

**Ron DeSantis**  
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**Ken Lawson**  
EXECUTIVE DIRECTOR

May 13, 2019

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MAY 13 2019  
COMMUNITY DEVELOPMENT

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 May 10, 2019, notifying of a fourth 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 fourth extension notification. The new extended adoption date is September 29, 2019. 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 Mr. James D. Stansbury at (850) 717-8512, or myself, at (850) 717-8483.

Sincerely,

D. Ray Eubanks  
Plan Processing Administrator

DRE/me

Florida Department of Economic Opportunity | Caldwell Building | 107 E. Madison Street | Tallahassee, FL 32399  
850.245.7105 | [www.FloridaJobs.org](http://www.FloridaJobs.org)  
[www.twitter.com/FLDEO](https://www.twitter.com/FLDEO) | [www.facebook.com/FLDEO](https://www.facebook.com/FLDEO)

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**LEE COUNTY**  
SOUTHWEST FLORIDA  
BOARD OF COUNTY COMMISSIONERS

RECEIVED

*Div. of Community Development*

MAY 10 2019

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Dept. Economic Opportunity

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District One

Cecil L. Pendergrass  
District Two

Larry Kiker  
District Three

Brian Hamman  
District Four

Frank Mann  
District Five

Roger Desjarlais  
County Manager

Richard Wm. Wesch  
County Attorney

Donna Marie Collins  
Hearing Examiner

May 10, 2019

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.*  
*3<sup>rd</sup> Extension of 180-Day Adoption Deadline*

Dear Mr. Eubanks:

In accordance with the provisions of Section 163.3184(3)(c)1., Florida Statutes, this letter is to provide notice to the Florida Department of Economic Opportunity ("DEO") and other state and regional review agencies of an agreement between the applicant, Troyer Brothers Florida, Inc., and the County to extend adoption of Comprehensive Plan Amendment No. 17-3ESR (the "CPA").

The CPA consists of two separate map amendments, known locally as 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 and designate an approximately 453-acre property to Conservation Lands.

The Lee County Board of County Commissioners held a public hearing to transmit the CPA on April 10, 2017. The County and the applicant previously agreed to extend the second public hearing on the CPA until **December 3, 2018** and again until June 1, 2019. On May 10, 2019, the applicant's representative contacted the County via letter requesting an additional time extension for the second public hearing on the CPA until **September 29, 2019**. A copy of this letter is attached hereto.

The County agrees to this time extension and respectfully requests that DEO issue a letter recognizing the extension until September 29, 2019 to forward an adopted amendment to DEO and other state and regional agencies for final review. Upon receipt of such acknowledgment, the County will notify all citizens who commented on the amendment of the extension.

Mr. Ray Eubanks  
May 10, 2019  
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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

Mark Weigly  
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

Tina Ekblad, Applicant's Representative  
Morris-Depew Associates, Inc.

Michael Jacob, Deputy County Attorney  
Lee County Attorney's Office

**MORRIS**

2891 Center Pointe Drive Unit 100 | Fort Myers, Florida 33916

**DEPEW**

Phone (239) 337-3993 | Toll Free (866) 337-7341  
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May 10, 2019

Ms. Mikki Rozdolski  
Planning Manager  
Lee County Department of Community Development  
P. O. Box 398  
Fort Myers, FL 33902-0398

**RE: Adoption Hearing Extension – Troyer Brothers Comprehensive Plan Amendments**

Dear Ms. Rozdolski:

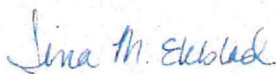
Please allow this letter to serve as notice on behalf of the applicant, Troyer Brothers Florida, Inc. ("Troyer Brothers"), that Troyer Brothers agrees to an additional time extension for the adoption of Comprehensive Plan Amendment No. 17-3ESR ("CPA") until September 29, 2019 pursuant to Section 163.3184(3)(c)1., 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 was required to 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 would have been deemed withdrawn, absent an agreement to extend the deadline with notice to the Florida Department of Economic Opportunity ("DEO") and any affected person that provided comments on the CPA.

Troyer Brothers and the County previously agreed to extend the second public hearing on the CPA until June 1, 2018. This deadline is rapidly approaching. Troyer Brothers and the County concluded their presentations of the Mine Excavation Planned Development (MEPD) application before the Lee County Hearing Examiner on August 28, 2018 but are awaiting the recommendation report of the Hearing Examiner. Troyer Brothers agrees to an additional time extension for the second public hearing on the CPA until September 29, 2019, pursuant to Section 163.3184(3)(c) 1., Florida Statutes, in order for Troyer Brothers and the County to finalize the joint CPA and the related MEPD so that both applications may be heard concurrently by the Board of County Commissioners. Troyer Brothers is requesting that the County agree to this extension and provide notice of this agreed 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 MEPD application. Please do not hesitate to contact me should you have any questions.

Sincerely,  
Morris-Depew Associates, Inc.



Tina M. Ekblad, MPA, AICP, LEED AP  
Partner – Planning Director