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May 28, 2025

Lee County Florida  
Community Development  
Development Services Division  
1500 Monroe Street  
Fort Myers, Florida

**RE: Simily Commercial Center  
DOS2023-00115  
712 Leeland Heights Blvd W, Lehigh Acres, FL  
Application for Administrative Deviation  
Explanation and Justification of Request - REVISED**

To Whom It May Concern:

Please accept this letter with supporting documents as Explanation and Justification of Request for an Administrative Deviation for LCLDC Section 33-1405(c)(3) Landscape Buffers and Section 10-261(b) Refuse and Solid Waste Disposal Facilities as further outlined below.

**PROJECT DESCRIPTION:**

Simily Commercial Center is a proposed commercial office building development project with 4 tenant spaces and associated parking as shown on the Site Plan Drawing 4. The project is located within the Lehigh Acres Planning Community. The adjacent property to the North is the Commercial ROW of Leeland Heights Blvd. The adjacent property to the East is an Improved Commercial Zone CPD. The adjacent property to the West is an Improved Commercial Zone CS-1 (current use as Single Family Residential). The adjacent properties to the South are Improved and Unimproved Zone RS-1. The project acknowledges the Lehigh Acres Planning Community LDC 33-1405 Landscaping provisions, and wishes to provide a landscape buffer alternative with a Buffer Wall along the South Buffer and West Buffer as further discussed in the below Deviation Request. In addition, the required north ROW buffer and required 24' cross-access easement limits the available size of the waste enclosure unobstructed opening to 10 ft. (vs. 12 ft.) as shown on Site Plan Drawings 4 and 5.

**DEVIATION REQUEST:**

1. Section 33-1405(c)(3) Landscaping Buffers (South): Requesting a deviation from 25 ft. buffer along the South to a 15 ft. Type "C" Landscape Buffer with 8 ft. wall (along with required trees and shrubs on the residential side of the wall). The reduced buffer depth (15 ft. vs. 25 ft.) will allow for additional site area space needed to provide the required parking for the project. The project also feels the buffer wall and landscaping would be more aesthetically pleasing for the residential to the south vs. no wall with a view of the back of the commercial building through a deeper landscaped buffer.

2. Section 33-1405(c)(3) Landscaping Buffers (West): Requesting a deviation from 25 ft. buffer along the West to a 10 ft. Type "C" Landscape Buffer with 8 ft. wall (along with required trees and shrubs on the residential use side of the wall). The reduced buffer depth (10 ft. vs. 25 ft.) will allow for additional site area space needed to provide the required parking for the project. The project also feels the buffer wall and landscaping would be more aesthetically pleasing for the residential use to the west vs. no wall with a view of the side of the commercial building through a deeper landscaped buffer.
  - a. Hardship Buffer (West): Requesting a deviation of the requested Type "C" 8 ft. west buffer wall further north of the building as it would create a hardship to accommodate the required 24 ft. cross access easement and west parking stall needed to provide the required parking for the project.
3. Section 10-261(b) Refuse and Solid Waste Disposal Facilities: Requesting a deviation from the LDC Section 10-261(b) 12-foot-wide unobstructed access opening for waste/refuse disposal enclosure to be reduced to a 10-foot-wide access opening.
  - a. Justification: The required 15.0' north ROW buffer and the required 24.0' cross-access easement (necessary for health-safety-welfare of abutting landowners) has limited the north 1/3rd of the property for use as parking and waste/refuse enclosure. As shown on Drawings 4 and 5, there is not sufficient room for a 12-foot-wide enclosure opening due to the cross-access easement, the north ROW buffer and the stormwater basin (north and east of the enclosure). However, a 10' x 10' enclosure will fit within the allotted area. The required waste collection calculations for LDC 10-261(a) are shown on Drawing 4 to be 84 SF required; and area proposed/provided is 100 SF making it compatible to handle the required waste collection
4. Section 10-104(b) Criteria for Administrative Deviations:
  - a. Section 10-104(b)(1):
    - i. The alternative South 15 ft. Type "C" Landscape Buffer with 8 ft. wall and West 10 ft. Type "C" Landscape Buffer with 8 ft. wall are based on sound engineering practices and is consistent with LCLDC Section 10-416(d) Landscape Standards Buffering design.
    - ii. The alternative 10'x10' enclosure provides more than the required minimum SF of area based on waste collection calculations; and the entrance is mostly parallel with the cross-access easement for ease of access for refuse vehicles.
  - b. Section 10-104(b)(2):
    - i. The proposed alternative is no less consistent with the health, safety and welfare of abutting landowners and the general public than the LCLDC standard for landscape buffers.
    - ii. The proposed reduced 10'x10' enclosure size is a common size required in neighboring municipalities (such as the City of Cape Coral) and is safe for navigation of refuse vehicles.
  - c. Section 10-104(b)(4): The granting of these requested deviations is not inconsistent with any specific policy directive of the Board of County Commissioners, any other ordinance or any Lee Plan provision.

The following files have been uploaded to eConnect as part of this Administrative Deviation request:

1. **Application** (Application for Administrative Deviation Form)
2. **Affidavit of Authorization**
3. **Disclosure of Interest**
4. **Legal Description**
5. **Justification** (this letter document for Explanation and Justification of Request).
6. **Site Plan** (alternative proposal showing site plan showing landscape buffer walls at the south and west)
7. **Landscape Plan** (alternative proposal showing landscape buffer walls and required plantings at the south and west)

We appreciate your consideration of this deviation request for the South and West Landscape Buffer alternative on this project.

Thank you, and should you have any questions or need any additional information, please feel free to call me at 239-257-1780.

Sincerely,



Digitally signed by  
Edward Blot  
Date: 2025.05.28  
17:09:00 -04'00'

Edward M. Blot  
Blot Engineering, Inc.