

ADMINISTRATIVE AMENDMENT (PD) ADD2023-00141

ADMINISTRATIVE AMENDMENT
LEE COUNTY, FLORIDA

WHEREAS, Beacon Civil Engineering filed an application for an administrative amendment to a Commercial Planned Development Resolution approved by Z-05-065, known as Pinto Flexspace to:

- Request a deviation from Land Development Code Section 10-416(d)(6);
- Revise the Master Concept Plan to remove multiple buildings and depict one building; and
- Revise the zoning resolution to remove references to Tracts A and B.

WHEREAS, the applicant has indicated that the property's current STRAP number is 21-45-25-01-00000.030E, and a legal description of the property is attached hereto as Exhibit "A"; and

WHEREAS, the property was originally rezoned by Resolution Z-05-065, as amended by ADD2006-00191 (Exhibits "C" and "D"); and

WHEREAS, the subject property is in the Outlying Suburban Future Land Use Category as designated by the Lee Plan; and

WHEREAS, Resolution Z-05-065 was approved to allow multiple buildings within Tract A and one building in Tract B (Exhibit "C"); and

WHEREAS, the applicant is requesting to revise Resolution Z-05-065 to remove references to Tracts A and B in the resolution and revise the Master Concept Plan to depict one building; and

WHEREAS, the applicant is requesting Deviation 5 from LDC Section 10-416(d)(6) to allow a 15-foot Type D buffer with an additional double hedgerow where either a 25-foot-wide buffer with an eight foot wall and a minimum five trees and 18 shrubs per 100 linear feet or a 30-foot-wide Type F buffer with the hedge planted a minimum of 20 feet from the abutting property is required (Exhibit "B"); and

WHEREAS, the applicant has hatched the area on the Master Concept Plan to depict the extent of the enhanced Type D buffer in the southwest corner of the subject property (Exhibit "E"); and

WHEREAS, ADD2006-00191 was issued to allow a 9.5-foot building setback from the indigenous preserve located on the north portion of the property (Exhibit "D"); and

WHEREAS, the current request revises the Master Concept Plan to depict the 20-foot required building setback per LDC Section 10-415(c); and

WHEREAS, ADD2006-00191 will be superseded with the approval of this administrative amendment due to the Master Concept Plan revisions demonstrating compliance with LDC Section 10-415(c); and

WHEREAS, Resolution Z-05-065 and ADD2006-00191 included Condition 4.c requiring Sabal palms to be installed per an exhibit that was not attached to the resolution; and

WHEREAS, Condition 4.c is being incorporated into the indigenous preserve restoration specifications per Condition 4.d of Resolution Z-05-065 to demonstrate compliance with LDC Section 10-415(b)(3)b.5, and condition 4.c will be removed; and

WHEREAS, the Lee County Land Development Code provides for certain administrative changes to planned development master concept plans and planned unit development final development plans; and

WHEREAS, the subject application and plans have been reviewed by the Lee County Department of Community Development in accordance with applicable regulations for compliance with all terms of the administrative approval procedures; and

WHEREAS, it is found that the proposed amendment does not increase density or intensity within the development; does not decrease buffers or open space required by the LDC; does not underutilize public resources or infrastructure; does not reduce total open space, buffering, landscaping or preservation areas; and does not otherwise adversely impact on surrounding land uses.

NOW, THEREFORE, IT IS HEREBY DETERMINED that the application for administrative approval of an amendment to the Commercial Planned Development to revise the master concept plan and request a deviation from LDC Section 10-416(d)(6) is **APPROVED, subject to the following conditions:**

1. **The development of this project must be consistent with the one-page Master Concept Plan (MCP) entitled “Pinto Flexspace”, received 03/14/2023, a copy of which is attached hereto as Exhibit “E”, except as modified by the conditions below.**

The MCP specifies a maximum of 90,000 square feet of floor space, which includes 65,000 square feet of floor space dedicated to mini-warehouse and public-warehouse uses, 10,000 square feet of medical office and 15,000 square feet of non-medical office uses. Maximum height of the building is 45 feet.

2. The following limits apply to the project and uses:

a. Schedule of Uses

Accessory Uses and Structures
 Administrative Offices
 Business Services
 Essential Services
 Essential Service Facilities, Group I
 Fences, Walls
 Insurance companies
 Medical Office (limited to 10,000 square feet)
 Parking Lot: Accessory
 Caretaker's Residence
 Signs
 Warehouse: Mini-Warehouse
 Public Warehouse

b. Site Development Regulations

Building Setbacks:	
Street	25 feet
Side	25 feet
Rear	15 feet
Waterbody	25 feet
Accessory Structures	10 feet
Indigenous Preserve	20 feet
Maximum Height:	45 feet
Maximum Lot Coverage:	30 percent
Minimum Open Space:	30 percent

3. Prior to local development order approval, the development order plans must delineate the 0.62-acre native tree preservation area in substantial compliance with the MCP and include a native shrub planting plan meeting the requirements of LDC Section 10-415(b)(3)b.5 for review and approval. The tree preservation area must have a minimum 50-foot width.
4. Prior to local development order approval, the landscape plans must show:
- A double staggered hedge of native shrubs (48-inch minimum height at planting; allowed to grow to their natural height) along the north property line; and
 - All the existing native trees within the tree preserve area in the northern portion of the property; and
 - A total of 3,000 native shrubs and groundcover (minimum 1 gallon container size) with 1,500 plants within the 0.62-acre indigenous preserve, 750 plants within the 30-foot buffer area to the west of the indigenous vegetation area, and Sabal palms with staggered heights ranging from 10-foot clear trunks to 20-foot clear trunks planted 20-foot

on center within the indigenous preserve. This will achieve the extra 10 percent credit for the 0.62-acre preserve by meeting the intent of LDC Section 10-415(b)(3)b.5; and

- d. A Type “C” buffer without a wall or wall/berm combination on the east property line and a 15-foot setback for the parking area from the east property line; and
 - e. The enhanced Type “D” buffer at the corner of Pinto Land and Salrose Lane (hatched on Master Concept Plan) must include an enhanced Type “D” buffer (no palms) that includes an additional double hedge row installed at 48 inches and maintained at 60 inches in height; and
 - f. All buffer landscape vegetation must be 100 percent native with no less than three different shrub species.
5. At time of local development order, it must be shown that Pinto Lane will be brought into compliance with applicable LDC standards for roadways carrying commercial traffic.
 6. Hours of operation are limited to 6:00 a.m. to 9:00 p.m.
 7. Approval of this zoning request does not guarantee Development Order approval. Future development order approval must satisfy the requirements of the Lee Plan Planning Communities Map and Acreage Allocation Table, Map 16 and Table 1(b), be reviewed for, and found consistent with, range of gross floor area, location, tenant mix and general function, as well as all other Lee Plan provisions.
 8. This development must comply with all requirements of the Lee County LDC at time of Development Order approval, except as may be granted by deviation as part of this planned development. If changes to the Master Concept Plan are subsequently pursued, appropriate approvals will be necessary.
 9. The terms and conditions of the original zoning resolution and subsequent amendments thereto are superseded by the subject administrative amendment.
 10. 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 Zoning Manager 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.

SECTION C. DEVIATIONS:

1. Deviation (1) Withdrawn at hearing.
2. Deviation (2) Withdrawn per ADD2023-00141

3. Deviation (3) Withdrawn per ADD2023-00141
4. Deviation (4) seeks relief from the LDC Section 10-416(d) requirement that commercially-zoned properties abutting residentially-zoned properties provide a Type “C” buffer with eight-foot-wall or wall and berm combination and a 25-foot-wide buffer from a parking or access way to a residentially-zoned property, to allow a Type “C” buffer without a wall on the east property line and a 15-foot-wide buffer from a parking or access way on the eastern property line. This deviation is APPROVED subject to CONDITIONS 4.d and 4.f .
5. Deviation (5) seeks relief from the LDC Section 10-416(d)(6) requirement that if roads, drives, or parking areas associated with residential subdivisions or with a multi-family or nonresidential use are located less than 125 feet from an existing single-family residential subdivision or single-family residential lots, then a solid wall or combination berm and solid wall not less than eight feet in height must be constructed not less than 25 feet from the abutting property and landscaped (between the wall and the abutting property) with a minimum of five trees and 18 shrubs per 100 linear feet or a 30-foot-wide Type “F” buffer with the hedge planted a minimum of 20 feet from the abutting property, to allow an enhanced Type “D” buffer with an additional double hedge row near the intersection of Pinto Lane and Salrose Land. This deviation is APPROVED subject to CONDITION 4.e.

Duly passed, adopted, and electronically signed on 4/19/2024

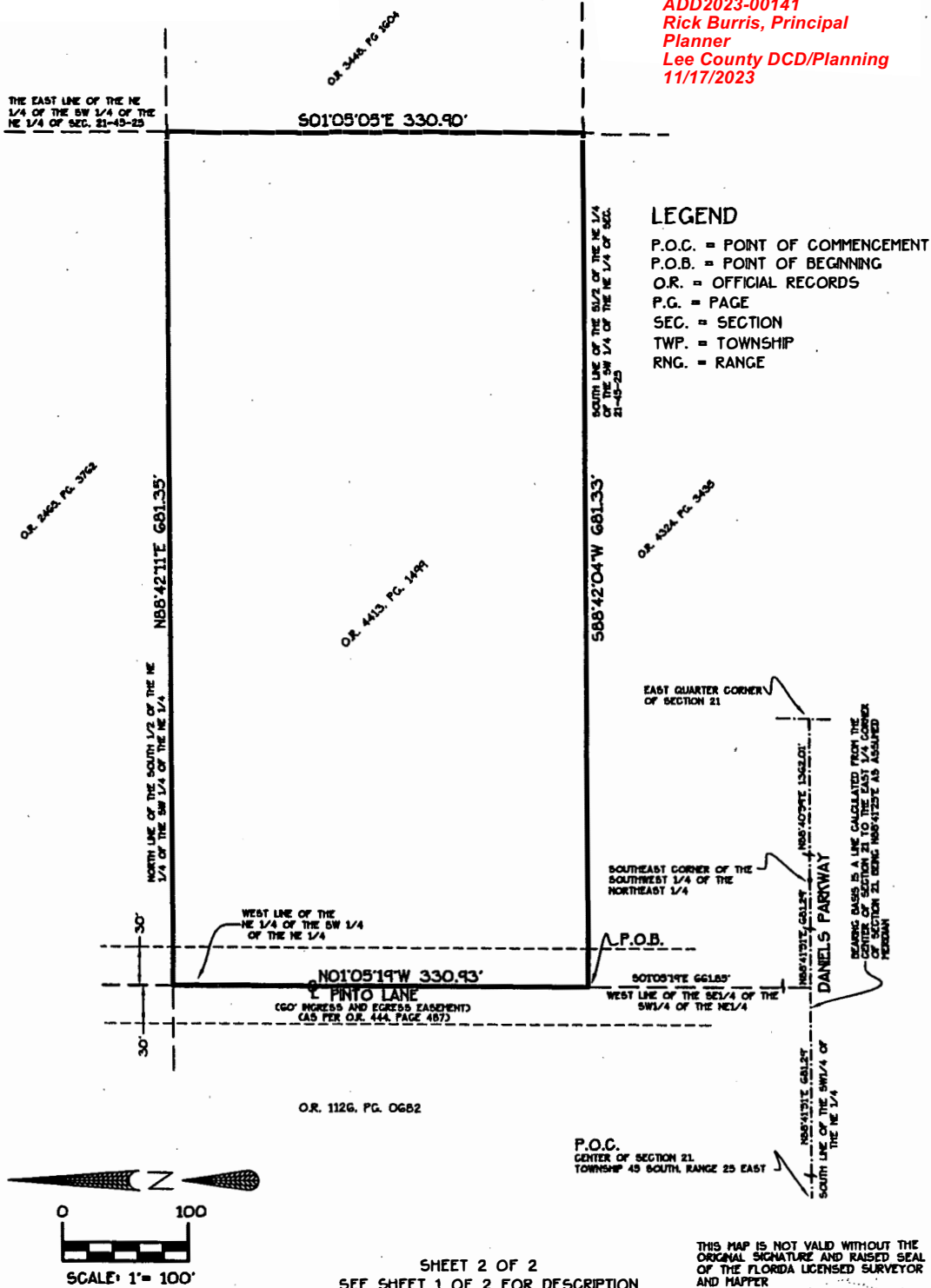
Anthony R. Rodriguez, AICP, CPM, Zoning Manager

List of Exhibits

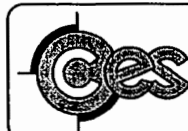
- Exhibit A: Legal Description
Exhibit B: Applicant Request
Exhibit C: Resolution Z-05-065
Exhibit D ADD2006-00191
Exhibit E: Master Concept Plan entitled Pinto Flexspace

(NOT A SURVEY)
 SKETCH OF DESCRIPTION
 SEC. 21, TWP. 45S., RNG. 24E.
 LEE COUNTY, FLORIDA

REVIEWED
 ADD2023-00141
 Rick Burris, Principal
 Planner
 Lee County DCD/Planning
 11/17/2023



JOB NO. 04-152



community engineering services, Inc.
 civil engineering surveying project management
 EB-0006613 LB-0572
 8991 Daniels Center Drive, Suite 103
 Fort Myers, Florida 33912
 Telephone (239) 936-9777 Fax (239) 936-0064

DONALD D. SMITH, P.S.M.
 FLORIDA REGISTRATION NO. 4078
 FOR THE FIRM
 DATE SIGNED: 4-21-05

(NOT A SURVEY)
SKETCH OF DESCRIPTION
 SEC.21. TWP.45S.. RNG. 24E.
 LEE COUNTY, FLORIDA

DESCRIPTION:

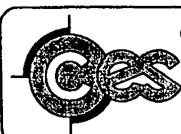
A PARCEL OF LAND BEING THE SOUTH 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 21, TOWNSHIP 45 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCE AT THE CENTER OF SAID SECTION 21; THENCE NORTH $88^{\circ}41'51''$ EAST ALONG THE SOUTH LINE OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 21, A DISTANCE OF 681.29 FEET TO A POINT AT THE WEST LINE OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 21, SAID LINE BEING THE CENTERLINE OF A 60 FOOT WIDE INGRESS AND EGRESS EASEMENT KNOWN AS PINTO LANE RECORDED IN OFFICIAL RECORDS BOOK 444, PAGE 487 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE NORTH $01^{\circ}05'19''$ WEST ALONG SAID WEST LINE, A DISTANCE OF 661.85 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH $01^{\circ}05'19''$ WEST ALONG THE WEST LINE OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 21, A DISTANCE OF 330.93 FEET TO A POINT AT THE NORTH LINE OF SAID SOUTH 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 21; THENCE NORTH $88^{\circ}42'11''$ EAST ALONG SAID NORTH LINE, A DISTANCE OF 681.35 FEET TO A POINT AT THE EAST LINE OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 21; THENCE SOUTH $01^{\circ}05'05''$ EAST ALONG SAID EAST LINE, A DISTANCE OF 330.90 FEET TO A POINT AT THE SOUTH LINE OF SAID SOUTH 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 21; THENCE SOUTH $88^{\circ}42'04''$ WEST ALONG SAID SOUTH LINE, A DISTANCE OF 681.33 FEET TO THE POINT OF BEGINNING. CONTAINING 5.18 ACRES, MORE OR LESS.

BEARINGS ARE BASED ON A LINE FROM THE CENTER OF SECTION 21 TO THE EAST QUARTER CORNER OF SECTION 21, BEING NORTH $88^{\circ}41'25''$ EAST AS ASSUMED MERIDIAN.

REVIEWED
ADD2023-00141
Rick Burris, Principal
Planner
Lee County DCD/Planning
11/17/2023

SHEET 1 OF 2
 SEE SHEET 2 OF 2 FOR SKETCH



community engineering services, inc.
 civil engineering surveying project management

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 8991 Daniels Center Drive, Suite 103
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JOB NO. 04-152

EXHIBIT A
 (Page 2 of 2)

EXHIBIT

PH.3.D.2



8345 Gunn Highway
Tampa, Florida 33626

10/09/2023

Department of Community Development
1500 Monroe Street
Fort Meyers, FL 33901

RE: Narrative
Project Name: Pinto Flexspace
Application#: ADD2023-00141

Dear Staff,

The original Master Concept Plan (MCP) entitled "Pinto Lane" approved for a maximum of 97,000 square feet of floor space divided into two lots:

"Tract A" is limited to 31,200 square feet of floor space (non-medical office use) OR 10,000 medical and 15,000 non-medical office uses.

"Tract B" is limited to 65,800 square feet of floor space.

This is a request to amend the Z-05-065; DCI2005-00032 to reconfigure the buildings (10,000 S.F. medical office, 65,000 S.F. (3-Story) Warehouse storage, and 15,000 S.F. non-medical office to be in One building). The Parcel is located at 13351 Pinto Lane, Strap No. 21-45-25-01-00000.030E.

There is no change in the uses from the approved resolution, and the proposed square footage is below the maximum allowed.

Lee Plan Compliance

The subject property is designated as an outlying suburban, Both the office use and storage use are passive uses.

The Lee Plan provides more specific guidelines for commercial uses. The policies are noted and response below.

POLICY 2.1.1: Most residential, commercial, industrial, and public development is expected to occur within the designated future urban areas on the Future Land Use Map through the assignment of very low densities to the non-urban categories.

Response: This project is located in the Daniel Parkway planning community in the outlying Suburban future land use category, a designated Future Urban Area. Also, there is no proposal to change the approved uses.

POLICY 6.1.4: Commercial development will be approved only when compatible with adjacent existing and proposed land uses and with existing and programmed public services and facilities. (Ord. No. 94-30, 00-22)

Response: The current conditions of intensity and buffers on the CPD property ensure compatibility with surrounding land uses. This request is for a CPD amendment to reconfigure a building and not to change allowable uses.

We'll guide you through your development



POLICY 6.1.6: The land development regulations will require that commercial development provide adequate and appropriate landscaping, open space, and buffering. Such development is encouraged to be architecturally designed so as to enhance the appearance of structures and parking areas and blend with the character of existing or planned surrounding land uses.

Response: The proposed development includes a 10,000-square-foot medical office, 65,000-square-foot warehouse storage, and 15,000-square-foot non-medical office. It will always comply with the site development standards outlined in the master concept plan.

Sincerely,
Beacon Civil Engineering, LLC.

A handwritten signature in black ink, appearing to be "LB" or "Laurie Burcaw", written in a cursive style.

Laurie Burcaw, P.E.

RESOLUTION NUMBER Z-05-065

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

WHEREAS, Beverly Grady filed an application on behalf of the property owner, S & J Group, L.L.P, to rezone a 5.18± acre parcel from Agricultural (AG-2) to Commercial Planned Development (CPD), in reference to Pinto Lane CPD; and,

WHEREAS, a public hearing was advertised and held on September 15, 2005, before the Lee County Zoning Hearing Examiner, who gave full consideration to the evidence in the record for Case #DCI2005-00032; and

WHEREAS, a second public hearing was advertised and held on November 21, 2005, before the Lee County Board of Commissioners, who gave full and complete consideration to the recommendations of the staff, the Hearing Examiner, the documents on record and the testimony of all interested persons.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS:

SECTION A. REQUEST

The applicant filed a request to rezone a 5.18± acre parcel from AG-2 to CPD, to allow a maximum of 31,200 square feet of general or medical office use and a maximum of 65,800 square feet of public indoor storage (warehouse) use. The property is located in the Outlying Suburban Land Use Category and is legally described in attached Exhibit A. The request is APPROVED, SUBJECT TO the conditions and deviations specified in Sections B and C below.

SECTION B. CONDITIONS:

All references to uses are as defined or listed in the Lee County Land Development Code (LDC).

1. The development of this project must be consistent with the one-page Master Concept Plan (MCP) entitled "Pinto Lane," stamped received FEB 17 2006, last revised 2/14/06, except as modified by the conditions below.

The MCP specifies a maximum of 97,000 square feet of floor space divided into two lots: "Tract A" is limited to a 31,200 square feet of floor space (non-medical office use) **OR** 10,000 medical and 15,000 non-medical office uses; "Tract B" is limited to 65,800 square feet of floor space, 45 feet in height and three stories.

2. The following limits apply to the project and uses (any Note referenced is taken from LDC §34-934):

a. Schedule of Uses

TRACT A

Accessory uses and structures: Note (1)
 Administrative offices: (Note 1)
 Business services: Group I
 Essential services (Note 1)
 Essential service facilities: Group I
 Fences, walls (Note1)
 Insurance companies
 Medical office (limited to 10,000 square feet)
 Parking lot: Accessory
 Signs (in accordance with chapter 30)

TRACT B

Accessory uses and structures: (Note 1)
 Administrative offices: (Note1)
 Caretaker's residence (Note 34)
 Essential services (Note 1)
 Essential service facilities : Group I
 Fences, walls (Note1)
 Parking lot: Accessory
 Signs (in accordance with chapter 30)
 Warehouse: Mini-warehouse, public warehouse (indoor storage)

b. Site Development Regulations

TRACT A

Minimum Lot Area and Dimensions:

Area	3.0 acres
Width	450 feet
Depth	300 feet

Minimum Building Setbacks:

Pinto Lane	20 feet
Salrose Lane	15 feet
Side (south property line)	10 feet
Rear (as shown on MCP)	10 feet
Water	25 feet
Accessory Structures	10 feet

Maximum Height:

• Buildings 1-3 and 5-7	25 feet/1 story
• Building 4	35 feet/2 stories

TRACT B**Minimum Lot Area and Dimensions:**

Area	1.0 acre
Width	200 feet
Depth	300 feet

Minimum Building Setbacks:

Salrose Lane	25 feet
Side	15 feet
Rear	25 feet
Water	25 feet
Accessory Structures	15 feet

Maximum Height	45 feet/3 stories
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PROJECT

Maximum Lot Coverage	30 percent
Minimum Open Space	1.48 acres
Minimum Building Separation	20 feet

3. Prior to local development order approval, the development order plans must delineate the 0.62 acre native tree preservation area in substantial compliance with the MCP and provide a native shrub planting plan meeting the requirements of LDC §10415(b)(2)b.5 for the Division of Environmental Science staff review and approval. The tree preservation area must have a minimum 50-foot width.
4. Prior to local development order approval, the landscape plans must show:
 - a. a double staggered hedge of native shrubs (48-inch minimum height at planting; allowed to grow to their natural height) along the north property line; and
 - b. all the existing native trees within the tree preserve area in the northern portion of the property; and
 - c. sabal palms with staggered heights ranging from 10-foot clear trunks to 20-foot clear trunks planted 20-foot on center in the areas delineated on the attached exhibit entitled "Sabal Palm Planting Areas"; and
 - d. A total of 3,000 native shrubs and groundcover (minimum 1 gallon container size) with 1,500 plants within the 0.62-acre indigenous preserve, 750 plants within the 30-foot buffer area to the north of the indigenous preserve, and 750 plants within the open area north of building #1 and west of the indigenous vegetation area. This will achieve the extra 10 percent credit for the 0.62-acre preserve by meeting the intent of LDC §10-415(b)(2)b.5.

- e. an enhanced Type "D" buffer along Pinto Lane right-of-way containing:
 - 1) five canopy trees (no palms) planted in addition to the standard Type "D" requirements. The 15 foot buffer must be free of any easements. Hedge rows must be installed at 48 inches and maintained at 60 inches; and
 - 2) all buffer requirements for the entire site will be met with 100% native vegetation. A diverse selection of shrubs must be provided - no less than three different species. Non-native vegetation may be planted in addition to required plantings.
- 5. At the time of local development order, it must be shown that Pinto Lane will be brought into compliance with applicable LDC standards for roadways carrying commercial traffic.
- 6. Prior to issuance of a local development order for Tract A, an easement over Salrose Lane to provide access to Tract B must be recorded and provided to establish that Tract B is not land locked. At the time of issuance of a local development order for Tract B, it must be shown that Salrose Lane will be completed to the easternmost boundary of Tract B and an easement has been granted over Salrose Lane, which easement provides for access to Tract B and for permanent maintenance in the same manner as required by the LDC for all private subdivision roads.
- 7. Hours of operation for Tracts A and B are limited to 6:00 a.m. to 9:00 p.m.
- 8. Approval of this zoning request does not address mitigation of the project's vehicular or pedestrian traffic impacts. Additional conditions consistent with the Lee County LDC may be required to obtain an LDO.
- 9. Approval of this rezoning does not guarantee LDO approval. Future development order approvals must satisfy the requirements of the Lee Plan Planning Communities Map and Acreage Allocation Table, Map 16 and Table 1(b), be reviewed for, and found consistent with, range of gross floor area, location, tenant mix and general function, as well as all other Lee Plan provisions.
- 10. This development must comply with all requirements of the Lee County LDC at time of LDO approval, except as may be granted by deviation as part of this planned development. If changes to the Master Concept Plan are subsequently pursued, appropriate approvals will be necessary.

SECTION C. DEVIATIONS:

- 1. Deviation (1) - Withdrawn at hearing.
- 2. Deviation (2) seeks relief from the LDC §34-935(b)(1)(b) requirement to provide a 15-foot minimum building and structure setback from the development perimeter boundary, to allow a 10-foot perimeter setback along the southern property line for Tract A. This deviation is APPROVED.

3. Deviation (3) seeks relief from the LDC §10-414(d)(3) requirement to provide a Type “A” buffer between commercially zoned properties, to eliminate the buffer along the southern boundary of Tracts A and B. This deviation is APPROVED.
4. Deviation (4) seeks relief from the LDC §10-416(d)(6) requirement that commercially zoned properties abutting agricultural or residentially zoned properties provide a Type “C” buffer with 8-foot-high wall or wall and berm combination and a 25-foot-wide buffer from a parking or access way to a residentially zoned property, to allow a Type “C” buffer without a wall on the east property line and a 15-foot-wide buffer from a parking or access way on the eastern property line. This deviation is APPROVED for:
 - (a) a Type “C” buffer without a wall or wall/berm combination on the east property line; and,
 - (b) a 15-foot setback for the parking area from the east property line.

SECTION D. EXHIBITS AND STRAP NUMBER:

The following exhibits are attached to this resolution and incorporated by reference:

- Exhibit A: Legal description of the property
Exhibit B: Zoning Map (with the subject parcel indicated)
Exhibit C: The Master Concept Plan

The applicant has indicated that the STRAP number for the subject property is:
21-45-25-01-00000.030E

SECTION E. FINDINGS AND CONCLUSIONS:

1. The applicant has proven entitlement to the rezoning by demonstrating compliance with the Lee Plan, the LDC, and any other applicable code or regulation.
2. The rezoning, as approved:
 - a. meets or exceeds all performance and locational standards set forth for the potential uses allowed by the request; and,
 - b. is consistent with the densities, intensities and general uses set forth in the Lee Plan; and,
 - c. is compatible with existing or planned uses in the surrounding area; and,
 - d. will not place an undue burden upon existing transportation or planned infrastructure facilities and will be served by streets with the capacity to carry traffic generated by the development; and,

- e. will not adversely affect environmentally critical areas or natural resources.
3. The rezoning satisfies the following criteria:
 - a. the proposed use or mix of uses is appropriate at the subject location; and
 - b. the recommended conditions to the concept plan and other applicable regulations provide sufficient safeguard to the public interest; and
 - c. the recommended conditions are reasonably related to the impacts on the public interest created by or expected from the proposed development.
4. Urban services, as defined in the Lee Plan, are, or will be, available and adequate to serve the proposed land use.
5. The approved deviations, as conditioned, enhance achievement of the planned development objectives, and preserve and promote the general intent of LDC Chapter 34, to protect the public health, safety and welfare.

The foregoing resolution was adopted by the Lee County Board of Commissioners upon the motion of Commissioner Judah, seconded by Commissioner Albion and, upon being put to a vote, the result was as follows:

Robert P. Janes	Aye
Douglas R. St. Cerny	Aye
Ray Judah	Aye
Tammy Hall	Aye
John E. Albion	Aye

DULY PASSED AND ADOPTED this 21st day of November 2005.

ATTEST:
CHARLIE GREEN, CLERK

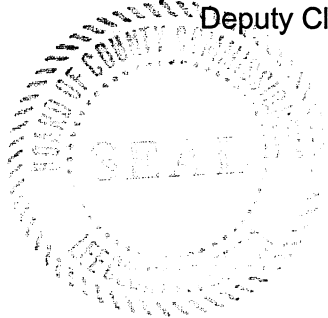
BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: Michele S. Cooper
Deputy Clerk

BY: [Signature]
Chairwoman

Approved as to form by:

[Signature]
Dawn Perry-Lehnert
County Attorney's Office



CASE NO: DCI2005-00032

RECEIVED
MINUTES OFFICE
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2006 MAR 21 PM 4:23

Z-05-065
Page 6 of 6

(NOT A SURVEY)

SKETCH OF DESCRIPTION

Applicant's Survey Checked
By Lgm 5/19/2005

SEC.21. TWP.45S.. RNG. 24E.
LEE COUNTY, FLORIDA

DCI 2005-00032

THE EAST LINE OF THE NE
1/4 OF THE SW 1/4 OF THE
NE 1/4 OF SEC. 21-45-25

501°05'05"E 330.90'

OR 3445, PG 1604

SOUTH LINE OF THE SW 1/4 OF THE NE 1/4
OF THE SW 1/4 OF THE NE 1/4 OF SEC.
21-45-25

LEGEND

P.O.C. = POINT OF COMMENCEMENT
P.O.B. = POINT OF BEGINNING
O.R. = OFFICIAL RECORDS
P.G. = PAGE
SEC. = SECTION
TWP. = TOWNSHIP
RNG. = RANGE

OR 2465, PG 3762

N88°42'11"E 681.35'

NORTH LINE OF THE SOUTH 1/2 OF THE NE
1/4 OF THE SW 1/4 OF THE NE 1/4

OR 4413, PG 1499

588°42'04"W 681.33'

OR 4324, PG 3435

EAST QUARTER CORNER
OF SECTION 21

SOUTHEAST CORNER OF THE
SOUTHWEST 1/4 OF THE
NORTHEAST 1/4

P.O.B.

N01°05'19"W 330.93'

PINTO LANE
(60' INGRESS AND EGRESS EASEMENT)
(AS PER O.R. 444, PAGE 487)

501°05'19"E 661.85'
WEST LINE OF THE SE 1/4 OF THE
SW 1/4 OF THE NE 1/4

O.R. 1126, PG. 0682

P.O.C.
CENTER OF SECTION 21.
TOWNSHIP 45 SOUTH, RANGE 25 EAST

BEARING BASIS IS A LINE CALCULATED FROM THE
CENTER OF SECTION 21 TO THE EAST 1/4 CORNER
OF SECTION 21 BEING N88°41'25"E AS ASSUMED
MERIDIAN

DANIELS PARKWAY

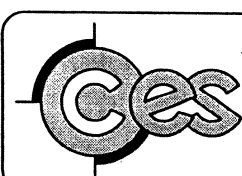
SOUTH LINE OF THE SW 1/4 OF
THE NE 1/4



SCALE: 1"= 100'

SHEET 2 OF 2
SEE SHEET 1 OF 2 FOR DESCRIPTION

THIS MAP IS NOT VALID WITHOUT THE
ORIGINAL SIGNATURE AND RAISED SEAL
OF THE FLORIDA LICENSED SURVEYOR
AND MAPPER



community engineering services, inc.
civil engineering surveying project management
EB-0006613 LB-6572
8991 Daniels Center Drive, Suite 103
Fort Myers, Florida 33912
Telephone (239) 936-9777 Fax (239) 936-0064

JOB NO. 04-152

DONALD D. SMITH P.S.M.
FLORIDA REGISTRATION NO. 4078
FOR THE FIRM
DATE SIGNED: 4-21-05

(NOT A SURVEY)
SKETCH OF DESCRIPTION

SEC.21, TWP.45S., RNG. 24E.
LEE COUNTY, FLORIDA

DCI 2005-00032

DESCRIPTION:

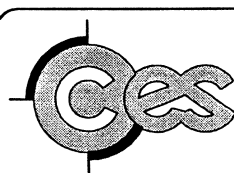
A PARCEL OF LAND BEING THE SOUTH 1/2 OF THE NORTHEAST 1/4 OF THE
SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 21, TOWNSHIP 45
SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCE AT THE CENTER OF SAID SECTION 21; THENCE NORTH
88°41'51"EAST ALONG THE SOUTH LINE OF THE SOUTHWEST 1/4 OF THE
NORTHEAST 1/4 OF SAID SECTION 21, A DISTANCE OF 681.29 FEET TO A
POINT AT THE WEST LINE OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF
THE NORTHEAST 1/4 OF SAID SECTION 21, SAID LINE BEING THE CENTERLINE
OF A 60 FOOT WIDE INGRESS AND EGRESS EASEMENT KNOWN AS PINTO LANE
RECORDED IN OFFICIAL RECORDS BOOK 444, PAGE 487 OF THE PUBLIC
RECORDS OF LEE COUNTY, FLORIDA; THENCE NORTH 01°05'19"WEST ALONG
SAID WEST LINE, A DISTANCE OF 661.85 FEET TO THE POINT OF BEGINNING;
THENCE CONTINUE NORTH 01°05'19"WEST ALONG THE WEST LINE OF THE
NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID
SECTION 21, A DISTANCE OF 330.93 FEET TO A POINT AT THE NORTH LINE OF
SAID SOUTH 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF THE
NORTHEAST 1/4 OF SECTION 21; THENCE NORTH 88°42'11"EAST ALONG SAID
NORTH LINE, A DISTANCE OF 681.35 FEET TO A POINT AT THE EAST LINE OF
THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF
SECTION 21; THENCE SOUTH 01°05'05"EAST ALONG SAID EAST LINE, A
DISTANCE OF 330.90 FEET TO A POINT AT THE SOUTH LINE OF SAID SOUTH 1/2
OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF
SECTION 21; THENCE SOUTH 88°42'04"WEST ALONG SAID SOUTH LINE, A
DISTANCE OF 681.33 FEET TO THE POINT OF BEGINNING. CONTAINING 5.18
ACRES, MORE OR LESS.

BEARINGS ARE BASED ON A LINE FROM THE CENTER OF SECTION 21 TO THE
EAST QUARTER CORNER OF SECTION 21, BEING NORTH 88°41'25"EAST AS
ASSUMED MERIDIAN.

Applicant's Legal Checked
by Lgm 5/19/2005.

SHEET 1 OF 2
SEE SHEET 2 OF 2 FOR SKETCH



community engineering services, inc.
civil engineering surveying project management

EB-0006613 LB-6572
8991 Daniels Center Drive, Suite 103
Fort Myers, Florida 33912
Telephone (239) 936-9777 Fax (239) 936-0064

JOB NO. 04-152

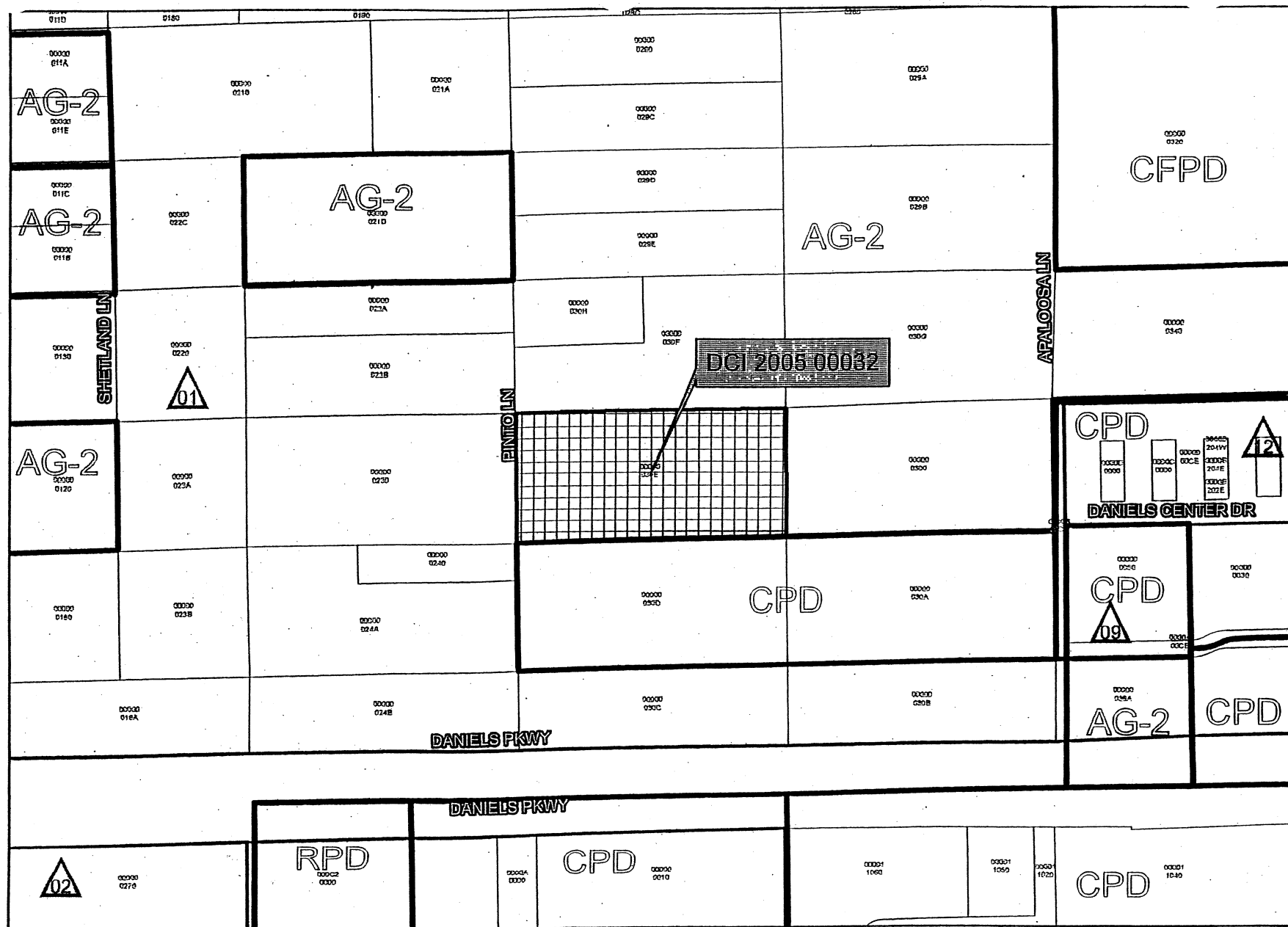
EXHIBIT A

(Page 2 of 2)

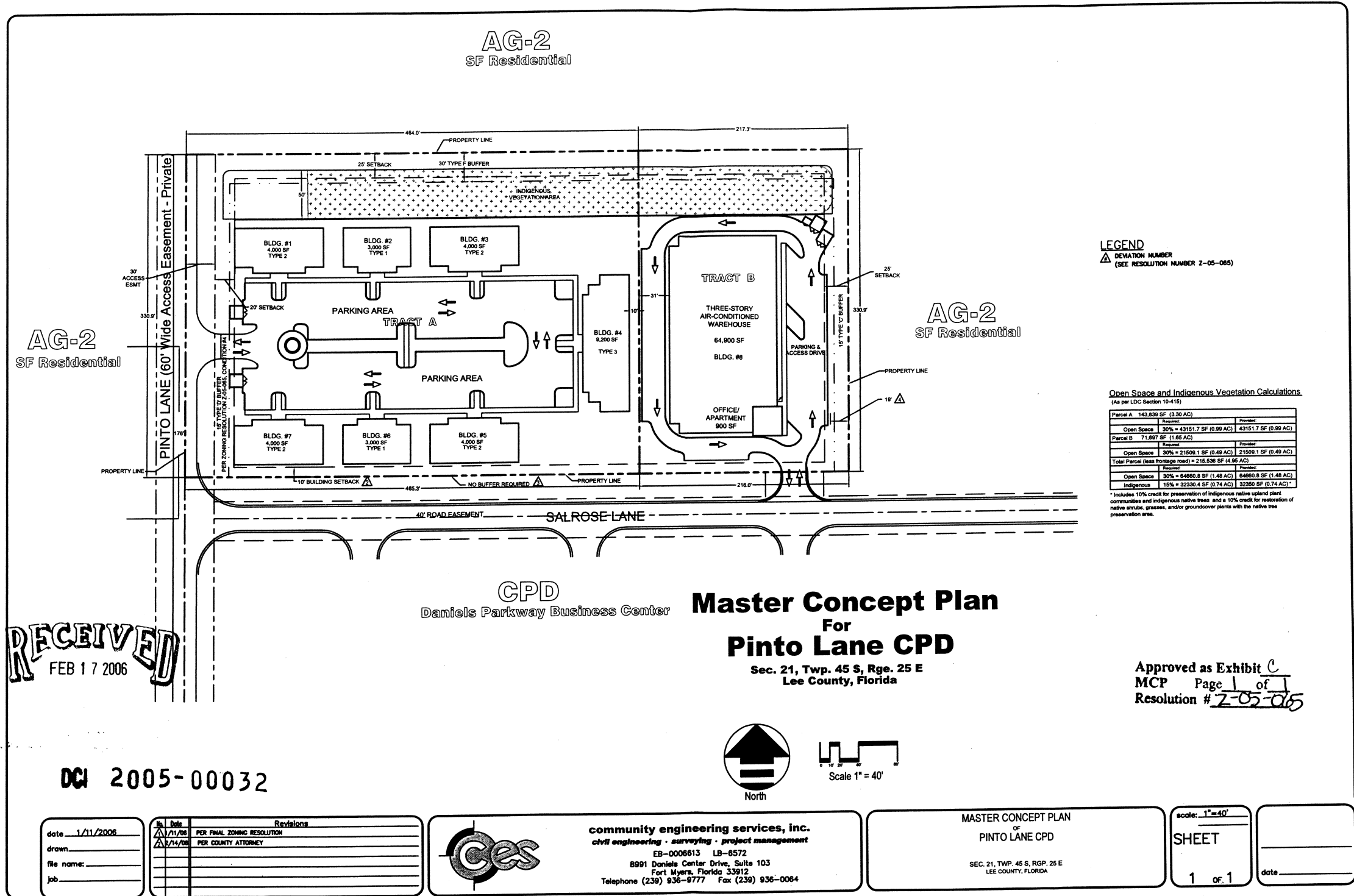
EXHIBIT

tabbles PH.3.D.2

EXHIBIT B



400 200 0 400 Feet



kwiktag®

034 984 931



D.O. FILE FOR

CASE #: ADD 2006-00191



BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number: 479-8585

Bob Janes
District One

Douglas R. St. Cerny
District Two

Ray Judah
District Three

Tammy Hall
District Four

John E. Albion
District Five

Donald D. Stilwell
County Manager

David M. Owen
County Attorney

Diana M. Parker
County Hearing Examiner

November 14, 2006

**Kevin Higginson, P.E.,
Community Engineering Services, Inc.
8991 Daniels Parkway, Suite 200,
Fort Myers, FL 33912**

**Re: Administrative Deviation
ADD2006-00191
Parker Business Center**

Dear Mr. Higginson:

Attached please find approved Administrative Deviation to allow for proposed alternatives to provide the following:

1. **APPROVED WITH CONDITIONS** for a deviation from the L.D.C. Section 10-415 (b) Indigenous native vegetation; to allow the setback from buildings be provided to existing indigenous native vegetation communities to be 9.5 feet width from the required 20 feet setback for a 5.18+/- acre parcel of commercial development.

If you have any questions, please do not hesitate to contact this office.

Sincerely,

**DEPARTMENT OF COMMUNITY DEVELOPMENT
Development Services Division**

**Peter J. Eckenrode
Director**

PJE/RSK

**Attachments: Administrative Deviation
Reduced Plan**

cc: Project File #DOS2006-00139

Administrative Deviation: **ADD2006-00191**

**DSO ADMINISTRATIVE DEVIATION
LEE COUNTY, FLORIDA**

WHEREAS, **Community Engineering Services, Inc.** has filed an application on behalf of **Parker Business Center, LLC** for approval of an administrative deviation from technical requirements of the Lee County Land Development Code for **Parker Business Center**, which property is located at **13351 Pinto Lane, Fort Myers, FL 33912**, described more particularly as:

LEGAL DESCRIPTION

See attached Exhibit "A"; and

WHEREAS, the applicant has indicated that the property's current STRAP number is **21-45-25-01-00000.030E**; and

WHEREAS, the property is zoned CPD; and

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

WHEREAS, Lee County Land Development Code, as amended, provides for administrative deviation 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, landscaping of vehicle use areas and site design standards and guidelines for commercial developments and similar matters not related to a change in use of the property in question; and

WHEREAS, deviation is requested in the CPD district from Lee County Land Development Code **Section 10-415 (b) Indigenous native vegetation; to allow the setback from buildings be provided to existing indigenous native vegetation communities to be 9.5 feet width from the required 20 feet setback for a 5.18+/- acre parcel of commercial development.**

WHEREAS, the subject application, engineer's representations, and sealed engineering plans have been reviewed by the *Lee County Environmental Sciences Division* and *Lee County Development Services Division* in accordance with applicable regulations for compliance with all terms of the administrative deviation approval; and

WHEREAS, the following findings of fact are offered:

- a) That the proposed alternative to allow the setback from buildings be provided to existing indigenous native vegetation communities to be 9.5 feet width from the required 20 feet setback for a 5.18+/- acre parcel of commercial

development is based on sound engineering practice as follows:

(i) Upon review of this deviation, Division of Environmental Sciences staff and Development Services staff recommended approval with conditions.

(ii) Prior to the site work and building construction, a field inspection will need to be conducted with an ES staff arborist and an arborist hired by the applicant to determine if any pruning needs to be conducted. This onsite meeting will be part of the Vegetation Removal Permit process.

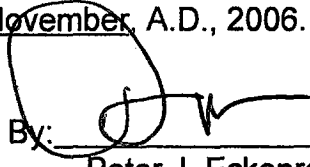
(iii) Please see attached staff report from Division of Environmental Sciences dated November 14, 2006 and gravity wall reference, and abide to the requirements.

- b) That said proposed alternative is no less consistent with the health, safety, and welfare of abutting land owners and the general public than the standard from which the deviation was requested; and
- c) The granting of the deviation is 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 an Administrative Deviation in the CPD zoning district from the Lee County Land Development Code, **Section 10-415 (b) Indigenous native vegetation is CONDITIONALLY APPROVED**, limited by the following conditions from the above items (i), (ii) and (iii):

- a) That approval is subject to the basic conceptual site plan, date stamped 10/3/06, submitted for this administrative deviation (copy attached); and
- b) That this approval is subject to further review and approval by the Lee County Development Services Division at the time of Development Order approval for lands herein described; and
- c) That approval is limited to lands herein described.

DULY SIGNED this 14th day of November, A.D., 2006.

By: 

Peter J. Eckenrode, Director
Development Services

**STAFF REPORT
FROM
DEPARTMENT OF COMMUNITY DEVELOPMENT
DIVISION OF ENVIRONMENTAL SCIENCES**

Date: November 14, 2006

To: Ruth Keith
From: Kim Trebatoski



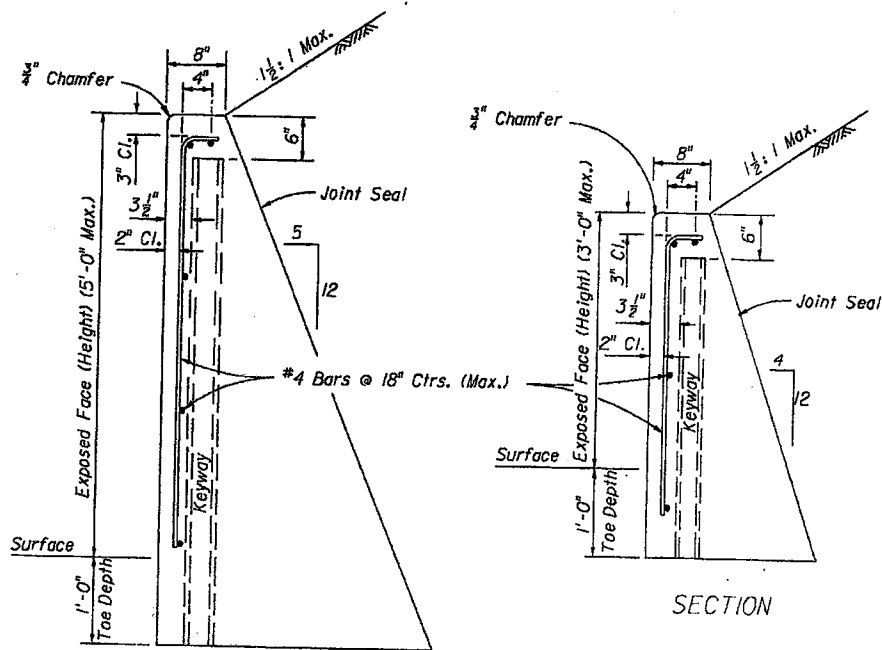
Project: Parker Business Center
Case: ADD2006-00191

The Division of Environmental Sciences (ES) staff have reviewed the proposed building setback of 9.5 feet from the native tree preserve. The applicant submitted a detail of a gravity wall that is proposed to be used for the retaining to reduce the potential impacts to the existing trees. The retaining wall will help protect the roots of the trees, but does not address the potential interference of the tree branches with the buildings. A field inspection will need to be conducted with an ES staff arborist and an arborist hired by the applicant to determine if any pruning needs to be conducted prior to the site work and building construction. This onsite meeting will be part of the Vegetation Removal Permit process.

In order to insure proper pruning and protection of the existing native trees within the preserve, ES staff recommend the following conditions of approval:

Prior to local development order approval, the development order plans must include details of the gravity wall that will be used as a retaining wall between the native tree preserve and the fill pad for the buildings. The gravity wall must be consistent with the submitted drawings (attached) received from the applicant during the review of this administrative amendment. Additionally, the landscape plans, and the paving and grading plans must include a note in the native preserve area that a Vegetation Removal Permit is required prior to any pruning of the preserved native trees.

Prior to issuance of Vegetation Removal Permit, an onsite meeting with a Division of Environmental Sciences staff ISA certified arborist and the applicant's ISA certified arborist must be conducted to establish the best means to protect the preserved trees during the installation of the retaining wall and to determine if any pruning is necessary to protect the trees from impacts during site work and building construction.



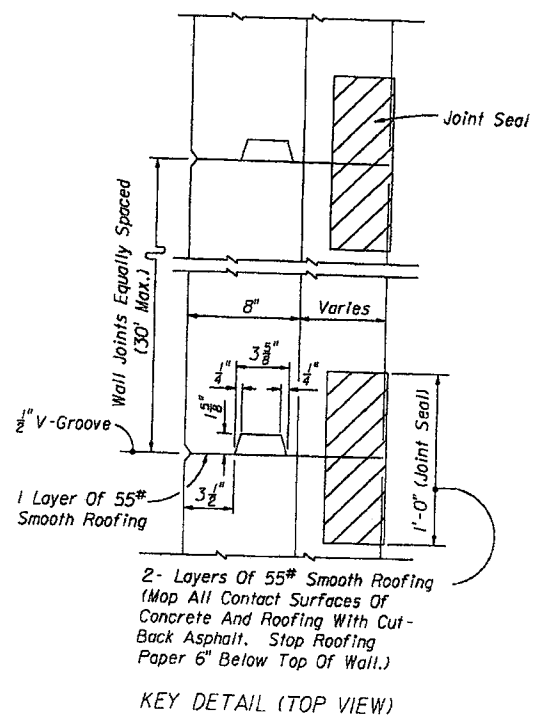
SECTION

ESTIMATED QUANTITIES FOR WALL		
HEIGHT (EXPOSED FACED)	PER LINEAR FOOT OF WALL	
	CLASS I CONCRETE (CY)	STEEL (LB)
1'	0.07	3
2'	0.13	4
3'	0.20	5
4'	0.32	6
5'	0.43	7

GRAVITY WALL

GRAVITY WALL NOTES

1. Gravity walls constructed as extensions of reinforced concrete retaining walls, except walls of proprietary designs, shall have the same face texture and finish as the reinforced concrete retaining wall.
2. Cost of reinforcing steel, face texture, finish and joint seal to be included in the contract unit price for Class I Concrete (Retaining Walls) CY.



ALUMINUM PIPE HANDRAILS,
GRAVITY WALLS AND STEPS

(NOT A SURVEY)
SKETCH OF DESCRIPTION

SEC. 21, TWP. 45S., RNG. 24E.
 LEE COUNTY, FLORIDA

EXHIBIT "A"

DESCRIPTION:

A PARCEL OF LAND BEING THE SOUTH 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 21, TOWNSHIP 45 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCE AT THE CENTER OF SAID SECTION 21; THENCE NORTH $88^{\circ}41'51''$ EAST ALONG THE SOUTH LINE OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 21, A DISTANCE OF 681.29 FEET TO A POINT AT THE WEST LINE OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 21, SAID LINE BEING THE CENTERLINE OF A 60 FOOT WIDE INGRESS AND EGRESS EASEMENT KNOWN AS PINTO LANE RECORDED IN OFFICIAL RECORDS BOOK 444, PAGE 487 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE NORTH $01^{\circ}05'19''$ WEST ALONG SAID WEST LINE, A DISTANCE OF 661.85 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH $01^{\circ}05'19''$ WEST ALONG THE WEST LINE OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 21, A DISTANCE OF 330.93 FEET TO A POINT AT THE NORTH LINE OF SAID SOUTH 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 21; THENCE NORTH $88^{\circ}42'11''$ EAST ALONG SAID NORTH LINE, A DISTANCE OF 681.35 FEET TO A POINT AT THE EAST LINE OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 21; THENCE SOUTH $01^{\circ}05'05''$ EAST ALONG SAID EAST LINE, A DISTANCE OF 330.90 FEET TO A POINT AT THE SOUTH LINE OF SAID SOUTH 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 21; THENCE SOUTH $88^{\circ}42'04''$ WEST ALONG SAID SOUTH LINE, A DISTANCE OF 681.33 FEET TO THE POINT OF BEGINNING. CONTAINING 5.18 ACRES, MORE OR LESS.

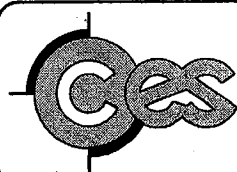
BEARINGS ARE BASED ON A LINE FROM THE CENTER OF SECTION 21 TO THE EAST QUARTER CORNER OF SECTION 21, BEING NORTH $88^{\circ}41'25''$ EAST AS ASSUMED MERIDIAN.

RECEIVED

OCT - 3 2006

ADD 2006-00191

SHEET 1 OF 2
 SEE SHEET 2 OF 2 FOR SKETCH



community engineering services, inc.
civil engineering surveying project management

EE-0006613 LB-8572

8991 Daniels Center Drive, Suite 103
 Fort Myers, Florida 33912

Telephone (239) 936-9777 Fax (239) 936-0064

(NOT A SURVEY)
SKETCH OF DESCRIPTION
 SEC. 21, TWP. 45S., RNG. 24E.
 LEE COUNTY, FLORIDA

THE EAST LINE OF THE NE 1/4 OF
 THE SW 1/4 OF THE NE 1/4 OF
 SEC. 21-45-25

501°05'05"E 330.90'

O.R. 3448, PG. 1604

O.R. 2465, PG. 3762

N88°42'11"E 681.35'

NORTH LINE OF THE SOUTH 1/2 OF THE NE 1/4 OF
 THE SW 1/4 OF THE NE 1/4

WEST LINE OF THE
 NE 1/4 OF THE SW 1/4
 OF THE NE 1/4

O.R. 4413, PG. 1499

SOUTH LINE OF THE S 1/2 OF THE NE 1/4 OF THE SW
 1/4 OF THE NE 1/4 OF SEC. 21-45-25

S68°42'04"W 681.33'

O.R. 4324, PG. 3435

LEGEND

P.O.C. = POINT OF COMMENCEMENT
 P.O.B. = POINT OF BEGINNING
 O.R. = OFFICIAL RECORDS
 P.G. = PAGE
 SEC. = SECTION
 TWP. = TOWNSHIP
 RNG. = RANGE

EAST QUARTER CORNER
 OF SECTION 21

SOUTHEAST CORNER OF THE
 SOUTHWEST 1/4 OF THE
 NORTHEAST 1/4

P.O.B.

N01°05'19"W 330.93'

PINTO LANE
 (60' INGRESS AND EGRESS EASEMENT)
 (AS PER O.R. 444, PAGE 487)

501°05'19"E 661.85'
 WEST LINE OF THE SE 1/4 OF THE
 SW 1/4 OF THE NE 1/4

O.R. 1126, PG. 0682

P.O.C.
 CENTER OF SECTION 21,
 TOWNSHIP 45 SOUTH, RANGE 25 EAST

N69°40'59"E 1362.01'
 N69°41'15"E 681.29'
 DANIELS PARKWAY
 BEARING BASIS IS A LINE CALCULATED FROM THE
 CENTER OF SECTION 21 TO THE EAST 1/4 CORNER
 OF SECTION 21, BEING N88°41'25"E AS ASSUMED
 MERIDIAN



SCALE: 1"= 100'

SHEET 2 OF 2

SEE SHEET 1 OF 2 FOR DESCRIPTION

THIS MAP IS NOT VALID WITHOUT THE
 ORIGINAL SIGNATURE AND RAISED SEAL
 OF THE FLORIDA LICENSED SURVEYOR
 AND MAPPER



community engineering services, inc.
 civil engineering surveying project management

EB-0006613 LB-6572

8891 Daniels Center Drive, Suite 103
 Fort Myers, Florida 33912

Telephone (239) 936-9777 Fax (239) 936-0064

Mark A. Texter
 MARK A. TEXTER P.S.M.
 FLORIDA REGISTRATION NO. 6392
 FOR THE FIRM
 DATE SIGNED: 9-26-06



LEE COUNTY

SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number: 479-8585

Bob Janes
District One

Douglas R. St. Cerny
District Two

Ray Judah
District Three

Tammy Hall
District Four

John E. Albion
District Five

Donald D. Stilwell
County Manager

David M. Owen
County Attorney

Diana M. Parker
County Hearing
Examiner

November 14, 2006

Kevin Higginson, P.E.,
Community Engineering Services, Inc.
8991 Daniels Parkway, Suite 200,
Fort Myers, FL 33912

Re: Administrative Deviation
ADD2006-00191
Parker Business Center

Dear Mr. Higginson:

Attached please find approved Administrative Deviation to allow for proposed alternatives to provide the following:

1. APPROVED WITH CONDITIONS for a deviation from the L.D.C. Section 10-415 (b) Indigenous native vegetation; to allow the setback from buildings be provided to existing indigenous native vegetation communities to be 9.5 feet width from the required 20 feet setback for a 5.18+/- acre parcel of commercial development.

If you have any questions, please do not hesitate to contact this office.

Sincerely,

DEPARTMENT OF COMMUNITY DEVELOPMENT
Development Services Division

Peter J. Eckenrode
Director

PJE/RSK

Attachments: Administrative Deviation
Reduced Plan

cc: Project File #DOS2006-00139

Administrative Deviation: ADD2006-00191

**DSO ADMINISTRATIVE DEVIATION
LEE COUNTY, FLORIDA**

WHEREAS, **Community Engineering Services, Inc.** has filed an application on behalf of **Parker Business Center, LLC** for approval of an administrative deviation from technical requirements of the Lee County Land Development Code for **Parker Business Center**, which property is located at **13351 Pinto Lane, Fort Myers, FL 33912**, described more particularly as:

LEGAL DESCRIPTION

See attached Exhibit "A"; and

WHEREAS, the applicant has indicated that the property's current STRAP number is **21-45-25-01-00000.030E**; and

WHEREAS, the property is zoned CPD; and

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

WHEREAS, Lee County Land Development Code, as amended, provides for administrative deviation 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, landscaping of vehicle use areas and site design standards and guidelines for commercial developments and similar matters not related to a change in use of the property in question; and

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WHEREAS, the subject application, engineer's representations, and sealed engineering plans have been reviewed by the *Lee County Environmental Sciences Division* and *Lee County Development Services Division* in accordance with applicable regulations for compliance with all terms of the administrative deviation approval; and

WHEREAS, the following findings of fact are offered:

- a) That the proposed alternative to allow the setback from buildings be provided to existing indigenous native vegetation communities to be 9.5 feet width from the required 20 feet setback for a 5.18+/- acre parcel of commercial

development is based on sound engineering practice as follows:

(i) Upon review of this deviation, Division of Environmental Sciences staff and Development Services staff recommended approval with conditions.

(ii) Prior to the site work and building construction, a field inspection will need to be conducted with an ES staff arborist and an arborist hired by the applicant to determine if any pruning needs to be conducted. This onsite meeting will be part of the Vegetation Removal Permit process.

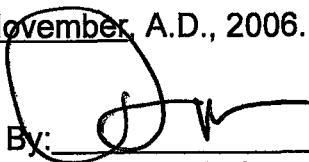
(iii) Please see attached staff report from Division of Environmental Sciences dated November 14, 2006 and gravity wall reference, and abide to the requirements.

- b) That said proposed alternative is no less consistent with the health, safety, and welfare of abutting land owners and the general public than the standard from which the deviation was requested; and
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NOW, THEREFORE, IT IS HEREBY DETERMINED that the application for an Administrative Deviation in the CPD zoning district from the Lee County Land Development Code, **Section 10-415 (b) Indigenous native vegetation is CONDITIONALLY APPROVED**, limited by the following conditions from the above items (i), (ii) and (iii):

- a) That approval is subject to the basic conceptual site plan, date stamped 10/3/06, submitted for this administrative deviation (copy attached); and
- b) That this approval is subject to further review and approval by the Lee County Development Services Division at the time of Development Order approval for lands herein described; and
- c) That approval is limited to lands herein described.

DULY SIGNED this 14th day of November, A.D., 2006.

By: 

Peter J. Eckenrode, Director
Development Services

**STAFF REPORT
FROM
DEPARTMENT OF COMMUNITY DEVELOPMENT
DIVISION OF ENVIRONMENTAL SCIENCES**

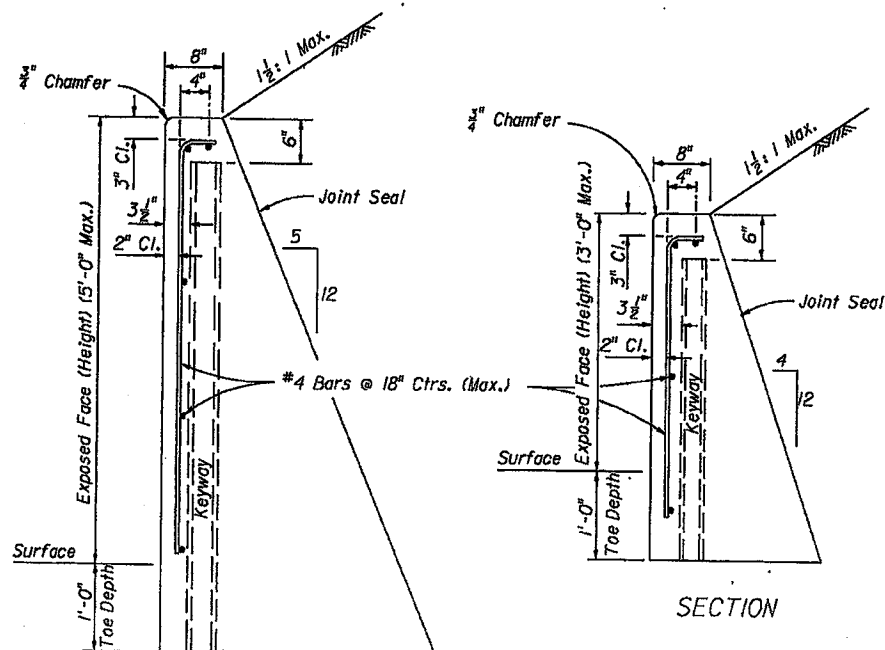
Date: November 14, 2006
To: Ruth Keith
From: Kim Trebatoski 
Project: Parker Business Center
Case: ADD2006-00191

The Division of Environmental Sciences (ES) staff have reviewed the proposed building setback of 9.5 feet from the native tree preserve. The applicant submitted a detail of a gravity wall that is proposed to be used for the retaining to reduce the potential impacts to the existing trees. The retaining wall will help protect the roots of the trees, but does not address the potential interference of the tree branches with the buildings. A field inspection will need to be conducted with an ES staff arborist and an arborist hired by the applicant to determine if any pruning needs to be conducted prior to the site work and building construction. This onsite meeting will be part of the Vegetation Removal Permit process.

In order to insure proper pruning and protection of the existing native trees within the preserve, ES staff recommend the following conditions of approval:

Prior to local development order approval, the development order plans must include details of the gravity wall that will be used as a retaining wall between the native tree preserve and the fill pad for the buildings. The gravity wall must be consistent with the submitted drawings (attached) received from the applicant during the review of this administrative amendment. Additionally, the landscape plans, and the paving and grading plans must include a note in the native preserve area that a Vegetation Removal Permit is required prior to any pruning of the preserved native trees.

Prior to issuance of Vegetation Removal Permit, an onsite meeting with a Division of Environmental Sciences staff ISA certified arborist and the applicant's ISA certified arborist must be conducted to establish the best means to protect the preserved trees during the installation of the retaining wall and to determine if any pruning is necessary to protect the trees from impacts during site work and building construction.



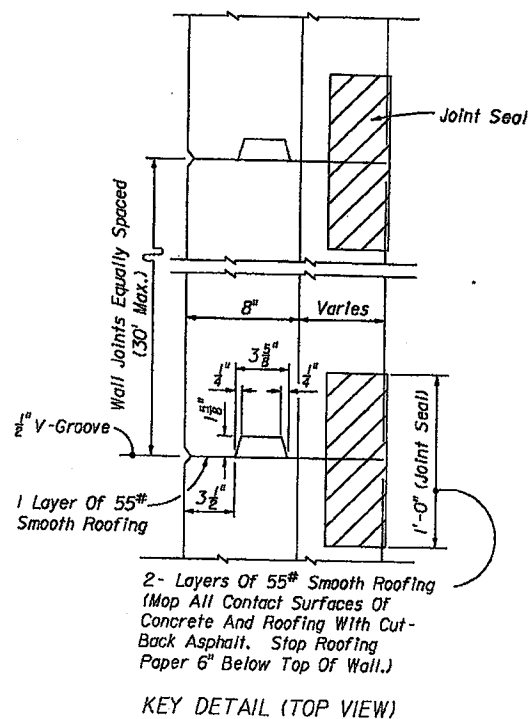
SECTION

ESTIMATED QUANTITIES FOR WALL		
HEIGHT (EXPOSED FACED)	PER LINEAR FOOT OF WALL	
	CLASS I CONCRETE (CY)	STEEL (LB)
1'	0.07	3
2'	0.13	4
3'	0.20	5
4'	0.32	6
5'	0.43	7

GRAVITY WALL

GRAVITY WALL NOTES

1. Gravity walls constructed as extensions of reinforced concrete retaining walls, except walls of proprietary designs, shall have the same face texture and finish as the reinforced concrete retaining wall.
2. Cost of reinforcing steel, face texture, finish and joint seal to be included in the contract unit price for Class I Concrete (Retaining Walls) CY.



ALUMINUM PIPE HANDRAILS,
GRAVITY WALLS AND STEPS

(NOT A SURVEY)

SKETCH OF DESCRIPTION

SEC. 21, TWP. 45S., RNG. 24E.
LEE COUNTY, FLORIDA

EXHIBIT "A"

DESCRIPTION:

A PARCEL OF LAND BEING THE SOUTH 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 21, TOWNSHIP 45 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCE AT THE CENTER OF SAID SECTION 21; THENCE NORTH $88^{\circ}41'51''$ EAST ALONG THE SOUTH LINE OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 21, A DISTANCE OF 681.29 FEET TO A POINT AT THE WEST LINE OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 21, SAID LINE BEING THE CENTERLINE OF A 60 FOOT WIDE INGRESS AND EGRESS EASEMENT KNOWN AS PINTO LANE RECORDED IN OFFICIAL RECORDS BOOK 444, PAGE 487 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE NORTH $01^{\circ}05'19''$ WEST ALONG SAID WEST LINE, A DISTANCE OF 661.85 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH $01^{\circ}05'19''$ WEST ALONG THE WEST LINE OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 21, A DISTANCE OF 330.93 FEET TO A POINT AT THE NORTH LINE OF SAID SOUTH 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 21; THENCE NORTH $88^{\circ}42'11''$ EAST ALONG SAID NORTH LINE, A DISTANCE OF 681.35 FEET TO A POINT AT THE EAST LINE OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 21; THENCE SOUTH $01^{\circ}05'05''$ EAST ALONG SAID EAST LINE, A DISTANCE OF 330.90 FEET TO A POINT AT THE SOUTH LINE OF SAID SOUTH 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 21; THENCE SOUTH $88^{\circ}42'04''$ WEST ALONG SAID SOUTH LINE, A DISTANCE OF 681.33 FEET TO THE POINT OF BEGINNING. CONTAINING 5.18 ACRES, MORE OR LESS.

BEARINGS ARE BASED ON A LINE FROM THE CENTER OF SECTION 21 TO THE EAST QUARTER CORNER OF SECTION 21, BEING NORTH $88^{\circ}41'25''$ EAST AS ASSUMED MERIDIAN.

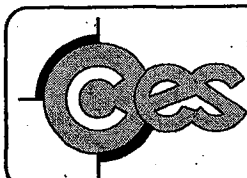
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OCT - 3 2006

ADD 2006-00191

SHEET 1 OF 2

SEE SHEET 2 OF 2 FOR SKETCH



community engineering services, inc.
civil engineering surveying project management

EB-0008813 LB-8572

8881 Daniels Center Drive, Suite 103
Fort Myers, Florida 33912

Telephone (239) 936-9777 Fax (239) 936-0084

(NOT A SURVEY)
SKETCH OF DESCRIPTION

SEC. 21, TWP. 45S., RNG. 24E.
 LEE COUNTY, FLORIDA

THE EAST LINE OF THE NE 1/4 OF
 THE SW 1/4 OF THE NE 1/4 OF
 SEC. 21-45-25

501°05'05"E 330.90'

SOUTH LINE OF THE SW 1/2 OF THE NE 1/4 OF THE SW
 1/4 OF THE NE 1/4 OF SEC. 21-45-25

LEGEND

P.O.C. = POINT OF COMMENCEMENT
 P.O.B. = POINT OF BEGINNING
 O.R. = OFFICIAL RECORDS
 P.G. = PAGE
 SEC. = SECTION
 TWP. = TOWNSHIP
 RNG. = RANGE

O.R. 2465, PG. 3762

N88°42'11"E 681.35'

NORTH LINE OF THE SOUTH 1/2 OF THE NE 1/4 OF
 THE SW 1/4 OF THE NE 1/4

O.R. 4413, PG. 1499

O.R. 4524, PG. 3435

S88°42'04"W 681.33'

EAST QUARTER CORNER
 OF SECTION 21

SOUTHEAST CORNER OF THE
 SOUTHWEST 1/4 OF THE
 NORTHEAST 1/4

WEST LINE OF THE
 NE 1/4 OF THE SW 1/4
 OF THE NE 1/4

N01°05'19"W 330.93'

PINTO LANE
 (60' INGRESS AND EGRESS EASEMENT)
 (AS PER O.R. 444, PAGE 487)

P.O.B.

501°05'19"E 661.85'
 WEST LINE OF THE SE 1/4 OF THE
 SW 1/4 OF THE NE 1/4

O.R. 1126, PG. 0682

P.O.C.
 CENTER OF SECTION 21,
 TOWNSHIP 45 SOUTH, RANGE 25 EAST

DANIELS PARKWAY
 BEARING BASIS IS A LINE CALCULATED FROM THE
 CENTER OF SECTION 21 TO THE EAST 1/4 CORNER
 OF SECTION 21, BEING N89°41'25"E AS ASSUMED
 MERIDIAN



SCALE: 1" = 100'

SHEET 2 OF 2
 SEE SHEET 1 OF 2 FOR DESCRIPTION

THIS MAP IS NOT VALID WITHOUT THE
 ORIGINAL SIGNATURE AND RAISED SEAL
 OF THE FLORIDA LICENSED SURVEYOR
 AND MAPPER



community engineering services, Inc.
 civil engineering surveying project management
 EB-0008613 LB-6572
 8991 Daniels Center Drive, Suite 103
 Fort Myers, Florida 33912
 Telephone (239) 936-8777 Fax (239) 936-0084

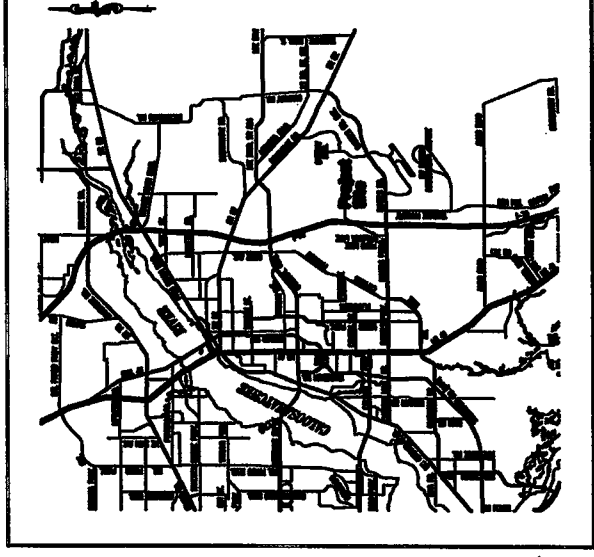
MARK A. TEXTER P.S.M.
 FLORIDA REGISTRATION NO. 6392
 FOR THE FIRM
 DATE SIGNED: 7-26-06

ADMINISTRATIVE VARIANCE PLANS OF PARKER BUSINESS CENTER

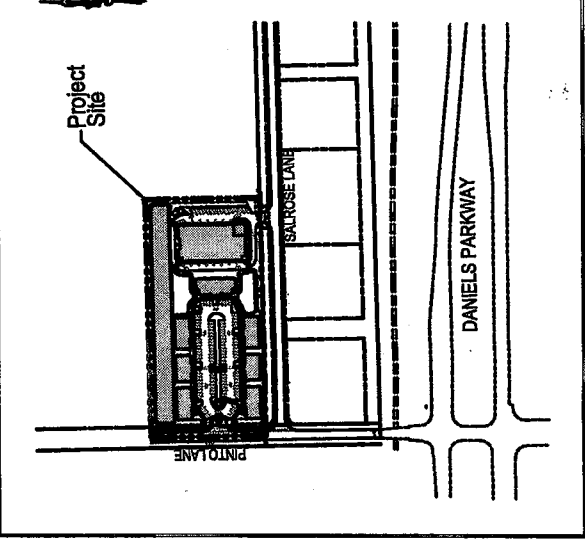
SECTION 21, TWP. 45S, RGP 25E
LEE COUNTY, FLORIDA

FOR

THE JACK PARKER CORPORATION
9001 DANIELS PARKWAY, SUITE 200
FORT MYERS, FLORIDA 33912
(239) 481-5040 FAX (239) 481-2532



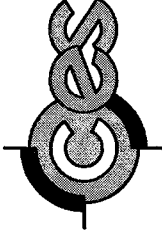
LOCATION MAP
N.T.S.



SITE MAP
N.T.S.

DRAWING INDEX

- 1) COVER SHEET
- 2) SITE PLAN
- 3) LANDSCAPE CODE PLAN
- 4) INDIGENOUS PRESERVE & ENHANCEMENT PLAN



community engineering services, inc.
civil engineering surveying • project management
EB-0006613 LB-6572
8991 Daniels Center Drive, Suite 103
Fort Myers, Florida 33912
Telephone (239) 936-9777 Fax (239) 936-0064



DANIELS PARKWAY BUSINESS CENTER CPD
DOS2005--00221

SITE DATA	
Total Site	225463 sf
Paved	82733 sf
Impervious	44396 sf
Permeable	36357 sf
Net Site Area	217180 sf
Parcel A - Office Park	160164 sf
Impervious	85850 sf
Buildings (footprint)	28550 sf
Pavement	57777 sf
Skidways/Curbs	9472 sf
Perivable	56991 sf
Green	31004 sf
Indigenous	131 sf
Parcel B - Storage Facility	57037 sf
Impervious	4446 sf
Buildings (footprint)	19336 sf
Pavement	17897 sf
Perivable	440 sf

QUESTION

* Includes 10% credit for preservation of indigenous native upland plant communities and indigenous native trees and a 10% credit for restoration of native shrubs, grasses, and/or groundcover plants with the native tree preservation area.

Common Vegetation Calculations	
	1601/641 ^{af} 3.08/ac
20%	480/461 ^{af} 1.10/ac
	591/631 ^{af} 2.18/ac
20%	670/371 ^{af} 1.31/ac
	1711/111 ^{af} 0.39/ac
	2010/011 ^{af} 0.46/ac
100% Credit	651/671 ^{af} 1.50/ac
100% Credit	325/91 ^{af} 0.76/ac
100% Credit	3105/41 ^{af} 0.71/ac
100% Credit	3108/31 ^{af} 0.07/ac
100% Credit	3272/71 ^{af} 0.66/ac

LEGAL DESCRIPTION

CENT. ZONE2
 NORTH = AG-2 (Single Family)
 EAST = GS-1
 SOUTH = CR-2 (Single Business Ctr)
 WEST = AG-2 (Single Family)
 D ZONE
 PER THE FLOOD INSURANCE MAP FEMA PANEL
 17B, 1784, THE SITE IS IN ZONE B (BETWEEN THE
 STORM EVENT).
 ITS REQUIRED FOR THIS SITE
 STATE & FEDERAL:
 SOUTH FLORIDA WATER MANAGEMENT
 DISTRICT
 PIPE NO1
 LOCAL:
 LEES COUNTY DEVELOPMENT ORDER
 LEES COUNTY HEALTH DEPARTMENT
 LEES COUNTY UTILITIES
 CERTIFICATE OF OCCUPANCY
 LEES CERTIFICATION

1400 SF / 300 SPACES PER SF = 8 SPACES REQUIRED
WAREHOUSE (1 SPACE PER 3000 SF)
BLDG AREA = 66600 SF
66600 SF / 3000 SPACES PER SF = 19 SPACES REQUIRED
TOTAL SPACES REQUIRED = 24

OR ONE-HALF THE SUM OF THE HEIGHTS

300 57)

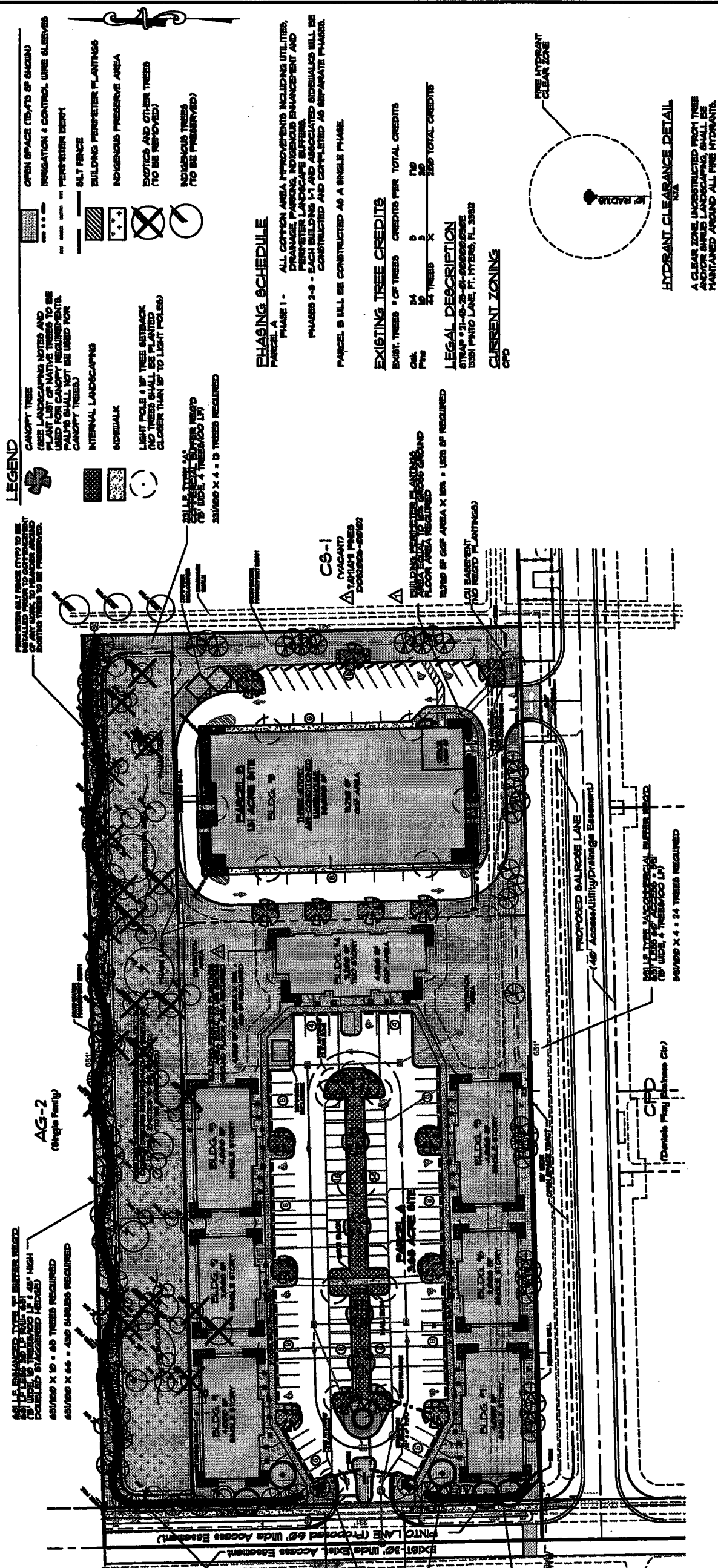
959 57 = 104 SPACES REQUIRED

BUYING SCHEDULE

PHASE 1 - ALL COMMON AREA IMPROVEMENTS INCLUDING UTILITIES, DRAINAGE, PARKING SPACES AND AISLES, AND PERIMETER LANDSCAPE BUFFERS. PHASES 2-8 - EACH BUILDING 1-7 AND ASSOCIATED SIDEWALKS WILL BE CONSTRUCTED AND COMPLETED AS SEPARATE PHASES.

PARCEL B WILL BE CONSTRUCTED AS A SINGLE PHASE

10306



10/1/2023 10:10 AM
ADD2023-00141

01
pn

M E M O R A N D U M
FROM
THE DEPARTMENT OF
COMMUNITY DEVELOPMENT
DEVELOPMENT SERVICES DIVISION

DATE: November 14, 2006

TO: Peter J. Eckenrode
Director

FROM: Ruth Keith
Development Review Rep.

RE: ADD2006-00191
Parker Business Center

The above noted request is recommended as follows:

1. APPROVED WITH CONDITIONS for deviation from L.D.C. Section 10-415 (b) Indigenous native vegetation; to allow the setback from buildings be provided to existing indigenous native vegetation communities to be 9.5 feet width from the required 20 feet setback for a 5.18+/- acre parcel of commercial development.

If I may be of any further assistance, please ask.

Attachments: Stamped Plans
 Prepared Resolution

Keith, Ruth

From: Keith, Ruth
Sent: Tuesday, November 21, 2006 3:15 PM
To: communications@communityengineeringonline.com
Subject: ADD2006-00191 Parker Business Center

Just a heads up in reference to this deviation request to Kevin Higginson and Mark McCleary. The deviation has been conditionally approved; the letter document and plans pickup should be forthcoming this week. Our administrative assistant will be calling your office.

APPROVED WITH CONDITIONS for deviation from L.D.C. Section 10-415 (b) Indigenous native vegetation; to allow the setback from buildings be provided to existing indigenous native vegetation communities to be 9.5 feet width from the required 20 feet setback for a 5.18+/- acre parcel of commercial development.

Please confirm the receipt of this email.

Ruth Keith

Lee County
Department of Community Development
Development Services Division
rkeith@leegov.com
239-479-8440 Ph
239-479-8341 Fax

11/21/2006

Keith, Ruth

From: Trebatoski, Kim
Sent: Tuesday, November 14, 2006 11:51 AM
To: Keith, Ruth
Subject: RE: ADD2006-00191 Parker Business Ctr

I've signed off STP since I recommended conditions of approval. Sorry for not changing it from DONE.

Kim Trebatoski
Principal Environmental Planner
Lee County Division of Environmental Sciences
(239)479-8183
trebatkm@leegov.com
Fax: (239)479-8144
<http://www.lee-county.com>

From: Keith, Ruth
Sent: Tuesday, November 14, 2006 11:46 AM
To: Trebatoski, Kim
Subject: RE: ADD2006-00191 Parker Business Ctr

Thanks for dropping by earlier with the staff report.
Can you please sign off your activity as APPROVED instead of Done? Thxs.

Ruth

From: Trebatoski, Kim
Sent: Monday, November 13, 2006 4:30 PM
To: Keith, Ruth
Subject: RE: ADD2006-00191 Parker Business Ctr

I have to write up the ES staff report.

Kim Trebatoski
Principal Environmental Planner
Lee County Division of Environmental Sciences
(239)479-8183
trebatkm@leegov.com
Fax: (239)479-8144
<http://www.lee-county.com>

From: Keith, Ruth
Sent: Monday, November 13, 2006 1:37 PM
To: Trebatoski, Kim
Subject: ADD2006-00191 Parker Business Ctr

Kim:
What's the update on this deviation; any issues pending? Thanks.

Ruth

11/14/2006

M E M O R A N D U M

FROM

**THE DEPARTMENT OF
COMMUNITY DEVELOPMENT
DIVISION OF DEVELOPMENT SERVICES**

DATE: October 23, 2006

TO: Kim Trebatoski
Principal Environmental Planner

FROM: Ruth Keith
Development Review Rep

RE: Transmittal for Review
Administrative Development Deviation

Please review this request for an Administrative Development Deviation and return with comments by the due date indicated below:

General Information

PROJECT NAME: Parker Business Center

A.D.D. NUMBER: ADD2006-00191

DUE DATE: 11/7/06

PLANS ATTACHED: YES

LETTER ATTACHED: YES

DEVIATIONS REQUESTED:

Deviation # 1:

To provide a deviation from L.D.C. Section 10-415 (b) Indigenous native vegetation; to allow the setback from buildings be provided to existing indigenous native vegetation communities to be 9.5 feet width from the required 20 feet setback for a 5.18+/- acre parcel of commercial development.

See Also: DOS2006-00139

ADMINISTRATIVE DEVIATION NARRATIVE

Administrative Deviation For Parker Business Center From The Following Section Of Lee County's Land Development Code Is Hereby Requested:

1. Seeking Relief From Sec. 10-415 (B)(1)(C) That Requires 20' Setback From Buildings Be Provided To Existing Indigenous Native Vegetation Communities To Allow The Setback To Be 9.5' Wide That Was Recently Approved Per Z-05-065.

The Landscape Plan was denied in part because the Site Plan did not provide minimum 20' setback between the Indigenous Preserve Area and the proposed buildings.

Please note that the Site Plan is substantially the same that was recently approved per Z-05-065. Since this Site Plan was recently reviewed and approved during the rezoning process, it would be a hardship to not be allowed to develop the site based upon the approved Master Concept Plan.

In addition, by granting the Administrative Deviation, the indigenous native vegetation community will not be adversely impacted by the reduced building setback distance for the following reasons:

- a) most of the Indigenous Preserve area that is immediately adjacent to the proposed buildings is currently either void of native vegetation or has scattered exotics, for which an Enhancement plan was submitted for review and approval as part of the DO approval process; and
- b) there is proposed a continuous retaining wall between the indigenous preserve area and the buildings, that will provide a permanent protective barrier.

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ADD 2006-00191

DESCRIPTION:

A PARCEL OF LAND BEING THE SOUTH 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 21, TOWNSHIP 45 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

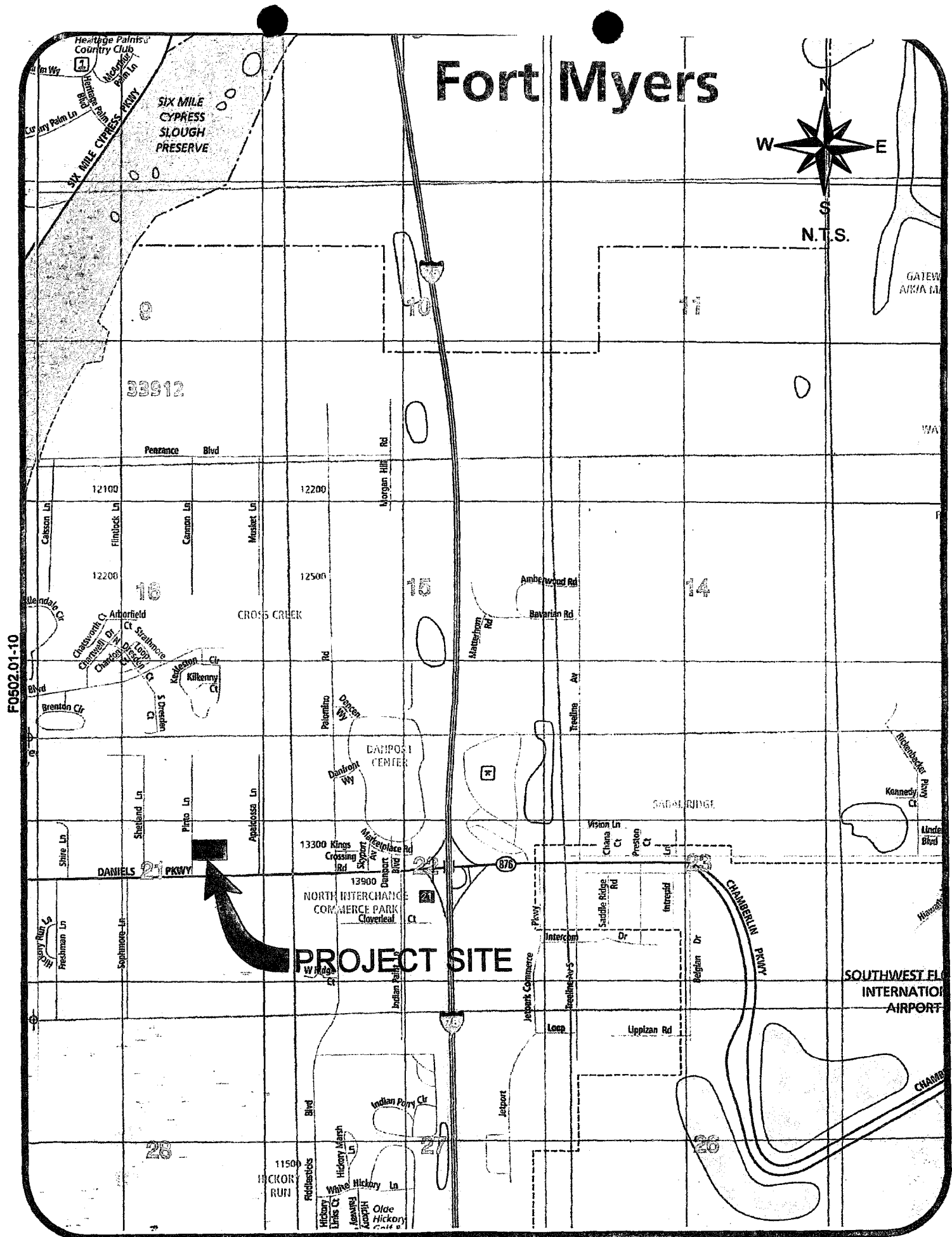
COMMENCE AT THE CENTER OF SAID SECTION 21; THENCE NORTH 88°41'51"EAST ALONG THE SOUTH LINE OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 21, A DISTANCE OF 681.29 FEET TO A POINT AT THE WEST LINE OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 21, SAID LINE BEING THE CENTERLINE OF A 60 FOOT WIDE INGRESS AND EGRESS EASEMENT KNOWN AS PINTO LANE RECORDED IN OFFICIAL RECORDS BOOK 444, PAGE 487 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE NORTH 01°05'19"WEST ALONG SAID WEST LINE, A DISTANCE OF 661.85 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 01°05'19"WEST ALONG THE WEST LINE OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 21, A DISTANCE OF 330.93 FEET TO A POINT AT THE NORTH LINE OF SAID SOUTH 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 21; THENCE NORTH 88°42'11"EAST ALONG SAID NORTH LINE, A DISTANCE OF 681.35 FEET TO A POINT AT THE EAST LINE OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 21; THENCE SOUTH 01°05'05"EAST ALONG SAID EAST LINE, A DISTANCE OF 330.90 FEET TO A POINT AT THE SOUTH LINE OF SAID SOUTH 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 21; THENCE SOUTH 88°42'04"WEST ALONG SAID SOUTH LINE, A DISTANCE OF 681.33 FEET TO THE POINT OF BEGINNING. CONTAINING 5.18 ACRES, MORE OR LESS.

BEARINGS ARE BASED ON A LINE FROM THE CENTER OF SECTION 21 TO THE EAST QUARTER CORNER OF SECTION 21, BEING NORTH 88°41'25"EAST AS ASSUMED MERIDIAN.

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ADD 2006-00191



PROJECT LOCATION MAP
PARKER BUSINESS CENTER

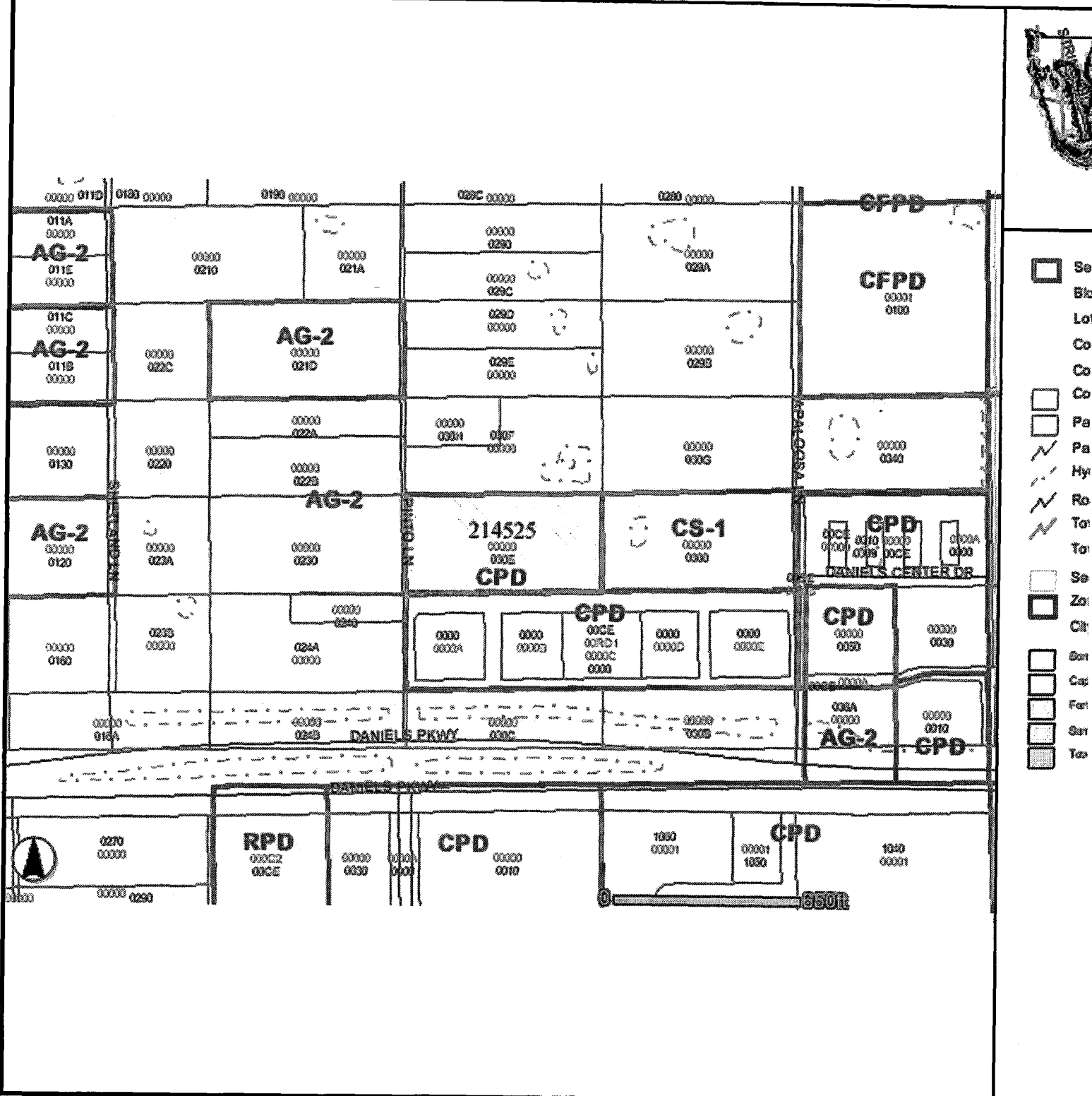
Figure 1

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ADD 2006-00191

ADD2006-00191 PARKER BUSINESS CENTER



PROPERTY DATA FOR PARCEL 21-45-25-01-00000.030E
TAX YEAR 2006 TRIM

Parcel data is available for the following tax years:
[[2001](#) | [2002](#) | [2003](#) | [2004](#) | [2005](#) | [2006 \(Trim\)](#)]

[[Next Lower Parcel Number](#) | [Next Higher Parcel Number](#) | [Display Tax Bills on this Parcel](#) | [NEW! Tax Estimator](#)]

OWNERSHIP, LEGAL, SALES AND DISTRICT DATA ARE FROM THE CURRENT DATABASE. LAND, BUILDING, VALUE AND EXEMPTION DATA ARE FROM THE 2006 TRIM ROLL.

PROPERTY DETAILS

OWNER OF RECORD

PARKER BUSINESS CENTER LLC
9001 DANIELS PKWY STE 200
FORT MYERS FL 33912

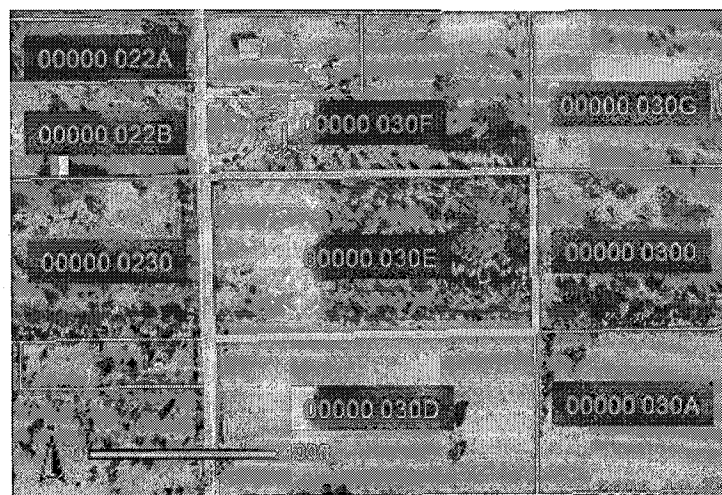
SITE ADDRESS

13351 PINTO LN
FORT MYERS FL 33912

LEGAL DESCRIPTION

S 1/2 OF NE 1/4 OF SW 1/4
OF NE 1/4 PT TRACT 30
COLONIAL RANCHETTES

[[VIEWER](#)] TAX MAP [[PRINT](#)]



[[PICTOMETRY](#)]

TAXING DISTRICT

012 - SOUTH TRAIL FIRE DISTRICT

DOR CODE

10 - VACANT COMMERCIAL

PROPERTY VALUES (TAX ROLL 2006)[[New! HISTORY CHART](#)]

EXEMPTIONS

ATTRIBUTES

JUST	871,200	HOMESTEAD	0	UNITS OF MEASURE	SF
ASSESSED	871,200	AGRICULTURAL	0	NUMBER OF UNITS	217,800.00
ASSESSED SOH	871,200	WIDOW	0	FRONTAGE	0
TAXABLE	871,200	WIDOWER	0	DEPTH	0
BUILDING	0	DISABILITY	0	BEDROOMS	
LAND	871,200	WHOLLY	0	BATHROOMS	
BUILDING FEATURES	0	SOH DIFFERENCE	0	TOTAL BUILDING SQFT	
LAND FEATURES	0		YEAR IMPROVED	0	
			HISTORIC DISTRICT	No	

RESOLUTION NUMBER Z-05-065

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

WHEREAS, Beverly Grady filed an application on behalf of the property owner, S & J Group, L.L.P, to rezone a 5.18± acre parcel from Agricultural (AG-2) to Commercial Planned Development (CPD), in reference to Pinto Lane CPD; and,

WHEREAS, a public hearing was advertised and held on September 15, 2005, before the Lee County Zoning Hearing Examiner, who gave full consideration to the evidence in the record for Case #DCI2005-00032; and

WHEREAS, a second public hearing was advertised and held on November 21, 2005, before the Lee County Board of Commissioners, who gave full and complete consideration to the recommendations of the staff, the Hearing Examiner, the documents on record and the testimony of all interested persons.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS:

SECTION A. REQUEST

The applicant filed a request to rezone a 5.18± acre parcel from AG-2 to CPD, to allow a maximum of 31,200 square feet of general or medical office use and a maximum of 65,800 square feet of public indoor storage (warehouse) use. The property is located in the Outlying Suburban Land Use Category and is legally described in attached Exhibit A. The request is APPROVED, SUBJECT TO the conditions and deviations specified in Sections B and C below.

SECTION B. CONDITIONS:

All references to uses are as defined or listed in the Lee County Land Development Code (LDC).

1. The development of this project must be consistent with the one-page Master Concept Plan (MCP) entitled "Pinto Lane," stamped received FEB 17 2006, last revised 2/14/06, except as modified by the conditions below.

The MCP specifies a maximum of 97,000 square feet of floor space divided into two lots: "Tract A" is limited to a 31,200 square feet of floor space (non-medical office use) OR 10,000 medical and 15,000 non-medical office uses; "Tract B" is limited to 65,800 square feet of floor space, 45 feet in height and three stories.

2. The following limits apply to the project and uses (any Note referenced is taken from LDC §34-934):

a. Schedule of Uses**TRACT A**

Accessory uses and structures: Note (1)
 Administrative offices: (Note 1)
 Business services: Group I
 Essential services (Note 1)
 Essential service facilities: Group I
 Fences, walls (Note1)
 Insurance companies
 Medical office (limited to 10,000 square feet)
 Parking lot: Accessory
 Signs (in accordance with chapter 30)

TRACT B

Accessory uses and structures: (Note 1)
 Administrative offices: (Note1)
 Caretaker's residence (Note 34)
 Essential services (Note 1)
 Essential service facilities : Group I
 Fences, walls (Note1)
 Parking lot: Accessory
 Signs (in accordance with chapter 30)
 Warehouse: Mini-warehouse, public warehouse (indoor storage)

b. Site Development Regulations**TRACT A****Minimum Lot Area and Dimensions:**

Area	3.0 acres
Width	450 feet
Depth	300 feet

Minimum Building Setbacks:

Pinto Lane	20 feet
Salrose Lane	15 feet
Side (south property line)	10 feet
Rear (as shown on MCP)	10 feet
Water	25 feet
Accessory Structures	10 feet

Maximum Height:

• Buildings 1-3 and 5-7	25 feet/1 story
• Building 4	35 feet/2 stories

TRACT B**Minimum Lot Area and Dimensions:**

Area	1.0 acre
Width	200 feet
Depth	300 feet

Minimum Building Setbacks:

Salrose Lane	25 feet
Side	15 feet
Rear	25 feet
Water	25 feet
Accessory Structures	15 feet

Maximum Height	45 feet/3 stories
----------------	-------------------

PROJECT

Maximum Lot Coverage	30 percent
Minimum Open Space	1.48 acres
Minimum Building Separation	20 feet

3. Prior to local development order approval, the development order plans must delineate the 0.62 acre native tree preservation area in substantial compliance with the MCP and provide a native shrub planting plan meeting the requirements of LDC §10415(b)(2)b.5 for the Division of Environmental Science staff review and approval. The tree preservation area must have a minimum 50-foot width.
4. Prior to local development order approval, the landscape plans must show:
 - a. a double staggered hedge of native shrubs (48-inch minimum height at planting; allowed to grow to their natural height) along the north property line; and
 - b. all the existing native trees within the tree preserve area in the northern portion of the property; and
 - c. sabal palms with staggered heights ranging from 10-foot clear trunks to 20-foot clear trunks planted 20-foot on center in the areas delineated on the attached exhibit entitled "Sabal Palm Planting Areas"; and
 - d. A total of 3,000 native shrubs and groundcover (minimum 1 gallon container size) with 1,500 plants within the 0.62-acre indigenous preserve, 750 plants within the 30-foot buffer area to the north of the indigenous preserve, and 750 plants within the open area north of building #1 and west of the indigenous vegetation area. This will achieve the extra 10 percent credit for the 0.62-acre preserve by meeting the intent of LDC §10-415(b)(2)b.5.

- e. an enhanced Type "D" buffer along Pinto Lane right-of-way containing:
 - 1) five canopy trees (no palms) planted in addition to the standard Type "D" requirements. The 15 foot buffer must be free of any easements. Hedge rows must be installed at 48 inches and maintained at 60 inches; and
 - 2) all buffer requirements for the entire site will be met with 100% native vegetation. A diverse selection of shrubs must be provided - no less than three different species. Non-native vegetation may be planted in addition to required plantings.
- 5. At the time of local development order, it must be shown that Pinto Lane will be brought into compliance with applicable LDC standards for roadways carrying commercial traffic.
- 6. Prior to issuance of a local development order for Tract A, an easement over Salrose Lane to provide access to Tract B must be recorded and provided to establish that Tract B is not land locked. At the time of issuance of a local development order for Tract B, it must be shown that Salrose Lane will be completed to the easternmost boundary of Tract B and an easement has been granted over Salrose Lane, which easement provides for access to Tract B and for permanent maintenance in the same manner as required by the LDC for all private subdivision roads.
- 7. Hours of operation for Tracts A and B are limited to 6:00 a.m. to 9:00 p.m.
- 8. Approval of this zoning request does not address mitigation of the project's vehicular or pedestrian traffic impacts. Additional conditions consistent with the Lee County LDC may be required to obtain an LDO.
- 9. Approval of this rezoning does not guarantee LDO approval. Future development order approvals must satisfy the requirements of the Lee Plan Planning Communities Map and Acreage Allocation Table, Map 16 and Table 1(b), be reviewed for, and found consistent with, range of gross floor area, location, tenant mix and general function, as well as all other Lee Plan provisions.
- 10. This development must comply with all requirements of the Lee County LDC at time of LDO approval, except as may be granted by deviation as part of this planned development. If changes to the Master Concept Plan are subsequently pursued, appropriate approvals will be necessary.

SECTION C. DEVIATIONS:

- 1. Deviation (1) - Withdrawn at hearing.
- 2. Deviation (2) seeks relief from the LDC §34-935(b)(1)(b) requirement to provide a 15-foot minimum building and structure setback from the development perimeter boundary, to allow a 10-foot perimeter setback along the southern property line for Tract A. This deviation is APPROVED.

3. Deviation (3) seeks relief from the LDC §10-414(d)(3) requirement to provide a Type "A" buffer between commercially zoned properties, to eliminate the buffer along the southern boundary of Tracts A and B. This deviation is APPROVED.
4. Deviation (4) seeks relief from the LDC §10-416(d)(6) requirement that commercially zoned properties abutting agricultural or residentially zoned properties provide a Type "C" buffer with 8-foot-high wall or wall and berm combination and a 25-foot-wide buffer from a parking or access way to a residentially zoned property, to allow a Type "C" buffer without a wall on the east property line and a 15-foot-wide buffer from a parking or access way on the eastern property line. This deviation is APPROVED for:
 - (a) a Type "C" buffer without a wall or wall/berm combination on the east property line; and,
 - (b) a 15-foot setback for the parking area from the east property line.

SECTION D. EXHIBITS AND STRAP NUMBER:

The following exhibits are attached to this resolution and incorporated by reference:

- Exhibit A: Legal description of the property
Exhibit B: Zoning Map (with the subject parcel indicated)
Exhibit C: The Master Concept Plan

The applicant has indicated that the STRAP number for the subject property is:
21-45-25-01-00000.030E

SECTION E. FINDINGS AND CONCLUSIONS:

1. The applicant has proven entitlement to the rezoning by demonstrating compliance with the Lee Plan, the LDC, and any other applicable code or regulation.
2. The rezoning, as approved:
 - a. meets or exceeds all performance and locational standards set forth for the potential uses allowed by the request; and,
 - b. is consistent with the densities, intensities and general uses set forth in the Lee Plan; and,
 - c. is compatible with existing or planned uses in the surrounding area; and,
 - d. will not place an undue burden upon existing transportation or planned infrastructure facilities and will be served by streets with the capacity to carry traffic generated by the development; and,

- e. will not adversely affect environmentally critical areas or natural resources.
3. The rezoning satisfies the following criteria:
- a. the proposed use or mix of uses is appropriate at the subject location; and
 - b. the recommended conditions to the concept plan and other applicable regulations provide sufficient safeguard to the public interest; and
 - c. the recommended conditions are reasonably related to the impacts on the public interest created by or expected from the proposed development.
4. Urban services, as defined in the Lee Plan, are, or will be, available and adequate to serve the proposed land use.
5. The approved deviations, as conditioned, enhance achievement of the planned development objectives, and preserve and promote the general intent of LDC Chapter 34, to protect the public health, safety and welfare.

The foregoing resolution was adopted by the Lee County Board of Commissioners upon the motion of Commissioner Judah, seconded by Commissioner Albion and, upon being put to a vote, the result was as follows:

Robert P. Janes	Aye
Douglas R. St. Cerny	Aye
Ray Judah	Aye
Tammy Hall	Aye
John E. Albion	Aye

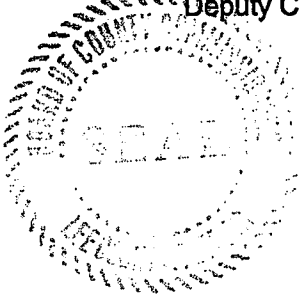
DULY PASSED AND ADOPTED this 21st day of November 2005.

ATTEST:
CHARLIE GREEN, CLERK

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: Michele S. Cooper
Deputy Clerk

BY: [Signature]
Chairwoman



Approved as to form by:

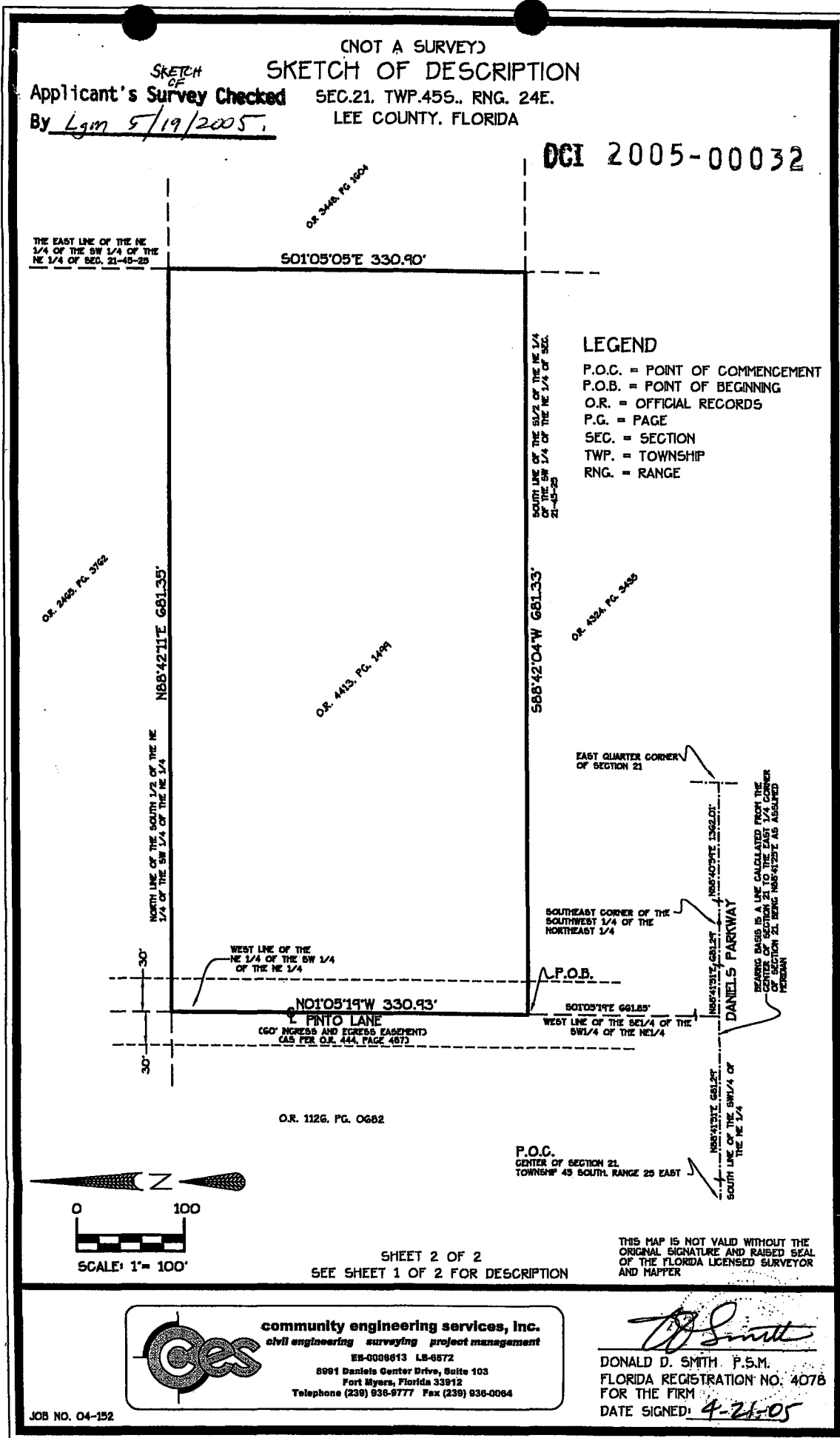
[Signature]
Dawn Perry-Lehnert
County Attorney's Office

CASE NO: DCI2005-00032

RECEIVED
MINUTES OFFICE
mge

2006 MAR 21 PM 4: 23

Z-05-065
Page 6 of 6



community engineering services, inc.
 civil engineering surveying project management
 ES-0008613 LS-6572
 8991 Daniels Center Drive, Suite 103
 Fort Myers, Florida 33912
 Telephone (239) 936-9777 Fax (239) 936-0064

Donald D. Smith
 DONALD D. SMITH, P.S.M.
 FLORIDA REGISTRATION NO. 4078
 FOR THE FIRM
 DATE SIGNED: 4-21-05

JOB NO. 04-152

(NOT A SURVEY)
SKETCH OF DESCRIPTION
 SEC.21, TWP.45S., RNG. 24E.
 LEE COUNTY, FLORIDA

DCI 2005-00032

DESCRIPTION:

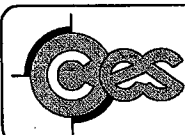
A PARCEL OF LAND BEING THE SOUTH 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 21, TOWNSHIP 45 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCE AT THE CENTER OF SAID SECTION 21; THENCE NORTH $88^{\circ}41'51''$ EAST ALONG THE SOUTH LINE OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 21, A DISTANCE OF 681.29 FEET TO A POINT AT THE WEST LINE OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 21, SAID LINE BEING THE CENTERLINE OF A 60 FOOT WIDE INGRESS AND EGRESS EASEMENT KNOWN AS PINTO LANE RECORDED IN OFFICIAL RECORDS BOOK 444, PAGE 487 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE NORTH $01^{\circ}05'19''$ WEST ALONG SAID WEST LINE, A DISTANCE OF 661.85 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH $01^{\circ}05'19''$ WEST ALONG THE WEST LINE OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 21, A DISTANCE OF 330.93 FEET TO A POINT AT THE NORTH LINE OF SAID SOUTH 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 21; THENCE NORTH $88^{\circ}42'11''$ EAST ALONG SAID NORTH LINE, A DISTANCE OF 681.35 FEET TO A POINT AT THE EAST LINE OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 21; THENCE SOUTH $01^{\circ}05'05''$ EAST ALONG SAID EAST LINE, A DISTANCE OF 330.90 FEET TO A POINT AT THE SOUTH LINE OF SAID SOUTH 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 21; THENCE SOUTH $88^{\circ}42'04''$ WEST ALONG SAID SOUTH LINE, A DISTANCE OF 681.33 FEET TO THE POINT OF BEGINNING. CONTAINING 5.18 ACRES, MORE OR LESS.

BEARINGS ARE BASED ON A LINE FROM THE CENTER OF SECTION 21 TO THE EAST QUARTER CORNER OF SECTION 21, BEING NORTH $88^{\circ}41'25''$ EAST AS ASSUMED MERIDIAN.

Applicant's Legal Checked
 by Lgm 5/19/2005.

SHEET 1 OF 2
 SEE SHEET 2 OF 2 FOR SKETCH



community engineering services, inc.
 civil engineering surveying project management
 ES-0008613 LS-8572
 8991 Daniels Center Drive, Suite 103
 Fort Myers, Florida 33912
 Telephone (239) 938-8777 Fax (239) 938-0064

JOB NO. 04-152

EXHIBIT A
 (Page 2 of 2)

EXHIBIT

PH-3.D.2

11/13/2023

ZONING MAP

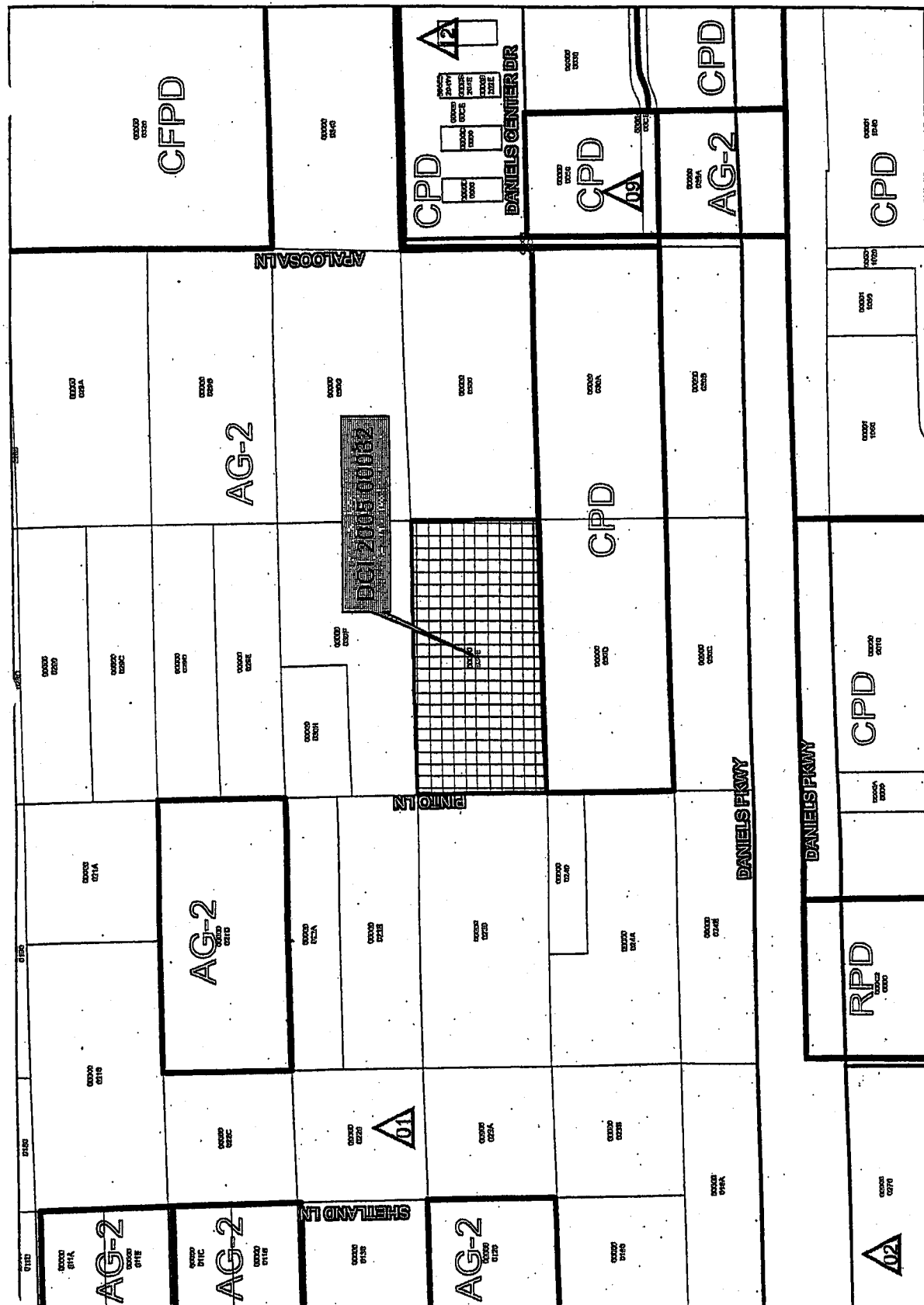
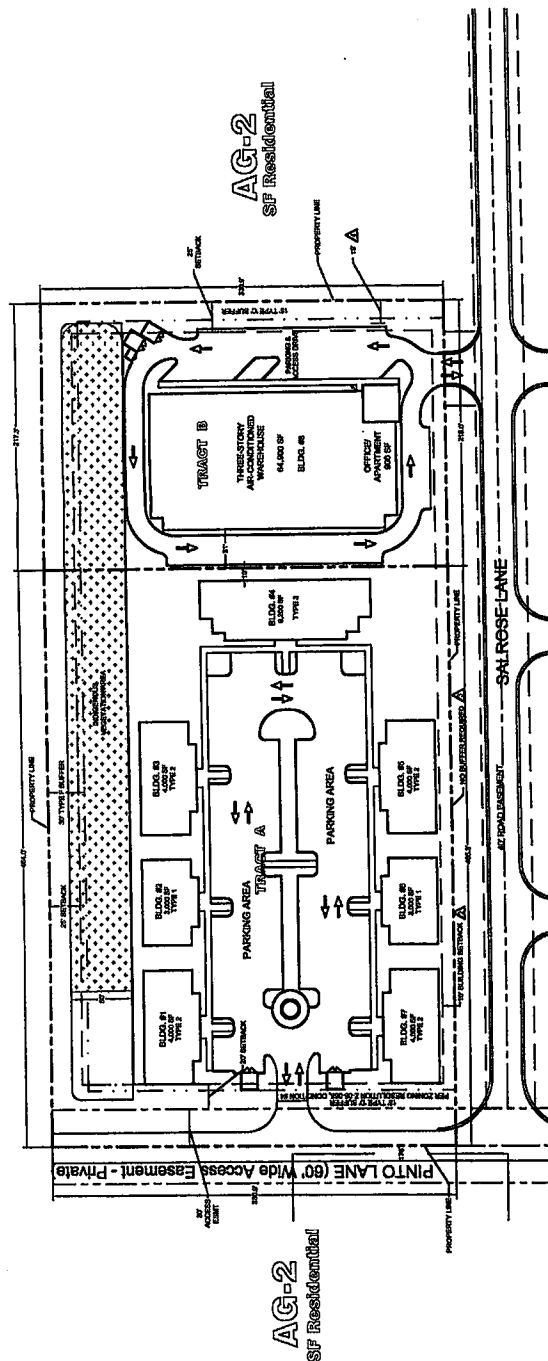


EXHIBIT B

AG-2
SF Residential



LEGEND
A DEVIATION NUMBER
 (SEE REVOLUTION NUMBER Z-05-0853)

Open Space and Indigenous Vegetation Calculations

[illegible]

CPD
Daniels Parkway Business Center
Master Concept Plan
For
Pinto Lane CPD
Sec. 21, Twp. 45 S., Rge. 25 E
Lee County, Florida

Approved as Exhibit C
MCP Page 1 of 1
Resolution # 7-05-065



DOI 2005-00032

[illegible]

community engineering services, inc.
civil engineering • surveying • project management
EB-000513 LB-6572
8801 Donald Center Drive, Suite 103
Fort Myers, Florida 33912
Telephone (813) 638-6777 Fax (239) 936-0094

**MASTER CONCEPT PLAN
OF
PINTO LANE CPD**

1 of 1



LEE COUNTY

SOUTHWEST FLORIDA

APPLICATION FOR ADMINISTRATIVE ACTION FOR UNINCORPORATED AREAS ONLY

APPLICATION FOR ADMINISTRATIVE ACTION FOR UNINCORPORATED AREAS ONLY

RECEIVED

OCT 03 2006

Cum 4:50 pm

COMMUNITY DEVELOPMENT

Applicant's Name: Parker Business Center, LLC

Project Name: Parker Business Center

STRAP Number(s): 21-45-25-01-00000.030E

TYPE OF ADMINISTRATIVE APPLICATION:

- ☐ Administrative Variance (attach Supplement A)
☐ Commercial Lot Split (attach Supplement B)
☐ Consumption On Premises (attach Supplement C)
☐ Minimum Use Determination (attach Supplement D)
☐ LCLDC, Zoning District Boundaries, or Ordinance Interpretation (attach Supplement E)
☐ Relief for Designated Historic Resources (attach Supplement F)
☐ Relief for Easement Encroachment (attach Supplement G)
☐ Administrative Amendment to PUD or PD (attach Supplement H)
☐ Final Plan Approval for PD per Resolution: # _____ (attach Supplement H)
☒ Administrative Deviation from LCLDC Chapter 10, Section 10-104 (attach Supplement I)
☐ Placement of Model Home/Unit or Model Display Center (attach Supplement J)
☐ Dock & Shoreline Structures (attach Supplement K)
☐ Wireless Communication Facility Shared Use Plan Agreement (attach Supplement M)

Is this project located in the Estero Planning Community? . YES ☒ NO

*If YES, please note that the applicant may be required to conduct one public informational session where the agent will provide a general overview of the project for any interested citizens.

STAFF USE ONLY

Case Number: ADD 2006-00191 Commission District: 2
 Current Zoning: CPD Fee Amount: 400.00
 Land Use Classification: Outlying Sub. Intake by: Cum
 Planning Community: Danville Parkway

LEE COUNTY
 COMMUNITY DEVELOPMENT
 P.O. BOX 398 (1500 MONROE STREET)
 FORT MYERS, FLORIDA 33902
 PHONE (239) 479-8585

ADD 2006-00191

PART 1
APPLICANT\AGENT INFORMATION

A. Name of applicant: Parker Business Center, LLC

Address: Street : 9001 Daniels Parkway, Suite 200

City: Fort Myers State: FL Zip: 33912

Phone: Area Code: 239 Number: 481-5050 Ext: _____

Fax: Area Code: 239 Number: 481-2532

E-mail address: dpk@jpcfl.com

B. Relationship of Applicant to owner (check one):

_____ Applicant (including an individual or husband & wife) is the sole owner of the property. [34-201(a)(1)a.1.]

_____ Notarized Affidavit of Authorization form is attached as Exhibit AA-1.B.2. (See Part 1 Exhibit Form A1 attached hereto for suggested Affidavit Form for an individual.) [34-202(b)(1)c.]

X Applicant has been authorized by the owner(s) to represent them for this action.

X Notarized Affidavit of Authorization form is attached as Exhibit AA-1.B.2. (Please select the appropriate Affidavit Form from the suggested forms in Part 1 Exhibits attached hereto.) [34-202(b)(1)c.]

_____ Applicant is a contract purchaser/vendee. [34-202(b)(1)d.]

_____ Notarized Affidavit of Authorization form is attached as Exhibit AA-1.B.2. [34-202(b)(1)c.] (Please select the appropriate Affidavit Form from the suggested forms in Part 1 Exhibits attached hereto.)

C. Authorized Agent: Name of the person who is to receive all County-initiated correspondence regarding this application. [34-202(b)(1)c.]

C.1. Company Name: Community Engineering Services, Inc.

Contact Person: Kevin Higginson, P.E.

Address: Street : 8991 Daniels Center Drive, Suite 103

City: Fort Myers State: FL Zip: 33912

Phone: Area Code: 239 Number: 936-9777 Ext: _____

Fax: Area Code: 239 Number: 936-0064

E-mail address: Khigginson@communityengineeringonline.com

C.2. _____ Additional Agent(s): The names of other agents that the County may contact concerning this application are attached as Exhibit AA-1.C.2. [34-202(b)(1)c.]

PART 2
PROPERTY OWNERSHIP

Is this request specific to a particular tract of land? _____ NO _____ X YES. If the answer is YES, please complete the following items.

A. Property Ownership: Single owner (individual or husband & wife only) [34-201(a)(1)a.1.]

A.1. Name: Parker Business Center, LLC

Mailing Address: Street: 9001 Daniels ~~Center~~ Parkway Suite 200

City: FT. MYERS State: FL Zip: 33912

Phone: Area Code: 239 Number: 481-5050 Ext: _____

Fax: Area Code: 239 Number: 481-2532

E-mail: dpr@jpetl.com

B. Property Ownership: Multiple owners (Corporation, partnership, trust, association) [34-201(a)(1)].

B.1. X Disclosure of (Ownership) Interests Form is attached as Exhibit AA-2.B.1. [34-201(b)2]

C. Multiple parcels

C.1. N/A Property owners list is attached as Exhibit AA-2.C.1. [34-202(a)(5)]

C.2. N/A Property owners map is attached as Exhibit AA-2.C.2. [34-202(a)(5)]

D. Date property was acquired by present owner(s):

3/21/06

PART 3 PROPERTY INFORMATION

Is this request specific to a particular tract of land? _____ NO X YES. If the answer is YES, please complete the following items.

A. STRAP Number(s): 21-45-25-01-00000.030E

B. Street Address of Property: 13351 Pinto Lane, Fort Myers, Florida 33912

C. Legal Description

X Legal description (on 8 1/2" by 11" paper) is attached as Exhibit AA-3.C.1. [34-202(a)(1)]

X Sealed sketch of the legal description is attached as Exhibit AA-3.C.2. [34-202(a)(1)]

X Electronic version of the legal description is attached as Exhibit AA-3.C.3.

D. Boundary Survey

X A Boundary survey, tied to the state plane coordinate system, is attached as Exhibit AA-3.D.1. [34-202(a)(2)]

_____ The property consists of one or more undivided platted lots in a subdivision recorded in the Official County Plat Books. A copy of the applicable plat book page is attached as Exhibit AA-3.D.2. [34-202(a)(2)]

E. Planning Community: Daniels Parkway - Suburban Future Land Use

F. General Location of Property:

F.1. ☒ Area location map is attached as **Exhibit AA-3.F.** [34-202(a)(4)]

F.2. **Directions to property:** The development site is located on the north side of Daniels Parkway at Pinto Lane, which is located approximately 2,800 feet west of Fiddlesticks Blvd. in Lee County, FL.

G. **Current Zoning of Property:** CPD

H. **Current use(s) of the property are:** Vacant

I. Property Dimensions [34-202(a)(8)]

1. Width (average if irregular parcel): 331 Feet
2. Depth (average if irregular parcel): 681 Feet
3. Total area: 217,800.00 S.F. Acres or square feet
4. Frontage on road or street: 331 Feet on Street
- 2nd Frontage on road or street: Feet on Street

**PART 4
ACTION REQUESTED**

A. TYPE OF REQUEST (please check one)

- ☐ Administrative Variance (requires supplement A)
- ☐ Commercial Lot Split (requires supplement B)
- ☐ Consumption On Premises (requires supplement C)
- ☐ Minimum Use Determination (requires supplement D)
- ☐ LCLDC, Zoning District Boundaries, or Ordinance Interpretation (requires supplement E)
- ☐ Relief for Designated Historic Resources (requires supplement F)
- ☐ Easement Encroachment (requires supplement G)
- ☐ Administrative Amendment to a PUD or Planned Development (requires supplement H)
- ☐ Final Plan Approval for a Planned Development (requires supplement H)
- ☒ Administrative Deviation from Chapter 10 of the LDC (requires supplement I)
- ☐ Placement of Model Home/Unit or Model Display Center (requires supplement J)
- ☐ Dock & Shoreline Structure (requires supplement K)
- ☐ Wireless Communication Facility Shared Use Plan Agreement (requires supplement M)

B. **NATURE OF REQUEST (please print):** Deviations from section 10-415 to reduce from 20' to 9.5' setback from indigenous native vegetation requirements.

PART 5

SUBMITTAL REQUIREMENTS

THE NUMBER OF COPIES REQUIRED FOR EACH EXHIBIT IS BASED ON THE ACTION REQUESTED AS INDICATED BELOW. PLEASE NOTE THAT THE THREE (3) SETS OF REQUIRED SUBMITTAL AND SUPPLEMENTAL FORMS MUST BE SUBMITTED IN SETS OF THREE. ADDITIONAL SUBMITTAL ITEMS (listed below) SHOULD BE SUBMITTED AS A GROUP WITH THE APPROPRIATE NUMBER OF COPIES PROVIDED AS NOTED BELOW.

Copies Required*	Exhibit Number	SUBMITTAL ITEMS
3 ✓		Completed application for Administrative Action
1 ✓		Filing Fee - [34-202(a)(9)]

Copies Required*	SUP Number	SUPPLEMENTAL FORMS (select applicable request/form)
3	SUP A	Administrative Variance request
3	SUP B	Commercial Lot Split request
3	SUP C	Consumption On Premises request
3	SUP D	Minimum Use Determination request
3	SUP E	Ordinance Interpretation request
3	SUP F	Relief for Designated Historic Resources request
3	SUP G	Easement Encroachment request
3	SUP H	Administrative Amendment to a PUD or Planned Development request
3	SUP H	Final Plan Approval for a Planned Development request
3 ✓	SUP I	Administrative Deviation from Chapter 10 of the LDC request
3	SUP J	Placement of Model Home/Unit or Model Display Center request
3	SUP K	Dock & Shoreline Structure request
3	SUP M	Wireless Communication Facility Shared Use Plan Agreement

Copies Required*	Exhibit Number	ADDITIONAL SUBMITTAL ITEMS
3 ✓	AA-1.B.2	Notarized Affidavit of Authorization Form [34-202(b)(1)c]
3 ✓	AA-1.C.2	Additional Agents [34-202(b)(1)c.]
3 ✓	AA-2.B.1	Disclosure of Interest Form [34-201(b)(2)a]
3 ✓	AA-2.C.1	Subject property owners list (if applicable) [34-202(a)(5)]
3 ✓	AA-2.C.2	Subject Property Owners map (if applicable) [34-202(a)(5)]
3 ✓	AA-3.A.1	List of STRAP Numbers (if additional sheet is required) [34-202(a)(1)]
3 ✓	AA-3.C.1	Legal Description [34-202(a)(1)]
3 ✓	AA-3.C.2	Sealed Sketch of the Legal Description [34-202(a)(1)]
1 ✓	AA-3.C.2	Electronic version of legal description (if available)
3 ✓	AA-3.D.1	Boundary Survey (tied to State Plane Coordinate System) [34-202(a)(2)] {NOTE: This is a required submittal for all Planned Development Applications and for all properties of 10 acres or more [34-373(a)(4)a.]}
3 ✓	AA-3.D.2	Copy of Plat Book Page (if applicable) [34-202(a)(1)]
3 ✓	AA-3.F	Area Location Map on 8-1/2" by 11" paper pursuant to LCLDC Section 34-202(a)(4).

* At least one copy must be an original.

**EXHIBIT AA-1.C.2
ADDITIONAL AGENTS****Company Name:** This Page N/A**Contact Person:****Address:** Street :**City:****State:****Zip:****Phone:** Area Code:**Number:****Ext:****Fax:** Area Code:**Number:****E-mail address:****Company Name:****Contact Person:****Address:** Street :**City:****State:****Zip:****Phone:** Area Code:**Number:****Ext:****Fax:** Area Code:**Number:****E-mail address:****Company Name:****Contact Person:****Address:** Street :**City:****State:****Zip:****Phone:** Area Code:**Number:****Ext:****Fax:** Area Code:**Number:****E-mail address:****Company Name:****Contact Person:****Address:** Street :**City:****State:****Zip:****Phone:** Area Code:**Number:****Ext:****Fax:** Area Code:**Number:****E-mail address:**

Spatial District Query Report

STRAP Number: 21-45-25-01-00000.030E

District Name	District Value		Pct of Parcel in District (if fractional)	Notes
Airport Noise Zone			NOT FOUND	
Airspace Notification			NOT FOUND	
Census Tract	Tract ID	401.06	100.01%	
Coastal Building Zone			NOT FOUND	
Coastal High Hazard Area			NOT FOUND	
Fire District	Fire District Taxing Authority	South Trail 085		
Flood Insurance Zone	Flood Zone	B		
FIRM Floodway			NOT FOUND	
Flood Insurance Panel	Community Panel Version Date	125124 0350 B 091984		
DNR Flood Zones			NOT FOUND	
Flood Insurance Coastal Barrier			NOT FOUND	
Lighting District			NOT FOUND	
Planning Community	ID Plan Community	11 Daniels Parkway		
Planning Land Use 2010	Landuse	Outlying Suburban		
Sanibel/County Agreement			NOT FOUND	
School Board District	District School Board Member	2 Jeanne S. Dozier		
School Choice Zone	Choice Zones	South Zone		
	Choice Zones	South Zone 1		
Solid Waste District	District Area	Area 3		
Storm Surge	Category	4/5		
Subdivisions	Subdivision No.	21452501		
	Subdivision Name	COLONIAL RANCHETTES UNIT 1 UNRECORDED		
	Book Page 1			
	Book Page 2			
	Book Page 3			
Traffic Analysis Zone				
Archaeological Sensitivity			NOT FOUND	
Sea Turtle Lighting Zone			NOT FOUND	
Watersheds	Shed ID	Six Mile Cypress		
FLUCCS1995	Code	211	97.74%	
	Landuse	Improved pastures		
	Code	111	2.26%	1
	Landuse	Fixed Single Family Units		
Vegetation Permit Required			NOT FOUND	
Soil	Map Symbol	34		2

ADD 2006-00191

RECEIVED
OCT - 3 2006

Soil Name		MALABAR FINE SAND		
Panther Habitat		NOT FOUND		
Eagle Nesting Site Buffer		NOT FOUND		
Commissioner District	District Commissioner	2 Douglas St Cerny		
Unincorporated Lee County Zoning	Zoning Designation	CPD	99.8%	<u>Zoning Notes</u>
	Zoning Designation	AG-2	0.2%	<u>1</u>
Development Orders	Development Order Status	DOS20006-00139		
	Wet Season Water Table			
	Development Order Status	DOS2005-00221	1.71%	<u>1</u>
	Wet Season Water Table			
Road Impact Fee Districts	District Tidemark ID	53 53		
	Name	CENTRAL		
Water Franchise	Franchise Name	Lee County Utilities		
Wastewater Franchise	Franchise Name	Lee County Utilities		
Res. Garbage Collection Day	Hauling Day	Friday		
Res. Recycling Collection Day	Hauling Day	Friday		
Res. Horticulture Collection Day	Hauling Day	Thursday		

[Modify Report Settings]

Note	Details
1	Small percentages can result from slight variations in the way lines are drawn or imported into our system. Such values may not accurately reflect an overlap with the subject parcel.
2	Contact DEP (239) 332-6975 for wetland determination

Our goal is to provide the most accurate data available, however no warranties, expressed or implied, are provided with this data, its use, or interpretation.
All information subject to change without notice.

October 3, 2006

Mr. Peter Eckenrode, P.E.
Lee County Community Development
1500 Monroe Street
Post Office Box 398
Fort Myers, Florida 33902

**RE: Parker Business Center
Application for Administrative Action**

Dear Mr. Eckenrode:

We are submitting for Administrative Action on the above referenced project. Included in this submittal are the following items:

- | | | |
|-----|---|------------------------|
| 1. | Completed Application | (3 copies) |
| 2. | Supplement I Form | (3 copies) |
| 3. | Affidavit of Authorization | (1 original, 2 copies) |
| 4. | Disclosure of Interest | (1 original, 2 copies) |
| 5. | Legal Description (8 ½ x 11) | (3 copies) |
| 6. | Sealed Sketch of Legal Description | (3 copies) |
| 7. | Electronic Version of Legal Description | (1 copy) |
| 8. | Boundary | (3 originals) |
| 9. | Location Map (8 ½ x 11) | (3 copies) |
| 5. | Written Statement | (4 copies) |
| 10. | Plan 24" x 36" | (1 set) |
| 6. | Plan 11" x 17" | (3 sets) |
| 7. | Review Fee Check – \$400.00 | |

Should staff have any questions or concerns, please contact us.

Sincerely,
Community Engineering Services, Inc.

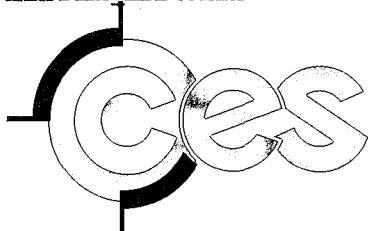

Kevin Higginson, P.E.
Senior Vice President

RECEIVED
OCT 03 2006

Cc: Jack Parker
File

COMMUNITY DEVELOPMENT

T:\ENG\Jack_Parker\Pinto_Ln\Documents\Administrative Action\Cover Letter.doc



community engineering services, inc.
civil engineering • surveying • project management

ADD 2006-00191



ADMINISTRATIVE ACTION REQUEST SUPPLEMENT I FOR UNINCORPORATED AREAS ONLY

ADMINISTRATIVE DEVIATION FROM
CHAPTER 10, per LCLDC SECTION 10-104

Case Number: _____
Project Name: Parker Business Center
Applicant's Name: Parker Business Center, LLC
STRAP Number(s): 21-45-25-01-00000.030E

If the request is for an administrative deviation from Chapter 10 (Development Standards), Section 10-104 of the Lee County Land Development Code, please submit the "Application for Administrative Action" form for unincorporated areas and Supplement I including the following:

PART 1. ADDITIONAL PROPERTY INFORMATION

A. PRESENT USE OF THE SUBJECT PROPERTY (briefly describe): Vacant

B. CURRENT USE OF THE ADJACENT PROPERTIES (briefly describe):

North: AG2 -residential/home based commercial business

East: CS1 - vacant

South: PD – Daniels Parkway Business Center

West: AG2 - vacant

RECEIVED

OCT - 3 2006 .

ADD 2006-00191

PART 2. ACTION REQUESTED

A. BACKGROUND INFORMATION:

1. ☐ **PUBLIC HEARINGS:** Has a public hearing for any purpose been held regarding the subject property within the last 12 months? ☐ NO ☒ YES

☐ If YES, please provide the following information regarding the hearing:

- a) **Name of Applicant:** S & J Group, LLP
 b) **Date of Hearing:** Sept. 15, 2005 and Nov. 21, 2005
 c) **Case Number:** DCI2005-00032
 d) **Type of Request:** Rezone from AG-2 to CPD
 e) **Result/Disposition of Hearing:** Approved – Resolution #Z-05-065

2. ☐ **LOCAL DEVELOPMENT ORDERS:** Has an application for a Development Order been filed with Lee County Department of Community Development ? ☐ NO ☒ YES.

☐ If YES, please provide the following information:

- a) **Name of Applicant:** Jack Parker Corporation
 b) **Lee County DOS Application Number:** DOS2006-00139
 c) **Current status of the Development Order application:** Under Review

B. SPECIFIC REQUEST: Indicate the Section(s) of Lee County Land Development Code from which the administrative deviation approval is sought [please check the appropriate selection(s)]:

- | | |
|---|---|
| ☐ 10-283 (access streets) | ☐ 10-285 (intersection separations) |
| ☐ 10-296(g) (horizontal curves) | ☐ 10-296(j) (intersection designs) |
| ☐ 10-296(k) (cul-de-sacs) | ☐ 10-296, Table 2 (ROW widths - County maintained streets) |
| ☐ 10-296, Table 3 (ROW widths - private streets) | ☐ 10-296, Table 4 Items (2)–(7) and (13) (road specifications) |
| ☐ 10-322 (swale sections) | ☐ 10-329(d)(1)a.2.&a.3 (Water excavation setbacks) |
| ☐ 10-352 (public water) | ☐ 10-353 (public sewer) |
| ☐ 10-385(c) (water mains) | ☒ 10-415(b)(5) (Indigenous native vegetation) |
| ☐ 10-416(c) Landscaping of parking and vehicle use areas | ☐ 10-441 (mass transit facilities) |
| | ☐ 10-610(a) Parking angle |

PART 3.

ADDITIONAL SUBMITTAL REQUIREMENTS

Please submit the following:

- A. **WRITTEN NARRATIVE STATEMENT:** A written narrative statement explaining the proposed request and why the administrative deviation is needed (See explanatory notes for required contents of written statement). [10-104(c)(3)] Label as **Exhibit I-3.A.**

**PART 1 AFFIDAVIT A2
(EXHIBIT AA-1.B.2)**

AFFIDAVIT FOR PUBLIC HEARING

APPLICATION IS SIGNED BY A CORPORATION, LIMITED LIABILITY COMPANY (L.L.C.), LIMITED COMPANY (L.C.), PARTNERSHIP, LIMITED PARTNERSHIP, OR TRUSTEE

I, * David Knizner as Vice President of Parker Business Center, LLC, swear or affirm under oath, that I am the owner or the authorized representative of the owner(s) of the property and that:

1. I have full authority to secure the approval(s) requested and to impose covenants and restrictions on the referenced property as a result of any action approved by the County in accordance with this application and the Land Development Code;
2. All answers to the questions in this application and any sketches, data or other supplementary matter attached hereto and made a part of this application are honest and true;
3. I am hereby authorizing the staff of Lee County Community Development to enter upon the property during normal working hours for the purpose of investigating and evaluating the request made thru this application; and that
4. The property will not be transferred, conveyed, sold or subdivided unencumbered by the conditions and restrictions imposed by the approved action.

Parker Business Center, LLC

*Name of Entity (corporation, partnership, LLP, LC, etc)

[Signature]
Signature

David Knizner
(Type or printed name)

Vice President

(title of signatory)

STATE OF Florida

COUNTY OF Lee

ADD 2006-00191

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The foregoing instrument was sworn to (or affirmed) and subscribed before me this 11th day Sept 2006 (date) by David Knizner (name of person providing oath or affirmation), who is personally known to me or who has produced [Signature] (type of identification) as identification.

[Signature]
Signature of person taking oath or affirmation

ELAINE M. STULTZ

Name typed, printed or stamped



Elaine M. Stultz

Commission #DD339030

Expires: Aug 04, 2008

Bonded by number, if any
Atlantic Bonding Co., Inc.

Title or rank

***Notes:**

- If the applicant is a corporation, then it is usually executed by the corp. pres. or v. pres.
- If the applicant is a Limited Liability Company (L.L.C.) or Limited Company (L.C.), then the documents should typically be signed by the Company's "Managing Member."
- If the applicant is a partnership, then typically a partner can sign on behalf of the partnership.
- If the applicant is a limited partnership, then the general partner must sign and be identified as the "general partner" of the named partnership.
- If the applicant is a trustee, then they must include their title of "trustee."
- In each instance, first determine the applicant's status, e.g., individual, corporate, trust, partnership, estate, etc., and then use the appropriate format for that ownership.

**EXHIBIT AA-2.B.1
DISCLOSURE OF INTEREST FORM FOR:**

STRAP NO. 21-45-25-01-00000.030E **CASE NO.** _____

1. If the property is owned in fee simple by an INDIVIDUAL, tenancy by the entirety, tenancy in common, or joint tenancy, list all parties with an ownership interest as well as the percentage of such interest.

Name and Address	Percentage of Ownership

2. If the property is owned by a CORPORATION, list the officers and stockholders and the percentage of stock owned by each.

LIMITED LIABILITY CORPORATION

Name and Address	Percentage of Stock
<i>THE ADAM PARKER GRACE - DESCENDANTS TRUST</i>	<i>65%</i>
<i>THE 1995 JACK PARKER TRUST F/B/O JOHN REBORN</i>	<i>35%</i>
<i>BOTH</i>	
<i>9001 DANIEL PARKWAY SUITE 100</i>	
<i>ST AUGUSTINE FL 32917</i>	

3. If the property is in the name of a TRUSTEE, list the beneficiaries of the trust with percentage of interest.

Name and Address	Percentage of Interest

4. If the property is in the name of a GENERAL PARTNERSHIP OR LIMITED PARTNERSHIP, list the names of the general and limited partners.

Name and Address	Percentage of Ownership

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ADD 2006-00191

Page 1 of 2

5. If there is a CONTRACT FOR PURCHASE, whether contingent on this application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the officers, stockholders, beneficiaries, or partners.

Name and Address	Percentage of Stock

Date of Contract: _____

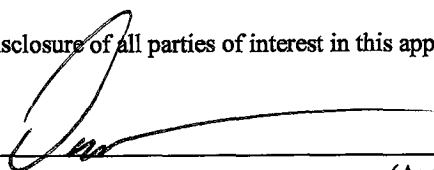
6. If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership, or trust.

Name and Address	

For any changes of ownership or changes in contracts for purchase subsequent to the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest shall be filed.

The above is a full disclosure of all parties of interest in this application, to the best of my knowledge and belief.

Signature: _____



(Applicant)

DAVID KNIZNER VICE PRESIDENT PARKER BUSINESS CENTER,

(Printed or typed name of applicant)

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was acknowledged before me this 11th day of SEPT 2006
by DAVID KNIZNER who is personally known to me or who has produced
as identification. .


Signature of Notary Public



(SEAL)
Elaine M. Stultz
Commission #DD339030
Expires: Aug 04, 2008
Bonded Thru
Atlantic Bonding Co., Inc.

Printed Name of Notary Public

Page 2 of 2

DESCRIPTION:

A PARCEL OF LAND BEING THE SOUTH 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 21, TOWNSHIP 45 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCE AT THE CENTER OF SAID SECTION 21; THENCE NORTH 88°41'51"EAST ALONG THE SOUTH LINE OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 21, A DISTANCE OF 681.29 FEET TO A POINT AT THE WEST LINE OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 21, SAID LINE BEING THE CENTERLINE OF A 60 FOOT WIDE INGRESS AND EGRESS EASEMENT KNOWN AS PINTO LANE RECORDED IN OFFICIAL RECORDS BOOK 444, PAGE 487 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE NORTH 01°05'19"WEST ALONG SAID WEST LINE, A DISTANCE OF 661.85 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 01°05'19"WEST ALONG THE WEST LINE OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 21, A DISTANCE OF 330.93 FEET TO A POINT AT THE NORTH LINE OF SAID SOUTH 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 21; THENCE NORTH 88°42'11"EAST ALONG SAID NORTH LINE, A DISTANCE OF 681.35 FEET TO A POINT AT THE EAST LINE OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 21; THENCE SOUTH 01°05'05"EAST ALONG SAID EAST LINE, A DISTANCE OF 330.90 FEET TO A POINT AT THE SOUTH LINE OF SAID SOUTH 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 21; THENCE SOUTH 88°42'04"WEST ALONG SAID SOUTH LINE, A DISTANCE OF 681.33 FEET TO THE POINT OF BEGINNING. CONTAINING 5.18 ACRES, MORE OR LESS.

BEARINGS ARE BASED ON A LINE FROM THE CENTER OF SECTION 21 TO THE EAST QUARTER CORNER OF SECTION 21, BEING NORTH 88°41'25"EAST AS ASSUMED MERIDIAN.

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ADD 2006-00191

REVIEW CHECKLIST COVER SHEET

Case Number: ADD 2006-00191

Project Name: PARKER BUSINESS CENTER

Application type: DSO (Ch 10)

Target Date: 10/31/2006

Other Information: Fort Myers Beach Estero City of Bonita Springs

DISTRIBUTION:

 Review Environmental Matters - (RHS) - 4TH FLOOR

 Review Fire Protection Design - (CWN) - 1ST FLOOR

 Review Utility Design - (JXG) - 3RD FLOOR
Distribute to if Lee County Utilities is checked on application of
new D.O.'s if not give to the Reviewer.

 Public Works – **BONITA ONLY** - (JIM MELTON)
(Interoffice thru Code Enforcement)

 Review County Roads Impacts - (AJG) - 3RD FLOOR

 Review Traffic Impact Statement - (CMC) - 2ND FLOOR

 Hurricane Evacuation - **RESIDENTIAL ONLY**
(Interoffice to Emergency Operations – Terry Kelly)

 SWP3 - (No Assignment) - 3rd FLOOR

 Check Legal - (RLM) - 2ND FLOOR

✓ ASSIGNED TO REVIEWER: RSK

 Review Engineering Design

 Review Zoning / Comp Pln Cmplnce

 Review Surface Water Design

FEE:

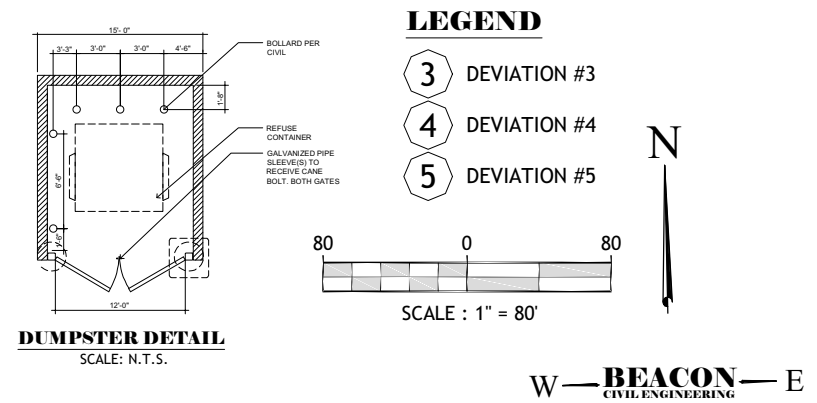
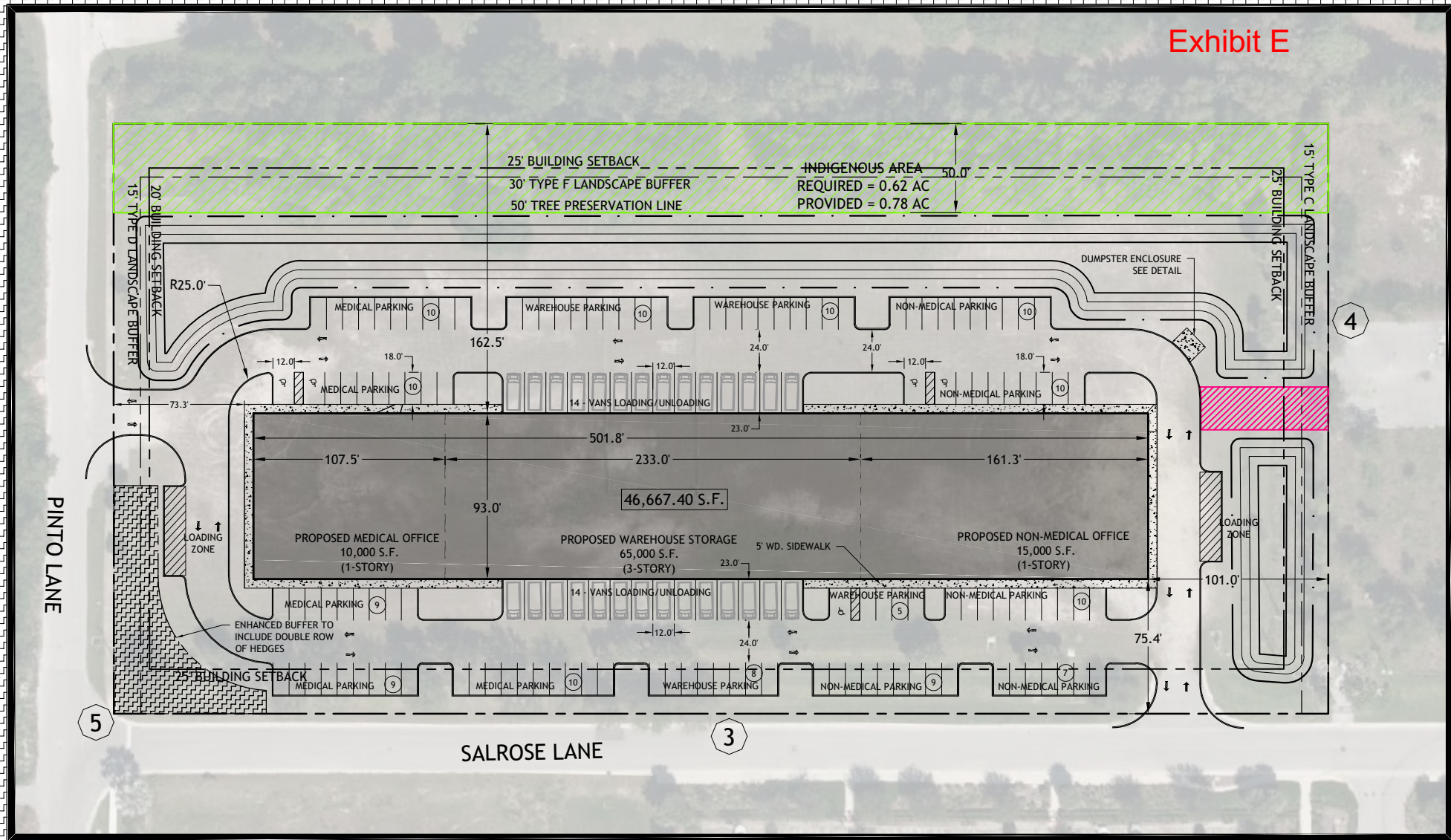
400.00

Date Stamp:

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12/29/2005

OCT - 3 2006



EXISTING PERVIOUS/IMPERVIOUS

PERVIOUS	
OPEN SPACE:	225,399.63 SF / 5.18 AC / 100.00%
TOTAL PERVIOUS AREA:	225,399.63 SF / 5.18 AC / 100.00%

PROPOSED PERVIOUS/IMPERVIOUS

PERVIOUS	
POND AREA	33,616.64 SF / 0.77 AC / 14.90%
LANDSCAPE AREA:	70,114.50 SF / 1.61 AC / 31.10%
TOTAL PERVIOUS AREA:	70,114.50 SF / 1.61 AC / 46.00%

IMPERVIOUS	
BUILDING AREA:	46,667.40 SF / 1.07 AC / 20.70%
ASPHALT PAVEMENT AREA:	70,509.70 SF / 1.62 AC / 31.30%
CONCRETE PAVEMENT AREA:	133.47 SF / 0.01 AC / 0.07%
SIDEWALK AREA:	4,357.92 SF / 0.10 AC / 1.93%
TOTAL IMPERVIOUS AREA:	121,668.49 SF / 2.80 AC / 54.00%

LEGAL DESCRIPTION:
S 1/2 OF NE 1/4 OF SW 1/4 OF NE 1/4 PT TRACT 30, COLONIAL RANCHETTES, No. 46 06 4

SITE INFORMATION:

1. SITE DATA

TOTAL SITE AREA:	5.18 ACRES (225,399.63 SF)
FOLIO #s:	10259421
EXISTING USE:	VACANT COMMERCIAL
PROPOSED USE:	CPD
FLOOD ZONE:	ZONE "X" PER FEMA FIRM PANEL NUMBER: 12071C0445F, DATED 8/28/2008

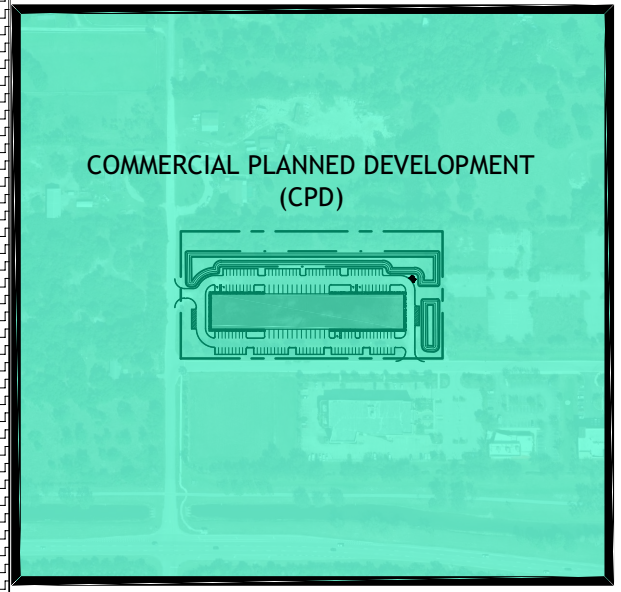
ZONING:	CPD
FUTURE LAND USE:	SUB OUTLYING SUBURBAN
PROPOSED BUILDINGS	65,000 SF (3 STORY WAREHOUSE STORAGE) 10,000 SF (MEDICAL OFFICE, ONE STORY) 15,000 SF (NON-MEDICAL OFFICE, ONE STORY)
MAX F.A.R.:	30%
PROPOSED F.A.R.:	$[(65,000/3) / 3 + 10,000 + 15,000] / 100 = 21\%$
ISR:	42%

2. SETBACKS

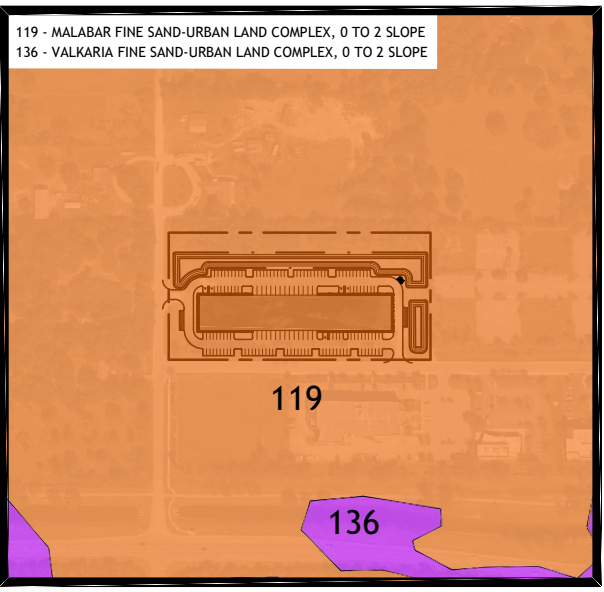
BUILDING:	REQUIRED:	PROVIDED:
NORTH:	25'	162.5'
EAST:	25'	101.0'
SOUTH:	25'	75.4'
WEST:	20'	73.3'

3. PARKING DATA

PARKING REQUIRED:	WAREHOUSE UNITS = 65,000 / (8 FT X 16 FT) = 507 UNITS 1.25 SPACES PER 25 UNITS PARKING FOR WAREHOUSE = (507 / 25) * 1.25 = 26 SPACES PARKING FOR NON-MEDICAL OFFICE IS ONE SPACE PER 350 OF TOTAL FLOOR AREA = 15,000 / 350 = 43 SPACES PARKING FOR MEDICAL OFFICE IS 4.5 SPACES PER 1000 OF TOTAL FLOOR AREA = 4.5 * (10,000 / 1000) = 45 SPACES THEREFORE, TOTAL REQUIRED SPACES = 114 SPACES
PARKING PROVIDED:	5 ADA SPACES (12' X 18') 122 REGULAR SPACES (9' X 18')
TOTAL:	127 SPACES



ZONING MAP
SCALE: 1" = 500'



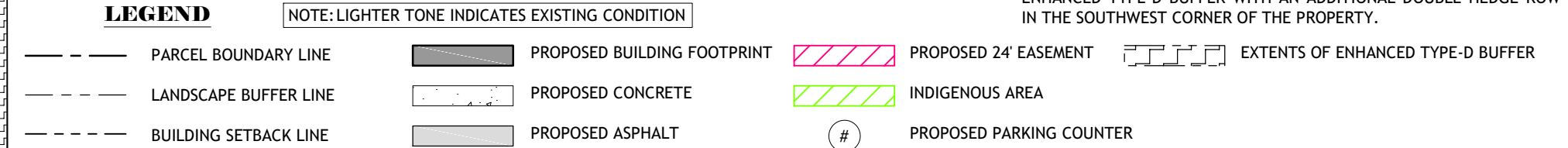
SOILS MAP
SCALE: 1" = 500'

APPROVED DEVIATIONS:

DEVIATION 3: RELIEF FROM ldc 10-414(D)(3) REQUIREMENT TO PROVIDE A TYPE "A" BUFFER BETWEEN COMMERCIALLY ZONED PROPERTIES, TO ELIMINATE THE BUFFER ALONG THE SOUTHERN BOUNDARY.

DEVIATION 4: RELIEF FROM LDC 10-416(D)(6) REQUIREMENT THAT COMMERCIALLY ZONED PROPERTIES ABUTTING AGRICULTURAL OR RESIDENTIALLY ZONED PROPERTIES PROVIDE A TYPE "C" BUFFER WITH 8-FOOT-HIGH WALL OR WALL AND BERM COMBINATION AND A 25 FOOT WIDE BUFFER FROM A PARKING OR ACCESS WAY TO A RESIDENTIALLY ZONED PROPERTY, TO ALLOW A TYPE "C" BUFFER WITHOUT A WALL ON THE EAST PROPERTY LINE AND A 15 FOOT WIDE BUFFER FROM A PARKING OR ACCESS WAY ON THE EASTERN PROPERTY LINE.

DEVIATION 5: RELIEF FROM LDC 10-416(D)(6) REQUIREMENT THAT IF ROADS, DRIVES, OR PARKING AREAS ASSOCIATED WITH NONRESIDENTIAL USE ARE LOCATED LESS THAN 125 FEET FROM AN EXISTING SINGLE-FAMILY RESIDENTIAL LOTS, A SOLID WALL OR COMBINATION BERM AND SOLID WALL NOT LESS THAN EIGHT FEET IN HEIGHT MUST BE CONSTRUCTED NOT LESS THAN 25 FEET FROM THE ABUTTING PROPERTY AND LANDSCAPED (BETWEEN THE WALL AND THE ABUTTING PROPERTY) WITH A MINIMUM OF FIVE TREES AND 18 SHRUBS PER 100 LINEAR FEET OR A 30-FOOT-WIDE TYPE-F BUFFER WITH THE HEDGE PLANTED A MINIMUM OF 20 FEET FROM THE ABUTTING PROPERTY TO ALLOW AN ENHANCED TYPE-D BUFFER WITH AN ADDITIONAL DOUBLE HEDGE ROW IN THE SOUTHWEST CORNER OF THE PROPERTY.



THE CONCEPT REPRESENTED HEREIN IDENTIFIED A DESIGN CONCEPT RESULTING FROM LAYOUT PREFERENCES IDENTIFIED BY OWNERS COUPLED WITH A PRELIMINARY REVIEW OF THE PREVIOUSLY APPROVED PLANS. THE FEASIBILITY WITH RESPECT TO OBTAINING LOCAL, COUNTY, STATE, AND OTHER APPLICABLE APPROVALS IS NOT WARRANTED AND CAN ONLY BE ASSESSED AFTER FURTHER EXAMINATION AND VERIFICATION OF SAME REQUIREMENTS AND PROCUREMENT OF JURISDICTIONAL APPROVAL.

THIS ITEM HAS BEEN DIGITALLY SIGNED AND SEALED BY LAURIE BURCAW, PE, ON 03-14-2024.

PRINTED COPIES OF THIS DOCUMENT ARE NOT CONSIDERED SIGNED AND SEALED, AND THE SIGNATURE MUST BE VERIFIED ON ANY ELECTRONIC COPIES.

BEACON CIVIL ENGINEERING
LAND DEVELOPMENT ENGINEERS
8345 GUNN HIGHWAY
TAMPA, FL 33626

PINTO FLEXSPACE

FOR

PINTO LANE CROSSING

13351 / 379 PINTO LANE
LEE COUNTY, FORT MYERS, FL

PROJECT NUMBER:
20-229

SHEET NAME:
CONCEPTUAL SITE PLAN

SHEET NUMBER:
C-3