



LIST OF DEVIATIONS AND JUSTIFICATION

Metro 26 Storage

DEVIATION

STRAP#: 04-46-25-05-00000.0020

Metro Parkway, Fort Myers, FL 33966

Deviate from LDC§10-261(a) Which requires all new construction of multifamily residential developments, commercial businesses, and industrial uses must provide 216 SF for the first 25,000 SF of building area plus 8 SF for each additional 1,000 SF of building area of sufficient on-site space for the placement of garbage containers or receptacles, and sufficient space for recyclable materials collection containers to allow a reduction based on upon office and caretaker square footage only, based upon the unique nature of the mini warehouse use, and more specifically the strict limitations on dumpster usage.

Justification: This section of the code is applicable to multi-family residential developments, commercial businesses, and industrial uses; however, the table does not provide a separate calculation for industrial uses such as RV and boat storage facilities. Typically, these facilities produce very little garbage and in this case, the dumpsters will be locked with signage advising tenants that the dumpster is for the exclusive use by the operator of the facility only. Therefore, based on office and caretakers' square footage this would equate to 0-5,000 SF 84 SF (60 SF garbage & 24 SF recyclable). However, the disposal area being provided is 176 SF for the proposed development which will be more the adequate.

DEVIATION REQUESTS MUST MEET . . .

(1) The alternative proposed to the standards contained herein is based on sound engineering practices (not applicable to sections 10-352, 10-353 and division 7 of article III of this chapter);

RESPONSE: yes, the request is based on sound engineering practices.

(2) The alternative is no less consistent with the health, safety and welfare of abutting landowners and the general public than the standard from which the deviation is being requested;

RESPONSE: The deviation will not negatively impact public health, safety or welfare based upon the nature of this commercial usage, and limitations prescribed above



(3) For division 7 of article III of this chapter, the required facility would unnecessarily duplicate existing facilities.

RESPONSE: Not applicable

(4) The granting of the deviation is not inconsistent with any specific policy directive of the Board of County Commissioners, any other ordinance or any Lee Plan provision; and

RESPONSE: This variance is consistent with the Lee Plan

(5) For sections 10-352, 10-353, the utility that would otherwise serve the development cannot provide the service at the adopted level of service standard due to an inadequate central facility.

RESPONSE: Not applicable

(6) For sections 10-329(f) and 10-418 (4), the proposed use of hardened structures for restoration of existing lake bank slopes will be evaluated on a case-by-case basis. The application for the hardened structure must demonstrate this is the most appropriate and minimum stabilization technique necessary as designed and sealed by a licensed professional engineer. The application must also demonstrate compliance with section 10-418 (3) for compensatory littorals as well as previously approved littoral and deep lake management plan requirements. However, existing lakes within the DR/GR may not utilize hardened structures through the administrative process.

RESPONSE: Not applicable