



LETTER OF TRANSMITTAL

TO: Development Services Division
Lee County Community Development
1500 Monroe Street
Fort Myers, Florida 33902-0398

PROJECT #: 23-126

PROJECT: Lee Boulevard Convenience Store
Lee County Special Exception
RAI 2

FROM: Linda Miller, AICP
Vice President

DATE: September 12, 2024

WE ARE SENDING YOU THE FOLLOWING ITEMS:

☒ Attached Via eConnect ☐ Under Separate Cover Via _____

☐ Plans/Prints ☐ Shop Drawings ☐ Specifications ☐ Contract ☐ Disc

☐ Permit Applications ☐ Other

DESCRIPTION
Response to Staff Comments
SE Request Statement
Survey Plat
Legal and Sketch
Special Exception Exhibit Revised

THIS DATA IS TRANSMITTED AS CHECKED BELOW:

☐ as requested ☐ for approval ☐ for signature ☒ for review & comment

☐ for your use/files/information ☒ for your distribution ☐ to be returned

REMARKS:



Application for Special Exception
Lee Boulevard Convenience Store
SEZ2024-00001
Responses to Staff's 2nd Review Comments
Project Engineer: Brendan Sloan, PE
(239-573-2077 or brendan@avaloneng.com)
September 12, 2024

Site Plan:

-please note on the cover sheet that the remainder of the subject property not being developed for the convenience store with gas pumps is reserved for future development.

Response: This remaining portion of the subject property not being developed is now reflected on the special exception exhibit as Future Development and consists of 4.24 of the 6.44 acres. The special exception exhibit has been updated to match the administrative deviation exhibit as well as the DO site plan.

Legal Description:

-The legal description and boundary survey description do not describe the same property. The legal description and sketch describe a 2.20-acre property and the boundary survey and title certification describe a 6.44 acre parcel. Please correct the inconsistency.

Response: The boundary survey for the entire 6.44 acre parcel has been provided for this project. The special exception request is for the entire 6.44 acres as the 2.20 acre convenience store/gas station lot will not be a legal individual parcel until the subdivision plan submitted under PLT2024-00023 is approved by staff and recorded.

Environmental:

-The project is located in the Mixed Use Overlay, which per LDC Section 10-425 allows reduced buffer if the uses being proposed are not listed in LDC Section 10-424. The proposed use is listed in LDC Section 10-424 and must comply with LDC Section 34-1353(e) for buffering. The applicant has designed the site to include a cross access easement on the subject property and setback approximately 13 feet from the east property line. LDC Section 34-1353(e)(1) states that a 15-foot-wide buffer must be provided if abutting an internal accessway to the commercial development. The cross access easement is an internal accessway to the development and therefore a 15-foot-wide buffer must be provided along the east property line or west of the proposed internal accessway.

Response: Per the meeting held with staff on Tuesday, 9/3/24, the plans have been revised to remove the cross-access easement that ran north/south from the RIGHT IN ONLY driveway through the convenience store/gas station lot to Brookfield St. The Special Exception Exhibit as well as the Development Order plans and the ADD Variance exhibit have been revised to reflect a cross-access easement along the front of Lots 2-5. As a result, it was discussed that the Convenience Store site does not offer any internal access ways therefore LDC Section 34-1353(e)(1) no longer applies.

-The back-out parking to the internal accessway is a health and safety risk and the site plan must be redesigned to prevent parked cars from backing into the accessway. The Island Park 7-11 had a similar configuration, and the parking was removed, and a deviation was requested to allow an alternate buffer to shield the use from the internal accessway. Staff conditioned a five foot buffer with shrubs. Please schedule a meeting to discuss the internal accessway/cross access easement, back out parking, and buffering. A variance may be needed for the buffering if code cannot be met.

Response: Per the meeting held with staff on Tuesday, 9/3/24, the plans have been revised to remove the cross-access easement that ran north/south from the RIGHT IN ONLY driveway through the convenience store/gas station lot to Brookfield St. The Special Exception Exhibit as well as the Development Order plans and the ADD Variance exhibit have been revised to reflect a cross-access easement along the front of Lots 2-5. As a result, it was discussed that the project site does not propose any internal access ways therefore the "back-out parking to the internal accessway" restriction no longer applies.

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March 14, 2024

Revised July 2, 2024

Revised September 12, 2024

Lee County Community Development
1500 Monroe Street
Fort Myers, FL 33901

**RE: Convenience Food and Beverage Store
Lee Blvd – Lehigh Acres
Special Exception Request SEZ2024-00001 For Additional Fuel Pumps**

Dear Director:

It is the intent of the applicant, MHM Development, LLC to request a special exception to Lee County's Land Development Code (LDC) Section 34-844, Table 34-844 Use Regulations for Conventional Commercial Districts, note 19, to permit a total of fourteen (14) fuel pumps. Per LDC Table 34-844 note 19, limits the number of fuel pumps to eight (8) unless a greater number is approved as part of a special exception.

Per the Land Development Code, the definition of a Fuel Pump is a vehicle fuel dispensing device, other than a portable fuel container or fuel dispensing vehicle, which can be self-service or full-service. A single fuel pump is a fuel pump that can serve only one vehicle at a time. Vehicle fuel dispensing devices that can service more than one vehicle at a time consist of multiple fuel pumps. The number of pumps is determined by the maximum number of vehicles that can be serviced at the same time. For example, a fuel dispensing device that can fuel two vehicles at once is considered two fuel pumps, and a fuel dispensing device that can fuel three vehicles at once is considered three fuel pumps, and so on.

The subject parcel is 6.44 acres and is located at the corner of Lee Blvd and Alvin Avenue. The parcel is zoned C-2 (Commercial Districts) and has a Future Land Use designation of Central Urban. The site is within the Lehigh Acres Planning Community's Commercial Overlay District and is within the Mixed-Use Overlay District. It is the applicant's intent to entitle, design, and permit a Convenience Food and Beverage Store with seven (7) multiple fuel pumps that serves fourteen (14) vehicles at one time on the western 2.20 acres, the corner of Lee Blvd and Alvin Avenue

To the west of the site, across Alvin Road, a Rac Trac convenience store was approved by Resolution Number Z-09-027 on October 5, 2019, for the northwest corner of Lee Blvd and Alvin Road, directly across the street from the subject parcel. The CPD permitted a 5,000 square foot store with a maximum of twenty-four (24) fuel pumps. The Rac Trac was constructed and is currently in use with twenty-four (24) pumps.

Qualification via 6 criteria

This special exception request is for additional fuel pumps for this convenience store with gas and car wash uses. The convenience store with gas and car wash is a permitted use within the County's C-2 Commercial District. The development of this use has additional regulations per Section 34-1353. This development and the subdivision layout comply with the County's Land Development Code. Two administrative deviations, one for the locations of the driveways off Lee Blvd and the other for the buffer yard width along Lee Blvd for specific end uses only are being requested as part of the Development Order submittal. The development of this site as well as the infrastructure for the other proposed commercial tracts within this commercial subdivision will provide a minimum of 25 feet of green space along Brookfield Street to screen the existing residential homes from these future commercial uses.

Per LDC Section 34-145(c)(3) prior to granting a special exception, the Hearing Examiner must find the applicant has proven entitlement to the special exception by demonstrating the request:

1. Is consistent with the goals, objectives, policies and intent of the Lee Plan;
This request is consistent with the Lee Plan as provided below.
2. Will protect, conserve, or preserve environmentally critical and sensitive areas and natural resources, where applicable;
The site does not contain environmentally critical and sensitive areas and natural resources.
3. Will be compatible with existing and planned uses;
The request is compatible with existing and planned uses. It is further compatible through the requirements of the land development code for landscape buffering and architectural standards. The following table depicts existing zoning and uses adjacent to the site.

	Zoning	Use
North	RS-1	Brookfield Street R/W; residential homesites 52.9 percent of the lots within the block are developed with a single family home
South	CPD	Lee Boulevard R/W; Westgate Regional Centre Commercial Plaza The Plaza is developed and includes several different commercial use included a convenience store with gas pumps
East	C-2	Vacant Lot part of the proposed commercial subdivision
West	CPD	Alvin Road (R/W) CPD Zoning for a Race Trac. The convenience store with pumps is developed and in use

4. Will not be injurious to the neighborhood or detrimental to the public welfare; and
The site is located at a signaled intersection at Lee Blvd and Alvin Avenue. The parcel has adequate depth (average of 255 feet) to support a 25' Type D Buffer along Brookfield Street which has residential development along the northern side of this ROW.
5. Will be in compliance with zoning regulations pertaining to the use and other applicable regulations. ***The request is in compliance with the zoning regulations pertaining to the use and other applicable regulations. The convenience store site will comply with the County's Land Development Code and the special regulations for this use per Section 34-1353.***

Consistency with Community Review

The applicant is scheduled to hold the required one publicly advertised information session with the Lehigh Acres Review Committee as required in the application.

A public meeting was held, and the minutes of the meeting are provided.

Consistency with LEE PLAN

The subject property is designated as Central Urban on the Future Land Use Map of the Comprehensive Plan and is within the Lehigh Acres Planning Community. The current zoning of C-2 is consistent with this land use designation.

Policy 1.1.3 of the Lee Plan describes the Central Urban future land use category as the “urban core” of the County. These areas are already the most heavily settled and have, or will have, the greatest range and highest levels of public services. Residential, commercial, public, and quasi-public, and limited light industrial land uses will continue to predominate in the Central Urban future land use category. Future development in this category is encouraged to be mixed use, as described in Objective 11.1, where appropriate.

The subject parcel is within the urban core of Lehigh Acres. The proposed use will be located within a Commercial Subdivision, which will support several commercial uses that will front on Lee Blvd and will have shared access and drainage facilities. The Convenience Store Use will occupy a vacant parcel on Lee Boulevard promoting compact development patterns along the roadway and will provide a necessary service to the nearby residential land uses.

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.

The proposed commercial development is within a Future Land Use that supports commercial development at the intensity being proposed.

Policy 2.1.2: New land uses will be permitted only if they are consistent with the Future Land Use Map and the goals, objectives, policies, and standards of this plan.

This development does not propose that the current Central Urban Future Land Use be modified for this development. The future land use of Central Urban supports the type of commercial use and permits the request for additional fuel pumps through the special exception process.

Policy 5.1.5: Protect existing and future residential areas from any encroachment of uses that are potentially destructive to the character and integrity of the residential environment. Requests for conventional rezonings will be denied in the event that the buffers provided in the LDC, Chapter 10, are not adequate to address potentially incompatible uses in a satisfactory manner. If such uses are proposed in the form of a Planned Development or special exception and generally applicable development regulations are deemed to be inadequate, conditions will be attached to minimize or eliminate the potential impacts or, where no adequate conditions can be devised, the application will be denied altogether. The LDC will continue to require appropriate buffers for new developments.

The proposed development is consistent with the character and integrity of the neighborhood. Parcels along Lee Blvd contain commercial uses with the residential neighborhoods separated by these commercial uses with local streets.

Policy 6.1.1: All applications for commercial development will be reviewed and evaluated as to:

1. Traffic and access impacts.

Per the trip generation and level of service analysis provided, this use with the number of pumps requested (14) an increase in pumps from eight (8) to fourteen (14) will have no appreciable impact on the adjacent roadway network as a result in the change of trip generation.

2. Landscaping and detailed site planning.

The project will comply with the rules and regulations of the land development code for site planning requirements and code minimum landscape requirements.

3. Screening and Buffering.

The project will comply with the requirements of screening and buffering adjacent uses per the land development code.

4. Availability and adequacy of services and facilities.

Per the attached utility availability letter, there is capacity within the existing utilities to service the project as proposed.

5. Impact on adjacent land uses and surrounding neighborhoods.

The subject property is in an established community that is residential in nature with limited commercial uses. The extensive residential development has created an uneven balance between the residential use and the availability of commercial products and services needed for these residents. The subject property is located at the intersection of two major roads which is an appropriate location for this type of use and is separated from residential by a local street. This commercial development will provide a 25-foot-wide buffer along Brookfield Street to screen this development from the residential homes on the north side of Brookfield Street.

6. Proximity to other similar centers.

The proposed convenience store use will be within a commercial subdivision with other commercial development tracts. This site is also near an existing convenience store with gas pumps across Alvin Avenue to the west that has been in operation since 2011 and contains 24 pumps.

7. Environmental considerations.

The site does not contain any protective species and just a few pockets of existing native trees. The site will meet the requirements of the South Florida Water Management District and Lehigh Acres Municipal Services Improvement District drainage criteria.

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.

The commercial use proposed for the property is compatible with the adjacent properties to the south, west and east, all having a commercial zoning. The project has been designed to internalize impacts by providing open spaces along the perimeter of the parcel. The northern property line will provide a greater than required 25' Type D buffer to ensure compatibility with the residentially zoned property north of Brookfield Street.

Policy 6.1.5: The land development regulations will require that commercial development be designed to protect the traffic-carrying capacity of roads and streets. Methods to achieve this include but are not limited to: frontage roads; clustering of activities; limiting access; sharing access; setbacks from existing rights-of-way; acceleration, deceleration and right-turn-only lanes; and, signalization and intersection improvements.

The site layout for the proposed commercial use will provide traffic-carrying capacity internally with cross access for both pedestrian and vehicular traffic.

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 to enhance the appearance of structures and parking areas and blend with the character of existing or planned surrounding land uses.

The proposed commercial use will comply with the Land Development Code regarding landscaping, open space, buffering, and will provide all architectural requirements at the time of Development Order submittal.

Policy 6.1.7: Prohibit commercial developments from locating in such a way as to open new areas to premature, scattered, or strip development; but permit commercial development to infill on small parcels in areas where existing commercial development would make a residential use clearly unreasonable.

The subject parcel is located at a major intersection that has utilities available. The development of the subject parcel will provide commercial uses within an infill area and is not opening new areas to premature, scattered or strip development.

Policy 11.2.2: Development in the Mixed-Use Overlay should accommodate connections to adjacent uses.

The subject parcel consists of 6.44 acres and is planned for a commercial subdivision that will provide shared access and cross access to all the tracts within the subdivision.

Goal 25: LEHIGH ACRES COMMUNITY PLAN. Ensure that continued development and redevelopment converts this largely single use, antiquated pre-platted area into a vibrant residential and commercial community consisting of: safe and secure single family and multi-family neighborhoods; vibrant commercial and employment centers; pedestrian friendly mixed use activity centers and neighborhood nodes; and, adequate green space and recreational opportunities.

The proposed development will support commercial businesses that will provide employment opportunities, and services and products needed for the residents within this area.

Objective 25.6: COMMERCIAL OVERLAY ZONES. To designate on the Future Land Use Map a Commercial Overlay for properties in the Lehigh Acres Community Plan area.

The subject parcel is located within the Commercial Overlay Zone within the Lehigh Acres Community Plan. This policy supports the development of the parcel with commercial uses including the permitted convenience food and beverage store with gas pumps and a car wash use.

Policy 25.8.1: Whenever possible, all new commercial development adjacent to Lee Boulevard right-of-way must provide access to either 5th Street West, 4th Street West, or other local, collector or arterial roadway. Direct access to Lee Boulevard is discouraged.

The proposed development will provide access from Lee Boulevard to five new commercial uses. The limited access from Lee Boulevard is still being maintained due to the driveway access being shared with all the proposed new uses. The access points proposed for this commercial development will be reviewed and accepted by County staff through the Development Order process. Preliminary discussions have occurred.

Policy 25.8.4: All new commercial developments must provide parking lot interconnections to adjacent properties and must not prevent pedestrian or vehicular access from adjacent residential areas.

The convenience store site will provide cross access and connection to the other parcels within this subdivision for both vehicular and pedestrian traffic.

Policy 25.9.1: The availability of sewer and water to serve uses within the Specialized Mixed-Use Nodes and the Commercial Overlay Zones is not a requirement for zoning approval. However, sewer and water must be available to the property in accordance with Standard 4.1.1 and 4.1.2 before a development order will be issued.

Water and Sewer services are available to this parcel and the capacity is sufficient for the development of the convenience store and other commercial uses planned within this subdivision.

Policy 25.9.2: Direct new development and redevelopment in Lehigh Acres to areas that can be reasonably expected to receive public services and infrastructure during the planning horizon.

Water and Sewer services are available to this parcel and the capacity is sufficient for the development of the convenience store and other commercial uses planned within this subdivision.

Policy 60.1.1: Require design of surface water management systems to protect or enhance the groundwater.

This development will comply with the SFWMD and the Lehigh Acres Municipal Service Improvement District regulations for surface water management and will require review and approval from both agencies.

Goal 3: GROUNDWATER. To protect the County's groundwater supplies from those activities having the potential for depleting or degrading those supplies.

The below Ground Water Monitoring Statement has been provided:

The proposed fueling storage facilities will consist of two - dual walled 20,000-gallon Underground Storage Tanks (USTs) that will be equipped with interstitial space monitoring of the annular space between the inner and outer UST walls. The UST's will be permitted, constructed and monitored in accordance with Chapter 62-761 FAC. The Lee Boulevard Commercial Subdivision project USTs will be regulated by Chapter 62-761 FAC and will be permitted and monitored in accordance with the FDEP rules and criteria. The USTs will be constructed with dual-wall annular space monitoring appurtenances. The applicant will monitor the annular space between the inner and outer walls of the tanks for the presence of any fuel that would indicate a problem with tank integrity.

Further, the public water supply wells that generated the Lee County Wellfield Protection Zone 5-year travel time that intersects the site are the proposed City of Fort Myers Lower Hawthorn wells. The nearest of the City's permitted new wells is P-6E. It is located approximately 800 feet east of the proposed UST location. P-6E shows up in SFWMD database and Water Use Permit as being a proposed well with a total depth of 800 feet bls. The SFWMD permit indicates that the well will be cased to approximately 500 feet bls. Therefore, the confining zone above the Lower Hawthorn Aquifer precludes a hydraulic connection between the surficial aquifer that will contain the project's USTs and the confined production zone of P-6E and the City's other existing and proposed Lower Hawthorn wells.

Additionally, a primary Lehigh Acres MSTU drainage canal, known as 46-30-1 Alvin is located approximately 180 ft due east of the City's nearest proposed well P-6E. The canal is located approximately 450 ft west of the proposed project USTs. The deep canal will exert primary control of the surficial aquifer flow gradient in the project area. The 46-30-1 Alvin canal will induce a gradient to the east at the proposed site of well P-6E, therefore it will function as a groundwater flow divide within the surficial aquifer.

Goal 77: To require new development to provide adequate open space for improved aesthetic appearance, visual relief, environmental quality, preservation of existing native trees and plant communities, and the planting of required vegetation.

The proposed commercial use will provide 36 percent open space with a minimum planting area of 15 feet along the perimeter of the site. The development will also comply with Goal 77 though the submission of the environmental analysis and protected species survey at the time of development order. The proposed commercial use will address all applicable land development regulations and other permit requirements as the project proceeds through the development order process.

Policy 125.1.2 New development and additions to existing development must not degrade surface and ground water quality.

As a result of the proposed development, no negative effects or impacts are anticipated to the surrounding surface and/or ground water quality.

Policy 125.1.4 Developments which have the potential of lowering existing water quality below state and federal water quality standards will provide standardized appropriate monitoring data.

The below Ground Water Monitoring Statement has been provided:

The proposed fueling storage facilities will consist of two - dual walled 20,000-gallon Underground Storage Tanks (USTs) that will be equipped with interstitial space monitoring of the annular space between the inner and outer UST walls. The UST's will be permitted, constructed and monitored in accordance with Chapter 62-761 FAC. The Lee Boulevard Commercial Subdivision project USTs will be regulated by Chapter 62-761 FAC and will be permitted and monitored in accordance with the FDEP rules and criteria. The USTs will be constructed with dual-wall annular space monitoring appurtenances. The applicant will monitor the annular space between the inner and outer walls of the tanks for the presence of any fuel that would indicate a problem with tank integrity.

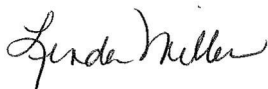
Further, the public water supply wells that generated the Lee County Wellfield Protection Zone 5-year travel time that intersects the site are the proposed City of Fort Myers Lower Hawthorn wells. The nearest of the City's permitted new wells is P-6E. It is located approximately 800 feet east of the proposed UST location. P-6E shows up in SFWMD database and Water Use Permit as being a proposed well with a total depth of 800 feet bls. The SFWMD permit indicates that the well will be cased to approximately 500 feet bls. Therefore, the confining zone above the Lower Hawthorn Aquifer precludes a hydraulic connection between the surficial aquifer that will contain the project's USTs and the confined production zone of P-6E and the City's other existing and proposed Lower Hawthorn wells.

Additionally, a primary Lehigh Acres MSTU drainage canal, known as 46-30-1 Alvin is located approximately 180 ft due east of the City's nearest proposed well P-6E. The canal is located approximately 450 ft west of the proposed project USTs. The deep canal will exert primary control of the surficial aquifer flow gradient in the project area. The 46-30-1 Alvin canal will induce a gradient to the east at the proposed site of well P-6E, therefore it will function as a groundwater flow divide within the surficial aquifer.

Please let us know if you have any questions or need further information.

Sincerely,

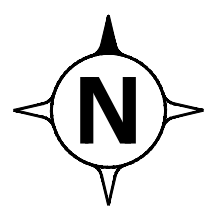
AVALON ENGINEERING, INC.



Linda Miller, AICP
Vice President

SURVEY PLAT

OF A PARCEL LYING IN
SECTION 30, TOWNSHIP 44 SOUTH,
RANGE 26 EAST,
LEE COUNTY, FLORIDA.



DESCRIPTION:

(AS PER SALVATORI LAW OFFICE, PLLC OPINION OF TITLE, DATED JUNE 26, 2024)

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTION 30, TOWNSHIP 44 SOUTH, RANGE 26 EAST, BEING A PART OF TRACT B, LEHIGH ACRES SUBDIVISION, PLAT BOOK 26 PAGE 55, LEE COUNTY PUBLIC RECORDS, AS DESCRIBED IN OFFICIAL RECORDS INSTRUMENT 2021000029777, SAID PUBLIC RECORDS, AND BEING FURTHER BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT A 3"x3" CONCRETE MONUMENT WITH DISK STAMPED "PRM/LEHIGH CORP." MARKING THE NORTHEAST CORNER OF LOT 10, BLOCK 34, SAID LEHIGH ACRES SUBDIVISION, PLAT BOOK 26, PAGE 55; THENCE 5.01°06'55"E. ALONG THE EAST RIGHT OF WAY LINE OF ALVIN AVENUE AS SHOWN ON SAID PLAT, FOR 546.02 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF LEE BOULEVARD (COUNTY ROAD 884); THENCE N.89°20'24"E. ALONG SAID RIGHT OF WAY LINE FOR 319.22 FEET TO THE EASTERLY RIGHT OF WAY LINE OF ALVIN AVENUE, AS DESCRIBED IN OFFICIAL RECORDS BOOK 2837, PAGE 2748, SAID PUBLIC RECORDS AND THE POINT OF BEGINNING, BEING THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 25.00 FEET, A CHORD BEARING N.53°09'36"W. AND LENGTH OF 30.44 FEET; THENCE ALONG SAID RIGHT OF WAY LINE AND CURVE THROUGH A CENTRAL ANGLE OF 75°00'00" FOR AN ARC LENGTH OF 32.72 FEET; THENCE N.15°39'36"W. ALONG SAID RIGHT OF WAY LINE FOR 210.57 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 678.00 FEET, A CHORD BEARING N.17°38'46"W. AND LENGTH OF 47.00 FEET; THENCE ALONG SAID RIGHT OF WAY LINE AND CURVE THROUGH A CENTRAL ANGLE OF 03°58'21" FOR AN ARC LENGTH OF 47.01 FEET TO THE BEGINNING OF A REVERSE CURVE TO THE RIGHT HAVING A RADIUS OF 25.00 FEET, A CHORD BEARING N.34°51'13"E. AND LENGTH OF 40.70 FEET; THENCE ALONG SAID RIGHT OF WAY LINE AND CURVE THROUGH A CENTRAL ANGLE OF 108°58'21" FOR AN ARC LENGTH OF 47.55 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF BROOKFIELD STREET; THENCE N.89°20'24"E. ALONG SAID RIGHT OF WAY LINE AND THE BOUNDARY OF SAID TRACT B, FOR 944.27 FEET; THENCE S.00°39'36"E. FOR 290.00 FEET; THENCE N.89°20'24"E. FOR 29.20 FEET; THENCE S.00°39'56"E. FOR 10.00 FEET TO SAID NORTHERLY RIGHT OF WAY LINE OF LEE BOULEVARD (COUNTY ROAD 884); THENCE S.89°20'24"W. ALONG SAID RIGHT OF WAY LINE AND THE BOUNDARY OF SAID TRACT B, FOR 904.74 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 280535.74 SQUARE FEET OR 6.44 ACRES, MORE OR LESS.

NOTES:

THIS PLAT WAS PREPARED AS BOUNDARY AND TOPOGRAPHIC SURVEY.

THIS SURVEY PREPARED BASED ON THE DESCRIPTION AS PROVIDED IN SALVATORI LAW OFFICE, PLLC OPINION OF TITLE, DATED JUNE 26, 2024, THE RECORD PLATS OF LEHIGH ACRES AND EXISTING MONUMENTATION.

BEARINGS ARE BASED ON NORTH AMERICAN DATUM OF 1983/2011, THE NORTH RIGHT OF WAY LINE OF LEE BOULEVARD AS BEARING S.89°20'24"W.

COORDINATES ARE BASED ON NORTH AMERICAN DATUM OF 1983/2011.

ELEVATIONS ARE BASED ON NORTH AMERICAN VERTICAL DATUM OF 1988 FROM NATIONAL GEODETIC SURVEY BENCHMARK B 532, ELEVATION: 21.62 FEET.

SOME DRAINAGE STRUCTURES, AS SHOWN, ARE FULL OF WATER AND/OR ARE OFFSET STYLE STRUCTURES WITH THE PIPES BEING BARELY ACCESSIBLE, SO THE PIPE SIZES AND INVERT ELEVATIONS ARE APPROXIMATE.

PARCEL LIES IN FLOOD ZONE X, WITH NO BASE ELEVATION. THIS INFORMATION TAKEN FROM FEDERAL EMERGENCY MANAGEMENT AGENCY MAP NO. 12071C0475F (NOT PRINTED), EFFECTIVE DATE AUGUST 8, 2008.

UNDERGROUND IMPROVEMENTS OTHER THAN AS SHOWN, IF ANY, WERE NOT LOCATED.

THIS SURVEY WAS NOT INTENDED TO DELINEATE OR DEFINE ANY WETLANDS, ENVIRONMENTALLY SENSITIVE AREAS, WILDLIFE HABITATS, OR JURISDICTIONAL LINE OF ANY FEDERAL, STATE, REGIONAL OR LOCAL AGENCY, BOARD, COMMISSION OR OTHER ENTITY.

THIS SURVEY PREPARED WITH BENEFIT OF SALVATORI LAW OFFICE, PLLC OPINION OF TITLE, DATED JUNE 26, 2024.

SURVEYOR'S CERTIFICATION:

I HEREBY CERTIFY TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, THAT THIS PLAT OF THE HEREON DESCRIBED PROPERTY IS A TRUE REPRESENTATION OF A FIELD SURVEY MADE UNDER MY DIRECTION AND CONFORMS TO THE STANDARDS OF PRACTICE FOR PROFESSIONAL SURVEYORS AND MAPPERS AS OUTLINED IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE.

Kenneth E. Trask
FL54684 State of Florida

KENNETH E. TRASK
PROFESSIONAL LAND SURVEYOR
FLORIDA LICENSE NO. LS4684

NOTICE:

UNLESS ELECTRONICALLY SIGNED AND SEALED, THIS SURVEY IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.

K.E. Trask, P.A.

Land Surveyors

Florida Licensed Business No. LB8450
12345 Blossing Road
Fort Myers, Florida 33966
(239) 980-1495

PROPERTY ADDRESS:

LEHIGH ACRES, FL 33950

STRAP: 30-44-26-05-00000.B010

date	deg	scale	job#	sheet
2-3-24	21-152SR	1"=30'	21-152	1 of 2

LEGEND

● BENCHMARK
● SET NAIL & DISK, #LB8450
● FOUND NAIL & DISK, AS NOTED
● FOUND 5/8" IRON ROD, AS NOTED
● FOUND CONCRETE MONUMENT, AS NOTED
□ TRAFFIC PULL BOX
□ TRAFFIC SIGNAL
□ TRAFFIC SIGNAL CONTROL BOX
□ MAILBOX
□ MANHOLE
□ DRAINAGE STRUCTURE
□ WOOD UTILITY POLE
□ CONCRETE TRAFFIC SIGNAL POLE
□ GUY WIRE ANCHOR
□ TELEPHONE PEDESTAL
□ SEWER VALVE
□ FIBER OPTIC HANDHOLE
□ FIBER OPTIC UNDERGROUND MARKER
□ INVERT ELEVATION
□ DRAINAGE & UTILITY EASEMENT
± MORE OR LESS

LS LICENSED SURVEYOR
LB LICENSED BUSINESS
PLS PROFESSIONAL LAND SURVEYOR
FND. FOUND
EOP. EDGE OF PAVEMENT
I.R. IRON ROD
N/D. NAIL & DISK
C.M. CONCRETE MONUMENT
I.D. IDENTIFICATION
(M) AS MEASURED
(D) AS PER DEED
(P) AS PER RECORD PLAT
(C) CALCULATED BASED ON MEASUREMENTS
(O) POINT OF BEGINNING
P.O.B. POINT OF COMMENCEMENT
P.O.C. OFFICIAL RECORDS INSTRUMENT
ORI PLAT BOOK
PB PAGE
PG CONCRETE
EOP. EDGE OF PAVEMENT
O/H. OVERHEAD UTILITIES
x 22.11 ELEVATION POINT

CURVE TABLE

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	25.00'	32.72'	30.44'	N53°09'36"W	75°00'00"
C2	678.00'	47.01'	47.00'	N17°38'46"W	3°58'21"
C3(M)	25.00'	47.55'	40.70'	N34°51'13"E	108°58'21"
C3(D)				N34°51'14"E	
C4(M)	25.00'	39.04'	35.20'	S45°55'06"E	89°29'01"
C4(D)				S45°55'05"E	
C5	25.00'	39.50'	35.51'	S44°04'54"W	90°30'59"
C6	25.00'	39.50'	35.51'	N44°04'54"E	90°30'59"
C7	25.00'	39.04'	35.20'	N45°55'05"W	89°29'01"

LINE TABLE

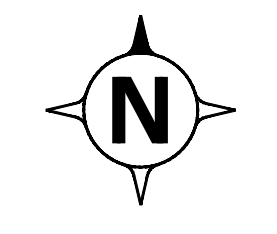
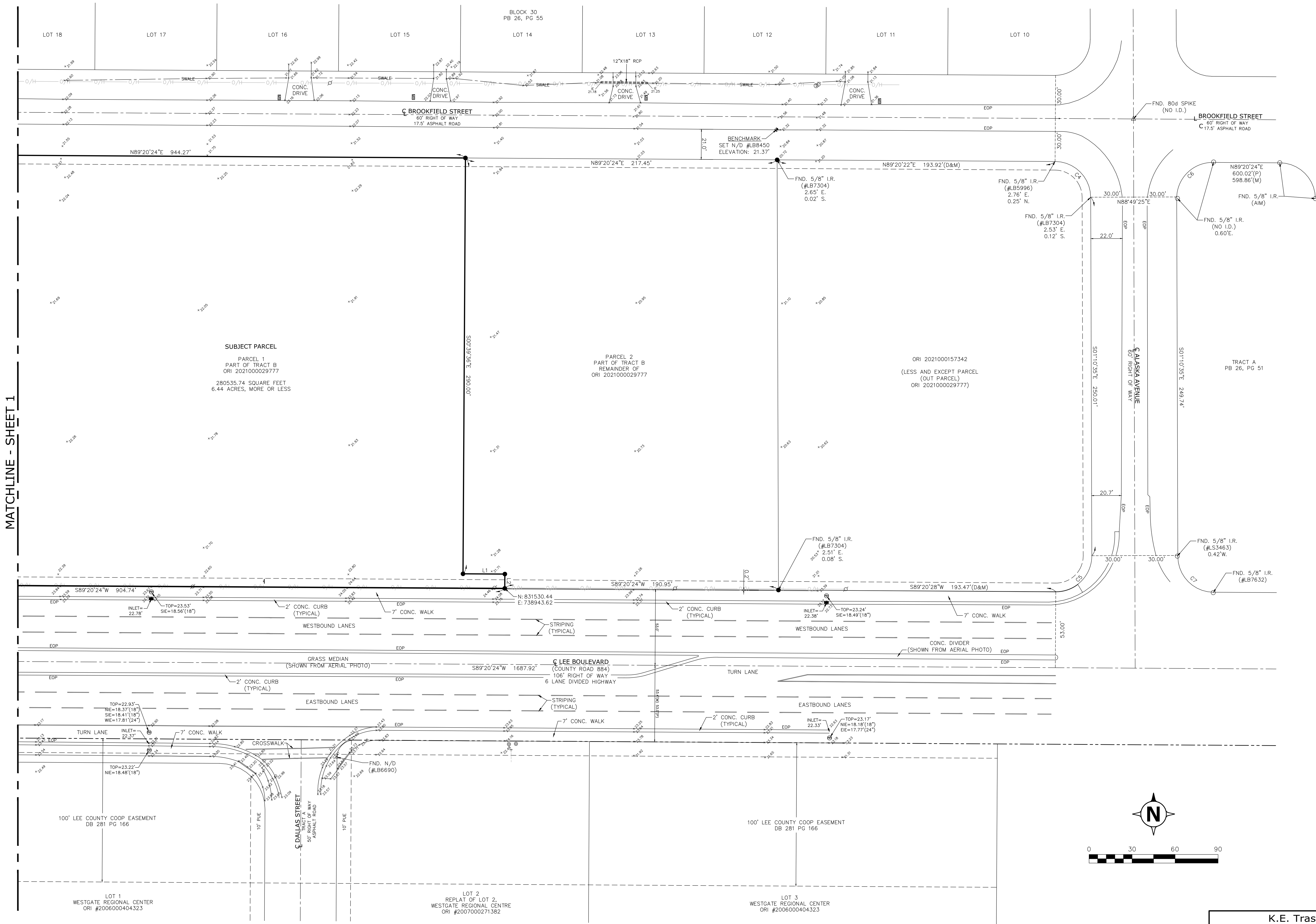
LINE	BEARING	DISTANCE
L1	N89°20'24"E	28.20'
L2	S00°39'56"E	10.00'

NO.	DATE	REVISION DESCRIPTION	BY
1	7-2-24	UPDATE TITLE OPINION REFERENCES ADDED	KT

ORI #2021000287351

LOT 1
WESTGATE REGIONAL CENTER
ORI #2006000404323

MATCHLINE - SHEET 1



K.E. Trask, P.A.

Land Surveyors

Florida Licensed Business No. LB8450

12345 Blossington Road

Fort Myers, Florida 33966

(239) 980-1495

date	dwg	scale	job#	sheet
2-3-24	21-152SR	1"=30'	21-152	2 of 2

K.E. TRASK, P.A.

LAND SURVEYORS

A PARCEL LYING IN
SECTION 30, TOWNSHIP 44 SOUTH, RANGE 26 EAST,
LEE COUNTY, FLORIDA.

(PARCEL 1)

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTION 30, TOWNSHIP 44 SOUTH, RANGE 26 EAST, BEING A PART OF TRACT B, LEHIGH ACRES SUBDIVISION, PLAT BOOK 26 PAGE 55, LEE COUNTY PUBLIC RECORDS, AS DESCRIBED IN OFFICIAL RECORDS INSTRUMENT 2021000029777, SAID PUBLIC RECORDS, AND BEING FURTHER BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT A 3"X3" CONCRETE MONUMENT WITH DISK STAMPED "PRM/LEHIGH CORP." MARKING THE NORTHEAST CORNER OF LOT 10, BLOCK 34, SAID LEHIGH ACRES SUBDIVISION, PLAT BOOK 26, PAGE 55; THENCE S.01°06'55"E. ALONG THE EAST RIGHT OF WAY LINE OF ALVIN AVENUE AS SHOWN ON SAID PLAT, FOR 546.02 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF LEE BOULEVARD (COUNTY ROAD 884); THENCE N.89°20'24"E. ALONG SAID RIGHT OF WAY LINE FOR 319.22 FEET TO THE EASTERLY RIGHT OF WAY LINE OF ALVIN AVENUE, AS DESCRIBED IN OFFICIAL RECORDS BOOK 2837, PAGE 2748, SAID PUBLIC RECORDS AND THE POINT OF BEGINNING, BEING THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 25.00 FEET, A CHORD BEARING N.53°09'36"W. AND LENGTH OF 30.44 FEET; THENCE ALONG SAID RIGHT OF WAY LINE AND CURVE THROUGH A CENTRAL ANGLE OF 75°00'00" FOR AN ARC LENGTH OF 32.72 FEET; THENCE N.15°39'36"W. ALONG SAID RIGHT OF WAY LINE FOR 210.57 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 678.00 FEET, A CHORD BEARING N.17°38'46"W. AND LENGTH OF 47.00 FEET; THENCE ALONG SAID RIGHT OF WAY LINE AND CURVE, THROUGH A CENTRAL ANGLE OF 03°58'21" FOR AN ARC LENGTH OF 47.01 FEET TO THE BEGINNING OF A REVERSE CURVE TO THE RIGHT HAVING A RADIUS OF 25.00 FEET, A CHORD BEARING N.34°51'13"E. AND LENGTH OF 40.70 FEET; THENCE ALONG SAID RIGHT OF WAY LINE AND CURVE THROUGH A CENTRAL ANGLE OF 108°58'21" FOR AN ARC LENGTH OF 47.55 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF BROOKFIELD STREET; THENCE N.89°20'24"E. ALONG SAID RIGHT OF WAY LINE AND THE BOUNDARY OF SAID TRACT B, FOR 944.27 FEET; THENCE S.00°39'36"E. FOR 290.00 FEET; THENCE N.89°20'24"E. FOR 29.20 FEET; THENCE S.00°39'56"E. FOR 10.00 FEET TO SAID NORTHERLY RIGHT OF WAY LINE OF LEE BOULEVARD (COUNTY ROAD 884); THENCE S.89°20'24"W. ALONG SAID RIGHT OF WAY LINE AND THE BOUNDARY OF SAID TRACT B, FOR 904.74 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 280535.74 SQUARE FEET OR 6.44 ACRES, MORE OR LESS.

BEARINGS ARE PLANE COORDINATE FLORIDA WEST ZONE, NORTH AMERICAN DATUM OF 1983/1990, THE NORTHERLY RIGHT OF WAY LINE OF LEE BOULEVARD AS BEARING S.89°20'24"W.

COORDINATES AS SHOWN ARE PLANE COORDINATE FLORIDA WEST ZONE, NORTH AMERICAN DATUM OF 1983/1990.

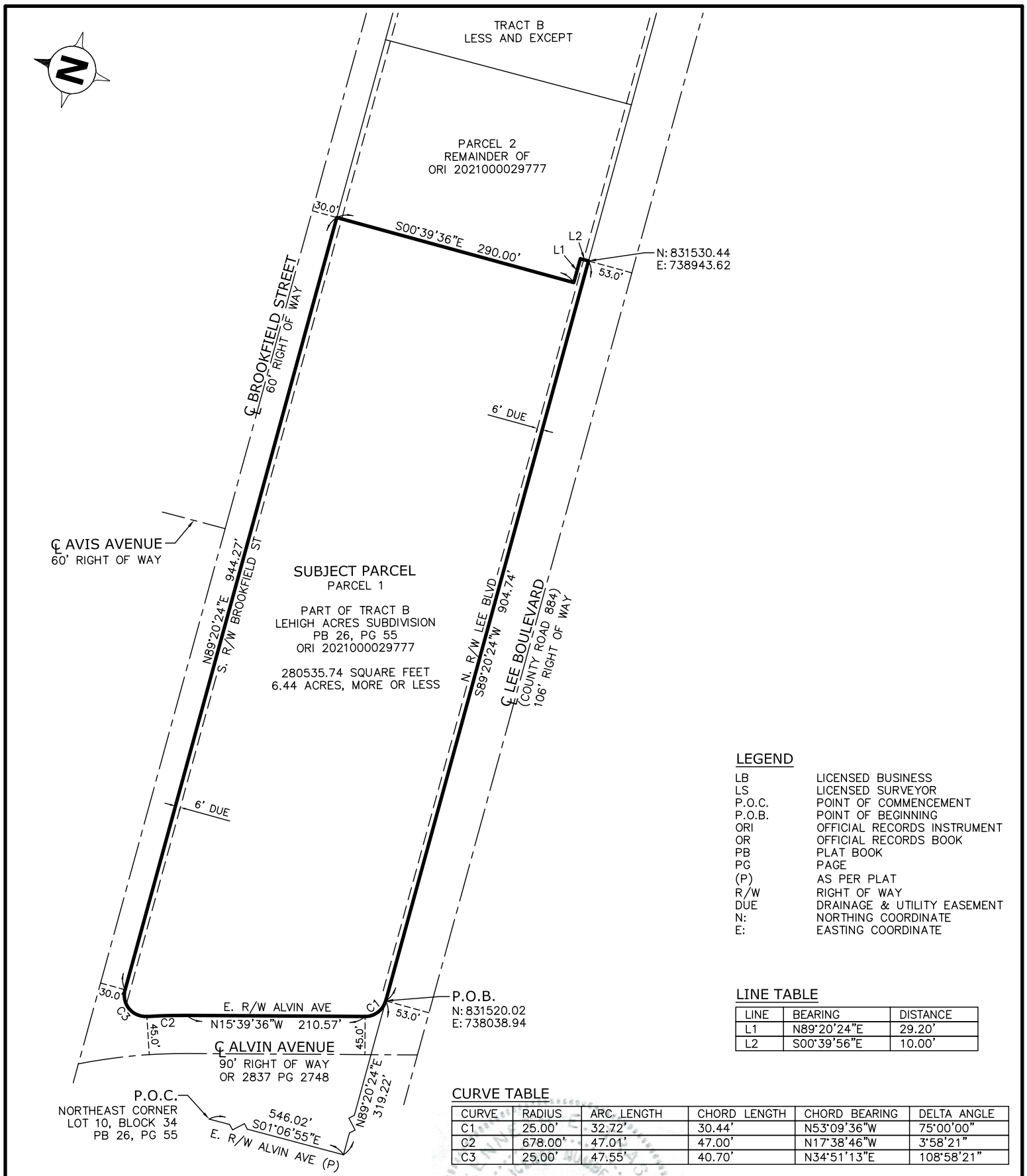
K.E. TRASK, P.A.
FLORIDA LICENSED BUSINESS LB8450

FEBRUARY 26, 2024

Kenneth E. Trask
PLS4684 State of Florida

Digitally signed by Kenneth E.
Trask PLS4684 State of Florida
Date: 2024.02.29 10:37:07 -05'00'

KENNETH E. TRASK
PROFESSIONAL LAND SURVEYOR
FLORIDA LICENSE LS4684



**SKETCH TO ACCOMPANY
DESCRIPTION**

OF A PARCEL LYING IN
SECTIONS 30, TOWNSHIP 44 SOUTH,
RANGE 26 EAST,
LEE COUNTY, FLORIDA.

THIS IS NOT A BOUNDARY SURVEY

Kenneth E. Trask
PLS4684 State of Florida

KENNETH E. TRASK
PROFESSIONAL LAND SURVEYOR
FLORIDA LICENSE NO. LS4684

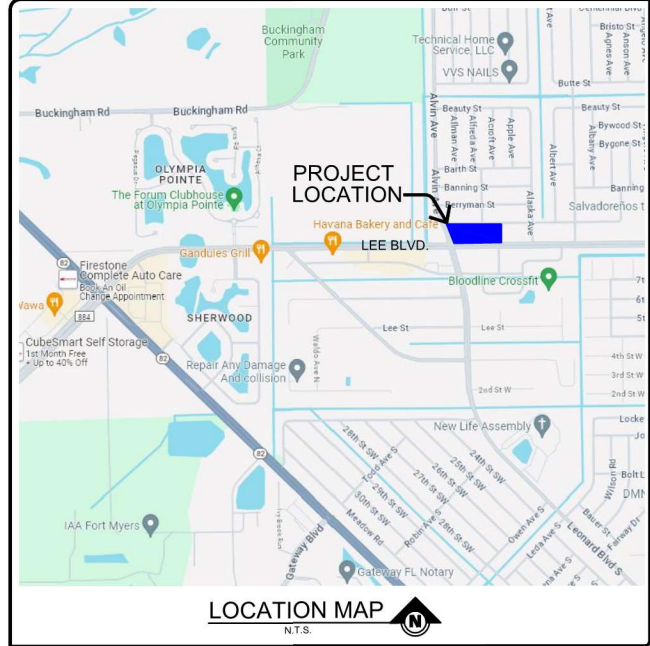
DATE

K.E. Trask, P.A.

Land Surveyors

Florida Licensed Business No. LB8450
12345 Blasingim Road
Fort Myers, Florida 33966
(239) 980-1495

date	dwg	scale	job#	sheet
2-26-24	21-152SK	1"=150'	21-152	2 OF 2



SPECIAL EXCEPTION EXHIBIT FOR LEE BLVD. COMMERCIAL SUBDIVISION NE CORNER OF ALVIN AVE. AND LEE BLVD. LEHIGH ACRES - LEE COUNTY, FLORIDA

SITE DATA:

- FUTURE DEVELOPMENT AREA: 4.24 AC.±
- GAS STATION / CONVENIENCE STORE AREA: 2.20 AC.±
- LANDSCAPE BUFFER EASEMENT

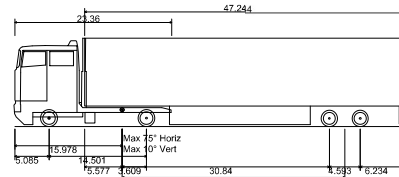
SITE INFORMATION:

ADDRESS: ACCESS UNDETERMINED
NE CORNER OF ALVIN AVE. & LEE BLVD.
LEHIGH ACRES, FLORIDA 33971

LOCATION: LEHIGH ACRES UNIT 5
PB 26 PG 55
TRACT B E OF ROW OR 2837/2748
LESS OR 4729/524

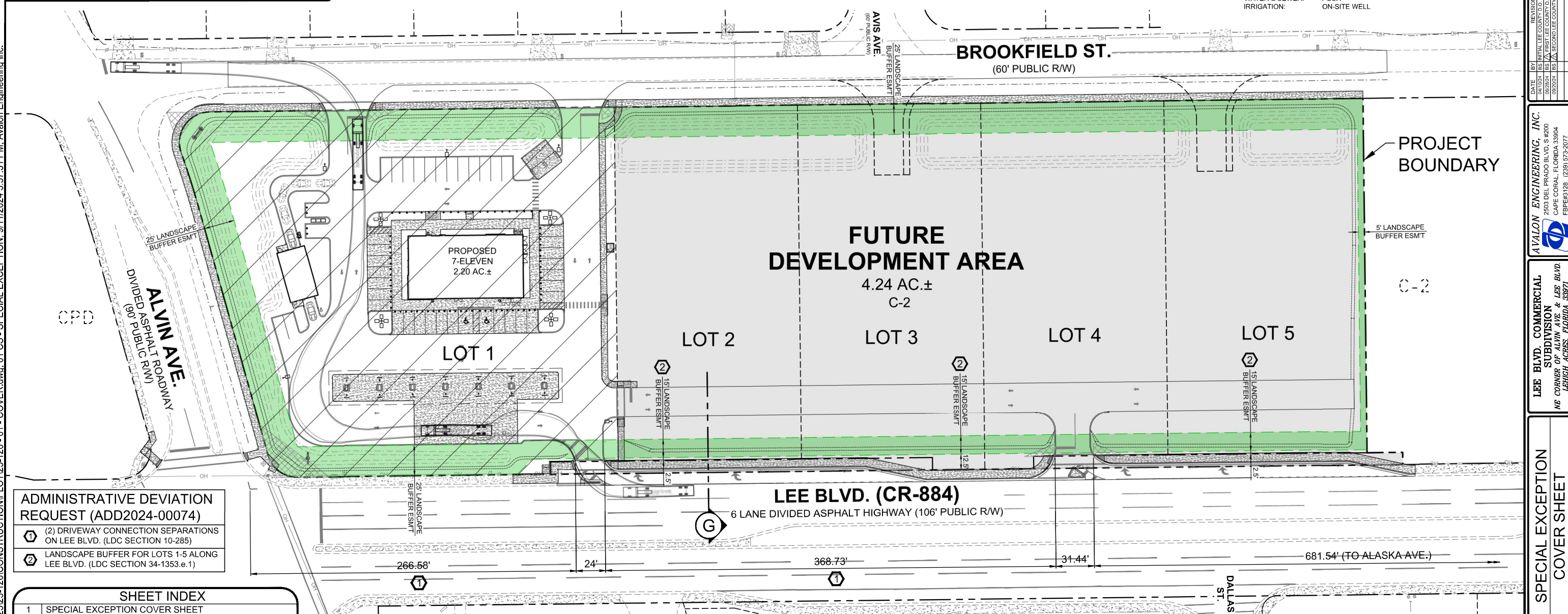
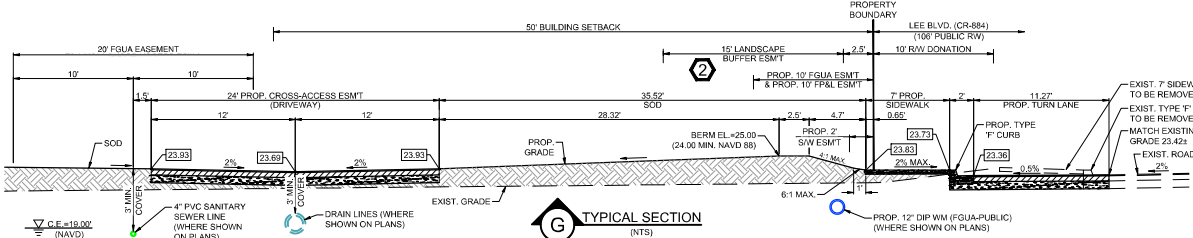
STRAP#: 30-44-26-05-00000.B010
EXISTING ZONING: C-2
FUTURE LAND USE: CENTRAL URBAN
DEVELOPMENT TYPE: COMMERCIAL SUBDIVISION
COMMERCIAL BUILDING USE: VARIES
PROP. FLOOR AREA RATIO FOR LOT 1 (7 ELEVEN &
CARWASH): 5,887 SF (6.1% LOT COVERAGE)

BUILDING USE: VARIES
BUILDING HEIGHT: 24'-8"
FLOOD ZONE: ZONE 'X'
BUILDING FINISH FLOOR ELEVATION: 25.00 NAVD
CARWASH FINISH FLOOR ELEVATION: 25.00 NAVD
CONTROL ELEV.: 19.00 NAVD
BUILDING CONSTRUCTION TYPE: V(000)
WATER & SEWER: FGUA
IRRIGATION: ON-SITE WELL



Trekker met oplegger (Normvoertuig)
Overall Length
Overall Width
Overall Body Height
Min Body Ground Clearance
Max Track Width
Lock-to-lock time
Wall to Wall Turning Radius

FUEL TRUCK



ADMINISTRATIVE DEVIATION REQUEST (ADD2024-00074)

- (2) DRIVEWAY CONNECTION SEPARATIONS
ON LEE BLVD. (LDC SECTION 10-285)
- LANDSCAPE BUFFER FOR LOTS 1-5 ALONG
LEE BLVD. (LDC SECTION 34-1353.e.1)

SHEET INDEX

1	SPECIAL EXCEPTION COVER SHEET
2	SPECIAL EXCEPTION EXHIBIT
LANDSCAPE AND IRRIGATION PLAN (BY OTHERS)	
LIGHTING PLAN (BY OTHERS)	
SURVEY (BY OTHERS)	

THE INFORMATION AND LINEWORK ON THIS SET OF PLANS IS INTENDED
TO BE VIEWED IN FULL COLOR OR AS A PDF FILE. PRINTING THIS PLAN
SET IN BLACK & WHITE MAY INHIBIT IMPORTANT VISUAL ELEMENTS
NECESSARY TO CLEARLY REPRESENT THE PROVIDED INFORMATION.

VICINITY MAP



ATTENTION IS DIRECTED TO THE FACT THAT THESE
PLANS MAY HAVE BEEN REDUCED IN SIZE BY
REPRODUCTION. THIS MUST BE CONSIDERED WHEN
OBTAINING SCALED DATA.

PERMIT NUMBER SEZ2024-00001
CONCURRENT LC APPLICATIONS:
DOS2024-0051, ADD2024-00074 &
PLT2024-00023

VERTICAL ELEVATIONS BASED ON: NAVD 88

SPECIAL EXCEPTION COVER SHEET

#23-126/CONST.
1 OF 2

LEE BLVD. COMMERCIAL
SUBDIVISION
NE CORNER OF ALVIN AVE. & LEE BLVD.
LEHIGH ACRES, FLORIDA 33971

DATE: 04/10/24
BY: BS
REVISION DESCRIPTION:
04/10/24 BS INITIAL LEE COUNTY D.O. SUBMITTAL
09/20/24 BS LEE COUNTY D.O. RESUBMITTAL
09/20/24 BS LEE COUNTY D.O. RESUBMITTAL
09/20/24 BS LEE COUNTY D.O. RESUBMITTAL

AVALON ENGINEERING, INC.
2503 DEL PRADO BLVD., S #200
CAPE CORAL, FLORIDA 33904
FBPEIA128 (239) 575-2077

