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Explanation and Justification of Request for Deviations – Kelly Road 76 Units- DOS2021-00075

1. Deviation from LDC Section 10-329(d)(1)(a)(3) requirement that an excavation for a retention/detention lake be set back a minimum of 50 feet of any private property line under separate ownership unless granted an administrative deviation in accordance with section 10-104. The setback for an excavation from a private property line under separate ownership is requested to be reduced to 25 feet from the Northern property line.

JUSTIFICATION: This lake is to be incorporated into the water management system for nutrient loading and water quality purposes. This reduction in the setback will bring the value to the land by increasing the suitable fill material and maximizing the lake size within the constraints of the property for both water management benefits and aesthetic lake views for residents. As such, the proposed deviation will enhance the proposed development and will not be a detriment to the public interests.

2. Deviation from Administrative Code 10-11 and LDC Section 10-285 requirement for an access roadway intersection separation of 245 feet along a Major collector roadway. The intersection separation is requested to be reduced to 120 feet for the proposed driveway to the driveway across Kelly Road to the West.

JUSTIFICATION: This property is approximately 5 acres in area which warrants two access driveways for the development Per LDC 10-291 for emergency access. The separation requirements between driveways of 245' cannot be met. Therefore, we would like to request the deviation.

3. The Deviation from LDC Sections 10-329 and 10-418 requirement of hardened shoreline structures may comprise up to 20% of an individual lake shoreline. The hardened shoreline is requested to be increased to 25% of an individual lake shoreline.

JUSTIFICATION: The proposed lake provides LDC requisite littoral zones and plantings, the additional 5% of hardened shoreline is accommodated with additional littoral plantings. The proposed lake is limited in size and abuts the amenity area which is elevated for minimum stormwater grading criteria. The resulting hardened shoreline required to meet this grade differential is only 5% greater than that allowed by code and is offset by additional littoral plantings.

If you should have any questions or require additional information, please advise.

Sincerely,

A handwritten signature in black ink, appearing to read "Peter M. Maastricht".

Peter M. Maastricht, P. E.
MAASTRICHT ENGINEERING, INC.

