

ADMINISTRATIVE AMENDMENT (PD) ADD2010-00023

ADMINISTRATIVE AMENDMENT
LEE COUNTY, FLORIDA

WHEREAS, Jim Manners, Vice President of Toll FL GP Corp., General Partner of Toll Estero Limited Partnership, filed an application for administrative approval to a Mixed Use Planned Development (MPD) on a project known as Belle Lago (aka Estero Golf Resort MPD) to increase the maximum lot coverage from 40% as specified in the original zoning resolution (Z-01-012) to 41% for the property located at 8823 Biella Court (Lot 416), described more particularly as:

LEGAL DESCRIPTION: In Section 21, Township 46 South, Range 25 East, Lee County, Florida:

LOT 416, BELLE LAGO PHASE TWO, AS RECORDED IN PLAT BOOK 82,
PAGE 98, IN THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

WHEREAS, the property was originally rezoned in case number Z-01-012 (with subsequent amendments in resolution numbers Z-01-012A and Z-04-048 and case numbers ADD2003-00014, ADD2003-00014A, ADD2004-00127, ADD2004-00167, ADD2007-00118, ADD2007-00163, DCI2009-00026); and

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

WHEREAS, the Lee County Land Development Code (LDC) provides for certain administrative changes to planned development master concept plans and planned unit development final development plans; and

WHEREAS, Resolution Z-01-012, and subsequent Resolution Z-04-048, established property development regulations including maximum allowable lot coverage of 40% for parcels located east of railroad without golf option for single-family detached residential dwelling units; and

WHEREAS, following Master Concept Plan approval some lot configurations were altered during development order and/or platting in order to account for considerations such as open space and site engineering but remained consistent with the dimensional standards specified in the Zoning Resolution; and

WHEREAS, ADD2007-00163 approved a 42% maximum lot coverage for Lots 385, 378, 375, and 382, a 44% maximum lot coverage for Lots 390, 383, 381, 344, 364, and 365; and a 45% maximum lot coverage for Lots 361, 405, 406, 422, and 423; and

WHEREAS, an increase to the maximum lot coverage from 40% to 42% for Lot 366 was approved by case number ADD2007-00052; and

WHEREAS, the subject property is a narrow parcel that is approximately 8,177 square feet and is being developed with a single-family residence under building permit number RES2010-00745; and

WHEREAS, the proposed total lot coverage under roof (living space, covered lanai, entry and garage) is approximately 3,349 square feet and meets the required minimum property development regulations for setbacks including street, sides and rear (see Plot Plan, attachment A); and

WHEREAS, the proposed single-family residence exceeds the maximum permitted lot coverage of 40% by approximately 82 square feet, resulting in a lot coverage of 41%; 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 Mixed Use Planned Development known as Belle Lago (aka Estero Golf Resort MPD) to increase the maximum lot coverage from 40% as specified in the original zoning resolution (Z-01-012) to 41% for the property located at 8823 Biella Court (Lot 416) is **APPROVED, subject to the following conditions:**

1. **The Development must be in compliance with the Plot Plan stamped RECEIVED MAR 08 2010 by the Department of Community Development. A reduced copy is attached hereto.**
2. **The increase in lot coverage from 40% to 41% is limited to the property located at 8823 Biella Court (Lot 416).**
3. **The terms and conditions of the original zoning resolutions remain in full force and effect.**

DULY SIGNED this 16th day of March, A.D., 2010.

BY: _____

Pam Houck, Director

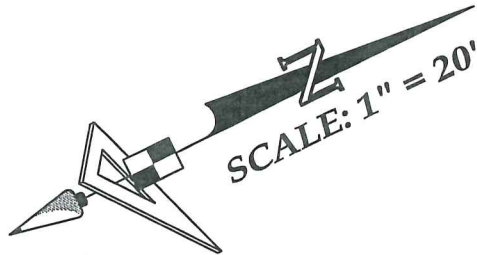
Division of Zoning

Department of Community Development

Attachments:

A - Plot Plan

Plot Plan

BELLE LAGO PHASE
(P.B. 76, Page 16)TRACT "L"
"OPEN SPACE"
45.69'
N.42°19'16"E.Bearings are based on the
Northerly boundary of Lot
416, said line bears
N.59°36'35"W., per platADD
2010-00023

COMMUNITY DEVELOPMENT

MAR 08 2010

RECEIVED

415

GENERAL NOTES:

Residence Foot Print = 2929 Square Feet
as per the plans furnished by the builder.

Principal Structure Setbacks:

Front = 20'
Rear = 20'
Side = 5'
Preserve = 20'

Accessory Structure Setbacks:

Front = 12' Side Entry Garage
Rear = 5'
Side = 5'
Preserve = 20'

Max Building Height = 35'

Lot = 8177 square feet, more or less

Total lot coverage under
roof = 3349 square feet.

Lot coverage = 41 %

BELLE LAGO PHASE 2
(P.B. 82, Page 98)

417

CURVE DATA TABLE

NO.	RADIUS	DELTA	ARC	TANGENT	CHORD	BEARING
132	58.00	08°47'47"	8.90	4.46	8.90	N.65°00'11"E.
133	191.00	03°08'26"	10.47	5.24	10.47	N.40°45'03"E.
134	90.00	33°17'19"	52.29	26.91	51.56	N.52°45'25"E.

APPROVED
PlanSubject to Case # ADD2010-00023
Date 3/16/2010TRACT "A-1"
BIELLA COURT
Right-of-Way Width Varies
Private R/W, P.U.E. & D.E.
(24' Asphalt Pavement)

R/W-Right Of Way
O.R.-Official Records Book
P.B.-Plat Book
Pg.-Page
Elev.-Elevation
SF-Square Feet
Conc.-Concrete
BP-Brick Paver
SW-Side Walk
CI-Curb Inlet
GTI-Grate Top Inlet
MES-Mitered End Section
RCP-Reinforced Conc. Pipe
PVC-Poly Vinyl Chloride
P.K.-Parker Kalon Nail
SIR-Set 5/8" Iron Rod LB7768
SPKD-Set P.K. & Disk LB7768
FIR-Found 5/8" Iron Rod LB148
LB148 (Unless Noted Otherwise)
FIP-Found 1/2" Iron Pipe
LB148 (Unless Noted Otherwise)
FPK-Found P.K. Nail
FPKD-Found P.K. Nail & Disk
FCM-Found Concrete Monument
REF-Reference
PRM-Permanent REF. Monument
PCP-Permanent Control Point

LEGEND:

BFPo-Backflow Preventer
W-Meter
W-Valve
F-Hydrant
RCW-Reclaimed Water Meter
RCV-Reclaimed Water Valve
T-Telephone Box
E-Electric Box
C-Cable Television Box
L-Light Pole
S-Storm Sewer Manhole
S-Sanitary Sewer Manhole
EHHo-Electric Handhole
COO-Clean Out
ICV-Irrigation Control Valve
S-Sign
A/C-Air Conditioner
P.U.E.-Public Utility Easement
C.U.E.-County Utility Easement
D.E.-Drainage Easement
I.E.-Irrigation Easement
L.M.E.-Lake Maintenance Easement
C.E.-Conservation Easement
A.E.-Access Easement
L.B.E.-Landscape Buffer Easement
R.W.E.-Raw Water Well Easement

(Note: Some items in above legend may not be applicable)

REVISIONS

Description	Date	Dwn.	Cl'd	P.C.	Order No.	Field Book
Revise bldg layout	02/17/10	SEC	DAW	NN	NNN	NNN

SURVEYOR'S NOTES:

- Current title information on the subject property had not been furnished to GeoPoint Surveying, Inc. at the time of this plot plan.
- Roads, walks, and other similar items shown hereon were taken from engineering plans and are subject to survey.
- Elevations shown hereon are in feet and are referenced to the National Geodetic Vertical Datum of 1929 (NGVD29).
- Contractor and owner are to verify all setbacks, building dimensions, and layout shown hereon prior to any construction, and immediately advise GeoPoint Surveying, Inc. of any deviation from information shown hereon. Failure to do so will be at user's sole risk.

NOT A SURVEY
(For Permitting ONLY)DAVID ALAN WILLIAMS
FLORIDA PROFESSIONAL SURVEYOR & MAPPER NO. LS6423NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL
RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPERPREPARED FOR:
TOLL BROTHERS

FLOOD ZONE:

The property shown hereon is on the Federal
Emergency Management Agency's Flood Insurance Rate
Map Panel Number 12071C0583E, dated 08/28/08,
and appears to line Zone "X"DESCRIPTION: Lot 416, BELLE
LAGO PHASE TWO, as recorded in
Plat Book 82, Page 98, in the Public
Records of Lee County, Florida.1403 E. 5th Avenue
Tampa, Florida 33605
Phone: (813) 248-8888
Fax: (813) 248-2266GeoPoint
Surveying, Inc.

Licensed Business Number LB 7768

Drawn: SEC	Checked: DAW	P.C.:	Data File:
Date: 01/26/10	Dwg: PP_LOT416.dwg	Order No.: TOL-BL-054	
SEC. 21 - TWN. 46 S. - RNG. 25 E.	Field Bk:		