



Exhibit H

Gulf Landings Logistics Center MPD

Schedule of Deviations & Justification

Changes from Z-21-009 shown in ~~strike-through~~/underline format.

Deviations 1 through 3 - No Changes.

Deviation 4 seeks relief from the LDC §10-329(d)(1)a.3. requirement to provide water retention or detention excavations be setback 50 feet from private property line under separate ownership, to allow:

- a. A 25-foot setback between Lake B1 and Jetway Tradeport MPD.
- b. A 20-foot setback between Lakes A1, A2, A3, B1, and B2 and internal property lines and internal roadways; and
- c. A zero-foot setback between Lake A4 (existing borrow pit) and Airport South Interchange CPD and the Coca Cola Bottling Plant property.

This deviation is APPROVED SUBJECT TO the following condition:

Prior to local development order approval, the developer order plans must include details for wetland trees around the existing lake, even if reconfigured. (MCP Lake A4) Wetland trees must be calculated on one wetland tree per 100 littoral plants.

At the time of development order approval, the developer must provide elements to protect wayward vehicles on the internal roadways adjacent to Lakes A1, A2, A3, B1, and B2. The elements may include guardrails, berms, swales, vegetation, or other protections approved by the Development Services Director.

Deviations 5 through 15 – No Changes.

Deviation 16 seeks relief from LDC Section 10-416(d)(3), which requires a 15-foot Type D Buffer from right-of-way to Commercial/Industrial uses, to allow the following buffers identified within the “Typical Buffer Conditions Exhibit”:

- a. R.O.W to lot buffer (containing Public Utility Easement conflict) shall provide trees within the parking lot landscape islands adjacent to the internal R.O.W. and a continuous single 5 feet tall hedge with shrubs planted at 4 feet on center per typical buffer “F” detail to comply with required vehicle use area and Type D buffer landscape requirements.
- b. R.O.W to lot buffer (containing overlapping easement conflicts) is limited to 275 linear feet of R.O.W shall provide enhanced royal palms and a

continuous single 5-foot-tall hedge at 4 feet on center per typical buffer “G” detail.

- c. R.O.W. to lot buffer (containing no easement conflict) shall provide trees within the common area between the internal R.O.W and individual lots to comply with vehicle use area and Type D buffer landscape requirements. Trees shall be planted at 20 feet on center with shrubs planting in a continuous double hedge 3 feet on center per typical buffer “D” detail.
- d. R.O.W to lake buffer shall provide littoral trees at 5 trees per 100 linear feet to comply with littoral and Type D buffer landscape requirements. Trees shall be clustered in groups of 5 canopy trees with clusters spaced no more than 75 feet apart per typical buffer “E” detail.

Justification: The intent of the 15-foot Type D buffer is to reduce developmental impacts of noncompatible uses promoting the health, safety and welfare of residents by the reduction of noise and glare through the use of vegetative visual and sound barriers that complement the natural environment. The intent is also to shield the traveling public from views of development.

As identified within the “Typical Buffer Conditions Exhibit” development conditions in distinct portions of the development will not allow for sufficient area to provide a 15 foot wide type D buffer. The Applicant therefore proposes to address the intent of the buffer by placing the required Type D landscape buffer trees at different locations depending on the limiting situation. The proposed locations assure that the vegetative visual and sound barriers are still present within the development without taking away area from developable area, stormwater management areas and preservation area.

Where different easement conflicts exist, the Applicant proposes the placement of vegetation within parking landscape islands and as part of the littoral planting when internal R.O.W. is adjacent to lakes.

Type D buffer is fully internal and will not affect abutting property owners and the external public rights-of-way. The MPD is a unified, master planned development under common ownership. The intent is to create a dynamic employment generating development that serves a compatible mix of non-industrial users. The proposed uses within the MPD’s schedule of uses are compatible to each other with no residential being proposed.

The LDC required buffers and enhanced 15-foot wide right-of-way buffer along Ben Hill Griffin and 25-foot wide right-of-way buffer along I-75 to provide buffering to the traveling public. This buffer is not impacted by the deviation request.

The deviation will allow for maximization of development potential within the project, as intended in the employment generating Tradeport designation lands in Lee County. The external views will remain well landscaped, while allowing the internal mix of uses to be developed in a more compact format. For these reasons, the deviation will not impact public health, safety or welfare

Deviation 17 seeks relief from 10-329(d)(1)a.2 requirement to provide water retention or detention excavations be setback 50 feet from any existing or proposed right-of-way line or easement for a collector or arterial street, to allow a 40-foot setback between Lake A1 and the Ben Hill Griffin Parkway ROW.

Justification: The Applicant is requesting an administrative deviation in accordance with Section 10-104 of the LDC to reduce the required setback between Lake A1 and the Ben Hill Griffin Parkway ROW from 50 feet to 40 feet - a 10-foot reduction of the LDC requirement.

The request is the result of a reconfiguration of Lakes occurring to add an additional 5.81 acres of preserve to the MPD.

The 15-foot enhanced buffers along Bill Hill Griffin Parkway consisting of a two-foot-high berm with seven (7) trees, 66 shrubs providing protection of wayward vehicles through the use of vegetation. In addition, the roadway features Type "F" unmountable curbing to further protect public health, safety and welfare.