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September 19, 2013

Mr. Ben Dickson, Interim Director
Development Services
Lee County Community Development
1500 Monroe Street
Fort Myers, Florida 33902

PROJECT: BURNT STORE ACRES SUBDIVISION
4751 Burnt Store Road North
Cape Coral, Unincorporated Lee County, Florida 33993
Section 08, Township 43, Range 23

SUBJECT: REVISED LETTER OF INTENT (ADMINISTRATIVE AMENDMENT TO PD)

Dear Mr. Dickson:

Please find attached the application for an Administrative Amendment to the PD, the \$1,000.00 permit application fee, plan drawings, and other supporting information for the Burnt Store Acres Subdivision.

Burnt Store Acres is an approved Residential Planned Development (RPD) Project. The Master Development Plan was approved by Resolution Z-07-013. The project proposes 19 single family lots, a 41.41 acre lake, a 1 acre recreational tract, a 49.35 acre recorded conservation area, 1.04 acres of additional upland conservation areas, a 1.67 acre buffer area, and 7.25 acres for access within a private road.

Prior permitted development has occurred on the site and includes the construction of the western portion of the lake, containing approximately 14 acres. The eastern portion of the remaining lake area has been partially excavated. Both Lee County and SFWMD recommend the remaining lake be excavated to a minimum 12'± to deal with annual water table fluctuations and temperature gradations. It is anticipated to take three (3) years to finish excavating the lake, a year to construct the subdivision, and another four (4) years to sell and build-out the home sites within the subdivision.

Since the project was approved, changes have been made to the Development Code which requires modification to the Master Concept Plan approved within Resolution Z-07-013.

Before a Development Order can be obtained, approval is required to modify the Master Concept Plan approved within Resolution Z-07-013. The Master Concept Plan modifications are submitted for review and approval through an Administrative Amendment to the Planned Development. The Administrative Amendment Application requests the following:

1. Approval of modifications to the Master Concept Plan, approved within Resolution Number Z-07-013, to increase the lake tract area, reduce the actual water surface of the lake, maintain the established 39,900 square feet minimum lot area and provide a 20' wide lake maintenance area between the rear of the lots and the lake. This 20' wide lake maintenance area is included in the lake tract square footage. See revised Master Concept Plan.

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2. Approve a modification to the upland buffer width specified in Section B, Condition # 5, of Resolution Z-07-013, which requires a minimum of 50 feet of upland buffer to be provided adjacent to all wetland preserve areas. The approved Master Concept Plan within Resolution Z-07-013, illustrated a 50' upland buffer within one section of the eastern portion of the lake and varying widths (less and more than 50') adjacent to other wetland preserve areas, with an average of 50' provided within the development area. The language as stated within Condition # 5 of the Resolution, did not accurately describe the width of the upland buffer being provided around all of the preserve areas, as such, a modification to this language is being requested. The applicant requests approval of the revised Master Concept Plan.

The revised Master Concept Plan provides the following: 1) an additional 1.04 acres of upland conservation area, labeled as UP-1 through UP-6, 2) denotes the areas where a 50' wide upland area is provided (along the eastern side of the proposed lake) and 3) denotes the limited areas where the upland conservation area width is less than 50 feet. See revised Master Concept Plan.

Condition # 5 should specify the two areas 1) adjacent to Sandy Flats Way (a private ROW) which fronts Lots 9-15 and adjacent to the entrance from Burnt Store Road on Burnt Store Acres Lane (a private ROW) where the 50' upland conservation area is not provided.

3. Approve a Deviation to Section 10.329 to extend the allowable time to remove excess spoil from the site from 1 year to 3 years. Lee County and SFWMD both recommend that the remaining lake be excavated to a minimum 12'± to deal with annual water table fluctuations and temperature gradations. The excavation of the proposed lake to a depth of 12' will generate approximately 400,000 c.y. of fill. The single family subdivision will require 125,000 c.y. of fill for lot grading, ROW and subdivision infrastructure. This will leave approximately 275,000 c.y. of excess spoil. There are currently two approved projects that require fill. The applicant is also working with the Lee County staff to provide fill for the Burnt Store Road Improvements. The timeframe to commence construction on these projects are likely to extend out from the middle to the end of next year, and are proposed to be developed in phases, requiring the removal of excess spoil to be completed in phases over a three year period.

Should you have any questions or require additional information, please do not hesitate to call me.

Sincerely,

AVALON ENGINEERING, INC.



Thomas H. Giles, P.E.
President/CEO