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December 18, 2024

Mattaniah Jahn
Law Office of Mattaniah S. Jahn, P.A.
935 Main Street, Suite D4
Safety Harbor, FL 34695

**RE: US-FL-7108 (Planned Unit Development Amendment) DCI2024-00010**

Ms. Jahn:

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 sixty (60) 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 This application may be considered withdrawn if no response is received within this timeframe.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. Please provide a letter confirming review and recommendation from the Lee County Mosquito Control District.

2. Please verify all Photo Simulations Views are scaled properly. View 3, and for instance, may overestimate the scale of the tower from the distance shown.

3. In addition to the Intent to allow colocation affidavit provided, please complete the county form entitled "Supplement A Wireless Communications Facility Shared Use Plan Agreement and the attached Antenna-Supporting Structure Data Sheet."

4. The sealed fall certification letter on file indicates that in the event of structural failure, the monopole will fall within a radius of 67 feet, whereas the LDC requires it falls within the boundaries of the proposed lease area. Eliminate 67-foot fall zone from site plans. Consider revising the fall certification letter on file if the applicant deems the document necessary to provide merit to the request.

5. Please ensure a site plan is provided which assesses the proposed tower setbacks from the exterior of the base of the tower as opposed the center of the tower - Clarify the discrepancy between the 28-foot western setback on Sheet C-1.1 and 30-foot western setback on Sheet C-1.2.

6. The setback deviations requested should be broken out into separate deviation request for each property line setback that does not comply with standard regulations. **However**, staff interprets LDC Section 34-1447 to assume the lot line, referenced to the south, is the same lot line to the west, therefore, only the closest distance should be referred to and only one setback deviation is necessary. The next nearest property line that staff can locate appears to be the common element property line of the condominium directly across Edgewater Circle (MYERLEE PARK HOMES CONDO), which is approximately 170 feet from the proposed tower. Please confirm and depict necessary dimension on Overall Site Plan. Staff recommends removal of some non-setback related information from the "Overall Site Plan" (Sheet Number C-1.1) to clear up the site plan. Details such as silt fencing, existing concrete and shuffleboard courts (etc.) can be instead noted on the Enlarged Compound Layout (Sheet Number C-1.2).

7. Please note the graphic results of the balloon test, conducted by the applicant, must meet the requirements set forth in section 34-1446(d) after the application is deemed sufficient.

**Development Services**

1. Staff recommends changing the proposed gravel accessway to paved considering compatibility with surrounding uses and parking surfaces.

2. INFORMATIONAL COMMENT: Limited Development Order approval will also be required in addition to the approved zoning action for construction of the proposed wireless communication facility.

**Legal**

1. Please provide a boundary survey of the subject property in accordance with the requirements of Lee County LDC §34-202(a)(6). Boundary survey does not indicate tie to the newly submitted Title Opinion and still references the previously submitted Title Commitment.

Sincerely,

DEPARTMENT OF COMMUNITY DEVELOPMENT
Zoning Section

Electronically signed on 12/18/2024 by
Adam Mendez,
Principal Planner