ADMINISTRATIVE AMENDMENT (PD) ADD2003-00122

ADMINISTRATIVE AMENDMENT LEE COUNTY, FLORIDA

WHEREAS, Cypress Woods RV Resort Associates filed an application for administrative approval to a Mobile Home Planned Development and Recreational Vehicle Planned Development on a project known as Cypress Woods RV Resort to add the following two deviations from the Lee County Land Development Code (LDC) and adjust the Master Concept Plan per Condition 4 of Resolution Z-94-025:

- 1. A Deviation seeking relief from LDC Section 34-2194(b) and (c) which requires a 25 foot water body setback; to allow a zero foot setback in order to permit the construction of a clubhouse, deck, pier and gazebo 90 feet into the artificial body of water.
- 2. A Deviation seeking relief from LDC Section which requires a total of 135 parking spaces for the two clubhouse facilities; to allow only 44 off-street parking spaces.

The subject property is located at 5551 Luckett Road, described more particularly as:

LEGAL DESCRIPTION: In Section 11, Township 44 South, Range 25 East, Lee County, Florida:

See Exhibit A

WHEREAS, the property was originally rezoned in case number 94-06-14 DCI-02 (with subsequent amendments in case numbers Z-94-025, Z-87-075, Z-91-088, ZAB-8431, ZAB-84-1-31, 95-03-166.13A, AA-PD-95-19, ADD2002-00111, DOS2003-00073, DOS95-01-116.00D, LDO98-06-045.12L & LDO98-06-074.11L); 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 add the following two deviations from the Lee County Land Development Code (LDC) and adjust the Master Concept Plan per Condition 4 of Resolution Z-94-025:

- 1. A Deviation seeking relief from LDC Section 34-2194(b) and (c) which requires a 25 foot water body setback; to allow a zero foot setback in order to permit the construction of a clubhouse, deck, pier and gazebo 90 feet into the artificial body of water.
- 2. A Deviation seeking relief from LDC Section which requires a total of 135 parking spaces for the two clubhouse facilities; to allow only 44 off-street parking spaces.

These requests are APPROVED, subject to the following conditions:

1. The Development must be in compliance with the amended Master Concept Plan, stamped received AUG 21, 2003. Master Concept Plan for ADD2003-00122 is hereby APPROVED and adopted. A reduced copy is attached hereto.

Additionally, the approval of Deviation 1 of this Administrative Amendment is subject to substantially complying with the proposed construction of the clubhouse and related facilities on the approved Plan entitled, Cypress Woods, R.V. Resort Clubhouse Area Dev. Order Plans; Drainage, Parking & Site Dim. Plan; dated 04-14-03, stamped received AUG21, 2003. A reduced copy is attached hereto.

- 2. The terms and conditions of the original zoning resolutions and subsequent amendments remain in full force and effect.
- 3. The approved density and intensity of this project must remain consistent with ADD2002-00111 which allowed a maximum of 647 units, consisting of not more than 374 R.V. sites and not more than 273 M. H. sites.

Condition 4 of Resolution Z--94-025 is also hereby amended to read:

The dots on the approved Master Concept Plan designating which lots/parcels can only be occupied by a mobile home may be administratively (not to be confused with the requirement for an administrative amendment) moved from any vacant lot/parcel (donor lot/parcel) to another lot/parcel provided that the donor lot or parcel has never been occupied by a mobile home since the inception of this planned development. Once a lot/parcel is occupied by a mobile home, it can only be replaced with another mobile home.

- 4. The approval of the deviation from the water body setback must not adversely impact any open space requirement; wetland vegetation plantings; or other buffering, landscaping, or preservation areas or requirments.
- 5. The approval of the parking deviation is subject to the reservation of Lots 85 and 86 (Phase "4") and Tract I (Phase "3", which lies immediately east of Lots 85 and 86, Phase "4") for the use of overflow parking only. These may not be used as a recreational vehicle or mobile home site. Upon the sale of the last lot (site) in the last Phase of this development, if the applicant can adequately demonstrate during the season of the highest occupancy of the development that the overflow parking areas were not needed, the two lots can then be used for recreational vehicle or mobile home sites as provided for in this planned development. A reduced copy of a Plan entitled Cypress Woods R.V. Resort Phase "IV", IVA, & IVB, stamped received SEP 08, 2003 depicting these parcels is attached hereto.
- 6. A development order must be submitted within 90 days of the approval that includes a a littoral planting plan which details a created hardwood wetland and marsh area within the lake adjacent to Cypress Woods Resort Drive. The planting must include at a minimum 50 native wetland trees (minimum 6-foot height; 7-gallon container size) and 1000 native herbaceous wetland plants (minimum 4 species; 2-inch liner size) clustered within the area shown on Attachment 1.

DULY SIGNED this 1 nth day of Setunber, A.D., 2003.

Pam Houck, Director Division of Zoning Department of Community Development

DESCRIPTION:

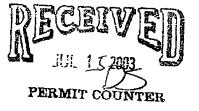
A parcel or tract of land lying in the Southwest Quarter (S.W.1/4) of Section 11, Township 44 South, Range 25 East, Lee County, Florida, described as follows:

Commencing at the Southwest corner of the Southwest Quarter (S.W.1/4) of the aforesaid Section 11: thence run N.00°53'18"W. along the West line of the Southwest Quarter (S.W.1/4) of said Section 11 for 25.00 feet to the North line of Luckett Road (50 feet wide) and the point of beginning; thence continue N.00°53'18"W. along the West line of the Southwest Quarter (S.W.1/4) of said Section 11 for 2621.45 feet to Northwest corner of said Southwest Quarter (S.W.1/4); thence run N.89°01'53"E. for 20.00 feet to the Northwest corner of lands described in Official Record Book 1848, Page 3142 of the Public Records of Lee County, Florida; thence run S.00° 53'18"E. along the West line of said lands for 640.00 feet; thence run N.89°01'53"E, along the South line of said lands for 445.50 feet; thence run N.00°53'18"W. along the East line of said lands for 640.00 feet to the Northeast corner of said lands and the North line of the Southwest Quarter (S.W.1/4) of the aforesaid Section 11; thence run N.89°01'53"E, along the North line of the Southwest Quarter (S.W.1/4) of said Section 11 for 2161.66 feet to the Northeast comer of the Southwest Quarter (S.W.1/4) of said Section 11; thence run S.00°46'12"E. along the East line of the Southwest Quarter (S.W.1/4) of said Section 11 for 2626.95 feet to the North line of the aforesaid Luckett Road; thence run S.89°09'05"W along the North line of said Luckett Road for 2621.74 feet to the point of beginning.

Said tract contains 151.559 acres, more or less and is subject to easements, restrictions and reservatons of record.

Bearings are based on the West line of the Southwest Quarter (S.W.1/4) of the aforesaid Section 11 as being N.00°53'18"W.

ohn B. Harris P.S.M. #463f October 23, 2002 pplicant's Legal Checked 15JULY03 Fror



OCI 2004-00062

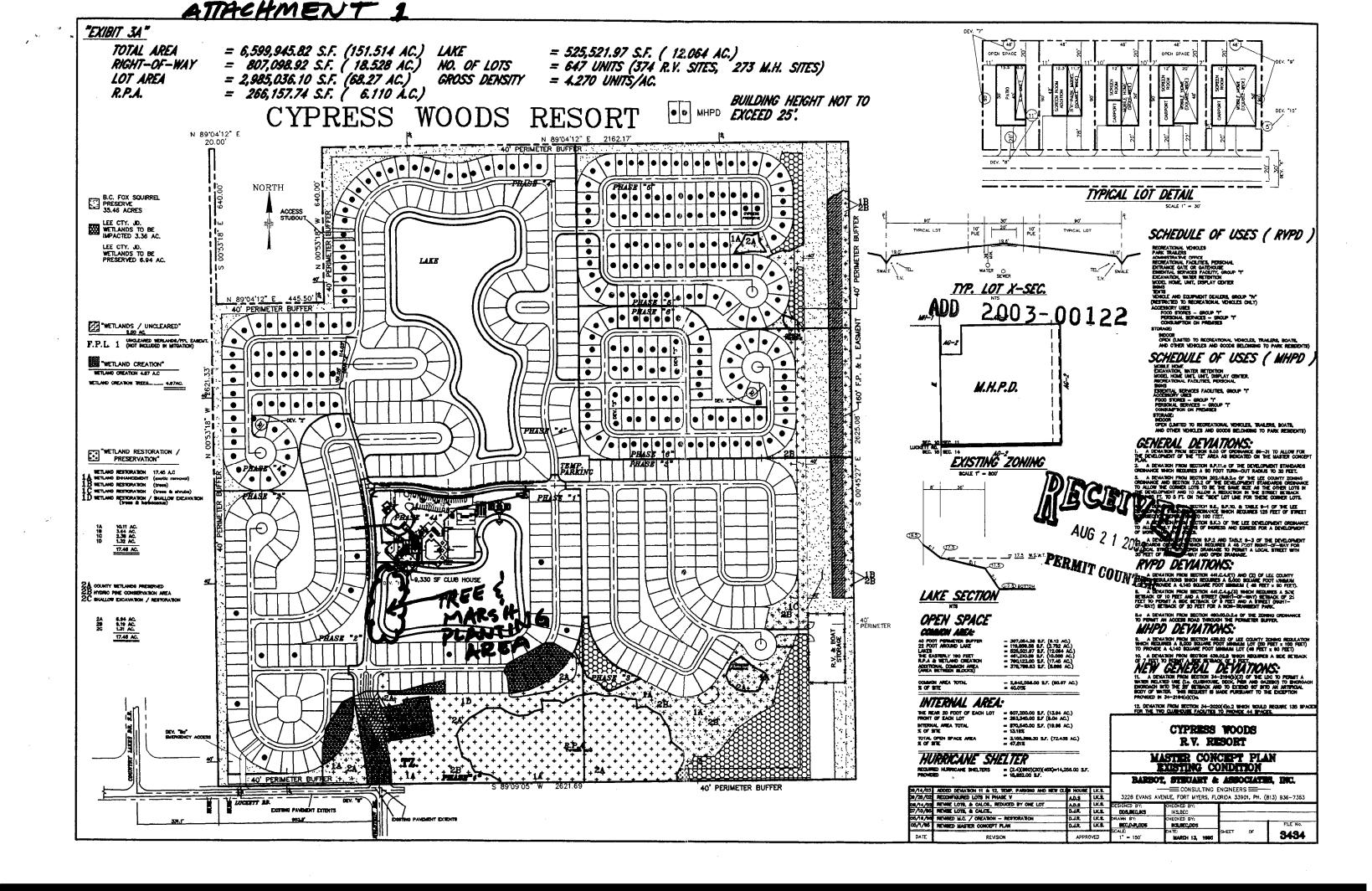
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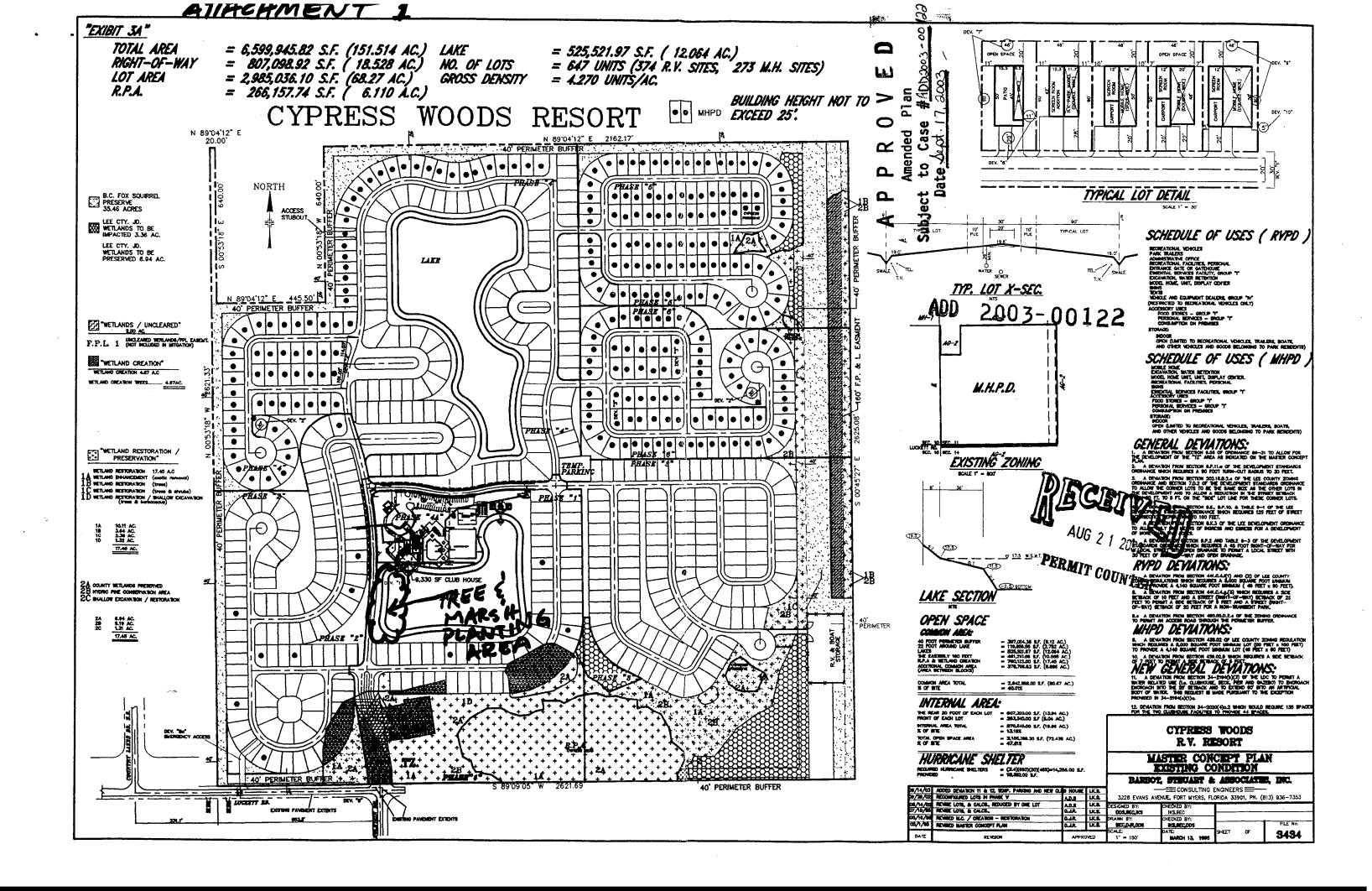
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Kim Trebatoski
Block, Alvin Chip
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ADD2003-00122

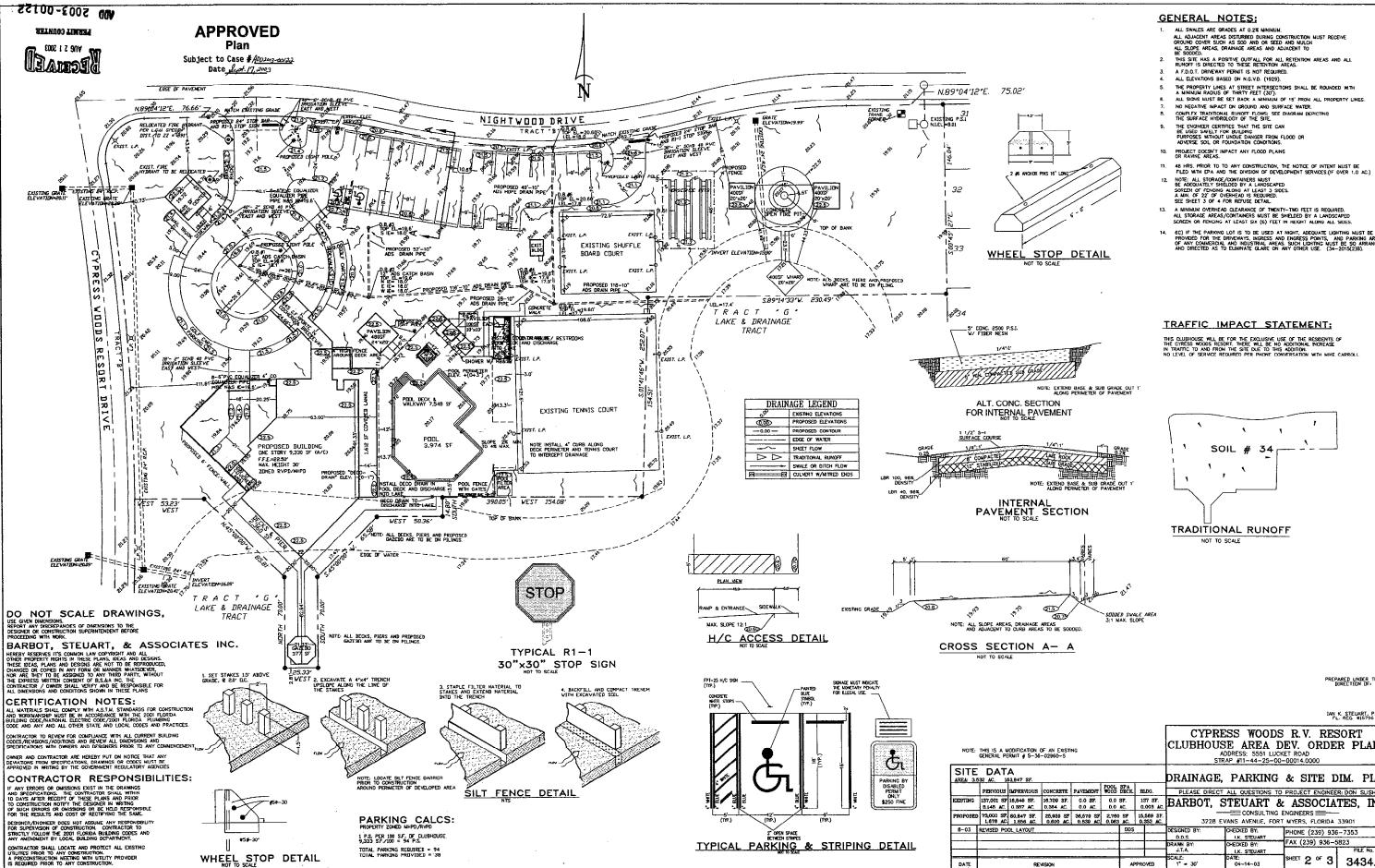
Chip - ES staff recommend the following condition to offset the encroachment of the structures over the lake:

A development order must be submitted within 90 days of the approval that includes a a littoral planting plan which details a created hardwood wetland and marsh area within the lake adjacent to Cypress Woods Resort Drive. The planting must include at a minimum 50 native wetland trees (minimum 6-foot height; 7-gallon container size) and 1000 native herbaceous wetland plants (minimum 4 species; 2-inch liner size) clustered within the area shown on Attachment 1.

Kim Trebatoski Principal Environmental Planner DCD - Planning/Environmental Sciences trebatkm@leegov.com 239-479-8183 FAX 239-479-8319









- THIS SITE HAS A POSITIVE OUTFALL FOR ALL RETENTION AREAS AND ALL RETENTION AREAS AND ALL

- ALL SIGNS MUST BE SET BACK & NINIMUM OF 15' FROM ALL PROPERTY LINES

- 6C) IF THE PARKING LOT IS TO BE USED AT NIGHT, ADEQUATE LIGHTING MUST BE PROVIDED FOR THE DRIVEWAYS, INGRESS AND ENDERSS POINTS, AND PARKING AREAS OF ANY COMMERCIAL AND INDUSTRIAL AREAS SUCH LIGHTING MUST BE SO ARENGED AND DIRECTED AS TO ELIMINATE GLARE ON ANY OTHER USE. (34-2015(2)B).

PREPARED UNDER THE DIRECTION DF

IAN K. STEUART, P.E. FL. REG. #15796

of an Existing 02860S							CYPRESS WOODS R.V. RESORT CLUBHOUSE AREA DEV. ORDER PLANS ADDRESS: 5551 LUCKET ROAD STRAP. #11-44-25-00-00014.0000							
			POOL WOOD	SPA		-	DRAINAGE							
	CONCRETE 16,709 SF. 0.384 AC.	0.0 SF. 0.0 AC.	WOOD 0.0 0.0	SF. 137 J			PLEASE DIREC		LL QUESTIONS 1					
ļ	25,939 ST 0.600 AC.	36,679 SF 0.839 AC		JC.	D.	569 SF. 353 AC.			CONSULTING				3901	1
						DESIGNED BY: D.D.S. DRAWN BY:		HECKED BY: I.K. STEUART HECKED BY:		PHONE (239) 936-7353 FAX (239) 936-5823				
VISION APPROVED						J.T.A. SCALE: 1" = 30'		I.K. STEUART ATE: 041403	SHE	T 2 °F 3 3434				

