

Administrative Deviation: **ADD2022-00029**

**DSO ADMINISTRATIVE DEVIATION
LEE COUNTY, FLORIDA**

WHEREAS, Quattrone & Associates, on behalf of Lockett Landing, LLC has filed an application for approval of an administrative deviation from the technical requirements of the Lee County Land Development Code, for property located at 9455 Old Lockett Drive, Fort Myers, FL; and

LEGAL DESCRIPTION: In Section 10, Township 44 South, Range 25 East, Lee County, Florida:

ATTACHED AS EXHIBIT "A"

WHEREAS, the property is zoned CG (General Commercial) and is located in the Industrial Development Future Land Use Map designation in Lee County; and

WHEREAS, an application for an administrative deviation from the technical requirements of Chapter 10 of the Lee County Land Development Code has been filed; and

WHEREAS, Lee County Land Development Code, as amended, provides for administrative deviations from certain technical requirements for matters involving streets, access streets, intersections, rights-of-way, drainage swales, public water, public sewer, water mains, mass transit facilities, setbacks for water retention/detention excavations, indigenous native vegetation and similar matters not related to a change in use of the property in question; and

WHEREAS, a deviation is requested in the CG district from Lee County Land Development Code Section 10-296(k)(1) which requires dead-end streets to be closed at one end by a circular turnaround to allow a hammerhead design as shown on the attached site plan enclosed as Exhibit "B"; and

WHEREAS, the proposed hammerhead design has been reviewed by the Tice Fire and Rescue District who had no objection (see Exhibit "C"); and

WHEREAS, Old Lockett Drive is a non-county maintained local roadway with a speed limit of 25 miles-per-hour.

WHEREAS, the site plan, enclosed as Exhibit "B", proposes pavement markings and signage that will reserve the hammerhead turnaround for fire department use only; and

WHEREAS, the site plan, enclosed as Exhibit "B", proposes an easement

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onsite for the use of the fire department for the purpose of turning around; and

WHEREAS, the proposed hammerhead turnaround is temporary until the roadway is extended for future development; and

WHEREAS, the hammerhead configuration will allow the continuation of the existing street pattern for future development; and

WHEREAS, the applicant has requested a deviation to the requirement to provided a circular turnaround in Land Development Code Section 10-296(k)(1); and

WHEREAS, the following findings of fact are offered:

(a) That the proposed alternative to allow a hammerhead design instead of a circular turnaround is based on sound engineering practice in consideration of the following criteria:

- i The hammerhead configuration is temporary to allow future development of the parcel to follow the existing street pattern.
- ii The Tice Fire and Rescue District has reviewed the requested deviation and has no objection.
- iii Signage and pavement markings will be provided to reserve the hammerhead turnaround for fire department and emergency use only.
- iv The applicant has proposed an easement to the Tice Fire Department that will allow the use the onsite access point to allow emergency vehicles to turnaround.

(b) That said proposed alternative is no less consistent with the health, safety, and welfare of abutting land owners and the general public than the standard from which the deviation was requested; and

- i The proposed turnaround is sufficiently sized to allow emergency vehicles to turnaround and does not interfere with emergency access.

(c) The granting of the deviation is not inconsistent with any specific directive of the Board of County Commissioners, any other ordinance, or any Lee Plan Provision.

NOW, THEREFORE, IT IS HEREBY DETERMINED that the application for Administrative Deviations in the CF district from Lee County Land Development Code Sections 10-296(k)(1) is approved as conditioned:

- (a) That approval is subject to substantial compliance with the site plan entitled "Lockett Landing Hotel" site plan, signed and sealed 04/14/2022 by Michelle A. Salberg and attached as Exhibit "B"; and

- (b) Prior to a certificate of completion for a development order depicting the improvements in Exhibit "B", the applicant must provide a recorded copy of the easement associated with the hammerhead turnaround as shown on the site plan attached as Exhibit "B".
- (c) Any development order for the subject improvements shown in Exhibit "B" must depict the signage and pavement markings denoting the emergency turnaround as shown on the site plan attached as Exhibit "B".
- (d) The approval of this deviation will expire upon the approval of any development order which extends the proposed roadway.
- (e) 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 Director 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 4/18/2022

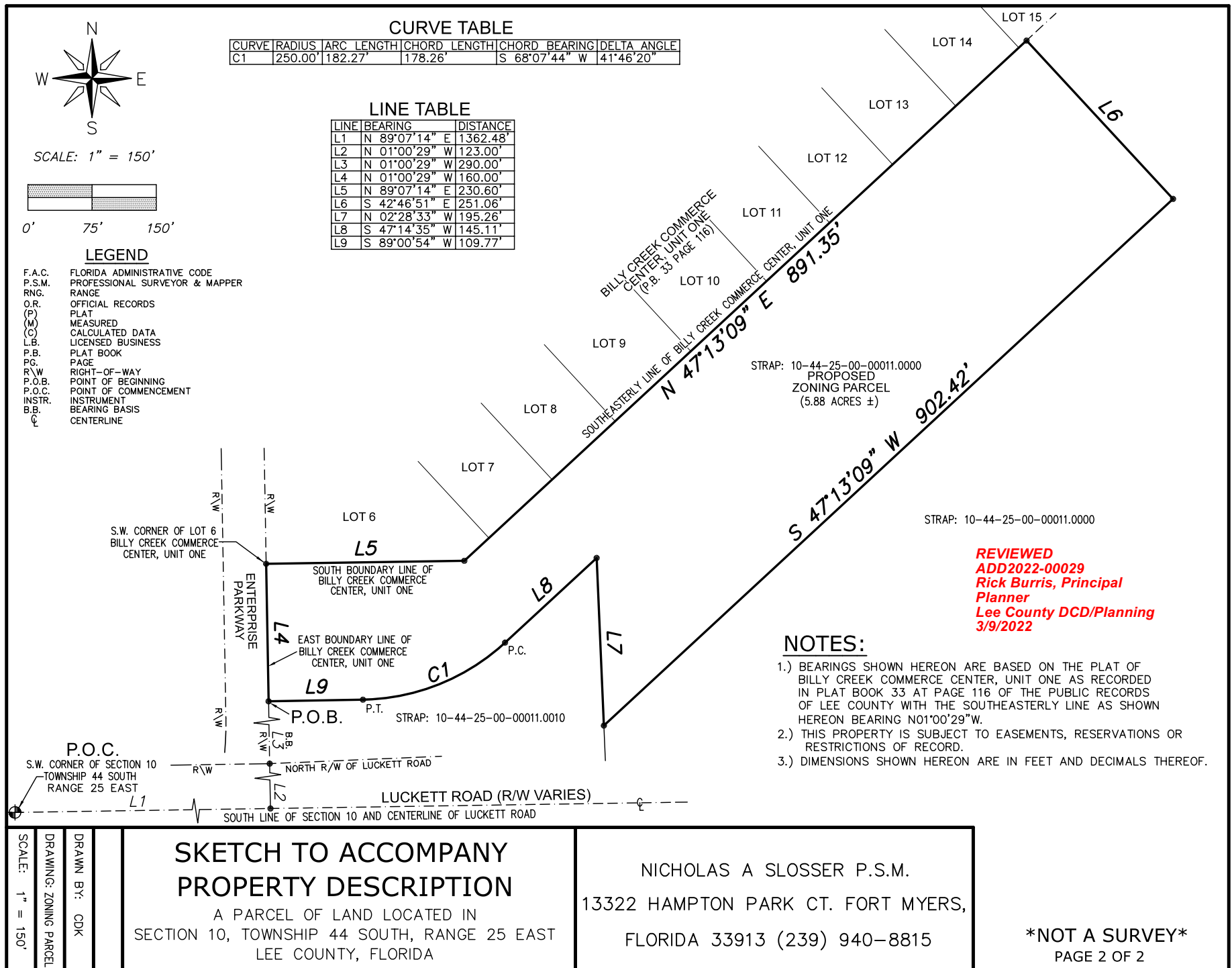
Jessica Sulzer, PE, Manager

Exhibits

Exhibit A – Legal Description

Exhibit B – "Lockett Landing Hotel" Site Plan – signed/sealed by Michelle Salberg, P.E. dated 04/14/2022

Exhibit C – Tice Fire and Rescue District, Letter of No Objection, dated July 1, 2021



PROPERTY DESCRIPTION

PROPOSED ZONING PARCEL

A TRACT OR PARCEL OF LAND LOCATED IN SECTION 10, TOWNSHIP 44 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 10, TOWNSHIP 44 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA; THENCE RUN N89°07'14"E ALONG THE CENTERLINE OF LUCKETT ROAD AND THE SOUTH LINE OF SAID SECTION 10 FOR A DISTANCE OF 1362.48 FEET; THENCE RUN N01°00'29"W FOR A DISTANCE OF 123.00 FEET TO AN INTERSECTION WITH THE NORTH RIGHT-OF-WAY LINE OF LUCKETT ROAD AND THE EAST BOUNDARY LINE OF BILLY CREEK COMMERCE CENTER, UNIT ONE, AS RECORDED IN PLAT BOOK 33 AT PAGE 116 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE CONTINUE N01°00'29"W ALONG SAID EAST BOUNDARY LINE FOR A DISTANCE OF 290.00 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED; THENCE CONTINUE N01°00'29"W ALONG SAID EAST BOUNDARY LINE FOR A DISTANCE OF 160.00 FEET TO THE SOUTHWEST CORNER OF LOT 6 OF SAID BILLY CREEK COMMERCE AND THE SOUTH BOUNDARY LINE OF SAID BILLY CREEK COMMERCE CENTER, UNIT ONE; THENCE RUN N89°07'14"E ALONG SAID SOUTH LINE FOR A DISTANCE OF 230.60 FEET; THENCE RUN N47°13'09"E ALONG THE SOUTHEASTERLY LINE OF SAID BILLY CREEK COMMERCE CENTER, UNIT ONE FOR A DISTANCE OF 891.35 FEET; THENCE RUN S42°46'51"E FOR A DISTANCE OF 251.06 FEET; THENCE RUN S47°13'09"W FOR A DISTANCE OF 902.42 FEET; THENCE RUN N02°28'33"W FOR A DISTANCE OF 195.26 FEET; THENCE RUN S47°14'35"W FOR A DISTANCE OF 145.11 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE TO THE NORTHWEST; THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT HAVING A RADIUS OF 250.00 FEET, A DELTA ANGLE OF 41°46'20", A CHORD DISTANCE OF 178.26 FEET AND A CHORD BEARING OF S68°07'44"W FOR A DISTANCE OF 182.27 FEET TO A POINT OF TANGENCY; THENCE RUN S89°00'54"W FOR A DISTANCE OF 109.77 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 5.88 ACRES (256,170 SQUARE FEET) MORE OR LESS

THIS PROPERTY IS SUBJECT TO EASEMENTS, RESERVATIONS OR RESTRICTIONS OF RECORD.



Digitally signed by
Nicholas Slosser
Date: 2021.09.16
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REVIEWED
ADD2022-00029
Rick Burris, Principal
Planner
Lee County DCD/Planning
3/9/2022

NICHOLAS A. SLOSSER, STATE OF FLORIDA, (P.S.M. #7075)
SEE ATTACHED SKETCH

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DRAWING: ZONING PARCEL

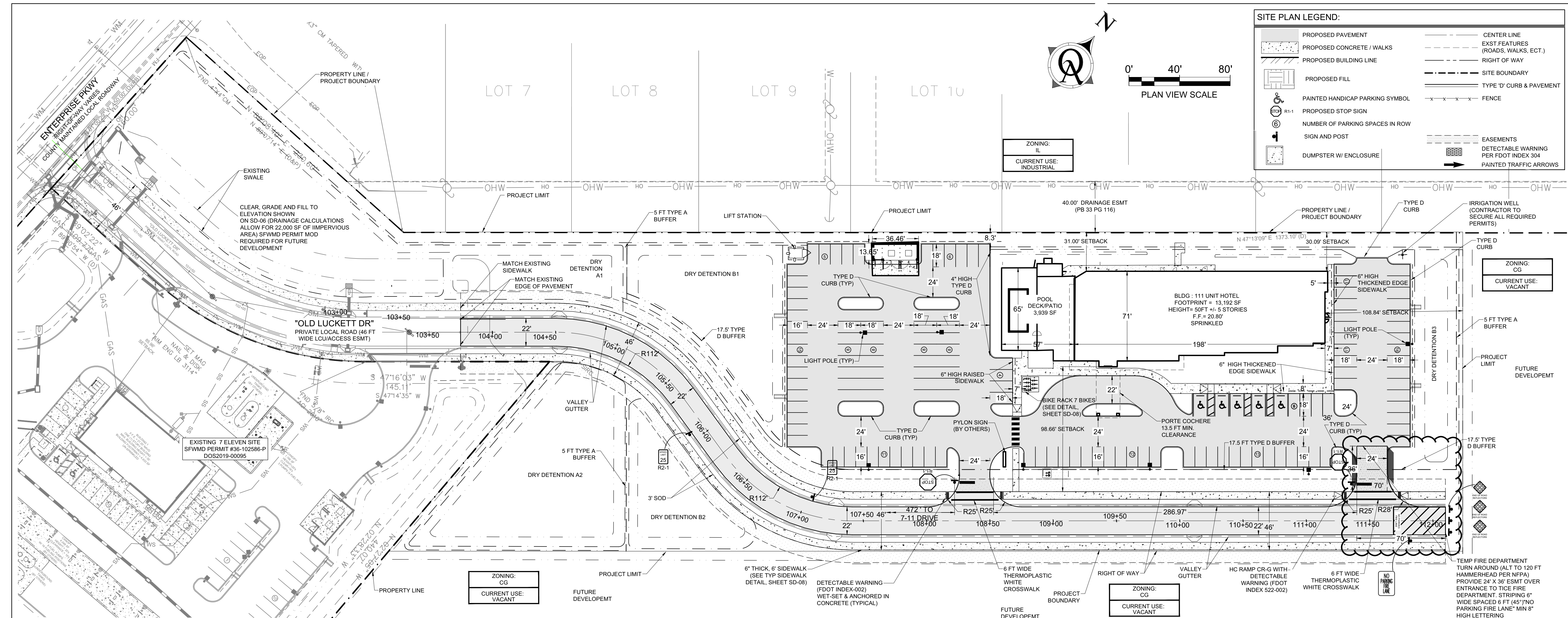
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PROPERTY DESCRIPTION

A PARCEL OF LAND LOCATED IN
SECTION 10, TOWNSHIP 44 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA

NICHOLAS A SLOSSER P.S.M.
13322 HAMPTON PARK CT. FORT MYERS,
FLORIDA 33913 (239) 940-8815

Exhibit "B"



SIGNING AND PAVEMENT MARKING NOTES:

- ALL SIGNING AND PAVEMENT MARKINGS SHALL BE IN ACCORDANCE WITH THE F.D.O.T. STANDARDS FOR ROAD AND BRIDGE CONSTRUCTION, LATEST EDITION, THE F.D.O.T. ROADWAY AND TRAFFIC DESIGN STANDARDS, LATEST EDITION, THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES AND LEE COUNTY DEPARTMENT OF TRANSPORTATION PUBLISHED STANDARDS.
- PAVEMENT MARKINGS SHALL BE PERMANENT TRAFFIC PAINT IN ACCORDANCE WITH F.D.O.T. STANDARD SPECIFICATIONS SECTION 710.
- MATCH EXISTING PAVEMENT MARKINGS AT EXISTING ROADS.
- REMOVE ANY EXISTING SIGNS OR PAVEMENT MARKINGS IN CONFLICT WITH THOSE SHOWN ON PLANS.
- ALL STOP SIGN LOCATIONS SHALL INCLUDE A 24" PAINTED WHITE STOP BAR UNLESS NOTED OTHERWISE.
- THE CONTRACTOR SHALL COMPLY WITH THE "STATE OF FLORIDA MANUAL OF TRAFFIC CONTROL AND SAFE PRACTICES FOR STREET AND HIGHWAY CONSTRUCTION, MAINTENANCE, AND UTILITY OPERATIONS" AND WITH THE "MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES".
- THE CONTRACTOR SHALL FURNISH AND INSTALL STREET NAME SIGNS IN ACCORDANCE WITH LEE COUNTY DEVELOPMENT STANDARDS.
- ALL PAVEMENT MARKINGS WITHIN THE FDOT RIGHT OF WAY SHALL BE THERMO PLASTIC
- ALL EXISTING PAVEMENT MARKINGS THAT ARE IN CONFLICT WITH PROPOSED MARKINGS SHALL BE REMOVED BY HYDRO BLASTING.
- THE DEVELOPMENT MUST MEET THE FDOT MINIMUM DRIVEWAY LENGTH PER OF 30' FOR SMALL COMMERCIAL DEVELOPMENTS.
- ALL PAVEMENT MARKINGS WITHIN THE LEE COUNTY RIGHT OF WAY AND COUNTY MAINTAINED EASEMENTS TO BE PERFORMED THERMOPLASTIC.
- DETECTABLE WARNINGS SHALL BE CAST-IN-PLACE (WET-SET AND ANCHORED IN CONCRETE).

PARKING CALCULATIONS: LDC 34-2020

HOTEL/MOTEL= 111 UNITS	
PARKING SPACES REQUIRED: (1.2 SPACE / UNIT) =	134 SPACES
TOTAL PARKING SPACES PROVIDED (INCLUDING 5 HANDICAP SPACES) =	134 SPACES
BIKE PARKING REQUIRED: 5% OF REQUIRED PARKING SPACES =	7 SPACES
BIKE PARKING PROVIDED: 7 SPACES (SEE BIKE RACK DETAIL SHEET SD-08)	

PUBLIC TRANSIT: LDC 10-441

DISTANCE TO NEAREST PUBLIC TRANSIT ROUTE: 3,300 LF, LEE TRAN ROUTE 15 / ORTIZ BLVD
NO PUBLIC TRANSIT IMPROVEMENTS WILL BE REQUIRED

REFUSE AND SOLID WASTE DISPOSAL FACILITIES: LDC 10-261

- A MINIMUM OVERHEAD CLEARANCE OF 22 FEET IS REQUIRED AND A 12" WIDE UNOBSTRUCTED ACCESS OPENING MUST BE PROVIDED TO ACCOMMODATE ALL STORAGE AREAS/CONTAINERS.
- ALL STORAGE AREAS / CONTAINERS MUST BE ADEQUATELY SHIELDED BY LANDSCAPED SCREEN OR SOLID FENCING ALONG AT LEAST THREE SIDES. USE OF CHAIN LINK FENCING TO MEET THIS REQUIREMENT IS PROHIBITED. REFER TO LEE COUNTY LCD 10-610(c)(2) FOR GUIDELINES.
- COMMERCIAL, INDUSTRIAL & MULTIFAMILY DEVELOPMENT USING A COMPACTOR FOR GARBAGE COLLECTION MUST PROVIDE SUFFICIENT SPACE FOR THE COMPACTOR (INCLUDING RECEIVER) IN ADDITION TO SPACE REQUIRED FOR RECYCLABLE COLLECTION.
- ENCLOSURE SETBACKS, CONTAINER SPACE ENCLOSURES USES AS PROVIDED IN ACCORD WITH LEE COUNTY LDC 10-416(g)(3) & (4). CONCRETE WALL ENCLOSURES MAY NOT BE LOCATED WITHIN A PUBLIC UTILITY OR DRAINAGE EASEMENT.

0-5,000 SF REQUIRE 60 SF (GARBAGE) & 24 SF (RECYCLABLE), TOTAL = 84 SF
5,001 - 10,000 SF REQUIRE 80 SF (GARBAGE) & 48 SF (RECYCLABLE), TOTAL = 128 SF
10,001 - 25,000 SF REQUIRE 120 SF (GARBAGE) & 96 SF (RECYCLABLE), TOTAL = 216 SF
25,000 SF + REQUIRE 216 SF FOR THE FIRST 25,000 SF PLUS 8 SF FOR EACH ADDITIONAL 1,000 SF.

BUILDING USE: 60,000 SF +/- COMMERCIAL BUILDING	
TOTAL REQUIRED DISPOSAL AREA (SF) =	496 SF
TOTAL PROVIDED DISPOSAL AREA (SF) =	500 SF

SITE DEVELOPMENT REGULATIONS (CH ZONING):

	REQUIRED	PROVIDED
LOT AREA/DIMENSIONS: (LDC 34-845)		
AREA:	10,000 SF MIN.	243,229 SF
FRONTAGE:	100 FT MIN.	159.79 FT ±
DEPTH:	100 FT MIN.	1460 FT ±
SETBACKS (LDC 34-1802)		
ARTERIAL OR COLLECTOR STREET	50 FT	N/A
LOCAL STREET (LDC 34-2192)	25 FT	N/A
PRIVATE STREET (LDC 34-2192)	20 FT	98.66 FT
SIDE YARD (34-1802(c))	20 FT+1/2 FT PER 1 FT >35 FT HT	108.84 FT
REAR YARD (34-1802(c))	20 FT+1/2 FT PER 1 FT >35 FT HT	31.00 FT
MAX. BUILDING HEIGHT (34-1802)	57 FT (31 FT REAR SETBACK)	50 FT (5 STORY)
MAX. LOT COVERAGE	40 %	5.24 %

LAND USE BREAKDOWN :

PROJECT AREA	251,198 SF	5.77 AC.
BUILDING AREA	13,192 SF	0.30 AC. 5.25%
POOL DECK	3,939 SF	0.09 AC.
ASPHALT PAVEMENT AREA (HOTEL)	50,291 SF	1.15 AC.
CONCRETE AREA (SIDEWALK & MISC. CONCRETE)	5,200 SF	0.12 AC.
ASPHALT PAVEMENT (ROADWAY)	32,982 SF	0.76 AC.
CONCRETE SIDEWALK (ROADWAY)	13,243 SF	0.30 AC.
FUTURE IMPERVIOUS AREA	22,000 SF	0.51 AC.
DRY DETENTION AREAS	30,589 SF	0.70 AC.
OTHER OPEN SPACE	79,760 SF	1.83 AC.
TOTAL IMPERVIOUS AREA	140,847 SF	3.23 AC. 56.07%
TOTAL PERVIOUS AREA	110,349 SF	2.53 AC. 43.93%

LUCKETT LANDING HOTEL
SITE PLAN

Quattrone & Associates, Inc.
Engineers, Planners, & Development Consultants
4301 Venetia Shoemaker Blvd - Fort Myers, Florida 33916 - 239-936-5222
Certificate of Authorization Number: 9465

Michelle Salberg
2022.04.1
4 13:51:30
A Salberg
2022.04.1
4 13:51:30
SHEET
SD-05
05 OF 14

Tice Fire & Rescue District
9351 Workmen Way
Fort Myers, FL 33905
239.694.2380
TRoss@TiceFire.com



Exhibit "C"

JULY 1, 2021

Shelly Stalnos
Quattrone & Associates
Fort Myers, FL 33916

RE: Letter of No Objection – Lockett Landing Hotel

To whom it may concern,

The above referenced project is located within the Tice Fire Control District. I have reviewed the proposal for a temporary / hammerhead alternate turn around for this project. The District does not object to this proposal. I look forward to working with you as this project proceeds. If you have any questions or need any further information, please let me know.

Respectfully,

A handwritten signature in black ink, appearing to read "Ted A. Ross", is written over a light gray rectangular background.

Ted Ross
FIRE CHIEF