

Milan Villas Access Separation Administrative Deviation Justification

Milan Villas is a proposed 44-unit single family residential development located at the northwest intersection of Williams Road and Three Oaks Parkway. The project is subject to The Village of Estero zoning and LDC regulations while it abuts Three Oaks Parkway which is subject to Lee County DOT and Community Development LDC regulations. Per the Village of Estero Land Development Code Section 5-304.A.4.C. Development Entry Points, two access points to the development are required because the property exceeds 5 acres:

Per the Village of Estero LDC Section 5-304.A.4.C,

4. *Development Entry Points.*

- C. development of more than ten acres, including redevelopment, shall provide more than one means of ingress or egress for the development. Access points designated for emergency use only shall not be used to meet this requirement. A deviation or variance from the access point (ingress/egress) requirements stated in this subsection shall be obtained through the public hearing process. If a variance or deviation from this section is approved, a notice to all future property owners shall be recorded by the developer in the public records of Lee County prior to the issuance of a development order allowing construction of the access to the development. The notice shall articulate the emergency access plan and provide information as to where a copy of this plan may be obtained from the developer or developer's successor.

The second entry point to the development is proposed as an emergency access per the zoning for the project. The emergency access is for authorized emergency vehicles only and the access will be seldom used. The emergency access location is approximately 250 feet south of the exist lanes for Colonial Oaks, thus it does not meet the minimum separation requirement. In the absence of the emergency access, the main project entry meets the separation requirements for Three Oaks Parkway.

This project is somewhat unique in that access to the project is via a Lee County owned and maintained road which is subject to the Lee County LDC, but the project is part of the Village of Estero and subject to the development regulations of the Village. The location of the emergency access was chosen to minimize the impact to traffic near the Three Oaks Parkway and Williams Road intersection. The emergency access would have a greater impact to traffic along Three Oaks Parkway if it connected to Three Oaks Parkway within the right turn lane for Williams Road. The chosen location has the least impact to the existing roadway.

We are requesting approval of this deviation to allow for the proposed location of the emergency access for Milan Villas.