

ADMINISTRATIVE AMENDMENT (PD) ADD2023-00163

ADMINISTRATIVE AMENDMENT
LEE COUNTY, FLORIDA

WHEREAS, Celebrity Pool and Spa, on behalf of Sara and Ramon Torres, filed an application for an administrative variance from Land Development Code (LDC) Section 34-1174(b)(1) which states no accessory building or structure may be located closer to a street right-of-way line or street easement than the principal building unless a setback of 100 feet is maintained, to allow the pool deck and aluminum enclosure to be located closer to the street right-of-way than the principal structure and be set back 49 feet from the Panther Island Boulevard right-of-way on the property located at 19679 Panther Island Blvd., Estero, described more particularly as:

LEGAL DESCRIPTION: In Section 21, Township 46, Range 26 East, Lee County, Florida:

ATTACHED AS EXHIBIT "A"

WHEREAS, the applicant has indicated the subject property STRAP Number is 21-46-26-02-00000.0090; and

WHEREAS, the property is zoned Agricultural (AG-2) and is located in the Wetlands and Density Reduction/ Groundwater Resource Future Land Use Categories as designated by the Lee Plan; and

WHEREAS, the subject properties are located in the existing plat for Corkscrew Ranch, as recorded with the Lee County Clerk of Courts in instrument number 2007000298830 (see Exhibit "B"); and

WHEREAS, the owner has applied for a residential pool permit (POL2023-00927), and an associated aluminum pool enclosure (RES2023-12476); and

WHEREAS, the property width decreases towards the north property line, creating an exceptional condition inherent to the property, and making placement of the accessory pool and screen enclosure closer to the street right-of-way than the principal structure; and

WHEREAS, the applicant has provided a site plan of the property with the structure footprint, pool, and pool enclosure, with the requested street setback of 49 feet (see Exhibit "C"); and

WHEREAS, the applicant has requested a variance from Land Development Code (LDC) Section 34-1174(b)(1), which states no accessory building or structure may be located closer to a street right-of-way line or street easement than the principal building unless a setback of 100 feet is maintained; 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; and

WHEREAS the following findings of fact are offered:

(1) There are exceptional or extraordinary conditions or circumstances that are inherent to the property in question; and

(2) The variance granted is the minimum variance that will relieve the applicant of an unreasonable burden caused by the application of the regulation in question to the property; and

(3) The granting of the variance will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

NOW, THEREFORE, IT IS HEREBY DETERMINED that the application for an administrative variance from Land Development Code (LDC) Section 34-1174(b)(1) which states no accessory building or structure may be located closer to a street right-of-way line or street easement than the principal building unless a setback of 100 feet is maintained, to allow the pool deck and aluminum enclosure to be located closer to the street right-of-way than the principal structure and be set back 49 feet from the Panther Island Boulevard right-of-way is **APPROVED subject to the following conditions.**

1. **Construction of the pool and screen enclosure must be in substantial compliance with the site plan entitled "Site Plan, Lot 9", a reduced copy of which is attached hereto as Exhibit "C".**
2. **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 Zoning Manager 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, adopted, and electronically signed on 12/12/2023

Anthony R. Rodriguez, AICP, CPM, Zoning Manager

Exhibits

Exhibit A: Legal Description

Exhibit B: Corkscrew Ranch Plat

Exhibit C: Site Plan

CORKSCREW RANCH

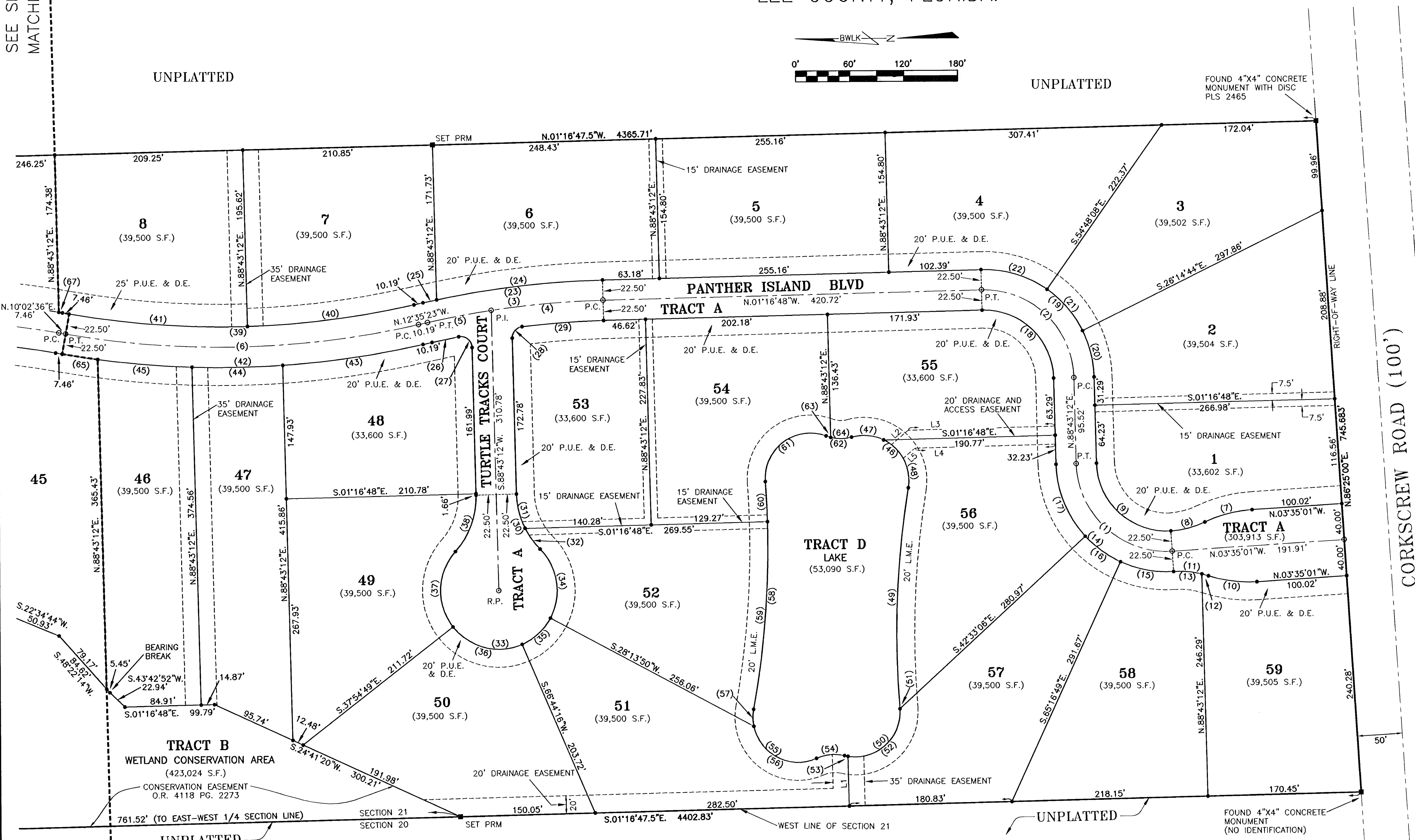
A SUBDIVISION LYING IN
SECTION 21, TOWNSHIP 46 SOUTH, RANGE 26 EAST,
LEE COUNTY, FLORIDA.

INSTRUMENT NO. 2007000298830

SHEET 2 OF 4

THIS INSTRUMENT PREPARED BY:
BEAN, WHITAKER, LUTZ, & KAREH, INC.
CIVIL ENGINEERS - SURVEYORS AND MAPPERS - PLANNERS
13041 MCGREGOR BOULEVARD (239) 481-1331
FORT MYERS, FLORIDA 33919-5910

SEE SHEET 3
MATCHLINE "A"



- LEGEND:
- PG. = PAGE
 - (R) = RADIAL
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 - PCC = POINT OF COMPOUND CURVE
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 - ⊙ = SET PERMANENT CONTROL POINT (PCP) PSM 4324
 - = SET 5/8" IRON ROD & CAP LABELED BWLK 4919 ORIG. COR.
 - = SET 4"x4" CONCRETE PERMANENT REFERENCE MONUMENT (PRM) PSM 4324/LB 4919 ("UNLESS OTHERWISE NOTED")

LINE TABLE

LINE	BEARING	DISTANCE
L1	N.88°43'12"E.	54.97'
L2	S.40°32'50"E.	24.67'
L3	S.01°16'48"E.	163.32'
L4	N.01°16'48"W.	156.18'
L5	N.40°32'50"W.	17.53'

CURVE TABLE

NO.	RADIUS	DELTA	ARC	TANGENT	CHORD	CHORD BEARING
1	100.00'	92°18'13"	161.10'	104.10'	144.24'	N.42°34'06"E.
2	100.00'	90°00'00"	157.08'	100.00'	141.42'	S.43°43'12"W.
3	1000.00'	11°18'36"	197.40'	99.02'	197.08'	S.06°56'06"E.
4	1000.00'	07°09'59"	125.08'	62.62'	125.00'	N.04°51'47"W.
5	1000.00'	04°08'37"	72.32'	36.17'	72.30'	N.10°31'05"W.
6	1000.00'	22°37'59"	395.02'	200.12'	392.46'	N.01°16'24"W.
7	145.00'	21°33'55"	54.58'	27.61'	54.25'	S.14°21'58"E.
8	105.00'	21°33'55"	39.52'	20.00'	39.25'	N.14°21'58"W.
9	100.00'	02°18'13"	124.85'	80.68'	111.78'	N.42°34'06"E.
10	145.00'	21°33'55"	54.58'	27.61'	54.25'	N.07°11'57"E.
11	105.00'	21°33'55"	39.52'	20.00'	39.29'	S.07°11'57"W.
12	105.00'	04°06'31"	7.53'	3.77'	7.53'	N.15°55'39"E.
13	105.00'	17°27'24"	31.99'	16.12'	31.87'	N.05°08'41"W.
14	122.50'	92°18'13"	197.35'	127.53'	176.69'	N.42°34'06"E.
15	122.50'	28°18'12"	60.51'	30.89'	59.90'	N.10°34'05"E.
16	122.50'	22°43'44"	48.59'	24.62'	48.28'	N.36°05'03"E.
17	122.50'	41°16'12"	88.24'	46.13'	86.34'	N.68°05'03"E.
18	122.50'	90°00'00"	121.74'	77.50'	109.60'	S.43°43'12"W.
19	122.50'	90°00'00"	192.42'	122.50'	173.24'	S.43°43'12"W.
20	122.50'	24°57'56"	53.38'	27.12'	52.96'	N.76°14'14"E.
21	122.50'	28°33'25"	61.08'	31.18'	60.43'	N.49°28'34"E.
22	122.50'	36°28'39"	77.99'	40.37'	76.68'	N.16°57'32"E.
23	1022.50'	11°18'36"	201.84'	101.25'	201.51'	S.06°56'06"E.
24	1022.50'	10°26'19"	186.29'	93.40'	186.03'	N.06°29'57"W.
25	1022.50'	00°52'17"	15.55'	7.78'	15.55'	N.12°09'15"W.
26	977.50'	01°46'51"	30.38'	15.19'	30.38'	S.11°41'58"E.

CURVE TABLE

NO.	RADIUS	DELTA	ARC	TANGENT	CHORD	CHORD BEARING
27	12.50'	99°31'44"	21.71'	14.77'	19.08'	S.38°57'20"W.
28	12.50'	84°39'48"	18.47'	11.39'	16.84'	S.48°56'54"E.
29	977.50'	05°20'12"	91.05'	45.56'	91.01'	S.03°56'54"E.
30	90.00'	43°27'50"	68.27'	35.87'	66.65'	N.66°59'17"E.
31	90.00'	25°13'54"	39.63'	20.14'	39.31'	S.76°06'16"W.
32	90.00'	18°13'57"	28.64'	14.44'	28.52'	S.54°22'20"W.
33	65.00'	266°55'41"	302.82'	94.35'	94.35'	N.01°16'48"W.
34	65.00'	72°58'28"	82.75'	77.30'	81.44'	S.81°44'36"W.
35	65.00'	38°30'26"	43.69'	22.70'	42.87'	N.42°30'57"W.
36	65.00'	75°20'55"	85.48'	50.19'	79.45'	N.14°24'44"E.
37	65.00'	80°05'52"	90.87'	54.64'	83.65'	S.87°51'53"E.
38	90.00'	43°27'50"	68.27'	35.87'	66.65'	N.66°59'17"E.
39	977.50'	22°37'59"	386.13'	195.62'	383.63'	N.01°16'24"W.
40	977.50'	10°57'04"	186.83'	93.70'	186.55'	N.07°06'51"W.
41	977.50'	11°40'55"	199.30'	100.00'	198.95'	N.04°12'08"E.
42	1022.50'	22°37'59"	403.91'	204.62'	401.89'	N.01°16'24"W.
43	1022.50'	08°49'58"	157.63'	78.37'	157.47'	N.08°10'24"W.
44	1022.50'	05°39'33"	100.99'	50.54'	100.95'	N.00°55'39"W.
45	1022.50'	05°54'05"	105.31'	52.70'	105.27'	N.04°51'10"E.
46	50.00'	115°05'33"	100.44'	78.62'	84.38'	S.41°56'01"W.
47	50.00'	41°56'36"	36.60'	19.16'	36.60'	S.09°21'33"W.
48	50.00'	73°08'57"	63.83'	37.10'	59.59'	S.62°54'19"W.
49	1000.50'	14°01'51"	245.01'	123.12'	244.39'	S.87°32'08"E.
50	50.00'	108°17'31"	94.50'	69.19'	81.05'	N.40°24'17"W.
51	50.00'	00°58'39"	0.85'	0.43'	0.85'	S.85°56'17"W.
52	50.00'	102°52'49"	89.78'	62.72'	78.20'	N.42°07'59"W.

CURVE TABLE

NO.	RADIUS	DELTA	ARC	TANGENT	CHORD	CHORD BEARING
53	50.00'	04°26'03"	3.87'	1.94'	3.87'	N.11°31'27"E.
54	50.00'	37°47'13"	31.99'	16.60'	31.41'	S.05°09'08"E.
55	50.00'	124°31'03"	108.68'	95.07'	88.51'	N.38°12'47"E.
56	50.00'	102°39'43"	89.59'	62.48'	78.08'	N.27°17'07"E.
57	50.00'	21°51'19"	19.07'	9.65'	18.96'	N.89°32'38"E.
58	1000.50'	14°30'41"	253.40'	127.38'	252.72'	N.86°47'03"W.
59	1000.50'	11°57'44"	208.89'	104.82'	208.51'	S.85°30'34"E.
60	1000.50'	02°32'57"	44.51'	22.26'	44.51'	N.87°14'05"E.
61	50.00'	115°05'33"	100.44'	78.62'	84.38'	S.36°29'37"E.
62	44.98'	36°39'55"	28.78'	14.90'	28.30'	N.02°43'12"E.
63	44.98'	06°53'56"	5.42'	2.71'	5.41'	S.17°36'12"W.
64	44.98'	29°45'59"	23.37'	11.95'	23.11'	S.00°43'46"E.
65	1022.50'	02°14'24"	39.97'	19.99'	39.97'	N.08°55'24"E.
66	1000.00'	22°37'59"	395.02'	200.12'	392.46'	S.01°16'24"E.
67	1022.50'	00°13'21"	3.97'	1.99'	3.97'	N.09°55'55"E.

SEE SHEET 3
MATCHLINE "A"

CORKSCREW RANCH

A SUBDIVISION LYING IN
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LINE TABLE

LINE	BEARING	DISTANCE
L6	S.57°30'53"E.	14.58'
L7	S.63°20'35"E.	15.38'
L8	S.51°09'36"E.	16.98'
L9	S.11°53'44"W.	35.49'
L10	N.85°45'02"W.	23.54'
L11	S.85°58'41"W.	57.34'
L12	S.79°49'18"W.	10.13'
L13	S.57°54'59"W.	29.88'
L14	S.04°34'25"W.	25.68'
L18	S.35°19'41"E.	29.99'
L19	S.24°53'11"E.	46.90'
L20	S.18°34'42"E.	22.31'
L21	S.07°56'08"E.	19.33'
L22	S.21°10'43"E.	11.90'
L23	S.25°21'04"E.	44.72'
L24	S.11°13'58"E.	45.88'
L25	S.17°40'18"E.	61.59'
L26	S.37°26'19"E.	44.21'
L27	S.21°19'35"E.	57.01'
L28	N.89°09'38"E.	85.06'
L29	S.89°51'02"E.	30.76'
L30	S.65°02'45"E.	50.15'

UNPLATTED

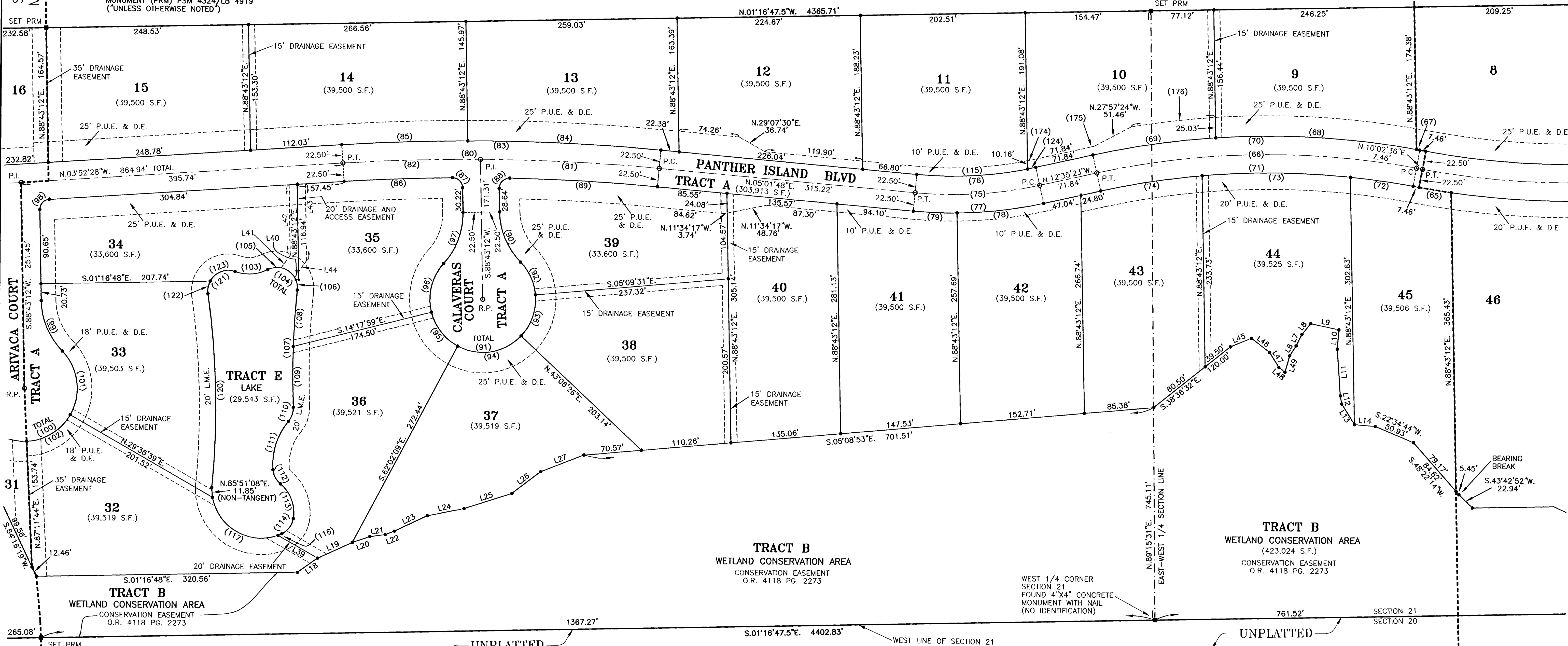
LINE TABLE

LINE	BEARING	DISTANCE
L31	S.44°24'53"E.	23.56'
L32	S.12°15'11"E.	67.43'
L33	S.34°25'18"E.	29.48'
L34	S.22°36'10"E.	26.66'
L35	S.30°23'17"W.	52.14'
L36	S.38°29'30"W.	17.51'
L39	N.29°36'39"E.	56.04'
L40	N.01°16'48"W.	3.69'
L41	S.54°38'14"E.	18.78'
L42	N.88°43'12"E.	86.47'
L43	N.88°43'12"E.	94.00'
L44	S.54°38'14"E.	25.40'
L45	S.22°33'24"E.	27.69'
L46	S.37°30'24"W.	28.21'
L47	S.57°42'30"W.	21.57'
L48	S.37°29'36"W.	9.50'
L49	S.74°15'00"E.	21.02'

UNPLATTED

SEE SHEET 4
MATCHLINE "B"

MATCHLINE "A"
SEE SHEET 2



CURVE TABLE

NO.	RADIUS	DELTA	ARC	TANGENT	CHORD	CHORD BEARING
65	1022.50'	02°14'24"	39.97'	19.99'	39.97'	S.08°52'24"W.
66	1000.00'	22°37'59"	395.02'	200.12'	392.46'	S.01°16'24"E.
67	1022.50'	00°13'21"	3.97'	1.99'	3.97'	N.09°55'55"E.
68	1022.50'	13°52'08"	247.51'	124.36'	246.90'	N.02°53'10"E.
69	1022.50'	08°32'29"	152.43'	76.36'	152.29'	N.08°19'09"W.
70	1022.50'	22°37'59"	403.91'	204.62'	401.29'	S.01°16'24"E.
71	977.50'	22°37'59"	386.13'	195.62'	383.63'	S.01°16'24"E.
72	977.50'	04°33'20"	77.72'	38.88'	77.70'	N.07°45'56"E.
73	977.50'	10°41'14"	182.07'	91.43'	182.07'	N.00°08'39"E.
74	977.50'	07°23'25"	126.08'	63.13'	126.00'	N.08°53'41"W.
75	500.00'	17°37'12"	153.76'	77.49'	153.16'	N.03°46'48"W.
76	477.50'	17°37'12"	146.84'	74.01'	146.27'	N.03°46'48"W.
77	522.50'	17°37'12"	160.68'	80.98'	160.05'	N.03°46'48"W.
78	522.50'	11°43'20"	106.90'	53.84'	106.71'	N.06°43'43"W.
79	522.50'	05°53'51"	53.78'	26.92'	53.76'	N.02°04'52"E.
80	2500.00'	08°54'16"	388.54'	194.66'	388.14'	S.00°34'40"W.
81	2500.00'	05°02'00"	219.62'	109.88'	219.55'	N.02°30'48"E.
82	2500.00'	03°52'18"	168.91'	84.49'	168.88'	N.01°56'20"W.
83	2522.50'	08°54'16"	392.03'	196.41'	391.64'	S.00°34'40"W.
84	2522.50'	05°23'28"	118.76'	59.37'	118.76'	N.02°20'04"E.
85	2522.50'	03°30'49"	154.69'	77.37'	154.67'	N.02°07'04"W.
86	2477.50'	03°04'32"	132.99'	66.51'	132.98'	S.02°20'12"E.
87	12.50'	89°31'08"	19.53'	12.40'	19.53'	S.43°57'38"W.
88	12.50'	92°06'31"	20.09'	12.97'	18.00'	S.45°13'32"E.

CURVE TABLE

NO.	RADIUS	DELTA	ARC	TANGENT	CHORD	CHORD BEARING
89	2477.50'	04°12'05"	181.67'	90.88'	181.63'	S.02°55'46"W.
90	90.00'	43°27'50"	66.65'	35.87'	66.65'	N.01°16'48"W.
91	65.00'	268°55'41"	302.82'	35.87'	66.65'	S.65°02'56"W.
92	65.00'	39°35'07"	44.91'	23.39'	44.02'	N.01°16'48"W.
93	65.00'	48°15'57"	54.76'	29.12'	53.19'	N.09°27'51"W.
94	65.00'	74°51'24"	84.92'	49.75'	79.01'	N.51°49'56"E.
95	65.00'	47°44'10"	54.15'	28.76'	52.60'	S.76°03'52"W.
96	65.00'	56°29'02"	64.08'	34.91'	61.52'	N.66°59'17"E.
97	90.00'	43°27'50"	68.27'	35.87'	66.65'	N.69°32'52"W.
98	12.50'	87°24'19"	19.07'	11.95'	17.27'	S.47°34'38"E.
99	90.00'	43°27'50"	68.27'	35.87'	66.65'	N.66°59'17"E.
100	65.00'	268°55'41"	302.82'	35.87'	66.65'	N.01°16'48"W.
101	65.00'	74°21'17"	84.35'	49.30'	78.56'	S.82°26'00"W.
102	65.00'	57°35'05"	65.33'	35.72'	62.61'	N.31°35'49"W.
103	50.00'	47°12'28"	41.20'	21.85'	40.04'	N.03°52'28"W.
104	25.00'	123°12'58"	46.25'	43.98'	43.98'	S.34°07'57"W.
105	25.00'	94°05'49"	41.06'	28.85'	36.60'	S.19°34'12"W.
106	25.00'	29°06'49"	12.70'	6.49'	12.57'	S.81°10'31"W.
107	1000.00'	08°13'36"	143.58'	71.92'	143.46'	S.88°22'53"E.
108	1000.00'	03°57'39"	69.13'	34.58'	69.12'	N.86°14'54"W.
109	1000.00'	04°15'57"	74.45'	37.24'	74.44'	S.89°38'18"W.
110	25.00'	42°14'38"	18.43'	9.66'	18.02'	N.71°22'22"W.
111	82.05'	44°32'12"	63.78'	33.60'	62.19'	S.72°31'09"E.
112	25.00'	46°19'15"	20.21'	10.69'	19.67'	N.62°03'07"E.
113	44.85'	60°24'42"	47.29'	26.11'	45.13'	S.69°05'50"W.

CURVE TABLE

NO.	RADIUS	DELTA	ARC	TANGENT	CHORD	CHORD BEARING
114	25.00'	55°24'59"	24.18'	13.13'	23.25'	N.52°59'19"W.
115	477.50'	16°23'53"	136.80'	68.80'	136.19'	N.03°10'08"W.
116	60.53'	04°53'51"	5.17'	2.59'	5.17'	N.22°49'54"W.
117	60.53'	99°59'13"	105.63'	72.12'	92.73'	N.29°36'39"E.
118	1000.00'	13°37'16"	237.74'	119.43'	237.74'	S.88°31'08"W.
119	25.00'	118°01'16"	51.50'	41.62'	42.86'	S.39°16'53"E.
120	25.00'	36°01'30"	15.72'	8.13'	15.46'	S.80°16'46"E.
121	25.00'	81°59'46"	35.78'	21.73'	32.80'	S.21°16'08"E.
122	477.50'	01°13'18"	10.18'	5.09'	10.18'	N.11°58'44"W.
123	467.50'	01°00'13"	8.19'	4.09'	8.19'	N.12°05'17"W.
124	1032.50'	00°13'15"	3.98'	1.99'	3.98'	N.12°28'46"W.
125	1047.50'	05°40'29"	103.75'	51.92'	103.70'	N.06°49'11"W.

SEE SHEET 4
MATCHLINE "B"

MATCHLINE "A"
SEE SHEET 2

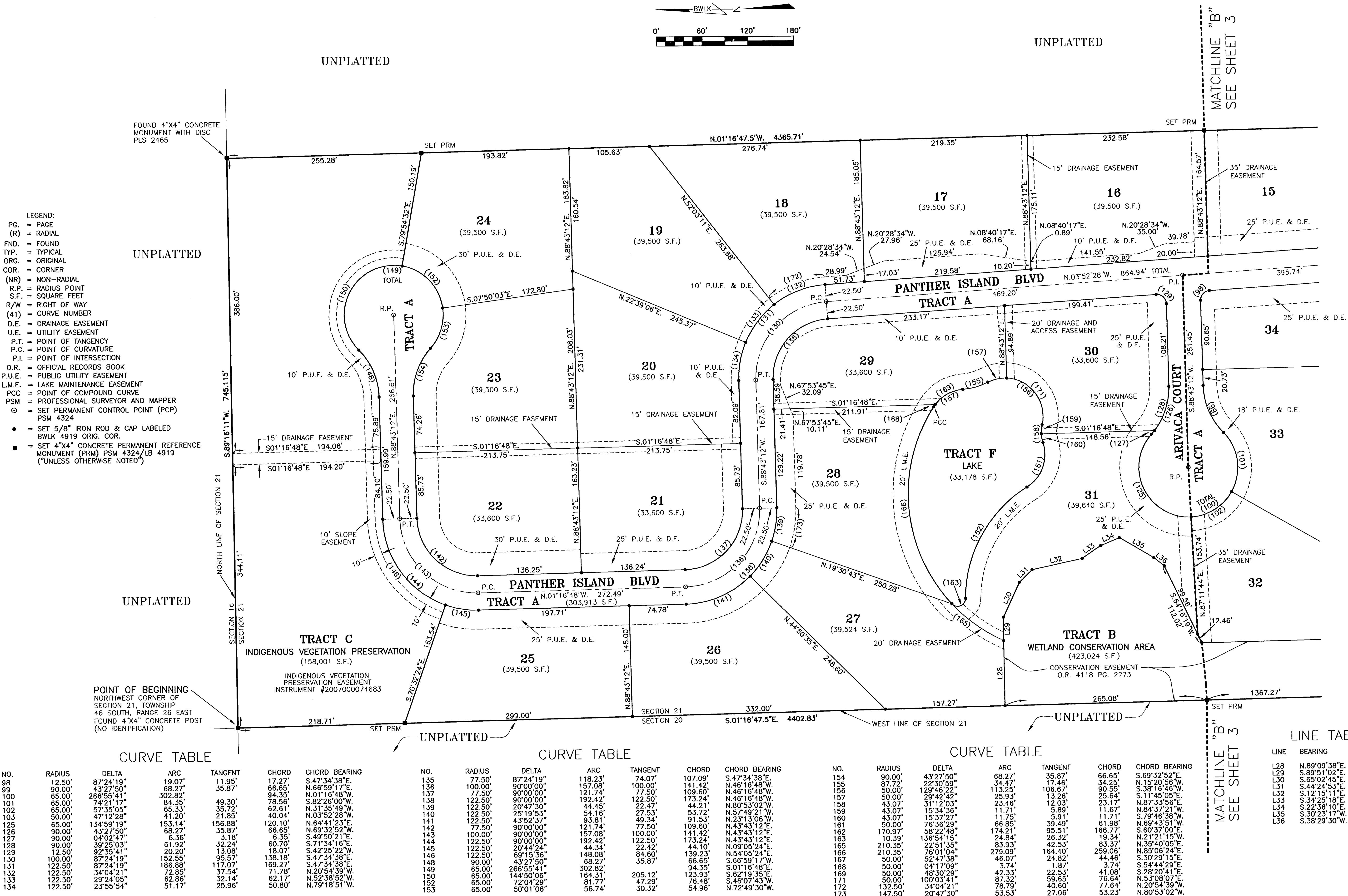
CORKSCREW RANCH

A SUBDIVISION LYING IN
SECTION 21, TOWNSHIP 46 SOUTH, RANGE 26 EAST,
LEE COUNTY, FLORIDA.

INSTRUMENT NO. **2007000218830**

SHEET 4 OF 4

THIS INSTRUMENT PREPARED BY:
BEAN, WHITAKER, LUTZ, & KAREH, INC.
CIVIL ENGINEERS - SURVEYORS AND MAPPERS - PLANNERS
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FORT MYERS, FLORIDA 33919-5910



DOS 89-12-018.000 / PLT 2007-00014



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PROJECT DESCRIPTION

A TRACT OR PARCEL OF LAND
LYING IN THE PLAT OF

**CORKSCREW
RANCH**

INST. No. 200700258#30,
LEE COUNTY RECORDS

A SUBDIVISION
LYING IN SECTION 21,
TOWNSHIP 46 SOUTH,
RANGE 26 EAST,
LEE COUNTY, FLORIDA



NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RUBBER OR INK/ITAL SEAL OF A FLORIDA LICENSED SURVEYOR AND NUMBER

FILE NAME	230207P000.DWG
LAYOUT	1
LOCATION	10 WINDING SURVEY AND PLOT PLANS
PLOT DATE	THU 1-1-2002 8:15 AM
PLOT BY	CHRISTEN MOORE

DRAWING DATA	
SURVEY DATE	11/07/2022
DRAWN BY	S. ENGLISH
CHECKED BY	C. JAY
SCALE	1"=30'
FIELD BOOK	

PLAN REVISIONS	

STUDY NUMBER	

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PLOT PLAN
LOT 9

23030	1 of 1
24-48-20	