

## ORDINANCE 98-8391

AN ORDINANCE GRANTING REZONE PETITION 98-R7 IN ORDER TO AMEND THE PLANNED DEVELOPMENT DOCUMENT FOR LITTLE HARBOUR, MORE PARTICULARLY DESCRIBED HEREIN, IN ORDER TO PROVIDE STANDARDS FOR DEVELOPMENT OF HOMES ON A LOT AND ONE-HALF; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 102-717 of the Code of Ordinances requires that any changes to an approved development plan be processed through a rezone petition; and

WHEREAS, Pamlico Terrace Ltd., owner of property at 2177 Gordon Drive, has petitioned to amend the planned development document for Little Harbour, approved by Ordinance No. 94-7222, in order to provide standards for development of homes on a lot and one-half; and

WHEREAS, following a public hearing, the Planning Advisory Board has considered the recommendation of the staff and the public input and has recommended by a vote of 6 to 0 that Rezone Petition 98-R7 be approved; and

WHEREAS, After considering the recommendation of the Planning Advisory Board and City staff, following a public hearing on the subject, and providing the petitioner an opportunity to speak, the City Council has determined that the petition should be granted;

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NAPLES, FLORIDA:

Section 1. That Rezone Petition 98-R7 is hereby granted, in order to amend the planned development document for Little Harbour, more particularly described on the attached Exhibit "A", in order to provide standards for development of homes on a lot and one-half.

Section 2. That Section XII A. of the planned development document for Little Harbour shall be amended to include the following language:

XII. Maximum Size of Homes:

A. The Sizes of Homes are Limited:

The size of homes is restricted, as follows:

Floor Level	Minimum Home Size Permitted	Maximum Permitted Single Lot	Maximum Permitted Double Lot And One-Half
(Air conditioned area)			
1 <sup>st</sup> floor	2,000 s.f. plus garage	3,800 s.f.	4,800 s.f.
2 <sup>nd</sup> floor	N.A.	*1,200 s.f.	*1,200 s.f.
TOTAL AIR CONDITIONED AREA			
	2,000 s.f.	5,000 s.f.	6,000 s.f.

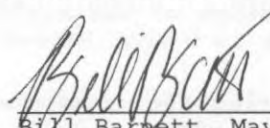
\*Second floor may be larger than twelve hundred (1,200) square feet, providing the total air conditioned area of home does not exceed five thousand (5,000) square feet or six thousand (6,000) square feet for a home on a ~~double~~ Lot and one-half.

Section 3. That an amended copy of the applicable section of the planned development document is attached hereto.

Section 4. This ordinance shall take effect immediately upon adoption at second reading.

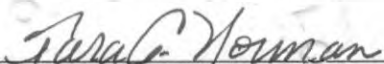
APPROVED AT FIRST READING THIS 7TH DAY OF OCTOBER, 1998.

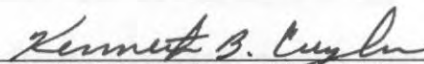
PASSED AND ADOPTED AT SECOND READING AND PUBLIC HEARING IN OPEN AND REGULAR SESSION OF THE CITY COUNCIL OF THE CITY OF NAPLES, FLORIDA THIS 21ST DAY OF OCTOBER, 1998.

  
\_\_\_\_\_  
Bill Barnett, Mayor

Attest:

Approved as to form and legality:

  
\_\_\_\_\_  
Tara A. Norman, City Clerk  
M:\REF\COUNCIL\ORD\98-8391

  
\_\_\_\_\_  
Kenneth B. Cuyler, City Attorney

98-8391

EXHIBIT "A"

LEGAL DESCRIPTIONS AS FURNISHED:

LOTS D, E, F, G, H AND I, BLOCK 6, AND THAT PART OF LOT 1 IN BLOCK 6 SOUTHWESTERLY OF A LINE RUNNING SOUTHEASTERLY, PERPENDICULAR TO THE WESTERLY SIDE OF SAID LOT 1, FROM A POINT ON THE WESTERLY SIDE OF SAID LOT, 82.8 FEET SOUTHERLY FROM THE NORTHWEST CORNER OF SAID LOT TO THE WATERS OF THE TACHT BASIN SHOWN ON SAID PLAT OF DEVELOPMENT, ACCORDING TO PLAT BOOK 3, PAGE 21, PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA.

A LOT OR PARCEL OF LAND LYING IN BLOCK 6 OF THE PLAT OF THE PHILIP G. RUST DEVELOPMENT, ACCORDING TO SAID PLAT OF DEVELOPMENT AS RECORDED IN PLAT BOOK 1, PAGE 74, PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA, DESCRIBED AS FOLLOWS: FROM THE NORTHWEST CORNER OF LOT 1 OF SAID BLOCK 6, WHICH CORNER IS ON THE EAST LINE OF SAID PRIVATE DRIVEWAY SHOWN ON SAID PLAT AT A POINT 25 FEET FROM THE EAST LINE OF SAID DRIVEWAY, THENCE RUN NORTHEASTERLY TO THE WESTERLY END OF SAID DRIVEWAY ON AN ARC OF A CURVE TO THE LEFT OF 17 DEGREES 47' FOR 68.93 FEET, THENCE RUN NORTH ALONG THE EAST LINE OF SAID DRIVEWAY PARALLEL TO THE WEST LINE OF SECTION 15, TOWNSHIP 30 SOUTH, RANGE 25 EAST, 64 FEET, THENCE RUN EASTERLY, PERPENDICULAR TO THE EAST LINE OF SAID DRIVEWAY FOR 64 FEET, MORE OR LESS, TO THE WATERS OF THE TACHT BASIN SHOWN ON SAID PLAT; THENCE RUN SOUTHERLY ALONG SAID WATERS TO AN INTERSECTION WITH A LINE PERPENDICULAR TO THE WESTERLY LINE OF SAID LOT 1 THROUGH A POINT 82.8 FEET SOUTHERLY FROM THE NORTHWEST CORNER OF SAID LOT 1; THENCE RUN NORTHEASTERLY ALONG SAID WESTERLY LINE TO THE WESTERLY LINE OF LOT 1 IN BLOCK 6; THENCE RUN SOUTHERLY ALONG SAID WESTERLY LINE FOR 82.8 FEET TO THE POINT OF BEGINNING.

A LOT OR PARCEL OF LAND LYING IN BLOCK 6 OF THE PLAT OF THE PHILIP G. RUST DEVELOPMENT, ACCORDING TO SAID PLAT OF DEVELOPMENT AS RECORDED IN PLAT BOOK 1, PAGE 74, PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA, DESCRIBED AS FOLLOWS: FROM THE NORTHWEST CORNER OF SECTION 16, TOWNSHIP 30 SOUTH, RANGE 25 EAST, 64 FEET, THENCE RUN EAST PARALLEL TO THE EAST LINE OF SAID SECTION FOR 65 FEET, THENCE RUN EAST PARALLEL TO THE EAST LINE OF SAID SECTION FOR 65 FEET TO A POINT ON THE EAST LINE OF SAID SECTION; THENCE RUN EAST PARALLEL TO THE EAST LINE OF SAID SECTION FOR 40 FEET, THENCE RUN NORTH PARALLEL TO THE NORTH LINE OF SAID SECTION FOR 181 FEET, THENCE RUN SOUTHERLY PARALLEL TO THE SOUTH LINE OF SAID SECTION FOR 181 FEET, THENCE RUN SOUTHERLY PARALLEL TO THE SOUTH LINE OF SAID SECTION TO AN INTERSECTION WITH A LINE PERPENDICULAR TO SAID NORTH LINE OF SECTION 16; THENCE RUN SOUTHERLY ALONG SAID LINE TO THE POINT OF BEGINNING.

ALL THAT PART OF BLOCK 1 OF THE PLAT OF THE PHILIP G. RUST DEVELOPMENT, ACCORDING TO A PLAT THEREOF RECORDED IN PLAT BOOK 1, PAGE 74, PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA, LYING WEST OF THE WESTERLY END OF THE PRIVATE DRIVEWAY AS SHOWN ON SAID PLAT OF DEVELOPMENT AND SAID PLAT OF DEVELOPMENT OF TWENTY-FIRST AVENUE SOUTH, ACCORDING TO A PLAT OF SAID AVENUE RECORDED IN PLAT BOOK 3, PAGE 21, PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA.

A TRACT OR PARCEL OF LAND LYING IN GOVERNMENT LOT 1 OF SECTION 16, TOWNSHIP 30 SOUTH, RANGE 25 EAST, DESCRIBED AS FOLLOWS: BEGINNING 677.5 FEET SOUTH OF THE NORTHEAST CORNER OF SECTION 16, TOWNSHIP 30 SOUTH, RANGE 25 EAST; THENCE RUN WEST AND PARALLEL WITH THE WEST LINE OF SAID SECTION 16 A DISTANCE OF 1178.5 FEET, MORE OR LESS, TO THE EAST SIDE OF GORDON DRIVE SOMETIMES KNOWN AS SECOND STREET AS SHOWN ON SAID PLAT OF DEVELOPMENT AS RECORDED IN PLAT BOOK 1, PAGE 71, PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA; THENCE RUN SOUTH ALONG THE EAST SIDE OF SAID DRIVE FOR 562 FEET, MORE OR LESS, TO THE POINT OF INTERSECTION OF THE EAST SIDE OF SAID GORDON DRIVE WITH THE SOUTH LINE OF GOVERNMENT LOT 1 OF SAID SECTION 16; THENCE RUN EAST ALONG THE SOUTH LINE OF SAID GOVERNMENT LOT 1 A DISTANCE OF 547.8 FEET, MORE OR LESS, TO THE POINT OF INTERSECTION WITH SAID SOUTH LINE OF LOT 1 OF A SOUTHERLY PERPENDICULAR TO THE WESTERLY LINE OF LOT A IN BLOCK 6 OF THE PHILIP G. RUST DEVELOPMENT, ACCORDING TO PLAT THEREOF AS RECORDED IN PLAT BOOK 1, PAGE 74, PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA; THENCE RUN NORTHERLY, NORTHEASTERLY, SOUTHEASTERLY AND NORTHEASTERLY ALONG THE BOUNDARY OF LOTS A, B, C, D, E, F, G, H, AND I OF SAID BLOCK 6, ADJACENT TO THE PRIVATE DRIVEWAY SHOWN ON SAID PLAT, TO A POINT ON THE EAST LINE OF SAID LOT 1; THENCE RUN NORTH ALONG SAID EAST LINE TO THE POINT OF BEGINNING.

BEGINNING 320 FEET SOUTH OF THE NORTHEAST CORNER OF SECTION 16, TOWNSHIP 30 SOUTH, RANGE 25 EAST, THENCE RUN WEST AND PARALLEL WITH THE NORTH LINE OF SAID SECTION 16 A DISTANCE OF 1178.5 FEET, MORE OR LESS, TO THE EAST SIDE OF SECOND STREET AS SHOWN ON PLAT OF DEVELOPMENT AS RECORDED IN PLAT BOOK 1, PAGE 71, PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA; THENCE RUN SOUTH ALONG THE EAST SIDE OF SECOND STREET FOR 562 FEET, THENCE RUN EAST AND PARALLEL WITH THE NORTH LINE OF SAID SECTION 16 A DISTANCE OF 1178.5 FEET, MORE OR LESS, TO THE EAST LINE OF GOVERNMENT LOT 1 OF SAID SECTION 16; THENCE RUN NORTH ALONG THE EAST LINE OF SAID GOVERNMENT LOT 1 A DISTANCE OF 357.5 FEET TO THE POINT OF BEGINNING.

ALL THAT PART OF THE EAST END OF GORDON DRIVE, ACCORDING TO A PLAT OF THE PHILIP G. RUST DEVELOPMENT AS RECORDED IN PLAT BOOK 1, PAGE 74 OF THE COLLIER COUNTY, FLORIDA, PUBLIC RECORDS, LYING NORTH OF THE NORTH LINE OF THE LANTERN LAKE SECTION OF PORT ROYAL, ACCORDING TO A PLAT THEREOF RECORDED IN PLAT BOOK 1, PAGE 100 OF THE SAID COLLIER COUNTY PUBLIC RECORDS, AND SOUTH OF A LINE PARALLEL WITH AND 10 FEET SOUTH OF THE NORTH BLOCK 10 OF SAGAMORE BEACH REPLAT AS RECORDED IN PLAT BOOK 1 AT PAGE 71 OF THE AFORESAID COUNTY RECORDS.

OK: 1906 W: 2155

WILSON, MILLER, BARTON & PEEK, INC.

Engineers, Planners, Surveyors, Landscape Architects, Environmental Consultants & Construction Managers  
Wilson Professional Center, Suite 208, 228 Bailey Lane at Airport Road, Naples, Florida 34104 • (813) 979-1020 Fax (813) 943-5714

The Real Property described in Exhibit "A" is also known as (and the foregoing instrument shall be deemed to convey) the following described property:

Description of part of Sections 15 and 16,  
Township 50 South, Range 25 East,  
Collier County, Florida

Commencing at the northwest corner of Section 15, Township 50 South, Range 25 East, Collier County, Florida;

thence along the west line of said Section 15, southerly 320.00 feet to the POINT OF BEGINNING of the parcel herein described;

thence continue along said line 30.00 feet to a point on the south line of Twenty First Avenue South, Unit No. 4, Aqualane Shores as recorded in Plat Book 3, page 2 of the Public Records of Collier County, Florida;

thence along said south line, North 90°00'00" East 180.75 feet;

thence leaving said south line, South 00°10'03" West 163.63 feet to a point on the bank of "Jamaica Channel Yacht Basin" as shown on plat of Phillip G. Rust Development as recorded in Plat Book 1, page 74 of the Public Records of Collier County, Florida;

thence along said bank in the following thirty one (31) described courses;

- 1) South 48°19'04" West 63.60 feet;
- 2) South 15°30'43" West 32.39 feet;
- 3) South 09°39'22" East 89.52 feet;
- 4) South 31°39'23" West 88.26 feet;
- 5) South 34°29'40" West 63.24 feet;
- 6) South 22°56'11" West 58.45 feet;
- 7) South 05°23'22" East 87.75 feet;
- 8) South 15°58'27" West 32.36 feet;
- 9) South 29°21'03" West 70.08 feet;
- 10) North 64°41'29" West 33.25 feet;
- 11) South 55°14'49" West 23.53 feet;
- 12) South 02°17'58" West 9.83 feet;
- 13) South 16°07'24" East 38.10 feet;
- 14) South 64°58'29" West 66.46 feet;
- 15) South 69°59'53" West 51.69 feet;
- 16) North 77°58'16" West 49.92 feet;
- 17) North 65°20'16" West 18.86 feet;
- 18) North 51°04'02" West 32.55 feet;
- 19) North 34°02'02" West 11.19 feet;
- 20) North 56°54'42" West 9.47 feet;
- 21) South 53°54'01" West 12.90 feet;
- 22) North 34°08'50" West 9.36 feet;
- 23) North 00°38'00" West 80.73 feet;
- 24) North 49°59'26" West 27.63 feet;
- 25) South 40°25'06" West 34.96 feet;
- 26) North 49°15'22" West 40.07 feet;
- 27) North 42°31'47" East 4.78 feet;
- 28) North 63°21'04" West 57.25 feet;
- 29) South 89°07'07" West 31.23 feet;
- 30) South 70°26'18" West 32.79 feet;
- 31) South 50°30'33" West 18.03 feet to a point on the boundary of Lot C of said plat;

thence along boundary of said Lot C, North 34°07'40" West 139.58 feet;

thence continue along said boundary South 37°04'04" West 155.24 feet to a point on the boundary of Lot B of said plat;

thence along said boundary South 00°16'56" East 164.29 feet to a point on the boundary of said Lot A;

thence along said boundary South 03°32'05" East 139.53 feet to a point on the northerly boundary of Port Royal, Lantern Lake Section as recorded in Plat Book 1, page 100 of the Public Records of Collier County, Florida and also being the south line of

98-8391

OR: 1986 PG: 2136

WILSON, MILLER, BARTON & PEEK, INC.

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Sanford  
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\*\*\* CR: 1986 PG: 2137 \*\*\*



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Description of part of Sections 15 and 15,  
Township 50 South, Range 25 East,  
Collier County, Florida  
(continued)

Government Lot 1;

thence along said line, North 89°41'07" West 564.56 feet to a point on the west line of  
the east 20 feet of Gordon Drive;

thence along said west line, North 00°01'54" West 995.14 feet;

thence leaving said line, South 89°59'52" East 20.00 feet;

thence North 01°25'03" East 30.00 feet;

thence South 89°34'59" East 1177.30 feet to the Point of Beginning of the parcel herein  
described;

subject to easements and restrictions of record;

bearings are based on the south line of Government Lot 1, being North 89°41'07" West.

WILSON, MILLER, BARTON & PEEK, INC.

BY

Michael C. LaMure  
Michael C. LaMure, P.L.S. #4247

DATE

9-19-94

Not valid unless embossed with the Professional's seal.

W.O. 17156

Ref: 1F-2 (7P:19d)

Date: September 14, 1994

98-8391

XII. Maximum Size of Homes:

A. The Sizes of Homes are Limited:

The size of homes is restricted, as follows:

<u>Floor Level</u>	<u>Minimum Home Size Permitted</u>	<u>Maximum Permitted Single Lot</u>	<u>Maximum Permitted Lot And One-Half</u>
(Air conditioned area)			
1 <sup>st</sup> floor	2,000 s.f. plus garage	3,800 s.f.	4,800 s.f.
2 <sup>nd</sup> floor	N.A.	*1,200 s.f.	*1,200 s.f.
TOTAL AIR CONDITIONED AREA	<u>2,000 s.f.</u>	<u>5,000 s.f.</u>	<u>6,000 s.f.</u>

\*Second floor may be larger than twelve hundred (1,200) square feet, providing the total air conditioned area of home does not exceed five thousand (5,000) square feet or six thousand (6,000) square feet for a home on a Lot and one-half.

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