



6200 Whiskey Creek Drive • Fort Myers, Florida 33919 • Phone 239.985.1200 • Fax: 239.985.1259

March 2, 2023

Ms. Mary Sue Groth  
Plan Reviewer  
Lee County Development Services  
PO Box 398  
Fort Myers, FL 33902-0398

**RE: King Brands Warehouse Expansion  
ADD2023-00011  
HM Project No. 2022.016**

Dear Ms. Groth:

This letter is in response to your correspondence of February 22, 2023, for the above referenced project. The following are responses to your comments.

### **Zoning**

1. LDC Sect 34-2013 states "The Director may administratively approve parking to back out into rights-of-way in RESIDENTIAL developments subject to the following limitations..." The property in this application an IPD. Please clarify from which LDC you are seeking relief.

**RESPONSE: We have been working with Rob Price and Pakorn Sutitarnnontr and Lee County DOT has no objections with the required movements for the loading bay in exchange for us maintaining only three driveway connection points to Bavaria Road. Please refer to the revised plans included in this re-submittal.**

### **Development Services**

1. The relocation of the loading area appears to include widening the loading dock area, an additional truck space, and adds an additional access point to Bavaria Road which does not conform to intersection separation requirements in LDC 10-285, thus increasing non-conformity with the LDC. Staff is hesitant to recommend approval of a deviation that will increase the non-conformity and has the potential to further impact the health, safety, and welfare of the public.

**RESPONSE: The additional access point to Bavaria Road has been removed to maintain the current existing conditions with respect to conformity to the LDC. Revised plans have been included in this re-submittal.**

2. Please provide a detailed discussion of the existing and proposed improvements as well as additional justification detailing the proposals impact the health, safety, and welfare of the public by providing an additional access point and loading dock spaces that will require backing in the ROW. Specifically, how the additional access and loading space does not degrade the health, safety and welfare. Staff understands that the traffic using the dead-end is minimal, but the applicant has not provided any

justification that the proposed improvements will not degrade the health, safety, and welfare of individuals using the roadway.

**RESPONSE:** We have been working with Rob Price and Pakorn Sutitarnnontr and Lee County DOT has no objections with the additional loading bay in exchange for us maintaining only three driveway connection points to Bavaria Road. Additionally, the relocated loading bays are proposed in an area across from another parcel owned by our client. It is our opinion that this new location is an improvement over the existing loading bay location, which is directly across from the proposed entrance for Discover Marble.

3. Please address the requirements in LDC 34-2013(b) which limits access widths to 35' at the property line.

**RESPONSE:** We have revised the Explanation and Justification of Request document to add a request for relief from the limited access width in our section for LDC 34-2013 – the revised document is included in this re-submittal.

### Environmental

1. The justification only request deviations. Please provide a narrative providing details regarding the expansion (areas, being expanded, how much sq. footage is being added, reason for the expansion, and compliance with Lee Plan Policies).

**RESPONSE:** The details regarding expansion areas are being addressed in the open Development Order review – please reference DOS2022-00118 for this information.

2. The MCP demonstrates an expansion on the south end of the property. It appears to be developed within a green space area. Please indicate if the open space is being impacted with the proposed expansion. Please demonstrate how Lee Plan policy 6.1.6 is being met.

**RESPONSE:** The details regarding open space are being addressed in the open Development Order review – please reference DOS2022-00118 for this information.

3. Please note that additional info may follow.

**RESPONSE:** Understood.

4. Courtesy Comment: please provide the appropriate perimeter buffer at time of development order.

**RESPONSE:** Understood.

### TIS

1. A TIS must be submitted with the application. Otherwise, the applicant needs to explain that the proposed development has no adverse traffic impact and submit a TIS waiver request.

**RESPONSE:** The TIS is under review as part of the open Development Order review – please reference DOS2022-00118 for an updated TIS.

If you need further information, please do not hesitate to contact me at 239-985-1200.

Very truly yours,

**HOLE MONTES, INC.**



John C. Baker III, PE  
Associate

JCB/jlo

H:\2022\2022016\WP\PERMITTING\Lee County\Administrative Deviation\RAI#1\_DEV\RAI#1\_DEV.docx