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August 27, 2021

Tony Palermo, AICP
City of Fort Myers
1825 Hendry Street
Fort Myers, FL 33901

RE: Application for Special Exception
City of Fort Myers Fire
Station SEZ2021-00010

Dear Mr. Palermo:

The Zoning Section has reviewed the information provided for the above-referenced application for compliance with LDC Sections 34-201 and 34-202 of the Lee County Land Development Code (LDC). Please be advised that the application is insufficient at this time and that the following information is required to continue the review of the application:

Zoning

1. LDC Section 34-145(3)(b) requires the applicant to address requirements of special exceptions considered by the hearing examiner. Please provide clarification regarding the anticipated auditory and light impacts of the proposed use including sirens, flashing lights, back up alarms, etc., typically associated with firetrucks, law enforcement vehicles and ambulances. This directly relates to the requirement of the referenced sections stating the request "will not be injurious to the neighborhood." Please expand upon this request complying with this and all other requirements of this section with your provided narrative.

Environmental

1. A development order will be required to depict the required buffers per the site plan provided in the special exception application. The applicant will be required to remove all invasive exotics from the property in accordance with LDC Section 10-420(h). Please clarify whether the existing native vegetation remaining along the north, south, and west property lines will comply with the buffer requirements per LDC 10-416(d) after the invasive exotics are removed.

2. Indicate the height of the accessory structure being used to meet the eight-foot wall requirement along the southeastern property line. LDC Section 10-416(d) requires a Type-C buffer with a solid wall or wall and berm combination, not less than eight feet in height as measure from the finished grade of the project site.

Development Services

For the purposes of this review the proposed plan is being reviewed as a **commercial development**:

1. Per LDC Sec 34-2011, off-street parking must be provided in accordance with the requirements of this section.
    a. Please note on-site parking will be required consistent with the requirements of Chapter 34 Division 26 of the LDC (delineation of spaces, parking blocks, lot aisle widths, parking space dimensions, etc.).

2. LDC Section 34-2013 states that lots must be designed with a distinct entrance that complies with these requirements.

3. LDC Section 34-2017(b)(1) states that alternative surfaces may be permitted provided the areas are adequately drained and continuously maintained in a dust free manner. Alternative surfaces may include gravel, crushed shell or other similar materials. Parking on grass or other unimproved surfaces such as grass or dirt is prohibited.

    a. The provided site plan shows a “dirt driveway” to a parking area. The “driveway” and parking area will be required to provide an alternative surface as detailed above.

4. LDC Sections 10-154(7)c. and (7)i. states that the plans must show the required minimum number and size of disabled parking spaces {number of disabled spaces per Americans with Disabilities Act of 1990 (ADA) & Florida Building Code, 6th Edition (2017) as amended, section 11-502} with 5-foot-wide access aisle.

    a. The plan provided does not accommodate required parking meeting ADA requirements.

5. LDC Section 34-625(b) requires the applicant for any development order (except single-family/duplex) involving new outdoor lighting fixtures to submit evidence that the work will comply with the outdoor lighting standards.

6. LDC Section 34-2015(2)b states that if the parking lot is to be used at night, lighting must be provided for driveways, ingress and egress points, and parking areas of all commercial and industrial areas in compliance with the Outdoor Lighting Standards specified in LDC Section 34-625.

    a. Note: If any additional outdoor lighting is provided it will have to meet the lighting standards in the LDC.

7. LDC Section 10-321(a) requires a stormwater management system to be provided for the adequate control of stormwater runoff that originates within a development or that flows onto or across the development from adjacent lands.

8. LDC Section 10-321(a) General Surface Water Management (SFWMD exempt). Development parcels below the thresholds for a SFWMD environmental resources permit (less than 2 acres impervious surface and 10 acres total project area) will have drainage plans reviewed for compliance with the for Environmental Resource Permit Applicant’s handbook Volume II.

    a. Note: At time of Development Order, the applicant will be required to provide stormwater management in accordance with the requirements of the LDC. This includes water quality and quantity calculations and storage.

9. LDC Sections 10-291(2) and 10-296(a-o)] requires that all development must abut and have access to a public or private street designed and constructed or improved to meet the standards in LDC Section 10-296.

    a. Please verify that Palomino Lane meets this requirement. A deviation from the provisions of LDC Section 10-296 pursuant to LDC Section 10-104 may be necessary.

10. LDC Sections 34-1748(1) through (5). The provisions of this section apply to entrance gates or gatehouses that control access to three or more dwelling units or recreational vehicles, or any commercial, industrial or recreational facility.

    a. The site shows a gated entrance. Please verify that the requirements of the LDC are being met. Please specify when the gates will be open (i.e., during regular business hours?)

Legal

1. Per LDC Section 34-202(a)(6) please provide a boundary survey in accordance with this section, including:

    a. The survey must be tied to the state plane coordinate system for the Florida West Zone (the most current adjustment is required) with two coordinates, one coordinate being the point of beginning (POB) and the other an opposing corner.

    b. The boundary survey must be based on the title certification. When the Title Certification is submitted, the legal description on the boundary survey must match that which is shown on the title.

    c. A legal description on the boundary survey is not a proper metes and bounds legal description.

2. Per LDC Section 34-202(a)(7) please provide a title certification in accordance with this section.

    a. Document submitted needs to be one of the two forms listed in LDC Section 34-202(a)(7)(a) with required content included. A title commitment is not an acceptable format.

Please respond to the above sufficiency review comments within thirty (30) calendar days of the date of this letter. The application will be considered withdrawn if no response is received within this timeframe. Please feel free to contact me at PDoty@leegov.com or (239) 533-8335 if you have any questions.

Sincerely,

DEPARTMENT OF COMMUNITY DEVELOPMENT
Zoning Section

Electronically signed on 08/27/2021 by
Patrick Doty, AICP, CFM
Principal Planner

PHD