

SPEATH ENGINEERING

Civil Engineers

SCHEDULE OF DEVIATIONS

- 1. Deviation from 10-416 (c)(2): requiring internal and end landscape islands within parking lot areas to allow a for an unobstructed parking lot area at the southwest corner of the development with no landscaping for the purpose of maintaining an operable boat triage staging area.**

The intent of deviating from the outlined sections above is to allow the employee and valet parking lot to act as a boat triage area during emergencies with unobstructed work in the vicinity of the southwest portion of the proposed project. The area between the boat lift well (to be utilized only in emergencies), and the maintenance building, is intended to be utilized for this boat triage purpose. The proposed open area is proposed to be screened by buffers from adjoining residential properties, and will have no adverse effects to the health, safety, and welfare of the public; while simultaneously providing a service to the community and County during post-storm cleanups.

- 2. Deviation from section 10-416 (d)(6) required combination berm and solid wall of no less than 8' in height for roads, drives or parking areas situated within 125 feet of a residential property, to allow for the following (2a-2e) outlined deviations.**

The intent of deviating from the outlined section above is to allow the following: There are 5 sections throughout the proposed development where the buffer requirements are not able to meet the standard outlined in section 10-416(d)6). Please see below 2A. through 2E for each itemized buffers and related deviation requests.

2a.) Deviation from section 10-416 (d)(6) requiring a combination berm and solid wall of no less than 8' in height for roads, drives or parking areas situated within 125 feet of a residential property, to allow for no buffer along the first 100 feet in length of drive.

The intent of deviating from the outlined section above is to allow for no buffer along the first 100 feet in length of project access drive, in order to keep the entrance in its original and current configuration without impacting the de facto secondary frontage yards of the two adjoining properties (north and south). The entrance driveway to the subject property (part of this CPD request) is situated on a 50-foot wide strip between two single-family residences. This portion of the entrance drive to the proposed project is currently constructed, and mirrors the remainder of Inlet Drive, however this small strip of land that acts as access to the subject property is actually a part of the overall CPD property assemblage, not right-of-way. Currently and historically this 50' wide portion of property has operated the same as the remainder of inlet drive, with even one neighbor having driveway connecting to the existing subject property entrance drive and both neighbors having lawns which currently extend to the edge of the existing asphalt.

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2b.) Deviation from section 10-416 (d)(6) required combination berm and solid wall of no less than 8' in height for roads, drives or parking areas situated within 125 feet of a residential property, to allow a varying width landscape buffer of 12 to 30 feet.

The intent of deviating from the outlined section above is to allow a varying width landscaped buffer of 12 to 30 feet wide along the Northwestern property line for the access drive situated less than 125 feet away from the adjacent residential properties. All other additional Type F requirements shall be met including 10 trees per 100 linear feet and a double row hedge at a minimum height of 4'

2c.) Deviation from section 10-416 (d)(6) required combination berm and solid wall of no less than 8' in height for roads, drives or parking areas situated within 125 feet of a residential property, to allow a varying landscape buffer of 4 to 33 feet.

The intent of deviating from the outlined section above is to allow a varying width landscaped buffer of 4 to 33 feet wide along the Northwestern property line, for the access drive situated less than 125 feet away from the adjacent residential properties. The buffer will consist of the type F code requirements with 10 trees per 100 linear feet and a double row hedge at a minimum height of 4'.

2d.) Deviation from section 10-416 (d)(6) required combination berm and solid wall of no less than 8' in height for roads, drives or parking areas situated within 125 feet of a residential property, to allow a varying width landscape buffer of 9 to 15 feet.

The intent of deviating from the outlined section above is to allow a varying width landscaped buffer of 9 to 15 feet wide along the western property line, with parking situated 118 feet away from the adjacent residential properties to the northwest. Given the distance to the edge of the residential properties is only slightly under the requirement of 125', we are requesting a reduction in the required buffer. (For reference example, the parking situated 118' away would require no buffer at all if moved an additional 7'. The buffer will consist of the type F code requirements with 10 trees per 100 linear feet and a double row hedge at a minimum height of 4'.

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2e.) Deviation from section 10-416 (d)(6) required combination berm and solid wall of no less than 8' in height for roads, drives or parking areas situated within 125 feet of a residential property, to allow an 8-foot-wide landscape buffer.

The intent of deviating from the outlined section above is to allow an 8-foot-wide landscape buffer along the southern property line to screen the proposed valet parking area, with parking situated 110 feet away from the adjacent residential properties to the South. Given the distance to the edge of the residential properties is only slightly under the requirement of 125', we are requesting a reduction in the required buffer. (For reference example, the parking that is situated 110' away would require no buffer at all if moved an additional 15'). The buffer will consist of the type F code requirements with 10 trees per 100 linear feet and a double row hedge at a minimum height of 4'.

2f.) Deviation from section 10-416 (d)(6) required combination berm and solid wall of no less than 8' in height for roads, drives or parking areas situated within 125 feet of a residential property, to allow a landscape buffer width of 10 feet.

The intent of deviating from the outlined section above is to allow an 10-foot-wide landscape buffer along the western property line, with parking situated 115 feet away from the adjacent residential properties to the northwest. Given the distance to the edge of the residential properties is only slightly under the requirement of 125', we are requesting a reduction in the required buffer. (For reference example, the parking situated 115' away would require no buffer at all if moved an additional 7'. The buffer will consist of the type F code requirements with 10 trees per 100 linear feet and a double row hedge at a minimum height of 4'.

3. Deviation from section 34-935(f)(1)(e) buildings may be as tall as 45 feet above minimum flood elevation with no more than three habitable stories, to allow a building height of 57' above BFE.

The intent of deviating from the outlined section above is to allow a building height of 57' above BFE for the proposed boat barn. This property development includes only one structure that will not meet the height requirement set forth by code, which is the indoor dry-stack boat storage boat barn. The intent is to deviate from the requirement of a maximum 45' building height for the proposed dry slip Boat Barn to exceed this height requirement at a maximum height of 57 feet above base flood elevation. No other proposed structures for this site will exceed the height requirement.

4. Deviation from section 34-2194(b) buildings and structures may not be placed closer than 25 feet to a canal or to a bay or other water body, to allow for a 4', 12' & 15' waterbody setback for three of the proposed structures on site.

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The intent of deviating from the outlined section above is to allow for the placement of 3 proposed structures closer than the 25' setback requirement. We are requesting that the restaurant building be placed with a 4' waterbody setback, the office and ships store building placement at a 15' waterbody setback, and the maintenance & member building be placed at a 12' waterbody setback. Setback deviations are related to site configuration, site constraints, and the water-dependent uses on the property. This setback deviation request mirrors the previously approved waterbody setback in the prior zoning approval.

- 5. Deviation from section 33-1543(a) Requiring Landscape buffers for high density or high intensity development abutting a subdivided lot in an existing large lot residential subdivision must utilize, at a minimum, a 30-foot buffer width, to allow no buffer for the first 100' length of drive into the property and to allow tapered buffers on both sides for significant screening thereafter.**

The intent of deviating from the outlined section above is to allow the following: The location where the property directly abuts single-family residences is limited to a small portion of property approximately 50' wide, that is situated between two single family residences. The portion of property in question currently functions the same as the 50' ROW for inlet drive and will continue to function in this manner). The current configuration results in residential lots which act as though they are dual-frontage corner lots, although in practice it is a private piece of property between them instead of a right of way. (See Deviation #2a) It is our intent to continue to operate this portion of the property as the same as the Inlet Drive ROW for the first 100 feet to keep the integrity of the residential lots intact. The portion of the property past the single-family homes is intended to have a tapered buffer along the entrance drive on each side of the road providing a buffer of 4' to 33' in width. This proposed buffer will provide significant screening from the residences to the parking and marina operations within the subject property.

- 6. Deviation from section 34-2016(4) Requiring that Parking must be developed throughout the site utilizing the same degree of angle, to allow the use of varying angled parking spaces.**

The intent of deviating from the outlined section above is to allow the use of varying angled parking spaces throughout the site. For the East, North and Southern parking lots we have provided parking at 90 degrees. We are seeking relief for the western parking lot as the spaces have been proposed at 45 degrees. The western parking lot is intended to be utilized by members-only, and is a completely separate portion of the site, therefore different angle configuration parking spaces do not in practice conflict with each other.

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7. Deviation from section 34-2020 Requiring that a total of 287 spaces must be provided on the site, to allow for a total of 214 spaces.

The intent of deviating from the outlined section above is to allow a total of 214 parking spaces for the proposed development. The intent is to request a deviation from the outlined requirement of 287 parking spaces to be provided for the overall site. The MCP delineates a total of 214 spaces with 158 standard and 56 non-stacked valet/employee spaces. We are requesting relief for the additional 73 spaces that are deficient with the current site design.

To justify both the site's inability to accommodate the code-required number of parking spaces and the requested relief from the 73 surplus spaces, we have submitted a parking study that outlines the following findings:

A comprehensive parking demand study has been conducted in accordance with the Institute of Transportation Engineers (ITE) Parking Generation Manual, 6th Edition and followed an approved methodology reviewed with Lee County staff. The study evaluated parking usage at three comparable marina facilities within Lee County: Sweetwater Landing Marina, Salty Sams Marina, and Deep Lagoon Marina. Based on observations, adjusted 95th percentile peak parking ratios were calculated for each relevant land use component. These ratios were then applied to the Port Phoenix Marina's land use mix, yielding a projected demand of 208 parking spaces under peak conditions. The proposed marina design provides 214 parking spaces, exceeding the projected 95th percentile demand. With this we have comprehensive evidence to justify that the provided parking within the development is sufficient to support the actual peak parking demand. The parking study has been submitted in support of the additional reductions to further justify the proposed deviation from Section 34-2020 parking requirements.

8. Deviation from section 10-291 Requiring Access Roadway to meet the minimum standards outlined in the subject section to allow for a 20' wide roadway with a single sidewalk.

The intent of deviating from the outlined section above is to allow the following: Inlet Drive is a suburban local street with open drainage. Per section 10-291, a local street that serves a commercial use should have lanes of 11 feet in width with sidewalks on both sides of the roadway. Current roadway width varies approximately 19.5' to 20' in width. Widening the roadway an extra two feet would adversely impact local residents that front the existing roadway. After discussions with both local residents and Lee County DOT, the wish is to have the least invasive improvements possible along inlet drive, with the single sidewalk along the north side remaining as-is, and the roadway milled and resurfaced to provide a new surface and consistent 20' width along the entire length from Orange Grove Boulevard to the project entrance drive.

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- 9. Deviation from section 34-935(b)(1)(b) Requiring a minimum setback of 15 feet for all structures and buildings from the development perimeter boundaries for properties to be zoned CPD, to allow for a 4' boundary setback.**

The intent of deviating from the outlined section above is to allow the following: The intent is to request a deviation from the outlined requirement for the placement of 1 proposed structure on site that does not meet the 15' setback from perimeter boundary. We are requesting that the restaurant building be placed with a 4' boundary setback. Setback deviations are related to site configuration, site constraints, and the water-dependent uses on the property. This setback deviation request mirrors the previously approved waterbody setback in the prior zoning approval.

- 10. Deviation from section 10-296(2)(5)(iii)(b) Requiring Inlet Drive a Local Street to meet the minimum standards outlined in the subject section to allow for a 20' wide roadway with a single sidewalk.**

According to Lee County Community Development code 10-296(d)(3) a deviation from the roadway standards outlined in 10-296 may be applied for but "must meet the standards and criteria established by FDOT in the Florida Greenbook with consideration of the Plans Preparation Manual and guidance in AASHTO publications". According to the Florida Greenbook Table 3 – 20 Minimum Lane Widths Footnote Section on Chapter 3's pg. 57 Footnote number 3 states the following "In constrained areas where truck volumes are low and speeds are < 35 mph, 10' lanes may be used."

To meet the requirements of this footnote, Speath Engineering has generated a Truck Volume analysis report utilizing the 2018 FDOT Florida Greenbook and ITE trip generation 11th edition as well as the FDOT Online Traffic Portal to evaluate the truck volume for inlet drive and its standing compared to what is classified as a low truck volume. According to the Florida Greenbook chapter 13 page 138, C.13 states that a very low-volume local road is classified as (ADT less than or equal to 400 trips per day). Delineated in the Truck Volume analysis the total Daily Truck Volume (DTV) for inlet drive was determined to be 124 trips which is significantly lower than what is classified as a low volume road. As this meets half of the requirements in Footnote 3, we have also attached in the report google map imaging showing this roadway posted speed is below 35mph, therefore sufficiently meeting the criteria of the Greenbook deviation standard.

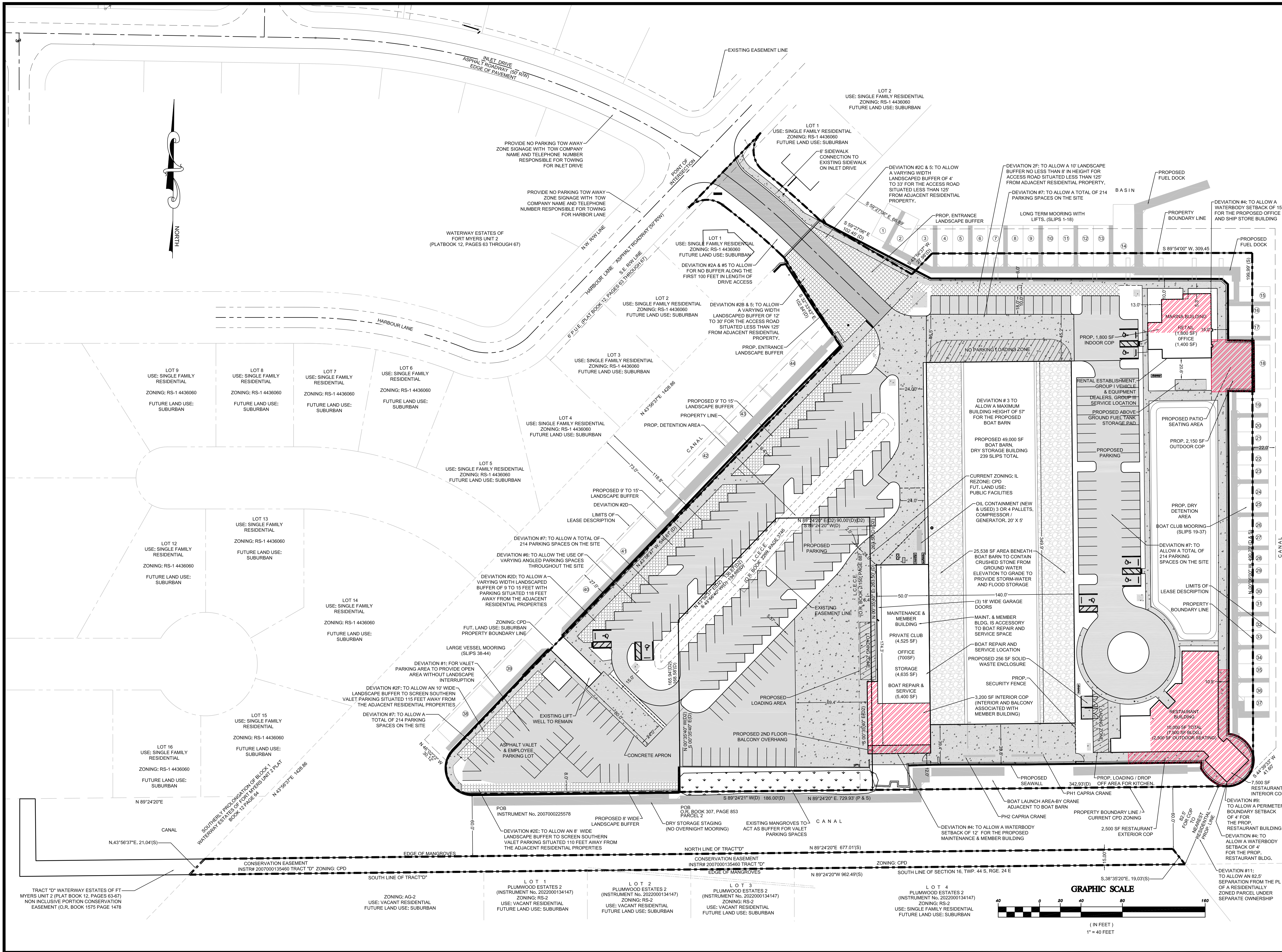
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11. Deviation from LDC 34-1264(b)(1)a Requiring establishments offering alcoholic beverages for consumption on the premises to maintain a minimum separation of 500 feet from the property line of a residentially zoned parcel under separate ownership to allow for a separation of 82.5 feet.

The intent is to request a deviation for the location of the proposed establishment, with respect to its designated areas for consumption of alcoholic beverages on premise, which does not meet the required 500-foot separation from the property line a of a residentially zoned parcel under separate ownership.

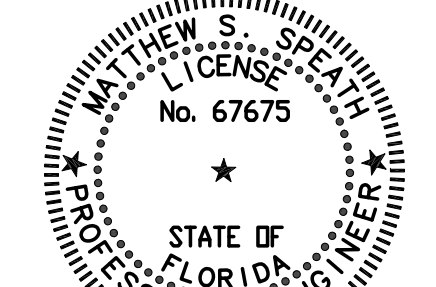
The proposed separation is 82.5 feet from designated COP area to the nearest adjacent residentially zoned property line. This deviation is requested due to existing site constraints and the configuration of the existing commercial peninsula property, as well as the proposed development layout which takes the existing peninsula configuration, surrounding waterbodies, and water-dependent uses into account. The proposed restaurant building associated with the requested COP is consistent with the previously approved CPD restaurant location on the subject property.



REVISIONS	DATE	BY
0. INITIAL SUB	12/12/23	TG
2. CNTY CMNTS	08/14/24	TG
3. CNTY CMNTS	12/09/24	TG
4. CNTY CMNTS	06/10/25	TG
5. CNTY CMNTS	08/21/25	TG
6. CNTY CMNTS	12/10/25	TG

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MASTER CONCEPT PLAN
FOR
PORT PHOENIX
SAFE HARBOR MARINAS
LEE COUNTY, FLORIDA



12/10/2025

THIS ITEM HAS BEEN DIGITALLY SIGNED AND SEALED BY MATTHEW S. SPEATH, P.E. ON THE DATE ADJACENT TO THE SEAL. PRINTED COPIES OF THIS DOCUMENT ARE NOT CONSIDERED SIGNED AND SEALED AND THE SIGNATURE MUST BE VERIFIED ON ANY ELECTRONIC COPIES.

MATTHEW S. SPEATH, P.E.
LIC. #67675
FBPE # 31292

DRAWN	TCC
CHECK	MSS
DATE	12/10/25
SCALE	1" = 40'
PROJ. NO.	F22-56

SHEET:
MCP
1 OF 1