



Golf Club Storage Administrative Deviations Request Statement

It is the intent of the Applicant, Crystal Bay Partners, LLC to request administrative deviations for the future development of the subject property. The site is +/-4.50 acres in size and is referenced as Lee County Property STRAP #16-44-24-03-0030C.0090 by the Lee County Property Appraiser. The site is within the North Fort Myers Community Planning area and is within two overlays: the mixed-use overlay and the commercial corridor overlay. It is the applicant's intent to entitle, design, and permit a multi-story self-storage facility on the site. This use is considered "mini-warehouse" and due to its location within the commercial corridor overlay, per LDC Section 33-1596, the mini-warehouse use is permitted via special exception, SEZ2023-00005, which is currently undergoing staff review.

The site plan developed a part of the Special Exception request was identified as needing the following deviations which have been addressed per the LDC Criteria in 34-145(h)(2);

1. A deviation from LDC Sec. 33-1573(a)(1) and 10-610(e) which require vehicular circulation between adjacent sites to allow for no interconnection between uses.
- The request is based on sound engineering practices (not applicable to sections 10-352, 10-353 and division 7, article III, chapter 10);

JUSTIFICATION: This deviation is being requested on behalf of public safety and welfare; the proposed use often has pick-ups trucks and moving trucks circulating the site, it is not necessary or beneficial to have these vehicles traversing through the sole abutting property which is a school and church.

- The request is no less consistent with the health, safety and welfare of abutting landowners and the general public than the standard from which the deviation is being requested;

JUSTIFICATION: The granting of the deviation is consistent with the health, safety, and welfare of abutting landowners and the general public as granting the deviation would allow for the adjacent property owner to maintain their circulation as is, for the safety and well-being of their staff, faculty and students.

- 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;

JUSTIFICATION: The granting of the deviation is not inconsistent with any specific BOCC policy or any Lee Plan provision.

2. A deviation from LDC Sec. 10-329(d)(1)(a)(3) which requires excavations to be set back 50' from any property line under separate ownership to allow for a 25' setback.
 - The request is based on sound engineering practices (not applicable to sections 10-352, 10-353 and division 7, article III, chapter 10);

JUSTIFICATION: The stormwater management system was designed to maximize upon storage capacity. By decreasing the setback from 50' to 25', the lake's carrying capacity is increased, better servicing the subject property during storm events.

- The request is no less consistent with the health, safety and welfare of abutting landowners and the general public than the standard from which the deviation is being requested;

JUSTIFICATION: The abutting property is a school/church which features fencing to prohibit pedestrian connectivity between the eastern portion of the school site and the western portion of the subject property. The deviation has no negative impact on the abutting landowners or the general public.

- 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;

JUSTIFICATION: The granting of the deviation is not inconsistent with any specific BOCC policy or any Lee Plan provision.

3. A deviation from LDC Sec. 10-285(a) which requires a minimum connection separation of 125' on local suburban roads to allow a connection separation of approximately 36' with the driveways across Golf Club Drive.
 - The request is based on sound engineering practices (not applicable to sections 10-352, 10-353 and division 7, article III, chapter 10);

JUSTIFICATION: The subject property's sole entry point has been located immediately across from the central entry for El Rio Golf Club's parking lot. However, this parking lot has three (3) access points, roughly 36' apart which is triggering the need for the administrative deviation.

- The request is no less consistent with the health, safety and welfare of abutting landowners and the general public than the standard from which the deviation is being requested;

JUSTIFICATION: The applicant is not proposing multiple access points that are under the connection separation requirements but rather addressing and memorializing existing conditions via this request. The project entry was selected based on the existing parking lot's central entry being across Golf Club Drive.

- 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;

JUSTIFICATION: The granting of the deviation is not inconsistent with any specific BOCC policy or any Lee Plan provision.

Two additional deviations have been identified by the Applicant which would improve the overall site functionality;

4. A deviation from LDC Sec. 10-261(a) which requires a minimum of 899 SF of total solid waste disposal area to allow for 203 SF of garbage collection area and 159 SF recyclable collection area.
- The request is based on sound engineering practices (not applicable to sections 10-352, 10-353 and division 7, article III, chapter 10);

JUSTIFICATION: The request is consistent with the subject property's proposed use as a mini-warehouse. This use has a very limited office/administrative space and consequently utilizes minimal solid waste. It important to note that patrons will also be prohibited from utilizing the solid waste facilities, further minimizing the solid waste produced by the site.

- The request is no less consistent with the health, safety and welfare of abutting landowners and the general public than the standard from which the deviation is being requested;

JUSTIFICATION: The solid waste facilities are proposed to be centrally located within the development. The request is no less consistent with the health, safety and welfare of abutting landowners and will be sufficiently shielded from the general public, as designed on the companion site plan.

- 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;

JUSTIFICATION: The granting of the deviation is not inconsistent with any specific BOCC policy or any Lee Plan provision.

5. A deviation from LDC Sec. 10-256 which requires a sidewalk to be located along Golf Club Drive to allow for no sidewalk to be developed along Golf Club Drive and no fee in lieu to be required at any stage of the development process.
- The request is based on sound engineering practices (not applicable to sections 10-352, 10-353 and division 7, article III, chapter 10);

JUSTIFICATION: The property is one of two parcels on a block. The subject

property is proposed to be developed to a mini-warehouse as noted in SEZ2023-00005 which is currently under review. The only other use on the block is a private school/religious facility. The inclusion of a sidewalk along Golf Club Drive would solely serve the function of promoting connectivity between the mini-warehouse and the school/church which is not in the public interest.

- The request is no less consistent with the health, safety and welfare of abutting landowners and the general public than the standard from which the deviation is being requested;

JUSTIFICATION: The deviation is being requested on behalf of the health, safety, and welfare of the abutting landowners and the general public; pedestrian connectivity between the two uses is not necessary and may have unintended impacts given the sidewalk's proximity to children.

- 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;

JUSTIFICATION: The granting of the deviation is not inconsistent with any specific BOCC policy or any Lee Plan provision; necessary sidewalks that promote healthy connections across the county are included in the Lee Plan as Map 3-D; this map does not identify Golf Club Drive.

Chapter 33 Consistency

The applicant is not required to hold a public information meeting in North Fort Myers Planning Community per 33-1532(a) for this type of administrative request.

Lee Plan Consistency

The subject property is designated as Suburban on the Future Land Use Map of the Comprehensive Plan and is within the North Fort Myers Planning Community. The current zoning of CN-1 and C-1 is consistent with this land use designation.

Policy 1.1.5 of the Lee Plan describes the Suburban as predominantly residential areas or in areas where it is appropriate to protect existing or emerging residential neighborhoods. The area immediately surrounding the property is primarily residential to the east and south and commercial to the north and west. The existing commercial developments are service based that supports the residential communities within the area. The project, as designed for a self-storage facility, is a support service for the ever-growing population of Lee County and North Fort Myers residents.

Goal 2, Objective 2.1 & 2.2 Development Location and Timing. There is not a proposal for rezoning; however, the proposed project will promote contiguous, compact growth by developing on a property that is surrounded by development on all sides. This example of infill maximizes upon existing utilities and proximate public services. Per the utility letter of availability provided, the proposed project poses no burden to existing and planned public facilities.

Goal 4, Objective 4.1, Standards 4.1.1 & 4.1.2 Water and Sewer. Potable water will be provided by the North Lee County Water Treatment Plant, and Del Prado Water Reclamation Facility will provide sewer service to the site per the Letter of Availability enclosed in the application package.

Policy 6.1.1

1. Traffic and access impacts. Per traffic impact statement provided, this use is a low traffic generator that will not impact or burden the surrounding roadways.
2. Landscaping and detailed site planning. The project will comply with the rules and regulations of the land development code for site planning requirements and code minimum landscape requirements.
3. Screening and Buffering. The project will comply with the requirements of screening and buffering adjacent uses per the land development code.
4. Availability and adequacy of services and facilities. Per the attached utility availability letter, the utilities surrounding the site has capacity to service the project as proposed. The proposed use has an extremely low water and sewer demand and will not burden services in the area.
5. Impact on adjacent land uses and surrounding neighborhoods. The proposed use does not generate high traffic rates, uses minimal infrastructure, and will be designed to the standards of the land development code for the North Fort Myers Community. There is no impact to the western property as it is an existing school site and the area immediately adjacent is open space. The existing residential community (multi-family units) were designed for their primary view to be south facing overlooking the existing El Rio Golf Course. The front of the units contains surface and covered parking stalls. The project site will be required to provide the necessary landscape buffers as depicted in the land development code. The project has minimal effect on the surrounding uses.
6. Proximity to other similar centers. Most of the self-storage facilities are over 2.5 miles away from this site. The closest facility is the extra space storage that is 0.7 miles on Hancock Bridge Parkway to the west of the site. This facility is part of the Lochmoor Plaza and was originally a large commercial grocery built back in the 80's. Per the attached architectural elevations, the new self-storage facilities are state of the art buildings that provide the required look of the community of which they are located.
7. Environmental considerations. The site does not contain any protective species and just a few pockets of existing native trees. Per the site plan and landscape plan proposed, the existing pockets of trees are being retained to the maximum extent possible with also allowing the site to meet the necessary requirements of the code. The site will meet the requirements of the South Florida Water Management District drainage criteria.

Policy 11.2.1 the mixed-use overlay identifies locations where mixed-use development will have a positive impact. This project is not a mixed-use development.

Policy 11.2.2. Connections to adjacent uses. The site only proposes connections via pedestrians to existing facilities and vehicular connections to adjacent roadways.

Policy 11.2.4 the use of conventional zoning districts will be encouraged. There is not a proposal to change the zoning, therefore the site is utilizing the conventional zoning district it is situated within.

Goal 30 North Fort Myers Community Plan. The proposed project meets the requirements of Goal 30: North Fort Myers Community Plan - particularly by revitalizing and enhancing the older area of the community. The proposed project attracts appropriate investment that stabilizes the presence of a commercial corridor and enhances existing neighborhoods by providing a service in concordance with improved livability and economic vitality in the area.

Per **Policy 30.2.4** the intersection of Hancock Bridge Parkway and Orange Grove Boulevard is designated as a Neighborhood Center, which is appropriate for moderate intensity, pedestrian-oriented, mixed-use development. The subject property is approximate to the intersection of Hancock Bridge Parkway and Orange Grove Boulevard and is proximate to existing prospective patrons of the proposed development. Additionally, the infill project contributes to the existing mix of commercial, institutional, and residential uses in the general area.

Policy 30.5.1 Ensure parks and recreation facilities are reasonably accessible and adequate to meet the needs of residents. By creating public open space the proposed project provides access to open space and surrounding land uses, increasing walkability and connectivity in proximity to the Neighborhood Center, as designated by the Lee Plan.

Goal 125 Water Quality. The proposed project qualifies for a Florida Department of Environmental Protection (FDEP) 10-2 permit. This is because the site is not over 10 acres in size and does not propose over 2 acres of impervious surfaces. The project, however, must comply with the rules and regulations of the South Florida Water Management District (SFWMD) for stormwater principals and rules. Water quality will be maintained as developed is required to mitigate improvements through water quality and attenuation requirements. This is consistent with Lee Plan **Objective 125.1** by maintaining water quality at a standard that meets or exceeds state and federal water quality standards.

Should you need any additional documentation or information to process this request and find it sufficient please do not hesitate to contact me.

Sincerely,



Cindy Leal Brizuela, MURP
Principal Planner