



October 7, 2024

Khalil Muhammad, Planner
Lee County Community Development - Zoning Section
1500 Monroe Street
Fort Myers, FL 33901

Re: 94 4th St. CPD
DCI2024-00024

Dear Mr. Muhammad:

Please accept the following information in response to your July 30, 2024 correspondence regarding the above referenced project:

Zoning Review

Comment A:

Missing Application Document

1. Public Information Session Summary as described in LDC Section 33-1203(b).

Response A:

The Public Information Summary was included in the Narrative document. It has been separated and submitted as a separate document.

Comment B:

Schedule of Permitted Uses

1. Please revise the submitted document to include only permitted uses that are listed on the Page Park Permitted Use List (LDC Section 33-1261) as well as the CPD Permitted Use List (LDC Section 34-934). Uses listed as numbers 5 and 8 on the submitted document are not permitted uses in the Page Park Community Plan Area or Commercial Planned Development zoning district, please ensure to use the correct use classification as listed in either LDC Sections 33-126 or LDC Section 34-934.

LDC Section 35-1352 is mentioned which pertains to the Display for Sales or Rentals of Vehicles and Equipment; however, the proposed schedule of uses does not include "Rental or leasing establishments" of any group as well as vehicle and equipment dealers of any group. The use stated as "masonry contractor" in addition to an "office," "outdoor open storage," and "enclosed storage of equipment" will be classified as contractor builder group III.

Response B:

The permitted use list has been revised for consistency with LDC Sections 33-1262 and 34-934. Use number 5 has been clarified to state that parking is allowed for employees and customers. Use number 8 is allowable under contractor builder groups II and III, which permits outdoor storage if enclosed (Sections 34-934 and 34-622(c) (9).

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Comment C:

Narrative

1. Please revise the narrative to clarify the intended use. There are aspects that make the request unclear based upon the provided code references.

Response C1:

The Narrative has been revised accordingly.

2. The setbacks included on page 7 of the submitted document are Setbacks established by LDC Section 34-1352 (Display/Sales). If this is not your intended use, then the setback information should be the most applicable regulations in LDC Section 10-425(f) "Open Space and landscape requirements in the Mixed-Use Overlay," as the Mixed-Use Overlay requires buffers that act as the setback.

Response C2:

Display and sales of the equipment is not the intended use. The Narrative has been revised. The equipment stored will be for the use of the contractors to operate their business. The open space and landscape requirements in the Mixed-Use Overlay have been applied [Section 10-425 (f) of the LDC].

3. The chart on Page 2 has the incorrect Zoning classifications for the surrounding property. North should read C-1A and TFC-2, West should read CF.

Response C3:

The chart has been revised accordingly.

4. Page 9, #10; Parking calculation is incomplete. The Mixed-Use Overlay grants a reduction in minimum required parking; please reference LDC Table 34-2020(c).

Response C4:

The number of parking spaces using the mixed-use overlay reduction is 2.88. Rounded up the amount of required spaces is 3.0.

5. Page 10, Property Development Regulations will need to be revised to comply with the Mixed-Use Overlay per LDC Section 10-425.

Response C5:

The Property Development Regulations have been revised accordingly.

Comment D:

Lee Plan Policy Compliance

1. Policy 5.1.5; the Mixed-Use Overlay affords reductions in buffers;
Policy 6.1.3; the Mixed-Use Overlay affords reductions in buffers;
Policy 6.1.6; the Mixed-Use Overlay affords reductions in buffers;
How do these reductions help adhere to these policies? Please clarify.

Response D1:

Policy 5.1.5 is intended to protect existing and future residential areas from encroachment of uses that are potentially destructive to the character and

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integrity of the residential environment. Additionally, the policy states that if the development is in the form of a Planned Development and generally applicable development regulations are deemed to be inadequate, conditions will be attached to minimize or eliminate the potential impacts. The development regulations contained herein are intended to protect the character of the surrounding residential areas. If the County deems these regulations are not sufficient, additional or altered regulations can be applied to the Planned Development.

Policy 6.1.3 This policy states that commercial development rezonings meeting a certain standard must be rezoned to a Planned Development even if located in the Mixed Use Overlay. The Planned Development must be designed to arrange uses in an integrated and cohesive unit in order to provide visual harmony and screening; reduce dependence on the automobile; promote pedestrian movement within the development; utilize joint parking, access, and loading facilities; avoid negative impacts on surrounding land uses and traffic circulation; protect natural resources; and provide necessary services and facilities where they are inadequate to serve the proposed use.

The Planned Development rezoning is intended to allow the County to place additional restrictions and regulations on the development to afford protection to surrounding uses. The proposed project is compact and will contain few uses: office space and storage. Adequate screening will be provided to assure landscaping is suitable and buffering to surrounding residential uses maintains visual harmony. Customers and deliveries will be made via automobiles, however, the expected traffic levels will not be significant.

Policy 6.1.6 states the County will maintain land development regulations that require commercial development to provide adequate and appropriate landscaping, open space, buffering, and architectural standards.

Adequate standards are found in the LDC in various sections including, but not limited to, the Page Park Community standards and the Mixed Use Overlay. Inasmuch as this project is a Planned Development rezoning, additional standards can be applied by the County.

2. Page 6, #7; Please provide analysis, Lee Plan Standards 4.1.1 (Water) and 4.1.2 (Sewer) to demonstrate compliance and that the proposed development is below the threshold required to connect to public water and sewer systems.

Response D2:

Adequate water service is available from Lee County Utilities. Please refer to the letter in the original submittal. Sanitary sewer service is provided by a septic tank. While there is central sewer service available within ¼ mile of the project site (approximately 800 feet), the projected wastewater flows for

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the former residence converted to an office should be well within the 5,000 gpd threshold contained in Policy 4.1.2. The projected sewer flows are <200 gpd.

Comment E:

Master Concept Plan

1. The Master Concept Plan must depict the location and explanation of all existing easements, whether those easements are recorded. If an easement is based upon a recorded document, the official records book reference must be stated. Please revise accordingly.

Response E1:

The Master Concept Plan shows the only easement, which is the 80-foot wide Iona Drainage District right-of-way of canal L-6.

2. The general location of service areas for delivery of goods or services must be shown for all developments that are not residential subdivisions. Please revise accordingly.

Response E2:

The Master Concept Plan has been revised accordingly.

Comment F:

Schedule of Deviations and Justification

1. Setbacks [Section 34-1352 and 34-935(b)(1)b]

Please revise the schedule of deviations to ensure that the sections quoted are applicable to the use and the requirements of the Mixed-Use Overlay buffer requirements with the exception of specific uses identified in LDC Section 10-424.

Response F:

The schedule of deviations has been revised accordingly. The requested deviations only pertain to open space and distance separation of access points. The setbacks proposed in the development regulations table are not inconsistent with the criteria in the Mixed-Use overlay and Sections 34-1352 and 34-935 (b) (1) b of the LDC.

Environmental Sciences:

Comment A:

The proposed project is within the Page Park Community Plan Area and the Mixed-Use Overlay. LDC Section 10-425(f) provides the code required landscaping for uses not listed in LDC Section 10-424. Commercial uses abutting single-family uses must provide ten-foot-wide buffers with Type B plantings. Right-of-way buffers must be five-feet-wide with five trees per 100 linear feet and the building perimeter planting may be used in lieu of the right-of-way buffer. Since the applicant is proposing open storage, LDC Section 34-3005(b) must be met with eight-foot-high screening when open storage is visual from residential uses and six-foot-high screening when visual from the right-of-way.

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Response A:

Eight-foot-high fencing will be provided on the north & south sides of the property. The uses to the north are existing multi-family residential and vacant property that is zoned commercial. The use to the south is an existing multi-family residential development.

Comment B:

Please revise the narrative to break down each buffer, stating the type of buffer required by code and the type being provided to demonstrate the enhancement, including landscaping vegetation specifications.

Response B:

The narrative has been revised accordingly.

Comment C:

Revise the narrative section regarding building perimeter planting. Per LDC Section 10-425(e), building perimeter planting must be provided on the two sides of the building most visible to public.

Response C:

The narrative has been revised accordingly. Landscaping will be provided on the north side consistent with the requirements of the LDC and eight-foot high fences are proposed on the north and south sides.

Comment D:

Revise the Master Concept Plan to provide right-of-way buffer. Indicate if building perimeter plantings will be utilized to meet the buffer requirements as stated in LDC Section 10-425(f)(1).

Response D:

The Master Concept Plan has been revised accordingly. Building perimeter plantings will be utilized to meet LDC requirements.

Comment E:

Revise the Master Concept Plan to depict all utility, drainage, and right-of-way easements. No required landscaping must be proposed in any drainage, utility, or right-of-way easements per LDC Section 10-421.

Response E:

The canal right-of-way is shown at the eastern end of the property. It is acknowledged that landscaping cannot be placed in any drainage, utility, or right-of-way easement.

Comment F:

The application indicates that deviations are being requested. Please revise the deviations and justifications document to state the code requirement and provide a "to allow" statement that provides the details of what will be provided in lieu of the code. The applicant must provide equal or better than what the code requires. For instance, Deviation #1 would state "LDC Section 33-1259 requires a development parcel or site, regardless of parcel size, contain

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a minimum of ten percent public open space, to allow open space in accordance with LDC Section 10-425(a) only.”

Response F:

The deviation and justification document has been revised accordingly.

Comment G:

Please note that the Mixed-Use Overlay supersedes Chapter 33 buffer and setback requirements. The required buffer widths are the setbacks. LDC 34-1352 does not apply unless the applicant is storing and displaying equipment to sell or rent. If no display for sale or rental is proposed, then LDC 34-3005(b) applies and becomes the setback and screening.

Response G:

Understood. The applicant is not displaying equipment to sell or rent.

Comment H:

Deviation #3 must be revised. The Mixed-Use Overlay (LDC Section 10-425(f)) and Open Storage (LDC Section 34-3005(b)) are the two codes for the buffer requirements. Revise the deviation to cite these requirements where applicable. The north buffer must be ten-foot-wide abutting the residential use and no buffer is required abutting the commercial use per code. The south property line abuts multi-family, which requires no buffer per LDC Section 10-425(f). It is unclear where the applicant is proposing enhancements versus deviations because incorrect codes are being utilized.

Response H:

The Master Concept Plan and narrative have been revised to comply with Sections 10-425 (f) and 34-3005 (b) of the LDC. A buffer is not required on the north side since the surrounding property contains multi-family residential.

Planning:

Comment A:

Provide an analysis of the applicable policies in Objective 4.1 and clarify whether the development will connect to central water and sewer systems.

Response A:

The property is connected to central water and is serviced by a septic tank. Please see the response to *Zoning, D.2*, herein for a more detailed discussion.

Comment B:

Policy 31.5.1 states that any new development in Page Park that meets the threshold in Policy 4.1.2 is required to connect to a central sewer system. It appears the new development is utilizing a septic system. Verify the proposed septic system complies with this requirement.

Response B:

The criteria is met as the proposed project is anticipated to generate <200 gpd for sanitary sewer usage.

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Legal:

Comment A:

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

1. Please provide a legal description and sketch in accordance with the requirements of Lee County LDC 34-202(a)(5). No legal description provided.
2. Please provide a boundary survey of the subject property in accordance with the requirements of Lee County LDC 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 survey must be based upon the title certification submitted in accord with section 34-202(a)(7).
3. Please provide a title certification for the property subject to zoning approval in accordance with the requirements of Lee County LDC 34-202(a)(7).
 - The title insurance policy with appropriate schedules, no greater than five years old at the time of the initial zoning case submittal does not include an affidavit of no change covering the period of time between issuance of the policy and the application date.

Response A – 1, 2, and 3:

The property under review is located within a platted subdivision. The legal description has been provided along with the Page Park Subdivision documents.

DOT:

Comment A:

Demonstrate the motor vehicle connections on 4th Street shown on the plans are in compliance with LDC Section 10-285 (Connection Separation). The connection separation distances, measured edge to edge, must be determined on both sides of the roadway for undivided roadways. Existing and approved access points must be depicted on both sides of the road along the project frontage and to the nearest access point beyond the project frontage in each direction. If the connection separation is less than 60 feet a deviation will be required.

Response A:

Two access points are proposed. One for ingress and egress for the employees and is the existing access point when the property was used for residential purposes. The secondary access point is proposed as a drive aisle to be able to move equipment back and forth and to allow for trash pickup. A deviation is requested for a differing separation distance between access points.

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Development Services:

Comment A:

Sec. 34-2016(3) Parking aisle width. The minimum two-way aisle width for 45 degree parking is 22 feet. The proposed MCP indicates an aisle width of 20.15 feet, which does not meet this requirement.

Response A:

The MCP has been revised and the parking will be located in the back of the structure and LDC requirements will be met.

Comment B:

Sec. 34-1748(1) - (5) Entrance Gates and Gatehouses. The provisions of LDC Section 34-1748 apply to entrance gates or gatehouses that control access to three or more dwelling units or recreational vehicles, or any commercial, industrial, or recreational facility.

- The proposed security gate along 4th Street does not appear to meet these requirements.

Response B:

The security gate along 4th St. has been removed.

Comment C:

Please advise what the proposed "rock drive" area is to be used for.

Response C:

The rock drive will be used to access parking in the back of the office building and for movement of equipment to be stored.

Comment D:

Please advise what ground cover material is proposed for the outdoor storage area. Please note that pursuant to LCLDC Sec. 34-2005(b)(2), the area must be kept in a slightly and dust-free manner.

Response D:

The ground cover material will be crushed stone.

Comment E:

Sec. 10-261 – Refuse and solid waste disposal facilities. Please provide refuse and solid waste disposal facilities in accordance with LCLDC Sec. 10-261.

Response E:

A dumpster will be provided in the equipment storage area. Photos of the dumpster type are enclosed for your review.

Comment F:

Informational Comment:

A Development Order will be required for the proposed improvements in addition to the approved zoning action prior to construction. The Development Order will need to address the fill material added to the site (based on aerial imagery).

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Response:
Acknowledged.

Natural Resources:

Comment A:

Please revise the MCP to remove all code-required trees and shrubs from IDD drainage and maintenance easement.

Response A:

The Master Concept Plan has been revised accordingly.

Comment B:

Please provide an analysis of Lee Plan Policy 125.1.3.

Response B:

Onsite water quality for the system will be provided through a dry detention area. The outfall from this system into Whiskey Creek will be regulated by a control structure. This control structure will provide water quality and attenuation.

Stormwater run-off will be directed via sheet flow and closed conveyance to the proposed outfall structure, which will outfall into the existing off-site ditch.

Existing natural features will be preserved by maintaining existing drainage patterns.

If you have any questions or require additional information, please do not hesitate to contact me.

Sincerely,

BARRACO AND ASSOCIATES, INC.



Vincent Cautero, AICP
Vice President of Planning

VAC/kl
24242

94 4TH St.**Rezone****Request Narrative – Revised September 2024****A. PURPOSE OF REQUEST**

The owner of property addressed as 94 4th St. is requesting a rezone from the Residential Two-Family Conservation (TFC-2) district to the Commercial Planned Development (CPD) district to allow a former single-family house located on the property to be used as an office for a masonry contractor, along with outdoor open and enclosed storage of commercial equipment. This is classified as a Contractor and Builder, Groups II and III, in accordance with the LDC. Storage of equipment to be used by Applicant only. There will be no sales or rentals. The office will be used by Minc Masonry/MEDENWALD, Inc., a local masonry contractor. The property owner, Mr. Robert Votaw, is an Officer of the company.

B. BACKGROUND

The property is located in the Page Park Planning Community of unincorporated Lee County. It is surrounded by a variety of land uses including multi-family residential, commercial, industrial, and institutional. The property is located approximately 0.9 miles east of US 41 and 0.7 miles south of Page Field Airport. The Page Park community is approximately 0.7 square miles in size. The US Bureau of the Census reported the area's population to be 747 in the 2020 census. The median income was \$23,660.00 and per capita income was \$14,281.00 as reported by the US Census Bureau in 2020.

The building intended for office use appeared on the Lee County tax rolls in 1957. Minc Masonry/MEDENWALD, Inc. has been in existence in southwest Florida since 1966.

One point of ingress and egress to the property is located on 4th St., south of Center Rd.

C. COMPATABILITY WITH SURROUNDING AREAS

Surrounding uses in the immediate area consist of multi-family residential, industrial, commercial, and institutional uses. Evangelical Christian High School is located directly across the street from the property. Industrial businesses are located east and northeast of the subject property.

The intended use falls under Section 34-622 (c) 9 of the County's Land Development Code – General Contractors' office - with outdoor storage of equipment. To allow flexibility in the design of the Master Concept Plan (MCP) and to assure various types of equipment can be stored on the property, we are requesting a rezone to the Commercial Planned Development category. This will ensure compatibility with surrounding uses. The intended use is consistent with the development character of the surrounding uses and enhanced buffering and screening will ensure impacts are mitigated.

A listing of surrounding uses, zoning, and future land uses is found below.

LOCATION	ZONING	FUTURE LAND USE	USES/NOTES
NORTH	<u>C-1A and TFC-2</u>	Central Urban	<u>Multi-Family</u> Residential; Industrial uses are located northeast.
SOUTH	<u>TFC-2</u>	Central Urban	<u>Residential- Multi-Family</u>
EAST	IL	Central Urban	Industrial
WEST	<u>CF</u>	Central Urban	<u>Multi-Family</u> Residential and Institutional (High School)

1. Buffering and landscaping

Buffering is required by several sections of the LDC, but Section 10-425(f)(1-3) takes precedence. This subsection contains the buffering requirements of the Mixed-Use Overlay.

Buffering will be provided as follows:

- A. No buffer is required for property zoned or in use as commercial or multi-family residential.
- B. South Side- No buffer is required for property zoned or in use as multi-family residential multi-family. An 8-foot high screen will be placed along the southern portion of the property.
- C. East Side- No buffer is required for property zoned industrial.

Required building perimeter planting will be used in lieu of buffers for the property on the west side, which is adjacent to the right-of-way.

An eight-foot fence will be installed on the northern and southern portions of the property in accordance with LDC criteria.

D. CONSISTENCY WITH GUIDING DOCUMENTS

1. Lee County Comprehensive Plan (Lee Plan)

The property is designated as Central Urban on the Lee Plan Future Land Use Map. Goal 1 of the Lee Plan under the Future Land Use Map is found below:

GOAL 1: To maintain and enforce a Future Land Use Map showing the distribution, location, and extent of future land use by type, density, and intensity in order to protect natural and man-made resources, provide essential services in a cost-effective manner, and discourage urban sprawl. (Ord. 94-30).

OBJECTIVE 1.1: FUTURE URBAN AND SUBURBAN AREAS

Designate areas with varying intensities on the Future Land Use Map that provide for a full range of urban activities. These designations are based upon soil conditions, historic and developing growth patterns, and existing or future availability of public facilities and services. (Ord. 17-13).

POLICY 1.1.3

The Central Urban future land use category can be best described as the “urban core” of the County. These areas are already 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 1.1, where appropriate. The standard density range is from eight dwelling units per acre to 10 dwelling units per acre, with a maximum total density of 15 dwelling units per acre. The maximum total density may be increased to 20 dwelling units per acre utilizing Greater Pine Island Transfer of Development Units. (Ord. 94-30, 02-02, 09-06, 16-07, 21-19).

Compliance - The proposed use is consistent with the future land use category goal, objective, and policy as it adds to the mix of uses that are deemed appropriate for the Central Urban Future Land Use category.

OBJECTIVE 2.1

Development Location: *Contiguous and compact growth patterns will be promoted through the rezoning process to contain urban sprawl, minimize energy costs, conserve land, water, and natural resources, minimize the cost of services, and prevent development patterns where large tracts of land are by-passed in favor of development more distant from services and existing communities. (Ord. 94-30, 00-22).*

Compliance - The proposed use is to be developed as a Planned Development (PD) in order to provide sufficient criteria and standards assuring a compact development to mitigate impacts. The PD also allows for certainty, which creates an environment whereby adjacent and nearby property owners are aware of the potential uses.

POLICY 5.1.5

~~*This policy is concerned with encroachment of uses that are potentially destructive to the character and integrity of the residential environment. You can see from the photographs and aeriels submitted with the original application the immediate area is made up of mixed uses,*~~

~~with many properties used for storage. The primary use of the subject site is an office with outdoor storage. The applicant intends to provide enhanced buffering to address negative impacts in a satisfactory manner. Inasmuch as this is a Planned Development, additional conditions can be imposed by the County Commission to minimize potential impacts.~~

POLICY 6.1.3

Commercial development requiring rezoning must be developed as Planned Development except if located within the Mixed Use Overlay. The Planned Development must be designed to arrange uses in an integrated and cohesive unit in order to: provide visual harmony and screening; reduce dependence on the automobile; promote pedestrian movement within the development; utilize joint parking, access, and loading facilities; avoid negative impacts on surrounding land uses and traffic circulation; protect natural resources; and, provide necessary services and facilities where they are inadequate to serve the proposed use. (Ord. 94-30, 00-22, 21-09).

Compliance – The proposed development will avoid negative impacts by providing enhanced buffering and screening. The use will be condensed on a small piece of property and avoids negative impacts that could arise from additional strip commercial development.

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. 94-30, 00-22).

Compliance – The office and storage uses proposed will be compatible with existing uses as the uses surrounding the property constitute a mix of residential and non-residential in varied zoning districts. This complements the Urban Central Future Land Use category goal.

POLICY 6.1.6

This policy contains language stating the land development regulations will require commercial development provide adequate and appropriate landscaping, open space, and buffering.

Compliance – Adequate buffering and landscaping will be provided to assure the development blends in with the character of the area. The appearance of the office building will be compatible as it was formerly a single-family residence.

POLICY 6.1.7

Prohibit commercial development 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.

Compliance – The development will not open up the immediate area to development that would be premature or scattered since the area is heavily developed. Additionally, the conversion of the residential structure to an office represents a reuse that is compatible with the character of the surrounding area.

GOAL 31: PAGE PARK COMMUNITY PLAN

Revitalize the village-like residential neighborhood into a vibrant mixed use community, that captures the heritage of the Page Park Community Plan area by providing infrastructure, pedestrian and bicycle connections, and business opportunities together with consistency in signage, landscaping, and enhanced development standards, thereby promoting a mix of commercial and residential uses that will provide services to the local community and the driving public. (Ord. 09-08, 18-18).

POLICY 31.2.1

New and stand-alone commercial activity and uses will be limited to Danley Drive and within commercial/mixed use areas shown on the Page Park Overlay (Map 1-C). Commercial uses will be permitted elsewhere within the community, but only as part of a mixed use development or as a mixed use building. This policy does not apply to existing commercial uses and property currently zoned for commercial uses. (Ord. 09-08, 18-18).

Compliance – The property is located within the Page Park Overlay commercial/mixed use section, which makes the proposal compatible with this policy as a new and stand-alone commercial development.

POLICY 125.1.3

The design, construction, and maintenance of artificial drainage systems must provide for retention or detention areas and vegetated swale systems that minimize nutrient loading and pollution of freshwater and estuarine systems. (Ord. No. 00-22, 18-28)

Compliance- Stormwater run-off will be directed via sheet flow and closed conveyance to the proposed outfall structure, which will outfall into the existing off-site ditch. Discharge into Whiskey Creek shall be limited to 108 CSM for the 25-year, 3-day storm event in accordance with the Lee County Surface Water Management Plan. Onsite water quality for the system will be provided through a dry detention area. The outfall from this system into Whiskey Creek will be regulated by a control structure. This control structure will provide water quality and attenuation.

E. CONSISTENCY WITH THE LEE COUNTY LAND DEVELOPMENT CODE (LDC)

1. Hearing Examiner

In accordance with **Section 34-145 (4) (a) (1)** of the LDC, the Hearing Examiner must make certain findings on rezone petitions prior to approval or recommending approval. The findings are as follows.

A. Rezoning. The Hearing Examiner must find the request:

1. Complies with the Lee Plan.

Response: See pages 2-4 of this narrative document for the explanation Lee Plan compliance.

2. Meets this Code and other applicable County regulations or qualifies for deviations.

Response: The single-family residence was consistent with the County's land development regulations in effect at the time of approval of construction. The proposed rezoning and use meet the applicable County regulations as detailed in the submitted Schedule of Uses and Property Development Regulations. Deviations for relief are being requested as noted in the submitted Schedule of Deviations and Justifications and on the Master Concept Plan.

3. Is compatible with existing and planned uses in the surrounding area.

Response: The former residence has been upgraded to serve as a business office. Surrounding uses include commercial, multi-family residential, industrial, and an educational facility (High School). The rezoning request of the subject site does not alter the character of the property, which assures that it remains compatible with neighboring properties.

4. Will provide access sufficient to support the proposed development intensity.

Response: The subject property has a points of ingress and egress off 4th St. The existing access points will remain for employees and customers to enter and exit the office.

5. The expected impacts on transportation facilities will be addressed by existing County regulations and conditions of approval.

Response: This rezoning action does not result in any additional operational impacts to transportation facilities. The amount of trips to and from the site will be de minimus.

6. Will not adversely affect environmentally critical or sensitive areas and natural resources.

Response: The subject site was previously developed. This proposed rezoning action does not result in impacts to environmentally critical or sensitive areas or natural resources.

7. Will be served by urban services, defined in the Lee Plan, if located in a Future Urban area category.

Response: Urban services are available to the property and are already provided to the development. The site is served by Lee County Utilities for water. A septic tank provides sanitary sewer service. The proposed water usage for the septic system is <200gpd. The standards contained in Lee Plan 4.1.1 and 4.1.2 will not be exceeded.

A. Planned Development Rezoning. The Hearing Examiner must also find:

1. The proposed use or mix of uses is appropriate at the proposed location.

The proposed rezoning is consistent with LDC Section 34-145 (d) (4) a.2, which is required for all planned developments. The principal use of the site will be an administrative office with outdoor storage of equipment. Some equipment will remain uncovered, while some will be enclosed.

2. The recommended conditions provide sufficient safeguards to the public interest and are reasonably related to the impacts on the public's interest expected from the proposed development.

All proposed conditions of the request are intended to protect the public interest. Safeguards to the public interest are also provided through the conformance of the Master Concept Plan, with use and development standards of the LDC, with deviations granted as warranted for unique conditions with the intent to protect the health, safety, and welfare of the community.

3. If the application includes deviations pursuant to Section 34-373(a)(9), that each requested deviation:

- i. Enhances the achievement of the objectives of the planned development; and**
- ii. Preserves and promotes the general intent of this Code to protect the public health, safety and welfare.**

The Justification of Deviations submitted with this application demonstrates that the requested deviations enhance the achievement

the planned development objectives and preserve and promote the general intent of the code to protect public health, safety, and welfare.

B. Mixed Use Overlay

The proposed project is subject to Section 10-425- Open Space and Landscape Requirements in the Mixed Use Overlay. Specifically, buffers must be five-feet along rights-of-way planted with five trees per 100 linear feet. The required building perimeter planting may be used in lieu of a buffer if adjacent to the right-of-way. A 10-foot wide buffer with Type B plantings is required along property lines which abut single-family residences. There are no single-family residences on any side of the project site. Buffers are not required along property lines unless specified in the Mixed Use Overlay section of the LDC.

C. Other applicable sections of the LDC

1. *Section 33-1203 – Community Review*

An informational meeting was conducted on June 3, 2024 at Kimmie's Recovery Zone located at 570 Center Rd. in the Page Park Community. An advertisement was placed in the News-Press prior to the meeting in compliance with LDC Section 33-1203 (b). Additionally, signs were posted at Kimmie's Recovery Zone as well as the location of the property under review. There were no participants at the meeting. At the time of submitting this application, the applicant is unaware as to any public comment.

2. *Section 34-1352 – Setbacks*

Setbacks are included in several sections of the LDC. A recap of the applicable sections of the LDC and our proposal is found below.

A. General

- Street — 50-feet
- Side yard — 40-feet
- Rear yard — 40-feet

B. Page Park

- Side yard — 0/15-feet minimum; N/A — maximum
- Side — 15-feet minimum; 0-feet maximum
- Rear — 15-feet

C. A. Planned Developments

- Minimum setback – 15-feet for Commercial Planned Developments

~~We request a deviation from the side 15-foot setback to a setback of five feet on the south side and a two-foot setback on the north side. The equipment and containers will be located behind a buffer screen and fencing on all three sides: north, east, and south. Buffering will be adequate to provide sufficient screening to the adjacent properties. Additionally, a six-foot opaque fence or wall will be constructed with a swing gate on the east side (rear of the property).~~

~~Section 34-935(b)(1)(b) requires a minimum setback of 15-feet for commercial uses in a Planned Development. Please refer to the Property Development Regulations table for our proposed standards.~~

B. Mixed Use Overlay – Sections 10-425 (f)

We were informed by staff in their comment letter Section 10- 425 (f) pertaining to the Mixed Use Overlay takes precedence. The buffering standards in this section become the setbacks.

1. 3.Section 34-1352 (e) – Visual screening

Screening will be provided by enhanced buffering and fencing. Fencing will be screen with an opaque finish. The buffering parameters are shown on the Master Concept Plan (MCP).

2. 4.Section 33-1250 – Page Park, Division 2, Subdivision 1

Requirements are found below. The property development standards table will provide a recap of the proposed dimensions for each standard.

- | | |
|---------------|------------------------------------|
| • Lot area | none specified |
| • Lot width | none specified |
| • Height | 3 stories/40 feet |
| • Setbacks | follow Section 34-2191 |
| • Front | minimum – 0; maximum - 25-feet |
| • Side | minimum – 15-feet; maximum - none |
| • Side yard | minimum - 0/15-feet; maximum – N/A |
| • Rear | 15-feet |
| • Waterbody | 25-feet |
| • Maximum ROW | 25-feet |

3. 5.Section 33-1255 – Parking

Parking will be located on the south side of the building and not facing a public street.

4. ~~6.~~ Section 33-1257 (b) – Transit Facilitation

The project site is adjacent to a public road and contains a sidewalk in the event a bus bench or stop is placed by the Transit Authority in front of the project site or nearby. If placed nearby, visitors can walk or bicycle to the site.

5. ~~7.~~ Section 33-1259 (a) - Public Open Space

A minimum of 10 percent public open space is required. We have provided at least 10 percent of open space. We request a deviation from the requirement for the open space to be *public* since an allowance of public space would not be practical nor safe in this area. Equipment and machinery will be placed on the property and is not advisable to allow public interaction.

6. ~~Section 33-1310, Tables 1 and 2 – Buffers~~

~~The proposed use is Commercial and the requirement for buffering adjacent to single-family and industrial uses is a type B buffer and no buffer is required for adjacency to multi-family residential. A type B buffer will be provided with fencing on all sides to ensure compatibility and screening from adjacent property uses. We are requesting a deviation from the 10-foot minimum buffer width requirement to five feet.~~

7. Section 10-416 (b) – Landscaping

Perimeter plantings must be equal to 10 percent of the proposed building gross ground level floor area, on three sides. Emphasis is placed on sides that that most visible from the public. A minimum width of 5-feet is required.

The plantings will be placed around the equipment storage area and will exceed 10 percent of the floor area of the building (81 feet).

8. Section 34-2020 (b) – Parking – General

One parking space per 300 square feet of total floor area must be provided. This would equal 3.38 spaces. The Mixed Use Overlay (LDC section 10-425) allows for a 0.50 reduction, which equates to 2.88 spaces. Three spaces and a handicap space will be provided. The final design of the parking spaces, i.e. angles, will be determined at the development order stage.

11. Section 34-1007 LCPA Airport Obstruction Notification Zone

Our reading of Map 8 in Appendix C of Ordinance 19-03 yields the property is located in the 25' to 50' Above Mean Sea Level (AMSL) category. However, the building on site is not greater than 25 feet in height. If notification is required prior to approval of a development order, it will be done by the applicant.

DEVIATION REQUESTS AND JUSTIFICATION

The requested deviations are marked on the Master Concept Plan.

1. **Public Open Space - [Section 33-1259 (a)]**

Request: The request **is from** LDC Section 33-1259, which requires a development parcel or site, regardless for parcel size, contain a minimum of 10 percent public open space, **to allow** open space in accordance with LDC Section 10-25 (a). Given the size of the parcel and that equipment will be stored on the property, there is no practical way to secure open space available to the public. This could present hazards to the general public, which should be avoided.

2. **Connection Separation - [Section 10-285]**

Request: **From** the required connection separation of 60-feet **to allow** a separation of 38-feet between entrance points.

The justification is to separate the drive aisle used to access the parking spaces and existing driveway that was constructed for the former single-family home.

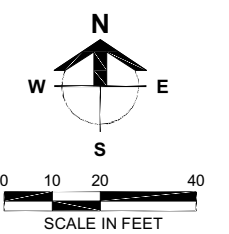
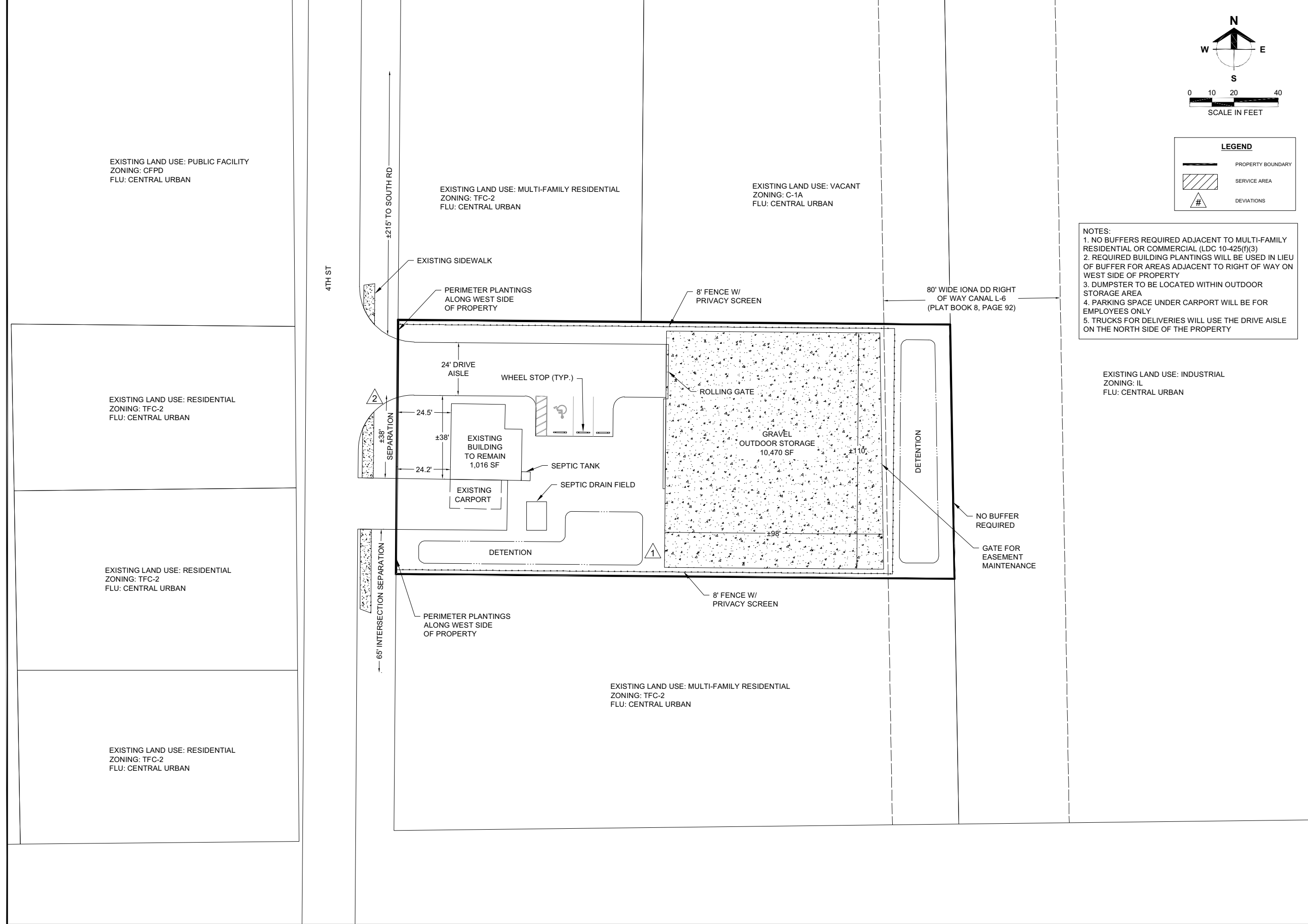
PROPERTY DEVELOPMENT REGULATIONS

The regulations table below is based on existing conditions and proposed property dimensions for the primary and ancillary uses.

	Office Building	Other Permitted Uses & Structures
Minimum Lot Area and Dimensions		
Lot Area (square feet)	0.5 acres	N/A
Width (feet)	N/A	N/A
Depth (feet)	N/A	N/A
Minimum Setbacks		
Street (feet)	20	20
Side (feet)	10 <u>20</u>	N/A <u>20</u>
Rear (feet)	20	N/A <u>20</u>
Building Separation (feet)	Determined by Building and/or Fire Code	Determined by Building and/or Fire Code
Perimeter (feet)	Refer to Rear Yard	

SCHEDULE OF PERMITTED USES

1. Accessory uses and structures in accordance with LDC criteria
2. Administrative offices
3. Water retention
4. Fences, walls
5. Parking area(s) for customers and employees
6. Signs, in accordance with LDC criteria
7. Storage, open. Equipment to include, but not limited to, concrete pumps, skid steers, tractors, and mini-excavators.
8. Storage, enclosed. (Group II, contractors and builders permits outdoor storage if enclosed. [Section 622(c) (9) of the LDC.])
9. Temporary uses



LEGEND

- PROPERTY BOUNDARY
- SERVICE AREA
- DEVIATIONS

- NOTES:**
1. NO BUFFERS REQUIRED ADJACENT TO MULTI-FAMILY RESIDENTIAL OR COMMERCIAL (LDC 10-425(f)(3))
 2. REQUIRED BUILDING PLANTINGS WILL BE USED IN LIEU OF BUFFER FOR AREAS ADJACENT TO RIGHT OF WAY ON WEST SIDE OF PROPERTY
 3. DUMPSTER TO BE LOCATED WITHIN OUTDOOR STORAGE AREA
 4. PARKING SPACE UNDER CARPORT WILL BE FOR EMPLOYEES ONLY
 5. TRUCKS FOR DELIVERIES WILL USE THE DRIVE AISLE ON THE NORTH SIDE OF THE PROPERTY

Barraco
and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING
www.barraco.net
2271 MCGREGOR BLVD., SUITE 100
POST OFFICE DRAWER 2800
FORT MYERS, FLORIDA 33902-2800
PHONE (239) 461-3170
FORT MYERS | PANAMA CITY BEACH
FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 7995 - SURVEYING LB-6940

PREPARED FOR

**MEDENWALD /
MINC
MASONRY, INC.**

PROJECT DESCRIPTION

**94 4TH
STREET**

PART OF SECTION 12,
TOWNSHIP 45 SOUTH, RANGE 24 EAST
LEE COUNTY, FLORIDA

DRAWING NOT VALID WITHOUT SEAL, SIGNATURE AND DATE
© COPYRIGHT 2024, BARRACO AND ASSOCIATES, INC.
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FILE NAME: 24242202.DWG
LOCATION: J:\24242\DWG\ZONING\I
PLOT DATE: TUE, 10-1-2024 - 4:19 PM
PLOT BY: ALYSSA FONTAINE

CROSS REFERENCED DRAWINGS
BASEPLAN = 24242200.DWG

PLAN REVISIONS

NO.	DESCRIPTION

PLAN STATUS

**MASTER
CONCEPT
PLAN**

PROJECT / FILE NO.	SHEET NUMBER
24242	

REZONE FOR 94 4TH St. – PAGE PARK COMMUNITY
COMMUNITY MEETING SUMMARY

A community meeting was scheduled for June 3, 2024 at 6:00 p.m. in accordance with the provisions contained in the Lee County Land Development Code. The site was Kimmie's Recovery Zone, 570 Center Rd., Ft. Myers, FL.

Signs were placed at the project site as well at Kimmie's. An advertisement was placed in the Ft. Myers News-Press on May 28, 2024. No members of the public arrived for the meeting. The owner of the property under review, who is an Officer of Minc Masonry/MEDENWALD, along with the Vice President of Minc Masonry/MEDENWALD; the attorney for the owner; and the planning consultant for the owner, waited until 6:30 p.m. Two volunteers from Kimmie's were present to open and close the building and we answered their questions about the project.

At 6:30 p.m. a sign was placed on the front door of Kimmie's containing contact information for anyone who arrived at Kimmie's later that evening for the meeting. The next morning one of the employees of Kimmie's informed us no one had contacted them or left a note on the door.

Affidavit of No Change to Title
Pursuant to Lee County
Administrative Code §13-19(H.1.f).

Before me, the undersigned authority, after having been duly sworn, personally appeared Robert Votaw (the "Affiant" herein), who deposes and states as follows:

1. That Affiant is the current owner of the real property located at 94 4th Street, Fort Myers, Florida 33907, located in Lee County, Florida, also identified by the Lee County Property Appraiser as Strap Number **12-45-24-01-000Q0.0090**, which property is more particularly described in the following instrument:

Lot 9, Block Q, Page Park, according to the Plat thereof,
recorded in Plat Book 8, Page(s) 92 through 97, of the Public
Records of Lee County, Florida.

2. The Affiant certifies that subsequent to the issuance of the Title Policy on the Property and through the date herein, that neither he nor anyone acting on of his behalf has executed any type of conveyance, mortgage, deed of trust, easement or encumbrance of any kind on or upon the Property. Additionally, the Affiant states that he has no knowledge of any of the foregoing, other than the matters set forth in the Title Policy.
3. That this Affidavit is made for the purpose of inducing Lee County, Florida, to approve a rezoning, which requires the Affiant, as the owner of the Property, to provide certain title information pursuant to Lee County Administrative Code §13-19(H.1.f).

Executed this 6 day of SEPTEMBER, 2024.

STATE OF Florida
COUNTY OF Lee

Notary Public

DIANE WARD
MY COMMISSION # HH 198713
EXPIRES: December 27, 2025
Bonded Thru Notary Public Underwriters

UNPLATTED
Petition to Vacate
Description: Vacation of portion of 5th St
CCMB:13 Page:271
Date of Approval: 1/23/57

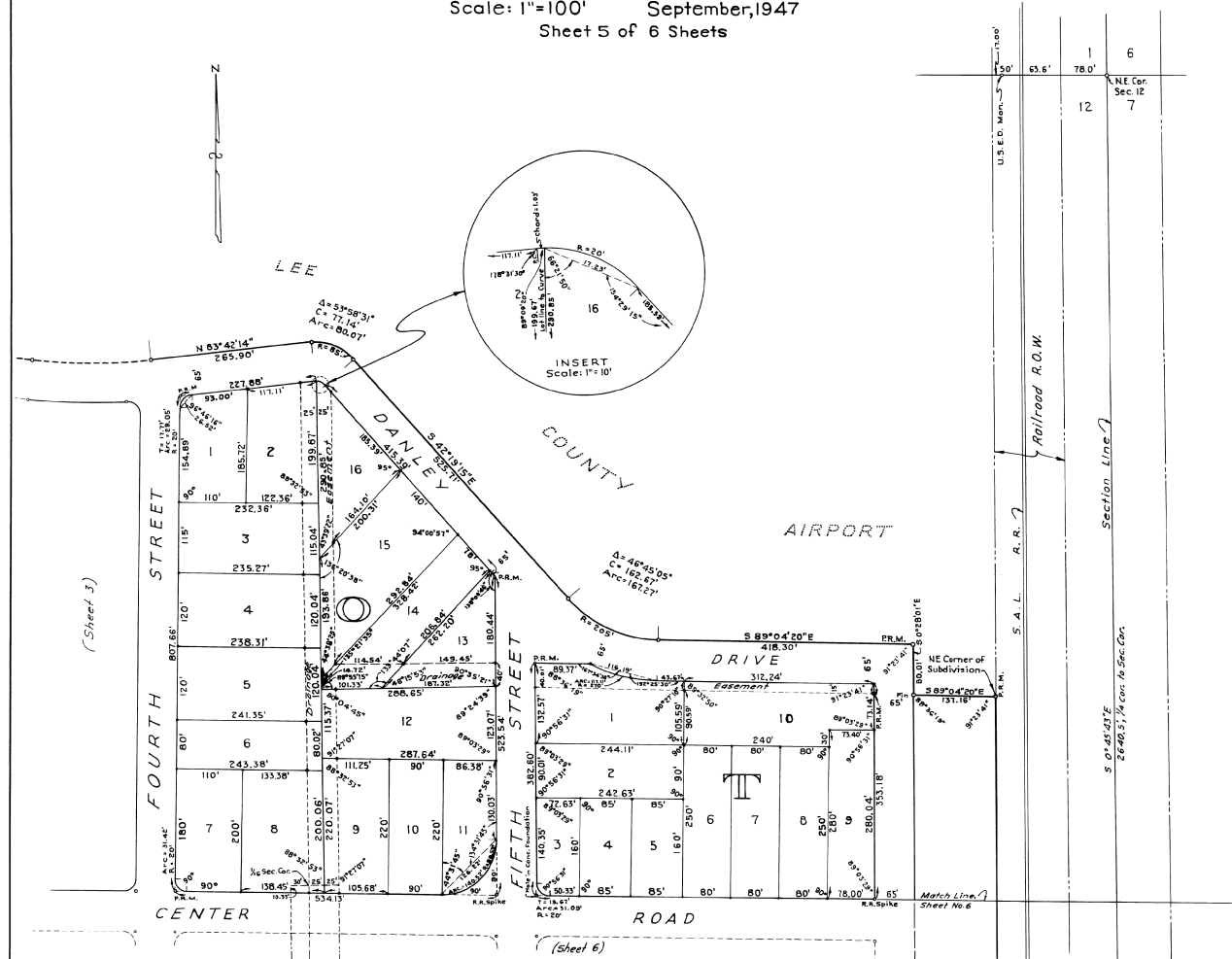
PAGE PARKA SUBDIVISION IN THE
NORTH HALF OF SECTION 12, T45S, R24E

LEE COUNTY, FLORIDA

Scale: 1"=100'

September, 1947

Sheet 5 of 6 Sheets



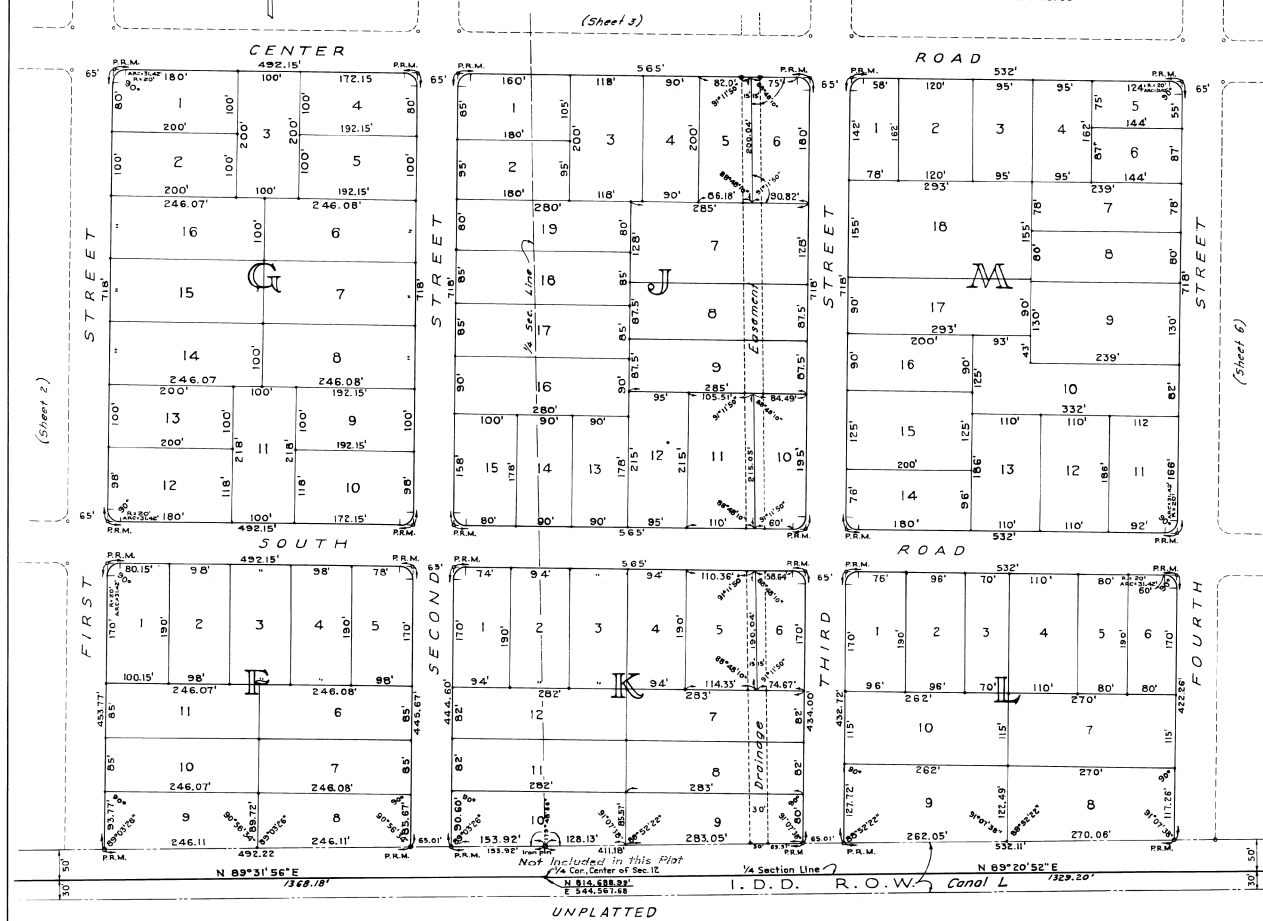
PAGE PARK

A SUBDIVISION IN THE
NORTH HALF OF SECTION 12, T45S, R 24E

LEE COUNTY, FLORIDA
Scale: 1"=100' September, 1947

Sheet 4 of 6 Sheets

NOTE: All lot corner angles this sheet
90° unless otherwise noted.

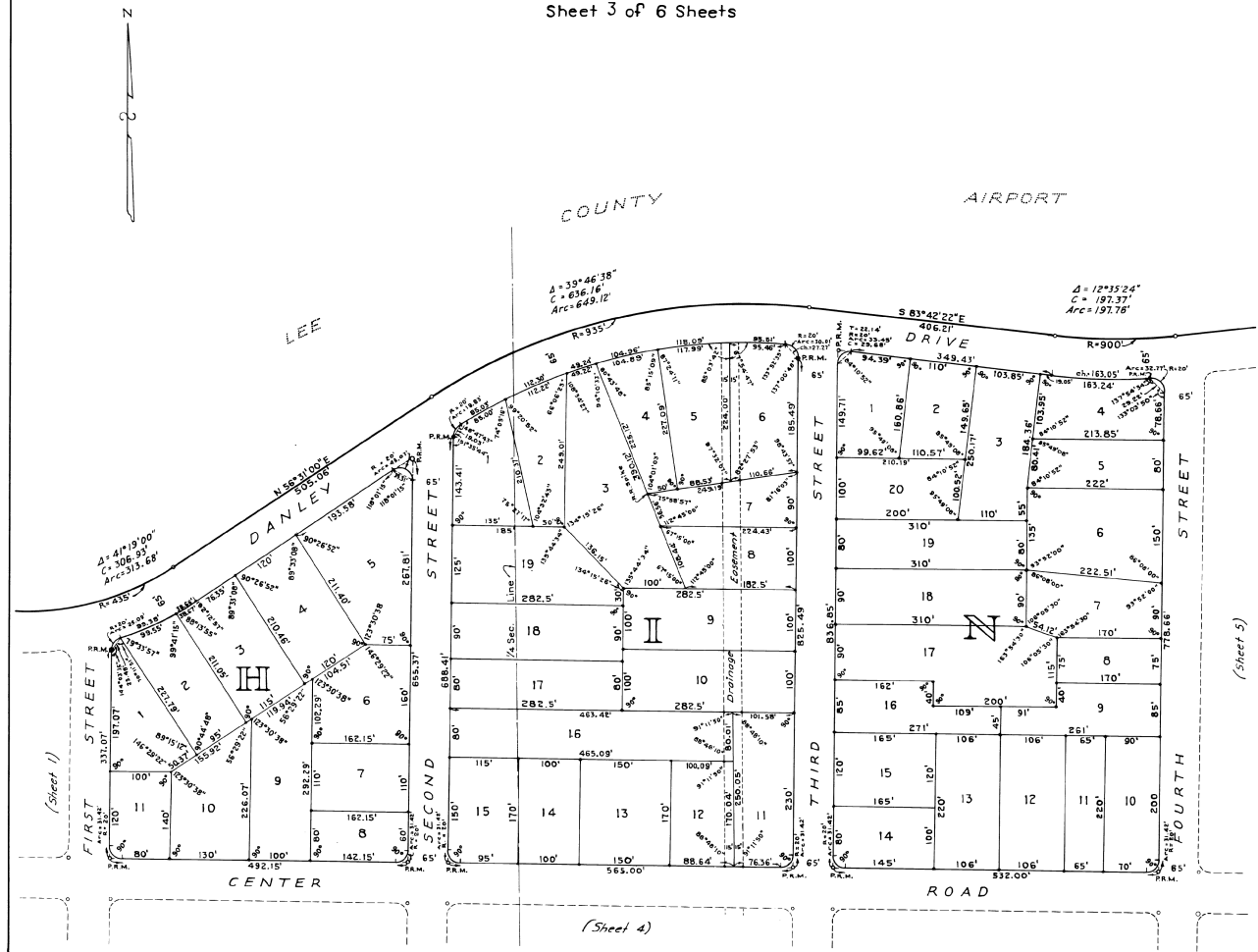


PAGE PARK

A SUBDIVISION IN THE
NORTH HALF OF SECTION 12, T45S, R24E
LEE COUNTY, FLORIDA

Scale: 1"=100' September, 1947

Sheet 3 of 6 Sheets

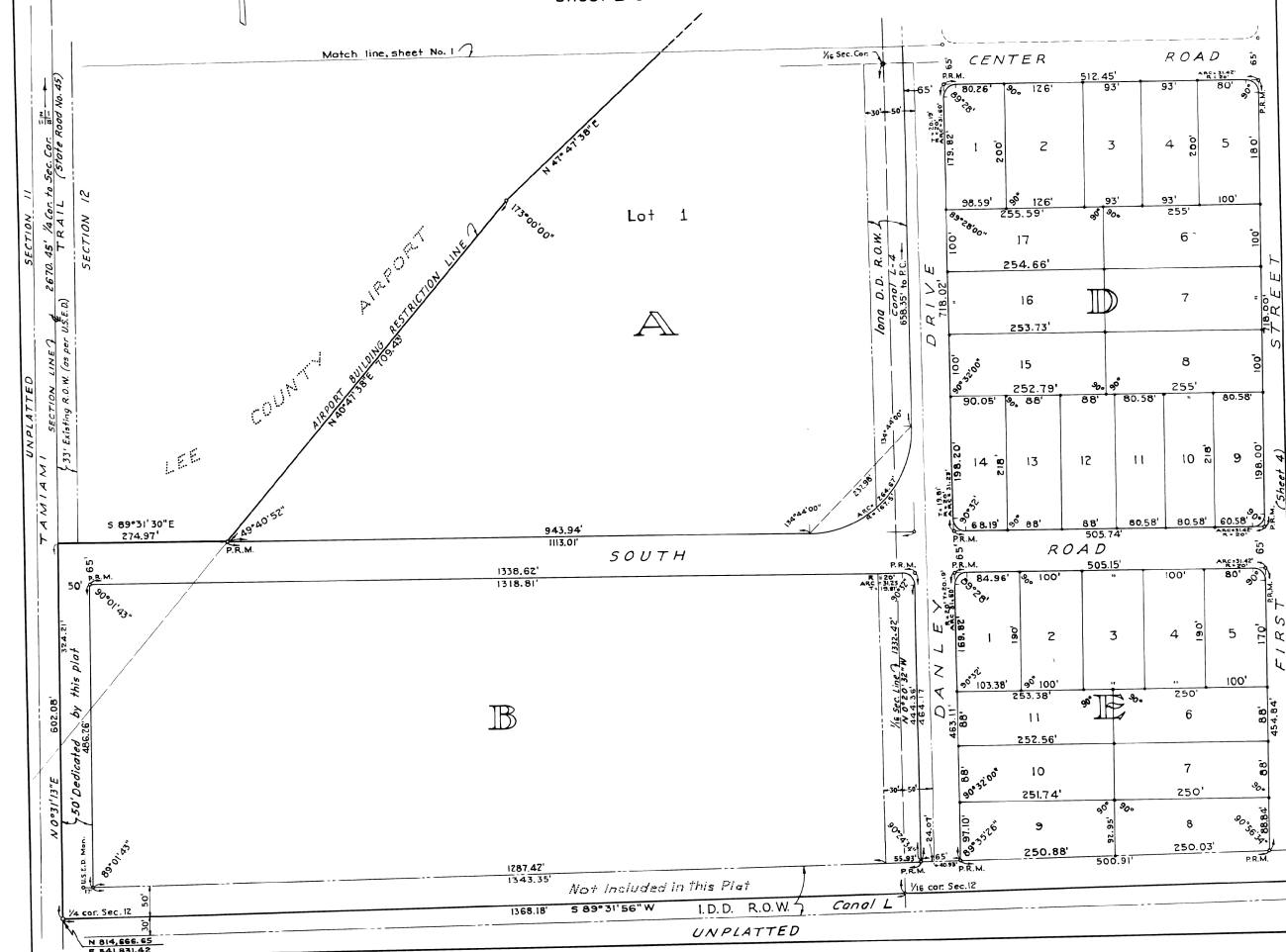


PAGE PARK

A SUBDIVISION IN THE
NORTH HALF OF SECTION 12, T45S, R24E
LEE COUNTY, FLORIDA

Scale: 1"=100' September, 1947

Sheet 2 of 6 Sheets



PAGE PARK

A SUBDIVISION IN THE
NORTH HALF OF SECTION 12, T45S, R24E
LEE COUNTY, FLORIDA

Scale: 1"=100' September, 1947

Sheet 1 of 6 Sheets

DESCRIPTION

Beginning at the Quarter Section Corner on the West line of Section 12, T45S, R24E (Coordinates N 814,666.65; E 541,031.42) run N 0°30'13" E along the West line of said Section for 602.08'; thence S 89°31'30" E for 274.97'; thence N 40°47'38" E for 709.45'; thence N 47°47'38" E parallel to and 750' of right angle from the Center Line of the NE/SW Runway of the Lee County Airport, for 1029.55'; thence S 78°41'52" E for 207.41'; thence S 82°10'00" E for 132.78'; thence Southeasterly to Northeast-erly along an arc of a curve to the left, of radius 435' and Central Angle 41°19'00", for 313.68'; thence N 58°31'00" E for 505.06'; thence Northeast-erly to Southeasterly along an arc of a curve to the right, of radius 935' and Central angle of 39°46'38" for 649.12'; thence S 83°42'22" E for 406.21'; thence South-esterly to Northeasterly along an arc of a curve to the left, of radius 900' and Central Angle of 12°52'24", for 197.16'; thence N 83°42'14" E for 265.90'; thence Northeast-erly to Southeasterly along an arc of a curve to the right, of radius 85' and Central Angle of 53°58'31" for 80.07'; thence S 42°19'15" E for 325.11'; thence Southeasterly along an arc of curve to the left, of radius 205' and Central Angle of 48°48'05" for 167.27'; thence S 89°04'20" E for 418.30'; thence S 0°28'01" E for 80.01'; thence S 89°04'20" E for 137.16' more or less to the West Right of Way line of the Seaboard Air Line Rail-road; thence S 0°28'01" E along said Right of Way for 1628.65' more or less to a point on the east and west quarter section line of Section 12 (Coordinates N 814,716.84, E 547,020.72); thence S 89°03'32" W for 235.12' to the quarter corner in the center of Sec. 12 (Coordinates N 814,686.99; E 544,587.68); thence S 89°31'55" W for 236.36' more or less, to the point of beginning subject to the existing Right-of-Way for use of State Road No. 40 (Miami Trail) over the westerly 30' thereof and the easement Right-of-Way of the land D.D. over the southerly 50' and easterly 30' of the SW 1/4 of the NW 1/4, the southerly 50' and westerly 50' of the SE 1/4 of the NW 1/4, the southerly 50' and easterly 30' of the SW 1/4 of the NE 1/4, and the westerly 50' of the SE 1/4 of the NE 1/4. The parcel hereinabove described contains 266.38 acres more or less, and all bearings and coordinates referred to in its description are for the Florida Mercator (West Zone) Coordinate System with central meridian of Long. 82°00'00", as established in Section 12 by the U.S. Engineer Department.

ACKNOWLEDGMENT

STATE OF FLORIDA
COUNTY OF LEE
I HEREBY CERTIFY that on this 22nd day of October A.D. 1947 before me personally appeared H.M. Stringfellow, and D.T. Forabee respectively Chairman and Clerk of the Board of Commissioners of Lee County, a County under the laws of Florida, to me known to be the persons described in and who executed the foregoing dedication and severally acknowledged the execution thereof to be their free act and deed for the uses and pur-poses therein mentioned; and that they affixed thereto the official seal of said County and that the said dedication is the act and deed of said County.
WITNESS my hand and official seal at Fort Myers, said County and State, the day and year last aforesaid.

Wm. Wood
Notary Public, State of Florida, Large
My Commission expires - DEC. 12, 1947.

APPROVALS

This plot accepted this 22nd day of October, A.D. 1947 in open meeting of the Board of County Commissioners of Lee County, Florida.

Approved:

D.T. Forabee
Chairman
D.J. Forabee
Clerk

I HEREBY CERTIFY that this plot of PAGE PARK has been examined by me and from my examination I find that said plot complies in form with the requirements of Chapter 10275, Laws of Florida, Acts of 1925.
I FURTHER CERTIFY that said plot was filed for record at 11:25 A.M. this 23rd day of November, A.D. 1947 and duly recorded in Plot Book No. 8 on Page 32 to 33 inclusive, of the Public Records of Lee County, Florida.

117215

D.J. Forabee
Clerk of Circuit Court in and for Lee County, Florida

I hereby certify that this plot of PAGE PARK is true and correct according to a recent survey made and plotted under my direction and that Permanent Reference Monuments (P.R.M.'s) have been set in accordance with the provisions of Sec. 7, Chapter 10275, Laws of Florida, Acts of 1925.

Carl D. Johnson
Registered Land Surveyor, Fla. Cert. No. 351
JOHNSON & COTHERN
Fort Myers, Florida

NOTES
+ P.R.M. Indicates 4"x4"x24" Concrete Monument
Permanent Reference Mark set.
+ Indicates 5/8" round by 24" long reinforce-
ing steel pin set.
On curved lot lines both chord and arc
lengths are shown with angles to chords.

DEDICATION

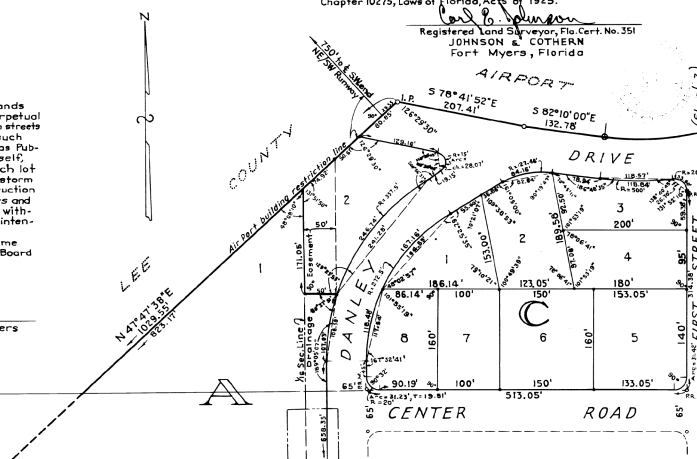
LEE COUNTY, a County under the laws of Florida, the owner of the herein described lands has caused this plot of PAGE PARK to be made and does hereby dedicate to the perpetual use of the Public all streets, drives and/or roads shown hereon, provided that such streets, drives and/or roads are vacated, abandoned or otherwise cease to be used as Public thoroughfares or are discontinued by law; and further, Lee County reserves for itself, its successors and assigns the rights of way upon, under and over that portion of each lot plotted that is within five (5) feet of the center line of any water supply main, sanitary or storm sewer main constructed prior to January 1, 1947 for the operation, maintenance, reconstruction and/or removal of said mains; and further, Lee County reserves for itself, its successors and assigns the rights of way upon, under and over such portion of each lot plotted as is within the areas designated "Drainage Easement" or "Land D.D. R.O.W." for the operation, maintenance and/or construction of drainage facilities.

IN WITNESS WHEREOF, Lee County has caused this dedication to be signed in its name and its seal affixed by its duly authorized officers, by and with the authority of its Board of Commissioners upon this 22nd day of October A.D. 1947.

D.J. Forabee
Clerk

LEE COUNTY, FLORIDA
by *Wm. Stringfellow*
Chairman, Board of Commissioners

Match line, Sheet No. 2



This instrument prepared by & return to: Sarah Arnold-Cox
Security Title & Abstract, LLC
9001 Daniels Pkwy, Ste 100
Fort Myers, FL 33912
Consideration: \$200,000.00
Tax ID No: 12-45-24-01-000Q0.0090
Our File: 2023-339

General Warranty Deed

Made this 1st day of September, 2023 by **Dawn L. Dupree, A Single woman**, whose post office address is: 94 4th Street, Fort Myers, FL 33907, hereinafter called the grantor, to: **Robert Votaw, a Single man** whose post office address is: 1339 Canterbury Dr., Fort Myers, FL 33901 hereinafter called the grantee,

(Whenever used herein the term "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

WITNESSETH: that the grantor, for and in consideration of the sum of Two Hundred Thousand and 00/100 Dollars (\$200,000.00), and other variable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situated in Lee, Florida, viz:

Lot 9, Block Q, Page Park, according to the Plat thereof, recorded in Plat Book 8, Page(s) 92 through 97, of the Public Records of Lee County, Florida.

94 4th Street, Fort Myers, FL 33907

Parcel ID Number: **12-45-24-01-000Q0.0090**

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to .

In Witness Whereof, the said grantor has signed and sealed these presents the day and year first above written.

Signed, Sealed and Delivered in Our Presence:

Sarah Arnold-Cox

Witness Sarah Arnold-Cox

Printed Name:

P.O. Address: 9001 Daniels Pkwy, Ste 100
FM, FL 33912

Dawn L. Dupree

Dawn L. Dupree

Witness

Printed Name:

P.O. Address:

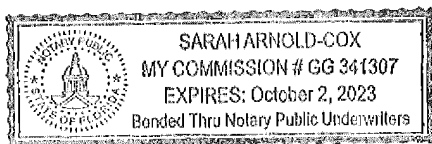
Teresa Hall-Gordley

State of Florida

County of Lee

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 1st day of September, 2023 by Dawn L. Dupree who ☐ is personally known or ☒ has produced a driver's license as identification.

[Seal]



Sarah Arnold-Cox

Notary Public

Print Name: Sarah Arnold-Cox

My Commission Expires: 10/2/23

From: [Vincent Cautero](#)
To: [Kelly Liscum](#)
Subject: FW: 94 4th street 33907
Date: Friday, October 4, 2024 7:31:10 AM
Attachments: [image001.png](#)

Kelly,

Please place this email thread in the submit file for 4th St. Thanks.

Vince Cautero, AICP
Vice President of Planning
Barraco and Associates, Inc.
Civil Engineers ~ Land Surveyors ~ Planners
2271 McGregor Boulevard
Fort Myers, FL 33901
Phone: (239) 461-3170
Cell: (239) 825-0553
Fax: (239) 461-3169
vincec@barraco.net



From: MEDENWALD, INC. <mincmasonry@yahoo.com>
Sent: Wednesday, September 25, 2024 2:40 PM
To: Vincent Cautero <vincec@barraco.net>
Subject: Fw: 94 4th street 33907

Good afternoon,
I'm forwarding the email from Bill Juhl, with DOT, approving the fence in the ROW of the canal

Chase Votaw V.P.
Medenwald/Minc Masonry
C- 239-849-7576
O- 239-481-0230

Begin forwarded message:

On Wednesday, September 25, 2024, 14:38, MEDENWALD, INC. <mincmasonry@yahoo.com> wrote:

Thank you for the assistance

Chase Votaw V.P.
Medenwald/Minc Masonry
C- 239-849-7576
O- 239-481-0230

On Wednesday, September 25, 2024, 13:48, Juhl, William <WJuhl@leegov.com> wrote:

Chase,

I have no objections to this fence plan.

Bill Juhl

Project Manager

Lee County Dept of Transportation

Operations Division

5560 Zip Drive, Fort Myers, FL 33905

Tel (239) 533-9415

From: MEDENWALD, INC. <mincmasonry@yahoo.com>
Sent: Monday, September 23, 2024 12:36 PM
To: Juhl, William <WJuhl@leegov.com>
Subject: 94 4th street 33907

Caution: This email originated from an external source. Be cautious of attachments and links, and do not provide login information. Report suspicious activity to the Service Desk: servicedesk@leegov.com or 533-HELP.

Good afternoon sir, I'm checking in to see if you have figured anything out for my fencing?

Thank you

Chase Votaw V.P.

Medenwald/Minc Masonry

C- 239-849-7576

O- 239-481-0230

Receive updates from Lee County Government by [subscribing to our newsletter](#)

Please note: Florida has a very broad public records law. Most written communications to or from County Employees and officials regarding County business are public records available to the public and media upon request. Your email communication may be subject to public disclosure.

Under Florida law, email addresses are public records. If you do not want your email address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.