

**Lee County Board of County Commissioners
Agenda Item Summary**

Blue Sheet No. 20030854

1. REQUESTED MOTION:

ACTION REQUESTED: Adopt resolution amending the HealthPark Florida DRI Development Order and DRI Map H.

WHY ACTION IS NECESSARY: Florida Statutes requires Board approval of amendments to developments of regional impact.

WHAT ACTION ACCOMPLISHES: Amends the Master Development Plan (Map H) for the HealthPark Florida DRI to an expedited process in accordance with Florida Statutes and the Lee County Land Development Code.

2. DEPARTMENTAL CATEGORY:
COMMISSION DISTRICT # 3

A12B

3. MEETING DATE:

08-19-2003

4. AGENDA:

CONSENT

ADMINISTRATIVE

APPEALS

PUBLIC

WALK ON

TIME REQUIRED:

5. REQUIREMENT/PURPOSE:
(Specify)

STATUTE 380.06(19)(e) (2)

ORDINANCE LDC34-145 (d)(1)c

ADMIN. CODE

OTHER

6. REQUESTOR OF INFORMATION:

A. COMMISSIONER

B. DEPARTMENT County Attorney & DCD

C. DIVISION *Donna Marie Collins*
Zoning & Land Use

BY: Donna Marie Collins *8/15/03*
Assistant County Attorney

7. BACKGROUND:

The HealthPark Florida DRI was adopted by the Board of County Commissioners in June 1987. Since that time, the development order has been amended three times. Lee Health Ventures, Inc. doing business as HealthPark Florida, has petitioned to amend the governing DRI development order by revising the Master Development Plan (Map H) to allow for the placement of residential development on a 43± acre tract located in the northwest corner of the project.

The Lee County Land Development Code states that after staff review and recommendation, certain amendments to DRI development orders may proceed directly to the Board of County Commissioners and will be scheduled on the Administrative Agenda of a regular weekly meeting. The Board may vote on this amendment based upon the recommendation of staff without review by the Hearing Examiner.

Staff supports the requested amendment to the DRI development order. The change will not create a likelihood of additional regional impact. Accordingly, staff recommends the Board adopt the attached Resolution amending Map H of the HealthPark Florida DRI Development Order.

Attachment: Resolution amending the Master Development Plan (Map H) of the HealthPark Florida DRI (4th Development Order Amendment) w/exhibits

8. MANAGEMENT RECOMMENDATIONS:

9. RECOMMENDED APPROVAL:

A Department Director	B Purchasing or Contracts	C Human Resources	D Other	E County Attorney	F Budget Services				G County Manager
n/a	n/a	n/a	n/a	<i>[Signature]</i>	OA	OM	RISK	GC	<i>[Signature]</i>
					<i>PK 8/15</i>	<i>MS 8/15/03</i>	<i>JA 8/15/03</i>	<i>MS 8/15/03</i>	

10. COMMISSION ACTION:

APPROVED

DENIED

DEFERRED

OTHER

CO. ATTY.
FORWARDED
TO CO. ADMIN.
8/15/03 9:50am

RECEIVED BY
COUNTY ADMIN *RV*
8-5-03
10:10
COUNTY ADMIN
FORWARDED TO *DS*
8/15/03

RESOLUTION NO. 03-_____

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA, AMENDING THE HEALTHPARK FLORIDA DRI DEVELOPMENT ORDER TO MODIFY THE MASTER PLAN OF DEVELOPMENT (MAP H).

WHEREAS, the Lee County Board of Commissioners a DRI Development Order for the HealthPark Florida DRI on June 8, 1987 (DRI No. 5-8586-63); and

WHEREAS, DRI Development Order was subsequently amended on October 13, 1993; March 30, 1998, and August 20, 2001; and

WHEREAS, Lee Health Ventures, Inc. doing business as HealthPark Florida has petitioned to amend the DRI Development Order by revising the Master Development Plan (Map H) to allow for residential development on a 43± acre tract in the northwest corner of the project; and

WHEREAS, the proposed change to Map H does not constitute a substantial deviation and qualifies for expedited processing pursuant to Florida Statute §380.06(19)(e)2 and Land Development Code §34-145(d)(1)c.

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

1. The above stated recitals are incorporated into this Resolution by reference.
2. The Master Development Plan for the HealthPark Florida DRI is hereby amended as reflected in the attached Exhibit "A" (Map H).
3. This Resolution constitutes the Fourth Development Order Amendment to the HealthPark Florida Development of Regional Impact. All other terms and conditions of the Development Order as previously amended remain unchanged.
4. Certified copies of this Resolution will be forwarded to the Southwest Florida Regional Planning Council, the Florida Department of Community Affairs, and other appropriate agencies. This amendment is rendered as of the date of transmittal, but will not be effective until the expiration of the statutory appeals period (45 days from rendition) or until the completion of any appellate proceedings, whichever time is greater. Once effective, the Notice of Adoption of this Development Order Amendment must be recorded as provided for in Chapter 380, Florida Statutes.

The motion to adopt this Resolution was offered by Commissioner _____, and seconded by Commissioner _____, and upon poll of the members present, the vote was as follows:

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

DULY PASSED AND ADOPTED this ____ day of September, 2003.

ATTEST:
CHARLIE GREEN, CLERK

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

By: _____
Deputy Clerk

By: _____
Chairman

APPROVED AS TO FORM:

By: _____
Donna Marie Collins
Office of the County Attorney

Attachment: Master Development Plan for HealthPark DRI (Map H)
dated June 27, 2003