



DEVIATIONS AND JUSTIFICATION

Fairway Villages

DEVIATION

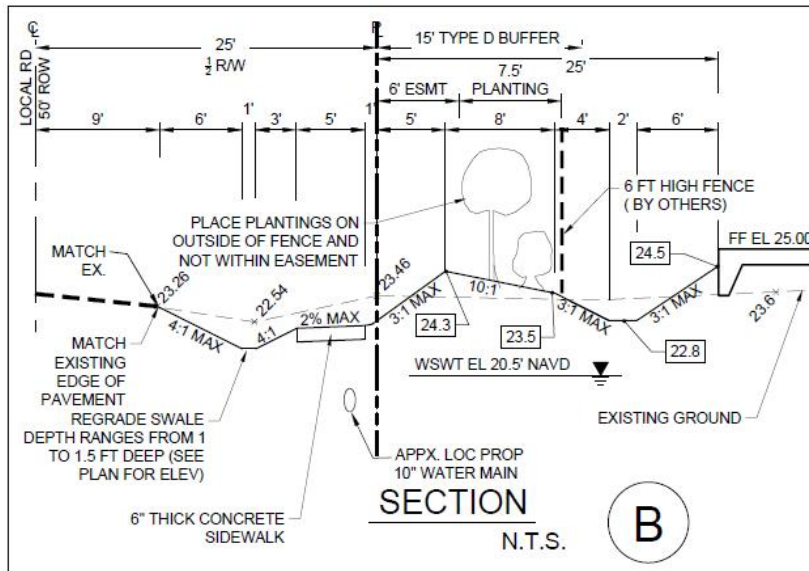
Associated with DOS2023-00016

STRAP#: 31-44-26-09-00007.0000 + 32-44-26-09-00011.0000.

2130 + 2156 Fairway Dr., Lehigh Acres, FL 33973

Proposed Project:

The subject property is located in the Central Urban future land use category and proposed for development of 128 multi-family units. There is one main entrance to the community located on Fairway Drive. Fairway drive is classified as a local road under the jurisdiction of Lee County DOT and has existing 9 ft travel lanes and open drainage within a 50 ft wide right of way. Dimensions of the existing roadway lanes are noted on Sheet SD-02 and on the Cross Section B below.



LDC Section 10-296(e) 1(i)5.ii requires 10 ft wide drive lanes for residential land uses as noted in Table 8.

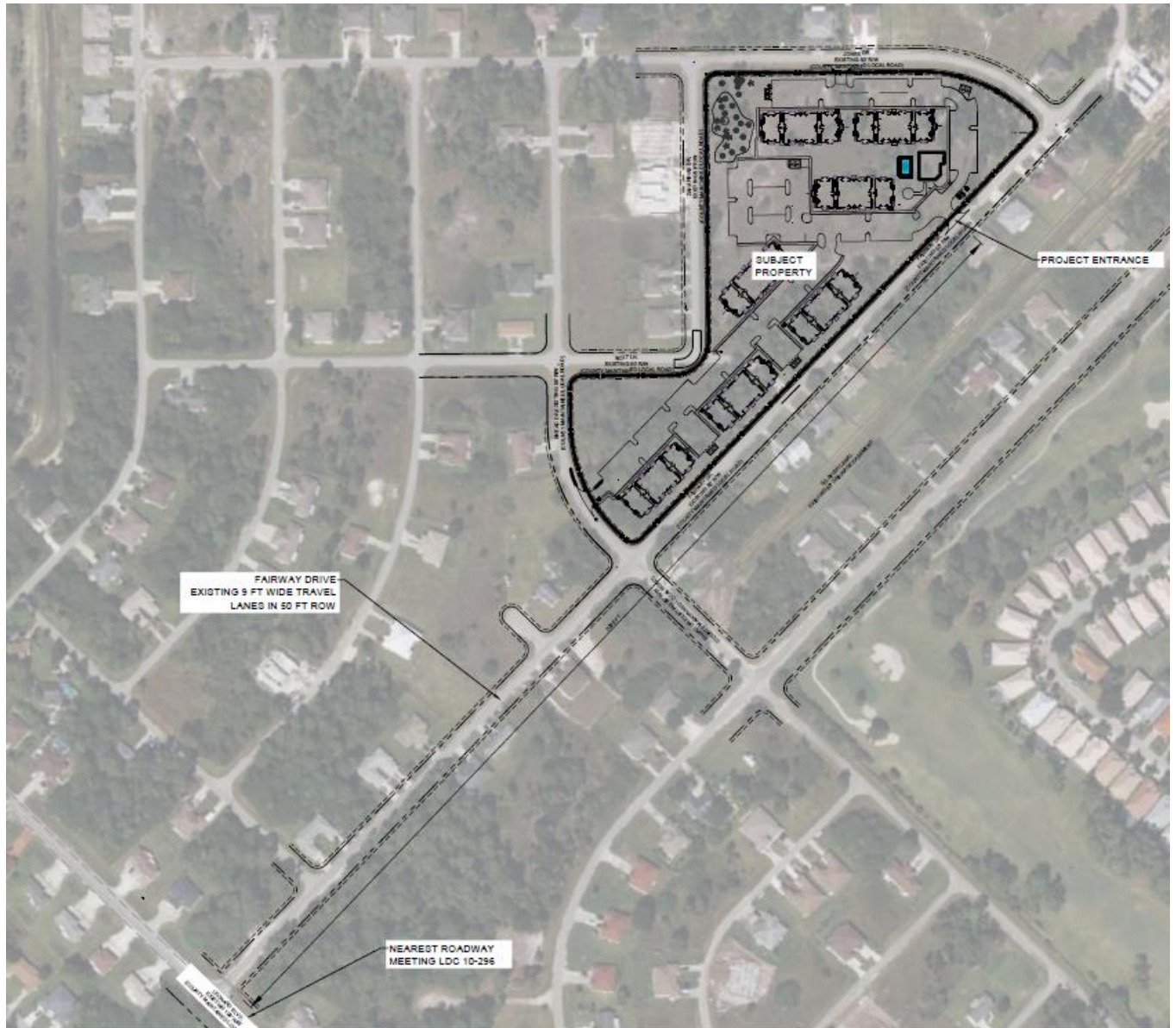
TABLE 8. URBAN LOCAL AND ACCESS STREETS

Lee Plan Future Land Use Designation		Intensive	Central Urban		Urban Community	
Existing/Proposed Land Use		All	Commercial	Residential	Commercial	Residential
Lane Width		10 feet	10 feet	10 feet	11 feet	11 feet
On-Road Bicycle Facility		Shared lane	Shared lane	Shared lane	Shared lane	Shared lane
Streetside	Planting Strip	8-foot strip	8-foot strip	6-foot strip	6-foot strip	5-foot strip
	Pedestrian Facility Width	6 feet	6 feet	5 feet	6 feet	5 feet

EXPAND



The 9 ft lane widths along Fairway Drive is an existing condition that does not comply with LDC Section 10-296. The nearest roadway meeting the requirements of LDC 10-296 is Leonard Blvd which is approximately 2300 ft away from the project entrance along Fairway Drive.





As indicated on the site plans and in Section B above, sidewalk is proposed within the right of way along the project frontage and the improvements to the open drainage swales are proposed to maintain conveyance patterns for roadway runoff. There is limited right of way to accommodate the code required 4:1 slopes and 1 ft minimum swale depth and 5 ft wide required sidewalk. 1 ft of additional pavement widening of each travel lane does not fit within the already limited right of way.

In addition to the improvements adjacent to the property, improving Fairway Drive to meet LDC requirements would also include 1300 linear feet of road widening in areas not adjacent to the subject property. Widening here would impact existing driveways, adjacent property owners and require additional drainage improvements and/or permitting beyond the scope of the project.

Deviation Request:

This is a request to deviation from the following code requirements:

Deviate from LDC§10-261(a) 10-296(e)1.i.5.ii which requires 10 ft lane width for local roads in the central urban land use serving residential uses (as shown in Table 8) to allow the existing 9 ft lanes to remain.

Deviate from LDC10-291(2) which requires all projects to be accessed from a public or private street meeting the requirements of LDC 10-296 to allow the project to be accessed from Fairway Drive an existing roadway that does not comply with the lane width requirements of LDC10-296.

Justification:

The existing Fairway Drive and surrounding roadways currently provide adequate access to the residential properties in the area. The roadways are low speed and low volume and consistent with most of the roadways in the project vicinity. The surrounding Snead Drive, Jones Dr, Zaharthas Dr, Bolt Ln and the majority of roads in the surrounding area are all constructed with 9 ft travel lanes. The 9 ft lane widths do not present an existing safety or operational concern and the roads should continue to function with the development of this project.

Furthermore, the 9-foot lanes meet the criteria established in Table-3 20 Minimum Lane Widths of the *FDOT Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways (Florida Greenbook) 2018 edition*, that allows the lane width to be reduced to 9 feet in residential areas where right of way is limited (see Appendix)



DEVIATION REQUESTS MUST MEET . . .

(1) The alternative proposed to the standards contained herein is based on sound engineering practices (not applicable to sections 10-352, 10-353 and division 7 of article III of this chapter);

RESPONSE: yes, the request is based on sound engineering practices.

(2) The alternative is no less consistent with the health, safety and welfare of abutting landowners and the general public than the standard from which the deviation is being requested.

RESPONSE: The deviation will not negatively impact public health, safety or welfare based upon the nature of this commercial usage, and limitations prescribed above

(3) For division 7 of article III of this chapter, the required facility would unnecessarily duplicate existing facilities.

RESPONSE: Not applicable

(4) The granting of the deviation is not inconsistent with any specific policy directive of the Board of County Commissioners, any other ordinance or any Lee Plan provision; and

RESPONSE: This variance is consistent with the Lee Plan

(5) For sections 10-352, 10-353, the utility that would otherwise serve the development cannot provide the service at the adopted level of service standard due to an inadequate central facility.

RESPONSE: Not applicable

(6) For sections 10-329(f) and 10-418 (4), the proposed use of hardened structures for restoration of existing lake bank slopes will be evaluated on a case-by-case basis. The application for the hardened structure must demonstrate this is the most appropriate and minimum stabilization technique necessary as designed and sealed by a licensed professional engineer. The application must also demonstrate compliance with section 10-418 (3) for compensatory littorals as well as previously approved littoral and deep lake management plan requirements. However, existing lakes within the DR/GR may not utilize hardened structures through the administrative process.

RESPONSE: Not applicable