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*District One*

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*District Two*

Ray Sandelli  
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*District Four*

Mike Greenwell  
*District Five*

Roger Desjarlais  
*County Manager*

Richard Wesch  
*County Attorney*

Donna Marie Collins  
*County Hearing Examiner*

October 2, 2023

Writer's Direct Dial Number: 239-533-8335

Andres Boral  
Boral Engineering & Design, Inc.  
23150 Fashion Dr, Suite 230  
Estero, FL 33928

Re: New Post Rd. Storage  
DCI2023-00013

Dear Mr. Boral,

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insufficiency comments must be addressed within thirty (30) calendar days of this letter or the case will be considered withdrawn in accordance with the LDC.

If you have any questions, please contact me at (239) 533-8335 or  
[MGroth@leegov.com](mailto:MGroth@leegov.com).

Sincerely,  
DEPARTMENT OF COMMUNITY DEVELOPMENT  
Zoning Section

*MarySue Groth*

**MarySue Groth**  
**Planner**  
MSG

### **Legal**

§34-202(a). Submittal requirements for applications requiring public hearing.

(6) Please provide a boundary survey in accordance with the requirements of Lee County LDC §34-202(a)(6).

- The survey must be based upon the title certification submitted in accord with §34-201(a)(7). The boundary survey must reference the acceptable title certification and the content should match.

(7) Please provide a title certification in accordance with the requirements of Lee County LDC §34-202(a)(7).

- Document submitted needs to be one of the forms listed in LDC §34-202(a)(7)(a) with required content included. A commitment for title insurance is not an acceptable form.

§34-202(a)(7). a. Form. The certification of title must be in one of the following forms:

i. Title certificate or title opinion, no greater than 90 days old at the time of the initial application submittal. The title certification submittal must be either an opinion of title meeting the Florida Bar Standards prepared by a licensed Florida attorney or a certification of title/title certification prepared by a title abstractor or company.

ii. Title insurance policy with appropriate schedules, no greater than five years old at the time of the initial zoning case submittal and an affidavit of no change covering the period of time between issuance of the policy and the application date. If submission of a complete affidavit of no change is not possible, a title certificate, or title opinion must be submitted in the alternative.

Please provide an updated boundary survey and title certification.

### **Planning**

The application and Master Concept Plan state that the Future Land Use category is Moderate Density Residential. Please update to be consistent with the correct Future Land Use category of Central Urban as analyzed in the narrative.

Please provide an analysis of Lee Plan Policy 5.1.5.

### **Environmental**

Please label the width and content of the buffers on the MCP per LDC 34-373.

Please provide a soils map per 34-373.

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Please provide a transect map depicting the methodology the environmental consultant utilized. Please note the Lee county approved methodology is within ordinance 89-34.

Please indicate if the buffers are located outside of the easement areas, per 10-421 of the LDC.

Please indicate why a 5-foot buffer is being proposed on half of the west boundary, and a 50-foot buffer on the rest. Please clarify.

Please note that staff reserves the right to add additional comments throughout the submittals.

### **Solid Waste**

Proposed dumpster enclosure does not appear to provide sufficient accessibility. In order to meet the recommended 65' of unobstructed collection access, consider either adjusting the accessibility angle or relocating.

### **Natural Resources**

Through discussion and existing drainage exhibit, please clarify how offsite flows will be maintained for the adjacent properties. [LP Policy 126.1.4]

This project is located within a watershed impaired for Enterococci, iron, and nitrogen. Please demonstrate how the proposed project will address water quality for these specific impairments. [LP Policies 125.1.2 & 126.1.4]