



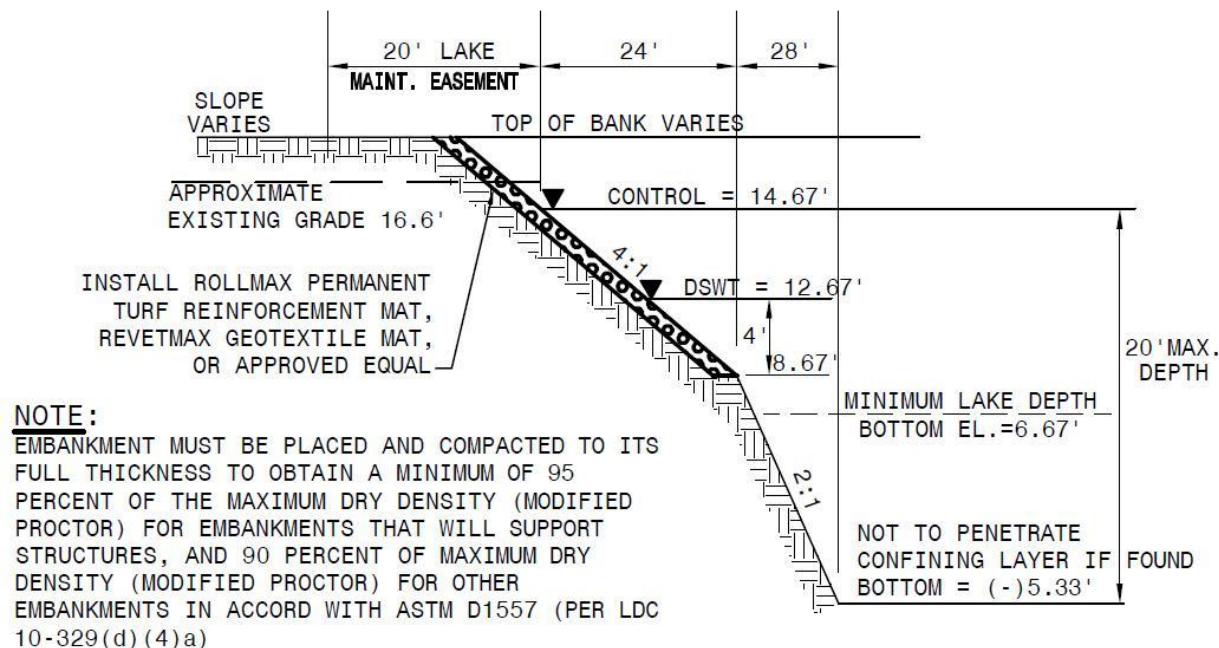
Professional Engineers, Planners & Land Surveyors



Portofino Vineyards
Villages of San Carlos Parcels B, C, D & E
ADD2017-00098
Schedule of Deviations and Written Justification
Revised December 13, 2017

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 a slope no steeper than four to one for 3 of the existing lakes (lakes 3, 4 & 5 on proposed DO plans) with enhanced slope protection measures by reinforcement per below cross-section and providing double the required littoral plantings as shown on the attached landscape plan.



TYPICAL LAKE CROSS SECTION
FOR EXISTING LAKES 3, 4 & 5

N.T.S.

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 below 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. The applicant proposes the following enhanced slope protection measures which will prevent erosion and scouring: enhanced littoral plantings by doubling the required amount in combination with installation of RollMax permanent turf reinforcement mat, RevetMax geotextile mat or approved equal. The proposed littoral planting plan is attached. 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 which requires 25 percent of the linear feet of the shoreline to be a planted littoral shelf to be designed to include a 20 foot wide littoral shelf extending

waterward of the control elevation at a depth of no greater than two feet below the control elevations; to allow the enhanced littoral and upland areas shown on the attached landscape plan at 4:1 slope providing double the required plantings for 3 of the existing lakes (lakes 3, 4 & 5 on proposed DO plans).

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 previous 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. The only changes proposed to these existing lakes is to provide enhanced slope protection measures which will prevent erosion and scouring: enhanced littoral plantings by doubling the required amount in combination with installation of RollMax permanent turf reinforcement mat, RevetMax geotextile mat or approved equal. The proposed littoral planting plan is attached. Administrative deviations for lakes designed and approved by prior development orders have been previously requested and approved from the revised planted littoral shelf criteria, 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 17: WITHDRAWN

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. Attached, please find an email from Fire Marshall Steve Lennon of San Carlos Park Fire Department which demonstrates no objection. The Fire Marshall has indicated their requirements for the landscaping and signage height restrictions in the area will be reviewed by Bonita Springs Fire Dept. as part of the D.O. review process. 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:

