

ADMINISTRATIVE AMENDMENT (PD) ADD2024-00012

ADMINISTRATIVE AMENDMENT
LEE COUNTY, FLORIDA

WHEREAS, Hole Montes, Inc. filed an application for an administrative amendment for lake restoration to a Residential Planned Development on a project known as Cross Creek Estates to:

1. Request a deviation (deviation #18) from Land Development Code (LDC) 10-329(d)(4), to increase the lake bank slope from 6:1 to 4:1; and
2. Request a deviation (deviation #19) from Land Development Code (LDC) Section 10-328(a), to reduce the width of the lake maintenance easement from 20 feet to 12 feet; and

WHEREAS, the property is located at 12501 Cross Creek Boulevard, STRAP Number: 16-45-25-01-0000M.00CE, 16-45-25-02-0000C.00CE, 16-45-25-01-0000H.00CE, and 16-45-25-01-0000C.00CE (see Exhibit A); and

WHEREAS, the property was originally rezoned by Resolution Z-89-013 (with subsequent amendments in case numbers PD-90-003 and ADD2014-00121); and

WHEREAS, the subject property is in the Outlying Suburban and Wetlands Future Land Use Categories designated by the Lee Plan; and

WHEREAS, the Lee County Land Development Code provides for certain administrative changes to planned development master concept plans and planned unit development final development plans; and

WHEREAS, Land Development Section (LDC) 10-329(f) allows restoration of existing bank slopes that have eroded over time and no longer meet the minimum slope design criteria applicable at the time that lakes were excavated; and

WHEREAS, LDC Section 10-329(f) allows restoration plans to be reviewed and approved through a Type D limited development order that includes plans depicting slope protection measures meeting the slope and littoral requirements per previously approved plans; and

WHEREAS, LDO2021-00347 was issued to allow lake rehabilitation using compacted fill to re-establish the 6:1 lake bank slope, a 20-foot-wide lake maintenance easement, and provide enhanced littorals (see Exhibit B); and

WHEREAS, the amount of fill and construction equipment needed to access the areas to be rehabilitated will create more disturbance to the compromised lake bank slope than initially anticipated; and

WHEREAS, the applicant is proposing to increase the lake bank slope to 4:1, install turf reinforcement mats and enhanced littoral plants to stabilize the 4:1 slope, and reduce the lake maintenance easement to 12 feet, which would allow less of an impact to the existing slope due to the reduction in fill and heavy equipment needed; and

WHEREAS, the applicant has requested Deviation #18 from LDC Section 10-329(d)(4) to allow a 4:1 lake bank slope along certain segments of lakes within the planned development where a 6:1 slope is required (see Exhibit C); and

WHEREAS, the applicant has requested Deviation #19 from LDC Section 10-328(a) to allow a 12-foot-wide lake maintenance easement along the areas where a 4:1 lake bank slope is proposed (see Exhibits C and D); and

WHEREAS, the applicant has indicated that the 4:1 lake bank slope will be stabilized by compacted fill, turf reinforcement mats, and enhanced littoral plants (Exhibit D); and

WHEREAS, the subject application and plans have been reviewed by the Lee County Department of Community Development in accordance with applicable regulations for compliance with all terms of the administrative approval procedures; and

WHEREAS, it is found that the proposed amendment does not increase density or intensity within the development; does not decrease buffers or open space required by the LDC; does not underutilize public resources or infrastructure; does not reduce total open space, buffering, landscaping or preservation areas; and does not otherwise adversely impact on surrounding land uses.

NOW, THEREFORE, IT IS HEREBY DETERMINED that the application for administrative approval for an amendment to the Residential Planned Development is **APPROVED subject to the following conditions:**

1. **The restoration of the existing lakes must be in compliance with the amended Lake Bank Restoration Cross Section and Littorals Exhibit dated March 5, 2024, a reduced copy of which is attached hereto as Exhibit D.**
2. **Deviations #18 and #19 are APPROVED with the following condition:**
 - a. **Prior to development order approval, the lake bank restoration is limited to Lakes 1-4 and Lake 6 in accordance with Exhibit C.**
3. **The terms and conditions of the original zoning resolution and subsequent amendments thereto remain in full force and effect, except as amended herein.**
4. **If it is determined that inaccurate or misleading information was provided to the County or if this decision does not comply with the LDC when rendered, then, at any time, the Zoning Manager may issue a modified decision that complies with the Code or revoke the decision. If the approval is revoked, the applicant may acquire the necessary approvals by filing an application**

for public hearing in accordance with Chapter 34.

Duly passed, adopted, and electronically signed on 4/30/2024

Anthony R. Rodriguez, AICP, CPM, Zoning Manager

Exhibits:

- A. Legal Description
- B. LDO2021-00347
- C. Lake Bank Restoration Site Plan dated March 5, 2024
- D. Cross section and littoral planting dated March 5, 2024
- E. Request Statement

Exhibit A

CASE NUMBER: ADD2024-00012

LEGAL DESCRIPTION

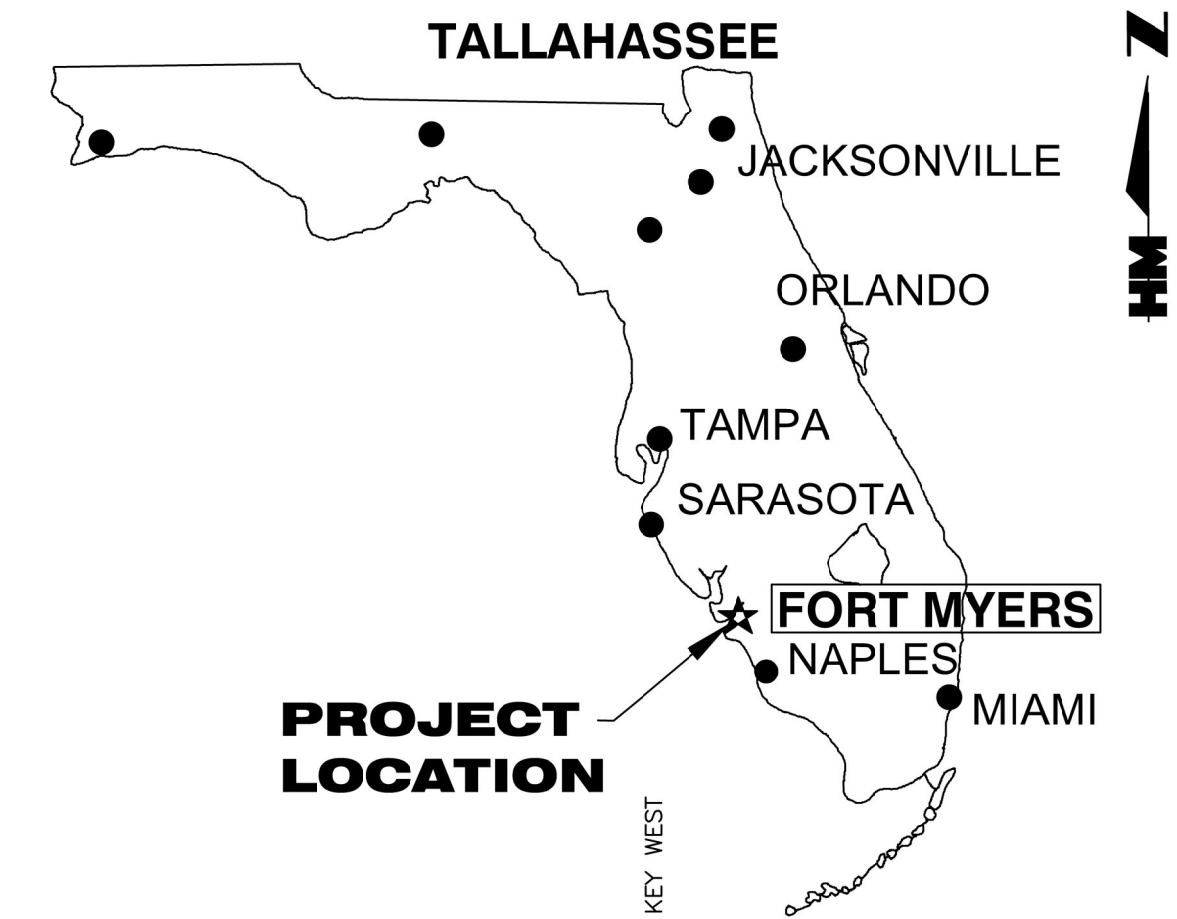
TRACTS C, H, O, Q & U, CROSS CREEK ESTATES, SECTION 16,
TOWNSHIP 45 SOUTH, RANGE 25 EAST, ACCORDING TO THE
MAP OR PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK
OF THE CIRCUIT COURT, RECORDED IN PLAT BOOK 46, PAGE 41,
PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

REVIEWED
ADD2024-00012
Rick Burris, Principal
Planner
Lee County DCD/Planning
4/26/2024

Exhibit B

CONSTRUCTION PLANS FOR CROSS CREEK ESTATES LAKE BANK RESTORATION

LEE COUNTY - FORT MYERS, FLORIDA
LDO2021-00347



STATE OF FLORIDA

GENERAL STATEMENT:

Included herewith are plans for lake bank restoration of seven lakes located within the Cross Creek Estates Subdivision. There are two types of proposed restoration planned for the project. The first type will be Escarpment Removal. This will consist of re-grading the lake bank, adding a clay binder and compact, add littorals plantings and stabilized with sod to match existing turf. The second is Organic Shoreline System. This will consist of regrading the lake bank, adding a clay binder if needed, double layer of biodegradable mat and finish with littoral plantings.

INDEX OF SHEETS:

1	COVER SHEET & GENERAL NOTES
1	2 SITE PLAN
2 1	3 DETAILS
2 1	4 DO 89-05-015.00D RECORD BUFFER AND LANDSCAPE PLAN
1	5A-5C LCU RECORD UTILITY DATA
2	6 EROSION AND SEDIMENTATION CONTROL PLAN

PREPARED BY :



6200 Whiskey Creek Drive
Fort Myers, FL. 33919
Phone: (239) 985-1200
Florida Certificate of
Authorization No. 1772

Digitally signed by Richard Edmund Brylanski P. E. 42339 State of Florida

DN: cn=Richard Edmund Brylanski P. E. 42339 State of Florida,
o=Printed copies of the document are not considered signed and
sealed and all SHA-1 authentication code must be verified on any
electronic copies., ou=The item has been electronically signed and
sealed using a SHA-1 authentication codes,
email=rickbrylanski@hmeng.com, c=US
Date: 2021.11.03 11:28:48 -04'00'

GOVERNING STANDARD PLANS:
Florida Department of Transportation, FY2021-22 Standard Plans for
Road and Bridge Construction and applicable Interim Revisions (IRs).

The Standard Plans for Road Construction and associated IRs are
available at the following website:
<http://www.fdot.gov/design/standardplans>

APPLICABLE IRs:

Standard Plans for Bridge Construction are included in the Structural
Plans Components.

GOVERNING STANDARD SPECIFICATIONS:

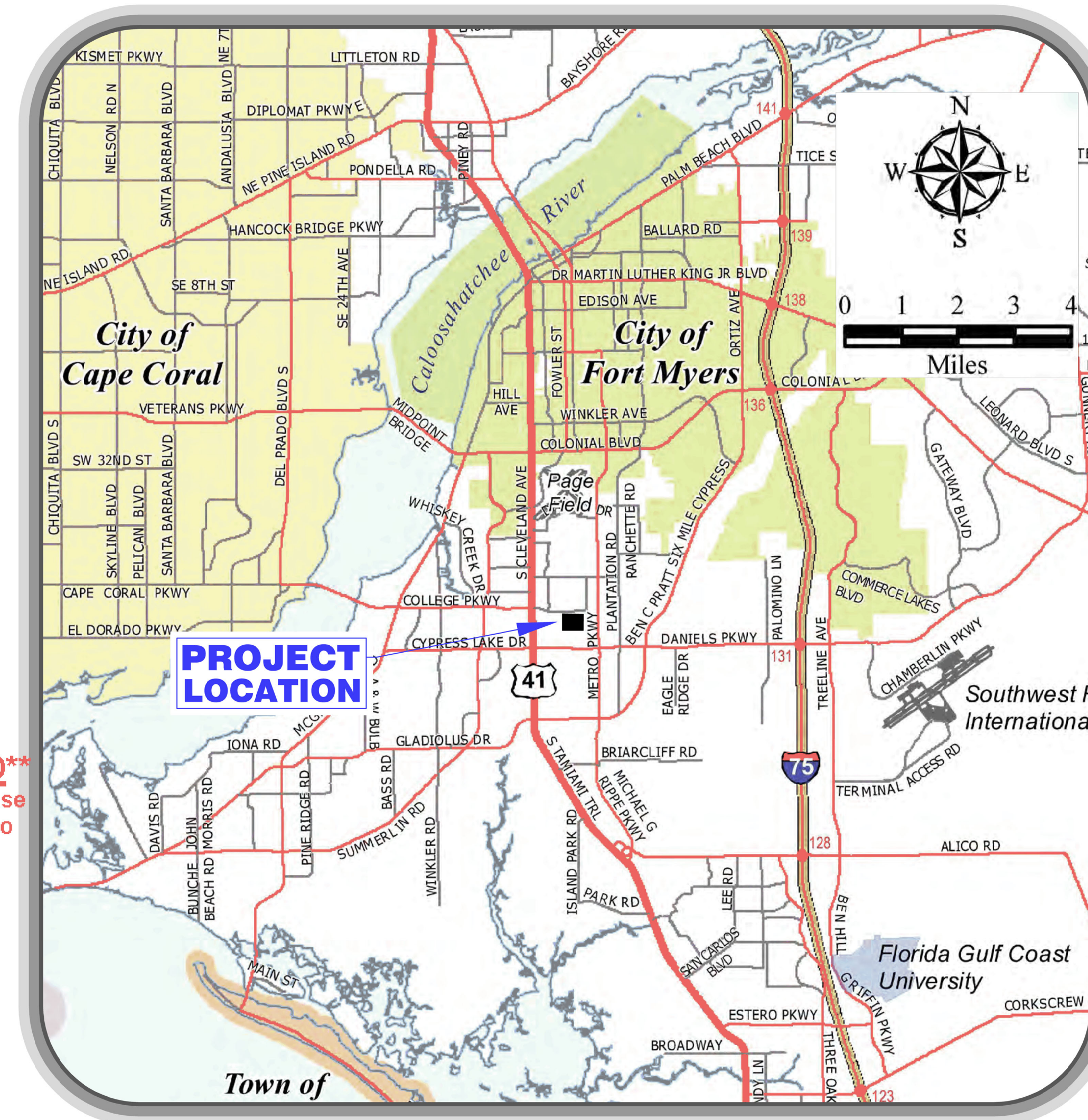
Florida Department of Transportation, July 2021 Standard Specifications
for Road and Bridge Construction at the following website:
<http://www.fdot.gov/programmanagement/implemented/SpecBooks>

FINAL INSPECTION REQUIRED
At the completion of the improvements, please
submit a Letter of Substantial Compliance to
schedule a Final Inspection.

**REMOVAL OF EXCAVATED FILL
MATERIAL FROM THE SITE IS
NOT AUTHORIZED**

**VEGETATION PERMIT REQUIRED
PRIOT TO ANY SITE WORK**
Protective barricades must be constructed and
inspected prior to permit issuance. Please
contact Division of Development Services
(239)-533-8585.

APPROVED
LDO2021-00347
John Mahlbacher, Dev Svcs Plan Reviewer
Lee County Department of Community Development
12/1/2021



LOCATION MAP

SECTION 16 TOWNSHIP 45 SOUTH, RANGE 25 EAST

SUBJECT LAKE PARCEL DATA

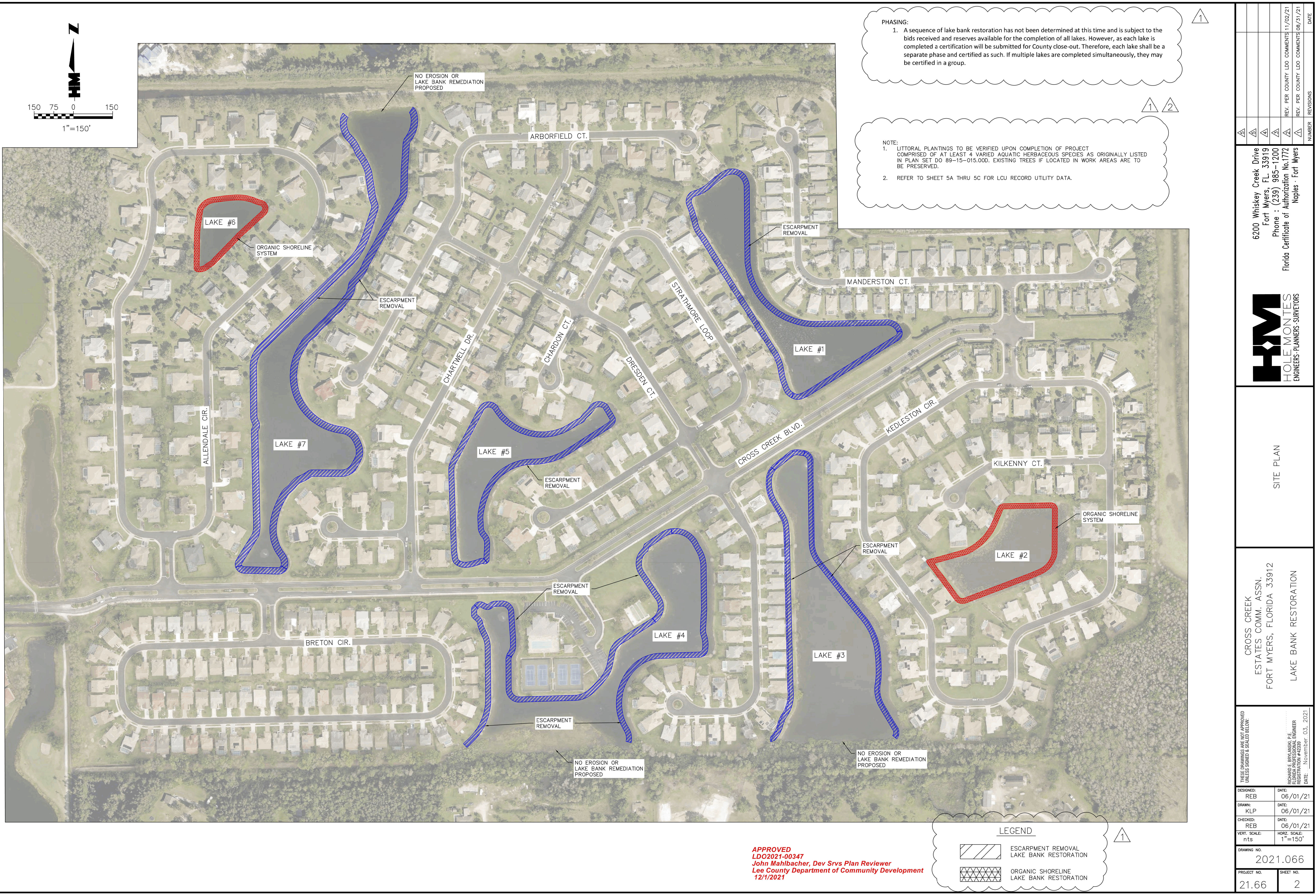
LAKE	OWNER	LOCATION	PLAT BOOK & PAGES	STRAP #
LAKE 1	CROSS CREEK ESTATES COMM ASSN.	SUBMERGED, FORT MYERS FL. 33912	PB 46 PGS 41-60 TRACTS H + I	STRAP # 16-45-25-01-0000H.00CE
LAKE 2	CROSS CREEK ESTATES COMM ASSN.	SUBMERGED, FORT MYERS FL. 33912	PB 55 PGS 93-97 TRACT C I	STRAP # 16-45-25-02-0000C.00CE
LAKE 3	CROSS CREEK ESTATES COMM ASSN.	SUBMERGED, FORT MYERS FL. 33912	PB 46 PGS 41-60 TRACTS M,N,P-V,X,Y	STRAP # 16-45-25-01-0000M.00CE
LAKE 4	CROSS CREEK ESTATES COMM ASSN. CROSS CREEK ESTATES ASSOCIATION	CROSS CREEK ESTATES C/E, FORT MYERS FL. 33912 12501 CROSS CREEK BLVD, FORT MYERS FL. 33912	PB 46 PGS 41-60 TRACTS M,N,P-V,X,Y PB 46 PGS 44 TR W CLUBI	STRAP # 16-45-25-01-0000M.00CE STRAP # 16-45-25-01-00W00.00CE
LAKE 5	CROSS CREEK ESTATES COMM ASSN.	SUBMERGED, FORT MYERS FL. 33912	PB 46 PGS 41-60 TRACTS F + G	STRAP # 16-45-25-01-0000F.00CE
LAKE 6	CROSS CREEK ESTATES COMM ASSN.	SUBMERGED, FORT MYERS FL. 33912	PB 46 PGS 41-60 TRACT C	STRAP # 16-45-25-01-0000C.00CE
LAKE 7	CROSS CREEK ESTATES COMM ASSN.	SUBMERGED, FORT MYERS FL. 33912	PB 46 PGS 41-60 TRACTS D + E	STRAP # 16-45-25-01-0000D.00CE

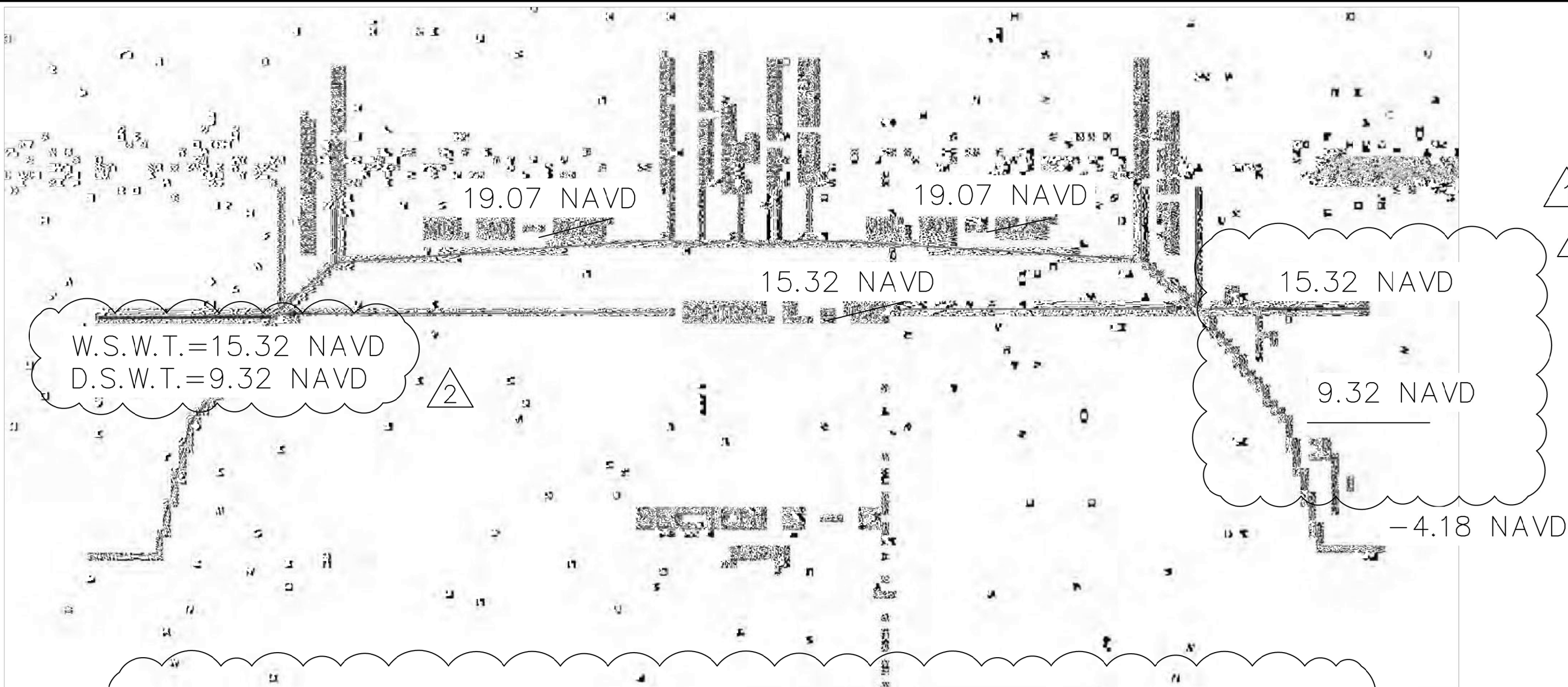
THE CONTRACTOR SHALL VERIFY LOCATION OF
UNDERGROUND UTILITIES PRIOR TO CONSTRUCTION.
"ALWAYS CALL 811 BEFORE YOU DIG"
WWW.SUNSHINE811.COM

**ATTENTION IS DIRECTED TO THE FACT THAT THESE PLANS
MAY HAVE BEEN REDUCED IN SIZE BY REPRODUCTION. THIS
MUST BE CONSIDERED WHEN OBTAINING SCALED DATA.**

5			THESE DRAWINGS ARE NOT APPROVED UNLESS SIGNED & SEALED BELOW.	CAD FILE NAME:	DRAWING NO.:
4				01-21066-CVR	
3				PROJECT NO.:	SHEET NO.:
2	REV. PER COUNTY LDO COMMENTS	11/02/21	RICHARD E. BRYLANSKI P.E. FLORIDA PROFESSIONAL ENGINEER REGISTRATION #42339	2021066	1
1	REV. PER COUNTY LDO COMMENTS	06/31/21	DATE: November 03, 2021		
NUMBER	REVISIONS	DATE			

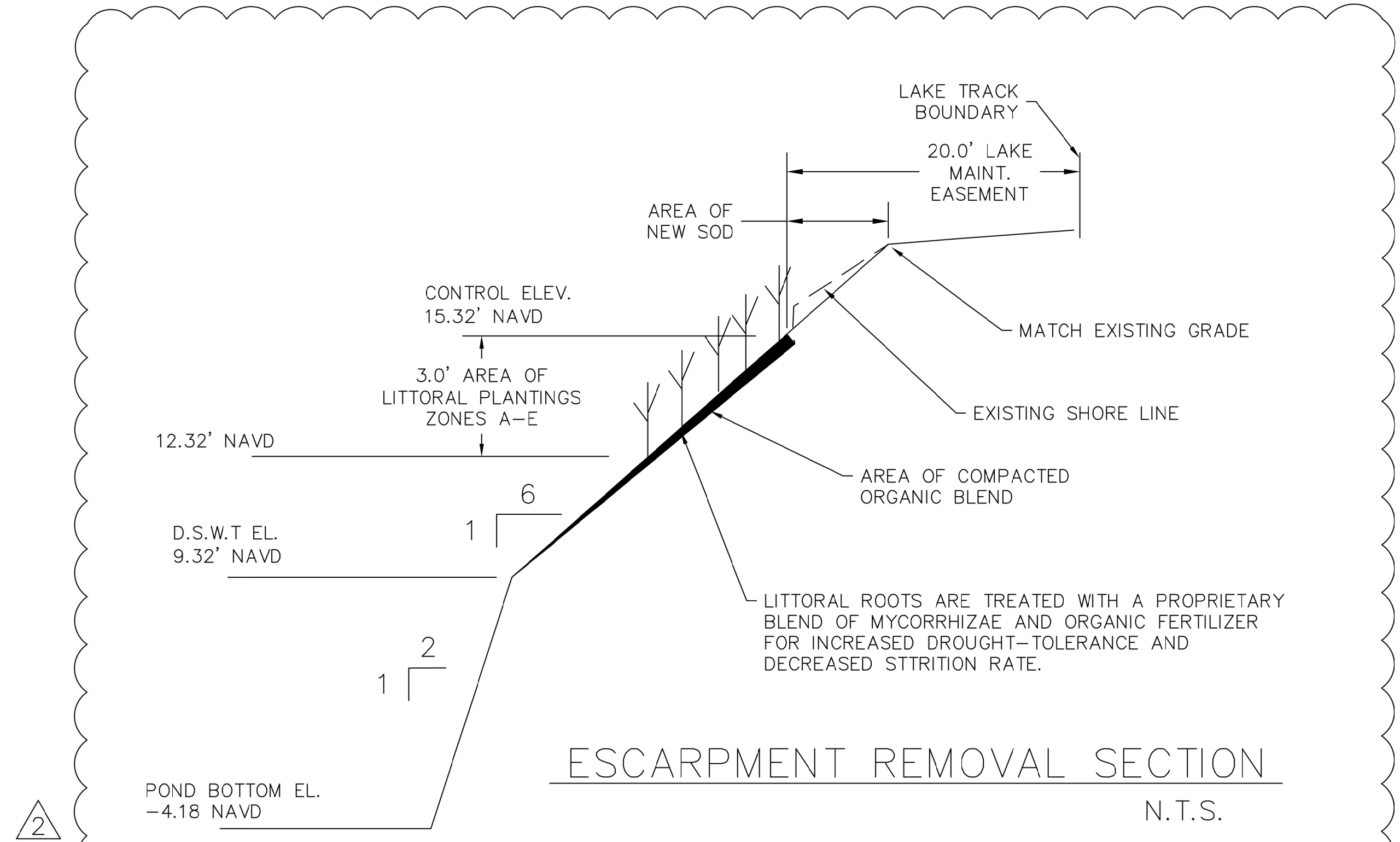
H:\2021\2021066\DW 2021066--Cross Creek.dwg Tab: Site Nov 03, 2021 -- 9:13am





ORIGINAL LAKE CROSS SECTION
(DO 89-05-015.00D)
S.F.W.M.D. PERMIT# 36-01473-S
PLANS PREPARED BY BROWN COLLINS, INC.
SHEET 7 OF 9

NOTE: ELEVATIONS IN SECTION ABOVE ARE NAVD 88 VERTICAL DATUM.
CONVERSION TO NGVD29 ADD 1.18 FT.



DSO#89-05-105.00D
LITTORAL LAKE BANK PLANTINGS

In the littoral zones, herbaceous wetland species will be planted from the shoreline waterward to a depth of approximately 3 feet below normal pool elevation (15.32' NAVD) thereby forming a band roughly 18' wide. Zone A plants will be planted from depths of about 0 to 0.5 feet below normal pool elevation. Zone B plants will be planted from depths of about 0.5 to 2.0 feet below normal pool elevation. Zone A and B plants will be established using 2" pot and/or bare root stock planted on 3-foot centers. Zone C plants will be planted from depths of about 2.0 to 3.0 feet below normal pool elevation using tuber stock planted on 6-foot centers. Zone D species will only be planted in certain areas of the lakes using 2" pot and/or bare root stock planted on 3-foot centers at depth of about 0 to 2.0 feet below normal pool elevation.

In certain areas of the lakes, Zone E wetland tree and shrub species will be planted at depths of about 0 to 2.0 feet below normal pool elevation using 1 gallon stock planted on 10-foot centers, probably in groups of 5. Zone F transitional and upland trees will also be established at various locations along lake shorelines. These will be planted landward from the normal pool elevation to about 1.0' below this level using 1 gallon stock planted on 10-foot centers, likely in groups of 6.

Species used in these plantings will be selected from the list provided. Alternative species may be used depending on availability and site condition. No one species will comprise more than 30% of a given vegetation layer. Refer to Section A-A for an illustration of the littoral zone treatment. Areas indicate on the plan for Zone D, E, F plantings are approximate and provided only to indicate the concept. The actual number of these areas and their location may change by the time of establishment.

LITTORAL

ZONE A SPECIES

MAIDENCANE
SOFT RUSH
BLUE FLAG IRIS
GOLDEN CANNIA
SAND CORDGRASS
SWAMP LILY
SMARTWEED
KNOTGRASS
LIZARD'S-TAIL
CINNAMON FERN
ROYAL FERN

ZONE B SPECIES

PICKERELWEED
COMMON ARROWHEAD
COASTAL ARROWHEAD
BULRUSH

ZONE C SPECIES

YELLOW POND LILY
FRAGRANT WATER LILY

ZONE D SPECIES

SOUTHERN WILD RICE
BULRUSH

LITTORAL

ZONE E SPECIES

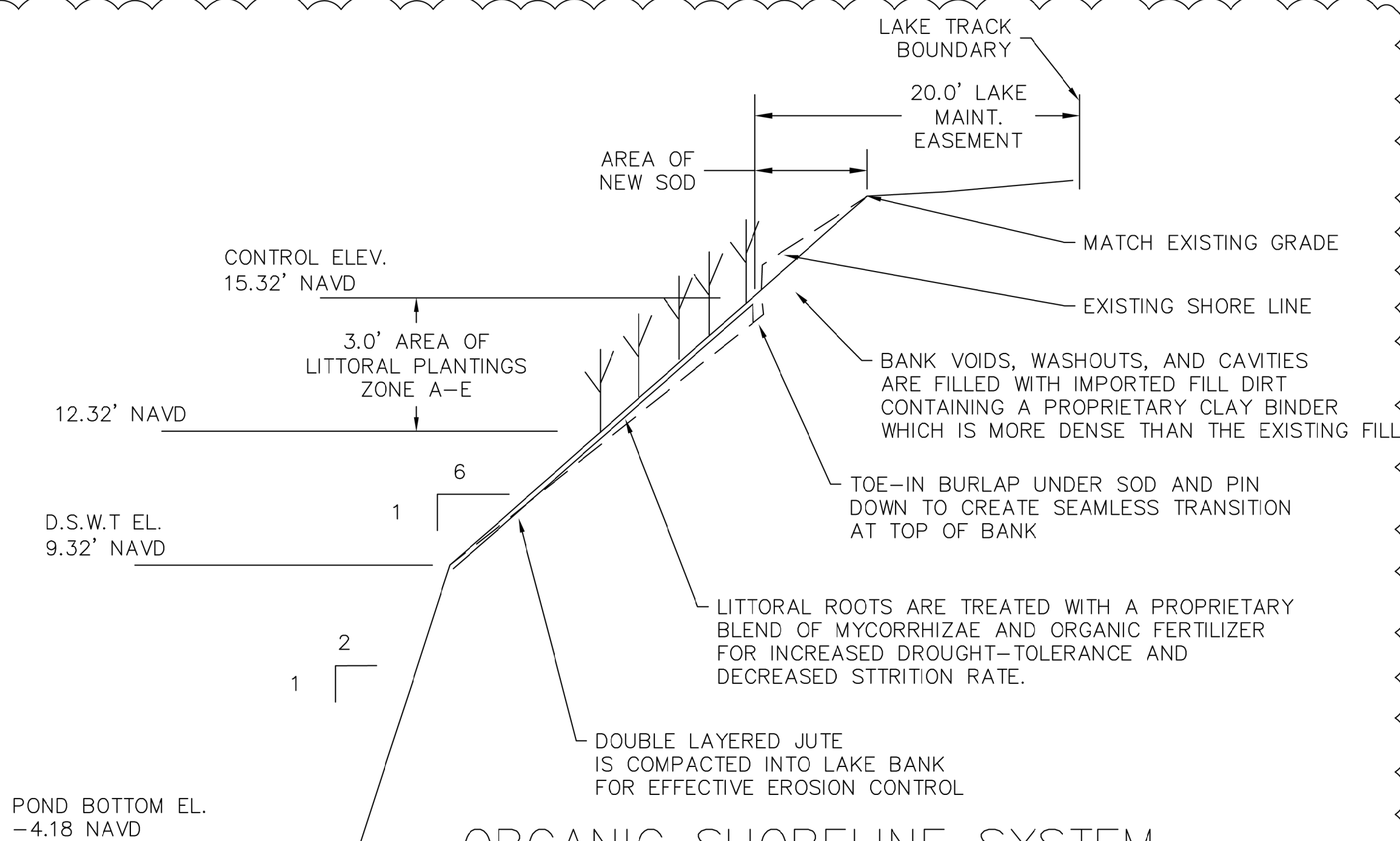
RED MAPLE
CYPRESS
SWAMP BLACK GUM
SWEET GUM
FLORIDA ELM
LAUREL OAK
POP ASH
WAX MYRTLE
DAHOO HOLLY
BUTTON BUSH

ZONE F SPECIES

RED MAPLE
SWEET GUM
LAUREL OAK
POP ASH
FLORIDA ELM

NOTE:

- LAKE BANK REMEDIATION TO MATCH PERMIT SLOPES TO BE 6:1
- LAKE CONTROL ELEVATION LOCATION TO BE STAKED AND USED AS A REFERENCE FOR LAKE BANK RESTORATION-20.0' OFFSET OF PLATTED TRACTS BOUNDARY.



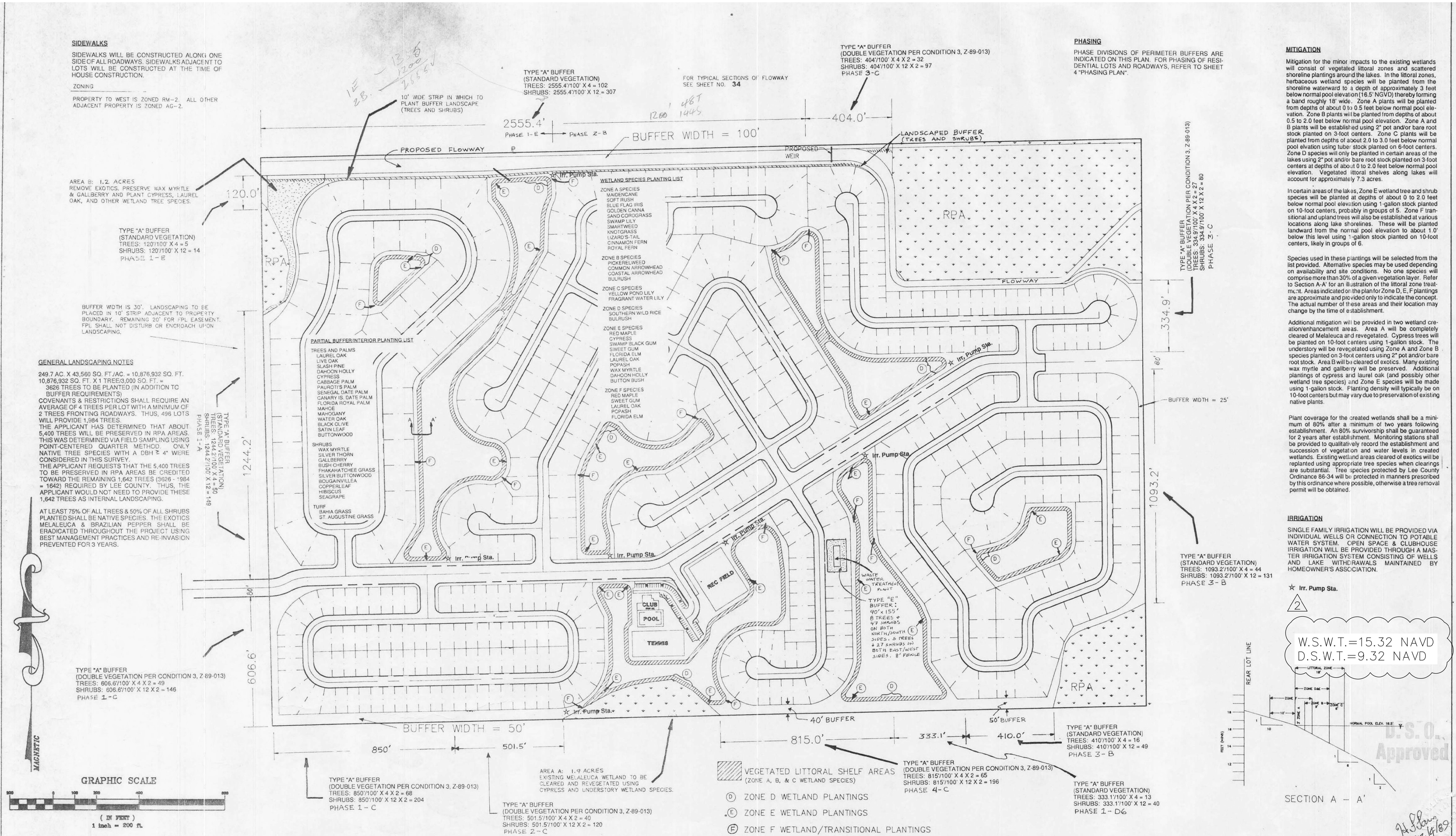
APPROVED
LDO2021-00347
John Mahlbacher, Dev Svcs Plan Reviewer
Lee County Department of Community Development
12/1/2021

PLANTING LEGEND

LAKE #	TOTAL LAKE PERIMETER @ CONTROL EL. (LF)	ZONE A @ 3' WIDTH (SF)	ZONE B AREA @ 9' WIDTH (SF)	ZONE A & B PLANTS REQUIRED @ 3' O.C.	ZONE C AREA @ 6' WIDTH (SF)	ZONE C PLANTS REQUIRED @ 6' O.C.	ZONE D LOCATIONS	ZONE D PLANTS REQUIRED @ 3' O.C.	ZONE E LOCATIONS	ZONE E TREES & SHRUBS REQUIRED @ 10' O.C. (GROUPS OF 5 PREFERRED)	ZONE F LOCATIONS	ZONE F TREES REQUIRED @ 10' O.C. (GROUPS OF 6 PREFERRED)
1	2681	8043	24129	2681	16086	446	1	67	1	5	2	12
2	1392	4176	12528	1392	8352	232	1	67	2	10	1	6
3	2906	8718	26154	2906	17436	484	1	67	4	20	2	12
4	4011	12033	36099	4011	24066	668	1	67	5	25	3	18
5	2233	6699	20097	2233	13398	372	1	67	3	15	2	12
6	896	2688	8064	896	5376	149	1	67	2	10	1	6
7	4673	14019	42057	4673	28038	778	1	67	4	20	3	18

PLEASE REFER TO SHEET 4 FOR ORIGINAL ZONE D,E & F PLANTING LOCATIONS

6200 Whiskey Creek Drive Fort Myers, FL 33919 Phone : (239) 985-1200 Florida Certificate of Authorization No.1772 Naples - Fort Myers		REV. PER COUNTY LDO COMMENTS 11/02/21 REV. PER COUNTY LDO COMMENTS 08/31/21	NUMBER 1	REVISIONS	DATE
H-M HOLE MONTES ENGINEERS-PLANNERS-SURVEYORS					
DETAILS					
CROSS CREEK ESTATES COMM. ASSN. FORT MYERS, FLORIDA 33912 LAKE BANK RESTORATION					
THESE DRAWINGS ARE NOT APPROVED UNLESS SIGNED & SEALED BELOW: RICHARD E. BRYLANSKI, P.E. REGISTERED PROFESSIONAL ENGINEER REGISTRATION #23208 DATE: November 03, 2021					
DESIGNED: REB	DATE: 06/01/21				
DRAWN: KLP	DATE: 06/01/21				
CHECKED: REB	DATE: 06/01/21				
VERT. SCALE: nfs	HORIZ. SCALE: 1"=150'				
DRAWING NO. 2021.066					
PROJECT NO. 21.66		SHEET NO. 3			



 Brown Collins, Inc. Civil Engineering Environmental Permitting Edaphic Investigations Land Surveying 1st Street Suite 201 Fort Myers, FL 33901 (813)-337-1933	CLIENT:	PROJECT:	TASK:	APPROVED LDO2021-00347 John Mahlbacher, Dev Svcs Plan Reviewer Lee County Department of Community Development 12/1/2021	DRAWN BY: JB TT DATE: 09/26/89 CHECKED BY: FF DRAWING NO.: FDO/SITE JOB NO.: 98802 SHEET 38 OF REVISION DATE REVISE PER PDD COMMENTS JUNE 30, 1989 REVISE PER PDD COMMENTS AUG. 25, 1989 REVISED SEPT. 28, 1989 REVISE PER PDD COMMENTS NOV. 21, 1989
	CROSS CREEK ESTATES LAND TRUST 6360-1 PRESIDENTIAL COURT FORT MYERS, FL 33919	CROSS CREEK ESTATES	BUFFER AND LANDSCAPE PLAN		
	JOHN E. STATES, TRUSTEE	SECTION 16 TOWNSHIP 45S RANGE 25E			
		COUNTY OF LEE			

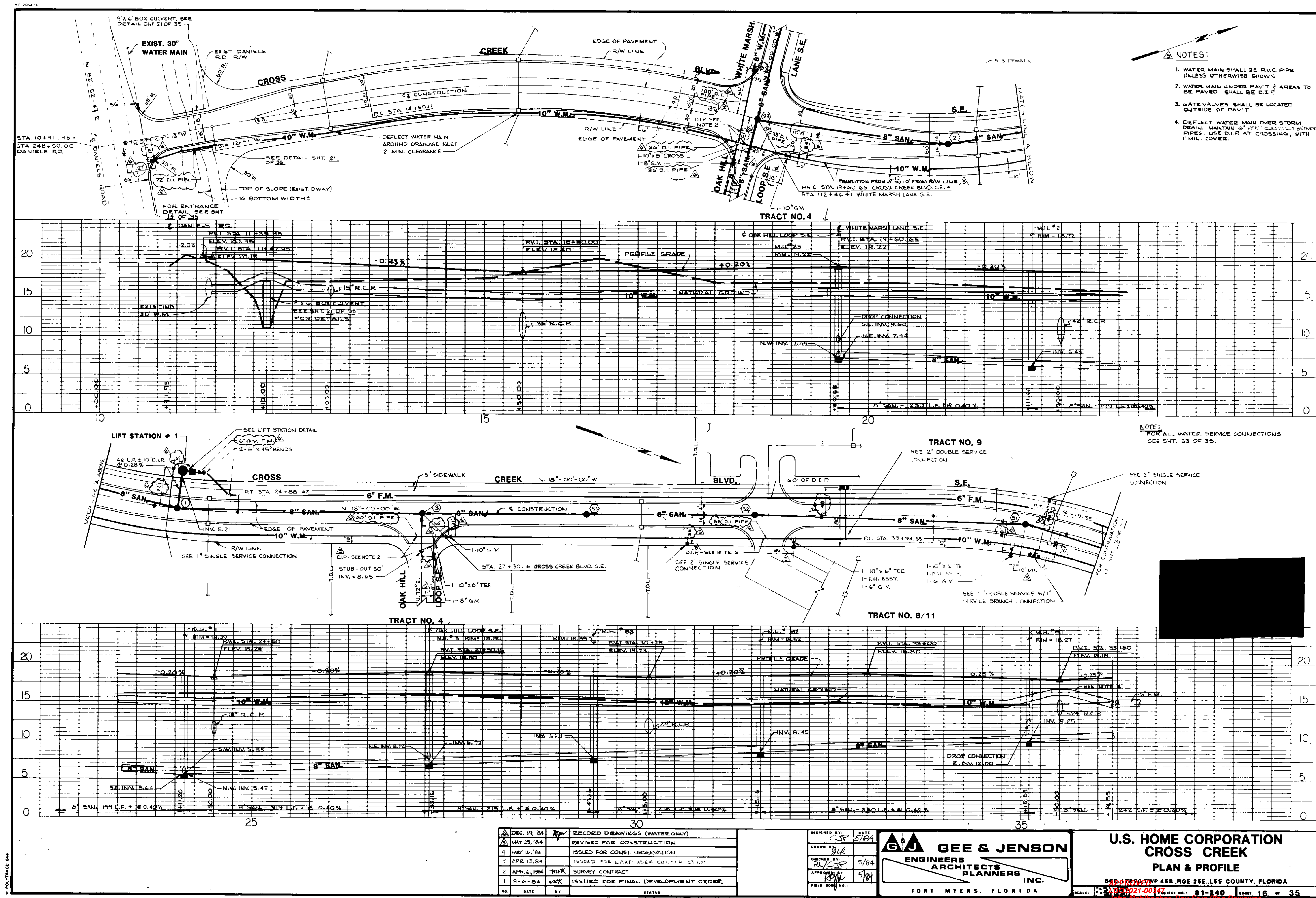
6200 Whiskey Creek Drive
Fort Myers, FL 33919
Phone : (239) 985-1200
Florida Certificate of Authorization No.1772
Naples - Fort Myers

HOLE MONTES
ENGINEERS-PLANNERS-SURVEYORS

DO 89-05-015.00D
RECORD BUFFER AND
LANDSCAPE PLAN

CROSS CREEK
ESTATES COMM. ASSN.
FORT MYERS, FLORIDA 33912
LAKE BANK RESTORATION

REV.	PER COUNTY LDO COMMENTS	11/02/21
REV.	PER COUNTY LDO COMMENTS	08/21/21
NUMBER	REVISIONS	DATE



6200 Whiskey Creek Drive
Fort Myers, FL 33919
Phone : (239) 985-1200
Florida Certificate of Authorization No.1772
Naples - Fort Myers

H-M
HOLE MONTES
ENGINEERS-PLANNERS-SURVEYORS

LCU RECORD UTILITY DATA

(NOTE: LCU RECORD UTILITY DATA
IS FROM AVAILABLE PUBLIC
RESOURCES AND NOT BASED UPON
OBSERVED OR FIELD LOCATIONS.)

CROSS CREEK
ESTATES COMM. ASSN.
FORT MYERS, FLORIDA 33912

LAKE BANK RESTORATION

DESIGNED: REB DATE: 06/01/21

DRAWN: KLP DATE: 06/01/21

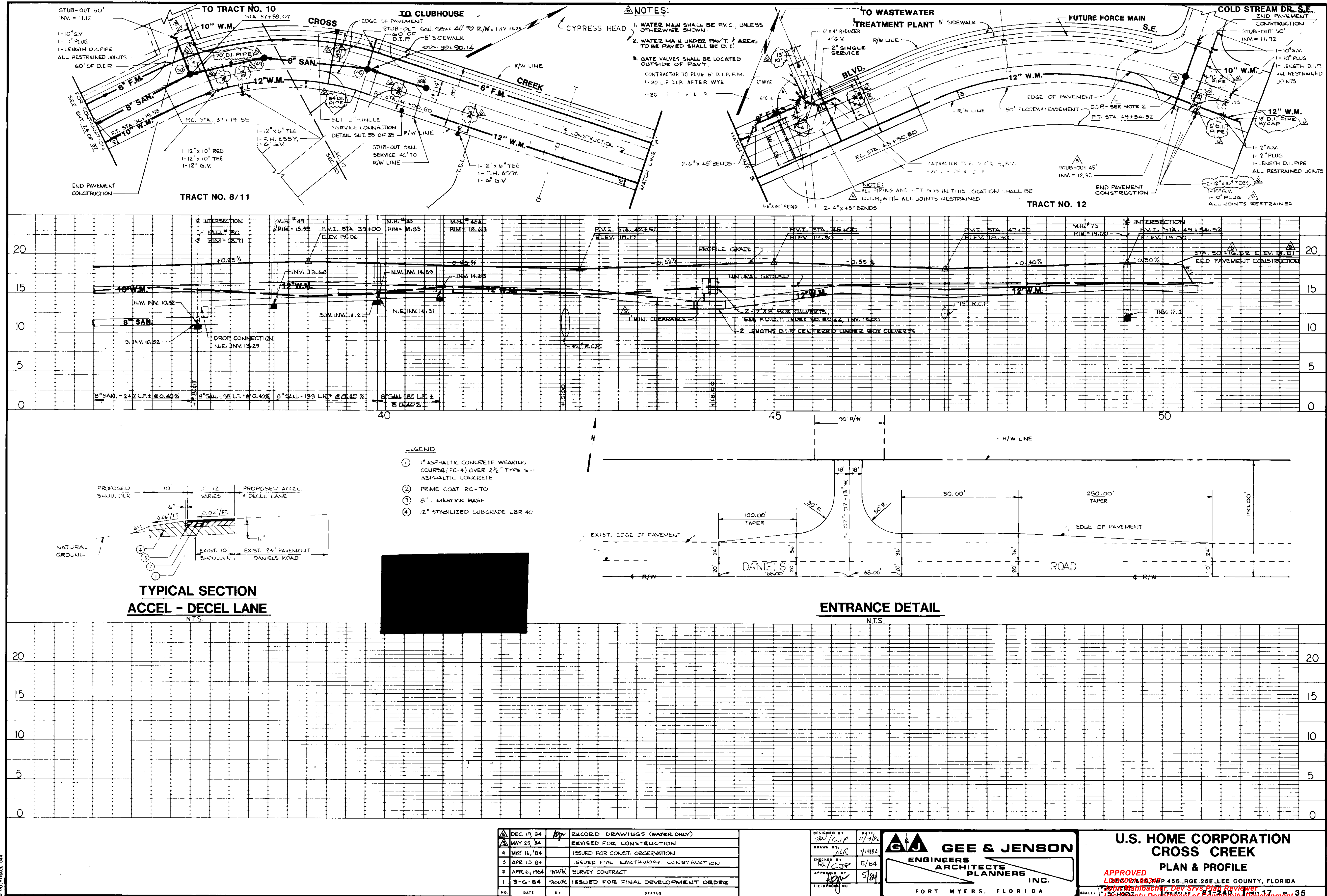
CHECKED: REB DATE: 06/01/21

VERT. SCALE: n/s HORIZ. SCALE: 1"=150'

DRAWING NO. 2021.066

PROJECT NO. 21.66 SHEET NO. 5A

2021.066
16 of 35
12/1/2021



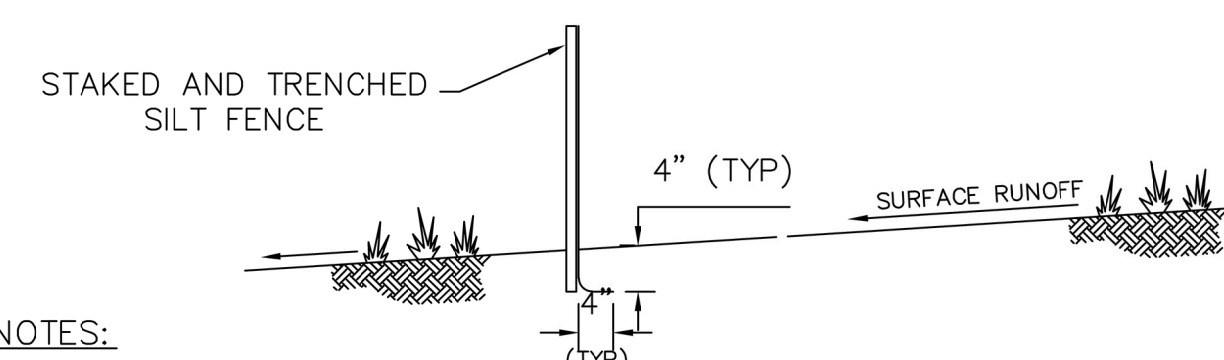
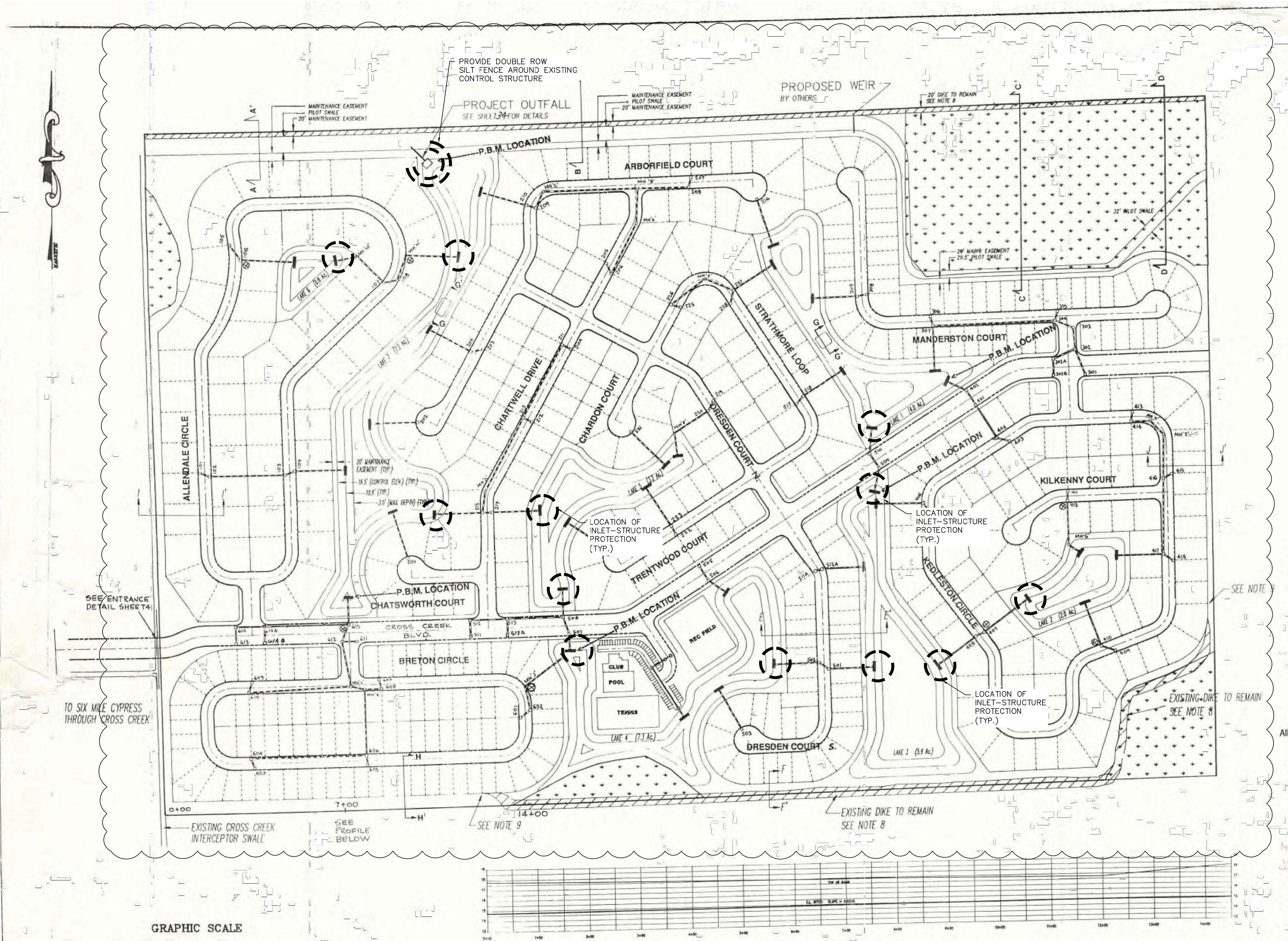
4	DEC. 19, 84	APW	RECORD DRAWINGS (WATER ONLY)
3	MAY 25, 84		REVISED FOR CONSTRUCTION
4	MAY 16, 1984		ISSUED FOR CONST. OBSERVATION
5	APR 13, 84		ISSUED FOR EARTHWORK CONSTRUCTION
2	APR 6, 1984	MMK	SURVEY CONTRACT
1	3-6-84	MMK	ISSUED FOR FINAL DEVELOPMENT ORDER
NO.	DATE	BY	STATUS

DESIGNED BY	DATE
DRAWN BY	DATE
CHECKED BY	DATE
APPROVED BY	DATE
FIELD NO.	

G & J GEE & JENSON
ENGINEERS
ARCHITECTS
PLANNERS
INC.
FORT MYERS, FLORIDA

U.S. HOME CORPORATION CROSS CREEK
PLAN & PROFILE
APPROVED
12/1/2021
1981-2277-03

6200 Whiskey Creek Drive Fort Myers, FL 33919 Phone : (239) 985-1200 Florida Certificate of Authorization No.1772 Naples - Fort Myers	
H-M HOLE MONTES ENGINEERS-PLANNERS-SURVEYORS	
LCU RECORD UTILITY DATA (NOTE: LCU RECORD UTILITY DATA IS FROM AVAILABLE PUBLIC RESOURCES AND NOT BASED UPON OBSERVED OR FIELD LOCATIONS.)	
CROSS CREEK ESTATES COMM. ASSN. FORT MYERS, FLORIDA 33912 LAKE BANK RESTORATION	DATE: 06/01/21 REVISIONS NUMBER DATE
THESE DRAWINGS ARE NOT APPROVED UNLESS SIGNED & SEALED BY THE ENGINEER RICHARD E. BRYAN, P.E. REGISTERED PROFESSIONAL ENGINEER REGISTRATION NO. 22020 DATE: November 03, 2021	DRAWING NO. 2021.066 PROJECT NO. 21.66 SHEET NO. 5B

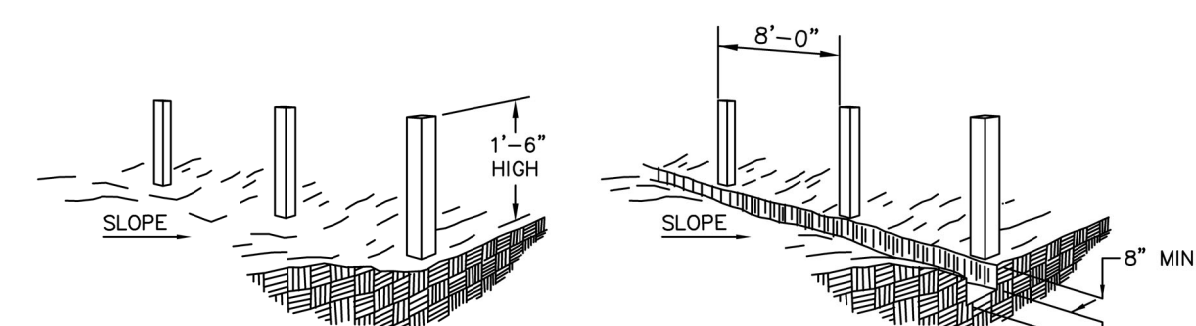


NOTES:

1. POSTS SHALL BE PLACED A MAXIMUM OF 10 FEET (3 m) APART AT THE BARRIER LOCATION AND DRIVEN SECURELY INTO THE GROUND A MINIMUM OF 12" (30 cm).
2. A TRENCH SHALL BE EXCAVATED APPROXIMATELY 4 INCHES (10 cm) WIDE AND 4 INCHES (10 cm) DEEP ALONG THE LINE OF POSTS AND UPSLOPE FROM THE BARRIER.
3. WHEN STANDARD STRENGTH FILTER FABRIC IS USED, A WIRE MESH SUPPORT FENCE SHALL BE FASTENED SECURELY TO THE UPSLOPE SIDE OF THE POSTS USING HEAVY DUTY WIRE STAPLES AT LEAST 1 INCH (25mm) LONG, TIE WIRES, OR HOG RINGS. THE WIRE SHALL EXTEND INTO THE TRENCH A MINIMUM OF 2 INCHES (5 cm) AND SHALL NOT EXTEND MORE THAN 36 INCHES (90 cm) ABOVE THE ORIGINAL GROUND SURFACE.
4. THE STANDARD STRENGTH FILTER FABRIC SHALL BE STAPLED OR WIRED TO THE FENCE, AND 8 INCHES (20 cm) OF THE FABRIC SHALL BE EXTENDED INTO THE TRENCH. THE FABRIC SHALL NOT EXTEND MORE THAN 36 INCHES (90 cm) ABOVE THE ORIGINAL GROUND SURFACE.

SINGLE ROW STAKED SILT FENCE

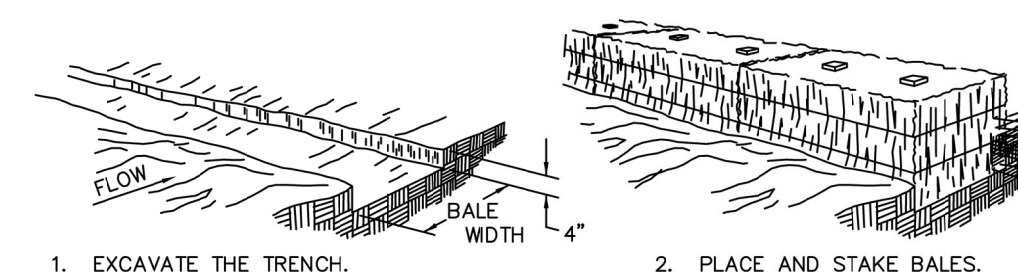
N.T.S.



1. SET THE STAKES.
2. EXCAVATE A 8" x 8" TRENCH 8" DEEP ALONG THE LINE OF STAKES.
3. STAPLE FILTER MATERIAL TO STAKES AND EXTEND IT INTO THE TRENCH.
4. BACKFILL AND COMPACT EXCAVATED SOIL OVER FABRIC MATERIAL.

CONSTRUCTION OF A FILTER BARRIER

N.T.S.



1. EXCAVATE THE TRENCH.

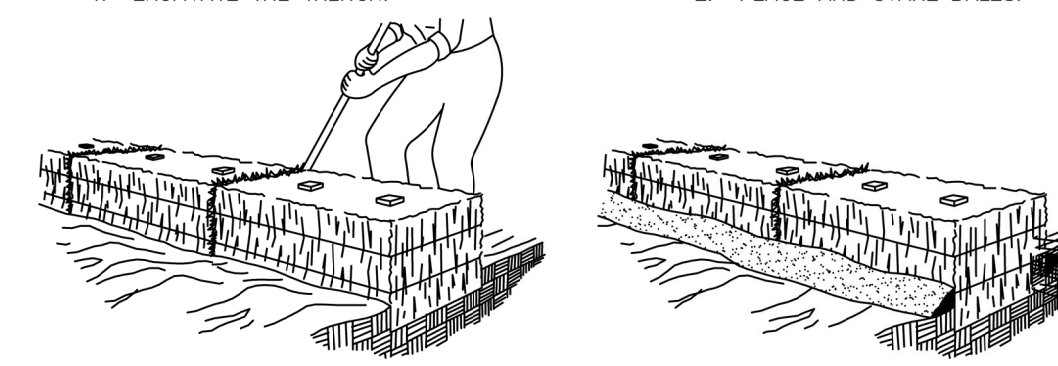
2. PLACE AND STAKE BALES.

3. WEDGE LOOSE STRAW BETWEEN BALES.

4. BACKFILL AND COMPACT THE EXCAVATED SOIL.

CONSTRUCTION OF A STRAW BALE BARRIER

N.T.S.



Brown Collins, Inc.

Civil Engineering
Environmental Permitting
Edaphic Investigations
Land Surveying

Box 201, Suite 201, Fort Myers, FL 33901 (813)-337-1933

CLIENT:
CROSS CREEK ESTATES LAND TRUST C/O
FLORIDA INVESTORS GROUP
6360-1 PRESIDENTIAL COURT
FORT MYERS, FL 33919
JOHN E. STATES, TRUSTEE

PROJECT.
CROSS CREEK ESTATES
SECTION 16
TOWNSHIP 45S
RANGE 25E
COUNTY OF LEE

TASK.

DRAINAGE PLAN

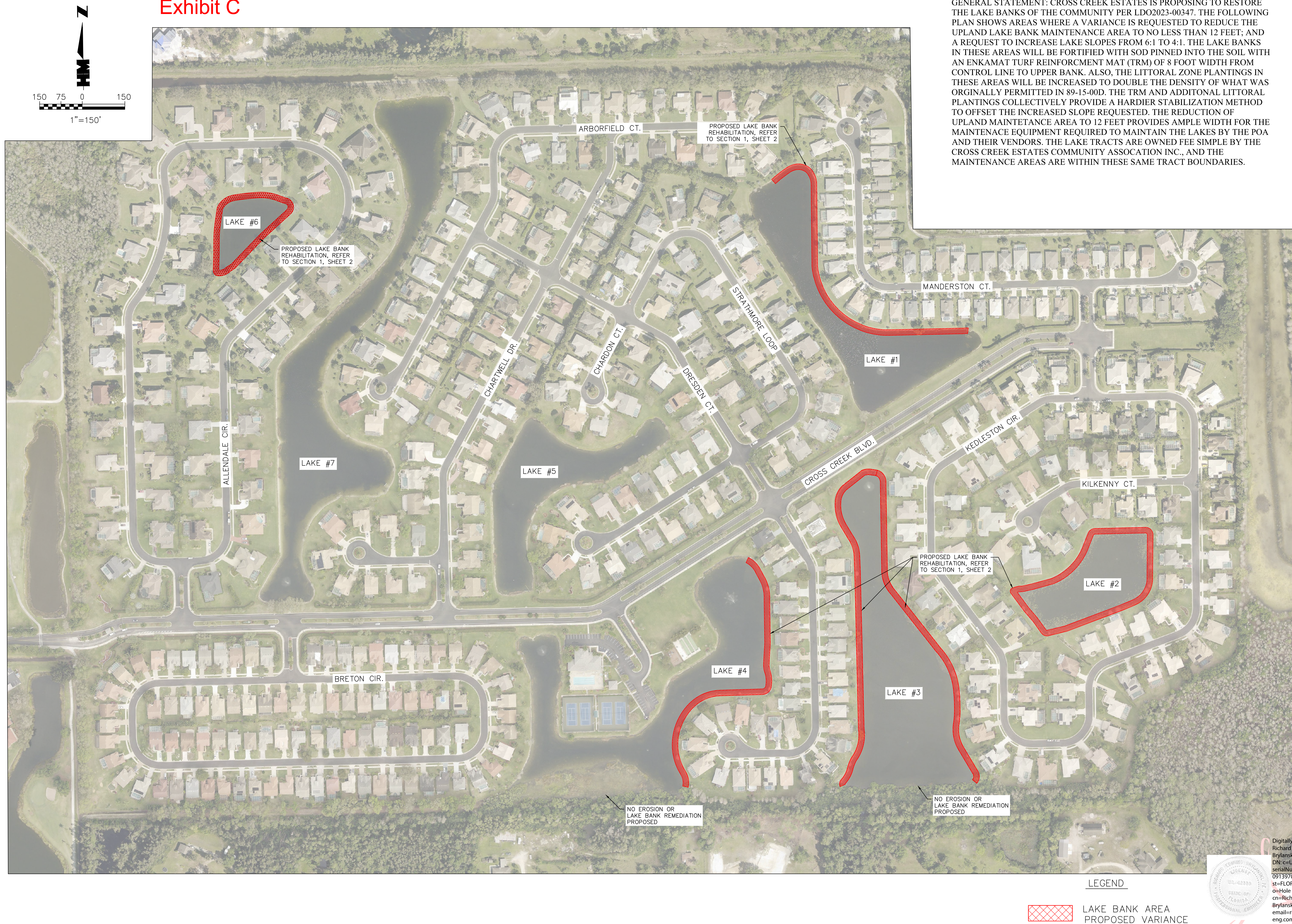
PLEASE NOTE: Final Development Order does not confer approval for signage or fencing placed in other than required barrier area.

APPROVED
LDO2021-00347
John Mahlbacher, Dev Srvs Plan Reviewer
Lee County Department of Community Development
12/1/2021

INDICATES LOCATION OF
INLET-STRUCTURE PROTECTION
FOR PIPES THAT INTERCONNECT LAKES.
(IF REQUIRED)

THESE DRAWINGS ARE NOT TO BE APPROVED UNLESS SIGNED & SEALED BELOW:		CROSS CREEK ESTATES COMM. ASSN. FORT MYERS, FLORIDA 33912 LAKE BANK RESTORATION		DO 85-05-015.00D RECORD DRAINAGE PLAN EROSION AND SEDIMENTATION CONTROL PLAN		 HOLE MONTE ENGINEERS-PLANNERS-SURVEYORS		6200 Whiskey Creek Drive Fort Myers, FL 33919 Phone : (239) 985-1200 Florida Certificate of Authorization No.1772 Naples · Fort Myers			
DESIGNED:	REB	DATE:	06/01/21								
DRAWN:	KLP	DATE:	06/01/21								
CHECKED:	REB	DATE:	06/01/21								
VERT. SCALE:	nts	HORIZ. SCALE:	1" = 150'								
DRAWING NO.			2021.066								
PROJECT NO.			21.66			SHEET NO.			6		
									REV. PER COUNTY LDO COMMENTS		
									REV. PER COUNTY LDO COMMENTS		
									NUMBER REVISIONS		
									DATE		

Exhibit C



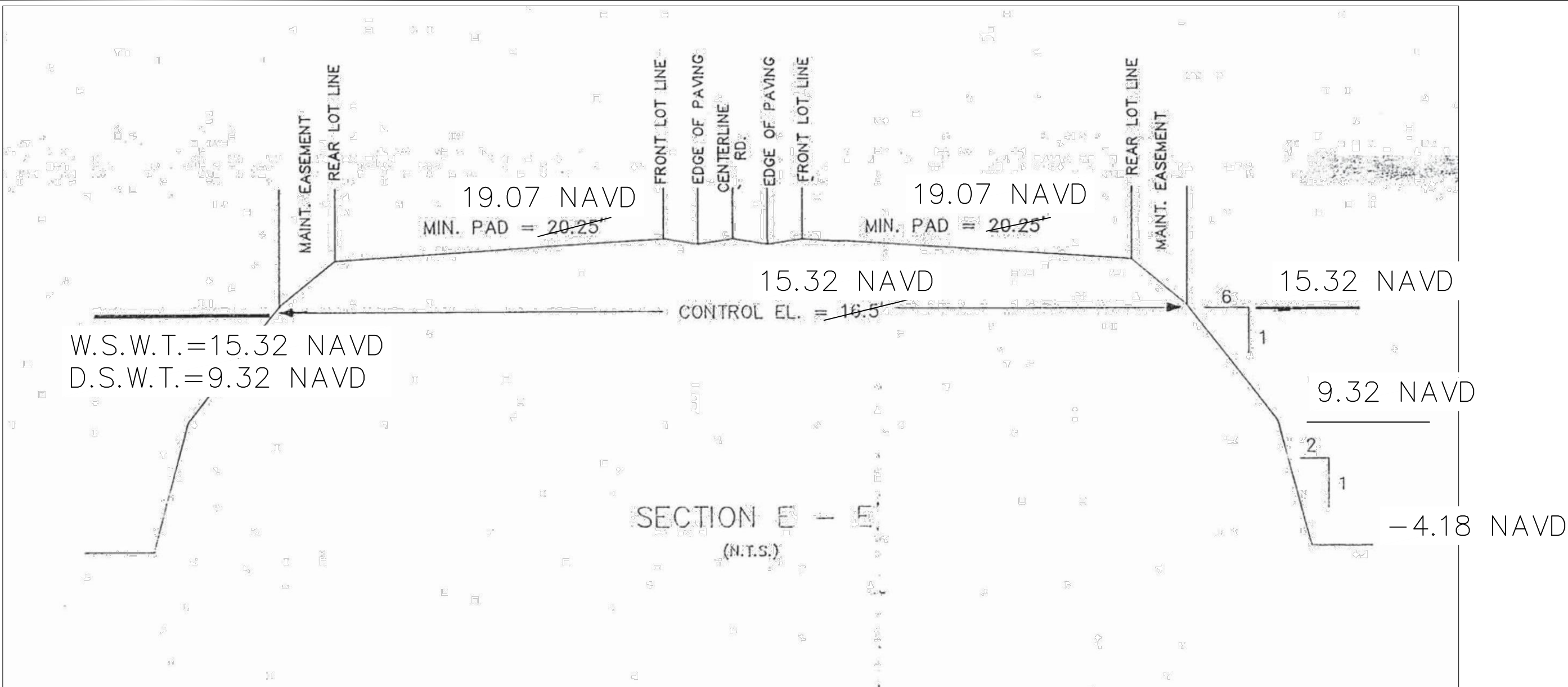
GENERAL STATEMENT: CROSS CREEK ESTATES IS PROPOSING TO RESTORE THE LAKE BANKS OF THE COMMUNITY PER LDO2023-00347. THE FOLLOWING PLAN SHOWS AREAS WHERE A VARIANCE IS REQUESTED TO REDUCE THE UPLAND LAKE BANK MAINTENANCE AREA TO NO LESS THAN 12 FEET; AND A REQUEST TO INCREASE LAKE SLOPES FROM 6:1 TO 4:1. THE LAKE BANKS IN THESE AREAS WILL BE FORTIFIED WITH SOIL PINNED INTO THE SOIL WITH AN ENKAMAT TURF REINFORCEMENT MAT (TRM) OF 8 FOOT WIDTH FROM CONTROL LINE TO UPPER BANK. ALSO, THE LITTORAL ZONE PLANTINGS IN THESE AREAS WILL BE INCREASED TO DOUBLE THE DENSITY OF WHAT WAS ORIGINALLY PERMITTED IN 89-15-00D. THE TRM AND ADDITIONAL LITTORAL PLANTINGS COLLECTIVELY PROVIDE A HARDIER STABILIZATION METHOD TO OFFSET THE INCREASED SLOPE REQUESTED. THE REDUCTION OF UPLAND MAINTENANCE AREA TO 12 FEET PROVIDES AMPLE WIDTH FOR THE MAINTENANCE EQUIPMENT REQUIRED TO MAINTAIN THE LAKES BY THE POA AND THEIR VENDORS. THE LAKE TRACTS ARE OWNED FEE SIMPLE BY THE CROSS CREEK ESTATES COMMUNITY ASSOCIATION INC., AND THE MAINTENANCE AREAS ARE WITHIN THESE SAME TRACT BOUNDARIES.

LEGEND

 LAKE BANK AREA
PROPOSED VARIANCE

Digitally signed by
Richard Edmund
Brylanski
DN: c=US,
serialNumber=MAS2023
0913970755,
st=FLORIDA, l=Naples,
o=Hole Montes, Inc.,
cn=Richard Edmund
Brylanski,
email=rickbrylanski@hm
eng.com
Date: 2024.03.05
16:30:34 -05'00'

THESE DRAWINGS ARE NOT APPROVED UNLESS SIGNED & SCALED BELOW.	DESIGNED: REB DATE: 12/11/23	
	DRAWN: MM DATE: 12/11/23	
RICHARD E. BRV, JANSKI, P.E. FLORIDA PROFESSIONAL ENGINEER REGISTRATION #143339 DATE:	CHECKED: REB DATE: 12/11/23	
	VERT. SCALE: nts HORIZ. SCALE: 1" = 150'	
DRAWING NO. 2021.066		
PROJECT NO. 21.66	SHEET NO. 1	



ORIGINAL LAKE CROSS SECTION
(DO 89-05-015.00D)
S.F.W.M.D. PERMIT# 36-01473-S
PLANS PREPARED BY BROWN COLLINS, INC.
SHEET 7 OF 9

NOTE: ELEVATIONS IN SECTION ABOVE ARE NAVD 88 VERTICAL DATUM.
CONVERSION TO NGVD29 ADD 1.18 FT.

DSO#89-05-105.00D
LITTORAL LAKE BANK PLANTINGS

In the littoral area, herbaceous wetland species will be planted from the shoreline waterward to a depth of approximately 3 feet below normal pool elevation (15.32' NAVD) thereby forming a band roughly 18' wide. Zone A plants will be planted from depths of about 0 to 0.5 feet below normal pool elevation. Zone B plants will be planted from depths of about 0.5 to 2.0 feet below normal pool elevation. Zone A and B plants will be established using 2" pot and/or bare root stock planted on 3-foot centers. Zone C plants will be planted from depths of about 2.0 to 3.0 feet below normal pool elevation using tuber stock planted on 6-foot centers. Zone D species will only be planted in certain areas of the lakes using 2" pot and/or bare root stock planted on 3-foot centers at depth of about 0 to 2.0 feet below normal pool elevation.

In certain areas of the lakes, Zone E wetland tree and shrub species will be planted at depths of about 0 to 2.0 feet below normal pool elevation using 1 gallon stock planted on 10-foot centers, probably in groups of 5. Zone F transitional and upland trees will also be established at various locations along lake shorelines. These will be planted landward from the normal pool elevation to about 1.0' below this level using 1 gallon stock planted on 10-foot centers, likely in groups of 6.

Species used in these plantings will be selected from the list provided. Alternative species may be used depending on availability and site condition. No one species will comprise more than 30% of a given vegetation layer. Refer to Section A-A for an illustration of the littoral zone treatment. Areas indicate on the plan for Zone D, E, F plantings are approximate and provided only to indicate the concept. The actual number of these areas and their location may change by the time of establishment.

LITTORAL

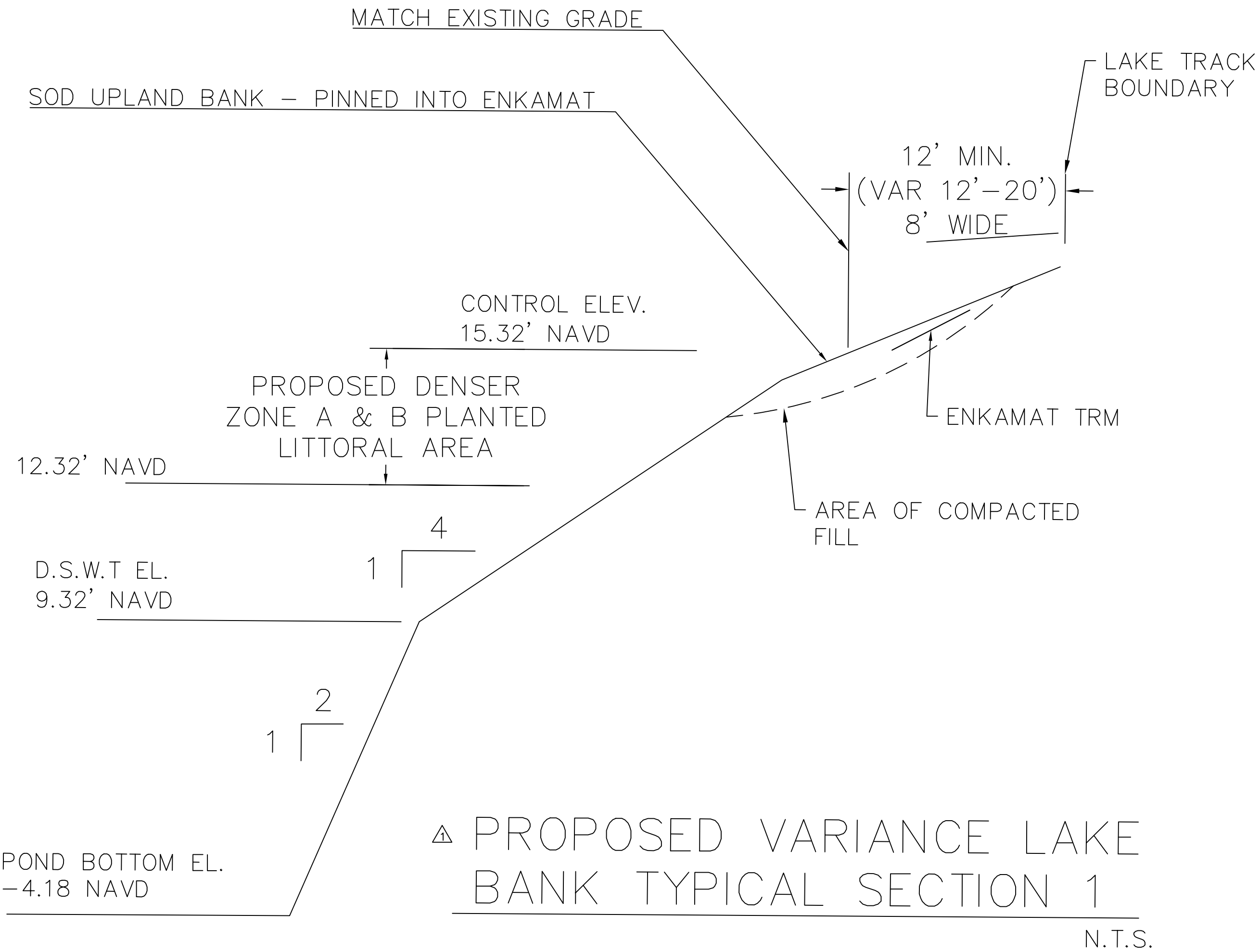
ZONE A SPECIES

MAIDENCANE
SOFT RUSH
BLUE FLAG IRIS
GOLDEN CANNA
SAND CORDGRASS
SWAMP LILY
SMARTWEED
KNOTGRASS
LIZARD'S-TAIL
CINNAMON FERN
ROYAL FERN

ZONE B SPECIES

PICKERELWEED
COMMON ARROWHEAD
COASTAL ARROWHEAD
BULRUSH

Exhibit D



PLANTING LEGEND

LAKE #	VARIANCE BANK LENGTH	TOTAL LAKE PERIMETER @ CONTROL EL. (LF)	ZONE A @ 3' WIDTH (SF)	ZONE B AREA @ 9' WIDTH (SF)	ZONE A & B PLANTS REQUIRED @ 3' O.C.	VARIANCE ADDED LITTORAL PLANTINGS ADDL .1/LF	TOTAL ZONE A+B LITTORAL PLANTS
1	1156	2681	8043	24129	2681	1156	3837
2	1392	1392	4176	12528	1392	1392	2784
3	2452	2906	8718	26154	2906	2452	5358
4	1085	4011	12033	36099	4011	1085	5096
5		2233	6699	20097	2233		
6	869	896	2688	8064	896	896	1792
7		4673	14019	42057	4673		

PLEASE REFER TO SHEET 4 FOR ORIGINAL ZONE D,E & F PLANTING LOCATIONS

Digitally signed by Richard Edmund Brylanski
DN: c=US, serialNumber=MAS20230913970755, st=FLORIDA, l=Naples, o=Hole Montes, Inc., cn=Richard Edmund Brylanski, email=rickbrylanski@hmen.g.com
Date: 2024.03.05 16:29:43 -05'00'

6200 Whiskey Creek Drive Fort Myers, FL 33919 Phone : (239) 985-1200 Florida Certificate of Authorization No.1772 Naples - Fort Myers		REV. PER COUNTY REVIEW 03/04/24		DATE	
HOLE MONTES a BOWMAN COMPANY		LDO 2021-00847 VARIANCE REQUEST DETAIL SHEET		CROSS CREEK ESTATES COMM. ASSN. FORT MYERS, FLORIDA 33912 LAKE BANK RESTORATION	
THESE DRAWINGS ARE NOT APPROVED UNLESS SIGNED & SEALED BELOW:		DESIGNED: REB DATE: 12/11/23		DRAWN: MM DATE: 12/11/23	
RICHARD E. BRYLANSKI P.E. FLORIDA PROFESSIONAL ENGINEER EXPIRATION #16000 DATE:		CHECKED: REB DATE: 12/11/23		VERT. SCALE: nts HORZ. SCALE:	
DRAWING NO. 2021.066		PROJECT NO. 21.66		SHEET NO. 2	

Exhibit E

Cross Creek Estates:

Variance Criteria

- a. What are the exceptional or extraordinary conditions or circumstances that are inherent to the property in question?

The lakes were excavated by the original developer, and it appears from survey data they may have not been graded in compliance with the development order (89-05-015) plans issued at the time. If the banks eroded to the condition surveyed now, it would have shown more evidence of the eroded material collecting at the littoral area, or the lake bottom and the survey data does not indicate so.

The existing lake control line is in portions of the lake tracts, only several feet from the rear yard property lines and lake tract boundary. If the lakes were to be constructed to original typical section pursuant to the LDO2021-00347 permitted lake rehabilitation, an impractical amount of imported fill would be needed to replicate that typical section for all lakes. The construction equipment accessing to and around those lakes and imported fill hauling, could have potential detrimental affects to neighboring residential structures. We are hoping to reduce the lake maintenance area to no less than 12 feet in several portions of the lake tract boundaries. The reduction to 12 feet still provides suitable width for serving the maintenance needs for the lakes in the future, and in most cases up to 20 feet is being provided for most of the lake bank areas.

In addition, we are requesting to change the minimum lake bank slope from 6:1 to 4:1 top help achieve the lake bank restoration due to the existing field conditions surveyed for the lakes. Again, meeting the 6:1 slope requirement would also entail importing an impractical amount of imported fill.

- b. Is the requested variance the minimum that will relieve the applicant of an unreasonable burden caused by the regulation in question? If not, what is the minimum variance?

The reduction of the lake maintenance area to 12 feet is practical width and allowing 4:1 slope is consistent with County and SFWMD policy.

- c. Will the granting of the variance be injurious to the neighborhood or otherwise detrimental to the public welfare?

In fact, not granting this variance has more probability of being injurious to the neighborhood due to the amount of earth import, construction activity and equipment needed. By granting this variance request, the lake bank restoration can continue with more reasonable sized construction equipment that can access the lakes between available side yard easements and allow the LDO2021-00347 lake restoration to proceed.

LDC Compliance: Submit pertinent calculations which demonstrate that the overall development complies with all other applicable zoning and development standards. [34-202(b)(6)]

The variance request does not impact any other development criteria. The lake banks will be restored, and all required lake plantings will be either preserved or enhanced to meet the original Development Order.

Letters of No Objection: Submit Letters of No Objection from all adjacent property owners, including those separated from the subject property by any right-of-way easements, or as required by the Director. [34-203(a)(7)]

The applicant CROSS CREEK ESTATES COMMUNITY ASSOCIATION, INC. is the master property owner's association and the owner of the lake tracts and other common areas. The Board regularly meets with their residents and also provides social network updates to the community. The residents are hopeful the variance is approved which would substantially lessen the financial impact of conducting the lake restoration without the variance approval.