

Knott·Ebelini·Hart

Attorneys At Law

George H. Knott *+
Mark A. Ebelini
Thomas B. Hart ☐

* Board Certified Civil Trial Lawyer
☐ Board Certified Real Estate
Lawyer
+ Board Certified Business Litigation
Lawyer

1625 Hendry Street • Third Floor (33901)
P.O. Box 2449
Fort Myers, Florida 33902-2449

Telephone (239) 334-2722
Facsimile (239) 334-1446

www.knott-law.com

George W. Gift III
Asher E. Knipe

James T. Humphrey
Of Counsel

Michael E. Roeder, AICP
Director of Land Use

MEMO

1/17/2023

TO: Adam Mendez

FROM: Mike Roeder

RE: Sufficiency Response for DCI2022-00015 (SS Building)

In response to your sufficiency letter dated December 8, 2022, we would offer the following additional information:

Zoning Section Review

1. In an effort to get beyond this request for details on uses that cannot be foreseen at this time, we are submitting a revised list of permitted uses that eliminates virtually all of the uses requested in the previous sufficiency response. As previously noted, it does not appear to be equitable or necessary to require these details when the existing zoning allows for them without limitation, and the use being added by the CPD request will have no increase in offsite impacts. The future introduction of any of these other uses to the site would have required an amendment to the MCP with the appropriate review at that time.

In addition to Public Warehouse, the revised list includes Administrative Offices (existing in the present building), Business Services, Group 1, Essential Services, Mini Warehouse and Hybrid Warehouse. While we have no details at present on the latter two uses, if and when they would be added to the site, an amendment to the MCP will be required with any necessary additional information. And like Public Warehouse, they would not create any additional impacts beyond what is already allowed under the existing zoning. Per your suggestion, we have added fences and walls, although the last list did include Signs, in accordance with Chapter 30.

Development Services Section Review

1. We are prepared to accept a recommendation of denial from the staff on this deviation, and look forward to discussing this issue with the HEX and the BoCC.

Transportation Impact Review

DCI2022-00015 SS Building
MER Sufficiency Response
January 17, 2023

1. We trust that the revised schedule of uses will address this comment, and would only note that the existing zoning would have allowed for all of these uses without a zoning TIS, and the new uses requested would not have added any traffic to what was previously generated on the site by the Social Security offices. Likewise, any new uses on the site would have required a development order and TIS, so the whole issue seems way overdone for an existing building in the Intensive Development land use category.

Solid Waste Review

1. A revised MCP is being submitted showing a proposed dumpster enclosure location, even though the last revised MCP contained a note (2) which read: "The proposed development will provide the required facilities for solid waste/recycling storage and pick up in accordance with LDC Section 10-261."

I hope this information adequately addresses your concerns, so that this case can be found sufficient and scheduled for a hearing without any further delay. Thank you.

Sincerely,

Mike Roeder

cc: Gary Muller

Revised List of Permitted Uses for SS Building

1/17/2023

Administrative Offices

Fences and Walls

Signs, in Accordance with Chapter 30

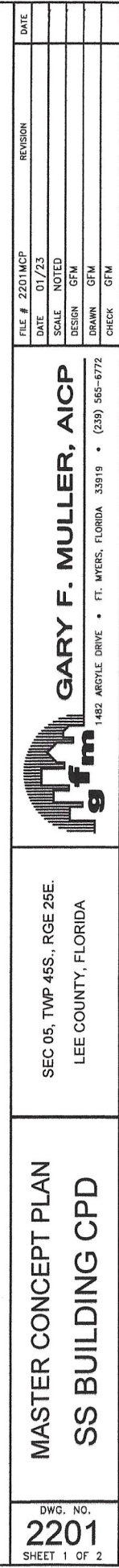
Warehouse, Public, Mini, and Hybrid

Business Services

Group 1

Essential Services

DCI2022-00015 Lee County ePlan



LEGEND

- ⊗ REQUESTED DEVIATION
⊠ OPEN SPACE AREA

IMPERVIOUS AREA CALCULATIONS

BUILDING AREA: 0.34 ACRES
PAVEMENT & SIDEWALKS: 1.22 ACRES
TOTAL IMPERVIOUS AREA: 1.56 ACRES

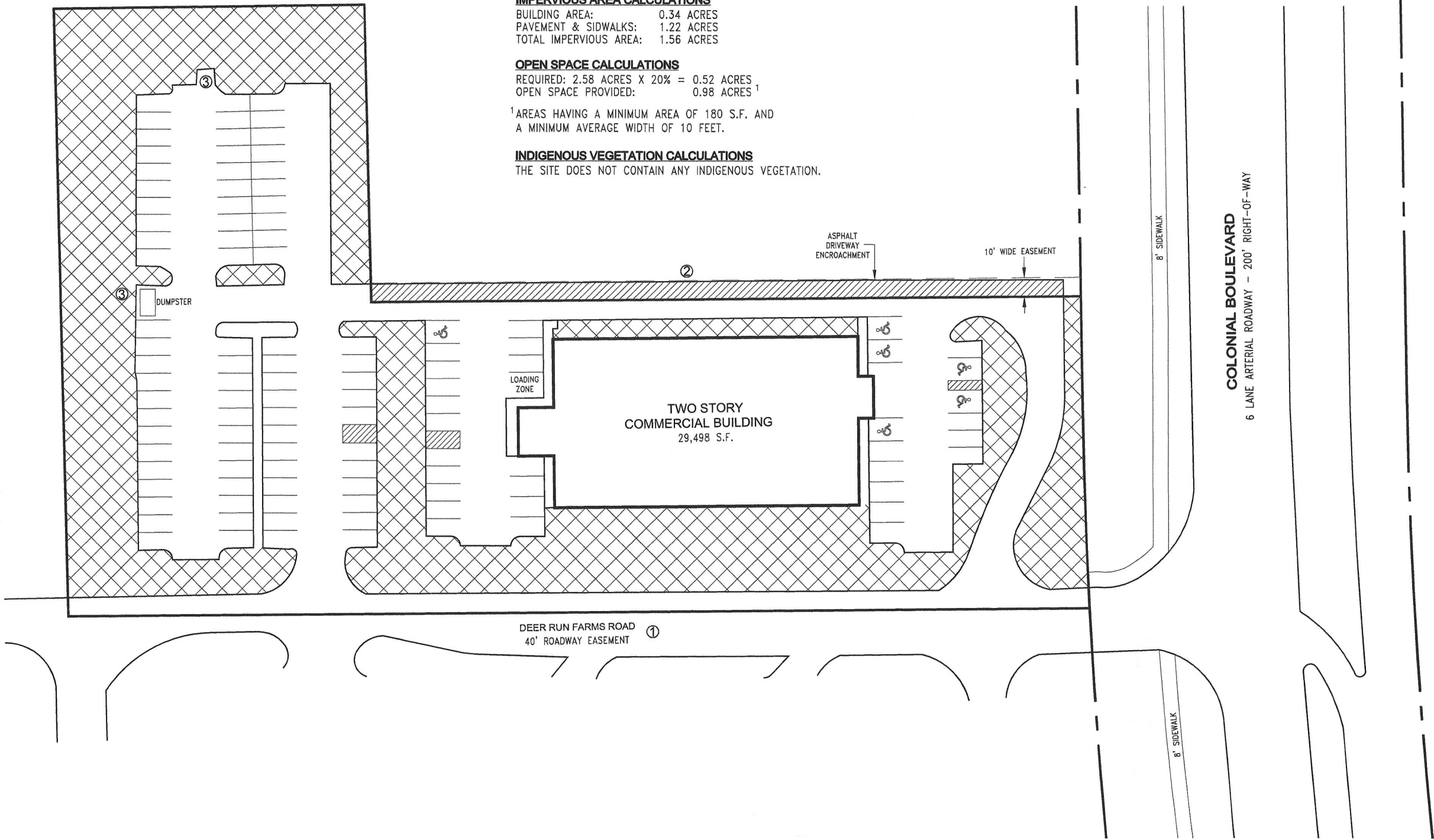
OPEN SPACE CALCULATIONS

REQUIRED: 2.58 ACRES X 20% = 0.52 ACRES
OPEN SPACE PROVIDED: 0.98 ACRES¹

¹ AREAS HAVING A MINIMUM AREA OF 180 S.F. AND
A MINIMUM AVERAGE WIDTH OF 10 FEET.

INDIGENOUS VEGETATION CALCULATIONS

THE SITE DOES NOT CONTAIN ANY INDIGENOUS VEGETATION.



FILE # 2201MCP	REVISION	DATE
DATE 01/23	SCALE NOTED	
DESIGN GFM	DRAWN GFM	
CHECK GFM		
GARY F. MULLER, AICP		
1482 ARGYLE DRIVE • FT. MYERS, FLORIDA 33919 • (239) 565-6772		
SEC 05, TWP 45S., RGE 25E.		
LEE COUNTY, FLORIDA		
MASTER CONCEPT PLAN		
SS BUILDING CPD		
DWG. NO. 2201		
SHEET 2 OF 2		