

ADMINISTRATIVE AMENDMENT (FPA) ADD2006-00043

ADMINISTRATIVE AMENDMENT  
LEE COUNTY, FLORIDA

WHEREAS, West Bay Development filed an application for an amended Final Plan Approval to a Residential Planned Development on a project known as West Bay Club - Orchid Bay for 232 multi-family residential units in two 20-story towers, 220 feet in height, 17 cabanas, a pavilion, a gazebo, parking, and other related amenities on property located at 22200 Left Bank Blvd, described more particularly as:

LEGAL DESCRIPTION: In Section 31, Township 46 South, Range 25 East, Lee County, Florida:

SEE ATTACHED TWO-PAGE EXHIBIT "A"

WHEREAS, the property was originally rezoned in case number 95-06-148.03Z (with subsequent amendments in case numbers DCI2004-00046, ADD2000-00016, ADD1999-00056); and

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

WHEREAS, Condition 2 of Resolution Z-96-005 requires Final Plan Approval to be applied for prior to the issuance of local Development Order for vertical development; and

WHEREAS, the subject property was originally slated for multi-family development; and

WHEREAS, an administrative amendment was applied for and granted to convert the multi-family development to single-family lots in ADD1999-00056; and

WHEREAS, Final Plan Approval was granted for the single-family development on the subject property in ADD2000-00046; and

WHEREAS, due to changes in the residential market, the developer wishes to revert the subject property back to multi-family dwelling units; and

WHEREAS, the request to return the property to multi-family was granted in Z-05-010; and

WHEREAS, the applicant has requested Final Plan Approval for 232 multi-family residential units in two 20-story towers, 220 feet in height, 17 cabanas, a pavilion, a gazebo, parking, and other related amenities; and

WHEREAS, cabana is defined in the Land Development Code as a structure that must be used for recreational purposes only, and may not be used by unit owners, their guests or invitees for occupancy as a rooming unit, housing unit, accessory apartment, guest unit or dwelling unit, as those terms are defined by this code; and

WHEREAS, prohibited uses in a cabana include overnight sleeping, stoves (with either a cook top range or an oven), and lease of the cabana structure for use by someone other than the unit owner; and

WHEREAS, a recorded covenant must be filed consistent with section 34-1182 and may not be amended without the written consent of the director of Lee County Community Development; and

WHEREAS, the applicant has further requested setback relief from the waterbody from 25 feet to 20 feet and accessory structure setback from 10 feet to 5 feet for a gazebo at the north end of the property; and

WHEREAS, this amended Final Plan Approval complies with the regulations set forth in Resolution Z-05-010; 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 Final Plan Approval for an amendment to allow 232 multi-family residential units in two 20-story towers, 220 feet in height, 17 cabanas, a pavilion, a gazebo, parking, and other related amenities in a Residential Planned Development is **APPROVED subject to the following conditions:**

1. **The Development must be in substantial compliance with the 8-page Site Plan and Architectural Building Elevations, stamped received by the Permit Counter on March 1, 2006. The Site Plan for ADD2006-00043 is hereby APPROVED and adopted. A reduced copy is attached hereto.**
2. **A deviation for a reduction in accessory structure setback from 10 feet to 5 feet for a gazebo at the north end of the property.**

3. A deviation for a reduction in waterbody setback from 25 feet to 20 feet.
4. A recorded covenant must be filed consistent with LDC Sec. 34-1182 for the 17 cabana units.
5. All other terms and conditions of the original zoning resolutions Z-96-005 and Z-05-010 remain in full force and effect.

DULY SIGNED this 21st day of April, A.D., 2006.

BY: \_\_\_\_\_

  
Pam Houck, Director  
Division of Zoning  
Department of Community Development

EXHIBIT A

**RECEIVED**  
MAR 01 2006

**PERMIT COUNTER**

**ADD 2006-00043**

**DESCRIPTION**

ALL OF LOTS 1 THROUGH 13, LEFT BANK LANE AND RIGHT BANK LANE (TRACT A), THE LANDSCAPE EASEMENTS, DRAINAGE EASEMENTS (DE'S), THE UTILITY EASEMENT, THE LAKE MAINTENANCE EASEMENTS (LME'S) AND THE PUBLIC UTILITY EASEMENTS (PUE'S) AS SHOWN ON THE PLAT OF WESTLAKE COURT, RECORDED IN PLAT BOOK 67 AT PAGES 91 AND 92 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, SECTION 31, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA. (SAME BEING ALL OF THE PLAT OF WESTLAKE COURT, AS RECORDED IN PLAT BOOK 67 AT PAGES 91 AND 92 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA.)

Applicant's Legal Checked  
by Amj 08MAR06

THIS IS NOT A SURVEY

Frances L. Summerall  
FRANCES L. SUMMERALL (FOR THE FIRM LB-642)  
PROFESSIONAL SURVEYOR AND MAPPER  
FLORIDA CERTIFICATE NO. 5652

DATE SIGNED: 10-20-05  
NOT VALID WITHOUT THE SIGNATURE AND THE  
ORIGINAL RAISED SEAL OF A FLORIDA LICENSED  
SURVEYOR AND MAPPER AND NOT VALID WITHOUT  
SKETCH SHOWN ON SHEET 2

S:\20055546\055546-SKETCH-DESC-VACATION-WESTLAKE-COURT.dwg (SKETCH-SHEET-1) fls Oct 20, 2005 - 9:17am

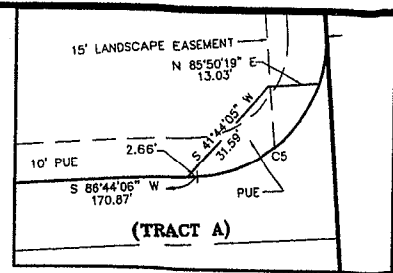
**JOHNSON**  
**ENGINEERING**

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

EXHIBIT "A"  
DESCRIPTION

DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
OCT, 2005	20055546	31-46-25	N/A	1 OF 2

CURVE TABLE									
CURVE	RADIUS	DELTA	DIRECTION	CHORD	CHORD	CHORD	CHORD	CHORD	CHORD
C1	327.00	10°01'25"	S 88°15'12" E	57.13	57.21				
C2	292.00	10°01'25"	S 88°15'12" E	51.02	51.08				
C3	25.00	90°53'46"	N 41°17'12" E	35.83	39.66				
C4	25.00	89°06'14"	S 48°42'48" E	35.08	38.88				
C5	35.00	90°53'46"	N 41°17'12" E	49.88	55.53				
C6	35.00	89°06'14"	S 48°42'48" E	49.11	54.43				
C7	217.50	07°27'31"	S 01°36'50" W	28.29	28.31				
C8	217.50	02°02'46"	S 03°08'18" E	7.77	7.77				
C9	20.00	61°28'25"	S 58°43'45" E	20.45	21.46				
C10	20.00	13°28'04"	N 83°47'31" E	4.69	4.70				
C11	45.00	104°35'14"	N 21°03'03" E	71.20	82.14				
C12	62.00	72°28'40"	S 04°58'46" W	73.30	78.43				
C13	65.00	64°11'52"	N 00°31'50" W	87.15	95.52				
C14	200.00	16°00'16"	N 03°50'26" E	55.68	55.87				



DETAIL - NOT TO SCALE

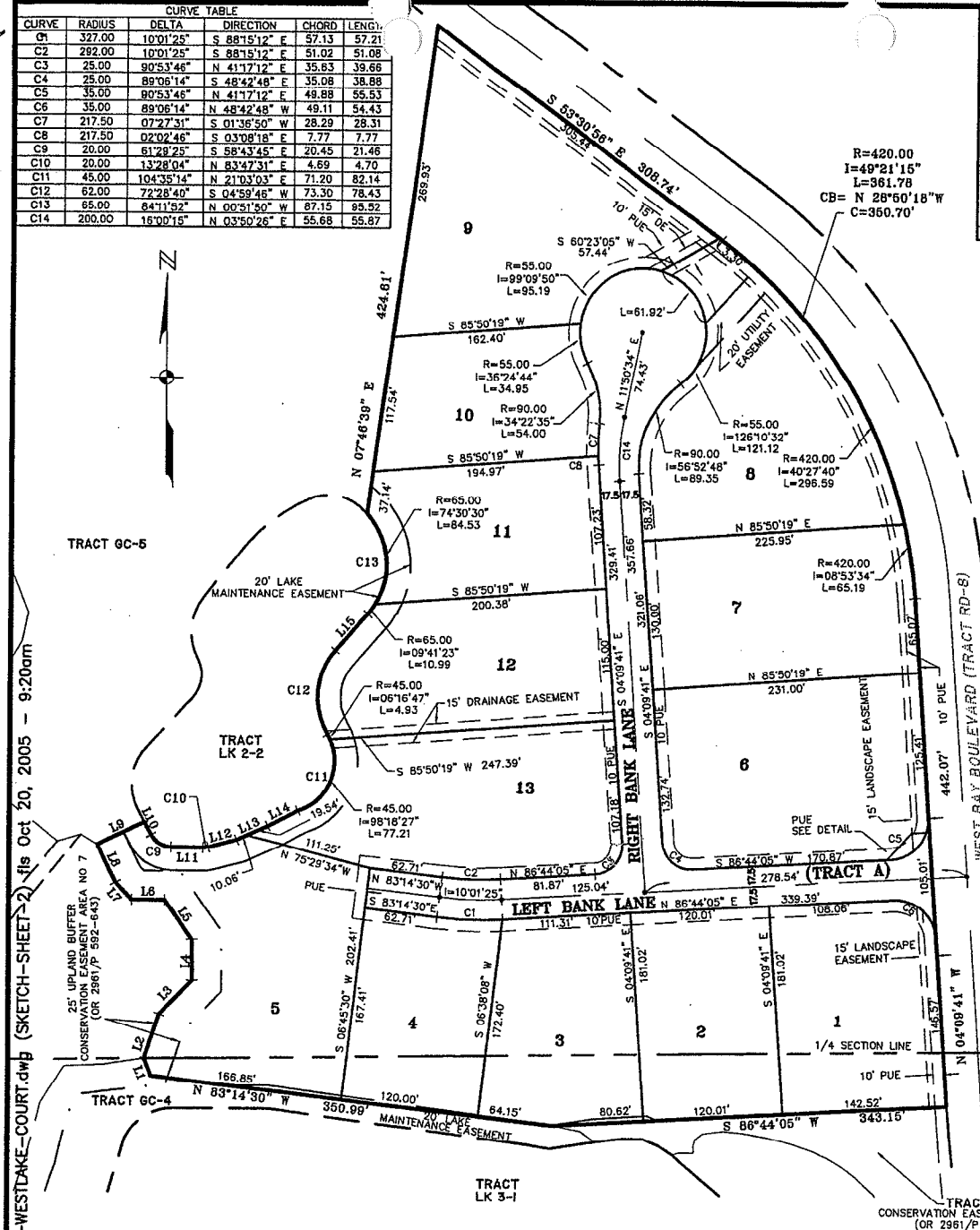
LINE TABLE		
LINE	BEARING	LENGTH
L1	N21°33'40" W	16.36
L2	N18°27'53" E	40.52
L3	N43°41'38" E	41.29
L4	N00°46'54" W	35.58
L5	N35°16'11" W	41.11
L6	S89°23'58" W	28.66
L7	N42°24'34" W	20.58
L8	N28°14'31" W	36.29
L9	N63°45'29" E	45.22
L10	S27°59'02" E	12.39
L11	S89°28'27" E	27.49
L12	N73°20'42" E	24.92
L13	N65°39'19" E	29.60
L14	N62°43'24" E	29.27
L15	N41°14'06" E	42.41

### LEGEND

- RD = ROAD RIGHT-OF-WAY
- LME = LAKE MAINTENANCE EASEMENT
- LK = LAKE
- MF = MULTIFAMILY
- GC = GOLF COURSE
- C = CONSERVATION
- DE = DRAINAGE EASEMENT
- PUE = PUBLIC UTILITY EASEMENT
- P = PAGE
- OR = OFFICIAL RECORD BOOK

WEST BAY CLUB  
PLAT BOOK 62, PAGE 79-III

- ### CURVE LEGEND
- R = RADIUS
  - I = INTERNAL ANGLE (DELTA)
  - CB = CHORD BEARING
  - C = CHORD
  - L = ARC LENGTH



ADD 2006-00043

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MAR 01 2006

### NOTES:

1. BEARINGS SHOWN HEREON ARE BASED ON THE EAST LINE OF LOT 1, WESTLAKE COURT, AS RECORDED IN PLAT BOOK 67, PAGES 91 AND 92, PUBLIC RECORDS OF LEE COUNTY, FLORIDA TO BEAR N 04°09'41" W
2. THIS SKETCH DOES NOT MAKE ANY REPRESENTATION AS TO ZONING OR DEVELOPMENT RESTRICTIONS ON THE SUBJECT PARCEL.
3. TOTAL PARCEL CONTAINS 9.57 ACRES, MORE OR LESS.
4. NOT VALID WITHOUT LEGAL DESCRIPTION SHOWN ON SHEET 1.

**PERMIT COUNTER**

**Applicant's Legal Checked**

by AMY OBMADE

**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

EXHIBIT "B"  
SKETCH TO ACCOMPANY DESCRIPTION

DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
OCT, 2005	20055546	31-46-25	1" = 150'	2 OF 2

FINAL PLAN APPROVAL  
FOR  
ORCHID BAY  
AT WEST BAY CLUB

UTILITIES PROVIDING SERVICE:

WATER AND SEWER

LEE COUNTY UTILITIES  
1500 MONROE STREET  
FORT MYERS, FLORIDA 33902  
PHONE (239) 479-8163

TELEPHONE:

UNITED TELEPHONE SYSTEM  
P.O. BOX 2477  
NAPLES, FLORIDA 33939-2477  
PHONE (239) 263-6221

ELECTRIC:

FLORIDA POWER & LIGHT COMPANY  
P.O. BOX 413013  
NAPLES, FLORIDA 33941-3013  
PHONE (239) 334-7754

CABLE TELEVISION:

COMCAST  
301 TOWER ROAD  
NAPLES, FLORIDA 34113  
PHONE (239) 793-9600

GARBAGE COLLECTION:

SUPERIOR SERVICES  
1112 S.E. 9TH LANE  
CAPE CORAL, FLORIDA 33990  
PHONE (239) 995-4475

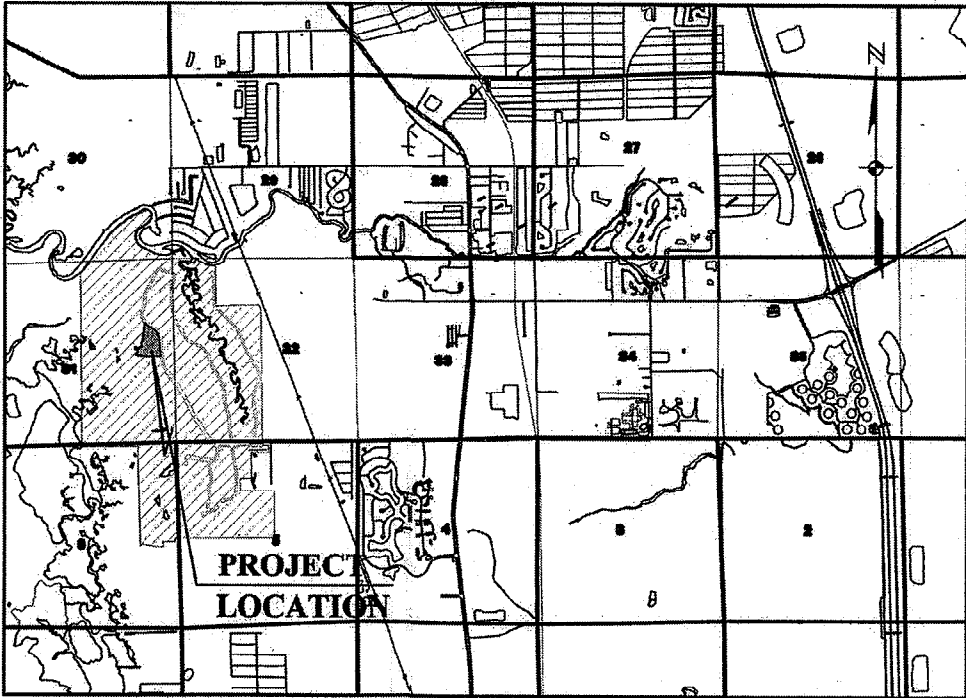
FIRE CONTROL DISTRICT:

ESTERO FIRE PROTECTION  
AND RESCUE DISTRICT  
20241 SOUTH TAMiami TRAIL  
ESTERO, FL 33928  
PHONE (239) 947-3473

INDEX OF PLANS

SHEET NO.	DESCRIPTION
1	COVER
2	SITE PLAN
3	TYPICAL SECTIONS
4	ARCHITECTURAL BUILDING ELEVATIONS

SECTION 31 TOWNSHIP 46 S., RANGE 25 E.  
LEE COUNTY, FLORIDA



LOCATION MAP

0 2500 5000  
SCALE IN FEET  
FEBRUARY, 2006

ATTACHMENT A

OWNER

WEST BAY CLUB DEVELOPMENT CORPORATION  
4610 WEST BAY BOULEVARD  
ESTERO, FL. 33928  
PHONE (239) 498-7770  
FAX (239) 498-7771

AGENT/DEVELOPER

WEST BAY CLUB DEVELOPMENT CORPORATION  
4610 WEST BAY BOULEVARD  
ESTERO, FL. 33928

ZONING

RPD (RESOLUTION # Z-96-005)

SIZE OF PARCEL

9.57 ACRES

STRAP NUMBER

31-46-25-12-00000.0010  
31-46-25-12-00000.0020  
31-46-25-12-00000.0030  
31-46-25-12-00000.0040  
31-46-25-12-00000.0050  
31-46-25-12-00000.0060  
31-46-25-12-00000.0070  
31-46-25-12-00000.0080  
31-46-25-12-00000.0090  
31-46-25-12-00000.0100  
31-46-25-12-00000.0110  
31-46-25-12-00000.0120  
31-46-25-12-00000.0130

APPROVED

Final Plan Approval  
for ~~RESIDENTIAL~~ Planned Development  
Subject to Case # ADD2006-00043  
Date 4/21/2006

JOHNSON  
ENGINEERING

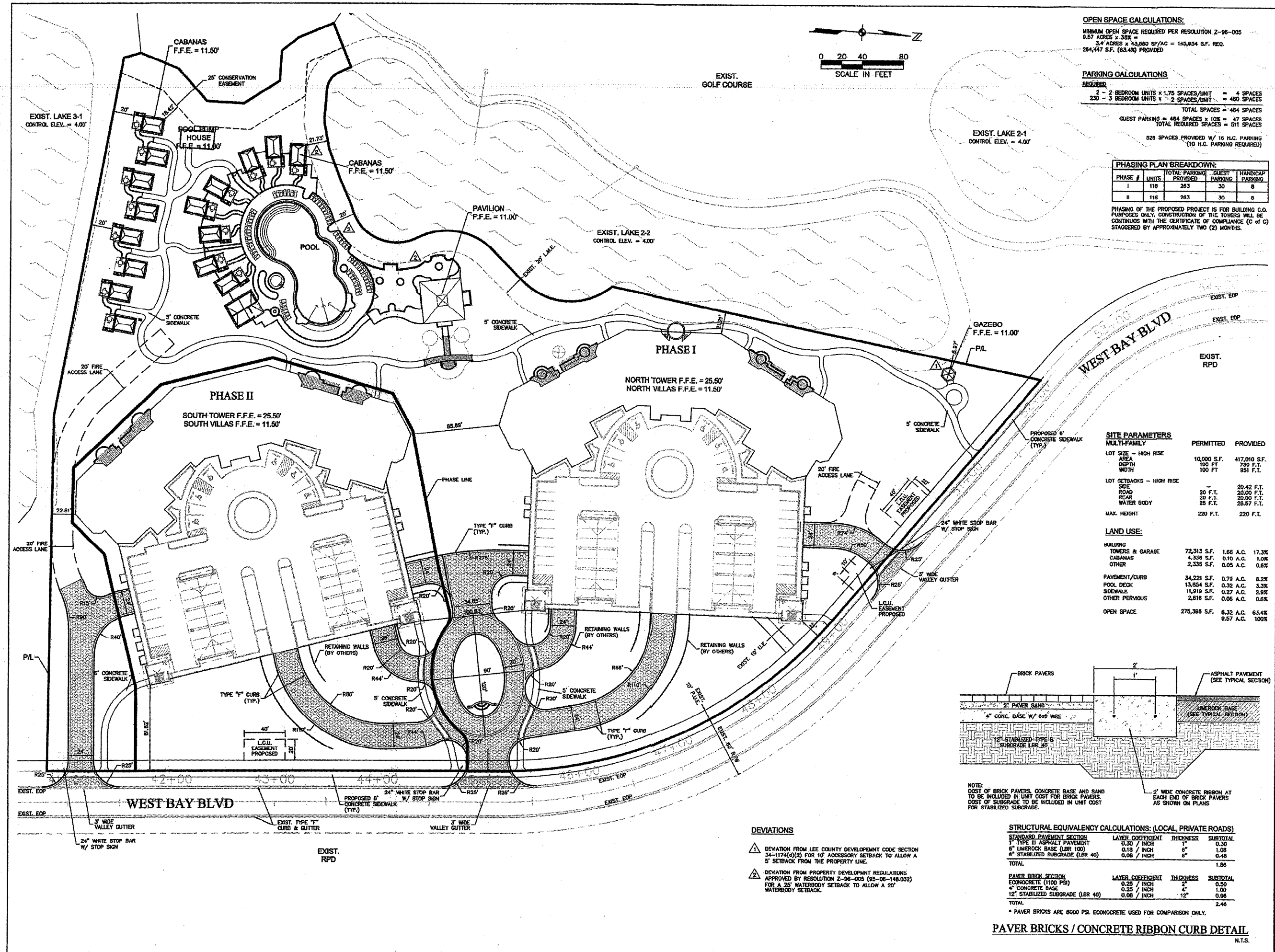
2159 JOHNSON STREET  
P.O. BOX 1550  
FORT MYERS, FLORIDA 33902-1550  
PHONE (239) 334-0046  
FAX (239) 334-3661  
E.B. #642 & L.B. #642

REGISTERED PROFESSIONAL ENGINEER  
FLORIDA LICENSE NO. #62421

DANA L. HUME, P.E.

DATE

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**OPEN SPACE CALCULATIONS:**  
MINIMUM OPEN SPACE REQUIRED PER RESOLUTION Z-98-005  
9.57 ACRES x 3.58 = 34.26 ACRES  
3.4 ACRES x 13,580 SF/AC = 46,172 S.F. REQ.  
284,447 S.F. (63.4%) PROVIDED

**PARKING CALCULATIONS**  
**REQUIRED:**  
2 - 2 BEDROOM UNITS x 1.75 SPACES/UNIT = 4 SPACES  
230 - 3 BEDROOM UNITS x 2 SPACES/UNIT = 460 SPACES  
TOTAL SPACES = 464 SPACES  
GUEST PARKING = 484 SPACES x 10% = 48 SPACES  
TOTAL REQUIRED SPACES = 511 SPACES  
528 SPACES PROVIDED W/ 16 H.C. PARKING (10 H.C. PARKING REQUIRED)

**PHASING PLAN BREAKDOWN:**

PHASE #	UNITS	TOTAL PARKING PROVIDED	GUEST PARKING	HANDICAP PARKING
I	116	263	30	8
II	116	263	30	8

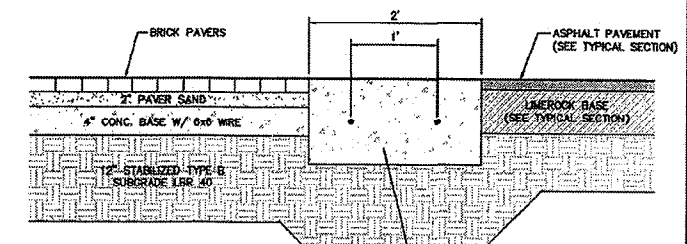
PHASING OF THE PROPOSED PROJECT IS FOR BUILDING C.O. PURPOSES ONLY. CONSTRUCTION OF THE TOWERS WILL BE CONTINUOUS WITH THE CERTIFICATE OF COMPLIANCE (C of C) STAGGERED BY APPROXIMATELY TWO (2) MONTHS.

**SITE PARAMETERS**  
MULTI-FAMILY

	PERMITTED	PROVIDED
LOT SIZE - HIGH RISE	10,000 S.F.	417,010 S.F.
AREA	100 FT	739 F.T.
DEPTH	100 FT	851 F.T.
WIDTH		
LOT SETBACKS - HIGH RISE		
SIDE	20 F.T.	20.42 F.T.
REAR	20 F.T.	20.00 F.T.
WATER BODY	25 F.T.	28.57 F.T.
MAX. HEIGHT	220 F.T.	220 F.T.

**LAND USE:**

BUILDING	72,313 S.F.	1.66 A.C.	17.3%
TOWERS & GARAGE	4,336 S.F.	0.10 A.C.	1.0%
CABANAS	2,335 S.F.	0.05 A.C.	0.6%
OTHER			
PAVEMENT/CURB	34,221 S.F.	0.79 A.C.	8.2%
POOL DECK	13,854 S.F.	0.32 A.C.	3.3%
SIDEWALK	11,919 S.F.	0.27 A.C.	2.9%
OTHER PAVEMENT	2,618 S.F.	0.06 A.C.	0.6%
OPEN SPACE	275,398 S.F.	6.32 A.C.	63.4%
		6.57 A.C.	100%



NOTE: COST OF BRICK PAVERS, CONCRETE BASE AND SAND TO BE INCLUDED IN UNIT COST FOR BRICK PAVERS. COST OF SUBGRADE TO BE INCLUDED IN UNIT COST FOR STABILIZED SUBGRADE.

2" WIDE CONCRETE RIBBON AT EACH END OF BRICK PAVERS AS SHOWN ON PLANS

- DEVIATIONS**
- Δ DEVIATION FROM LEE COUNTY DEVELOPMENT CODE SECTION 34-1174(012) FOR 10' ACCESSORY SETBACK TO ALLOW A 5' SETBACK FROM THE PROPERTY LINE.
  - Δ DEVIATION FROM PROPERTY DEVELOPMENT REGULATIONS APPROVED BY RESOLUTION Z-98-005 (98-06-148.032) FOR A 25' WATERBODY SETBACK TO ALLOW A 20' WATERBODY SETBACK.

**STRUCTURAL EQUIVALENCY CALCULATIONS: (LOCAL, PRIVATE ROADS)**

STANDARD PAVEMENT SECTION	LAYER COEFFICIENT	THICKNESS	SUBTOTAL
1" TYPE III ASPHALT PAVEMENT	0.30 / INCH	1"	0.30
6" UNDERLAY BASE (LBR 100)	0.18 / INCH	6"	1.08
6" STABILIZED SUBGRADE (LBR 40)	0.08 / INCH	6"	0.48
TOTAL			1.86

PAVER BRICK SECTION	LAYER COEFFICIENT	THICKNESS	SUBTOTAL
EDGCONCRETE (1100 PSI)	0.25 / INCH	2"	0.50
4" CONCRETE BASE	0.25 / INCH	4"	1.00
12" STABILIZED SUBGRADE (LBR 40)	0.08 / INCH	12"	0.96
TOTAL			2.46

\* PAVER BRICKS ARE 8000 PSI. EDGCONCRETE USED FOR COMPARISON ONLY.

**PAVER BRICKS / CONCRETE RIBBON CURB DETAIL**  
N.T.S.

**JOHNSON ENGINEERING**  
2168 JOHNSON STREET  
P.O. BOX 1855  
FORT MYERS, FLORIDA 33902-1855  
PHONE (239) 334-0040  
FAX (239) 334-3851  
E.S. #642 & L.S. #642

ORCHID BAY  
LEE COUNTY, FLORIDA

WEST BAY CLUB

REVISIONS

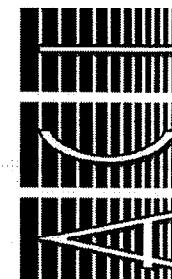
NO.	DATE	DESCRIPTION
1	SEPTEMBER 2005	PROJECT NO. 20055546
2	31-485-25E	FILE NO.
3	1" = 40'	SCALE

SITE PLAN

SHEET NUMBER

02

Scale: 1/16"=1'-0"



ACI Architectural Group, Inc.  
 315 NORTH FLAGLER DRIVE, SUITE 1400  
 WEST PALM BEACH, FLORIDA 33401-4339  
 Voice: (561) 832-3599  
 Fax: (561) 653-4828



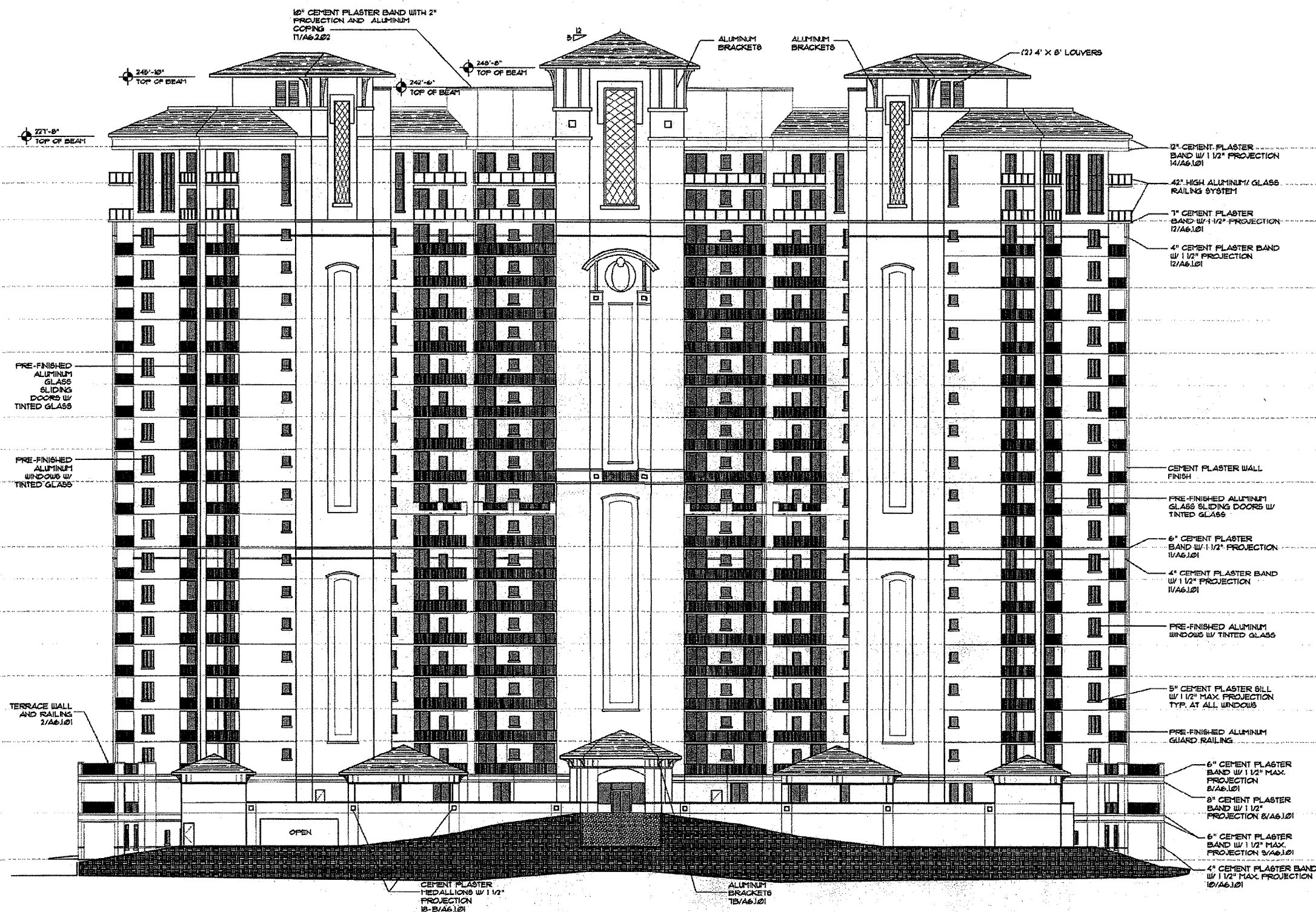
**Orchid Bay**  
 North Tower  
 West Bay Club  
 Estero, Florida

PAUL M. TWITTY  
 02/24/06

CONV. NO.: 04759
ISSUE DATE: 02/24/06
PLAT DATE: 2/21/08
FILE NO.: 04759
DRAWN BY: MW
REVISIONS:

A3.101

Front Elevation



EAST ELEVATION

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 MAR 01 2006  
 PERMIT COUNTER

ADD 2006-00043

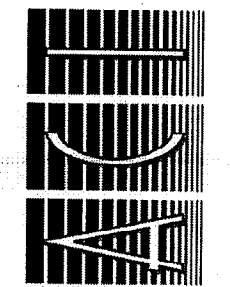




WEST ELEVATION

Scale: 1/16"=1'-0"

Back Elevation



ACI Architectural Group, Inc.  
 515 NORTH FLAGLER DRIVE SUITE 1400  
 WEST PALM BEACH, FLORIDA 33401-4359  
 Voice: (561) 832-5599  
 Fax: (561) 655-4828

**Orchid Bay**  
 North Tower  
 West Bay Club  
 Estero, Florida

PAUL M. TWITTY  
 02/24/06

CONTRACT NO. 04759
ISSUE DATE 02/24/06
PERMIT NO. 04759
DRAWN BY: MW
REVISIONS:

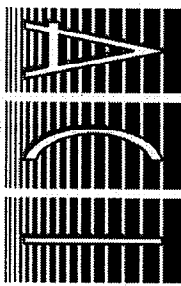
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 PERMIT COUNTER

ADD 2006-00043

Scale: 1/16"=1'-0"

ACI Architectural Group, Inc.  
315 NORTH FLAOR DRIVE, SUITE 1400  
WEST PALM BEACH, FLORIDA 33401-4539  
Voice: (561) 832-3599  
Fax: (561) 535-4828



**Orchid Bay**  
North Tower  
West Bay Club  
Estero, Florida

PAUL M. TWITTY  
02/22/06

REVISIONS:  
DATE: 02/22/06  
BY: P.M.T.  
CHECKED: 02/22/06  
DATE: 02/22/06  
BY: P.M.T.

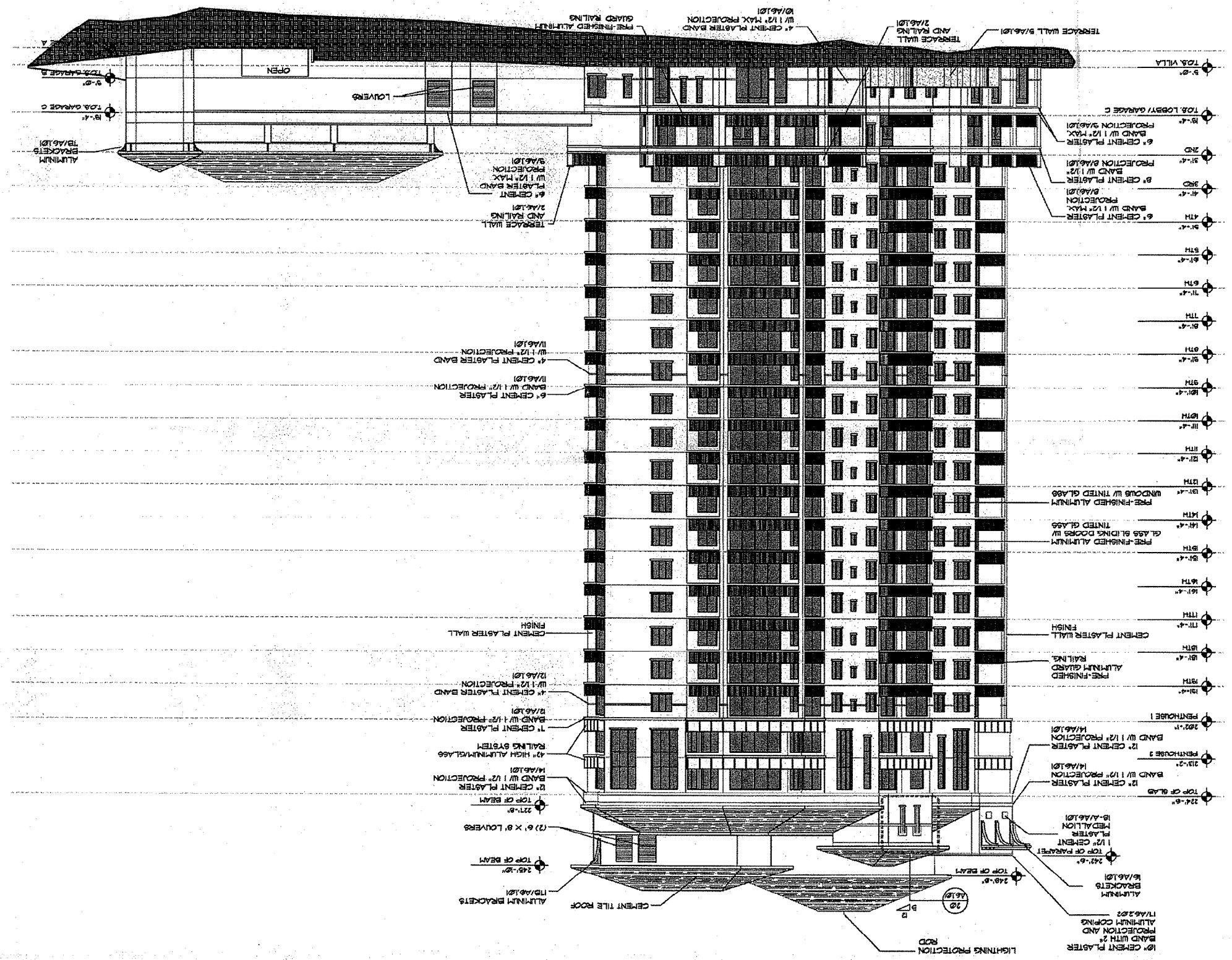
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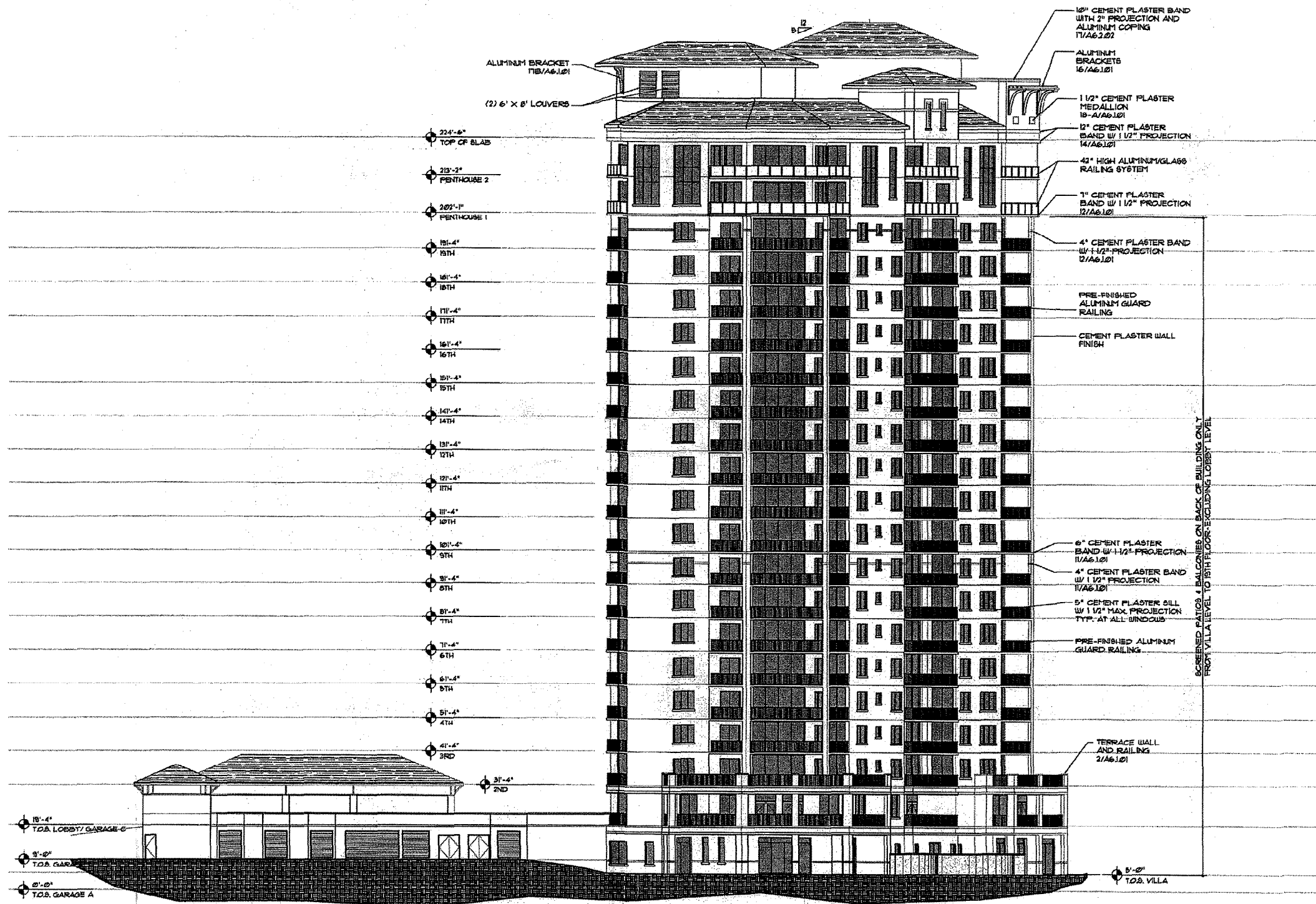
Side Elevations - South

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MAR 01 2006  
PERMIT 0000128

ADD 2006-00043

# SOUTH ELEVATION





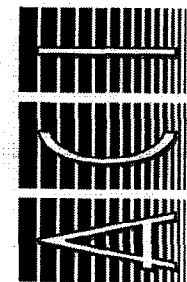
NORTH ELEVATION

RECEIVED  
MAR 01 2006  
PERMIT COUNTER

ADD 2006-00043

Side Elevation - North

Scale: 1/16"=1'-0"



ACI Architectural Group, Inc.  
315 NORTH FLORIDA DRIVE, SUITE 1400  
WEST PALM BEACH, FLORIDA 33411-4359  
Voice: (561) 832-3599  
Fax: (561) 655-4828



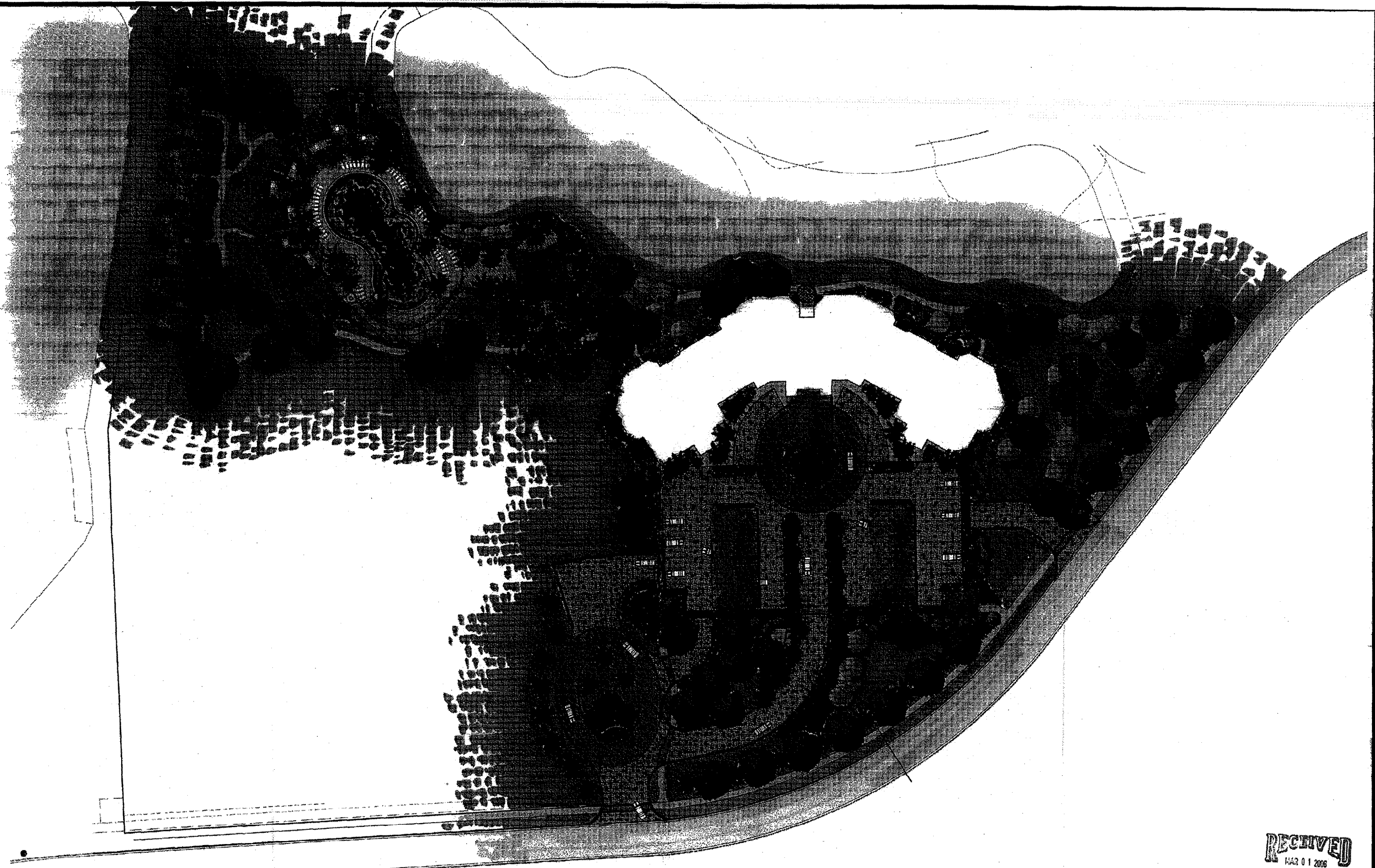
Orchid Bay  
North Tower  
West Bay Club  
Estero, Florida

PAUL M. TWITTY  
02/24/06

CONTRACT NO.	04759
ISSUE DATE	02/24/06
PERMIT DATE	2/21/06
FILE NO.	04759
DRAWN BY	LM
REVISIONS	

A3.104





ORCHID BAY  
WEST BAY CLUB  
Estero, Florida  
February 8, 2006



SCALE: 1" = 80'-0"



RECEIVED  
MAR 01 2006  
PERMIT CENTER

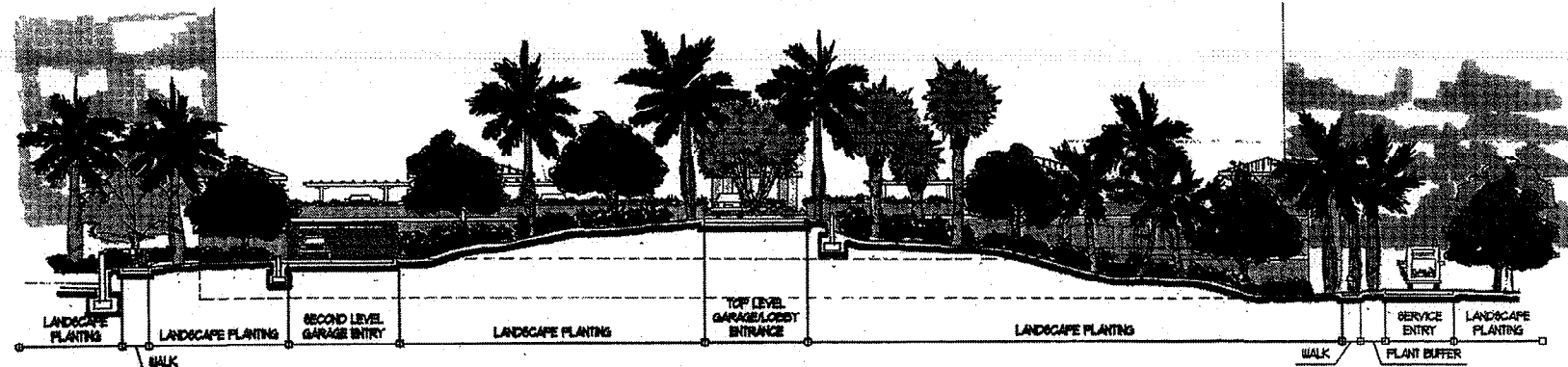
ADD 2006-00043

EDSA

1512 E. Broward Blvd., Suite 110  
Fort Lauderdale, FL 33301  
www.edsafl.com

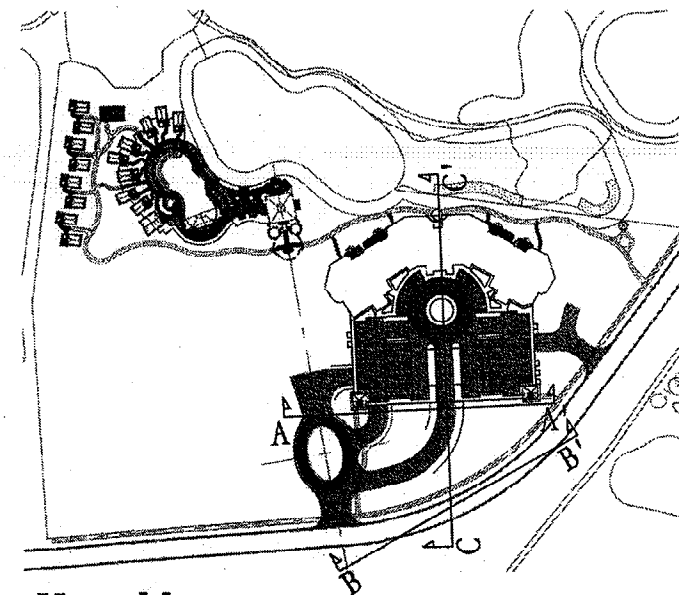
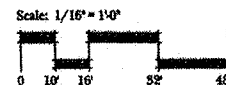
planners landscape architects graphic designers

*Handwritten signature/initials*



A-A' Parking Entrances

Scale: 1/16" = 1'-0"



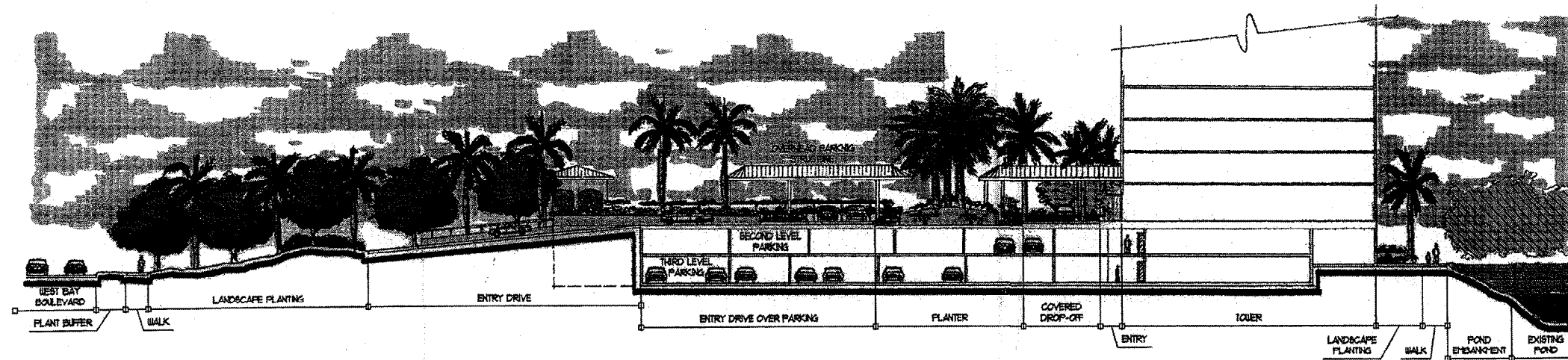
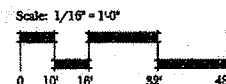
Key Map

n.t.s.



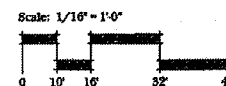
B-B' Front Elevation

Scale: 1/16" = 1'-0"



C-C' East/West  
Section

Scale: 1/16" = 1'-0"



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