

Exhibit E

RESOLUTION NUMBER Z-22-021

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

WHEREAS, H&M Development filed an application on behalf of the property owner, Unknown Heirs of Michael W. Strayhorn c/o Richard W. Pringle, to rezone a 2.74± acre parcel from Commercial Planned Development (CPD) to CPD in reference to Lehigh Acres Self Storage; and

WHEREAS, a public hearing before the Lee County Zoning Hearing Examiner, Donna Marie Collins, was advertised and held on June 16, 2022. At the conclusion of the hearing, the Hearing Examiner left the record open and requested Staff and the Applicant to submit written submissions to her Office on or before June 24, 2022; and

WHEREAS, the Hearing Examiner gave full consideration to the evidence in the record for Case #DCI2021-00052 and recommended APPROVAL of the Request; and

WHEREAS, a second public hearing was advertised and held on August 3, 2022 before the Lee County Board of Commissioners; and,

WHEREAS, the Lee County Board of Commissioners gave full and complete consideration to the recommendations of the staff, the Hearing Examiner, the documents on record and the testimony of all interested persons.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS:

SECTION A. REQUEST

The applicant filed a request to rezone a 2.74± acre parcel from CPD to CPD, to permit a maximum of 120,000 square feet of indoor self-storage (public warehouse) not to exceed 35 feet in height.

The property is located in the Central Urban Future Land Use Category and is legally described in attached Exhibit A. The request is APPROVED, SUBJECT TO the conditions and deviations specified in Sections B and C below.

SECTION B. CONDITIONS:

All references to uses are as defined or listed in the Lee County Land Development Code (LDC).

1. Master Concept Plan and Development Parametersa. Master Concept Plan (MCP).

Development must be substantially consistent with the one-page MCP entitled "Lehigh Acres Self Storage, 511 Lee Boulevard"; last revised June 2022 and stamped received by the Hearing Examiner on June 20, 2022 (Exhibit C).

b. Development Parameters.

The development intensity is limited to 120,000 square feet of floor area.

c. Development Regulations.

Development must comply with the Lee Plan and LDC at the time of local development order approval, except where deviations have been approved in this resolution. Subsequent amendments to the MCP or development parameters may be subject to future development approvals.

2. Schedule of Uses and Property Development Regulations

a. Schedule of Permitted Uses

Accessory Uses and Structures

Administrative Offices

Caretaker's Residence (limited to 1,500 square feet)

Essential Services

Essential Service Facilities, Group I

Fences, Walls

Parking Lot, Accessory

Storage, Indoor only

Temporary Uses

Warehouse, Public

b. Property Development Regulations

Minimum Lot Area and Dimensions

Area: 2.74 acres

Width: 400 feet

Depth: 320 feet

Minimum Building Setbacks

Rear Yard (south property line): 25 feet

Street: 25 feet

Accessory Structures: LDC standards

Maximum Lot Coverage: 40%

Maximum Building Height: 35 feet (3-stories maximum)

3. Architectural Requirements

a. North and East Building Elevation

The northern and eastern building elevations (visible from Lee Boulevard and Maine Place) must be in substantial compliance with the architectural renderings attached as Exhibit D. South and west building elevations must be designed with primary façade architectural features specified in LDC §§ 33-1415 and 33-1416.

The south and west building elevation may not include windows or glazing.

b. South and West Building Elevation

Entrances and exits are prohibited on the south and west building elevations, unless required by the Lehigh Acres Fire Control and Rescue District. If required by the fire district, those entrances/exits must be limited to emergency ingress/egress only.

c. Rooftop Mechanical Equipment

Mechanical equipment on the roof must include an architectural parapet wall to shield the equipment from the project perimeter, as viewed from ground level. Audible mechanical equipment, such as air conditioners and emergency backup power generators, etc. are prohibited on the south and west side of the building.

4. Open Space

Development order plans must reflect 0.82 acres of open space (30%).

5. Signs

a. Signs may not face residential development. The prohibition does not pertain to the following signs so long as graphics are limited to lettering no more than two inches high:

- i. instructional signs,
- ii. posted property signs,
- iii. warning signs,
- iv. required statutory signs, and signs pertaining to public safety/ law enforcement.

b. Ground-mounted signs must be perpendicular with Lee Boulevard and set back 190 feet from the west property line.

6. Vehicular Access Limited to Lee Boulevard

Vehicular access is prohibited to/from Ohio Road and Maine Place.

7. Open Storage and Outdoor Display Prohibited

Open storage and outdoor display of merchandise is prohibited. Addition of open storage or outdoor display of merchandise uses must be obtained through the public hearing process.

8. Accessory Structures

Accessory structures may not be located closer to the south property line than the principal structure.

9. Prior Zoning Approvals Void

Resolution Z-07-076 is superseded by this approval.

SECTION C. DEVIATIONS:

1. Refuse and solid waste disposal facilities. Deviation (1) seeks relief from the LDC §10-261(a) requirement that commercial businesses provide sufficient on-site space for the placement of garbage containers or receptacles, and sufficient space for recyclable materials collection containers, to permit the development to utilize rollout totes in lieu of dumpster and recycling container space. This deviation is DENIED.
2. Connection Separation. Deviation (2) seeks relief from the LDC §10-285(a), Table 1 Connection Separation standards for principal arterial roadways in future urban areas with a posted speed limit of 35 miles per hour to have a connection separation of 440 feet, and the prohibition on lots in urban areas with access alternatives from direct motor vehicle access to an arterial or major collector. The requested deviation would permit direct access onto Lee Boulevard with a connection separation of 186 feet between the project entrance and Maine Place. This deviation is APPROVED.
3. Street Design and Construction Standards. Deviation (3) seeks relief from the LDC §10-296(e), Table 4 requirement to provide a 10-foot-wide pedestrian facility for developments in Central Urban areas. The requested deviation would permit the existing seven-foot sidewalk along Lee Boulevard to remain. This deviation is APPROVED.
4. Deviation (4) Withdrawn.
5. Transportation. Deviation (5) seeks relief from the LDC §33-1414(1) requirement that new commercial development or redevelopment adjacent to Lee Boulevard must provide access to 5th Street West, 4th Street West, or other local, collector, or arterial roadway. The requested deviation would permit a full-access driveway on Lee Boulevard. This deviation is APPROVED.

SECTION D. EXHIBITS:

The following exhibits are attached to this resolution and incorporated by reference:

- Exhibit A: Legal description of the property
- Exhibit B: Zoning Map (with the subject parcel indicated)
- Exhibit C: The Master Concept Plan
- Exhibit D: Architectural Renderings

SECTION E. FINDINGS AND CONCLUSIONS:

Based upon its review, the Board of County Commissioners adopts the recommendation of the Hearing Examiner, including the following findings and conclusions:

1. The proposed Lehigh Acres Self Storage Commercial Planned Development complies with the Lee Plan. Lee Plan Goals 2, 4, 6, 25, Objectives 2.1, 2.2, 4.1, 6.1, Policies 1.1.3, 2.2.1, 5.1.5, 6.1.1, 6.1.3, 6.1.4, 6.1.6, 6.1.8, 17.3.5, 126.2.1.

2. *As conditioned*, the proposed CPD:
 - a. Meets the LDC and other county regulations or qualifies for deviations; LDC §§ 10-610, 30-6(d), 33-1400 *et seq.*, 34-6(4), 34-931(e), 34-932, 34-933, 34-934, 34-935;
 - b. Is compatible with existing and planned uses in the surrounding area. Lee Plan Objectives 2.1, 2.2, 29.9.2, Policies 1.1.3, 2.1.1, 2.2.1, 5.1.5, 6.1.4, 6.1.7;
 - c. Provides access sufficient to support the proposed development intensity. Expected impacts on transportation facilities will be addressed by county regulations and conditions of approval. Lee Plan Objective 39.1, Policies 2.2.1, 6.1.5, 39.1.1;
 - d. Will not adversely affect environmentally critical areas and natural resources. Lee Plan Goals 25, 77, Objectives 77.2, and Policies 6.1.6, 25.10.1, 126.2.1;
 - e. Will be served by public services including paved roads, potable water, sanitary sewer, urban surface water management, police, fire, and emergency services. Lee Plan Goals 2, 4, 6, Objectives 2.1, 2.2, 4.1, 6.1, 25.9, 53.1, 56.1, Policies 2.2.1, 6.1.5, 39.2.1, Standards 4.1.1 and 4.1.2; and
 - f. The proposed use is appropriate at the location. Lee Plan Goals 6, 25, Objectives 2.1, 2.2, 29.9.2, Policies 2.1.1, 2.1.2, 6.1.4, 6.1.7, 6.1.8.
3. Recommended conditions and applicable regulations provide sufficient safeguards to protect the public interest. In addition, recommended conditions reasonably relate to impacts expected from the proposed development.
4. *As conditioned*, the deviations:
 - a. Enhance the planned development; and
 - b. Preserve and promote the intent of the LDC to protect public health, safety, and welfare.

SECTION F. SCRIVENER'S ERRORS

The Board intends that this resolution can be renumbered or relettered and typographical errors that do not affect the intent and are consistent with the Board's action can be corrected with the authorization of the County Manager or his designee, without the need for a public hearing.

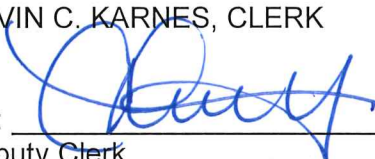
Commissioner Ruane made a motion to adopt the foregoing resolution, seconded by Commissioner Greenwell. The vote was as follows:

Adopted by unanimous consent.

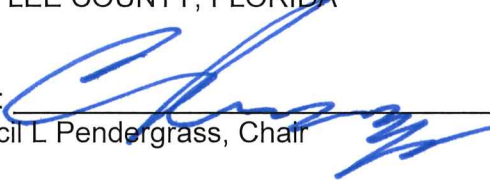
Kevin Ruane	Aye
Cecil L Pendergrass	Aye
Raymond Sandelli	Absent
Brian Hamman	Aye
Mike Greenwell	Aye

DULY PASSED AND ADOPTED this 3rd day of August 2022.

ATTEST:
KEVIN C. KARNES, CLERK

BY: 
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: 
Cecil L Pendergrass, Chair

APPROVED AS TO FORM FOR THE
RELIANCE OF LEE COUNTY ONLY


David W. Halverson
Assistant County Attorney
County Attorney's Office

RECEIVED
MINUTES OFFICE

2022 AUG 22 PM 2:20



EXHIBIT A

SKETCH TO ACCOMPANY DESCRIPTION
**LOTS 3, 23, 24, 25, 26 & 27, BLOCK 54,
LEELAND HEIGHTS, UNIT 11,**
(LEHIGH ACRES)
(PLAT BOOK 12, PAGES 50-55)
SECTION 32, TOWNSHIP 44 SOUTH, RANGE 27 EAST,
PUBLIC RECORDS OF LEE COUNTY, FLORIDA

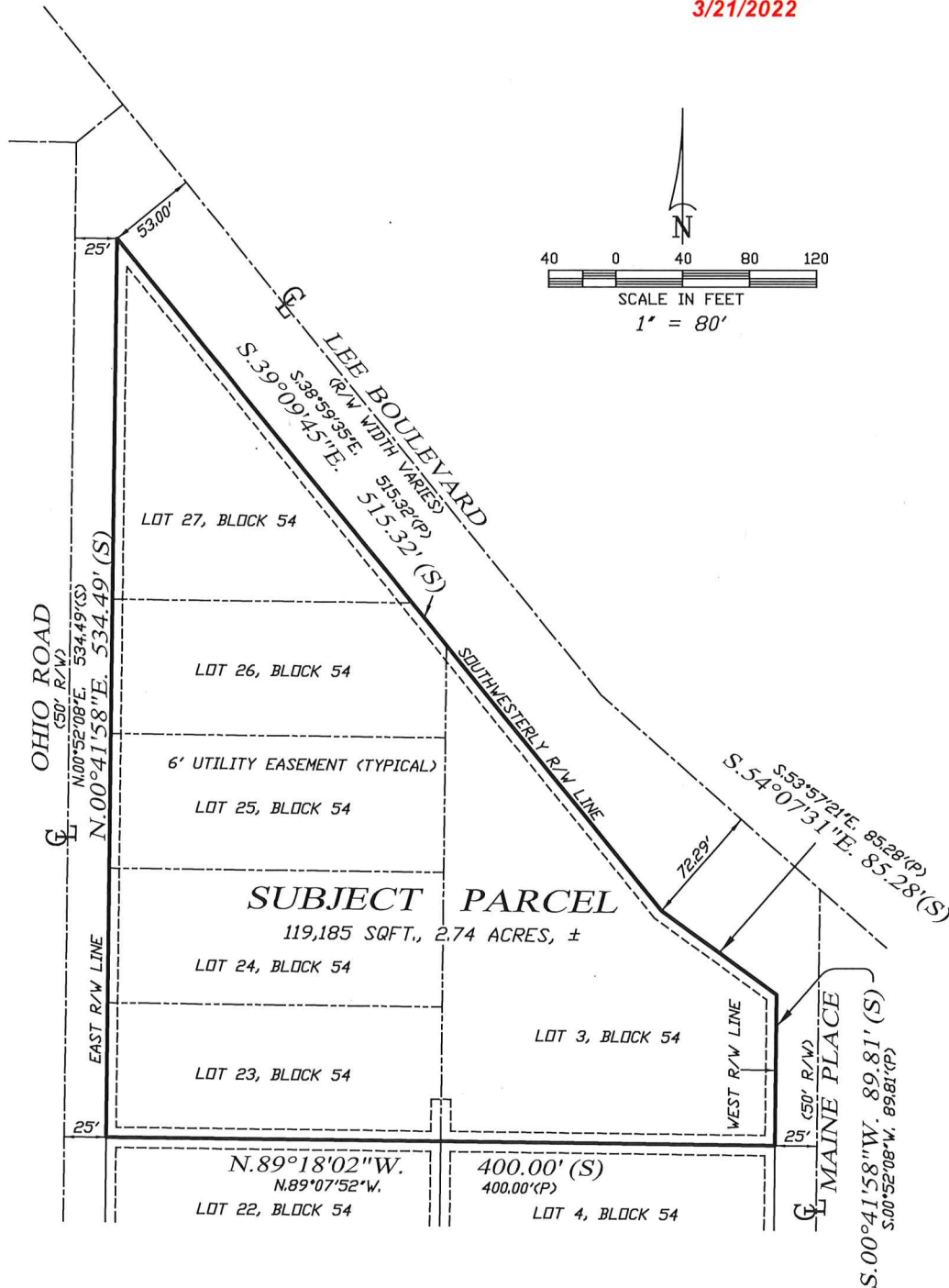
HARRIS-JORGENSEN, L.L.C.
3048 DEL PRADO BLVD. S., SUITE 100
CAPE CORAL, FLORIDA 33904
PHONE: (239) 257-2624
FAX: (239) 257-2921

FLORIDA CERTIFICATE OF
AUTHORIZATION LB6921

THIS IS NOT A BOUNDARY SURVEY

SEE EXHIBIT "A", SHEET 2 OF 2
FOR DESCRIPTION

REVIEWED
DCI2021-00052
Hunter Searson, GIS
Planner
Lee County Government
3/21/2022



DESCRIPTION TO ACCOMPANY SKETCH

EXHIBIT "A"**DESCRIPTION:** (PER TITLE CERTIFICATE)

LOT 3, BLOCK 54, LEELAND HEIGHTS, UNIT 11, SECTION 32, TOWNSHIP 44 SOUTH, RANGE 27 EAST, LEHIGH ACRES, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 12, PAGE 51, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

LOT 23, BLOCK 54, LEELAND HEIGHTS, UNIT 11, SECTION 32, TOWNSHIP 44 SOUTH, RANGE 27 EAST, LEHIGH ACRES, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 12, PAGE 51, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

LOT 24, BLOCK 54, LEELAND HEIGHTS, UNIT 11, SECTION 32, TOWNSHIP 44 SOUTH, RANGE 27 EAST, LEHIGH ACRES, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 12, PAGE 51, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

LOT 25, BLOCK 54, LEELAND HEIGHTS, UNIT 11, SECTION 32, TOWNSHIP 44 SOUTH, RANGE 27 EAST, LEHIGH ACRES, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 12, PAGE 51, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

LOT 26, BLOCK 54, LEELAND HEIGHTS, UNIT 11, SECTION 32, TOWNSHIP 44 SOUTH, RANGE 27 EAST, LEHIGH ACRES, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 12, PAGE 51, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

LOT 27, BLOCK 54, LEELAND HEIGHTS, UNIT 11, SECTION 32, TOWNSHIP 44 SOUTH, RANGE 27 EAST, LEHIGH ACRES, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 12, PAGE 51, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

Phillip M Mould, Digitally signed by
P.S.M. 6515 Phillip M Mould, P.S.M.
State of Florida Date: 2021.11.23
10:23:48 -05'00'

PHILLIP M MOULD
LS6515
NOVEMBER 23, 2021

NOTE:

THIS MAP/PLAT IS CONSIDERED SIGNED USING A DIGITAL SEAL IN ACCORDANCE WITH THE APPLICABLE STATE LAWS AND STATUTES FS 668.001-006; FS 668.50; FS 472.025; 5J-17.062, FLORIDA ADMINISTRATIVE CODE, STATE OF FLORIDA.

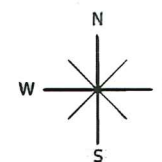


DCI2021-00052

Zoning

EXHIBIT B

 Subject Property



0 500
Feet



2022 JUN 20 PM 1:06

R	RADIUS (S' UNLESS OTHERWISE NOTED)
EX.	EXISTING
R/H	RIGHT-OF-WAY
E.O.P.	EDGE OF PAVEMENT
CONC.	CONCRETE
TYP.	TYPICAL
PROPOSED	PROPOSED
SF	SQUARE FEET
LF	LINEAR FEET
E.O.P.	EDGE OF PAVEMENT
P.U.E.	PUBLIC UTILITY EASEMENT
D.E.	DRAINAGE EASEMENT
LC	LEE COUNTY
L.P.	LIGHT POLE
LDC	LAND DEVELOPMENT CODE
N.T.S.	NOT TO SCALE
	NUMBER OF PARKING SPACES IN LOT
	PROPOSED PAVEMENT
	PROPOSED CONCRETE
	PROPOSED CONCRETE AROUND LOADING ZONE
	DEVIATION

$$1'' = 20'$$
[illegible]

LEHIGH ACRES SELF STORAGE
511 LEE BLVD, LEHIGH ACRES
MASTER CONCEPT PLAN

Civil Engineering
and
Planning

doan@tdmconsulting.com
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Cert. of Authorization # 29086

Don Martin, P.E.
Florida #52022

1 of 1

EXHIBIT D



H&M - SELF STORAGE
LEHIGH ACRES, FLORIDA

**KENNETH
CARLSON**
ARCHITECT, P.A.
DESIGN
PLANNING
INTERIORS



H&M - SELF STORAGE
LEHIGH ACRES, FLORIDA

KENNETH
CARLSON
ARCHITECT, P.A.
DESIGN
PLANNING
INTERIORS



