

Administrative Deviation: **ADD2022-00200**

**DSO ADMINISTRATIVE DEVIATION
LEE COUNTY, FLORIDA**

WHEREAS, Easy Park N Stor, LLC, has filed an application for approval of an administrative deviation from the technical requirements of the Lee County Land Development Code, for property located at 2750 N Tamiami Trail, North Fort Myers, FL; and

LEGAL DESCRIPTION: In Section 27, Township 43 South, Range 24 East, Lee County, Florida:

ATTACHED AS EXHIBIT "A"

WHEREAS, the applicant has indicated that the property's current STRAP number is 27-43-24-00-00008.0020; and

WHEREAS, the property is zoned Commercial (C-1A) as is located in the Central Urban Future Land Use Map designation in Lee County; and

WHEREAS, an application for an administrative deviation from the technical requirements of Chapter 10 of the Lee County Land Development Code has 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, the subject property is located in the North Fort Myers Planning Community and the North Fort Myers Commercial Corridor as defined in Land Development Code Chapter 33, Article VIII, Division 1 and Division 3; and

WHEREAS, a deviation is requested from Lee County Land Development Code Section 10-610(e) and Section 33-1548 which requires adjacent commercial uses to provide parking lot interconnections for automobile, bicycle, and pedestrian traffic to provide no parking lot interconnections for automobile, bicycle, and pedestrian traffic.

WHEREAS, the subject property will be surrounded by a perimeter security fence which will restrict access to a mini-warehouse and recreational vehicle storage area; and

WHEREAS, the required interconnection would be detrimental to providing

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security at the subject site; and

WHEREAS, commercially zoned properties that are adjacent to the site have existing access to a State-maintained right-of-way and will not benefit from the required interconnection; and

WHEREAS, the applicant has requested a deviation from Lee County Land Development Code Section 10-610(e) and Section 33-1548; and

WHEREAS, the following findings of fact are offered:

- (a) That the proposed alternative to allow no parking lot interconnection for automobile, bicycle, and pedestrian traffic is based on sound engineering practice in consideration of the following criteria:
 - i The adjacent properties have existing access to a State-maintained roadway and will not benefit from the required interconnection.
 - ii The proposed uses of mini-warehouse and recreational vehicle storage is typically fenced and gated to provide security for the site. Any interconnection would be detrimental to the proposed uses.
 - iii The site plan, attached as Exhibit “B”, provides a sidewalk from the on-site office that connects to existing offsite sidewalks in the US41 right-of-way which provides pedestrian and bicycle access to adjacent parcels.
- (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 lack of parking lot interconnections will not impact the health, safety, and welfare of the abutting land owners and general public.
 - ii Prior to construction of the proposed access a FDOT permit will be required.
- (c) The granting of the deviation is 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 an Administrative Deviation from Lee County Land Development Code Section 10-610(e) and 33-1548 is approved as conditioned:

- (a) That approval is subject to substantial compliance with the site plan entitled “Site Plan”, signed and sealed 01/05/2023 by Dustin W. Culver, 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 1/10/2023

Jessica Sulzer, PE, Manager

Exhibits

Exhibit A – Legal

Exhibit B – Site Plan, signed and sealed 01/05/2023 by Dustin W. Culver, P.E.

Exhibit A

K.E. TRASK, P.A.**LAND SURVEYORS**

A PARCEL LYING IN
SECTION 27, TOWNSHIP 43 SOUTH, RANGE 24 EAST,
LEE COUNTY, FLORIDA.

(2750 N. TAMiami TRAIL)

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTION 27, TOWNSHIP 43 SOUTH, RANGE 24 EAST, BEING THE PARCEL AS DESCRIBED IN OFFICIAL RECORDS BOOK 4532, PAGE 4877, LEE COUNTY PUBLIC RECORDS AND BEING FURTHER BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 27; THENCE N.00°13'13"W. ALONG THE EAST LINE OF SAID SECTION 27, FOR 331.91 FEET; THENCE N.89°54'30"W. ALONG THE SOUTH LINE OF THE NORTH HALF OF THE SOUTH HALF OF THE SOUTH HALF OF SAID NORTHEAST QUARTER OF SECTION 27, FOR 705.56 FEET; THENCE N.36°38'23"W. ALONG THE WESTERLY BOUNDARY OF LAUREL ESTATES MOBILE HOME SUBDIVISION, AN UNRECORDED SUBDIVISION AS SHOWN IN OFFICIAL RECORDS BOOK 886, PAGE 359, SAID PUBLIC RECORDS, FOR 99.84 FEET TO THE POINT OF BEGINNING, NORTHING COORDINATE 862045.39, EASTING COORDINATE 690877.63; THENCE N.89°54'17"W. ALONG THE BOUNDARY OF SAID PARCEL AS DESCRIBED IN OFFICIAL RECORDS BOOK 4532, PAGE 4877, FOR 600.50 FEET TO THE EASTERLY RIGHT OF WAY LINE OF N. TAMiami TRAIL (STATE ROAD 45) NORTHING COORDINATE 862046.39, EASTING COORDINATE 690277.13 ; THENCE N.36°38'24"W. ALONG SAID RIGHT OF WAY LINE AND SAID BOUNDARY FOR 344.29 FEET TO THE BOUNDARY OF THE PARCEL AS DESCRIBED IN OFFICIAL RECORD INSTRUMENT 2018000225304, SAID PUBLIC RECORDS; THENCE N.53°21'36"E. ALONG THE COMMON BOUNDARY OF SAID PARCEL AS DESCRIBED IN OFFICIAL RECORDS BOOK 4532, PAGE 4877 AND SAID THE PARCEL AS DESCRIBED IN OFFICIAL RECORD INSTRUMENT 2018000225304, FOR 166.03 FEET; THENCE N.36°35'23"W. ALONG SAID COMMON BOUNDARY FOR 89.96 FEET; THENCE S.53°21'36"W. ALONG SAID COMMON BOUNDARY FOR 166.11 FEET TO SAID EASTERLY RIGHT OF WAY LINE OF N. TAMiami TRAIL (STATE ROAD 45); THENCE N.36°38'24"W. ALONG SAID RIGHT OF WAY LINE AND SAID BOUNDARY OF THE PARCEL AS DESCRIBED IN OFFICIAL RECORDS BOOK 4532, PAGE 4877, FOR 165.53 FEET; THENCE LEAVING SAID RIGHT OF WAY LINE S.89°54'17"E. ALONG SAID BOUNDARY FOR 600.50 FEET; THENCE S.36°38'23"E. ALONG THE BOUNDARY OF SAID PARCEL AS DESCRIBED IN OFFICIAL RECORDS BOOK 4532, PAGE 4877 AND SAID BOUNDARY OF LAUREL ESTATES MOBILE HOME SUBDIVISION, FOR 599.78 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 273703.91 SQUARE FEET OR 6.28 ACRES, MORE OR LESS.

BEARINGS ARE REFERENCED TO THE FLORIDA STATE PLANE COORDINATE SYSTEM, WEST ZONE, NORTH AMERICAN DATUM OF 1983/1990, BASED ON THE RIGHT OF WAY LINE OF N. TAMiami TRAIL AS BEARING N36°38'24"W.

NORTHING AND EASTING COORDINATES ARE REFERENCED TO THE FLORIDA STATE PLANE COORDINATE SYSTEM, WEST ZONE, NORTH AMERICAN DATUM OF 1983/1990.

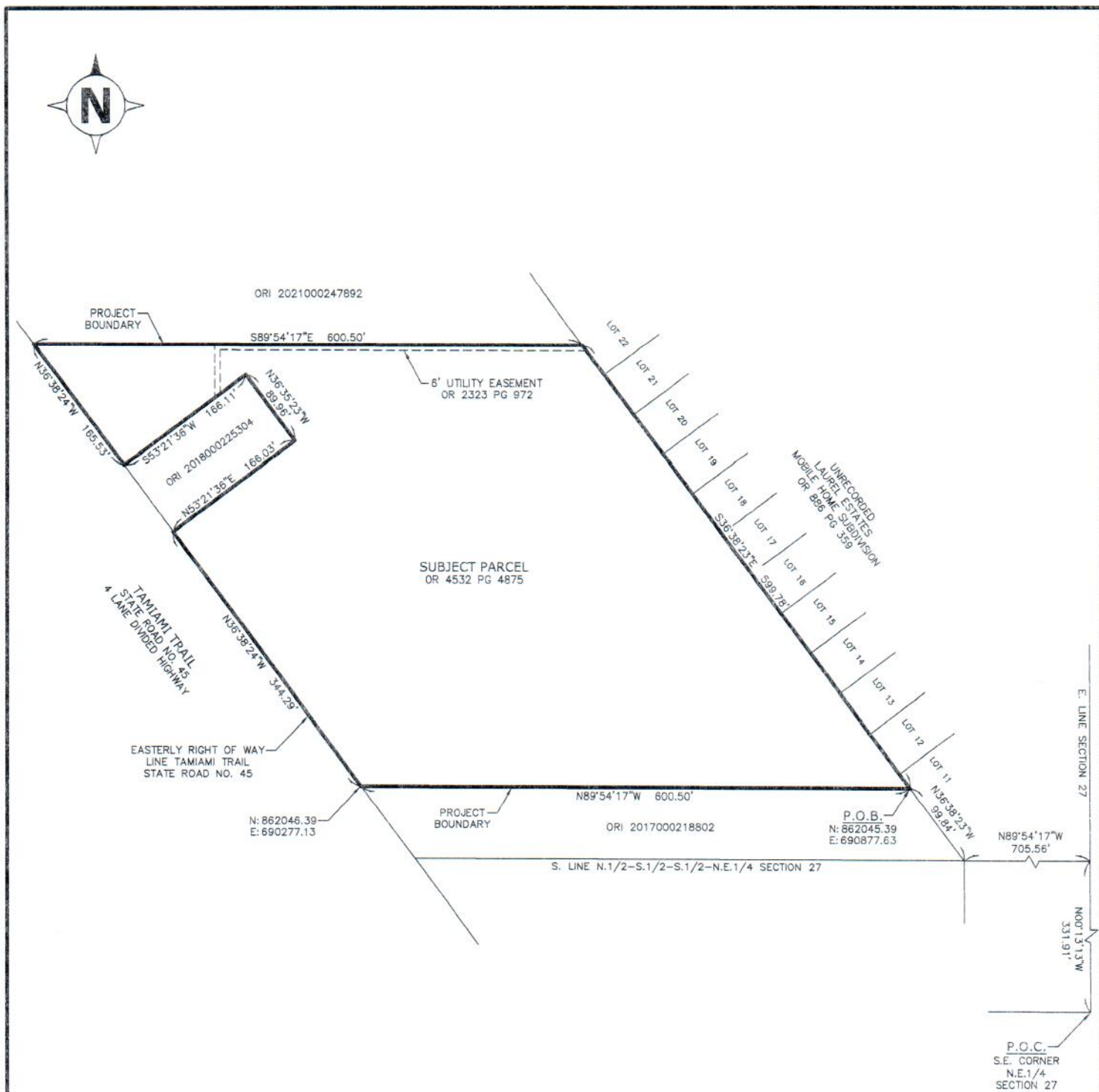
K.E. TRASK, P.A.
FLORIDA LICENSED BUSINESS LB8450

Kenneth E. Trask
Digitally signed by Kenneth E. Trask
Date: 2022.02.24 07:38:29 -05'00'
KENNETH E. TRASK
PROFESSIONAL LAND SURVEYOR
FLORIDA LICENSE LS4684

FEBRUARY 23, 2022

REVIEWED
ADD2022-00200
Hunter Searson, GIS
Planner
Lee County Government
12/13/2022

12345 BLASINGIM ROAD • FORT MYERS, FL 33966



LEGEND

LB LICENSED BUSINESS
LS LICENSED SURVEYOR
P.O.B. POINT OF BEGINNING
P.O.C. POINT OF COMMENCEMENT
OR OFFICIAL RECORDS BOOK
ORI OFFICIAL RECORDS INSTRUMENT
PG PAGE
PB PLAT BOOK

**SKETCH TO ACCOMPANY
DESCRIPTION**

OF A PARCEL LYING IN
SECTION 27, TOWNSHIP 43 SOUTH,
RANGE 24 EAST,
LEE COUNTY, FLORIDA.

THIS IS NOT A BOUNDARY SURVEY

Kenneth E. Trask Digitally signed by Kenneth E. Trask
Date: 2022.02.24 07:38:49 -05'00'

KENNETH E. TRASK DATE
PROFESSIONAL LAND SURVEYOR
FLORIDA LICENSE NO. LS4684

K.E. Trask, P.A.

Land Surveyors

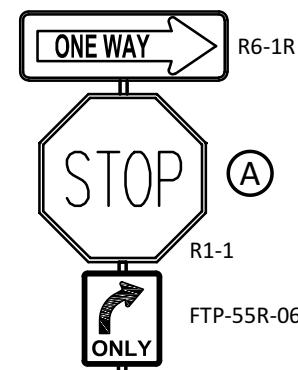
Florida Licensed Business No. LB5450
12345 Blasingim Road
Fort Myers, Florida 33966
(239) 980-1495

date	day	scale	job#	sheet
2-23-22	15-08SK	1"=150'	15-08	2 OF 2

EXHIBIT B

STATEMENT OF CONSISTENCY

THE PROPOSED DEVELOPMENT IS CONSISTENT WITH THE LEE PLAN & TABLE 1(b).



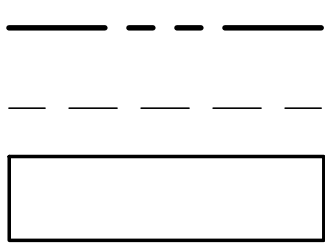
STOP SIGN
W/ RIGHT
TURN ONLY

NTS



ONE WAY SIGN

LEGEND



PROJECT BOUNDARY

SETBACK

STANDARD DUTY ASPHALT

C.W. : ALL CROSSWALKS TO BE HEAVY DUTY CONCRETE.
ALL CROSSWALK & RAMPS TO MEET ADA
SPECIFICATIONS & FDOT INDEX 304. 1' WIDE,
WHITE STRIPING

D.W. : DETECTABLE WARNING TO MEET ADA SPECIFICATIONS

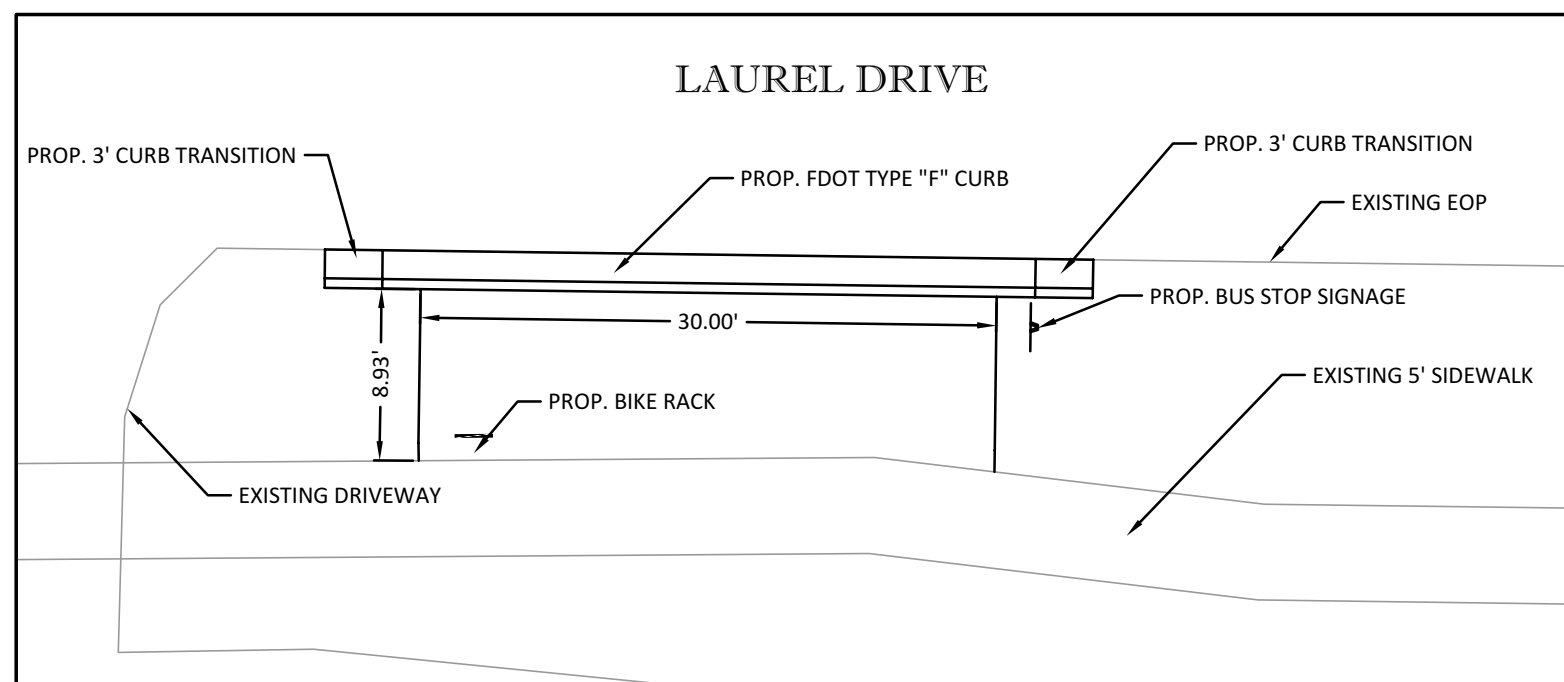
S.W.R. (CR-6,8,20,21): SIDEWALK RAMP. ALL
SIDEWALK RAMPS TO MEET ADA SPECIFICATION.
SEE FDOT INDEX 304 FOR CURB RAMP DETAILS.

NOTES:

1. DIMENSIONS ARE TO FACE OF CURB UNLESS OTHERWISE NOTED.
2. FOR SIDEWALK IMPROVEMENTS, REMOVE SIDEWALK TO THE NEAREST JOINT.
3. ALL WORK PERFORMED WITHIN THE FOOT RIGHT-OF-WAY SHALL BE IN ACCORDANCE WITH LATEST EDITION OF THE FOOT STANDARDS PLANS FOR ROAD AND BRIDGE CONSTRUCTION, 2021 SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION AND THE 2017 UTILITY ACCOMMODATION MANUAL.
4. ALL PAVEMENT MARKINGS PERTAINING TO FDOT PROPOSED DRIVEWAY CONNECTION SHALL BE THERMOPLASTIC.
5. ALL RAISED PAVEMENT MARKERS(RPM) INSTALLED WITHIN THE FDOT RIGHT-OF-WAY AND PROPOSED DRIVEWAY CONNECTION SHALL BE IN ACCORDANCE WITH FOOT STANDARD PLANS INDEX #706-001.
6. ALL EXCAVATIONS WITHIN TEN(10) FEET OF THE TRAVEL LANES AND GREATER THAN THREE(3) INCHES DEEP MUST BE FILLED IN OR HAVE A SHOULDER TREATMENT PLACED AT THE DROP-OFF PER AREA #102-600 OF FOOT 2020/21 STANDARD PLANS INDEX AT THE END OF THE WORK DAY.
7. CONTRACTOR SHALL CONTACT FDOT TWO WEEKS IN ADVANCE AND SET UP A PRE-CONSTRUCTION MEETING PRIOR TO STARTING ANY WORK IN FOOT RIGHT OF WAY.
8. ALL TRAFFIC CONTROL DEVICES MUST BE IN PLACE BEFORE WORK CAN START.
9. MAINTENANCE OF TRAFFIC TO BE SUPERVISED BY A FDOT CERTIFIED WORK TRAFFIC SUPERVISOR.
10. ENGINEER'S CERTIFICATIONS TOGETHER WITH AS-BUILT PLANS ARE REQUIRED TO BE SUBMITTED WITHIN 30 DAYS OF COMPLETION WORK WITHIN FOOT RIGHT-OF-WAY?
11. IT WILL BE THE RESPONSIBILITY OF THE PERMITTEE TO REPAIR ANY DAMAGE TO FOOT FACILITIES CAUSED BY CONSTRUCTION OF THE PROJECT."
12. PERMITTEE SHALL NOT BEGIN THE WORK WITHIN THE FDOT RIGHT-OF-WAY UNTIL A FOOT INSPECTOR IS PRESENT AT THE JOB SITE AND AGREES THAT PROPER PREPARATIONS HAVE BEEN MADE.
13. SOO ALL UNPAVED AREAS WITHIN FDOT RIGHT OF WAY THAT ARE DISTURBED BY CONSTRUCTION PER FOOT STANDARDS PLANS INDEX #570-101"
14. ALL SIDEWALK TO BE REMOVED AND REPLACED FROM JOINT TO JOINT AND HAVE 3" EXPANSION JOINTS (PREFORMED JOINT FILL) PLACED BETWEEN OLD AND NEW SIDEWALK."
15. ALL AFFECTED SIDEWALKS, RAMPS, AND CROSSWALKS, TO BE BUILT AND INSPECTED TO MEET CURRENT ADA REQUIREMENTS.
16. PERMITTEE SHALL NOT COMMENCE USE OF CONNECTION PRIOR TO FINAL INSPECTION AND FINAL ACCEPTANCE BY DEPARTMENT. FAILURE TO COMPLY WITH PERMIT CONDITION MAY RESULT IN REVOCATION OF THE PERMIT AND CLOSURE OF DRIVEWAY PER F.P. RULE CHAPTER 14-96.

NOTES:

1. CONTRACTOR TO IMPROVE BUS STOP #10555 NEAR THE INTERSECTION OF N. TAMiami TRAIL AND LAUREL DRIVE TO INCLUDE A MINIMUM 8' X 30' MINOR BUS STOP PER LDC SEC. 10-441-3 & LDC SEC. 10-296 W/ BUS STOP SIGNAGE & BICYCLE RACK. SEE ENLARGEMENT BELOW.
2. CONTRACTOR TO CONFIRM EXISTING CONDITIONS. NOTIFY OF EOR OR ANY DISCREPANCIES.



BUS TOP #10555 IMPROVEMENTS

SCALE: 1" = 10'

REFUSE:

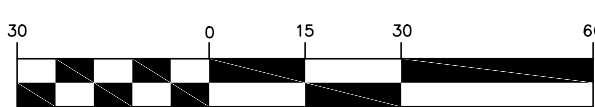
REQUIRED: 120 SF GARBAGE & 96 SF RECYCLABLE = 216 SF
PROVIDE: 216 SF

OPEN SPACE CALCULATIONS
 OPEN SPACE REQUIRED: 6.28 AC X 20% = 1.26 AC
 OPEN SPACE PROVIDED: 1.64 AC (26.1%)

S.F. SUMMARY TABLE - C-1A ZONING	
UNIT TYPE	
R.V. STALLS - 12' X 35'	57
R.V. STALLS - 11' X 30'	93
R.V. STALLS - 11' X 25'	50
TOTAL STALLS	200
TOTAL	66,555 S.F.
TOTAL ALLOWABLE	74,250 S.F.
MINI-WAREHOUSE - 15' X 43'	10,965
MINI-WAREHOUSE - 15' X 47'	10,575
TOTAL	21,540 S.F.
TOTAL ALLOWABLE	21,600 S.F.
OFFICE BUILDING	693 S.F.



GRAPHIC SCALE

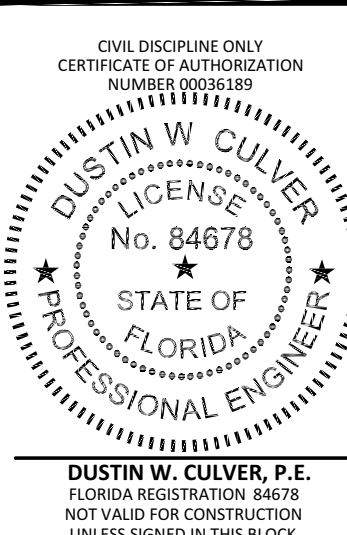


(IN FEET)
inch = 30 ft.

Dustin W Culver
Dustin W Culver 2023.01.05
18:15:23-05'00'

THIS ITEM HAS BEEN DIGITALLY SIGNED AND
SEALED BY DUSTIN W CULVER , P.E. ON THE
DATE AND TIME STAMP SHOWN USING A
DIGITAL SIGNATURE.

PRINTED COPIES OF THIS DOCUMENT ARE NOT CONSIDERED SIGNED AND SEALED AND THE SIGNATURE MUST BE VERIFIED ON ANY ELECTRONIC COPIES.



PREPARED FOR:

OC EASY STORAGE LLC

OC EASY RV & BOAT STORAGE

SITE PLAN

DRAWN: DWK

DESIGN: DWC

CHECKED: DWC

JOB NO.: 22-009

DATE: 12/19/2022

SHEET

C-20

C.2.3