Consolidated Review Comments

Record Number: VAR2025-00015

Click the record number to open it in the eConnect/ACA portal.

Department of Community Development
Zoning
P.O. Box 398
Fort Myers, FL 33902

Report Date: 10/03/2025
Record Type: Variance
Address: 15821 HAMPTON VIEW CT, FORT MYERS, FL 33908
Project Name: Fox
Record Description: Accessory structures (pickle ball court) fence must be at least 20' from the front property line and cannot be located closer to the road than the home itself. To resolve for permit FNC2025-02632.

Staff has reviewed the above-referenced application in accordance with the applicable requirements of the Lee County Land Development Code (LDC). Please be advised that the application is insufficient at this time. A public hearing date will not be scheduled until a complete application is submitted.

Please respond to the enclosed sufficiency review comments within 30 days of the date of this letter. This application may be withdrawn if no response is received within this timeframe.

In order to facilitate an efficient review process, Staff is available to the Applicant and the Developer to schedule a meeting to discuss the remaining comments prior to resubmittal of the application. Contact PODZoning@leegov.com.

GENERAL COMMENTS:

The information below is an advisory summary of any significant issues identified for the project.

Corrections	*Review Comments*	*Reviewer*	*Status*	*Comment ID*
Legal Review				
Yes	LDC § 34-202(a) Submittal requirements for applications requiring public hearing. (5). Legal description and sketch to accompany legal description - No legal description was submitted. If the subject property is undivided, platted lots, then a complete legal description (i.e., lot, block, subdivision name, public records recording information) of the platted subject property is required. A sketch of the undivided, platted lots to be rezoned is not required.	Richard Burris	Open	4
Zoning Review				
Yes	- LDC Section 34-1174(b)(1) states: (b)Setback from streets. No accessory use, building or structure may be located closer to a street right-of-way line or street easement than the principal building, except as provided for in Division 30, Subdivision III of this article, or as set forth in this subsection. (1)Accessory uses, buildings or structures in the RSC-1, RSA, RS, RM, TFC, TF and AG Zoning Districts may be closer to the street than the principal building as long as a minimum setback of 100 feet is maintained. - The pickleball court is an accessory use therefore must be setback 100 feet from the property line. The request for relief in the applicant narrative is asking for relief from a 25-foot street setback. - A hardship, by LDC Section 34-2 definition, means "an unreasonable	MarySue Groth	Open	2

Corrections	Review Comments	Reviewer	Status	Comment ID
	burden that is unique to a parcel of property, such as peculiar physical characteristics". There is no peculiar physical characteristic of the property that creates a hardship to meet the LDC. In addition, a variance request must fulfill the criteria established in 34-145 that states the exceptional conditions are not the result of the property owner. The design and layout of this project was developed by the property owner, therefore is the direct result of the property owner. Therefore, staff will not be able to support this relief request based on the review criteria. Pursuant to LDC Section 34-202(b)(6)(a), the request must be consistent with the Lee Plan. As part of the narrative request, at minimum, please provide analysis of the following Lee Plan objectives and policies: Policy 1.1.5 Policy 5.1.5 **If the applicant wishes to continue pursuing this variance request, staff recommends seeking consultation from a land use planner experienced in Lee County Land Development Code and the Lee County Comprehensive Plan (Lee Plan).			

CORRECTIONS NEEDED:

Items marked Yes must be resolved before the plan review can be approved. Items marks "No" may be deferred to subsequent submittals and are not required to be addressed prior to approval of plans and documents.

Document: Title Opinion Letter (Fox).pdf

Corrections	Page Ref	Review Comments	Reviewer	Status	Comment ID
Legal Review					
Yes	1	§ Sec. 34-202. (7) Certification of title and encumbrances. b. Content. The certification of title must include, at a minimum, the following: iii. All easements encumbering the property. Easements from the recorded plat should be acknoledged.	Richard Burris	Open	3

Document: 23873VACATEDDEds-Model.pdf

Corrections	Page Ref	Review Comments	Reviewer	Status	Comment ID
Legal Review					
Yes	1	LDC § 34-202(a). Submittal requirements for applications requiring public hearing. (6) Boundary Survey. The survey must be based upon the title certification submitted in accordance with Section 34-201(a)(7) and certified to the present owner as reflected in the title documentation submitted in accordance with Section 34-201(a)(7). The survey must be tied to the State plane coordinate system for the Florida West Zone (the most current adjustment is required) with two coordinates, one coordinate being the point of beginning (POB) and the other an opposing corner. If the subject property consists of one or more undivided lots within a subdivision, then a copy of the subdivision plat may be submitted in lieu of the boundary survey. However, if the dimensions of the subject property differ from those in the original plat, then a boundary survey, including a metes and bounds legal description, will be required.	Richard Burris	Open	5

Document: Narrative Explanation.pdf

Corrections	*Page Ref*	*Review Comments*	*Reviewer*	*Status*	*Comment ID*
Planning Review					
Yes	2	Please provide a Lee Plan analysis on how the proposal complies with, at minimum, the following Lee Plan goals and policies: Policy 1.1.5 (Suburban Future Land Use Category), and Goal 101 (Coastal High Hazard Area).	Lindsey Karczewski	Open	1

REVIEWER CONTACT INFORMATION:

Reviewer Name	*Reviewer Email*	*Reviewer Phone*
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