

ADMINISTRATIVE AMENDMENT (PD) ADD2016-00090

ADMINISTRATIVE AMENDMENT  
LEE COUNTY, FLORIDA

WHEREAS, YBFH Real Estate, LLC filed an application for an administrative amendment to an Industrial Planned Development on a project known as Alico Road 254 Industrial Subdivision IPD to:

1. Allow two additional access points on Parcel "P" for a total of 6 access points and adjust the location of the two approved access points on Parcel "O"; and
2. Revise the limits of the preserve , based on field determination and allow a lake next to the preserve; and
3. Grant a deviation from the Land Development Code Section 10-416(c) (2), which requires at least one parking canopy trees per 250 square feet of required internal planting area to allow the planting of the required trees elsewhere on the site and no trees in the parking lot areas.

on property located 16200 Lee Road, described more particularly as:

LEGAL DESCRIPTION: In Section 04, Township 46 South, Range 25 East, Lee County, Florida:

ATTACHED AS EXHIBIT "A"

WHEREAS, the property was originally rezoned in Resolution number Z-04-055 (with subsequent amendments in case number ADD2005-00242, ADD2012-00043, ADD2013-00173, ADD2014-00044, DCI2014-00017 (Z-16-005), ADD2016-00049 and ADD2016-00080); and

WHEREAS, the subject property is located in the Industrial Development Future Land Use Category as designated by the Lee Plan; and

WHEREAS, the Lee County Land Development Code provides for certain administrative changes to planned development master concept plans and planned unit development final development plans; and

WHEREAS, the applicant has indicated that the 100-foot wide east-west "*access, drainage and utility easement*", located along the southern side of Parcel "O" and northern side of Parcel "N" is in the process of being vacated; and

WHEREAS, due to the proposed use and design of the site, addition of two access point to Parcel "P" and relocating the two access points on Parcel "O" will make the internal and external circulation of large truck more convenient; and

WHEREAS, the applicant is proposing a lake to the west and abutting the preserve; and

WHEREAS, due to the location of the lakes, the preserve will not contain a continuous 25 foot wide buffer when abutting the lake; and

WHEREAS, there will be a 20-foot wide planted littoral shelf along the lake, when abutting the preserve, and a 20-foot wide Lake Maintenance Easement around the lake, when not abutting the preserve; and

WHEREAS, the site is proposed to be developed as an indoor and outdoor storage yard; and

WHEREAS, Due to the nature of the proposed activity on site, it is advisable to plant the required parking trees elsewhere on the site where they will not interfere with the movement of large trucks on site; and

WHEREAS, the applicant has requested a deviation from the requirements of the Land Development Code Section 10-416(c)(2), which requires that no parking space to be more than 200 feet from a parking lot tree, to eliminate the 200 foot spacing requirements; and

WHEREAS, as conditioned, the same number of parking trees, as required by the Land Development Code Section 10-416(c)(2), will be planted to the east and west of the paved area; and

WHEREAS, the Environmental staff of the Lee County Zoning Section and the Development Services Section have reviewed and recommended approval; and

WHEREAS, the subject application and plans have been reviewed by the Lee County Department of Community Development in accordance with applicable regulations for compliance with all terms of the administrative approval procedures; and

WHEREAS, it is found that the proposed amendment does not increase density or intensity within the development; does not decrease buffers or open space required by the LDC; does not underutilize public resources or infrastructure; does not reduce total open space, buffering, landscaping or preservation areas; and does not otherwise adversely impact on surrounding land uses.

NOW, THEREFORE, IT IS HEREBY DETERMINED that the application for administrative approval for an amendment to Industrial Planned Development to:

1. Allow two additional access points on Parcel "P" for a total of 6 access points and adjust the location of the two approved access point on Parcel "O"; and

2. Revise the limits of the preserve , based on field determination and allow a lake next to the preserve; and
3. Grant a deviation from the Land Development Code Section 10-416(c) (2), which requires at least one parking canopy trees per 250 square feet of required internal planting area to allow the planting of the required trees elsewhere on the site and no trees in the parking lot areas.

is **APPROVED** subject to the following conditions:

1. The Development must be in compliance with the amended Master Concept Plan, dated 05/13/2016. Master Concept Plan for ADD2016-00090 is hereby APPROVED and adopted. A reduced copy is attached hereto as Exhibit "B".
2. The terms and conditions of the original zoning resolutions remain in full force and effect, except as amended herein.
3. The relocation of the access points on Parcel "O" is only allowed, after the 100-foot wide east-west easement partially located on the south side of the Parcel "O" is vacated.
4. Prior to development order approval, the landscape and engineering plans must show a 0.99 acre wetland preserve.
5. Prior to development order approval, the indigenous management plan must provide the before and after water depths in the wetland, provide restoration plant species that will survive these water depths, and a five year monitoring plan that includes baseline photo station map with photo station photos.
6. Prior to development order approval, all dry detention areas proposed on parcel "O" and "P" must provide *Spartina patens* installed two foot on center and specified in a one gallon container size on the landscape plans.
7. Prior to the issuance of a Certificate of Compliance, the applicant must provide a time zero monitoring report to begin the five year monitoring schedule that includes photo station map, photo station photos, a narrative stating the health of the wetland, the restoration species, and any wetland restoration plant species that have been replaced in order to keep the project in compliance with approved development order.
8. Prior to development order approval for parcels "O" and "P", the parking canopy trees for the parking spaces supporting the offices must be in substantial compliance with LDC 10-416 (c)(2)(a-g). The landscape plans must provide a parking canopy tree calculation only for the parking supporting the offices. All other vehicle use areas are waived from this requirement.

9. Prior to development order approval for parcels "O" and "P", a 15 foot wide buffer must be provided along the east and west property lines with ten (10) trees per 100 linear feet and a double staggered hedge. Palms are limited to 75% of the required trees and the vegetation must be 100% native. The dry detention plantings cannot be used to meet the double hedge and the trees cannot be used to meet the general tree requirement.
10. If it is determined that inaccurate or misleading information was provided to the County or if this decision does not comply with the LDC when rendered, then, at any time, the Zoning Manager may issue a modified decision that complies with the Code or revoke the decision. If the approval is revoked, the applicant may acquire the necessary approvals by filing an application for public hearing in accordance with Chapter 34.

Duly passed, adopted, and electronically signed on 7/26/2016 by

Pam Houck, Zoning Manager  
Department of Community Development

Attachments: Exhibit "A" Legal Description  
Exhibit "B" Master Concept Plan

## Description

**EXHIBIT A**

Parcel of land in Section 4, Township 46 South, Range 25 East, Lee County, Florida, being more particularly described as follows:

Commencing at the south quarter corner of said Section 4; thence N. 0°59'17" W. along the north-south quarter line, a distance of 100.01 feet to an intersection with the north right-of-way line of Alico Road, as described in Order of Taking recorded in Official Records Book 3208, Page 357, Public Records of Lee County, Florida, and the Point-of-Beginning of this description; thence S. 89°38'46" W. along said north right-of-way line, a distance of 1561.48 feet; thence N. 0°21'51" W. along the west line of that certain parcel of land as described in Official Records Book 3883, Page 243, Public Records of Lee County, Florida being also the east line of Domestic Avenue, formerly known as "Haitian Road", as described in Official Records Book 4401, Page 4469 of said Public Records, a distance of 2540.00 feet; thence N. 02°43'29" W. along said east line of "Domestic Avenue" and also being the west line of that certain parcel of land as described in Official Records Book 3883, Page 251 of said Public Records, a distance of 3613.89 feet to an intersection with the south line of a drainage right-of-way as described in Official Records Book 3442, Page 3231 of said Public Records; thence N. 88°52'48" E. along said south right-of-way line, a distance of 1643.33 feet to an intersection with the said north-south quarter line; thence N. 89°06'32" E. continuing along said south right-of-way line, a distance of 227.31 feet; thence S. 0°59'17" E. along a line lying 227.38 feet east of (as measured at right angles) and parallel to the said north-south quarter line being also the east line of "Lee Road Extension" as recorded in Official Records Book 4512, Page 3861, of said Public records and said east line's northerly extension, a distance of 6175.65 feet to an intersection with the said northerly right-of-way line of Alico Road; thence S. 89°44'24" W. along said right-of-way line, a distance of 226.21 feet; thence S. 89°38'46" W. continuing along said right-of-way line, a distance of 1.19 feet to the said Point-of-Beginning of this description.

Containing 254.58 acres, more or less.

Subject to a 50 foot drainage easement as described in Official Records Book 1234, Page 1001, of the south 50 feet thereof, also subject to a 20 foot Utility Easement as described in Official Records Book 4512, Page 3861, of the north 20 feet of the south 70 feet thereof; subject to the said easement for Lee Road Extension along the east boundary line thereof, subject to a 170 foot wide Florida Power and Light Easement as described in Official Records Book 876, pages 610 through 613, and also subject to a 100 foot wide Access, Drainage, and Utility Easement as described in Official Record Book 4512, page 3861, all of the Public Records of Lee County, Florida.

## SURVEYOR'S NOTES:

THE DESCRIPTION SHOWN HEREON IS NEW.

THIS MAP IS NOT A CERTIFICATION OF TITLE, ZONING, SETBACKS OR FREEDOM OF ENCUMBRANCES AND WAS PREPARED WITHOUT BENEFIT OF ABSTRACT OF TITLE.

PARCEL IS SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS OF WAY OF RECORD. ORIENTATION BASED ON THE SOUTH LINE OF SECTION 4, AS BEARING N.89°38'46"E.

CERTIFICATE OF AUTHORIZATION LICENSE BUSINESS NO. 6891.

UNLESS IT BEARS THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED PROFESSIONAL SURVEYOR AND MAPPER, AND BOTH SHEETS ARE INCLUDED, THIS MAP IS NOT VALID.

THIS IS NOT A SURVEY!

**APPROVED**  
**ADD2016-00090**  
**Chick Jakacki, Planner**  
**Lee Co Division of Zoning**  
**5/27/2016**

**RECEIVED**

JAN 18 2005

Applicant's Legal Checked  
by *[Signature]* 1/18/06

## ABBREVIATIONS:

BK. = BOOK  
BLVD. = BOULEVARD  
C.A. = CENTRAL ANGLE  
C.B. = CHORD BEARING  
CHD. = CHORD  
C/L = CENTERLINE  
EASE. = EASEMENT  
O.R. = OFFICIAL RECORD  
PG. = PAGE  
P.O.B. = POINT-OF-BEGINNING  
P.O.C. = POINT-OF-COMMENCEMENT  
RAD. = RADIUS  
RD. = ROAD  
R/W = RIGHT-OF-WAY

## COMMUNITY DEVELOPMENT

**DESCRIPTION DRAWING**  
Parcel of Land in Section 4, T. 46 S., R. 25 E.,  
Lee County, Florida

ADD 2005-00242

PREPARED BY

*[Signature]*

Mark A. Hatfield, P.S.M.  
Fla. Cert. No. 4455

Date



**MORRIS - DEPEW ASSOCIATES, INC.**

ENGINEERS \* PLANNERS \* SURVEYORS \* MAPPERS

2216 Allamont Avenue \* Fort Myers, Florida 33901 \* (239) 337-3993 \* (FAX) 337-3994

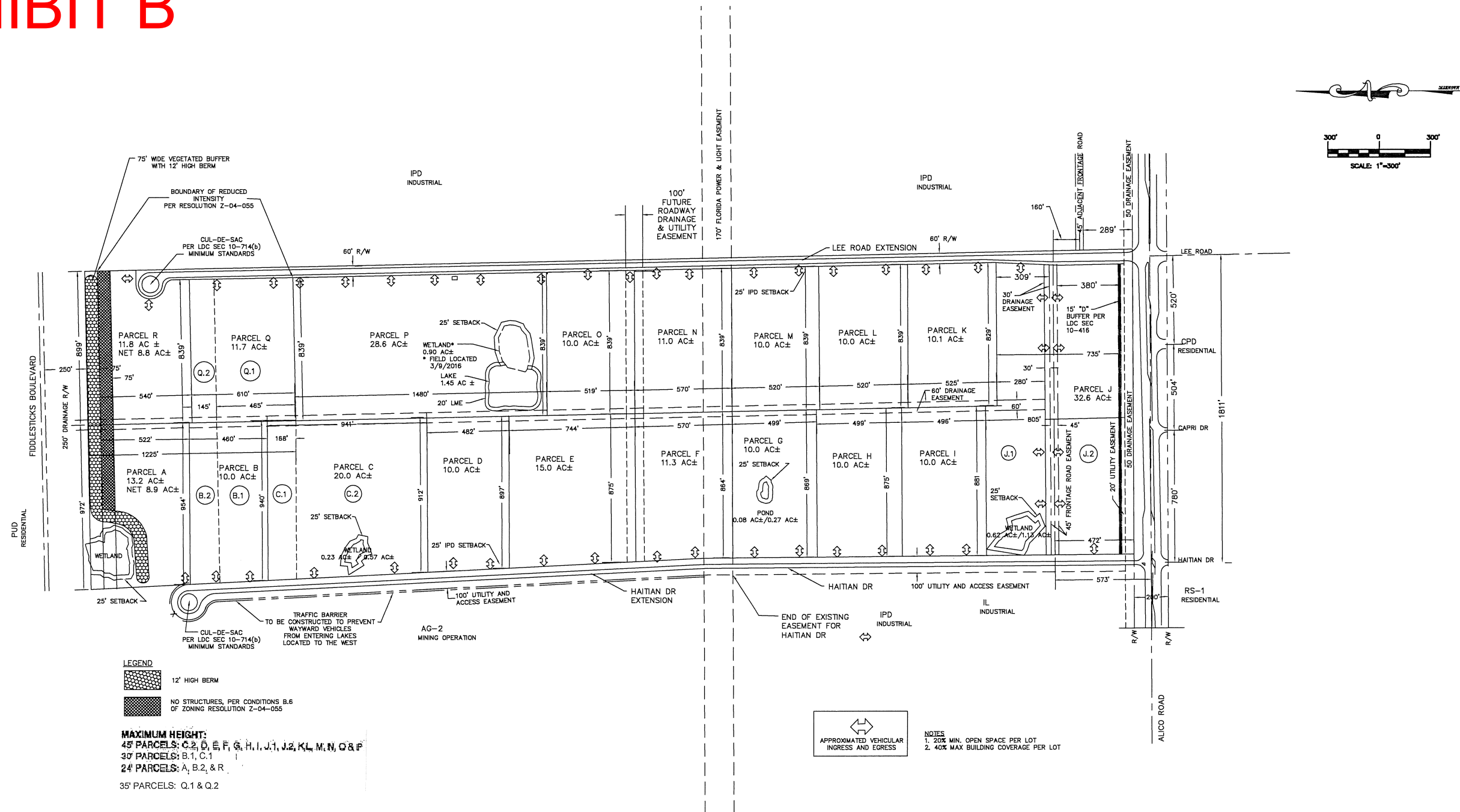
JAN. 17, 2006

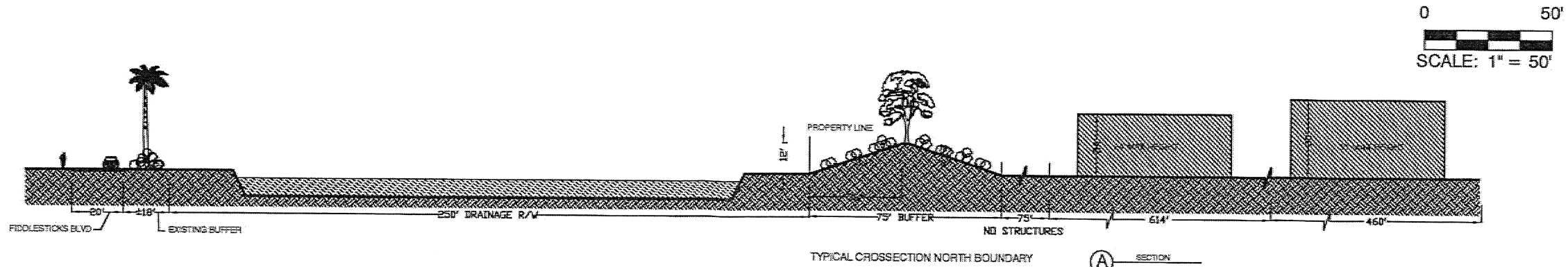
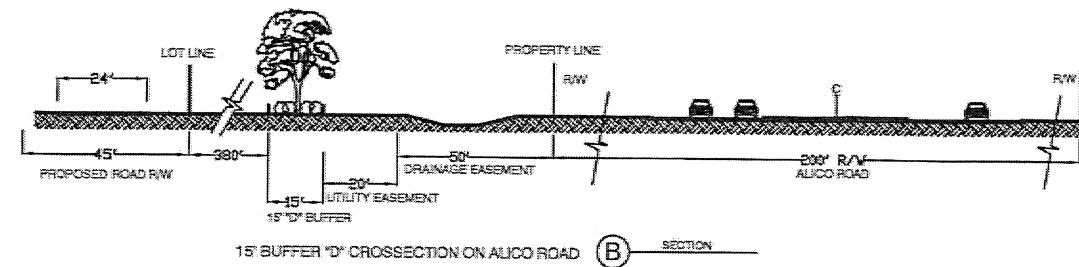
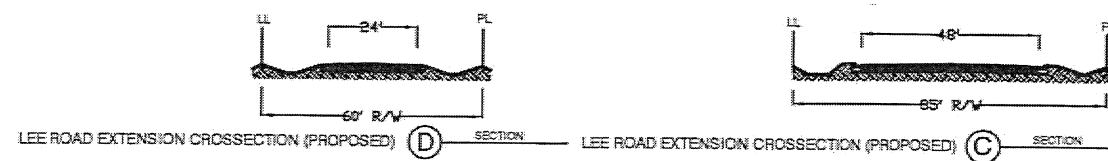
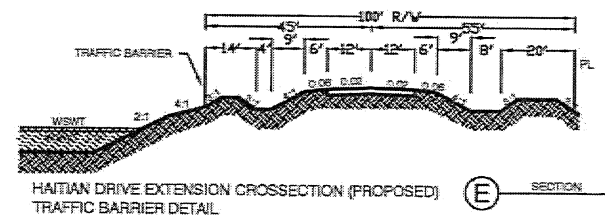
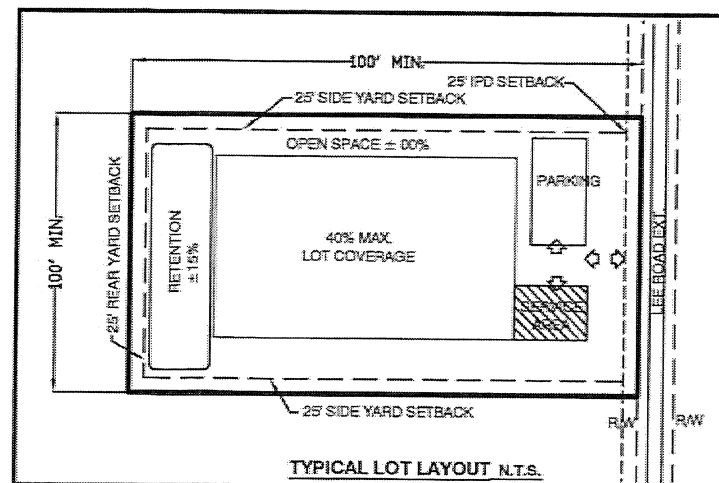
THIS SKETCH TO ACCOMPANY DESCRIPTION IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF THE LICENSED FLORIDA SURVEYOR AND MAPPER

Sheet 1 of 2



# EXHIBIT B





| GENERAL NOTES:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | OPEN SPACE:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                  |                             |                                  |            |                 |                 |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------|-----------------------------|----------------------------------|------------|-----------------|-----------------|
| <p><b>PROPERTY OWNER:</b><br/>Alport Industrial Holdings LLC<br/>25811 South Bay Drive, Suite 540<br/>Bonita Springs, FL 34134</p> <p><b>APPLICANT:</b><br/>Alport Industrial Holdings LLC<br/>25811 South Bay Drive, Suite 540<br/>Bonita Springs, FL 34134</p> <p><b>PLANNER/ENGINEER:</b><br/>Morris-Depeu Associates, Inc.<br/>2216 Alamo Ave.<br/>Fort Myers, FL 33901</p> <p><b>SITE PARAMETERS:</b><br/>EXISTING ZONING: AG-2<br/>PROPOSED ZONING: INDUSTRIAL PLANNED DEVELOPMENT (IPD)<br/>- TOTAL SITE AREA: ±254.57 ACRES</p> <p><b>PLANNING LAND USE 2010:</b><br/>INDUSTRIAL DEVELOPMENT</p> | <p>THE REQUIRED MINIMUM OPEN SPACE SHALL BE PROVIDED PURSUANT TO LDC SEC. 10-4.15.</p> <table><tr><th>Use</th><th>% / acres Required<br/>Acres</th><th>% / acres Provided<br/>Open Space</th></tr><tr><td>Industrial</td><td>20% / 50.91 ac.</td><td>20% / 50.91 ac.</td></tr></table> <p>* 2.85± acres will be of indigenous composition. The remaining open space requirements will be met by the following: buffers and landscape areas in off-street parking, dry detention areas, and up to 25% from proposed bodies of water from stormwater management systems.</p> <p>Each parcel shall meet or exceed the minimum open space percentage and size requirements of LDC 10-4.15. The minimum amount of open space for the total development area shall be no less than 20%, including indigenous vegetation preservation.</p> | Use                              | % / acres Required<br>Acres | % / acres Provided<br>Open Space | Industrial | 20% / 50.91 ac. | 20% / 50.91 ac. |
| Use                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | % / acres Required<br>Acres                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | % / acres Provided<br>Open Space |                             |                                  |            |                 |                 |
| Industrial                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | 20% / 50.91 ac.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 20% / 50.91 ac.                  |                             |                                  |            |                 |                 |
| BUFFERS:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | DEVELOPMENT INTENSITY:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                  |                             |                                  |            |                 |                 |
| <p>PROPERTY ZONED INDUSTRIAL PLANNED DEVELOPMENT (IPD).<br/>BUFFERS ARE PROVIDED PURSUANT TO LDC SECTION 10-4.16(a).</p> <p><b>NORTH - ZONED IPD; R-O-W Use:</b><br/>R-O-W "D" BUFFER REQUIRED</p> <p><b>SOUTH - ZONED IPD; R-O-W Use:</b><br/>R-O-W "D" BUFFER REQUIRED</p> <p><b>WEST - ZONED AG-2, IPD and R; Industrial Use:</b><br/>NO BUFFER REQUIRED</p> <p><b>EAST - ZONED AG-2; Vacant Use:</b><br/>NO BUFFER REQUIRED</p>                                                                                                                                                                      | <p><b>COMMERCIAL:</b></p> <ul style="list-style-type: none"><li>- A MAXIMUM OF 30,000 SQ. FT. OF COMMERCIAL FLOOR AREA</li><li>- PARKING SPACES SHALL BE PROVIDED PER LDC SEC. 34-2020</li></ul> <p><b>INDUSTRIAL:</b></p> <ul style="list-style-type: none"><li>- A MAXIMUM OF 2,194,440 SQ. FT. OF INDUSTRIAL FLOOR AREA</li><li>- PARKING SPACES SHALL BE PROVIDED PER LDC SEC. 34-2020</li></ul>                                                                                                                                                                                                                                                                                                                                                                                                                                |                                  |                             |                                  |            |                 |                 |

ZONING MASTER CONCEPT PLAN (NOTES & SECTIONS)

ALICO ROAD 254 INDUSTRIAL SUBDIVISION

MORRIS - DEPEU ASSOCIATES, INC.  
ENGINEERS • PLANNERS • SURVEYORS & MAPPERS  
2216 Alamo Ave. • Fort Myers, Florida 33901 • (941) 337-9991



MD PROJECT:  
05089  
CHECKED BY: DWF  
DESIGNED BY: AZ  
DATE: 8/5/05  
SHEET: 2/2

REVISIONS  
REVISED PER SUFFICIENCY COMMENTS 1/02/03  
REVISED PER STAFF REPORT COMMENTS 7/27/04  
REVISED PER STAFF COMMENTS 11/13/04  
REVISED PER Z-04-025 11/15/04 (05/05)  
REVISED PER ADMINISTRATIVE AGREEMENT 12/05/12-13-09  
REVISED PER STAFF COMMENTS 2/20/06 (2-28-06)