



Blackstone Corporate Park MPD – Commercial Use Area A Schedule of Deviations and Justifications ADD2024-00219 - Revised March 2025

The existing deviations 1 through 5 approved by Z-23-040 are proposed to remain.

Proposed new deviation requests:

Deviation 6: Deviation (6) seeks relief from the LDC §10-296(k) which requires that dead-end streets, designed to be so permanently, must be closed at one end by a circular turnaround; to allow two dead end locations on the internal right-of-way without a circular turnaround with internal circulation provided within parking lot aisles as shown on MCP.

Justification: The requested deviation is included in LDC Section 10-104(a)(9) list of provisions where the Development Services Director is authorized to grant administrative deviations. This deviation is requested to allow the commercial subdivision for Commercial Use Area A to be developed without providing the right-of-way for a cul-de sac in two locations on the internal privately maintained right-of-way since internal circulation will be provided within the parking lot aisles. The eastern location will provide internal circulation within the parking lot aisles of Parcels 2, 12, 13 and 14 that front this portion of the proposed privately maintained right-of-way. A temporary cul-de-sac will be provided in this area, if necessary, until such time that the internal parking lot circulation is provided. The project abuts a 100' canal right-of-way to the east, so no future interconnect is provided to the adjacent property in this location. The western location south of Parcel 3 will provide internal circulation within the parking lot aisles of Parcel 1. Permanent cul-de-sacs would serve no purpose in these two areas. The intent of this regulation to protect the health, safety and welfare of the public will be served and the planned development will be enhanced by approval of this deviation. The request is also consistent with the applicable criteria for administrative deviations contained in LDC Section 10-104(b): (1) The alternative proposed to the standards contained herein is based on sound engineering practices (2) The alternative is no less consistent with the health, safety and welfare of abutting landowners and the general public than the standard from which the deviation is being requested; (3) not applicable; (4) The granting of the deviation is not inconsistent with any specific policy directive of the Board of County Commissioners, any other ordinance or any Lee Plan provision; and (5) not applicable; and (6) not applicable. The requested deviation enhances the achievement of the objectives of the planned development and protects the public health, safety and welfare.

Deviation 7: Deviation (7) seeks relief from the LDC §10-285(a) which requires driveway spacing for future suburban areas to be a minimum of 125 feet from other driveways on a local road; to allow a minimum connection separation of 60 feet along the internal private right-of-way consistent with the requirement for future urban areas and to allow a minimum

connection separation of 60 feet for the Lee County DOT required future access to the external CPD to the proposed access within the LCEC easement.

Justification: The requested deviation is included in LDC Section 10-104(a)(3) list of provisions where the Development Services Director is authorized to grant administrative deviations. This deviation is requested to allow the existing internal connection separations indicated on the existing approved MCP to remain. The northwest corner of the property as well as properties adjacent to the north, west and east are within the Urban Community future land use category which is a future urban area. The remainder of the subject property lies within the Industrial future land use category which is a future suburban area as well as portions within the Wetlands future land use category. The internal connection separation was previously considered adequate and is sufficient for the proposed commercial and industrial subdivision. The request is also to allow the Lee County DOT required accommodation for the future access to the external CPD to the proposed access within the LCEC easement. This small external CPD is only 155± feet deep which would make a connection separation of 125 feet difficult to accommodate. The intent of this regulation to protect the health, safety and welfare of the public will be served and the planned development will be enhanced by approval of this deviation. The request is also consistent with the applicable criteria for administrative deviations contained in LDC Section 10-104(b): (1) The alternative proposed to the standards contained herein is based on sound engineering practices (2) The alternative is no less consistent with the health, safety and welfare of abutting landowners and the general public than the standard from which the deviation is being requested; (3) not applicable; (4) The granting of the deviation is not inconsistent with any specific policy directive of the Board of County Commissioners, any other ordinance or any Lee Plan provision; and (5) not applicable; and (6) not applicable. The requested deviation enhances the achievement of the objectives of the planned development and protects the public health, safety and welfare.