REZ2026-00007 Lee County DigEplan Additional Info Dated 07-10-2026

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◊ Board Certified Construction Lawyer

July 10, 2026

Ms. Brianna Schroeder
Department of Community Development
P.O. Box 398
Fort Myers, FL 33902

Re; REZ 2026-00007 (Land Material Supply)

Dear Brianna:

In response to the sufficiency letter dated June 12, 2026, we offer the following additional information.

Development Services Review. Comment 4.

Chapter 10 Review. Understood.

Legal Review. Comment 14.

Survey. Please see attached survey which Rick Burris has approved.

Zoning Review. Comment 15.

Lot dimensions. An application for administrative variances for the three lot dimensions will be submitted as part of this response.

Comment 16. LDC Section 34-145(d)(4)

The request is consistent with the Lee Plan in that the future land use designation is Industrial Development and the request is for IL. The existing AG-2 zoning is actually inconsistent with the Lee Plan. It will meet all of the County codes upon approval of the three administrative variances cited above. It is compatible with the surrounding industrial uses and IL zoned properties and has sufficient access to Old US 41, and the existing business has had no adverse impacts on transportation facilities. There are no environmentally sensitive features on the site, and it is served by public services, with the exception of water and sewer, which are not needed.

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Comment 17.

Water and sewer**.** On the recommendation of Anthony Rodriguez, we will be submitting a waiver of this requirement on the basis that the business does not use or need water or sewer service.

Planning Review. Comment 12.

Lee Plan Analysis. The property is located in the Industrial Development land use category and is zoned AG-2, which is inconsistent with that designation. The IL zoning will bring the property into compliance with the Lee Plan.

Comment 13.

Policy 1.1.7, Standards 4.1.1 and 4.1.2, and Goal 7. Policy 1.1.7 is the definition of the Industrial Development land use category, and rezoning this property with an existing industrial use to IL is consistent with that policy. The existing use does not exceed the thresholds specified in 4.1.1.1 or 4.1.2.1 that would require connection to central services. It is also in compliance with Goal 7 and the related policies.

As indicated above, we will be submitting an application for administrative variances for the dimensional issues and a waiver of the requirement for water and sewer availability. Please let me know if you have any additional questions.

Very truly yours,

KNOTT EBELINI HART



Michael E. Roeder
Director of Zoning and
Land Use Planning

MER/mcl
Cc: Client

AFFIDAVIT OF AUTHORIZATION

APPLICATION IS SIGNED BY INDIVIDUAL OWNER, APPLICANT, CORPORATION, LIMITED LIABILITY COMPANY (L.L.C.), LIMITED COMPANY (L.C.), PARTNERSHIP, LIMITED PARTNERSHIP, OR TRUSTEE

I, Michael E. Roeder (name), as Authorized Representative of Loreto Perez Rodriguez and Geidys Martinez Perez de Corcho (owner/title) of 16451 Old US 41, Fort Myers FL 33912 (company/property), swear or affirm under oath, that I am the owner or the authorized representative of the owner(s) of the property and that:

1. I have full authority to secure the approval(s) requested and to impose covenants and restrictions on the referenced property as a result of any action approved by the County in accordance with this application and the Land Development Code;
2. All answers to the questions in this application and any sketches, data or other supplementary matter attached hereto and made a part of this application are honest and true;
3. I have authorized the staff of Lee County Community Development to enter upon the property during normal working hours for the purpose of investigating and evaluating the request made thru this application; and that
4. The property will not be transferred, conveyed, sold or subdivided unencumbered by the conditions and restrictions imposed by the approved action.

Notes:

- *If the applicant is a corporation, then it is usually executed by the corp. pres. or v. pres.*
- *If the applicant is a Limited Liability Company (L.L.C.) or Limited Company (L.C.)., then the documents should typically be signed by the Company's "Managing Member."*
- *If the applicant is a partnership, then typically a partner can sign on behalf of the partnership.*
- *If the applicant is a limited partnership, then the general partner must sign and be identified as the "general partner" of the named partnership.*
- *If the applicant is a trustee, then they must include their title of "trustee."*
- *In each instance, first determine the applicant's status, e.g., individual, corporate, trust, partnership, estate, etc., and then use the appropriate format for that ownership.*

Under penalties of perjury, I declare that I have read the foregoing Affidavit of Authorization and that the facts stated in it are true.

Michael Roeder
Signature

10th 7/10/26
Date

**************NOTE: NOTARY PUBLIC IS NOT REQUIRED FOR ADMINISTRATIVE APPROVALS**************
ALL OTHER APPLICATION TYPES MUST BE NOTARIZED

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was sworn to (or affirmed) and subscribed before me by means of ☒ physical presence or ☐ online notarization, this 10th day of July, 20 26, by Michael E. Roeder (name of person providing oath or affirmation), who is personally known to me or who has produced _____ (type of identification) as identification.

STAMP/SEAL:

Notary Public State of Florida
Melanie C. Legare
My Commission HH 728851
Expires 11/3/2029

Melanie C. Legare
Signature of Notary Public

Lee County Community Development

REQUEST FOR SUBMITTAL REQUIREMENT WAIVER FOR UNINCORPORATED AREAS ONLY

Upon written request, the Director may modify the submittal requirements for Public Hearings, Development Orders, Limited Review Development Orders and other Administrative Action Applications where it can be clearly demonstrated that the submission will have no bearing on the review and processing of the application. The request and the Director's written response must accompany the application submitted and will become a part of the permanent file.

APPLICATION FOR WAIVER OF REQUIRED SUBMITTAL ITEMS
(indicate the appropriate application type)

- [ ] Public Hearing - General Requirements **(34-202)**
- [ ] Public Hearing - Mining Excavation Planned Development **(12-110)**
- [X] Public Hearing - Additional Requirements for:
  - [ ] Development of Regional Impact **(34-202(b)(1))**
  - [ ] Planned Developments **(34-202(b)(2))**
  - [ ] Planned Development Amendment **(34-202(b)(2))**
  - [X] Rezonings other than Planned Developments **(34-202(b)(3))**
  - [ ] Special Exceptions **(34-202(b)(5))**
  - [ ] Variances **(34-202(b)(6))**
  - [ ] Limited Amendment to Existing Mine Zoning Approval **[12-121(j)]**
  - [ ] Private Recreational Facilities Planned Development **(34-941(g))**
- [ ] Development Order - Submittal Requirements **(10-152)**
  - [ ] Application Form and Contents **(10-153)**
  - [ ] Additional Required Submittals **(10-154)**
- [ ] Limited Review Development Order – Submittal Requirements **(10-152)**
  - [ ] Required Submittals **(10-175)**
- [ ] Administrative Action Application Requirements **[34-203]**

State the Type of Administrative Application: _____

PLEASE PRINT OR TYPE:

STRAP Number: 06-46-25-00-00012.0010
Name of Project: Land Material Supply

Name of Agent: Michael E. Roeder
Street Address: 1625 Hendry Street, Suite 301
City, State, Zip: Fort Myers FL 33901
Phone Number: 239-334-2722 Email Address: mroeder@knott-law.com

Name of Applicant*: Michael E. Roeder
Street Address: 1625 Hendry Street, Suite 301
City, State, Zip: Fort Myers FL 33901
Phone Number: 239-334-2722 Email Address: mroeder@knott-law.com

***If applicant is not the owner, a letter of authorization from the owner must be submitted.**

LEE COUNTY COMMUNITY DEVELOPMENT
P.O. BOX 398 (1500 MONROE STREET), FORT MYERS, FLORIDA 33902
PHONE (239) 533-8585

A. SPECIFIC SECTION(S) AND REQUIREMENT(S) FOR WHICH A WAIVER IS SOUGHT:

	Section Number	Requirement
#1	34-202	Letters of water and sewer availability
#2		
#3		
#4		
#5		
#6		
#7		
#8		
#9		

B. SCOPE OF PROJECT AND REASON(s) FOR REQUEST:

Please provide an explanation of the scope of the project and the reason(s) why you think the request for submittal waiver(s) should be approved. Use additional sheets if necessary and attach to this application form. (Please print or type)

Existing industrial use does not use or need water or sewer service, using a Porta Potty. Does not exceed the thresholds in 4.1.1.1 or 4.1.2.1 that does not require a connection.

Under penalties of perjury, I declare that I have read the foregoing application and that the facts stated in it are true.

Michael Roeder — July 10, 2026

Signature of Applicant — Date

FOR STAFF USE ONLY

DIRECTOR'S DECISION:

- ☐ **Request Denied**
- ☐ **Request Approved**
- ☐ **Request Approved Per Attached Comments**

Director Signature — Date

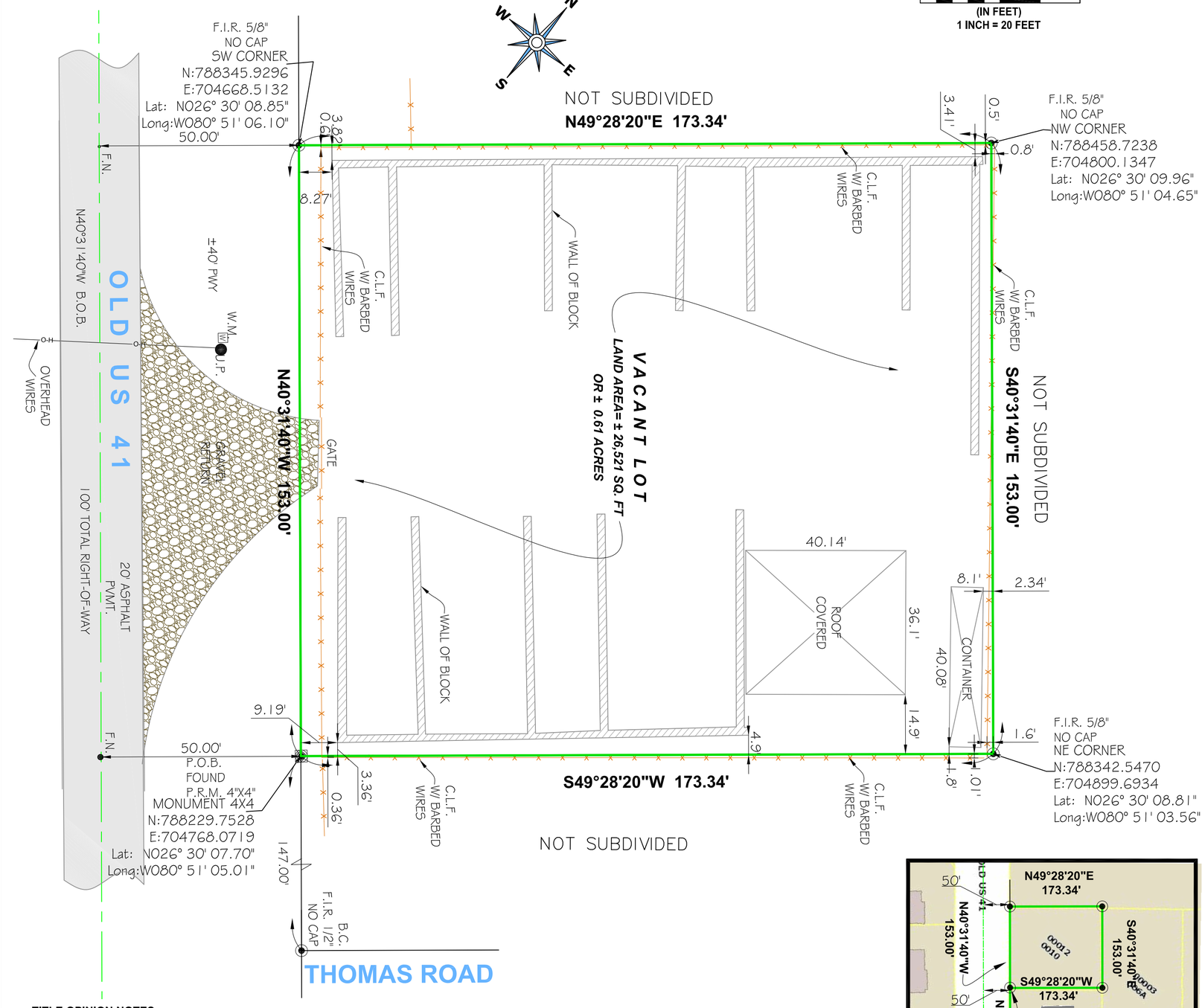
JOHN IBARRA & ASSOC., INC.
Professional Land Surveyors & Mappers
WWW.IBARRALANDSURVEYORS.COM

777 N.W. 72nd AVENUE
SUITE 3025
MIAMI, FLORIDA 33126
PH: (305) 262-0400

3725 DEL PRADO BLVD. S.
SUITE 823
CAPE CORAL, FL 33904
PH: (239) 540-2660

MAP OF BOUNDARY SURVEY

GRAPHIC SCALE
20 0 10 20
(IN FEET)
1 INCH = 20 FEET





LOCATION MAP
SCALE = N.T.S.

PROPERTY ADDRESS:
16451 OLD US 41, FORT MYERS, 33912

FOLIO NUMBER:
10262553

CERTIFICATION:
LORETO PEREZ RODRIGUEZ & GEIDY MARTINEZ PEREZ DE COCHO

LEGAL DESCRIPTION:
A TRACT OR PARCEL OF LAND LYING IN THE WEST HALF (W1/2) OF THE NORTHWEST QUARTER (NW1/4) AND THE WEST HALF (W 1/2) OF THE SOUTHWEST QUARTER (SW1/4), SECTION 6, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, WHICH TRACT OR PARCEL IS DESCRIBED AS FOLLOWS: FROM THE NORTHEAST CORNER OF SAID WEST ONE -HALF (W1/2) OF THE SOUTHWEST QUARTER (SW1/4) RUN N78°29'40"W FOR 106.42 FEET; THENCE RUN S49°28'20"W FOR 173.34 FEET TO THE INTERSECTION WITH THE NORTHEASTERLY LINE OF OLD TAMIANI TRAIL (100 FEET WIDE); THENCE N40°31'40"W ALONG SAID NORTHEASTERLY LINE FOR 147 FEET TO THE POINT OF BEGINNING. FROM SAID POINT OF BEGINNING CONTINUE N40°31'40"W ALONG SAID NORTHEASTERLY LINE FOR 153 FEET; THEN RUN N49°28'20"E FOR 173.34 FEET; THENCE RUN S40°31'40"E FOR 153 FEET; THENCE RUN S49°28'20"W FOR 173.34 FEET TO THE POINT OF BEGINNING.

LEGAL NOTES TO ACCOMPANY SKETCH OF SURVEY:
- EXAMINATIONS OF THE ABSTRACT OF TITLE WILL HAVE TO BE MADE TO DETERMINE RECORDED INSTRUMENTS, IF ANY, AFFECTING THE PROPERTY.
- THIS SURVEY IS SUBJECT TO DEDICATIONS, LIMITATIONS, RESTRICTIONS, RESERVATIONS OR EASEMENTS OF RECORD.
- LEGAL DESCRIPTIONS PROVIDED BY CLIENT OR ATTESTING TITLE COMPANY.
- BOUNDARY SURVEY MEANS A DRAWING AND/ OR A GRAPHIC REPRESENTATION OF THE SURVEY WORK PERFORMED IN THE FIELD, COULD BE DRAWN AT A SHOWN SCALE AND/OR NOT TO SCALE; THE WALLS OR FENCES MAY BE EXAGGERATED FOR CLARITY PURPOSES.
- EASEMENTS AS SHOWN ARE PER PLAT BOOK, UNLESS DEPICTED OTHERWISE.
- THE TERM "ENCROACHMENT" MEANS VISIBLE AND ABOVE GROUND ENCROACHMENTS.
- ARCHITECTS SHALL VERIFY ZONING REGULATIONS, RESTRICTIONS, SETBACKS AND WILL BE RESPONSIBLE FOR SUBMITTING PLOT PLANS WITH CORRECT INFORMATION FOR "APPROVAL FOR AUTHORIZATION" TO THE PROPER AUTHORITIES IN NEW CONSTRUCTION.
- UNLESS OTHERWISE NOTED, THIS FIRM HAS NOT ATTEMPTED TO LOCATE FOOTING AND/OR FOUNDATIONS.
- **FENCE OWNERSHIP NOT DETERMINED.**
- THIS PLAN OF SURVEY, HAS BEEN PREPARED FOR THE EXCLUSIVE USE OF THE ENTITIES NAMED HEREON, THE CERTIFICATE DOES NOT EXTEND TO ANY UNNAMED PARTY.

FLOOD ZONE INFORMATION:
THE NFIP FLOOD MAPS HAVE DESIGNATED THE HEREIN DESCRIBED LAND TO BE SITUATED IN:

FLOOD ZONE:	" AE "
BASE FLOOD ELEVATION:	11 FEET
COMMUNITY:	125124
PANEL:	0438
SUFFIX:	H
DATE OF FIRM:	11/17/2022

SURVEYOR' S NOTES:
1. IF SHOWN, BEARINGS ARE REFERRED TO AN ASSUMED MERIDIAN, BY SAID PLAT IN THE DESCRIPTION OF THE PROPERTY, IF NOT, BEARINGS ARE THEN REFERRED TO COUNTY, TOWNSHIP MAPS.
2. THE CLOSURE IN THE BOUNDARY SURVEY IS ABOVE 1:7500 FT.
3. CERTIFICATE OF AUTHORIZATION LB # 7806.

ABBREVIATIONS

A/C	AIR CONDITIONER PAD
A.E.	ANCHOR EASEMENT
A/R	ALUMINUM ROOF
A/S	ALUMINUM SHED
ASPH.	ASPHALT
B.C.	BLOCK CORNER
B.M.	BENCHMARK
BLDG.	BUILDING
B.O.B.	BASIS OF BEARINGS
B.S.L.	BUILDING SETBACK LINE
(C)	CALCULATED
C.B	CATCH BASIN
C.B.S	CONCRETE BLOCK STRUCTURE
CBW	CONCRETE BLOCK WALL
CH.	CHORD
CHB	CHORD BEARING
CL	CLEAR
C.L.F.	CHAIN LINK FENCE
C.M.E.	CANAL MAINTENANCE EASEMENTS
CONC.	CONCRETE
C.P.	CONCRETE PORCH
C.S.	CONCRETE SLAB
C.U.P.	CONCRETE UTILITY POLE
C.O.	CLEANOUT
C.W.	CONCRETE WALK
D.E.	DRAINAGE EASEMENT
D.M.H.	DRAINAGE MANHOLE
E	EAST
EB	ELECTRIC BOX
E.T.P.	ELECTRIC TRANSFORMER PAD
ELEV. OR EL.	ELEVATION
ENCR.	ENCROACHMENT
F.D.H.	FOUND DRILL HOLE
F.H.	FIRE HYDRANT
F.I.P.	FOUND IRON PIPE
F.I.R.	FOUND IRON ROD
F.F.E.	FINISHED FLOOR ELEVATION
F.N.D.	FOUND NAIL & DISK
F.N.	FOUND NAIL
FT.	FEET
I.C.V.	IRRIGATION CONTROL VALVE
I.F.	IRON FENCE
L	LENGTH OF CURVE
LB	LICENSE BUSINESS
L.P.	LIGHT POLE
L.F.E.	LOWEST FLOOR ELEVATION
L.M.E.	LAKE MAINTENANCE EASEMENT
(M)	MEASURED DISTANCE
MB	MAIL BOX
MH	MANHOLE
M.F.	METAL FENCE
N.A.P.	NOT A PART OF
NGVD	NATIONAL GEODETIC VERTICAL DATUM
NAVD	NORTH AMERICAN VERTICAL DATUM
N.T.S.	NOT TO SCALE
O.H.	OVERHEAD UTILITY
O.R.B.	OFFICIAL RECORDS BOOK
OVH	OVERHANG
PVMT.	PAVEMENT
PLT.	PLANTER
PL.	PROPERTY LINE
P.B.	PLAT BOOK
P.C.	POINT OF CURVE
P.T.	POINT OF TANGENCY
P.O.C.	POINT OF COMMENCEMENT
P.O.B.	POINT OF BEGINNING
PG.	PAGE
PWY.	PARKWAY
PRM	PERMANENT REFERENCE MONUMENT
PLS	PROFESSIONAL LAND SURVEYOR
(R)	RECORDED DISTANCE
RAD	RADIAL
R.R.	RAIL ROAD
RES.	RESIDENCE
R/W	RIGHT-OF-WAY
RGE.	RANGE
SEC.	SECTION
STY.	STORY
SWK.	SIDEWALK
S.I.R	SET IRON REBAR
S.I.P	SET IRON PIPE
S.P.	SCREENED PORCH
S.M.H.	SANITARY SEWER MANHOLE
S.V.	SEWER VALVE
T	TANGENT
TB	TELEPHONE BOOTH
T.S.B.	TRAFFIC SIGNAL BOX
T.S.P.	TRAFFIC SIGNAL POLE
T.B.M.	TEMPORARY BENCHMARK
TWP.	TOWNSHIP
UTIL.	UTILITY
U.P.	UTILITY POLE
W.M.	WATER METER
W.V.	WATER VALVE
W.F.	WOOD FENCE
Δ	DELTA

LEGEND
- CENTERLINE
- MONUMENT LINE
- OVERHEAD UTILITY LINES
- CHAIN LINK FENCE
- IRON FENCE
- WOOD FENCE
- BUILDING SETBACK LINE
- LIMITED ACCESS R/W
- NON-VEHICULAR ACCESS R/W
- EXISTING ELEVATION

TITLE OPINION NOTES:

THAT I HAVE REVIEWED THE OPINION AND ALL ITEMS ARE SHOWN ON THE SURVEY.
THE ITEMS SHOWN HERE FORTH ARE PER LETTER OF KNOTT EBELINI ART, DATED MARCH 4, 2026

STRAP No.:06-46-25-00-00012.0010

THE EFFECTIVE DATE OF THIS LETTER IS FEBRUARY 25, 2026. BASING MY OPINION ON THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, I HAVE FOUND AS FOLLOWS:

ITEM No. 1. OWNER OF THE FEE TITLE:
LORETO PEREZ RODRIGUEZ AND GEIDYS MARTINEZ PEREZ DE CORCHO A/K/A GEIDY MARTINEZ PEREZ DE CACHO, HUSBAND AND WIFE

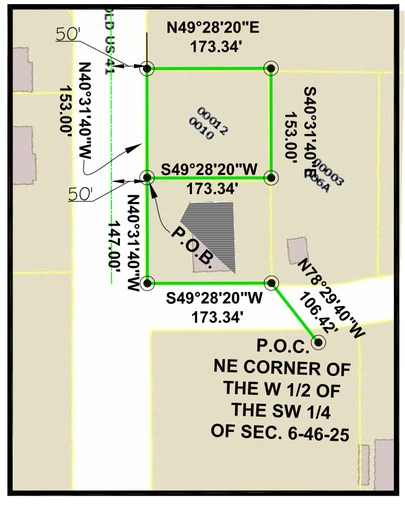
ITEM No. 2. NAMES OF ALL PERSONS OR ENTITIES HOLDING A MORTGAGE SECURED BY THE PROPERTY: NONE

ITEM No. 3. ALL EASEMENTS WITHIN THE BOUNDARIES OF THE PROPERTY:
NONE

ITEM No. 4. OTHER LIENS OF RECORD:
NONE

THIS OPINION IS LIMITED TO THE OWNERSHIP OF PROPERTY AND THE NAMES OF ANY PERSONS OR ENTITY HOLDING A MORTGAGE OR OTHER LIEN AGAINST THE PROPERTY, AND ANY EASEMENTS WITHIN THE BOUNDARIES OF THE PROPERTY PRESENTLY RECORDED IN THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA AND, FURTHER, IS FURNISHED SOLELY FOR THE BENEFIT OF THE PROPERTY OWNER/APPLICANT AND THE LEE COUNTY BOARD OF COUNTY COMMISSIONERS, AND MAY NOT BE RELIED UPON BY, NOR COPIES DELIVERED TO, ANY OTHER PERSON WITHOUT PRIOR WRITTEN CONSENT OF THE UNDERSIGNED.

SURVEYOR' S NOTES:
TITLE COMMITMENT WAS NOT PROVIDED TO SURVEYOR



SKETCH OF THE LEGAL DESCRIPTION
SCALE = N.T.S.

SURVEYOR'S CERTIFICATION:
I HEREBY CERTIFY: THIS "BOUNDARY SURVEY" OF THE PROPERTY DESCRIBED HEREON, HAS RECENTLY BEEN SURVEYED AND DRAWN UNDER MY SUPERVISION, AND COMPLIES WITH THE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE PURSUANT TO 472.027, FLORIDA STATUTES.

BY: _____ 03/20/2026
CARLOS D. IBARRA (DATE)

PROFESSIONAL LAND SURVEYOR NO.: 7604 STATE OF FLORIDA
(NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER).

REVISED ON: *UPDATE BOUNDARY SURVEY - 03/20/2026*
REVISED ON: *BOUNDARY SURVEY - 12/02/2015*

DRAWN BY:	AMG
SURVEY DATE:	03/20/2026
SURVEY NO:	15-004695-2
SHEET:	1 OF 1

CARLOS D. IBARRA CERTIFICATE NO. 7604 STATE OF FLORIDA PROFESSIONAL LAND SURVEYOR

LB 7806 *SEAL*