ADD2014-00127 Lee County ePlan

7/30/2014

Revised Z99-042 Conditions

Hidden Harbor RPD ADD2014-00127 (RWA project No. 040115.06.02)

1. The development of this project must be consistent with the one-page Master Concept Plan entitled "Hidden Harbor," stamped received ?????, except as modified by the conditions below. This development must comply with all requirements of the Lee County LDC at time of local development order approval, except as may be granted by deviation as part of this planned development. If changes to the Master Concept Plan are subsequently pursued, appropriate approvals will be necessary.

2. SCHEDULE OF USES

   ALL USES LISTED AS PERMITIED IN THE RS-1 ZONING DISTRICT

   CLUBHOUSE AREA

   CLUBS, Private

   RECREATIONAL FACILITIES, Private- On-Site

   Dock (1) subject to compliance with Section 26-71 LDC

   DOCKS, SINGLE FAMILY subject to compliance with Section 26-71 LDC

   KAYAK LAUNCH subject to compliance with Section 26-73 LDC

   Model Homes (Limited to 4)

3. PROPERTY DEVELOPMENT REGULATIONS:

   SINGLE FAMILY Minimum Lot Area and Dimensions:

   Area: 7,500 square feet

   Width: 75 feet

   Depth: 100 feet

   Minimum Setbacks:

   Street:

   14’ from right of way line for homes with side loaded garages

   20’ from right of way line for homes with front loaded garages

   Side: 6 feet

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Rear: 15 feet (subject to Deviation (3))

Water Body: 15 feet (subject to Deviation (2))

CLUBHOUSE AREA DEVELOPMENT REGULATIONS :

0’ from waterbody for docks, boardwalks, boat ramps and kayak launch

5’ from the MHWL for nonroofed structures.

15’ rear yard setback

7.5’ side yard setback

20’ front yard setback.

Accessory Use and Structure setbacks must comply with LDC Sections 34-1171 et seq. and 34-2194.

Maximum Lot Coverage: 50 percent

Maximum Building Height: 35 feet

5. A gopher tortoise species survey, species management plan and an offsite relocation permit from FWC must be submitted prior to local development order approval.

6. Prior to local development order approval, a detailed manatee management plan must be provided by the development order applicant to the Division of Planning that follows the general guidelines of the conceptual management plan submitted in letter form dated March 1, 1999. The manatee zone and no wake zone sign locations must be delineated on the development order plans. An educational brochure or kiosk must be made available to all of the landowners within the development to inform them of the presence and protection requirements of manatees.

8. Emergency Preparedness:

a. The Applicant must initiate the establishment of a property owners' or residents' association for each residential component of this project. The organization must provide an educational program on an annual basis, in conjunction with the staff of Emergency Management, which will provide literature, brochures and technical assistance for Hurricane Awareness/Preparedness Seminars, describing the risks of natural hazards. The intent of this recommendation is to provide a mechanism to educate residents concerning the actions they should take to mitigate the dangers inherent in these hazards.

b. The Applicant must formulate an emergency hurricane notification and evacuation plan for the development that will be subject to review and approval by the Lee County Office of Emergency Management.

c. If access to this development or into portions of this development is through a security gate or similar device, which is not manned 24 hours a day, it must be equipped with an

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override strip installed in a glass-covered box to be used by drivers of emergency vehicles to gain entry consistent with LDC Section 34-1749.

9. Approval of this zoning request does not address mitigation of the project's vehicular or pedestrian traffic impacts. Additional conditions consistent with the Lee County LDC may be required to obtain a local development order.

10. Approval of this rezoning does not give the Developer an undeniable right to receive local development order approval. Future development order approvals must satisfy the requirements of the 2020 Lee Plan Planning Communities Map and Acreage Allocations Table, Map 16 and Table 1(b), of the Lee Plan.

11. This development must comply with all of the requirements of the LDC at the time of local development order approval, except as may be granted by deviations approved as part of this planned development.

SECTION C. DEVIATIONS:

Deviation (1) seeks relief from LDC Section 10-296, Table 3, which requires a minimum 35-foot right-of-way for a privately maintained road with closed drainage system, to allow a 24-foot-wide right-of-way. This deviation is hereby APPROVED.

Deviation (2) seeks relief from LDC Section 34-2194, which requires a minimum 25-foot setback from a waterbody, to allow a minimum waterbody setback of 15 feet. This deviation is hereby APPROVED, SUBJECT TO the following condition and, if necessary, to additional review and conditioning by the Director during the local development order process:

a) That access for maintenance is provided.

Deviation (3) seeks relief from LDC Section 34-695, which requires a minimum 20-foot setback from the rear property line, to allow a 15-foot setback. This deviation is hereby APPROVED.

Deviation (4) seeks relief from LDC Section 10-296(k), which requires a cul-de-sac at the end of a dead end street, to allow a hammerhead tum around. This deviation is hereby APPROVED.

Deviation (5) WITHDRAWN

Deviation (6) seeks relief from LDC Section 34-1954(d)(1) which states that model homes will be valid for a period of time not exceeding three years to allow model homes until the last lot is sold. This deviation is hereby APPROVED.

Deviation (7) seeks relief from LDC Section 34-1954(f) which requires model homes to provide parking onsite to allow parking for model homes to be located across the internal road as noted on MCP. This deviation is hereby APPROVED.

Deviation (8) seeks relief from LDC Section 26-75 (d) which requires certain criteria for riprap revement to allow the existing rip-rap and mangrove fringe to fulfill the criteria for riprap revetment. This deviation is hereby APPROVED.