



**Prestino at Miromar Lakes Request for Final Plan Approval
Schedule of Deviations and Justifications
August 21, 2023**

This project proposes to utilize the following deviations approved by Z-13-020:

DEVIATION (5) from LDC 10-291(3) requirement that a residential development of more than five acres and commercial or industrial development of more than ten acres must provide more than one means of ingress or egress for the development to allow only one means of access. Fire Department approval for Prestino has been obtained.

DEVIATION (7) from LDC 10-296 ("Street Design and Construction Standard") requirement to provide that wearing surfaces for local and access roads for Class A development must be 1.5 inches asphaltic concrete of Florida Department of Transportation Type S-1, to allow for cement concrete or decorative pavers within private local roadways with Miromar Lakes.

Proposed Deviations as part of this request:

Deviation 1:

A request to extend a previously granted administrative deviation, last approved under ADD2020-00138 for additional rip-rap within the Capri Project which is now being changed to the Prestino Project. LDC Section 10-418(3) outlines that a combination of bulkheads, geo-textile tubes, riprap revetments, or analogous fortified shoreline installations is permissible for up to 20 percent of a single lake shoreline. In this case, the request seeks permission to deviate and allow for up to 65% coverage of the intended shoreline for recreational purposes.

Justification: The requested deviation has previously received authorization under ADD2020-00138 to update the last Lake Stabilization Plan which has been approved under previous Final Plan Approvals. The enclosed Final Plan Approval Plans outline the proposed revisions to the Master Lake Stabilization Plan, in the Prestino Project area and areas that referenced past ADD Approvals. This requested variance remains confined to the site and contributes to the fulfillment of the planned development's objectives, preserving the overarching intention of safeguarding public health, safety, and welfare. Additionally, this appeal adheres to the pertinent criteria for administrative deviations, as specified in LDC Section 10-104(b): (1) The alternative to established standards is rooted in robust engineering practices; (2) The proposed alternative upholds the health, safety, and welfare of neighboring landowners and the general public, at least to the same extent as the standard for which the deviation is sought; (3) not applicable; (4) The grant of this variance doesn't conflict with any

explicit policy directives of the County Commissioners' Board, other ordinances, or Lee Plan provisions; and (5) not applicable; and will be provided on the D.O. plat for Prestino.

Deviation 2:

A request for relief from LDC 10-418 requirement which mandates that the use of rip-rap adjacent to single family homes is prohibited. The request seeks permission to deviate and allow for rip-rap placement adjacent to single family homes.

Justification: The requested deviation has previously received authorization under ADD2020-00138.

Deviation 3:

A request for relief from LDC 10-328(a) requirement which mandates that no portion of the required lake maintenance easement may be located within the limits of a platted single-family residential lot to allow lake maintenance easements within the limits of the platted single-family lots within the subject tract.

Justification: The requested deviation has previously received authorization under ADD2020-00138.

Deviation 4:

A request for relief from LDC Section 10-384(c)4 requirement which mandates that the longest permissible length of a dead-end water line should not surpass 1,000 feet. The request seeks permission to deviate and allow for the proposed dead-end water line to exceed the 1,000 feet limitation.

Justification: The requested deviation has previously received authorization under ADD2020-00071 for the Capri Project which is now being changed to the Prestino Project. The appeal for deviation is encompassed within the list of provisions outlined in LDC Section 10-104(a)(15), granting the Development Services Director the authority to administer such deviations. There is an existing 12" water main that terminates at the southern boundary of Prestino on Lake Maggiore Drive. An 8" water main is proposed in Prestino which extends approximately 250 feet to the cul-de-sac at Prestino Isle Place. Approximately 400 ft south of Prestino, there is a water main that connects to Ben Hill Griffin Parkway. Given that this is the final project at Miromar's northern boundary, future extensions are not anticipated. The dead-end main meets the necessary fire flow criteria and thorough hydrologic modeling confirms that the proposed configuration adequately ensures fire protection.

The appeal is in alignment with the pertinent criteria outlined for administrative deviations as detailed in LDC Section 10-104(b): (1) The proposed alternative to the established standards is rooted in sound engineering practices. (2) The alternative maintains a level of consistency no less than the standard being deviated from, in terms of safeguarding the health, safety, and welfare of neighboring landowners and the general public. (3) Not applicable in this

context. (4) The approval of this deviation doesn't contradict any explicit policy direction from the Board of County Commissioners, nor does it conflict with any other ordinance or provision within the Lee Plan. (5) Not applicable. (6) Not applicable.

Deviation 5:

A request to extend a previously granted administrative deviation, sanctioned under LDC 10-256(2)(c) which requires a pedestrian way along one side of all streets internal to a residential development to allow no sidewalk.

Justification: The requested deviation has previously received authorization under ADD2020-00138 for an adjacent neighborhood. We believe that constructing a sidewalk within the single-family neighborhood is not suitable. Sidewalks have already been established along all internal roads that connect various neighborhoods. Introducing a sidewalk to this specific neighborhood would deviate from the consistent approach adopted in all prior developments within Miromar Lakes.