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Certificate of Authorization # 29086

Lehigh Acres Self Storage
Deviation Request – PD Amendment
Revised 8-26-2022

DEVIATION REQUEST #1:

Seeks relief from the **LDC §10-261(a)** Refuse and Solid Waste Disposal Facilities requirement that all new construction of multifamily residential developments, commercial businesses, and industrial uses must provide sufficient on-site space for the placement of garbage containers or receptacles, and sufficient space for recyclable materials collection containers. Request to permit the development to utilize roll-out totes.

JUSTIFICATION:

LDC Sec. 10-261(a) provides a uniform calculation for all commercial uses. The proposed commercial use is a public warehouse, consisting of 120,000 square feet spread out over 3 stories, including a 1,000 square foot administrative office. The LDC requires commercial businesses greater than 25,000 square feet to provide a 216 square foot area for the first 25,000 square feet plus 8 square feet for each additional 1,000 square feet. The proposed building is 120,000 square feet, which requires a 976 square foot facility for solid waste and recyclables. However, the applicant has developed similar facilities throughout Florida and includes language in the lease agreement prohibiting the disposal of solid waste, recyclables, or garbage on site. Only the office will be permitted to use the on-site solid waste and recycling facilities (roll-out totes). And since the office is a maximum of 1,000 sf, it is logical for the business to utilize roll-out totes for solid waste and recyclables. The Master Concept Plan provides a location adjacent to the parking lot that will serve as the permanent storage location of the trash and recycling bins. The area will be surrounded by a 6-foot high solid, opaque fence so it's not visible to the rights-of-way. The location makes it easy to roll out the bins for weekly pick-up.

According to LDC Section 10-261(a), a 976 square foot dumpster pad for the public warehouse would be the same as a 95-unit multi-family development. Common sense mandates that a public warehouse doesn't need a dumpster pad that is almost 1,000 square feet in size, especially if only the office is permitted to utilize it. The Lee County solid waste department has provided an email supporting roll-out totes for this development, which is attached to this request. The calculations determine that a minimum of 0.72 cubic yards of solid waste and refuse is produced weekly. The applicant is providing two 95- gallon totes – one for solid waste and one for recycling. Please see the roll out tote calculations on the Master Concept Plan for the conversion from gallons to cubic yards. This deviation enhances the achievement of the objectives of the planned development and is not detrimental to the public interest. The applicant respectfully requests approval of this deviation.

Schedule of Deviations

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DEVIATION #6:

Seeks relief from the **LDC §10-296(d)(4)(c)** requirement for roadside swales within county street rights-of-way to have side slopes no steeper than four horizontal to one vertical and a minimum depth of 12 inches. Request to permit side slopes of three horizontal to one vertical with a depth of 12 inches along Ohio Road and Maine Place.

JUSTIFICATION:

Per the LDC, the county requires the installation of sidewalks along Ohio Road and Maine Place. These sidewalks are required to have 1 foot of flat space on each side of the sidewalk. Given the width of the rights-of-way for each of these streets is only 50' wide, there is not adequate space to provide the sidewalks, flat areas, 4:1 side slopes and the 1' deep swale. Therefore, we are requesting 3:1 side slopes on a 1' deep swale with the required sidewalk and 1' of flat space on each side. Per LDC 10-296(d)(4)(c) an administrative deviation may be requested from this subsection with consultation from the director of transportation.

Granting of this deviation request is based on sound engineering practices, is not detrimental to the health, safety, and welfare of abutting landowners and the general public, and is not inconsistent with any specific policy directive of the Board of County Commissioners, any other ordinance, or any Lee Plan provision.

Summary:

The site has been designed so that any aspect of the commercial development will have minimal impacts to the residential lot to the south, including building orientation, buffers, parking lot, delivery/loading zones, and driveway. The applicant believes the requested deviation enhances the achievement of the objectives of the planned development and that it will not be detrimental to the public interest.