

Rick Scott
GOVERNOR



Cissy Proctor
EXECUTIVE DIRECTOR

Ms. Mikki Rozdolski, Planning Manager
Lee County
Department of Community Development
Post Office Box 398
Fort Myers, Florida 33902-0398

Dear Ms. Rozdolski:

This letter is in response to the letter dated October 6, 2017, notifying of an extension for the adoption of a proposed amendment DEO 17-3ESR to the Lee County Comprehensive Plan pursuant to Section 163.3184(3), Florida Statutes.

The Department acknowledges receipt of County's extension notification. The new extended adoption date is March 15, 2018. The Department reminds the County that all citizens who commented on the amendment need to be notified of the extension.

If the proposed amendment is adopted, please submit the amendments to the Florida Department of Economic Opportunity, Bureau of Community Planning, Plan Processing Team within 10 working days of adoption pursuant to Section 163.3184(3), Florida Statutes.

If you have any questions concerning this matter, please do not hesitate to contact Ms. Brenda Wittingham at (850) 717-8516, or myself, at (850) 717-8483.

Sincerely,

D. Ray Eubanks
Plan Processing Administrator

DRE/me



LEE COUNTY
SOUTHWEST FLORIDA
BOARD OF COUNTY COMMISSIONERS

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Bur. of Community Planning and Growth

OCT - 9 2017

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County Manager

Richard Wm. Wesch
County Attorney

Donna Marie Collins
Hearing Examiner

October 6, 2017

Mr. Ray Eubanks
Plan Processing Administrator
Florida Department of Economic Opportunity
Division of Community Development
107 East Madison Street, MSC 160
Tallahassee, Florida 32399-4120

*Re: Comprehensive Plan Amendment No. 17-3ESR
Troyer Brothers Florida, Inc.
Extension of 180-Day Adoption Deadline*

Dear Mr. Eubanks:

On April 10, 2017, the Lee County Board of County Commissioners transmitted Comprehensive Plan Amendment No. 17-3ESR (the "CPA") to the Florida Department of Economic Opportunity ("DEO") and other state and regional agencies for review in accordance with the requirements of Chapter 163, Part II, Florida Statutes.

The CPA consists of two separate map amendments (CPA2016-00006 (Troyer Brothers Map 14) and CPA2016-00010 (Troyer Brothers Conservation Lands)) intended to accommodate limerock mining on an approximately 1,804-acre property in southeastern Lee County known locally as the "Troyer Brothers" site.

To date, DEO, the Florida Department of Transportation ("FDOT"), the Florida Department of Agriculture and Consumer Services ("FDACS"), the Florida Fish and Wildlife Conservation Commission ("FFWCC"), the Florida Department of Environmental Protection ("FDEP"), have responded. DEO, FDOT, FDACS, and FDEP have all reviewed the CPA and confirmed that they have no substantive comments at this time. FDOT has responded with limited technical assistance comments, which the County and the applicant are addressing.

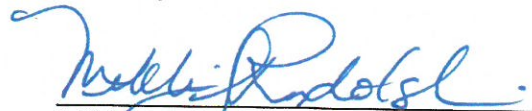
The CPA is nearing the 180-day statutory mark for adoption. The County and applicant Troyer Brothers Florida, Inc. ("Troyer Brothers") are continuing in good faith to have the CPA scheduled and heard for adoption, but need more time to address certain details. On October 5, 2017, the Troyer Brothers' attorney contacted the County via letter and confirmed that the applicant agrees to an extension of the statutory 180-day period. A copy of this letter is attached hereto.

Mr. Ray Eubanks
October 6, 2017
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Therefore, in accordance with Section 163.3184(3)(c)1., Florida Statutes, the County and Troyer Brothers respectfully request that DEO issue a letter recognizing a five-month extension from October 16, 2017, to March 15, 2018, to forward an adopted amendment to DEO and other state and regional agencies for final review.

Thank you for your time and attention to this matter. If you have any questions or require additional information, please do not hesitate to contact me.

Sincerely,



Mikki Rozdolski, Planning Manager
Department of Community Development
Planning Section

cc: Comprehensive Plan Review
Department of Agriculture and Consumer Services

Tracy D. Suber
Department of Education

Plan Review
Department of Environmental Protection

Deena Woodward
Florida Department of State

Scott Sanders
Florida Fish and Wildlife Conservation Commission

Sarah Catala
FDOT District One

Margaret Wuerstle
Southwest Florida Regional Planning Council

Terry Manning, A.I.C.P., Senior Planner, Intergovernmental Coordination Section
South Florida Water Management District

Hopping Green & Sams

Attorneys and Counselors

October 5, 2017

Ms. Mikki Rozdolski
Planning Manager
Department of Community Development
Planning Section

Dear Ms. Rozdolski:

This letter serves as notice on behalf of the applicant, Troyer Brothers Florida, Inc. ("Troyer Brothers"), that Troyer Brothers agrees to a time extension for the adoption of Comprehensive Plan Amendment No. 17-3ESR (the "CPA") until March 15, 2018 pursuant to Section 163.3184(3)(c)1., Florida Statutes.

As you know, the Lee County Board of County Commissioners ("Board") voted to approve transmittal of the CPA on April 5, 2017, and subsequently transmitted the CPA to the reviewing agencies on April 10, 2017. The County received comments from the reviewing agencies on the transmitted CPA application between April 19th to May 12th.

Pursuant to Section 163.3184(3)(c)1., Florida Statutes, the Board must conduct its second public (adoption) hearing to take final action on the CPA by October 16, 2017 (180 days after first receiving comments) or else the CPA will be deemed withdrawn unless extended by agreement with notice to the Florida Department of Economic Opportunity ("DEO") and any affected person that provided comments on the CPA.

Troyer Brothers agrees to a time extension for the second public hearing on the CPA until March 15, 2018, pursuant to Section 163.3184(3)(c)1., Florida Statutes, in order for Troyer Brothers and the County to finalize the CPA, provided the County provides notice of this time extension to DEO and any affected person that provided comments on the CPA. We would appreciate receiving copies of the required notice provided to DEO and any affected person.

Thank you for your continued assistance with the CPA and the related Mining and Excavation Planned Development ("MEPD") application. Please do not hesitate to contact me should you have any questions.

Sincerely,

Hopping, Green & Sams, P.A.



Vinette D. Godelia, Esq.