



## Board of County Commissioners

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District One

October 7, 2024

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Examiner

Alexis Crespo, AICP  
RVI Planning and Landscape Architecture.  
28100 Bonita Grade Drive, Suite 305  
Fort Myers, FL 34135

### **RE: Cypress Woods RVPD DCI2023-00030**

Dear Ms. Crespo:

The Zoning Section has reviewed the information provided for the above-referenced application. The Lee County Land Development Code (LDC) requires additional information for the application to be sufficient. Please respond to each requirement not satisfied on the attached checklist. For your assistance, we have enclosed any additional memoranda from the various Lee County reviewing agencies.

A public hearing date will not be scheduled until a complete application is submitted.

Please respond to the sufficiency review comments contained within thirty (30) calendar days of the date of this letter. This application may be considered withdrawn if no response is received within this timeframe. Please feel free to contact me at [Amendez@leegov.com](mailto:Amendez@leegov.com) or (239) 533-8325 if you have any questions.

### **Environmental Sciences**

1. Currently an ERP already exists for this stage of development. Staff located the existing permit No. 36-103777-P from the SFWMD which notes that a consent order was issued on February 02, 2023, and that approximately 1.5 acres of wetlands were directly impacted, and 1.39 acres of conservation easement wetlands have been secondarily impacted without authorization. No return to compliance letter was located demonstrating the success criteria, and the state does not issue additional ERP permits to applicants unable to demonstrate reasonable assurance. To be consistent with the Lee Plan Policy 124.1, and to allow the conditions proposed to be used, provide a FLUCCS for the entire development, with an updated listed species survey to demonstrate that the MCP and whole development, has the required amount of open space..
2. The indigenous open space calculation includes areas in the northeastern portion of the site that do not appear to meet the conditions listed in 10-415 (d) (2) d and include more than 20% percent of impervious area.

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3. Surface water management lakes may only be used to substitute up to 25% of the required open space. Ensure that all open space calculations meet 10-415 (d) (2).
4. The current master concept plan "MCP\_2023-11-27" is not the MCP from ADD2022-00021, Phase 5. Provide an updated and revised master concept plan for the entire cypress woods development (all phases), revise the open space calculations, and key all deviations and all recorded easements.
5. The current MCP appears to show 34.74 acres of indigenous open space, pursuant to z-20-027 the required amount of indigenous open space required is 35.09, not 30.30, a reduction of greater than 10% would require a public hearing and could not be done administratively. Provide the FLUCCS for all open space areas to be sure the indigenous amounts and open space are accurate, request a deviation, or request a variance.
6. Please provide a complete strike through underline of the previous zoning resolution Z-20-027.

### **Legal**

1. Description & Sketch. Please provide a legal description and sketch in accordance with the requirements of Lee County LDC §34-202(a)(5).
  - A metes and bounds legal description and sketch is not required, however a separate legal description and sketch of description suitable for recording (legal or letter size) is required.
  - Previous comment not addressed. The previously submitted legal description must be revised with the following: Cypress Woods RV Resort Unit 4-B is missing "-B" in the legal description. It must also match the legal description shown on the title.
2. Title Certification. A title certification is required per LDC §34-202(a)(7).
  - The legal description on the title opinion does not match the legal description provided.

### **Zoning**

1. Courtesy Comment: The application should accompany a letter of opinion and HOA approval, similar to the initiation documentation provided for ADD2024-00063 (LDC Section. 34-201).

Sincerely,

DEPARTMENT OF COMMUNITY DEVELOPMENT  
Zoning Section

Electronically signed on 10/07/2024 by  
Adam Mendez,  
Senior Planner