ADD2014-00127 Lee County ePlan

ADMINISTRATIVE AMENDMENT
LEE COUNTY, FLORIDA

WHEREAS, Mr. Marc Beshears (Hidden Harbor Preserve, Inc.) filed an application for administrative approval to a Residential Planned Development on a project known as Hidden Harb8=or RPD **to amend the Master Concept Plan to replace a proposed private, on-site recreational facility with a water management area and provide for a gopher tortoise preserve in the northwestern portion of the development** for property located at Hidden Harbor subdivision, described more particularly as:

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

See attached Exhibit A

WHEREAS, the property was originally rezoned in Case Number 98-10-190.02Z 01.01 (Resolution Z-99-042) (with one subsequent amendment in Case Number ADD2006-00067); and

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

WHEREAS, the approved Master Concept Plan attached to Resolution Z-99-42 depicted an area reserved for clubhouse and tennis along the north side of the entrance to the project; and

WHEREAS, Condition 5 provided for a detailed gopher tortoise management must be submitted as part of the local development order; and

WHEREAS, the development no longer proposes a clubhouse and tennis area and now seeks to provide a water management area in the same location on the Plan; and

WHEREAS, the approved detailed gopher tortoise management provides for a preserve in the northwest portion of the development; 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 applicant seeks to amend the Master Concept Plan to provide for a water management area along the north side of the entrance to the development and a gopher tortoise preserve in the northwestern portion of the development; and

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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 **to amend the Master Concept Plan to replace a proposed private, on-site recreational facility with a water management area and provide for a gopher tortoise preserve in the northwestern portion of the development** is **APPROVED, subject to the following conditions:**

1. **Condition 1 of Resolution Z-99-042 is hereby amended to adopt a new Master Concept Plan and development must now be in substantial compliance with the amended 3-page Master Concept Plan, prepared by RWA, Inc., stamped received on June 6, 2008. Master Concept Plan for ADD2008-00088 is hereby APPROVED and adopted. A reduced copy is attached hereto.**

2. **The terms and conditions of the original zoning resolution (Resolution Z-99-042), as amended by ADD2006-00067, remain in full force and effect, except as specifically amended in this action.**

3. **Condition 5 of Resolution Z-99-042 has been complied with and a gopher tortoise management plan has been approved as part of the original development prder for this project.**

DULY SIGNED this 2nd day of July, A.D., 2008.

BY: Pam Houck

Pam Houck, Director
Division of Zoning
Department of Community Development

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LEGAL DESCRIPTION
HIDDEN HARBOR ESTATES

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

RECEIVED
JUN 0 6 2008
COMMUNITY DEVELOPMENT

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

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

ADD 2008-00088

SEE SHEET 2 FOR SKETCH OF DESCRIPTION

Applicant's Legal Checked by 6-11-08

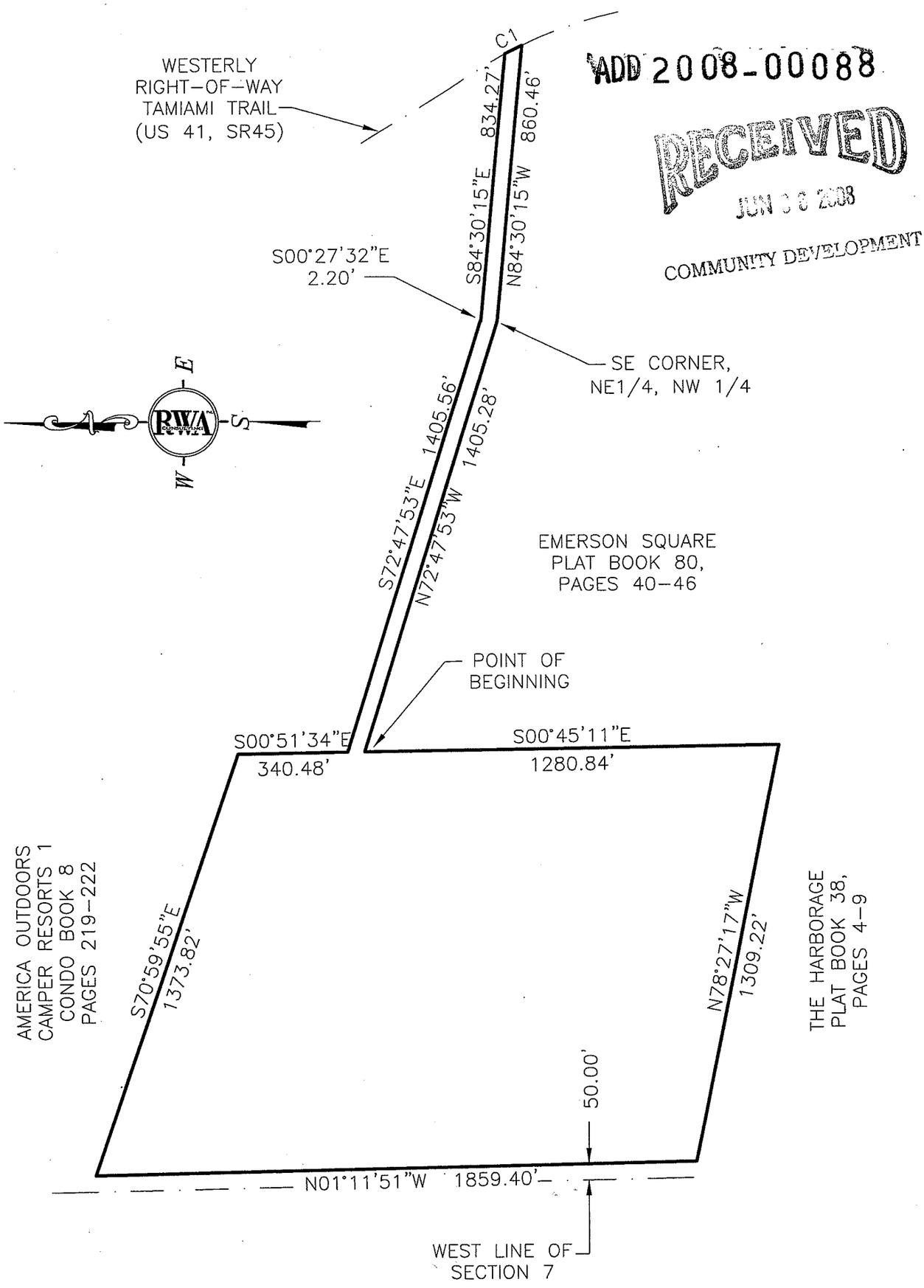
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EXHIBIT A

ADD2014-00127 Lee County ePlan

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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COMMUNITY DEVELOPMENT



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

Applicant's Legal Checked
by [signature] 6-11-08

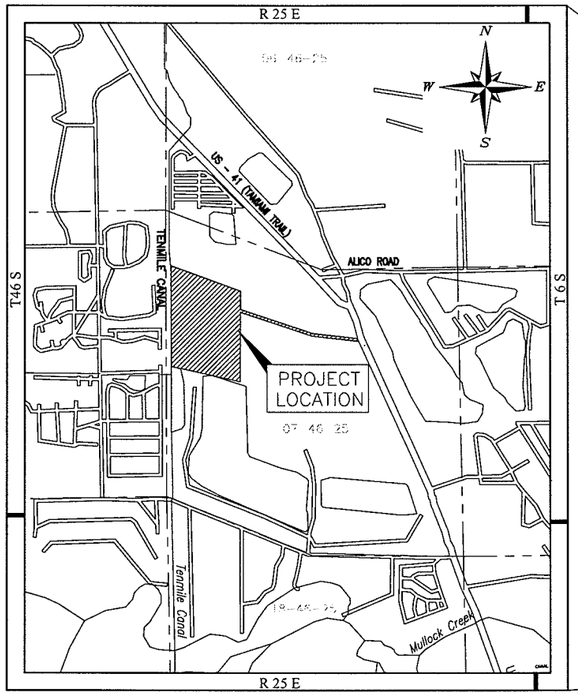
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SCALE:	
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CHECKED BY:	DAM
CLIENT:	ARGOSY ADVISERS
TITLE:	HIDDEN HARBOR ESTATES SKETCH OF DESCRIPTION
PROJECT NUMBER:	04-0115 00
SHEET NUMBER:	2 OF 2
FILE NUMBER:	0003 SU

ADD2014-00127 Lee County ePlan

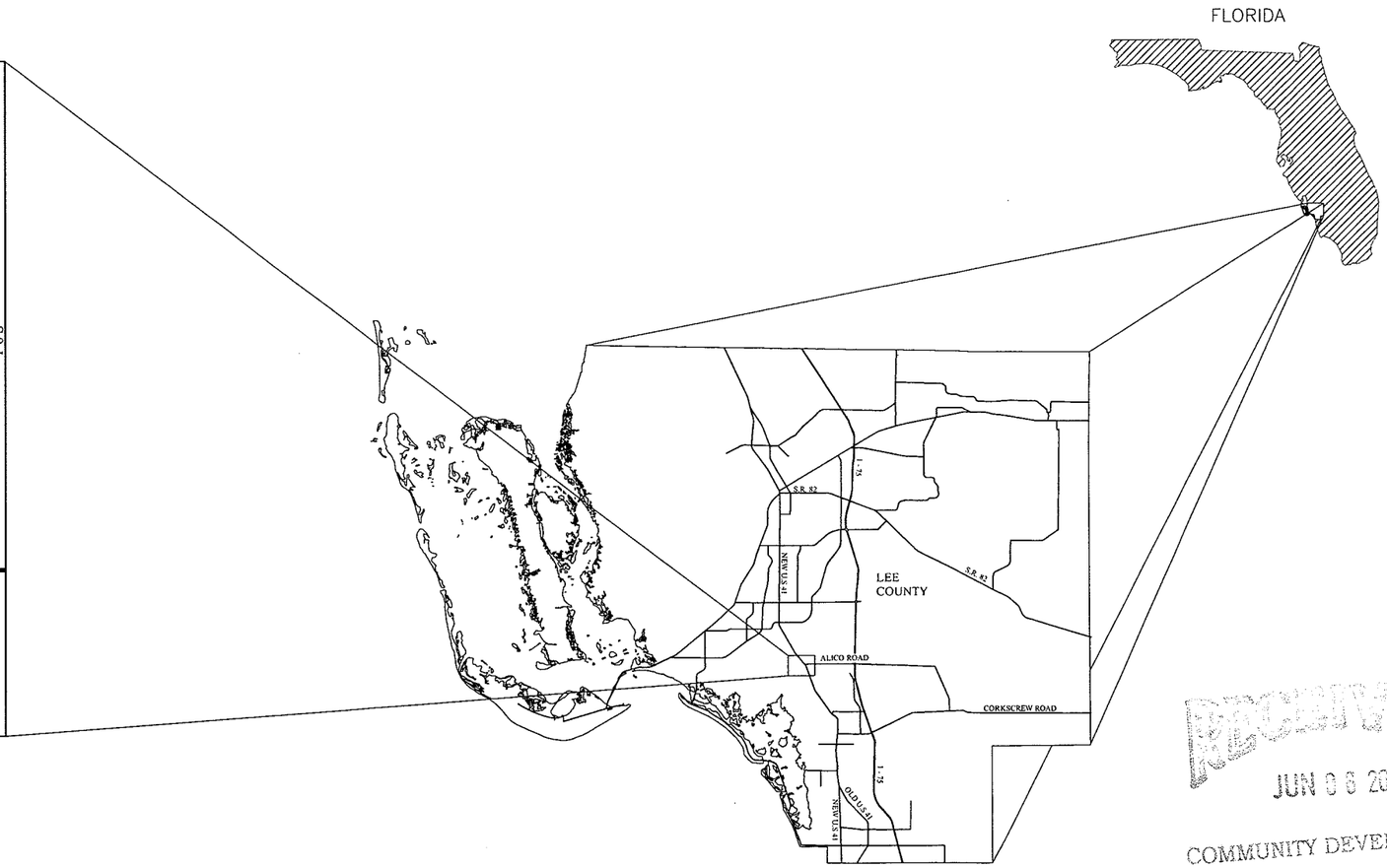
HIDDEN HARBOR RPD

AMENDED MASTER CONCEPT PLAN

SECTION 7, TOWNSHIP 46 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA



VICINITY MAP
N.T.S.



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JUN 06 2008
COMMUNITY DEVELOPMENT

ADD 2008-00088

CONTENTS

SHEET 1 COVER SHEET
SHEET 2 MASTER CONCEPT PLAN
SHEET 3 MASTER CONCEPT PLAN

PREPARED FOR:

HIDDEN HARBOR
PRESERVE, INC.

989 TAMIAMI TRAIL
PORT CHARLOTTE, FLORIDA 33953

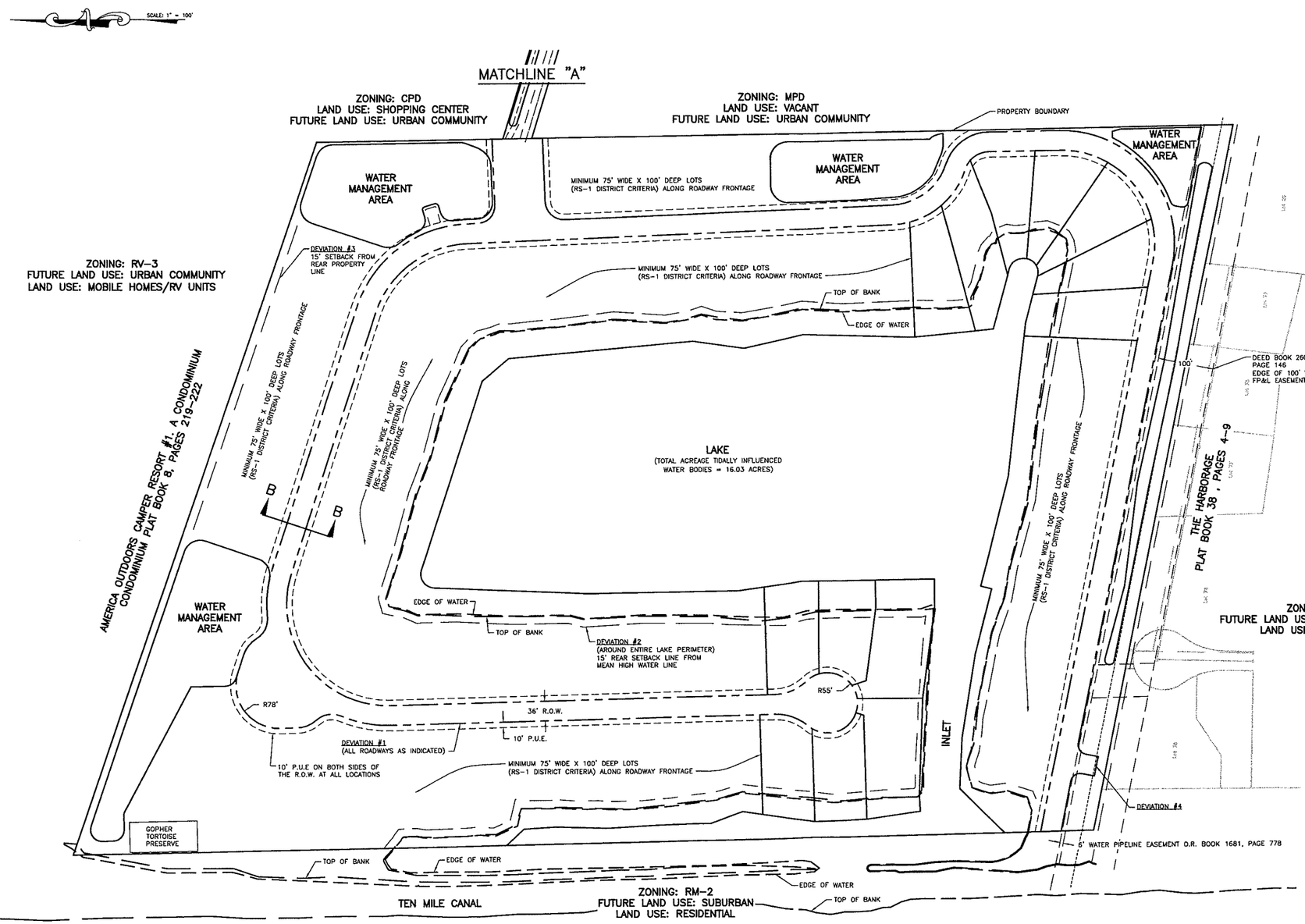
APPROVED
Amendment to
Master Concept Plan
Subject to Case # ADD2008-00088
Date 7/2/2008

RWA CONSULTING INC.
Engineers, Surveyors & Mappers
Planners, Project Managers
6610 Willow Park Drive Suite 270, Naples, Florida 34104 (239) 649-1509 FAX: (239) 649-7056
1542 Carson Street, Fort Myers, Florida 33901 (239) 278-5224 FAX: (239) 278-5419

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HIDDEN HARBOR RPD
AMENDED MASTER CONCEPT PLAN



SUMMARY

1. LAND AREA = 54.67 ACRES
   UPLAND AREA (NOT INCLUDING TIDALLY INFLUENCED WATER BODIES)= 38.64 ACRES
2. ZONING/FUTURE LAND USE
   -THE SITE IS CURRENTLY ZONED RPD AND IS CLASSIFIED AS URBAN COMMUNITY PERMITTING A MAXIMUM OF 6 UNITS PER ACRE.

   -THE PROPOSED USE IS SINGLE-FAMILY
   -THE ZONING IS RESIDENTIAL PLANNED DEVELOPMENT (RPD) WITH ALL USES AS ALLOWED UNDER THE RS-1 DISTRICT.
   -THE MAXIMUM NUMBER OF UNITS FOR THIS PROJECT WILL BE 100, OR 2.6 UNITS PER ACRE BASED ON UPLAND ACREAGE.
3. REQUIRED SETBACKS (PER RS-1 DISTRICT)
   7.5' SIDE SETBACK
   20' REAR SETBACK
   25' SETBACK FROM "OTHER" WATER BODY
   20' SETBACK FROM ROAD RIGHT OF WAY OR ROAD EASEMENT FOR PRIVATE ROAD
   (SEE LIST OF DEVIATIONS FOR PROPOSED CHANGES TO THE REQUIRED SETBACKS)
4. SANITARY SEWER SHALL BE PROVIDED BY LEE COUNTY UTILITIES. ADJACENT TO SITE AND CAPACITY IS AVAILABLE.
5. WATER SERVICE SHALL BE PROVIDED BY LEE COUNTY UTILITIES. ADJACENT TO SITE AND CAPACITY IS AVAILABLE.

℄ = PROPERTY LINE

LIST OF DEVIATIONS

1. MINIMUM RIGHT-OF-WAY (PER LEE CO. LDC 10-296, TABLE 3)
   DEVIATION FROM THE REQUIRED MINIMUM 35 FEET R.O.W. (PRIVATELY MAINTAINED STREET WITH CLOSED DRAINAGE) TO 24 FEET R.O.W. (NOT APPLICABLE AT PLANTER ISLANDS).
2. SETBACK FROM BODIES OF WATER (PER LEE CO. LDC 34-2194)
   DEVIATION FROM THE REQUIRED MINIMUM 25 FEET SETBACK FROM MEAN HIGH WATER LINE TO 15 FEET FROM THE MEAN HIGH WATER.
3. REAR YARD SETBACK (PER LEE CO. LDC 34-695)
   DEVIATION FROM THE REQUIRED MINIMUM 20 FEET SETBACK TO 15 FEET ALONG THE REAR PROPERTY LINE.
4. CUL-DE-SAC REQUIREMENT (PER LEE CO. LDC 10-296(K))
   DEVIATION FROM PROVIDING THE REQUIRED CUL-DE-SAC AT A DEAD END STREET TO PROVIDING A HAMMER-HEAD TURN AROUND.
5. WITHDRAWN AT HEARING EXAMINER MEETING JUNE 16, 1999.

SCHEDULE OF USES

- ALL USES AS PERMITTED IN THE RS-1 ZONING DISTRICT.
- BOAT RAMP
- TENNIS COURTS (COMMUNITY CENTER ONLY)
- COMMUNITY CLUB CENTER

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RWA INC.
CONSULTING
Planning
Visualization
Civil Engineering
Surveying & Mapping
(239) 597-0575 FAX: (239) 597-0578
(239) 278-5224 FAX: (239) 278-5419
6610 Willow Park Drive, Suite 200, Naples, Florida 34109
1542 Carson Street, Fort Myers, Florida 33901

PROJECT: HIDDEN HARBOR RPD AMENDMENT
CLIENT: HIDDEN HARBOR PRESERVE, INC.
TITLE: AMENDED MASTER CONCEPT PLAN

SEC.	TWP.	RGE.
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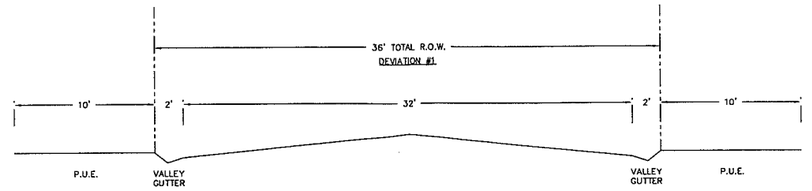
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DATE: May 27, 2008
PROJECT NO: 040115.05.05
FILE NO: 040115050SP02
SHEET NUMBER: 2 OF 3

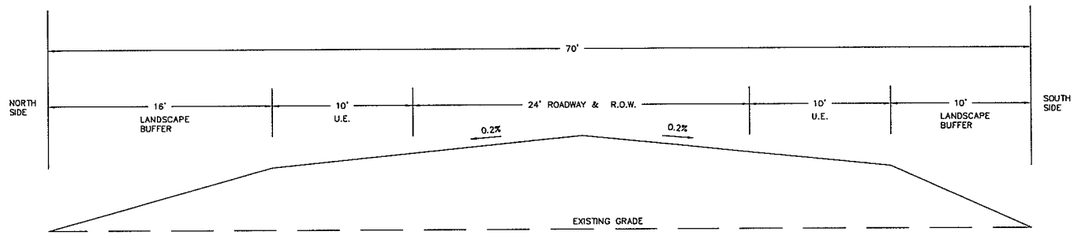
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HIDDEN HARBOR RPD
AMENDED MASTER CONCEPT PLAN





SECTION B–B
SCALE: HORIZONTAL – 1"=5'
VERTICAL – 1"=5'



SECTION A–A
N.T.S.

OPTIONAL 70' WIDE ENTRY ROAD (VS. CURRENT 50')
HIDDEN HARBOR
DEVELOPER IS ATTEMPTING TO GET 20' R.O.W. FROM ADJACENT LAND OWNER TO THE SOUTH

ALICO CROSSINGS
PLAT BOOK 59, PAGES 34–38

RAYMA C. PAGE ELEMENTARY SCHOOL

EXISTING STORMWATER DETENTION AREA

MATCHLINE "A"

FLORIDA POWER & LIGHT COMPANY EASEMENT (PARCEL NO. 1) O.R. 889, PAGE 301 — 110' — 100' — FLORIDA POWER & LIGHT COMPANY EASEMENT (PARCEL NO. 2) O.R. 889, PAGE 301

WATERLINE EASEMENT O.R. BOOK 1709 PAGE 4097

EXISTING STORMWATER DETENTION AREA

ORDER OF TAKING FOR PARCEL 801 "PERPETUAL EASEMENT" PARCEL A O.R. O.R. 2696, PG 3237

PROPERTY BOUNDARY

STORMWATER DETENTION AREA "FROM ROAD WIDENING" ZONING: AG–2 FUTURE LAND USE: URBAN COMMUNITY LAND USE: STORMWATER POND

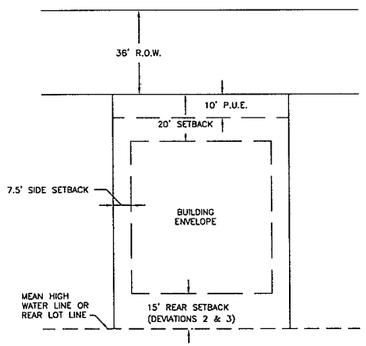
EXISTING TOP OF BANK

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

ZONING: CPD
FUTURE LAND USE: URBAN COMMUNITY
LAND USE: SHOPPING CENTER W/OUTPARCELS

HIDDEN GATEWAY BOULEVARD

US 41 (SR 45)



TYPICAL LOT ROAD R.O.W. LAYOUT
SCALE: 1" = 30'

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DRAWN: S.D.L.
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DATE: May. 27, 2008
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FILE NO. 040115050SP02
SHEET NUMBER 3 OF 3