

**DSO ADMINISTRATIVE DEVIATION
LEE COUNTY, FLORIDA**

WHEREAS, TDM Consulting, Inc., has filed an application for approval of an administrative deviation from the technical requirements of Administrative Code AC-13-19 and the Lee County Land Development Code, for property known as 11010 Stringfellow Rd, Bokeelia, FL; and

WHEREAS, the applicant has indicated that the property's STRAP number is 21-44-22-00-00012.0000; and

WHEREAS, the property is zoned CC, CG (Commercial) and RM-2 (Multiple Family) and is located in the Urban Community Future Land Use Map designation in Lee County

WHEREAS, a deviation is requested from Administrative Code AC-13-19 which requires ten-foot wide utility easements to be provided adjacent to the right of-way on both side of new roads to allow the new road to have a ten-foot wide utility easement on the west side of the road only for a distance of +/- 405 feet as shown on the site plan enclosed as Exhibit "B"; and

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

WHEREAS, Lee County Land Development Code, as amended, provides for administrative deviations from certain technical requirements for matters involving streets, access streets, intersections, rights-of-way, drainage swales, public water, public sewer, water mains, mass transit facilities, setbacks for water retention/detention excavations, indigenous native vegetation and similar matters not related to a change in use of the property in question; and

WHEREAS, a deviation is requested from Lee County Land Development Code Section 10-291(3) which requires residential development of more than five acres and commercial or industrial development of more than ten acres to provide more than one means of ingress or egress for development to allow the applicant to only provide one entrance to the development on Stringfellow Rd; and

WHEREAS, the Applicant is developing the RM-2 zoned portion of the subject property into 35 residential lots, both single-family detached and duplex/two-family attached - plus various tracts for amenities, infrastructure, drainage, etc.; and

WHEREAS, the minimum lot width for a single-family lot in the RM-2 zoning district is 65 feet and the minimum lot width for a duplex/two-family lot is 75 feet; and

WHEREAS, the Land Development Code requires the street right-of-way to be 45 feet in width plus adequate surface water drainage for the development; and

WHEREAS, the site is encumbered by a 30-foot wide drainage right-of-way to the east of the subject property's east property line (OR Book 336, Page 97) and a 30-foot wide State Road Department Outfall Ditch along the south property line (Plat Book 22, Page 30); and

WHEREAS, due to existing site conditions and the requirements of the Land Development Code, it's not possible to provide the additional 10-foot wide utility easement at this location without losing multiple lots; and

WHEREAS, the Applicant is providing the requisite ten-foot wide utility easements on both sides of the new road except for where the roadway tract abuts the east property line and drainage right-of-way for a distance of ± 405 linear feet; and

WHEREAS, the applicant, Viet Famisland, Inc., has submitted a Subdivision Plat application (PLT2023-00021) and a Development Order application (DOS2023-00104) for the 19.52-acre property located at 11010 Stringfellow Road, Bokeelia; and

WHEREAS, Stringfellow Road is a two-lane county-maintained arterial roadway with an Urban Community future land use classification. LDC Section 10-285 requires the minimum connection separation on arterial roads in future urban areas to be 440 feet; and

WHEREAS, the posted speed at this location is 55 mph. The property has ± 659 linear feet of frontage on Stringfellow Road. As designed, the minimum connection separation to the north at Villas Way is 1,042 feet and the minimum connection separation to the south is 478 feet at Birdsong Lane; and

WHEREAS, there is an undeveloped parcel under separate ownership between the subject property and Villas Way to the north, located at 11100 Stringfellow Road. When that property is developed, it will require access onto Stringfellow Road as well, which will diminish the connection separation distance between access points on an arterial roadway. In other words, the 1,042-foot connection separation currently proposed will be greatly reduced when that parcel is developed to accommodate the new access point for future development; and

WHEREAS, a boulevard style entrance is proposed, with the ingress lane(s) a minimum of 20 feet wide, a 10 foot wide median, and two 12 foot wide egress lanes – one turning north on Stringfellow and one turning south on Stringfellow.

WHEREAS, from a traffic circulation perspective, the boulevard style entrance is better suited to the future development for health, safety and welfare purposes; and

WHEREAS, Lee County Department of Transportation (LCDOT) has reviewed the requested administrative deviation and has recommended approval; and

WHEREAS, the following findings of fact are offered:

- (a) The new road will have 10-foot-wide utility easements on both sides of the 45-foot-wide roadway tract with the exception of a ± 405 linear foot segment along the east property line. The proposed 45-foot-wide roadway tract is wide enough to accommodate any necessary utilities in addition to the other purposes identified in the Plat Dedication. Due to the fact that utilities can be located either within the 10-foot-wide easement on the west side of the tract or within the tract itself provides sufficient space for any necessary utility infrastructure. This proposed alternative is

based on sound engineering practices; and

- (b) The alternative is no less consistent with the health, safety and welfare of abutting landowners and the general public than the standard from which the deviation is being requested.

The alternative proposed is no less consistent with the health, safety and welfare of abutting landowners and the general public than the standard from which the deviation is being requested. As previously stated, any necessary utility infrastructure can be located either within the 10-foot-wide easement on the west side of the roadway tract or within the tract itself, which precludes any adverse impacts to abutting landowners or the general public.; and as previously stated, the boulevard style entrance provides two ingress and two egress lanes. In addition, the location of the proposed access point complies with minimum connection separation requirements; and

- (c) The granting of the deviation is not inconsistent with any specific policy directive of the Board of County Commissioners, any other ordinance or any Lee Plan provision; Granting of this deviation request is not inconsistent with any specific policy directive of the BOCC, any other ordinance, or Lee Plan provision. Administrative Code 13-19(l)(2)b provides applicants with the opportunity to request a waiver, variance or deviation from this requirement.

NOW, THEREFORE, IT IS HEREBY DETERMINED that the application for an Administrative Deviation from Administrative Code AC-13-19 and Lee County Land Development Code Section 10-291(3) is approved as conditioned:

- (a) At the time of Development Order Per 10-295, the southern commercial parcel abutting Stringfellow Rd will be required to provide a cross-access easement to the abutting commercial parcel under separate ownership in order to prevent an additional access onto Stringfellow Rd; and
- (b) That approval is subject to substantial compliance with the alternative proposal plan entitled "11010 STRINGFELLOW ROAD MASTER SITE PLAN", signed and sealed 09/24/2024 by Thomas Dean Martin, P.E. and attached as Exhibit "B"; and
- (c) **If it is determined that inaccurate or misleading information was provided to the County or if this decision does not comply with the LDC when rendered, then, at any time, the Director may issue a modified decision that complies with the Code or revoke the decision. If the approval is revoked, the applicant may acquire the necessary approvals by filing an application for public hearing in accordance with Chapter 34.**

Duly passed, adopted, and electronically signed on 10/30/2024

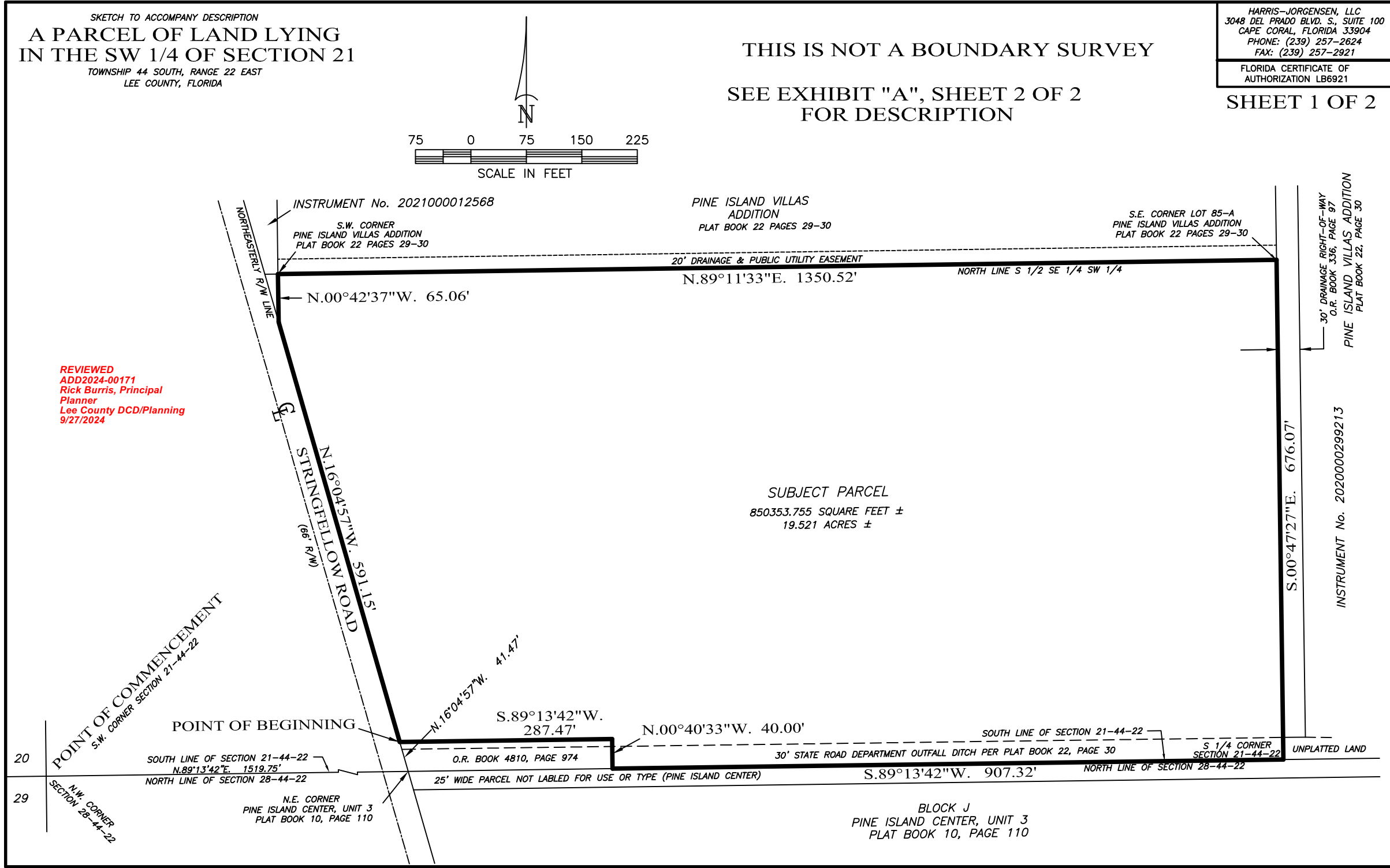
Ohdet Kleinmann, Development Services Manager

Exhibits

Exhibit A – Legal Description

Exhibit B – "11010 STRINGFELLOW ROAD MASTER SITE PLAN", signed and sealed 09/24/2024 by Thomas Dean Martin, P.E.

Administrative Deviation: ADD2024-00171



DESCRIPTION TO ACCOMPANY SKETCH
EXHIBIT "A"

DESCRIPTION:

A PARCEL OF LAND LYING IN THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 21, TOWNSHIP 44 SOUTH, RANGE 22 EAST, LEE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE AFORESAID SECTION 21; THENCE RUN N.89°13'42"E. ALONG THE SOUTH LINE OF SECTION 21 FOR 1519.75 FEET TO THE NORTHWEST CORNER OF PINE ISLAND CENTER, UNIT 3, PLAT BOOK 10, PAGES 108 THROUGH 110, PUBLIC RECORDS OF LEE COUNTY, FLORIDA, SAID POINT LYING ON THE NORTHEASTERLY RIGHT-OF-WAY LINE OF STRINGFELLOW ROAD (66 FEET WIDE); THENCE RUN N.16°04'57"W. ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE FOR 41.47 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE N.16°04'57"W. ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE FOR 591.15 FEET; THENCE RUN N.00°42'37"W. FOR 65.06 FEET TO THE SOUTHWEST CORNER OF PINE ISLAND VILLAS ADDITION, PLAT BOOK 22, PAGES 29 AND 30, PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE RUN N.89°11'33"E. ALONG THE SOUTH LINE OF SAID PINE ISLAND VILLAS ADDITION FOR 1350.52 FEET TO THE SOUTHEAST CORNER OF LOT 85-A OF SAID PINE ISLAND VILLAS ADDITION; THENCE RUN S.00°47'27"E. ALONG THE WEST LINE OF A 30 FEET WIDE DRAINAGE RIGHT-OF-WAY OF SAID PINE ISLAND VILLAS ADDITION FOR 676.07 FEET TO THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER (SW 1/4) OF THE AFORESAID SECTION 21; THENCE RUN S.89°13'42"W. ALONG THE SOUTH LINE OF SAID SECTION 21 FOR 907.32 FEET; THENCE RUN N.00°40'33"W. FOR 40.00 FEET; THENCE RUN S.89°13'42"W. FOR 287.47 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 850353.755 SQUARE FEET OR 19.521 ACRES, MORE OR LESS.

BEARINGS ARE BASED ON THE NORTHEASTERLY RIGHT-OF-WAY LINE OF STRINGFELLOW ROAD, AS BEING N.16°04'57"W.

Phillip M
Mould,
LS6515, State
of Florida

Digitally signed by
Phillip M Mould,
LS6515, State of
Florida
Date: 2023.10.23
13:04:45 -04'00'

PHILLIP M MOULD
LS6515
OCTOBER 23, 2023

REVIEWED
ADD2024-00171
Rick Burris, Principal
Planner
Lee County DCD/Planning
9/27/2024

NOTE:

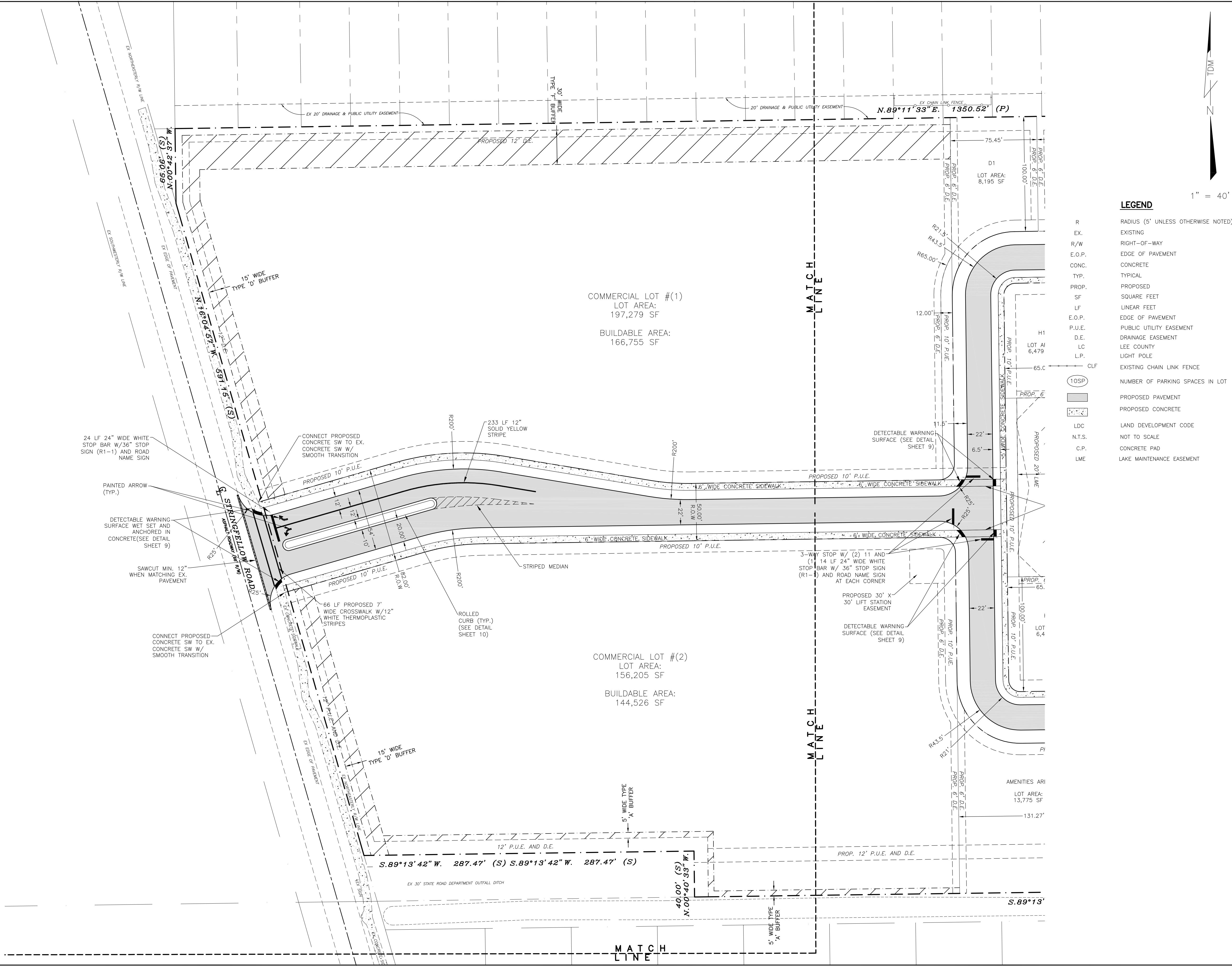
THIS MAP/PLAT IS CONSIDERED SIGNED USING A DIGITAL SEAL IN ACCORDANCE WITH THE APPLICABLE STATE LAWS AND STATUTES FS 668.001-006; FS 668.50; FS 472.025; 5J-17.062, FLORIDA ADMINISTRATIVE CODE, STATE OF FLORIDA.

STREET ADDRESS

11010 STRINGFELLOW ROAD
BOKEELIA, FL 33922

STRAP NUMBER

21-44-22-00-00012.0000



LEGEND

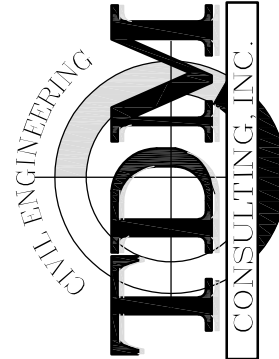
- R
EX.
R/W
E.O.P.
CONC.
TYP.
PROP.
SF
LF
E.O.P.
P.U.E.
D.E.
LC
L.P.
CLF
10SP
PROPOSED PAVEMENT
PROPOSED CONCRETE
LDC
N.T.S.
C.P.
LME
- RADIUS (5' UNLESS OTHERWISE NOTED)
EXISTING
RIGHT-OF-WAY
EDGE OF PAVEMENT
CONCRETE
TYPICAL
PROPOSED
SQUARE FEET
LINEAR FEET
EDGE OF PAVEMENT
PUBLIC UTILITY EASEMENT
DRAINAGE EASEMENT
LEE COUNTY
LIGHT POLE
EXISTING CHAIN LINK FENCE
NUMBER OF PARKING SPACES IN LOT
PROPOSED PAVEMENT
PROPOSED CONCRETE
LAND DEVELOPMENT CODE
NOT TO SCALE
CONCRETE PAD
LAKE MAINTENANCE EASEMENT

1" = 40'

11010 STRINGFELLOW ROAD

SITE DIMENSION PLAN

Civil Engineering
and
Planning



1520 Royal Palm Square
Boulevard, Suite 100
Fort Myers, FL 33919
Phone: (239) 433-4221
Cert. of Authorization # 29086

Digitally signed
by Thomas D.
Martin
Date: 2024.09.24
10:32:27 -04'00'
Dean Martin, P.E.
Florida #52022
DATE: 2024.09.24
10:32:27 -04'00'

6 of 28
SHEET #

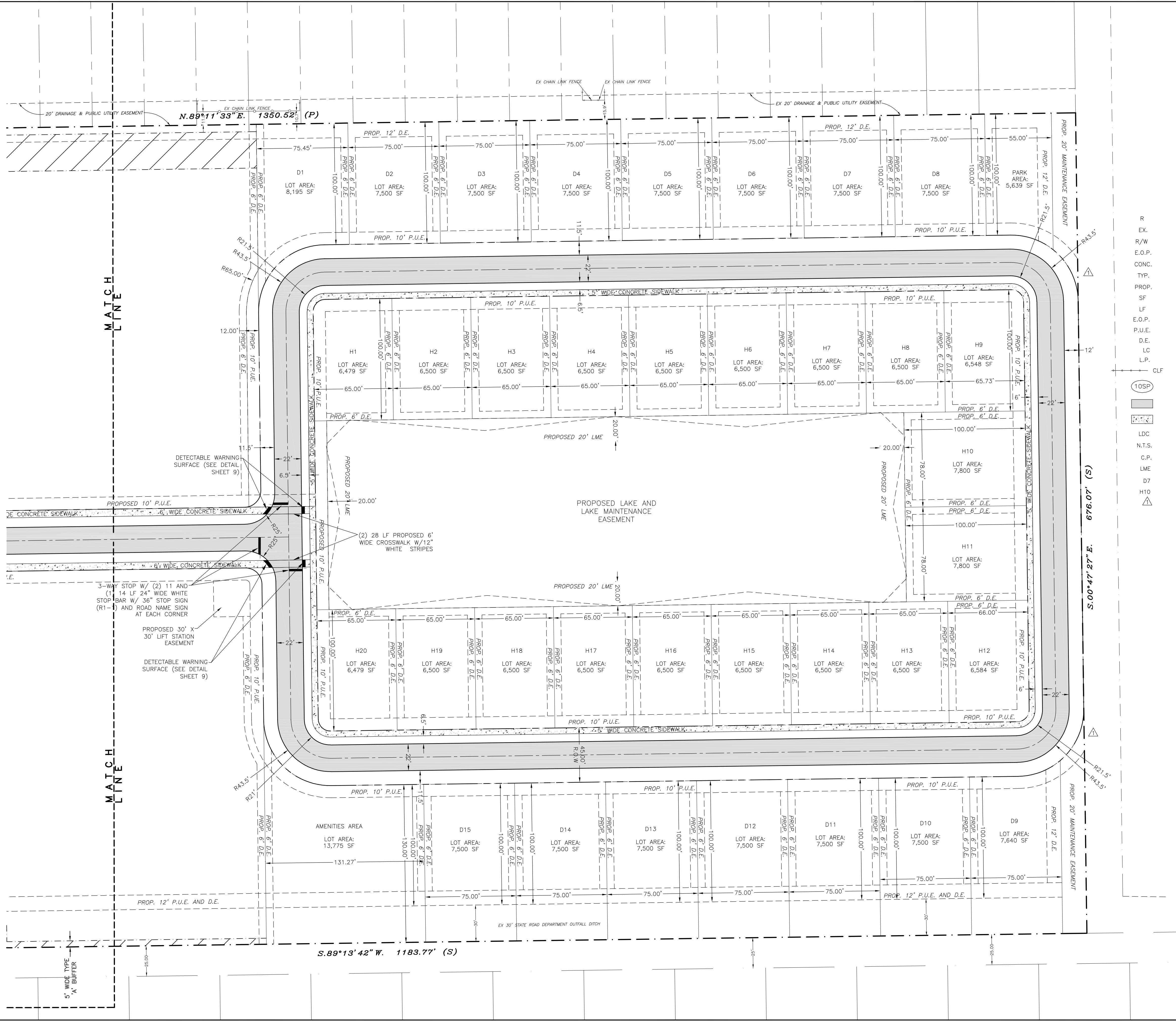
SCALE: 1" = 40'

STREET ADDRESS

11010 STRINGFELLOW ROAD
BOKEELIA, FL 33922

STRAP NUMBER

21-44-22-00-00012.0000



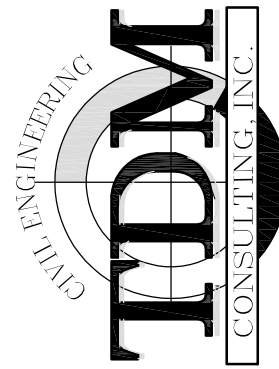
LEGEND

- 1" = 40'
- R. RADIUS (5' UNLESS OTHERWISE NOTED)
 - EX. EXISTING
 - R/W. RIGHT-OF-WAY
 - E.O.P. EDGE OF PAVEMENT
 - CONC. CONCRETE
 - TYP. TYPICAL
 - PROP. PROPOSED
 - SF. SQUARE FEET
 - LF. LINEAR FEET
 - E.O.P. EDGE OF PAVEMENT
 - P.U.E. PUBLIC UTILITY EASEMENT
 - D.E. DRAINAGE EASEMENT
 - LC. LEE COUNTY
 - L.P. LIGHT POLE
 - EXISTING CHAIN LINK FENCE
 - 10SP. NUMBER OF PARKING SPACES IN LOT
 - PROPOSED PAVEMENT
 - PROPOSED CONCRETE
 - LDC. LAND DEVELOPMENT CODE
 - N.T.S. NOT TO SCALE
 - C.P. CONCRETE PAD
 - LME. LAKE MAINTENANCE EASEMENT
 - D7. DUPLEX LOT 7
 - H10. HOME LOT 10
 - DEVIATION

11010 STRINGFELLOW ROAD

SITE DIMENSION PLAN

Civil Engineering
and
Planning



1520 Royal Palm Square
Boulevard, Suite 100
Fort Myers, FL 33919
Phone: (239) 433-4221
Cert. of Authorization # 29086

Digitally
signed by
Thomas D.
Martin

Date:
2024.09.24
10:33:02 -04'00'

DATE:
2024.09.24
10:33:02 -04'00'

Dean Martin, P.E.
Florida #52022

This form has been digitally signed and sealed by Dean Martin on the code adjacent to the seal. Printed copies of this document are not considered signed and sealed for electronic copies.

SHEET #

7 of 28

SCALE: 1" = 40'