

ADMINISTRATIVE AMENDMENT (PD) ADD2024-00149

ADMINISTRATIVE APPROVAL
LEE COUNTY, FLORIDA

WHEREAS, RVi Planning + Landscape Architecture, Inc. filed an application on behalf of APC Florida I Self Storage LLC, on a project known as Village on the Lake CPD to allow amendments to:

- **Master Concept Plan:**
 - The request proposes to reconfigure property lines to increase acreage on Tract A-N from 3.39 acres to 4.49 acres, and decrease acreage on Tract A-S from 5.6 acres to 3.61 acres; and
 - The request proposes to redesign the building square footage and footprints from two-story to one-story for Buildings A and B;
- **Conditions of Approval:** The request proposes to amend Conditions 22 and 23 of Resolution Z-24-013 to increase the acreage of Tract A-N from 3.39 acres to 4.49 acres;
- **Property Development Regulations:**
 - The request proposes to revise Condition 2.b of Resolution Z-24-013, CPD Property Development Regulations table, to allow an adjustment for lot coverage from 45 percent to 53 percent on Tract A-N; and
 - The request proposes to allow adjustments in minimum open space from 30 percent to 25 percent on reconfigured Tracts A-N and A-S;
- **Schedule of Uses:** The request proposes to allow Warehouse, Public and Warehouse, Hybrid to be added to the Schedule of Uses; and
- **Deviations:**
 - The request proposes to add one (1) deviation (Deviation #21) from Land Development Code Section 10-416, which requires commercial buildings to provide building perimeter planting areas equal to ten percent of the building ground level floor area, to allow a 50 percent reduction in the planting area of the perimeter of Building B; and

WHEREAS, the subject property is located at 619 and 625 Williams Avenue, Lehigh Acres, STRAP#s 30-44-27-L2-1700A.0002 and 30-44-27-L2-1700A.0001, described more particularly as:

LEGAL DESCRIPTION: Section 30, Township 44 South, Range 27 East, Lee County, Florida:

ATTACHED AS EXHIBIT "A"

WHEREAS, the subject property was originally rezoned from Agricultural (AG-2) to Commercial Planned Development (CPD) in Resolution Z-02-026, with subsequent amendments in Resolution PD-97-058, Z-99-022, ADD2010-00003, ADD2011-00005, ADD2011-00081, ADD2014-00095, and Resolution Z-24-013; and

WHEREAS, the subject property is zoned Commercial Planned Development (CPD) and is located in the Central Urban Future Land Use Category as designated by the Lee Plan; and

WHEREAS, the applicant proposes to reconfigure property lines from the Master Concept Plan approved by Resolution Z-24-013 to increase acreage on Tract A-N from 3.39 acres to 4.49 acres, and to decrease acreage on Tract A-S from 5.6 acres to 3.61 acres; and

WHEREAS, the applicant purchased an additional portion of the property from the Providence Church of Lehigh Acres Florida, Inc, the property owner of Tract A-S, increasing the acreage requested for Tract A-N, and decreasing the acreage of Tract A-S; and

WHEREAS, the applicant proposes to amend Conditions 22 and 23 of Resolution Z-24-013 to increase the acreage of Tract A-N from 3.39 acres to 4.49 acres; and

WHEREAS, the request will accurately reflect the property line adjustment resulting from the purchase of the additional portion of Tract A-S by the applicant; and

WHEREAS, the applicant proposes to revise Resolution Z-24-013, Condition 2.b, CPD Property Development Regulations table, to allow an adjustment for lot coverage from 45 percent to 53 percent on Tract A-N, and to allow adjustments in minimum open space from 30 percent to 25 percent in Tracts A-N and A-S; and

WHEREAS, the proposed modifications to the property development regulations are a result of a change in the site plan to accommodate a one-story building, which increased the footprint of the building, requiring a corresponding increase in lot coverage and a decrease in open space; and

WHEREAS, the decrease in open space on Tract A-N and Tract A-S will not result in a reduction of total open space provided on the Master Concept Plan for Tract A (see Exhibit "F"); and

WHEREAS, the applicant has requested to amend the Schedule of Uses to include Warehouse, Public and Warehouse, Hybrid; and

WHEREAS, these uses are similar to other permitted uses in the Commercial Planned Development; and

WHEREAS, the applicant has requested to add one (1) deviation (Deviation #21) from Land Development Code Section 10-416, which requires commercial buildings to provide building perimeter planting areas equal to ten percent of the building ground level floor area, to allow a 50 percent reduction in the planting area of the perimeter of Building B; and

WHEREAS, the Building B design includes loading areas with overhead doors to access storage units along approximately 835 feet, or 80%, of the building façade; and

WHEREAS, to meet required planting area would make for excessively wide landscape beds in the areas available for landscape where overhead doors do not exist; and

WHEREAS, Building B is screened from adjacent rights-of-way and the abutting properties, therefore the reduction in landscape area does not negatively impact the adjacent properties, or the health, safety or welfare of the public; and

WHEREAS, the Lee County Land Development Code provides for certain administrative changes to planned development master concept plans and planned unit development final development plans; and

WHEREAS, the applicant held the required public information meeting and provided a meeting summary, attached hereto as Exhibit "G"; and

WHEREAS, the subject application and plans have been reviewed by the Lee County Department of Community Development in accordance with applicable regulations for compliance with all terms of the administrative approval; and

WHEREAS, it is found that the proposed amendment does not increase density or intensity within the development; does not decrease buffers or open space required by the LDC; does not underutilize public resources or infrastructure; does not reduce total open space, buffering, landscaping or preservation areas; and does not otherwise adversely impact on surrounding land uses.

NOW, THEREFORE, IT IS HEREBY DETERMINED that the application for administrative approval of the amendment to the Commercial Planned Development for:

- **Master Concept Plan:**
 - The request proposes to reconfigure property lines to increase acreage on Tract A-N from 3.39 acres to 4.49 acres, and to decrease acreage on Tract A-S from 5.6 acres to 3.61 acres; and
 - The request proposes to redesign the building square footage and footprints from two-story to one-story for Buildings A and B; and
- **Conditions of Approval:** The request proposes to amend Conditions 22 and 23 of Resolution Z-24-013 to increase the acreage of Tract A-N from 3.39 acres to 4.49 acres; and
- **Property Development Regulations:**
 - The request proposes to revise Condition 2.b of Resolution Z-24-013, CPD Property Development Regulations table, to allow an adjustment for lot coverage from 45 percent to 53 percent on Tract A-N; and
 - The request proposes to allow adjustments in minimum open space from 30 percent to 25 percent on reconfigured Tracts A-N and A-S; and
- **Schedule of Uses:** The request proposes to allow Warehouse, Public and Warehouse, Hybrid to be added to the Schedule of Uses; and
- **Deviations:** The request proposes to add one (1) deviation (Deviation #21) from Land Development Code Section 10-416, which requires commercial buildings to provide building perimeter planting area equal to ten percent of the building ground level floor area, to allow a 50 percent reduction in the planting area of the perimeter of Building B,

is **APPROVED** subject to the following conditions:

1. **Development of Tracts A-N and A-S must be in substantial compliance with the Master Concept Plan Composite, attached hereto as Exhibit "B". Pages 1, 2, and 4 of the**

Master Concept Plan approved by Resolution Z-24-013 are hereby amended and superseded by this amendment.

- 2. The Schedule of Uses approved by Resolution Z-24-013 is hereby amended to include warehouse, public and warehouse, hybrid.**
- 3. Development must be in substantial compliance with the Property Development Regulations attached hereto as Exhibit “D”.**
- 4. Deviation #21, which seeks relief from Land Development Code Section 10-416, which requires commercial buildings to provide building perimeter planting area equal to ten percent of the building ground level floor area, to allow a 50 percent reduction in the planting area of the perimeter of Building B, is hereby approved, subject to the following conditions:**
 - a. Building perimeter plantings must be in substantial compliance with the Landscape Plan attached hereto as Exhibit “H”.**
- 5. The terms and conditions of the original zoning resolutions remain in full force and effect except as amended herein.**
- 6. 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 Zoning Manager 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.**

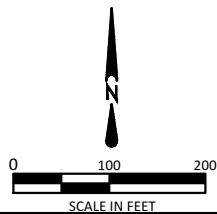
Duly passed, adopted, and electronically signed on 4/11/2025

Anthony R. Rodriguez, AICP, CPM, Zoning Manager

Exhibits

Exhibit A: Legal Description
Exhibit B: Master Concept Plan Composite
Exhibit C: Resolution Z-24-013
Exhibit D: Revised Property Development Regulations
Exhibit E: Revised Deviations and Justification
Exhibit F: Revised Open Space Exhibit
Exhibit G: Public Information Meeting Summary
Exhibit H: Landscape Plan

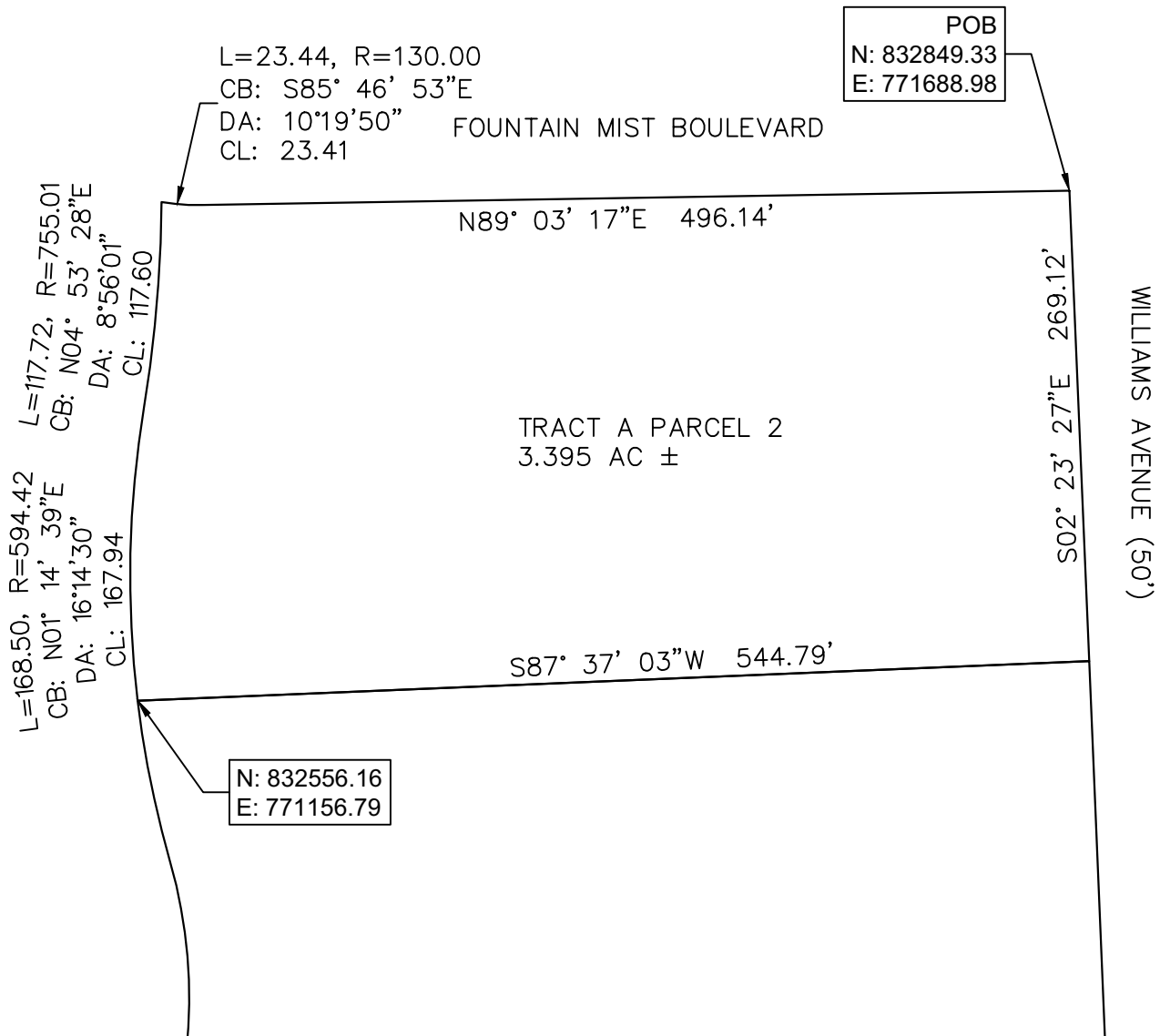
Exhibit A



TRACT A PARCEL 2
LEHIGH ACRES, FL 33972
OF
TOWN LAKES COMMERCIAL
AS RECORDED IN INSTRUMENT 2013000076649
PUBLIC RECORDS OF LEE COUNTY, FL

SKETCH

DATE: 07/04/2023

****THIS IS NOT A SURVEY****

REVIEWED
ADD2024-00149
Rick Burris, Principal
Planner
Lee County DCD/Planning
9/27/2024

I CERTIFY THAT THIS SKETCH AND DESCRIPTION WAS MADE UNDER MY DIRECTION AND THAT IT MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 5J-17.050 THRU .052, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO CHAPTER 472.027, FLORIDA STATUTES.

REVISIONS:

PAGE 1 OF 2

PROJECT NO: N/A
SCALE: 1"=100'
DRAWN BY: JJM
CHECKED BY: MDM
DATE DRAWN: 07/04/2023
FIELD BOOK: 55



CE-SITE
civil engineering . surveying . project management
EB-30108 • LB-7995
13650 Fiddlesticks Blvd., PMB202-389
Fort Myers, Florida 33912
Telephone (239) 936-9777

THIS MAP IS NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND RAISED SEAL OF THE FLORIDA LICENSED SURVEYOR AND MAPPER.

Digitally signed
by Mark D.
McCleary PSM
Date: 2023.09.05
20:38:21 -0400

MARK D. MCCLARY, P.S.M.
FLORIDA REGISTRATION NO. 6557
FOR THE FIRM LB-7995
DATE SIGNED: _____

TRACT A PARCEL 2
LEHIGH ACRES, FL 33972
OF
TOWN LAKES COMMERCIAL
AS RECORDED IN INSTRUMENT 2013000076649
PUBLIC RECORDS OF LEE COUNTY, FL

DESCRIPTION
DATE: 07/04/2023

DESCRIPTION:

****THIS IS NOT A SURVEY****

A PORTION OF TRACT A AS RECORDED IN INSTRUMENT 2013000076649. PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID TRACT AS RECORDED IN INSTRUMENT NUMBER 2013000076649 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

THENCE ALONG SAID EAST LINE OF TRACT A S 02°23'27" E A DISTANCE OF 269.12 FEET; THENCE S 87°37'03" W A DISTANCE OF 544.79 FEET TO A CURVE TO THE RIGHT HAVING AN ARC LENGTH OF 168.50 FEET, WITH A RADIUS OF 594.42 FEET, WITH A DELTA ANGLE OF 16°14'30" WITH A CHORD BEARING OF N 01°14'39" E, WITH A CHORD LENGTH OF 167.94 FEET; THENCE TO A CURVE TO THE LEFT HAVING AN ARC LENGTH OF 117.72 FEET, WITH A RADIUS OF 755.01 FEET, WITH A DELTA ANGLE OF 8°56'01" WITH A CHORD BEARING OF N 04°53'28" E, WITH A CHORD LENGTH OF 117.60 FEET; THENCE TO A CURVE TO THE LEFT HAVING AN ARC LENGTH OF 23.44 FEET, WITH A RADIUS OF 130.00 FEET, WITH A DELTA ANGLE OF 10°19'50" WITH A CHORD BEARING OF S 85°46'53" E, WITH A CHORD LENGTH OF 23.41 FEET; THENCE ALONG SAID NORTH LINE OF TRACT A N 89°03'17" E A DISTANCE OF 496.14 FEET TO THE POINT OF BEGINNING;

CONTAINING 3.395 ACRES MORE OR LESS.

REVIEWED
ADD2024-00149
Rick Burris, Principal
Planner
Lee County DCD/Planning
9/27/2024

REVISIONS:

PAGE 2 OF 2

PROJECT NO: N/A
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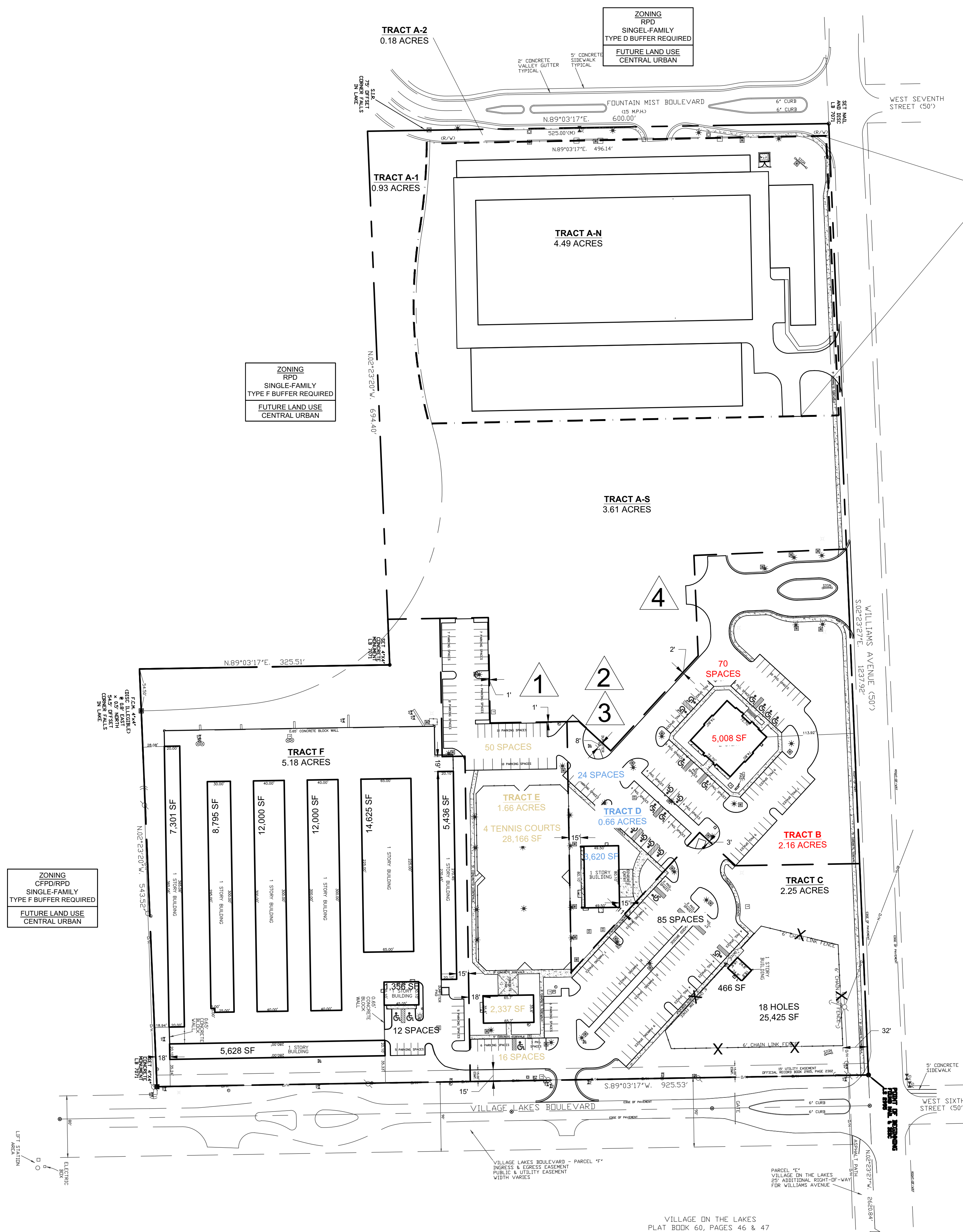
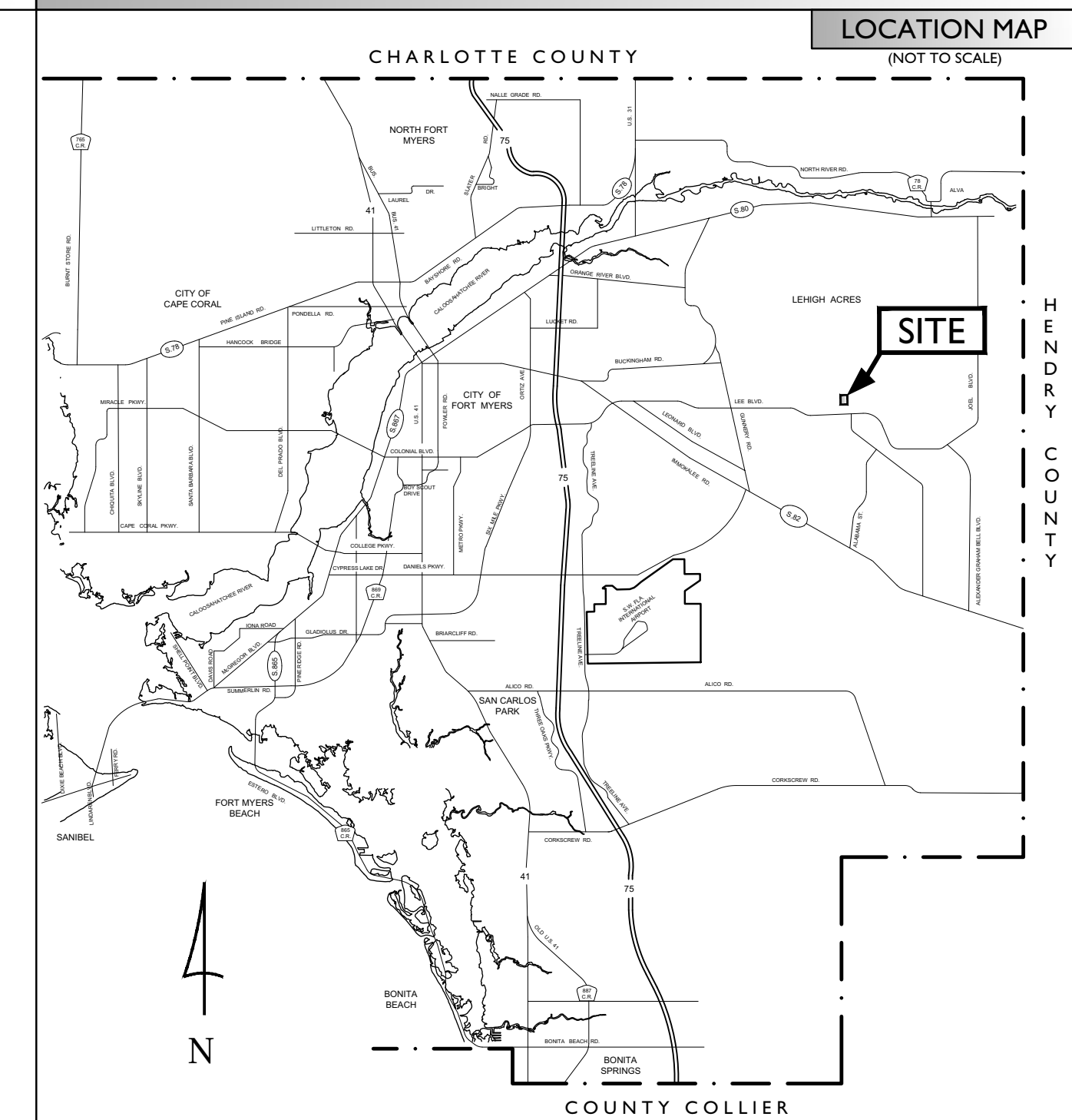


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TOWNLAKES CPD AMENDMENT

LOCATED IN SECTION 30, TOWNSHIP 44-S, RANGE 27-E, LEE COUNTY, FLORIDA

MASTER CONCEPT PLAN 1 OF 2



TOWNLAKES COMMERCIAL ADD

PROJECT SUMMARY:

ZONING/REZONING
Administrative Amendment to Townlakes CPD (DCI2023-00044)
ORIGINAL RPD/CPD (Z-99-022)

STRAP #'s
30-44-27-00-00001.0300
30-44-27-00-00001.0360
30-44-27-00-00001.0370
30-44-27-00-00001.0380

TOTAL RPD/CPD ACREAGE
274.61 ACRES

PROJECT ACREAGE
21.1 ACRES

TRACT	A-N	195,501 SF
A	A-S	157,290 SF
B	A-1	40,453 SF
C	A-2	8,052 SF
D		
E		
F		

DEVIATIONS



ORIGINAL CONCEPT PLAN PER
ADD2011-00081

EXHIBIT C

RESOLUTION NUMBER Z-24-013

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA

WHEREAS, RVi Planning + Landscape Architecture, filed an application on behalf of the property owner, Providence Church of Lehigh Acres Florida, Inc., to amend Town Lakes CPD to allow 220,000 square feet of Mini-warehouse and Storage in reference to Town Lakes CPD Amendment; and

WHEREAS, a public hearing before the Lee County Zoning Hearing Examiner, Donna Marie Collins, was advertised and held on May 2, 2024. At the conclusion of the hearing, the Hearing Examiner left the record open and requested Staff and the Applicant to submit written submissions to her Office on or before May 10, 2024; and

WHEREAS, the Hearing Examiner gave full consideration to the evidence in the record for Case # DCI2023-00044 and recommended Approval of the Request; and

WHEREAS, a second public hearing was advertised and held on June 5, 2024, before the Lee County Board of Commissioners; and,

WHEREAS, the Lee County Board of Commissioners gave full and complete consideration to the recommendations of the staff, the Hearing Examiner, the documents on record and the testimony of all interested persons.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS:

SECTION A. REQUEST:

The applicant filed a request to amend Town Lakes CPD to allow 220,000 square feet of Mini-warehouse and Storage, open, for RV/boat storage, and limit building heights to 35 feet on a 3.39± acre parcel within the CPD identified as Parcel A-N.

The property is located in the Central Urban Future Land Use Category and is legally described in attached Exhibit A. The request is APPROVED, SUBJECT TO the conditions and deviations specified in Sections B and C below.

SECTION B. CONDITIONS:

All references to uses are as defined or listed in the Lee County Land Development Code (LDC).

1. Master Concept Plan/Development Parameters

Master Concept Plan (MCP). The development of the CPD must be consistent with the six-page MCP entitled "Townlakes CPD" Pages 1, 3, 4 dated January 12, 2024, Page 2 dated May 6, 2024, Page 5 dated January 20, 1999, Page 6 dated January 19, 2010, except as modified by conditions below. Development within the RPD must be consistent with the MCP approved by Resolution Z-99-022, as amended by ADD2010-00003.

Lee Plan and LDC. Development must comply with the Lee Plan and LDC at time of development order approval, except where deviations have been granted herein. Subsequent changes may require further zoning approvals.

Approved Development Parameters

- a. RPD: 425 dwelling units.
- b. CPD: Up to 20,000 square feet retail, 48,000 square feet office, and 220,000 square feet of mini-warehouse.
- c. Development within the remainder of the CFPD/RPD approved by Resolution Z-95-015 is limited to the units approved by ADD2000-00165.

2. Uses and Site Development Regulations

a. Schedule of Uses:

RPD

Accessory Uses and Structures
 Accessory Apartment
 Administrative Offices
 Bed & Breakfast
 Country Club, Private
 Dwelling Units – maximum of 425 units, Duplex, Single-Family, Two-Family Attached
 Entrance Gates and Gatehouses
 Essential Service Facilities, Group I
 Essential Services
 Excavation, Water Retention
 Fences & Walls
 Home Occupations
 Model Homes, Units, Display Center
 Real Estate Sales Office, Temporary
 Recreational Facilities, Personal, Private
 Residential Accessory Uses
 Signs
 Temporary Uses

CPD

Accessory Uses and Structures
 Administrative Offices
 Automatic Teller Machine (ATM)
 Banks and Financial Establishments, Groups I & II
 Bed & Breakfast
 Business Services, Group I & II
 Caretaker's Residence
 Cleaning & Maintenance Services
 Clothing Stores, General
 Clubs, Country, Commercial, Fraternal, Membership Organization, Private
 Consumption on Premises
 Convenience Food & Beverage Store
 Day Care, Child & Adult

Drive Thru Facility
 Drugstore/Pharmacy
 Essential Services
 Essential Services Facilities, Group I
 Excavation, Water Retention
 Fences & Walls
 Food & Beverage Services, Limited
 Food Stores, Group I
 Health Care Facilities, Groups I, II & III
 Hobby, Toy, and Game Shops
 Insurance Companies
 Laundry or Dry Clean, Group I
 Lawn & Garden Supply Stores
 Medical Office
 Non-store Retailers, All Groups
 Package Store
 Parcel & Express Services
 Parking Lot, Accessory, Commercial, Garage, Public
 Personal Services, Groups I, II, III & IV
 Pet Shop
 Place of Worship
 Post Office
 Real Estate Sales Office
 Recreation, Commercial, Groups I, III & IV
 Repair Shops, Groups I & II
 Restaurant, Groups I, II, III
 Retail & Wholesale Sales, only when incidental & subordinate to a permitted principal use on the same premises
 Self Service Fuel Pumps
 Signs
 Specialty Retail Shops, Groups I, II, III & IV
 Storage, Indoor and Open
 Temporary Uses
 Variety Store
 Warehouse, Mini-warehouse

b. Property Development Regulations:

RPD

Minimum lot area:	6,500 square feet *
Minimum lot width:	50 feet *
Minimum lot depth:	130 feet *
Minimum Street setback, front:	20 feet
Minimum Street setback, side:	15 feet
Minimum Side setback:	5 feet
Minimum Rear setback:	5 feet
Minimum Waterbody setback:	10 feet
Maximum building height:	35 feet or two stories, whichever is less
Maximum building coverage:	60 percent

Minimum Open Space:

The residential tracts are not required to provide open space if the single-family lots have a minimum dimension of 6,500 square feet and the two-family attached provide an individual lot of 3,750 square feet for each dwelling unit. Forty percent open space must be provided if the residential lots do not meet minimum requirements of LDC § 10-415, and 50 percent of that open space must be existing indigenous preservation.

The remainder of this page is intentionally left blank.

CPD**CPD Property Development Regulations**

Tracts:		A-N	A-S	B	C	D	E	F
Min. Lot Size		20,000SF	20,000SF	20,000SF	20,000SF	20,000SF	20,000SF	20,000SF
Min. Lot Depth		100 FT	100 FT	100 FT	100 FT	100 FT	100 FT	100FT
Min. Lot Width		100 FT	100 FT	100 FT	100 FT	100 FT	100 FT	100 FT
Setback, accessory		5 FT	5 FT	5 FT	5 FT	5 FT	5 FT	5 FT
Setback, street front		20 FT ⁽¹⁾	20 FT	20 FT	20 FT	20 FT	20 FT	20 FT
Setback, street side		15 FT ⁽²⁾	15 FT	15 FT	15 FT	10 FT	15 FT	15 FT
Setback, min. side		15 FT	15 FT	15 FT	15 FT	10 FT	15 FT	15 FT
Setback, min. rear		25 FT ⁽³⁾	25 FT	25 FT	25 FT	15 FT	25 FT	15 FT
Setback, min. waterbody		25 FT	25 FT	25 FT	25 FT	25 FT	25 FT	25 FT
Max. Bldg. Height		35 FT	35 FT	35 FT	35 FT	35 FT	35 FT	35 FT
Max. Bldg. Coverage		45%	45%	45%	45%	45%	45%	45%
Min. Open Space		30%	30%	30%	30%	30%	19%	29%

3. Environmental Conditions.

- a. The development order application for each parcel must include a Gopher Tortoise Management Plan (GTMP) if gopher tortoises have been documented within that parcel. The GTMP must consist of on-site preservation within suitable indigenous habitat or off-site mitigation as permitted by the Fish and Wildlife Conservation Commission (FWC). Gopher tortoise management plans must be approved by Development Services and must include, but are not limited to, the following elements:
 - i. On-site Preservation: The amount of gopher tortoise preservation areas within the planned development will be based upon occupied gopher tortoise habitat. The gopher tortoise preservation areas may be located within the parcel in which the tortoises are existing, or, in the alternative, gopher tortoise preservation areas may be situated within suitable habitat in other areas of the RPD, where tortoises may be relocated subject to permits from the FWC. Development Services staff must review and approve all proposed gopher tortoise preservation areas. The suitability of proposed preservation areas will be based upon the quality of foraging and burrowing habitat, the existence of gopher tortoises, the abutting proposed, or existing development uses, and proposed habitat management. Gopher

Tortoise preservation areas may overlap with indigenous open space areas. The developer will connect this preserve area to the existing gopher tortoise preserve area (to the north) as shown on the MCP.

- ii. Off-site Mitigation: If the developer obtains an "incidental take" permit for off-site mitigation from the FWC to "take" any gopher tortoises within the property, the developer must relocate the displaced tortoises out of harm's way during construction activities. If FWC denies an "incidental take" permit, the developer must comply with the "On-site Preservation" provisions of this condition.
 - b. The lake enhancement planting plan that provides improved habitat for the Everglades kite entitled "Village at Lehigh Lakes Enhancement Plan" prepared by Boylan Environmental dated October 27, 1997, and revised November 21, 1997, is adopted, and must be implemented prior to issuance of a Certificate of Compliance for the phase of development containing the lake to be enhanced per the adopted plan.
4. Emergency Preparedness.
- a. Prior to local development order approval, the developer/applicant must establish a property owners' or residents' association for each residential component of this project. The association must provide an educational program on an annual basis, in conjunction with the staff of Emergency Management, who will provide literature, brochures and speakers for Hurricane Awareness/Preparedness Seminars, describing the risks of natural hazards. The intent of this recommendation is to provide a mechanism to educate residents concerning the actions they should take to mitigate the dangers inherent in these hazards.
 - b. Prior to local development order approval, the developer/applicant must formulate an emergency hurricane notification and evacuation plan. This plan will be subject to review and approval by the Lee County Office of Emergency Management.
 - c. If access to this development or into portions of this development is through a security gate or similar device that is not manned 24 hours a day, the gate or device must be equipped with an override switch installed in a glass-covered box to be used by drivers of emergency vehicles to gain entry consistent with LDC § 34-1749.
 - d. The purchaser/end user of any parcel that will be used to store, manufacture, or use hazardous materials, must contact the Lee County Office of Emergency Management Hazardous Material Representative, to discuss the proposed development in relation to the potential type, use, and storage of hazardous materials, which will be located on the premises. The developer/applicant must provide proof to Lee County Development Services staff to show compliance with this condition prior to the issuance of occupancy approval for any parcel that could house such use.
 - e. The applicant must establish an emergency notification system for its residents and commercial employees to be used in the event of a hazardous material release. The developer/applicant must provide proof to Lee County Development

Services staff to show compliance with this condition prior to the issuance of occupancy approval for any parcel that could house such use.

- f. Purchaser/end users of the RPD must cooperate with the Emergency Management in determining and participating in a means to lessen this project's adverse impacts on the County's hurricane preparedness process and public safety. This could include the provision of equipment, money in lieu of equipment, or such other goods, material or actions deemed appropriate by Emergency Management that results in the provision of additional shelters, or the improvement of roads for use as additional evacuation routes. Final decision as to the choice of "means" rests with the purchaser/end-user.
5. The Emergency/Secondary Access Road shown on the MCP for the RPD must be paved to match the road standards in the remainder of the development.
 6. Hours of operation for the following uses are limited to 6:00 a.m. to 11:00 p.m.:
 - Business Services, Group II
 - Convenience Food & Beverage Store
 - Personal Services, Group IV
 - Recreation Facilities, Commercial, any Group
 - Self Service Fuel Pumps
 - Specialty Retail, all Groups
 7. Any 24-hour use for commercial recreation facilities, or any fast-food restaurant must be located at least 250 feet from the property line of any residential use within the subject property, and at least 175 feet from the property line of any off-site abutting residential use. This distance limitation includes parking areas to support such uses.
 8. Outside speaker systems, loudspeakers, or public address systems for any use other than to facilitate a drive-thru operation are prohibited. Outside speaker systems, loudspeakers, or public address systems associated with any drive-thru use must be located a minimum of 250 feet away from any RPD zoned perimeter property line, and at least 175 feet from any off-site abutting residential use. Sound must be directed away from those perimeter property lines.
 9. Consumption on Premises use is approved in conjunction with a full-service restaurant only, and further:
 - a. Outdoor seating in conjunction with a Consumption on Premises is prohibited.
 - b. Hours of operation are limited to 10:30 a.m. to 11:00 p.m.
 10. Deliveries to any businesses on this site between the hours of 10:00 p.m. and 6:00 a.m., are prohibited.
 11. Garbage or grease dumpsters may not be located within 200 feet of any RPD perimeter property line, or 200 feet of any off-site abutting residential use.

12. Interior (project) lighting must comply with LDC §§ 34-936(a) and 10-610(b), must be of the lowest intensity meeting life safety codes, and shielded and directed away from the adjacent residential area.
13. Roadways must be built to county standards without deviations in order to be considered for acceptance for county maintenance. Acceptance for county maintenance is at the discretion of the Board of County Commissioners.
14. A Type "F" buffer must be provided along the entire boundary between the CPD and RPD areas.
15. This property was the subject of a lawsuit captioned Lehigh Corporation v. Lee County, Case No. 85-5843 CA-EOF. The resulting Settlement Agreement executed in 1988 vested various un-platted parcels throughout Lehigh for urban densities and intensities. The County Attorney's Office has opined that the property subject to that Agreement is considered to be vested and exempt from the limitations imposed by the Lee Plan Planning Communities Map and Acreage Allocation Table. (Map 16 and Table 1(b)). Accordingly, acreage allocations for various land uses in the corresponding subdistrict does not restrict the issuance of development approvals for this parcel.
16. Prior to issuance of a local development order for Tract A-S, a Type A buffer (five feet on width with four trees per 100 linear feet) must be provided adjacent to Tracts B-F. (Condition approved by ADD2011-00081 and modified to be consistent with amended MCP)
17. Tract D may be permitted one ground mounted sign limited to a maximum of 100 square feet and a maximum height of 10 feet.
18. Open Space.
Development order plans must depict 6.69 acres of open space over the entirety of the CPD. Open space on individual tracts within the CPD must be substantially consistent with the Open Space Plan provided as Sheet 4 of the MCP.
19. Screening Storage Uses.
Development order plans for Tract A-N must demonstrate commercial storage will be shielded behind a continuous visual screen at least eight feet in height when visible from residential uses or residential zoning district, and six feet in height when visible from street rights-of-way or street easements.
20. Hours of Operation for Storage uses on Parcel A-N.
Hours of operation on storage uses on parcel A-N are limited to 6:00 a.m. to 10:00 p.m.
21. Retention of Town Lakes Entrance Sign.
The Town Lakes entrance sign and associated landscaping will remain on Parcel A-N.
22. Open Storage on Parcel A-N.
The structure accommodating storage of boats and RVs on the 3.39 acre Parcel A-N must be enclosed on three sides.

23. Closure of Access to Fountain Mist Boulevard.
The 3.39 acre Parcel A-N will not have access to Fountain Mist Boulevard and will rely on a shared access to Williams Avenue to the south.
24. State and Federal Permits.
County development permits do not create rights to obtain permits from state or federal agencies and do not create liability on the part of the County if applicant fails to obtain necessary approvals or fulfill obligations imposed by state/federal agencies or if applicant undertakes actions resulting in a violation of state or federal law. Applicant must obtain applicable state/federal permits prior to commencing development.

SECTION C. DEVIATIONS:

1. Deviation (1) is WITHDRAWN.
2. Property Development Regulations. Deviation (2) seeks relief from the LDC § 34-935(e)(4) requirement to provide a minimum building separation of one-half the sum of the building heights or 20 feet, to allow a 10-foot minimum separation between buildings. This deviation is APPROVED by Z-99-022.
3. Property Development Regulations. Deviation (3) seeks relief from the LDC § 34-2222(1) requirement that corner lots have a 15-foot increased lot width, to allow for an increase of only 10 feet. This deviation is APPROVED by Z-99-022.
4. Property Development Regulations. Deviation (4) seeks relief from the LDC §10-328(a) requirement to provide a 20-foot-wide maintenance easement around water ways, to allow a 15-foot-wide maintenance easement. This deviation is APPROVED, SUBJECT TO the following condition:

The applicant/developer must submit suitable documentation of "no objection" to the reduced easement width from the South Florida Water Management District, prior to development order approval. This deviation is APPROVED by Z-99-022.

5. Property Development Regulations. Deviation (5) seeks relief from the LDC § 10-329(d)(1)a.3., requirement to provide a 50-foot-wide setback for water retention lakes from any private property line under separate ownership, to delete this requirement within the overall Town Lakes project boundaries only. This deviation is APPROVED, SUBJECT TO the applicant/developer establishing covenants pertaining to the continued maintenance and operation of the water retention areas, prior to development order approval. These covenants must be reviewed and approved by Development Services Staff and the County Attorney's Office prior to recording in the public records. Recording costs will be the developer's responsibility. This deviation is APPROVED by Z-99-022.
6. Deviation (6) is WITHDRAWN.
7. Property Development Regulations. Deviation (7) seeks relief from the LDC § 10-421 (a)(5) *[note citation is different than that shown on the MCP]*, provision prohibiting the placement of required trees or shrubs in any utility, power or street easement or right-of-way, to allow required trees or shrubs to be planted within an easement or right-of-way area. This deviation is APPROVED, SUBJECT TO the following conditions:

- a. If any of the required buffer plantings that are installed within an easement have to be removed, the developer or property owner must replace these plantings with like size (at the time replacement is required) and species at no expense to Lee County. This requirement must be clearly stated in any deed restriction documents.
- b. To avoid conflicts with overhead utility lines, only small trees, less than 20 feet in height at maturity, may be used directly adjacent to an overhead line.

This deviation is APPROVED by Z-99-022.

- 8. Property Development Regulations. Deviation (8) seeks relief from the LDC § 10-418(2) provisions setting forth the minimum requirements for native wetland herbaceous plants, to:
 - a. Exempt the shoreline length of the northern boundary of George Canal and the large lake in the northwestern corner of the property from this requirement.
 - b. Allow native wetland trees to be substituted for up to 50 percent rather than the required 25 percent of the total number of required herbaceous plants.
 - c. Allow one tree or five shrubs to be substituted for fifty herbaceous plants rather than the required ten herbaceous plants.

This deviation is APPROVED, on the condition that up to 50 percent of the required littoral planting is provided by trees and/or shrubs, with one tree or two shrubs being substituted for every ten of the required herbaceous plants. This deviation is APPROVED by Z-99-022.

- 9. Deviation (9) is WITHDRAWN.
- 10. Turn-around. Deviation (10) requests relief from the LDC § 34-1748(5), which requires a paved turn-around provided on the ingress side of the gate or gatehouse, having a turning radius sufficient to accommodate a U-turn for a single unit truck (SU) as specified in the AASHTO Green Book current addition, to allow development of an alternate turn-around, as depicted on the site plan approved by ADD2010-00003. This deviation is APPROVED, SUBJECT TO the condition that the proposed access gate must be an electric gate opener that is acceptable to Lee County and the Lehigh Acres Fire Control & Rescue District, and the gate is subsequently maintained by the homeowner's association to permit access for the residents of the development and the fire district. This deviation is APPROVED by ADD2010-00003.
- 11. Buffers. Deviation (11) seeks relief from the LDC § 10-416(d)(3), which requires commercial use abutting a commercial use to provide a Type 'A' buffer between the uses, to allow no required buffers between tract/lots. This deviation is APPROVED by ADD2011-00081.
- 12. Parking. Deviation (12) seeks relief from the LDC § 34-2020(2), which requires minimum parking spaces for types of uses per development, to allow the parking calculations to be totaled not by tract/lot, but according to the overall parking for the entire CPD. This deviation is APPROVED by ADD2011-00081.

13. Street Access. Deviation (13) seeks relief from the LDC § 10-291(1), which requires street access designed so as not to create remnants and landlocked areas, unless those areas are established as common areas, to allow Tract D as a commercial lot. This deviation is APPROVED by ADD2011-00081.
14. Signs. Deviation (14) seeks relief from the LDC § 30-153(2)(c), which restricts individual occupants to have individual ground-mounted identification signs, to allow each lot to have one ground-mounted identification sign not to exceed 100 square feet and 10 feet in height. This deviation is APPROVED for Tract D only, SUBJECT TO Condition 17 by ADD2011-00081.
15. Outdoor Storage. Deviation (15) seeks relief from the LDC § 34-1352(c)(1), which requires all buildings and structures part of a development engaged in the outdoor storage of vehicles (for rent) be set back 50 feet from the street and 40 feet from the side yard, to allow the existing mini-warehouse building on the eastern border to remain set back at 15.87 feet and the existing building on the western border to remain setback at 27.67 feet. This deviation is APPROVED by ADD2014-00095.
16. Outdoor Storage. Deviation (16) seeks relief from the LDC § 34-1352(c)(3), which requires all buildings and items covered by this section that are displayed or offered for rent must be setback 100 feet from any existing residence or residentially zoned property, to allow the proposed open storage of rental vehicles to be located behind the 8-foot high wall at 81.41 feet from the abutting RPD to the north. This deviation is APPROVED by ADD2014-00095.
17. Refuse and Recyclable Storage. Deviation (17) seeks relief from the LDC §10-261(a), which requires new construction of commercial businesses to provide 216 square feet for the first 25,000 square feet of building area plus 8 square feet for each additional 1,000 square feet of building area for placement of garbage/recyclable receptacles, to allow a reduction based solely on the first 25,000 square feet. This deviation is APPROVED, SUBJECT TO the following conditions: The refuse area may be limited in size to support only the office operations. Development order submittals must include a copy of the lease agreement stating tenants are prohibited from using on-site dumpsters. This deviation is limited to warehouse use on Tract A-N.
18. Parking. Deviation (18) seeks relief from the LDC § 34-2020(b), which requires mini-warehouse uses to have one parking space per 25 storage units, to allow a five percent reduction in required parking spaces, pursuant to LDC § 34-2020(c)(3). This deviation is APPROVED.
19. Access. Deviation (19) seeks relief from the LDC § 10-285(a), which states lots in urban areas with access alternatives will not be granted access to an arterial or major collector, to allow an access on Williams Avenue and closure of the access on Fountain Mist Boulevard/Liriope Loop. This deviation is APPROVED, limited to Tract A-N.

SECTION D. EXHIBITS:

The following exhibits are attached to this resolution and incorporated by reference:

- Exhibit A: Legal description of the property
- Exhibit B: Zoning Map (with the subject parcel indicated)

Exhibit C: The Master Concept Plan

SECTION E. FINDINGS AND CONCLUSIONS:

Based upon its review, the Board of County Commissioners adopts the recommendation of the Hearing Examiner, including the following findings and conclusions:

1. The requested amendment to the Town Lakes CPD is consistent with the Lee Plan. Lee Plan Goals 2, 4, 5, 6, 25, 61, 77, 95, 125, 158, Objectives 2.1, 2.2, 4.1, 6.1, 25.6, 25.9, 77.2, 126.2, 158.2, 160.1, and Policies 1.1.3, 2.1.1, 2.1.2, 2.1.3, 2.2.1, 2.2.2, 5.1.5, 6.1.1, 6.1.3, 6.1.4, 6.1.5, 6.1.6, 6.1.7, 25.6.1, 25.9.2, 39.1.3, 135.9.6, 158.2.1, Lee Plan Maps 1-A, 1-B, 1-C, 2-A, 2-B, 3-C, 3-D, Table 1(a), 1(b).
2. As conditioned, the amendment to the Town Lakes CPD:
 - a. Is consistent with the LDC or qualifies for deviations. LDC Chapters 2, 10, 33, and 34.
 - b. Is compatible with existing or planned uses in the surrounding area. Lee Plan Objectives 2.1, 2.2, and Policies 1.1.3, 5.1.5, 6.1.4, 25.6.1, 135.9.5, 135.9.6; LDC §§ 34-411, 34-413.
 - c. Provides sufficient road access to support proposed development intensity. Lee Plan Objective 25.8, Policies 6.1.5, 39.6.4, 43.1.1, 158.3.1.
 - d. Expected impacts on transportation facilities will be addressed by County regulations and conditions of approval. Lee Plan Objectives 11.2, 39.1, Policies 38.1.1, 39.1.3, 39.2.1, 43.1.3, 158.3.1; LDC §§ 2-261 *et seq.*, 34-411.
 - e. Will not adversely affect environmentally sensitive areas or natural resources. Lee Plan Goals 60, 61, 77, 125, Objectives 25.10, 60.2, 60.3, 77.2, 77.3, 126.2, Policies 6.1.6, 60.4.1, 60.4.2, 123.8.1, 125.1.2, 126.1.4, 126.2.1, Standard 4.1.4.
 - f. Public services and infrastructure will be available to serve the development. Goals 2, 4, 6, 25, 95, Objectives 2.1, 2.2, 4.1, Policies 2.2.1, 6.1.4, 25.9.1, 25.9.2, 39.1.3, 54.1.6, Standards 4.1.1, 4.1.2.
3. The proposed uses are appropriate at the location. Lee Plan Goals 2, 4, 6, 25; Objectives 2.1, 2.2, Policies 1.1.3, 2.1.1, 2.1.2, 6.1.7, 6.1.8, 25.6.1, 25.9.2, 135.9.5, 135.9.6, 158.2.1.
4. The County regulations and recommended conditions provide sufficient safeguards to protect the public interest and relate to impacts expected from the proposed development. Lee Plan Objectives 77.2, 126.2, Policies 5.1.5, 6.1.4, 53.1.5, 56.1.4, 135.9.5, 135.9.6; LDC §§ 34-377(a)(3), 34-411 and 34-932(c).
5. Deviations recommended for approval enhance the planned development and preserve public health, safety, and welfare. LDC §§ 34-373(a)(9), 34-377(a)(4).

SECTION F. SCRIVENER'S ERRORS:

The Board intends that this resolution can be renumbered or relettered and typographical errors that do not affect the intent and are consistent with the Board's action can be corrected with the authorization of the County Manager or his designee, without the need for a public hearing.

Commissioner Hamman made a motion to adopt the foregoing resolution, seconded by Commissioner Ruane. The vote was as follows:

Adopted by unanimous consent.

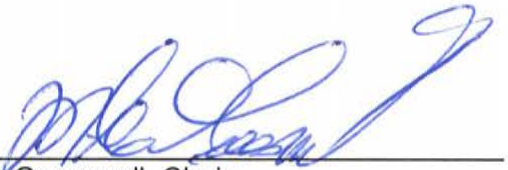
Kevin Ruane	Aye
Cecil L Pendergrass	Absent
Raymond Sandelli	Aye
Brian Hamman	Aye
Mike Greenwell	Aye

DULY PASSED AND ADOPTED this 5th day of June 2024.

ATTEST:
KEVIN C. KARNES
CLERK OF CIRCUIT COURT

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: 
Deputy Clerk

BY: 
Mike Greenwell, Chair

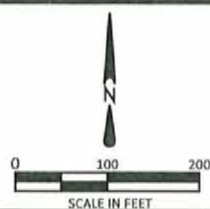


APPROVED AS TO FORM FOR THE
RELIANCE OF LEE COUNTY ONLY


David W. Halverson
Assistant County Attorney
County Attorney's Office

RECEIVED
MINUTES OFFICE
MB
2024 AUG -5 AM 10:46

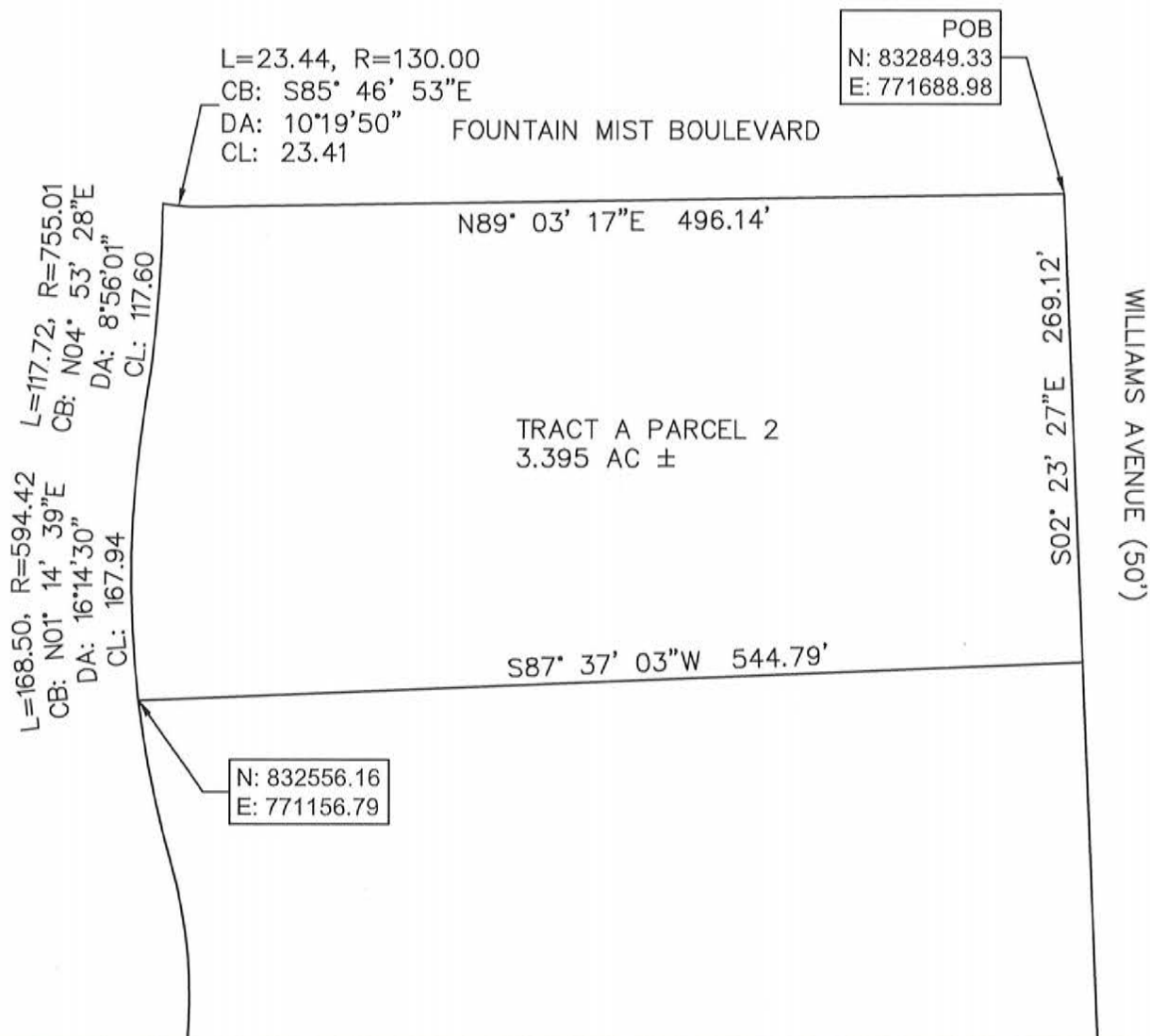
Exhibit A



TRACT A PARCEL 2
LEHIGH ACRES, FL 33972
OF
TOWN LAKES COMMERCIAL
AS RECORDED IN INSTRUMENT 2013000076649
PUBLIC RECORDS OF LEE COUNTY, FL

SKETCH

DATE: 07/04/2023

****THIS IS NOT A SURVEY****

REVIEWED
DCI2023-00044
Rick Burris, Principal
Planner
Lee County DCD/Planning
2/5/2024

I CERTIFY THAT THIS SKETCH AND DESCRIPTION WAS MADE UNDER MY DIRECTION AND THAT IT MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 5J-17.050 THRU .052, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO CHAPTER 472.027, FLORIDA STATUTES.

REVISIONS:

PAGE 1 OF 2

PROJECT NO: N/A
SCALE: 1"=100'
DRAWN BY: JJM
CHECKED BY: MDM
DATE DRAWN: 07/04/2023
FIELD BOOK: 55



CE-SITE
civil engineering . surveying . project management
EB-30108 • LB-7995
13650 Fiddlesticks Blvd., PMB202-389
Fort Myers, Florida 33912
Telephone (239) 936-9777

THIS MAP IS NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND RAISED SEAL OF THE FLORIDA LICENSED SURVEYOR AND MAPPER.



MARK D. McCLEARY, P.S.M.
FLORIDA REGISTRATION NO. 8557
FOR THE FIRM LB-7995
DATE SIGNED: _____

TRACT A PARCEL 2
LEHIGH ACRES, FL 33972
OF
TOWN LAKES COMMERCIAL
AS RECORDED IN INSTRUMENT 2013000076649
PUBLIC RECORDS OF LEE COUNTY, FL

DESCRIPTION

DATE: 07/04/2023

DESCRIPTION:

****THIS IS NOT A SURVEY****

A PORTION OF TRACT A AS RECORDED IN INSTRUMENT 2013000076649. PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID TRACT AS RECORDED IN INSTRUMENT NUMBER 2013000076649 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

THENCE ALONG SAID EAST LINE OF TRACT A S 02°23'27" E A DISTANCE OF 269.12 FEET; THENCE S 87°37'03" W A DISTANCE OF 544.79 FEET TO A CURVE TO THE RIGHT HAVING AN ARC LENGTH OF 168.50 FEET, WITH A RADIUS OF 594.42 FEET, WITH A DELTA ANGLE OF 16°14'30" WITH A CHORD BEARING OF N 01°14'39" E, WITH A CHORD LENGTH OF 167.94 FEET; THENCE TO A CURVE TO THE LEFT HAVING AN ARC LENGTH OF 117.72 FEET, WITH A RADIUS OF 755.01 FEET, WITH A DELTA ANGLE OF 8°56'01" WITH A CHORD BEARING OF N 04°53'28" E, WITH A CHORD LENGTH OF 117.60 FEET; THENCE TO A CURVE TO THE LEFT HAVING AN ARC LENGTH OF 23.44 FEET, WITH A RADIUS OF 130.00 FEET, WITH A DELTA ANGLE OF 10°19'50" WITH A CHORD BEARING OF S 85°46'53" E, WITH A CHORD LENGTH OF 23.41 FEET; THENCE ALONG SAID NORTH LINE OF TRACT A N 89°03'17" E A DISTANCE OF 496.14 FEET TO THE POINT OF BEGINNING;

CONTAINING 3.395 ACRES MORE OR LESS.

REVIEWED
DCI2023-00044
Rick Burris, Principal
Planner
Lee County DCD/Planning
2/5/2024

REVISIONS:

PAGE 2 OF 2

PROJECT NO: N/A
SCALE: N/A
DRAWN BY: JJM
CHECKED BY: ADM
DATE DRAWN: 07/04/2023
FIELD BOOK: 89



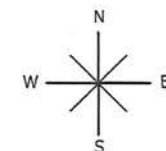
CE-SITE
civil engineering • surveying • project management
EB-30108 • LB-7995
13650 Fiddlesticks Blvd., PMB202-389
Fort Myers, Florida 33912
Telephone (239) 936-9777



DCI2023-00044

Zoning

 Subject Property



0 300 600 900
Feet



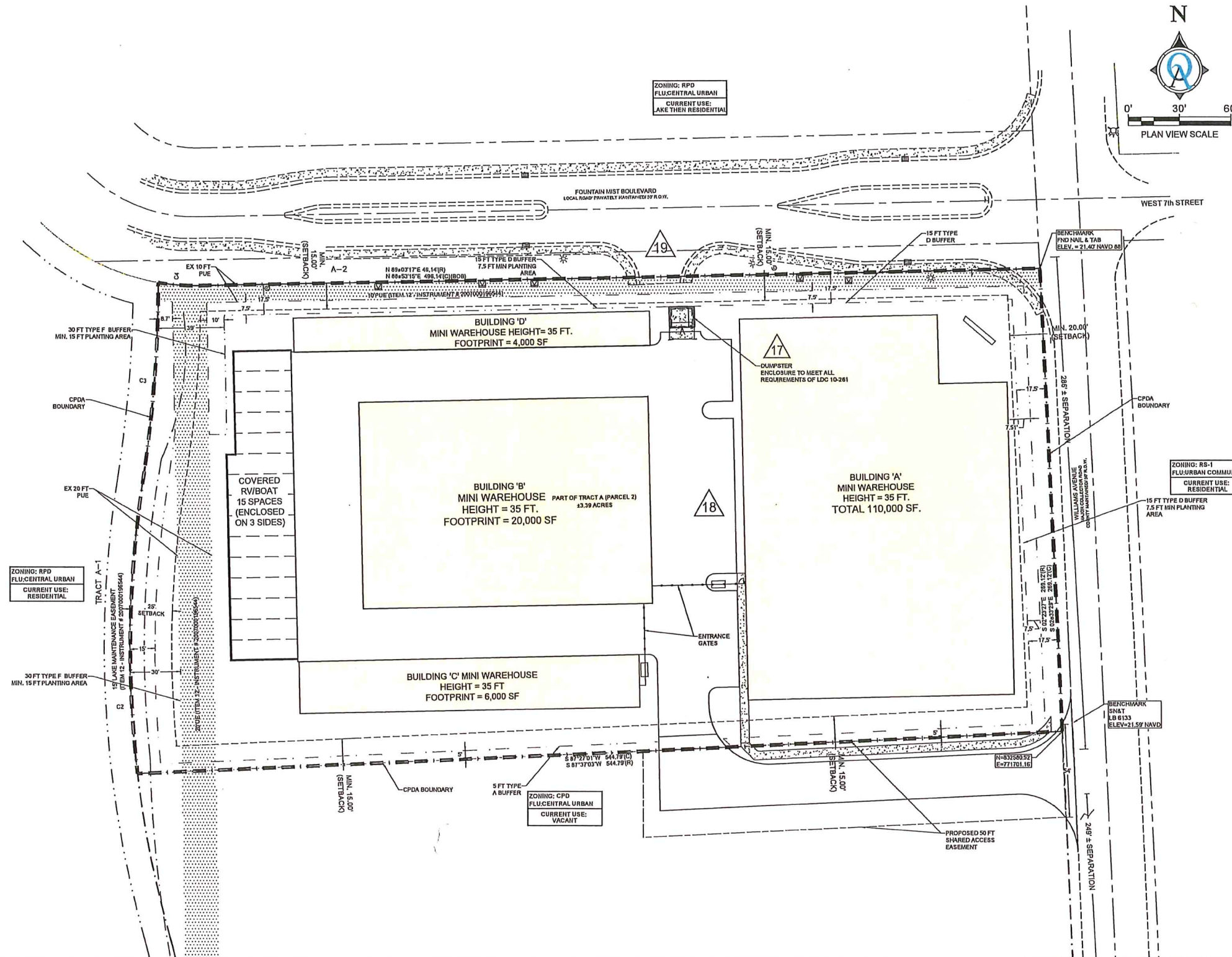
TOWNLAKES CPD AMENDMENT

LOCATED IN SECTION 30, TOWNSHIP 44-S, RANGE 27-E, LEE COUNTY, FLORIDA

DCI2023-00044 - Post Hearing Written Submission
Dated 05-06-2024

MASTER CONCEPT PLAN

PAGE 2 OF 6



Approved as Exhibit C
MCP Page 2 of 6
Resolution # 2-24-013

PROJECT SUMMARY:

ZONING/REZONING
CPD - AMMENDMENT

STRAP #'s & ADDRESS
30-44-27-17-0000A.0000
619/625 WILLIAMS AVE, LEHIGH ACRES FL 33972

PROJECT ACREAGE
3.39 ACRES

PROJECT INTENSITY
140,000 SF STORAGE + COVERED BOAT/RV

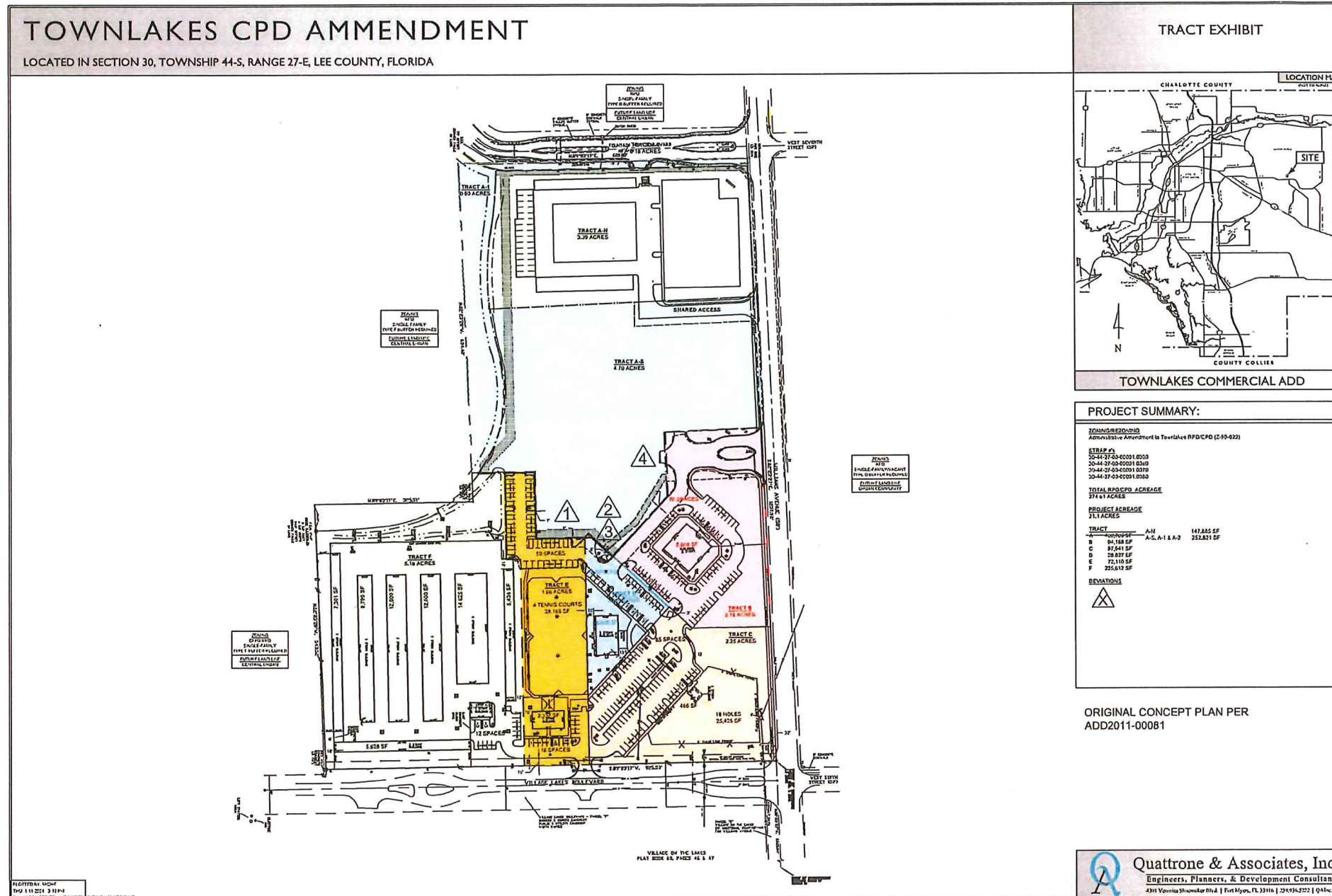
PROPERTY DEVELOPMENT REGULATIONS (NON-RESIDENTIAL)
TRACT A

MIN. LOT AREA*	20,000 SF
MIN LOT WIDTH*	100 FT
MIN LOT DEPTH*	100 FT
STREET FRONT SETBACK	20 FT (WILLIAMS AVE)
STREET SIDE SETBACK	15 FT (FOUNTAIN MIST BLVD)
MIN SIDE SETBACK	15 FT (SOUTH P/L)
MIN REAR SETBACK	25 FT (WEST P/L)
MAX BLDG HEIGHT	35 FT (3 STORY)
MAX LOT COVERAGE	45%
MIN OPEN SPACE	30%

DEVIATIONS

DC10023 40044 Lee County ePlan

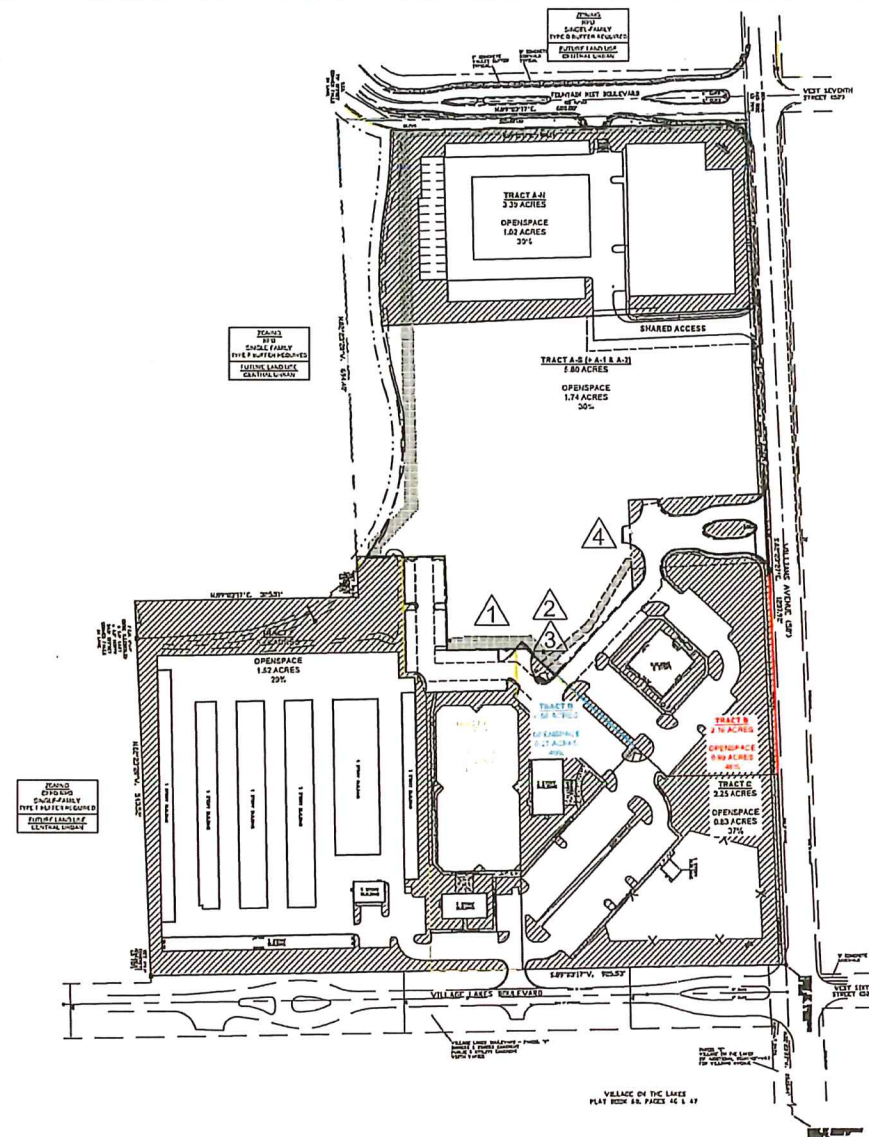
Amended by Addendum 01-12-2024



Approved as Exhibit C
MCP Page 3 of 6
Resolution # 2-24-013

TOWNLAKES CPD AMMENDMENT

LOCATED IN SECTION 30, TOWNSHIP 44-S, RANGE 27-E, LEE COUNTY, FLORIDA



OPEN SPACE EXHIBIT



TOWNLAKES COMMERCIAL ADD

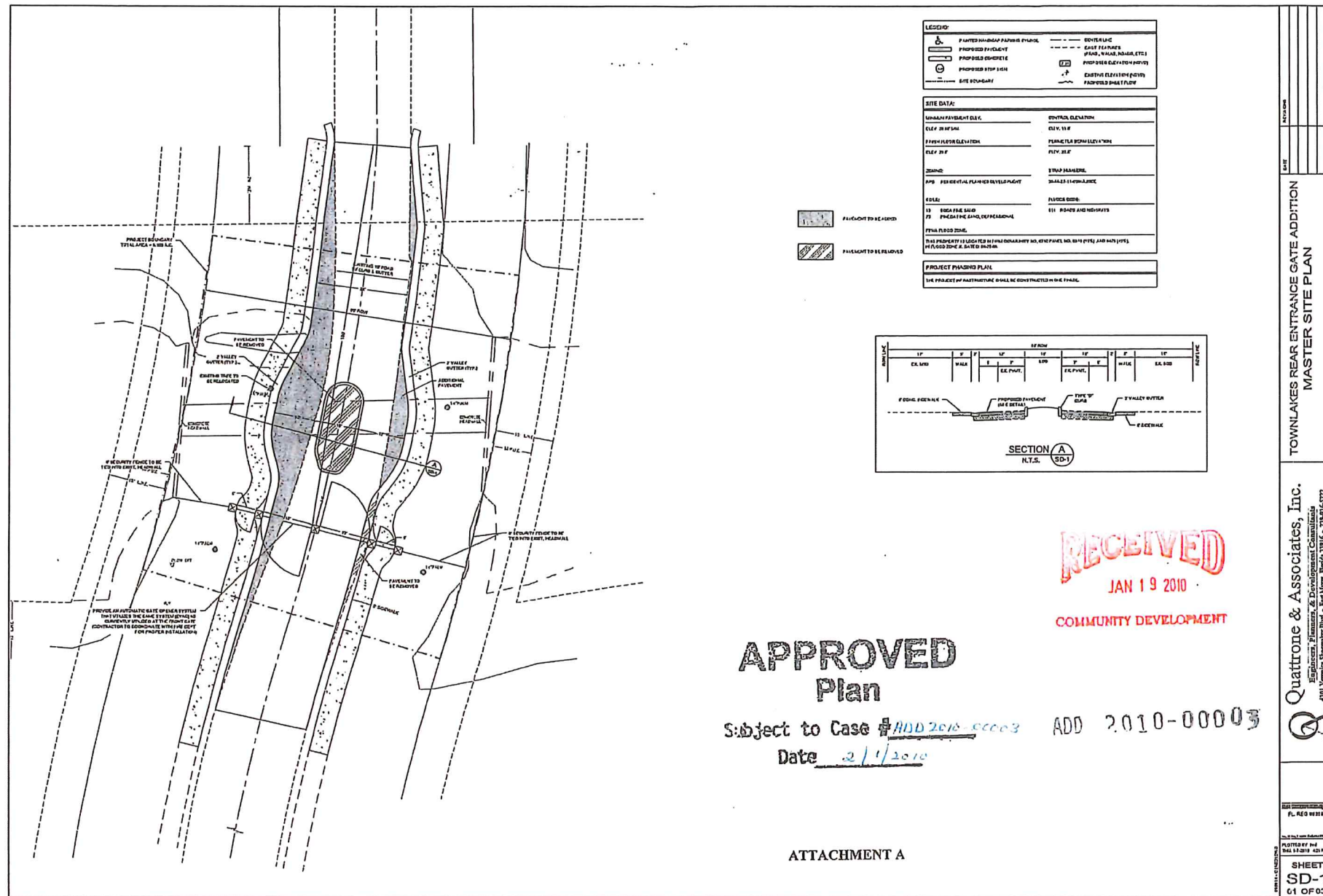
PROJECT SUMMARY:

ZONING NEED TO KNOW
Administrative Amendment to Tentative RPD/CDO (Z-9002)
STRAP #:
20-44-77-00-00001 0370, 20-44-77-00-00001 0300, 20-44-77-00-00001 0310, 20-44-77-00-00001 0320
CFO/PD# ACREAGE
274.61 ACRES
PROJECT ACREAGE
21.1 ACRES (P10-385.3 SF)
OVERALL OPEN SPACE
6.43 ACRES (P1-416.6 SF)
31.7%

ORIGINAL CONCEPT PLAN PER
ADD2011-00081

 **Quattrone & Associates, Inc.**
Engineers, Planners, & Development Consultants
4301 Ventura Shoppard Blvd. | Fort Myers, FL 33916 | 239.936.5222 | QA@net

Approved as Exhibit C
MCP Page 4 of 6
Resolution # 2-24-013



Case: DCI2023-00044

CPD**CPD Property Development Regulations**

Tracts:	A-N	A-S	B	C	D	E	F
Min. Lot Size	20,000SF	20,000SF	20,000SF	20,000SF	20,000SF	20,000SF	20,000SF
Min. Lot Depth	100 FT	100 FT	100 FT	100 FT	100 FT	100 FT	100FT
Min. Lot Width	100 FT	100 FT	100 FT	100 FT	100 FT	100 FT	100 FT
Setback, accessory	5 FT	5 FT	5 FT	5 FT	5 FT	5 FT	5 FT
Setback, street front	20 FT ⁽¹⁾	20 FT	20 FT	20 FT	20 FT	20 FT	20 FT
Setback, street side	15 FT ⁽²⁾	15 FT	15 FT	15 FT	10 FT	15 FT	15 FT
Setback, min. side	15 FT	15 FT	15 FT	15 FT	10 FT	15 FT	15 FT
Setback, min. rear	25 FT ⁽³⁾	25 FT	25 FT	25 FT	15 FT	25 FT	15 FT
Setback, min. waterbody	25 FT	25 FT	25 FT	25 FT	25 FT	25 FT	25 FT
Max. Bldg. Height	35 FT	35 FT	35 FT	35 FT	35 FT	35 FT	35 FT
Max. Bldg. Coverage	45%	45%	45%	45%	45%	45%	45%
Min. Open Space	30% 25%	30% 25%	30%	30%	30%	19%	29%

53%

3. Environmental Conditions

- a. The development order application for each parcel must include a Gopher Tortoise Management Plan (GTMP) if gopher tortoises have been documented within that parcel. The GTMP must consist of on-site preservation within suitable native indigenous habitat or off-site mitigation as permitted by the Fish and Wildlife Conservation Commission (FWC). Gopher tortoise management plans must be approved by Development Services and must include, but are not limited to, the following elements:
 - i. On-site Preservation: The amount of gopher tortoise preservation areas within the planned development will be based upon occupied gopher tortoise habitat. The gopher tortoise preservation areas may be located within the parcel in which the tortoises are existing, or, in the alternative, gopher tortoise preservation areas may be situated within suitable habitat in other areas of the RPD, where tortoises may be relocated subject to permits from the FWC. Development Services staff must review and approve all proposed gopher tortoise preservation areas. The suitability of proposed preservation areas will be based upon the quality of foraging and burrowing habitat, the



Townlakes Storage CPD Amendment

Schedule of Deviations and Justifications

DEVIATIONS APPROVED UNDER Z-23-044 – DEVIATIONS 20 and 21 ADDED

1. Deviation (1) is WITHDRAWN.
2. Property Development Regulations. Deviation (2) seeks relief from the LDC § 34-935(e)(4) requirement to provide a minimum building separation of one-half the sum of the building heights or 20 feet, to allow a 10-foot minimum separation between buildings. This deviation is APPROVED by Z-99-022.
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4. Property Development Regulations. Deviation (4) seeks relief from the LDC §10-328(a) requirement to provide a 20-foot-wide maintenance easement around water ways, to allow a 15-foot-wide maintenance easement. This deviation is APPROVED, SUBJECT TO the following condition:

The applicant/developer must submit suitable documentation of "no objection" to the reduced easement width from the South Florida Water Management District, prior to development order approval. This deviation is APPROVED by Z-99-022.

5. Property Development Regulations. Deviation (5) seeks relief from the LDC § 10-329(d)(1)a.3., requirement to provide a 50-foot-wide setback for water retention lakes from any private property line under separate ownership, to delete this requirement within the overall Town Lakes project boundaries only. This deviation is APPROVED, SUBJECT TO the applicant/developer establishing covenants pertaining to the continued maintenance and operation of the water retention areas, prior to development order approval. These covenants must be reviewed and approved by Development Services Staff and the County Attorney's Office prior to recording in the public records. Recording costs will be the developer's responsibility. This deviation is APPROVED by Z-99-022.
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- a. Exempt the shoreline length of the northern boundary of George Canal and the large lake in the northwestern corner of the property from this requirement.
- b. Allow native wetland trees to be substituted for up to 50 percent rather than the required 25 percent of the total number of required herbaceous plants.
- c. Allow one tree or five shrubs to be substituted for fifty herbaceous plants rather than the required ten herbaceous plants.

This deviation is APPROVED, on the condition that up to 50 percent of the required littoral planting is provided by trees and/or shrubs, with one tree or two shrubs being substituted for every ten of the required herbaceous plants. This deviation is APPROVED by Z-99- 022.

9. Deviation (9) is WITHDRAWN.

10. Turn-around. Deviation (10) requests relief from the LDC § 34-1748(5), which requires a paved turn-around provided on the ingress side of the gate or gatehouse, having a turning radius sufficient to accommodate a U-turn for a single unit truck (SU) as specified in the AASHTO Green Book current addition, to allow development of an alternate turn-around, as depicted on the site plan approved by ADD2010-00003. This deviation is APPROVED, SUBJECT TO the condition that the proposed access gate must be an electric gate opener that is acceptable to Lee County and the Lehigh Acres Fire Control & Rescue District, and the gate is subsequently maintained by the homeowner's association to permit access for the residents of the development and the fire district. This deviation is APPROVED by ADD2010-00003.

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13. Street Access. Deviation (13) seeks relief from the LDC § 10-291(1), which requires street access designed so as not to create remnants and landlocked areas, unless those areas are established as common areas, to allow Tract D as a commercial lot. This deviation is APPROVED by ADD2011-00081.

14. Signs. Deviation (14) seeks relief from the LDC § 30-153(2)(c), which restricts individual occupants to have individual ground-mounted identification signs, to allow each lot to have one ground-mounted identification sign not to exceed 100 square feet and 10 feet in height. This deviation is APPROVED for Tract D only, SUBJECT TO Condition 17 by ADD2011-00081.

15. Outdoor Storage. Deviation (15) seeks relief from the LDC § 34-1352(c)(1), which requires all buildings and structures part of a development engaged in the outdoor storage of vehicles (for rent) be set back 50 feet from the street and 40 feet from the side yard, to allow the existing mini-warehouse building on the eastern border to remain set back at 15.87 feet and the existing building

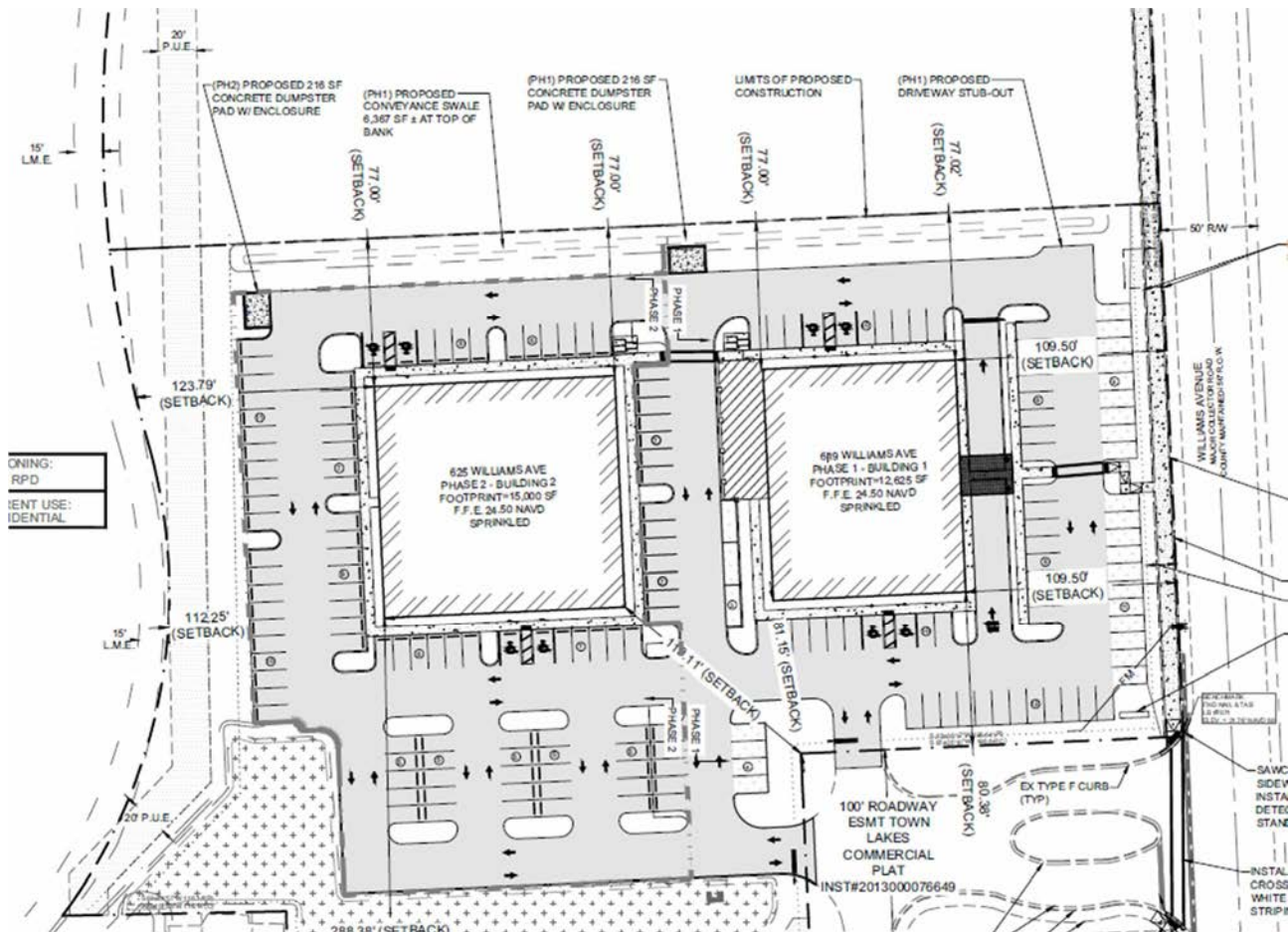
on the western border to remain setback at 27.67 feet. This deviation is APPROVED by ADD2014-00095.

16. Outdoor Storage. Deviation (16) seeks relief from the LDC § 34-1352(c)(3), which requires all buildings and items covered by this section that are displayed or offered for rent must be setback 100 feet from any existing residence or residentially zoned property, to allow the proposed open storage of rental vehicles to be located behind the 8-foot high wall at 81.41 feet from the abutting RPD to the north. This deviation is APPROVED by ADD2014- 00095.

17. Refuse and Recyclable Storage. Deviation (17) seeks relief from the LDC §10-261(a), which requires new construction of commercial businesses to provide 216 square feet for the first 25,000 square feet of building area plus 8 square feet for each additional 1,000 square feet of building area for placement of garbage/recyclable receptables, to allow a reduction based solely on the first 25,000 square feet. This deviation is APPROVED, SUBJECT TO the following conditions: The refuse area may be limited in size to support only the office operations. Development order submittals must include a copy of the lease agreement stating tenants are prohibited from using on-site dumpsters. This deviation is limited to warehouse use on Tract A-N.

18. Parking. Deviation (18) seeks relief from the LDC § 34-2020(b), which requires mini-warehouse uses to have one parking space per 25 storage units, to allow a five percent reduction in required parking spaces, pursuant to LDC § 34-2020(c)(3). This deviation is APPROVED.

19. Access. Deviation (19) seeks relief from the LDC § 10-285(a), which states lots in urban areas with access alternatives will not be granted access to an arterial or major collector, to allow an access on Williams Avenue and closure of the access on Fountain Mist Boulevard/Liriope Loop. This deviation is APPROVED, limited to Tract A-N.



20. Deviation (20) is WITHDRAWN.

21. Building Perimeter Plantings. Deviate from LDC §10-416(b) Building perimeter plantings which requires commercial buildings to provide building perimeter planting area equal to ten percent of the building ground level floor area to reduce the required foundation planting area for Building #2 by 50% with landscape required along all portions of the Building "B" perimeter that are not used for doors and foundation landscaping distributed along the west side of the drive aisle and the entrance drive.

JUSTIFICATION: The enhanced landscape plan shows 2% perimeter building plantings for Building "B" plus additional ground plantings in other areas.

Perimeter landscaping along commercial buildings is required to break up long expanses of blank building walls, create a softening effect and add visual interest. Landscaping is to be placed with emphasis on the sides most visible to the public, not including the loading areas.

In the case of Building "B", loading areas with overhead doors to access storage units are located along the majority of the building facades. The perimeter of Building "B" is 1,038 ft. and approximately 835 ft is covered by doorways (80%). To meet the planting area requirement when only 20% of the building perimeter can be used for landscape

would require excessively wide landscape beds. This deviation proposes using all available areas adjacent to Building “B” for planting as well as distributing foundation planting areas along the drive aisle west of Building “B” and along the entrance driveway.

The intent of the code is met as all available areas adjacent to the building are utilized to landscape the building façade. Additionally, Building “B” is almost completely screened from adjacent rights of way and the abutting properties by the exterior buildings. A reduction in the landscape area does not negatively impact the adjacent properties or the health, safety or welfare of the patrons or the general public and moving the planting areas will benefit the overall development as these areas are more visible from the adjacent roadways and neighboring property.

See attached landscape plan with Building “B” foundation planting areas highlighted.

**LEHIGH ACRES ARCHITECTURAL PLANNING AND
ZONING REVIEW BOARD APPLICATION**

Date Received: _____

File Name : _____

LAAPZRB Date: _____

(1) GENERAL INFORMATION (Use additional sheets if necessary)

1. Name of Project: Town Lakes CPD Administrative Amendment
2. Street Address of Project: 625 Williams Ave (southwest corner of Williams Ave/Fountain Mist Blvd)
3. Strap No. 30-44-27-17-0000A.0000
4. Application Request: (i.e.: Zoning change, Variance, Site/Project Approval)
Amend the recently approved Townlakes CPD zoning to allow for a modified site plan that reduces height and changes the internal configuration of the parcel dedicated to mini-warehouse use.
5. Applicant Name / Title: Arcland Property Company, LLC / Steve Cratin
Address: P.O. Box 25523, Washington, DC 20027
Phone: (443) 845-6981 Email: steve@arc.land
6. Date of LAAPZRB meeting requested for presentation July 25, 2024
(Applicant shall be notified to confirm placement on the agenda)
7. Primary Firm/Person Presenting Project to LAARZB:
Name / Title: RVi Planning + Landscape Architecture / Fred Drovdlc, AICP
Address: 1514 Broadway, Suite 201
Phone: 239.318.6707 Email: fdrovdlc@rviplanning.com
8. Provide name and contact information of additional persons to receive correspondence from the LAAPZRB.
Jake Fowler, Arcland Development, jake@arc.land
9. County staff Reviewer: MarySue Groth
10. Has project been presented to Community Development or Lee County Hearing Examiner or other public presentations: Yes _____ No X _____ Dates: _____
Application No.: DCI2023-00044

LEHIGH ACRES ARCHITECTURAL PLANNING & ZONING REVIEW BOARD

11. Direction to the project site:

southwest corner of Williams Ave/Fountain Mist Blvd 1/2 mile north of Lee Boulevard

12. Proposed Use:

Mini warehouse

13. Adjacent Zoning and Land Uses:

North: Townlakes RPDSouth: Undeveloped (future church)East: Williams Avenue; residentialWest: Townlakes RPD

14. Project summary. Provide information of how the project will provide for, achieve and maintain a unified and pleasing aesthetic quality as defined by the community standards set forth in Chapter 33 and other similar projects previously approved and built:

See revised MCP and presentation p

_____15. Project Checklist submitted: X Yes _____ No16. Application Fee Submitted: Type 1 \$50.00 _____ Type 2: \$150.00 X**PROPERTY OWNER/APPLICANT**

I hereby certify that I am the owner of record or authorized agent for the property described in Section 1 above and that I approve of the requested action herein.

Signature: Fred DrovdicDATE: July 16, 2025Print Name: Fred DrovdicTitle: Director of Planning**ACTION TAKEN**☒ LAAPZRB**DATE**7/25/24**DECISION**ApprovedInitials: LD

Attachments: _____

PROPERTY WAS LOT SPLIT UNDER LDO2024-00517 SEE DOS2021-00079 FOR ADJACENT PROPERTY

PLANT SPECIES NOTES:

- SUBSTITUTE SPECIES MAY BE USED UPON APPROVAL BY THE LANDSCAPE ARCHITECT
- CODE REQUIRED TREES MUST BE 75% NATIVE.
- CODE REQUIRED SHRUBS MUST BE 50% NATIVE.

SYMBOL	QUANTITY	COMMON NAME	SCIENTIFIC NAME	SPECIFICATION*	STATUS
GENERAL TREES					
SP	35	SABAL PALM	SABAL PALMETTO	10' CLEAR TRUNK MIN.; 16" MIN. HT.	NATIVE
L	7	CRAPE MYRTLE	LAGERSTROEMIA	10' HT.; 2" CAL.; 4' SPREAD	NON-NATIVE
BUFFER TREES					
QV	17	LIVE OAK	QUERCUS VIRGINIANA	10' HT.; 2" CAL.; 4' SPREAD	NATIVE
SP	25	SABAL PALM	SABAL PALMETTO	10' CLEAR TRUNK MIN.; 16" MIN. HT.	NATIVE
PE	19	SLASH PINE	PINUS ELLIOTTI	10' HT.; 2" CAL.; 4' SPREAD	NATIVE
IA	36	EAGLESTON HOLLY	ILEX X ATTENUATA	10' HT.; 2" CAL.; 4' SPREAD	NATIVE
L	11	CRAPE MYRTLE	LAGERSTROEMIA	10' HT.; 2" CAL.; 4' SPREAD	NON-NATIVE
PARKING TREES					
CS	4	GEIGER TREE	CORDIA SEBESTENA	10' HT.; 2" CAL.; 4' SPREAD	NATIVE
SHRUBS & PERIMETER LANDSCAPING					
MF	672	SIMPSON STOPPER	MYRACANTHES FRAGRANS	24" HT., #3 CONTAINER 36" O.C.	NATIVE
SF	240	WAX MYRTLE	MYRICA CERIFERA	48" HT., 7 GAL., 36" O.C.	NATIVE
CR	95	DWARF CLUSIA, SMALL LEAF	CLUSIA ROSEA, NANA	24" HT., #3 CONTAINER 36" O.C.	NATIVE
MC	160	MULCH GRASS	MULLENBERGIA CAPILLARIS	24" HT., #3 CONTAINER 36" O.C.	NATIVE
IV	130	DWARF YALPON HOLLY	ILEX VOMITORA	24" HT., #3 CONTAINER 36" O.C.	NATIVE
FOUNDATION SHRUBS MAY BE SUBSTITUTED WITH OTHER LEE COUNTY NATIVE SPECIES					
MISC					
SOD		BAHIA SOD	PASPALUM NOTATUM	SAND GROWN	NATIVE
MULCH		ORGANIC MULCH OR PINE STRAW		3" DEPTH THROUGHOUT	NATIVE