

VARIANCE NO.: Section 306.17

DATE: DRD 12/17/09

PASCO COUNTY
APPLICATION FOR VARIANCE
DEVELOPMENT REVIEW COMMITTEE
VARIANCE BOARD

The undersigned owner(s) of the following legally described property have formally requested consideration of a variance in accordance with the provisions of the Florida Statutes and the Pasco County LDC, Section 316.

It shall be the responsibility of the petitioner, or her/his legal agent of record, to provide all information required below or any other information which is reasonable and relevant to the formulation of a recommendation to the adjustment being considered. No application for review shall be deemed complete until all required information is provided.

1. Project Name: Ashley Lakes Commercial Center
2. Project No. (from DRD): _____
3. Name of Owner: NAP Gunn 54, LLC
Mailing Address: 7500 College Parkway
City: Ft. Myers State: Florida Zip Code: 33907
Telephone Number: 239-278-1121 Fax Number: 239-278-1312
E-Mail Address: greg.race@naproperties.com
4. Name of Developer: same as above
Mailing Address: _____
City: _____ State: _____ Zip Code: _____
Telephone Number: _____ Fax Number: _____
E-Mail Address: _____
5. Name of Agent, if applicable: N/A
Mailing Address: _____
City: _____ State: _____ Zip Code: _____
Telephone Number: _____ Fax Number: _____
E-Mail Address: _____
(Attach completed Agent of Record)

Locational Description: Southeast corner of SR 54 and Gunn Highway

Parcel Identification Number:

Section 27, Township 26 South, Range 17 East, Sub 0000, Block 00300, Lot 0010

Present Zoning District: MPUD# 5992 dated 1-28-2003

REASONS FOR REQUEST FOR VARIANCE:

Using a separate application for each request, please answer the following. If additional space is needed, attach extra pages to the application.

1. State the specific section of the LDC for which the variance is requested:
Section 306.17- "Dedication"

2. Describe the variance requested:
Defer from dedicating the proposed on-site access drives (Ashley Loop Road and NAP Drive) to Pasco County.
Access drives to remain private with 44' of proposed total right-of-way.

3. Demonstrate compliance with one or more of the following:
 - a. The strict application of the land development regulation creates an unreasonable or unfair non-economic hardship, or an inordinate burden that was not created by the variance applicant.
 - b. The specific application of the land development regulation conflicts with an important Goal, Objective, or Policy of the Comprehensive Plan, or with the intent and purpose of another recently adopted land development regulation that serves a greater public purpose.
 - c. The granting of the variance will provide a net economic benefit to the taxpayers of Pasco County and is not in conflict with important Goals, Objectives, and Policies of the Comprehensive Plan.
 - d. The granting of the variance is necessary to achieve an innovative site or building design that furthers the Goals, Objectives, and Policies of the Comprehensive Plan.
 - e. The intent and purpose of the land development regulation and related land development regulations and Comprehensive Plan provisions is met or exceeded through an improved or alternate technology or design.
 - f. The granting of the variance is necessary to protect the public health, safety or welfare.
 - g. The variance is necessary to comply with State or Federal law.
 - h. The variance satisfies variance criteria set forth in the specific County land development regulation that is the basis for the variance request.
4. All variance applications that affect site conditions shall be accompanied by site plans depicting the site conditions with the granting of the variance and without the granting of the variance. Conceptual site plans may be allowed if approved by the Division Engineer (DRD) or Development Director.

ADDITIONAL ITEMS REQUIRED FOR VARIANCE:

1. Two signed and sealed legal descriptions and sketches to be supplied at time of application.
2. Copy of Warranty Deed x
3. Copy of Last Year's Tax Bill x
4. Notarized Agent of Record Letter (if applicable) N/A
5. Is this application the result of a Notice of Violation? No If so, please attach a copy of the notice.
6. Application Fee: provided (1 request) (each variance request).

I certify that all the above statements and the statements contained in any papers or plans submitted herewith are true to the best of my knowledge and belief.

I consent to the entry in or upon the premises described in this application by any authorized official of Pasco County for the purpose of posting, maintaining, and removing such notices as may be required by law.

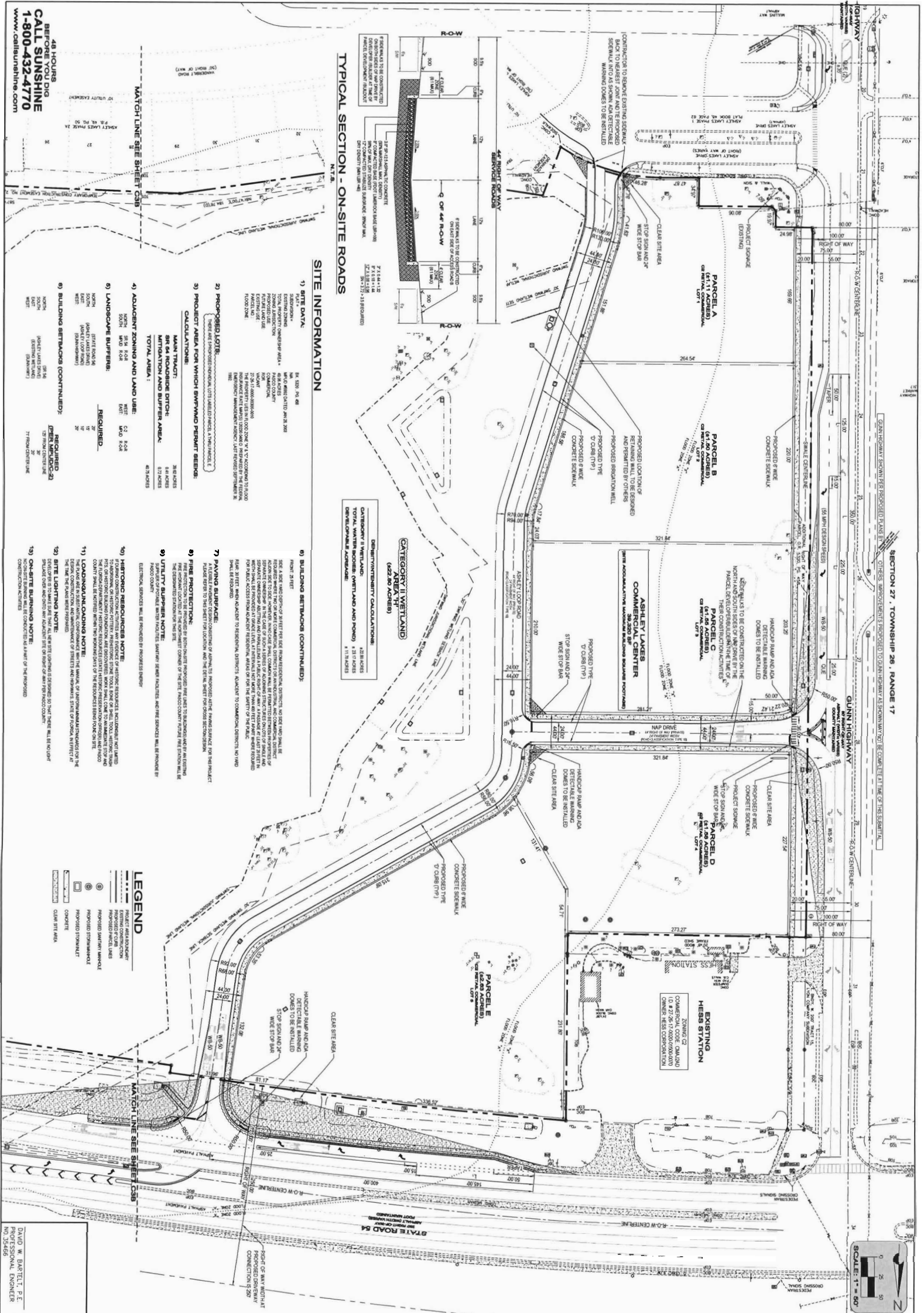
DATE: 08/11/09 NAP Sun 54 LLC
By: NAP Investments Management Company, Inc.,
A Georgia Corporation, Its Manager

APPLICANT'S SIGNATURE: 
Shawn R. McIntyre - Vice President of Construction - SE Operations

APPLICANT'S REPRESENTATIVE: _____

ADDRESS: 7500 College Parkway

CITY: Fort Myers STATE: FL ZIP CODE: 33907



48 HOURS BEFORE YOU DIG CALL SUNSHINE 1-800-432-4770 www.callsunshine.com

SITE INFORMATION

- 1) **SITE DATA**
 SECTION: 27, 28
 TOWNSHIP: 17
 RANGE: 17
 TOTAL PROJECT AREA: 100.00 ACRES
 ZONING: COMMERCIAL CENTER
 PROJECT NO.: 08-004
 DATE: 07/10/2007
- 2) **PROPOSED LOT**
 THERE ARE PROPOSED LOTS AS SHOWN ON THE PLAN.
- 3) **PROJECT AREA FOR WHICH SWFMD PERMIT SEeks:**
 MAIN TRACT: 100.00 ACRES
 81.54 ACRES BUFFER AREA
 18.46 ACRES BUFFER AREA
 TOTAL AREA: 118.46 ACRES
- 4) **ADJACENT ZONING AND LAND USE:**
 NORTH: R-10
 SOUTH: R-10
 WEST: R-10
 EAST: R-10
- 5) **LANDSCAPE BUFFER:**
 NORTH: 20' BUFFER
 SOUTH: 20' BUFFER
 WEST: 20' BUFFER
 EAST: 20' BUFFER
- 6) **BUILDING SETBACKS (CONTINUED):**
 NORTH: 20' BUFFER
 SOUTH: 20' BUFFER
 WEST: 20' BUFFER
 EAST: 20' BUFFER
- 7) **PAVING SURFACE:**
 PAVING SURFACE SHALL BE AS SHOWN ON THE PLAN.
- 8) **WETLAND PROTECTION:**
 WETLANDS SHALL BE PROTECTED AS SHOWN ON THE PLAN.
- 9) **UTILITY SERVICES:**
 UTILITY SERVICES SHALL BE AS SHOWN ON THE PLAN.
- 10) **HISTORIC RESOURCES:**
 HISTORIC RESOURCES SHALL BE PROTECTED AS SHOWN ON THE PLAN.
- 11) **LOADING UNLOADING:**
 LOADING UNLOADING SHALL BE AS SHOWN ON THE PLAN.
- 12) **SITE LIGHTING:**
 SITE LIGHTING SHALL BE AS SHOWN ON THE PLAN.
- 13) **ON-SITE BURNING:**
 ON-SITE BURNING SHALL BE AS SHOWN ON THE PLAN.

LEGEND

- EXISTING EASEMENT
- PROPOSED EASEMENT
- PROPOSED WETLAND
- PROPOSED BUFFER
- PROPOSED SETBACK
- PROPOSED LOT
- PROPOSED DRIVEWAY
- PROPOSED DRIVE
- PROPOSED RAMP
- PROPOSED SIDEWALK
- PROPOSED CONCRET
- PROPOSED ASPHALT
- PROPOSED PAVEMENT
- PROPOSED SITE AREA

<p>C3</p>	<p>SITE PLAN</p>	<p>ASHLEY LAKES COMMERCIAL CENTER PASCO COUNTY, FLORIDA</p>	<p>FLORIDA ENGINEERING AND ENVIRONMENTAL SERVICES, INC. CERTIFICATE OF AUTHORIZATION: EB 5804 4519 George Road Suite 130 Tampa, Florida 33633 Tel (813) 880-8100 Fax (813) 880-9055</p>	<p>REUSE OF DOCUMENT</p> <p>DATE: 07/10/2007</p>	<p>PR. NO.: E08-004-07</p>	<p>DATE: 07/10/2007</p>	<p>HBK/DWB</p>
				<p>DATE</p>	<p>DATE</p>	<p>DATE</p>	<p>DATE</p>

With Variance