



Professional Engineers, Planners & Land Surveyors

**Minor Administrative Amendment to Estero Oaks MPD
Southwest Florida Proton (Lots 5 & 6)
ADD2022-00152
Schedule of Deviations and Justifications**

This deviation request has been deemed necessary in the concurrent review for the development order on this site under case number DOS2021-00186.

No changes to the existing four approved deviations.

Existing Deviations per Z-14-011:

Deviation 1 is from LDC Section 34-2020(a)(3) and 34-2020(b) allowing a 5% reduction in the number of required parking spaces for the residential tract.

Deviation 2 is from LDC Section 10-285(a) allowing connection separations of 600 and 635 feet on Estero Parkway.

Deviation 3 is from LDC Section 30-153(2) allowing signs shown on the MCP & Signage Plan.

Existing Deviation from ADD2014-00151 (*numbered 4 by this application*)

Deviation 4 is from LDC Section 34-1748(5) allowing a paved turn-around having a turning radius sufficient to accommodate a U-turn for a passenger vehicle for the resident only southwest entrance.

Proposed Deviation (5): A request for relief from LDC Section 10-610(e) Parking lot interconnections which requires that adjacent commercial uses must provide parking lot interconnections for automobile, bicycle and pedestrian traffic to allow the existing reverse frontage road (Estero Oaks Drive) to serve as the automobile, bicycle and pedestrian interconnection.

Justification: The requested deviation is included in LDC Section 10-104(20) list of provisions where the Development Services Director is authorized to grant administrative deviations. This deviation is necessary to allow for the construction of the building as shown on the attached administrative deviation plan utilizing the reverse frontage road as the interconnect. The proposed medical use is a destination type of use as opposed to retail and other uses that would be more appropriate for a direct interconnection to the adjacent gas station. No internal capture is utilized in the submitted traffic impact statement. The site is part of an existing mixed use development with a low traffic, private reverse frontage road (Estero Oaks Drive) that serves the purpose of an interconnect internal to the development. Estero Oaks Drive provides interconnection for vehicles, bicycles and pedestrian traffic to access other parcels within the mixed use development without accessing Three Oaks Parkway (arterial) or Estero Parkway (arterial). The site provides two vehicular connections to Estero Oaks Drive. Two sidewalk connections are provided to the existing sidewalks along Estero Oaks Drive and a sidewalk connection is provided to Three Oaks Parkway and Estero Parkway. Bike Racks and street amenities such as shaded seating areas with trash receptacle are provided. Requiring a direct parking lot interconnect would duplicate an interconnection that already exists with the reverse frontage road and would require additional pavement that is not necessary and would reduce open space provided. The request is consistent with the applicable criteria for administrative deviations contained in LDC Section 10-104(b): (1) The alternative proposed to the standards contained herein 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; (3) 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 (5) not applicable; and (6) not applicable. Approval of the requested deviation enhances the achievement of the objectives of the planned development and will not cause a detriment to public interests.