ADD2019-00176 Lee County ePlan

ADMINISTRATIVE APPROVAL
LEE COUNTY, FLORIDA

WHEREAS, William S. Waichulis, in reference to Accessory Structure, filed an application for administrative approval for relief from Land Development Code (LDC) Section 34-1177(b)(2), which requires the maximum floor area for an accessory dwelling unit to not exceed 50 percent of the living area of the principal single-family residence, for development on property located at 15036 Briar Ridge Circle, described more particularly as:

LEGAL DESCRIPTION: In Section 32, Township 45 South, Range 25 East, Lee County, Florida:

ATTACHED AS EXHIBIT "A"

WHEREAS, the applicant has indicated the property's current STRAP number is 32-45-25-03-00000.0260; and

WHEREAS, the subject property is zoned Residential (RS-1) and is located in the Rural Future Land Use Category as designated by the Lee Plan; and

WHEREAS, the subject property is identified as Lot 26 part of Briar Ridge Subdivision, which was recorded in the Public Records of Lee County in Plat Book 33, Page 26, on September 14, 1979; and

WHEREAS, the subject property is located on a concave curve of Briar Ridge Circle and is more narrow at the front than the rear; and

WHEREAS, the subject property is developed with a single-family residence with approximately 3,000 square feet of area, which first appeared on the property appraiser's tax roll in 1988 (see Exhibit "B"); and

WHEREAS, the applicant seeks relief from Land Development Code (LDC) Section 34-1177(b)(2), which requires the maximum floor area for an accessory dwelling unit to not exceed 50 percent of the living area of the principal single-family residence; and

WHEREAS, the applicant requested a permit for a detached accessory dwelling unit RES2019-07490, and was denied based on non-compliance with maximum floor area for an accessory dwelling unit; and

WHEREAS, the proposed accessory dwelling unit has a total of 2,607 square feet, with a total of 1,327 square feet of living area; and

WHEREAS, the applicant has provided a site plan for the proposed addition (see Exhibit "B"); and

WHEREAS, the proposed accessory structure will exceed the 50 percent of living area; and

WHEREAS, the development on the subject property is otherwise consistent with the property development regulations pertaining to the subject property; and

WHEREAS, an application for approval of an administrative variance has been filed pursuant to LDC Section 34-174(a); 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; and

WHEREAS the following findings of fact are offered:

(1) There are exceptional or extraordinary conditions or circumstances that are inherent to the property in question;

(2) The variance granted is the minimum variance that will relieve the applicant of an unreasonable burden caused by the application of the regulation in question to the property; and

(3) The granting of the variance will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

NOW, THEREFORE, IT IS HEREBY DETERMINED that the application for an administrative variance from LDC Section 34-1177(b)(2), which requires the maximum floor area for an accessory dwelling unit to not exceed 50 percent of the living area of the principal single-family residence **is APPROVED, subject to the following conditions:**

1. **Development must comply with the site plan attached hereto as Exhibit "C". All other development must comply with the LDC.**

2. **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 10/29/2019

Audra Ennis, Zoning Manager
Lee County Community Development

Exhibits:
Exhibit A – Legal Description
Exhibit B – Site Plan

EXHIBIT A

CASE NUMBER: ADD2019-00176

LEGAL DESCRIPTION

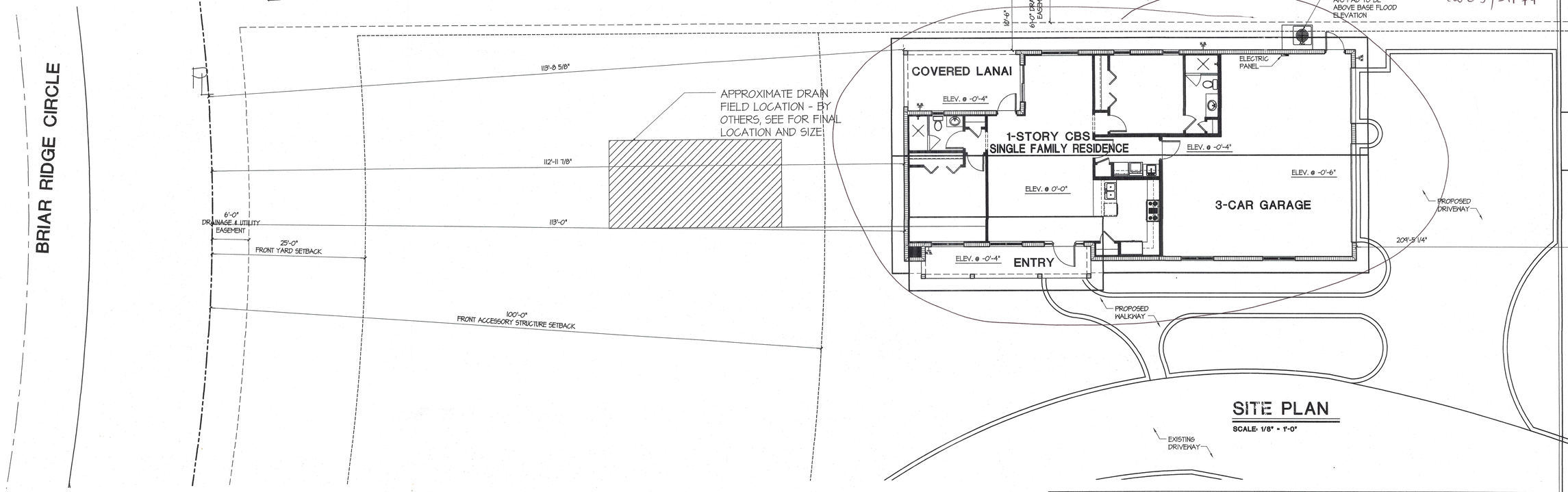
LOT 26 OF BRIAR RIDGE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 33, PAGE 26, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA

REVIEWED
ADD2019-00176
Daniel Munt, Planner
Lee County DCD
10/24/2019

ADD2019-00176 Lee County ePlan

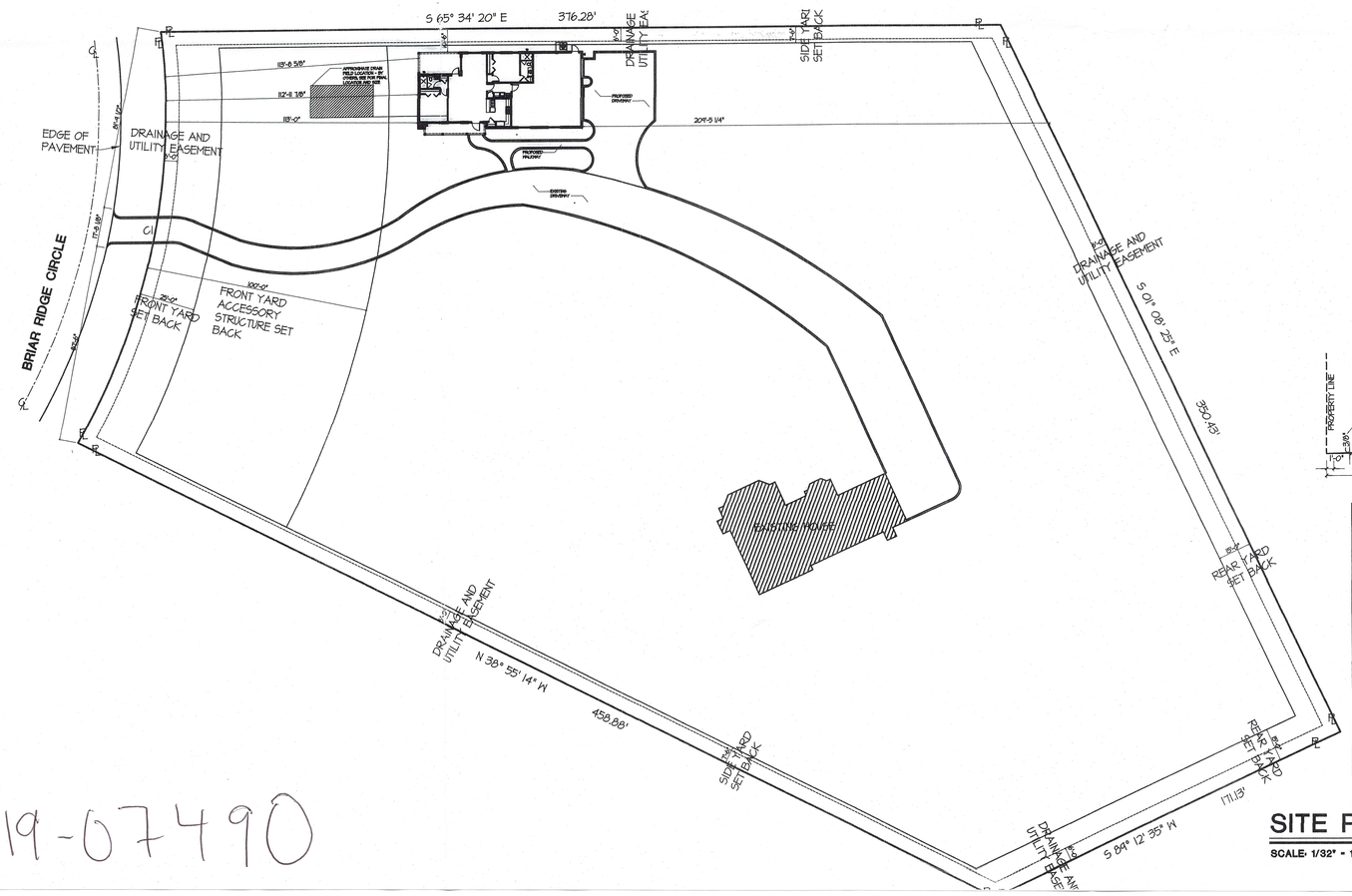
Exhibit B

Requested Variance to seek relief from the 50% limitation code 34-1177



SITE PLAN

SCALE: 1/8" = 1'-0"

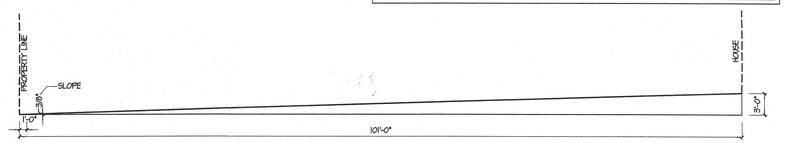


SITE PLAN

SCALE: 1/32" = 1'-0"

LEGAL DESCRIPTION	PROJECT DATA	
LOT 26, BRIAR RIDGE ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 33, PAGES 24-26OF THE PUBLIC RECORDS OFF LEE COUNTY, FLORIDA	OCCUPANCY TYPE	RESIDENTIAL "R3"
	CONSTRUCTION TYPE	TYPE "V" (UNPROTECTED)
	CODE REFERENCE	2017 FLORIDA BUILDING CODE
	FLOOD ZONE	ZONE X
	AVERAGE CROWN OF ROAD	-
	FINISHED GRADE ELEVATION	SEE GRADING PLAN (BY OTHERS)
	FINISHED LIVING FLOOR LEVEL	X'-X" N.A.V.D.
CONTRACTOR AND SURVEYOR TO VERIFY SETBACKS AND PLACEMENT OF HOUSE ON SITE PRIOR TO CONSTRUCTION.	PROPOSED HEIGHT	20'-4" (X'-X" N.A.V.D.)
	NO. OF STORIES	1
	BUILDING EXPOSURE	SEE STRUCTURAL (BY OTHERS)
	DESIGNED FOR APPLICABLE WIND LOAD	SEE STRUCTURAL (BY OTHERS)

CURVE TABLE
C1 R=295.0' DELTA= 36°57'01" L=190.25' C=186.97' C.B.=N 35°58'26" E



GENERAL SITE NOTES

1. THE CONTRACTOR SHALL VERIFY THE SITE LAYOUT AND NOTIFY THE DESIGNER OF ANY DISCREPANCIES BEFORE CONSTRUCTION.
2. THE CONTRACTOR SHALL PROVIDE CONDUIT UNDER PAVED AREAS FOR IRRIGATION, TELEPHONE, ELECTRIC, TV & GAS AS REQUIRED.
3. REFER TO LANDSCAPE/ DRAINAGE ENGINEER PLANS FOR GRADING AND WATER RUNOFF INFORMATION.
4. REFER TO LANDSCAPE/ DRAINAGE ENGINEER PLANS FOR DETAILED INFORMATION ON POOL DECK, WALKWAYS AND DRIVEWAYS.
5. ALL A/C EQUIPMENT TO BE ABOVE BASE FLOOD ELEVATION.
6. GARAGE TO BE 18" ABOVE THE CROWN OF ROAD

SITE CROSS SECTION

SCALE: 1" = 10'-0"

Requested Variance to seek relief from the 50% limitation code 34-1177

AREA SUMMARY

LIVING A/C	1,327 S.F.
ENTRY/ PORCH	143 S.F.
GARAGE	950 S.F.
COVERED LANAI	187 S.F.
GRAND TOTAL	2,607 S.F.



RES-2019-07490

WDG ARCHITECTURE
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WAICHULIS RESIDENCE

15036 BRIAR RIDGE CIRCLE
FORT MYERS, FLORIDA

REVISIONS

NO.	DATE	DESCRIPTION

DRAWING SET

CONSTRUCTION DOCUMENTS
10/11/2019

PROJECT MANAGER: RTM
DRAWN / CHECKED AW / SC

PROJECT NUMBER
19-22

SHEET TITLE
SITE PLAN

SHEET NUMBER
A1.0