ADD2023-00010 Lee County ePlan

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Oakview

ADMINISTRATIVE AMENDMENT

RESIDENTIAL PLANNED DEVELOPMENT

Written Narrative & Request

The proposed administrative amendment seeks a deviation from the following LDC requirement:

LDC 34-2191(5)a – Measurement; permitted encroachments. Equipment Pads/platforms, such as those for air conditioning and swimming pool equipment, may encroach up to three feet into side, rear or waterbody setbacks. The equipment pad/platform may not interfere with ingress and egress, or through-access for life safety equipment.

The applicant is requesting an increase to the allowable equipment pad encroachment of up to a maximum of four feet into the described setbacks, as required for equipment placement.

Administrative Review Criteria

The requested increase to the allowable equipment pad encroachment may be approved administratively per the guidelines of LDC Section 34-380(b). Compliant with Section 34-174(i) of the LDC, the proposed request will not increase height or density, will not underutilize public resources/infrastructure or reduce open space, preserve, or buffers, and will have no adverse impact to surrounding land uses. Furthermore, the proposed amendment will be consistent with all applicable provisions of the Lee Plan and land development regulations in effect. This additional encroachment has been reviewed by the Fire Chief and Engineer of Record to ensure there are no impediments. Correspondence is provided by each for this application.

a. **Does not increase height, density or intensity of the development, except as permitting in Chapter 2.**
   No increase in height, density or intensity is proposed by this amendment.

b. **Does not result in the substantial underutilization of public resources and public infrastructure committed to the support of the development.**
   The proposed amendment will not result in underutilization of public resources or infrastructure committed to the support of the development.

c. **Does not result in a reduction of total open space provided on the master concept plan by more than ten percent.**
   The proposed amendment does not result in a reduction in total open space provided. The mechanical equipment pad will be constructed on private property, which does not count toward common open space.

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d. Does not decrease the amount of indigenous native vegetation preservation or open space areas below the amount required by Code.
The proposed amendment does not decrease indigenous or open space.

e. If changes to the buffer or landscaping areas are proposed, equivalent or better (by comparison with the approved Master Concept Plan) landscaping or buffering provided.
No changes to buffers or landscaping will occur by the proposed amendment.

f. Does not adversely impact surrounding land uses; and
The proposed amendment does not adversely impact surrounding land uses. All lots within the RPD would be allowed the same setback encroachment, the equipment pads will be staggered with a 10' minimum separation between each pads.

g. Is consistent with all applicable provisions of the Lee Plan and land development regulations in effect at the time of the amendment request.
The proposed amendment will be consistent with the Lee Plan and the intended manner of the Land Development Code as outlined above.