

**DSO ADMINISTRATIVE DEVIATION
LEE COUNTY, FLORIDA**

WHEREAS David Samadnejad on behalf of Dave & Alex's Warehouse, 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 121 Gretchen Ave South, Lehigh Acres, FL, described more particularly as:

LEGAL DESCRIPTION: In Section 33, Township 44 South, Range 26 East, Lee County, Florida:

ATTACHED AS EXHIBIT "A"

WHEREAS, the applicant has indicated that the property's current STRAP number is 33-44-26-07-00007.0090; and

WHEREAS, the property is zoned C-2 (Commercial) and is located in the Central Urban 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, the applicant has applied for a development order (DOS2019-00091) for the construction of a 5,775 square foot private warehouse and other site related infrastructure; and

WHEREAS, access to the site will be provided from Gretchen Ave South; and

WHEREAS, a deviation is requested in the C-2 district from Lee County Land Development Code Section 10-610(e) which requires all adjacent commercial uses to provide parking lot interconnections for automobile, bicycle, and pedestrian traffic to not require the parking lot interconnections as shown on the attached site plan enclosed as Exhibit "B"; and

WHEREAS, the proposed use of the subject property is a single tenant, single business, secured warehouse which does not generate a large amount of traffic that will benefit from providing parking lot interconnections; and

WHEREAS, the subject property will be developed as a secured warehouse and the requirement to provide the parking lot interconnections will negatively impact site security; and

WHEREAS, the subject parcel's limited size (0.6 acres) limits the applicant's ability to provide parking lot interconnections while still maintaining site security; and

WHEREAS, the following findings of fact are offered:

- (a) That the proposed alternative to not require the parking lot interconnections, is based on sound engineering practice in consideration of the following criteria:
 - i The limited traffic generation of the proposed use limits the benefit of providing the required parking lot interconnections.
 - ii The limited size of the subject parcel as well as the need to provide a secure warehouse significantly impacts the ability to provide parking lot interconnections.
 - iii Sidewalk will be provided on Gretchen Ave South and currently exists on Gunnery Road South to provide pedestrian and bicycle access to the site.
- (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 lack of parking lot interconnections will not impact the health, safety, and welfare of the public. Access to the site is provided by Gretchen Boulevard S and the abutting parcels are not currently developed.
- (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 an Administrative Deviation in the C-2 district from Lee County Land Development Code Sections 10-610(e), is approved as conditioned:

- (a) That approval is subject to substantial compliance with the site plan entitled "Dave and Alex's Warehouse", signed and sealed 04/25/2022 by Amjad Sitti, P.E. and attached as Exhibit "B"; and
- (b) This deviation approval applies only to the proposed use as private warehouse as shown on the site plan attached as Exhibit "B". Any change of use or redevelopment of the property will require additional approvals; and
- (c) **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 6/3/2022

Jessica Sulzer, PE, Manager

Exhibits

Exhibit A – Legal Description

Exhibit B – Administrative Deviation Plan – "Dave and Alex's Warehouse", signed and sealed 04/25/2022 by Amjad Sitti, P.E

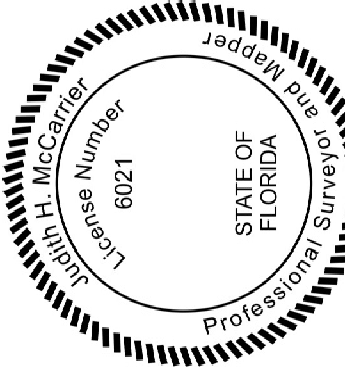
Administrative Deviation: ADD2022-00051

BOUNDARY AND TOPOGRAPHIC SURVEY

OF
LOTS 9-11, BLOCK 7, 'UNIT 7, LEHIGH ESTATES'

SECTION 33, TOWNSHIP 44, RANGE 26 EAST, LEE COUNTY, FL

SHEET 1 OF 1



I HEREBY CERTIFY
THAT THE ABOVE
SURVEY WAS PERFORMED
UNDER MY
SUPERVISION AND
IN ACCORDANCE WITH THE
STANDARDS OF
PRACTICE PER
CHAPTER 47, F.S.,
ADMINISTRATIVE
CODE, CHAPTER 47.227,
FLORIDA STATUTES.

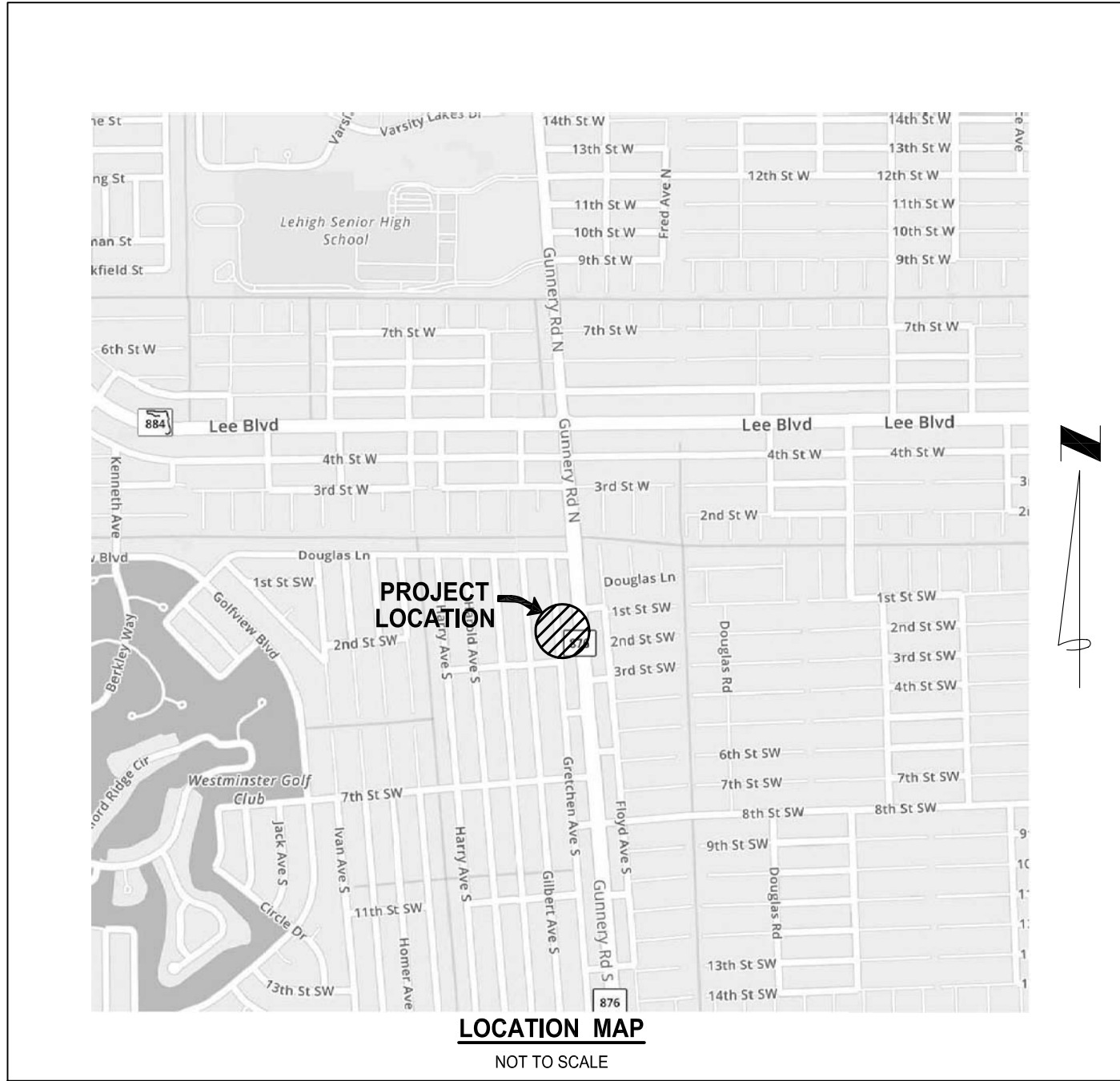
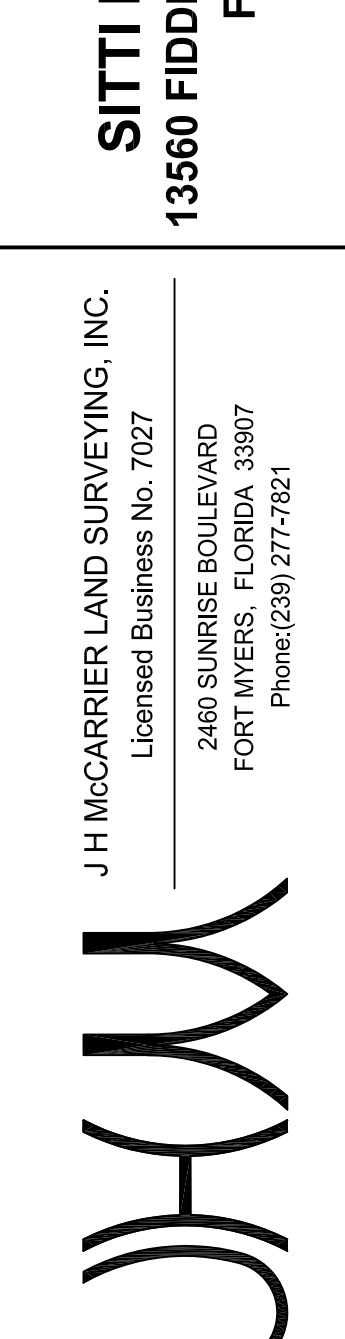
CERTIFIED TO:
SITTI ENGINEERING GROUP

Digitally signed
by Judith H
McCarrier, PK#
McCarrier
Date:
2019.11.14
17:06:00 -0500
JUDITH H. MCCARRIER
PROFESSIONAL SURVEYOR & MAPPER
FLORIDA LICENSE NO. 6021

DATE	NOVEMBER 14, 2019
SCALE	1"=30'
FILENAME	LeighEst_GretchenAveS_Ind.dwg
PROJECT NO.	19-076
CHECKED BY	JHM
DRAWN BY	CER
F.B. / P.C.	LeighEst_121GretchenAveS_R3.survey

CLIENT
SITTI ENGINEERING GROUP
13560 FIDDLESTICKS BLVD, SUITES 202-305
FORT MYERS, FL 33912
PHONE: (239) 215-9445

J H MCCARRIER LAND SURVEYING, INC.
Licensed Business No. 7027
2480 SUNRISE BOULEVARD
FORT MYERS, FLORIDA 33907
Phone:(239) 277-7821



LEGEND	
FIR	DENOTES FOUND IRON ROD - SIZE AS NOTED
FIRC	DENOTES FOUND IRON ROD & CAP-SIZE & ID AS NOTED
FPKND	DENOTES FOUND PK NAIL AND DISC
C/L	DENOTES CENTERLINE
(P)	DENOTES PLAT
(M)	DENOTES MEASURED
(C)	DENOTES CALCULATED
MES	DENOTES MITERED END SECTION
⊗	DENOTES GATE VALVE
⊗	DENOTES WATER METER
⊗	DENOTES TELEPHONE RISER
⊗	DENOTES FIRE HYDRANT
⊗	DENOTES POWER POLE
⊗	DENOTES CABLE TELEVISION RISER
⊗	DENOTES OVERHEAD WIRES
— x —	DENOTES 6" HIGH CHAINLINK FENCE
⊗	DENOTES ELECTRICAL BOX
RCP	DENOTES REINFORCED CONCRETE PIPE
PUE	DENOTES PUBLIC UTILITY EASEMENT
+24.6	DENOTES SPOT ELEVATION
⊗	DENOTES STREET LIGHT HANDHOLE
R.E.	DENOTES RIM ELEVATION
G.E.	DENOTES GRATE ELEVATION
I.E.	DENOTES INVERT ELEVATION
⊗	DENOTES CONCRETE
⊗	DENOTES SIGN
TYP	DENOTES TYPICAL
CMP	DENOTES CORRUGATED METAL PIPE
—	DENOTES GUY ANCHOR

- SURVEYOR'S NOTES**
- BEARINGS SHOWN HEREON ARE BASED ON THE MONUMENTED CENTERLINE OF GRETCHEN AVENUE S, WHICH BEARS N04°46'16"W.
 - THIS MAP IS NOT VALID WITHOUT EITHER THE SIGNATURE AND THE ORIGINAL RAISED SEAL, OR A VALIDATED ELECTRONIC SIGNATURE, OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
 - ELEVATIONS SHOWN HEREON RELATE TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 1988).
 - COORDINATES SHOWN HEREON ARE STATE PLANE, FLORIDA WEST ZONE, NAD83, 2011 ADJUSTMENT.
 - THE SUBJECT PROPERTY LIES IN ZONE X AS SHOWN ON FEMA FLOOD INSURANCE RATE MAP 12071C0475F, EFFECTIVE DATE OF 08/28/2008.
 - TOTAL AREA OF SUBJECT PROPERTY = 26,250 SQUARE FEET (0.603 ACRES ±)
 - UNDERGROUND ENCROACHMENTS AND/OR IMPROVEMENTS WERE NOT LOCATED, UNLESS NOTED OTHERWISE.
 - SUPPLEMENTAL DRAINAGE INFORMATION WAS OBTAINED FROM THE GUNNERY ROAD (LEE COUNTY PROJECT #4055) ASBLT SURVEY, PREPARED BY BLS SURVEYORS & MAPPERS, INC., DATED 03/22/07.
 - THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE.

PARCEL DATA	
ADDRESS	STRAP NUMBER
121 GRETCHEN AVE S	33-44-26-07-00007.0090
LEEHIGH ACRES, FL 33973	

LEGAL DESCRIPTION
LOTS 9, 10, AND 11, BLOCK 7, 'UNIT 7, LEHIGH ESTATES', ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 15, AT PAGE 87, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

