

December 6, 2023

Ms. Elizabeth Workman
Lee County Department of Community Development
1500 Monroe Street
Fort Myers, FL 33901

Re: Siesta V
ADD2023-00123

Dear Ms. Workman:

Please accept this letter in response to Staff's comments dated September 8, 2023 regarding the referenced Administrative Deviation Siesta V. The following responses are provided in order with respect to your correspondence.

Approval is subject to the following stipulation(s) and comment(s):

Legal Review Comments:

Comment:

LDC Section 34-202(a)(5) requires a STRAP number for the subject property. This number is used by the Property Appraiser to identify the subject property. If the subject property includes a portion of property within one STRAP, then in addition to the STRAP number, a metes and bounds legal description must also be submitted as follows: A metes and bounds legal description along with a sketch of the legal description, prepared by a Florida Licensed Surveyor and Mapper, must be submitted. The deviations proposed will impact properties within the entire planned development. Please provide a legal description for the entire project. The legal description included in the planned development has a metes and bounds description for perimeter of the project except for approximately 1505 feet described as the mean high water line of San Carlos Bay.

Response: The subject property is made up entirely of STRAP numbered parcels. However, in addition a metes and bounds legal description is available and a signed and sealed copy is enclosed.

Zoning Review Comments:

Comment 1:

Revise the deviation request to state the full code citation for LDC Section 10-328(b) and provide a "to allow" statement that specifically states the size of the drainage easement, size of the drainage pipe, and location on the Master Concept Plan of where the deviation is being applied.

Response 1: LDC Section 10-328(b) requires "Closed drainage easements. The width of closed drainage easements must be based upon sound engineering principles, including, but not limited to, depth of cut, size of drainage pipe, proximity of structures, etc. Closed drainage easements must be a minimum of 15' in width for pipes that are 48" or less in diameter." This deviation is a request to allow a ten-foot-wide drainage easement for pipes that are 48 inches or less in size. "Closed drainage easements. The width of closed drainage easements must be based upon sound engineering principles, including, but not limited to, depth of cut, size of drainage

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pipe, proximity of structures, etc. Closed drainage easements must be a minimum of 10' in width for pipes that are 48" or less in diameter."

Comment 2:

Revise the drainage easement, pipe, and rock chamber cross section to indicate where the property line is located and depict the structure setbacks per the approved Resolution Z-02-049.

Response 2: A typical section of the proposed rock chamber, pipe and drainage easement with the proposed lot line shown is attached. This is consistent with pending DOS 2007-00008-A02 Amendment which has been reviewed and appears ready for approval, subject to this ADD.

Comment 3:

Indicate what a "non-essential" 8-inch pipe is and why it is considered non-essential and not a conveyance. Explain how the non-essential pipe connects to the conveyance on the site.

Response 3: The "Non-essential" 8" pipe is a redundant connection to the roadway chamber. The 8" pipe running along the lot lines will assist in the collecting storm water from the rock chamber. However, the rock chamber itself is able to convey storm water without the use of the 8" pipe. Therefore, the 8" pipe itself is "non essential" and is included to provide a higher level of service at the discretion of the Engineer of Record. The drainage system will function as intended with or without the proposed 8" pipe.

Comment 4:

Provide a drainage easement maintenance plan to include in HOA documents providing details of how the pipe and rock chamber will be maintained once the lots are developed, maneuverability of equipment within the easement, and maintenance schedule.

Response 4: The approved Development Order DOS2007-00008, which includes the master rock chamber below pavement, does not include a maintenance plan. The rock chamber system is an expansion of the same chamber that was approved under the current Development Order. The proposed rock chamber on lot lines is intended to replace surface storage in the original rear yard swale which will be omitted. This change has been approved by the Florida Department of Environmental Protection ERP #157404-008 EI dated May 30, 2023.

Comment 5:

The criteria for granting a deviation is to protect the health and safety of the public. This is why staff is requiring more detail to grant the deviation.

Response 5: The proposed drainage easement width of 10' poses no threat to the public health, safety and welfare. This is evidenced by the current D.O. approved 7' drainage easement which was to accommodate a 12" drainage conveyance pipe in the original approved Developer Order.

Development Services Comments:

Comment:

Please provide a drainage easement maintenance plan to include in HOA documents providing details of how the pipe and rock chamber will be maintained once the lots are developed, maneuverability of equipment within the easement, and maintenance schedule.

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Response: *The approved Development Order DOS2007-00008, which includes the master rock chamber below pavement, does not include a maintenance plan. The proposed rock chamber is intended to replace surface storage in the original rear yard swale which will be omitted. This change has been approved by the Florida Department of Environmental Protection ERP #157404-008 EI dated May 30, 2023.*

Environmental Sciences Comments:

Comment 1:

Please provide details on how the deviation will affect buffering, open space, and conservation areas.

Response 1: *This deviation will have no effect on buffering, open space and conservation areas.*

Comment 2:

Please provide a Lee Plan analysis on how the deviation complies with Coastal High Hazard Policies.

Response 2: *This deviation will have no effect on Coastal High Hazard Policies.*

Natural Resources Comments:

Comment 1:

Please clarify what is meant by a non-essential 8" pipe. Please provide a maintenance schedule and BMPs that will be implemented to ensure that these drainage features function as designed over time.

Response 1: *The “Non-essential” 8” pipe is a redundant connection to the roadway chamber. The 8” pipe running along the lot lines will assist in the collecting storm water from the rock chamber. However, the rock chamber itself is able to convey storm water without the use of the 8” pipe. Therefore, the 8” pipe itself is “non essential” and is included to provide a higher level of service at the discretion of the Engineer of Record. The drainage system will function as intended with or without the proposed 8” pipe. The approved Development Order DOS2007-00008, which includes the master rock chamber below pavement, does not include a maintenance plan.*

If you should have any questions or require additional information, please advise.

Sincerely,

BARRACO AND ASSOCIATES, INC.



Carl A. Barraco, P.E.
President

CAB/bc
21352
Enclosure
cc: Chris Claussen

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Joe Hakim