

**DSO ADMINISTRATIVE DEVIATION
LEE COUNTY, FLORIDA**

WHEREAS, D.R. Horton, has filed an application for approval of an administrative deviation from the technical requirements of the Lee County Land Development Code, for property known as 21750 Three Oaks Parkway, Fort Myers, FL; and

WHEREAS, the applicant has indicated that the property's STRAP number is 34-46-25-E3-0100C.0010; and

WHEREAS, the subject property is located in the Village of Estero and will be accessed via Three Oaks Parkway; a county-maintained principal arterial roadway with a speed limit of 45 miles per hour; and

WHEREAS, an application for an administrative deviation from the technical requirements of Chapter 10 of the Lee County Land Development Code has been filed; and

WHEREAS, Lee County Land Development Code, as amended, provides for administrative deviations from certain technical requirements for matters involving streets, access streets, intersections, rights-of-way, drainage swales, public water, public sewer, water mains, mass transit facilities, setbacks for water retention/detention excavations, indigenous native vegetation and similar matters not related to a change in use of the property in question; and

WHEREAS, the development patterns in the area of the subject request are similar to the Suburban future land use category; and

WHEREAS, a deviation is requested from Lee County Land Development Code Section 10-285(a), Table 1 which requires an intersection connection separation distance of 660 feet for principal arterial roadways in a future suburban land use designation with a speed limit of 45 miles per hour to allow a minimum connection separation distance of 250 feet as shown on the alternate proposal plan enclosed as Exhibit "B"; and

WHEREAS, Lee County Department of Transportation (LCDOT) has reviewed the requested administrative deviation and has no objection; and

WHEREAS, the northern most access point as shown on the alternate proposal plan enclosed as Exhibit "B" will be designated as emergency only and limited to authorized emergency vehicles only; and

WHEREAS, the additional access point is necessary to allow emergency vehicles a secondary access point to the proposed development; and

WHEREAS, the northern most access point will be located approximately 250 feet south of Colonial Point and 467 feet north of the proposed Milan Villas Boulevard as shown on the alternate proposal plan enclosed as Exhibit "B"; and

WHEREAS, the applicant has requested a deviation to the connection separation

requirements in Land Development Code Section 10-285(a), Table 1; and

WHEREAS, the following findings of fact are offered:

- (a) That the proposed alternative to allow the minimum connection separation distances as shown on the alternate proposal plan enclosed as Exhibit "B" is based on sound engineering practice in consideration of the following criteria:
 - i The northern most access is for authorized emergency vehicles in the event the main access is not useable.
 - ii Lee County Department of Transportation has reviewed the requested deviation and has no objection.
- (b) That said proposed alternative is no less consistent with the health, safety, and welfare of abutting land owners and the general public than the standard from which the deviation was requested; and
 - i The additional access point will facilitate emergency vehicle access to the proposed development and further protects the health, safety and welfare of the public and abutting landowners.
- (c) The granting of the deviation is not inconsistent with any specific directive of the Board of County Commissioners, any other ordinance, or any Lee Plan Provision.

NOW, THEREFORE, IT IS HEREBY DETERMINED that the application for an Administrative Deviation from Lee County Land Development Code Section 10-285(a), Table 1 is approved as conditioned:

- (a) That approval is subject to substantial compliance with the alternate proposal plan, signed and sealed 01/03/2023 by Christopher R. Mitchell, P.E. and attached as Exhibit "B"; and
- (b) **If it is determined that inaccurate or misleading information was provided to the County or if this decision does not comply with the LDC when rendered, then, at any time, the Director may issue a modified decision that complies with the Code or revoke the decision. If the approval is revoked, the applicant may acquire the necessary approvals by filing an application for public hearing in accordance with Chapter 34.**

Duly passed, adopted, and electronically signed on 1/18/2023

Jessica Sulzer, PE, Manager

Exhibits

Exhibit A – Legal Description

Exhibit B – Alternate Proposal Plan, signed and sealed 01/03/2023 by Christopher R. Mitchell, P.E.

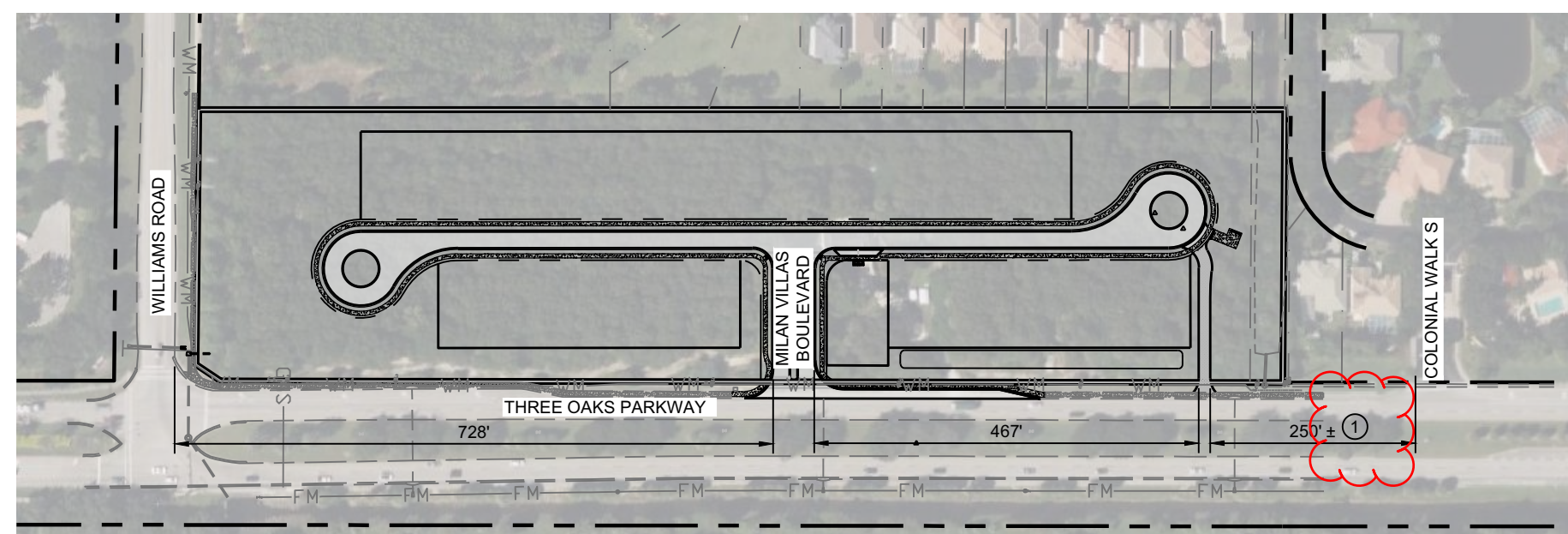
Exhibit A

CASE NUMBER: ADD2022-00201

STRAP NUMBER

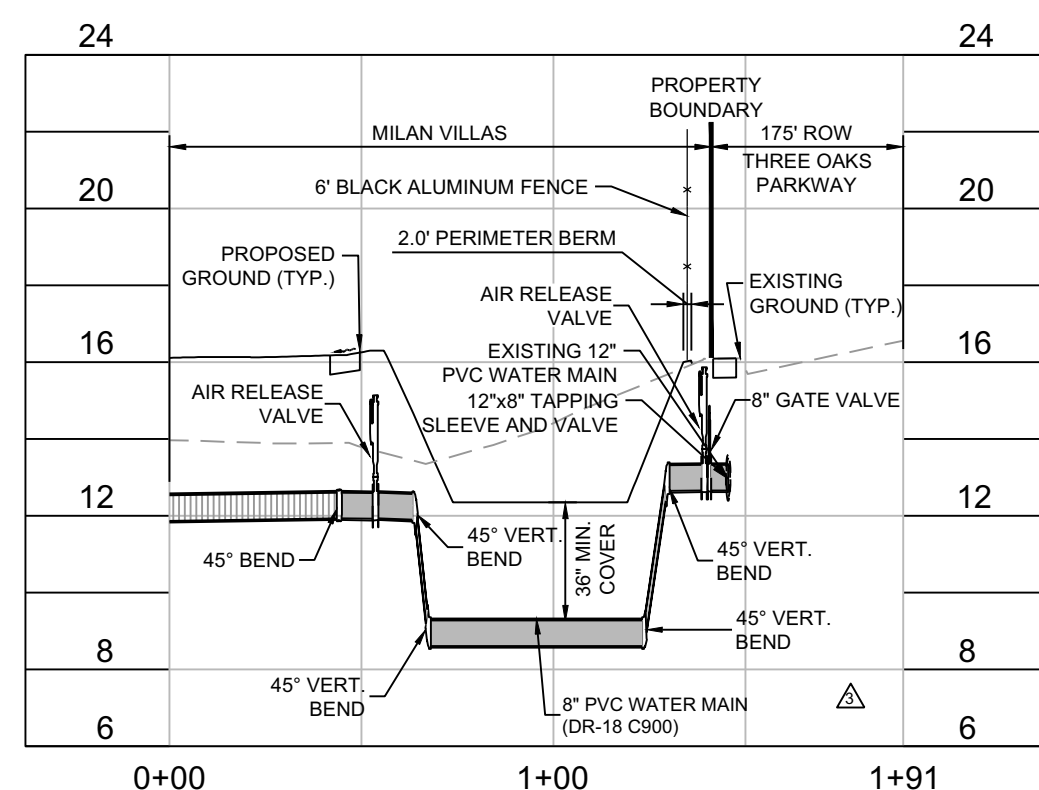
34-46-25-E3-0100C.0010

REVIEWED
ADD2022-00201
Hunter Searson, GIS
Planner
Lee County Government
12/28/2022

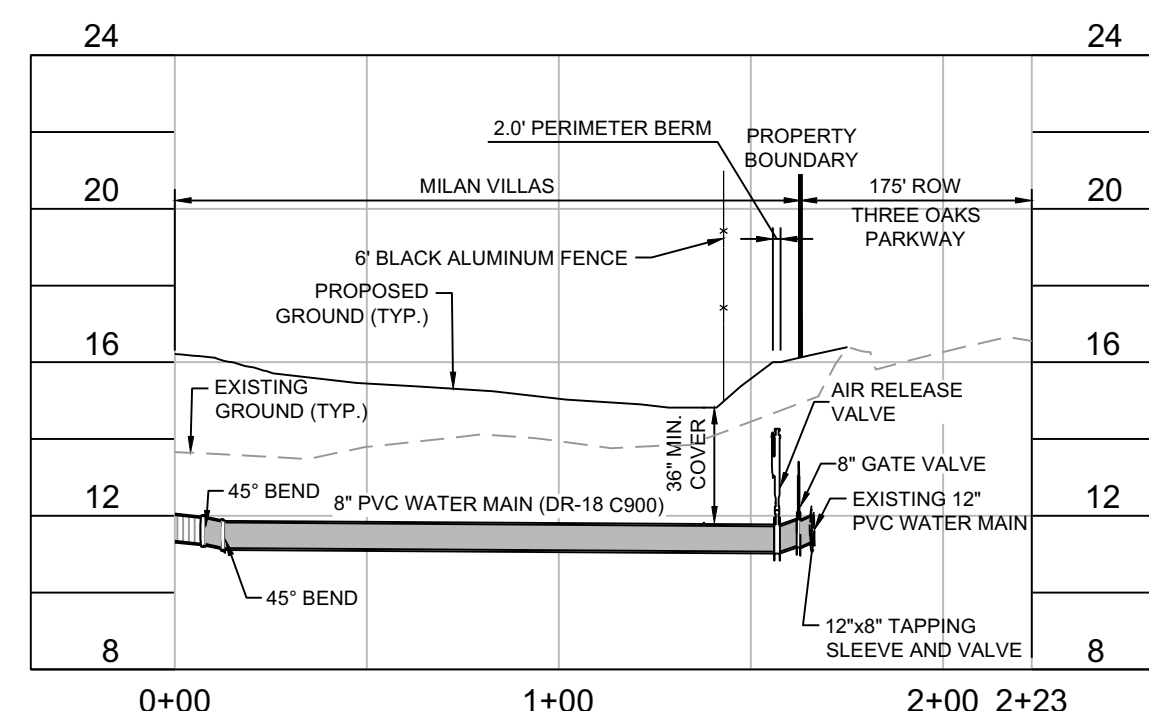


DRIVEWAY SEPARATION EXHIBIT
SCALE: 1" = 200'

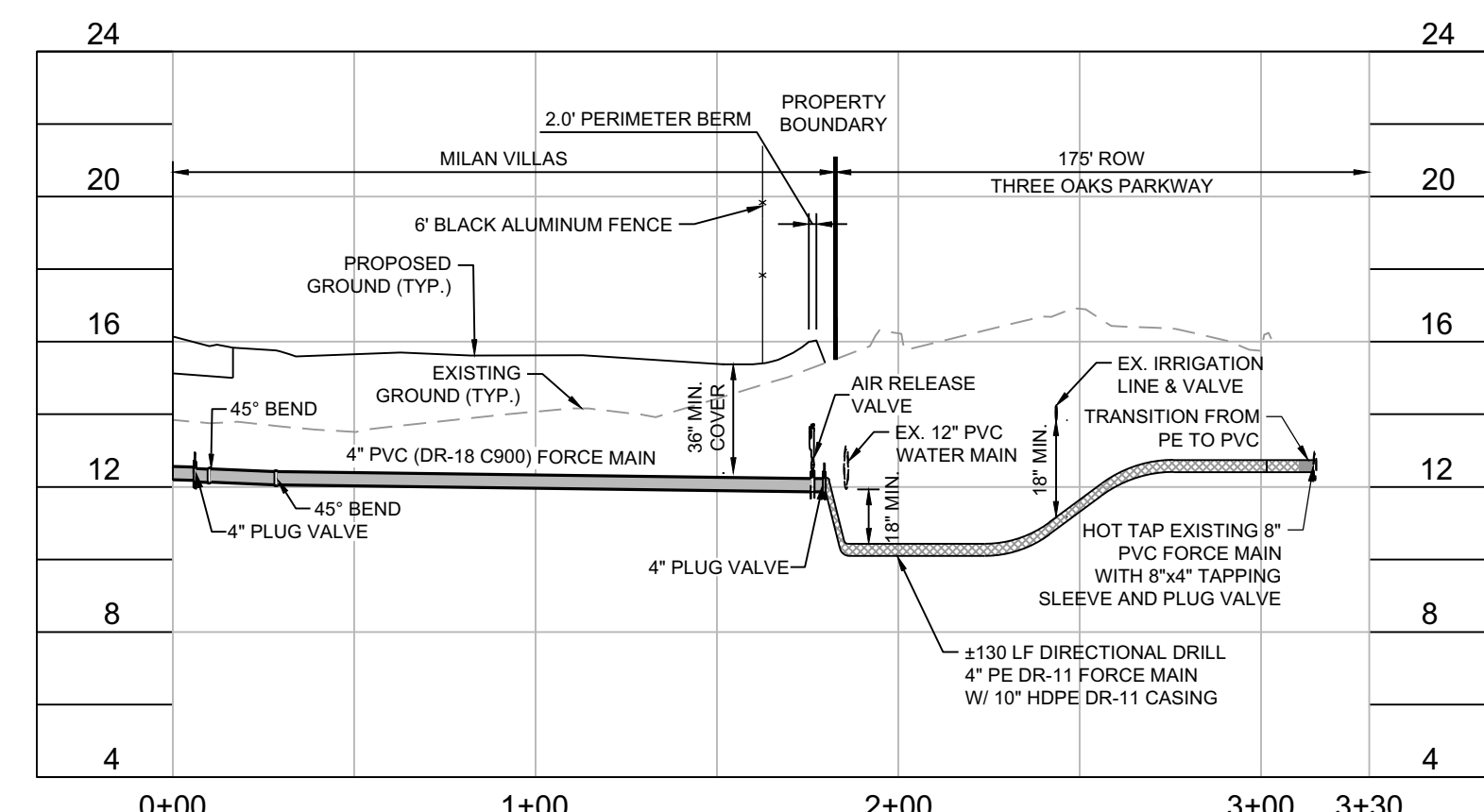
① REQUEST FOR ADMINISTRATIVE DEVIATION FROM LDC SECTION 10-285(a) THAT REQUIRES A MINIMUM CONNECTION SEPARATION FOR A PRINCIPAL ARTERIAL ROADWAY OF 440 FEET TO ALLOW A SEPARATION OF 250 FEET FROM THE EXISTING COLONIAL OAKS PROJECT EXIT TO THE SECONDARY, EMERGENCY ACCESS FOR THE PROPOSED 44-UNIT SINGLE FAMILY RESIDENTIAL PROJECT.



WATER MAIN
HORIZONTAL SCALE: 1" = 50'
VERTICAL SCALE: 1" = 5'



EMERGENCY ACCESS
HORIZONTAL SCALE: 1" = 50'
VERTICAL SCALE: 1" = 5'



FORCE MAIN
HORIZONTAL SCALE: 1" = 50'
VERTICAL SCALE: 1" = 5'

DATUM NOTE

ALL ELEVATIONS REFERENCE NAVD83 VERTICAL DATUM.
APPROXIMATE CONVERSION FOR PROJECT AREA: NAVD83 + 1.19' = NGVD29

J.R. EVANS ENGINEERING, P.A.
9351 CORKSCREW ROAD, SUITE 102
ESTERO, FLORIDA 33928
PHONE: (239) 405-9148
FAX: (239) 288-2537
WWW.JREVAENGINEERING.COM

J.R. EVANS
ENGINEERING

MILAN VILLAS

MASTER UTILITY PLAN & ROAD PROFILES

#	DATE	REVISIONS
07/29/22	RENISED PER VILLAGE OF ESTERO	
08/07/22	RENISED PER VILLAGE OF ESTERO	
11/15/22	RENISED PER VILLAGE OF ESTERO LEE CO. AND ENGINEER	

Digitally signed by
 Christopher Mitchell
 DN: cn=C.Mitchell,
 o=Lee County, ou=Engineering
 email=cmitchell@leegov.com,
 c=US
 Reason: I am the author.
 Date adjacent to the
 signature. Third copy
 of document appears
 unchanged and true and
 the signature was
 verified on any device
 Date: 2023.03.10 11:11:11-08'00'



CHRISTOPHER R. MITCHELL, FL
 FL LICENSE NO. 56740
 FL COA # 29226

CHRISTOPHER R. MITCHELL P.E.
FL. LICENSE NO. 56740
FL. COA # 29226

PROJECT #: 00823-01

SHEET: 06