

ADMINISTRATIVE AMENDMENT (PD) ADD2002-00130

ADMINISTRATIVE AMENDMENT
LEE COUNTY, FLORIDA

WHEREAS, Seafarer's 2000, Inc. filed an application for administrative approval to amend a Commercial Planned Development known as Seafarer's Plaza for reconfiguration of parking and provision of gated parking on property located at Estero Blvd., 5th Ave., and Crescent St., described more particularly as:

LEGAL DESCRIPTION: In Section 24, Township 46 South, Range 23 East, Lee County, Florida:

See Exhibit "A"

WHEREAS, the property was originally rezoned in case number DCI2000-00047 (with subsequent amendments in case numbers LDO2000-00336); 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 an amendment to Commercial Planned Development is **APPROVED**.

Approval is subject to the following conditions:

- 1. Phase I of the Development must be in compliance with the amended Master Concept Plan, dated 12-18-02, stamped "RECEIVED JAN 13, 2003 COMMUNITY DEVELOPMENT". The Master Concept Plan for ADD2002-00130 is hereby APPROVED and adopted for Phase I of the CPD. A reduced copy is attached hereto.**
- 2. Each local development order, building permit, remodeling, or other development approval application, must include the following information**

- a. a current tally of the square feet for each use approved in the CPD.
 - b. a list of each business occupying the CPD and the square feet for each use associated with each business; and
 - c. a current tally of the total parking spaces approved within the CPD and the number of spaces associated with each business.
3. The terms and conditions of the Seafarer's Plaza Development Agreement remain in full force and effect.
 4. The terms and conditions of the original zoning resolutions remain in full force and effect.

DULY SIGNED this 3rd day of March, A.D., 2003.

BY: Pam Houck
Pam Houck, Director
Division of Zoning
Department of Community Development

ADD2002-00130

EXHIBIT "A"
PROPERTY DESCRIPTION

IN SECTION 24, TOWNSHIP 46 SOUTH, RANGE 23 EAST, LEE COUNTY, FLORIDA:

PART OF BLOCK 6, BUSINESS CENTER SUBDIVISION AS RECORDED IN PLAT BOOK 9, PAGE 9, PUBLIC RECORDS OF LEE COUNTY, FLORIDA AND PART OF SECTION 24, TOWNSHIP 46 SOUTH, RANGE 23 EAST, LEE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE NORTHEASTERLY RIGHT-OF-WAY LINE OF ESTERO BOULEVARD AND THE SOUTHWEST CORNER OF BLOCK "E", CRESCENT PARK ADDITION AS RECORDED IN PLAT BOOK 4, PAGE 46, PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE N.70°37'09"W. ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE FOR 195.75 FEET TO THE **POINT OF BEGINNING**; THENCE CONTINUE N.70°37'09"W. ALONG SAID RIGHT-OF-WAY LINE FOR 93.70 FEET; THENCE CONTINUE N.70°37'09"W. ALONG SAID RIGHT -OF-WAY LINE FOR 68.00 FEET; THENCE N.60°22'23"W. ALONG SAID RIGHT-OF-WAY LINE FOR 83.36 FEET TO A POINT ON THE NORTHEASTERLY RIGHT-OF-WAY LINE OF CENTER STREET (30 FEET FROM CENTERLINE); THENCE RUN N.42°34'29"W. ALONG SAID RIGHT-OF-WAY LINE FOR 28.56 FEET; THENCE N.22°22'44"W. ALONG SAID RIGHT-OF-WAY LINE FOR 120.00 FEET; THENCE N.67°37'16"E. FOR 105.13 FEET; THENCE N.22°23'59"W. FOR 40.02 FEET TO THE NORTHWESTERLY CORNER OF LOT 6, BLOCK 6, OF SAID BUSINESS CENTER SUBDIVISION, BEING THE SOUTHERLY RIGHT-OF-WAY LINE OF FIFTH AVENUE; THENCE N.67°36'01"E. ALONG SAID RIGHT-OF-WAY LINE FOR 120.30 TO REFERENCE POINT "A"; THENCE CONTINUE N.67°36'01"E. ALONG SAID RIGHT-OF-WAY LINE FOR 84.86 FEET; THENCE N.25°59'51"E. ALONG THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF SAID FIFTH AVENUE FOR 16.45 FEET TO A POINT ON A CURVE; THENCE RUN NORTHEASTERLY ALONG SAID RIGHT-OF-WAY LINE FOR 75.05 FEET ALONG THE ARC OF A CURVE CONCAVE

NORTHWESTERLY, WITH A RADIUS OF 209.00 FEET, A DELTA OF 20°34'26", A CHORD BEARING OF N.35°32'37"E. AND A CHORD DISTANCE OF 74.65 FEET TO A POINT OF REVERSE CURVATURE; THENCE CONTINUE NORTHEASTERLY ALONG SAID RIGHT-OF-WAY LINE FOR 108.07 FEET ALONG THE ARC OF A CURVE CONCAVE SOUTHEASTERLY, WITH A RADIUS OF 151.00 FEET, A DELTA OF 41°00'25", A CHORD BEARING OF N.45°45'34"E. AND A CHORD DISTANCE OF 105.78 FEET; THENCE S.64°00'09"E. ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID FIFTH AVENUE FOR 45.46 FEET (SAID LINE NOT RADIAL TO THE PREVIOUSLY DESCRIBED LINE) TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF CRESCENT STREET ; THENCE S.00°43'09"E. ALONG THE WESTERLY RIGHT-OF-WAY LINE OF SAID CRESCENT STREET FOR 48.75 FEET; THENCE S.00°05'57"W. ALONG SAID WESTERLY RIGHT-OF-WAY LINE FOR 350.09 FEET; THENCE RUN S.00°43'09"E. ALONG SAID RIGHT-OF-WAY LINE FOR 123.84 FEET; THENCE S.54°21'33"W. FOR 48.18 FEET TO A POINT ON SAID NORTHEASTERLY RIGHT-OF-WAY LINE OF ESTERO BOULEVARD; THENCE N.70°37'09"W. FOR 117.93 FEET TO THE **POINT OF BEGINNING.**

TOGETHER WITH:

PART OF LOTS 7, 8 AND 9, BLOCK 5, BUSINESS CENTER SUBDIVISION AS RECORDED IN PLAT BOOK 9, PAGE 9, PUBLIC RECORDS OF LEE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE ABOVE MENTIONED REFERENCE POINT "A"; THENCE RUN N.22°23'59"W. FOR 50.00 FEET TO A POINT ON THE NORTHWESTERLY RIGHT-OF-WAY LINE OF FIFTH AVENUE (50 FEET WIDE) AND THE **POINT OF BEGINNING**; THENCE S.67°36'01"W. ALONG SAID RIGHT-OF-WAY LINE FOR 101.00 FEET; THENCE N.61°57'33"W. FOR 29.83 FEET; THENCE N.22°23'43"W. FOR 32.43 FEET TO A POINT ON THE NORTHWESTERLY RIGHT-OF-WAY LINE OF SAN CARLOS BOULEVARD (85 FEET WIDE); THENCE N.26°00'19"E. ALONG SAID RIGHT-OF-WAY LINE FOR 37.02 FEET; THENCE N.67°36'01"E. FOR 92.31 FEET;

THENCE S.22°23'59"E. FOR 80.00 FEET TO THE POINT
OF BEGINNING.

SAID TRACT CONTAINS 3.634 ACRES (158306 SQUARE FEET).
SUBJECT TO EASEMENTS, RESTRICTIONS AND RESERVATIONS OF RECORD.

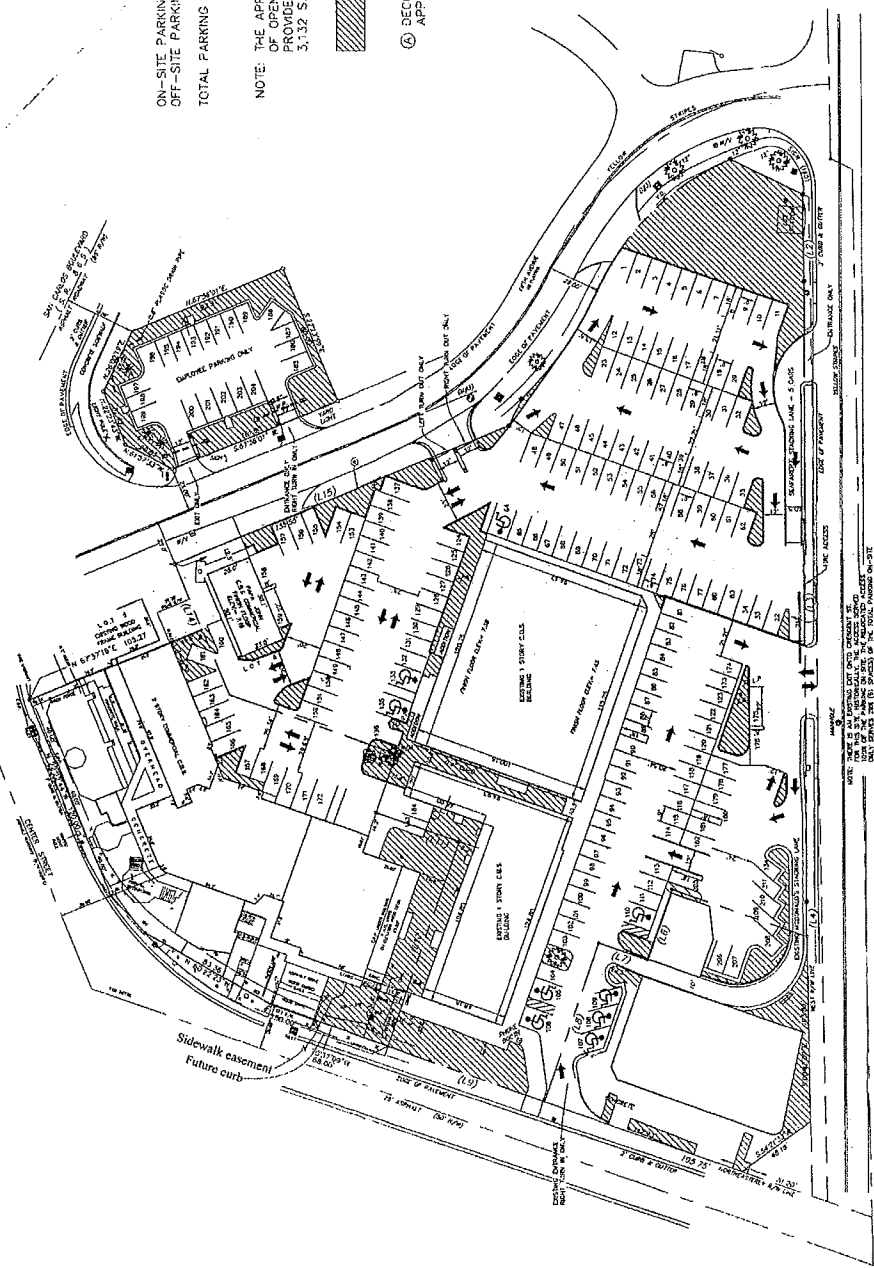
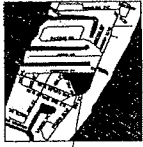
BEARINGS ARE BASED ON THE NORTHEASTERLY RIGHT-OF-WAY LINE OF
ESTERO BOULEVARD AS BEING N.70°37'09"W.

Notarized Legal Checked
By AMM 13 FEB 03

ADD 2002-00130

ADMINISTRATIVE AMENDMENT TO SEAFARER'S PLAZA COMMERCIAL PLANNED DEVELOPMENT (CPD)

SECTION 24, TOWNSHIP 46 SOUTH, RANGE 23 EAST
FORT MYERS BEACH, LEE COUNTY, FLORIDA



ON-SITE PARKING AVAILABLE: 211 SPACES
OFF-SITE PARKING AVAILABLE: 20 SPACES (LEASED & LA P.A.T.A.)
TOTAL PARKING AVAILABLE: 231 SPACES

NOTE: THE APPROVED MASTER CONCEPT PLAN INDICATED 19,483.9 SF OF OPEN SPACE. THE APPROVED CONCEPT PLAN INDICATED 20,000 SF OF OPEN SPACE. THIS PLAN INDICATES AN INCREASE OF 5,132 SF (APPROX. 16%).

OPEN SPACE IS SHOWN AS HATCHED AREA

DECORATIVE WALL AS PER APPROVED C.P.D.

APPROVED
Approved Plan No. 2002-00130
Subject to the conditions of the CPD
DATE: 11/20/02

RECEIVED
JAN 13 2003
TOWN OF FORT MYERS BEACH

ADD 2002-00130

CPD ADMINISTRATIVE AMENDMENT #ADD000-00130
BARBOT, STEUART & ASSOCIATES, INC.
CONSULTING ENGINEERS
2000 W. PALM BEACH BLVD., SUITE 200
FORT MYERS BEACH, FLORIDA 33908
TEL: (888) 586-5823
FAX: (888) 586-5823

NO.	DESCRIPTION	DATE	BY
1	ISSUED FOR PERMITTING PURPOSES	11/20/02	J.S.
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