ADMINISTRATIVE AMENDMENT (PD) ADD2014-00142

ADMINISTRATIVE AMENDMENT
LEE COUNTY, FLORIDA

WHEREAS, Hope Hospice and Community Services, Inc. filed an application for an administrative amendment to a Mixed Use Planned Development on a project known as Center for Hope to:

1: reduce the waterbody setback from 25 to 20 feet for a small portion of an ILF/ALF-Memory Care building; and

2: reduce the rear setback from 25 feet to 6.5 feet from an internal tract boundary for a commercial building as depicted on the attached Plot Plan.

WHEREAS, the property located at Six Mile Cypress Parkway, described more particularly as:

LEGAL DESCRIPTION: In Section 30, Township 45 South, Range 25 East, Lee County, Florida:

ATTACHED AS EXHIBIT "A"

WHEREAS, the property was originally rezoned in Resolution number Z-12-012 with subsequent amendment in case number (ADD2013-00168); and

WHEREAS, the subject property is located in the Intensive Development Future Land Use Category as designated by the Lee 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 architectural building design for the ILF/ALF-Memory Care buildings contain bumpouts; and

WHEREAS, the corner of one of the bumpouts for one of the buildings located on the north side of the site will be 20 feet from the large central lake; and

WHEREAS, complying with the 25 foot waterbody setback requirement for a small corner of one of the bumpouts will require extensive site and/or building redesign; and

WHEREAS, reducing the waterbody setback for this small corner of the building will have no negative impact on the lake maintenance and health, safety and welfare of the users of the facility; and

WHEREAS, the applicant is proposing to create internal tracts throughout the development; and

WHEREAS, one of the buildings located at the southwest corner of the development will have 6.5 feet setback from the proposed Parcel D "Feature Area" at that corner; and

WHEREAS, Parcel D is not intended to be a development tract and will be used for a water feature along with landscaping and other decorative features; 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 on a project known as Center for Hope to:

1: reduce the waterbody setback from 25 to 20 feet for a small portion of an ILF/ALF-Memory Care building; and

2: reduce the rear setback from 25 feet to 6.5 feet from an internal tract boundary for a commercial building as depicted on the attached Plot Plan.

is **APPROVED subject to the following conditions:**

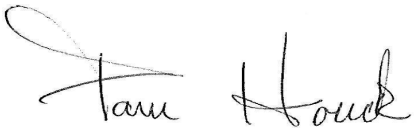
1. **The Development must be in compliance with the Master Concept Plan dated December 19, 2013, and approved by amendment ADD2013-00168.**

2. **The terms and conditions of the original zoning resolutions remain in full force and effect, except as amended herein.**

3. **The reduced setbacks approved herein are only applicable to the areas depicted on the attached Plot Plan labeled Exhibit B.**

4. If it is determined that inaccurate or misleading information was provided to the County or if this decision does not comply with the LDC when rendered, then, at any time, the Director may issue a modified decision that complies with the Code or revoke the decision. If the approval is revoked, the applicant may acquire the necessary approvals by filing an application for public hearing in accordance with Chapter 34.

DULY PASSED AND ADOPTED ON 8/14/2014

BY: 

Electronically Signed by
Pam Houck, Director
Division of Zoning
Department of Community Development

Attachments: **Exhibit A Legal Description**
Exhibit B Plot Plan

ADD2014-00142 Lee County ePlan

GULF SHORE SURVEYING, INC.

TIM J. PUFAHL, P.L.S.
30930 OIL WELL RD.
PUNTA GORDA, FL. 33955
(941) 639-7800

EXHIBIT A

APPROVED
ADD2014-00142
Chick Jakacki, Planner
Lee Co Division of Zoning
7/31/2014

December 21, 2011
JOB NO. 1104
FILE: 1104PARENTDEV ORDER.DOC

DESCRIPTION

ALL OF THAT TRACT OR PARCEL OF LAND CONSTITUTING PART OF THE NORTH HALF (N1/2) OF THE SOUTHWEST QUARTER (SW1/4) OF SECTION 30, TOWNSHIP 45 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, LYING NORTH OF SIX MILE CYPRESS PARKWAY, WEST OF PLANTATION ROAD AND EAST OF METRO PARKWAY, BEING MORE PARTICULARY DESCRIBED AS FOLLOWS:

TO FIND THE POINT OF BEGINNING, COMMENCE AT THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER (SW1/4) OF SECTION 30; THENCE PROCEEDING SOUTH 88°56'20" WEST ALONG THE NORTHERN BOUNDARY LINE OF THE SOUTHWEST QUARTER (SW1/4) FOR 50.00 FEET TO A POINT OF INTERSECTION WITH THE WESTERLY RIGHT-OF-WAY LINE OF PLANTATION ROAD (A 100.00 FOOT WIDE PUBLIC RIGHT OF WAY) AND THE POINT OF BEGINNING. FROM THE POINT OF BEGINNING THUS ESTABLISHED; THENCE RUNNING SOUTH 01°10'14" EAST ALONG SAID WESTERLY RIGHT-OF-WAY LINE FOR A DISTANCE OF 814.54 FEET TO THE INTERSECTION OF SAID RIGHT-OF-WAY LINE WITH THE NORTHWESTERLY RIGHT-OF-WAY LINE OF SIX MILE CYPRESS PARKWAY (A 250.00 FOOT WIDE PUBLIC RIGHT OF WAY) AND THE ENDPOINT OF A NON-TANGENT CURVE; THENCE RUNNING SOUTHWESTERLY ALONG SAID NORTHWESTERLY RIGHT-OF-WAY LINE AND ALONG THE ARC OF SAID CURVE TO THE RIGHT (SAID CURVE HAVING A RADIUS OF 2,739.79 FEET, A CENTRAL ANGLE OF 14°09'57", A CHORD BEARING OF SOUTH 63°40'31" WEST, AND A CHORD DISTANCE OF 675.66 FEET) FOR A DISTANCE OF 677.38 FEET TO AN INTERSECTION WITH THE WESTERLY BOUNDARY LINE OF THE EAST HALF (E1/2) OF THE NORTHEAST QUARTER (NE1/4) OF THE SOUTHWEST QUARTER (SW1/4) OF SECTION 30, SUCH BOUNDARY LINE ALSO BEING THE EASTERLY BOUNDARY LINE OF A PARCEL DESCRIBED BY DEED RECORDED IN O.R. BOOK 1179, PAGE 188, PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE RUNNING NORTH 01°08'59" WEST ALONG SAID WESTERN FRACTIONAL BOUNDARY LINE AND THE EASTERN BOUNDARY LINE OF SUCH PARCEL FOR A DISTANCE OF 63.00 FEET TO A POINT AT THE NORTHEASTERN CORNER OF THE PARCEL; THENCE RUNNING SOUTH 71°25'01" WEST ALONG THE NORTHERN BOUNDARY LINE OF SUCH PARCEL FOR A DISTANCE OF 63.00 FEET TO A POINT AT THE NORTHWESTERN CORNER OF THE PARCEL; THENCE RUNNING SOUTH 01°08'59" EAST ALONG THE WESTERN BOUNDARY LINE OF SUCH PARCEL FOR 63.00 FEET TO AN INTERSECTION WITH THE NORTHERLY RIGHT OF WAY LINE OF SIX MILE CYPRESS PARKWAY AND THE ENDPOINT OF A NON-TANGENT CURVE; THENCE RUNNING SOUTHWESTERLY AND WESTERLY ALONG THE SAID RIGHT OF WAY LINE AND ALONG THE ARC OF SAID CURVE TO THE RIGHT (SAID CURVE HAVING A RADIUS OF 2,739.79 FEET, A CENTRAL ANGLE OF 17°04'21", A CHORD BEARING OF SOUTH 80°36'43" WEST, AND A CHORD DISTANCE OF 813.36 FEET) FOR A DISTANCE OF 816.38 FEET TO A POINT OF TANGENCY; THENCE CONTINUING ALONG THE NORTHERLY RIGHT OF WAY LINE AND RUNNING SOUTH 89°08'53" WEST FOR A DISTANCE OF 323.67 FEET TO THE INTERSECTION OF SAID NORTHERLY RIGHT OF WAY LINE WITH THE EASTERLY RIGHT OF WAY LINE OF METRO PARKWAY BEING THE EASTERLY LINE OF TAKING AS DESCRIBED IN STIPULATED ORDER OF TAKING RECORDED IN CLERK'S FILE NUMBER 2007000068769 AND FOLOWING SAID RIGHT OF WAY FOR THE NEXT (3) CALLS; THENCE RUNNING NORTH 00°38'41" WEST FOR 302.68 FEET; THENCE RUNNING NORTH 01°54'50" WEST FOR 325.09 FEET; THENCE RUNNING NORTH 00°38'41" WEST FOR 6,107.7 FEET TO AN INTERSECTION WITH SAID NORTHERN BOUNDARY LINE OF THE SOUTHWEST QUARTER (SW1/4); THENCE RUNNING NORTH 88°56'20" EAST ALONG SAID NORTHERLY BOUNDARY LINE FOR A DISTANCE OF 1796.21 FEET TO THE POINT OF BEGINNING.

CONTAINING 2,025,420 SQUARE FEET OR 46.4972 ACRES MORE OR LESS

ADD2014-00142 Lee County ePlan

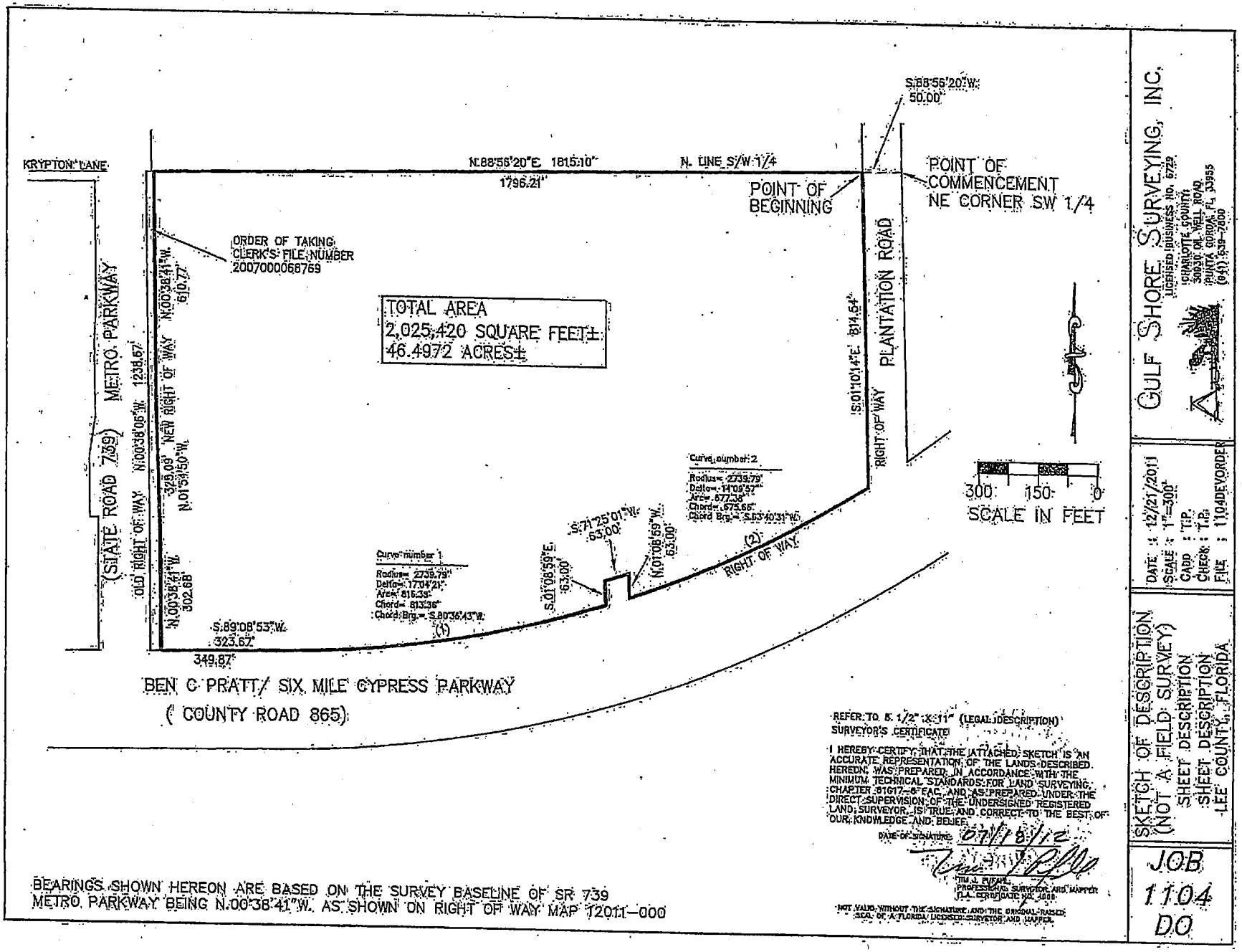
BEARINGS MENTIONED HEREIN ARE BASED ON SURVEY BASELINE OF SR 739 METRO PARKWAY BEING N.00°38'41"W. AS SHOWN ON THE RIGHT OF WAY MAPS 12011-000.

REFER TO 8 1/2" X 11" SURVEY
GULF SHORE SURVEYING, INC.

07/18/12

TIM J. PUFAHL, PSM
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERTIFICATE NUMBER 4666

ADD2014-00142 Lee County ePlan



BEARINGS SHOWN HEREON ARE BASED ON THE SURVEY BASELINE OF SR 739 METRO PARKWAY BEING N.00°38'41"W. AS SHOWN ON RIGHT OF WAY MAP 12011-000

REFER TO 8 1/2" X 11" (LEGAL DESCRIPTION)

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE ATTACHED SKETCH IS AN ACCURATE REPRESENTATION OF THE LANDS DESCRIBED HEREON; WAS PREPARED IN ACCORDANCE WITH THE MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYING, CHAPTER 61G17-6 F.A.C. AND AS PREPARED UNDER THE DIRECT SUPERVISION OF THE UNDERSIGNED REGISTERED LAND SURVEYOR, IS TRUE AND CORRECT TO THE BEST OF OUR KNOWLEDGE AND BELIEF.

DATE OF SIGNING: 07/18/12

TIM J. PUFAHL
PROFESSIONAL SURVEYOR AND MAPPER
FLA. CERTIFICATE NO. 4068

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

GULF SHORE SURVEYING, INC.
LICENSED BUSINESS NO. 6729
CHARLOTTE COUNTY
3003E CR. WELL ROAD
PUNTA GORDA, FL. 33955
(941) 639-2600

DATE : 12/21/2011
SCALE : 1"=300'
CADD : T.P.
CHECK : T.P.
FILE : 1104DEVORDER

SKETCH OF DESCRIPTION (NOT A FIELD SURVEY)
SHEET DESCRIPTION
SHEET DESCRIPTION
LEE COUNTY, FLORIDA

JOB
1104
DO

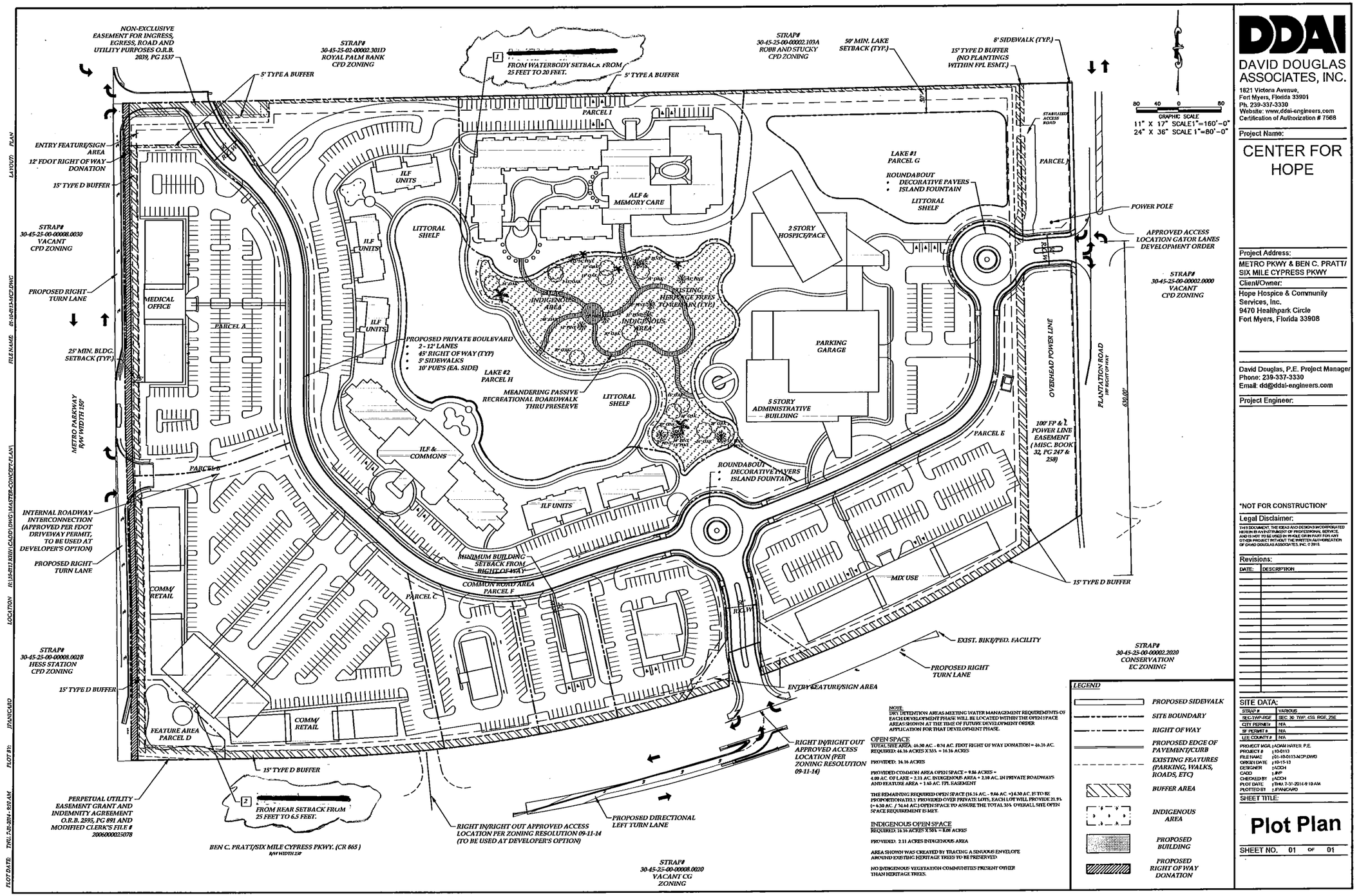


EXHIBIT B

This Plot Plan is only intended to indicate the location of the two setback deviations approved by ADD2014-00142. **Please refer to ADD2013-00168 for the approved MCP.**