

EXHIBIT 7

SCHEDULE OF DEVIATIONS WITH NARRATIVE

Deviations: If any relief is requested from the provisions of the Lee County Land Development Code (LCLDC), provide a **written narrative statement** explaining the specific relief requested (a schedule of deviations). Include specific references to any section (number{s} and name{s}) of the LCLDC from which relief is sought including why the requested relief is necessary and how it will affect the project. Explain what conditions currently exist which warrant this request for relief from the regulations (a written justification for each of the requested deviations). All deviation requests must be specifically keyed to the location on the Master Concept Plan or Final Plan. Label as **Exhibit 7. [34-373(a)(9)]**

This Administrative Amendment Application requests the following:

1. Approval of a modification to the Master Concept Plan approved within Resolution Number Z-07-013 to reduce the lake area, as shown, in order to maintain the 39,900 square feet minimum lot area and to 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.
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 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' in width. The language as stated within Condition #5 of the Resolution, did not accurately describe the width of the upland buffer being provided around all 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 buffer tracts, labeled as UP-1 through UP-6; 2) denotes the areas where a 50' wide upland buffer can be maintained (along the eastern side of the proposed lake); and 3) denotes the areas where the upland buffer width is less than or more than the specified 50 feet. See Master Concept Plan Exhibit 9 and Upland Buffer Deviation Exhibit 9.1.

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. See Excess Spoil Report.