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December 16, 2024

Patty Kulak
RVI Planning + Landscape Architecture
28100 Bonita Grande Drive, Suite 305
Bonita Springs, FL 34135

RE: JBRA CPD (Planned Development Rezoning Application) DCI2024-00023

Ms. Kulak,

The Zoning Section has reviewed the information provided for the above-referenced application. The Lee County Land Development Code (LDC) requires additional information for the application to be sufficient. Please respond to each requirement not satisfied on the attached checklist. For your assistance, we have enclosed any additional memoranda from the various Lee County reviewing agencies.

A public hearing date will not be scheduled until a complete application is submitted.

Please respond to the sufficiency review comments contained within thirty (30) calendar days of the date of this letter. This application may be considered withdrawn if no response is received within this timeframe. Please feel free to contact me at Amendez@leegov.com or (239) 533-8325 if you have any questions.

Zoning

1. Master Concept Plans. LDC Section 34-373(a)(6):

- A. Since the "Building Line" is not an easement encumbrance and the street setback in the proposed development regulations are at odds with this line, please remove the line from the MCPs. Moreover, a 10-foot side-yard setback and 16-foot rear yard setback are depicted on the MCP for the package store site, whereas the revised property development regulations establish a minimum 20-foot rear yard setback and 7.5-foot side yard setback. Please revise PDRs/MCP for consistency.
- B. The LDC requires that the general location of service areas for delivery of goods or services must be shown for all developments that are not residential subdivisions. Therefore, the alternative is an approved waiver to justify elimination of the submittal detail requirement with a basis that the requirement has no bearing on the review of the application.

- C. The Existing Only Duplex MCP is separated from commercial parking to the north with a 5-foot Type A Buffer where LDC Section 10-416 requires a more significant buffer. An internal buffer deviation may be required.
- D. LDC Section 10-416(d)(6) requires a specific buffer for parking lots within 125 feet of single-family lots, the amended MCPs depict a 15-foot-wide buffer which does not meet the buffer width required of the subsection. Revise or request/justify a deviation from buffering requirements along South Street. Please note the current analysis of Policy 5.1.5 in the project narrative includes the statement that the “buffering is provided along South Street in accordance with the LDC.”

Legal Description

1. Legal Description. Please provide a legal description and sketch in accordance with the requirements of Lee County LDC §34-202(a)(5):
 - If the application seeks to rezone undivided, platted lots, then a complete legal description (i.e. lot, block, subdivision name, public records recording information) of the platted subject property is required. Please provide a legal description of the area subject to the zoning request.
2. Certification of title and encumbrances. 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).
 - Please submit title certification for the entire area included in this application. An affidavit of No Change is required for the period of time between the issuance of a title insurance policy and the date of submittal.

Lee County DOT

1. Deviation 8: Properly measure the distance on the MCP and state the correct distance on the MCP and request. The measurement should extend to the eastern driveway throat.
2. Deviation 2: Specify the connection separation for each driveway in this deviation or state “as shown on the Master Concept Plan” etc.
3. Connection separation must be properly shown between the two access points for the parking lot on South St in the MCP. Connection separation should be measured from the throat of the driveway. If connection separation cannot be met, then these driveways must be a part of the connection separation deviation(s).

Sincerely,

DEPARTMENT OF COMMUNITY DEVELOPMENT
Zoning Section

Electronically signed on 12/16/2024 by
Adam Mendez,
Principal Planner