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District One

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District Two

Ray Sandelli
District Three

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District Four

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District Five

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County Manager

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Donna Marie Collins
County Hearing Examiner

June 11, 2024

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

Veronica Martin
TDM Consulting
43 Barkley Circle Suite #200
Ft. Myers, FL 33907

Re: 2265 Laurel Ln – CPD Amendment
DCI2024-00019

Dear Ms. Martin,

The Zoning Section has reviewed the submission package for the above-referenced application in accordance with the Lee County Land Development Code (LDC). Please be advised that the application is insufficient at this time. The insufficiency comments must be addressed within thirty (30) calendar days of this letter, or the case will be considered withdrawn in accordance with the LDC.

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

Sincerely,
DEPARTMENT OF COMMUNITY DEVELOPMENT
Zoning Section

A handwritten signature in black ink that reads "MarySue Groth".

MarySue Groth
Senior Planner
MSG

Planning

- Provide a letter from FGUA verifying the location of the closest connection point for sewer service.
- Explain the source of the calculations of the anticipated GPD of sewage flow.
- Provide an analysis of Lee Plan Policy 77.3.7. The property is adjacent to a roadway that is labeled as a Shared-Use Path on the Lee County Greenways Master Plan (Map 4-E).

Zoning

- Please provide the referenced letter of availability from FGUA that establishes the decision to utilize septic.
- Please edit the Schedule of Uses to specify no outdoor seating, as the narrative indicates.
- The narrative states the connection separation distance is 105', and the MCP states 105'9". Please provide consistency on the exact measurement.

Legal

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

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

- The survey must be tied to the state plane coordinate system for the Florida West Zone (the most current adjustment is required) with two coordinates, one coordinate being the point of beginning (POB) and the other an opposing corner.
- The boundary survey labels section 36-43-24 as section 25-43-24.

Development Services

- Staff defers to DOT staff regarding approval of Deviation (1) and Deviation (4) as both Laurel Ln and Hart Dr are county-maintained roadways.
- Pursuant to LDC Sec. 10-261(b), a minimum 12-foot-wide, unobstructed access opening must be provided to accommodate all refuse and solid waste disposal storage areas/containers.
 - The MCP indicates an opening width of 11.66' which does not meet this requirement.
- LDC 34-202(a)(6) requires applicants to submit a boundary survey with public hearing applications. The boundary survey must identify and depict all easements affecting the

subject property, whether recorded or unrecorded, and all other physical encumbrances readily identified by a field inspection.

- Survey Note #3 specifically exempts freedom of encumbrances and does not meet the referenced LDC requirement.
- 34-373(a)(6)j. Please show proposed access and facilities for public transit in accordance with sections 34-411(e) and 10-442 on the MCP.
- INFORMATIONAL COMMENT: At time of development order, compliance with bicycle parking in accordance with LDC Section 10-610(d)(3)b. is required.

TIS

- Please provide the source of using 51% pass-by rate for land Use Code 851 (convenience store) in TIS.
- If the property is currently vacant, TIS must not consider deduction of approved CPD trips from the proposed CPD to get the new Trips. In such case, the proposed CPD trips must be used to prepare TIS.

DOT

- Please provide cross-access easement for the property to the south as per Per Lee Plan Policy 12.3.5 and LDC 10-285 and show that in the MCP.
- Please provide the turning/swept paths for anticipated trucks to demonstrate the site plan with the proposed 20-ft wide driveway will have sufficient width and length for all critical vehicular queuing, stacking, maneuvering, standing, and parking for the expected future traffic to be carried out completely beyond the Hart Dr ROW.

Environmental

- Provide cross sections for the east and south property lines depicting the width and depth of the drainage area, 15-foot-wide buffer, location of eight-foot wall, and the buffer planting area between the property line and the wall.
- Demonstrate how the landscape material per LDC Section 33-1543(c & d) will survive within a ten-foot-wide planting area as the Lee Plan analysis indicates. Buffers are required to be proposed between the property line and wall per LDC Section 10-421(a)(8). Staff has concerns about survivability because the the enhanced landscape material required per LDC Section 33-1543(c & d).

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- An additional deviation may be needed to allow the landscape material to be located on either side of the wall. Provide more detail of how the alternative buffer to the code will provide screening for compatibility including how the depth of the drainage swale will affect the screening.
- Please depict all easements on the MCP that may encroach into the proposed buffers.

Solid Waste

- Dumpster enclosure does not appear to meet minimum width. Per LDC 10-261, A minimum overhead clearance of 22 feet is required and a 12-foot-wide, unobstructed access opening must be provided to accommodate all storage areas/containers.

Lee Tran

- According to the Lee County Transit Land Development Code, the proposed development is located within one-quarter mile of a LeeTran fixed-route corridor, with the nearest bus stop being #10577. These include installing an 8'x30' landing pad (In this case an extension is sufficient), a bicycle storage rack, necessary curbing, and connection to the existing sidewalk. The developer will be required to adhere to the LDC Section 10-442 (a)(1) requirements.