21.00 BILLED

OFF. REC. 1757 PG 1584

RESOLUTION NUMBER ZB-84-44

1876228

RESOLUTION OF THE ZONING BOARD

OF LEE COUNTY, FLORIDA

RECORD VERIFIED - CHARLIE GREEN, CLERK
BY: H. FERNSTROM, D.C.

WHEREAS, Leisure Technology of Florida, Inc., has properly filed an application for: In the RM-2 and C-1 District: a) Special exception for sign in the RM-2 district for temporary construction project sign in conformance with Section 500.38 (Sec. 605.C) on a piece of property located at the Northeast corner of CR 869 and Cypress Lake Drive, described more particularly as;

Section 23, Township 45S, Range 24E, Lee County, Florida.

A parcel of land in the north one-half of Section 23, Township 45 South, Range 24 East, Lee County Florida, more particularly described in Official Record Book 575 at page 548 as:

"A tract or parcel of land located in Section 23, Township 45 South, Range 24 East, Lee County, Florida, which tract or parcel is more particularly described as follows:

Beginning at the northeast corner of Section 23, Township 45 South, Range 24 East, run S. 89°11'50" W. along the north line of said Section 23 for 132.18 feet and the point of beginning of the herein described parcel; from said point of beginning continue S. 89°11'50" W. for 2401.79 feet to a point and the quarter section corner common to Section 14 and 23; from said quarter corner run S. 89°02'40" W. for 1989.60 feet along the North line of said Section 23 to a point; from said point run S. 0°57'10" E. for 1650.78 feet to a point; from said point run S. 89°05'30" W. for 594.46 feet to a point on the easterly side of a dedicated right-of-way (O.R. Book 225, Page 688); from said point run S. 0°54'30" E. along easterly side of said right-of-way for 950.29 feet to a point, said point being on the northerly right-of-way for Cypress Lake Drive; from said point run N. 89°08' 20" E. along said northerly right-of-way line for 3498.15 feet to a point on the arc of a curve; thence run northeasterly along said arc of a curve to the right of radius 1860 feet for 185.24 feet (chord bearing N. 79°20'30" E., chord distance 185.16 feet); thence run N. 1°16'00" W. for 1745.99

feet; thence run N. 89°08'20" E. for 1320.0 feet to a point on the westerly right-of-way of State Road No. 45 (Tamiami Trail); from said point run N. 1°16'00" W. for 824.96 feet to point of beginning."

Less and excepting therefrom all that part of the above described parcel of land lying westerly of the easterly right-of-way line of State Road S-869 as shown on the right-of-way map thereof dated December 1980.

AND

Less those certain parcels of land described a Parcels "A", "B", "C", and "D" as follows:

PARCEL "A"

A parcel of land in Section 23, Township 45 South, Range 24 East, Lee County, Florida, more particularly described as follows:

COMMENCE at the northeast corner of Section 23, Township 45 South, Range 24 East; thence S. 89°11'50" W. along the north line of said Section 23 for 132.18 feet to an intersection with the westerly right-of-way line of S.R. 45 (Tamiami Trail) and the point of beginning of the herein described parcel of land; thence continue S. 89°11'50" W. along the north line of said Section 23 for 329.11 feet; thence S. 01°16'00" E. for 210.34 feet; thence N. 89°08'20" E. for 329.11 feet to an intersection with the aforementioned westerly right-of-way line of S.R. 45; thence N. 01°16'00" W. along said westerly right-of-way line for 210.00 feet to the point of beginning. Said parcel of land situate, lying and being in Lee County, Florida, containing 1.59 acres, more or less, subject to easements and dedications of record.

PARCEL "B"

A parcel of land in Section 23, Township 45 South, Range 24 East, Lee County, Florida, more particularly described as follows:

COMMENCE at the northeast corner of Section 23, Township 45 South, Range 24 East; thence S. 89°11'50" W. along the north line of said Section 23 for 132.18 feet to an intersection with the westerly right-of-way line of State Road 45 (Tamiami Trail); thence S. 01°16'00" E. along said westerly right-of-way line for 210.00 feet to the point of beginning of the herein described parcel of land; thence continue S. 01°16'00" E. along said westerly right-of-way line for 175.95 feet; thence S. 89°08'20" W. for 324.11 feet to an intersection with the easterly line of that certain parcel of land as described in Official Record Book 1388 at Page 822 of the Public Records of Lee County, Florida; thence N. 01°16'00" W. along said easterly line for 108.40 feet to the northeast corner of said parcel; thence S. 88°44'00" W. along the northerly line of said parcel for 5.00 feet; thence N. 01°16'00" W. for 67.58 feet; thence N. 89°08'20" E. for 329.11 feet to the point of beginning. Said parcel of land situate, lying and being in Lee County, Florida, containing 57,363 square feet, more or less, subject to easements and dedications of record.

PARCEL "C"

A parcel of land in Section 23, Township 45 South, Range 24 East, Lee County, Florida, more particularly described as follows:

COMMENCE at the northeast corner of Section 23, Township 45 South, Range 24 East; thence S. 89°11'50" W. along the north line of said Section 23 for 132.18 feet to an intersection with the westerly right-of-way line of SR 45 (Tamiami Trail); thence S. 01°16'00" E. along said westerly right-of-way line for 385.95 feet to the point of beginning of the herein described parcel of land; thence continue S. 01°16'00" E. for 175.00 feet to an intersection with the northerly line of a roadway easement 64.00 feet wide as described in Official Record Book 654 at Page 747 and 748 of the Public Records of Lee County, Florida; thence westerly and southwesterly along said northerly line for the following described two (2) courses; (1) S. 89°08'20" W. for 174.78 feet to the point of curvature of circular curve concave to the southeast; (2) thence southwesterly along the arc of said curve having for its elements a radius of 310.68 feet and a central angle of 29°43'28" for 161.18 feet to an intersection with the easterly line of that certain parcel of land described as Parcel "D" in Official Record Book 1464 at Page 13 of the aforementioned Public Records; thence N. 01°16'00" W. along said easterly line for 22.25 feet;thence N. 88°44'00" E. for 1.40 feet; thence N. 01°28'39" W. for 169.45 feet; thence S. 88°44'00" W. for 0.78 feet to an intersection with the aforementioned easterly line of Parcel "D"; thence N. 01°16'00" W. along said easterly line for 8.64 feet; thence N. 88°44'00" E. for 5.00 feet; thence N. 01°16'00" W. for 1.00 feet to the southeast corner of that certain parcel of land as described in Official Record Book 1388 at Page 822 of the said Public Records; thence N. 01°16'00" W. along the easterly line of said parcel for 14.50 feet; thence N. 89°08'20" E. for 324.11 feet to the point of beginning. Said parcel of land situate, lying and being in Lee County, Florida, containing 1.36 acres, more or less, subject to easements and dedications of record.

PARCEL "D"

A parcel of land in Section 23, Township 45 South, Range 24 East, Lee County, Florida, more particularly described as follows:

COMMENCE at the northeast corner of Section 23, Township 45 South, Range 24 East; thence S. 89°11'50" W. along the north line of said Section 23 for 132.18 feet to an intersection with the westerly right-of-way line of SR 45 (Tamiami Trail); thence S. 01°16'00" E. along said westerly right-of-way line for 624.95 feet to the point of beginning of the herein described parcel of land; thence continue S. 01°16'00" E. for 200.01 feet; thence S. 89°08'20" W. for 329.11 feet; thence N. 01°16'00" W. for 146.43 feet to an intersection with the southerly line of a roadway easement 64.00 feet wide as described in Official Record Book 654 at Page 747 and 748 of the Public Records of Lee County, Florida; being a point on the arc of a circular curve concave to the southeast, said point bearing N. 39°20' 38" W. from the radius point of said curve; thence northeasterly and easterly along said southerly line for the following described two (2) courses; (1) northeasterly along the arc of said curve having for

its elements a radius of 246.68 feet and a central angle of 38°28'58" for 165.68 feet to the point of tangency; (2) thence N. 89°08'20" E. for 175.22 feet to the point of beginning. Said parcel of land situate lying and being in Lee County, Florida, containing 63,203 square feet, more or less, subject to easements and dedications of record.

WHEREAS, Leisure Technology of Florida, Inc., the owners of the subject parcel have given proper authorization to Fred Winfield to act as their agent, and have given him the authority to pursue this zoning action; and,

WHEREAS, the public hearing on this matter was advertised and conducted legally and properly; and,

WHEREAS, the Zoning Board considered the recommendation of the Staff, the Local Planning Authority, documents on file with the County and the testimony of all interested persons; and,

The Zoning Board does hereby make the following findings of fact:

The proposed Zoning Hearing is consistent with the Lee County Comprehensive Plan. It is consistent because it is not addressed. The special exception requested is regulated by Section 500.38.B.4 which sets forth area (120 square feet minimum), height (14 feet), setback (25 feet from property lines), and time limit (1 year) requirements. As no plans were submitted for review, staff recommends that approval be conditioned with compliance with those requirements outlined in the above referenced section. The project under construction is the Leisure Village Section of Seven Lakes.

NOW, THEREFORE, BE IT RESOLVED BY THE LEE COUNTY ZONING BOARD, LEE COUNTY, FLORIDA, that the Zoning Board does hereby grant in the RM-2 and C-1 District: a) Special exception for sign in the RM-2 district for temporary construction project sign in conformance with Section 500.38 (Sec. 605.C) with a review in one year.

The foregoing Resolution was adopted by the Lee County Zoning Board upon a motion by Zoning Board Member Mr. Taylor, and seconded by Zoning Board Member Mr. Hyman and, upon being put to a vote, was as follows:

Emily Barefield	Aye	Robert Terrell	Aye
Nat Hunter	Aye	Truman A. Morris	Aye
Thad Taylor	Aye	Kay Williams	Aye
Larry Hyman	Aye		

DULY PASSED AND ADOPTED this 27th day of February, A.D., 1984, by the Lee County Zoning Board.

Approved as to action by:

County Attorney

CLERK OF CIRCUIT COURT
Charlie Green
Clerk
DEC 3 9 51 AM '84
RECORDED IN OFFICIAL RECORDS
LEE COUNTY, FLORIDA
RECORD VERIFIED