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Writer's Direct Dial Number: 239-533-8372

July 27, 2022

Jennifer Sapien
Barraco and Associates
2271 McGregor Blvd
Fort Myers, FL 33909

Re: Bayshore 31 RPD
DCI2022-00037 - Major PD

Dear Jennifer Sapien:

The Zoning Section has reviewed the information provided for the above zoning application. The Land Development Code requires additional information for the application to be sufficient. Please respond to each requirement not satisfied on the attached checklists. For your assistance, we have enclosed any additional memoranda from the various Lee County reviewing agencies.

A public hearing date will not be scheduled until a complete application is submitted.

If you do not provide the requested supplements or corrections within 30 calendar days of this letter, the Code requires that this application be considered withdrawn. Please feel free to contact me or the staff reviewers if you have any questions.

Sincerely,

DEPARTMENT OF COMMUNITY DEVELOPMENT
Zoning Section

Electronically signed on 7/27/2022 by
Chahram Badamtchian, Planner, Senior

Jennifer Saper
Barraco and Associates
Re: Bayshore 31 RPD
DCI2022-00037
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Zoning Review:

Please provide a synopsis of the required public informational meeting in North Fort Myers.

There are some small numbers next to some setbacks and other development regulations. Are those supposed to be for footnotes? Please clarify what those numbers are for.

Please contact Chahram Badamtchian at CBADAMTCHIAN@leegov.com or by calling 239-533-8372 with any questions regarding the above review comments.

Planning Review:

The density calculations provided in the application and on the MCP are not consistent. Please correct as appropriate and correct in all applicable locations throughout the application materials.

Please provide an analysis of Goal 30, including any Objectives or Policies applicable to the requested rezoning.

Please contact Brandon D Dunn at BDunn@leegov.com or by calling 239-533-8809 with any questions regarding the above review comments.

Development Services Review:

1. The request language in Deviation (1) references Deviation (4). Deviation (4) references an excavation setback and doesn't appear related to the request. Please clarify.
2. Deviation (5) requests a deviation from the requirement to provide an additional ingress/egress point. Please provide a letter of no objection from the fire department, emergency management and sheriff's office approving the location and concoction of proposed access point. The note reads "stabilized emergency access" please provide a detail of the proposed stabilized surface. Please provide the existing cross section and paving detail of the existing Hartwig Lane. Based on the aerial it does not appear to meet the requirements for fire department access.
3. Please provide a storm water management plan in accordance with LDC 34-373(b).
4. The MCP shows detention area inside of an existing power line easement. Please provide a letter of no objection to the improvements within the easement. Please address the requirement of LDC 34-1746.
5. Please label the proposed ROW on the MCP. The inset details show a ROW of 40' while the plan ROW scales at approximately 48'. Please clarify.
6. Please show the FIRM Floodway boundary on the MCP. Is any impact to the floodway proposed?

Please contact Brian Roberts at BRoberts@leegov.com or by calling 239-533-8890 with any questions regarding the above review comments.

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Legal Description Review:

Sec. 34-202(a). Submittal requirements for applications requiring public hearing

(6) Please provide a boundary survey in accordance with the requirements of Lee County LDC §34-202(a)(6).

- The survey must be tied to the state plane coordinate system for the Florida West Zone (the most current adjustment is required) with two coordinates, one coordinate being the point of beginning (POB) and the other an opposing corner.
- The survey must be based upon the title certification submitted in accord with section 34-201(a)(7). When the Title Certification is submitted, the legal description on the boundary survey must match that which is shown on the title.

(7) Please provide a title certification in accordance with the requirements of Lee County LDC §34-202(a)(7).

- Document submitted needs to be one of the two forms listed in LDC §34-202(a)(7)(a) with required content included.

Please contact Hunter Searson at HSearson@leegov.com or by calling 239-533-8585 with any questions regarding the above review comments.

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Environmental Review:

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Revise the narrative to include the Wetland Future Land Use analysis and density calculation.

The environmental assessment states that 6.49 acres of wetlands were identified on the site and the application states that the site has 6.0 acres of wetlands. Provide a formal jurisdictional wetland determination depicting the state protected wetlands. Indicate if mitigation for wetland impacts will be addressed through onsite or offsite mitigation in accordance with Goal 124.

The Environmental Assessment included a soils map that depicts hydric soils located within half of the property. The MCP depicts upland preserves in these areas. Revise the MCP to be consistent with the Environmental Assessment as there are no upland soils within the areas hatched as upland preserves.

Revise the Environmental Assessment to provide the percentage of exotics in each indigenous FLUCCS to ensure that the proposed preserves depicted on the MCP are indigenous per LDC Section 10-1.

The Environmental Assessment and the MCP depict other surface waters in an area that is a floodway. Revise both documents to depict the floodway.

It appears that the 50-foot natural waterway buffer is less than 50-feet and the applicant has requested Deviation #6 to allow a reduced width due to the FDOT drainage easement. Provide a cross section to support Deviation #6 that depicts the limits of the floodway, FDOT drainage easement width, the top of bank or mean high water, whichever is further landward, and the 50-foot natural water way buffer.

Please indicate if any fences are being proposed around the perimeter of the property. If so, demonstrate compliance with LDC Section 34-1743(b)3.

Indicate what footnote #4 is referring to in the Schedule of Uses for the minimum preserve setback.

Please indicate why Type-A and Type-D buffers are being proposed around portions of the north, east, and southeast property lines.

The proposed emergency access, northeast cul-de-sac, and the southeast dead end street are within 125 feet of a residential use. Please revise the MCP to depict the required buffer per LDC Section 10-416(d)6.

Please contact Elizabeth A Workman at EWorkman@leegov.com or by calling 239-533-8793 with any questions regarding the above review comments.

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Natural Resources Review:

Please provide a written description of the surface water management plan per LDC 34-373(b) (1).

The proposed project is within the impaired Daughtrey Creek watershed. Please, at a minimum, provide an analysis of Lee Plan policies 60.1.1, 60.4.2, 125.1.2, 125.1.3, 125.1.4, and 126.1.4.

Please clarify if improvements within the FIRM Floodway are proposed.

Please provide a Drainage and Access Easement per 10-328 for the Floodway. Please label these areas on the MCP and provide a draft easement.

Please contact Nicholas DeFilippo at NDeFilippo@leegov.com or by calling 239-533-8983 with any questions regarding the above review comments.