

COUNTY OF HENDRY, STATE OF FLORIDA**ORDINANCE NO. 2005 - 30****RECORDED IN ORDINANCE BOOK VII , PAGE 164**

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF HENDRY COUNTY, FLORIDA, AMENDING SECTION 3 C) OF HENDRY COUNTY ORDINANCE NO. 2004-19, AN ORDINANCE GRANTING A BOUNDARY CHANGE FROM A GENERAL AGRICULTURE (A-2) ZONING DISTRICT TO A PLANNED UNIT DEVELOPMENT (PUD), TO CORRECT A SCRIVENER'S ERROR THEREIN AND PROVIDING FOR AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF HENDRY COUNTY, FLORIDA, that:

Hendry County Ordinance No. 2004-19 is hereby amended to read as follows:

1. The district boundaries of the Zoning Map of Hendry County are amended to reflect that the following described premises be and are hereby rezoned to the PLANNED UNIT DEVELOPMENT (PUD) Zoning District for the premises described as:
SEE EXHIBIT "A" (Parcels 1 and 2 containing 260.31 acres more or less.)
2. This Planned Unit Development Ordinance hereby incorporates by reference the application and site plans as contained in the Master Concept Plan dated October 4, 2004 (sheet No. 1 of 2) filed in support of this ordinance, and the uses, development, and facilities within the boundaries of this district shall be as set forth in the application, and all uses, development and facilities inconsistent therewith are prohibited.
3. This Zone Change Ordinance is subject to the following conditions:
 - a) Transportation improvements required by the County Engineer to mitigate any project related adverse impacts and maintain the Comprehensive Plan Level of Service on Ft. Denaud Road must be made prior to the approval of the preliminary plat. The schedule of improvements will be discussed at the mandatory preliminary plat conference and will be submitted with the preliminary plat application.
 - b) Each lot must consist of a minimum net acreage (excluding water bodies) of one-half acre.

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- c) The applicant shall construct central water and sewer distribution systems, ~~if any~~, in a manner acceptable to Hendry County. If, at the time of plat approval, central water and sewer treatment facilities are available to serve this site, then implementation of the sewer collection system will be in accordance with a negotiated agreement acceptable to both Hendry County and the developer. If central water and sewer treatment facilities are not available at the time of plat approval, then it is anticipated that the Caloosahatchee River will be the primary source of potable water, and that individual residents would utilize subsurface sewage disposal systems consistent with State regulations.
- d) Except as shown in the Master Concept Plan dated October 4, 2004 (sheets No. 1 and 2), buffering shall be met through the requirements of Chapter 1-58, Article III, Hendry County Land Development Code.
- e) The subdivision is limited to a maximum of 243 residential platted lots.
- f) The requirements for lot dimensions and buffering as contained in the Master Concept Plan dated October 4, 2004 (sheet No. 1 of 2) shall be allowable for this PUD. The Master Concept Plan shall be revised to show minimum lot areas of 21,780 square feet.
- g) The Fort Denaud Military Road site shall be protected by:
- (1) Creation of a green space for a segment of the Fort Denaud Military Road in the proposed community as shown on the Master Plan submitted by the Applicant shown as sheet 1 of 2 and attached here to as Exhibit B; and
 - (2) Creation of educational signage to mark the trail for residents.
- h) The burial mound archaeological shall be set aside with green space area, and will include a 25 to 50 foot buffer for protection. The Consultant archaeologist will set stakes around the mound so that the project surveyors can accurately place it relative

to the projects lots.

i) Preservation of the mound will include the following:

- (1) Placement of temporary construction fencing around the mound prior to any grubbing within 200 feet of the mound.
- (2) No clearing or operating of heavy equipment on the mound or any storage of construction materials or fill on the mound.
- (3) Consideration to filling the collector's holes and restoring the mound's original appearance.
- (4) Creating education signage on the mound.
- (5) Coordination of these tasks with the consultant archaeologist.

4. This Ordinance shall take effect immediately upon receipt of the Clerk of its filing notice from the Secretary of State.

DONE AND ADOPTED in open session this 17th day of November, 2005
25th day of October, 2005.

BOARD OF COUNTY COMMISSIONERS
OF HENDRY COUNTY, FLORIDA

ATTEST:

Anita Bischel

~~Barbara Butler, Clerk~~ Anita Bischel, Deputy Clerk

W.C. Bo Pelham, Jr.
W.C. "Bo" Pelham, Jr., Chairperson

Words in ~~stick through~~ type are deletions from existing text. Words in underline type are additions.

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RECORDED IN ORDINANCE BOOK VI PAGE 402

EXHIBIT A

DESCRIPTION: TRACT 1

THE SOUTH 350 FEET OF THE WEST 2950 FEET OF SECTION 15, TOWNSHIP 43 SOUTH, RANGE 28 EAST, LESS THE WESTERLY 50 FEET FOR ROAD RIGHT OF WAY FOR STATE ROAD #78.

CONTAINING 23.30 ACRES, MORE OR LESS.

TOGETHER WITH:

A TRACT OR PARCEL OF LAND LYING IN THE EAST HALF (EAST 1/2) OF SECTION 22, TOWNSHIP 43 SOUTH, RANGE 28 EAST, HENDRY COUNTY, FLORIDA, WHICH TRACT OR PARCEL IS DESCRIBED AS FOLLOWS:

FROM THE NORTHEAST CORNER OF SAID SECTION 22 AS THE POINT OF BEGINNING, RUN SOUTH 01° 02' 55" EAST ALONG THE EAST LINE OF THE NE 1/4 SAID SECTION 22 FOR 2,638.04 FEET TO A CONCRETE POST MARKING THE SE CORNER OF SAID NE 1/4; THENCE RUN SOUTH 89° 06' 21" WEST ALONG THE SOUTH LINE OF NE 1/4 OF SAID SECTION 22, FOR 699.06 FEET; THENCE RUN NORTH 01° 12' 08" WEST PARALLEL WITH THE WEST LINE OF SAID EAST 1/2 OF SECTION 22 FOR 53.00 FEET; THENCE RUN SOUTH 89° 06' 21" WEST, 53.00 FEET NORTH OF AND PARALLEL WITH SOUTH LINE OF NE 1/4 OF SAID SECTION 22, FOR 1,930.06 FEET TO AN INTERSECTION WITH THE WEST LINE OF SAID NE 1/4; THENCE RUN NORTH 01° 12' 08" WEST ALONG SAID WEST LINE FOR 2,579.74 FEET TO A CONCRETE POST MARKING THE NORTHWEST CORNER OF SAID FRACTION; THENCE RUN N 88° 59' 09" EAST ALONG THE NORTH LINE OF SAID FRACTION FOR 2,636.03 FEET TO THE POINT OF BEGINNING.

CONTAINING 156.90 ACRES, MORE OR LESS.

TOTAL (TRACT 1) CONTAINS 180.20 ACRES MORE OR LESS.

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DESCRIPTION: TRACT 3

THE SOUTH 1,647.14 FEET OF THE EAST 1,004.95 FEET OF THE SOUTH 1/2, OF SECTION 15, TOWNSHIP 43 SOUTH, RANGE 28 EAST, HENDRY COUNTY, FLORIDA.

TOGETHER WITH,

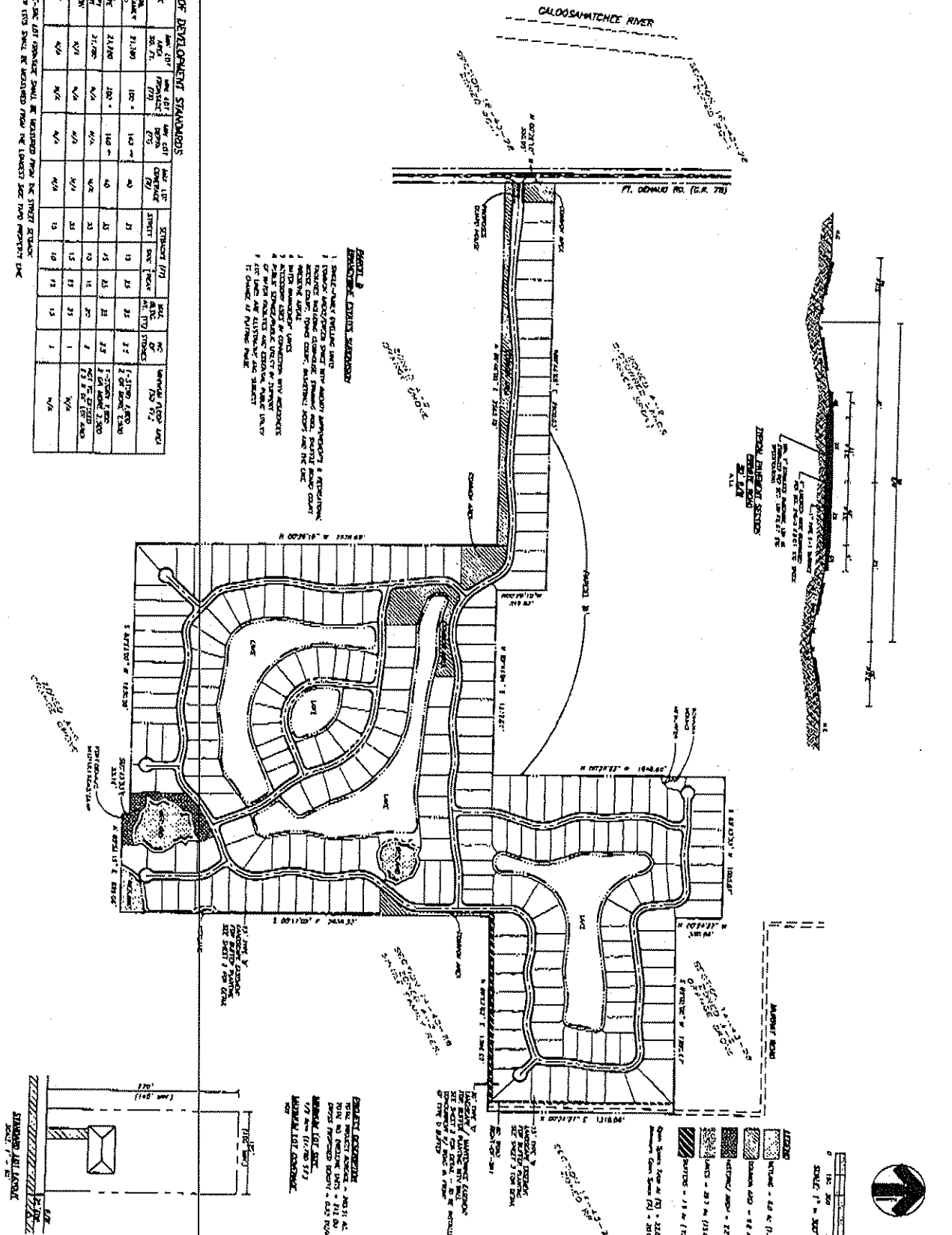
THE SOUTH 1318 FEET OF THE WEST 1390 FEET OF THE SOUTHWEST QUARTER OF SECTION 14, TOWNSHIP 43 SOUTH, RANGE 28 EAST, HENDRY COUNTY, FLORIDA, SUBJECT TO AN EASEMENT FOR ROADWAY OVER THE EAST 60 FEET.

CONTAINING 80.11 ACRES MORE OR LESS.

TABLE OF DEVELOPMENT STANDARDS

LAND USE	MIN. LOT AREA (SQ. FT.)	MIN. LOT WIDTH (FT.)	MIN. LOT DEPTH (FT.)	MIN. FRONT YARD SETBACK (FT.)	MIN. SIDE YARD SETBACK (FT.)	MIN. REAR YARD SETBACK (FT.)	MIN. FRONT SETBACK FROM STREET (FT.)	MIN. SIDE SETBACK FROM STREET (FT.)	MIN. REAR SETBACK FROM STREET (FT.)	MINIMUM LOT COVERAGE (%)	MINIMUM OPEN SPACE (%)	MINIMUM OPEN SPACE (SQ. FT.)
RESIDENTIAL SINGLE-FAMILY	21,280	100	100	40	20	20	25	25	25	22	22	4,882
RESIDENTIAL MEDIUM-DENSITY	21,280	100	100	40	20	20	25	25	25	22	22	4,882
RESIDENTIAL HIGH-DENSITY	21,280	100	100	40	20	20	25	25	25	22	22	4,882
RESIDENTIAL MULTIFAMILY	21,280	100	100	40	20	20	25	25	25	22	22	4,882
RESIDENTIAL COMMERCIAL	21,280	100	100	40	20	20	25	25	25	22	22	4,882
RESIDENTIAL INDUSTRIAL	21,280	100	100	40	20	20	25	25	25	22	22	4,882
RESIDENTIAL OFFICE	21,280	100	100	40	20	20	25	25	25	22	22	4,882
RESIDENTIAL RETAIL	21,280	100	100	40	20	20	25	25	25	22	22	4,882
RESIDENTIAL SERVICE	21,280	100	100	40	20	20	25	25	25	22	22	4,882
RESIDENTIAL MIXED-USE	21,280	100	100	40	20	20	25	25	25	22	22	4,882
RESIDENTIAL HOTEL	21,280	100	100	40	20	20	25	25	25	22	22	4,882
RESIDENTIAL APARTMENT	21,280	100	100	40	20	20	25	25	25	22	22	4,882
RESIDENTIAL CONDO	21,280	100	100	40	20	20	25	25	25	22	22	4,882
RESIDENTIAL TOWNHOME	21,280	100	100	40	20	20	25	25	25	22	22	4,882
RESIDENTIAL ROW	21,280	100	100	40	20	20	25	25	25	22	22	4,882
RESIDENTIAL TRAILER	21,280	100	100	40	20	20	25	25	25	22	22	4,882
RESIDENTIAL MOBILE HOME	21,280	100	100	40	20	20	25	25	25	22	22	4,882
RESIDENTIAL MANUFACTURED HOME	21,280	100	100	40	20	20	25	25	25	22	22	4,882
RESIDENTIAL INDUSTRIAL	21,280	100	100	40	20	20	25	25	25	22	22	4,882
RESIDENTIAL OFFICE	21,280	100	100	40	20	20	25	25	25	22	22	4,882
RESIDENTIAL RETAIL	21,280	100	100	40	20	20	25	25	25	22	22	4,882
RESIDENTIAL SERVICE	21,280	100	100	40	20	20	25	25	25	22	22	4,882
RESIDENTIAL MIXED-USE	21,280	100	100	40	20	20	25	25	25	22	22	4,882
RESIDENTIAL HOTEL	21,280	100	100	40	20	20	25	25	25	22	22	4,882
RESIDENTIAL APARTMENT	21,280	100	100	40	20	20	25	25	25	22	22	4,882
RESIDENTIAL CONDO	21,280	100	100	40	20	20	25	25	25	22	22	4,882
RESIDENTIAL TOWNHOME	21,280	100	100	40	20	20	25	25	25	22	22	4,882
RESIDENTIAL ROW	21,280	100	100	40	20	20	25	25	25	22	22	4,882

* SEE SECTION 16.07 FOR FURTHER DETAILS ON DISTANCES FROM THE STREET SETBACK.
 ** CORNER LOTS SHALL BE DISTANCED FROM THE LARGEST SIDE YARD PROPERTY LINE



Vanasse Daylor

Keynote P. Saundry, Jr.
 2270 South Beach Road
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 Brevard Springs, Florida 32723

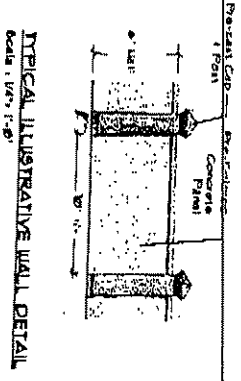
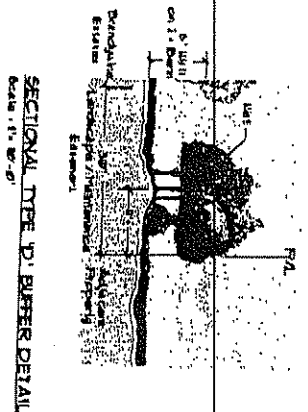
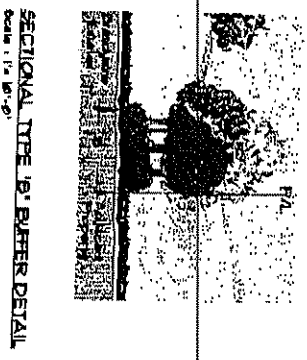
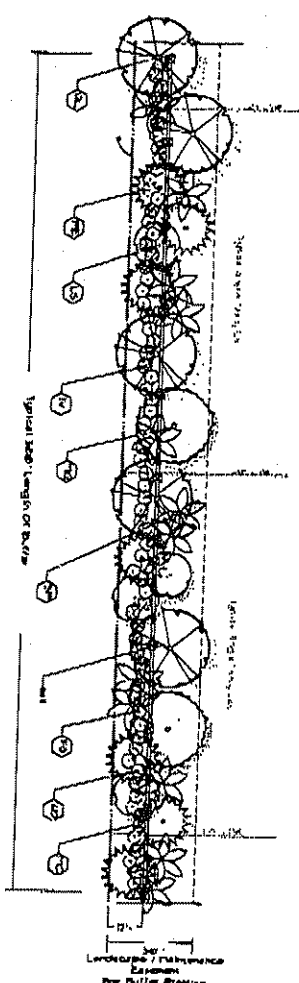
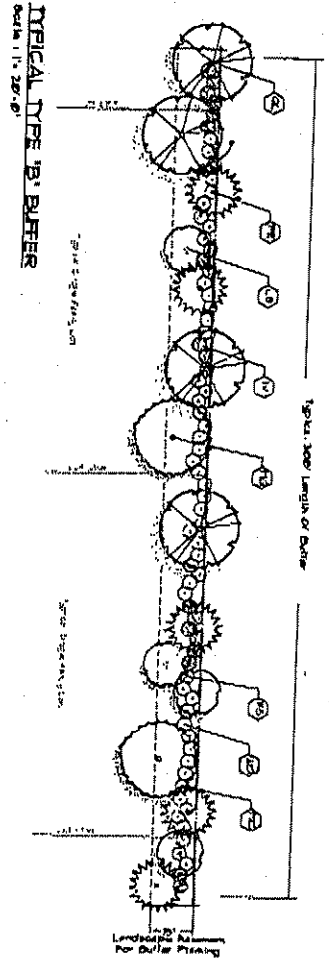
Section 14, 15, 16 & 22, Township 43 N Range 28 E

Received Time Dec. 2, 4:19PM

Scale No. 1 of 2

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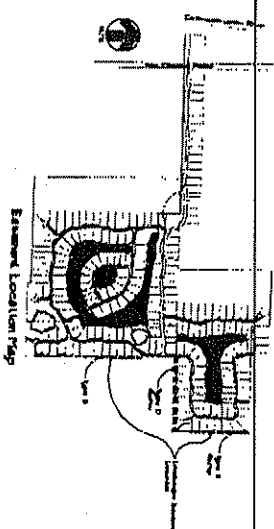


PLANT LIST
TYPE 'B' BUFFERS

PLANT	QUANTITY	REMARKS
1. 10' x 10' Tree	10	Plant in 10' x 10' grid
2. 10' x 10' Tree	10	Plant in 10' x 10' grid
3. 10' x 10' Tree	10	Plant in 10' x 10' grid
4. 10' x 10' Tree	10	Plant in 10' x 10' grid
5. 10' x 10' Tree	10	Plant in 10' x 10' grid
6. 10' x 10' Tree	10	Plant in 10' x 10' grid
7. 10' x 10' Tree	10	Plant in 10' x 10' grid
8. 10' x 10' Tree	10	Plant in 10' x 10' grid
9. 10' x 10' Tree	10	Plant in 10' x 10' grid
10. 10' x 10' Tree	10	Plant in 10' x 10' grid

PLANT LIST
TYPE 'D' BUFFERS (ENHANCED)

PLANT	QUANTITY	REMARKS
1. 10' x 10' Tree	10	Plant in 10' x 10' grid
2. 10' x 10' Tree	10	Plant in 10' x 10' grid
3. 10' x 10' Tree	10	Plant in 10' x 10' grid
4. 10' x 10' Tree	10	Plant in 10' x 10' grid
5. 10' x 10' Tree	10	Plant in 10' x 10' grid
6. 10' x 10' Tree	10	Plant in 10' x 10' grid
7. 10' x 10' Tree	10	Plant in 10' x 10' grid
8. 10' x 10' Tree	10	Plant in 10' x 10' grid
9. 10' x 10' Tree	10	Plant in 10' x 10' grid
10. 10' x 10' Tree	10	Plant in 10' x 10' grid



Vanasse Daylor 2000 North Lincoln Avenue Suite 210 North Springs, Florida 34110 Phone: 407-597-1100 Fax: 407-597-1101 www.vanassedyaylor.com	Kenneth P. Scurdy, Jr. 2770 North Birch Road Suite 210 North Springs, Florida 34110 Phone: 407-597-1100 Fax: 407-597-1101 www.vanassedyaylor.com	Date: 12/02/05 Time: 4:19 PM
		Project: Parcel B Buffer Location: 14 & 22, Trappee 43 South, Range 20 East

EXHIBIT B

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