ADD2014-00127 Lee County ePlan

ADMINISTRATIVE AMENDMENT
LEE COUNTY, FLORIDA

WHEREAS, Mr. Michael M Ritter filed an application for administrative approval to a Residential Planned Development on a project known as Hidden Harbor (Zoning Resolution #Z-99-042) for placement of three (3) model homes and a temporary model home sales office with temporary parking lot for development of property located along the south western side of US 41 just south of Alico Rd, described more particularly as:

LEGAL DESCRIPTION: In Section 07, Township 46 South, Range 25 East, Lee County, Florida:

See Exhibit "A";

WHEREAS, the applicant has indicated the property's current STRAP number is 07-46-25-00-00015.0010; and

WHEREAS, the property was originally rezoned in case number 98-10-190.02Z 01.01 (with subsequent amendment in case number ADD2000-00202); and

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

WHEREAS, the property is zoned Residential Planned Development (RPD); and

WHEREAS, Development Order DOS990910400D was approved on October 14, 1999 for a 71 lot subdivision for single-family residences; and

WHEREAS, renewal Concurrency Certificate CNC2004-00293 was approved on July 30, 2004 for a 68 lot subdivision for single-family residences (see Attachment "A"); and

WHEREAS, in the Zoning resolution Z-99-042 Schedule of Uses per condition #2, permitted are all uses listed as permitted in the RS-1 zoning district, including model homes by administrative amendment or special exception, and temporary uses; and

WHEREAS, the applicant has requested administrative approval to place three (3) model homes, one each on lots 23, 24, and 25 and a temporary trailer to serve as a model home sales office on lot 67, pursuant to the Lee County Land Development Code (LDC), Section 34-694, 34-934, and 34-1951 *et seq.*; and

WHEREAS, the temporary model home sales office will be located in an 840 square feet (60 foot by 14 foot) trailer with a temporary parking lot, also on lot 67, with six (6) parking spaces including one (1) handicapped space; and

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WHEREAS, the hours of operation for the model homes and temporary model home sales office will be 8:00 a.m. to 5:00 p.m., daily, seven days a week; and

WHEREAS, the temporary model homes sales office will be manned by two employees; and

WHEREAS, the applicant has indicated that the model homes and temporary sales office will be connected to potable water and central sewer to be provided by Lee County Utilities; and

WHEREAS, real estate sales offices in residential areas are limited to sales of lots, homes, or units within the development valid for a period of time not exceeding five years (subject to a one-time extension of two years from the Zoning Director), from the date the certificate of occupancy for the sale office is issued pursuant to LDC Section 34-934, Note 23; and

WHEREAS, the applicant seeks approval for a temporary model homes sales office trailer for a maximum time period of 3 years; 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 3 model homes on lots 23, 24,and 25 and a temporary model home sales office on lot 67 in the Hidden Harbor RPD pursuant to the Lee County Land Development Code Sections 34-694 and 34-1951 *et seq.* is **APPROVED subject to the following conditions:**

1. **The site, approved for three (3) model homes only on lots 23, 24, and 25 and a temporary model sales office with temporary parking lot only on lot 67 must be developed in substantial compliance with the two-page "Hidden Harbor" site plan, stamped "Received June 2, 2006 Community Development". The site plan for ADD2006-00067 is hereby APPROVED and adopted. A reduced copy is attached hereto at Attachment "B".**

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

3. The 3 model homes and the temporary model sales office (with temporary parking lot) are permitted for a period of time not to exceed 3 years from the date of issuance of a certificate of occupancy for each model home or for the temporary model sales office (with temporary parking lot). Prior to the expiration of the 3 year approval period for each of the individual model homes or temporary model sales office (with temporary parking lot), per Lee County Land Development Code (LDC) Section 34-1954(d)(1), the owner may apply to the Department of Community Development for a one-time two year extension of the approval or apply for a change of use permit to convert the model homes on lots 23, 24, or 25 to a single-family residence or to remove the temporary model sales office and temporary parking lot from lot 67.

4. The use of the model home structures must be in compliance with LDC Section 34-1954 (b) through (f) and all other applicable laws and regulations as amended herein. The use of the temporary model home sales office trailer must be in compliance with LDC Section 34-934, Note 23, and all other applicable laws and regulations as amended herein.

5. A minimum of 2 parking spaces is required for each model home and will be provided in accordance with LDC Section 34-2020. The temporary parking lot located on lot 67 with the temporary model home sales office is limited to 6 parking spaces, including one handicapped space.

6. The site for the temporary model home sales office and temporary parking lot on lot 67 must be landscaped in compliance with an approved landscaping plan per Development Order DOS990910400D. The model home sites must be landscaped in compliance with landscape standards for single-family residence developments that are constructed on individual (single) lots pursuant to LDC Section 10-416(a)(1).

7. Hours of operation for the model units and the temporary sales office will be limited to 8:00 a.m. through 5:00 p.m daily, seven days a week. There cannot be more than two employees located at the temporary model sales office at a time.

8. Per LDC Section 10-211, building permits may be issued for the 3 model homes on lots 23, 24, and 25 and for the temporary model home sales office on lot 67, as shown on the site plan at Attachment "B" prior to the recording of a final property plat with Lee County, subject to evidence of unified control and provided that any certificate of occupancy issued is for model or sales use only, until the plat has been recorded.

9. The temporary model home sales office trailer is limited to a maximum area of 840 square feet and is permitted in accordance with all applicable sections of the

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Land Development code including LDC Sections 10-416 (landscaping) and 10-600 (design standards).

10. No other amendments have been granted nor shall be inferred to have been granted by this approval, except granted herein.

DULY SIGNED this 27th day of July, A.D., 2006.

BY: _____

Pam Houck, Director
Division of Zoning
Department of Community Development

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EXHIBIT A
LEGAL DESCRIPTION
HIDDEN HARBOR ESTATES

RECEIVED
APR 13 2006

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTION 7, TOWNSHIP 46 SOUTH, RANGE 25 EAST BEING FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 7, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA SAID POINT BEING THE NORTHWEST CORNER OF EMERSON SQUARE AS RECORDED IN PLAT BOOK 80 AT PAGES 40 THROUGH 46, PUBLIC RECORDS OF LEE COUNTY, FLORIDA;
THENCE S 00°45'11" E ALONG THE WEST LINE OF SAID EMERSON SQUARE FOR 1280.84 FEET TO THE NORTHEAST CORNER OF THE HARBORAGE AS RECORDED IN PLAT BOOK 38 AT PAGES 4 THROUGH 9 OF SAID PUBLIC RECORDS;
THENCE N 78°27'17" W ALONG THE NORTH LINE OF SAID THE HARBORAGE FOR 1309.22 TO A POINT LYING 50.00 FEET EAST OF THE WEST LINE OF SAID SECTION 7;
THENCE N 01°11'51" W ALONG A LINE LYING 50.00 FEET EAST OF AND PARALLEL WITH SAID WEST LINE FOR 1859.40 FEET;
THENCE S 70°59'55" E, ALONG THE SOUTHERLY LINE OF AMERICA OUTDOORS CAMPER RESORT #1, A CONDOMINIUM AS RECORDED IN CONDOMINIUM PLAT BOOK 8 AT PAGES 219 THROUGH 222 OF SAID PUBLIC RECORDS FOR 1373.82 FEET TO THE SOUTHEAST CORNER OF SAID AMERICA OUTDOORS CAMPER RESORT #1, A CONDOMINIUM;
THENCE S 00°51'36" E FOR 340.48 FEET;
THENCE S 72°47'53" E FOR 1405.56 FEET;
THENCE S 00°27'32" E FOR 2.20 FEET;
THENCE S 84°30'15" E FOR 834.27 FEET TO A POINT ON THE CURVED WESTERLY RIGHT-OF-WAY OF TAMIAMI TRAIL (U.S. 41, S.R. 45);
THENCE SOUTHEASTERLY 59.05 FEET ALONG SAID WESTERLY RIGHT-OF-WAY AND THE ARC OF A NON-TANGENTIAL CIRCULAR CURVE TO THE RIGHT HAVING A RADIUS OF 1,364.69 FEET THROUGH A CENTRAL ANGLE OF 02°28'45" AND BEING SUBTENDED BY A CHORD WHICH BEARS S 26°38'21" E FOR 59.05 FEET;
THENCE N 84°30'15" W FOR 860.46 FEET TO THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER (NE 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SAID SECTION 7;
THENCE N 72°47'53" W ALONG THE NORTHERLY LINE OF SAID EMERSON SQUARE FOR 1405.28 FEET TO THE POINT OF BEGINNING.

CONTAINING 2,382,273 SQUARE FEET OR 54.69 ACRES, MORE OR LESS.

BEARINGS ARE BASED ON THE NORTH LINE OF THE HARBORAGE, AS RECORDED IN PLAT BOOK 38, PAGE 9, LEE COUNTY, FLORIDA, BEING S 78°27'17" E.

PREPARED BY:
RWA INC.
FLORIDA CERTIFICATE OF AUTHORIZATION No. LS 6259

Applicant's Legal Checked by 25APRIL06

ADD 2006-00067

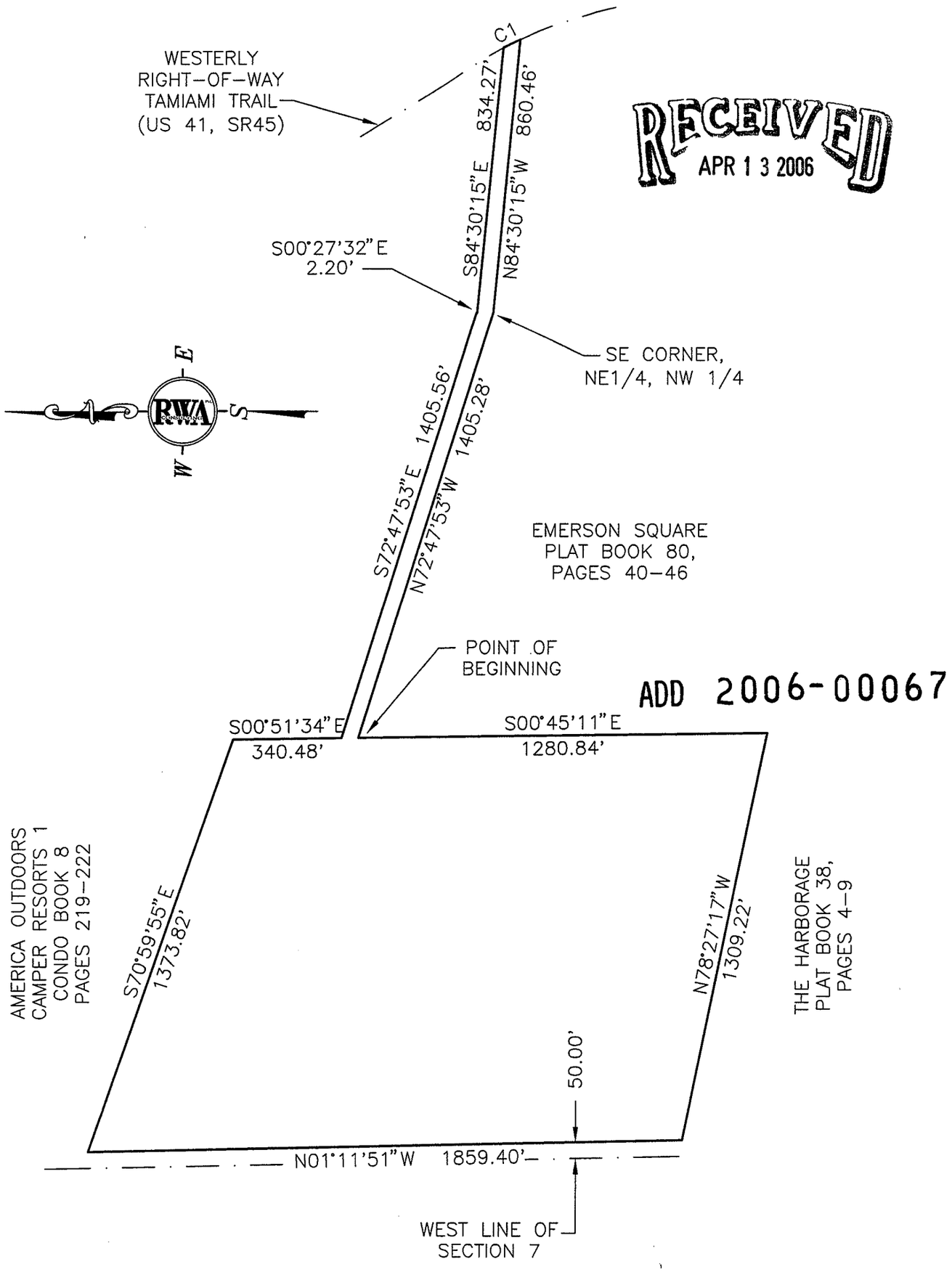
DENNIS A. MILLER
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERTIFICATE No. LS 5626

SEE SHEET 2 FOR SKETCH OF DESCRIPTION

O:\2004\04-0115.00 Hidden Harbor\0003 Subdivision Platting\LEGAL DESCRIPTION.doc

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CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD BRG.	CHORD
C1	59.05'	1364.69'	2°28'45"	N26°38'21"W	59.05'



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APR 13 2006

ADD 2006-00067

THIS IS NOT A SURVEY

RWA CONSULTING INC.
Planning
Visualization
Civil Engineering
Surveying & Mapping
6610 Willow Park Drive, Suite 200
Naples, Florida 34109
Phone: (239) 597-0575
FAX: (239) 597-0578

DATE: 4/13/06
SCALE:
DRAWN BY: DAM
CHECKED BY: DAM
SEC: TWP: RGE:

CLIENT: ARGOSY ADVISERS

TITLE: HIDDEN HARBOR ESTATES
SKETCH OF DESCRIPTION

PROJECT NUMBER: 04-0115 00
SHEET NUMBER: 2 OF 2
FILE NUMBER: 0003 SU

ADD2014-00127 Lee County ePlan

LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

Bob Janes
District One

Douglas R. St. Cerny
District Two

Ray Judah
District Three

Andrew W. Coy
District Four

John E. Albion
District Five

Donald D. Stilwell
County Manager

James G. Yaeger
County Attorney

Diana M. Parker
County Hearing Examiner

Writer's Direct Dial Number: 239-479-8347

July 30, 2004

Mr. David E. McKee, P.E.
Vice President/Regional Manager
Consul-Tech Enterprises, Inc.
24831 Old 41 Road
Bonita Springs, FL 34135

Re: Hidden Harbor
DOS990910400D

Dear Mr. McKee:

Your request for a Concurrency Renewal for Hidden Harbor has been approved for the following:

Approved for a 68 lot subdivision for SFR with streets, utilities, storm water management facilities, a 2,170+/- sq. ft. building for a clubhouse, tennis court, a 400+/- sq. ft. picnic pavilion, two 100+/-sq. ft. gazebos, and related minor site improvements.

Concurrency Certificate No. CNC2004-00293. This Concurrency Certificate will expires on June 27, 2007.

If you have any questions, please do not hesitate to contact me.

Sincerely,

Department of Community Development
Division of Development Services

Michael Carroll, P.E.
Development Review Supervisor

H:/CNC2004-00293 .WPD

ATTACHMENT A

ADD2014-00127 Lee County ePlan

ALICO CROSSINGS

ZONING: CPD LAND USE: SHOPPING CENTER FUTURE LAND USE: URBAN COMMUNITY

HIDDEN GATEWAY BOULEVARD

OFF SITE WETLANDS

EMERSON SQUARE
CENTEX HOMES

ZONING: AG-2 LAND USE: VACANT FUTURE LAND USE: URBAN COMMUNITY

OFF SITE WETLANDS

SCALE: 1" = 100'

DETENTION DRY "POND B"

67 (TEMPORARY SALES TRAILER) 68 69 70 71

DETENTION DRY "POND C"

DETENTION DRY "POND D"

HIDDEN ESTATES CIRCLE (PRIVATE)

66 65 64 63 62 61 60 59 58 57 56 55 54 53 52 51 50 49 48 47 46 45 44 43 42 41 40 39 38 37 36 35 34 33 32 31 30 29 28 27 26 25 (MODEL HOME LOT) 24 (MODEL HOME LOT) 23 (MODEL HOME LOT) 22 21 20 19 18 17 16 15 14 13 12 11 10 9 8 7 6 5 4 3 2 1 1A

NOTE:
TEMPORARY SALES TRAILER & ALL MODEL HOMES TO FIT WITH IN TYPICAL LOT SETBACKS

EXISTING LAKE
(OTHER SURFACE WATER)

AMERICA OUTDOOR
CAMPER RESORT

ZONING: RV-3 FUTURE LAND USE: URBAN COMMUNITY LAND USE: MOBILE HOMES/ RV UNITS

DETENTION DRY "POND A"

GOPHER TORTISE PRESERVE

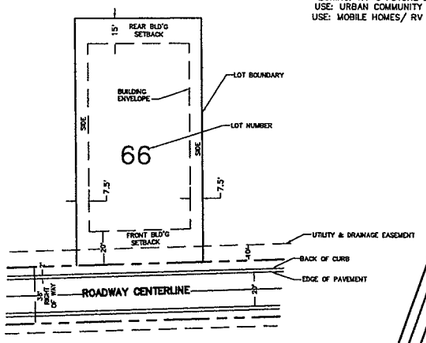
HIDDEN ESTATES CIRCLE

EXISTING LAKE
(OTHER SURFACE WATER)

TEN MILE CANAL

THE HARBORAGE

Lot 80 Lot 79 Lot 78 Lot 77 Lot 76 Lot 75



TYPICAL LOT
N.T.S.

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JUN 02 2006
COMMUNITY DEVELOPMENT

ADD 2006-00067
APPROVED
Plan
Subject to Case #ADD2006-00067
Date 7/27/2006

June 2, 2006 8:06 AM O:\2004\040115.00.00 Hidden Harbor\0008 Construction Plans And Technical Specs\Exhibits\40115X31.dwg

REV #	REVISION	DRAWN:	CHECKED:	DATE

	NAME	DATE
DESIGNED:		
DRAWN:	D.L.J.	06/06
CHECKED:	J.S.W.	06/06

RWA CONSULTING INC.
Planning
Visualization
Civil Engineering
Surveying & Mapping

1542 Carson Street
Ft. Myers, Florida 33901
Phone: (239) 278-5224
FAX: (239) 278-5419

DATE: JUNE, 2006
HORIZ. SCALE: 1" = 100'
VERT. SCALE:
SEC: 7 TWP: 46S RGE: 25E

CLIENT: HIDDEN HARBOR LAND DEVELOPMENT LLC

TITLE: SITE PLAN WITH DESIGNATED TEMPORARY SALES TRAILER & MODEL HOME LOTS

PROJECT: HIDDEN HARBOR
LEE COUNTY, FLORIDA

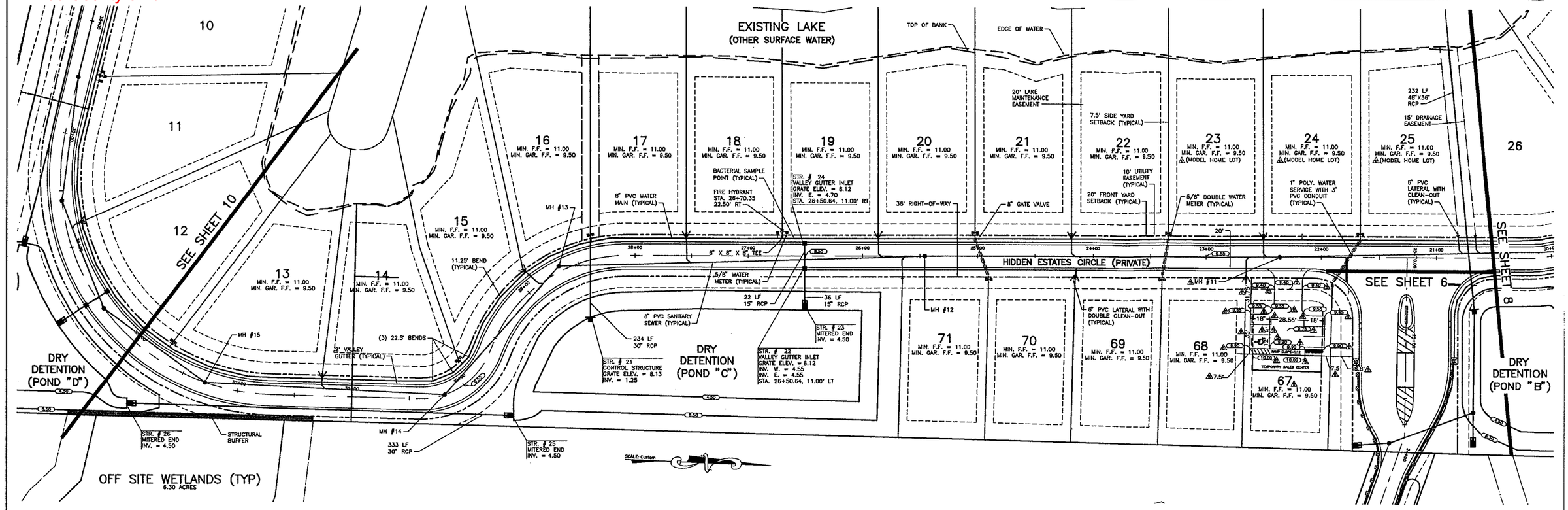
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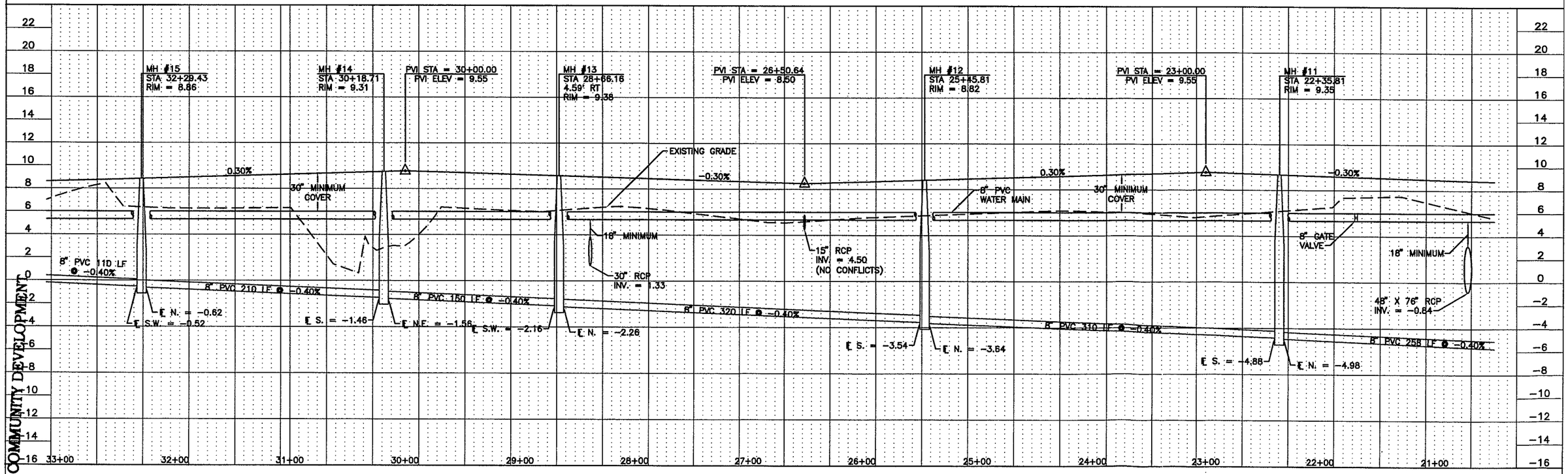
PROJECT NO. 04-0115.00 | SHEET NO. 1 OF 1 | DRAWING NO. 40115X31

ATTACHMENT B

ADD2014-00127 Lee County ePlan

RECEIVED ADD 2006-00067
JUN 02 2006
COMMUNITY DEVELOPMENT





June 2, 2006 8:07 AM O:\2004\040115.00.00 Hidden Harbor\0008 Construction Plans And Technical Specs\Revision #10\40115C09.dwg

REV #	REVISION	DRAWN:	CHECKED:	DATE
⚠	ADDED MODELS TO LOTS 22-24, REVISED ENTRANCE PER FDOT PERMIT	D.L.J.	J.S.W.	3/06/06
⚠	ADDED ENTRY WAY FEATURES, POOL TO CLUB HOUSE & SALES CENTER TO LOT 67	A.S.H.	D.L.J.	6/29/05

	NAME	DATE
DESIGNED:	T.F.L.	03/05
DRAWN:	D.L.J.	03/05
CHECKED:	J.S.W.	03/05

RWA CONSULTING INC.
Planning
Visualization
Civil Engineering
Surveying & Mapping
1542 Carson Street
Ft. Myers, Florida 33901
Phone: (239) 278-5224
FAX: (239) 278-5419
R.W.A., INC. STATE OF FLORIDA BUSINESS CERTIFICATE NO. EB-0007663
EMILIO J. ROBAU, P.E. STATE OF FLORIDA LICENSE NO. 42710

DATE: MAR., 2005
HORIZ. SCALE: 1" = 40'
VERT. SCALE:
SEC: 7 TWP: 46S RGE: 25E

CLIENT: HIDDEN HARBOR LAND DEVELOPMENT LLC

TITLE: PLAN & PROFILE
HIDDEN ESTATES CIRCLE-STA. 20+50 TO 33+00

PROJECT: HIDDEN HARBOR
LEE COUNTY, FLORIDA

CROSS REFERENCE:

PROJECT NO.: 04-0115.00
SHEET NUMBER: 9 OF 21
FILE NO.: 40115C09