



**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.