLORIDA WEST
AND HEALTHPARK FLORIDA EAST
SECTION 33, TOWNSHIP 45 SOUTH, RANGE 24 EAST &
SECTION 4, TOWNSHIP 46 SOUTH, RANGE 24 EAST
LEE COUNTY, FLORIDA

JOHNSON
ENGINEERING

2158 JOHNSON STREET
P.O. BOX 1550
FORT MYERS, FLORIDA 33902-1550
PHONE (239) 334-0046
FAX (239) 334-3661
E.B. #642 & L.B. #642

SKETCH TO ACCOMPANY
DESCRIPTION

DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
04/26/05	20033872-02	33-45-24	1" = 1000'	3 OF 3

RECEIVED
APR 18 2005

PERMIT COUNTER

ADD 2005-00088

APPROVED
Plan

Subject to Case # ADD2005-00088

Date 5/18/05



BUILDINGS REQUESTING SETBACK RELIEF

NOTE:

THE PRIMARY MEANS OF INGRESS/EGRESS WILL BE VIA NORTH HEALTHPARK CIRCLE WITH THE SECONDARY ACCESS BEING VIA AN RECIPROCAL EMERGENCY INGRESS/EGRESS ACCESS ALONG THE 20' STABILIZED UTILITY AND ACCESS EASEMENT.

ALL ROADS WITHIN THIS PROJECT ARE PRIVATE

BUILDING TYPE	NUMBER OF UNITS	NUMBER OF TYPE IN DEVELOPMENT
1	4	13
2	6	56
3	5	17

TOTAL NUMBER OF MULTI-FAMILY UNITS = 473

PHASING NOTE:

1. PROJECT TO BE CONSTRUCTED IN 90 PHASES AS FOLLOWS:

EACH BUILDING HAS THE NUMBER THAT REPRESENTS THE BUILDING NUMBER AND THE PHASE. BUILDINGS 1 THROUGH 88 ARE PHASES 1 THROUGH 88.

SITE WORK AS SHOWN (INCLUDING ROADWAY, DRAINAGE, WATER, SEWER, LANDSCAPING AND IRRIGATION) SHALL BE PHASE 87.

PHASE 89 SHALL BE THE CONSTRUCTION OF THE AMENITIES BUILDING, POOL, SHOWERS AND PARKING FOR POOL.

PHASE 89 SHALL BE THE TEMPORARY SALES TRAILER.

PHASE 90 SHALL BE THE DEMOLITION AND REMOVAL OF THE TEMPORARY SALES TRAILER AND ASSOCIATED DRAINAGE, UTILITIES, AND PAVEMENT.

2. SEE SHEET 23 FOR TEMPORARY SALES TRAILER SITE IMPROVEMENTS.

J:\20033872\EXHIBITS\3872Solera-BLDG-ENROACH_SITE.dwg (site plan) BMG Feb 02, 2005 - 10:21am

REVISIONS

NO.	DESCRIPTION	DATE
1	REVISED BUILDING FOOTPRINTS	01/2005

Solera
at HealthPark

Health
Park Florida

JOHNSON
ENGINEERING

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P.O. BOX 1550
FORT MYERS, FLORIDA 33902-1550
PHONE (239) 334-0046
FAX (239) 334-3661
E.B. #642 & L.B. #642

Kevin M. Winter, PE
Cert. No. 41267

Site Plan

DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
June 2003	20033872	33-45-24	As Shown	3