

ADMINISTRATIVE DEVIATION: **ADD2023-00171****DSO ADMINISTRATIVE DEVIATION
LEE COUNTY, FLORIDA**

WHEREAS, EnSite, Inc. has filed an application on behalf of Crystal Bay Properties LLC for an administrative approval of deviations from the technical requirements of the Lee County Land Development Code for property located at 1700 Golf Club Drive, Ft. Myers, FL described more particularly as:

LEGAL DESCRIPTION: In Section 9 &16, Township 44 South, Range 24 East, Lee County, Florida:

ATTACHED AS EXHIBIT "A"

WHEREAS, the applicant has indicated the property's current STRAP number is 16-4424-03-0030C.0090; and

WHEREAS, the property is conventionally zoned Commercial (C-1) and Commercial Neighborhood (CN-1) and is located in the Suburban Future Land Use Category as designated by the Lee Plan; and

WHEREAS, an application for administrative deviations from the technical requirements of Chapter 10 of the Lee County Land Development Code have been filed; and

WHEREAS, Lee County Land Development Code, as amended, provides for administrative deviations from certain technical requirements for matters involving streets, access streets, intersections, rights-of-way, drainage swales, public water, public sewer, water mains, mass transit facilities, setbacks for water retention/detention excavations, indigenous native vegetation and similar matters not related to a change in use of the property in question; and

WHEREAS, the applicant has requested a deviation from Land Development Code (LDC) Section 33-1573(a)(1) and 10-610(e) which requires vehicular circulation between adjacent sites, to allow for no interconnection between uses; and

WHEREAS, the requirement is not beneficial to abutting church or school properties, and will allow for the adjacent properties to maintain their current circulation patterns; and

WHEREAS, the applicant has requested a deviation from Land Development Code (LDC) Section 10-329(d)(1)(a)(3), which excavations to be set back 50 feet from any property line under separate ownership, to allow for a 25-foot setback; and

WHEREAS, the decrease in setback will allow the stormwater management system maximum storage capacity; and

WHEREAS, the applicant has requested a deviation from (LDC) Section 10-285(a) which requires a connection separation of 125 feet on local suburban roads, to allow a connection separation of approximately 0 feet with the driveway across Golf Club Drive; and

WHEREAS, Golf Club Drive is a county-maintained, local roadway with a speed limit of 25 miles per hour; and

WHEREAS, the request addresses and memorializes an off-site existing condition of an exit-only access and backout parking attributes; and

WHEREAS, the applicant has requested a deviation from (LDC) Section 10-261(a) which requires a minimum of 899SF solid waste disposal area, to allow for 362SF of garbage collection area; and

WHEREAS, the mini-warehouse use on the property has limited office/administrative space and produces minimal solid waste; and

WHEREAS, Lee County Zoning and Development Services and Lee County Department of Transportation have reviewed the requested deviations and have no objections; and

WHEREAS, the following findings of fact are offered:

- (a) That the proposed alternatives are based on sound engineering practices; and
- (b) That said proposed alternatives are no less consistent with the health, safety, and welfare of abutting landowners and the general public than the standard from which the deviations were requested; and
- (c) The granting of the deviations are not inconsistent with any specific directive of the Board of County Commissioners, any other ordinance, or any Lee Plan Provision.

NOW, THEREFORE, IT IS HEREBY DETERMINED that the application for Administrative Deviations from Lee County Land Development Code Sections 33-1573(a)(1), 10-610(e), 10-329(d)(1)(a)(3), 10-285(a), and 10-261(a) are approved as conditioned:

- (a) That approval is subject to substantial compliance with the enclosed Exhibit B – Site Plan; and**
- (b) At time of development order the applicant must submit the lease documents verifying that the use of the garbage and recycling collection areas by the lessees of the storage area is prohibited.**
- (c) 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 Director 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.

Duly passed, adopted, and electronically signed on 2/7/2024

Ohdet Kleinmann, Development Services Manager

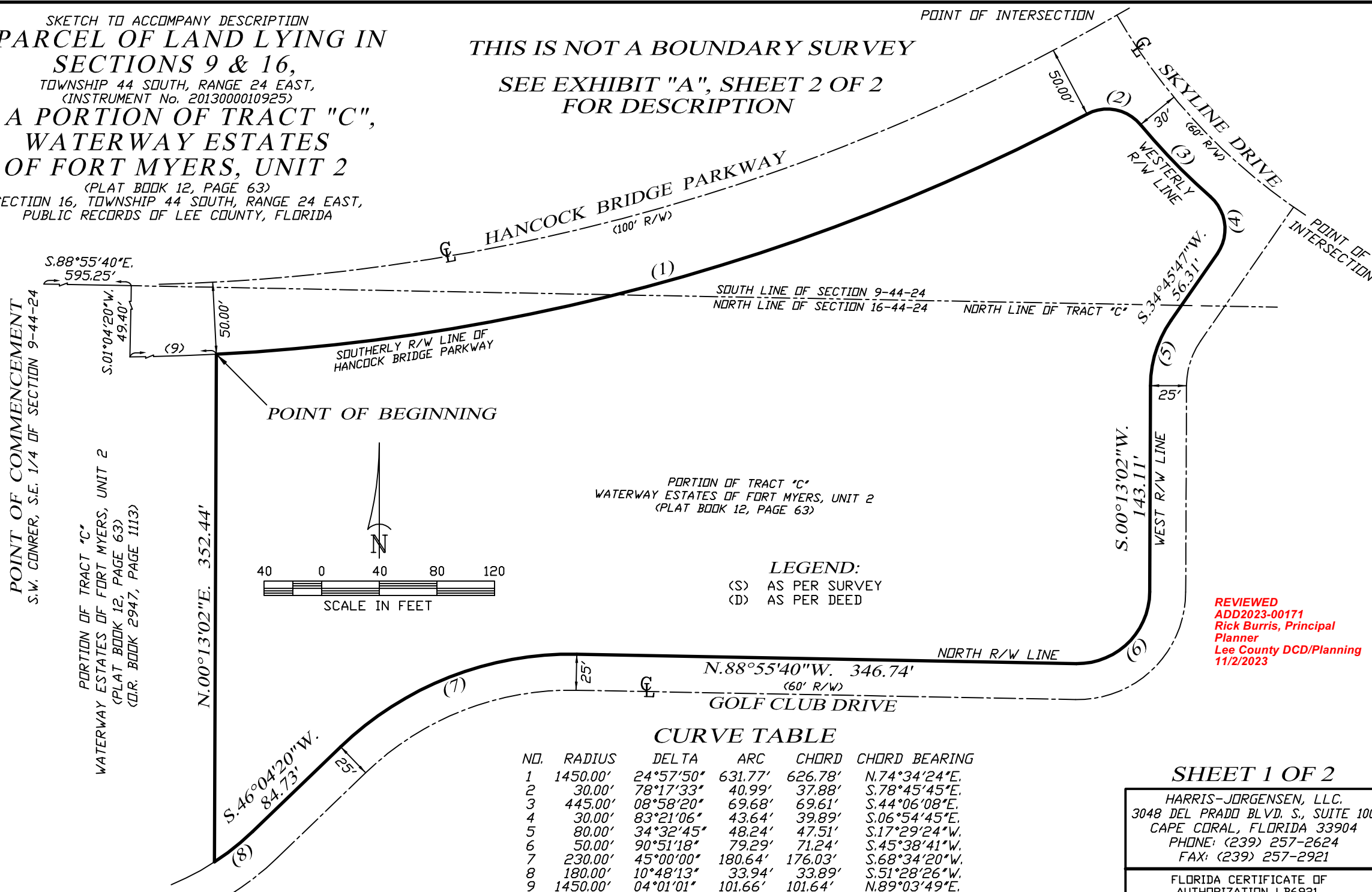
EXHIBITS:

EXHIBIT "A": Legal Description

EXHIBIT "B": Site Plan

SKETCH TO ACCOMPANY DESCRIPTION
**A PARCEL OF LAND LYING IN
SECTIONS 9 & 16,**
TOWNSHIP 44 SOUTH, RANGE 24 EAST,
(INSTRUMENT No. 2013000010925)
**& A PORTION OF TRACT "C",
WATERWAY ESTATES
OF FORT MYERS, UNIT 2**
(PLAT BOOK 12, PAGE 63)
SECTION 16, TOWNSHIP 44 SOUTH, RANGE 24 EAST,
PUBLIC RECORDS OF LEE COUNTY, FLORIDA

**THIS IS NOT A BOUNDARY SURVEY
SEE EXHIBIT "A", SHEET 2 OF 2
FOR DESCRIPTION**



LEGEND:
(S) AS PER SURVEY
(D) AS PER DEED

CURVE TABLE					
NO.	RADIUS	DELTA	ARC	CHORD	CHORD BEARING
1	1450.00'	24°57'50"	631.77'	626.78'	N.74°34'24"E.
2	30.00'	78°17'33"	40.99'	37.88'	S.78°45'45"E.
3	445.00'	08°58'20"	69.68'	69.61'	S.44°06'08"E.
4	30.00'	83°21'06"	43.64'	39.89'	S.06°54'45"E.
5	80.00'	34°32'45"	48.24'	47.51'	S.17°29'24"W.
6	50.00'	90°51'18"	79.29'	71.24'	S.45°38'41"W.
7	230.00'	45°00'00"	180.64'	176.03'	S.68°34'20"W.
8	180.00'	10°48'13"	33.94'	33.89'	S.51°28'26"W.
9	1450.00'	04°01'01"	101.66'	101.64'	N.89°03'49"E.

REVIEWED
ADD2023-00171
Rick Burris, Principal
Planner
Lee County DCD/Planning
11/2/2023

SHEET 1 OF 2

HARRIS-JORGENSEN, LLC.
3048 DEL PRADO BLVD. S., SUITE 100
CAPE CORAL, FLORIDA 33904
PHONE: (239) 257-2624
FAX: (239) 257-2921

FLORIDA CERTIFICATE OF
AUTHORIZATION LB6921

DESCRIPTION TO ACCOMPANY SKETCH EXHIBIT "A"

DESCRIPTION: (PER TITLE CERTIFICATION)

A TRACT OR PARCEL OF LAND LYING IN SECTION 9 AND 16, TOWNSHIP 44 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA, ALSO BEING PART OF TRACT "C", WATERWAY ESTATES OF FORT MYERS, UNIT 2, AS RECORDED IN PLAT BOOK 12, PAGE 63, PUBLIC RECORDS OF LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHEAST ONE QUARTER (SE 1/4) OF SAID SECTION 9; THENCE S.88°55'40"E. ALONG THE SOUTH LINE OF SAID SECTION 9 AND THE CENTERLINE OF HANCOCK BRIDGE PARKWAY (100 FEET WIDE) FOR 595.25 FEET; THENCE S.01°04'20"W. FOR 50.00 FEET TO THE SOUTHERLY RIGHT OF WAY OF SAID HANCOCK BRIDGE PARKWAY, ALSO BEING A POINT ON A CURVE TO THE LEFT, HAVING A RADIUS OF 1450.00 FEET, CENTRAL ANGLE OF 04°01'01", CHORD BEARING OF N.89°03'49"E; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE FOR 101.66 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE ALONG SAID SOUTHERLY RIGHT OF WAY, AND CURVE TO THE LEFT HAVING A RADIUS OF 1450.00 FEET, CENTRAL ANGLE OF 24°57'50"; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 631.77 FEET TO A POINT OF REVERSE CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 30.00 FEET, CENTRAL ANGLE OF 78°17'33"; THENCE NORTHEASTERLY AND SOUTHEASTERLY ALONG THE ARC OF SAID CURVE FOR 40.99 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE LEFT, HAVING A RADIUS OF 445.00 FEET, CENTRAL ANGLE OF 08°58'20"; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE FOR 69.88 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO RIGHT, HAVING A RADIUS OF 30.00 FEET, CENTRAL ANGLE OF 83°21'06"; THENCE SOUTHEASTERLY AND SOUTHWESTERLY ALONG THE ARC OF SAID CURVE FOR 43.64 TO THE POINT OF TANGENCY; THENCE S.34°45'47"W. FOR 56.31 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, HAVING A RADIUS OF 80.00 FEET, CENTRAL ANGLE OF 34°32'45"; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE FOR 48.24 FEET TO THE POINT OF TANGENCY; THENCE S.00°13'02"W. FOR 143.11 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 50.00 FEET; CENTRAL ANGLE OF 90°51'18"; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE FOR 79.29 FEET TO THE POINT OF TANGENCY; THENCE N.88°55'40"W. FOR 346.74 FEET (348.67 FEET PER PLAT) TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, HAVING A RADIUS OF 230.00 FEET, CENTRAL ANGLE OF 45°00'00"; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE FOR 180.64 FEET TO THE POINT OF TANGENCY; THENCE S.46°04'20"W. FOR 84.73 FET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 180.00 FEET, A CENTRAL ANGLE OF 10°48'13", THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE FOR 33.94 FEET TO THE END OF SAID CURVE; THENCE N.00°13'02"E. FOR 352.44 FEET TO THE POINT OF BEGINNING.

Phillip M
Mould, LS6515,
State of Florida
State of Florida

Digitally signed by
Phillip M Mould, LS6515,
State of Florida
Date: 2023.08.02
15:07:34 -04'00'

PHILLIP M MOULD
LS6515
AUGUST 2, 2023

REVIEWED
ADD2023-00171
Rick Burris, Principal
Planner
Lee County DCD/Planning
11/2/2023

NOTE:

THIS MAP/PLAT IS CONSIDERED SIGNED USING A DIGITAL SEAL IN ACCORDANCE WITH THE APPLICABLE STATE LAWS AND STATUTES FS 668.001-006; FS 668.50; FS 472.025; 5J-17.062, FLORIDA ADMINISTRATIVE CODE, STATE OF FLORIDA.

EXHIBIT B

ensite

2401 FIRST STREET, SUITE 201
FORT MYERS, FLORIDA 33901
PH: (239)-226-0024
EB-26544 CA-LC26000374

MIKE CARTER
CONSTRUCTION, INC.
435 12TH STREET WEST
BRADENTON, FL 34205

CLIENT NAME AND ADDRESS

1700 GOLF CLUB DRIVE
LEE COUNTY, FLORIDA

PROJECT NAME AND LOCATION

NO.	REVISION	DATE	
		08-04-23	12-15-23
R1	PER LEE COUNTY STAFF COMMENTS		
R2	PER LEE COUNTY COMMENTS		
REVISIONS DESCRIPTION			

DATE:	11-28-22
PROJECT NO.	1445-01
FILE NO.	1445-01
SCALE:	AS SHOWN

ADMINISTRATIVE
DEVIATION SITE
PLAN

SHEET TITLE

C-06

SHEET NUMBER

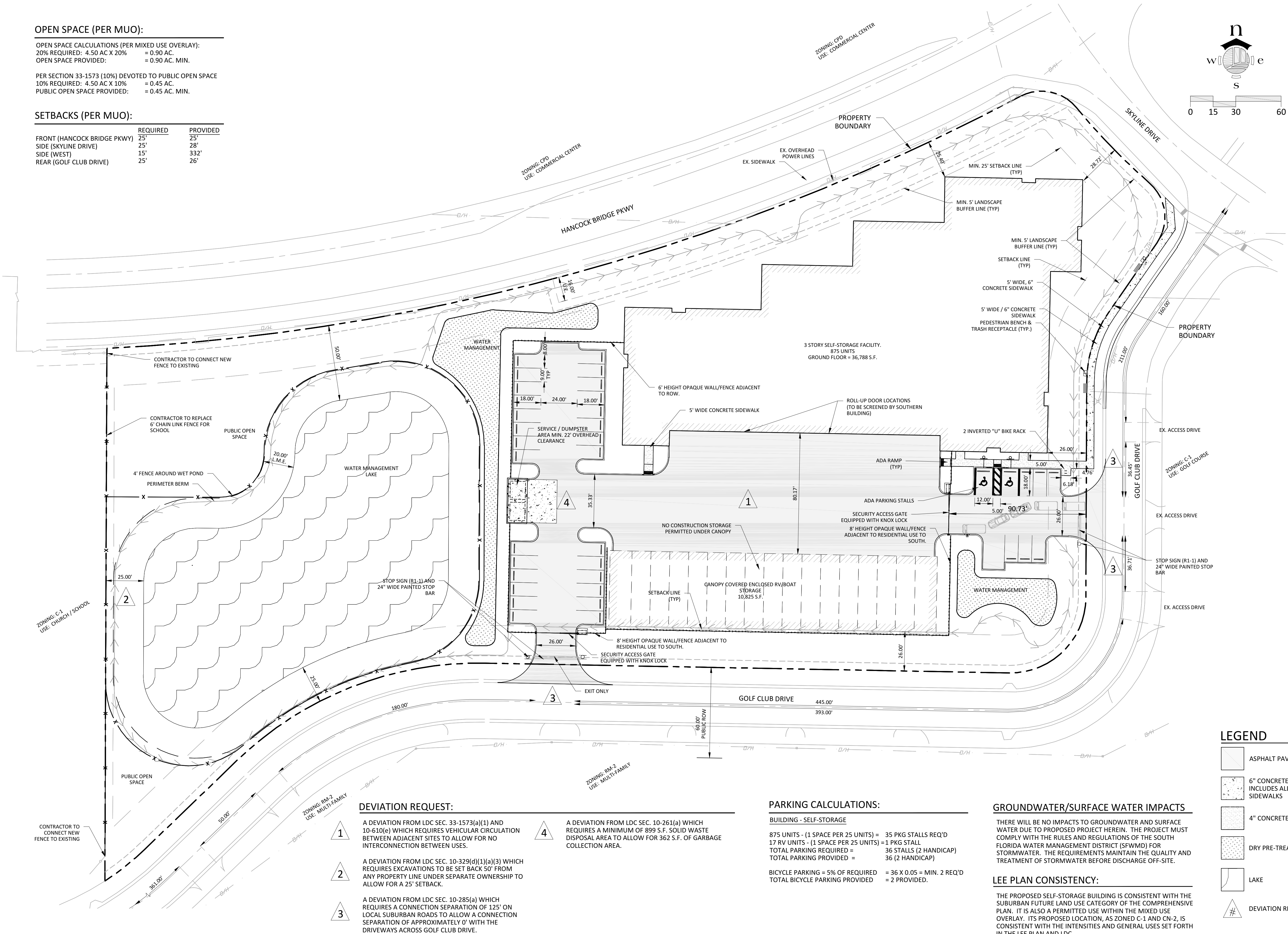
OPEN SPACE (PER MUO):

OPEN SPACE CALCULATIONS (PER MIXED USE OVERLAY):
20% REQUIRED: 4.50 AC X 20% = 0.90 AC.
OPEN SPACE PROVIDED: = 0.90 AC. MIN.

PER SECTION 33-1573 (10%) DEVOTED TO PUBLIC OPEN SPACE
10% REQUIRED: 4.50 AC X 10% = 0.45 AC.
PUBLIC OPEN SPACE PROVIDED: = 0.45 AC. MIN.

SETBACKS (PER MUO):

	REQUIRED	PROVIDED
FRONT (HANCOCK BRIDGE PKWY)	25'	25'
SIDE (SKYLINE DRIVE)	25'	28'
SIDE (WEST)	15'	332'
REAR (GOLF CLUB DRIVE)	25'	26'



DEVIATION REQUEST:

- 1

A DEVIATION FROM LDC SEC. 33-1573(a)(1) AND 10-610(e) WHICH REQUIRES VEHICULAR CIRCULATION BETWEEN ADJACENT SITES TO ALLOW FOR NO INTERCONNECTION BETWEEN USES.
- 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.
- 3

A DEVIATION FROM LDC SEC. 10-285(a) WHICH REQUIRES A CONNECTION SEPARATION OF 125' ON LOCAL SUBURBAN ROADS TO ALLOW A CONNECTION SEPARATION OF APPROXIMATELY 0' WITH THE DRIVEWAYS ACROSS GOLF CLUB DRIVE.
- 4

A DEVIATION FROM LDC SEC. 10-261(a) WHICH REQUIRES A MINIMUM OF 899 S.F. SOLID WASTE DISPOSAL AREA TO ALLOW FOR 362 S.F. OF GARBAGE COLLECTION AREA.

PARKING CALCULATIONS:

BUILDING - SELF-STORAGE
875 UNITS - (1 SPACE PER 25 UNITS) = 35 PKG STALLS REQ'D
17 RV UNITS - (1 SPACE PER 25 UNITS) = 1 PKG STALL
TOTAL PARKING REQUIRED = 36 STALLS (2 HANDICAP)
TOTAL PARKING PROVIDED = 36 (2 HANDICAP)
BICYCLE PARKING = 5% OF REQUIRED = 36 X 0.05 = MIN. 2 REQ'D
TOTAL BICYCLE PARKING PROVIDED = 2 PROVIDED.

GROUNDWATER/SURFACE WATER IMPACTS

THERE WILL BE NO IMPACTS TO GROUNDWATER AND SURFACE WATER DUE TO PROPOSED PROJECT HEREIN. THE PROJECT MUST COMPLY WITH THE RULES AND REGULATIONS OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT (SFWMD) FOR STORMWATER. THE REQUIREMENTS MAINTAIN THE QUALITY AND TREATMENT OF STORMWATER BEFORE DISCHARGE OFF-SITE.

LEE PLAN CONSISTENCY:

THE PROPOSED SELF-STORAGE BUILDING IS CONSISTENT WITH THE SUBURBAN FUTURE LAND USE CATEGORY OF THE COMPREHENSIVE PLAN. IT IS ALSO A PERMITTED USE WITHIN THE MIXED USE OVERLAY. ITS PROPOSED LOCATION, AS ZONED C-1 AND CN-2, IS CONSISTENT WITH THE INTENSITIES AND GENERAL USES SET FORTH IN THE LEE PLAN AND LDC.