

M E M O R A N D U M
FROM
THE OFFICE OF THE
LEE COUNTY HEARING EXAMINER

DATE: May 8, 2026

TO: Board of County Commissioners FROM: Donna Marie Collins
Lee County Chief Hearing Examiner

RE: LEHIGH ACRES MOBILE BATCH PLANT IPD
Hearing Examiner Recommendation

Chief Hearing Examiner Donna Marie Collins has rendered a Recommendation on the following zoning request:

LEHIGH ACRES MOBILE BATCH PLANT IPD

DCI2025-00020

HEARD: April 2, 2026 (Not Heard)
CONTINUED DATE: May 7, 2026 (Heard)

The Zoning Section of the Department of Community Development will schedule a final hearing before the Board in the coming weeks.

cc: Michael Jacob, Esq. / County Attorney's Office
Joseph Adams, Esq. / County Attorney's Office
Anthony Rodriguez, AICP / Zoning Section
MarySue Groth / Zoning Section
Warren Baucom / Economic Development
Phil Gillogly / Natural Resources
Brienne Cherry / Community Development
Applicant(s) & Representative(s)
Other Interested Parties

Summary of Hearing Examiner Recommendation

LEHIGH ACRES MOBILE BATCH PLANT IPD

The property lies within an industrial park on Westgate Boulevard in Lehigh Acres. Surrounding parcels are zoned for light industrial uses.

The Westgate Industrial Park is nearly built out with warehousing, contractors, truck/auto parts and repair, and freight shipping businesses. The Lee County School District operates a school bus compound at the intersection of 4th Street West and Westgate Boulevard.

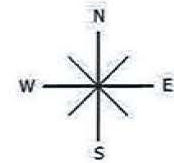
Rezoning the vacant site to the Industrial Planned Development district constitutes infill development, promoting compact growth patterns.

Detailed recommendation follows

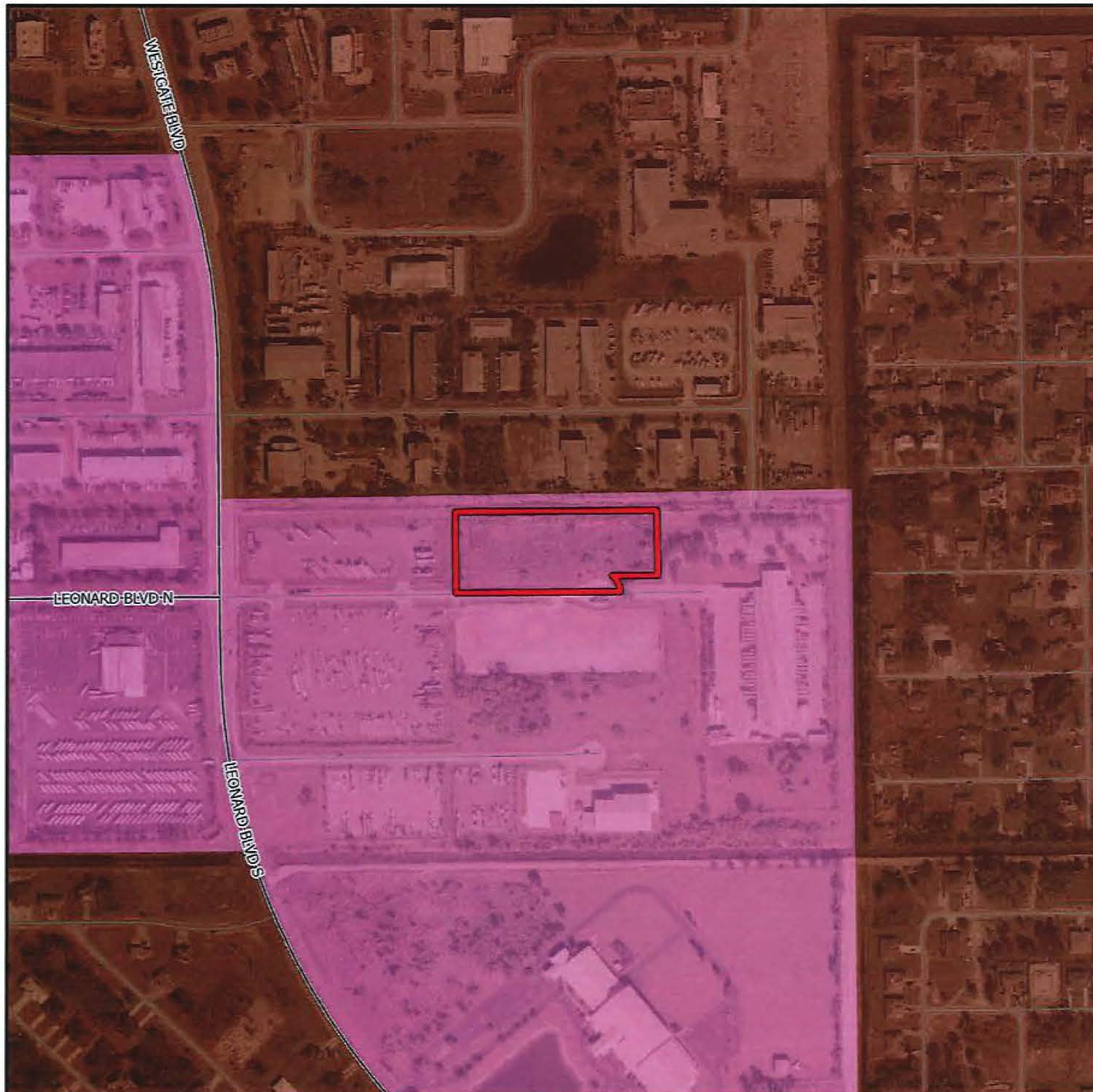
DCI2025-00020

Future Land Use

-  Subject Property
-  Central Urban
-  Industrial



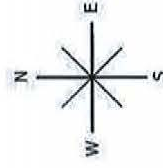
0 500
Feet



DCI2025-00020

Aerial

 Subject Property



0 500
Feet

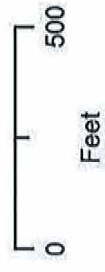
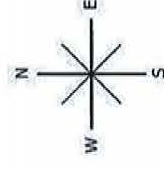


DCI2025-00020

Mixed Use Overlay

 Subject Property

 Mixed Use Overlay



OFFICE OF THE HEARING EXAMINER, LEE COUNTY, FLORIDA

HEARING EXAMINER RECOMMENDATION

REZONING: DCI2025-00020

Regarding: **LEHIGH ACRES MOBILE BATCH PLANT IPD**

Location: 5511 4TH ST W
Lehigh Acres Planning Community
(District 5)

Hearing Date: April 2, 2026 (Not Heard)

Continued Date: **May 7, 2026 (Heard)**

I. Request

Rezone 3.45 +/- acres from Light Industrial (IL) to Industrial Planned Development (IPD) to allow a concrete batch plant with a maximum of 35,000 square feet of enclosed building floor area, including ancillary retail and wholesale activities.

Maximum building height is 35 feet. Vertical process equipment and material storage structures may extend up to 75 feet in height.

The property legal description is set forth in Exhibit A.

II. Hearing Examiner Recommendation

Approve, subject to the conditions in Exhibit B.

III. Discussion

The Hearing Examiner serves in an advisory capacity to the Board of County Commissioners (Board) on applications to rezone property to the planned development zoning district.¹ In furtherance of this duty, the Hearing Examiner accepted testimony and evidence on an application to rezone 3.45 acres to the Industrial Planned Development (IPD) district in Lehigh Acres. Staff recommended approval with conditions.

In preparing a recommendation to the Board, the Hearing Examiner must apply the County's Comprehensive Plan (Lee Plan), Land Development Code (LDC), and other County regulations to facts presented at hearing. The record must contain substantial competent evidence to support the recommendation.

¹ LDC §34-145(d)(4) a.

Discussion supporting the Hearing Examiner's recommendation of approval, with conditions below.

Property Characteristics

The property is approximately 3.45 +/- acres in size and zoned Light Industrial (IL). Its road frontage is on 4th Street West, a privately maintained local road east of Westgate Boulevard in Lehigh Acres.² Westgate Boulevard is a county-maintained, arterial roadway that is an extension of Alvin Avenue to the north and Leonard Boulevard S to the south. The property abuts the Jack Canal.

The property is vacant.

Character of Area

The property lies within the Westgate Industrial Park. Surrounding parcels are zoned for light industrial pursuits.

The area is developing with freight shipping, warehousing, contractors, truck/auto parts, and repair businesses. The Lee County School District operates a school bus compound at the intersection of 4th Street West and Leonard Boulevard S.³

Rezoning the site to the IPD district constitutes infill development, promoting compact growth patterns.⁴

Lee Plan

Planned developments must be consistent with the Lee Plan.⁵

The property is classified as Industrial Development on the Lee Plan Future Land Use Map.⁶ Industrial Development areas expand the potential for job opportunities in the region by reserving land for manufacturing, processing, warehousing, etc.⁷ Properties within the Westlake industrial park are intended to meet the County's future industrial needs.⁸

² The property is less than a quarter of a mile east of Westgate Boulevard.

³ Westgate Boulevard transitions to Leonard Boulevard S at 4th Street W.

⁴ Lee Plan Objective 2.1.

⁵ LDC §§34-411(a), 34-491.

⁶ Lee Plan Policy 1.1.7; Lee Plan Map 1-A.

⁷ Industrial land uses are encouraged in the Industrial Development category. See Lee Plan Goals 2, 7, 158, Policies 1.1.7, 7.1.3, 7.1.4, 158.2.1. Industrial Development areas reserve land for manufacturing, processing, warehousing, data/logistics centers, research and development, and laboratories.

⁸ Lee Plan Policies 1.6.5, 158.2.1, 158.2.2.

The County evaluates compatibility during zoning.⁹ Rezoning requests must be compatible with existing or planned uses in the area.¹⁰ Compatibility exists when land uses exist in proximity, and no one use unduly negatively impacts another.¹¹ Planned development zoning is useful when integrating new development with surrounding land uses.¹² Appropriate intensity is determined on a case-by-case basis in accordance with the Lee Plan and nature of surrounding land uses.¹³ The planned development zoning district allows flexibility in site design to address potential incompatibilities with neighboring development.¹⁴

Properties surrounding the site are zoned for light industrial land uses.¹⁵ Jack Canal forms the north boundary of IPD.¹⁶ Industrial development will not be permitted if it allows traffic to travel through predominantly residential areas.¹⁷ There are no residential land uses in the area. Development patterns north of Jack Canal consist of light industrial land uses. Uses include contractor offices, warehousing, and auto repair. Fourth Street West lies to the south, followed by vacant and developed property. Industrial uses are ideal within the Westlake Industrial Park.¹⁸

Proposed development parameters include up to 35,000 square feet of enclosed building floor area, and a limited schedule of industrial and contractor service uses. Requested uses include ancillary retail and wholesale activities associated with the primary block plant operation. Maximum building heights will be 35 feet. Associated vertical process structures necessary for plant operations may extend up to 75 feet in height.¹⁹

Project intensity is also guided by availability of public infrastructure/services.²⁰ The property has access to public services and infrastructure, police, fire, and

⁹ LDC §34-145(d)(4).

¹⁰ LDC §34-145(d)(4)(a).

¹¹ s. 163.3164(9), F.S.; Lee Plan Policy 135.9.6.

¹² LDC §34-612(2).

¹³ LDC §34-413.

¹⁴ *Id.*

¹⁵ Surrounding properties are zoned IL. The requested IPD constitutes infill development and is consistent with area development patterns.

¹⁶ The Lehigh Acres Municipal Service Improvement District (LAMSID) manages canals in Lehigh.

¹⁷ Lee Plan Policies 7.1.7, 39.1.3, 158.2.2.

¹⁸ Lee Plan Goal 7, Objective 7.1, Policies 2.1.1, 7.1.2, 7.1.3.

¹⁹ The Lehigh Community planning regulations limit building height outside Lehigh's Specialized Mixed-Use Nodes to a maximum of three stories or 45 feet unless greater heights are approved by deviation. LDC §33-1417. The request does not request a deviation from this height limitation.

²⁰ LDC §34-413; Lee Plan Policies 7.1.3, 39.1.3.

emergency medical services.²¹ The proposed block plant operation promotes compact development patterns in a subdivision slated for industrial land uses.²²

County actions relating to industrial land uses must be consistent with the Economic Element of the Lee Plan.²³ The Economic Element directs the County to strive for a diversified economy to ensure maximum employment opportunities. Land development creates jobs, increases property values, generates tax revenue, and fuels economic growth. The Lee Plan encourages expansion of the County's economic base.²⁴ The proposed concrete batch plant will contribute to a positive business climate by offering additional employment opportunities for the region.²⁵

Compliance with Land Development Code

Applicant seeks to rezone the property to the IPD district. The planned development zoning district is appropriate because it affords flexibility in site design.²⁶

The 3.45-acre site is currently zoned IL. The purpose of IL zoning districts is to accommodate light industrial and quasi-industrial commercial uses within enclosed buildings.²⁷ The IPD district permits a broader range of uses, including manufacture, storage, and wholesale distribution of goods and materials. The IPD schedule of uses includes Contractors and Builders, Freight and Cargo Handling Establishments, Manufacturing, Processing, and Warehousing.²⁸ The request permits services and activities not allowed elsewhere and limited commercial uses to serve employees and business patrons within the IPD.²⁹

The site design of industrial planned developments must arrange uses in a manner that promotes compatibility and avoids negative impacts to traffic circulation.³⁰ The

²¹ Lee Plan Goal 7, Objectives 2.1, 2.2, Policies 1.1.7, 2.2.1, 2.2.2, 7.1.1, 7.1.4, 7.1.7, 39.1.3, LDC §34-411(i) and (j). Potable water service and sanitary sewer service provided by Florida Gulf Utility Association. The property is proximate to arterial roadways Lee Boulevard and SR 82, making it a suitable location for an industrial zoning classification.

²² The proposed concrete batch plant contributes to compact growth patterns in an area designated for industrial activity. Lee Plan Goal 158, Objectives 2.1, 2.2, 158.2, Policies 7.1.3, 7.1.4, 39.2.1, 158.2.2.

²³ Lee Plan Policy 7.1.8.

²⁴ Lee Plan Goal 159, Objective 159.2, Policies 158.1.1, 158.2.2.

²⁵ Lee Plan Goals 7, 158, 160, Objectives 7.1, 158.2, 158.3, Policies 7.1.1, 7.1.8, 158.2.2. *See also*, Lee Plan Table 1(b) and Policy 7.1.10. The Lee Plan Economic Element directs the County to strive for a diversified economy to ensure maximum employment opportunities.

²⁶ LDC §34-2: Development of County Impact means development that may have a substantial effect upon the health, safety, and welfare of the citizens of the County or upon its natural resources. *See also* LDC §§34-341(a), 34-411(a), 34-612(2). Lee Plan Policies 2.1.2, 2.1.1; LDC §34-612(2). The planned development district affords flexibility in site design.

²⁷ The general purpose of industrial districts is to encourage industrial growth in future urban areas where infrastructure exists or can be extended.

²⁸ LDC §34-931(f). *See* proposed schedule of permitted uses in Condition 2.

²⁹ LDC §34-931.

³⁰ Lee Plan Policies 7.1.2, 7.1.6.

proposed Master Concept Plan (MCP) provides open space, buffers, and internal traffic circulation.

Development in the Lehigh Acres Planning District is subject to the Lehigh Acres Community Plan.³¹ Community specific LDC regulations require zoning applications to conduct a public meeting in the community prior to the Hearing Examiner hearing.³² Applicant conducted an advertised meeting at the Lehigh Acres Municipal Services Improvement District Offices.³³ Future development orders will be subject to community presentation requirements as well.³⁴

The request seeks no deviations from the LDC.

Transportation

Requests to rezone property must provide sufficient access to support development and address impacts to transportation facilities through County regulations and conditions of approval.³⁵

The MCP includes two driveways onto 4th Street W, a privately maintained local road. Fourth Street West accesses Westgate Boulevard and the County road network and the interstate.³⁶ Lee and Westlake Boulevards are County maintained arterial roadways.³⁷

The Applicant's Traffic Impact Statement concludes area roadways will operate within adopted levels of service at project buildout in 2026.³⁸ Lee County Department of Transportation concurs with this assessment.³⁹ Road impact fees will address impacts to the County transportation network.⁴⁰ Further analysis of transportation impacts will occur during development order permitting.

³¹ The Board adopted the Lehigh Community Plan March 3, 2010 (Ordinance 10-16) and corresponding LDC regulations on January 10, 2012 (Ordinance 12-01). Future development permits, including development orders, must comply with community standards. Lee Plan Goal 25 and supplemental development regulations in LDC §33-1400 *et seq.*

³² LDC §33-1401(a)(2).

³³ Staff Report Attachment P: Lehigh Acres Architectural, Planning & Zoning Review Board Meeting Minutes. Meeting held at Lehigh Acres Municipal Services Improvement District Offices on August 28, 2025.

³⁴ The LDC requires development order and building permit applications to comply with the Lehigh Acres Planning Community regulations. LDC §33-1400(d). *See also* LDC §33-1401(a).

³⁵ LDC §34-145(d)(4)a.1.d) and e).

³⁶ The site is approximately four miles from the interstate. Lee Plan Policy 7.1.3.

³⁷ Lee County Administrative Code 11-1.

³⁸ Staff Report Attachment M: Zoning Traffic Study for Lehigh Acres Batch Plant prepared by Quattrone & Associates, Inc., dated November 5, 2025.

³⁹ Staff Report Attachment N: Memorandum prepared by John Podczerwinsky, Principal Planner, dated March 3, 2026. Lee County DOT's Transportation-Related Analysis agrees with the conclusions reached in Applicant's TIS, finding the project will generate less than 100 trips per hour.

⁴⁰ Lee Plan Policy 38.1.1.

Environmental

Rezoning requests must not adversely affect environmentally critical/sensitive areas or natural resources.⁴¹

The property has been cleared and has minimal vegetation. Applicants' protected species survey indicates potentially 34 occupied and 1 abandoned gopher tortoise burrows on the property.⁴² The law requires relocation of gopher tortoises prior to development activity. The property owner must secure authorization to relocate the gopher tortoises to an approved recipient site in accordance with FWC Gopher Tortoise Permitting Guidelines.⁴³ A condition of approval requires an updated species survey at the time of local development order application.

The proposed IPD is under ten acres and therefore is required to provide a minimum of 10% open space.⁴⁴ The MCP depicts over 40% open space, far exceeding code requirements.⁴⁵ As a small development, there is no requirement to provide indigenous preserve area.

Project buffers are not necessary along the east, west, and north property boundaries because the property is surrounded by industrial land uses.⁴⁶ The MCP reflects the code required right-of-way buffer along the property frontage.⁴⁷ Open storage areas must comply with LDC screening requirements including a six-foot fence or dense vegetation.⁴⁸

The Lee Plan requires the design of surface water management systems to protect groundwater.⁴⁹ Surface water will be collected via on-site grading, storm structures, and an underground storm pipe network and conveyed to a dry detention system for treatment and attenuation.⁵⁰

The Hearing Examiner finds the requested IPD will not harm environmentally critical/sensitive areas or natural resources.⁵¹

⁴¹ LDC §34-145(d)(4)a.1.f).

⁴² Staff Report Attachment J: Listed Species Survey prepared by Topical Environmental Consultants.

⁴³ Lee Plan Policy 123.8.1.

⁴⁴ This amounts to .34 acres (14,810 square feet) LDC §10-415(a).

⁴⁵ See MCP. LDC §34-935(g)(4) b. The MCP provides 1.52 acres of open space, which exceeds the code requirement for .34 acres. Lee Plan Objective 77.2.

⁴⁶ LDC §10-416(d).

⁴⁷ Type D buffers are 15 feet in width planted with five trees and a double staggered hedgerow maintained at 36 inches in height. Lee Plan Policy 7.1.6.

⁴⁸ LDC §§10-416(d), 34-3005(b).

⁴⁹ Lee Plan Goal 61. The IPD must comply with water quality provisions of the South Florida Water Management District. See Staff Report Attachment H.

⁵⁰ Lee Plan Policy 60.4.1.

⁵¹ Development order submittals ensure buffers and landscaped areas follow Xeriscape principles. Lee Plan Objective 126.2, Policies 54.1.2, 54.1.3, 54.1.6, 54.1.11, 61.1.6, 125.1.2, 126.1.2, 126.2.1. Required landscape buffers must consist of native landscape to conserve water.

Public Services and Infrastructure

Zoning requests must demonstrate the property will be served by public services and infrastructure necessary to support development.⁵² Public services include facilities, capital improvements, and infrastructure.⁵³ The Lee Plan requires an evaluation of public services during the zoning process.⁵⁴

Industrial land uses must be located in areas appropriate to their special needs and constraints, including access by truck, utilities, and proximity to supportive and related land uses.⁵⁵ Public services and infrastructure are available to serve the site.⁵⁶ The property fronts on a non-County maintained roadway but connects Westgate Boulevard, a County maintained arterial road. Westgate Boulevard provides access to the County road network and the interstate.

The site has access to potable water and sanitary sewer from Florida Governmental Utility Authority.⁵⁷ Fire, EMS, and law enforcement services are available to serve the property and the site is within the service area for Lee County Solid Waste.⁵⁸

The proposed industrial land uses are appropriate given the site's proximity to the interstate, public services, and infrastructure.⁵⁹

Conditions

The County must administer the zoning process so proposed land uses minimize adverse impacts on adjacent property and protect natural resources.⁶⁰ Conditions must plausibly relate to anticipated impacts, and be pertinent to mitigating impacts to public health, safety, and welfare.⁶¹

The requested Lehigh Acres Mobile Batch Plant IPD will be subject to conditions of approval reasonably related to the impacts anticipated from the development.⁶²

⁵² LDC §34-145(d)(4)a.1.g).

⁵³ Available public services and infrastructure include public water and sewer, paved streets, police, fire and emergency services, and urban surface water management. Lee Plan Goals 70, 95, Objective 4.1, Standards 4.1.1, 4.1.2, 4.1.4.

⁵⁴ Lee Plan Policy 2.2.1.

⁵⁵ Lee Plan Policies 7.1.1, 7.1.3, 7.1.4, 25.9.2.

⁵⁶ Lee Plan Goals 2, 4, 53, 56, 70, 95, Objectives 2.2, 4.1, 158.3, Policies 1.1.7, 2.2.1, 7.1.2, 7.1.4, 25.9.2, 53.1.5, 56.1.4, 160.1.1, Standards 4.1.1, 4.1.2.

⁵⁷ Staff Report Attachment O: Letter of Availability from the Florida Governmental Utility Authority, Lee Plan Standards 4.1.1, 4.1.2. See Lee Plan Policy 25.9.2.

⁵⁸ Fire and emergency medical services will be provided by Lehigh Acres Fire District Station 107 on Leonard Boulevard, less than a mile from the property. Law enforcement will be provided by the Lee County Sheriff East District substation on Homestead Road.

⁵⁹ Lee Plan Objective 7.1, Policies 7.1.1, 7.1.3.

⁶⁰ LDC §§34-145(d)(4)a.2.(b), 34-377(a)(3), and 34-932(b, c).

⁶¹ LDC §34-932(c).

⁶² LDC §34-83(b)(4)a.3.

Public

No Members of the public attended the hearing.

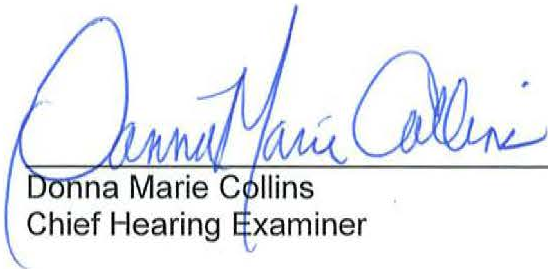
IV. Findings and Conclusions

The Hearing Examiner makes the following findings and conclusions based on the testimony and evidence in the record:

- A. The proposed Lehigh Acres Mobile Batch Plant Industrial Planned Development complies with the Lee Plan. Lee Plan Goals 2, 4, 7, 25, 60, 61, 70, 77, 95, 158, Objectives 2.1, 2.2, 4.1, 25.8, 29.9, 158.3, Policies 1.1.7, 1.6.5, 2.1.2, 2.2.1, 7.1.1, 7.1.2, 7.1.3, 7.1.5, 7.1.6, 7.1.7, 7.1.8, 7.1.9, 7.1.10, 25.9.2, 60.1.4, 61.3.6, 125.1.2, 158.2.1, 158.2.2; Standards 4.1.1, 4.1.2, 4.1.4, Table 1(b).
- B. *As conditioned*, the Industrial Planned Development:
 - 1. Meets the LDC and other county regulations. LDC Chapters 2, 10, 33, 34;
 - 2. Is compatible with existing and planned uses in the surrounding area. Lee Plan Goal 25, Policies 2.1.1, 2.1.2, 2.2.1, 7.1.2, 7.1.3, 7.1.6, 7.1.8, 158.2.1, 158.2.2;
 - 3. Provides access sufficient to support the proposed development intensity. Expected impacts on transportation facilities will be addressed by county regulations and conditions of approval. Lee Plan Objective 39.1, Policies 2.2.1, 7.1.1, 7.1.2, 7.1.5, 38.1.1, 39.1.1, 39.1.3; LDC §34-411(d) and (e);
 - 4. Will not adversely affect environmentally critical areas and natural resources. Lee Plan Goals 60, 61, 77, Objectives 77.2, 77.3, 126.2, Policies 54.1.1, 60.1.1, 60.4.1, 61.2.4, 61.3.6, 61.3.11, 123.4.5, 125.1.2, 126.2.1; and
 - 5. Will be served by urban services including paved roads, potable water, sanitary sewer, urban surface water management, police, fire, and emergency services. Lee Plan Glossary, Lee Plan Goals 2, 4, 7, 25, 60, 70, 95, Objectives 2.1, 2.2, 4.1, 7.1, 158.3, Policies 2.2.1, 7.1.1, 7.1.4, 7.1.5, 7.1.6, 25.9.2, Standards 4.1.1, 4.1.2; LDC §34-411(d).

- C. The proposed uses are appropriate at the proposed location. Lee Plan Goals 25, 158, Objective 2.1, Policies 2.1.1, 2.1.2, 7.1.1, 7.1.2, 7.1.3, 7.1.8, 153.2.1, 158.2.2.
- D. Recommended conditions and applicable regulations provide sufficient safeguards to protect the public interest. In addition, recommended conditions reasonably relate to impacts expected from the proposed development. Lee Plan Policies 7.1.2, 7.1.8; LDC §§34-377(a)(3), 34-411, 34-932(b) and (c).

Date of Recommendation: May 8, 2026.



Donna Marie Collins
Chief Hearing Examiner

Lee County Hearing Examiner
1500 Monroe Street, Suite 218
Post Office Box 398
Fort Myers, FL 33902-0398

Exhibits to Hearing Examiner's Recommendation

- Exhibit A Legal Description and Vicinity Map
- Exhibit B Recommended Conditions and Deviations
- Exhibit C Exhibits Presented at Hearing
- Exhibit D Hearing Participants
- Exhibit E Information

Exhibit A

LEGAL DESCRIPTION AND VICINITY MAP



GEOMETRIC SURVEYING INC.

2804 DEL PRADO BLVD S, SUITE 205
CAPE CORAL, FL 33904
ASSISTANCE@GEOMETRICSURVEYING.COM
(239)-540-6257
(239)-471-2237



REVIEWED

Project: DCI2025-00020

5511 4TH ST W, LEHIGH ACRES, FL 33971

By: Larissa Narkiewicz

LEGAL DESCRIPTION
THIS IS NOT A SURVEY

Dept: Legal Review

Date: 01/13/2026

LEGAL DESCRIPTION:

A TRACT OR PARCEL OF LAND LYING WITHIN SECTION 30, TOWNSHIP 44 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA, AND BEING PART OF THAT LAND VACATED IN OFFICIAL RECORD BOOK 2633, PAGE 1695, AND BEING PART OF THAT LAND SHOWN IN PLAT BOOK 15, PAGE 81, OF THE RECORDS OF LEE COUNTY, FLORIDA, WHICH LIES NORTH OF BLOWFISH CANAL, WEST OF AMBERJACK CANAL, SOUTH OF JACK CANAL, AND EAST OF WESTGATE AND LEONARD BOULEVARDS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FROM THE POINT OF COMMENCEMENT (POC) AT THE SOUTHEAST CORNER OF SECTION 30, TOWNSHIP 44 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA; THENCE, N. 00°59'22" W., FOR 100.00 FEET ALONG THE EAST SECTION LINE OF SAID SECTION 30; THENCE LEAVING SAID EAST SECTION LINE, S. 89°30'44" W., FOR 1769.55 FEET ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID BLOWFISH CANAL TO A POINT IN THE EAST RIGHT-OF-WAY LINE OF SAID LEONARD AND WESTGATE BOULEVARDS AND THE POINT ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 1,950.00 FEET, A CENTRAL ANGLE OF 15°35'46", AND A CHORD BEARING AND DISTANCE OF N. 08°17'11" W., 529.16 FEET; THENCE, CONTINUING NORTHERLY ALONG THE ARC OF SAID CURVE AND SAID RIGHT-OF-WAY LINE FOR 530.80 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE, CONTINUING ALONG SAID RIGHT-OF-WAY LINE, N. 00°29'18" W., FOR 230.78 FEET TO A POINT ON THE CENTERLINE OF A 60.00 FEET WIDE EASEMENT (PARCEL 2, OFFICIAL RECORD BOOK 4191, PAGES 4708- 4712); THENCE N. 89°30'12" E., FOR 669.00 FEET ALONG THE CENTERLINE OF SAID EASEMENT TO THE POINT OF BEGINNING (POB) OF THE PARCEL HEREIN DESCRIBED:

FROM SAID POINT OF BEGINNING; THENCE N. 00°29'48" W., FOR 252.85 FEET LEAVING SAID CENTERLINE TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF JACK CANAL; THENCE N. 89°30'44" E., FOR 618.56 FEET ALONG SAID SOUTH RIGHT-OF-WAY LINE; THENCE, S. 00°59'22" E., FOR 202.76 FEET, LEAVING SAID RIGHT-OF-WAY LINE; THENCE S. 89°30'12" W., FOR 139.28 FEET TO A POINT BEING IN THE EASTERLY LINE OF SAID EASEMENT (PARCEL 2, OFFICIAL RECORD BOOK 4191, PAGES 4708- 4712) AND THE PC OF A CURVE TO THE RIGHT, HAVING A RADIUS 65.00 FEET, A CENTRAL ANGLE OF 50°17'06", A CHORD BEARING AND DISTANCE OF S. 25°38'21" E., 55.23 FEET; THENCE CONTINUE ALONG THE ARC OF SAID CURVE, AND SAID EASEMENT LINE FOR 57.05 FEET TO THE END OF SAID CURVE; THENCE S. 89°30'12" W., FOR 504.49 FEET, LEAVING SAID EAST LINE AND CONTINUING ALONG THE CENTERLINE OF SAID EASEMENT (60.00 FEET WIDE) TO THE POINT OF BEGINNING.

CERTIFICATION:

BELLO HORIZON LLC.

SURVEYOR'S CERTIFICATION:

I HEREBY CERTIFY: THAT THE SKETCH OF THIS SPECIFIC SURVEY WAS PREPARED UNDER MY SUPERVISION AND THAT MEETS THE STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 5J-17.050-52 OF THE FLORIDA ADMINISTRATIVE CODE PURSUANT TO 472 OF THE FLORIDA STATUTES AND THAT THE SKETCH THEREON IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

BY: 
MIGUEL J. GARAY

07/15/2025
(DATE)

PROFESSIONAL LAND SURVEYOR AND MAPPER LS#6594
STATE OF FLORIDA (NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER)

SURVEYOR'S NOTES:

1. THIS SKETCH IS BASED ON INFORMATION FURNISHED BY CLIENT OR CLIENTS REPRESENTATIVE.
2. THIS SKETCH IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
3. BEARINGS SHOWN HEREON ARE BASED ON PLAT

Miguel J.
Garay

Digitally signed by Miguel J Garay
DN:
serialNumber=A01410C0000019A50075
DAB000FD913, 2.5.4.97=NTRUS+FL-
P17000058214, o=GEOMETRIC
SURVEYING INC, cn=Miguel J Garay,
sn=Garay, givenName=Miguel,
email=ASSISTANCE@GEOMETRICSURVEYING.COM, c=US
Date: 2026.01.08 10:02:51 -05'00'

DRAWN BY:	AGA
FIELD DATE:	07/15/2025
SURVEY NO:	25-01118
SHEET:	1 OF 1



L.B.# 8203
L.S.# 6594 SEAL

EXHIBIT A



GEOMETRIC SURVEYING INC.

2804 DEL PRADO BLVD S, SUITE 205
CAPE CORAL, FL 33904
ASSISTANCE@GEOMETRICSURVEYING.COM
(239)-540-6257
(239)-471-2237



5511 4TH ST W, LEHIGH ACRES, FL 33971

REVIEWED

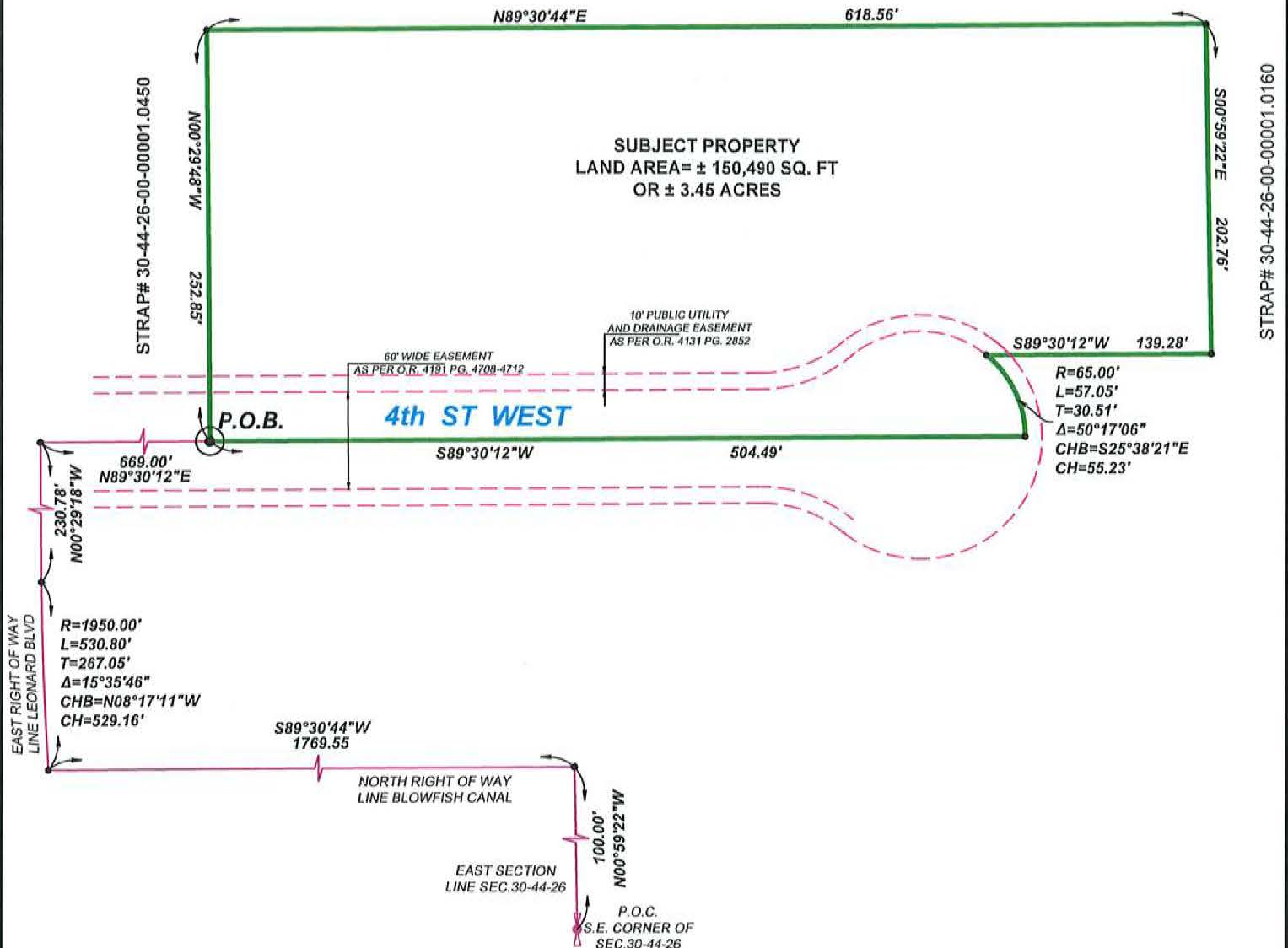
Project: DCI2025-00020

By: Larissa Narkiewicz

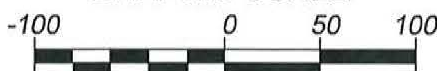
Dept: Legal Review

Date: 01/13/2026

SKETCH OF LEGAL DESCRIPTION
THIS IS NOT A SURVEY



GRAPHIC SCALE

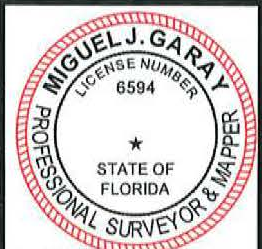


1 INCH = 100 FEET

ABBREVIATIONS:

CL = CENTER LINE
U.E. = UTILITY EASEMENT
D.M.E. = DRAINAGE & MAINTENANCE EASEMENT

DRAWN BY:	AGA
FIELD DATE:	07/15/2025
SURVEY NO:	25-01118
SHEET:	2 of 2



L.B.# 8203
L.S.# 6594 SEAL

DCI2025-00020

Zoning

 Subject Property

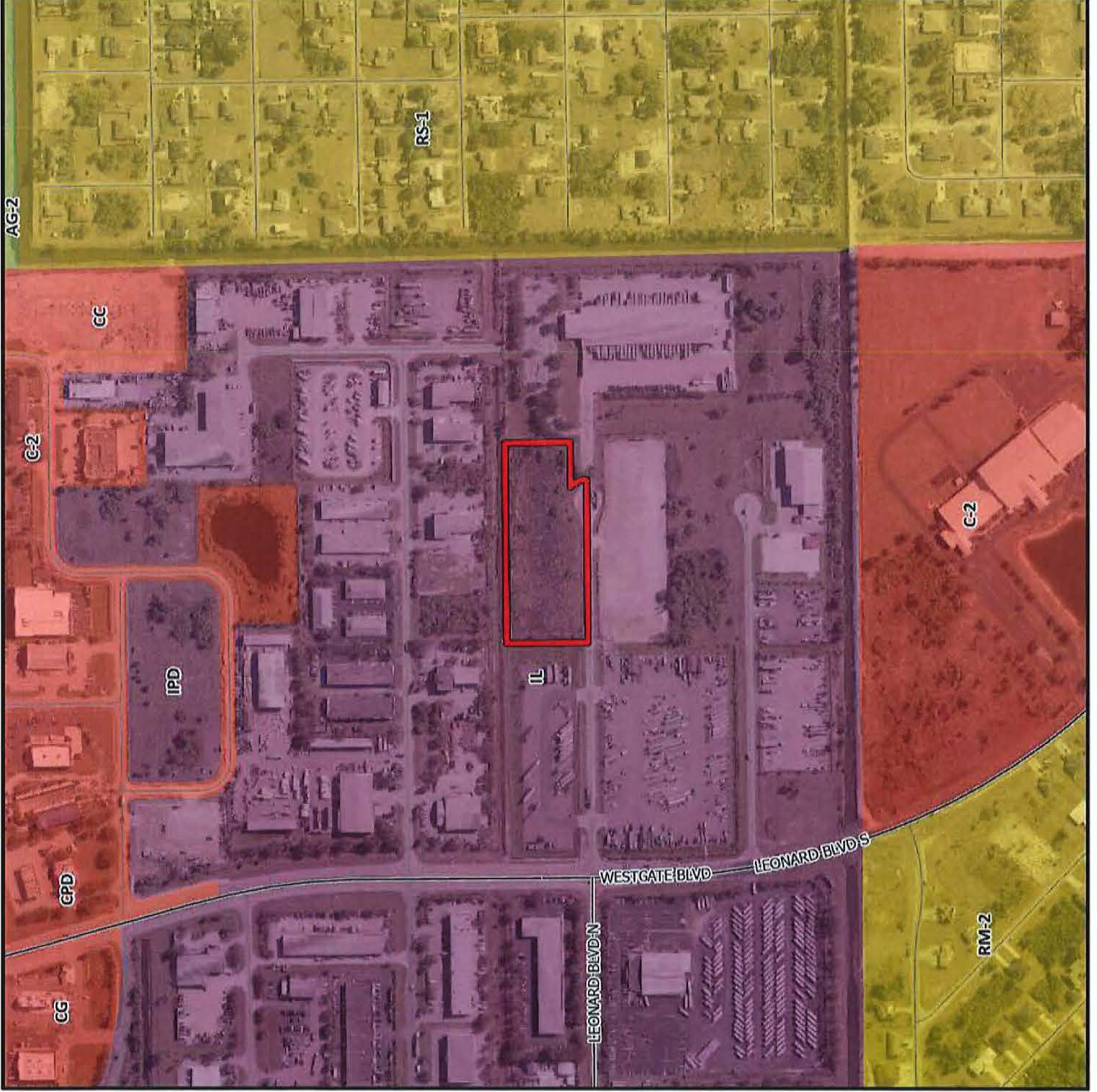
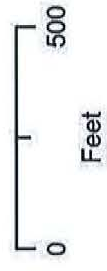
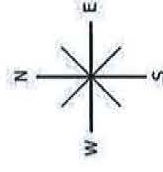


Exhibit B

RECOMMENDED CONDITIONS AND DEVIATIONS

CONDITIONS

1. Master Concept Plan and Approved Development Parameters

Master Concept Plan (MCP). Development must be consistent with the two-page MCP entitled "Lehigh Acres Batch Plant" stamped received by Hearing Examiner March 11, 2026, except where modified by conditions below. (Exhibit B1)

Lee Plan and Land Development Code (LDC). Development must comply with the LDC and Lee Plan, except where deviations have been approved herein. Subsequent changes require further development approvals.

Approved Development Parameters. The IPD may include up to 35,000 square feet of floor area. Building heights are limited to 35 feet. Vertical process structures for batch plant operations may extend up to 75 feet in height.

2. Schedule of Permitted Uses and Property Development Regulations

a. Permitted Uses

Accessory Uses and Structures
Administrative Offices
Building Material Sales
Business Services, All Groups
Contractors and Builders, All Groups
Entrance Gates and Gatehouse
Excavation: Water Retention
Excess Spoil Removal
Fences, walls
Freight and Cargo Handling Establishments
Manufacturing of: Stone, clay, glass and concrete products, Groups II, III, IV
Non-store Retailer, Group I
Parking Lot, Accessor
Processing and Warehousing
Retail and Wholesale Sales, Ancillary to an Approved Use
Signs
Storage, indoor and open
Wholesale Establishments: Groups I, II

b. Site Development Regulations

Minimum Lot Size: 20,000 square feet

Minimum Lot Depth:	100 feet
Minimum Lot Width:	100 feet
Maximum Building Height:	35 feet
Batch Plant Structures:	75 feet (separation per LDC §34-2174(a))
Maximum Lot Coverage:	40 percent
Minimum Open Space:	44 percent
<u>Minimum Setbacks:</u>	
Street, local:	25 feet
Side:	20 feet
Rear:	15 feet
Waterbody:	25 feet (top of bank)
Accessory Structures (side & rear):	5 feet

3. Open Space

Development order plans must depict a minimum of 10% open space. The initial MCP depicts 1.52 acres open space (44%). Future site plan amendments reducing open space may be accomplished through the administrative amendment process so long as the resulting MCP depicts a minimum of 10% space.

4. Protected Species

- a. Development order submittals must include an updated species survey. If the survey discloses the presence of gopher tortoises, developer must submit a Protected Species Management Plan to address relocation.
- b. Developer must obtain a Vegetation Removal Permit prior to site work and gopher tortoise relocation.

5. State and Federal Permits

County development permits do not create rights to obtain permits from state or federal agencies and do not create liability on the part of the County if applicant fails to obtain requisite approvals or fulfill obligations imposed by state/federal agencies or if applicant undertakes actions resulting in a violation of state or federal law. Applicant must obtain applicable state/federal permits prior to commencing development.

DEVIATIONS

NONE

Exhibits to Conditions:

B1: Master Concept Plan entitled "Lehigh Acres Batch Plant" stamped received by Hearing Examiner March 11, 2026.

LEHIGH ACRES BATCH PLANT

LOCATED IN SECTION 30, TOWNSHIP 44-S, RANGE 26-E, LEE COUNTY, FLORIDA

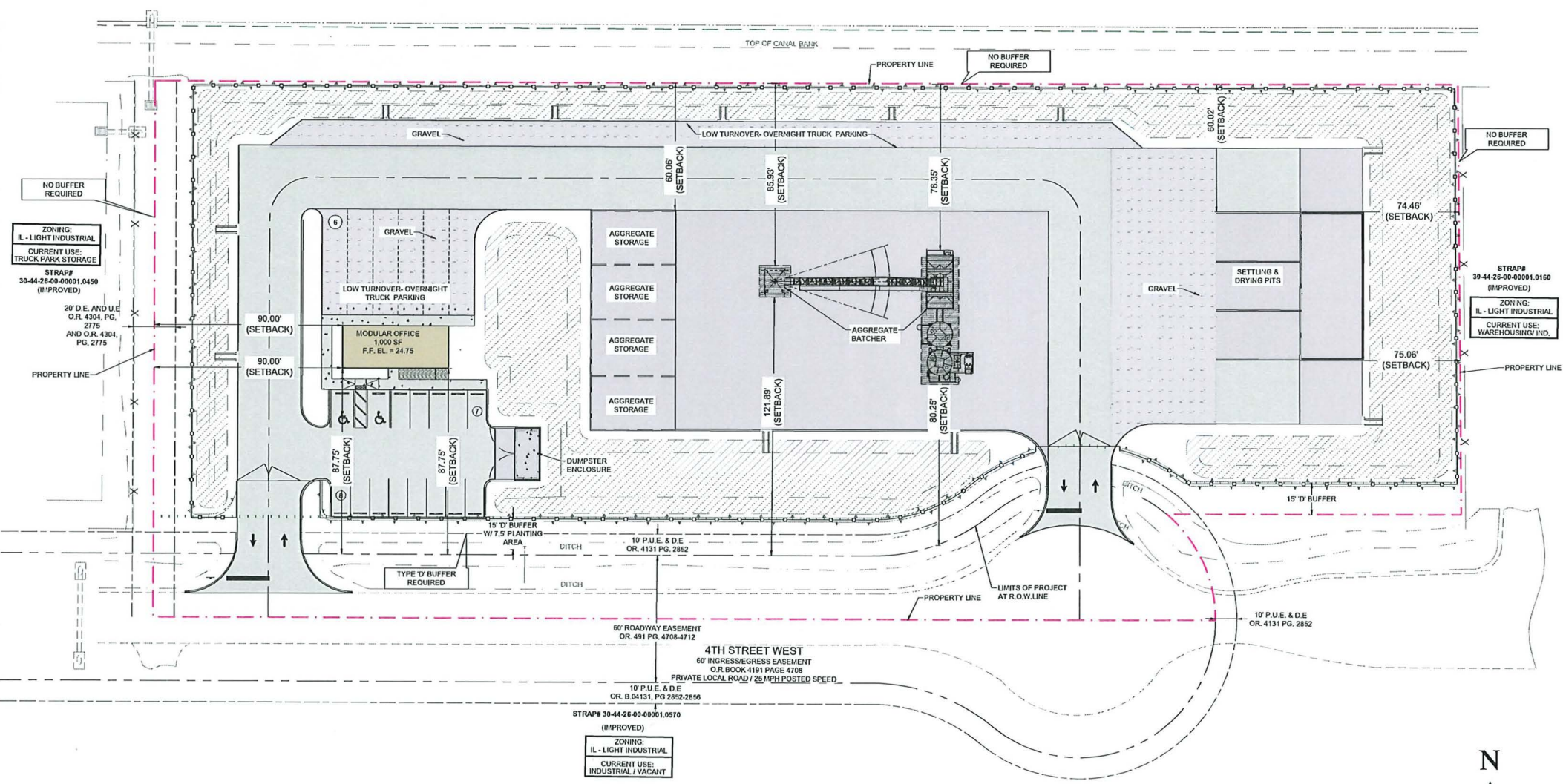
RECEIVED

MAR 11 2026

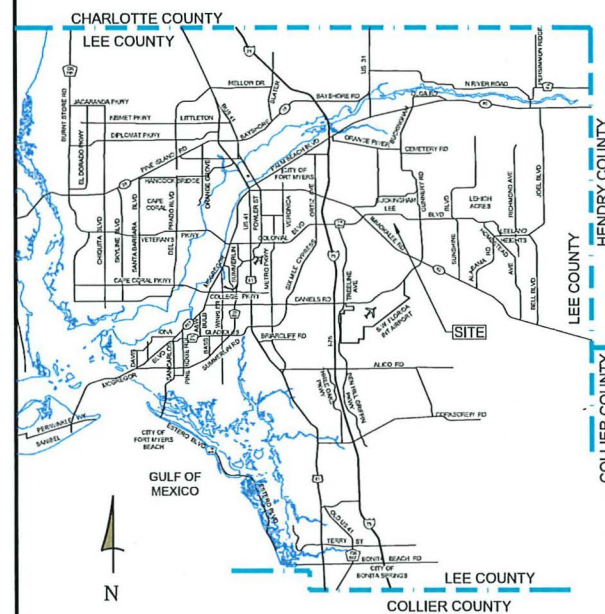
BY: HEARING EXAMINER'S OFFICE

ZONING:
IL - LIGHT INDUSTRIAL
CURRENT USE:
WAREHOUSING/IND.

JACK CANAL (N.A.P.)
EXISTING 67' RW



MASTER CONCEPT PLAN



LOCATION MAP (NOT TO SCALE)

PROJECT SUMMARY:

ZONING
IL TO IPD

STRAP #'s
30-44-26-00-00001.045A

PROJECT ACREAGE
3.45 ACRES (150,282 SF)

PROJECT INTENSITY
TOTAL MAX. BUILDING FLOOR AREA = 35,000 SF.
BUILDING HEIGHT 35'.
(HEIGHT IN EXCESS OF 35' MUST MAINTAIN ADDITIONAL BUILDING SETBACKS AND SEPARATIONS PER LDC SECTIONS 34-2174(a).

OPEN SPACE
MINIMUM 10% = 0.34 ACRES (14,810 SF.)

PARKING CALCULATION
LDC 34-2020 (b) MIN. REQUIRED = 1.25 SPACES PER 1,000 SF
PROJECT REQUIRED: 3 PARKING SPACES
PROJECT PROVIDED: 15 PARKING SPACES INCLUDING 2 ADA SPACES

NO DEVIATIONS REQUESTED

Quattrone & Associates, Inc.
Engineers, Planners & Development Consultants

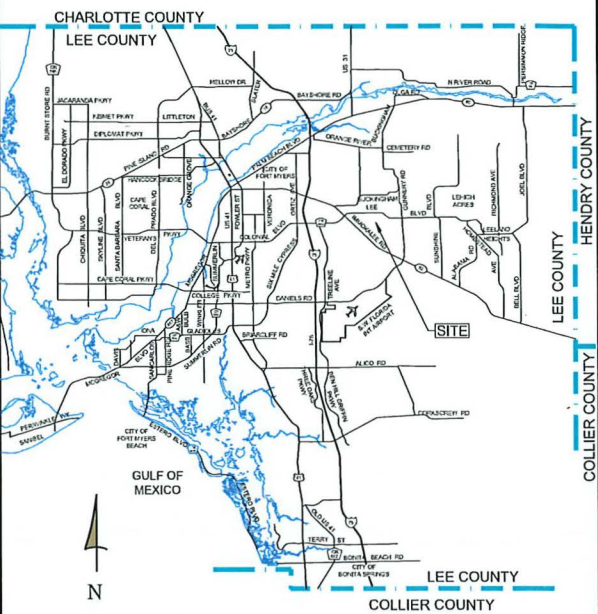
EXHIBIT B1

P:\2025 Projects\250304 LEHIGH ACRES MOBILE BATCH PLANT\01-CADD FILES\00-MCP\250304-MCP

LEHIGH ACRES BATCH PLANT

LOCATED IN SECTION 30, TOWNSHIP 44-S, RANGE 26-E, LEE COUNTY, FLORIDA

OPEN SPACE EXHIBIT



LOCATION MAP

PROJECT SUMMARY:

ZONING
IL TO IPD

STRAP #'s
30-44-26-00-00001.045A

PROJECT ACREAGE
3.45 ACRES (150,282 SF)

OPEN SPACE
MINIMUM 10% = 0.34 ACRES (14,810 SF.)
IN-SITE OPEN SPACE = 53,680 SF.
ROW OPEN SPACE = 12,457 SF.
TOTAL OPEN SPACE = 66,137 SF.

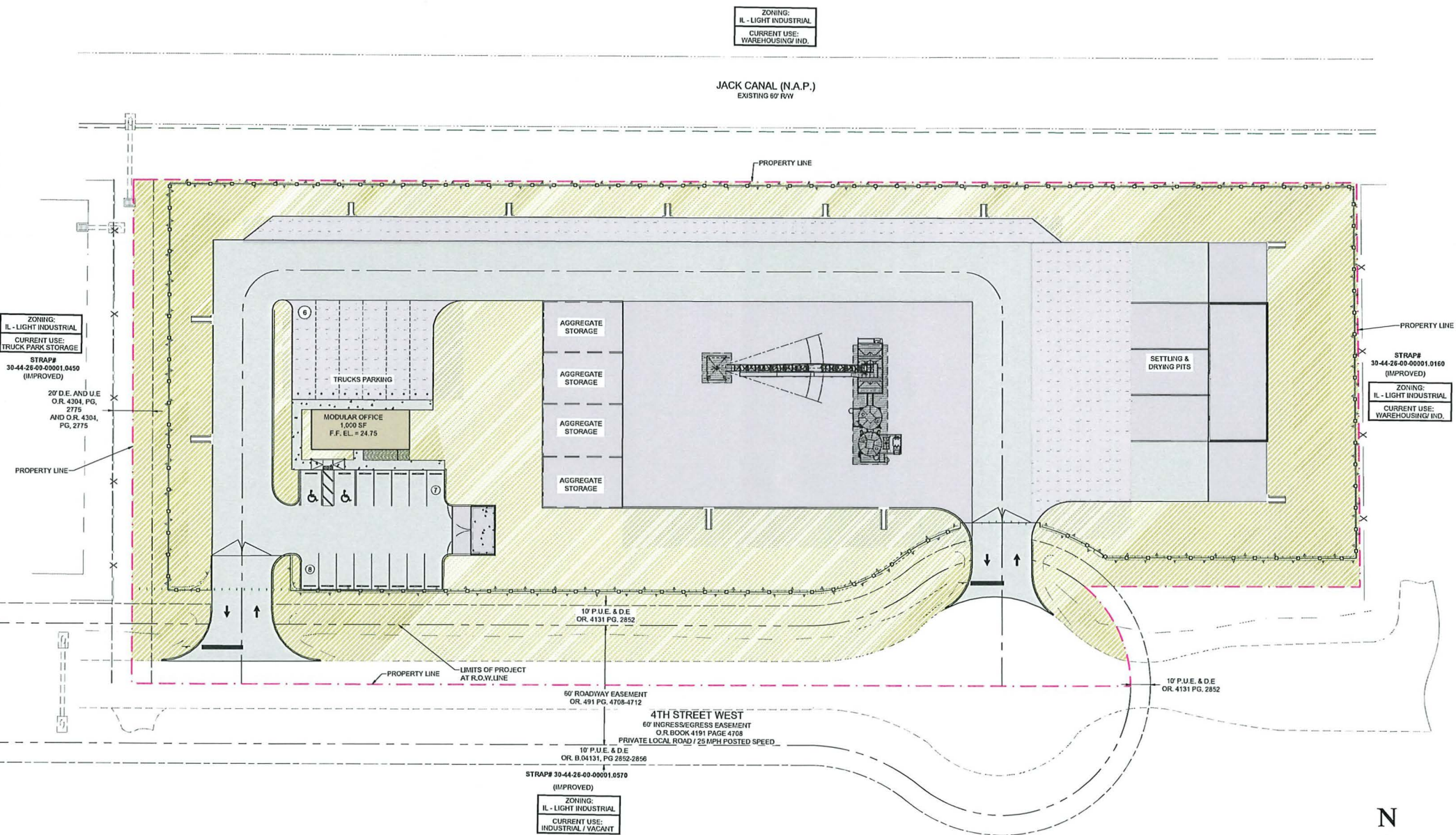


Exhibit C

EXHIBITS PRESENTED AT HEARING

STAFF EXHIBITS

1. DCD Staff Report with attachments: Prepared by MarySue Groth, Senior Planner, received March 11, 2026 (multiple pages – 8.5"x11" & 11"x14") [black & white, color]
2. 48-Hour Notice: Email from MarySue Groth to Maria Perez and Sharon Hrabak, with copies to Al Quattrone, Jhonny Foronda, and Brienne Cherry, dated Tuesday, May 5, 2026, 1:47 PM (multiple pages – 8.5"x11")
3. PowerPoint Presentation: Prepared by Lee County Staff for DCi2025-00020, Lehigh Acres Mobile Batch Plant, dated May 7, 2026(multiple pages – 8.5"x11")[color]

APPLICANT EXHIBITS

1. 48-Hour Notice: Email from Sharon Hrabak to Maria Perez, with copies to Al Quattrone, Jhonny Foronda, and MarySue Groth, dated Monday, May 4, 2026, 3:14 PM (multiple pages – 8.5"x11")
2. PowerPoint Presentation: Prepared by Quattrone & Associates, Inc., for Lehigh Acres Mobile Batch Plant, Lee County Public Hearing, dated Thursday, May 7, 2026 (multiple pages – 8.5"x11")[color]

Exhibit D

HEARING PARTICIPANTS

County Staff:

1. MarySue Groth, Senior Planner, Department of Community Development

Applicant Representatives:

1. Al Quattrone, P.E.

Exhibit E
INFORMATION

UNAUTHORIZED COMMUNICATIONS

The LDC prohibits communications with the Hearing Examiner or her staff on the substance of pending zoning actions. There are limited exceptions for written communications requested by the Hearing Examiner, or where the Hearing Examiner seeks advice from a disinterested expert.

HEARING BEFORE LEE COUNTY BOARD OF COUNTY COMMISSIONERS

- A. The Hearing Examiner will provide a copy of this recommendation to the Board of County Commissioners.
- B. The Board will hold a final hearing to consider the Recommendation and record made before the Hearing Examiner. The Department of Community Development will notify hearing participants of the final hearing date. Only Parties and participants may address the Board at the final hearing. Presentations by participants are limited to the substance of testimony presented to the Hearing Examiner, testimony concerning the correctness of Findings of Fact or Conclusions of Law contained in the Recommendation, or allegations of relevant new evidence not known or that could not have been reasonably discovered by the speaker at the time of the Hearing Examiner hearing.
- C. Participants may not submit documents to the Board of County Commissioners unless marked as Exhibits by the Hearing Examiner. Documents must have the Exhibit number assigned at hearing.

COPIES OF TESTIMONY AND TRANSCRIPTS

- A. Every hearing is recorded. Recordings are public records that become part of the case file maintained by the Department of Community Development. The case file and recordings are available for public examination Monday through Friday between 8:00 a.m. and 4:30 p.m.
- B. A verbatim transcript may also be available for purchase from the court reporting service.