



Board of County Commissioners

Kevin Ruane
District One

October 21, 2022

Cecil L Pendergrass
District Two

Ray Sandelli
District Three

Brian Hamman
District Four

Mike Greenwell
District Five

Roger Desjarlais
County Manager

Richard Wm. Wesch
County Attorney

Donna Marie Collins
Chief County Hearing
Examiner

Michael Roeder
1625 Hendry Street
Fort Myers, FL 33901

**RE: SS Building
DCI2022-00015**

Dear Mr. Roeder:

The Zoning Section has reviewed the information provided for the above-referenced application. The Lee County Land Development Code (LDC) requires additional information for the application to be sufficient. Please respond to each requirement not satisfied on the attached checklist. For your assistance, we have enclosed any additional memoranda from the various Lee County reviewing agencies.

A public hearing date will not be scheduled until a complete application is submitted.

Please respond to the sufficiency review comments contained within thirty (30) calendar days of the date of this letter. This application may be considered withdrawn if no response is received within this timeframe. Please feel free to contact me at Amendez@leegov.com or (239) 533-8325 if you have any questions.

Zoning Section Review

1. Master Concept Plan. Per previous comment, please revise the master concept plan to include the location of each requested deviation on the master concept plan in accordance with LDC Section 34-373(a)(6)l.
2. Schedule of Uses. Per previous comment, rezoning applications for all planned developments must include a development summary in accordance with LDC Section 34-373(a)(8). This requires the following applicable information based on the revised schedule of uses provided:

"For commercial, office, retail and industrial uses provide the type(s) and the total floor area of each type"

Staff recommends including typically applicable ancillary uses such as - Accessory uses, buildings and structures – Fences and walls, and Signs.

Environmental Section Review

1. On the MCP, the west area is labeled as an existing buffer. Please clarify the width and type of the west "existing buffer".

Development Services Section Review

1. Deviation 1 – Chapter 10 deviations are required to be based on sound engineering practices and no less consistent with the health, safety and welfare of abutting landowners and the general public. The justification provided does not address the existing road design and cross section or safety of the existing roadway. Please provide the existing road cross section and specific references to sound engineering practices utilized to determine that the existing cross section is adequate. For example, references to the Florida Greenbook, Plans Preparation Manual and guidance in AASHTO publications in accordance with the requirements in LDC 10-296(d)(3).
2. Deviation 3 – The applicant indicated in the deviation request that there is no intent to increase the building square footage and the use has not been discontinued or abandoned for one year. Therefore, according to LDC 10-602 the provisions of Article IV Design Standards and Guidelines for Commercial Buildings and Developments do not apply. If the Article does not apply Staff does not support a deviation from the requirement. If supported and approved the deviation would allow the applicant to make changes to the building in the future and be exempt from the requirements of Article IV.
3. Please provide a surface water management plan in accordance with LDC 34-373(b)(1). The reference to the SFWMD Permit does not meet the requirements in the cited code section.

Transportation Impact Review

1. TIS. The Traffic Impact Statement (TIS) was waived in the original submittal based on a public warehouse only use only for this project. However, the resubmitted schedule of uses includes many uses which will generate more trips in the PM peak hour than the previous use. A new TIS is required if the developer chooses to proceed with the proposed schedule of uses.

Solid Waste Review

2. Courtesy comment. The MCP does not include a proposed dumpster enclosure location at time of development order approval, the development will require conformance with Ordinance 11-27 and LDC Section 10-261.

Lee Tran Review

1. Courtesy comment. The proposed development is within one-quarter mile of a fixed-route corridor and the closest bus stop is # 10701. If this becomes a DO or LDO type D, and based on the Transit LDC, the existing pad appears to meet the 8' x 30' requirements; unsure if curbing meets code. A sidewalk does not exist from the proposed development to and from the bus stop, an extension of sidewalk. Therefore, the developer would be required to make the necessary improvements based on the current Transit LDC.

Sincerely,

DEPARTMENT OF COMMUNITY DEVELOPMENT
Zoning Section

Electronically signed on 10/21/2022 by
Adam Mendez,
Planner

AVM