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Fort Myers, FL 33907
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Certificate of Authorization # 29086**

Lehigh Acres Self Storage Narrative of Request

The Applicant rezoned the subject property from CPD to CPD via zoning resolution Z-22-010. During the 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.

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 dumpster pads 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. Please see the Schedule of Deviations for the request and justification.

**M E M O R A N D U M
FROM
THE OFFICE OF THE
LEE COUNTY HEARING EXAMINER**

DATE: June 22, 2022

**TO: Board of County Commissioners FROM: Donna Marie Collins
Lee County Chief Hearing Examiner**

**RE: LEHIGH ACRES SELF STORAGE
Hearing Examiner Recommendation**

Chief Hearing Examiner Donna Marie Collins has rendered a Recommendation on the following zoning request:

LEHIGH ACRES SELF STORAGE

DCI2021-00052

HEARD: June 16, 2022

The Zoning Section of the Department of Community Development will schedule a final hearing before the Board in the coming weeks.

cc: Michael Jacob, Esq. / County Attorney's Office
Joseph Adams, Esq. / County Attorney's Office
Anthony Rodriguez / Zoning Section
Adam Mendez / Zoning Section
Warren Baucom / Economic Development
Anura J. Karuna-Muni / Natural Resources
Jamie Prancing / Community Development
Applicant(s) & Representative(s)
Other Interested Parties

Summary of Hearing Examiner Recommendation

LEHIGH ACRES SELF STORAGE

(By TDM Consulting, on behalf of H & M Development)

Request:	Rezone from Commercial Planned Development (CPD) to CPD, to permit a maximum of 120,000 square feet of indoor self-storage not to exceed 35 feet in height.
Location:	511 Lee Boulevard Lehigh Acres Planning Community (District 5)
Size:	2.74 acres
Recommendation:	Approve
Deviations:	4
Public Concerns:	None

Hearing Examiner Remarks

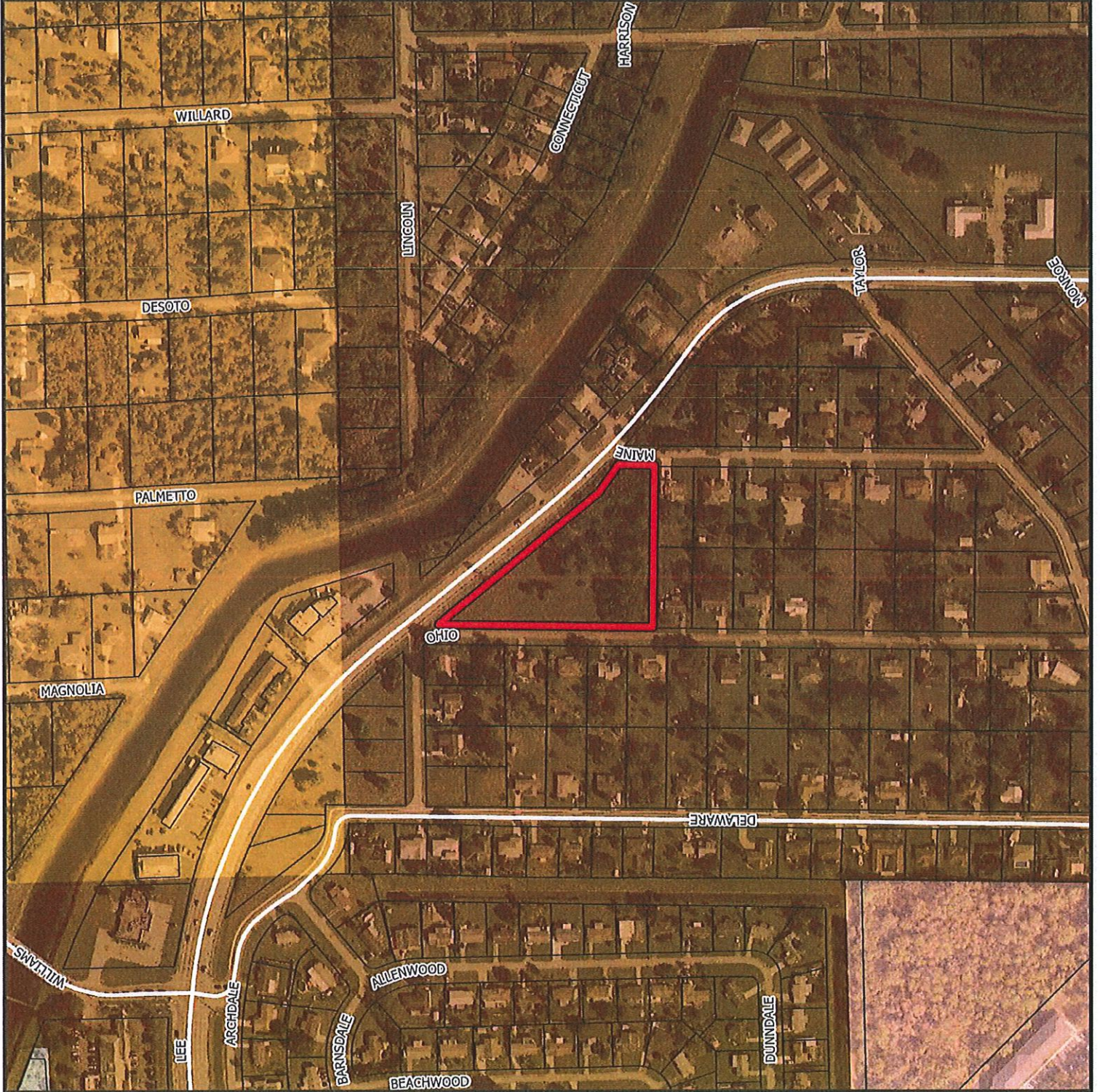
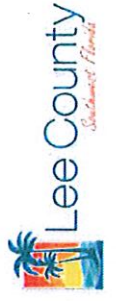
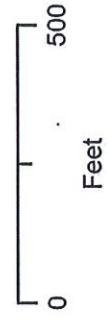
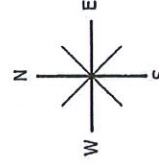
The zoning request seeks to replace existing commercial zoning approvals with an indoor self-storage facility. The proposed use is far less intense than the prior plan of development. Conditions of approval ensure the site is compatible with nearby residential land uses.

Detailed recommendation follows

DCI2021-00052

Future Land Use

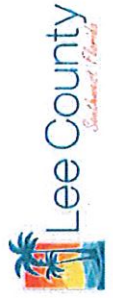
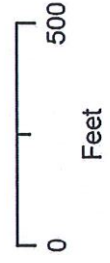
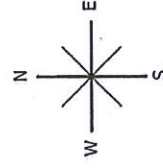
- Subject Property
- Intensive Development
- Central Urban
- Urban Community
- Public Facilities



DCI2021-00052

Mixed Use Overlay

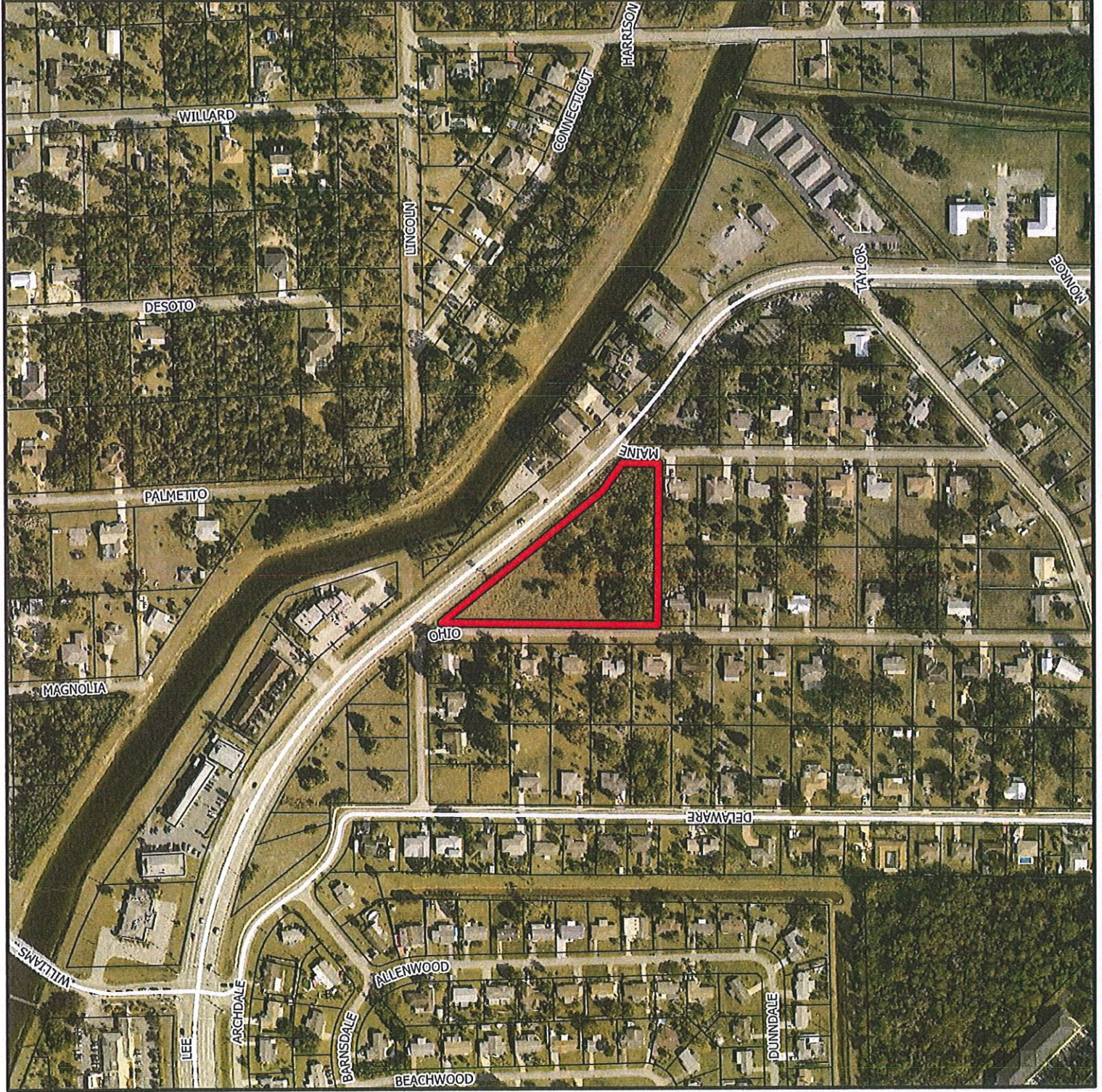
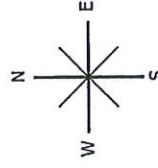
 Subject Property
 Mixed Use Overlay



DCI2021-00052

Aerial

 Subject Property



OFFICE OF THE HEARING EXAMINER, LEE COUNTY, FLORIDA

HEARING EXAMINER RECOMMENDATION

REZONING: DCI2021-00052

Regarding: LEHIGH ACRES SELF STORAGE

Location: 511 Lee Boulevard

Lehigh Acres Planning Community
(District 5)

Hearing Date: June 16, 2022

Record Closed: June 24, 2022

I. Request

Rezone 2.74 acres from Commercial Planned Development (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's legal description is set forth in Exhibit A.

II. Hearing Examiner Recommendation

Approval, subject to the conditions and deviations set forth in Exhibit B.

Discussion

The Hearing Examiner serves as an advisor to the Board of County Commissioners (Board) on applications to rezone property.¹ In furtherance of this duty, the Hearing Examiner accepted testimony and evidence on an application to rezone property to Commercial Planned Development (CPD) in Lehigh Acres.

In preparing a recommendation to the Board, the Hearing Examiner applies the Lee County Comprehensive Plan (Lee Plan), Land Development Code (LDC), and other County regulations to facts adduced at hearing. The record must include substantial competent evidence to support the recommendation to the Board.

Discussion supporting the Hearing Examiner's recommendation to approve the proposed Lehigh Acres Self Storage CPD follows below.

¹ LDC 34-145(d)(4)a.

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Zoning History

The site was zoned CPD in 2008 following assembly of six contiguous lots.² Following lot assembly, the property owner vacated the public utility easements between each lot. The site is triangular in shape and located at 511 Lee Boulevard.

The original CPD approval authorized development of 20,000 square feet of commercial uses. The property was never developed and remains vacant. If approved, the subject request will supersede prior development approvals.

Synopsis of Request

The request seeks approval of a minor CPD on 2.74 acres in Lehigh Acres. The plan of development would permit a three story, 120,000 square foot indoor self-storage facility.

Staff recommended approval.

Lee Plan

The property lies in the Central Urban future land use category within the Lehigh Acres planning community.³ Central Urban areas are heavily settled and slated to for the greatest range of public services.⁴ The property lies along Lee Boulevard, a major thoroughfare within Lehigh Acres. The Lee Boulevard road corridor is primarily developed with commercial land uses. Residential homes lie south and west.

The proposed site design buffers development from single family residences with a 25 foot wide landscape area. The MCP depicts 10% more open space than required by code, which contributes to compatibility with nearby residential uses. The proposed self-storage use is a low traffic generator, and is not anticipated to create objectionable noise, odors, or glare.

LDC

The proposed plan of development must comply with the LDC. Since the property is in the Lehigh Acres Planning Community, site development must comply with specialized landscape standards/buffers, light poles and lighting, architectural style, and signs.⁵ These requirements contribute to site compatibility with surrounding development.⁶

² Resolution Z-07-076 approved March 31, 2008. Lot assembly included lots 3, 23, 24, 25, 26, and 27 within Block 54 of Leeland Heights, Unit 11.

³ Lee Plan Maps 1-A, 1-B, 2-A.

⁴ Lee Plan Policy 1.1.3.

⁵ LDC §33-1400 *et seq.* Specifically, LDC 33-1405 (landscape/buffers), 33-1413 (decorative light poles), 33-1415 and 33-1416 (architecture), 33-1420 (signs and lighting). See also 34-625 (lighting).

⁶ Lee Plan Policy 5.1.5, 6.1.4

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Applicant hosted a meeting in the community to present the zoning request in accordance with LDC directives.⁷

Transportation

MCP proposes one access to Lee Boulevard, a county maintained arterial.⁸ All other roads surrounding the property are local roads adjacent to residential neighborhoods.

Arterial roadways must maintain a 440 foot separation between driveways. Applicant seeks a deviation from intersection separation standards on Lee Boulevard to allow a driveway within 186 feet of Maine Place. Staff recommended approval of deviation.

The proposed self-storage facility represents a reduction in traffic and commercial intensity as compared to the prior development approval. Projected trip generation suggest area roadways will continue to operate within acceptable levels of service.⁹

Environmental

Onsite vegetation consists of slash pines and an understory of exotic vegetation. No protected species inhabit the property. The MCP exceeds LDC open space requirements by .28 acres.¹⁰ The additional open space enhances compatibility with adjacent single family homes.¹¹ The MCP includes code compliant buffers along all right-of-ways and single family residences.¹²

Urban Services

The Lee Plan requires an evaluation of urban services during the rezoning process.¹³

⁷ Community meeting held before the Lehigh Acres Architectural, Planning, and Zoning Review Board on January 27, 2022 at 5:30 p.m. Lee Plan Policy 17.3.5; LDC 33-1401.

⁸ Lee County Administrative Code 11-1.

⁹ Staff Report Attachment J: Zoning Traffic Impact Statement for a Proposed Mini-Warehouse – Lehigh Acres Self Storage dated December 2021 by TDM Consulting, Inc. Also Staff Report Attachment K Memorandum from Lili, Wu, Senior Planner, Department of Community Development dated April 21, 2022

¹⁰ Master Concept Plan stamped received by Hearing Examiner June 20, 2022. See Exhibit B.

¹¹ Lee Plan Policies 5.1.5, 6.1.4, 135.9.5, 135.9.6

¹² Master Concept Plan (Exhibit B); See Staff Report Attachment M: Environmental Staff Report.

¹³ Lee Plan Policy 2.2.1.

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The following services and infrastructure are available to serve the project: paved roads, sidewalks, public water, sanitary sewer, surface water management, police, fire protection, and emergency medical services.¹⁴

The project will be subject to road, fire, and emergency services impact fees.

Public

Applicant held the requisite community meeting in January.¹⁵ No members of the public attended the hearing before the Hearing Examiner.

Conditions

The County must administer the zoning process so proposed land uses minimize adverse impacts on adjacent property and protect natural resources.¹⁶ Conditions must plausibly relate to anticipated impacts, and be pertinent to mitigating impacts to public health, safety, and welfare.¹⁷

The proposed CPD is subject to several conditions of approval. The conditions reasonably relate to the impacts anticipated from the development.¹⁸

The Hearing Examiner removed conditions restating LDC requirements. In addition, the Hearing Examiner revised recommended conditions/deviations to improve clarity.

Deviations

A “deviation” is a departure from a land development regulation.¹⁹ Applicants must demonstrate each requested deviation enhances the planned development and will not cause a detriment to the public.²⁰

The request seeks four deviations from LDC standards. Requested deviations pertain to refuse and solid waste disposal, connection separation, transportation,²¹ and access to Lee Boulevard. Staff recommended approval of all deviations finding they advance the objectives of the planned development and protect public health, safety, and welfare.

¹⁴ Lee Plan Objectives 53.1, 56.1, Policies 1.1.3, 6.1.4, 25.9.2; Lehigh Acres Fire Control and Rescue District, Station at 11 Homestead Rd. (1.2 miles) Lee County Sheriff at 1301 Homestead Rd. N. (1.0 miles). FGUA provided letters of availability for potable water and sanitary sewer.

¹⁵ LDC 33-1401.

¹⁶ LDC 34-145(d)(4)a.2.(b), LDC 34-377(a)(3), and 34-932(b and c). See also Lee Plan Policy 135.9.6.

¹⁷ LDC 34-932(c).

¹⁸ LDC 34-83(b)(4)a.3.

¹⁹ LDC 34-2.

²⁰ LDC 34-373(a)(9).

²¹ LDC 33-1414(1).

Applicant's request to deviate from providing a solid waste disposal area on the MCP is premature. Staff proposed conditions highlight 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.²²

The Hearing Examiner finds the remaining deviations meet LDC approval criteria.

III. **Findings and Conclusions**

The Hearing Examiner makes the following findings and conclusions based on the testimony and evidence in the record:

- A. 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.
- B. *As conditioned*, the proposed CPD:
 - 1. 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;
 - 2. 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;
 - 3. 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;
 - 4. 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;
 - 5. 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,

²² LDC 10-104(1).

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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

6. 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.
- C. 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.
- D. As conditioned, the deviations:
 1. Enhance the planned development; and
 2. Preserve and promote the intent of the LDC to protect public health, safety, and welfare.

Date of Recommendation: June 22, 2022.



Donna Marie Collins
Chief Hearing Examiner

Lee County Hearing Examiner
1500 Monroe Street, Suite 218
Post Office Box 398
Fort Myers, FL 33902-0398

Exhibits to Hearing Examiner Recommendation

Exhibit A Legal Description and Vicinity Map
Exhibit B Recommended Conditions and Deviations
Exhibit C Exhibits Presented at Hearing
Exhibit D Hearing Participants
Exhibit E Information

Case: DCI2021-00052

Exhibit A

LEGAL DESCRIPTION AND VICINITY MAP

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, LLC,
3040 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

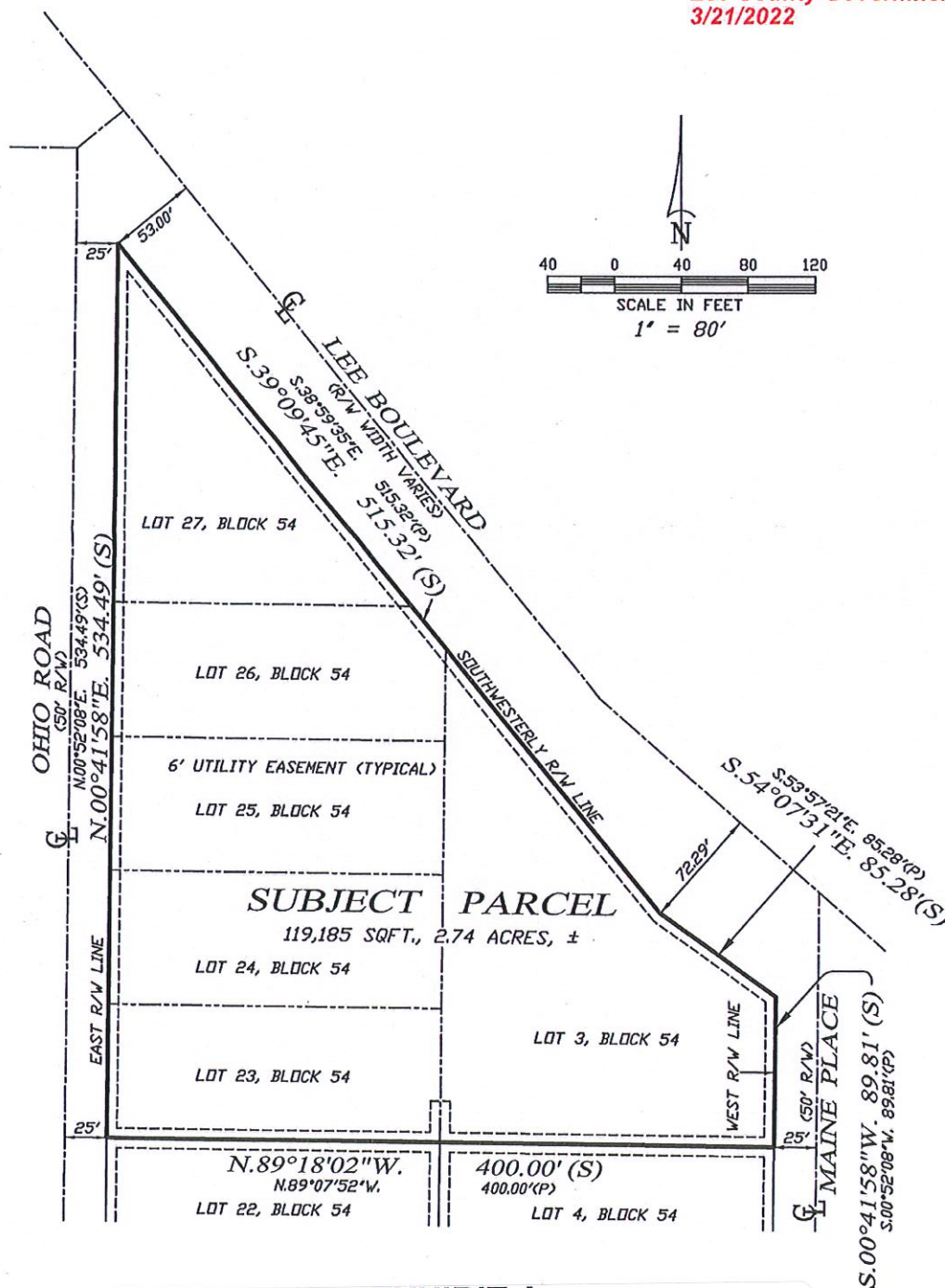


EXHIBIT A

DCI2021-00052 Lee County ePlan

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 6515 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.

JEN & B IN DEVELOPMENT, I.L.C., A FLORIDA LIMITED LIABILITY COMPANY,
 2500 N.W. 52ND ST., MIAMI, FLORIDA 33150
 THIS IS TO CERTIFY THAT THIS APP IS ON FILE AND THE SURVEY ON WHICH IT IS
 BASED WERE MADE IN ACCORDANCE WITH THE BEST AVAILABLE ESTABLISHED SURVEY
 RECORDS FOR ALA TOWNS LAND TITLE SURVEYS, JENOLY ESTABLISHED AND
 ACCEPTED BY ALA AND HOUS AND BEING THE TRACTS 1, 2, 3, 4, 5, 6, 11, 12, 13, 14, 16,
 17, 18 AND 19 OF T.46E R. 16E S. 16E, THE FIELD WORK WAS COMPLETED ON
 NOVEMBER 3, 1982

Phillip M. Mould, P.E.M.
 6515 State of Florida
 Tallahassee, Florida 32304
 904/224-1111

Phillip M. Mould, P.E.M.
 6515 State of Florida
 Tallahassee, Florida 32304
 904/224-1111

DCI2021-00052

Zoning

Subject Property

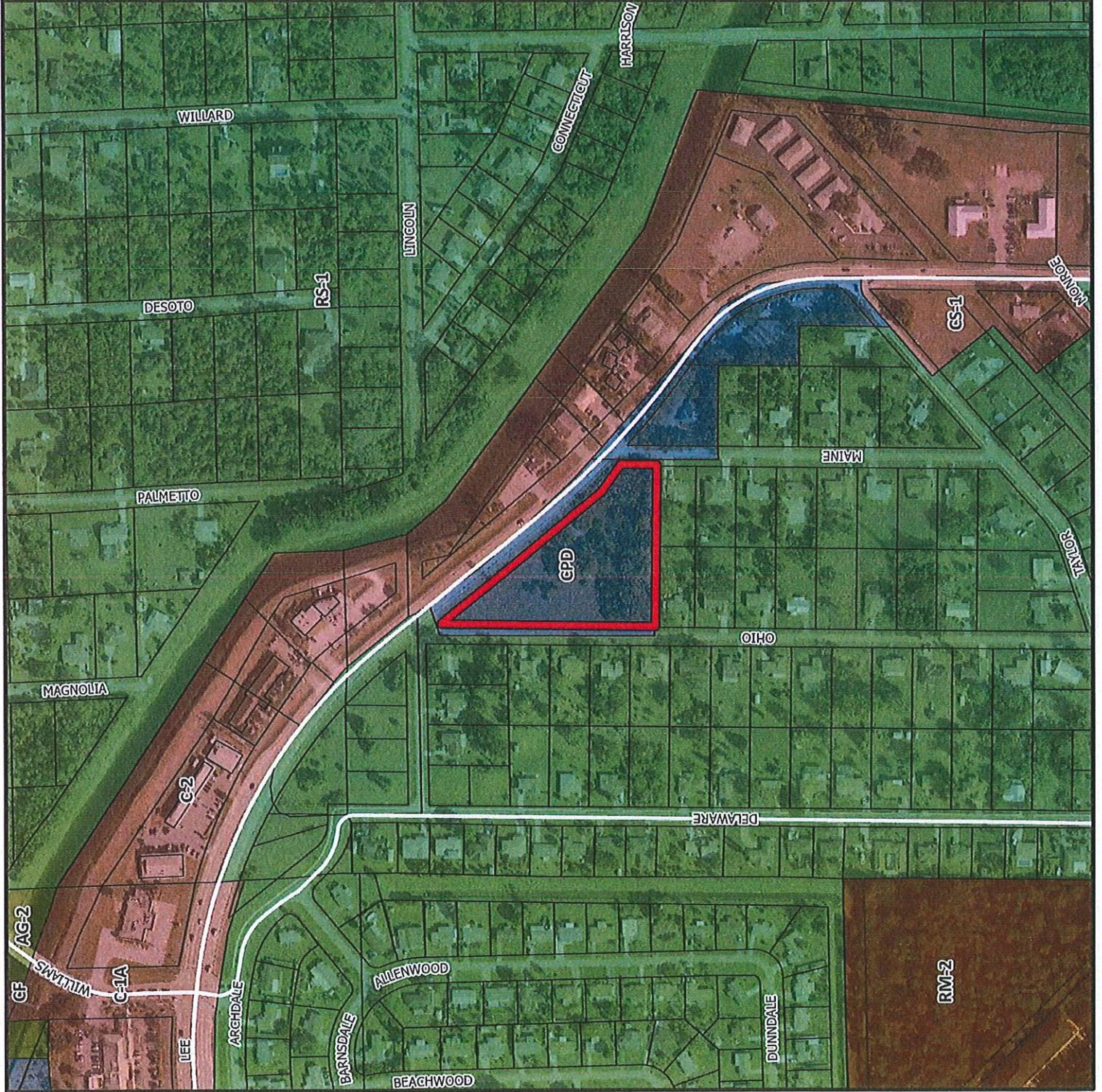
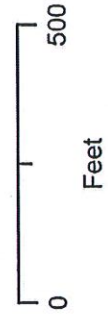
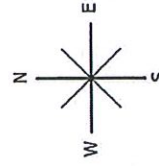


Exhibit B**RECOMMENDED CONDITIONS AND DEVIATIONS**

Hearing Examiner revised conditions/deviations to improve clarity

CONDITIONS**1. Master Concept Plan and Development Parameters**

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 B1)

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

Development Regulations. Development must comply with the Lee Plan and Land Development Code (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

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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 B2. 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:
 - instructional signs,
 - posted property signs,
 - warning signs,
 - required statutory signs, and signs pertaining to public safety/ law enforcement.

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- 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. Outdoor Lighting

~~Parking lot areas and building lighting must be sufficiently illuminated to create secure areas. Parking lot lamps must be hooded or globed and must not exceed 15 feet in height. All project lighting must comply with LDC standards prohibiting trespass onto adjacent property.~~

Hearing Examiner Recommendation: *Delete condition. It is a restatement of LDC criteria applicable to development under Condition 1. (LDC 33-1413(3) and 34-625)*

8.7. 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.

9.8. Accessory Structures

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

10. Connection to Public Water and Sanitary Sewer

~~Development must connect to public water. On-site well systems are prohibited, with the exception of an irrigation well. Development must connect to sanitary sewer unless developer demonstrates connection would result in a clearly unreasonable cost.~~

Hearing Examiner Recommendation: *Delete condition. It is a restatement of LDC criteria applicable to development under Condition 1.*

11.9. Prior Zoning Approvals Void

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

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DEVIATIONS

Deviation #1

Refuse and solid waste disposal facilities. 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.

Hearing Examiner Recommendation: Denied.

Deviation #2

Connection Separation. 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.

Hearing Examiner Recommendation: Approved.

Deviation #3

Street Design and Construction Standards. 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.

Hearing Examiner Recommendation: Approved.

Deviation #4

Withdrawn.

Deviation #5

Transportation. Seeks relief from 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

Hearing Examiner Recommendation: Approved.

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Exhibits to Conditions:

B1 Master Concept Plan Stamped received by Hearing Examiner Monday, June 20, 2022

B2 Architectural Renderings

LEE COUNTY
HEARING EXAMINER

2022 JUN 20 PM 1:06

STREET ADDRESS
511 LEE BOULEVARD
LEHIGH ACRES, FL 33936

STRAP NUMBER
32-44-27-11-00054.0030

PROJECT INFORMATION

CURRENT ZONING = CPD
PROPOSED ZONING = CPD
FUTURE LAND USE = CENTRAL URBAN
PROPOSED USE = PUBLIC WAREHOUSE
LOT AREA = 2.74 ACRES / 119,185 SF
MAX. HEIGHT = 35 FEET/3 STORIES
MIN. OPEN SPACE = 20%

OPEN SPACE REQUIREMENTS

PER LDC SEC. 10-415(A)
SMALL COMMERCIAL DEVELOPMENT = 20%
REQUIRED: 119,185 SF X 20% = 23,837 SF
PROVIDED: 7,691 SF (SOUTH BUFFER) + 18,045 SF (ODA #1)
10,044 SF (ODA #2) = 35,760 SF (30%)

LEGEND

RADIUS (5' UNLESS OTHERWISE NOTED)
EX. EXISTING
R/W RIGHT-OF-WAY
E.O.P. EDGE OF PAVEMENT
CONC. CONCRETE
TYP. TYPICAL
PROP. 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
10SP NUMBER OF PARKING SPACES IN LOT
PROPOSED PAVEMENT
PROPOSED CONCRETE
PROPOSED CONCRETE AROUND LOADING ZONE
DEVIATION

1" = 20'

ZONING: RS-1
USE: SF RESIDENTIAL

ZONING: C-2
USE: COMMERCIAL
TRULY NOLEN
AND RESTAURANT

EXISTING
COMMERCIAL
DRIVEWAY

PROPOSED WAREHOUSE
HEIGHT: 35 FEET/3-STORIES

ZONING: CPD
USE: REAL ESTATE OFFICE

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

Civil Engineering
and
Planning



dean@tdmconsulting.com
www.tdmcivilengineering.com



43 Barkley Circle, Suite 200
Fort Myers, FL 33907
Phone: (239) 433-4221
Fax: (239) 433-8632
Cert. of Authorization # 250886

DATE:
Don Martin, P.E.
Florida #22022
The Seal has been created and signed by Don Martin, P.E.
on 06/20/2022. It is the responsibility of the Engineer to
ensure that the project complies with all applicable
regulations and standards.

SHEET #
1 of 1
SCALE: AS NOTED

EXHIBIT B2

ATTACHMENT E



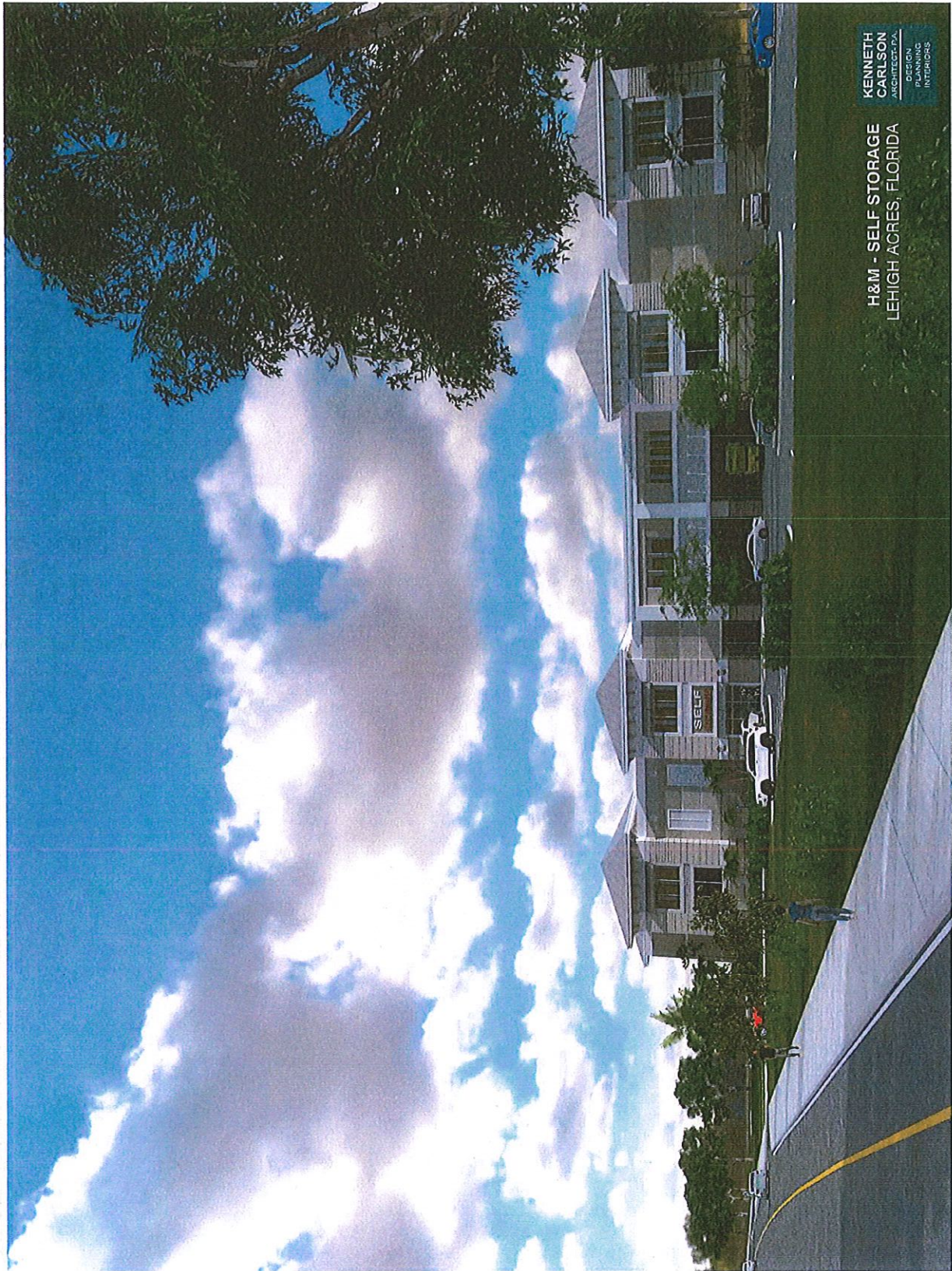
KENNETH
CARLSON
ARCHITECT P.A.
DESIGN
PLANNING
INTERIORS

H&M - SELF STORAGE
LEHIGH ACRES, FLORIDA



KENNETH
CARLSON
ARCHITECTURAL
DESIGN
LANDSCAPING
INTERIORS

H&M - SELF STORAGE
LEHIGH ACRES, FLORIDA



KENNETH
CARLSON
ARCHITECT P.A.
DESIGN
BUILDING
INTERIORS

H&M - SELF STORAGE
LEHIGH ACRES, FLORIDA



H&M - SELF STORAGE
LEHIGH ACRES, FLORIDA

KENNETH
CARLSON
ARCHITECT P.A.

DESIGN
LANDSCAPE
INTERIORS

Case: DCI2021-00052

Exhibit C

EXHIBITS PRESENTED AT HEARING

STAFF EXHIBITS

1. *DCD Staff Report with attachments for DCI:* Prepared by Adam Mendez, Planner, date stamped received June 2, 2022 (multiple pages – 8.5"x11" and 11"x14") [black and white, color]
2. *PowerPoint Presentation:* Lehigh Acres Self Storage, DCI2021-00052, 511 Lee Boulevard, Lehigh Acres, photo dated 1/24/2022 (multiple pages – 8.5"x11"0[color]
3. *Master Concept Plan:* Prepared by TDM Consulting, Inc., last revised per Lee County staff report 06/2022, sheet 1 of 1 (1 page – 11"x17") (Superseded by Applicant's post hearing written submission)

APPLICANT EXHIBITS

- a. *48-Hour Notice:* Email from Veronica Martin, TDM Consulting, Inc., to Hearing Examiner, with copies to Anthony Rodriguez and Adam Mendez, dated Tuesday, June 14, 2022 7:21 AM (2 pages – 8.5"x11" and 11"x17")
1. *PowerPoint Presentation:* Lehigh Acres Self Storage, DCI2021-00052, dated June 16, 2022 (multiple pages – 8.5"x11")[color]
2. *Master Concept Plan:* Prepared by TDM Consulting, Inc., sheet 1 of 1 (1 page – 24"x36")
3. *Email:* From Justin Lighthall, Manager of Public Utilities, Department of Solid Waste, to Veronica Martin, TDM Consulting, Inc., dated Thursday, January 27, 2022 10:41 AM (2 pages – 8.5"x11")
4. *Written Submissions:* Email from Veronica Martin, TDM Consulting, Inc., to Maria Perez, Adam Mendez, Hearing Examiner, Anthony Rodriguez, Joey Dornbusch, and Dean Martin, dated Monday, June 20, 2022 12:31 PM (2 pages – 8.5"x11" and 1 page – 11"x17")

Case: DCI2021-00052

Exhibit D

HEARING PARTICIPANTS

County Staff:

1. Adam Mendez

Applicant Representatives:

1. Dean Martin
2. Veronica Martin

Public Participants:

None

Case: DCI2021-00052

Exhibit E
INFORMATION

UNAUTHORIZED COMMUNICATIONS

The LDC prohibits communications with the Hearing Examiner or her staff on the substance of pending zoning actions. There are limited exceptions for written communications requested by the Hearing Examiner, or where the Hearing Examiner seeks advice from a disinterested expert.

HEARING BEFORE LEE COUNTY BOARD OF COUNTY COMMISSIONERS

- A. The Hearing Examiner will provide a copy of this recommendation to the Board of County Commissioners.
- B. The Board will hold a final hearing to consider the Recommendation and record made before the Hearing Examiner. The Department of Community Development will notify hearing participants of the final hearing date. Only Parties and participants may address the Board at the final hearing. Presentation by participants are limited to the substance of testimony presented to the Hearing Examiner, testimony concerning the correctness of Findings of Fact or Conclusions of Law contained in the Recommendation, or allegations of relevant new evidence not known or that could not have been reasonably discovered by the speaker at the time of the Hearing Examiner hearing.

COPIES OF TESTIMONY AND TRANSCRIPTS

- A. Every hearing is recorded. Recordings are public records that become part of the case file maintained by the Department of Community Development. The case file and recordings are available for public examination Monday through Friday between 8:00 a.m. and 4:30 p.m.
- B. A verbatim transcript may also be available for purchase from the court reporting service.