

**DSO ADMINISTRATIVE DEVIATION
LEE COUNTY, FLORIDA**

WHEREAS, ROC Wash Holdings, LLC has filed an application for approval of administrative deviations from the technical requirements of the Lee County Land Development Code for property known as 2910 Lee Boulevard, Fort Myers, FL described more particularly as:

LEGAL DESCRIPTION: In Section 25, Township 44 South, Range 26 East, Lee County, Florida:

ATTACHED AS EXHIBIT "A"

WHEREAS, the property is zoned C-2 (Commercial) and is located in the Central Urban Future Land Use Map designation in Lee County; and

WHEREAS, an application for administrative deviations from the technical requirements of Chapter 10 of the Lee County Land Development Code have been filed; and

WHEREAS, Lee County Land Development Code, as amended, provides for administrative deviations from certain technical requirements for matters involving streets, access streets, intersections, rights-of-way, drainage swales, public water, public sewer, water mains, mass transit facilities, setbacks for water retention/detention excavations, indigenous native vegetation and similar matters not related to a change in use of the property in question; and

WHEREAS, 5th Street West is a county-maintained, minor collector roadway with a speed limit of 30 miles per hour; and

WHEREAS, a deviation is requested from Lee County Land Development Code Section 10-296(d)(4)(c) which requires 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 to allow roadside swales with side slopes of three horizontal to one vertical with a minimum depth of 12 inches as shown on the site plan enclosed as Exhibit "B"; and

WHEREAS, the existing right-of-way width of 5th Street West of 50 feet significantly limits the cross sectional area needed to meet the street design and construction standards for urban minor collectors as depicted in LDC 10-296(e), Table 7; and

WHEREAS, Swale side slopes of three horizontal to one vertical is based on sound engineering design and is permitted on privately-maintained roadways; and

WHEREAS, a deviation is requested from Lee County Land Development Code Section 10-296(e), Table 7, which requires the installation of an eight-foot-wide pedestrian facility along the subject parcel frontage on 5th Street West to allow the installation of a six-foot-wide pedestrian facility; and

WHEREAS, the site has dual frontage on 5th Street West and Lee Boulevard which

significantly reduces the developable area on-site through required buffering and setbacks which impacts the ability to locate the required 8-foot-wide pedestrian facility on-site; and

WHEREAS, the granting of the requested deviations will allow the redevelopment of the subject parcel while providing drainage and pedestrian facilities within the right-of-way of 5th Street West; and

WHEREAS, Lee County Department of Transportation (LCDOT) has reviewed the requested administrative deviations and has no objection; and

WHEREAS, the applicant has requested a deviation to the roadside swale slope requirements in Land Development Code Section 10-296(d)(4)(c) and pedestrian facility width requirements in Land Development Code Section LDC 10-296(e), Table 7; and

WHEREAS, the following findings of fact are offered:

- (a) That the proposed alternative to allow roadside swales with side slopes of three horizontal to one vertical with a minimum depth of 12 inches and to allow the installation of a six-foot-wide pedestrian facility as shown on the site plan enclosed as Exhibit "B" is based on sound engineering practice in consideration of the following criteria:
 - i The reduced pedestrian facility width and steeper swale side slopes will allow the proposed improvements to fit within the 50 foot right-of-way of 5th Street West.
 - ii Lee County Department of Transportation has reviewed the requested deviations and has no objection.
 - iii The use of three feet horizontal to one foot vertical side slopes is allowable under current Land Development Code regulations for privately maintained roadways.
- (b) That said proposed alternative is no less consistent with the health, safety, and welfare of abutting land owners and the general public than the standard from which the deviation was requested; and
 - i The reduced width pedestrian facility will allow the sidewalk to be located further from the traffic lanes on 5th Street West.
 - ii The steeper swale side slopes will not negatively impact the health, safety, and welfare of the public.
- (c) The granting of the deviations are not inconsistent with any specific directive of the Board of County Commissioners, any other ordinance, or any Lee Plan Provision.

NOW, THEREFORE, IT IS HEREBY DETERMINED that the application for Administrative Deviations from Lee County Land Development Code Section 10-296(e), Table 7, and 10-296(d)(4)(c) are approved as conditioned:

- (a) That approval is subject to substantial compliance with the alternative proposal plan entitled "2910 Lee Boulevard – Site Dimension Plan, signed and sealed 11/03/2022 by Thomas Dean Martin, P.E. and attached as Exhibit "B"; and

(b) If it is determined that inaccurate or misleading information was provided

to the County or if this decision does not comply with the LDC when rendered, then, at any time, the Director may issue a modified decision that complies with the Code or revoke the decision. If the approval is revoked, the applicant may acquire the necessary approvals by filing an application for public hearing in accordance with Chapter 34.

Duly passed, adopted, and electronically signed on 12/9/2022

Jessica Sulzer, PE, Manager

Exhibits

Exhibit A – Legal Description

Exhibit B – “2910 Lee Boulevard – Site Dimension Plan, signed and sealed 11/03/2022 by Thomas Dean Martin, P.E..

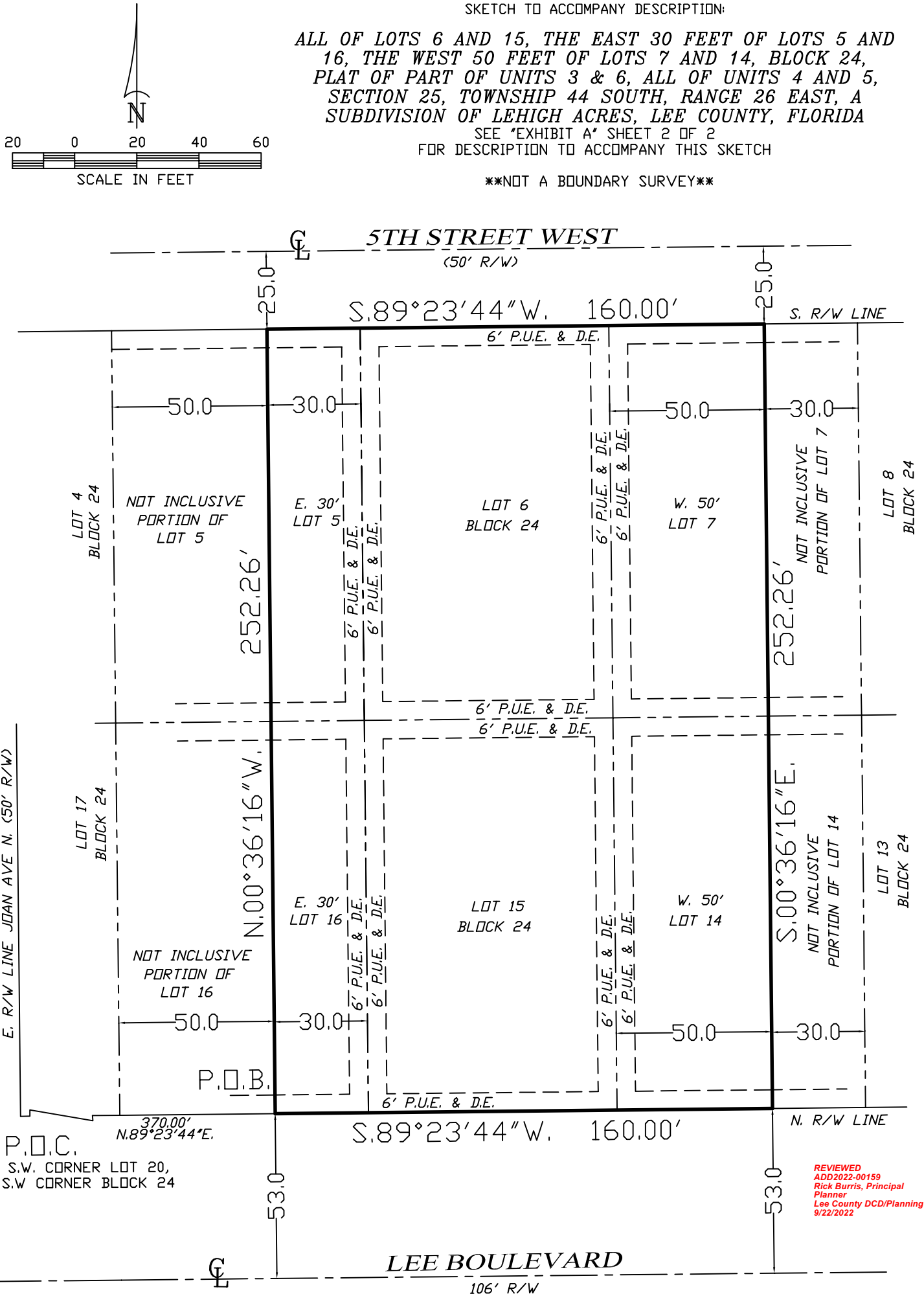
Exhibit A

SKETCH TO ACCOMPANY DESCRIPTION:

ALL OF LOTS 6 AND 15, THE EAST 30 FEET OF LOTS 5 AND 16, THE WEST 50 FEET OF LOTS 7 AND 14, BLOCK 24, PLAT OF PART OF UNITS 3 & 6, ALL OF UNITS 4 AND 5, SECTION 25, TOWNSHIP 44 SOUTH, RANGE 26 EAST, A SUBDIVISION OF LEHIGH ACRES, LEE COUNTY, FLORIDA

SEE "EXHIBIT A" SHEET 2 OF 2 FOR DESCRIPTION TO ACCOMPANY THIS SKETCH

NOT A BOUNDARY SURVEY



REVIEWED
ADD2022-00159
Rick Burris, Principal
Planner
Lee County DCD/Planning
9/22/2022

SURVEY NOTES:

1. BASIS OF BEARING SHOWN HEREON TAKEN FROM THE NORTH RIGHT-OF-WAY LINE OF LEE BOULEVARD, AS BEING N89°23'44"E.
2. FIELD NOTES IN LEHIGH ACRES UNIT 3 FILE.
3. SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.
4. THIS CERTIFICATION IS ONLY FOR LANDS DESCRIBED HEREON. IT IS NOT A CERTIFICATION OF TITLE, ZONING OR FREEDOM OF ENCUMBRANCES.
5. THIS SKETCH DOES NOT CONSTITUTE A TITLE OR EASEMENT SEARCH AND WAS BASED ON DESCRIPTION FURNISHED BY CLIENT AND/OR FOUND MONUMENTATION IN THE FIELD.
6. UNDERGROUND STRUCTURES AND UTILITIES, IF ANY, ARE NOT INCLUDED.
7. THIS MAP/PLAT IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
8. ALL BEARINGS AND DISTANCES ARE PLAT AND MEASURED, UNLESS OTHERWISE SHOWN.
9. THIS SKETCH IS INTENDED TO BE VIEWED AS AN 8 1/2 x 14", 40 SCALE DRAWING.

LEGEND:

P.U.E.	PUBLIC UTILITY EASEMENT
D.E.	DRAINAGE EASEMENT
(1)	CURVE NUMBER
R/W	RIGHT-OF-WAY
CL	CENTERLINE
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCEMENT

LA-U3-24-6

HARRIS-JORGENSEN, LLC.
3048 DEL PRADO BLVD. S. #100
CAPE CORAL, FL. 33904
239-257-2624

"EXHIBIT C"

DESCRIPTION TO ACCOMPANY SKETCH:

*ALL OF LOTS 6 AND 15, THE EAST 30 FEET OF LOTS 5 AND 16, THE
WEST 50 FEET OF LOTS 7 AND 14, BLOCK 24,
PLAT OF PART OF UNITS 3 & 6, ALL OF UNITS 4 AND 5, SECTION
25, TOWNSHIP 44 SOUTH, RANGE 26 EAST, A SUBDIVISION OF
LEHIGH ACRES, LEE COUNTY, FLORIDA.*

****NOT A BOUNDARY SURVEY****

DESCRIPTION:

A PLOT OR PARCEL OF LAND LYING IN A PORTION OF BLOCK 24, PLAT OF PART OF UNITS 3 AND 6 ALL OF 4 AND 5, SECTION 25, TOWNSHIP 44 SOUTH, RANGE 26 EAST, A SUBDIVISION OF LEHIGH ACRES, LEE COUNTY, FLORIDA, SAID PLOT OR PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCING AT A POINT ALONG THE EAST RIGHT OF WAY OF JOAN AVENUE NORTH (50 FEET WIDE) AND THE SOUTHEAST CORNER OF LOT 20 OF THE AFORESAID BLOCK 24; THENCE RUN N.89°23'44"E. ALONG THE NORTH RIGHT OF WAY LINE OF LEE BOULEVARD (106 FEET WIDE) FOR 370.00 FEET TO THE POINT OF BEGINNING; THENCE RUN N.00°36'16"W. TO A POINT ALONG THE SOUTH RIGHT OF WAY LINE OF 5TH STREET WEST (50 FEET WIDE) FOR 252.26 FEET; THENCE RUN N.89°23'44"E. ALONG THE SOUTH RIGHT OF WAY LINE OF 5TH STREET WEST (50 FEET WIDE) FOR 160.00 FEET; THENCE RUN S.00°36'16"E. TO A POINT ALONG THE NORTH RIGHT OF WAY LINE OF THE AFORESAID LEE BOULEVARD (106 FEET WIDE) FOR 252.26 FEET; THENCE RUN S.89°23'44"W. ALONG SAID NORTH RIGHT OF WAY LINE OF LEE BOULEVARD (106 FEET WIDE) FOR 160.00 FEET TO THE POINT OF BEGINNING.

CONTAINING: 40,361.60 SQUARE FEET, OR 0.93 ACRES, MORE OR LESS.



PHILLIP M. MOULD
PROFESSIONAL SURVEYOR AND MAPPER
LS6515 - STATE OF FLORIDA
02/03/2022

REVIEWED
ADD2022-00159
Rick Burris, Principal
Planner
Lee County DCD/Planning
9/22/2022

LA-U3-24-6

HARRIS-JORGENSEN, LLC.
3048 DEL PRADO BLVD. S. #100
CAPE CORAL, FL. 33904
239-257-2624

STREET ADDRESS

2910 LEE BOULEVARD
LEHIGH ACRES, FL 33971

STRAP NUMBER

25-44-26-03-00024.0060

STORMWATER MANAGEMENT INFORMATION

PER DESIGN CALCULATIONS:
MIN. PARKING LOT ELEVATION = +26.49' (N.A.V.D.)
MIN. PERIMETER BERM ELEVATION = +26.49' (N.A.V.D.)
MIN. FINISHED FLOOR ELEVATION = +27.56' (N.A.V.D.)

PER CONSTRUCTION PLANS:
MIN. GRADE FOR PARKING LOT = +26.49' (N.A.V.D.)
MIN. GRADE FOR PERIMETER BERM = +26.5' (N.A.V.D.)
MIN. GRADE FOR FINISHED FLOOR = +28.00' (N.A.V.D.)

W.S.W.T. EL. = +21.8' N.A.V.D. (PER ADJACENT DOS2021-00082)
THE CONVERSION FACTOR FROM NGVD TO NAVD IS "-1.20'".

FLOOD ZONE

THE PARCEL IS LOCATED IN FLOOD ZONE "X"
THIS INFORMATION WAS TAKEN FROM THE BOUNDARY SURVEY
PROVIDED BY HARRIS-JORGENSEN, INC. DATED 02-01-22

STORMWATER CALCULATIONS

TOTAL DETENTION REQUIRED:

= 1" X TOTAL PARCEL AREA X 1'/12"
= 1" X 40,361 SF X 1'/12"
= 3,363 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 (25,654 SF - 3,849 SF)/(40,361 SF - 3,849 SF)
X 40,361 SF X 1'/12" = 5,021 CF
= 5,021 CF X 0.50 (DRY RETENTION) = 2,510 CF

TOTAL DETENTION PROVIDED:

= VOLUME IN DRA #1 + DRA #2
= 5,244 CF + 870 CF = 6,114 CF

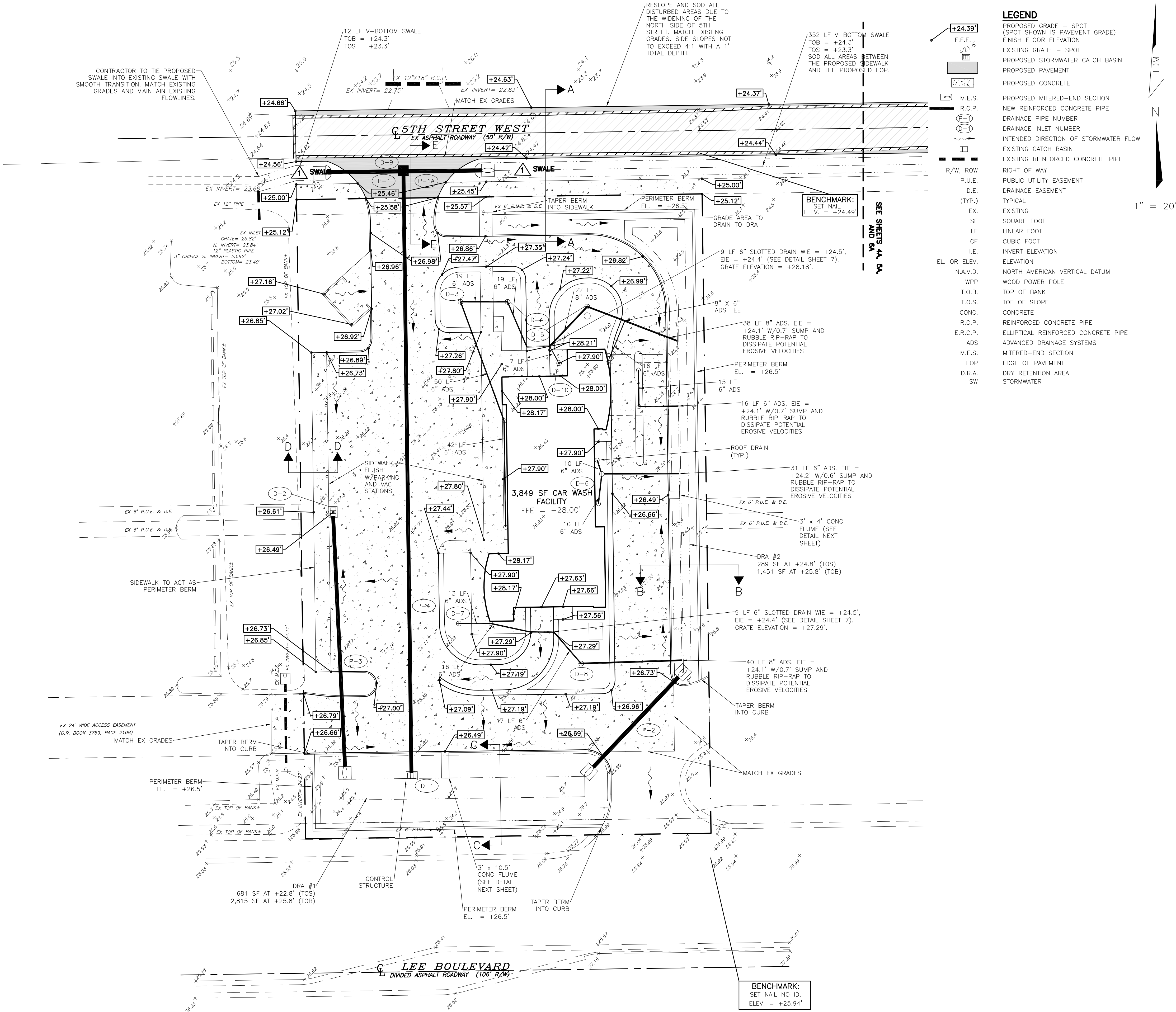
DRAINAGE STRUCTURE SCHEDULE

INLET NUMBER	INLET TYPE	GRATE ELEVATION	INVERT ELEVATIONS
D-1	C (MOD.)	CONTROL STRUCTURE (SEE DETAIL, SHEET 7)	
D-2	C	+26.49'	+24.1' SIE
D-3	YD	+27.0'	+24.8' EIE, +24.9' SIE
D-4	YD	+27.0'	+24.7' WIE, +24.6' SEIE
D-5	YD	+26.7'	+24.3' SWIE, +24.2' SEIE
D-6	YD	+27.0'	+24.4' NIE, +24.4' SIE, +24.3' EIE
D-7	YD	+27.0'	+24.8' EIE
D-8	YD	+26.7'	+24.2' EIE, +24.3' NWIE
D-9	JB*	+27.50'	+23.2' SIE, +23.1' EIE, +23.0' WIE
D-10	YD	+27.90'	+24.5' NWIE

* = 4' X 4' JUNCTION BOX WITH SOLID TRAFFIC BEARING LID

DRAINAGE PIPE SCHEDULE

PIPE NUMBER	DESCRIPTION
P-1	29 LF 12" X 18" E.R.C.P. W/(1) 5' M.E.S. (34 LF TOTAL) WIE = +22.9' W/O.2' SUMP
P-1A	29 LF 12" X 18" E.R.C.P. W/(1) 5' M.E.S. (34 LF TOTAL) EIE = +23.1'
P-2	49 LF 12" X 18" E.R.C.P. W/(2) 5' M.E.S. (59 LF TOTAL) NEIE = +24.6', SWIE = +22.6'
P-3	99 LF 12" X 18" E.R.C.P. W/(1) 5' M.E.S. (104 LF TOTAL) SIE = +22.6'
P-4	238 LF 12" X 18" E.R.C.P.



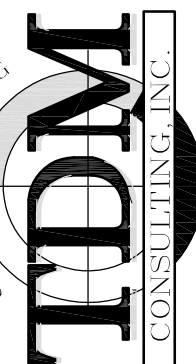
LEGEND

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
CUBIC FOOT
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.R.A.
SW

2910 LEE BOULEVARD

PAVING, GRADING, AND
DRAINAGE PLAN

Civil Engineering
and
Planning



43 Barkley Circle, Suite 200
Fort Myers, FL 33907
Phone: (239) 433-4231
Fax: (239) 433-9632
Cert. of Authorization # 29086

Digitally signed
by Thomas
Date: 2022.11.03
09:41:20 -0400



Dean Martin, P.E.
Florida #52022
This form has been digitally signed and sealed by Dean Martin on the
code adjacent to the seal. Printed copies of this document are not
considered signed and sealed for electronic copies.

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SCALE: 1" = 20'

