



Kevin Ruane
District One

April 26, 2022

Writer's Direct Dial Number: 239-533-8890

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County Hearing Examiner

Peter M. Maastricht, P.E.
Maastricht Engineering, Inc.
7370 College Parkway
Fort Myers, FL 33907

Re: Kelly Road – 76 Unit
ADD2022-00052 – ADMINISTRATIVE DEVIATIONS

Dear Peter M. Maastricht, P.E.

The Development Services Division has reviewed the information provided for the above administrative deviation 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.

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or corrections within 30 calendar days of this letter, the Code requires that this application be considered withdrawn.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,

Electronically signed on 4/26/2022 by
Brian Roberts, Plan Reviewer
Lee County Community Development

Brian Roberts, P.E.
DEPARTMENT OF COMMUNITY DEVELOPMENT
Development Services

Peter M. Maastritch, P.E.
Re: Kelly Road – 76 Unit
April 26, 2022

DEVELOPMENT SERVICES

1. The applicant has submitted the entire civil plan set. Please only submit a site plan and appropriate sections that depict the requested deviations. Please highlight the requested deviation in the plan with a triangle and number or similar notation that matched the deviation request.
2. Please revise the Disclosure of Interest to remove Eduardo Perez-Orive from paragraph number 6 unless he is a Lee County employee, County Commissioner or Hearing Examiner.
3. Please revise the application in 9a to reflect that the property is currently vacant.
4. In #16 of the application the applicant has checked Section 10-329(d)(4) for excavation bank slopes. Deviation #3 mentions 10-329 (no specific paragraph) and does not reference the lake bank slope requirements nor does the justification. Please clarify deviation #3 as it appears to request a deviation from two different code sections. Please clarify.
5. Please reflect deviation (2) in the site plan. The applicant has asked for a deviation for connection separation from a connection point on the other side of Kelly Road but the plans do not show the requested distance nor connection point across the street. Please show the connection separation distance in accordance with the requirements in LDC 10-285.

ENVIRONMENTAL

1. Provide a narrative demonstrating how the request meets the criteria per LDC Section 10-104(c)(3).
2. Provide a site plan depicting where each deviation being requested is located.
3. Provide the calculations (see LDC Section 10-104(c)(4)) for the planted littoral shelf per LDC 10-418(2)(d)(2).
4. Provide the compensatory littoral calculations (see LDC Section 10-104(c)(4)) per LDC Section 10-418(3)(a or b).
5. Provide a site plan depicting the planted littoral shelf and the compensatory littoral shelf. This may be combined but the site plan must depict separate hatched areas to recognize each type.
6. If the compensatory shelf and the planted littoral shelf are located together, revise cross section K to depict each in the 20-foot planted littoral shelf depiction.

DOT

LCDOT staff has reviewed the information submitted on March 21st, 2022 and found it is insufficient to grant a deviation from LDC Section 10-285 (connection separation) to reduce the minimum standards for the separation distance for urban major collectors from 245 to 120 feet.

Peter M. Maastritch, P.E.

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The provided justification does not address the criteria for granting the requested deviation listed in LDC Section 10-104(b). Please provide explanation and justification demonstrating the following criteria have been met:

1. The alternative proposed to the standards contained herein is based on sound engineering practices, and
2. The alternative is no less consistent with the health, safety and welfare of abutting landowners and the general public than the standard from which the deviation is being requested.

NATURAL RESOURCES

1. Please provide an analysis of Lee Plan policy 125.1.2. Please detail how the compensatory littoral plantings will provide a water quality benefit within the analysis.