

LEE COUNTY RESOLUTION NO. 20-03-10

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA, AMENDING RESOLUTION NO. 93-09-
51, AS AMENDED, WHICH DESIGNATED BEN C. PRATT SIX MILE
CYPRESS PARKWAY AS A CONTROLLED ACCESS ROAD AND
ESTABLISHED PERMANENT ACCESS POINTS.**

WHEREAS, section 10-285(h) of the Lee County Land Development Code provides for the designation of certain streets in Lee County as "controlled access" facilities to which permanent access points are restricted to locations established and set by design study and plans adopted by resolution of the Lee County Board of County Commissioners; and

WHEREAS, the Board of County Commissioners retains the right and authority to exercise its police power to modify roadway median openings, access points and turning movements to protect the health, safety, and welfare of the traveling public; and

WHEREAS, on 15 September 1993, the Board of County Commissioners adopted Resolution No. 93-09-51 designating Ben C. Pratt Six Mile Cypress Parkway as a controlled access facility from US 41 northeast to Colonial Boulevard, and establishing permanent access points; and

WHEREAS, Resolution No. 93-09-51 was subsequently amended as follows:

1. No. 97-051A, adopted 10-28-1993 which relocated two access points on the west side of Ben C. Pratt Six Mile Cypress Parkway at Station 678+00 and at Station 669+00 for right-in and right-out access only; and
2. FDOT Permit # 98-A-192.0013 added an access at Station 419+34 on the north side of Ben C. Pratt Six Mile Cypress Parkway for a right-in and right-out access only.
3. Resolution No. 17-08-11 added an access at Station 732+59 on the east side for a right-in and right-out access only

WHEREAS, Ortiz Avenue between SR 884 and SR 82 is being widened to a multi-lane divided highway, and

WHEREAS, Ortiz Avenue between SR 884 and SR 82 a continuous extension of Ben C. Pratt Six Mile Cypress Parkway, and

WHEREAS, the Lee County Department of Transportation has concluded that, extending the controlled access designation of Six Mile Cypress Parkway to include Ortiz Avenue would result in a safer and more efficient facility.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Lee County, Florida, that:

1. Ben C. Pratt Six Mile Cypress Parkway and Ortiz Avenue, from US 41 northeast to SR 82 (Dr. Martin Luther King, Jr Blvd.) including its intersections, is designated a controlled access road facility.
2. Resolution No. 93-09-51 is hereby further amended as follows:

- a. Access points along Ortiz Avenue between SR 884 and SR 82 will be limited to the locations listed in Exhibit A and shown on the map in Exhibit B.
- 3. Absent subsequent Board action in accordance with applicable County regulations, the connection points are limited to those identified on attached Exhibit A. Provided, however, no vested right to a particular connection point location is granted by virtue of adopting Exhibit A. The County retains full power and authority to exercise its police power to modify connection points, median openings, and turning movements to protect the health, safety, and welfare of the traveling public.

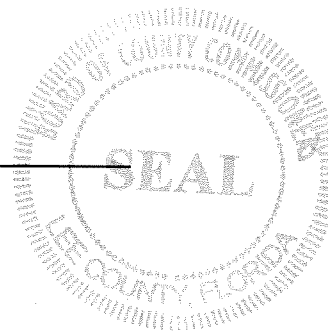
Commissioner Manning made a motion to adopt the foregoing resolution, seconded by Commissioner Pendergrass. The vote was as follows:

John E. Manning	Aye
Cecil L Pendergrass	Aye
Ray Sandelli	Aye
Brian Hamman	Absent
Franklin B. Mann	Aye

Duly passed and adopted this 3rd day of March, 2020.

ATTEST:
LINDA DOGGETT, CLERK

By Missy Flint
Deputy Clerk



BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

By Frank Mann
Brian Hamman/Chair

APPROVED AS TO FORM FOR THE
RELIANCE OF LEE COUNTY ONLY

By [Signature]
Office of the Lee County Attorney