



Professional Engineers, Planners & Land Surveyors



Portofino Vineyards Villages of San Carlos Parcels B, C, D & E

Schedule of Deviations and Written Justification

All existing deviations to remain unchanged. New deviations requested as part of this request follow:

DEVIATION 15: From LDC Section 10-329(d)(4) which requires the banks of excavations to be sloped at a ratio not greater than six horizontal to one vertical; to allow to vest the ratio of four horizontal to one vertical for 3 of the existing lakes (lakes 3, 4 & 5 on proposed DO plans) that were constructed based on approved plans for DOS2006-00115.

JUSTIFICATION: The project originally received development order approval on October 29, 2007 pursuant to DOS2006-00115. Upon approval of the D.O. and vegetation removal permit, site construction commenced. Site work was subsequently stopped due to economic conditions. At the time site work was halted, these lakes had been constructed in compliance with the D.O. approval (see aerial on next page and lakes labeled 3, 4 & 5). On June 23, 2009, the Land Development Code was amended by Ordinance 09-23 which changed the design standards for new excavation bank slopes from a ratio of four horizontal to one vertical to six horizontal to one vertical. No changes are proposed to these existing lakes. Administrative deviations for lakes designed and approved by prior development orders have been previously requested and approved from the required six to one slope to allow a slope no steeper than four to one, consistent with the existing approvals and subject request. The alternative proposed is based on sound engineering practices and is no less consistent with the health, safety and welfare of abutting landowners and the general public than the standard from which the deviation is being requested.

DEVIATION 16: A request for relief from the Lee County Land Development Code Section 10-418(2) planted littoral shelf criteria.

JUSTIFICATION: The project originally received development order approval on October 29, 2007 pursuant to DOS2006-00115. Upon approval of the D.O. and vegetation removal permit, site construction commenced. Site work was subsequently stopped due to economic conditions. At the time site work was halted, these lakes had been constructed in compliance with the D.O. approval (see aerial on next page and lakes labeled 3, 4 & 5). On June 23, 2009, the Land Development Code was amended by Ordinance 09-23 which changed the design criteria for planted littoral shelves in new excavations. No changes are proposed to these existing lakes. Administrative deviations for lakes designed and approved by prior development orders have been previously requested and approved from the revised planted littoral shelf criteria,

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10511 Six Mile Cypress Parkway · Suite 101 · Fort Myers, Florida 33966
Phone 239-939-5490 · www.bankseng.com · Fax 239-939-2523
Engineering License No. EB 6469 · Surveying License No. LB 6690

consistent with the existing approvals and subject request. The alternative proposed is based on sound engineering practices and is no less consistent with the health, safety and welfare of abutting landowners and the general public than the standard from which the deviation is being requested.



NEW DEVIATION 17: Requests relief from LDC Sec. 10-154(6)d. which requires that elevations be based on the North American Vertical Datum (NAVD); to allow elevations to be based on the National Geodetic Vertical Datum (NGVD) with a note depicting the conversion calculation.

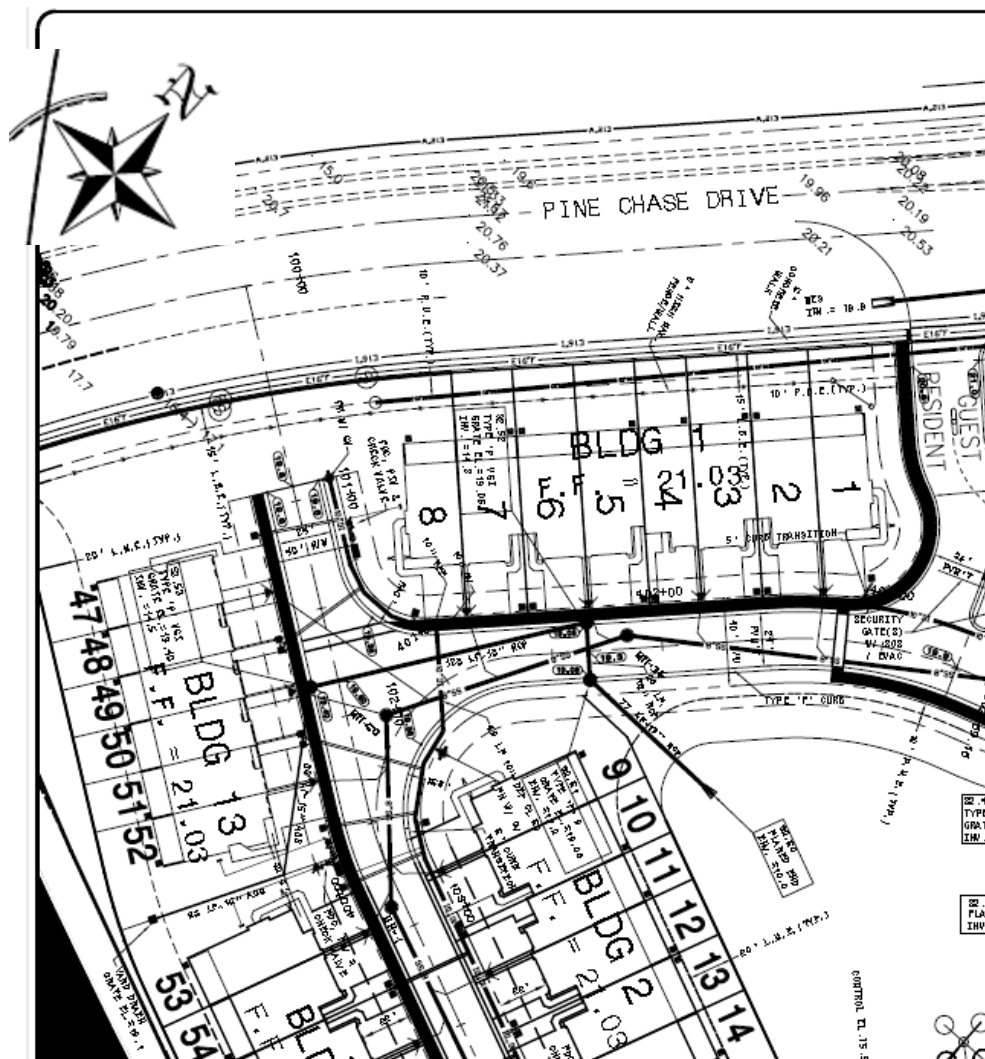
JUSTIFICATION: This deviation is requested to allow the proposed development plans to remain on the same vertical datum that the project has historically been designed, approved and partially constructed on. The project originally received development order approval on October 29, 2007 pursuant to DOS2006-00115 which utilized the National Geodetic Vertical Datum (NGVD). Upon approval of the D.O. and vegetation removal permit, site construction commenced. Site work was subsequently stopped due

to economic conditions. On June 23, 2009, the Land Development Code was amended by Ordinance 09-23 which changed the vertical datum from NGVD to NAVD. Approval of this deviation will prevent potential problems with review and comparison of the existing approvals on the subject property. A conversion calculation will be provided which will accomplish the same goal as the stated code provision. The intent of this regulation to protect the health, safety and welfare of the public will be served and the planned development will be enhanced by approval of this deviation. This deviation request is of such a nature that no graphical depiction is necessary.

NEW DEVIATION 18: Requests relief from LDC Sec. 10-296(p)(1), which requires dead end streets to end by a circular turnaround; to eliminate this requirement.

JUSTIFICATION: This deviation is requested to allow the short joint driveways of less than 150' in length in the areas identified on the above aerial and shown in the below excerpts from the concurrent development order plans under review under case number DOS2016-00059. These short joint driveway configurations do not require a turn-around per NFPA standards. These joint driveways only serve 2-4 units and should not be held to the dimensional requirements for a roadway. Applicant is in the process of coordinating with the San Carlos Park Fire Department for approval. These joint driveways provide adequate access to the units. The intent of this regulation to protect the health, safety and welfare of the public will be served and the planned development will be enhanced by approval of this deviation.

North:



South:

