

ADMINISTRATIVE AMENDMENT (PD) ADD2006-00060

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) for reduction in building separation from 20 feet to 18.22 feet and rear setback from 4 feet to 3.09 feet on property located at Building 28 located within the northwest portion of HealthPark FL, Sail Harbour Subdivision described more particularly as:

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

SEE ATTACHED THREE-PAGE EXHIBIT "A"

WHEREAS, the property was originally rezoned in case number 87-3-10-DRI (with subsequent amendments in case numbers AA-PD-93-013, AA-PD-96-10, Z-98-11, Z-01-021, ADD2001-00158, DRI2003-00003, ADD2003-00087, ADD2003-00087A, Z-05-014, ADD2005-00088 and ADD2005-00171); and

WHEREAS, the subject property is located in the Urban Community Future Land Use Category as designated by the Lee Plan; and

WHEREAS, the Sail Harbour Subdivision development consists of townhouses; and

WHEREAS, property development regulations are in place for townhouses per Resolution Z-87-058 which require a minimum building separation of 20 feet and a rear setback of 4 feet; and

WHEREAS, the applicant has requested a reduction in building separation from 20 feet to 18.22 feet and rear setback from 4 feet to 3.09 feet; and

WHEREAS, Building 28 has already been constructed and therefore this is the most that the encroachment into the typical setbacks will occur; and

WHEREAS, the property is located within the Iona-McGregor Fire District; and

WHEREAS, the Iona-McGregor Fire District Fire Safety Inspector, Shawn Bartels inspected and signed off on the reduced building separation (18.22 feet) between Buildings 28 & 34; and

WHEREAS, the sign-off is noted on the Administrative Amendment Site Plan labeled Attachment A; 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 for building separation and rear setback from 20 and 4 to 18.22 and 3.09, respectively, for Building 28 of the Commercial Planned Development is **APPROVED subject to the following conditions:**

1. **The Development must be in compliance with the attached Site Plan, stamped received by Community Development on March 27, 2006. Site Plan for ADD2006-00060 is hereby APPROVED and adopted. A reduced copy is attached hereto as Attachment "A."**
2. **The terms and conditions of the original zoning resolutions remain in full force and effect.**

DULY SIGNED this 30 day of March, A.D., 2006.

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

RECEIVED
MAR 27 2006

SHEET 1 OF 3

EXHIBIT A

March 22, 2006

PERMIT COUNTER**DESCRIPTION**

**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 *[Signature]* 3/22/06

ADD 2006-00060

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

20033872-02- 03-22-06 - HP FL West 262.78 acres

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SHEET 2 OF 3

March 22, 2006

PERMIT COUNTER**DESCRIPTION**

**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.

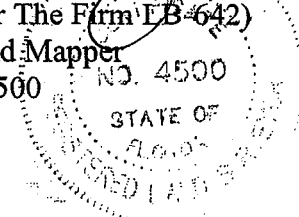
Parcel contains 5,579,214 square feet (128.08 acres), more or less.

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.

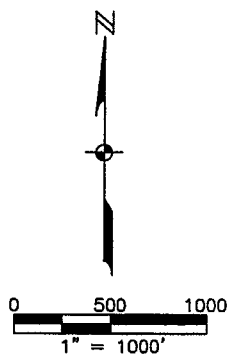
Applicant's Legal Checked
by *[Signature]* 3/24/2006

ADD 2006-00060

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



200033872-02 - 03-22-06 - HP FL East 128.08 Acres



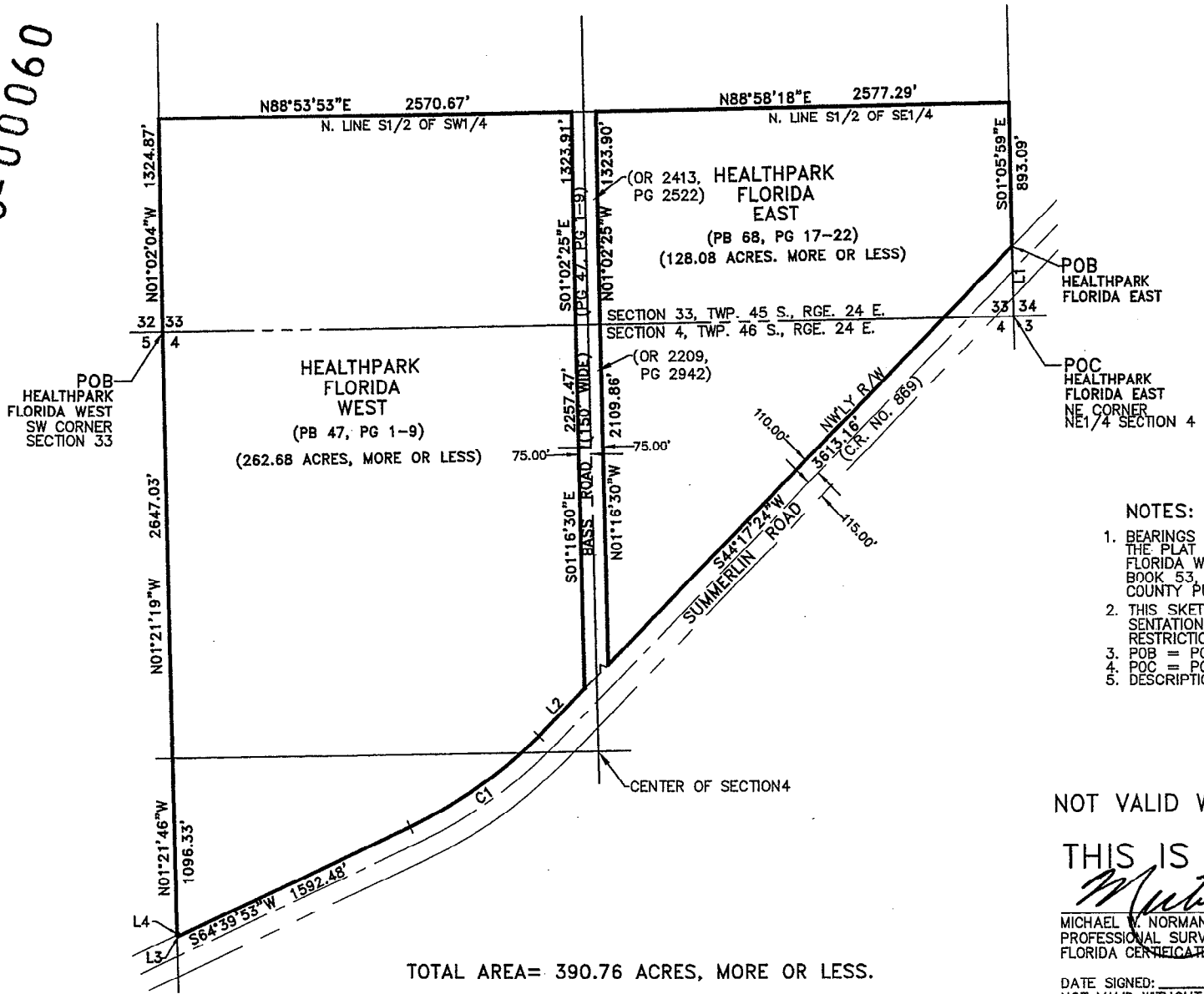
RECEIVED
MAR 27 2006

PERMIT COUNTER

ADD 2006-00060

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	LENGTH
C1	2754.79	20°22'29"	S54°28'38"W	974.47	979.62



- NOTES:
1. BEARINGS SHOWN HEREON ARE BASED ON THE PLAT OF PHASE I-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

MICHAEL W. NORMAN
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERTIFICATE NO. 4500

DATE SIGNED: MAR 27 2006
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

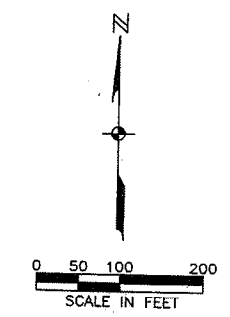
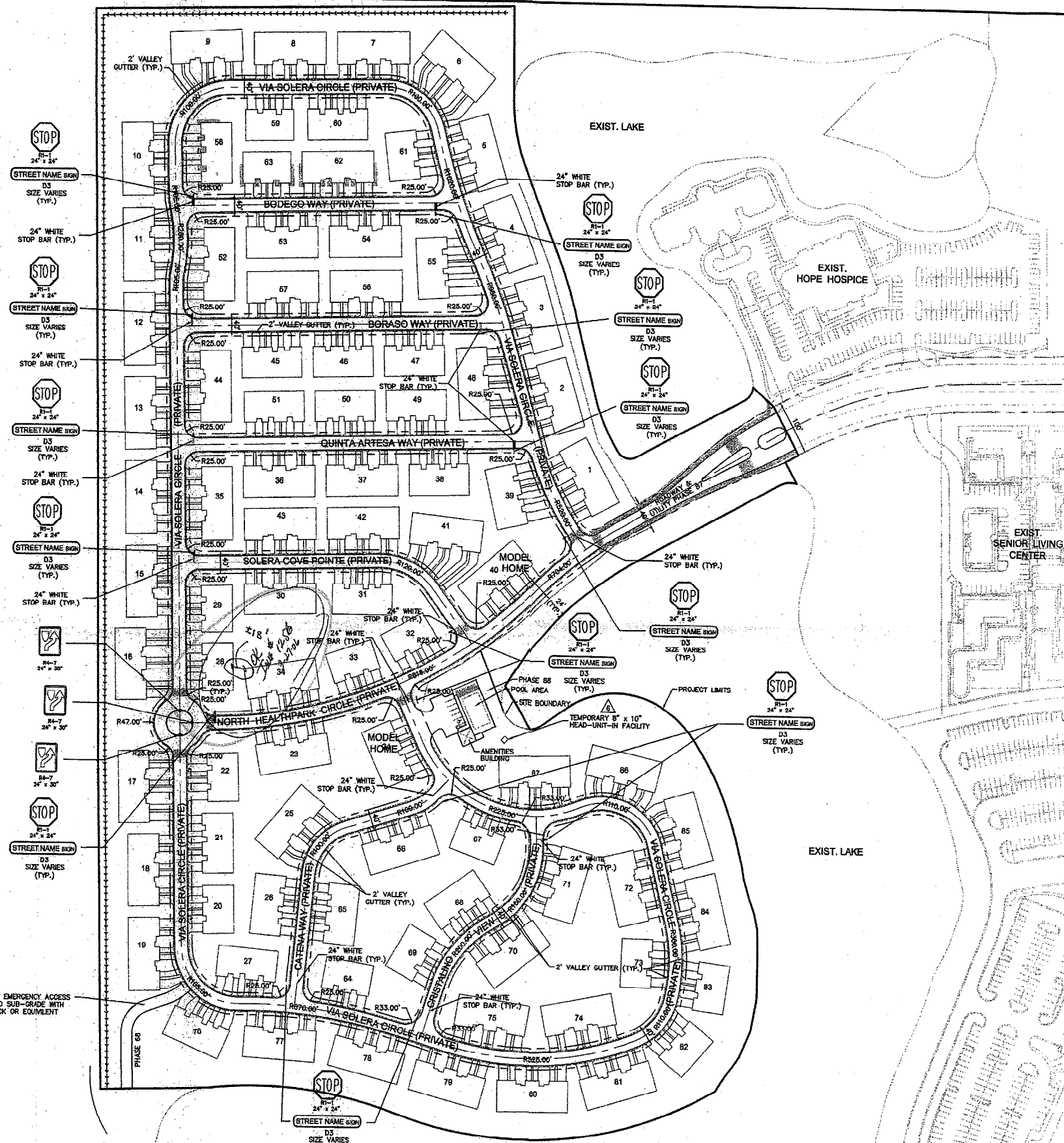
HEALTHPARK FLORIDA WEST
AND HEALTHPARK FLORIDA EAST
SECTION 33, TOWNSHIP 45 SOUTH, RANGE 24 EAST &
SECTION 4, TOWNSHIP 46 SOUTH, RANGE 24 EAST
LEE COUNTY, FLORIDA

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
03/22/06	20033872-02	33-45-24	1" = 1000'	3 OF 3



ATTACHMENT A

APPROVED Plan

Subject to Case #ADD2006-00060
Date 3/30/06

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	15
2	5	19
3	6	53

TOTAL NUMBER OF MULTI-FAMILY UNITS = 473

PHASING NOTE:

- 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 87.
SITE WORK AS SHOWN (INCLUDING ROADWAY, DRAINAGE, WATER, SEWER, LANDSCAPING AND IRRIGATION) SHALL BE PHASE 88.
PHASE 89 SHALL BE THE CONSTRUCTION OF THE AMENITIES BUILDING, POOL, SHOWERS AND PARKING FOR POOL.
PHASE 90 SHALL BE THE TEMPORARY SALES TRAILER.
PHASE 91 SHALL BE THE DEMOLITION AND REMOVAL OF THE TEMPORARY SALES TRAILER AND ASSOCIATED DRAINAGE, UTILITIES, AND PAVEMENT.
- SEE SHEET 23 FOR TEMPORARY SALES TRAILER SITE IMPROVEMENTS.

J:\20033872\DRAWINGS\CONSTRUCTION SET\3872SailHarbour-SitePlan2.dwg (site plan) bmg Mar 22, 2006 - 12:35pm

REVISIONS		
△	REVISED PER LEE COUNTY D.O. / SP/MD COMMENTS	12/22
△	REVISED PER LEE COUNTY D.O. COMMENTS	3/22/04
△	ADDED ANOTHER MODEL HOME SITE	10/25/04
△	REVISED BUILDING FOOTPRINTS	12/08/04
△	TEMPORARY HEAD-UNIT-IN FACILITY/ DUMPSTER PAD REMOVAL	10/31/05
△	AMEND PHASING NOTE	12/30/05

Sail Harbour
at HealthPark



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VINCENT JOSEPH MILLER, PE
FL License No. 63123

ADD 2006-00060



Site Plan

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