ADMINISTRATIVE AMENDMENT
LEE COUNTY, FLORIDA

WHEREAS, Coconut Creek Homeowner's Association filed an application for administrative approval to a Residential Planned Development on a project known as Coconut Creek **to amend and clarify lake planting requirements established in Zoning Resolution Z-88-007 and Master Concept Plan (MCP) approved April 25, 1988, to provide a mitigation plan and a lake management plan for Phase I** for the property located at McGregor Boulevard, described more particularly as:

LEGAL DESCRIPTION: In Section 01, Township 46 South, Range 23 East, Lee County, Florida:

See Exhibit "A"

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

WHEREAS, the property was originally rezoned in case number Z-88-007 from Agricultural (AG-2) to Residential Planned Development (f/k/a McGregor Palms RPD) for a mixed-use residential development with a maximum of 260 dwelling units, interim sewer treatment plant, park area, sales offices, model units (homes), clubhouse, and gatehouse on 76.62 acres of land, with a subsequent administrative approval in PD-97-025 to redesign Phase II including reduction of the number of single-family lots and redesign of access (copies of which are included as Exhibit "B"); and

WHEREAS, Coconut Creek is developed into Phase I and Phase II, both of which have a lake; and

WHEREAS, the subject property is a dedicated common element (lake and retention area) located in Coconut Creek Phase I, platted in Plat Book 48, Pages 35 through 38 as Tract "D"; and

WHEREAS, the Master Concept Plan (MCP), a copy of which is attached as Exhibit "C", associated with Z-88-007 depicts a detailed lake planting schedule titled "Lake Zone Mitigation Plan" based on lake elevation zones with "on center" planting requirements, which reduce lake visibility opportunities for the 33 adjacent residents; and

WHEREAS, the development of Coconut Creek Phase I was approved in development order case number DOS 90-02-004-00D (see Exhibit "D"); and

WHEREAS, the lake (Tract "D") is developed with a meandering, undulating shoreline with a common recreational area and gazebo, located on Tract "C", which is accessed by all Coconut Creek residents; and

WHEREAS, subsequent to a site inspection conducted by the division of Environmental Sciences on October 14, 2009, a violation was issued in case number ENV2009-00119 on November 17, 2009 to the Coconut Creek Owners Association for non-compliance with the approved development order, 90-02-004-00D, for missing trees, shrubs, and littorals within the lake; and

WHEREAS, the applicant has indicated that maintenance of the lake shoreline resulted in the loss of herbaceous littoral plantings along the shoreline in an effort to control torpedo grass; and

WHEREAS, in response to abating the violation, the applicant is proposing a littoral planting plan around the lake in Phase I entitled "Coconut Creek Owners Association Lake Management Plan - Lake One", (Tract "D") included hereto as Exhibit "E"; and

WHEREAS, all property owners residing on Tract "D" will be provided with a copy of the lake management plan to ensure compliance and adherence to the Plan; 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; and

WHEREAS, the division of Environmental Sciences staff has determined that the Coconut Creek Owners Association Lake Management Plan meets the required vegetation approved through Resolution Z-88-007 and DO 90-02-04.00D.

NOW, THEREFORE, IT IS HEREBY DETERMINED that the application for administrative approval for an amendment to the Coconut Creek Residential Planned Development **to amend and clarify lake planting requirements established in Zoning Resolution Z-88-007 and Master Concept Plan (MCP) approved April 25, 1988, to provide a mitigation plan and a lake management plan is APPROVED subject to the following conditions:**

1. **A letter of transmittal depicting the lake littoral plantings for the lake in Phase I must be submitted within 60 days of approval of this administrative amendment.**

2. **Prior to approval of the letter of transmittal, the following items must be reviewed and approved by the Division of Environmental Sciences:**

   a. **The plans must include tree and littoral calculation requirements, size requirements, types of species, a typical diagram of a planting cluster, proposed locations, and specific conditions of the Lake Maintenance Plan; and**

   b. **In accordance with LDC §10-329(D)(5), a Lake Maintenance Plan must be approved by ES staff and recorded in the public records of Lee County as part of the property owner's association documents; and**

   c. **New trees and littorals must be clustered together within existing vegetation or at intersecting property lines.**

3. **This administrative amendment only applies to lake planting requirements within Coconut Creek Phase I and does not supersede any other requirements approved through the original zoning or development order (as amended).**

4. **The lake littoral planting must be in substantial compliance with Exhibit "E" of this amendment entitled "Coconut Creek Owners Association Lake Management Plan - Lake One" (Tract "D").**

5. **Plant installation must be completed and inspected by the Division of Environmental Sciences within 30 days of approval of the local development order.**

6. **The terms and conditions of the original zoning resolution and amendment remain in full force and effect.**

DULY SIGNED this 26th day of July, A.D., 2010.

BY: _____

Pam Houck, Director
Division of Zoning
Department of Community Development

Exhibits:

A. Legal Description

B. Copies of Resolutions Number Z-88-007 and PD - 97-025

C. Copy of approved MCP in Resolution Z-88-007

D. Copy of DO-02-04.00D (as amended)

E. Copy of "Coconut Creek Owners Association Lake Management Plan - Lake One"

F. Copy of violation, case number ENV2009-00119

EXHIBIT A

Legal Description

Tracts A, B, C and D, Coconut Creek Phase 1, a subdivision, located in Section 01, Township 46 South, Range 23 East, according to the plat thereof on file and recorded in Plat Book 48 Page 35 of the Public Records of Lee County, Florida.

Strap Number

01-46-23-0000A.00CE

ADD2010-00052
Legal Reviewed By: 6/25/10

Petition to Vacate
Petition No:93-40
Description:Easement
Date of Approval:11/17/93
Resolution No:93-11-111
CCMB:1993R Page:761
Recorded on:12/09/93 OR Book:2451
Page:0441-0443

COCONUT CREEK–PHASE I

PLAT BOOK 46 PAGE 35

A SUBDIVISION LYING IN SECTION 1, TOWNSHIP 46 SOUTH, RANGE 23 EAST, LEE COUNTY, FLORIDA.

SHEET 1 OF 4

BEAN, WHITAKER, LUTZ & BARNES, INC.
CONSULTING ENGINEERS AND SURVEYORS
13141–B McGREGOR BLVD. (813) 481–1331
FORT MYERS, FLORIDA 33919

"NOTICE: THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY."

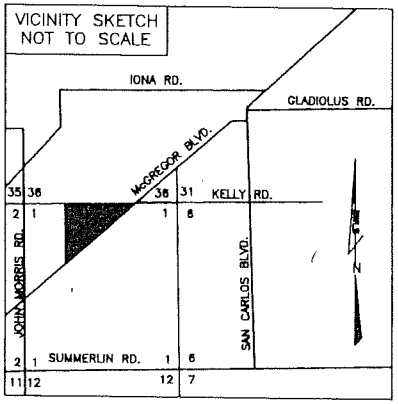
DESCRIPTION:

A PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, BEING A PART OF SECTION 1, TOWNSHIP 46 SOUTH, RANGE 23 EAST, AND FURTHER BOUNDED AND DESCRIBED AS FOLLOWS:

STARTING AT THE NORTHWEST CORNER OF THE NORTHWEST ONE QUARTER (NW 1/4) OF SAID SECTION 1; THENCE N89°13'18"E ALONG THE NORTH LINE OF SAID FRACTION FOR 1326.87 FEET TO THE WEST LINE OF THE EAST ONE HALF (E 1/2) OF THE NORTHWEST ONE QUARTER (NW 1/4) OF SAID SECTION 1 AND TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE CONTINUE N89°13'18"E ALONG THE NORTH LINE OF SAID FRACTION FOR 1327.02 FEET TO THE NORTHEAST CORNER OF SAID FRACTION AND TO THE NORTHWEST CORNER OF THE NORTHEAST ONE QUARTER (NE 1/4) OF SAID SECTION 1; THENCE N88°52'39"E ALONG THE NORTH LINE OF SAID FRACTION FOR 1117.45 FEET TO THE NORTHWESTERLY RIGHT–OF–WAY LINE OF McGREGOR BOULEVARD (100 FEET WIDE); THENCE S49°27'17"W ALONG SAID NORTHWESTERLY RIGHT–OF–WAY LINE FOR 2276.24 FEET; THENCE S49°28'08"W ALONG SAID NORTHWESTERLY RIGHT–OF–WAY LINE FOR 852.97 FEET; THENCE S89°03'29"W FOR 31.98 FEET TO THE WEST LINE OF THE EAST ONE HALF (E 1/2) OF THE NORTHWEST ONE QUARTER (NW 1/4) OF SAID SECTION 1; THENCE N00°58'52"W ALONG THE WEST LINE OF SAID FRACTION FOR 1994.88 FEET TO THE POINT OF BEGINNING.

BEARINGS ARE BASED ON THE STATE ROAD DEPARTMENT MAPS OF McGREGOR BOULEVARD.

VICINITY SKETCH
NOT TO SCALE



APPROVAL: 3043022

I HEREBY CERTIFY: THAT THE ATTACHED PLAT OF COCONUT CREEK–PHASE I HAS BEEN EXAMINED BY ME AND FROM MY EXAMINATION I FIND THAT SAID PLAT COMPLIES IN FORM WITH THE REQUIREMENTS OF CHAPTER 177, LAWS OF FLORIDA. I FURTHER CERTIFY: THAT THIS PLAT WAS FILED FOR RECORD AT 8:03 A.M., THIS 24th DAY OF JUNE 1991 A.D., AND DULY RECORDED IN PLAT BOOK 46 AT PAGES 35 THRU 38 PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

CLERK OF THE CIRCUIT
AND FOR LEE COUNTY, FLORIDA

EASEMENT DEDICATION:

— A 6 FOOT EASEMENT FOR PUBLIC UTILITIES IS RESERVED ALONG THE SIDE LINES OF ALL LOTS AND SUBJECT TO THE CONDITIONS OF CHAPTER 177.091 (29) FLORIDA STATUTES.
— A 10 FOOT EASEMENT FOR DRAINAGE AND PUBLIC UTILITIES IS RESERVED ADJACENT TO ALL ROADS WITHIN THE SUBDIVISION.
— A 20 FOOT EASEMENT FOR LAKE MAINTENANCE, DRAINAGE AND PUBLIC UTILITES IS RESERVED ON THE REAR OF ALL LOTS ADJOINING TRACT "D".
— ADDITIONAL EASEMENTS ARE SHOWN SHEETS 2,3, AND 4.

NOTICE:

LANDS DESCRIBED IN THIS PLAT ARE SUBDIVIDED BY THE DEVELOPER WITHOUT THE ROADS, DRAINAGE AND SEWAGE FACILITIES BEING SPECIFICALLY APPROVED OR ACCEPTED BY LEE COUNTY, ANY PURCHASER OF A LOT IN THIS SUBDIVISION IS ADVISED THAT HE MAY BE SUBJECT TO ASSESSMENT OR CALLED UPON TO BEAR A PORTION OF OR ALL OF THE EXPENSE OF CONSTRUCTION, MAINTENANCE OR IMPROVEMENT OF ROADS, DRAINAGE, AND SEWAGE FACILITIES WITHIN THIS SUBDIVISION.

APPROVALS:

THIS PLAT ACCEPTED THIS 17th DAY OF JUNE 1991 A.D., IN OPEN MEETING OF THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA.

APPROVED: CHAIRMAN OF THE BOARD — ATTEST: CLERK OF COURT

APPROVED: DIRECTOR OF DIVISION OF DEVELOPMENT REVIEW — APPROVED: COUNTY ATTORNEY

APPROVED: DIRECTOR OF DEPARTMENT OF COMMUNITY DEVELOPMENT

SURVEYOR'S CERTIFICATION:

I HEREBY CERTIFY: THAT THE ATTACHED PLAT OF COCONUT CREEK – PHASE I IS A TRUE AND ACCURATE REPRESENTATION OF THE HEREIN DESCRIBED LAND ACCORDING TO A RECENT SURVEY MADE AND PLATTED UNDER MY DIRECTION AND SUPERVISION AND THAT THE SURVEY DATA COMPLIES WITH ALL OF THE REQUIREMENTS OF CHAPTER 177, FLORIDA STATUES. I FURTHER CERTIFY THAT THE PERMANENT REFERENCE MONUMENTS (P.R.M.'S) AND PERMANENT CONTROL POINTS (P.C.P.'S) HAVE BEEN PLACED AT THE LOCATIONS SHOWN ON THIS PLAT.

WILLIAM E. BEAN R.L.S., FLA. CERTIFICATE NO. 3261

SURVEYOR'S SEAL

Petition to Vacate
Petition No:93-28
Description:12ft utility easement; See CCMB
Date of Approval:08/18/93
Resolution No:93-08-37
CCMB:1993R Page:637
Recorded on:08/27/93 OR Book:2419 Page:1428-1430

Petition to Vacate
Case No: VAC2003-00050
Description of easement: See CCMB
Date of Approval: 01/27/200
Resolution No. 04-01-33
CCMB 2004R page 490

DEDICATION:

KNOW ALL MEN BY THESE PRESENTS: THAT CENTENNIAL DEVELOPMENT OF LEE COUNTY, INC. THE OWNER OF THE HEREON DESCRIBED LAND HAS CAUSED THIS PLAT OF COCONUT CREEK – PHASE I TO BE MADE, AND DOES HEREBY DEDICATE ALL PUBLIC UTILITY EASEMENTS TO THE PERPETUAL USE OF THE PUBLIC. TRACTS A,B,C,D, AND ALL DRAINAGE EASEMENTS ARE DEDICATED TO THE LOT OWNERS ASSOCIATION WITH A NON-EXCLUSIVE EASEMENT TO THE IONA DRAINAGE DISTRICT CANALS TO LEE COUNTY, IN WITNESS HEREOF WE HAVE HEREUNTO SET OUR HAND THIS 25th DAY OF APRIL 1991 A.D.

CENTENNIAL DEVELOPMENT OF LEE COUNTY, INC.

WITNESS — BY: DANIEL W. DODRILL, PRESIDENT

WITNESS

CORP. SEAL

ACKNOWLEDGEMENT FOR DEDICATION:

I HEREBY CERTIFY THAT ON THIS DAY PERSONALLY APPEARED DANIEL W. DODRILL TO ME KNOWN TO BE THE PERSON WHO SIGNED THE FOREGOING EXECUTION AND HE ACKNOWLEDGED THE EXECUTION THEREOF TO BE HIS OWN FREE ACT AND DEED FOR THE USE AND PURPOSE THEREIN MENTIONED, WITNESS MY HAND AND OFFICIAL SEAL THIS 25 DAY OF APRIL 1991 A.D.

MY COMMISSION EXPIRES — NOTARY PUBLIC STATE OF FLORIDA AT LARGE

SEAL

MORTGAGEE'S CONSENT TO DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT BARNETT BANK OF LEE COUNTY, N.A., HOLDER OF CERTAIN MORTGAGES RECORDED IN O.R. BOOK 2164 AT PAGE 1639, O.R. BOOK 2181, PAGE 4642 AND O.R. BOOK 2196, PAGE 2359, PUBLIC RECORDS OF LEE COUNTY, FLORIDA, ON THE HEREIN DESCRIBED LANDS, DOES HEREBY JOIN IN THE PLAT DEDICATION APPEARING THEREON THIS 25 DAY OF April, 1991 A.D.

WITNESS — BARNETT BANK OF LEE COUNTY, N.A.

WITNESS — BY: TITLE: S.V.P.

CORP. SEAL

ACKNOWLEDGEMENT FOR MORTGAGEE'S CONSENT

I HEREBY CERTIFY THAT ON THIS DAY PERSONALLY APPEARED JOHN REINGARDT TO ME KNOWN TO BE THE PERSON WHO SIGNED THE FOREGOING EXECUTION AND HE ACKNOWLEDGED THE EXECUTION THEREOF TO BE HIS OWN FREE ACT AND DEED FOR THE USE AND PURPOSE THEREIN MENTIONED, WITNESS MY HAND AND OFFICIAL SEAL THIS 25 DAY OF April 1991 A.D.

MY COMMISSION EXPIRES January 8 1994 — NOTARY PUBLIC STATE OF FLORIDA AT LARGE

SEAL

F.D.O. # 2-4-90

Petition to Vacate
Petition No:99-03-355.04R
Description:Portion of lake maintenance, drainage & public utility easement across Lot 65, Phase 1
Date of Approval:07/13/99
Resolution No:99-07-18
CCMB:1999R Page:402
Recorded on:7/28/99 OR Book:3149 Page:4634-4637

Petition to Vacate
Petition No:93-38
Description:Easement; See CCMB
Date of Approval:11/17/93
Resolution No:93-11-110
CCMB:1993R Page:878
Recorded on:12/15/93 OR Book:2453 Page:2670-2674

PLAT BOOK 78 PAGE 76

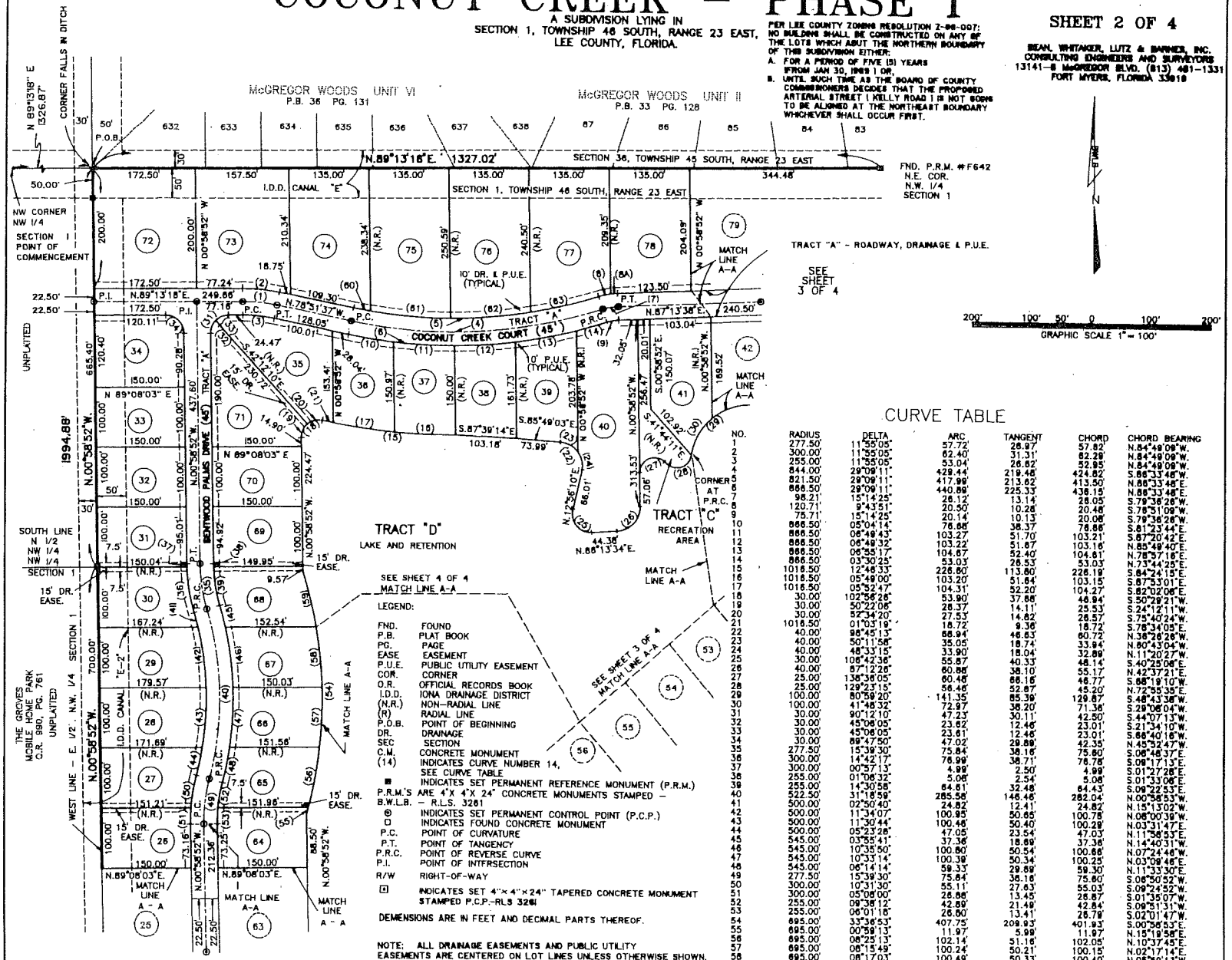
COCONUT CREEK – PHASE I

A SUBDIVISION LYING IN
SECTION 1, TOWNSHIP 46 SOUTH, RANGE 23 EAST,
LEE COUNTY, FLORIDA.

PER LEE COUNTY ZONING RESOLUTION Z-88-007:
NO BUILDING SHALL BE CONSTRUCTED ON ANY OF THE LOTS WHICH ABUT THE NORTHERN BOUNDARY OF THIS SUBDIVISION EITHER:
A. FOR A PERIOD OF FIVE (5) YEARS FROM JAN 30, 1989) OR,
B. UNTIL SUCH TIME AS THE BOARD OF COUNTY COMMISSIONERS DECIDES THAT THE PROPOSED ARTERIAL STREET (KELLY ROAD) IS NOT GOING TO BE ALIGNED AT THE NORTHEAST BOUNDARY WHICHEVER SHALL OCCUR FIRST.

SHEET 2 OF 4

BEAN, WHITAKER, LUTZ & BARNER, INC.
CONSULTING ENGINEERS AND SURVEYORS
13141-B McGREGOR BLVD. (813) 481-1331
FORT MYERS, FLORIDA 33919



LEGEND:

FND.	FOUND
P.B.	PLAT BOOK
PG.	PAGE
EASE	EASEMENT
P.U.E.	PUBLIC UTILITY EASEMENT
COR.	CORNER
O.R.	OFFICIAL RECORDS BOOK
I.D.D.	IONA DRAINAGE DISTRICT
(N.R.)	NON-RADIAL LINE
(R)	RADIAL LINE
P.O.B.	POINT OF BEGINNING
DR.	DRAINAGE
SEC	SECTION
C.M.	CONCRETE MONUMENT
(14)	INDICATES CURVE NUMBER 14, SEE CURVE TABLE
■	INDICATES SET PERMANENT REFERENCE MONUMENT (P.R.M.)
P.R.M.'S	ARE 4"X 4"X 24" CONCRETE MONUMENTS STAMPED –
B.W.L.B.	– R.L.S. 3261
⊙	INDICATES SET PERMANENT CONTROL POINT (P.C.P.)
□	INDICATES FOUND CONCRETE MONUMENT
P.C.	POINT OF CURVATURE
P.T.	POINT OF TANGENCY
P.R.C.	POINT OF REVERSE CURVE
P.I.	POINT OF INTERSECTION
R/W	RIGHT-OF-WAY
⊡	INDICATES SET 4"×4"×24" TAPERED CONCRETE MONUMENT STAMPED P.C.P.-RLS 3261

DEMENSIONS ARE IN FEET AND DECIMAL PARTS THEREOF.

NOTE: ALL DRAINAGE EASEMENTS AND PUBLIC UTILITY EASEMENTS ARE CENTERED ON LOT LINES UNLESS OTHERWISE SHOWN.

ALL I.D.D. CANALS SHOWN ON THIS PLAT ARE DRAINAGE EASEMENTS.

GRAPHIC SCALE 1" = 100'

CURVE TABLE

NO.	RADIUS	DELTA	ARC	TANGENT	CHORD	CHORD BEARING
1	277.50'	11°55'05"	57.72'	28.97'	57.62'	N.84°49'09"W.
2	300.00'	11°55'05"	62.40'	31.31'	62.29'	N.84°49'09"W.
3	255.00'	11°55'05"	53.04'	26.62'	52.95'	N.84°49'09"W.
4	844.00'	29°09'11"	429.44'	219.48'	424.82'	S.88°33'48"W.
5	821.50'	29°09'11"	417.99'	213.62'	413.50'	N.88°33'48"E.
6	866.50'	29°09'11"	440.89'	225.33'	436.15'	N.88°33'48"E.
7	98.21'	15°14'25"	26.12'	13.14'	26.05'	S.79°36'26"W.
8	120.71'	9°43'51"	20.50'	10.26'	20.48'	S.78°51'09"W.
9	75.71'	15°14'25"	20.14'	10.13'	20.08'	S.79°36'26"W.
10	866.50'	05°04'14"	76.66'	38.37'	76.66'	S.81°23'44"E.
11	866.50'	06°49'43"	103.27'	51.70'	103.21'	S.87°20'42"E.
12	866.50'	06°49'32"	103.22'	51.67'	103.16'	N.85°49'40"E.
13	866.50'	06°55'17"	104.67'	52.40'	104.61'	N.78°57'16"E.
14	866.50'	03°30'25"	53.03'	26.53'	53.03'	N.73°44'25"E.
15	1018.50'	12°46'33"	226.80'	113.80'	226.19'	S.84°24'15"E.
16	1018.50'	05°49'00"	103.20'	51.64'	103.15'	S.87°53'01"E.
17	1016.50'	05°52'47"	104.31'	52.20'	104.27'	S.82°02'08"E.
18	30.00'	102°56'26"	53.90'	37.88'	46.94'	S.50°29'21"W.
19	30.00'	50°22'06"	26.37'	14.11'	25.53'	S.24°12'11"W.
20	30.00'	52°34'20"	27.53'	14.82'	26.57'	S.75°40'24"W.
21	1018.50'	01°03'19"	18.72'	9.36'	18.72'	S.78°34'05"E.
22	40.00'	96°45'13"	66.94'	46.83'	60.72'	N.36°26'26"W.
23	40.00'	50°11'58"	35.05'	18.74'	33.94'	N.80°43'04"W.
24	40.00'	48°33'15"	33.90'	18.04'	32.89'	N.11°20'27"W.
25	30.00'	106°42'36"	55.87'	40.33'	48.14'	S.40°25'06"E.
26	40.00'	87°12'26"	60.86'	38.10'	55.17'	N.42°37'21"E.
27	25.00'	138°36'05"	60.48'	66.16'	46.77'	S.68°19'10"W.
28	25.00'	129°23'15"	56.46'	52.97'	45.20'	N.72°55'35"E.
29	100.00'	80°59'20"	141.35'	85.39'	129.87'	S.48°43'36"W.
30	100.00'	41°46'32"	72.97'	38.20'	71.36'	S.29°06'04"W.
31	30.00'	90°12'10"	47.23'	30.11'	42.50'	S.44°07'13"W.
32	30.00'	45°08'05"	23.62'	12.46'	23.01'	S.21°34'10"W.
33	30.00'	45°08'05"	23.62'	12.46'	23.01'	S.66°40'16"W.
34	30.00'	89°47'50"	47.02'	29.88'	42.35'	N.45°52'47"W.
35	277.50'	15°39'30"	75.84'	38.16'	75.60'	S.06°48'37"E.
36	300.00'	14°42'17"	76.99'	38.71'	76.76'	S.09°11'13"E.
37	300.00'	00°57'13"	4.99'	2.50'	4.99'	S.01°27'28"E.
38	255.00'	01°08'32"	5.08'	2.54'	5.08'	S.01°33'06"E.
39	255.00'	14°30'58"	64.61'	32.48'	64.43'	S.09°22'53"E.
40	522.50'	31°18'59"	285.58'	146.46'	282.04'	N.00°56'53"W.
41	500.00'	02°50'40"	24.82'	12.41'	24.82'	N.15°13'02"W.
42	500.00'	11°34'07"	100.95'	50.65'	100.78'	N.08°09'39"W.
43	500.00'	11°30'44"	100.46'	50.40'	100.29'	N.03°31'47"E.
44	500.00'	05°23'28"	47.05'	23.54'	47.03'	N.11°56'53"E.
45	545.00'	03°55'41"	37.36'	18.69'	37.36'	N.14°40'31"W.
46	545.00'	10°35'50"	100.80'	50.54'	100.66'	N.07°24'46"W.
47	545.00'	10°33'14"	100.39'	50.34'	100.25'	N.03°09'46"E.
48	545.00'	06°14'14"	59.33'	29.69'	59.30'	N.11°33'40"E.
49	277.50'	15°39'30"	75.84'	38.16'	75.60'	S.06°50'52"W.
50	300.00'	10°31'30"	55.11'	27.63'	55.03'	S.09°24'52"W.
51	300.00'	05°08'00"	26.88'	13.45'	26.87'	S.01°35'07"W.
52	255.00'	09°36'12"	42.80'	21.49'	42.84'	S.09°51'31"W.
53	255.00'	06°01'16"	26.80'	13.41'	26.79'	S.02°01'47"W.
54	695.00'	33°36'53"	407.75'	209.93'	401.93'	S.00°56'53"E.
55	695.00'	00°59'13"	11.97'	5.99'	11.97'	N.15°19'56"E.
56	695.00'	08°25'13"	102.14'	51.16'	102.05'	N.10°37'45"E.
57	695.00'	08°15'49"	100.24'	50.21'	100.15'	N.02°17'14"E.
58	695.00'	08°17'03"	100.49'	50.33'	100.40'	N.05°59'13"W.
59	695.00'	07°39'35"	92.91'	46.53'	92.84'	N.13°57'32"W.
60	821.50'	02°00'01"	28.68'	14.34'	28.68'	S.79°51'37"E.
61	821.50'	09°25'05"	135.75'	68.03'	135.60'	S.85°35'40"E.
62	821.50'	09°27'00"	135.49'	67.90'	135.34'	N.84°56'47"E.
63	821.50'	08°14'05"	118.07'	59.14'	117.96'	N.76°06'15"E.
8A	120.71'	05°30'34"	11.61'	5.81'	11.60'	S.84°28'23"W.

B.D. 2-4-90

COCONUT CREEK – PHASE I

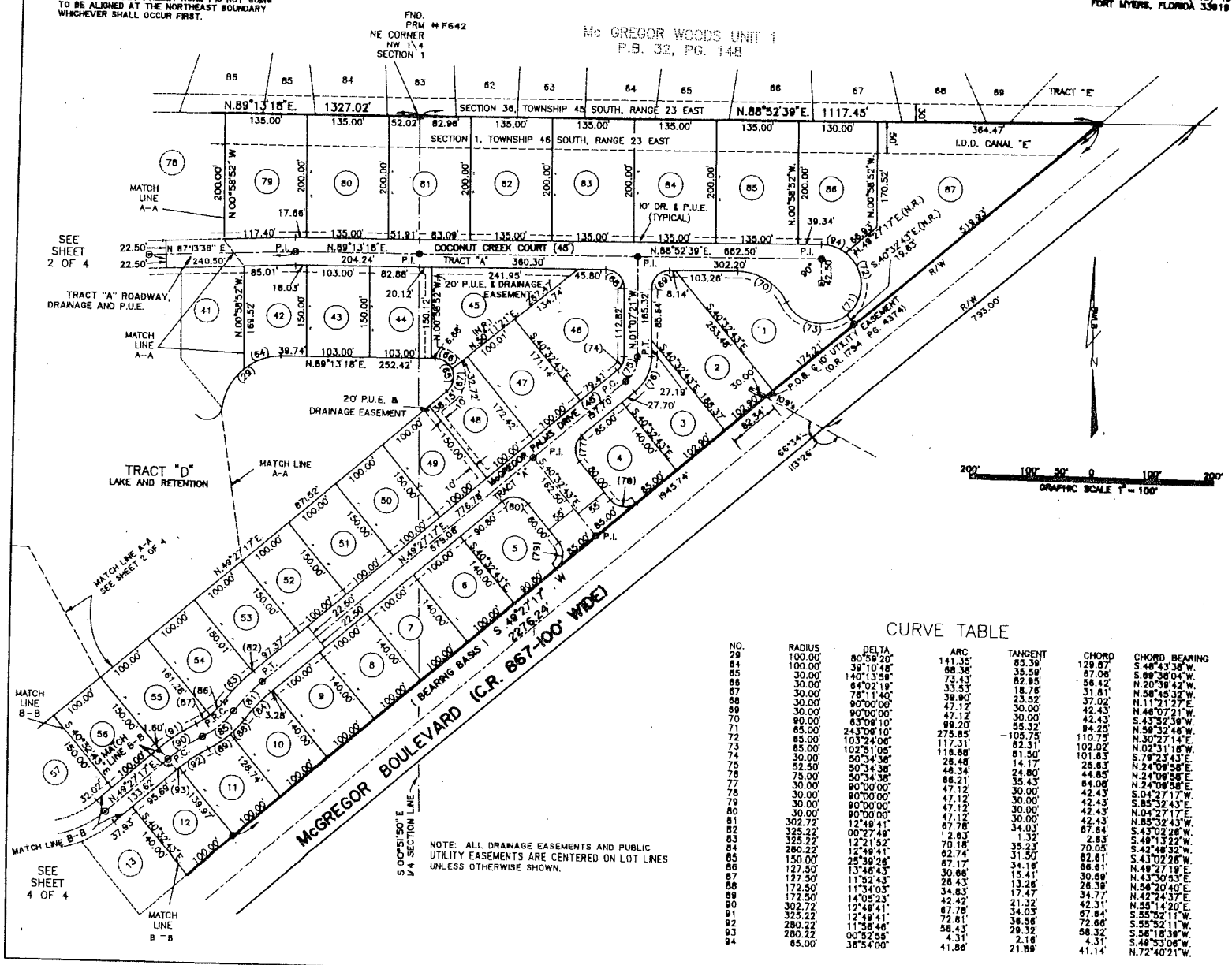
A SUBDIVISION LYING IN
SECTION 1, TOWNSHIP 46 SOUTH, RANGE 23 EAST,
LEE COUNTY, FLORIDA.

PLAT BOOK 44 PAGE 37

SHEET 3 OF 4

BEAN, WHITAKER, LUTZ & BARNES, INC.
CONSULTING ENGINEERS AND SURVEYORS
13141-B McGREGOR BLVD. (813) 481-1331
FORT MYERS, FLORIDA 33919

PER LEE COUNTY ZONING RESOLUTION Z-86-007:
NO BUILDING SHALL BE CONSTRUCTED ON ANY OF THE LOTS WHICH ABUT THE NORTHERN BOUNDARY OF THIS SUBDIVISION EITHER:
A. FOR A PERIOD OF FIVE (5) YEARS FROM JAN 30, 1989) OR,
B. UNTIL SUCH TIME AS THE BOARD OF COUNTY COMMISSIONERS DECIDES THAT THE PROPOSED ARTERIAL STREET (KELLY ROAD) IS NOT GOING TO BE ALIGNED AT THE NORTHEAST BOUNDARY WHICHEVER SHALL OCCUR FIRST.



NOTE: ALL DRAINAGE EASEMENTS AND PUBLIC UTILITY EASEMENTS ARE CENTERED ON LOT LINES UNLESS OTHERWISE SHOWN.

CURVE TABLE

NO.	RADIUS	DELTA	ARC	TANGENT	CHORD	CHORD BEARING
29	100.00'	80°59'20"	141.35'	85.39'	129.87'	S.46°43'38"W.
64	100.00'	39°10'48"	68.38'	35.59'	67.06'	S.69°38'04"W.
65	30.00'	140°13'59"	73.43'	82.95'	56.42'	N.20°39'42"W.
66	30.00'	64°02'19"	33.53'	18.78'	31.81'	N.58°45'32"W.
67	30.00'	76°11'40"	39.90'	23.52'	37.02'	N.11°21'27"E.
68	30.00'	90°00'00"	47.12'	30.00'	42.43'	N.48°07'21"W.
69	30.00'	90°00'00"	47.12'	30.00'	42.43'	S.43°52'39"W.
70	90.00'	63°09'10"	99.20'	55.32'	94.25'	N.58°32'46"W.
71	65.00'	243°09'10"	275.85'	-105.75'	110.75'	N.30°27'14"E.
72	65.00'	103°24'06"	117.31'	82.31'	102.02'	N.02°31'18"W.
73	65.00'	102°51'05"	116.66'	81.50'	101.63'	S.78°23'43"E.
74	30.00'	50°34'38"	26.48'	14.17'	25.63'	N.24°09'58"E.
75	52.50'	50°34'38"	46.34'	24.80'	44.85'	N.24°09'58"E.
76	75.00'	50°34'38"	66.21'	35.43'	64.06'	N.24°09'58"E.
77	30.00'	90°00'00"	47.12'	30.00'	42.43'	S.04°27'17"W.
78	30.00'	90°00'00"	47.12'	30.00'	42.43'	S.85°32'43"E.
79	30.00'	90°00'00"	47.12'	30.00'	42.43'	N.04°27'17"E.
80	30.00'	90°00'00"	47.12'	30.00'	42.43'	N.85°32'43"W.
81	302.72'	12°49'41"	67.78'	34.03'	67.64'	S.43°02'26"W.
82	325.22'	00°27'49"	2.63'	1.32'	2.63'	S.49°13'22"W.
83	325.22'	12°21'52"	70.18'	35.23'	70.05'	S.42°48'32"W.
84	280.22'	12°49'41"	62.74'	31.50'	62.61'	S.43°02'26"W.
85	150.00'	25°39'26"	67.17'	34.16'	66.61'	N.49°27'19"E.
86	127.50'	13°45'43"	30.66'	15.41'	30.59'	N.43°30'53"E.
87	127.50'	11°32'43"	26.43'	13.26'	26.39'	N.56°20'40"E.
88	172.50'	11°34'03"	34.83'	17.47'	34.77'	N.42°24'37"E.
89	172.50'	14°05'23"	42.42'	21.32'	42.31'	N.55°14'20"E.
90	302.72'	12°49'41"	67.78'	34.03'	67.64'	S.55°52'11"W.
91	325.22'	12°49'41"	72.81'	36.56'	72.66'	S.55°52'11"W.
92	280.22'	11°56'46"	58.43'	29.32'	58.32'	S.56°18'39"W.
93	280.22'	00°52'55"	4.31'	2.16'	4.31'	S.48°53'06"W.
94	65.00'	36°54'00"	41.86'	21.69'	41.14'	N.72°40'21"W.

Petition to Vacate
Petition No:98-03-129.04R
Description: Public Utility Easement
See CCMB
Date of Approval:06/09/98
Resolution No:98-06-17
CCMB:1998R Page:346
Recorded on:6/16/98 OR Book:2974
Page:3059-3062

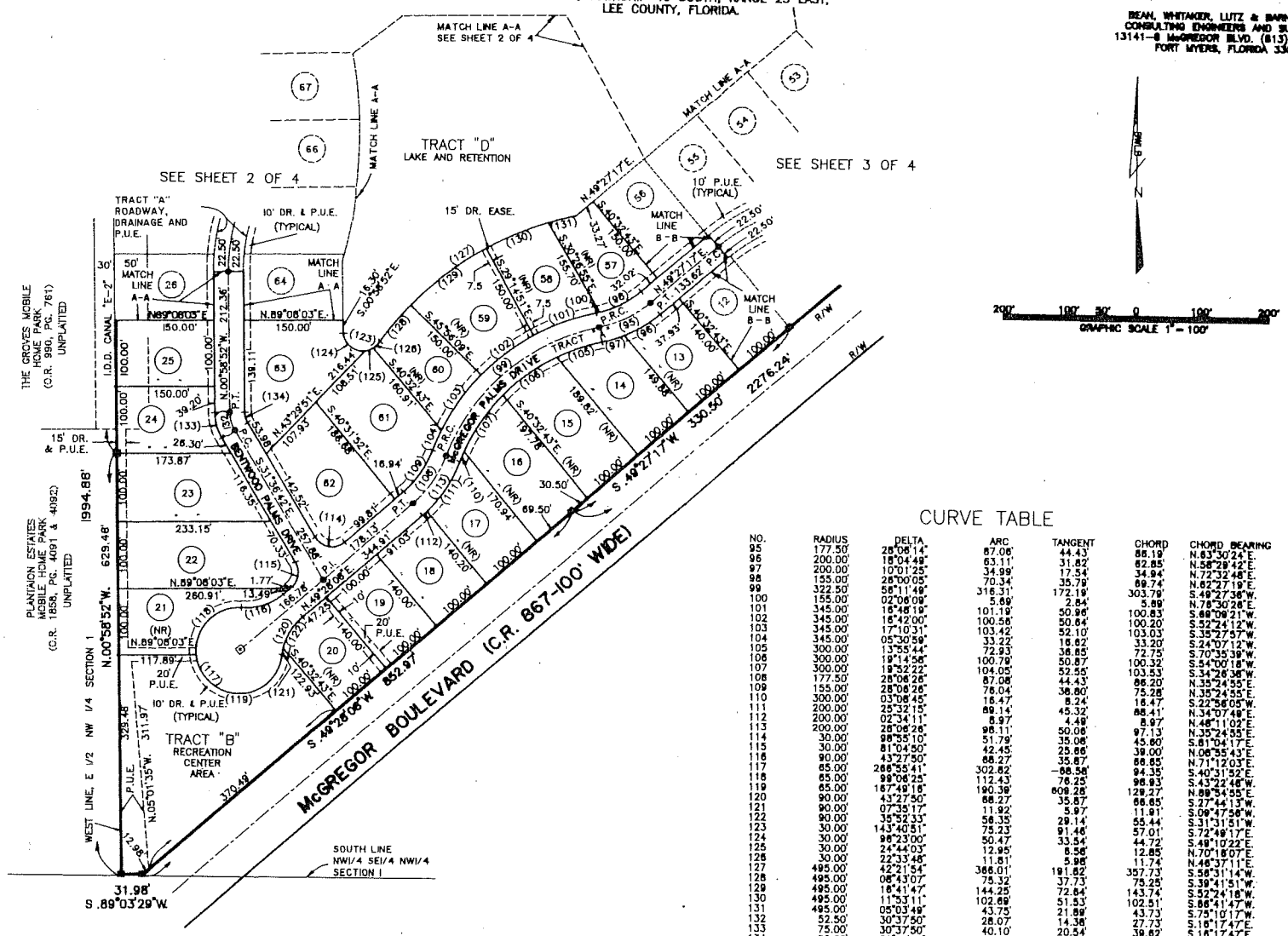
COCONUT CREEK – PHASE I

A SUBDIVISION LYING IN
SECTION 1, TOWNSHIP 48 SOUTH, RANGE 23 EAST,
LEE COUNTY, FLORIDA.

PLAT BOOK 88 PAGE 38

SHEET 4 OF 4

BEAN, WHITAKER, LUTZ & BARNES, INC.
CONSULTING ENGINEERS AND SURVEYORS
13141-8 McGREGOR BLVD. (813) 481-1331
FORT MYERS, FLORIDA 33919



CURVE TABLE

NO.	RADIUS	DELTA	ARC	TANGENT	CHORD	CHORD BEARING
95	177.50'	28°08'14"	87.06'	44.43'	86.19'	N.63°30'24"E.
96	200.00'	18°04'49"	63.11'	31.82'	62.85'	N.58°29'42"E.
97	200.00'	10°01'25"	34.99'	17.54'	34.94'	N.72°32'48"E.
98	155.00'	26°00'05"	70.34'	35.79'	69.74'	N.62°27'19"E.
99	322.50'	56°11'49"	316.31'	172.19'	303.79'	S.48°27'36"W.
100	155.00'	02°06'09"	5.69'	2.84'	5.69'	N.78°30'26"E.
101	345.00'	16°48'19"	101.19'	50.96'	100.83'	S.69°09'21"W.
102	345.00'	16°42'00"	100.56'	50.64'	100.20'	S.52°24'12"W.
103	345.00'	17°10'31"	103.42'	52.10'	103.03'	S.35°27'57"W.
104	345.00'	05°30'59"	33.22'	16.62'	33.20'	S.24°07'12"W.
105	300.00'	13°55'44"	72.93'	36.65'	72.75'	S.70°35'39"W.
106	300.00'	19°14'56"	100.79'	50.87'	100.32'	S.54°00'18"W.
107	300.00'	19°52'22"	104.05'	52.55'	103.53'	S.34°26'36"W.
108	177.50'	28°06'26"	87.08'	44.43'	86.20'	N.35°24'55"E.
109	155.00'	28°06'26"	76.04'	38.80'	75.28'	N.35°24'55"E.
110	300.00'	03°08'45"	16.47'	8.24'	16.47'	S.22°56'05"W.
111	200.00'	25°32'15"	89.14'	45.32'	88.41'	N.34°07'48"E.
112	200.00'	02°34'11"	8.97'	4.49'	8.97'	N.46°11'02"E.
113	200.00'	28°06'26"	98.11'	50.06'	97.13'	N.35°24'55"E.
114	30.00'	98°55'10"	51.79'	35.06'	45.60'	S.61°04'17"E.
115	30.00'	81°04'50"	42.45'	25.86'	39.00'	N.08°55'43"E.
116	90.00'	43°27'50"	68.27'	35.87'	66.65'	N.71°12'03"E.
117	65.00'	266°55'41"	302.82'	-68.56'	94.35'	S.40°31'52"E.
118	65.00'	99°06'25"	112.43'	76.25'	98.93'	S.43°22'48"W.
119	65.00'	167°49'16"	190.38'	609.28'	129.27'	N.89°54'55"E.
120	90.00'	43°27'50"	68.27'	35.87'	66.65'	S.27°44'13"W.
121	90.00'	07°35'17"	11.92'	5.97'	11.91'	S.06°47'56"W.
122	90.00'	35°52'33"	56.35'	29.14'	55.44'	S.31°31'51"W.
123	30.00'	143°40'51"	75.23'	91.46'	57.01'	S.72°48'17"E.
124	30.00'	96°23'00"	50.47'	33.54'	44.72'	S.48°10'22"E.
125	30.00'	24°44'03"	12.95'	6.56'	12.85'	N.70°16'07"E.
126	30.00'	22°33'48"	11.81'	5.96'	11.74'	N.46°37'11"E.
127	495.00'	42°21'54"	366.01'	191.62'	357.73'	S.56°31'14"W.
128	495.00'	08°43'07"	75.32'	37.73'	75.25'	S.39°41'51"W.
129	495.00'	16°41'47"	144.25'	72.64'	143.74'	S.52°24'18"W.
130	495.00'	11°53'11"	102.69'	51.53'	102.51'	S.66°41'47"W.
131	495.00'	05°03'49"	43.75'	21.89'	43.73'	S.75°10'17"W.
132	52.50'	30°37'50"	28.07'	14.36'	27.73'	S.16°17'47"E.
133	75.00'	30°37'50"	40.10'	20.54'	39.62'	S.16°17'47"E.
134	30.00'	30°37'50"	16.04'	8.22'	15.85'	S.16°17'47"E.

NOTE: ALL DRAINAGE EASEMENTS AND PUBLIC UTILITY EASEMENTS ARE CENTERED ON LOT LINES UNLESS OTHERWISE SHOWN.

D. 2-4-90

EXHIBIT B

33.00
BILLED

2590374

RESOLUTION NUMBER Z-88-007

OR2045

PG3511

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

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS

OF LEE COUNTY, FLORIDA

WHEREAS, John States, Trustee and John Saba, Jr., Trustee have properly filed an application on a project known as McGregor Palms for;

A rezoning from AG-2 to Residential Planned Development, to permit a mixed-use residential development with a maximum of 260 dwelling units with buildings not to exceed 35 feet above average grade, on 76.62 total acres of land. The proposed development will also include an interim sewer treatment plant, park area, sales offices and model units (homes), and may include a clubhouse and gatehouses.

NOTE: If approved, the Master Concept Plan will deviate from the following Lee County Standards:

(1) Requirement that properties which exhibit soils, hydrology and vegetation characteristic of saltwater inundation or freshwater ponding be subject to certain additional regulations and ordinances [202.08.C.1.b., DSO Section C.1.b.(4), and Ordinance 86-31, Section 6.03], to allow development of wetland soils;

(2) Minimum setback between structures and a quarter section line of 60 feet (202.15.B.3.b.), to zero (0) feet for the north/south line in Section 1;

(3) Requirement that the lot widths on curvilinear streets be measured at the required setback line (Section 202.15.C.2.b.), to allow lot width to be measured at the midpoint of the side lot lines;

(4) Requirement that lots on cul-de-sacs may have street frontage less than the required width, PROVIDED that the side lot lines are radial to the center point of the cul-de-sac with a minimum angle of 45 degrees (202.15.C.2.c.), to allow lot width to be measured at the midpoint of the side lot lines;

(5) Minimum common open space of 30% for Residential or Mobile Home Planned Developments with clustered single-family detached or attached homes or clustered mobile homes on lots of less than 7500 square feet (431.C.4.d.), to require that all single family lots regardless of size provide a minimum of 4200 square feet of open space, either within each lot if standard or larger or in the case of substandard lots, partly within the individual lot and the balance of the 4200 sq. ft. as common open space. The neighborhood park requirement is also required;

(6) Required minimum lot area, dimensions, and setbacks for a dwelling unit in an RSA district (Section 434.01.A. and B.), to be reduced as follows:

- Area from 6500 square feet to 5000 square feet
- Width from 65 feet to 50 feet
- Side setback from 6.5 feet to zero (0) feet on one side

(7) Minimum water retention excavation setbacks to a quarter section line of 60 feet (518.C.2.), to zero (0) feet for the north/south section line in Section 1;

(8) Minimum water retention excavation setbacks to a street right-of-way of 150 feet (518.C.4.), to 15 feet;

(9) Requirement that streets be laid out to intersect at right angles (90 degrees) and no local or access street shall intersect a collector or arterial street at less than 60 degrees [DSO Section C.3.a.(4)(a) and (b)], to allow a local or access street to intersect an arterial at 40 degrees;

(10) Requirement that access streets be constructed paralleling certain arterial and collector streets [DSO Section C.3.o.(2)], to require no access road along McGregor Boulevard;

(11) Requirement that where a development proposes individual sewage disposal systems (septic tanks) for development of four (4) lots per acre or less, then no lot shall be developed at a greater density than one (1) dwelling unit per lot and no lot shall be less than one-quarter (¼) of an acre (10,890 square feet) [DSO Section E.6.a.(6)], to allow lots less than 10,890 square feet to use septic tanks on an interim basis until sufficient effluent generation exists on-site to operate a sewer treatment plant;

(12) Minimum intersection separation of 660 feet along an arterial street (John Morris Road) (DSO Section C.3.h), to allow intersection separations of 562 feet or 432 feet, and 452 feet along John Morris Road; and

(13) Minimum setback between structures and the centerline of arterial street without frontage road of 1/2 (ROW) plus 50 feet (202.15.B.2.a.), to 1/2 (ROW) plus 25 feet (Setback from 125 feet to 100 feet).

WHEREAS, the subject property is located at the northwest corner of McGregor Boulevard and Kelly Road, described more particularly as:

LEGAL DESCRIPTION: In Section 01, Township 46 South, Range 23 East, Lee County, Florida:

The North One Half (N½) of the Northwest One Quarter (NW¼) of the Northwest One Quarter (NW¼) of Section 01, Township 46 South, Range 23 East, Lee County, Florida.

SUBJECT TO easement for John Morris Road.

SUBJECT TO easements for former Iona Drainage District Canals E and E-2.

All that part of the Northwest One Quarter (NW¼) of the Southeast One Quarter (SE¼) of the Northwest One Quarter (NW¼) of Section 01, Township 46 South, Range 23 East, Lee County, Florida, lying Northwesterly of McGregor Boulevard (County Road 867) (100 feet wide).

All that part of the Northeast One Quarter (NE¼) of the Northwest One Quarter (NW¼) of Section 01, Township 46 South, Range 23 East, Lee County, Florida, lying Northwesterly of McGregor Boulevard (County Road 867) (100 feet wide).

SUBJECT TO easements for former Iona Drainage District Canals E and E-2.

All that part of the Northwest One Quarter (NW¼) of the Northeast One Quarter (NE¼) of Section 01, Township 46 South, Range 23 East, Lee County, Florida, lying Northwesterly of McGregor Boulevard (County Road 867) (100 feet wide).

SUBJECT TO easement for former Iona Drainage District Canal E.

All that part of the Northeast One Quarter (NE¼) of the Southeast One Quarter (SE¼) of the Northwest One Quarter (NW¼) of Section 01, Township 46 South, Range 23 East, Lee County, Florida, lying Northwesterly of McGregor Boulevard (100 feet wide).

OR2015 PG3512

WHEREAS, the applicant has indicated the property's current STRAP numbers are:

01-46-23-00-00001.0000;
01-46-23-00-00003.0000 (Part);
01-46-23-00-00004.0000;
01-46-23-00-00026.0000 (Part).

WHEREAS, proper authorization has been given to John States, Trustee by Annedore Henrich and James H. Burgess, owners of the subject parcel, and proper authorization has been given to Carleton Ryffel by John States, Trustee and John M. Saba, Jr. Trustee, to act as agent to pursue this zoning application; and

WHEREAS, a public hearing was legally and properly advertised and held before the Lee County Planning and Zoning Commission, with full consideration of all the evidence available to the Planning and Zoning Commission; and

WHEREAS, the Lee County Planning and Zoning Commission fully reviewed the matter in a public hearing held on February 1, 1988; and

WHEREAS, a public hearing was legally and properly advertised and held before the Lee County Board of County Commissioners; and

WHEREAS, in the legislative process the Lee County Board of County Commissioners gave full and complete consideration to the recommendations of the staff, the Planning and Zoning Commission, the documents on file with the county, and the testimony of all interested persons.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS, that the Board of County Commissioners does hereby APPROVE a rezoning from AG-2 to Residential Planned Development, to permit a mixed-use residential development with a maximum of 230 dwelling units with buildings not to exceed 35 feet above average grade, on 76.62 total acres of land. The proposed development will also include an interim sewer treatment plant, park area, sales offices and model units (homes), and may include a clubhouse and gatehouses.

Approval is subject to the following conditions:

1.a. The development and use of this property shall be in accordance with the one-page Master Concept Plan entitled, "McGregor Palms", prepared by Carleton Ryffel, AICP last revised on January 28, 1988, except as modified by the conditions herein. This approval does not relieve this development from compliance with all other applicable state or local regulations, except for those specifically approved as part of this residential planned development. Unit mix and location may change except that the northern estate lots shall not change and the total number of units shall not exceed 230.

b. Property development regulations (interior to the development) regarding minimum setbacks shall be in conformance with the following:

Street	-	variable according to functional classification of the street or road (Section 202.15.B.2)
Side	-	Zero (0) feet on one side with a minimum side setback of 13 feet between each structure - If zero lot lines are utilized in this development, the final plan shall indicate which side of each area will be a zero setback. Otherwise, a 7 foot side setback shall apply.
Rear	-	20 feet
Water body	-	25 feet

(NOTE: Uses and sections referenced in 1. a and 1. b. above are those of the Lee County Zoning Ordinance, as may be amended from time to time.)

2. No direct access to individual lots from perimeter arterial roads shall be permitted. All access for the lots shall be provided from the development's interior road system.

3. No building shall be constructed on any of the lots which abut the northern boundary of the property either:

   a. For a period of five (5) years; or,

   b. Until such time as the Board of County Commissioners decides that the proposed arterial street (Kelly Road) is not going to be aligned at the northeast boundary, whichever shall occur first.

   All development plans and approvals for these lots may be obtained, but construction of any building shall not commence until after this time period has elapsed.

4. The developer will maintain the integrity of the vegetation of the property. Any existing dwelling units may be worked into an overall development, but if not acceptable to the eventual developer, the houses will be offered to the Historic Commission, first, for removal from the property. Further refinement of the word vegetation will be agreed upon by the applicant with input from the staff. Should further refinement of the term vegetation be needed, then this matter may be presented for further review by the Lee County Historic Preservation Commission. The double row of palm trees along the entrance may be moved to allow for a road between the trees. The palms are to be replanted in a manner to guarantee the greatest chance of survival, and in conjunction with the State Forester's recommendation.

5. Prior to final development order approval, the developer shall submit a plan for the removal of any Melaleuca quinquenervia, Brazilian Pepper (schinus terebinthi- foluis) or Australian Pine (Casuarina spp.) located within the development, including a minimum three (3) year maintenance program to control the re-invasion of these species. The plan shall be subject to approval by the Department of Community Development. A 3-foot high berm and/or buffer with trees and/or shrubbery shall be established along the northern property line.

6. This development shall be required to tie in to the public sanitary sewer treatment system when one becomes available to this area. Upon conversion, the area previously serving as the temporary sewer treatment plant may be permitted to be converted to residential use in conformance with this RPD provided that the overall development does not exceed 230 dwelling units. Otherwise, this area shall be incorporated into the development as additional open space/park area.

(3586Z/4)
(4402L)

OR2045 PG3514

7. In order to mitigate future hurricane and emergency medical potential:

   a. The applicant shall initiate the establishment of a homeowners' or residents' association to provide an educational program for hurricane preparedness.

   b. The established homeowners' or residents' association shall maintain an education program for hurricane preparedness. The program shall consist of annually describing the risks of the hurricane hazards to the residents, as well as the actions to mitigate the dangers which these hazards present.

   c. The applicant shall provide a disclosure statement to all prospective purchasers indicating the vulnerability of the proposed project to all categories of hurricanes, and stating the amount of flooding (in feet) that may occur in a category three hurricane.

   d. At the completion of development construction or each phase thereof, a development representative shall provide to Lee County Emergency Medical Service:

      (1) A site plan depicting official street names and building addresses;

      (2) The designated helicopter landing zone(s); and

      (3) Accessibility of the EMS unit.

8. Approval of this request does not imply that any approvals have been granted to deviate from any Lee County development regulations(s) except as follows:

   a. Deviation #1 is hereby APPROVED subject to the mitigation described in Condition #5.

   b. Deviations #3, #4, #6, #12, and #13, are hereby APPROVED as requested.

   c. Deviation #8 is hereby APPROVED with the condition that the reduction in setback be limited to the internal roads of the project only.

   d. Deviation #10 is hereby APPROVED with the condition that the required street setback shall be one-half (1/2) of the required right-of-way (of the Trafficways Map) plus 25 feet.

   e. Deviation #11 is hereby APPROVED to allow only model units and sales office to utilize septic tanks. All other uses must tie into an on-site sewer treatment plant or public sanitary sewer system.

9. Deviations #2, #5, #7, and #9, are hereby DENIED. Deviations #2 and #7 were DENIED because they were no longer required.

10. The developer shall bear the sole responsibility for the repair and maintenance of the on-site sewage treatment plant. Should the plant be cited for any alledged failure to maintain those minimum operating conditions set forth in applicable permits and licenses, no development orders or permits, as defined in Section 163.3164, Florida Statutes, shall be issued, and no work authorized by then existing, otherwise valid development orders or permits shall be allowed, unless and until the plant is re-certified as meeting such minimum operating conditions.

OR2045 PG3515

Site Plan 88-007 is attached hereto and incorporated herein by reference, as a reduced copy of the Master Concept Plan.

The following findings of fact were made in conjunction with this approval of Residential Planned Development zoning:

a. The proposed uses are appropriate at the subject location;

b. Sufficient safeguards to the public interest are provided by the recommended conditions to the Master Concept Plan and by applicable regulations;

c. All recommended conditions are reasonably related to the impact on the public's interest created by or expected from the development; and

d. Each deviation recommended for approval will enhance the achievement of the objective of the development and the general intent of the zoning regulations to preserve and promote the protection of the public health, safety, and welfare.

The foregoing Resolution was adopted by the Lee County Board of County Commissioners upon a motion by Commissioner Manning, and seconded by Commissioner Slisher and, upon being put to a vote, the result was as follows:

John E. Manning	Aye
Charles L. Bigelow, Jr.	Aye
Mary Ann Wallace	Nay
Bill Fussell	Aye
Donald D. Slisher	Aye

DULY PASSED AND ADOPTED this 25th day of April, A.D., 1988.

ATTEST:
CHARLIE GREEN, CLERK

BY: Clara J. Schmuck
Deputy Clerk

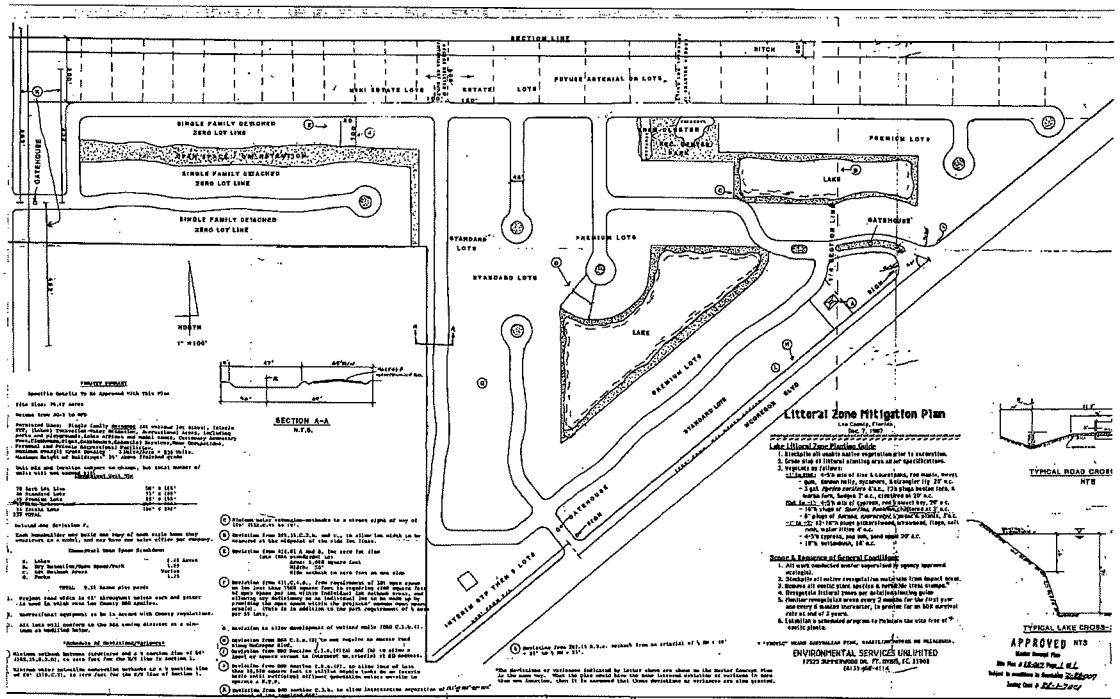
BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: [signature]
Chairman

Approved as to form by:

[signature]
County Attorney's Office

FILED
JAN 30 89
CLERK CIRCUIT COURT
BY [signature] D.C.



CARLETON RYFFEL, A.I.C.P. LAND PLANNER & DEVELOPMENT COORDINATOR

6290 Corporate Court S.W. Suite C-201 Fort Myers, Florida 33907 813/482-4404

MCGREGOR PALMS RPD

MASTER CONCEPT PLAN

ADMINISTRATIVE AMENDMENT
LEE COUNTY, FLORIDA

WHEREAS, Violet Dodrill filed an application for administrative approval to a Residential Planned Development on a project known as Coconut Creek Phase II for request on property located at 16111 John Morris Road, described more particularly as:

LEGAL DESCRIPTION: In Section 01, Township 46 South, Range 23 East, Lee County, Florida:

The North Half (N½) of the Northwest Quarter (NW¼) of the Northwest Quarter (NW¼) of Section 01, Township 46 South, Range 23 East, Lee County, Florida.

Subject to easement for John Morris Road.

Subject to easements for former Iona Drainage District Canals E and E-2.

All that part of the Northwest Quarter (NW¼) of the Southeast Quarter (SE¼) of the Northwest Quarter (NW¼) of Section 01, Township 46 South, Range 23 East, Lee County, Florida, lying Northwesterly of McGregor Boulevard (CR 867) (100 feet wide).

All that part of the Northeast Quarter (NE¼) of the Northwest Quarter (NW¼) of Section 01, Township 46 South, Range 23 East, Lee County, Florida, lying Northwesterly of McGregor Boulevard (CR 867) (100 feet wide).

Subject to easements for former Iona Drainage District Canals E and E-2.

All that part of the Northwest Quarter (NW¼) of the Northeast Quarter (NE¼) of Section 01, Township 46 South, Range 23 East, Lee County, Florida, lying Northwesterly of McGregor Boulevard (CR 867) (100 feet wide).

Subject to easement for former Iona Drainage District Canal E.

All that part of the Northeast Quarter (NE¼) of the Southeast Quarter (SE¼) of Northwest Quarter (NW¼) of Section 01, Township 46 South, Range 23 East, Lee County, lying Northwesterly of McGregor Boulevard (100 feet wide).

WHEREAS, the property was originally rezoned in case number 93-03-030-DCI-02; and

WHEREAS, the Applicant wishes to proceed with Phase II; and

WHEREAS, Phase II received Final Plan approval on 2-1-90: and

WHEREAS, Centennial Development received a Development Order for Coconut Creek phases I and II on March 26, 1990 (D.O. #90-02-004.00D); and

WHEREAS, Phase I has been platted and 46 of 86 single family residential dwelling units have been completed; and

WHEREAS, Phase II has not been developed; and

WHEREAS, regulatory changes have caused the Applicant to redesign Phase II; and

WHEREAS, Phase II has been redesigned to reduce the number of conventional single family lots from 36 to 34 lots surrounding a lake with a perimeter private road right-of-way interior to the project; and

WHEREAS, the perimeter private road right-of-way will be redesigned to have an egress only gated access onto John Morris Road with continued access connection to Phase I; and

WHEREAS, the Iona McGregor Fire District has approved the egress onto John Morris Road for emergency access via override/key lock; and

WHEREAS, correspondence was received on March 24, 1997, from the Coconut Creek Homeowners Association, indicating that they did not want a second entrance to Coconut Creek, Phase I and II of John Morris Road; and

WHEREAS, the 50 foot right-of-way reservation along John Morris Road is no longer required if Lee County has no plans to widen the road in the next one to five years; and

WHEREAS, staff advised that the 50 foot right-of-way reservation has been eliminated; and

WHEREAS, although the reservation may not be mandatory, the applicant may wish to reserve this right-of-way in order to avoid potential adverse impacts to the revised site plan when the right-of-way is needed in the future; and

WHEREAS, the applicant still wishes to forego reserving additional right of-way-along the east side of John Morris Road; and

WHEREAS, the project is now served by public sewer so all references to private septic systems and the sewage treatment plant are no longer applicable to the development; and

WHEREAS, the Division of Planning: Environmental Sciences have reviewed the revised site plan for Phase II; and

WHEREAS, Environmental Sciences have no concern with the proposed changes; 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 Residential Planned Development is **APPROVED.**

Approval is subject to the following conditions:

1. **The Development must be in substantial compliance with the amended Master Concept Plan, Coconut Creek Phase II, prepared by Bean, Whitaker, Lutz & Barnes, Inc., dated 4-22-97, Project No. 97-3458, Sheet 1 of 1, date stamped received by the permit counter on April 30, 1997.**

2. **The terms and conditions of the original zoning resolutions and the Final Plan Approval dated February 1, 1990 remain in full force and effect, except as may be amended herein.**

3. **Site Plan PD-97-025 is hereby APPROVED and adopted. A reduced copy is attached hereto.**

DULY SIGNED this 17th day of June, A.D., 1997.

BY: Mary Gibbs

Mary Gibbs, Director
Department of Community Development

AMENDED RPD Z-88-007 – COCONUT CREEK (AKA McGREGOR PALMS)

SITE DATA	PHASE I	PHASE II
SITE AREA	58.2 AC	39 AC
NO. OF UNITS/LOTS	162	77
DENSITY	2.5 U/AC	1.7 U/AC
LAKE AREA	8.8 AC	3.65 AC

- A 15' LANDSCAPE BUFFER WILL BE PROVIDED ALONG THE SOUTH LINE OF THE EXISTING I.D.D. CANAL ADJOINING THE NORTH PROPERTY LINE.
- A 25' LANDSCAPE BUFFER WILL BE PROVIDED ALONG JOHN MORRIS ROAD. A PROJECT WALL MAY BE PROVIDED AT THE DEVELOPERS DISCRETION.
- A 25' LANDSCAPE BUFFER WILL BE PROVIDED ALONG THE SOUTH PROPERTY LINE.
- AN EXIT ONLY MECHANICAL GATE WITH A SIREN ACTIVATED OVERRIDE FOR EMERGENCY VEHICLE ACCESS ONLY WILL BE PROVIDED ON JOHN MORRIS ROAD. STACKING FOR VEHICLES HAS BEEN PROVIDED AS NORMAL VEHICULAR TRAFFIC WILL NOT BE ABLE TO ENTER FROM JOHN MORRIS ROAD.
- LOT DEVELOPMENT STANDARDS:

MINIMUM LOT AREA – 7,500 SF
MINIMUM LOT WIDTH MEASURED AT SETBACK – 75'
MINIMUM LOT DEPTH – 100 LF
SETBACK TO INTERIOR ROAD – 20 LF
SIDE YARD SETBACK – 7 1/2' (7-86-007)
REAR YARD SETBACK – PRINCIPAL STRUCTURE – 25' TO WATER
ACCESSORY STRUCTURE – 20' TO WATER

- THE CONDITION RELATING TO LOTS WHICH ABUT THE NORTHERN PROPERTY LINE, NO LONGER APPLIES AS THE FIVE YEAR PERIOD HAS EXPIRED.
- ALL OTHER CONDITIONS OF THE FINAL PLAN APPROVAL FOR Z-88-007 APPLY UNLESS AMENDED BY THIS PLAN.

FINAL PLAN APPROVAL – McGREGOR PALMS RPD
APPROVED FEBRUARY 1, 1990

- RESIDENTIAL SINGLE FAMILY DETACHED UNITS
- 131 LOTS/UNITS PHASES I AND II
- 78.2 ACRES TOTAL SITE PHASES I AND II
- DENSITY – 1.8 U/AC
- BUILDING HEIGHT – 35' MAXIMUM
- OPEN SPACE – NO MINIMUM REQUIRED FOR CONVENTIONAL SINGLE FAMILY SUBDIVISION
- BUILDING CONSTRUCTION PROHIBITED ON ANY LOTS WHICH ABUT THE NORTHERN BOUNDARY OF THE PROPERTY FOR EITHER:
  - A. A PERIOD OF FIVE YEARS, OR
  - B. UNTIL THE BOARD OF COUNTY COMMISSIONERS DECIDES THAT PROPOSED KELLY ROAD IS NOT GOING TO BE ALIGNED AT THE NORTHERN BOUNDARY, WHICHEVER OCCURS FIRST.
- THE EXISTING BUILDINGS SHOWN ON THE SURVEY PLAN, SHEET 5 OF 11, TO BE RESIDENCE, THE HOUSES TO BE OFFERED TO THE HISTORIC COMMISSION FIRST FOR REMOVAL FROM THE PROPERTY.
- THE PALM TREES WHICH ARE TO BE REMOVED SHALL BE REPLANTED IN A MANNER TO GUARANTEE THE GREATEST CHANCE OF SURVIVAL AND BE IN CONJUNCTION WITH THE STATE FORESTERS RECOMMENDATIONS.
- THE DEVELOPMENT OF THE WETLAND SOILS IS PERMITTED IN ZONING RESOLUTION Z-88-007, SUBJECT TO THE MITIGATION PRESCRIBED.

LAKE LITORAL ZONE PLANTING GUIDE

1. STOCKPILE ALL USABLE NATIVE VEGETATION PRIOR TO EXCAVATION.
2. GRADE SLOPE OF LITTORAL PLANTING AREA AS PER SPECIFICATIONS
3. VEGETATE AS FOLLOWS

3.1 30 AREA 4-3' INCH MIX OF LIVE AND LIVING OAKS, RED CEDAR, SWEET GUM, BANYON VARIETY, SYCAMORE AND STRANGLER FIG 20' O.C.

AREA 30 TO 60 FT 4-3' HIGH MIX OF CYPRESS, RED AND SWEET BAY, 15' O.C.

- THREE GALLON MYRICA CERIFER, 6 INCH O.C., 15' HIGH PLUS BOTTOM FERN AND MARSH FERN, HOOKS 3' O.C. CLUSTERED AT 20' O.C.
- 15" HIGH PLUGS OF SPARTINA, PANICUM CLUSTERED AT 3 O.C.
- 4" PLUGS OF SAGGITA-HYDROCOTYL AND ASSOCIATED PLANTS, 3' O.C.
- 4" PLUGS OF 15" HIGH PLUGS PONDED WEED, ARROWHEAD, FLAGS, SOFT RUSH, WATER LILIES, 12' O.C.

AREA 60 TO 100 FT +3 – 5' HIGH CYPRESS, POP ASH, POND APPLE 20' O.C.
10' INCH BUTTON BUSH, 15' O.C.

SCOPE AND SEQUENCE OF GENERAL CONDITIONS

1. ALL WORK CONTRACTED AND/OR SUPERVISED BY AGENCY APPROVED ECOLOGIST.
2. STOCKPILE ALL NATIVE REVEGETATION MATERIALS FROM IMPACT AREAS.
3. REMOVE ALL EXOTIC PLANT SPECIES AND HERBICIDE TREAT STUMPS *
4. REVEGETATE LITORAL ZONES PER DETAILED PLANTING GUIDE.
5. MONITOR REVEGETATED AREAS EVERY TWO MONTHS FOR THE FIRST YEAR AND EVERY SIX MONTHS THEREAFTER, TO PROVIDE FOR AN 80% SURVIVAL RATE AT THE END OF THREE YEARS.
6. ESTABLISH A SCHEDULED PROGRAM TO MAINTAIN THE SITE FREE OF EXOTIC PLANTS.*

*EXOTIC MEANS AUSTRALIAN PINES, BRAZILIAN PEPPER OR MELALEUCA.

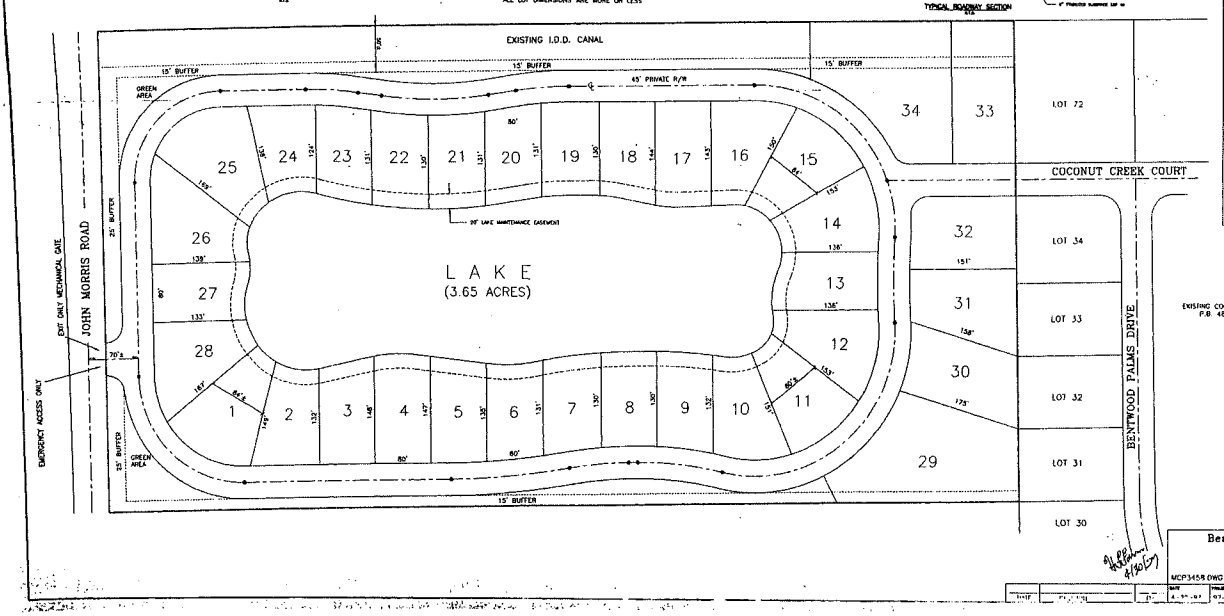
CONDITIONS OF RPD Z-88-007 – McGREGOR PALMS
APPROVED APRIL 20, 1988

- 230 DWELLING UNITS
- 74.92 ACRES – TOTAL SITE
- DENSITY 3 UNITS/AC
- BUILDING HEIGHT 35' ABOVE AVERAGE GRADE
- UNIT SITE AND LOCATION MAY CHANGE EXCEPT THAT THE NORTHERN MOST LOTS SHALL NOT CHANGE AND THE TOTAL NUMBER OF UNITS SHALL NOT EXCEED 230.
- SCHEDULE OF USES: SINGLE FAMILY LOTS OF VARIOUS SIZES, ZERO LOT LINE HOMES, ARTERIAL RIGHT-OF-WAY, PRIVATE PLANTS, PARK AREA, SALES OFFICE AND MODEL UNITS (HOMES), CLUBHOUSE, BATHHOUSES.
- PROPERTY DEVELOPMENT REGULATIONS (WITHIN TO DEVELOPMENT):
- STREET – VARIABLE ACCORDING TO FUNCTIONAL CLASSIFICATIONS OF THE STREET OR ROAD (SECTION 205.19.B.2).
- SIDE – ZERO (0') FEET ON ONE SIDE WITH A MINIMUM SIDE SETBACK OF 15' BETWEEN EACH STRUCTURE – 0' ZERO LOT LINES ARE UTILIZED IN THIS DEVELOPMENT, THE TWIN PLANS SHALL REVERSE WHICH SIDE OF EACH AREA WILL BE A ZERO SETBACK. OTHERWISE A 7' SETBACK WILL APPLY.
- REAR – 20'
- WATER BODY – 20'
- NO ACCESS TO INDIVIDUAL LOTS FROM PERIMETER ARTERIAL ROADS SHALL BE PERMITTED. ALL ACCESS FOR THE LOTS SHALL BE PROVIDED FROM THE DEVELOPMENTS INTERNAL ROAD SYSTEM.
- NO BUILDING SHALL BE CONSTRUCTED ON ANY OF THE LOTS WHICH ABUT THE NORTHERN BOUNDARY OF THE PROPERTY EITHER:
  - A. FOR A PERIOD OF FIVE YEARS, OR
  - B. UNTIL SUCH TIME AS THE BOARD OF COUNTY COMMISSIONERS DECIDES THAT THE PROPOSED ARTERIAL STREET (KELLY ROAD) IS NOT GOING TO BE ALIGNED AT THE NORTHEAST BOUNDARY, WHICHEVER SHALL OCCUR FIRST.
- DEVELOPER WILL MAINTAIN THE INTEGRITY OF THE VEGETATION OF THE PROPERTY.
- EXISTING DWELLING UNITS TO BE UTILIZED ON THE PROPERTY OR OFFERED TO THE HISTORIC COMMISSION FOR REMOVAL FROM THE PROPERTY.
- THE EXISTING DOUBLE ROW OF PALMS TO BE REPLANTED IN A MANNER TO GUARANTEE THE GREATEST CHANCE OF SURVIVAL.
- IN ADDITION TO REMOVAL OF EXOTIC VEGETATION AND A MINIMUM 25' BUFFER AS REQUIRED BY THE ZONING CODE, THE PRESERVATION OF THESE SPECIES, THE DEVELOPER SHALL PROVIDE A MINIMUM 5' BERM OR BUFFER WITH TREES AND SHRUBS ALONG THE NORTHERN PROPERTY LINE.
- THIS DEVELOPMENT SHALL BE REQUIRED TO TIE INTO THE PUBLIC SANITARY SEWER TREATMENT SYSTEM WHEN SUCH BECOMES AVAILABLE. SHOULD SUCH NOT BE AVAILABLE WITHIN TWO YEARS FROM THE DATE OF RECORDING, THE DEVELOPER SHALL BE PERMITTED TO CONSTRUCT A PACKAGE TREATMENT PLANT, PROVIDED THAT DENSITY DOES NOT EXCEED 230 DWELLING UNITS. OTHERWISE AREA SHALL BE INCORPORATED INTO ADDITIONAL OPEN SPACE/PARK AREA.
- DEVIATIONS APPROVED TO ALLOW DEVELOPMENT ON WETLAND SOILS.
- LOT WIDTH ON CUL-DE-SACS MAY HAVE STREET FRONTAGE LESS THAN THE MINIMUM REQUIRED, PROVIDED THAT THE WIDTH IS MEASURED AT THE DEPTH OF THE REAR LOT LINE.
- LOTS ON CUL-DE-SACS MAY HAVE STREET FRONTAGE LESS THAN THE MINIMUM REQUIRED, PROVIDED THAT THE WIDTH IS MEASURED AT THE DEPTH OF THE REAR LOT LINE.
- REQUIRED MINIMUM LOT AREAS – 5,000 SF
- MINIMUM WIDTH = 50'
- MINIMUM SIDE SETBACK = ZERO (0') FEET ON ONE SIDE
- MINIMUM WATER RETENTION EXCAVATION SETBACKS TO A STREET RIGHT-OF-WAY OF 15' LIMITED TO THE INTERNAL ROADS OF THE PROJECT ONLY.
- NO PARALLEL ACCESS ROAD IS REQUIRED ALONG MCGREGOR BOULEVARD PROVIDING THE REQUIRED STREET SETBACK SHALL BE ONE-HALF (1/2) THE REQUIRED RIGHT-OF-WAY (OF THE TRAFFICWAYS MAP) PLUS 25'.
- ONLY MODEL UNITS AND SALES OFFICES MAY UTILIZE SEPTIC TANKS. ALL OTHER LOTS MUST BE SERVED BY ONSITE SEWER TREATMENT PLANT OR PUBLIC SANITARY SEWER SYSTEM.
- THE MINIMUM INTERSECTION SEPARATION OF 343' OR 433' AND 493' ARE APPROVED ALONG JOHN MORRIS ROAD.
- THE MINIMUM SETBACK BETWEEN STRUCTURES AND THE CENTERLINE OF AN ARTERIAL ROAD (WHICH IS PRESENTLY KNOWN JOHN MORRIS ROAD AND MCGREGOR BOULEVARD) TO BE 1/2 (RIGHT-OF-WAY) PLUS 25'.

LAKE CROSS SECTION

NOTE:
ALL LOT DIMENSIONS ARE MORE OR LESS

TYPICAL ROADWAY SECTION



APPROVED

Amendment to
Master Concept Plan
Subject to conditions in Resolution 96-77, 96
Zoning Case #96-12-22A, 96-4, 01, 01
Date 6/17/97

EXISTING COCONUT CREEK PHASE I
P.B. 48, PG. 35-38

RECEIVED
APR 30 1997
PERMIT COUNTER

PROJECT # 96-12-22A.01A 96-4
PROJECT TYPE CC

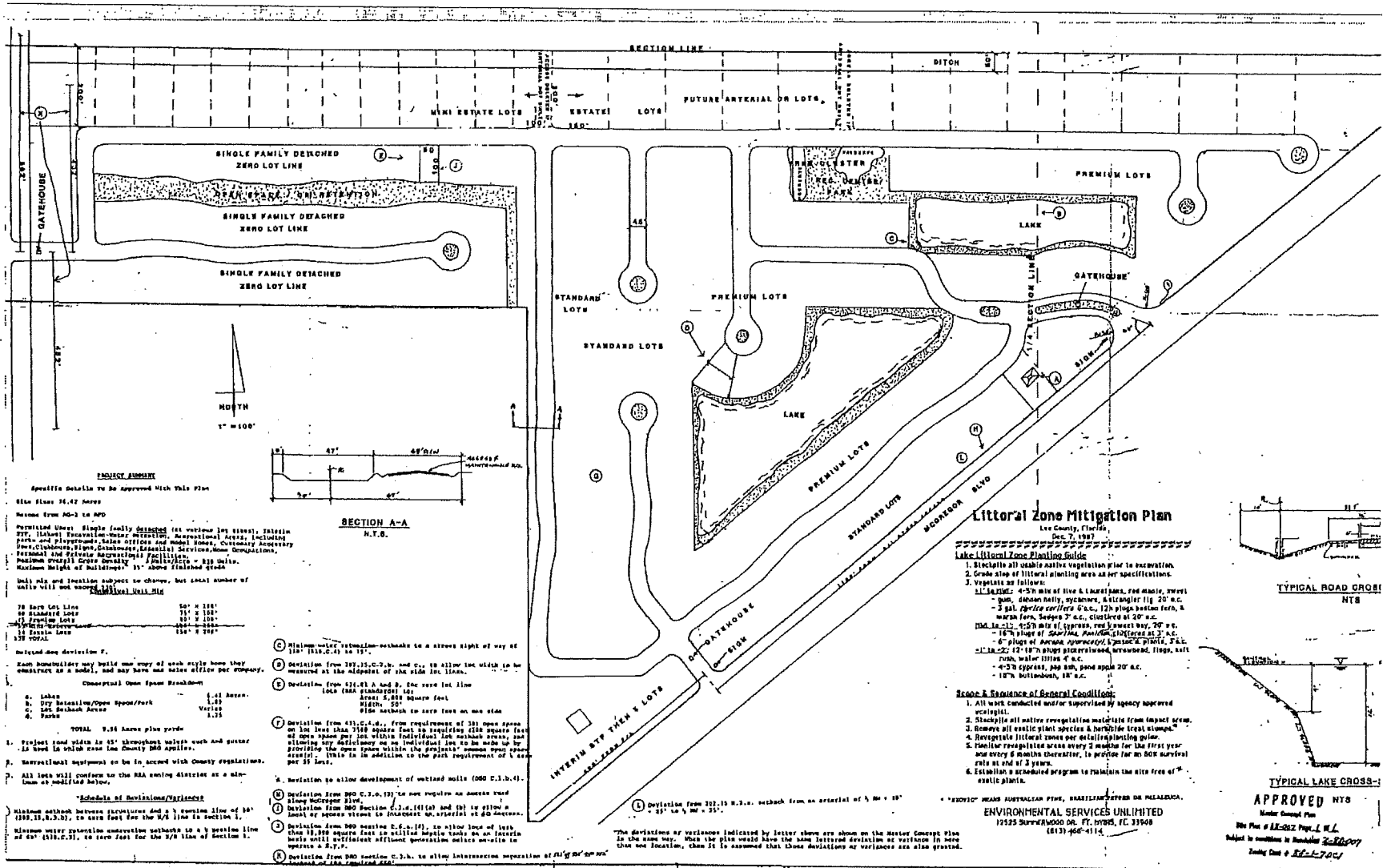
ADMINISTRATIVE AMENDMENT TO Z-88-007,

MASTER CONCEPT PLAN
COCONUT CREEK PHASE II

Bean, Whitaker, Lutz & Barnes, Inc.
CONSULTING ENGINEERS AND SURVEYORS
2511-A HOLLYWOOD BOULEVARD, FORT MYERS, FLORIDA 33901 (813) 481-1321
1059-B NO. PALM DRIVE, CAPE CORAL, FLORIDA 33909 (813) 772-1321

MCP3458.DWG

STAFF		DATE	PROJECT NO.	DRAWN BY	SCALE		FILE NO. (5-1-9)
		4-29-97	93-1476	TOM	1"=80'	Avg 1 of 1	1-46-23



PROJECT SUMMARY

Specific Details To Be Approved With This Plan

Site Size: 36.42 Acres

Rezone from AG-2 to RPD

Permitted Uses: Single family detached (at various lot sizes); Interim Uses, (Lake) Excavation-Water retention, Recreational Areas, including parks and playgrounds, Sales Offices And Model Homes, Customary Accessory Uses, Clubhouse, Night Clubhouse, Essential Services, Home Occupations, Personal and Private Recreational Facilities.
Maximum Overall Gross Density: 4 Units/Acre = 145 Units.
Maximum Height of Buildings: 35' Above Finished Grade

Unit mix and location subject to change, but total number of units will not exceed 145.

Conditional Unit Mix

70 Zero Lot Line	50' x 100'
50 Standard Lots	75' x 100'
15 Premium Lots	85' x 100'
~~10 Estate Lots~~	~~100' x 200'~~
10 Estate Lots	150' x 200'
145 TOTAL	

Deviation from Section F.

Each homebuilder may build one copy of each style home they construct as a model, and may have one sales office per company.

Conceptual Open Space Breakdown

a. Lakes	5.41 Acres
b. Dry Retention/Open Space/Park	1.89
c. Lot Setback Areas	Varies
d. Parks	1.75
TOTAL 9.56 Acres plus yards	

1. Project road width is 45' throughout unless curb and gutter is used in which case Lee County DOT applies.
2. Recreational equipment to be in accord with County regulations.
3. All lots will conform to the RAA zoning district as a minimum as modified below.

"Schedule of Deviations/Variances"

Minimum setback between structures and a ½ section line of 50' (310.15.B.3.b), to zero feet for the N/S line in Section 1.

Minimum water retention conservation setback to a ½ section line of 25' (510.C.5), to zero feet for the N/S line of Section 1.

(C) Minimum water retention-setbacks to a street right of way of 150' (510.C.4) to 75'.

(D) Deviation from 207.15.C.2.b. and c., to allow lot width to be measured at the midpoint of the side lot lines.

(E) Deviation from 421.01.A and B. for zero lot line
Lots (RAA standards) to:
Area: 5,000 square feet
Width: 50'
Side setback to zero feet on one side

(F) Deviation from 421.C.4.d., from requirement of 301 open space on lot less than 7500 square feet to requiring 4200 square feet of open space per lot within individual lot setback areas, and allowing any deficiency on an individual lot to be made up by providing the open space within the projects' common open space area(s). This is in addition to the park requirement of 4 acres per 35 lots.

(G) Deviation to allow development of wetland soils (060 C.1.b.4).

(H) Deviation from 060 C.3.a.(2) to not require an access road along McGregor Blvd.

(I) Deviation from 060 Section C.3.a.(4)(a) and (b) to allow a local or access street to intersect an arterial at 60 degrees.

(J) Deviation from 060 section C.6.a.(2), to allow lots of less than 10,000 square feet to utilize septic tanks on an interim basis until sufficient effluent generation enables on-site to operate a S.T.P.

(K) Deviation from 060 section C.3.b. to allow intersection separation of ~~21/2 mi~~ 1/2 mi on the southeast of the required 660'.

(L) Deviation from 322.15 B.3.a. setback from an arterial of ½ 80' + 10' + 25' to ½ 80' + 35'.

"The deviations or variances indicated by letter above are shown on the Master Concept Plan in the same way. When the plan would have the same lettered deviation or variance in more than one location, then it is assumed that those deviations or variances are also granted.

Littoral Zone Mitigation Plan

Lee County, Florida
Dec. 7, 1987

Lake Littoral Zone Planting Guide

1. Stockpile all usable native vegetation prior to excavation.
2. Grade slop of littoral planting area as per specifications.
3. Vegetate as follows:
   - +1' to +0': 4-5% mix of live & transplant, red maple, pond apple, dahoon holly, wycanwra, & elsinglier (1g 20' o.c.
     - 3 gal. *Sprice serifera* 6'o.c., 12% plugs bottom fern, & marsh fern, Sedges 3' o.c., clustered at 20' o.c.
   - Mid to +1': 4-5% mix of cypress, red tywaest bay, 20' o.c.
     - 16% plugs of *Sagittaria, Pontedaria*, clustered at 3' o.c.
     - 6" plugs of *Acrasia, Hymenocallis*, & *Iris* & plants, 3' o.c.
   - +1' to +2': 12-18% plugs pickerelweed, arrowhead, flags, soft rush, water lilies 4' o.c.
     - 4-5% cypress, pop ash, pond apple 20' o.c.
     - 18% buttonbush, 18' o.c.

Scope & Sequence of General Conditions:

1. All work conducted and/or supervised by agency approved ecologist.
2. Stockpile all native revegetative materials from impact area.
3. Remove all exotic plant species & herbicide treat stumps.*
4. Revegetate littoral zones per detailed planting guide.
5. Finalize revegetative areas every 2 months for the first year and every 6 months thereafter, to provide for an 80% survival rate at end of 3 years.
6. Establish a scheduled program to maintain the site free of exotic plants.

* "EXOTIC" MEANS AUSTRALIAN PINE, BRAZILIAN PEPPER OR MELALEUCA.

ENVIRONMENTAL SERVICES UNLIMITED
12525 SUMMERWOOD DR. FT. MYERS, FL 33908
(813) 466-4114

APPROVED NTS
Master Concept Plan
Site Plan # 88-082 Page 1 of 1
Subject to conditions in Resolution Z-88-007
Zoning Case # 88-1-7001

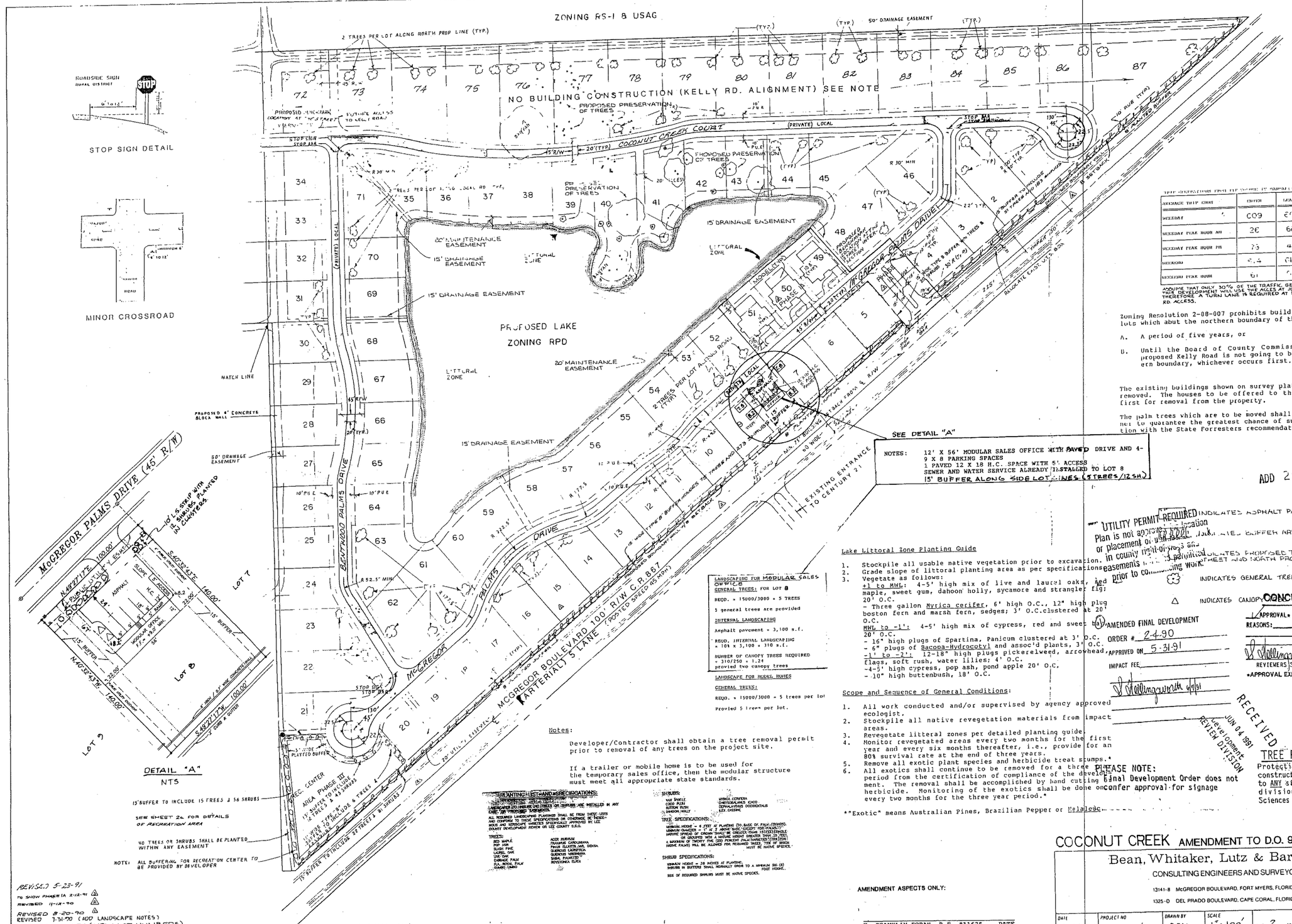
CARLETON RYFFEL, A.I.C.P. LAND PLANNER & DEVELOPMENT COORDINATOR
6290 Corporate Court S.W. Suite C-201 Fort Myers, Florida 33907 813/482-4404

MCGREGOR PALMS RPD
MASTER CONCEPT PLAN

REV
REV
REVI
REVI
REVI

EXHIBIT C

EXHIBIT D



TRIP GENERATIONS FIRST TRIP TO BE BY MANUAL CODE 210

AVERAGE TRIP ENDS	ENTER	LEAVE	TOTAL
WEEKDAY	109	109	218
WEEKDAY PEAK HOUR AM	26	68	94
WEEKDAY PEAK HOUR PM	73	44	117
WEEKEND	114	114	228
WEEKEND PEAK HOUR	61	54	115

ASSUME THAT ONLY 30% OF THE TRAFFIC GENERATED BY THIS DEVELOPMENT WILL USE THE ACCESS AT JOHN MORRIS RD. THEREFORE A TURN LANE IS REQUIRED AT MCGREGOR RD. ACCESS.

Zoning Resolution 2-88-007 prohibits building construction on any lots which abut the northern boundary of the property for either:

A. A period of five years, or

B. Until the Board of County Commissioners decides that proposed Kelly Road is not going to be aligned at the northern boundary, whichever occurs first.

The existing buildings shown on survey plat, Sheet 5 of 11, to be removed. The houses to be offered to the Historic Commission first for removal from the property.

The palm trees which are to be moved shall be replanted in a manner to guarantee the greatest chance of survival and in conjunction with the State Forresters recommendations.

Notes:

Developer/Contractor shall obtain a tree removal permit prior to removal of any trees on the project site.

If a trailer or mobile home is to be used for the temporary sales office, then the modular structure must meet all appropriate state standards.

Lake Littoral Zone Planting Guide

1. Stockpile all usable native vegetation prior to excavation.
2. Grade slope of littoral planting area as per specifications.
3. Vegetate as follows:
   +1 to MWL: 4-5' high mix of live and laurel oaks, red maple, sweet gum, dahoon holly, sycamore and strangler fig; 20' O.C.
   - Three gallon Myrica cerifer, 6' high O.C., 12" high plug boston fern and marsh fern, sedges; 3' O.C.clustered at 20' O.C.
   MWL to -1': 4-5' high mix of cypress, red and sweet bay 20' O.C.
   - 16" high plugs of Spartina, Panicum clustered at 3' O.C.
   - 6" plugs of Bacopa-Hydrocotyl and assoc'd plants, 3' O.C.
   -1' to -2': 12-18" high plugs pickerelweed, arrowhead, flags, soft rush, water lilies; 4' O.C.
   -4-5' high cypress, pop ash, pond apple 20' O.C.
   -10" high buttenbush, 18' O.C.

Scope and Sequence of General Conditions:

1. All work conducted and/or supervised by agency approved ecologist.
2. Stockpile all native revegetation materials from impact areas.
3. Revegetate litteral zones per detailed planting guide.
4. Monitor revegetated areas every two months for the first year and every six months thereafter, i.e., provide for an 80% survival rate at the end of three years.
5. Remove all exotic plant species and herbicide treat stumps.*
6. All exotics shall continue to be removed for a three (3) year period from the certification of compliance of the development. The removal shall be accomplished by hand cutting and herbicide. Monitoring of the exotics shall be done on every two months for the three year period.*

*"Exotic" means Australian Pines, Brazilian Pepper or Melaleuca.

AMENDMENT ASPECTS ONLY:

H. FRANKLIN FORAN, P.E. #11635 DATE

ADD 2010-00052

UTILITY PERMIT REQUIRED INDICATES ASPHALT PAVING JUN 23 2010
Plan is not approved for location or placement of utilities in county right-of-ways and easements prior to commencing work.

INDICATES PROPOSED TREE FOR LOCAL BUFFER AREA COMMUNITY DEVELOPMENT

INDICATES GENERAL TREE

INDICATES CANOPY TREE

CONCURRENCY REVIEW

APPROVAL* ___CONDITIONAL* ___DENIAL

REASONS:

AMENDED FINAL DEVELOPMENT ORDER # 2-90

APPROVED ON 5-31-91

IMPACT FEE

5/31/91
REVIEWERS SIGNATURE DATE*

*APPROVAL EXPIRES ONE YEAR FROM THIS DATE

RECEIVED
JUN 04 1991
Development Review Division

TREE PERMIT REQUIRED
Protective barricades must be constructed and inspected, prior to ANY site work. Please contact division of Environmental Sciences (813) 335-2477.

PLEASE NOTE: Final Development Order does not confer approval for signage

PRINTED
JUN 3 1991

COCONUT CREEK AMENDMENT TO D.O. 90-02-04.00D

Bean, Whitaker, Lutz & Barnes, Inc.
CONSULTING ENGINEERS AND SURVEYORS
13141-B McGREGOR BOULEVARD, FORT MYERS, FLORIDA 33919 (813) 481-1331
1325-D DEL PRADO BOULEVARD, CAPE CORAL, FLORIDA 33990 (813) 772-1331

DATE	PROJECT NO	DRAWN BY	SCALE	SHT	FILE NO
10-24-89	3488	RSM	1"=100'	2 OF 11	1-40-23

REVISED 5-23-91
TO SHOW PHASE IA 2-12-91 △
REVISED 11-12-90 △
REVISED 8-20-90 △
REVISED 7-31-90 (ADD LANDSCAPE NOTES)
REVISED 7-25-90 (NEW LOT NUMBERS)
REVISED 7-17-90 (ADDED MODELS AND SALES)
REVISED 3-13-90 (FOR CHECKLIST)
REVISED 1-25-90
REVISED 9/24/97 TO SHOW LANDSCAPING AT SALES SITE
REVISED 8/18/97 TO SHOW RELOCATION OF SALES OFFICE AND PARKING TO LOT 8
REVISED 9-8-97 TO SHOW PAVED PARKING
REVISED 9-12-97 TO SHOW PARKING GRADES/BUFFERS ON LOT 8

EXHIBIT E

Coconut Creek Owners Association
Lake Management Plan – Lake One

The larger of the two existing storm water retention lakes within the Coconut Creek Residential Community is subject to this administrative amendment request. This lake is a beautiful feature in the backyards of over 30 homes (33 lots). The long-term health and appearance of this lake is of great value to the owners within Coconut Creek. This plan will provide an important course of action to sound lake management.

Lake One is organically shaped with many curves, creating an undulating shoreline. One common area recreational area and lake gazebo on the north side of the lake provides lake access to all residents within Coconut Creek.

The overall health of the lake has been good since the excavation of the lake in the late 1980's. The owner's association has annually funded and secured a professional lake management company to insure health and an attractive appearance. Algae and shoreline weeds are required to be addressed periodically.

A recent lake management company had not done an acceptable job in maintaining the lake shoreline and that resulted in a loss of herbaceous littoral plants through an overly aggressively spraying of herbicide along the lake shoreline to control torpedo grass. That lake management company contract has been terminated and a new lake management company has been hired by the owner's association to do a better job of insuring desirable lake littoral plants are successful.

As a clarification to the plan, the following lake littoral planting is proposed:

Trees
Trees required: 486, minimum 4 feet tall trees.

Credit for all existing trees:
Trees greater than four feet high @ 1 to 1: 198
Additional credit for existing trees less than four feet high @ 2 to 1: 92
Total existing trees credit: 290

Total trees, 3 gallon, minimum four feet tall to be planted: 196

Tree species list:

- laural oak (*Quercus laurifolia*)
- live oak (*Quercus virginana*)
- red maple (*Acer rubrum*)
- bald cypress (*Taxodium distichum*)
- dahoon holly (*Ilex cassine*)
- pop ash (*Fraxinus caroliniana*)
- South Florida slash pine (*Pinus elliotii* var densa)

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Shrubs
No new shrubs will be required. Herbaceous littoral plants will be planted to meet the shrub requirement 5 herbaceous plants to 1 shrub ratio (5:1). For the 350 shrubs required, 1,750 herbaceous plants will be required

Herbaceous, littoral plants
Herbaceous plants required under plan: 2,130, minimum 2 inch sized liner, 12 inches tall
Herbaceous plants to mitigate for shrubs not being planted @ 5:1: 1,750
Total herbaceous plants required: 4,525
Credit for existing herbaceous plants: 595
Total littoral plants required to be planted: 3,880

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ADD 2010-00052

Herbaceous plant species list:

- cordgrass (*Spartina bakerii)*
- soft rush (*Juncus effusus*)
- blue flag *(Iris hexagona)*
- yellow canna (*Canna flacida*)
- pickerelweed *Pontederia cordata*)
- arrowhead (*Sagittaria lancefolia*)
- soft stem bulrush (*Scirpus validus*)

The installation of the proposed new trees and herbaceous plants will be done at the appropriate water elevations for the plant species. The new trees and herbaceous plants are proposed to be clustered at intersecting property lines, except where there is abundance of existing plants.

All residents living on Lake One in Coconut Creek will be sent an informative letter regarding lake management. The letter will include:

- The important contributions that the lake shoreline (littoral) trees and herbaceous plants provide to the overall health of the lake they live on.
- The trees and herbaceous plants being installed are an original requirement for the community. Mowing or spraying of herbicides on these required plants may result in the owners association having to replant at added cost to them.
- The basic requirements of the Lee County Fertilizer Ordinance will be provided and how reducing the flow of landscape nutrients to the lake enhances long-term lake health.
- A general description of the use of grass carp as a biological control of lake aquatic weeds.

EXHIBIT F

OFFICIAL NOTICE OF CODE VIOLATION

LEE COUNTY
DIVISION OF ENVIRONMENTAL SCIENCES
PO BOX 398
FORT MYERS, FL 33902-0398
(239) 533-8585

November 17, 2009

COCONUT CREEK OWNERS ASSN
6719 WINKLER RD STE 200
FORT MYERS, FL 33919

Dear Property Owner:

You are hereby directed to abate the code violation on the following property: 0 COMMON ELEMENTS FORT MYERS 33908.

This parcel is described in Lee County Tax Rolls as STRAP# 01-46-23-27-0000A.00CE.

A site inspection of the above referenced property made on October 14, 2009 by Lee County Division of Environmental Sciences (ES) staff revealed that:

Required trees, shrubs, and littorals are missing within the stormwater lake.

This violation is contrary to the Lee County Land Development Code (LDC) Section 10-7 (f) and the Development Order (DO) 90-02-004-00D as follows:

LDC Section 10-7 (f) states: All developments must remain in compliance with the terms and conditions of the approved development order even after issuance of a certificate of completion.

To abate this violation compliance with the following is required:

1. Plant two hundred and eighty eight (288) native wetland trees, seven hundred and eight (708) native wetland shrubs, one thousand fifity five (1,055) native wetland ferns, one thousand seventy five (1,075) native wetland grasses, and one thousand seventy five (1,075) native littorals that are missing in phase 1 lake. These required trees, shrubs, and littorals are marked in green on the enclosed landscape plan.
2. Trees, shrubs, and littorals must be the same height and species at time of planting as listed on the approved landscape plan.

You are hereby directed to abate this violation **within 30 days of receipt of this letter.** Once the violation has been abated, please contact Environmental Sciences staff to verify abatement.

If you fail to remedy this condition within the time frame specified above or if the violation is abated and reoccurs, this case will be scheduled before the Lee County Hearing Examiner and a fee of $285.00 for prosecution of this case may be assessed. At the appropriate time you will be notified as to the date, time and place of this hearing.

Please be advised, under Lee County Land Development Code Chapter 2, Article VII, that the County can pursue a fine of up to $250.00 per day for each day this violation continues past the date set for compliance by the Hearing Examiner.

Please contact me at 239-533-8159 or jcull@leegov.com with any questions you may have regarding this notice.

DEPARTMENT OF COMMUNITY DEVELOPMENT

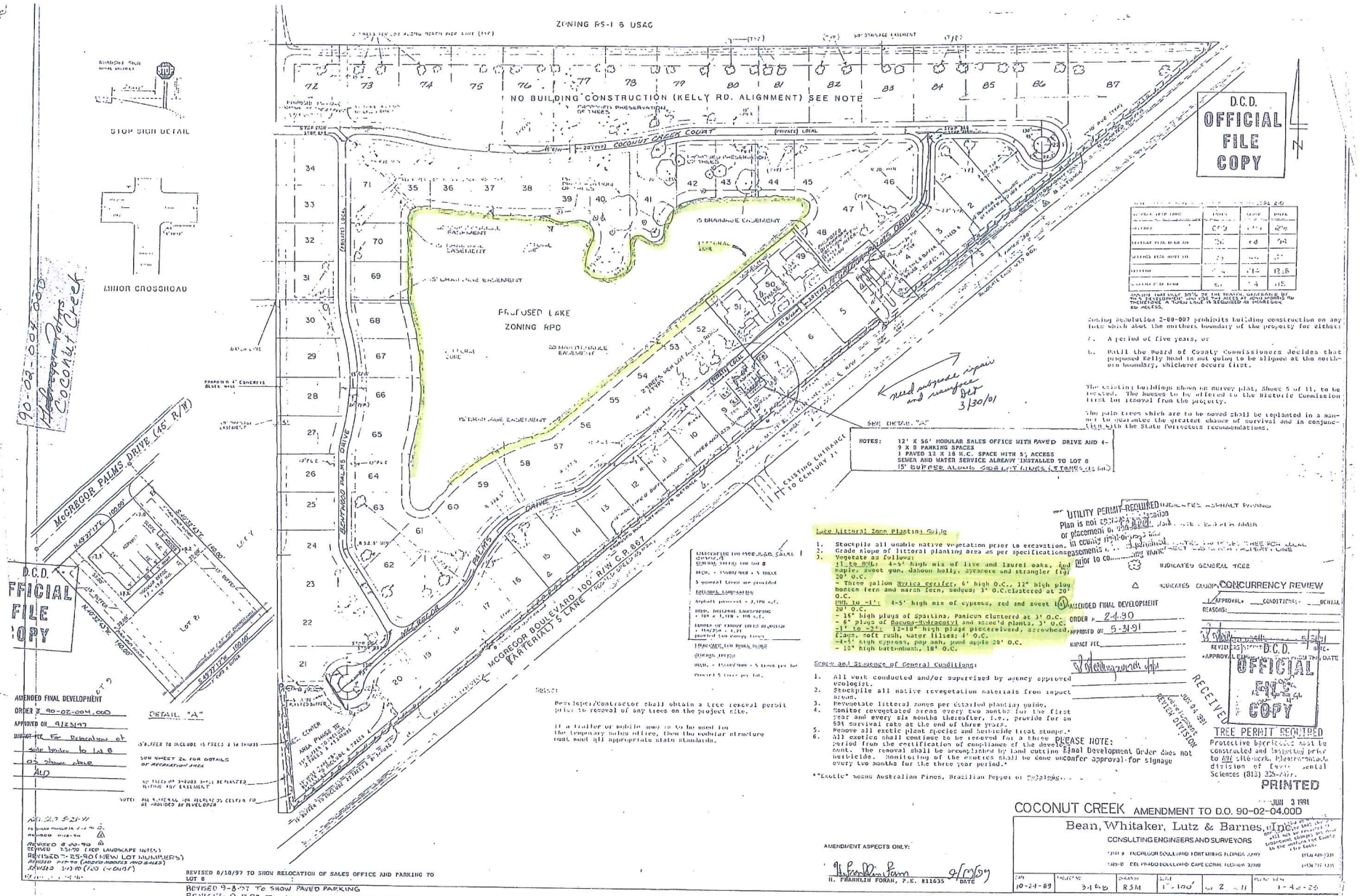
Jason R. Cull, Environmental Planner
Division of Environmental Sciences

Case # ENV2009-00119

Copy: Carol Lis, Principal Environmental Planner
Michael D. Jacob, Assistant County Attorney
Environmental File

Enclosure

7006 0810 0002 8337 8942
Certified Mail


ZONING RS-1 & USAG
NO BUILDING CONSTRUCTION (KELLY RD. ALIGNMENT) SEE NOTE
COCONUT CREEK COURT (PRIVATE) LOCAL
PROPOSED LAKE
ZONING RPD
15 DRAINAGE EASEMENT
20' DRAINAGE EASEMENT
INTERNAL LOOP
BENTWOOD PALMS DRIVE
McGREGOR PALMS DRIVE (45' R/W)
McGREGOR BOULEVARD 100' R/W C.R. 867
(ARTERIAL) 5 LANE
EXISTING ENTRANCE TO CENTURY 21
SEE DETAIL "A"
DETAIL "A"
STOP SIGN DETAIL
MINOR CROSSROAD
NOTES: 12' X 56' MODULAR SALES OFFICE WITH PAVED DRIVE AND 4-9 X 0 PARKING SPACES
1 PAVED 12 X 18 H.C. SPACE WITH 5' ACCESS
SEWER AND WATER SERVICE ALREADY INSTALLED TO LOT 8
15' BUFFER ALONG SIDE AND REAR LINES, EXTENDED TO R/W
need purpose repair and resurface per 3/30/01
Lake Littoral Zone Planting Guide
1. Stockpile all usable native vegetation prior to excavation.
2. Grade slope of littoral planting area as per specifications.
3. Vegetate as follows:
#1 to #11: 4-5' high mix of live and laurel oaks, red maples, sweet gum, dahoon holly, sycamore and strangler fig 20' O.C.
- Three gallon Borrica cerifer, 6' high O.C., 12' high plug bonsten fern and marsh fern, sedges; 1' O.C. clustered at 20' O.C.
#12 to #11: 4-5' high mix of cypress, red and sweet 20' O.C.
- 16' high plugs of Spartina, Panicum clustered at 3' O.C.
- 6" plugs of Bacopa-Hydrocotyl and mixed plants, 3' O.C.
#1 to #25: 12-18" high plugs pickerelweed, arrowhead, flags, soft rush, water lilies; 4' O.C.
#4-5' high cypress, pop ash, pond apple 20' O.C.
- 18" high buttonbush, 18' O.C.
Review and Issuance of General Conditions:
1. All work conducted and/or supervised by agency approved ecologist.
2. Stockpile all native revegetation materials from impact areas.
3. Revegetate littoral zones per detailed planting guide.
4. Monitor revegetated areas every two months for the first year and every six months thereafter, i.e., provide for an 80% survival rate at the end of three years.
5. Remove all exotic plant species and herbicide treat stumps.*
6. All exotics shall continue to be removed for a three period from the certification of compliance of the development. The removal shall be accomplished by hand cutting herbicide. Monitoring of the exotics shall be done every two months for the three year period.*
*"Exotic" means Australian Pines, Brazilian Pepper or Melaleuca.
Notes:
Developer/Contractor shall obtain a tree removal permit prior to removal of any trees on the project site.
If a trailer or mobile home is to be used for the temporary sales office, then the modular structure must meet all appropriate state standards.
UTILITY PERMIT REQUIRED INDICATES ASPHALT PAVING
INDICATES GENERAL TREE
INDICATES CANOPY TREE
CONCURRENCY REVIEW
AMENDED FINAL DEVELOPMENT ORDER # 2-4.90
APPROVED ON 5-31-91
IMPACT FEE
APPROVAL CONDITIONAL DENIAL
REASONS:
REVISED
APPROVAL EXPIRES ON THIS DATE
RECEIVED
JUN 04 1991
REVIEW DIVISION
D.C.D. OFFICIAL FILE COPY
TREE PERMIT REQUIRED
Protective barricades must be constructed and inspected prior to ANY site work. Please contact division of Environmental Sciences (813) 226-1177.
PRINTED
JUN 3 1991
AMENDED FINAL DEVELOPMENT
ORDER # 90-02-004.00D
APPROVED ON 9/23/97
Revised for Relocation of sale trailer to Lot 8 as shown above
MD
REVISED 6-20-90
REVISED 7-31-90 (ADD LANDSCAPE NOTES)
REVISED 7-25-90 (NEW LOT NUMBERS)
REVISED 11-7-90 (ADDED NOTES AND SHEET)
REVISED 3-13-91 (ADD 'A' DETAIL)
REVISED 8/18/97 TO SHOW RELOCATION OF SALES OFFICE AND PARKING TO LOT 8
REVISED 9-8-97 TO SHOW PAVED PARKING
REVISED 9-12-97 TO SHOW PARKING GRADES/BUFFERS ON LOT 8
AMENDMENT ASPECTS ONLY:
H. FRANKLIN FORAN, P.E. #11635 9/19/97 DATE
COCONUT CREEK AMENDMENT TO D.O. 90-02-04.00D
Bean, Whitaker, Lutz & Barnes, Inc.
CONSULTING ENGINEERS AND SURVEYORS
10-21-89 | 9446 | RSM | 1"=100' | SH 2 OF 11 | 1-4-2-28