

From: Tom Woodyard
Sent: Wednesday, August 13, 2014 12:11 PM
To: Tom Woodyard
Subject: Gunnery Road Lot 33-44-26-07-00017.0330

Here is the applicable section of the Lee County Land Development Code for development on lots created before June 1962:

Sec. 34-3275. Commercial or industrial use.

A commercial or industrial use of land may be commenced on a single nonconforming lot of record lawfully existing on the effective date of the ordinance from which this chapter is derived, subject to the specific limitations and regulations set forth in this section; provided, however, that the lot is zoned for such use. However, the lot must be appropriately located and adequate in size and dimension to accommodate the use contemplated and all spatial requirements, i.e., proposed structures, setbacks, parking, access, surface water management facilities and, where required, buffers.

- (1) If the lot was lawfully created prior to June 1962, it must be at least 4,000 square feet in area and have a minimum width of 40 feet and a minimum depth of 75 feet. Minimum setbacks for structures are as follows:
 - a. Street setbacks shall be as set forth in the regulations for the applicable zoning district.
 - b. Side setbacks shall be 20 percent of lot width, or 15 feet, whichever is less.
 - c. Rear setbacks shall be one-half of the lot depth less the street setback, or five feet, whichever is greater, but not more than 25 feet.
- (2) If the lot was created between June 1962 and January 5, 1978, and was lawfully existing on February 4, 1978, it must be at least 7,500 square feet in area and have a minimum width of 75 feet and a minimum depth of 100 feet. Minimum setbacks for structures are as follows:
 - a. Street setbacks shall be as set forth in the regulations for the applicable zoning district.
 - b. Side setbacks shall be 15 feet.
 - c. Rear setbacks shall be one-half the lot depth less the street setback, or five feet, whichever is greater, but not more than 25 feet.
- (3) Nothing in this section shall be construed to prohibit the rezoning of nonconforming lots of record into commercial or industrial districts where the public interest is served by such a rezoning.

I hope this helps.

Mikki

Mikki Rozdolski
Senior Planner
Lee County Zoning Division
email: mrozdolski@leegov.com
phone: 239-533-8317