

March 4, 2025

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

RE: 94 4th St. CPD;
DCI2024-00024

Dear Mr. Muhammad,

Thank you again for meeting with us on February 19, 2025. Please accept the following information in response to your February 7, 2025 correspondence regarding the referenced project.

Zoning Review

A: Master Concept Plan

Comment 1:

Please clarify the purpose of the triangles on the MCP with the letter "R". It is unclear if these markers correspond to proposed deviations or indicators that the areas are to be included in the open space calculation. If it is the latter, please remove the additional triangles as the bubble annotation communicates the correlation well enough

Response 1:

The triangles were used to denote revisions that were made based upon comments received. They have been removed for clarity.

Comment 2:

Please revise the MCP to show clear distinction between property lines and the masonry wall as well as chain link fence as proposed with alternate hatch marking.

Response 2:

The distinction between lines has been amplified for easy identification. The property line is distinguished by the thin black line and the masonry wall is distinguished by a thicker black line. It is also called out on the Plan.

The interior fence is marked in thick black and contains small circles for easy identification.

Comment 3:

Will the ingress/egress be gated? If so, the gate will need to be depicted to show a setback to accommodate the width of the right of way buffer. The gate, if proposed, must also be designed consistent with LDC Section 34-1748.

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Response 3:

The ingress and egress will not be gated.

B: Narrative

Comment 1:

The setbacks included in the Narrative includes setbacks established by LDC Section 34-935 and is noted as a “Minimum Setback” of 15 feet; however, this is not consistent with the Property Development Regulations provided, which lists “Minimum Setbacks” as 20 feet. Please clarify and make the necessary modifications for this document for consistency.

Response 1:

The minimum setback listed in the Property Development Regulations table is 20 feet. Other references to setback numbers have been eliminated and the Mixed-Use Overlay section in the narrative was amended to show that this section takes precedence (please refer to pp. 9-10).

Environmental Sciences

Comment 1:

The cross section to show line of sight indicates plantings on the external side of the wall. The MCP does not show the same plantings. If a chain link fence is proposed for compatibility, then plantings are required to shield and buffer the adjacent use. If an 8-foot opaque fence is proposed, then no planting is needed for compatibility.

Response 1:

The line-of-sight cross sections have been amended accordingly to achieve consistency. The plantings have been removed from the cross section. An eight-foot masonry wall is proposed on the north and south sides of the property.

Comment 2:

The MCP calls out an 8-foot masonry wall and an 8-foot chain link fence, but these are represented by the same feature (black line) on the MCP. The same feature is on the west parcel line, yet no wall is referenced on the MCP on that boundary. Clarify the location of walls on the MCP.

Response 2:

The masonry wall (on the perimeter) has been highlighted in a different line type and the opaque fence (interior) has been highlighted accordingly with a distinctive demarcation.

Development Services:

Comment 1:

INFORMATIONAL COMMENT: If there are any necessary deviations to be requested that pertain to (sidewalks/paths/crosswalks), pedestrian ways to provide access between parking areas, building entries, surrounding streets, external sidewalks, transit stops,

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other uses, and out parcels, along with cross section details of all of the onsite (sidewalks/paths/crosswalks), inclusive of the structural course, base and subgrade, per LDC Section 10-610(d)(1)a. Please provide annotation on the proposed MCP and in your deviation requests/justification

Response 1:

No deviations requested.

Additional items discussed at our February 19 meeting:

- 1. Narrative – references to the wall have been clarified for consistency. Please refer to page 2, section C-1. Also, the project uses have been clarified in the first paragraph on page 1.**
- 2. Master Concept Plan (MCP) – the zoning of the parcels west of the subject site on 4th St. has been changed to reflect the current zoning of CF.**

Also, the MCP has been revised to show the ECS access to 4th St. and termination of the street at the IDD canal. Also, enhanced justification for the proposed deviations is found in the enclosed document.

Finally, the interior fencing parallel to the right-of-way (4th St.) was amended to show opaque fencing at least 6-feet in height consistent with Section 34- 3005 of the LDC. A rolling gate will be installed consistent with all applicable codes.

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

Sincerely,

BARRACO AND ASSOCIATES, INC.



Vincent Caution, AICP
Vice President of Planning

VAC/kl/cc
24242

94 4TH ST.**Rezone****Request Narrative****Revised October 2024****2nd Revision March 2025****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 enclosed storage of commercial equipment. This is classified as a Contractor and Builder, Group II, in accordance with the LDC Sections 34-662 (c) (9) and 34-934 – Use Regulations for Planned Development Districts. 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 can be 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 Residential</u> ; 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 Residential and Institutional (High School)</u>

1. Buffering and landscaping

Buffering is required by several sections of the LDC, but Section 10-425(f) (1-3) takes precedence (according to County staff). 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 opaque fence masonry wall will be placed along the southern portion of the property.
- C. East side- No buffer is required for property zoned industrial.
- D. West side – a five-foot buffer along the right-way with five trees will be provided. Existing vegetation and landscaping already exists that meets this requirement (please refer to the attached exhibits).

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. Perimeter planting will be added to the north side of the building.

An eight-foot opaque fence masonry wall will be installed on the northern and southern portions of the property in accordance with LDC criteria side adjacent to the property used for multi-family residential. An eight-foot opaque fence masonry wall will also be placed along the southern end of the property.

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.

OBJECTIVE 4.1: WATER, SEWER, AND ENVIRONMENTAL STANDARDS

Consider water, sewer, and environmental standards during the rezoning process. Ensure the standards are met prior to issuing a local development order. (Ord. No. 17-13)

Compliance – The analysis does not indicate any negative impact upon environmental standards. All required standards will be met at the time a development order is issued. Water and sewer service is provided to meet the policies of the Lee Plan and the LDC. The project will be served by central water through Lee County Utilities and an existing septic sewer system, in proper working condition, consistent with Objectives 4.1 and 31.5.

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 aerials 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).

OBJECTIVE 31.1

Enhance the existing physical appearance of Page Park while maintaining the historic character of the community. (Ord. No. 09-08, 18-18).

Compliance – the proposed development will add features consistent to enhance the physical appearance of the site including buffering and screening. These additions represent significant improvements over those made by the previous owner.

POLICY 31.1.1

Deviations from landscaping, buffering, signage or architectural requirements may not be granted unless the request meets the approval criteria for variances set forth in the LDC, Chapter 34 (Ord. No. 09-08, 18-18).

Compliance – Landscaping and buffering requirements are being met through the PUD provisions and Mixed-Use Overlay sections of the LDC.

POLICY 31.5.1

Central sewer service is strongly recommended for future higher density and intensity developments proposed within the Page Park Community Plan area. Any new developments that meet the criteria outlined in Lee Plan Standard 4.1.2 are required to connect to a central sewer system. (Ord. No. 09-08, 18-18)

Compliance - the proposed development will not produce a higher intensity since it will not generate the level of commercial sewer usage outlined in Standard 4.1.2, which pertains to consumption of more than 5,000 gallons of sewage per day.

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.

B. 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

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

While other sections of the LDC contain setback provisions, i.e. Planned Developments and Page Park, we understand the Mixed-Use Overlay section takes precedence.

D. 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.

~~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.~~

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

Screening will be provided by enhanced buffering and a wall. The buffering parameters are shown on the Master Concept Plan (MCP).

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 adjacent to the building and in the back of the building.

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. 8. 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. 9. 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. 10. 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.

~~9. 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.

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.~~ Contractors and Builders Group II
9. Temporary uses

DEVIATION REQUESTS AND JUSTIFICATION

The requested deviations are marked on the Master Concept Plan.

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

Request: Open space will be provided in accordance with LDC criteria. The request **is from** LDC Section 33-1259, which requires a development parcel or site, regardless of parcel size, containing a minimum of 10 percent public open space, **to allow** open space in accordance with LDC Section 10-25 (a). The request is a deviation **from** the requirement for open space to be made available to the public **to** general open space.

Justification: Given the size of the parcel and that equipment will be stored on the property, there is no practical way to make open space available to the public. This could present hazards to the 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.

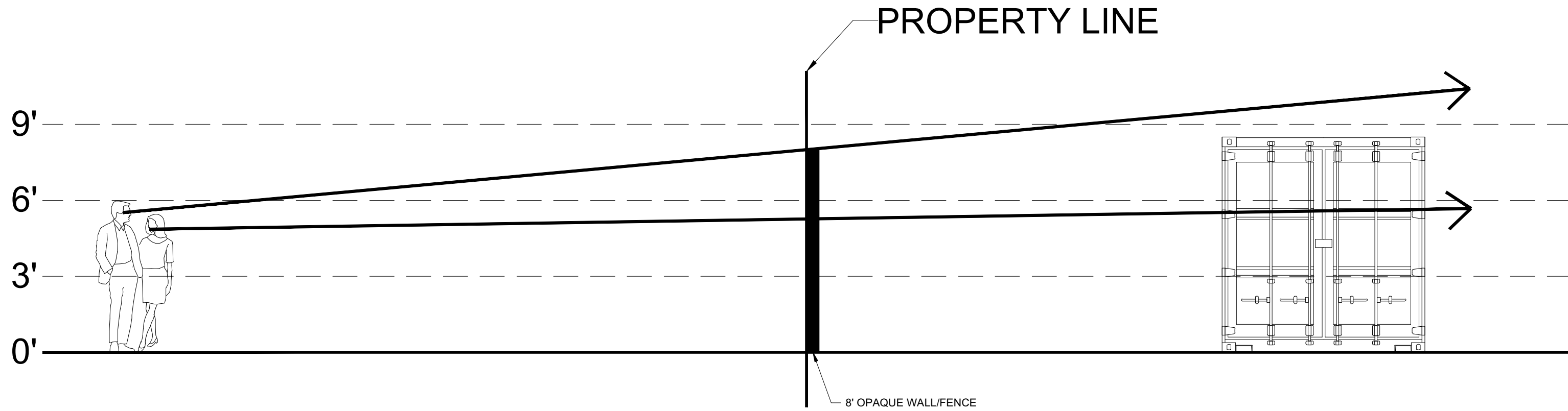
Justification: The existing driveway to the improved subject parcel currently requires a back out movement into the 4th St. right-of-way for the exiting movement from the existing driveway. The proposed deviation would allow replacing the existing driveway with two driveways at a separation of 38 feet, so that neither driveway would require a back out movement into the 4th St. right-of-way. This would be accomplished by providing internal turning movements to assure the two parking spaces provided at the north driveway and the one parking space provided at the south driveway may exit the subject property onto 4th St. in a forward motion. Existing improvements on the subject site, including, but not limited to, an existing septic system and a handicap ramp preclude connection between the two parking areas within the site itself. Also, providing a connection of the two driveways would cause elimination of a significant area of landscaping on the western side of the property, which would negatively impact the minimum buffering requirement.

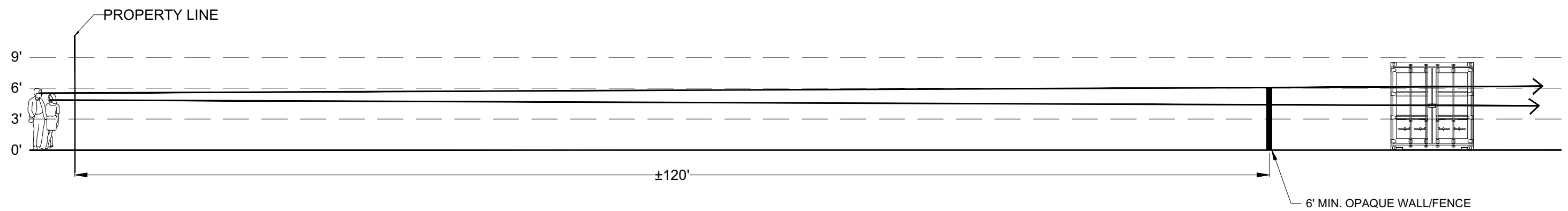
In addition, 4th St. terminates at the IDD canal which borders the ECS school limiting through traffic.

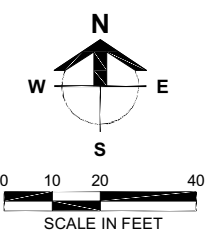
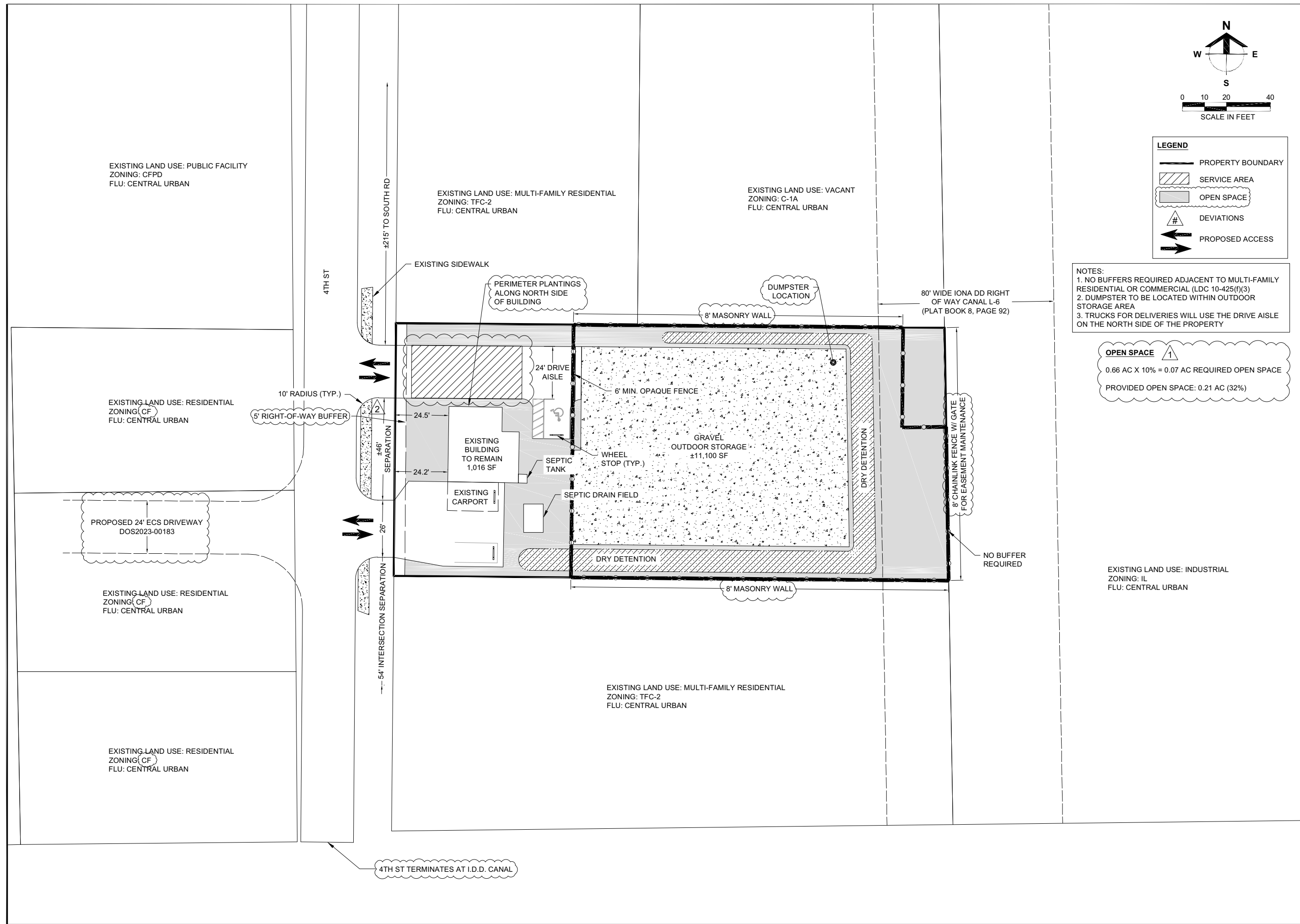
PROPERTY DEVELOPMENT REGULATIONS

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	







LEGEND	
	PROPERTY BOUNDARY
	SERVICE AREA
	OPEN SPACE
	DEVIATIONS
	PROPOSED ACCESS

NOTES:
1. NO BUFFERS REQUIRED ADJACENT TO MULTI-FAMILY RESIDENTIAL OR COMMERCIAL (LDC 10-425(f)(3))
2. DUMPSTER TO BE LOCATED WITHIN OUTDOOR STORAGE AREA
3. TRUCKS FOR DELIVERIES WILL USE THE DRIVE AISLE ON THE NORTH SIDE OF THE PROPERTY

OPEN SPACE 1
0.66 AC X 10% = 0.07 AC REQUIRED OPEN SPACE
PROVIDED OPEN SPACE: 0.21 AC (32%)

EXISTING LAND USE: INDUSTRIAL
ZONING: IL
FLU: CENTRAL URBAN

Barraco
and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING
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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

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FILE NAME:	24242202-OPT2.DWG
LOCATION:	J:\24242\DWG\ZONING\
PLOT DATE:	TUE, 3-4-2025 - 11:24 AM
PLOT BY:	ALYSSA FONTAINE

CROSS REFERENCED DRAWINGS

BASEPLAN = 24242200-OPT2_DRIVE OPT B.DWG

PLAN REVISIONS

12-17-24	INSUFFICIENCY COMMENTS
2-7-25	INSUFFICIENCY COMMENTS

PLAN STATUS

**MASTER
CONCEPT
PLAN**

PROJECT / FILE NO.	SHEET NUMBER
24242	