

22 BETH STACEY BLVD, LEHIGH ACRES
Administrative Deviation Application
Explanation and Justification of Request

Deviation Request: Lee County LDC Section 10-261(a) Provision of container spaces states that all new construction of commercial businesses provide sufficient on-site space for the placement of garbage...At a minimum, the following area is required...

Proposed square footage = 100,480 sf Building 1 + 17,100 sf Building 2 = 117,580 sf Total

Required Container Space for the first 25,000 sf = 216 sf

Required Container Space for remaining (92,580/1000 * 8 sf) = 741 sf

Total Required Container Space = 957 sf

This deviation requests the required container space be reduced from 957 sf to 156 sf.

Explanation and Justification

1. The request is based on sound engineering practices:

Response: Enclosed with this application is confirmation from the Solid Waste Department that a 156 sf enclosure is appropriate for this site and proposed use. Further, the dumpster enclosure would only be utilized by staff and not by customers. Examples of refuse would be paper products similarly found in an office setting.

2. 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.

Response: The proposed deviation only requests a smaller space. The space proposed will comply with all other LDC requirements including but not limited to overhead clearance, a 12' wide access opening, screening requirements, and structure setback requirements. Typically, self-storage facilities generate a minimal amount of solid waste.

3. For division 7, article III, chapter 10, the required facility would unnecessarily duplicate existing facilities.

Response: Not Applicable

4. The granting of the deviation is not inconsistent with any specific policy directive of the Board of County Commissioners, and other ordinance or any Lee Plan provision.

Response: This deviation is not known to be inconsistent with any specific policy directive or ordinance.

5. For Sections 10-352 and 10-353, the utility that would otherwise serve the development cannot provide the service at the adopted level of service standard due to an inadequate central facility.

Response: Not Applicable.



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