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Fort Myers, FL 33907
Phone 239-433-4231 Fax 239-433-9632
www.tdmcivilengineering.com
Certificate of Authorization # 29086**

August 3, 2022

Mr. Dirk Danley Jr., Principal Planner
Lee County Department of Community Development
1500 Monroe Street
Fort Myers, FL 33901

**Reference: Tropical Fence
DCI2022-00036 (1st Resubmittal)**

Dear Mr. Danley:

We are in receipt of your review letter dated July 22, 2022 for the above referenced project.

The following items are submitted for your continued review per this request for additional information:

1. One (1) copy of the Letter of Availability from LCU;
2. One (1) copy of the revised Narrative of Request/Lee Plan Compliance;
3. One (1) copy of the revised Schedule of Deviations;
4. One (1) copy of the revised Master Concept Plan with Open Space Exhibit; and
5. One (1) copy of the revised Property Development Regulations.

Responses to each individual item/comment are as follows:

Zoning Section Comments:

Adam Mendez – amendez@leegov.com or 239-533-8325

1. Please provide a Letter of Utility Availability, if the applicant is unable to acquire this letter, then please request a waiver of submittal requirements request.

Response: Please see the attached Letter of Availability from LCU.

2. Please expand the request statement to address how the rezoning request meets all decision-making criteria for rezoning found in LDC Section 34-145(d).

Response: Please see the revised Narrative of Request for the information requested.

3. Please expand the Lee Plan analysis to provide analysis of Goal 5, at a minimum Policy 5.1.5.

Tropical Fence

August 3, 2022

Page 2 of 3

Response: Please see the revised Narrative of Request/Lee Plan Compliance for the information requested.

4. Property development regulations – The subject property is located in the Tice Community Plan Area. Analysis of Goal 34 is required in the Lee Plan Analysis.

Response: Please see the revised Narrative of Request/Lee Plan Compliance for the information requested.

Environmental Comments:

Brian Roberts – broberts@leegov.com or 239-533-8890

5. Please demonstrate how the five trees and 18 shrubs per 100 linear feet will fit into a five-foot-in-width planting area outside of the drainage easement along the northeast property line. Staff has concerns over survivability. An additional deviation may be needed to state alternative landscaping along the northeast property line to avoid tree and shrub conflicts and ensure survivability per LDC Section 10-421.

Response: LDC Section 10-421(a)(2) states that trees and shrubs used in buffers must be planted in a minimum width area equal to one-half the required width of the buffer. However, in no case may the planting area be less than five feet in width. LDC Section 10-421(a)(5) states that utility or drainage easements may overlap required buffers; however, no code required trees or shrubs may be located in any utility or drainage easement unless a written statement from the entity holding the beneficial interest in the easement is submitted specifically stating that the entity has no objection to the landscaping and that the proposed landscaping will not interfere with the long term maintenance of the infrastructure within the easement area. The drainage swale overlaps the buffer by 50%, as permitted by the LDC and the applicant is the entity holding the beneficial interest. Although landscape plans aren't required at time of zoning, the applicant has the option to use all palm trees in the buffers abutting the residential uses to the east and south, which will ensure survivability.

6. Revise the "to allow" statements in Deviation #2 and #3 to state what type of landscaping will be provided, the plant specifications (native, height, etc), and wall heights.

Response: Please see the revised Schedule of Deviations for the information requested.

7. Provide an open space exhibit depicting the 4,110 square feet of provided open space.

Response: Please see the revised MCP with Open Space Exhibit. Please note there was a small miscalculation, so only 19.3% open space is provided instead of 20%. Please see the revised Schedule of Deviations.

Natural Resources Comments:

Elizabeth Workman – eworkman@leegov.com or 239-533-8793

8. Do these two parcels accept sheet flow from the parcels to the north that abut Palm Beach Blvd? Is the stormwater management system being designed to accept additional sheet flow?

Tropical Fence

August 3, 2022

Page 3 of 3

Response: No drainage is provided on the lots along Palm Beach Boulevard or Balboa Avenue. During our meeting with Development Services staff, we were asked to provide as much detention as possible on the subject property, which we have done. It has not been designed to accept additional sheet flow from the parcels to the north.

9. Where will the drainage swales and pipes described in the Narrative be located? The MCP depicts an existing 5' drainage easement swale and a 10' wide buffer.

Response: Drainage is permitted to overlap the buffers by 50%. That is what is proposed for this site. Pipes will be provided under the driveway and any other place deemed necessary at time of local development order permitting. An LDO will be required to bring the site into compliance to the maximum extent possible.

Development Services Comment: Tyler Griffin

10. In your Lee Plan analysis, provide more detail regarding compatibility with Lee Plan policies 6.1.7 and 6.1.8.

Response: Please see the revised Narrative of Request/Lee Plan Compliance for the information requested.

Natural Resources Section Comments: Nicholas DeFilippo

11. **INFORMATIONAL:** Deviation (1) requests a deviation from LDC 34-1748. However, portions of Section 34-1748 do not apply to the proposed development based on the narrative provided. If the gate will be opened during business hours and installed for security purposes the locational standards in 34-1748 do not apply. Please revise the request to be specific to the requirement you wish to deviate. As written the deviation request seeks a complete deviation from LDC 34-1748 including emergency vehicle access.

Response: Deviation #1 has been withdrawn. Per LDC Section 34-1748(4), entrance gates that are installed solely for security purposes for non-residential uses, and that will remain open during normal working hours, are not subject to the location requirements set forth in (1)(d) above and are not required to be equipped with an override mechanism acceptable to the local emergency services agencies or an override switch installed in a glass-covered box for the use of emergency vehicles.

This should allow for continued review and a finding of sufficiency of this rezoning request. Your time and attention to this matter is appreciated. Should County staff require additional information or have any questions regarding this submittal, feel free to call this office.

Sincerely,

TDM CONSULTING, INC.



Veronica Martin
Senior Planner



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Tropical Fence
Narrative of Request/Lee Plan Compliance

Revised 8/2/2022

Narrative of Request

The property owners/applicants inherited an existing fence contracting business, Tropical Fence. The previous owners purchased the adjacent lots at 393 and 397 Balboa Avenue and expanded their business onto those vacant lots, using it as a storage yard. The subject property has been used as a storage yard for approximately 20 years and has been in its current configuration since the early 2000's. When the property owners had their business appraised for insurance purposes, it came to their attention that the storage yard was zoned TFC-2. They approached County staff regarding their options, even though a code violation for the use was never issued. The property owners have decided to rezone the subject property from TFC-2 to CPD to legitimize the existing use of open storage.

Rezoning of the property will trigger a Development Order and the applicants will be required to bring the site into compliance with the Land Development Code to the maximum extent possible. The only existing improvements to the site include a chain link fence with slats along the property boundary and a rolling gate. Proposed improvements include 10-foot wide buffers abutting the residential lots and right-of-way. A 6-foot high solid opaque wall/fence set 10 feet back from the property line is proposed along the right-of-way and 8-foot high solid opaque walls are proposed along the residential lots. This allows the buffer vegetation to be located on the residential side of the wall. In addition, drainage swales and pipes will be provided to address stormwater and pre-treatment before it discharges into the drainage swale along the Balboa Avenue right-of-way. The rezoning is consistent with the Lee Plan, the Land Development Code (except where deviations have been requested), and other applicable codes and regulations.

Land Development Code Compliance

A Development Order will be required to bring the existing site into compliance with the Land Development Code and all other applicable codes and regulations to the maximum extent possible, including buffering and screening, drainage, and fencing. Four deviations have been requested with this rezoning request where existing site conditions interfere with full compliance with the Land Development Code.

Lee Plan Compliance

The subject property has been developed as open storage for the past 20 years. The applicant recently discovered the use isn't consistent with the TFC-2 zoning district. The applicant intends to rezone the property to CPD to legitimize the use. A local development order will be required to bring the site into compliance with the Land Development Code to the maximum extent possible.

Narrative of Request/Lee Plan Compliance

Page 2 of 7

POLICY 1.1.2: The *Intensive Development* future land use category is located along major arterial roads. By virtue of their location, the County's current development patterns, and the available and potential levels of public services, areas with this designation are suited to accommodate high densities and intensities. Mixed use developments of high-density residential, commercial, limited light industrial, and office uses are encouraged to be developed as described in Objective 11.1, where appropriate. The standard density range is from eight dwelling units per acre (8 du/acre) to fourteen dwelling units per acre (14 du/acre), with a maximum total density of twenty-two dwelling units per acre (22 du/acre). The maximum total density may be increased to thirty dwelling units per acre (30 du/acre) utilizing Greater Pine Island Transfer of Development Units.

POLICY 1.1.3: The *Central Urban* future land use category can best be characterized as the "urban core" of the County. These areas are already the most heavily settled and have, or will have, the greatest range and highest levels of public services. Residential, commercial, public and quasipublic, and limited light industrial land uses will continue to predominate in the Central Urban future land use category. Future development in this category is encouraged to be mixed use, as described in Objective 11.1, where appropriate. The standard density range is from four dwelling units per acre (4 du/acre) to ten dwelling units per acre (10 du/acre), with a maximum total density of fifteen dwelling units per acre (15 du/acre). The maximum total density may be increased to twenty dwelling units per acre (20 du/acre) utilizing Greater Pine Island Transfer of Development Units.

The subject property at 393 and 397 Balboa Avenue is located on the south side of Palm Beach Boulevard, east of Balboa Avenue, in the Tice Historic District. The majority of the site is the Central Urban future land use category with a small section in the Intensive Development future land use category (per Lee Spins). The site has been developed as an open storage yard for approximately 20 years, in conjunction with a fence contractor on the abutting property (Tropical Fence). Both the Central Urban and Intensive Development future land use categories are located in areas of the County that are most heavily settled and have the greatest range and highest levels of urban services. Commercial uses are permitted in both future land use categories. This is consistent with **Lee Plan Policy 1.1.2 and 1.1.3**.

OBJECTIVE 2.1: DEVELOPMENT LOCATION. Contiguous and compact growth patterns will be promoted through the rezoning process to contain urban sprawl, minimize energy costs, conserve land, water, and natural resources, minimize the cost of services, and prevent development patterns where large tracts of land are by-passed in favor of development more distant from services and existing communities.

POLICY 2.1.1: Most residential, commercial, industrial, and public development is expected to occur within the designated future urban areas on the Future Land Use Map through the assignment of very low densities to the non-urban categories.

POLICY 2.1.2: New land uses will be permitted only if they are consistent with the Future Land Use Map and the goals, objectives, policies, and standards of this plan.

OBJECTIVE 2.2: DEVELOPMENT TIMING. Direct new growth to those portions of the future urban areas where adequate public facilities exist or are assured and where compact and contiguous development patterns can be created.

POLICY 2.2.1: Rezoning and DRI proposals will be evaluated as to the availability and proximity of the road network; central sewer and water lines; community facilities and services such as schools, EMS, fire and police protection, and other public facilities; compatibility with

Narrative of Request/Lee Plan Compliance

Page 3 of 7

surrounding land uses; and any other relevant facts affecting the public health, safety, and welfare.

POLICY 2.2.2: *The Future Land Use Map indicates the uses and density ranges that will ultimately be permitted on a given parcel. However, it is not a guarantee that such densities or uses are immediately appropriate, as the map provides for the County's growth beyond the 2045 planning horizon. During the rezoning process the Board of County Commissioners will balance the overall standards and policies of this plan with three additional factors:*

- 1. Whether a given proposal would further burden already overwhelmed existing and committed public facilities such that the approval should be delayed until the facilities can be constructed; and*
- 2. Whether a given proposal is for land so far beyond existing development or adequate public facilities that approval should be delayed in an effort to encourage compact and efficient growth patterns; and*
- 3. Whether a given proposal would result in unreasonable development expectations that may not be achievable because of acreage limitations contained in the Acreage Allocation Table (see Table 1(b)).*

As stated above, the subject property has been utilized as an open storage yard for approximately 20 years. The previous property owners purchased the property and expanded their fence contracting business onto the vacant lots. The properties on all sides are developed with a mix of commercial and residential uses. This is an area of Lee County that is heavily developed and where urban services are available and adequate to service the site, including surrounding roads. This is consistent with **Objective 2.1: Development Location, Policies 2.1.1, 2.1.2, Objective 2.2: Development Timing, and Policies 2.2.1 and 2.2.2.**

OBJECTIVE 5.1: *All development approvals for residential, commercial, and industrial land uses must be consistent with the following policies, the general standards under Goal 4, and other provisions of this plan.*

POLICY 5.1.5: *Protect existing and future residential areas from any encroachment of uses that are potentially destructive to the character and integrity of the residential environment. Requests for conventional rezonings will be denied in the event that the buffers provided in the LDC, Chapter 10, are not adequate to address potentially incompatible uses in a satisfactory manner. If such uses are proposed in the form of a planned development or special exception and generally applicable development regulations are deemed to be inadequate, conditions will be attached to minimize or eliminate the potential impacts or, where no adequate conditions can be devised, the application will be denied altogether. The LDC will continue to require appropriate buffers for new developments.*

The open storage yard has been in existence for approximately 20 years, abutting residential uses to the east and south. The only improvements to the existing site consist of a chain link fence with slats along the property boundary, separating the commercial use from the residential use. This rezoning request will not only legitimize the existing commercial use of the site, but it will bring the site into compliance to the maximum possible. Ten-foot wide Type C landscape buffers with a 6-foot high solid opaque wall are proposed abutting the residential lots. This allows the buffer vegetation to be located between the wall and property line on the residential side. A Type C buffer is required to provide 5 trees and 18 shrubs per 100 linear feet. Note 4 states that the

Narrative of Request/Lee Plan Compliance

Page 4 of 7

shrubs may not be pruned to reduce height, so they will effectively act as a living barrier in addition to the physical barrier of the wall.

The applicant is not proposing any buildings or structures on the property. They're only requesting to be able to continue the same use as the past 20 years, which is basically an open storage yard that is fully enclosed and not visible from the right-of-way or abutting residential lots. The use itself is not changing and is not detrimental to the character or integrity of the residential environment. If anything, the addition of a solid opaque wall (instead of chain link fence) and vegetation is an improvement over what's currently there. The deviations and conditions minimize any potential impacts to the residential lots. This is consistent with **Lee Plan Objective 5.1 and Policy 5.1.5.**

GOAL 6: COMMERCIAL LAND USES. *To permit orderly and well-planned commercial development at appropriate locations within the County.*

OBJECTIVE 6.1: *Development approvals for commercial land uses must be consistent with the following policies, the general standards under Goal 4 and other provisions of this plan.*

POLICY 6.1.1: *All applications for commercial development will be reviewed and evaluated as to:*

- 1. Traffic and access impacts (rezoning and development orders);*
- 2. Landscaping and detailed site planning (development orders);*
- 3. Screening and buffering (planned development rezoning and development orders);*
- 4. Availability and adequacy of services and facilities (rezoning and development orders);*
- 5. Impact on adjacent land uses and surrounding neighborhoods (rezoning);*
- 6. Proximity to other similar centers (rezoning); and*
- 7. Environmental considerations (rezoning and development orders).*

POLICY 6.1.4: *Commercial development will be approved only when compatible with adjacent existing and proposed land uses and with existing and programmed public services and facilities.*

POLICY 6.1.5: *The land development regulations will require that commercial development be designed to protect the traffic-carrying capacity of roads and streets. Methods to achieve this include, but are not limited to: frontage roads; clustering of activities; limiting access; sharing access; setbacks from existing rights-of-way; acceleration, deceleration and right-turn-only lanes; and, signalization and intersection improvements.*

POLICY 6.1.6: *The land development regulations will require that commercial development provide adequate and appropriate landscaping, open space, and buffering. Such development is encouraged to be architecturally designed so as to enhance the appearance of structures and parking areas and blend with the character of existing or planned surrounding land uses.*

POLICY 6.1.7: *Prohibit commercial developments from locating in such a way as to open new areas to premature, scattered, or strip development; but permit commercial development to infill on small parcels in areas where existing commercial development would make a residential use clearly unreasonable.*

POLICY 6.1.8: *Prohibit commercial development from locating near existing or planned school areas in such a way as to jeopardize the safety of students.*

Narrative of Request/Lee Plan Compliance

Page 5 of 7

The open storage yard has been in existence for approximately 20 years, abutting residential uses to the east and south, Balboa Avenue right-of-way to the west, and commercial to the north. The subject property is used as a storage yard for a commercial contracting business, Tropical Fence, located at 4814, 4818, and 4822 Palm Beach Boulevard. The only improvements to the existing site consist of a chain link fence with slats along the property boundary, separating the commercial use from the residential use. This rezoning request will not only legitimize the existing commercial use of the site, but it will bring the site into compliance to the maximum possible. Direct access to the site will remain at the existing driveway on Balboa Avenue. Although this is a full-access driveway, most employees and visitors exit out onto Palm Beach Boulevard through the abutting property, which is Tropical Fence's primary location and main office. According to the Traffic Impact Statement, the development creates minimal traffic. The AM Peak Hour Average Vehicle Trip Ends is 2 and the PM Peak Hour Average Vehicle Trip Ends is 3. Balboa Avenue has sufficient capacity for the development and turn lanes are not required.

The site is currently development from property line to property line without buffers, open space or drainage. Due to the small size of the lots, the applicant is proposing 10-foot wide Type C landscape buffers with 8-foot high solid opaque wall abutting the residential lots to the east and south. This allows the buffer vegetation to be located between the wall and property line on the residential side. A Type C buffer is required to provide 5 trees and 18 shrubs per 100 linear feet. Note 4 states that the shrubs may not be pruned to reduce height, so they will effectively act as a living barrier in addition to the physical barrier of the wall. A 10-foot wide Type B buffer with 6-foot high wall is proposed along the Balboa Avenue right-of-way. The vegetative buffers screen and soften the development from the outside and the walls enclose the open storage yard so it's not unattractive to the neighbors, community, and general public.

Drainage swales and pipes are provided to collect storm water, pre-treat it as required, and discharge into the Balboa Avenue right of way swales. No building structures are proposed or parking, just open storage. Rezoning the subject parcel legitimizes the use that's been on this land for the past 20 years and does not open up the area to future commercial development. The nearest school is Orange River Elementary to the east, which is accessed from Lexington Avenue. Rezoning the subject property to commercial planned development for the proposed use will not have any detrimental effects on the elementary school. This is consistent with **Lee Plan Goal 6, Objective 6.1, and Policies 6.1.1, 6.1.4, 6.1.5, 6.1.6, 6.1.7, and 6.1.8.**

GOAL 34: TICE HISTORIC COMMUNITY PLAN. *Redevelop the Community Plan area into vibrant commercial and residential neighborhoods, with mixed use centers, landscaping, safe pedestrian and bicycle facilities, improved transit service, and an array of public space and recreational areas while protecting the community's historic resources.*

POLICY 34.1.1: *In the Tice Gateway and Tice Historic Center utilize the Mixed Use Overlay to encourage mixed use developments consistent with Goal 11 that integrate multiple land uses, public amenities and utilities at various scales and intensities in order to provide: diversified land development; a variety of housing types; greater connectivity between housing, workplaces, retail businesses, and other destinations; reduced trip lengths; more transportation options; and pedestrian and bicycle-friendly environments. Tice Gateway is defined as the properties with frontage on Palm Beach Boulevard. The Tice Historic Center is the area of the Community Plan area contiguous to the City of Fort Myers at the intersection of Tice Street and Palm Beach Boulevard.*

Narrative of Request/Lee Plan Compliance

Page 6 of 7

OBJECTIVE 34.2: COMMERCIAL AND ECONOMIC LAND USES. *Provide commercial, economic, and employment opportunities within the Community Plan area by establishing active economic corridors centered along Palm Beach Boulevard, Ortiz Avenue, and Tice Street that feature high quality, distinct, and visually appealing commercial developments.*

POLICY 34.2.1: *Maintain land development regulations that address the following:*

c. Lots that have irregular size, depth, building placement, and lack parking, landscaping, and infrastructure facilities; and

d. Vegetative and light features that help unify and add visual appeal to developments.

POLICY 34.2.2: *Maintain development standards for commercial developments to be designed as to support a walkable, multimodal community with transportation facilities that provide for the needs of pedestrians, cyclists, transit riders, and drivers by providing:*

a. Interconnection of adjacent commercial uses in order to minimize vehicular access points on primary road corridors; and

c. Pedestrian connections such as sidewalks, trails, crosswalks, walkways and entrances, signalized and or lighted crossings, shade, and other pedestrian elements.

OBJECTIVE 34.3: TRANSITIONAL USES. *Establish transitional use areas between commercial corridors and single-family residential neighborhoods.*

POLICY 34.3.1: *Transitional uses include pedestrian oriented retail uses, commercial offices, day care centers, mid-rise multifamily buildings, live-work units, and accessory apartments.*

POLICY 34.3.3: *It is anticipated that transitional uses will coexist with existing single-family residences in the transitional use area.*

The subject property is in the Tice Historic District. The fence contracting business has frontage on Palm Beach Boulevard and Balboa Avenue. The lots with frontage on Palm Beach Boulevard are zoned correctly for the use (C-1) and are in the mixed-use overlay. As noted previously, the applicants recently discovered the two lots on Balboa Avenue are not zoned correctly for the existing use (TFC-2). The applicant intends to rezone the property from TFC-2 to CPD in order to legitimize a commercial use that has been in existence on the subject property for approximately 20 years. In doing so, the applicant will be required to bring the site into compliance with the current Land Development Code to the maximum extent possible.

As it currently exists, the site doesn't have any buffers, green open space, or drainage; however there is an existing sidewalk along Balboa Avenue and Palm Beach Boulevard, providing pedestrian connectivity. In addition, the property is surrounded by a chain link fence with slats, which are no longer permitted. Proposed improvements include 10-foot wide vegetative buffers and a 8-foot high solid opaque wall on three sides of the property facing the residential lots and right-of-way. There's an existing rolling gate providing access to the site from Balboa Avenue. The existing gate may need to be replaced to match the new fence/wall at time of Development Order permitting. In addition, drainage swales and pipes are proposed to address storm water drainage. Upgrading a site that has been used for commercial purposes for 20± years is an improvement to the surrounding community, including the abutting residential properties. The few deviations that have been requested are to address the limitations of the existing site. The primary business, Tropical Fence, is a commercial business in the Mixed-Use Overlay on Palm Beach Boulevard, while the two lots on Balboa Avenue act as a transition to the residential lots

Narrative of Request/Lee Plan Compliance

Page 7 of 7

to the east and south. This is consistent with **Lee Plan Goal 34, Policy 34.1.1, Objective 34.2, Policies 34.2.1 and 34.2.2, and Objective 34.3, and Policies 34.3.1 and 34.3.3.**

The applicant has proven entitlement to the rezoning as set forth in LDC Sec. 34-145(d)(4). The request:

- (a) Complies with the Lee Plan;
- (b) Meets the Land Development Code and other applicable County regulations or qualifies for deviations;
- (c) Is compatible with existing and planned uses in the surrounding area;
- (d) Will provide access sufficient to support the proposed development intensity;
- (e) The expected impacts on transportation facilities will be addressed by existing County regulations and conditions of approval;
- (f) Will not adversely affect environmentally critical or sensitive areas and natural resources; and
- (g) Will be served by urban services, as defined in the Lee Plan, if located in a Future Urban area category.

Additional findings for planned developments:

- (a) The proposed use or mix of uses is appropriate at the proposed location;
- (b) The recommended conditions provide sufficient safeguards to the public interest and are reasonably related to the impacts on the public's interest expected from the proposed development;
- (c) The requested deviations enhance the achievement of the objectives of the planned development and preserve and promote the general intent of the LDC to protect the public health, safety, and welfare.

**BOARD OF COUNTY COMMISSIONERS**

Kevin Ruane
District One

Cecil L Pendergrass
District Two

Raymond Sandelli
District Three

Brian Hamman
District Four

Frank Mann
District Five

Roger Desjarlais
County Manager

Richard Wm Wesch
County Attorney

Donna Marie Collins
County Chief
Hearing Examiner

July 27, 2022

Via E-Mail

Veronica Martin
TDM – Consulting, Inc.
43 Barkley Circle, Ste 200
Fort Myers, FL 33907

RE: **Potable Water and Wastewater Availability**
Tropical Fence, 4822 Palm Beach Blvd (for lots 393 and 397 Balboa Avenue)
STRAP # 04-44-25-04-00028.8870 and 04-44-25-04-00028.8890

Dear Ms. Martin:

The subject properties are located within Lee County Utilities Future Service Area as depicted on Maps 4A and 4B of the Lee County Comprehensive Land Use Plan. Potable water and sanitary sewer lines are in operation adjacent to lots 393 and 397 Balboa Avenue. However, in order to provide service to these lots, developer funded system enhancements such as line extensions may be required.

Your firm has indicated that these lots will continue to exist as a storage yard for Tropical Fence, so there will be no additional flow demand required.

Lee County Utilities presently provide potable water service to this area through our North Lee County Water Treatment Plant.

Sanitary sewer service is provided by the City of Fort Myers North Water Reclamation Facility.

There are no reuse mains in the vicinity of this parcel.

This letter should not be construed as a commitment to serve, but only as to the availability of service. Lee County Utilities will commit to serve only upon receipt of all appropriate connection fees, a signed request for service and/or an executed service agreement, and the approval of all State and local regulatory agencies.

Further, this letter of availability of potable water and sanitary sewer service is to be utilized for Zoning only. Individual letters of availability will be required for the purpose of obtaining building permits.

Tropical Fence - Letter.Docx

July 27, 2022

Page 2

Sincerely,

LEE COUNTY UTILITIES

A handwritten signature in blue ink that reads "Mary McCormic". The signature is written in a cursive, flowing style.

Mary McCormic
Technician Senior
239-533-8532
UTILITIES ENGINEERING



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Tropical Fence
Property Development Regulations
Revised 8-2-2022

Property Development Regulations

Proposed Zoning	= Commercial Planned Development (CPD)
Min. Lot Size	= 20,250 sf / 0.46 acres
Max. Intensity	= N/A
Minimum Frontage	= 150 feet
Minimum Depth	= 135 feet
Max. Height	= N/A
Min. Open Space	= 19% *see Deviation #4

Open Space:

LDC Section 10-415 (small projects)	
Required Open Space	= 20%
	= 0.20 x 20,250 sf
	= 4,050 sf required
Provided Open Space	= 1,500 sf (east buffer) + 1,250 sf (south buffer) + 1,158 sf (east buffer) = 3,908 sf / 19.3% *see Deviation #4

Buffers:

COM to ROW: 10' wide Type D buffer proposed *see Deviation #3
COM to SFR: 10' wide Type C buffer proposed *see Deviation #2

SCALE: AS NOTED