November 17, 2022

Mr. Dirk Danley
Senior Planner
Lee County Community Development, Zoning Section
1500 Monroe Street
Fort Myer, FL 33908

Re: OAK PARK VILLAGE MHPD
4th INSUFFICIENCY COMMENT LETTER
DCI2021-00019

Dear Dirk:

Enclosed please find responses to your insufficiency letter dated *February 18, 2022*. The following information has been provided to assist with the approval process:

1. Sufficiency Comment Response Letter
2. MPP analysis email from Leslie Haynes
3. Revised MCP showing legal easement to outdoor storage area
4. Revised deviations to change deviation #7 information

The following is a list of staff comments with our responses in **bold**:

Development Services Review

1. The applicant's justification to deviate from the requirements of LDC 10-296 states that the access is "in all functionality a driveway" and that LDC 10-296 "is not appropriate for a residential driveway". Staff agrees that LDC 10-296 is a not appropriate for a residential driveway and in fact 10-296(I)(3) specifically exempts driveways (as defined in chapter 10) from the requirements of LDC 10-296. A "driveway" is defined in LDC 10-1 as a type of access point which provides vehicle access from a street to a single parcel of land containing two or fewer dwelling units in a single structure and from which vehicles may legally enter or leave the street in a forward or backward motion. The access easement does not fit the definition of a driveway as it provides access to more than a single parcel of land as well as a proposed storage area. Furthermore, LDC 10-291 requires development to abut and have access to a public or private street designed, and constructed or improved, to meet the standards in section 10-296 or a deviation from that requirement. Staff does not agree that it "functions as a driveway according to AASHTO and Florida Greenbook". AASHTO, the FDOT - Driveway Information Guide, and the FDOT Access Management Guidebook all define a driveway as "an access constructed with a public R/W (Right-of-Way) connecting a public road with adjacent property." The subject site is not adjacent to a public road and the access easement provides access to two other parcels besides the subject parcel which are not adjacent to a public R/W.

   RESPONSE: Per meeting with staff and meeting with the Oak Park Village Board the attached MCP shows a revised entrance to the outdoor storage area that is now entirely on property owned by Oak Park Village. This means that the use of the 18' easement as the primary access to the outdoor storage area will discontinue at the time of local development order and will revert to an emergency access only.

   The revised entrance fits the Lee County Land Development Code Section 10-296(L)(4) of a privately maintained accessway which is not required to meet the minimum roadway right-

of-way widths specified in subsection (b) of this section because it meets the following three requirements:

a. Does not provide access to residential units;

b. Does not have back-out parking; and

c. Does not proposed utilities adjacent to the accessway.

As defined in LDC 10-1 an accessway means, "land that is used or intended to be used for ingress or egress to abutting parcels of land and is not dedicated to the public. Accessways include access points to commercial, industrial and other types of developments, except a single parcel of land containing two or fewer dwelling units in a single structure."

As a low-volume, privately maintained, accessway not requiring to meet 10-296(b), we propose a gravel road with 18' width (9' travel lanes) per 10-296(b), Note (1) that allows, "The right-of-way width to be determined by the Director of Transportation on public roadways and by the Director of Development Services on privately maintained roadways."

The outdoor storage area access is for residents only on private land owned and maintained entirely by Oak Park Village Cooperative. The accessway is entered by turning off Pearl Street to Aloe Street and turning west through the southern part of Lot 1 (1 Aloe Street, STRAP 23-43-27-02-00014.0010). Pearl Street County maintenance ends approximately 400 feet west of the entrance to Oak Park at Aloe Street making this a private roadway.

2. The applicant references the use of two-way single lane roads where traffic volumes are limited to 100 vpd but did not provide any traffic generation or support that shows that the existing residences and proposed storage yard will generate less than 100 vpd. Please demonstrate that the existing and proposed development will have less than 100 vpd.

   RESPONSE: No longer applicable since it does not access residential units.

3. How is roadway drainage addressed? The applicant is proposing improvements that will require water quality and quantity treatment per LDC 10-321(a).

   RESPONSE: No longer applicable

4. The alternative design and justification provided must be signed and sealed by a registered professional engineer.

   RESPONSE: No longer applicable

Natural Resources Review

1. Please note that storage of boats which have access to the boat launch must be compliant with the Manatee Protection Plan (Policy 128.4.6). This is considered an expansion of slips beyond the wet slips located within the boat basin. Please submit a Manatee Protection Plan Evaluation which address the amount of slips permissible in the Oak Park Mobile Home Village. The submitted response includes an excerpt from the Manatee Protection Plan which is not sufficient to address this comment. Please contact Lesli Haynes with Natural Resources to obtain a Manatee Protection Plan Evaluation.

RESPONSE: A Manatee Protection Plan Evaluation has been completed and attached in the resubmittal. The summary provided by email from Lesli Haynes on July 28, 2022 is as follows:

"As requested, we've reviewed the below listed property for consistency with the Lee County Manatee Protection Plan (MPP). Based on current conditions and data, the project ranks out as follows. The full score sheet is attached for reference.

Facility	Corps reach	Shore ft	existing "slips"	ratio	rounded	Slips per 100'	max slip	expansion
Oak Park Village	32	1,189	not provided	11.89	12	unlimited	unlimited	
				0	0			
								unlimited

In accordance with Section 8.4 of the MPP, this project qualifies as Preferred. As such, this property is unrestricted and can have an unlimited amount of slips and remain compliant with the MPP. Please note that assumptions have been made about the depth and presence of submerged aquatic vegetation that may need to be specifically addressed by the applicant. Mitigation measures for new slips at this project include but are not limited to: 1) Standard manatee construction conditions; 2) Manatee education activities as required per section 8.4.5. Note that the MPP determination does not alleviate the need to comply with zoning and all other applicable local, state and federal regulations, some or all of which may be more restrictive."

If you have any further questions, please do not hesitate to contact me directly at (239) 318-6707 or fdrovdlic@rviplanning.com.

Thank you,

RVi Planning + Landscape Architecture

Fred Drovdlic, AICP
Planning Director

WALDROP ENGINEERING
PLANNING | CIVIL ENGINEERING | LANDSCAPE ARCHITECTURE

OAK PARK VILLAGE MHPD

Schedule of Deviations and Written Justification

DEVIATIONS

1. Deviate from Lee County Land Development Code (LDC) §34-2020(4)k. to reduce the minimum required parking spaces for a clubhouse (meeting hall) from 59 parking spaces to 26 parking spaces.

   JUSTIFICATION: Approved under VAR2009-00032.

2. Deviate from LDC Section 34-3005(b)(1) that requires all commercial or industrial outdoor storage to be shielded behind a continuous visual screening at least eight feet in height when visible from a residential use or residential zoning district; to allow a 6' high chain link fence with 60" landscaping to enclose the storage area.

   JUSTIFICATION: Approved as Condition 17.c. under Z-07-072(A) that included a 6' high chain link fence with a Type "C" buffer must be provided along the southern and western boundaries of the accessory storage area with the exception of the gate. The plantings must include shrubs, a minimum of 60 inches in height at the time of planting. This condition is repeated as Condition 2.f. in the Schedule of Uses and Development Parameters document in this submittal.

   It should be noted that the open storage area is for resident of Oak Park Village only, not a commercial storage area for public rent.

3. Deviate from Section 34-935 (g) (1) a. requiring 40 percent of the total area of the project to be common open space; to allow 13 acres, or 26% of the project, to be common open space as depicted on the MCP.

   JUSTIFICATION: Oak Park Village existing mobile home park has been developed prior to 1987 and is considered a legal lot of record according to Ordinance 86-36. As such the open space requirements of 40% for an MHPD were not part of the code at that time. Therefore, the deviation addresses the inability to precisely identify all open space in the existing park and to acknowledge that the 40% is unable to be met within the existing park (AREA A on the MCP).

   The additional two parcels that are not part of the existing Oak Park Village are 11.45 acres. They are to be used for passive recreation and outdoor storage. The large majority of the two parcels will remain as they are today. Depicted on the MCP is 6.0 acres of open space within the 11.54 acres of the two parcels which equals 52%. We exceed the requirement outside of the existing park.

4. Deviate from Section 34-935 (b) (1) b. requiring minimum setbacks of structures and buildings from development perimeter boundaries where all buildings and structures must be set back from the development perimeter a distance equal to the greater of fifteen (15) feet, if the subject property is, or will be zoned MHPD; to allow minimum setbacks of structures and buildings from development perimeter boundaries to be ten (10) feet for the existing Oak Park Village MHPD Boundary area consistent with the approved variance in Resolution Z-05-077.

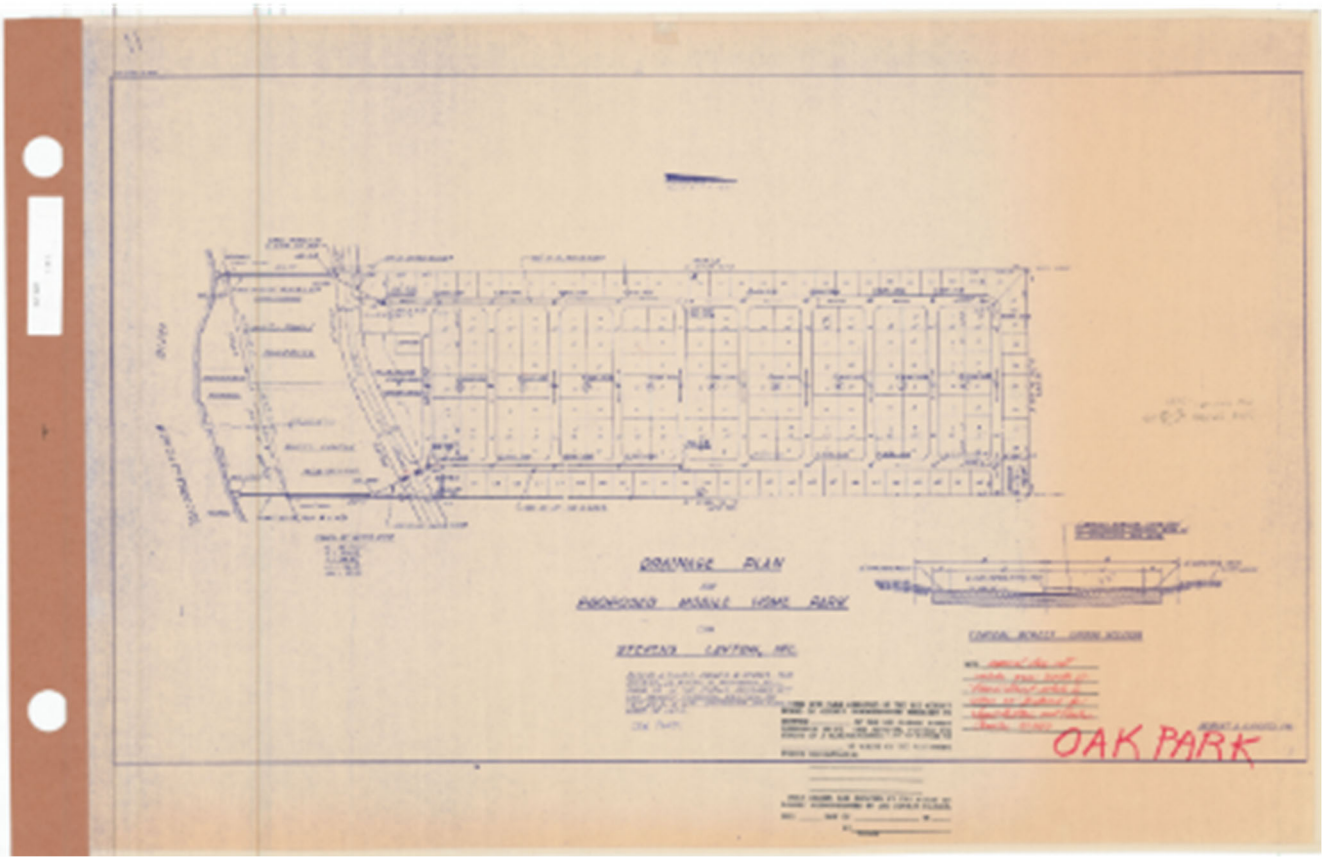
   JUSTIFICATION: Oak Park Village was rezoned MHC-1 with a companion variance in Resolution Z-05-077 that approved a perimeter setback of 10 feet.

5. Deviate from Section 34-935 (e) (1) a. where in the MHPD districts, if the development contains or consists of a conventional subdivision for mobile homes, the lot dimensions and area specified in section 34-736 for the MH-1, MH-2, MH-3 or MH-4 mobile home districts shall apply as appropriate, unless other lot areas and dimensions are approved by the Board of County Commissioners; to allow property dimensions consistent with the original subdivision as an official lot of record.

   JUSTIFICATION: Oak Park Village mobile home park became a lot of record when the park was originally granted a Special Permit on June 2, 1970 (Zoning Resolution Z-70-56). The property zoned C-1 (south side of Pearl Street) was originally zoned from AU to BU-2A by Zoning Resolution Z-70-56 – the same resolution that granted a Special Permit for the mobile home park. The property was later rezoned to BU-2A to allow for the boat marina. The existing mobile home lots south of Pearl Street were then rezoned to MH-2 in November 1983 (Zoning Resolution ZAB-83-355).

   The mobile home park is a lot of record, pursuant to LDC Section 34-3272(1)(d), which allowed grandfathering of mobile home parks, including Oak Park Village, via Ordinance 86-36, where the requirement is that the park subsequently obtained on or before June 3, 1987, approval by the Board of County Commissioners of a site plan which identifies individual sites within the park and said sites meet the minimum lot size and setbacks consistent with the zoning regulations as set forth in Section 602.03 and its applicable subsection based on the date of the Resolution.

   A site plan as required by Ordinance 86-36 and codified in LDC Section Sec. 34-3272(1)d.6., the lot or record is met by the approval of the development order 3-13-84 (drainage plan pictured below).



Additionally, the intent of this rezoning is to bring all properties owned by Oak Park Village Co-Op under a common MHPD and in doing so codify the existing Oak Park Village development, which was noted as a legal conforming development when zoned MHC-1 and granted a perimeter setback variance in Z-05-077. The MHPD regulations are greater than MHC-1 since they use MH-1, MH-2, MH-3 or MH-4 mobile home districts development parameters. Therefore, the deviation for lot area, lot width and lot depth are necessary to reflect the existing park as developed.

6. Deviate from Section 34-736 concerning setbacks from lot lines and separation of buildings for mobile homes in mobile home planned developments where the front, side and rear setbacks for the MH-1, MH-2, MH-3 or MH-4 mobile home district shall apply as appropriate, unless other lot areas and dimensions are approved by the Board of County Commissioners; to allow setbacks as follows:

AREA A – EXISTING OAK PARK VILLAGE

Minimum Setbacks:

Oak Park Village mobile home park became a lot of record when the park was originally granted a Special Permit on June 2, 1970 (Zoning Resolution Z-70-56) and the site plan requirement was met with the approval of development order 3-13-84.

AREA B – OUTDOOR STORAGE AND RECREATION AREA

Minimum Setbacks:

Pearl (Offsite) Street:	25 feet
Park perimeter (MHPD boundary for AREA B):	15 feet
Outdoor Storage Area:	15 feet
Water Body:	5 feet (MHC-1 regulations)

JUSTIFICATION: The intent of the rezoning was to bring all properties owned by Oak Park Village Co-Op under a common MHPD and in doing so codify the existing Oak Park Village development according to the designation of the existing mobile home park as an official lot of record by Ordinance 86-36 and codified in LDC Section Sec. 34-3272(1)d.6. Oak Park Village mobile home park became a lot of record when the park was originally granted a Special Permit on June 2, 1970 (Zoning Resolution Z-70-56) and the site plan requirements was met with the approval of development order 3-13-84.

All of the internal design has been established and is codified., which was noted as a legal conforming development when zoned MHC-1 and granted a perimeter setback variance in Z-05-077. The MHPD regulations are greater than MHC-1 since they use MH-1, MH-2, MH-3 or MH-4 mobile home districts development parameters. Therefore, the deviation for setbacks is necessary to reflect the existing park as developed and MHC-1 regulations.

7. Deviate from Section 10-296(b) that requires public and private streets to be constructed and improved in accordance with the specifications set out in this section; to allow a low-volume, privately maintained, accessway not required to meet 10-296(b) accept a gravel road with 18' width (9' travel lanes) per 10-296(b), Note (1) that allows, "The right-of-way width to be determined by the Director of Transportation on public roadways and by the Director of Development Services on privately maintained roadways."

JUSTIFICATION: Per meeting with staff and meeting with the Oak Park Village Board the attached MCP shows a revised entrance to the outdoor storage area that is now entirely on property owned by Oak Park Village. This means that the use of the 18' easement as the primary access to the outdoor storage area will discontinue at the time of local development order and will revert to an emergency access only.

The revised entrance fits the Lee County Land Development Code Section 10-296(L)(4) of a privately maintained accessway which is not required to meet the minimum roadway right-of-way widths specified in subsection (b) of this section because it meets the following three requirements:

a. **Does not provide access to residential units;**
b. **Does not have back-out parking; and**
c. **Does not proposed utilities adjacent to the accessway.**

As defined in LDC 10-1 an accessway means, "land that is used or intended to be used for ingress or egress to abutting parcels of land and is not dedicated to the public. Accessways

include access points to commercial, industrial and other types of developments, except a single parcel of land containing two or fewer dwelling units in a single structure."

As a low-volume, privately maintained, accessway not requiring to meet 10-296(b), we propose a gravel road with 18' width (9' travel lanes) per 10-296(b), Note (1) that allows, "The right-of-way width to be determined by the Director of Transportation on public roadways and by the Director of Development Services on privately maintained roadways."

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Fred Drovdlic

From: Haynes, Lesli <LHaynes@leegov.com>
Sent: Thursday, July 28, 2022 9:33 AM
To: Fred Drovdlic
Cc: Danley Jr, Dirk
Subject: RE: Oak Park Mobile Home Village Manatee Protection Plan Evaluation
Attachments: Oak Park Village.xlsx

Mr. Drovdlic,
Good morning. As requested, we've reviewed the below listed property for consistency with the Lee County Manatee Protection Plan (MPP). Based on current conditions and data, the project ranks out as follows. The full score sheet is attached for reference.

7/26/2022

Facility	Corps reach	Shore ft	existing "slips"	ratio	rounded	Slips per 100'	**max sl**
Oak Park Village	32	1,189	not provided	11.89	12	unlimited	unlimite
				0	0		

In accordance with Section 8.4 of the MPP, this project qualifies as **Preferred**. As such, this property is unrestricted and can have an unlimited amount of slips and remain compliant with the MPP. Please note that assumptions have been made about the depth and presence of submerged aquatic vegetation that may need to be specifically addressed by the applicant. Mitigation measures for new slips at this project include but are not limited to: 1) Standard manatee construction conditions; 2) Manatee education activities as required per section 8.4.5. Note that the MPP determination does not alleviate the need to comply with zoning and all other applicable local, state and federal regulations, some or all of which may be more restrictive. Please feel free to contact me with any questions.

Thank you,
Lesli

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riilfh=#56<,#8660;899#
hp dlo=#kd|qhvC dhjry1frp #
z hevlwh=#zzz1dhjry1frp #

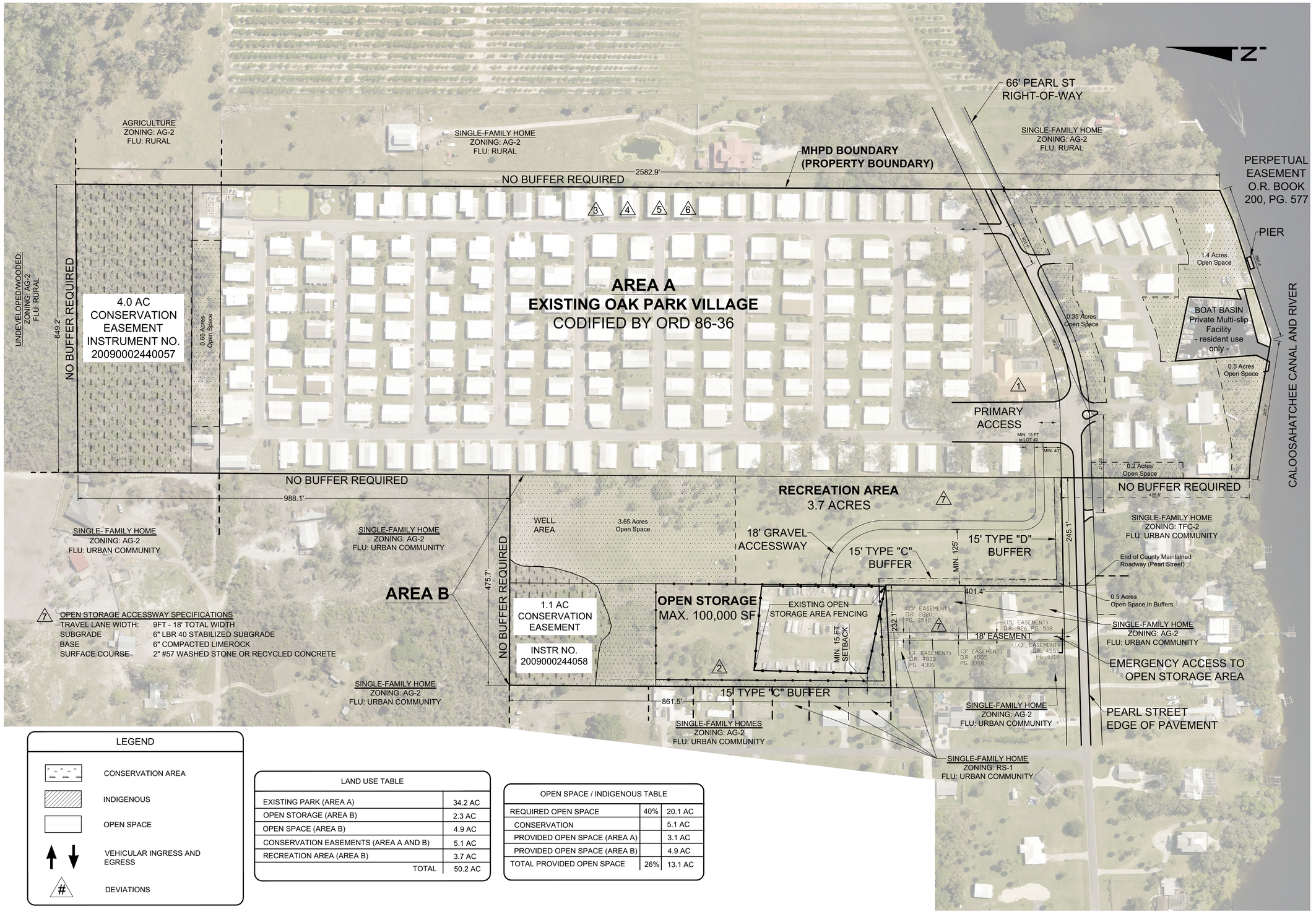
From: Fred Drovdlic <fdrovdlic@rviplanning.com>
Sent: Wednesday, July 20, 2022 11:20 AM

7/26/2022

Facility	Corps reach	Shore ft	existing "slips"	ratio	rounded	Slips per 100'	**max slip**	**expansion**
Oak Park Village	32	1,189	not provided	11.89	12	unlimited	unlimited	
				0	0			
								unlimited

Step			
1a	needs confirmation by applicant		
1b	needs confirmation by applicant		
2	0	2	1.2%
3	0	29	0.85
4	0		
5	0		
6	-1		
7	0		
8	-1		
9	No, ASC		
10	Preferred		

Notes: Shoreline length measured from GIS
Existing "slips" not provided



7 OPEN STORAGE ACCESSWAY SPECIFICATIONS

TRAVEL LANE WIDTH:	9FT - 18' TOTAL WIDTH
SUBGRADE	6" LBR 40 STABILIZED SUBGRADE
BASE	6" COMPACTED LIMEROCK
SURFACE COURSE	2" #57 WASHED STONE OR RECYCLED CONCRETE

LEGEND

- CONSERVATION AREA
- INDIGENOUS
- OPEN SPACE
- VEHICULAR INGRESS AND EGRESS
- DEVIATIONS

LAND USE TABLE

EXISTING PARK (AREA A)	34.2 AC
OPEN STORAGE (AREA B)	2.3 AC
OPEN SPACE (AREA B)	4.9 AC
CONSERVATION EASEMENTS (AREA A AND B)	5.1 AC
RECREATION AREA (AREA B)	3.7 AC
TOTAL	50.2 AC

OPEN SPACE / INDIGENOUS TABLE

REQUIRED OPEN SPACE	40%	20.1 AC
CONSERVATION		5.1 AC
PROVIDED OPEN SPACE (AREA A)		3.1 AC
PROVIDED OPEN SPACE (AREA B)		4.9 AC
TOTAL PROVIDED OPEN SPACE	26%	13.1 AC

WALDROP ENGINEERING
CIVIL ENGINEERING & LAND DEVELOPMENT CONSULTANTS
25100 BONITA GRANDE DRIVE - SUITE 305 BONITA SPRINGS, FL 34135
P: 239-405-7777 F: 239-405-7599 EMAIL: info@waldropengineering.com

OAK PARK VILLAGE MHPD

MASTER CONCEPT PLAN

CLIENT: OAK PARK VILLAGE COOPERATIVE

LEE COUNTY

MOBILE HOME PLANNED DEVELOPMENT

PLAN REVISIONS

05/05/2021
09/11/2021
11/23/2021
1/19/2022
4/7/2022
NA
11/15/2022

0 50 100 200
SCALE IN FEET

FLORIDA CERTIFICATE OF AUTHORIZATION #8636

SET NUMBER: 1092-001-01

SHEET : 1

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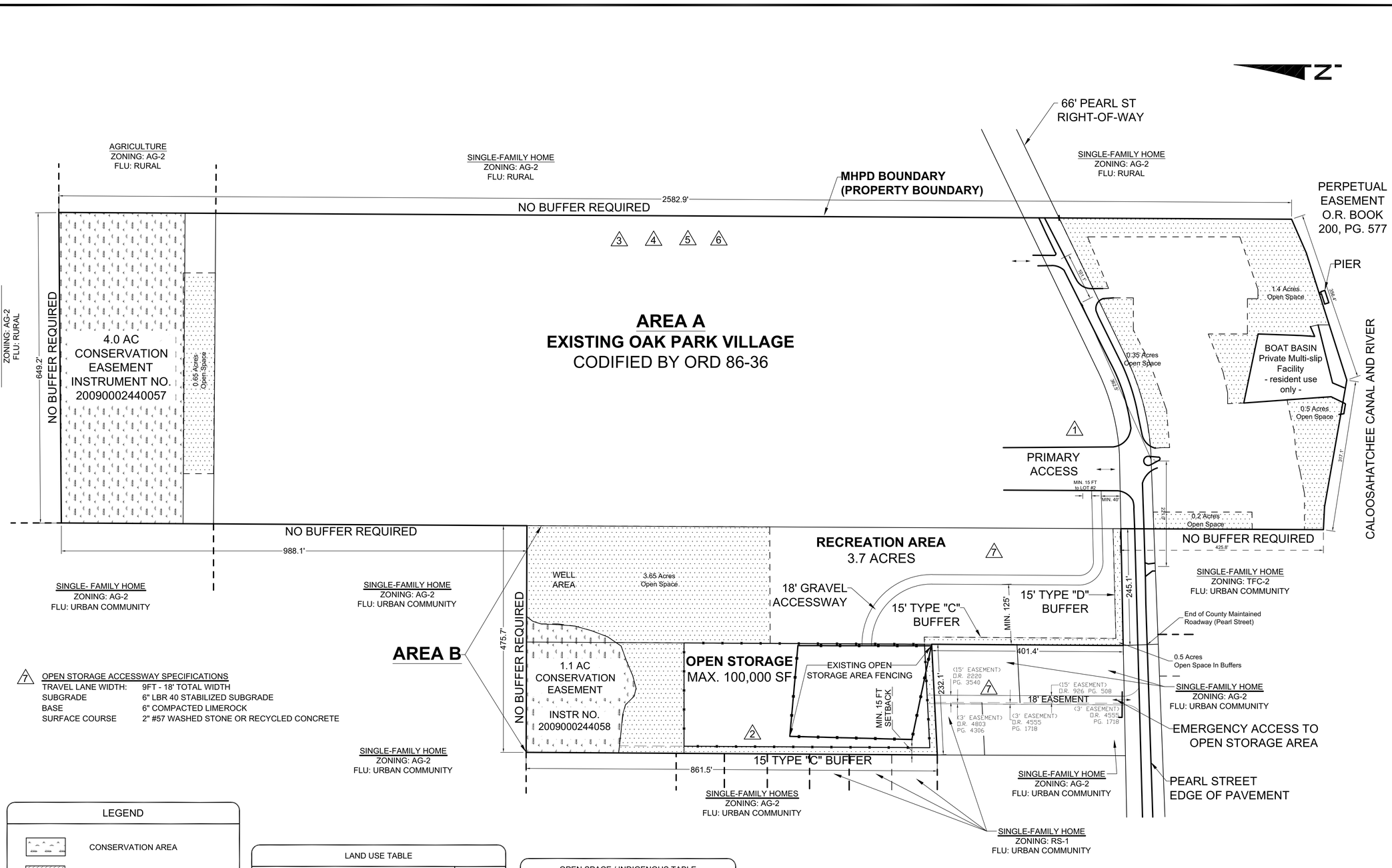

7 OPEN STORAGE ACCESSWAY SPECIFICATIONS

TRAVEL LANE WIDTH:	9FT - 18' TOTAL WIDTH
SUBGRADE	6" LBR 40 STABILIZED SUBGRADE
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LEGEND

- CONSERVATION AREA
- INDIGENOUS
- OPEN SPACE
- VEHICULAR INGRESS AND EGRESS
- # DEVIATIONS

LAND USE TABLE	
EXISTING PARK (AREA A)	34.2 AC
OPEN STORAGE (AREA B)	2.3 AC
OPEN SPACE (AREA B)	4.9 AC
CONSERVATION EASEMENTS (AREA A AND B)	5.1 AC
RECREATION AREA (AREA B)	3.7 AC
TOTAL	50.2 AC

OPEN SPACE / INDIGENOUS TABLE		
REQUIRED OPEN SPACE	40%	20.1 AC
CONSERVATION		5.1 AC
PROVIDED OPEN SPACE (AREA A)		3.1 AC
PROVIDED OPEN SPACE (AREA B)		4.9 AC
TOTAL PROVIDED OPEN SPACE	26%	13.1 AC

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OAK PARK VILLAGE MHPD

MASTER CONCEPT PLAN

CLIENT: OAK PARK VILLAGE COOPERATIVE
LEE COUNTY
MOBILE HOME PLANNED DEVELOPMENT

PLAN REVISIONS

05/05/2021	
09/11/2021	
11/23/2021	
1/19/2022	
4/7/2022	
NA	
11/15/2022	

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SCALE IN FEET

FLORIDA CERTIFICATE OF AUTHORIZATION #8636

SET NUMBER: 1092-001-01
SHEET : 1

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