

ADMINISTRATIVE AMENDMENT (PD) ADD2023-00123

ADMINISTRATIVE AMENDMENT
LEE COUNTY, FLORIDA

WHEREAS, Barraco and Associates, Inc. filed an application for an administrative amendment to a Residential Planned Development known as Siesta V to allow a ten-foot-wide drainage easement for pipes that are 48 inches or less in size to be located along common side lot lines in the proposed residential subdivision; and

WHEREAS, the property is generally located south of Siesta Drive and West of San Carlos Boulevard as described per the legal description (Exhibit "A"); and

WHEREAS, the applicant has indicated the property's current STRAP number is 13-46-23-00-00004.1000; and

WHEREAS, the property was originally rezoned by Resolution Z-02-049 (Exhibit "B"); and

WHEREAS, the subject property is in the Wetlands and Suburban Future Land Use Categories as designated by the Lee Plan; and

WHEREAS, the Lee County Land Development Code (LDC) provides for certain administrative changes to planned development master concept plans and planned unit development final development plans; and

WHEREAS, the applicant is requesting a deviation from LDC Section 10-328(b) to allow a ten-foot-wide easement for a closed drainage easement instead of the required 15-foot-wide easement (Exhibit "C"); and

WHEREAS, development order DOS2007-00008 was approved with the storm water storage located along the rear yards of the residential lots; and

WHEREAS, the applicant is requesting to relocate the storm water storage to the common side lots of each residential lot; and

WHEREAS, the applicant has provided a site plan the depicts a non-essential eight-inch perforated pipe in a rock chamber within the confines of a ten-foot-wide drainage easement to provide additional conveyance; and

WHEREAS, development order DOS2007-00008 was approved with a seven-foot drainage easement with a 12-inch conveyance pipe along side lot lines within another phase of the residential development; and

WHEREAS, the applicant has provided a justification stating that the request will protect the health and safety of the public as this drainage easement is an additional conveyance easement to support the main infrastructure; and

WHEREAS, the request is designed to standards based on sound engineering practices which are demonstrated on the site plan submitted with the request (Exhibit "D"); 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 of an amendment to the Residential Planned Development to include a deviation from LDC Section 10-328(b), which requires closed drainage easements to be a minimum of 15 feet wide, to allow a ten-foot-wide easement along common side lot lines, **APPROVED, subject to the following conditions:**

1. **The development order plans must be in substantial compliance with the site development plan prepared by Barraco and Associates, Inc., attached hereto as Exhibit "D".**
2. **The terms and conditions of the original zoning resolution and subsequent amendments thereto remain in full force and effect, except as amended herein.**
3. **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 2/7/2024

Anthony R. Rodriguez, AICP, CPM, Zoning Manager

List of Exhibits

Exhibit A: Legal Description
Exhibit B: Resolution Z-02-049
Exhibit C: Applicant's Narrative
Exhibit D: Site Plan

DESCRIPTION

Parcel in

Sections 12 and 13, Township 46 South, Range 23 East
Lee County, Florida

A tract or parcel of land lying in Sections 12 and 13, Township 46 South, Range 23 East, Lee County, Florida, said tract or parcel of land being more particularly described as follows:

Beginning at the Northeast Corner of said Section 13 run S87°14'06"W along the North line of the Northeast Quarter (NE 1/4) of said Section 13 for 1,184.21 feet; thence run N02°45'54"W for 10.00 feet; thence run S87°14'06"W for 80.00 feet; thence run N02°45'54"W for 33.00 feet; thence run S87°14'06"W for 80.00 feet to an intersection with the East line of the Record Plat of Old Pelican Bay Subdivision III-A, as recorded in Plat Book 66, Page 62, Lee County Records; thence run N02°45'54"W along said East line for 29.02 feet to the Northeast Corner of said Plat; thence run the following nine courses along the Northerly and Westerly line of said record plat: S88°46'37"W for 59.79 feet; S84°26'21"W for 200.24 feet; S87°41'19"W for 200.01 feet; S84°23'47"W for 100.12 feet; S80°33'25"W for 50.34 feet; S56°27'00"W for 106.75 feet to an intersection with said North line of Northeast Quarter (NE 1/4); S22°32'28"W for 110.80 feet; S18°53'00"W for 107.59 feet and S32°57'04"W for 145.25 feet to the Southwest Corner of said record plat; thence run N87°14'06"E along the Southerly line of said record plat for 589.69 feet to an intersection with the West line of Tract "A", Old Pelican Bay Drive, (50' wide right of way) as shown on the Record Plat of Old Pelican Bay Subdivision, as recorded in Plat Book 39, Page 70, Lee County Records; thence run S01°20'16"E along said West line for 89.75 feet to the Northeast Corner of the Record Plat of Old Pelican Bay Subdivision II, as recorded in Plat Book 40, Page 85, Lee County Records; thence run S88°39'44"W along the North line of said record plat for 140.00 feet to the Northwest corner of said record plat; thence run the following six courses along the Westerly line of said record plat: S01°20'16"E for 803.90 feet; S12°31'53"W for 115.65 feet; S02°46'30"E for 103.11 feet; S54°16'47"E for 41.25 feet; S01°28'52"W for 70.20 feet and S49°55'08"W for 117.58 feet to the Southwest corner of said record plat; thence run N88°39'44"E along the South line of said record plat and the extension thereof for 224.65 feet to a point on a non-tangent curve and an intersection with the Easterly line of Tract "A", Old Pelican Bay Drive, (50' wide right of way) as shown on said Record Plat of Old Pelican Bay Subdivision; thence run northeasterly along said Easterly line and an along an arc of curve to the left of radius 130.00 feet (delta 32°54'12") (chord bearing N35°44'33"E) (chord 73.63 feet) for 74.66 feet to the Southwest corner of Lot 14 of said record plat; thence run N88°39'44"E along the South line of said Lot 14 for 7.97 feet; thence run S00°53'03"E along the Easterly line of lands described in deed recorded in Official Record Book 3290, Page 4404, Lee County records, and continuing along the Southerly extension thereof for 108.67 feet; thence run N88°39'44"E along the Westerly extension of the most Southerly line of Lot 15 of said Record Plat of Old Pelican Bay Subdivision II and continuing along said most Southerly line for 141.22 feet to the Southeast Corner of said Lot 15; thence run N01°20'16"W along the easterly line of said Lot 15 and continuing along the East line of said Record Plat of Old Pelican Bay Subdivision for 1,237.74 feet to the Northeast Corner of Lot 1 of said record plat; thence run S88°39'44"W along the North line of said Lot 1 for

DESCRIPTION(Cont.)

140.00 feet to the East line of Tract "A", Old Pelican Bay Drive, (50' wide right of way) as shown on said Record Plat of Old Pelican Bay Subdivision; thence run $N01^{\circ}20'16''W$ along said East line for 90.99 feet to an intersection with the South line of said Record Plat of Old Pelican Bay Subdivision III-A; thence run $N87^{\circ}14'06''E$ along said South line for 209.48 feet to an intersection with the Westerly line of the Record Plat of Siesta Isles, Unit No. 4, as recorded in Plat Book 29, Page 107, Lee County Records; thence run the following three course along said Westerly line: $S01^{\circ}20'16''E$ for 1,571.58 feet; $S24^{\circ}47'51''W$ for 586.28 feet and $S07^{\circ}36'36''W$ for 723.81 feet to the Southwest corner of said record plat; thence run $N88^{\circ}39'44''E$ along the South line of said record plat for 480.83 feet to the Southeast corner of said record plat; thence run $S15^{\circ}20'02''W$ for 631.08 feet to an intersection with Northwesterly line of lands described in deed recorded in Official Record Book 2781, Page 1575, Lee County records, also being known as Lots 83, 84, 85 and 86 of San Carlos Subdivision (Unrecorded); thence run $S47^{\circ}06'39''W$ along said Northwesterly line for 737 feet, more or less to an intersection with the Mean High Water line of San Carlos Bay; thence run Northwesterly along said Mean High Water line for 1,521 feet, more or less; thence run $N38^{\circ}33'26''W$ for 30.00 feet to an intersection with the center line of a canal; thence run $N51^{\circ}26'34''E$ along said center line for 264.97 feet to an intersection with the West line of the East Half (E 1/2) of said Section 13; thence run $N01^{\circ}06'49''W$ along said West line for 2,905.74 feet to the North Quarter Corner of said Section 13; thence run $N00^{\circ}56'39''W$ along the West line of the Southeast Quarter (SE 1/4) of said Section 12 for 1,339.02 feet to the Northwest Corner of the Southwest Quarter (SW 1/4) of the Southeast Quarter (SE 1/4) of said Section 12; thence run $N87^{\circ}39'42''E$ along the North line of said Fraction for 1,323.08 feet to the Northeast Corner of said Fraction; thence run $S00^{\circ}49'43''E$ along the East line of said Fraction for 1,029.07 feet to an intersection with the North line of the South 300 feet of the Southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4) of said Section 12; thence run $N87^{\circ}14'06''E$ along said North line for 1,321.29 feet to an intersection with the East line of the Southeast Quarter (SE 1/4) of said Section 12; thence run $S00^{\circ}42'41''E$ along said East line for 300.19 feet to the POINT OF BEGINNING.

Containing 142.69 acres, more or less.

Bearings hereinabove mentioned are State Plane for the Florida West Zone (1983/99 adjustment) and are based on the North line of the Northeast Quarter (NE 1/4) of said Section 13 to bear $S87^{\circ}14'06''W$.

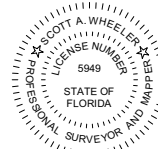
Digitally signed by

Scott A. Wheeler,

PSM

Date: 2024.01.16

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Scott A. Wheeler (For The Firm)

Professional Surveyor and Mapper

Florida Certificate No. 5949

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REVIEWED

ADD2023-00123

Rick Burris, Principal

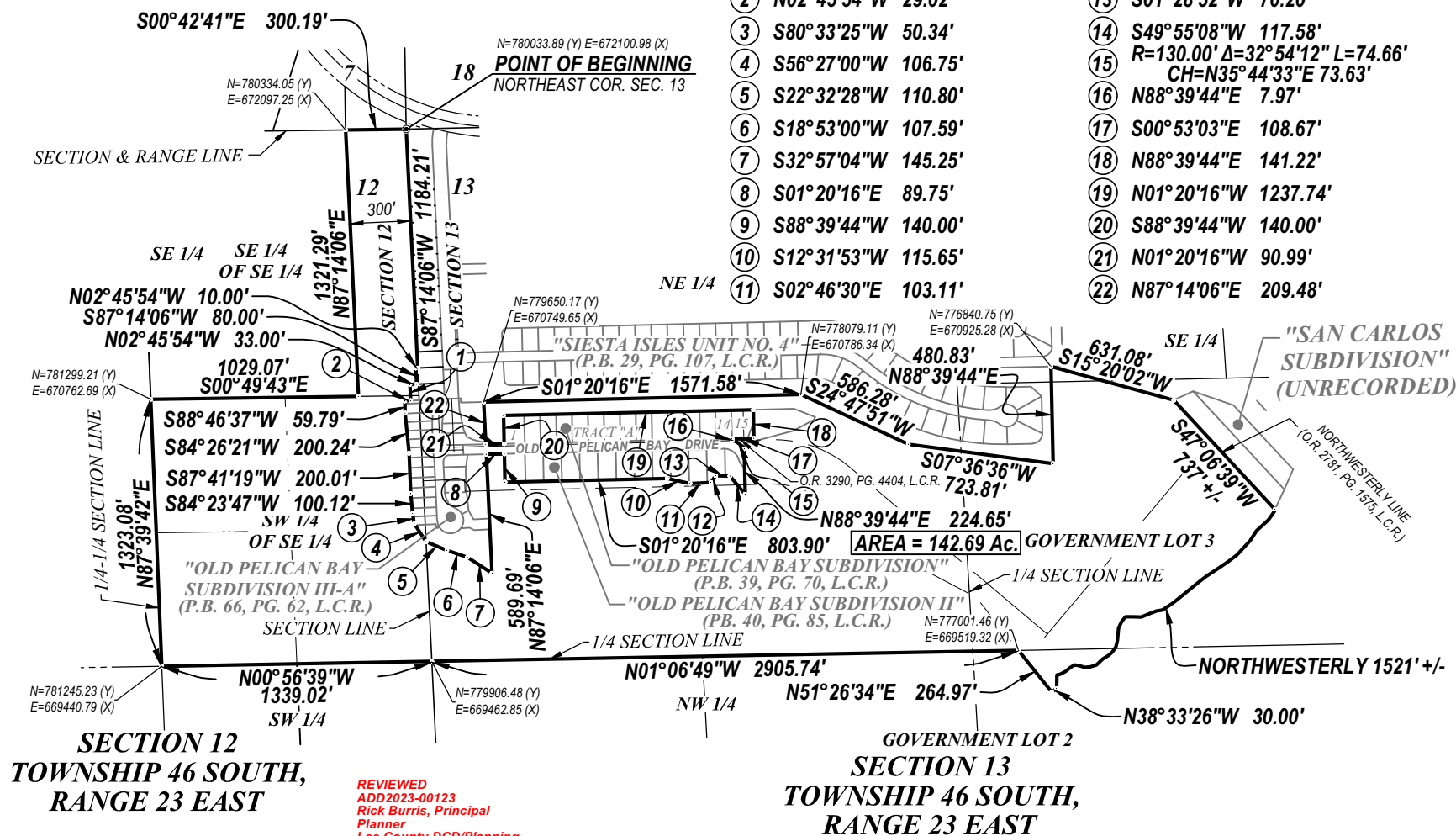
Planner

Lee County DCD/Planning

1/16/2024

COURSE INFORMATION

- | | |
|-----------------------|----------------------------------|
| ① S87°14'06"W 80.00' | ⑫ S54°16'47"E 41.25' |
| ② N02°45'54"W 29.02' | ⑬ S01°28'52"W 70.20' |
| ③ S80°33'25"W 50.34' | ⑭ S49°55'08"W 117.58' |
| ④ S56°27'00"W 106.75' | ⑮ R=130.00' Δ=32°54'12" L=74.66' |
| ⑤ S22°32'28"W 110.80' | ⑯ CH=N35°44'33"E 73.63' |
| ⑥ S18°53'00"W 107.59' | ⑰ N88°39'44"E 7.97' |
| ⑦ S32°57'04"W 145.25' | ⑱ S00°53'03"E 108.67' |
| ⑧ S01°20'16"E 89.75' | ⑲ N88°39'44"E 141.22' |
| ⑨ S88°39'44"W 140.00' | ⑳ N01°20'16"W 1237.74' |
| ⑩ S12°31'53"W 115.65' | ㉑ S88°39'44"W 140.00' |
| ⑪ S02°46'30"E 103.11' | ㉒ N01°20'16"W 90.99' |
| | ㉓ N87°14'06"E 209.48' |



NOTES:

- ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF. UNLESS OTHERWISE NOTED DISTANCES ARE ALSO (U.S. SURVEY FEET) GROUND AND CAN BE MULTIPLIED BY 0.999941 TO OBTAIN GRID DISTANCES.
- INST. No.- DENOTES INSTRUMENT NUMBER, LEE COUNTY PUBLIC RECORDS.
- O.R. - DENOTES OFFICIAL RECORD BOOK, LEE COUNTY PUBLIC RECORDS.
- (P) - DENOTES PLAT.
- P.B. - DENOTES PLAT BOOK.
- PG. - DENOTES PAGE.
- BEARINGS AND COORDINATES SHOWN ARE STATE PLANE FLORIDA WEST ZONE (NAD1983)(NSRS 2011) AND ARE BASED THE NORTH LINE OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 13 TO BEAR S87°14'06"W.
- DESCRIPTION IS ATTACHED.

REVIEWED
ADD2023-00123
Rick Burris, Principal
Lee County DCD/Planning
1/16/2024

THIS IS NOT A SURVEY

Digitally signed
by Scott A.
Wheeler, PSM
Date: 2024.01.16
'08:48:15 -05'00

SCOTT A. WHEELER (FOR THE FIRM - LB-6940)
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERTIFICATE NO. 5949

DATE SIGNED:

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

Barraco
and Associates, Inc.

CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING

www.barraco.net

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POST OFFICE DRAWER 2800
FORT MYERS, FLORIDA 33902-2800
PHONE (239) 461-3170
FAX (239) 461-3169

FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 7995 - SURVEYING LB-6940

PREPARED FOR

**SIESTA V
LAND TRUST**

PROJECT DESCRIPTION

A PARCEL OF LAND
IN SECTIONS 12 & 13,
TOWNSHIP 46 SOUTH,
RANGE 23 EAST
LEE COUNTY,
FLORIDA

PROJECT SURVEYOR



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

FILE NAME: 21352SK16.DWG
LAYOUT: 3
LOCATION: J:\21352DWS\SURVEYING\SKETCH
PLOT DATE: TUE. 1-16-2024 - 8:20 AM
PLOT BY: PETER OLSEN

DRAWING DATA
SURVEY DATE: 01-10-2024
DRAWN BY: P. OLSEN
CHECKED BY: SAW
SCALE: 1"=800'
FIELD BOOK:

PLAN REVISIONS

STRAP NUMBERS

SKETCH TO
ACCOMPANY
DESCRIPTION

PROJECT / FILE NO. 21352
13-46-23
SHEET NUMBER
3 OF 3

Exhibit B

RESOLUTION NUMBER Z-02-049

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA

WHEREAS, an application was filed by the property owner, Charles R. Meador, Jr., to rezone a 136.68± acre parcel from Agricultural District (AG-2) to Residential Planned Development (RPD), in reference to Siesta V Land Trust; and,

WHEREAS, a public hearing was advertised and held on August 7, 2002, before the Lee County Zoning Hearing Examiner, who gave full consideration to the evidence in the record for Case #DCI2000-00004; and

WHEREAS, a second public hearing was advertised and held on November 4, 2002, before the Lee County Board of Commissioners, who gave full and complete consideration to the recommendations of the staff, the Hearing Examiner, the documents on record and the testimony of all interested persons.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS:

SECTION A. REQUEST

The applicant filed a request to rezone 136.68± acres of land from AG-2 to RPD to allow a maximum of 47 single-family detached dwelling units, and a maximum of 30 boats slips to be located on certain lots and a 11-slip multi-slip docking facility. Buildings are not to exceed 35 feet in height above minimum floor elevation, within a maximum of two stories over parking. The property is located in the Suburban and Wetlands Land Use Categories and is legally described in attached Exhibit A. The request is APPROVED SUBJECT TO the conditions and deviations specified in Sections B and C below.

SECTION B. CONDITIONS:

All references to uses are as defined or listed in the Lee County Land Development Code (LDC).

1. The development of this project must be consistent with the one page Master Concept Plan (MCP) entitled "Siesta V" stamped "Received MAR 27, 2002 Zoning Counter," last revised 2-20-03, 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. The following limits apply to the project and uses:
 - a. Schedule of Uses

RESIDENTIAL USES

Accessory Apartment (only by special exception)
 Dwelling Units, Single-family Detached (maximum 41 units)
 Essential Services
 Essential Service Facilities [LDC § 34-622(c)(13)]: Group 1
 Home Occupation, no outside help
 Models (by Administrative Approval Only)
 Residential Accessory Uses [LDC § 34-622(c)(42)]
 Recreation Facilities: Personal
 Signs in Accordance with LDC Chapter 30, Note (1)
 Speculative Homes
 Temporary Use limited to one contractor's office and equipment storage shed to be located on lot 3 or 6; and on-site real estate sales

WETLAND USES

Water Retention
 All uses permitted in the Environmentally Critical zoning district [LDC §34-983]
 EXCEPT Single-family Uses

b. Site Development Regulations

Lot Area and Dimension:

Lot Width:	Minimum	75-feet
Lot Depth:	Minimum	90-feet
Lot Area:	Minimum	6,750 square feet

Building Height:

Maximum 35 feet above minimum required flood elevation.

Maximum 2-stories above parking

Setbacks:

Private Local Road	15-feet
Side Yard	5-feet
Rear (Waterbody)	15-feet (primary structure)
Rear (Waterbody)	5-feet (pools & accessory structures when a rip-rap revetment is provided to stabilize the shoreline waterward of the mean high water line)

Lot Coverage: Maximum 70% including pools and accessory structures

3. Prior to local development order approval, a draft copy of a Conservation Easement for the approximately 40.9 acre mangrove preserve, including mangrove trimming limitations, must

be submitted for review by the County Attorney's office. The preserve must be dedicated to the State of Florida (if required by the Department of Environmental Protection) and Lee County. Prior to issuance of a Certificate of Compliance for the subdivision/infrastructure development order, a copy of the recorded Conservation Easement must be submitted.

4. Prior to local development order approval, the portion of the roadway labeled "elevated roadway / bridge +/- 100 lineal feet" on the Master Concept Plan, must be detailed on the development order plans as a bridge. Elevating this portion of the roadway may not be achieved through the use of culverts.
5. The mangrove trimming limitations must be included in the Deed Restrictions. Prior to plat approval, a copy of the Deed Restrictions must be submitted for the Division of Environmental Sciences staff review for consistency with the mangrove trimming limitations detailed in Deviation 5.
6. Docks are limited to single-family docks with one slip on lots 1-26, two shared docks with one slip for each lot 38-41 and the 11 slips at multi-slip facility with one slip for each lot numbered 27-37. Docks and fishing/observation piers are prohibited along lots 27-37.
7. Prior to issuance of a Vegetation Removal Permit, the developer must coordinate an on-site inspection of the clearing limits with Lee County Division of Environmental Sciences and Florida Department of Environmental Protection staff.
8. 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.
9. Approval of this rezoning does not guarantee local development order approval. Future development order approvals must satisfy the requirements of the Lee Plan Planning Communities Map and Acreage Allocation Table, Map 16 and Table 1(b), as well as all other Lee Plan provisions.
10. 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.
11. All agricultural uses and their accessory uses are prohibited.
12. Prop guards or equivalent must be used on all motorized water craft with motors of 25 HP or greater.

SECTION C. DEVIATIONS:

1. Deviation 1 seeks relief from the LDC §10-296(k)(1)b, requirement that the diameter of right-of-way for curb and gutter section of 110 feet, to allow a 103-foot-wide right-of-way diameter. This deviation is APPROVED.
2. Deviation 2 - Withdrawn.

3. Deviation 3 - Withdrawn.
4. Deviation 4 - Withdrawn.
5. Deviation 5 seeks relief from the LDC §10-416(9) requirement for the retention of existing vegetation within the natural waterway buffer, to allow trimming of lateral branches and no topping of mangroves within 50 percent of the buffer, and to allow trimming of lateral branches and topping of mangroves to a height of no less than 10-feet in the remaining 50 percent of the buffer. This deviation is APPROVED, SUBJECT TO Conditions 3 and 5.
6. Deviation 6 seeks relief from the LDC §10-296(b) Table 3, establishing a 35-foot-wide minimum right-of-way standard for privately maintained roads and streets, to allow a minimum right-of-way width of 26 feet. This deviation is APPROVED.
7. Deviation 7 - Withdrawn.
8. Deviation 8 seeks relief from the LDC Section 34-2192(a) requirement that all buildings and structures be set back 20 feet from the edge of the right-of-way or street easement line, to allow a street setback of 15 feet. This deviation is APPROVED.
9. Deviation 9 - Withdrawn.

SECTION D. EXHIBITS AND STRAP NUMBER:

The following exhibits are attached to this resolution and incorporated by reference:

- EXHIBIT A: The legal description of the property
EXHIBIT B: Zoning Map (subject parcel identified with shading)
EXHIBIT C: The Master Concept Plan

The applicant has indicated that the STRAP numbers for the subject property are:

13-46-23-00-00003.0010
13-46-23-00-00004.1000
13-46-23-00-00004.1010
13-46-23-11-0000B.0000
12-46-23-00-00009.0010
12-46-23-00-00009.0020
12-46-23-00-00009.0030

SECTION E. FINDINGS AND CONCLUSIONS:

1. The applicant has proven entitlement to the rezoning by demonstrating compliance with the Lee Plan, the LDC, and any other applicable code or regulation.
2. The rezoning, as approved:

- a. meets or exceeds all performance and locational standards set forth for the potential uses allowed by the request; and,
 - b. is consistent with the densities, intensities and general uses set forth in the Lee Plan; and,
 - c. is compatible with existing or planned uses in the surrounding area; and,
 - d. will not place an undue burden upon existing transportation or planned infrastructure facilities and will be served by streets with the capacity to carry traffic generated by the development; and,
 - e. will not adversely affect environmentally critical areas or natural resources.
3. The rezoning satisfies the following criteria:
 - a. the proposed use or mix of uses is appropriate at the subject location; and
 - b. the recommended conditions to the concept plan and other applicable regulations provide sufficient safeguard to the public interest; and
 - c. the recommended conditions are reasonably related to the impacts on the public interest created by or expected from the proposed development.
4. Urban services, as defined in the Lee Plan, are, or will be, available and adequate to serve the proposed land use.
5. The approved deviations, as conditioned, enhance achievement of the planned development objectives, and preserve and promote the general intent of LDC Chapter 34, to protect the public health, safety and welfare.

The foregoing resolution was adopted by the Lee County Board of Commissioners upon the motion of Commissioner Douglas R. St. Cerny, seconded by Commissioner Andrew W. Coy and, upon being put to a vote, the result was as follows:

Robert P. Janes	Nay
Douglas R. St. Cerny	Aye
Ray Judah	Nay
Andrew W. Coy	Aye
John E. Albion	Aye

DULY PASSED AND ADOPTED this 4th day of November, 2002.

ATTEST:
CHARLIE GREEN, CLERK

By: Michele A Cooper
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

By: [Signature]
Chairman

Approved as to form by:

[Signature]
County Attorney's Office



RECEIVED
MINUTES OFFICE
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2003 JUN -4 PM 12:53

DESCRIPTION**Parcel In**

Sections 12 & 13, TWP 46 S., RGE. 23 E.
Lee County, Florida

A tract or parcel of land lying in Sections 12 and 13, Township 46 South, Range 23 East, Lee County, Florida. Said tract or parcel being more particularly described as follows:

BEGINNING at the southeast corner of the southeast quarter (SE1/4) of said Section 12 run S87°14'14"W along the south line of said fraction for 1,184.21 feet; thence run N02°45'46"W for 10.00 feet; thence run S87°14'14"W for 80.00 feet; thence run N02°45'46"W for 33.00 feet; thence run S87°14'14"W for 80.00 feet to an intersection with the east line of Lot 32 OLD PELICAN BAY SUBDIVISION III as recorded in Plat Book 46, Page 39, Lee County Records; thence run N02°45'46"W along the east line of said Lot 32 for 29.12 feet to the north line of said Plat; thence run along said north line for the following courses: S88°46'45"W for 59.79 feet; S84°26'29"W for 200.24 feet; S87°41'27"W for 200.01 feet; S84°23'55"W for 100.12 feet; S80°33'33"W for 50.34 feet; thence run S56°27'08"W for 107.08 feet to an intersection with the south line of the southeast quarter (SE1/4) of said Section 12; thence run S22°27'10"W for 110.54 feet; thence run S18°53'08"W for 107.59 feet; thence run S32°57'12"W for 145.25 feet; thence run N87°14'14"E for 403.32 feet; thence run S01°12'06"E for 801.71 feet; thence run S20°20'25"W for 107.61 feet; thence run S06°24'26"W for 100.92 feet; thence run S00°44'09"E for 100.01 feet; thence run S09°25'10"E for 101.00 feet; thence run S02°32'58"W for 71.25 feet to an intersection with the westerly extension of the south line of Lot 28 OLD PELICAN BAY SUBDIVISION II as recorded in Plat Book 40, Page 85, Lee County Records; thence run N88°40'04"E along said south line for 230.39 feet to an intersection with the easterly right-of-way line of Old Pelican Bay Drive as shown on the record plat of OLD PELICAN BAY SUBDIVISION as recorded in Plat Book 39, Page 70, Lee County Records said intersection being a point on a non tangent curve; thence run northeasterly along said right-of-way line and the arc of said curve to the left of radius 130.00 feet (delta 32°54'14") (chord bearing N35°44'38"E) (chord 73.63 feet) for 74.66 feet to the northwest corner of Lot 15 of said OLD PELICAN BAY SUBDIVISION II; thence run N88°40'04"E along the north line of said Lot 15 for 7.97 feet; thence run S00°52'43"E for 108.67 feet; thence run N88°40'04"E for 141.22 feet to the southeast corner of said Lot 15; thence run N01°19'56"W along the east line of said Lot 15 for 49.92 feet; thence run N88°40'04"E for 69.42 feet to an intersection with the west line of SIESTA ISLES UNIT NO. 4 as recorded in Plat Book 29, Page 107, Lee County Records; thence run along said west line for the following courses: S01°19'56"E for 287.70 feet; S24°48'11"W for 586.28 feet; S07°36'56"W for 723.81 feet to the southwest corner of said Plat; thence run N88°40'04"E along the south line of said Plat for 480.83

feet to the southeast corner of said Plat; thence run S15°20'22"W for 631.08 feet; thence run S47°06'59"W for 719 feet, more or less to the mean high water line of San Carlos Bay; thence run northwesterly along said mean high waterline for 1,505 feet more or less to an intersection with the centerline of the waters of a dredged canal; thence run N38°33'06"W for 30 feet, more or less to an intersection with a line bearing S51°26'54"W; thence run N51°26'54"E for 265.43 feet to an intersection with the west line of the East Half (E-1/2) of Section 13, Township 46 South, Range 23 East; thence run N01°06'53"W along said west line for 2,905.20 feet to the southwest corner of the southwest quarter (SW1/4) of the southeast quarter (SE1/4) said Section 12; thence run N00°56'33"W along the west line of said fraction for 1,338.92 feet to the northwest corner of said fraction; thence run N87°39'46"E along the north line of said fraction for 1,323.04 feet to the northeast corner of said fraction; thence run S00°49'42"E along the east line of said fraction for 1,029.00 feet; thence run N87°14'14"E along a line 300.00 feet north of and parallel with the south line of the southeast quarter of said Section 12 for 1,321.27 feet to an intersection with the east line of said fraction; thence run S00°42'45"E along said east line for 300.19 feet to the POINT OF BEGINNING.

Containing 137.79 acres, more or less.

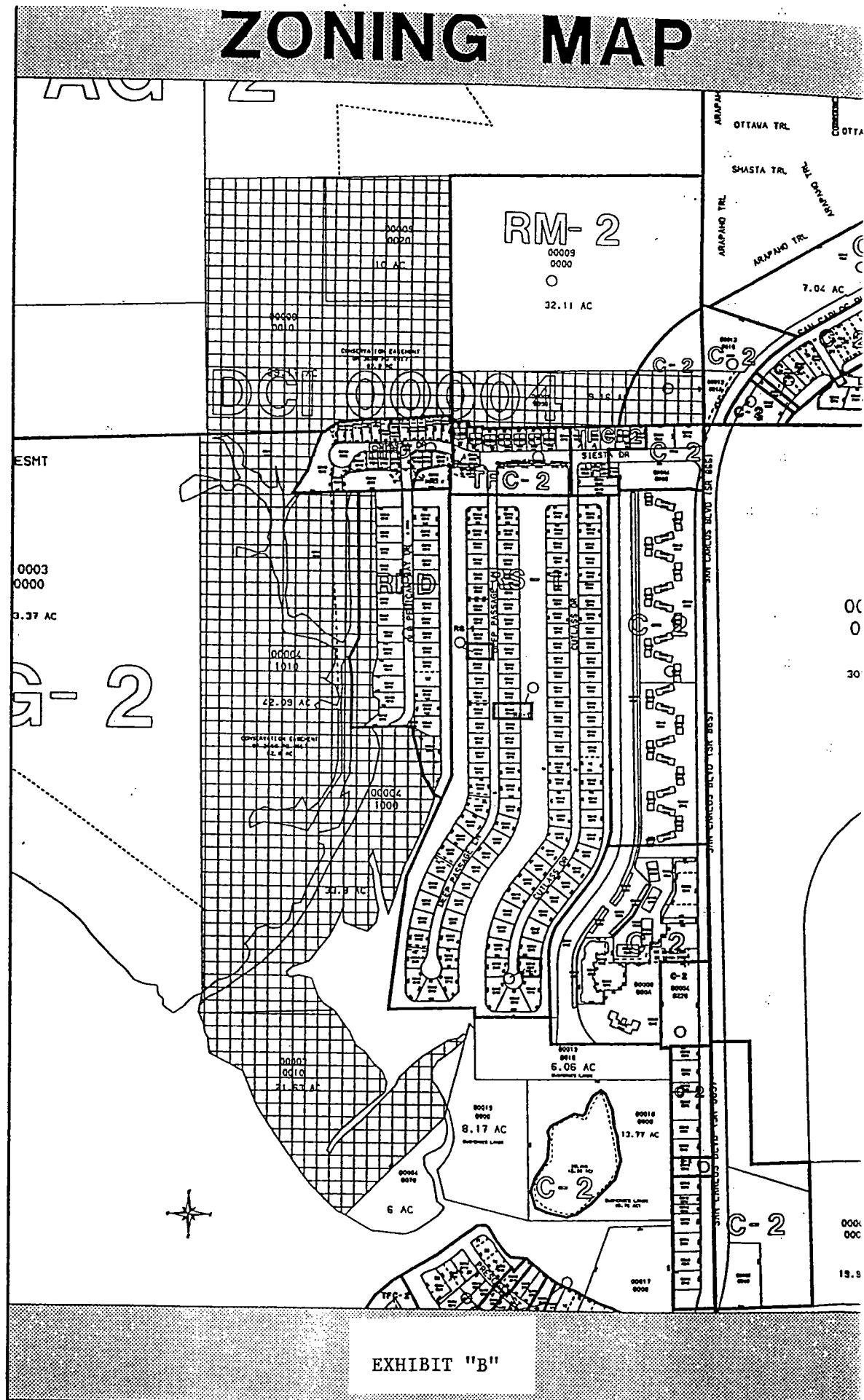
Bearings hereinabove mentioned are State Plane for the Florida West Zone (NAD 1983/90 adjustment) and are based on the south line of the southeast quarter (SE 1/4) of Section 12, Township 46 South, Range 23 East, Lee County Florida to bear N87°14'14"E per Certified Corner Record coordinates for the southeast corner of said Section 12 and the southwest corner of the southeast corner of (SE 1/4) of said Section 12.

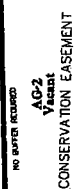
Scott A. Wheeler
 Scott A. Wheeler (For the Firm)
 Professional Surveyor and Mapper
 Florida Certificate No. 5949

Applicant's Legal Checked
 by *[Signature]* 06/11/03

DCI 2000-00004







GENERAL NOTES:

DENSITY CALCS, MASTER
CONCEPT PLAN, SCHEDULE OF USES &
DEVIATIONS/JUSTIFICATIONS

⑬ LOT NUMBER

⚠ DEVIATION PER ZONING RESOLUTION
Z-02-049 ; 002000-00004

THE LOCATION OF SIDE LOT LINES ON THE PLAN IS CONCEPTUAL. SIDE LOT LINES MAY BE MOVED SO LONG AS THE TOTAL NUMBER OF LOTS DOES NOT EXCEED 41 UNITS AND THE LOTS COMPLY WITH THE PROPERTY DEVELOPMENT REGULATIONS OR STANDARDS SET FORTH BY THIS DOCUMENT.

DCI 2000-00004

SIESTA V

ADMINISTRATIVE AMENDMENT

RESIDENTIAL PLANNED DEVELOPMENT / DOS2007-00008-A02

Request Statement

The Administrative deviation is seeking relief from the following section of the Land Development Code (LDC):

- **Section 10-328(b):** Requires "Closed drainage easements. The width of closed drainage easements must be based upon sound engineering principles, including, but not limited to, depth of cut, size of drainage pipe, proximity of structures, etc. Closed drainage easements must be a minimum of 15' in width for pipes that are 48" or less in diameter." This deviation is a request to allow a ten-foot-wide drainage easement for pipes that are 48 inches or less in size. The width of closed drainage easements must be based upon sound engineering principles, including, but not limited to, depth of cut, size of drainage pipe, proximity of structures, etc. "Closed drainage easements must be a minimum of 10' in width for pipes that are 48" or less in diameter."

Overview

The subject parcel is +/- 136.68 acres located on the west side of San Carlos Boulevard. The Development Order DOS2007-00008 approved the development of 47 single-family detached dwelling units, and a maximum of 30 boat slips to be located on certain lots and an 11-slip multi-slip docking facility. Buildings are not to exceed 35 feet in height above minimum floor elevation, within a maximum of two storied over parking. Construction of Phase I is nearing completion. During construction, the design was revised to relocate storm water storage from surface rear yard storage to an equipment volume of storage in rear chamber (similar to the main system storage) to be relocated on common side lot. Development Order DOS2007-00008-A02 is pending to approve this plan revision.

Administrative Review Criteria

The Community Development Director is authorized to grant administrative deviation from a select group of technical standards provided that the alternative proposal is found to be based upon sound engineering and practice and is not detrimental to the safety and welfare of the public.

The requested modification may be approved administratively per the guidelines of LDC Section 10-104. Compliant with Section 10-104 of the LDC, the proposed request alternative proposed to the standards contained herein is based on sound engineering practices, the alternative is no less consistent with the health, safety and welfare of abutting landowners and the general public than the standard from which the *deviation* is being requested. Furthermore, the proposed amendment will be consistent with all applicable provisions of the Lee Plan and land development regulations in effect as of the date of this application.

a) The proposed request alternative proposed to the standards contained herein is based on sound engineering practices.

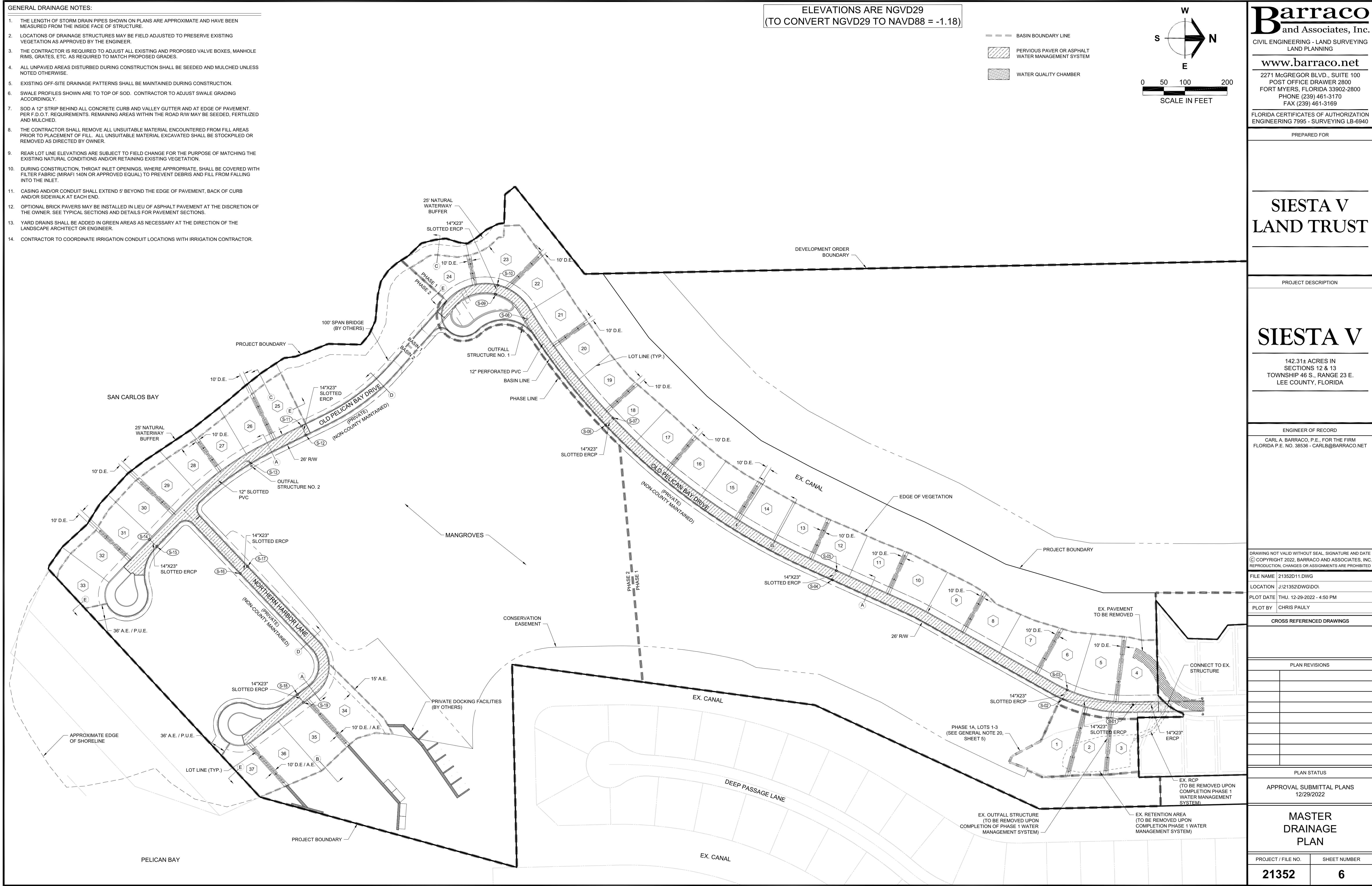
- Aspects of sound engineering practices include generally accepted standards for design professionals to utilize which provides the general public with a constructed product that is predictable and safe for use. The existing approved Development Order being that has been carefully evaluated, taking into account the relevant engineering considerations has approved a 7' proposed drainage easement (DE) for a 12" conveyance pipe on side lot line of the proposed residential subdivision. The pending plan features a non-essential 8" pipe within the rock chamber, intended to provide additional conveyance capacity beyond the essential requirements for adequate drainage. It is important to note that this pipe is not mandatory for conveyance purposes. Finally, the proposed rock chamber and associated 8" pipe are shallow and may adequately be maintained within the confines of a 10' drainage easement.

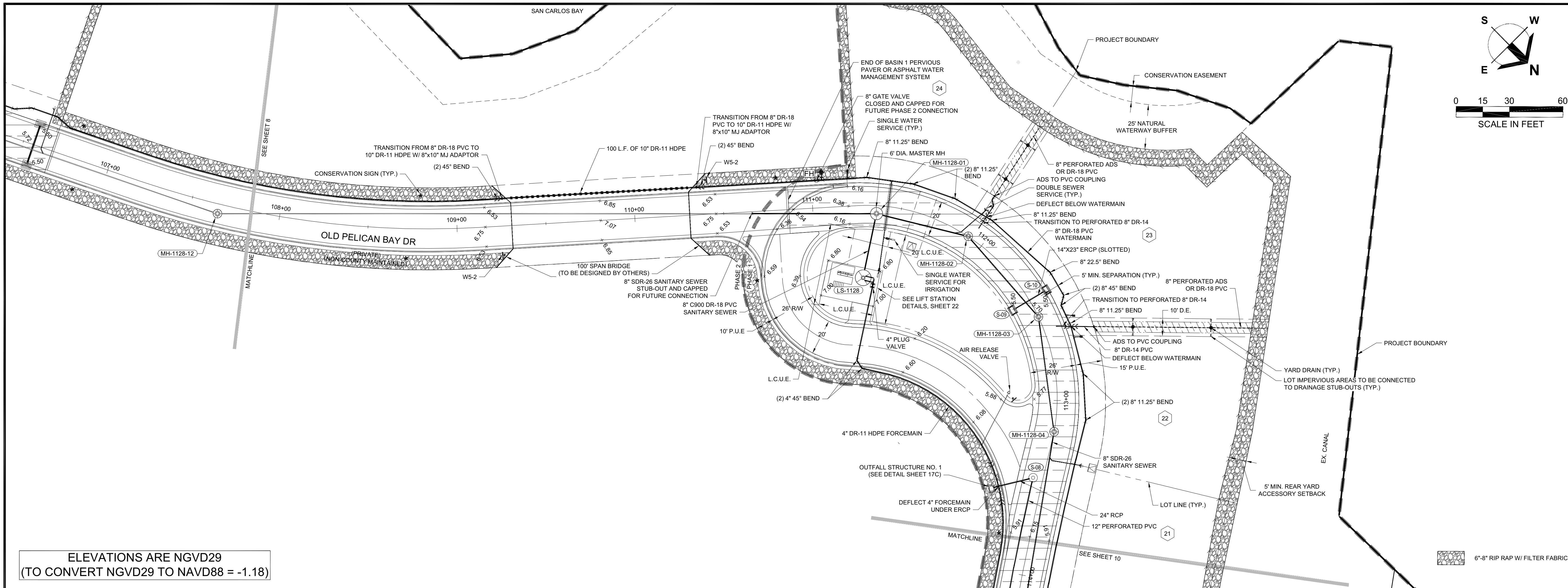
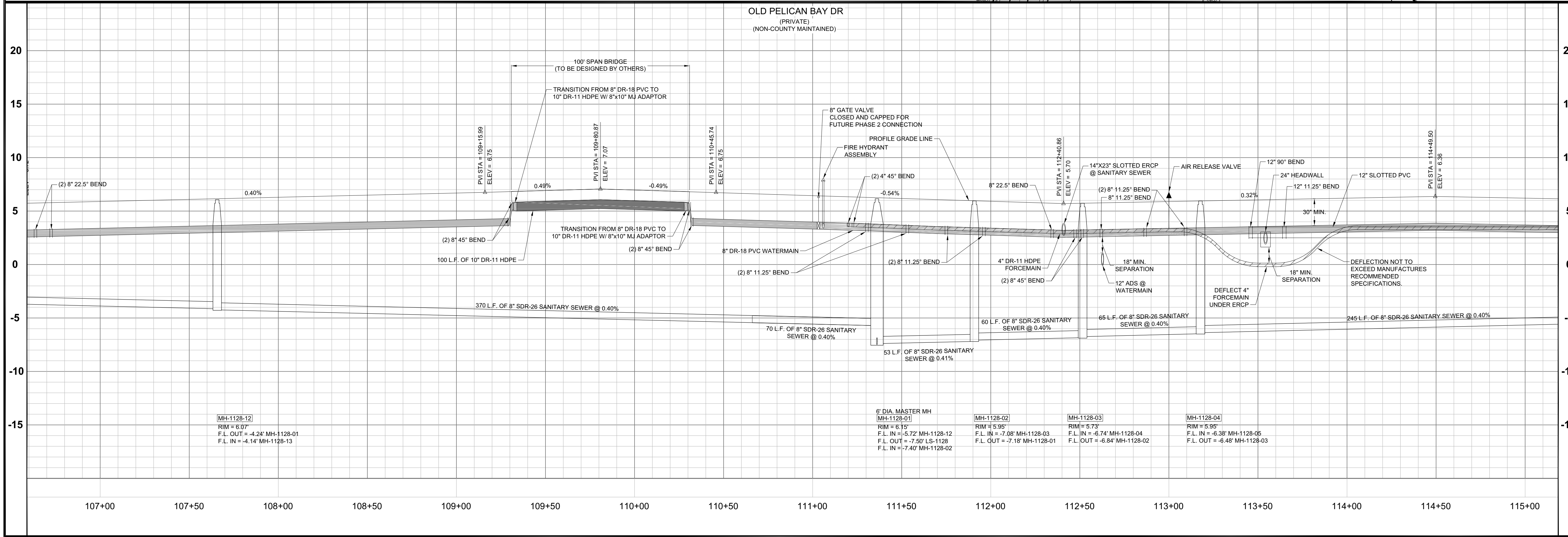
b) The alternative is no less consistent with the health, safety and welfare of abutting landowners and the general public than the standard from which the deviation is being requested;

- The approval of this request is no less consistent with the health, safety and welfare of abutting landowners and the general public because it does not create an adverse impact. Existing approved Development Order includes a 7' proposed drainage easement (DE) for a 12" conveyance pipe in the same location. The pending plan pipe in the easement is not required, but is a non-essential drainage consideration, chosen by the design engineer, within rock chamber drainage system.

c) The granting of the deviation is not inconsistent with any specific policy directive of the Board of County Commissioners, any other ordinance or any Lee Plan provision;

- The approval of the deviation aligns harmoniously with all policy directives of the Board of County Commissioners, other relevant ordinances, and the provisions outlined in the Lee Plan and approval of the requested deviation will not change density or intensity and will not affect the land use or create environmental impacts, remaining consistent with the Lee Plan. The proposed request will not reduce open space, buffering, landscaping, and preservation areas or result in an underutilization of resources.





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ENGINEERING 7995 - SURVEYING LB-6940

PREPARED FOR

**SIESTA V
LAND TRUST**

PROJECT DESCRIPTION

SIESTA V
142.31± ACRES IN
SECTIONS 12 & 13
TOWNSHIP 46 S., RANGE 23 E.
LEE COUNTY, FLORIDA

ENGINEER OF RECORD
CARL A. BARRACO, P.E., FOR THE FIRM
FLORIDA P.E. NO. 38536 - CARLB@BARRACO.NET

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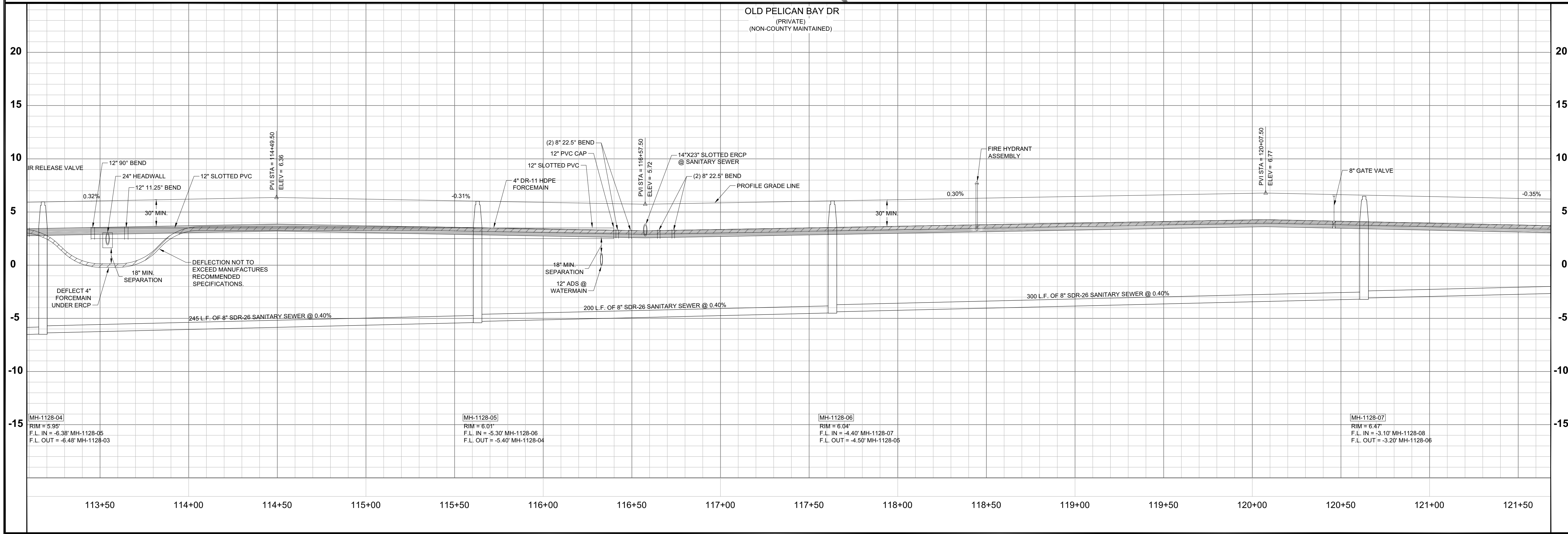
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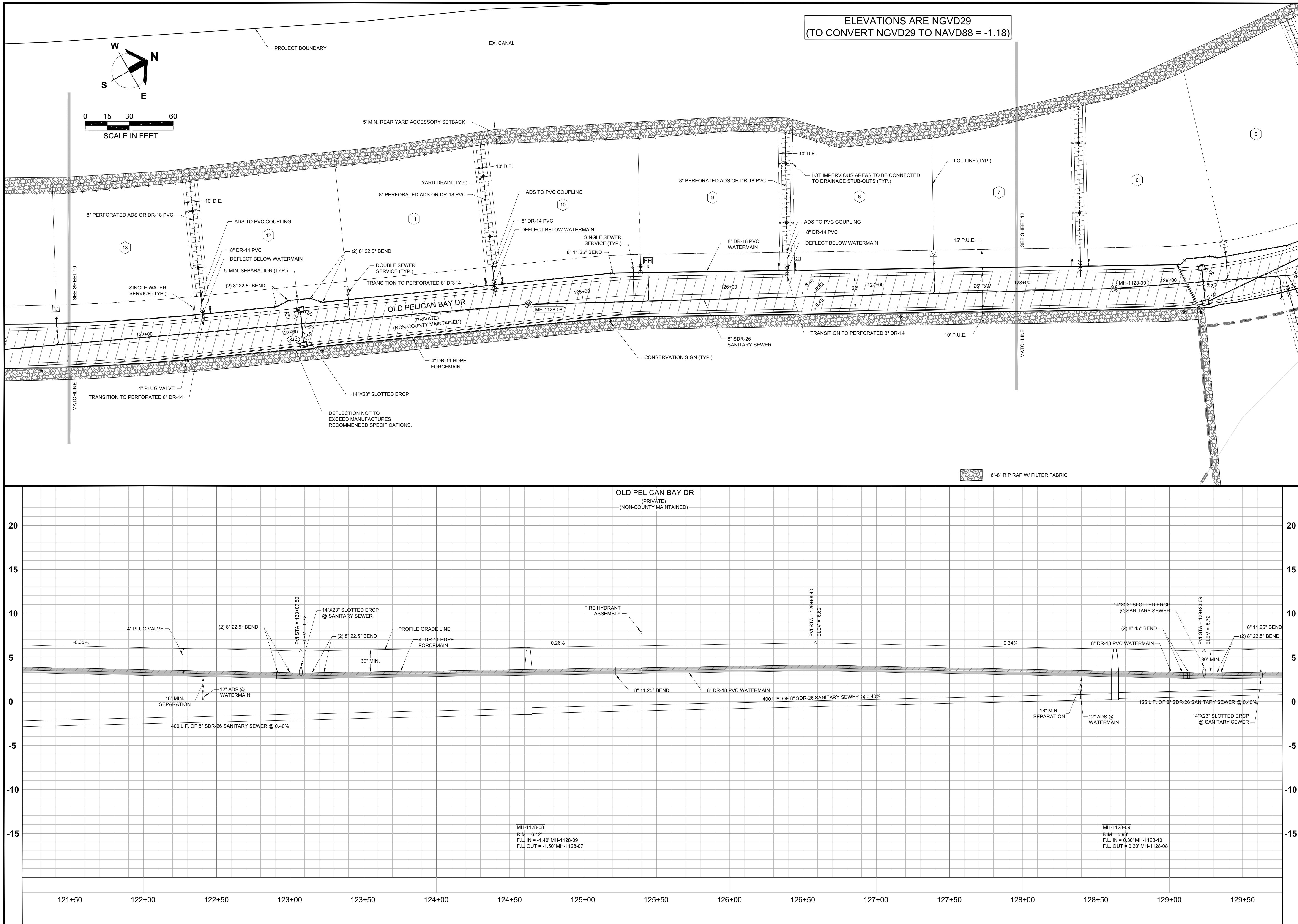
PLAN REVISIONS
05/02/2019 LOT REVISIONS
05/03/2019 ROAD, DRAINAGE, & UTILITY REV.
09/23/2019 MEAN HIGH WATER LINE UPDATE
01/31/2020 LEE COUNTY COMMENTS
02/02/2022 DRAINAGE REVISIONS

PLAN STATUS
APPROVAL SUBMITTAL PLANS
12/29/2022

**PLAN AND PROFILE
OLD PELICAN BAY DR
STA: 107+83 TO 113+80**

PROJECT / FILE NO. **21352**
SHEET NUMBER **9**





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PREPARED FOR

SIESTA V LAND TRUST

PROJECT DESCRIPTION

SIESTA V

142.31± ACRES IN SECTIONS 12 & 13 TOWNSHIP 46 S., RANGE 23 E. LEE COUNTY, FLORIDA

ENGINEER OF RECORD

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PLOT BY CHRIS PAULY

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PLAN REVISIONS

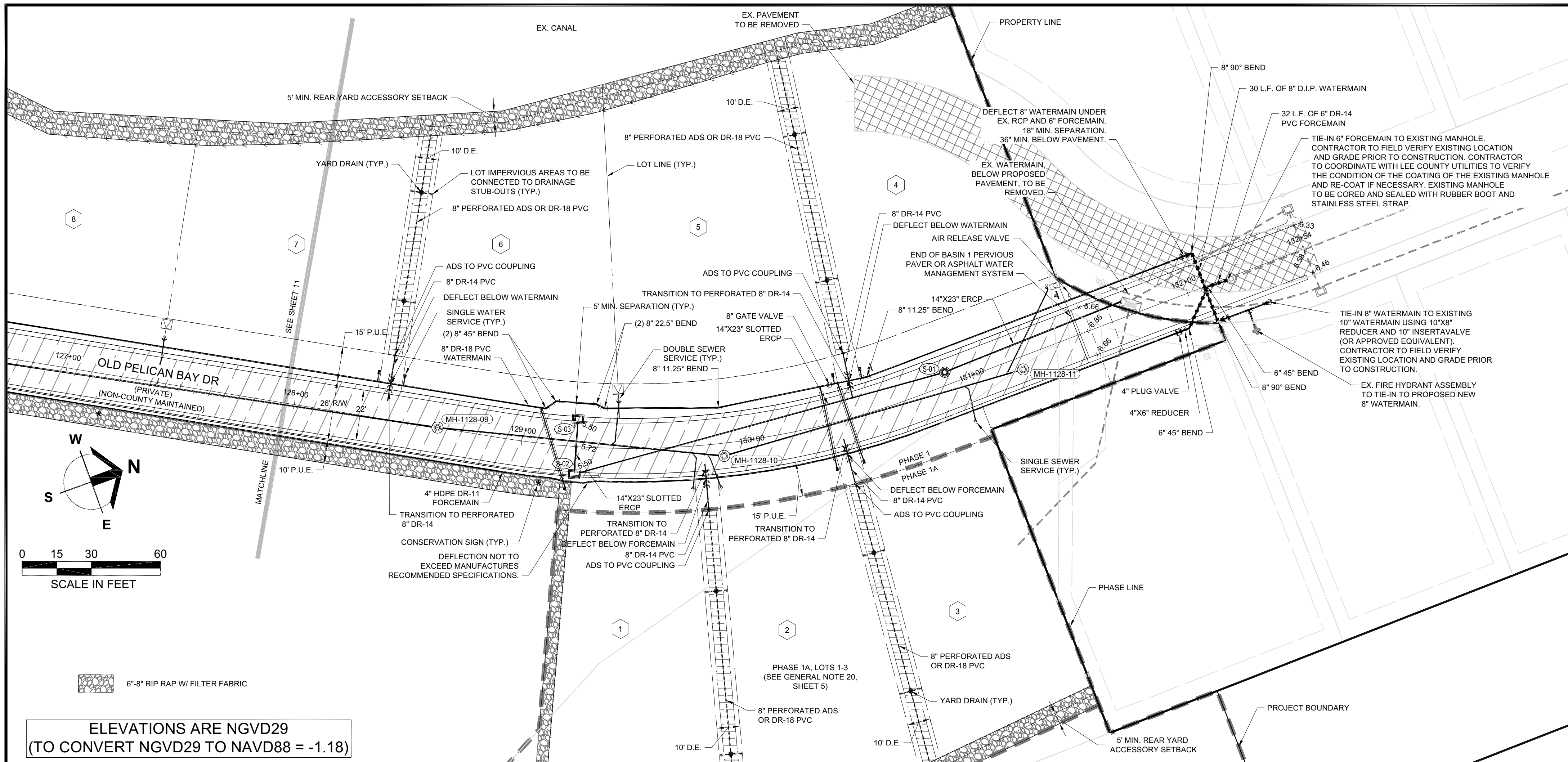
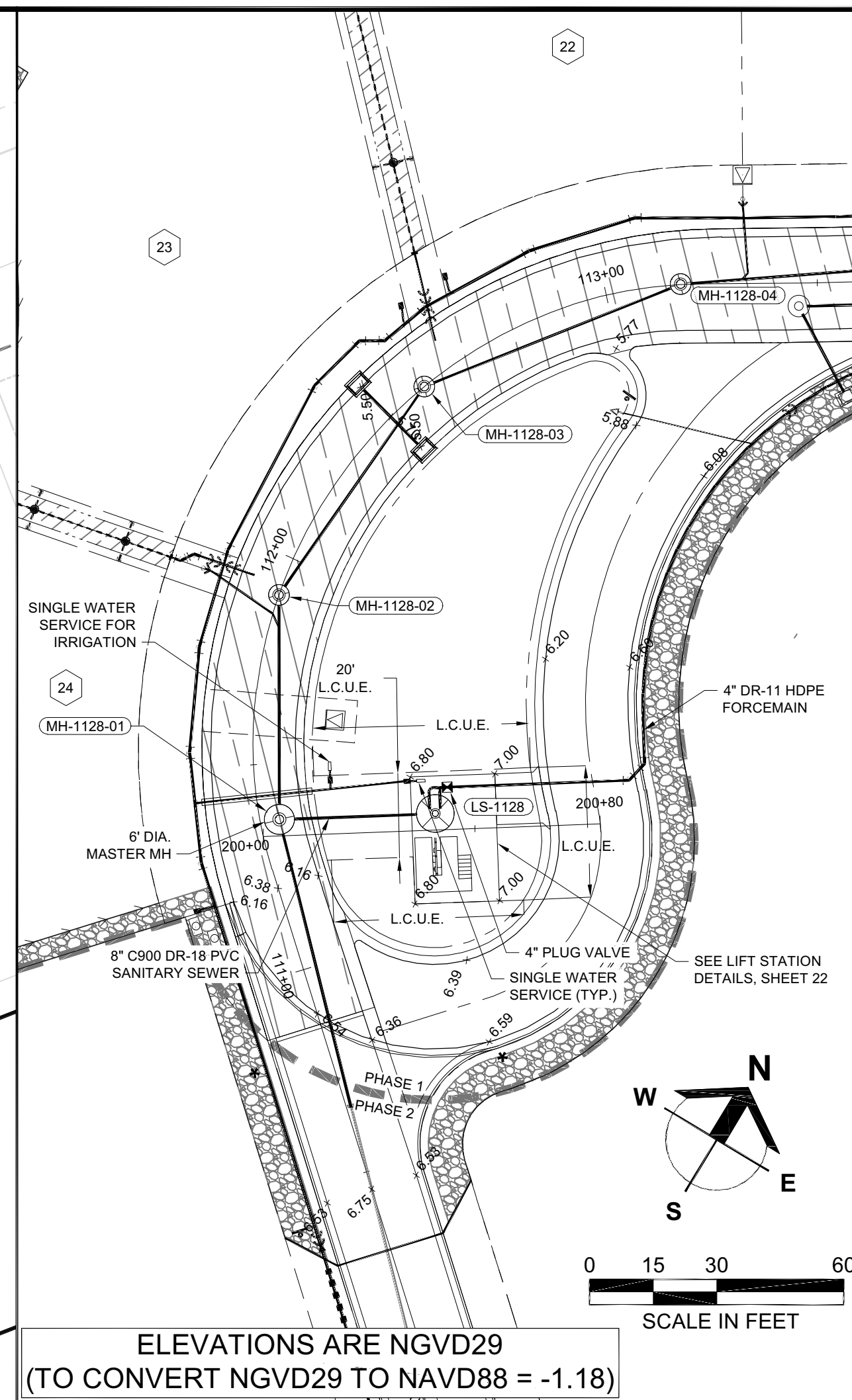
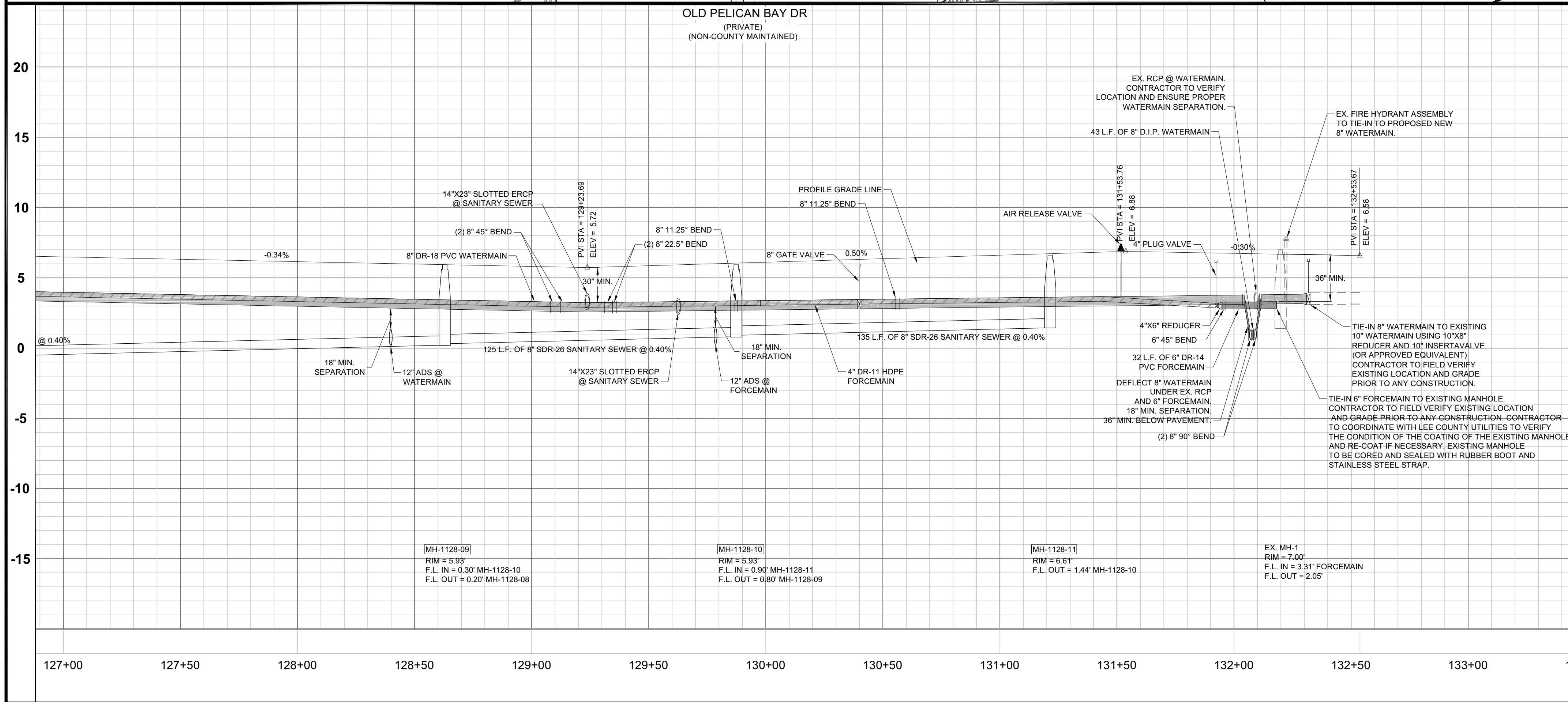
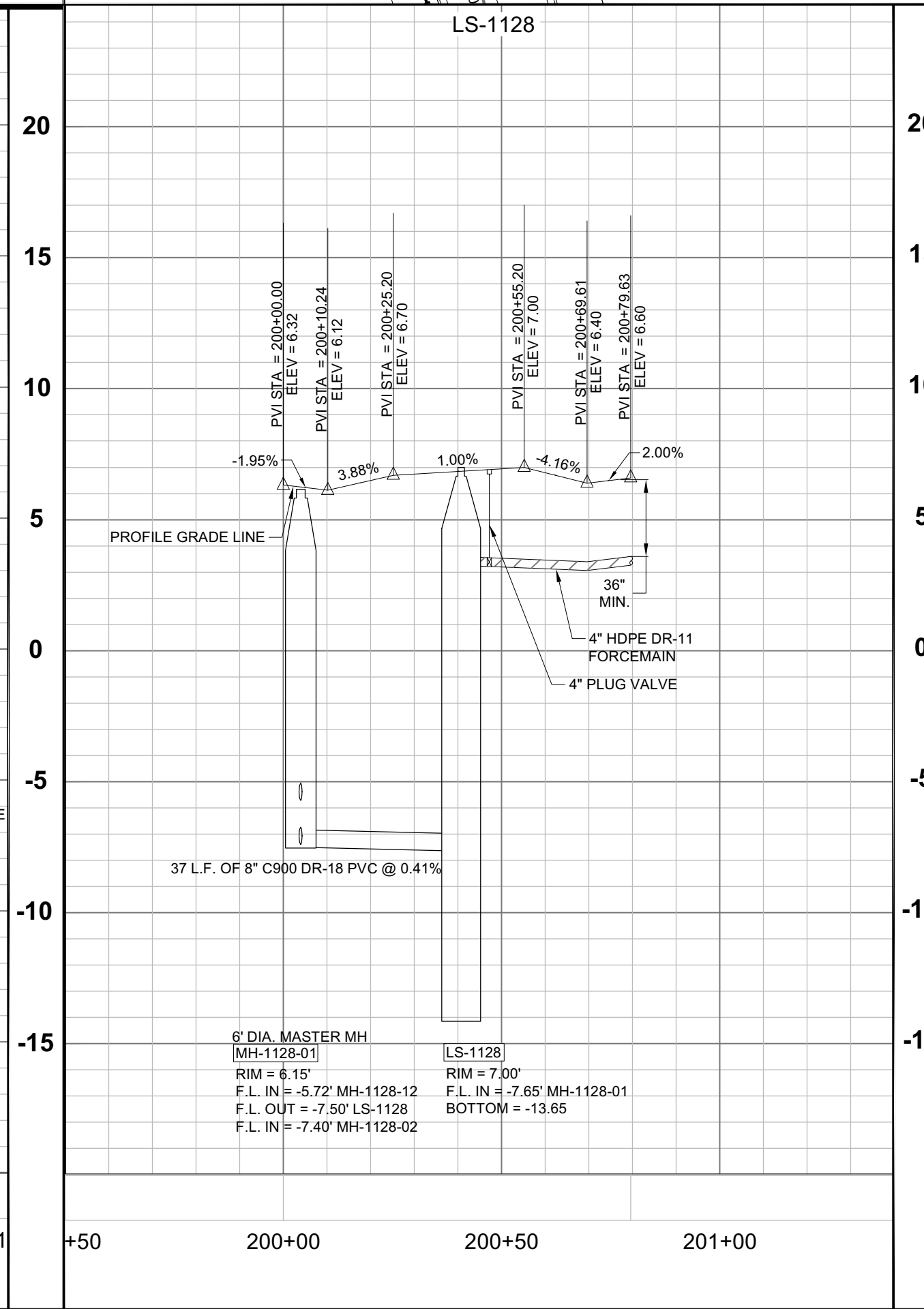
PLAN STATUS

APPROVAL SUBMITTAL PLANS
12/29/2022

**PLAN AND PROFILE
OLD PELICAN BAY DR
STA: 121+45 TO 127+90**

PROJECT / FILE NO. 21352

SHEET NUMBER 11



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PREPARED FOR

**SIESTA V
LAND TRUST**

PROJECT DESCRIPTION

SIESTA V
142.31± ACRES IN
SECTIONS 12 & 13
TOWNSHIP 46 S., RANGE 23 E.
LEE COUNTY, FLORIDA

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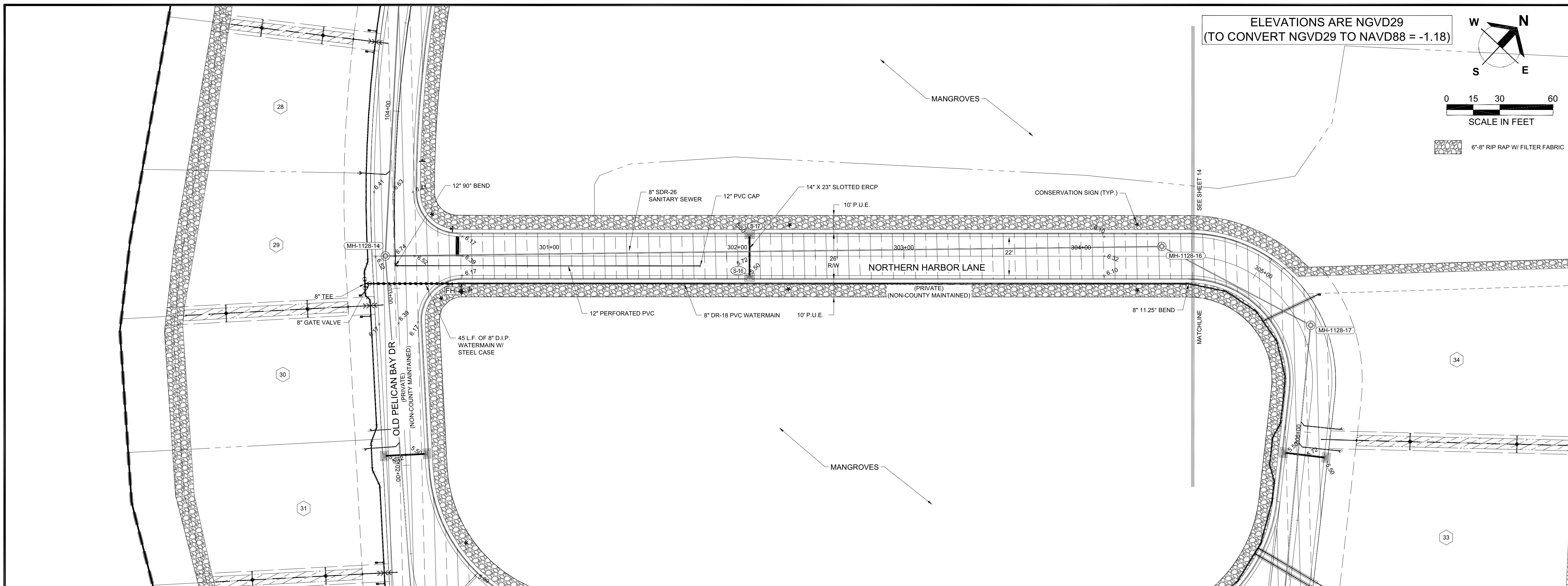
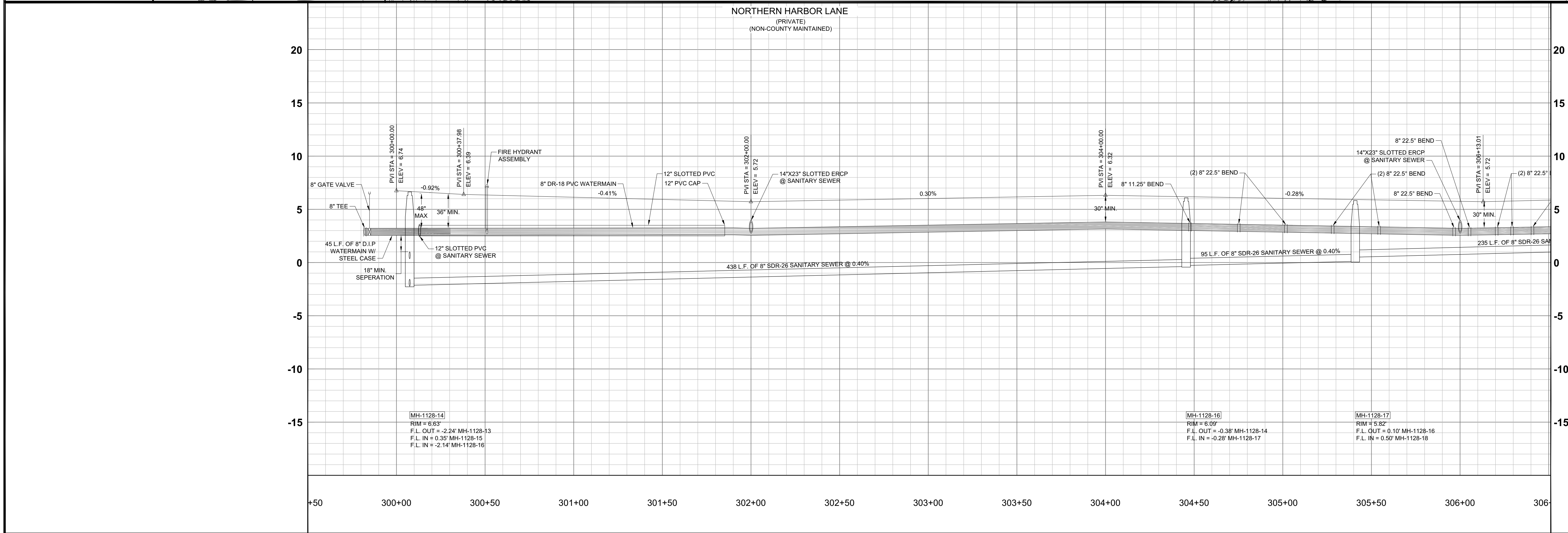
PLAN REVISIONS

PLAN STATUS

APPROVAL SUBMITTAL PLANS
12/29/2022

**PLAN AND PROFILE
OLD PELICAN BAY DR
STA: 127+90 TO 132+54
& LIFT STATION 1128**

PROJECT / FILE NO. **21352**
SHEET NUMBER **12**



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PREPARED FOR

**SIESTA V
LAND TRUST**

PROJECT DESCRIPTION

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142.31± ACRES IN
SECTIONS 12 & 13
TOWNSHIP 46 S., RANGE 23 E.
LEE COUNTY, FLORIDA

ENGINEER OF RECORD
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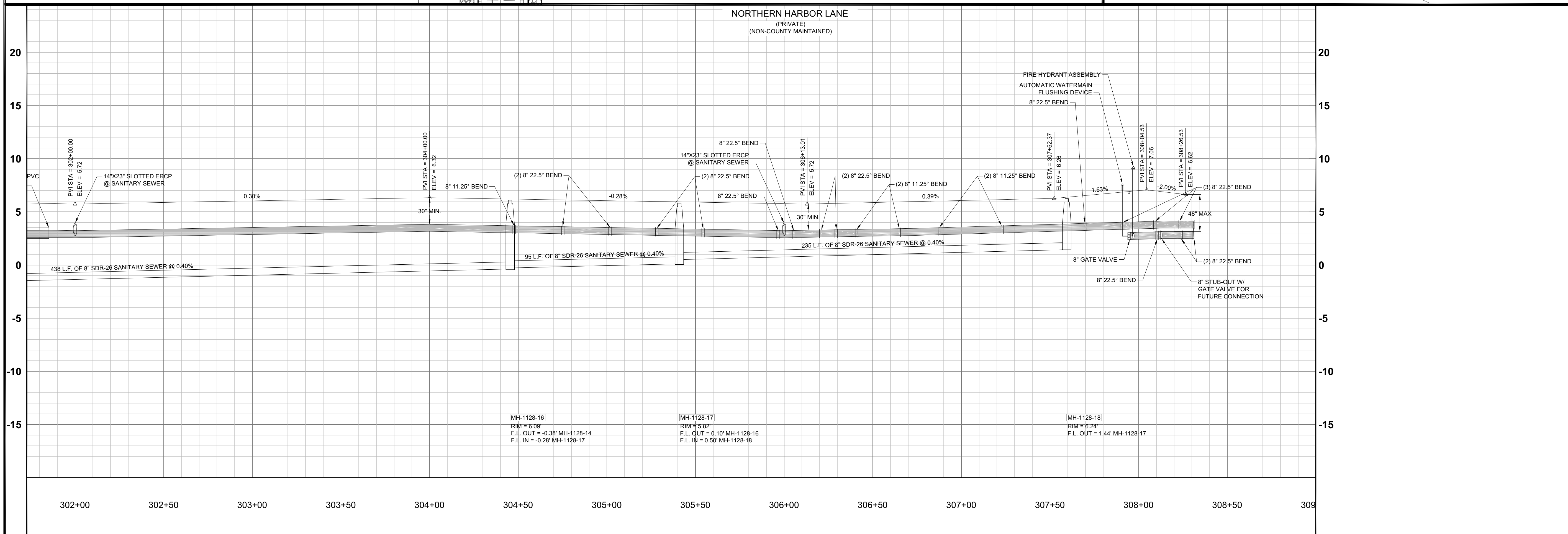
PLAN REVISIONS

PLAN STATUS

APPROVAL SUBMITTAL PLANS
12/29/2022

**PLAN AND PROFILE
NORTHERN HARBOR LN
STA: 300+00 TO 304+50**

PROJECT / FILE NO. **21352**
SHEET NUMBER **13**



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FLORIDA CERTIFICATES OF AUTHORIZATION ENGINEERING 7995 - SURVEYING LB-6940	
PREPARED FOR	
SIESTA V LAND TRUST	
PROJECT DESCRIPTION	
SIESTA V 142.31± ACRES IN SECTIONS 12 & 13 TOWNSHIP 46 S., RANGE 23 E. LEE COUNTY, FLORIDA	
ENGINEER OF RECORD	
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PLAN STATUS	
APPROVAL SUBMITTAL PLANS 12/29/2022	
PLAN AND PROFILE NORTHERN HARBOR LN STA: 304+50 TO 308+16	
PROJECT / FILE NO.	SHEET NUMBER
21352	14

