



Consolidated Review Comments

Record Number: [VAR2026-00001](#)

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: 02/16/2026

Record Type: Variance

Address: 6227 DEER RUN, FORT MYERS, FL 33908

Project Name: The Forest CC Tower

Record Description: Variance request for height, setbacks and landscaping requirements.

The Zoning Section has reviewed the submission package for the above-referenced application in accordance with the submittal requirements contained in the Lee County Land Development Code (LDC). Please be advised that the application is insufficient at this time. The application cannot be deemed sufficient for public hearing until the deficiencies provided in the attached comments are addressed.

If you are unable to resubmit within thirty (30) days of this letter, you may request an extension and waive the statutory review deadlines set forth in F.S. 125.022 by completing and returning the [Request for Waiver Form](#).

If you have any questions prior to resubmitting, please contact the lead reviewer for a meeting to discuss the attached comments.

GENERAL COMMENTS:

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

<u>Corrections</u>	<u>Review Comments</u>	<u>Reviewer</u>	<u>Status</u>	<u>Comment ID</u>
<u>Environmental Review</u>				
Yes	Environmental Comments: 1. Please provide a landscape plan depicting the location of the variance request. 2. Please provide a cross section with the existing berm. 3. Staff cannot support the variance request; it appears the lease area cannot accommodate the required 15ft wide buffer. 4. Please demonstrate why the berm cannot be located within the lease area 5. Please note the buffers are required to be within the lease area. 6. Please note shrubs must be maintained at fence height per LDC Section 34-1447 (d)(4)(c)(2) in the narrative. 7. Please note that LDC Section 10-420 planting standards must be met. 8. Please revise site plan sheet C-3 to depict buffer outside of fence.	Paige Carroll	Open	4
<u>LeeTran Review</u>				

<u>Corrections</u>	<u>Review Comments</u>	<u>Reviewer</u>	<u>Status</u>	<u>Comment ID</u>
Yes	LeeTran has reviewed the proposed development and determined that it is located beyond one-quarter mile of a bus stop or a fixed-route corridor. Based on the current Transit LDC section 10-441, no improvements are required by the developer at this time, but will be reassessed at the time of DO or LDO.	Clarissa Marino-Diaz	Open	8
<u>Legal Review</u>				
Yes	LDC §34-202(a)(7) Title Certification. - The submitted Commitment of Title Insurance is not an accepted form. The certification of title must be in one of the following forms: i. Title certificate or title opinion, no greater than 90 days old at the time of the initial development order submittal. The title certification submittal must be either an opinion of title meeting the Florida Bar Standards prepared by a licensed Florida attorney or a certification of title/title certification prepared by a title abstractor or company. ii. Title insurance policy with appropriate schedules, no greater than five years old at the time of the initial development order submittal and an affidavit of no change covering the period of time between issuance of the policy and the application date. If submission of a complete affidavit of no change is not possible, a title certificate, or title opinion must be submitted in the alternative.	Larissa Narkiewicz	Open	5
Yes	LDC §34-202(a)(5) Legal description and sketch to accompany legal description. - A complete legal description describing the platted subject property must be submitted. No legal description was submitted. A complete legal description (i.e., lot, block, subdivision name, public records recording information) of the platted subject property is required (letter 8.5 x 11 or legal 8.5 x 14 size, suitable for recording).	Larissa Narkiewicz	Open	6
Yes	LDC §34-202(a)(6) Boundary Survey. - 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. - The boundary survey does not indicate the tie to the certification of title.	Larissa Narkiewicz	Open	7
<u>Natural Resources Review</u>				
Yes	Identify the irrigation source for the landscaping required pursuant to LDC 34-1477(d)(4)c	William Lange	Open	1
<u>Planning Review</u>				
Yes	The property is within the Coastal High Hazard Area, please provide analysis of Lee Plan policies 101.1.1 and 101.3.2.	Nicholas DeFilippo	Open	2
Yes	Please provide analysis of Lee Plan policies 5.1.5 and 123.2.10.	Nicholas DeFilippo	Open	3
<u>Zoning Review</u>				
Yes	GENERAL COMMENTS: Please separate the Special Exception and Variance request narratives into their own individual submittal documents. The application states there is a request for three (3) variances from the Land Development Code for landscaping, setbacks and height. The narrative only requests two (2) for setbacks and height. Please provide clarification on the request, and justification for the landscape variance if part of this request. Each additional variance request is subject to a \$150.00 fee, which will be invoiced following review of any future resubmission. Pursuant to LDC Sec 34-1108, please provide the required approved Tall	MarySue Groth	Open	9

<u>Corrections</u>	<u>Review Comments</u>	<u>Reviewer</u>	<u>Status</u>	<u>Comment ID</u>
	Structures Permit Pursuant to LDC Sec 34-201(a)(1)f In addition to the authorization required under subsection e, applications that include property that is individually owned by homeowners, condominium unit owners, or timeshare unit owners must be accompanied by a letter of opinion from a licensed Florida attorney, who must attest that he has examined the declaration of condominium, the bylaws of the condominium or homeowners' association documents, and all other relevant legal documents or timeshare documents, as applicable, and concluded that the act of applying or petitioning to the County violates none of the provisions therein, or any federal or state law regulating condominiums, timeshare plans, or homeowners associations, or the rights of any of the unit/homeowners owners, as derived from such documents and laws, and that approval of the requested act by the County would violate no such rights.			
Yes	Pursuant to LDC Sec 34-145: (b)(3)b – Please provide clarity on how setback and landscaping relief requested is not a burden created by the applicant's choice in leasing this space. Please ensure all Variance Criteria is addressed in the Variance Narrative requested in Comment 1. (b)(3)e – Please provide Lee Plan analysis in the applicant's narrative on the following: Policy 1.5.1, Goal 2, Objectives 2.1 and 2.2, Standard 4.1.4, Policy 5.1.5, Policy 6.1.1, Policy 101.1.1 & 101.3.2, and Policy 158.3.4	MarySue Groth	Open	10
Yes	Pursuant to LDC Sec 34-202: (a)(9) a complete list, map, and one set of mailing labels, of the property owners, and their mailing addresses, for all properties within 1,000 feet of a wireless communication facility of the perimeter that is the subject of the request must be provided. Please confirm on the surrounding property owner's map the dimension of the perimeter being utilized to fulfill this requirement. Ensure the property owner's addresses fulfill this clarification. (a)(10) – Please provide Proof of Potable Water/Sanitary Sewer Availability. Please demonstrate how the applicant intends to fulfill the requirements of irrigating the landscape buffer. If a connection is to be made for irrigation, please provide the appropriate utility letter of availability. (b)(6)b.3 – Please key the location of the variance requests to the site plan.	MarySue Groth	Open	11

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.

REVIEWER CONTACT INFORMATION:

<u>Reviewer Name</u>	<u>Reviewer Email</u>	<u>Reviewer Phone</u>
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