

Exhibit C

**43 Barkley Circle, Suite 200
Fort Myers, FL 33907
Phone 239-433-4231 Fax 239-433-9632
www.tdmcivilengineering.com
Certificate of Authorization # 29086**

**Lehigh Acres Self Storage
Narrative of Request
Revised 9-7-2022**

The Applicant rezoned the subject property from CPD to CPD via zoning resolution Z-22-021. During the CPD rezoning process, the applicant requested a deviation from LDC Section 10-261 refuse and solid waste disposal facilities. This deviation was presented to the Lehigh Acres planning community at the public information meeting for both the zoning application and development order application. In addition, the applicant is requesting a deviation from LDC Section 10-296(d)(4)(c) – roadside swale requirements. Please see the Schedule of Deviations.

Lee County solid waste provided an email supporting the deviation request. However, during the first public hearing, the Hearing Examiner stated it was premature to request a deviation from providing a dumpster on-site during the rezoning process. Page 5 of the Hearing Examiner's recommendation states the following:

Applicant's request to deviate from providing a solid waste disposal area on the MCP is premature. Staff proposed conditions highlighting the tenuousness of their recommendation. Specifically, the recommendation of approval reserves the right for subsequent revocation by the Division of Solid Waste. The Hearing Examiner finds the MCP should reflect a refuse and solid waste disposal area. Applicant remains able to pursue an administrative deviation during the development review process.

The Staff Report included the conditions that:

1. The applicant must maintain posted property signs near entrances that clearly prohibit disposal of waste and recycling on-site.
2. The project must obtain approval from Lee County Solid Waste to utilize the deviation at time of local development order approval.
3. Lee County Solid Waste retains the right to revoke the approved deviation upon a finding of insufficient or inefficient refuse and recycling rollout container pickup.

The email from Lee County Solid Waste supports the deviation request to utilize roll-out totes in lieu of dumpsters since only office personnel are permitted to use dispose of solid waste and recyclables on-site. In addition, the Solid Waste division requires enough storage space to store the totes around the office and prohibits staging on the County ROW. A copy of the email from Lee County Solid Waste is included with the Schedule of Deviation request.

The Site Construction Plans provided with DOS2022-00123 do not propose standard dumpsters on-site. The applicant is following the Hearing Examiner's recommendation to pursue an administrative deviation from the dumpster requirements during the development review process.

Narrative of Request

Page 2 of 2

The applicant is also requesting a deviation from LDC Section 10-296(d)(4)(c), which requires roadside swales within county street rights-of-way to have side slopes no steeper than four horizontals to one vertical and a minimum depth of 12 inches. Due to the limited right-of-way widths, the applicant is requesting to permit side slopes of three horizontal to one vertical with a depth of 12 inches along Ohio Road and Maine Place. Please see the Schedule of Deviations with Justification for additional information.



43 Barkley Circle, Suite 200
Fort Myers, FL 33907
Phone 239-433-4231 Fax 239-433-9632
www.tdmcivilengineering.com
Certificate of Authorization # 29086

Lehigh Acres Self Storage
Deviation Request – PD Amendment
Revised 10-21-2022

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

Page 2 of 2

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 LDC Sec. 10-256, 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.

The applicant is aware that LDC Sec. 10-256(b)(2)(d) permits an alternative plan approval where the sidewalks may be located on-site. However, there is an existing 6-foot PUE along the property line that cannot be vacated. The applicant is unable to provide an alternative plan for the sidewalk in order to provide a 4:1 side slope. The applicant has submitted a local Development Order concurrently with this application (DOS2022-00123). The Site Construction Plans include cross-sections (A-A, B-B, and E-E) on Sheet 9 of 16, which demonstrates how the drainage swales operate along Ohio Road and Maine Place. Providing a 3:1 side slope at those locations permits the applicant to comply with other requirements of the Land Development Code, mainly pedestrian facilities. Please see the attached Paving, Grading and Drainage Sheet and the Cross-Sections Sheet.

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.

STREET ADDRESS

511 LEE BOULEVARD
LEHIGH ACRES, FL 33936

STRAP NUMBER

32-44-27-11-00054.0030

STORMWATER MANAGEMENT INFORMATION

PER DESIGN CALCULATIONS:

MIN. PARKING LOT ELEVATION = +23.09' (N.A.V.D.)
MIN. PERIMETER BERM ELEVATION = +23.09' (N.A.V.D.)
MIN. FINISHED FLOOR ELEVATION = +24.17' (N.A.V.D.)

PER CONSTRUCTION PLANS:

MIN. GRADE FOR PARKING LOT = +23.10' (N.A.V.D.)
MIN. GRADE FOR PERIMETER BERM = +23.6' (N.A.V.D.)
MIN. GRADE FOR FINISHED FLOOR = +24.5' (N.A.V.D.)

W.S.W.T. EL. = +19.0' N.A.V.D. (PER DOS2008-00105 AT 601 EAST COUNTY LANE)

THE CONVERSION FACTOR FROM NGVD TO NAVD IS "-1.17'".

FLOOD ZONE

THE PARCEL IS LOCATED IN FLOOD ZONE "X"

THIS INFORMATION WAS TAKEN FROM THE BOUNDARY SURVEY

PROVIDED BY HARRIS-JORGENSEN, INC. DATED 11-03-21

STORMWATER CALCULATIONS

TOTAL DETENTION REQUIRED:

= 1" X TOTAL PARCEL AREA X 1'/12"

= 1" X 119,185 SF X 1'/12"

= 9,932 CF

OR 2.5" X (TOTAL IMPERVIOUS AREA - ROOF AREA)/

(TOTAL PARCEL AREA - ROOF AREA) X TOTAL PARCEL AREA X 1'/12"

= 2.5" X (65,755 SF - 39,250 SF)/(119,185 SF - 39,250 SF)

X 119,185 SF X 1'/12" = 8,233 CF

= 9,932 CF X 0.75 (DRY DETENTION) = 7,449 CF

TOTAL DETENTION PROVIDED:

= VOLUME IN DDA #1 + DDA #2

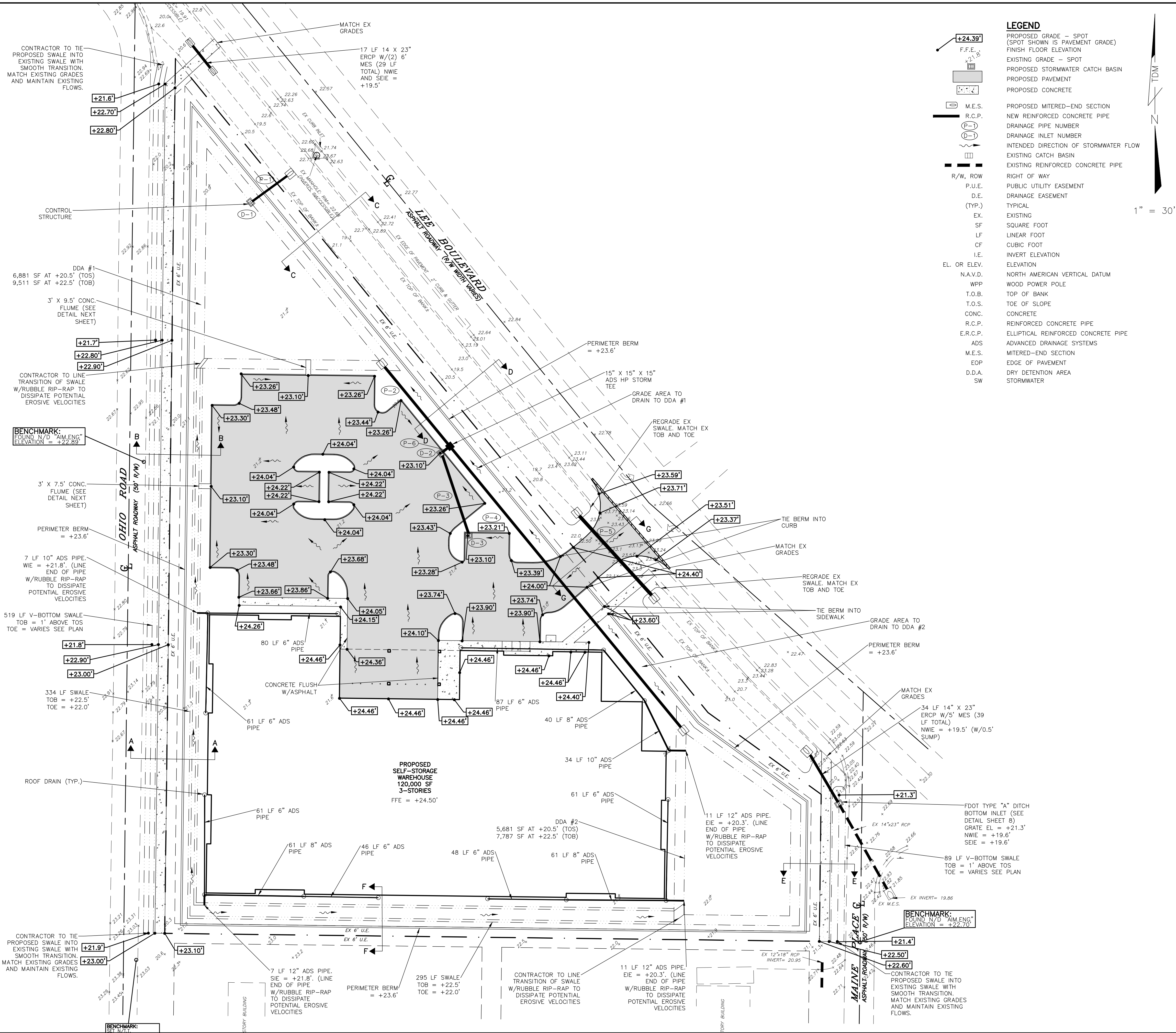
= 16,392 CF + 13,468 CF = 29,860 CF

DRAINAGE STRUCTURE SCHEDULE

INLET NUMBER	INLET TYPE	GRATE ELEVATION	INVERT ELEVATIONS
D-1	C (MOD.)	CONTROL STRUCTURE (SEE DETAIL, SHEET 7)	
D-2	C	+23.1'	+20.5' NEIE, +20.6' SIE
D-3	C	+23.1'	+20.7' NIE

DRAINAGE PIPE SCHEDULE

PIPE NUMBER	DESCRIPTION
P-1	27 LF 12" X 18" E.R.C.P. W/(1) 5' M.E.S. (32 LF TOTAL) NEIE = +19.3'
P-2	62 LF 15" ADS HP STORM W/(1) 6' M.E.S. (68 LF TOTAL) NWIE = +20.3'
P-3	51 LF 12" ADS HP STORM
P-4	223 LF 15" ADS HP STORM W/(1) 6' M.E.S. (229 LF TOTAL) SEIE = +20.3'
P-5	68 LF 14" X 23" E.R.C.P. W/(2) 5' M.E.S. (78 LF TOTAL) NWIE = +20.2', SEIE = +20.5'
P-6	6 LF 15" ADS HP STORM NEIE = +20.4'



LEGEND

PROPOSED GRADE - SPOT
(SPOT SHOWN IS PAVEMENT GRADE)
FINISH FLOOR ELEVATION
EXISTING GRADE - SPOT
PROPOSED STORMWATER CATCH BASIN
PROPOSED PAVEMENT
PROPOSED CONCRETE
PROPOSED MITERED-END SECTION
NEW REINFORCED CONCRETE PIPE
DRAINAGE PIPE NUMBER
DRAINAGE INLET NUMBER
INTENDED DIRECTION OF STORMWATER FLOW
EXISTING CATCH BASIN
EXISTING REINFORCED CONCRETE PIPE
RIGHT OF WAY
PUBLIC UTILITY EASEMENT
DRAINAGE EASEMENT
TYPICAL
EXISTING
SF
LF
CF
INVERT ELEVATION
ELEVATION
N.A.V.D.
WPP
T.O.B.
T.O.S.
CONC.
R.C.P.
E.R.C.P.
ADS
M.E.S.
EOP
D.D.A.
SW

1" = 30'

DATE: 05/2022
DESIGNED BY:
ADM
DRAWN BY:
ADM
CHECKED BY:
TDM
APPROVED BY:
TDM

REVISIONS
REVISED PER LC COMMENTS
1
DATE: 03/2022

DATE: 05/2022
DESIGNED BY:
ADM
DRAWN BY:
ADM
CHECKED BY:
TDM
APPROVED BY:
TDM

DRAWING NAME: 511 LEE BOULEVARD PAVING, GRADING, AND DRAINAGE PLAN

511 LEE BOULEVARD
PAVING, GRADING, AND
DRAINAGE PLAN

Civil Engineering and Planning
TDM CONSULTING, INC.
43 Barkley Circle, Suite 200
Fort Myers, FL 33907
Phone: (239) 433-4231
Fax: (239) 433-9632
Cert. of Authorization # 29086

Dean Martin, P.E.
Florida #52022
DATE: 05/2022
This plan has been digitally signed and sealed by Dean Martin on the date adjacent to the seal. Printed copies of this document are not considered signed and sealed for legal purposes.

6 of 16
SCALE: 1" = 30'

