

M E M O R A N D U M
FROM
THE OFFICE OF THE
LEE COUNTY HEARING EXAMINER

DATE: April 13, 2023

TO: Neale Montgomery, Esq., Applicant
Chahram Badamtchian, DCD Staff

FROM: Donna Marie Collins
Chief Hearing Examiner

RE: DCI2022-00052 & DRI2022-00004 – MIROMAR LAKES MPD/DRI
REQUEST FOR ADDITIONAL INFORMATION

Order Requesting Supplement to Record

Draft DRI Development Order submitted by staff does not include necessary amendments to the following sections of the DRI Development Order:

1. Legal Description: Applicant seeks to add +/- 4 acres to the project.

The legal description attached to the MPD zoning resolution Z-13-020 and the DRI Development Order reflects only 1,799.868 acres. If Applicant seeks to revise acreage to 1,804 acres, the Hearing Examiner requires legal descriptions to support the requested change in acreage. This applies to the MPD zoning resolution and the DRI Development Order.

2. DRI Development Order.

Sections of the DRI Development Order that must be amended to reflect the request were not provided to the Hearing Examiner. Specifically,

Section II Action on the Request and Conditions of Approval. Must identify amendment number and date of Board Meeting.

Section II D. Transportation. 1.(a) to reflect assumptions in development parameters supporting transportation assessment.

Section II D. Transportation. 7. Land Use Conversion. This section does not provide for conversion of non-residential land uses to residential. This should be clarified to acknowledge the amendment.

Section II. G. Comprehensive Plan Consistency. Paragraph 2. The limitation on total commercial square footage should be reduced to reflect new development parameters.

Master Plan of Development (DRI Map H) Must be revised to reflect revised land use parameters.

Section III. C. Master Plan of Development. Must be revised to reflect the date of the revised Map H

Section III. L Buildout and Termination Dates. Must be revised to reflect new dates.

Section III. O. Protection of Development Rights. Must be revised to reflect new date if Applicant desires to extend protection past 2030.

Exhibit B. Development Parameters and Phasing Schedule. Must be amended to reflect phasing schedule for new development parameters.

Exhibit C. Master Plan of Development DRI MAP H. Must revise land use summary table.

Please submit the requested information by 4:30 PM April 20, 2023.

Copies Provided to: Michael Jacob, Esq., Deputy County Attorney
Joseph Adams, Esq., Assistant County Attorney
Anthony Rodriguez, AICP, MPA, Manager
Dan DeLisi, Applicant's Representative
Jamie Prining, Community Development