

Corkscrew Grove/Kingston Lee Co. Hearing Examiner Evidentiary Hearing –
May 17, 2022 - 9:30 am, 1500 Monroe St, 2nd Floor

Settlement details:

- Allows for 6,676 acres in south Lee County to be converted from agriculture to residential and commercial to allow 10,000 new residences, 240 hotel units and 700,000 square feet of commercial.
- This settlement agreement is the result of a permit denial to strip mine the property originally zoned for agriculture. The mining permit was for 4,202 acres. The settlement agreement includes an additional 2,474 acres that will never be subject to the public input of a conventional comprehensive plan and zoning change.

This agreement does not protect the public interest because:

- Public notice was abbreviated allowing only 7 business days (10 calendar days) to be aware of and prepare comments. This hearing was not posted on the Hearing Examiner's website compared to all other zoning related meetings.
- Settlement documents were not posted online as are all other typical zoning related records.
- The settlement inexplicably adds 2,474 acres of land not previously included in the mining permit. This additional property should be subject to the approved County land use change process which would include additional opportunities for public input. This settlement process eliminates public scrutiny through that established process and is therefore antithetical to the public interest.
- Settlement agreement allows for only 50% of land to be protected by conservation easements although the BoCC approved DR/GR Environmental Overlay (EPCO) requires no less than 55% of the planned development be in dedicated conservation easements. The Place, Verdanna and the proposed FFD Developments along Corkscrew Rd. all include the 55% conservation easement designation. The proposed Corkscrew Grove settlement is the least protective in the area and therefore not in the best interest of the public.
- The Corkscrew Grove settlement allows for a much longer phase-in period to record the conservation easements than the EPCO required 5 year time period. This opens the door for administrative changes and less protection than the Comprehensive Plan currently allows which is not in the public interest.

The evidence presented finds that the provisions and deviations from adopted policies do not protect the public interest. The Additional 2,474 acres not originally included in the mining application should be separated from the settlement agreement and to protect the public interest, be required to obtain any development permits according to the County's adopted Comprehensive Plan and Zoning process.