

ADMINISTRATIVE AMENDMENT (PD) ADD2022-00179

ADMINISTRATIVE AMENDMENT
LEE COUNTY, FLORIDA

WHEREAS, Alico Lin, LLC filed an application for an administrative amendment to an Industrial Planned Development on a project known as Alico Lin Flex Space for the following deviation:

Deviation 10: A deviation from the Land Development Code Section 10-285, connection separation, which requires minimum separation along a local roadway to be 125 feet in a the future suburban area, to allow a connection separation of 84.4 feet from an existing driveway to the South and 81.7 feet for from an existing driveway to the north along Lee Road.

on property located at 16251 Lee Rd, described more particularly as:

LEGAL DESCRIPTION: In Section 04, Township 46 South, Range 25 East, Lee County, Florida:

ATTACHED AS EXHIBIT "A"

WHEREAS, the property was originally rezoned by Resolution Z-05-066 and subsequently amended by Resolutions Z-11-020, Z-20-001, ADD2013-00112 and ADD2021-00195; and

WHEREAS, the subject property is located in the Industrial Development Future Land Use Category as designated by the Lee Plan; and

WHEREAS, the Lee County Land Development Code provides for certain administrative changes to planned development master concept plans and planned unit development final development plans; and

WHEREAS, the applicant proposes to develop the parcel with two commercial/industrial buildings for use by contractors and builders; and

WHEREAS, Land Development Code Section 10-285 requires a minimum 125-foot connection separation along a local roadway in future suburban areas; and

WHEREAS, there is a wide utility easement on the north side of the subject parcel causing the building to be shifted to the south; and

WHEREAS, there is an existing driveway on the property to the south within 84.4 feet of the proposed driveway; and

WHEREAS, there is also an existing driveway on the property to the north across the street within 81.7 feet of the proposed driveway; and

WHEREAS, Lee Road is a dead-end private, local, non-County maintained road with limited amount of traffic; and

WHEREAS, the subject application and plans have been reviewed by the Lee County Department of Community Development in accordance with applicable regulations for compliance with all terms of the administrative approval procedures; and

WHEREAS, it is found that the proposed amendment does not increase density or intensity within the development; does not decrease buffers or open space required by the LDC; does not underutilize public resources or infrastructure; does not reduce total open space, buffering, landscaping or preservation areas; and does not otherwise adversely impact on surrounding land uses.

NOW, THEREFORE, IT IS HEREBY DETERMINED that the application for administrative approval for an amendment to the Industrial Planned Development to approve an additional deviation is **APPROVED subject to the following conditions:**

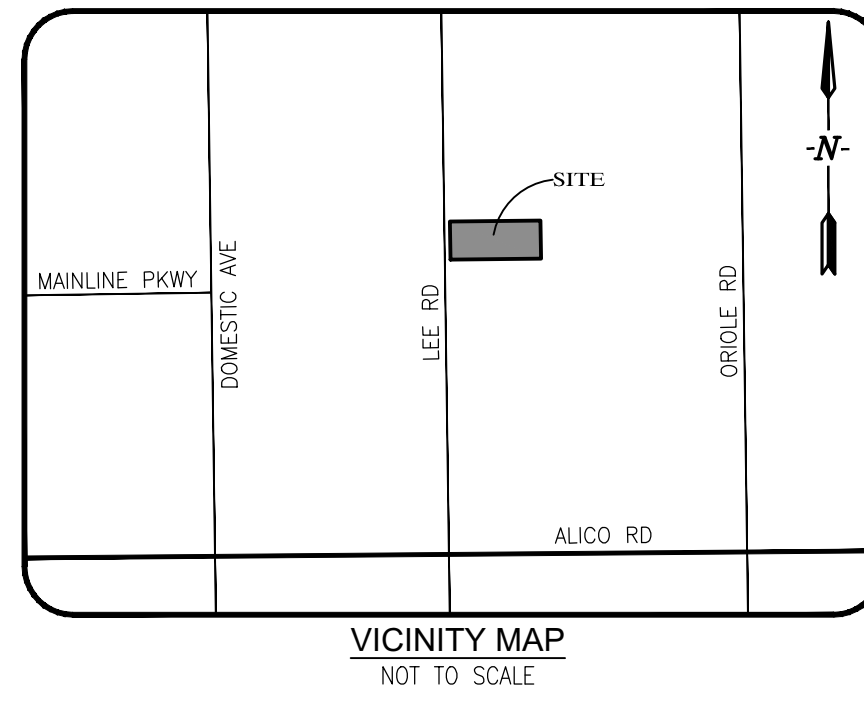
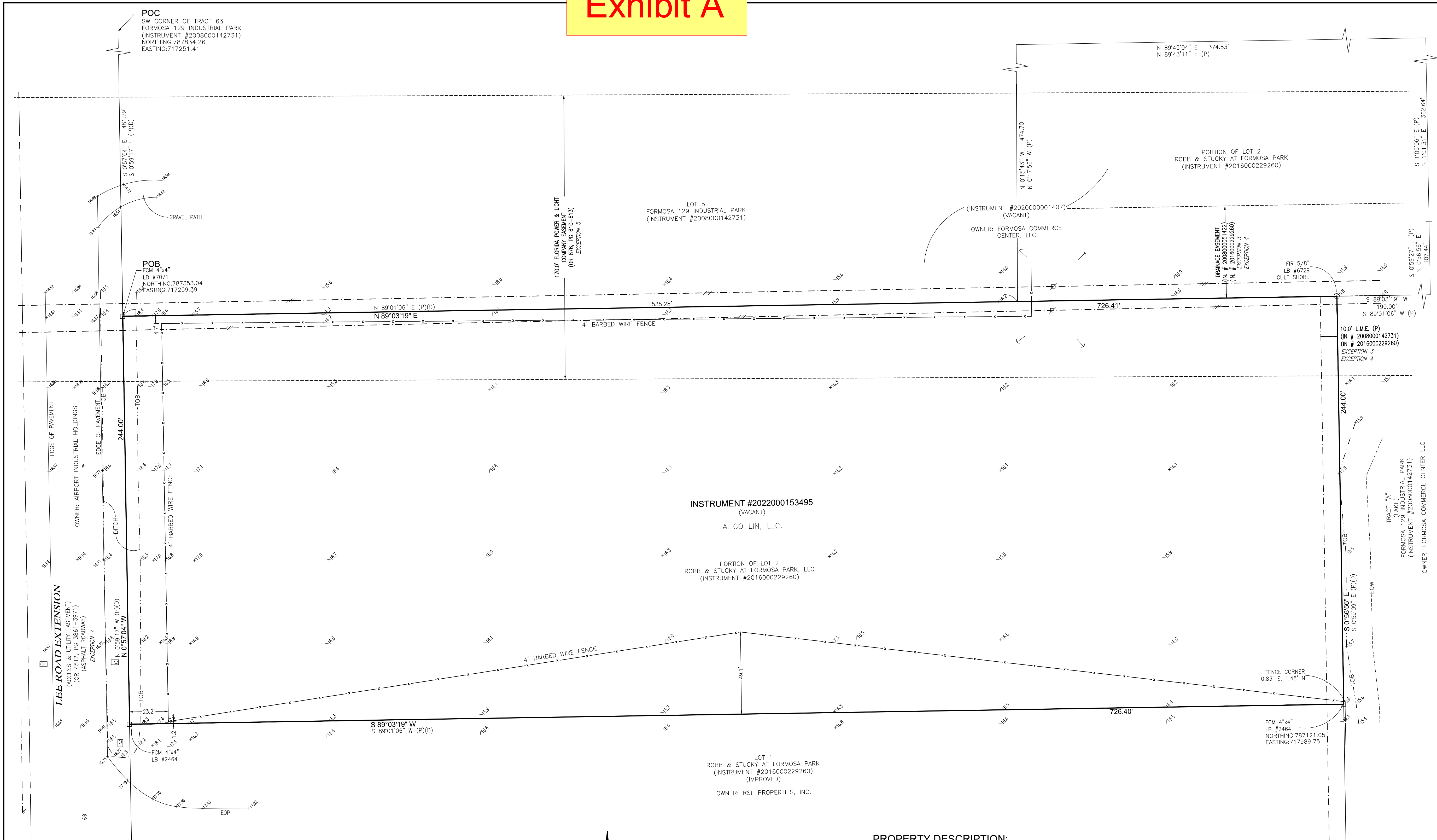
1. **The Master Concept Plan, terms and conditions of the original zoning resolutions remain in full force and effect.**
2. **This deviation is limited to the subject parcel within the development and must be consistent with the proposed configuration depicted on the attached Deviation Exhibit labeled as Exhibit "B".**
3. **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 Zoning Manager 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 2/14/2023

Anthony R. Rodriguez, AICP, CPM, Zoning Manager

Attachments: Exhibit "A" Legal Description
Exhibit "B" Deviation Exhibit

Exhibit A



- NOTES:**
1. BEARINGS AND COORDINATES SHOWN HEREON ARE BASED ON THE STATE PLANE COORDINATE SYSTEM ESTABLISHED BY THE NATIONAL GEODETIC SURVEY FOR FLORIDA WEST ZONE, 1983 DATUM WITH 1990 ADJUSTMENT OBTAINED UTILIZING RTK GPS OBSERVATIONS ON THE FOOT NETWORK AND REFER TO THE NORTH LINE OF LOT 1 OF ROBB & STUCKY AT FORMOSA PARK RECORDED IN OFFICIAL RECORDS INSTRUMENT #2016000229260, LEE COUNTY, FLORIDA AS BEING S 89°03'19" W.
 2. THIS SURVEY WAS PREPARED WITH THE BENEFIT OF A TITLE COMMITMENT PROVIDED BY OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY, WITH A FILE NUMBER 92856.011, HAVING AN EFFECTIVE DATE OF MAY 6, 2022 AT 11:29 AM. AND MAY BE SUBJECT TO EASEMENTS, RESERVATIONS AND/OR RESTRICTIONS OF RECORD. ALL MATTERS OF TITLE SHOULD BE REFERRED TO AN ATTORNEY AT LAW.
 3. THIS PROPERTY IS LOCATED WITHIN FLOOD ZONE X, HAVING NO BASE FLOOD ELEVATION. PER THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP #12071C 0577 G, DATED 12/7/2018 AND RATE MAP # 12071C 0581 F, DATED 8/28/2008.
 4. CERTAIN FEATURES REPRESENTED BY SYMBOLS MAY NOT BE SHOWN AT THEIR TRUE LOCATION AND/OR SCALE IN ORDER TO BE ABLE TO DEPICT THEM ON THIS MAP.
 5. DIMENSIONS SHOWN HEREON ARE IN U.S. SURVEY FEET AND DECIMALS THEREOF.
 6. THIS SURVEY DOES NOT ADDRESS ANY ENVIRONMENTAL CONCERNS, ENDANGERED WILDLIFE OR JURISDICTIONAL WETLANDS, IF ANY, EXCEPT AS SHOWN ON THIS SURVEY.
 7. THIS CERTIFICATION IS ONLY FOR THE LANDS DESCRIBED HEREON. IT IS NOT A CERTIFICATION OF TITLE, ZONING, SETBACKS, OR FREEDOM OF ENCUMBRANCES.
 8. THIS SURVEY IS NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND SEAL OR THE DIGITAL SIGNATURE AND DIGITAL SEAL OF A LICENSED FLORIDA SURVEYOR AND MAPPER. NO ADDITIONS OR DELETIONS TO THIS SURVEY MAP ARE PERMITTED WITHOUT THE EXPRESSED WRITTEN CONSENT OF THE SIGNING PARTY.
 9. UNLESS OTHERWISE NOTED, BELOW GROUND UTILITIES AND FOUNDATIONS WERE NOT LOCATED FOR THE PURPOSES OF THIS SURVEY. THIS SURVEY WAS MADE UNDER MY DIRECTION AND THAT IT MEETS THE STANDARDS OF PRACTICE SET FORTH BY THE BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 5J-17.051, F.A.C. PURSUANT TO CHAPTER 472.027, FLORIDA STATUTES.
 11. OWNERSHIP AND PARCEL NUMBER INFORMATION SHOWN HEREON WAS OBTAINED FROM THE LEE COUNTY PROPERTY APPRAISER WEBSITE AS OF 6/23/2022.

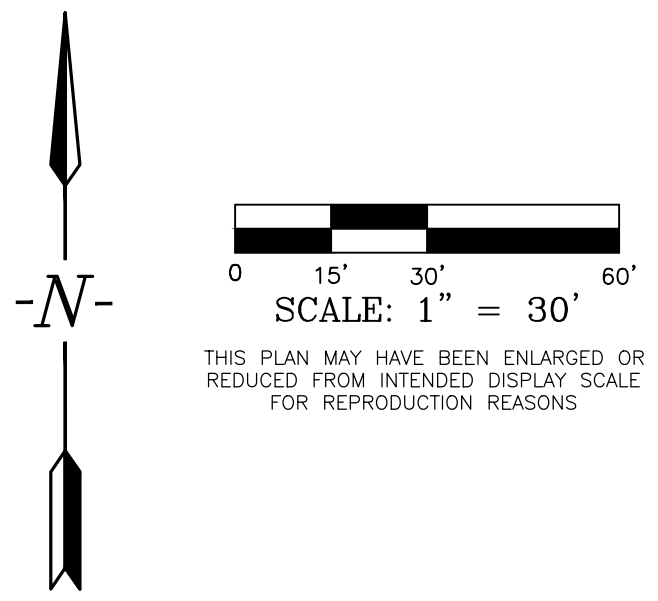
SCHEDULE B-II EXCEPTIONS

PER OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY, WITH A FILE NUMBER 92856.011, HAVING AN EFFECTIVE DATE OF MAY 6, 2022 AT 11:29 AM

ITEM 1 NOTHING TO SHOW

- EXCEPTION #2** LEE COUNTY ORDINANCE NO. 86-14 RECORDED NOVEMBER 30, 1990, IN O.R. BOOK 2189, PAGE 3281; AND AMENDED BY ORDINANCE NO. 86-38 IN O.R. BOOK 2189, PAGE 3334. PUBLIC RECORDS OF LEE COUNTY, FLORIDA. (AFFECTS SUBJECT PARCEL, BLANKET IN NATURE, NOT SHOWN HEREON)
- EXCEPTION #3** ALL MATTERS CONTAINED ON THE PLAT OF ROBB & STUCKY AT FORMOSA PARK, AS RECORDED IN INSTRUMENT NUMBER 2016-229260, PUBLIC RECORDS OF LEE COUNTY, FLORIDA. (AFFECTS SUBJECT PARCEL, SHOWN HEREON)
- EXCEPTION #4** ALL MATTERS CONTAINED ON THE PLAT OF FORMOSA 129 INDUSTRIAL PARK, AS RECORDED IN INSTRUMENT NUMBER 2008-142731, PUBLIC RECORDS OF LEE COUNTY, FLORIDA. (AFFECTS SUBJECT PARCEL, SHOWN HEREON)
- EXCEPTION #5** EASEMENT TO FLORIDA POWER & LIGHT COMPANY RECORDED IN O.R. BOOK 876, PAGE 610, INSTRUMENT NUMBER 2006-283030, AND INSTRUMENT NUMBER 2007-201062, PUBLIC RECORDS OF LEE COUNTY, FLORIDA. (OR 876, PG 610 AFFECTS SUBJECT PARCEL, SHOWN HEREON. INSTRUMENT NUMBER 2006-283030 FALLS IN A DIFFERENT SECTION, NOT SHOWN HEREON. INSTRUMENT NUMBER 2007-201062 IS BLANKET OVER LOT 5, NOT SHOWN HEREON)
- EXCEPTION #6** OIL, GAS, MINERAL, OR OTHER RESERVATIONS RECORDED IN O.R. BOOK 1234, PAGE 998, PUBLIC RECORDS OF LEE COUNTY, FLORIDA. WITHOUT RIGHT OF ENTRY. NO DETERMINATION HAS BEEN MADE AS TO THE CURRENT RECORD OWNER FOR THE INTEREST EXCEPTED HEREIN. (AFFECTS SUBJECT PARCEL, BLANKET IN NATURE, NOT SHOWN HEREON)
- EXCEPTION #7** COVENANTS, CONDITIONS, AND RESTRICTIONS FOR LEE ROAD EXTENSION RECORDED IN O.R. BOOK 4408, PAGE 3127, AS AMENDED IN O.R. BOOK 4512, PAGE 3861, AND RELEASE OF EASEMENT IN INSTRUMENT NUMBER 2016-256330, AS AMENDED IN INSTRUMENT NUMBER 2022-15745, AND INSTRUMENT NUMBER 2022-21049. PUBLIC RECORDS OF LEE COUNTY, FLORIDA, WHICH CONTAIN PROVISIONS CREATING EASEMENTS AND/OR ASSESSMENTS. (OR 4408, PG 3127 IS BLANKET IN NATURE, THE ACCESS AND UTILITY EASEMENT DESCRIBED IN OR 4512, PG 3861 LIES ADJACENT TO THE PROPERTY AND IS SHOWN HEREON.)
- EXCEPTION #8** COVENANTS, CONDITIONS, AND RESTRICTIONS FOR FORMOSA 129 INDUSTRIAL PARK RECORDED IN INSTRUMENT NUMBER 2008-142738, AS AMENDED, PUBLIC RECORDS OF LEE COUNTY, FLORIDA, WHICH CONTAIN PROVISIONS CREATING EASEMENTS AND/OR ASSESSMENTS. (AFFECTS SUBJECT PARCEL, BLANKET IN NATURE, NOT SHOWN HEREON)
- EXCEPTION #9** NOTICE RECORDED IN INSTRUMENT NUMBER 2007-313800, PUBLIC RECORDS OF LEE COUNTY, FLORIDA. (AFFECTS SUBJECT PARCEL, BLANKET IN NATURE, NOT SHOWN HEREON)
- EXCEPTION #10** NOTICE OF DEVELOPMENT ORDER APPROVALS RECORDED IN INSTRUMENT NUMBER 2009-59575 AND INSTRUMENT NUMBER 2009-120836, PUBLIC RECORDS OF LEE COUNTY, FLORIDA. (AFFECTS SUBJECT PARCEL, BLANKET IN NATURE, NOT SHOWN HEREON)
- EXCEPTION #11** NOTICE RECORDED IN INSTRUMENT NUMBER 2011-55795 AND INSTRUMENT NUMBER 2016-19486, PUBLIC RECORDS OF LEE COUNTY, FLORIDA. (AFFECTS SUBJECT PARCEL, BLANKET IN NATURE, NOT SHOWN HEREON)
- EXCEPTION #12** NOTICE OF DEVELOPMENT ORDER APPROVALS RECORDED IN INSTRUMENT NUMBER 2019-18663 AND INSTRUMENT NUMBER 2019-18666, PUBLIC RECORDS OF LEE COUNTY, FLORIDA. (AFFECTS SUBJECT PARCEL, BLANKET IN NATURE, NOT SHOWN HEREON)
- EXCEPTION #13** NOTICE OF LOT SPLIT APPROVAL RECORDED IN INSTRUMENT NUMBER 2019-18666, PUBLIC RECORDS OF LEE COUNTY, FLORIDA. (AFFECTS SUBJECT PARCEL, BLANKET IN NATURE, NOT SHOWN HEREON)
- EXCEPTION #14** NOTICE RECORDED IN INSTRUMENT NUMBER 2020-231162, PUBLIC RECORDS OF LEE COUNTY, FLORIDA. (AFFECTS SUBJECT PARCEL, BLANKET IN NATURE, NOT SHOWN HEREON)
- EXCEPTION #15** NOTICE RECORDED IN INSTRUMENT NUMBER 2021-22423, PUBLIC RECORDS OF LEE COUNTY, FLORIDA. (DOES NOT AFFECT SUBJECT PARCEL, NOT SHOWN HEREON)

REVIEWED
ADD2022-00179
Hunter Searson, GIS
Planner
Lee County Government
11/28/2022



PROPERTY DESCRIPTION:

(PER PROVIDED TITLE COMMITMENT)

A TRACT OR PARCEL OF LAND LYING IN SECTION 4, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FROM THE POINT OF COMMENCEMENT BEING THE SOUTHWEST CORNER OF TRACT 63, FORMOSA 129 INDUSTRIAL PARK AS RECORDED IN INSTRUMENT NUMBER 2008000142731 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE S 00°59'17" E FOR 481.29 FEET ALONG THE EASTERLY RIGHT-OF-WAY OF LEE ROAD EXTENSION (60 FEET RIGHT OF WAY) TO THE POINT OF BEGINNING; THENCE N 89°01'06" E FOR 726.41 FEET; THENCE S 00°59'09" E FOR 244.00 FEET; THENCE S 89°01'06" W FOR 726.40 FEET TO THE EASTERLY RIGHT-OF-WAY OF LEE ROAD EXTENSION (60 FEET RIGHT OF WAY); THENCE N 00°59'17" W FOR 244.00 FEET ALONG SAID RIGHT-OF-WAY TO THE POINT OF BEGINNING.

CERTIFIED TO:

ALCO LIN, LLC, A FLORIDA LIMITED LIABILITY COMPANY
PASEVE LAW FIRM
OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3 AND 8 OF TABLE A THEREOF. THE FIELDWORK WAS COMPLETED ON FEBRUARY 2, 2022 TOPOGRAPHY SHOWN HEREON WAS TAKEN FROM A PRIOR SURVEY PREPARED BY THIS FIRM, DATED OCTOBER 17, 2019.

Digitally signed by Donald L. Saintenoy III, PSM
Date: 2022.06.23 13:45:50 -0400

DONALD L. SAINTENOY III
P.S.M. #6761, FOR THE FIRM

DATE

LEGEND									
POC	POINT OF COMMENCEMENT	(P)	PER PLAT	TO	TOP OF GRATE ELEVATION	①	DRAINAGE MANHOLE	SV	SEWER VALVE
POB	POINT OF BEGINNING	(M)	MEASURED	RM	RIGHT-OF-WAY	②	ELECTRIC MANHOLE	SV	○ SIGN ON POLE
IP	FOUND IRON PIPE	(C)	CONCRETE	CONC.	CONCRETE	③	ELECTRIC BOX/RISER/METER	④	TELEPHONE MANHOLE
FIR	FOUND 5/8" IRON ROD	(E)	TEMPORARY EASEMENT AGREEMENT	A/C	AIR CONDITIONING UNIT	⑤	FIRE HYDRANT	⑤	TELEPHONE BOX/RISER
SIR	SET 5/8" IRON ROD W/CP, LB. #5151	(CA)	CONCRETE BOLLARD	BOL	BACK FLOW PREVENTOR	⑥	ELECTRIC TRANSFORMER	TL	UTILITY TRANSFORMER
FCM	FOUND 4"x4" CONCRETE MONUMENT	(BOL)	GRASS TRAP	GT	GUY SERVICE/METER	⑦	GRASS TRAP	UG	UNDERGROUND
SCM	SET CONC. MONUMENT W/ALUMINUM DISK, LB. # 5151	(PAGE)	IRIGATION VALVE	IV	IRIGATION VALVE	⑧	GRASS TRAP	✓	UTILITY POLE - WOOD
FPK	FOUND PARKER KALON NAIL W/BRASS	(OR)	OFFICIAL RECORDS BOOK	OR	OFFICIAL RECORDS BOOK	⑨	CATCH BASIN/INLET	✓	UTILITY POLE - CONCRETE
SPK	SET PARKER KALON NAIL W/BRASS	(R.O.W.)	RIGHT-OF-WAY	R.O.W.	RIGHT-OF-WAY	⑩	CLEAN OUT	✓	WATER METER
FDH	FOUND DRILL HOLE	(U.E.)	UTILITY EASEMENT	U.E.	UTILITY EASEMENT	⑪	CONCRETE HEAD WALL	✓	WATER METER
SDH	SET DRILL HOLE	(L.B.)	LANDSCAPE BUFFER EASEMENT	L.B.	LANDSCAPE BUFFER EASEMENT	⑫	CENTERLINE	✓	WATER METER
FMN	FOUND MAG NAIL	(PSM)	PROFESSIONAL SURVEYOR AND MAPPER	PSM	PROFESSIONAL SURVEYOR AND MAPPER	⑬	CORRUGATED METAL PIPE	✓	WATER METER
FMN	FOUND MAG NAIL	(SPC)	STATE PLANE COORDINATES	SPC	STATE PLANE COORDINATES	⑭	REINFORCED PLASTIC PIPE	✓	WATER METER
SMN	SET MAG NAIL W/DISK, LB. # 5151	(IE)	IRIGATION EASEMENT	IE	IRIGATION EASEMENT	⑮	SAUNTRY MANHOLE	✓	WATER METER
		(DE)	DRAINAGE EASEMENT	DE	DRAINAGE EASEMENT	⑯	UNDERGROUND BURIED CABLE MARKER	✓	WATER METER
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GradyMinor

Civil Engineers • Land Surveyors • Planners • Landscape Architects

Cert. of Auth. EB 0005151 Cert. of Auth. LB 0005151 Business LC 26000266

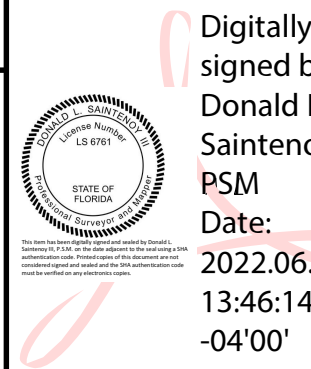
Bonita Springs: 239.947.1144 www.GradyMinor.com Fort Myers: 239.690.4380

O. Grady Minor and Associates, P.A.

3800 Via Del Rey

Bonita Springs, Florida 34134

DRAWN BY: AH		ALTA / NSPS LAND TITLE SURVEY	
CHECKED BY: DLS		16251 LEE ROAD	
JOB CODE: 16251LR		FORT MYERS, FL 33912	
SCALE: 1" = 30'		LYING IN	
DATE: 16 JUNE 2022		SECTION 4, TOWNSHIP 46 SOUTH, RANGE 25 EAST	
FILE: 22-34-ALTA.DWG		LEE COUNTY, FLORIDA	
SHEET: 1 of 1			



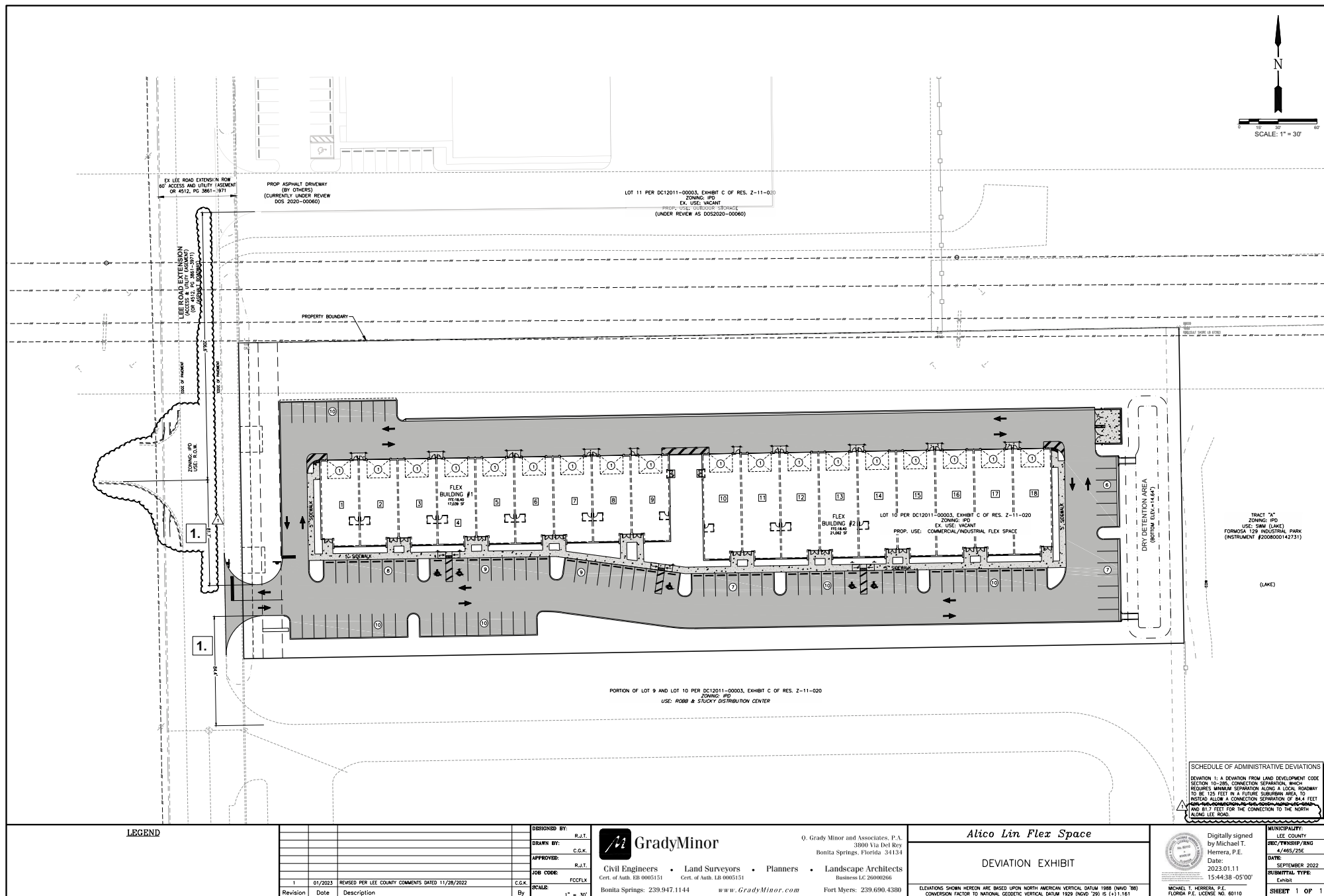


Exhibit "B"