



Professional Engineers, Planners & Land Surveyors



Capri at Miromar a/k/a Miromar Lakes Resort Village - Phase 3
Request for Final Plan Approval
Schedule of Deviations and Justifications
ADD2020-00071
Revised June 29 2020

This project proposes to utilize the following deviations approved by Z-13-020:

DEVIATION (2) from LDC Section 34-1954(d)(2) to allow the model units until project build out.

DEVIATION (5) from LDC Section 10-291(3) (Required Street Access) to allow only one means of ingress and egress for those development parcels that are surrounded by golf course, water body, or conservation areas or any combination thereof.

DEVIATION (7) from LDC Section 10-296 ("Street Design and Construction Standards"), to allow for cement concrete or decorative pavers within private local roadways within Miromar Lakes.

DEVIATION (10) from LDC Section 10-329(d)(1)3, to allow a zero-foot setback from water excavation to private property lines under separate ownership.

DEVIATION (28) from LDC Section 34-935(f)(3)(e) to allow for a maximum building height of 65 feet.

New deviations requested as part of this request follow:

Deviation 1: A request to continue previously administratively approved deviation from LDC Section 10-418(3) which states that bulkheads, geo-textile tubes, riprap revetments or other similar hardened shoreline structures may comprise up to 20 percent of an individual lake shoreline; to allow 65% of the proposed recreational lake shoreline.

Justification: The requested deviation has been previously approved pursuant to ADD2015-00070 and the associated exhibit Lake Stabilization Plan has been continuously updated with consecutive Final Plan Approvals. The attached Final Plan Approval provides the proposed update to the Lake Stabilization Plan consistent with prior approvals. This deviation is included in LDC Section 10-104(a)(17) list of provisions where the Development Services Director is authorized to grant administrative deviations. The requested deviation is internal to the site and enhances the achievement of the objectives of the planned development and will preserve and promote the general intent to protect the public health, safety and welfare. The request is also consistent with the applicable criteria for administrative deviations contained in LDC Section 10-104(b): (1) The alternative proposed to the standards contained herein is based on sound engineering

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practices (2) The alternative 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; (3) not applicable; (4) The granting of the deviation is not inconsistent with any specific policy directive of the Board of County Commissioners, any other ordinance or any Lee Plan provision; and (5) not applicable; and (6) the submitted landscape plans demonstrate compliance with the compensatory littorals.

Deviation 2: A request for relief from LDC Section 10-261(a) solid waste facilities provision of container spaces which requires 216 SF (120 + 96) for first 25 multi-family units plus 8 SF for each additional unit; to allow 100 SF space for recyclable materials and 381 SF for the trash compactor.

Justification: The requested deviation is included in LDC Section 10-104(a)(1) list of provisions where the Development Services Director is authorized to grant administrative deviations. This deviation is necessary to allow one central location for the trash compactor and recyclable area instead of requiring multiple stops for solid waste collection. The location of the provided collection area has been shown on the attached Final Plan Approval. The solid waste collection area enclosure does not encroach into any required perimeter landscape buffer, consistent with LDC Section 10-261(e). Please see the attached email from Bridgett Kantor approving the compactor access. The requested deviation is internal to the site and enhances the achievement of the objectives of the planned development and will preserve and promote the general intent to protect the public health, safety and welfare.

The request is also consistent with the applicable criteria for administrative deviations contained in LDC Section 10-104(b): (1) The alternative proposed to the standards contained herein is based on sound engineering practices (2) The alternative 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; (3) not applicable; (4) The granting of the deviation is not inconsistent with any specific policy directive of the Board of County Commissioners, any other ordinance or any Lee Plan provision; and (5) not applicable; and (6) not applicable.

Deviation 3: A request for relief from LDC Section 10-384(c)4 requirement that the maximum allowed dead-end water line must be no longer than 1,000 feet; to allow the proposed dead-end water line to exceed 1,000 feet.

Justification: The requested deviation is included in LDC Section 10-104(a)(15) list of provisions where the Development Services Director is authorized to grant administrative deviations. Miromar is proposing to connect the existing 12" WM at the entrance to the south, to the existing main across Ben Hill Griffin Parkway. This will be in place before the Capri project is complete and has already been approved by Lee County. The proposed 10" watermain will be extended approximately 1300 feet. The 12" main by Miromar will extend approximately 400 LF from the loop connection which results in a total dead-end length of approximately 1700 LF. This is the final project at the north end of Miromar so there will not be any future extensions proposed. The dead-end main meets flow requirements and is based on sound engineering practices. The proposed scenario has been modeled to confirm that it would provide adequate fire protection for the multi-family development. Per coordination with Nathan Beals at Lee County Utilities, the proposed dead-end mains are acceptable. The included Water CAD model demonstrates that adequate fire flow can be obtained with the current proposed design. The remainder of LDC Section 34-384 will be adhered to. The requested deviation is internal to the site

and enhances the achievement of the objectives of the planned development and will preserve and promote the general intent to protect the public health, safety and welfare.

The request is also consistent with the applicable criteria for administrative deviations contained in LDC Section 10-104(b): (1) The alternative proposed to the standards contained herein is based on sound engineering practices (2) The alternative 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; (3) not applicable; (4) The granting of the deviation is not inconsistent with any specific policy directive of the Board of County Commissioners, any other ordinance or any Lee Plan provision; and (5) not applicable; and (6) not applicable.

Deviation 4: A request for relief from LDC Section 10-296(l)(4)a. which allows that privately maintained accessways that provide vehicle access to 100 or fewer multi-family residential units are not required to meet minimum roadway right-of-way widths; to allow the proposed privately maintained accessways to provide access to 110 multi-family units.

Justification: The proposed Final Plan Approval is for one phase of the much larger Miromar planned development which has multiple access points on Ben Hill Griffin and provides for internal circulation. This is the final project at the north end of Miromar so there will not be any future continuation of these privately maintained accessways. The proposed accessways meet the remainder of the 10-296(l)(4) requirements by the pavement width meeting the dimensional requirements for parking lot aisles at areas of back-out parking and providing utility easements. The requested deviation is internal to the site and enhances the achievement of the objectives of the planned development and will preserve and promote the general intent to protect the public health, safety and welfare.