



WALDROP ENGINEERING

CIVIL ENGINEERING & LAND DEVELOPMENT CONSULTANTS

28100 BONITA GRANDE DR. #305
BONITA SPRINGS, FL 34135
P: 239-405-7777
F: 239-405-7899

Letter of Transmittal

Lee County Submittal Counter

To: Tony Palermo, AICP, Lee County

From: Alexis Crespo

cc:

Date: December 13, 2012

Subject: Peninsula Phase III at Miromar Lakes (ADD2012-00110)

The following items are transmitted as listed below:

Quantity	Description
3	Copies of the Revised Master Concept Plan (11"X17")
3	Copies of the Revised FPA Plans (24"X36")
3	Copies of the Revised Deviations & Justifications

REMARKS: For your file.

SIGNED: 

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COMMUNITY DEVELOPMENT
ADD 2012-00110

256-04 Miromar Tract KK



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EXHIBIT H-2.B.1
Schedule of Deviations & Justifications
REVISED DECEMBER 13, 2012

COMMUNITY DEVELOPMENT
ADD 2012-00110

Deviations Approved per Z-02-072 & Z-12-004

Deviation #1 from LDC Sec. 10-34-1954(d)(1), which restricts model homes to a time limitation of three (3) years, to allow model homes through the build out of the project.

Deviation #5 from LDC Sec. 10-291(3)(b) (Access to Street), which requires two (2) or more means of ingress and egress to residential development of at least five (5) acres in size; to allow one (1) means of ingress and egress for those development parcels that are surrounded by golf course, water body, conservation areas, or any combination thereof.

Deviation #6 from LDC Sec. 10-296(b), Table 3, which requires a right-of-way width of 35 feet for two-way closed drainage, rear lot drainage or inverted crown; to allow a right-of-way width to coincide with the back of curb for local private roads.

Deviation #7 from LDC Sec. 10-296(d) Table 4(7), which requires that wearing surfaces for local and access roads for Class A development must be 1.5-inch asphaltic concrete of FDOT Type S-1; to allow for cement concrete or decorative pavers within private local rights-of-way.

Deviation #13 from LDC Sec. 10-355, which requires the developer to provide a 10-foot public utility easement on both sides of a roadway; to allow the public utility easement on one side.

Deviation #14 from LDC Sec. 10-415(a), which requires that open space be calculated as a percentage of development area; to allow open space based on the areas of development excluding that portion of the development consisting of the existing mining lakes, as approved by Resolution Z-99-029 with the following condition:

The entire acreage of the existing minimum lakes located east of Ben Hill Griffin Parkway is exempt from open space requirements. These lakes may not be used to satisfy open space requirements on the site. This deviation is APPROVED for the entire project. This deviation is APPROVED for the entire project.

Deviation #16 from LDC Sec. 10-415(b), which requires 50 percent of the required open space to incorporate existing indigenous vegetation; to allow all of the required indigenous vegetation to be provided in the conservation areas shown on the MCP and to permit all of the restored vegetation within the wetland slough to count toward the required indigenous vegetation

requirement. This deviation was approved by Resolution Z-99-029 with the condition that existing indigenous preservation requirement be met within the Conservation Area shown on the MCP last revised August 16, 1999. This deviation is approved for the 534-acre addition to the project subject to the following condition:

In conjunction with an application for local development order approval, the developer must submit a detailed invasive exotic removal and replanting plan for the Division of Environmental Sciences' Staff review and approval. The developer must delineate on the local development order plans a minimum of 111 acres of indigenous preservation and 47.7 acres of restoration consistent with the MCP.

Deviation #20 from LDC Sec. 34-2194(c)(1)(a) revised and approved, but limited to 5,527 linear feet of lake frontage within the areas delineated on the MCP. In addition, a compensatory littoral zone must be provided as pocket marshes instead of a 5-foot-wide linear littoral shelf, per Sec. 10-418(3)(a). The compensatory pocket marsh area must be a minimum 0.50 acres of marsh planted with a minimum of our native wetland plants and providing a 50 percent coverage at time of planting (herbaceous plants must be a minimum 2-inch linear; shrubs and grasses must be a minimum 1-gallon container size; trees must be a minimum 3-gallon size). The compensatory pocket marsh area must be provided along the shoreline of Tract C-2. Additionally, the total amount of linear feet of lake frontage that utilizes the zero-foot setback, plus any rip-rap installed for shoreline erosion control cannot exceed 20 percent or 11,504 linear feet of shoreline.

Requested Deviations

Deviation from LDC Section 10-328(a), which prohibits lake maintenance easements from being located within the limits of a platted single-family residential lot; to allow for lake maintenance easements within the limits of the platted single-family lots within the subject tract.

JUSTIFICATION: The Applicant is proposing to locate the required lake maintenance easements (LMEs) within the single family lots as shown the attached final plan. This design standard has been previously permitted in other residential tracts within Miromar Lakes, and is requested to ensure the consistency and continuity of development with the overall community.

The Peninsula tract is surrounded by existing lakes and has a defined development footprint. This developable area was designed and constructed prior to the LDC amendment that prohibited the placement of LMEs within single family lots. Therefore, the Applicant is encumbered with spatial constraints based upon a development footprint constructed in good faith based upon the existing regulations at the time. These existing conditions warrant the requested deviation.

From a safety and maintenance standpoint, there are extensive deed restrictions in place (attached as Exhibit AA-3.J.1) to ensure the LMEs are available for maintenance as intended by the LDC. All principal and accessory structures are regulated by a 20' water body setback that further ensures access to the easements. Moreover, all development within the project is regulated by the Lake Management Plan and approved per Z-99-029,

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Exhibit J, to ensure proper lake function, maintenance of littoral vegetation, prevention of lake bank erosion, and removal of exotic and nuisance plants.

For these reasons, the requested deviation will not negatively impact public health, safety or welfare and will uphold the intent of the LDC.

Deviation from LDC Section 10-329(d)(4), which requires lake banks to be sloped at a 6:1 ratio from the top of bank to a water depth of two feet below the dry season water table; to allow for a minimum ratio of 4:1 where turf reinforcement mat is proposed, and a minimum ratio of 2:1 where rip-rap shoreline is proposed.

JUSTIFICATION: As noted above, the subject tract is located within a large-scale master-planned community that is partially built-out. The proposed 4:1 lake bank slope will comply with previous approvals, and has been proven to function as intended by the LDC through appropriate construction standards and lake maintenance measures. Similarly, rip-rap shoreline has been permitted in previous phases of the development as proposed.

As noted above, the overall Peninsula tract has a defined development footprint constrained by the existing recreational lakes, which were constructed with a 4:1 lake bank slope prior to the LDC amendment to 6:1 slopes. Therefore, continuation of the 4:1 lake bank slope through the entirety of the subject property is integral to upholding the design established prior to the LDC amendment.

Additionally, the Applicant has deed restrictions and a lake management plan in place to ensure the proper function and maintenance of the lakes. As shown on the enclosed final plan, turf reinforcement mats are proposed in certain areas to mitigate lake bank erosion. Where 2:1 lake bank slopes are shown, rip-rap is proposed to mitigate erosion.

Therefore, the requested deviation will not negatively impact public health, safety or welfare, and will uphold the intent of the LDC and the overall Miromar Lakes master plan.

Deviation from LDC Section 34-936(b), which requires parking for any use in a planned development to be governed by LDC Article VII, Division 26 (Off-Street Parking); to allow for on-street parking on Miromar Lakes Parkway.

JUSTIFICATION: The proposed on-street parking spaces will provide additional parking for private amenities in the project, including ancillary boat slips and the bocce courts shown on the enclosed FPA plan. The Miromar Lakes Parkway right-of-way provides adequate space for the proposed parking spaces.

On-street parking will provide a traffic calming effect along the roadway and will further enhance circulation throughout the community.

Therefore, the requested deviations will uphold the intent of the LDC by providing additional parking and addressing public health, safety and welfare.

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ADD 2012-00110

EXHIBIT H-4.D. FINAL PLAN APPROVAL

THE PENINSULA PHASE III

AT MIROMAR LAKES

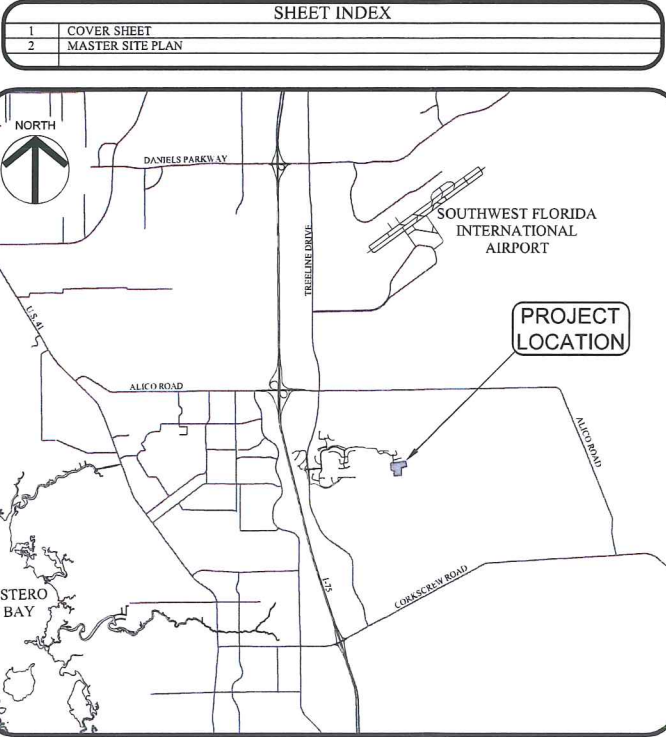
A PORTION OF STRAP # 13-46-25-00-00001.0030
LEE COUNTY, FLORIDA

FPA APPROVAL HISTORY				
LEE COUNTY RESOLUTION NO.	TRACT NAME	DATE	TYPE	QUANTITY
ADD2000-00110	PHASE ONE	7/27/2000	SINGLE FAMILY	11 UNITS
ADD2000-00111	PHASE ONE	7/27/2000	SINGLE FAMILY	30 UNITS
ADD2000-00117	PHASE TWO	7/31/2000	SINGLE FAMILY	51 UNITS
ADD2000-00161	GOLF MAINT.	12/19/2000	COMMERCIAL	7,500 S.F.
ADD2000-00191	TEMP. CLUBHOUSE	1/8/2001	COMMERCIAL	6,526 S.F.
ADD2001-00018	VALENCIA	5/24/2001	MULTI-FAMILY	80 UNITS
ADD2001-00085	TRACT M & N	5/24/2001	SINGLE FAMILY	27 UNITS
ADD2001-00113A	BEACH CLUB	4/1/2002	RECREATION	4.77 ACRES
ADD2001-00125	TIVOLI	10/16/2001	SINGLE FAMILY	113 UNITS
ADD2001-00142	SALES CENTER	12/20/2001	COMMERCIAL	4,147 S.F.
ADD2002-00045	BELLAVISTA	5/28/2001	MULTI-FAMILY	60 UNITS
ADD2002-00077	MED. VILLAGE - PH I	9/5/2002	SINGLE FAMILY	33 UNITS
ADD2002-00168	CAPRINI GREENS	12/17/2002	SINGLE FAMILY	27 UNITS
ADD2003-00028	VIVALDI	4/4/2003	MULTI-FAMILY	60 UNITS
ADD2003-00047	PERM. GOLF CLUBHOUSE	5/14/2003	RECREATION	545 ACRES
ADD2003-00151	CAPRINI GREENS MOD.	12/18/2003	AMENDMENT TO ADD2002-00168	
ADD2004-00033	SAN MARINO	7/21/2004	MULTI-FAMILY	160 UNITS
ADD2004-00042	MIRASOL ACCESS	4/2/2004	ACCESS	5.07 ACRES
ADD2004-00045	C1/C2 ACCESS	4/2/2004	ACCESS	1.06 ACRES
ADD2004-00054	PORTO ROMANO	5/11/2004	SINGLE FAMILY	55 UNITS
ADD2004-00074	CAPRINI GREENS MOD.	4/21/2004	AMENDMENT TO ADD2002-00168	
ADD2004-00076	MIRASOL RESIDENTIAL	7/27/2004	MULTI-FAMILY	120 UNITS
ADD2004-00176	MIRASOL ACCESS MOD.	11/17/2004	AMENDMENT TO ADD2004-00042	
ADD2004-00177A	CASTELLI & ANACAPRI	12/3/2004	SINGLE FAMILY	18 UNITS
ADD2004-00223	MONTEBELLO	1/10/2005	MULTI-FAMILY	40 UNITS
ADD2004-00253	VOLTERRA & BELLINI	4/25/2005	SINGLE FAMILY & MULTI-FAMILY	72 UNITS
ADD2005-00104	ST. JOHN NEUMANN CENTER	7/12/2005	PLACE OF WORSHIP	14,736 S.F.
ADD2005-00134	MIRASOL PH II	8/2/2005	MULTI-FAMILY	120 UNITS
ADD2005-00190	RAVENNA	3/31/2006	MULTI-FAMILY	60 UNITS
ADD2006-00002	MIROMAR LAKES PKWY EXT.	3/13/2006	ACCESS	133.06 ACRES
ADD2006-00004	BEACH CLUB PH II	3/13/2006	RECREATION	7.67 ACRES
ADD2006-00009	EAST 100 ACRES	4/10/2006	SINGLE FAMILY	51 UNITS
ADD2006-00130	TRACT F-F (BEACH COTTAGES)	12/5/2006	SINGLE FAMILY	18 UNITS
ADD2006-00144	SORRENTO LME MOD.	4/1/2009	MODIFICATION TO ADD2006-00009	
ADD2009-00058	COSTA AMALFI	4/16/2009	MODIFICATION TO ADD2006-00130	
ADD2010-00021	COSTA AMALFI MOD.	3/8/2010	MODIFICATION TO ADD2009-00058	
PENDING	PENINSULA PHASE III	PENDING	SINGLE FAMILY	28 UNITS

BOAT DOCK HISTORY		
SINGLE FAMILY SUBDIVISION ⁽¹⁾	APPROVED SLIPS	PROPOSED SLIPS
VERONA LAGO	55	0
CAPRINI GREENS	18	0
ISOLA BELLA	13	0
CASTELLI & ANACAPRI	18	0
VOLTERRA	12	0
BEACH COTTAGES/COSTA AMALFI	9	0
SUBTOTAL	125	0
SF SUBDIVISION TOTAL	125	
ANCILLARY ⁽²⁾	APPROVED SLIPS	PROPOSED SLIPS
BEACH CLUB PH I	13	0
VIVALDI	18	0
MIRASOL BEACH PH I & 2	18	0
MONTEBELLO	18	0
BELLINI	18	0
RAVENNA	60	0
EAST 100 ACRES	51	0
THE PENINSULA PHASE III	0	28
SUB TOTAL	196	28
ANCILLARY TOTAL	224	

(1) EACH SINGLE-FAMILY LAKEFRONT LOT IS ALLOWED TO HAVE ONE DOCK. SINGLE-FAMILY LAKEFRONT LOTS MAY BE CONVERTED TO MULTIPLE-FAMILY SLIPS FOR WET BOAT STORAGE ON A ONE FOR ONE (1:1) BASIS.

(2) A MAXIMUM OF 250 ANCILLARY DOCKS ARE PERMITTED.

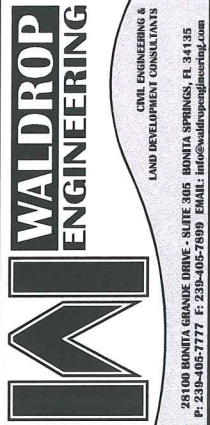


PROJECT LOCATION MAP
NO SCALE



DEVELOPED BY:
MIROMAR LAKES, L.L.C.
10801 CORKSCREW ROAD - SUITE #305
ESTERO, FL 33928
PHONE: (239) 390-5100

OPEN SPACE SUMMARY	
OPEN SPACE	AREA (AC)
GOLF COURSE	218.98
PHASE 1	61.72
PHASE 2	13.10
GOLF MAINTENANCE	0.92
VALENCIA	8.08
TRACT M & N	4.77
BEACH CLUB	2.34
TIVOLI	0
BELLAVISTA	3.59
MEDITERRANEAN VILLAGE	6.71
CAPRINI GREENS	1.19
VIVALDI	0
GOLF CLUBHOUSE	2.51
SAN MARINO	13.40
MIRASOL ACCESS DRIVE	1.31
TRACT C1/C2 ENTRANCE	0.39
PORTO ROMANO	2.90
MIRASOL RESIDENTIAL	0
CASTELLI & ANACAPRI	0.92
VOLTERRA & BELLINI	5.89
RAVENNA	3.17
BEACH CLUB PH 2	2.73
MIRASOL PKWY, EXTENSION	0
EAST 100 ACRES	0
BEACH COTTAGES / COSTA AMALFI	3.31
PENINSULA PHASE 3	6.16
TOTAL	364.03



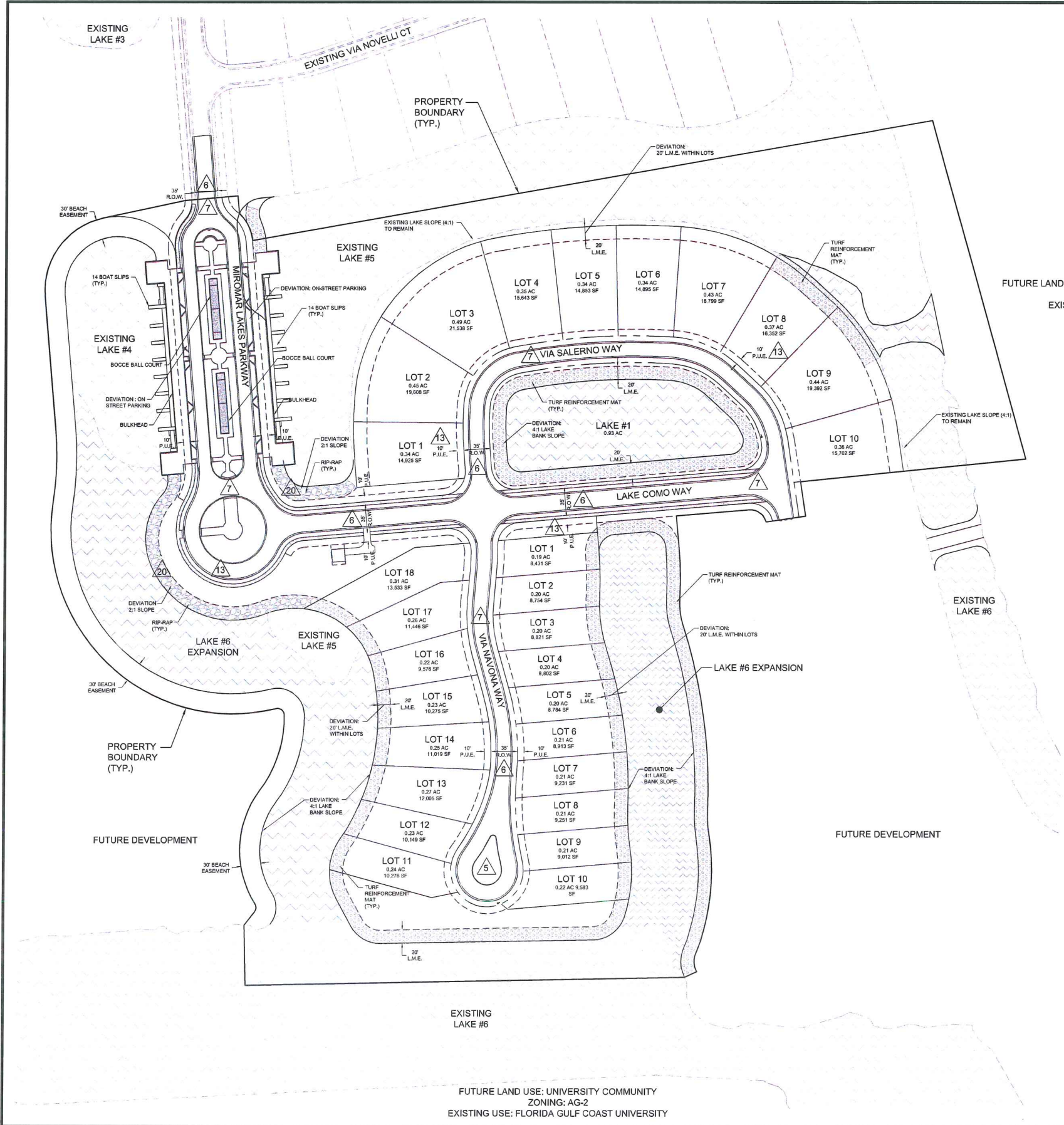
THE PENINSULA PHASE III
AT MIROMAR LAKES
CLIENT: MIROMAR LAKES, L.L.C.

COVER SHEET

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ADD 2012-00110

RONALD D. WALDROP, P.E.
FL LICENSE NO. 52784
SET NUMBER: 256-04-02
SHEET: 01

1:25000 (Mileage Map) Title: MIOMAR LAKES PHASE III (P) 12/13/12 2:31:17 PM



FUTURE LAND USE: UNIVERSITY COMMUNITY
ZONING: AG-2
EXISTING USE: VACANT

LEGEND

[Symbol]	LAKE
[Symbol]	RIE-RAP
[Symbol]	TURF REINFORCEMENT MAT
[Symbol]	DEVIATION LOCATIONS
[Symbol]	L.M.E. LAKE MAINTENANCE EASEMENT
[Symbol]	P.U.E. PUBLIC UTILITY EASEMENT

LAND USE SUMMARY

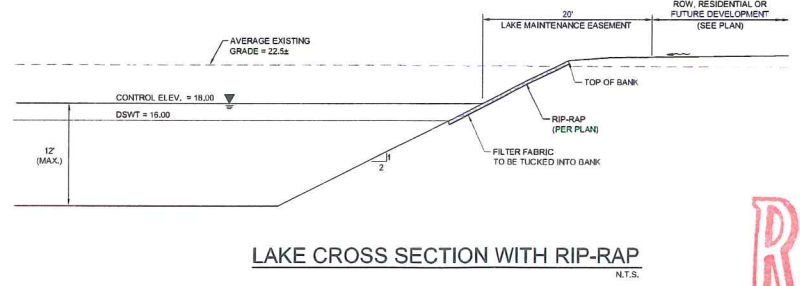
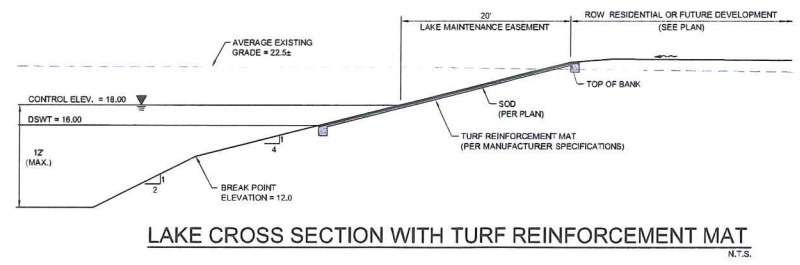
CATEGORY	SQUARE FOOTAGE	ACREAGE	PERCENTAGE OF TOTAL ACREAGE
IMPERVIOUS	331,972 ±	7.82 ±	21.47%
SINGLE FAMILY LOT	209,774 ±	4.82 ±	17.35%
ROADWAY	95,583 ±	2.19 ±	7.91%
SEWER/WALK	8,129 ±	0.19 ±	0.57%
AMENITY	18,488 ±	0.42 ±	1.53%
PERVIOUS	403,845 ±	9.37 ±	33.78%
SINGLE FAMILY LOT	139,849 ±	3.21 ±	11.57%
OPEN SPACE	263,098 ±	6.18 ±	22.21%
SUBTOTAL	735,817 ±	16.99 ±	61.25%
LAKE	472,521 ±	10.75 ±	38.75%
TOTAL PROJECT AREA	1,208,338 ±	27.74 ±	100.00%

MIOMAR LAKES PROPERTY DEVELOPMENT REGULATIONS PER RES. Z-12-004

PROPOSED LAND USE:	SINGLE FAMILY
NON-GARAGED FRONT SETBACK:	12 FT.
FRONT SETBACK:	20 FT.
SIDE SETBACK:	5 FT.
WATER BODY:	20 FT.
MINIMUM BUILDING SEPARATION:	10 FT.
MAXIMUM LOT COVERAGE:	55%
MINIMUM LOT AREA:	5,500 S.F.
MINIMUM LOT WIDTH:	50 FT.
MINIMUM LOT DEPTH:	70 FT.
MAXIMUM BUILDING HEIGHT:	3 STORIES / 45 FT.

DEVIATIONS APPROVED PER RESOLUTION Z-12-004

DEVIATION (1) PERMIT MODEL HOMES THROUGH PROJECT BUILDOUT
DEVIATION (5) FULL SIZE CUL-DE-SAC AT EACH DEAD END
DEVIATION (6) MINIMUM 35 FOOT RIGHT-OF-WAY WIDTH
DEVIATION (7) BRICK PAVERS TO REPLACE 1 1/2 INCH ASPHALTIC CONCRETE OF FOOT TYPE S-1 ON PRIVATE ROADWAYS
DEVIATION (13) 10-FOOT PUBLIC UTILITY EASEMENT ON ONE SIDE OF RIGHTS-OF-WAY
DEVIATION (14) TO ALLOW OPEN SPACE CALCULATION BASED UPON DEVELOPMENT AREA EXCLUDING EXISTING MIOMAR LAKES
DEVIATION (16) REQUIRED INDIGENOUS VEGETATION TO BE PROVIDED IN CONSERVATION AREAS SHOWN ON 2402-072 MCP
DEVIATION (20) TO ALLOW FOR A ZERO-FOOT SETBACK AND RIE-RAP ALONG LAKE SHORELINES NOT TO EXCEED 20% OF THE TOTAL SHORELINE
REQUESTED DEVIATIONS
DEVIATION FROM LDC SEC. 10-328(A) TO ALLOW LAKE MAINTENANCE EASEMENTS WITHIN THE LIMITS OF THE PLATTED SINGLE-FAMILY LOTS WITHIN THE SUBJECT TRACT.
DEVIATION FROM LDC SEC. 10-328(D)(4) TO ALLOW LAKE BANKS TO BE SLOPED AT A 4:1 RATIO AND A 2:1 RATIO WHERE RIE-RAP IS PROPOSED
DEVIATION FROM LDC SEC. 34-938(B) TO ALLOW ON-STREET PARKING



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**THE PENINSULA PHASE III
AT MIOMAR LAKES**

CLIENT: MIOMAR LAKES, L.L.C.

MASTER SITE PLAN

PLAN REVISIONS

NO.	DATE	REVISION
1	12/13/12	ISSUED FOR COUNTY COMMENTS
2	12/13/12	ISSUED FOR COUNTY COMMENTS

RECEIVED
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COMMUNITY DEVELOPMENT

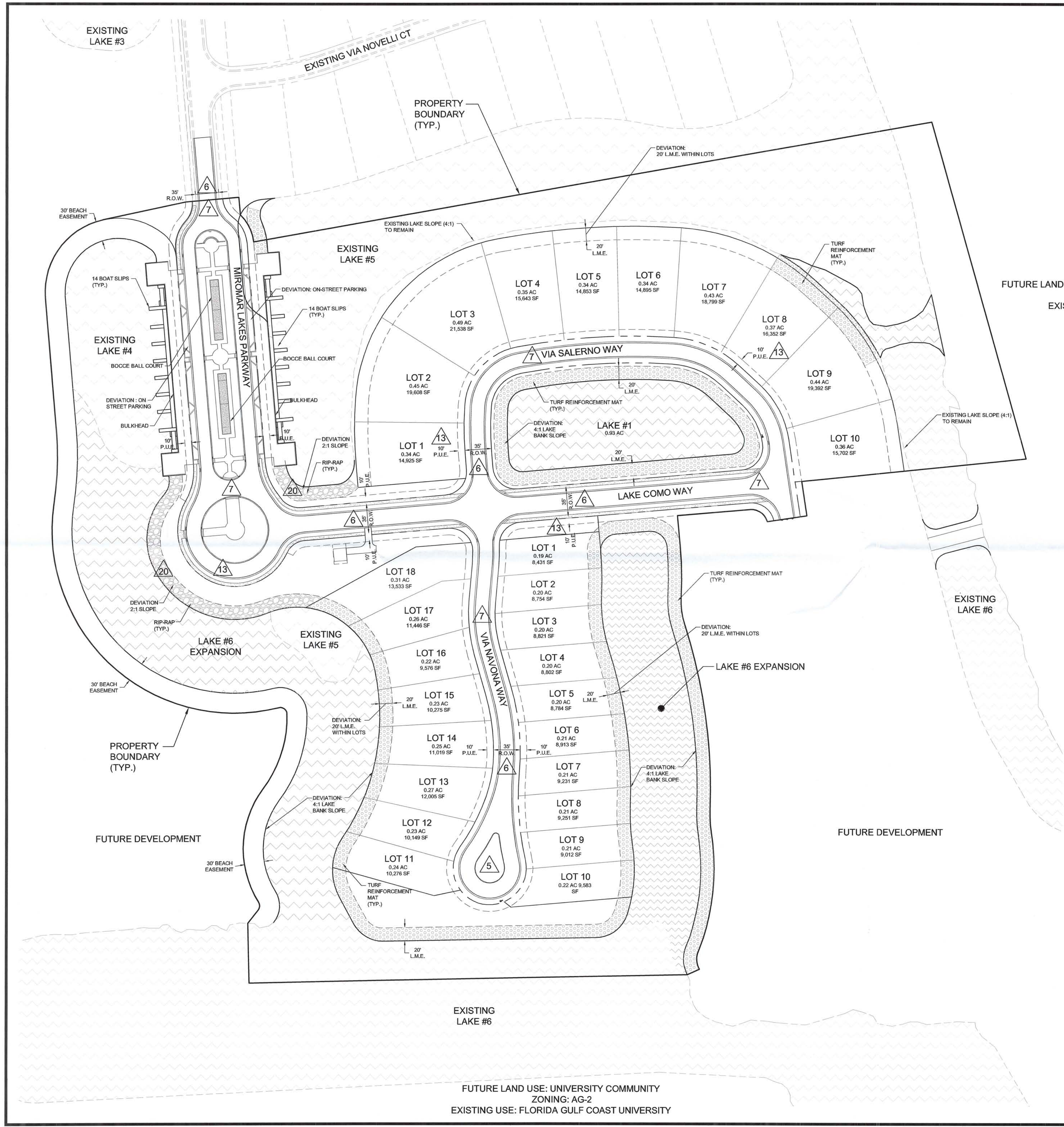
RONALD D. WALDROP, P.E.
FLORIDA LICENSE NO. 92784

SET NUMBER: 256-04-02
SHEET: 02

ADD 2012-00110

[illegible]

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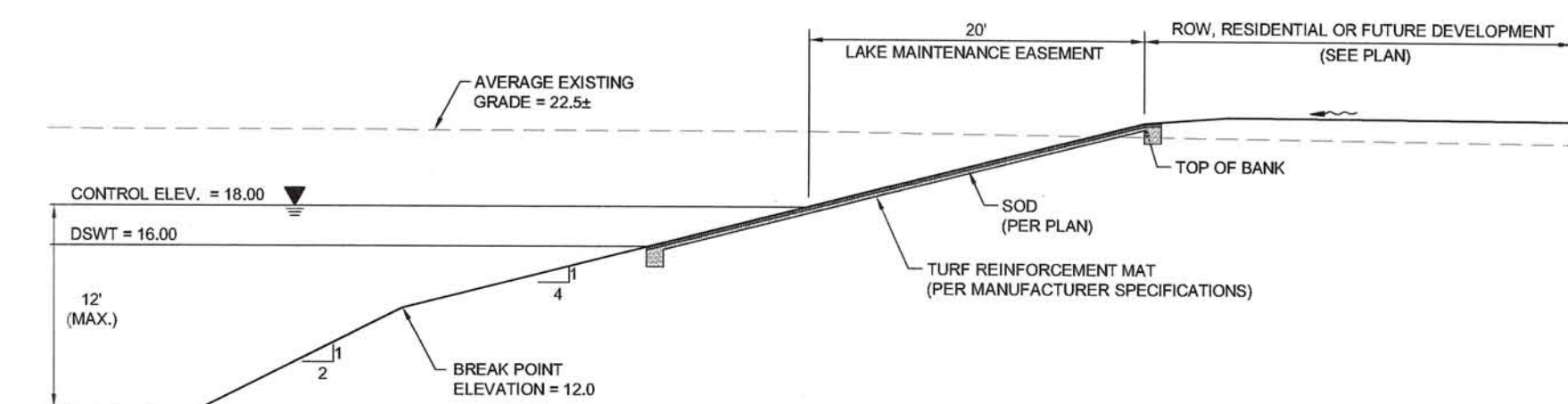


LEGEND	
	LAKE
	RIP-RAP
	TURF REINFORCEMENT MAT
	DEVIATION LOCATIONS
	LAKE MAINTENANCE EASEMENT
	PUBLIC UTILITY EASEMENT

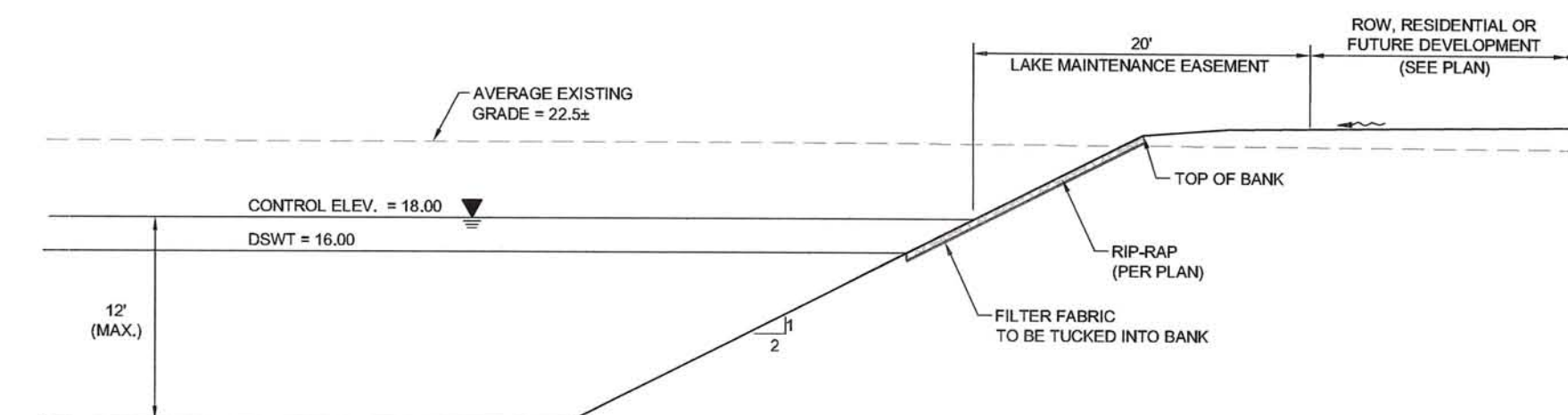
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MINIMUM LOT DEPTH:	70 FT.
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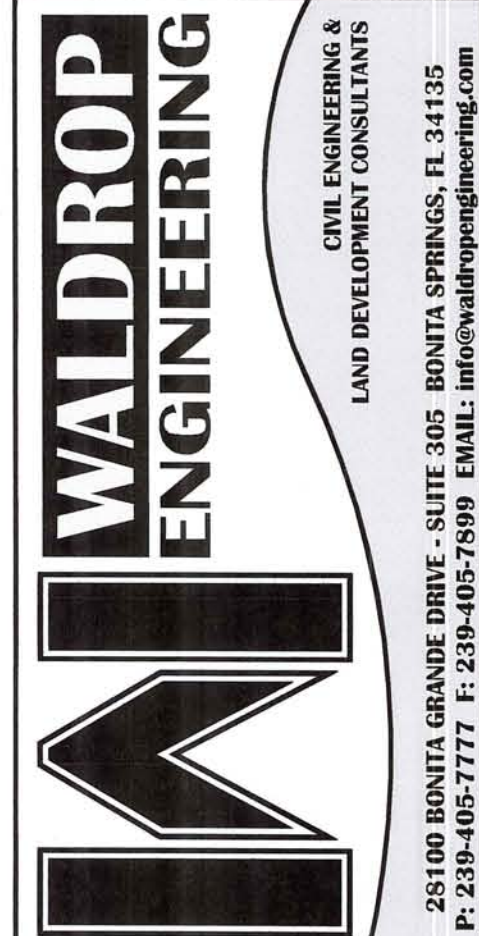
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DEVIATION FROM LDC SEC. 34-936(B) TO ALLOW ON-STREET PARKING



LAKE CROSS SECTION WITH TURF REINFORCEMENT MAT
N.T.S.



LAKE CROSS SECTION WITH RIP-RAP
N.T.S.



THE PENINSULA PHASE III AT MIROMAR LAKES CLIENT: MIROMAR LAKES, L.L.C. MASTER SITE PLAN

PLAN REVISIONS	
1	12/14/12 REVISED PER COUNTY COMMENTS
2	12/12/12 REVISED PER COUNTY COMMENTS

FLORIDA CERTIFICATE OF AUTHORIZATION #8636
RONALD D. WALDROP, P.E.
FLORIDA LICENSE NO. 52794
SET NUMBER: 256-04-02
SHEET: 02

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ADD 2012-00110