



Professional Engineers, Planners & Land Surveyors

Whispering Lakes I RPD

Schedule of Deviations and Justifications

ADD2022-00139 – Revised November 2022

The existing zoning deviations are proposed to remain:

Existing Deviation 1 from Z-89-100 regarding model homes is not applicable. See Condition 3 of ADD2006-00197.

Existing Deviation 2 from ADD2002-00059: Reduce cul-de-sac right of way radius to 50 feet.

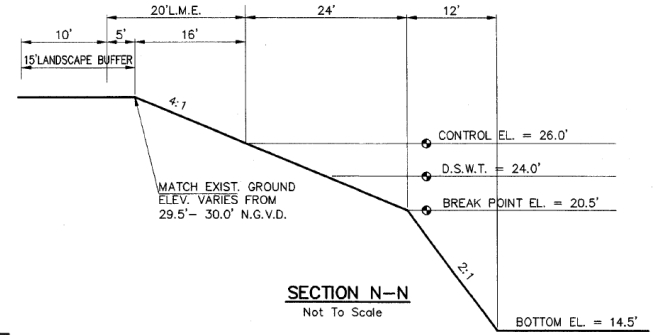
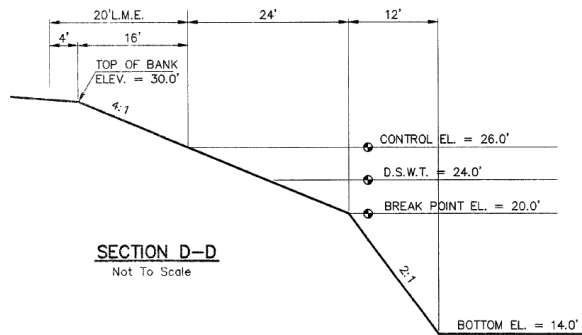
Existing Deviation 3 from ADD2004-00171): From LDC Section 10-285 intersection separation for eyebrow medians to reduce connection separation on a local road from the required 125 feet to allow a minimum 50 feet separation with two-way traffic.

Proposed new deviation requests:

Deviation 4: From LDC Section 10-329(d)(4) which requires the banks of excavations to be sloped at a ratio not greater than six horizontal to one vertical; to allow to vest the ratio of four horizontal to one vertical for all the existing lakes (all lakes proposed on DO plans) that were constructed based on approved plans for DOS2004-00282.

Justification: The requested deviation is included in LDC Section 10-104(a)(12) list of provisions where the Development Services Director is authorized to grant administrative deviations. The project originally received development order approval pursuant to DOS2004-00282; amended approval dated March 15, 2007. Upon approval of the D.O. and vegetation removal permit, site construction commenced. Site work was subsequently stopped due to economic conditions. At the time site work was halted, these lakes had been constructed in compliance with the D.O. approval (see cross section and aerial on next page). On June 23, 2009, the Land Development Code was amended by Ordinance 09-23 which changed the design standards for new excavation bank slopes from a ratio of four horizontal to one vertical to six horizontal to one vertical. No changes are proposed to these existing lakes. Administrative deviations for lakes designed and approved by prior development orders have been previously requested and approved from the required six to one slope to allow a slope no steeper than four to one, consistent with the existing approvals and subject request. The requested deviation enhances the achievement of the objectives of the planned development and will preserve and promote the general intent to protect the public health, safety and welfare. The request is also consistent with the applicable criteria for administrative deviations contained in LDC Section 10-104(b). The alternative proposed is based on sound engineering practices and 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. The granting of the deviation is not inconsistent with any specific policy directive of the Board of County Commissioners, any other ordinance or any Lee Plan provision.



Deviation 5: From LDC Section 10-418 which requires shorelines to be sinuous and littoral plantings to allow existing lakes to remain as constructed based on approved plans for DOS2004-00282.

Justification: The project originally received development order approval pursuant to DOS2004-00282; amended approval dated March 15, 2007. Upon approval of the D.O. and vegetation removal permit, site construction commenced. Site work was subsequently stopped due to economic conditions. At the time site work was halted, these lakes had been constructed in compliance with the D.O. approval (see aerial on prior page). No changes are proposed to these existing lakes. The requested deviation enhances the achievement of the objectives of the planned development and will preserve and promote the general intent to protect the public health, safety and welfare.