



Board of County Commissioners

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August 23, 2023

Veronica Martin
TDM Consulting, Inc.
43 Barkley Circle
Suite 200
Fort Myers, FL 33907

Re: Minor Commercial Planned Development
Blue Wave Express Car Wash
DCI2023-00025

Dear Ms. Martin,

The Zoning Section has reviewed the submission package for the above-referenced application in accordance with the Lee County Land Development Code (LDC). Please be advised that the application is insufficient at this time. The insufficiency comments must be addressed within thirty (30) calendar days of this letter, or the case will be considered withdrawn in accordance with the LDC. Please be advised that additional comments may follow once required documents and detailed analysis are submitted.

If you have any questions, please contact me at (239) 533-8793 or EWorkman@leegov.com.

Sincerely,

DEPARTMENT OF COMMUNITY DEVELOPMENT
Zoning Section
Electronically signed on August 23, 2023
Elizabeth A. Workman
Principal Planner
EAW

Zoning Review

Lee Plan Policy 21.1.1 and LDC Sections 33-1496 - 33-1502 establishes the architectural standards that are required within the Caloosahatchee Shores Planning Community. Staff understands that House Bill 1020 states that local government cannot enforce conditions that conflict with corporate trademarks, service marks, trade dress, logos, color patterns, design scheme insignia, image standards, or another feature. Please explain how LDC Sections 33-1496 - 33-1502 conflict with the Blue Wave Express Car Wash.

If a deviation from the architectural standards is still needed due to the franchise standards, in accordance with Lee Plan Policy 21.1.2, deviations from architecture standards must meet the variance criteria per LDC Section 34-145(b)(3). Applicant will need to be able to justify the hardship through the details of the conflicting architectural standards in the Lee Plan and LDC compared to the franchise requirements. Staff suggests scheduling a meeting to discuss the difference between the two and the variance criteria.

Development Services

LDC 34-202(a)(6) requires applications for public hearing to include a boundary survey that identifies and depicts all easements affecting the subject property, recorded or unrecorded, and all other physical encumbrances readily identified by field inspection. Survey Notes #2 doesn't meet this requirement. Please revise as necessary. The response to comments dated August 2, 2023 does not meet the requirements in the cited code section.

Policy 21.1.2 of the Lee Plan requires deviations from architectural requirements (Deviation 4) to meet the approval criteria for variances set forth in LDC 34-145(b)(3). Please revise your justification to address the approval criteria for a variance. Please justify how the architectural requirements in the Planning Community and Architectural code requirements conflict with or impair the corporate trademarks, image standards or other features of corporate branding as stated in the response to comments dated August 2, 2023.

Environmental Sciences Review

Environmental Staff conducted a site inspection on November 17, 2022. Please note that staff disagrees with the provided FLUCCS codes based on site observations. Staff observed a large amount of brazilian pepper along the southeast portion of the property.

The wetland areas the environmental consultant mapped is an informal prediction of where the wetlands lie on the property. Please note that state and federal permits must be obtained prior to the construction of this site.



Lee County
Southwest Florida

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The use being proposed is within the automotive supplementary district. LDC 34-1353(e)(5) states, "Landscaping adjacent to the rear and side property lines must comply with the minimum requirements established in section 10-416 dependent on adjacent land uses." Although the property is within the mixed-use overlay, the supplementary district requires buffers per LDC 10-416(d). Please provide a 5-Type A buffer where the property abuts the commercially zoned properties.

Natural Resources

Please indicate how the 20' wide AE and DE will be accessed. The MCP does not indicate an accessway.