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Dave Harner, II
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Richard Wm. Wesch
County Attorney

Donna Marie Collins
County Hearing
Examiner

August 8, 2024

Michael H. Metcalf, MHM Lee BLVD, LLC
2670 Horseshoe Drive North, Suite 201
Naples, FL 34104

RE: Application for Special Exception
Lee Boulevard Convenience Store
5541 Brookfield Street
Lehigh Acres, FL 33971
SEZ2024-00001

Dear Mr. Metcalf,

The Zoning Section has reviewed the submission package for the above-referenced zoning application. Staff has found that the application is insufficient. Please provide the following items in order for staff to find the application sufficient for public hearing:

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.

Legal Description:

-The legal description and boundary survey description do not describe the same property. The legal description and sketch describe a 2.21 acre property and the boundary survey and title certification describe a 6.44 acre parcel. Please correct the inconsistency.

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.

-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.

Please respond to the enclosed sufficiency review comments within thirty (30) calendar days of the date of this letter. This application will be considered withdrawn if no response is received within this timeframe.

Please feel free to contact me at (239) 533-8312 or blackwpc@leegov.com if you have any questions.

Sincerely,

Electronically signed on 8/8/2024 by
Peter Blackwell, Planner
Lee County DCD

DEPARTMENT OF COMMUNITY DEVELOPMENT
Zoning Section