

ADMINISTRATIVE AMENDMENT ADD2023-00105

ADMINISTRATIVE AMENDMENT
LEE COUNTY, FLORIDA

WHEREAS, Quaker Southwest Florida, LLC filed an application for an administrative approval of the following deviation on a commercial development known as Toy Vault:

Deviation from the Land Development Code Section 10-261(a) that requires all new construction of multifamily developments, commercial businesses, and industrial uses to provide sufficient on-site space for the placement of garbage containers or receptacles, and sufficient space for recyclable materials collection containers, to allow 660 square feet of dumpster space, where the Code requires 945 square feet, a reduction of approximately 30% of the required space for garbage and recyclable containers enclosures.

on property located 17811/890 Toy Vault Lane, described more particularly as:

LEGAL DESCRIPTION: In Section 02, Township 46 South, Range 25 East, Lee County, Florida:

ATTACHED AS EXHIBIT "A"

WHEREAS, the subject property is zoned Commercial C-2 and is located in the Urban Community Future Land Use Category as designated by the Lee Plan; and

WHEREAS, the Land Development Code Table 10-261 (a) requires 216 square feet of garbage and recyclable collection area (dumpster enclosure) for the first 25,000 square feet of commercial building area plus 8 square feet for each additional 1,000 feet; and

WHEREAS, the applicant has applied for a local development order (DOS2021-00129) for 116,088 square feet building area for 95 hybrid self-storage units requiring 945 square feet of solid waste disposal facility (dumpster enclosures); and

WHEREAS, the applicant is requesting a deviation to reduce the area allocated to solid waste disposal facility approximately by 30% from the required 945 square feet to 660 square feet; and

WHEREAS, this development will provide two locations for solid waste disposal facilities, each consisting of 330 square feet; and

WHEREAS, the Lee County Solid Waste Division reviewed the request and recommended approval; 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 deviation from LDC Chapter 10 on a Commercial C-2 zoned property to request the following deviation:

Deviation from the Land Development Code Section 10-261(a) that requires all new construction of multifamily developments, commercial businesses, and industrial uses to provide sufficient on-site space for the placement of garbage containers or receptacles, and sufficient space for recyclable materials collection containers, to allow 660 square feet of dumpster space, where the Code requires 945 square feet, a reduction of approximately 30% of the required space for garbage and recyclable containers enclosures.

is **APPROVED** subject to the following conditions:

1. **A minimum of 660 square feet of waste disposal facility must be provided for this development, as depicted on Exhibit “B”.**
2. **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.**

Attachments: Exhibit “A” Legal Description
Exhibit “B” Site Plan

Duly passed, adopted, and electronically signed on 8/12/2023

Ohdet Kleinmann, Interim Development Services Manager

Exhibit A

LEGAL DESCRIPTION

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, BEING A PART OF SECTION 7, TOWNSHIP 46 SOUTH, RANGE 25 EAST AND FURTHER BOUNDED AND DESCRIBED AS FOLLOWS:

STARTING AT THE NORTHEAST CORNER OF THE SOUTHEAST 1/4 OF THE AFORESAID SECTION 7; THENCE S01°04'22"E ALONG THE EAST LINE OF SAID SECTION 7 A DISTANCE OF 642.65 FEET TO THE **POINT OF BEGINNING**; THENCE N78°28'25"W PARALLEL WITH THE NORTHERLY LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 7 A DISTANCE OF 777.80 FEET TO A POINT ON THE NORTHEASTERLY RIGHT-OF-WAY LINE OF STATE ROAD 45 (U.S. 41-TAMIAMI TRAIL, 210.00 FEET WIDE); THENCE S20°35'30"E ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 340.27 FEET; THENCE N69°24'30"E ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 10.99 FEET; THENCE S20°35'30"E ALONG SAID RIGHT-OF-WAY A DISTANCE OF 543.07 FEET; THENCE N69°23'39"E ALONG SAID FRACTIONAL LINE A DISTANCE OF 481.27 FEET TO A POINT ON THE EAST LINE OF THE AFORESAID SECTION 7; THENCE N01°04'22"W ALONG SAID SECTION LINE A DISTANCE OF 498.33 FEET TO THE **PLACE OF BEGINNING**.

CONTAINING 9.20 ACRES, MORE OR LESS.

SURVEYOR'S NOTES

- 1) BEARINGS SHOWN HEREON ARE BASED UPON FIXING THE EAST RIGHT-OF-WAY LINE OF U.S. 41 AS S20°35'30"E.
- 2) THIS MAP IS NOT VALID WITHOUT EITHER THE SIGNATURE AND THE ORIGINAL RAISED SEAL, OR A VALIDATED ELECTRONIC SIGNATURE, OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
- 3) SUBJECT TO EASEMENTS, RESERVATIONS, RESTRICTIONS AND RIGHTS-OF-WAY OF RECORD.

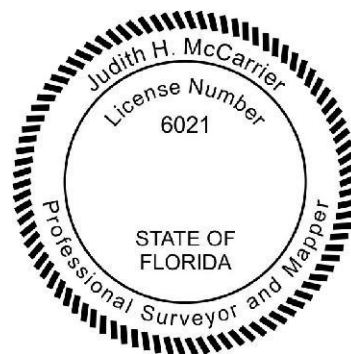
PREPARED BY:

Judith H McCarrier, PSM
License No. 6021
State of Florida

2021.12.13

09:32:50 -05'00'

JUDITH H. McCARRIER
PROFESSIONAL SURVEYOR & MAPPER
FLORIDA LICENSE NO. 6021

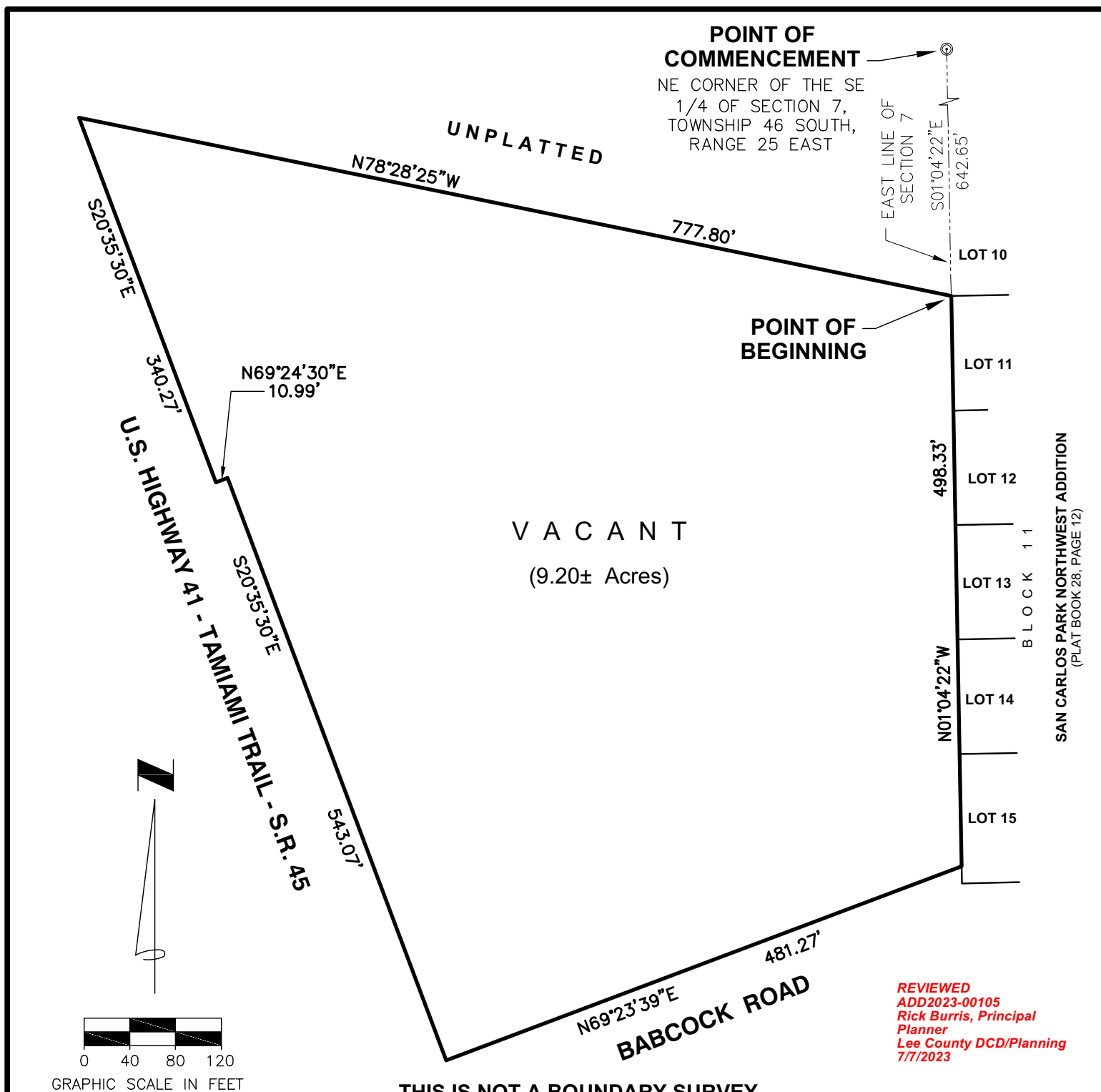


REVIEWED
ADD2023-00105
Rick Burris, Principal
Planner
Lee County DCD/Planning
7/7/2023

THIS IS NOT A BOUNDARY SURVEY.

SEE SHEET 2 OF 2 FOR SKETCH.

 J H McCARRIER LAND SURVEYING, INC. Licensed Business No. 7027 2460 SUNRISE BOULEVARD FORT MYERS, FLORIDA 33907 Phone: (239) 277-7821	PROJECT SKETCH TO ACCOMPANY LEGAL DESCRIPTION 'THE TOY VAULT' SECTION 7, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA		
	CLIENT QUATTRONE & ASSOCIATES, INC. 4301 VERONICA SHOEMAKER BLVD FORT MYERS, FLORIDA 33916 Phone: (239) 936-5222		SCALE N.A.
	FILENAME SCTC_S&L.dwg		DATE DEC. 13, 2021
	DRAWN BY JHM		CHECKED BY JHM
		PROJECT NO. 19-060.10	
		SHEET 1 OF 2	



THIS IS NOT A BOUNDARY SURVEY.

SEE SHEET 1 OF 2 FOR LEGAL DESCRIPTION, SURVEYOR'S NOTES & CERTIFICATION.

J H McCARRIER LAND SURVEYING, INC.
Licensed Business No. 7027

2460 SUNRISE BOULEVARD
FORT MYERS, FLORIDA 33907
Phone: (239) 277-7821

PROJECT

**SKETCH TO ACCOMPANY LEGAL DESCRIPTION
'THE TOY VAULT'**

SECTION 7, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA

CLIENT

**QUATTRONE &
ASSOCIATES, INC.**

4301 VERONICA SHOEMAKER BLVD
FORT MYERS, FLORIDA 33916
Phone: (239) 936-5222

SCALE

1"=120'

DATE

DEC. 13, 2021

FILENAME

SCTC_S&L.dwg

PROJECT NO.

19-060.10

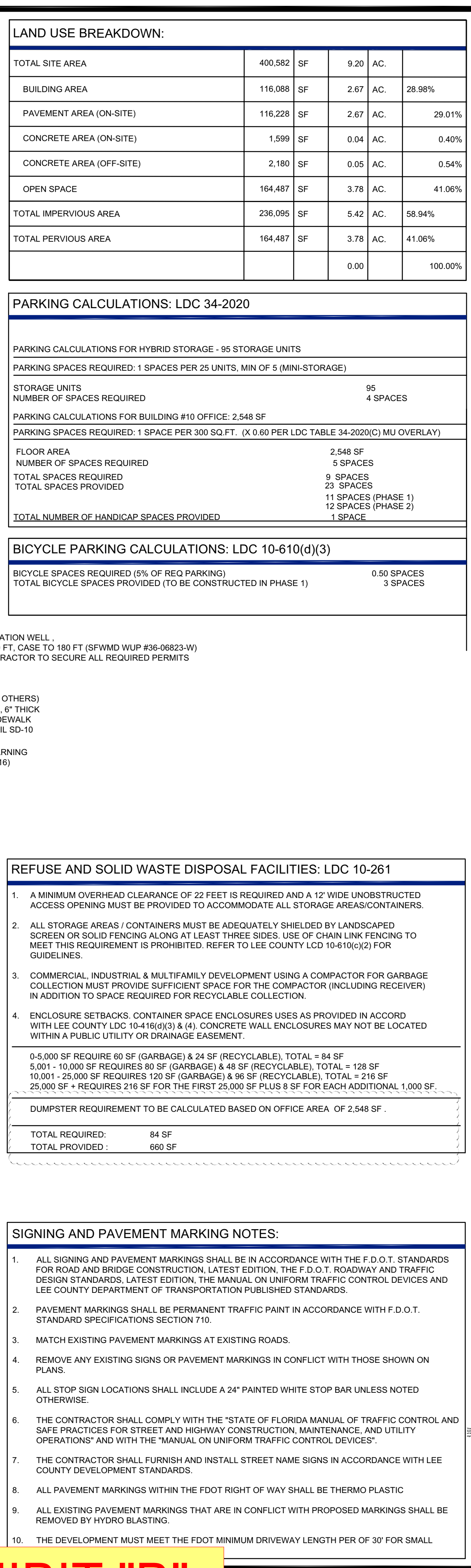
DRAWN BY

JHM

CHECKED BY

JHM

SHEET 2 OF 2



<div> FL REG #070375 <small>VALID ONLY WITH EXISTING SEAL</small> SAVED BY: michelle SAVED ON: 6/29/23</div>	<div> Quattrone & Associates, Inc. Engineers, Planners, & Development Consultants 4301 Veronica Shoemaker Blvd Fort Myers, Florida 33916 239-936-5222 QAInc.net Certificate of Authorization Number: 9465</div>	<div>THE TOY VAULT MASTER SITE PLAN 17801-831 S TAMAMI TRAIL FORT MYERS, FLORIDA 33967</div>			R11	DO AMENDMENT 1ST REVIEW	11/09/2022
		R12	REVIEW	08/11/2022			
		R9	REVISE UTILITY PER DEP	07/01/2022			
		R8	REVISE PER LOG COMMENTS	07/01/2022			
		R7	REVISE PER LOG COMMENTS, STORM ADJUSTMENTS	06/14/2022			
		R6	UTILITY REVISIONS	06/14/2022			
		R5	UTILITY REVISIONS	05/15/2022			
		R4	REVIEW FOR CONSTRUCTION	03/15/2022			
		REV	REVISION	DATE			