

June 2, 2023

Amanda Rivera
Deputy Hearing Examiner
The Office of the Lee County Hearing Examiner

Dear Madame Hearing Examiner:

RE: DCI2022-00004 The Nest CPD/RPD

This memo is to address clarifications prior to the scheduled hearing on June 8, 2023, at 9:00am regarding the Staff Report Attachment C - Conditions and Deviations as submitted by staff. **The following are revisions the applicant and staff have agreed to:**

1. CPD Tract “A” Schedule of Uses:

Boats,
Ramps and dockage (not marinas), ~~for the exclusive use of the residents of the Development~~ Limited to a kayak and canoe launch and a temporary tie up dock.

The struck through language was inadvertently added by staff and is not the intention of the applicant to limit this use as the language suggested. In addition, the applicant is not interested in a boat ramp and dockage beyond the kayak and canoe launch and temporary tie up dock. The goal is to allow the public access for nonmotorized vessels. The access to the waterway is consistent with The Comprehensive Plan Goal 79 and Goal 82 which support the increase in recreation in the County’s waterways and to improve the public access to the waterways.

2. RPD Tract “B” schedule of Uses:

Replace the following:

~~Boats,~~
~~Ramps and dockage (not marinas)~~ **with**

Accessory uses and structures, including fishing piers, observation decks or kayak/canoe structures.

The applicant prefers more passive water access to minimize any impacts on Mullock Creek and the surrounding area.

If you have any questions, please do not hesitate to contact me at 239.597.3111 or emblidge@abbinc.com.

Regards,

A handwritten signature in blue ink that reads "Margaret Emblidge". The signature is written in a cursive, flowing style.

Margaret Emblidge, AICP
Planning Director