Townlakes Storage CPD Amendment

Schedule of Deviations and Justifications

DEVIATION REQUESTS APPROVED UNDER Z-23-044

17. **Deviate from LDC §10-261(a)** Which requires all new construction of multifamily residential developments, commercial businesses, and industrial uses must provide 216 SF for the first 25,000 SF of building area plus 8 SF for each additional 1,000 SF of building area of sufficient on-site space for the placement of garbage containers or receptacles, and sufficient space for recyclable materials collection containers to allow a reduction based on the first 25,000 SF only.

18. **Deviation from LDC §34-2020(b)** which requires Mini Warehouse uses to have 1 space per 25 storage units; to allow a 5% reduction in required spaces based on meeting the criteria in LDC 34-202(c)(3) for b*icycle and pedestrian facilities and amenities.*

19. **Deviation from 10-285(a)** which states all 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 Lakes Boulevard.

PREVIOUSLY APPROVED HISTROICAL DEVIATIONS

Approved as part of existing zoning resolution Z-99-022

Deviation (1) seeks relief from the provisions of LDC Section 34-695 establishing the property development regulations for conventional one- and two-family residential districts, to allow the adoption of the Property Development Regulations shown on the MCP.

Deviation (2) seeks relief from the LDC Section 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.

Deviation (3) seeks relief from the LDC Section 34-2222(1) requirement that corner lots have a 15-foot increased lot width, to allow for an increase of only 10 feet.

Deviation (4) seeks relief from the LDC Section 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, provided the applicant/developer submits suitable documentation of "no objection" to the reduced easement width from the South Florida Water Management District, prior to development order approval.

Deviation (5) seeks relief from the LDC Section 10-329(e)(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.

Deviation (6) withdrawn

Deviation (7) seeks relief from the LDC Section 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:

1) 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.

2) 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.

Deviation (8) seeks relief from the LDC Section 10-418(a)(2)b. provision 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; and

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; and

c) Allow one tree or five shrubs to be substituted for fifty herbaceous plants rather than the required ten herbaceous plants.

Deviation (9) withdrawn

ADD2014-00095

- Deviate from LDC S34-1352(c)(1) requiring all buildings and structures part of a development engaged in the outdoor storage of vehicles (for rent) be setback 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 setback at 15.87 feet and the existing building on the western border to remain setback at 27.67 feet;

- Deviate from LDC S34-1352(c)(3) requiring 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 wall at 81.41 feet from the abutting RPD to the north; on property located at 1124 Village Lakes Boulevard

ADD2011-00081

Amend the approved planned development (CPD) by establishing lots A-F, revising the Property Development Regulations Table, and adding the following deviations:

1. Deviate from LDC §10-416(d)(3) Buffering Adjacent property, buffer requirements. Buffering and screening applies to all new development. When a commercial use abuts a commercial use a Type 'A' buffer must be installed between the uses. The deviation is to allow no required buffers between tract/lots.

ADD2024-00149 Lee County ePlan

2. Deviate from LDC §34-2020(2) requiring 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.

3. Deviate from LDC §10-291(1) requiring 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.

4. Deviate from LDC §30-153(2)(c). Restricting 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.