



BOARD OF COUNTY COMMISSIONERS

Kevin Ruane

District One

Cecil L. Pendergrass

District Two

Ray Sandelli

District Three

Brian Hamman

District Four

Frank Mann

District Five

Roger Desjarlais

County Manager

Richard Wesch

County Attorney

Donna Marie Collins

County Hearing

Examiner

Writer's Direct Dial Number: 239-533-8317

April 14, 2022

STACY HEWITT
BANKS ENGINEERING
10511 SIX MILE CYPRESS PKWY
SUITE 101
FORT MYERS, FL 33966
Re: Owl Creek Minor RPD
DCI2021-00011 - Minor PD

Dear STACY HEWITT:

The Zoning Section has reviewed the information provided and supplemented for the request referenced above. The application is now sufficient and the formal request has been drafted from your application as follows:

Rezoning of ±342.68 acres from Agricultural (AG-2) to minor Residential Planned Development (RPD) to allow development of a clustered residential community containing up to 440 dwelling units consisting of single-family and two-family attached with associated amenities. Maximum building height is 35 feet.

Please review this language carefully, and notify me in writing by April 28, 2022 whether or not this wording is satisfactory. The staff report is now being prepared. This request has been tentatively scheduled for public hearing before the Lee County Hearing Examiner on June 23, 2022. However, please note that this is a tentative date that is subject to change and that Lee County will be held harmless for any potential delay in effectuating compliance with the tentative hearing date.

Please be aware that staff notes the following issues that must be addressed during the substantive review prior to hearing:

1. Proposed dredging for the multi-slip docking facility is inconsistent with Lee Plan policy 128.4.8. Policy 128.4.8 states, "Boat access facilities should be located in areas of maximum physical advantage. Adequate existing water depths between the proposed facility and any navigational channel, inlet, or deep water, are preferred, as new dredging is discouraged." This project as designed requires dredging to obtain water depth of -4MLWL. Furthermore, Lee Plan policy 128.4.6 requires that proposed boat access facilities and expansion of existing facilities be evaluated in accordance with Section 8, Marine Facility Siting Requirements, of the Lee County Manatee Protection Plan (MPP). Per Section 8 of the MPP, a facility must first meet success criteria for both seagrass and water depth to qualify for boat slips.

2. Proposed dredging for the multi-slip docking facility is inconsistent with Policy 128.4.7 states "Boat access facilities, including multi-slip docking facilities and boat ramps which would disturb or destroy wetlands or grassbeds must demonstrate a pressing need for the proposed facility and must provide for continued use by the general public." The project proposes wetland impacts for the use of private multi-slip docking facility.

Sincerely,

DEPARTMENT OF COMMUNITY DEVELOPMENT
Zoning Section

Electronically signed on 4/14/2022 by
Dirk A Danley Jr, Planner, Senior