

Florida Freezer Cold Storage Expansion
Administrative Deviation Request

Deviation from Lee County LDC Section 10-285(a) Table 1 which requires a connection separation distance of 125' for a local "future suburban area" roadway, to allow three (3) existing driveway connections to remain with separations indicated below and depicted on the attached Alternative Deviation Plan:

1. 0' separation -northern most driveway and Interstate Court Industrial Complex intersection
2. 24' separation -southern driveway and existing driveway across Interstate Court
3. 97' separation -southern driveway to driveway to the south

Justification: The subject property fronting on Interstate Court was originally developed in the 1980's, zoned IL and is platted under Plat Book 34 Pages 42-45 -I-75/Bayshore Road Industrial Park. For many years the site has been utilized with multiple connection points along Interstate Court to facilitate the safe ingress and egress of larger vehicles. The current use of the site plays a critical role in the "Cold Chain", supplying a service to maintain goods in their ideal state from harvest to freezer and ultimately to "table". The facility operates safely and efficiently with the existing driveways. Elimination of the current driveway system could cause a greater potential for conflicting movements and less efficient circulation for trucks loading or unloading.

The existing condition of the multiple driveway system accommodates safe vehicle movements and allows larger vehicles to enter, maneuver the site and exit in an efficient manner. The current condition has not been found to be adverse to the public health, safety or welfare, therefore the existing driveways are requested to remain.

LEE COUNTY LDC 10-104 (b) / ADMINISTRATIVE DEVIATION FORM #17

1. The alternative proposed to the standards contained herein is based on sound engineering practices.

Response:

All elements of the project associated with the requested deviations have been designed with sound engineering practices. Auto truck movements were used during the preparation of the project plan set to insure site safety after construction completion. As previously stated, elimination of existing access points could cause conflicts for vehicle circulation on the site.

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

Response:

The requested deviations are no less consistent with the standard and/or existing conditions of the project and therefore should be no less consistent with the health, safety and welfare of abutting landowners and the general public. The subject site is located in an industrial subdivision. For many years Florida Freezer has utilized multiple connection points along Interstate Court to facilitate the safe ingress and egress of larger vehicles. The current access is adequate and sufficiently supports the daily operation of the facility. The current condition has not been found to be adverse to the public health, safety or welfare.

3. For Division 7 of Article III of Chapter 10, the required facility would unnecessarily duplicate existing facilities.

Response:

The requested deviation do not unnecessarily duplicate existing facilities.

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.

Response:

The deviations requested are not inconsistent with any specific policy directive of the Board of County Commissioners.

5. For Sections 10-352 and 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:

The requested deviations do not request relief from Lee County LDC Sections 10-352 and 10-353, therefore justification is not applicable or required.

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 compliance with Section 10-418(3) for compensatory littorals as well as previously approved littoral and deep lake management plan requirements.

Response:

The requested deviations do not request relief from Lee County LDC Sections 10-329(f) and 10-418(4), therefore justification is not applicable or required.

The granting of this request will not adversely affect the public's health, safety or welfare. As this is an existing situation which has not created any detriment to either property owner.