

CITY OF BONITA SPRINGS
ZONING RESOLUTION NO. 22 – 04

A ZONING RESOLUTION OF THE CITY OF BONITA SPRINGS, FLORIDA; CONSIDERING A REQUEST FOR A SPECIAL EXCEPTION TO RE-ESTABLISH A CAR WASH, ON PROPERTY LOCATED IN THE COMMUNITY COMMERCIAL (CC) ZONING DISTRICT, PURSUANT TO LDC 4-891; LOCATED AT 8801 WEST TERRY STREET, BONITA SPRINGS, FLORIDA 34135; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Applicant, Love’s Petroleum, Inc. is the owner of record for the subject parcels; and

WHEREAS, the Applicant is seeking a special exception re-establish a car wash on property located in the Community Commercial (CC) zoning district pursuant to Section 4-891 of the City’s land development code (“LDC”); and

WHEREAS, a Public Hearing was advertised and heard on October 18, 2022 by the City of Bonita Springs Board for Land Use Hearings and Adjustments and Zoning Board of Appeals (“Zoning Board”) on Case SPE22-87755-BOS who unanimously (6-0) recommended approval after giving full and complete consideration of the record, consisting of the Staff Recommendation, the documents on file with the City and the testimony of all parties; and

WHEREAS, City Council at their November 2, 2022 zoning meeting considered Case SPE22-87755-BOS, as well as a minutes of the Zoning Board hearing submitted as part of the City Council hearing record, and gave full consideration of the Staff Recommendation, the evidence and testimony, including the expert opinion of the Applicant.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Bonita Springs, Lee County, Florida:

SECTION ONE: APPROVAL OF REQUEST

City Council of Bonita Springs hereby approves the request for a special exception with the following conditions:

Conditions:

1. The special exception will be valid for this Applicant only and proposed site modifications should be generally consistent with the attached site plan, landscape plan, and architectural plan.

2. The Bonita Springs Noise Control Ordinance remains in full force and effect.
3. Additional information or changes to the plan not covered by this approval may require additional approvals. Such approvals will follow the processes outlined in the Land Development Code.
4. Approval of this special exception request does not guarantee approval of a local development or building permit.
5. Unless modified by this approval, the property shall be consistent with the regulations of the Land Development Code for the Community Commercial (CC) zoning district and US 41 Overlay.

Findings and Conclusions:

Based upon an analysis of the application and the standards for approval of special exception and as conditioned, the Bonita Springs City Council makes the following findings and conclusions:

1. The Applicant has proven entitlement for the requested special exception by demonstrating compliance with the Bonita Springs Comprehensive Plan and Land Development Code.

SECTION TWO: RECORD

This Resolution incorporates all exhibits, staff reports, attachments, evidence and testimony presented before the Zoning Board and City Council.


SECTION THREE: EFFECTIVE DATE

This Resolution shall take effect immediately upon adoption.


[SIGNATURE PAGE FOLLOWS]

DULY PASSED AND ENACTED by the City Council of the City of Bonita Springs, Lee County, Florida, this 2nd day of November, 2022.


AUTHENTICATION:



Mayor



City Clerk

APPROVED AS TO FORM: 

City Attorney

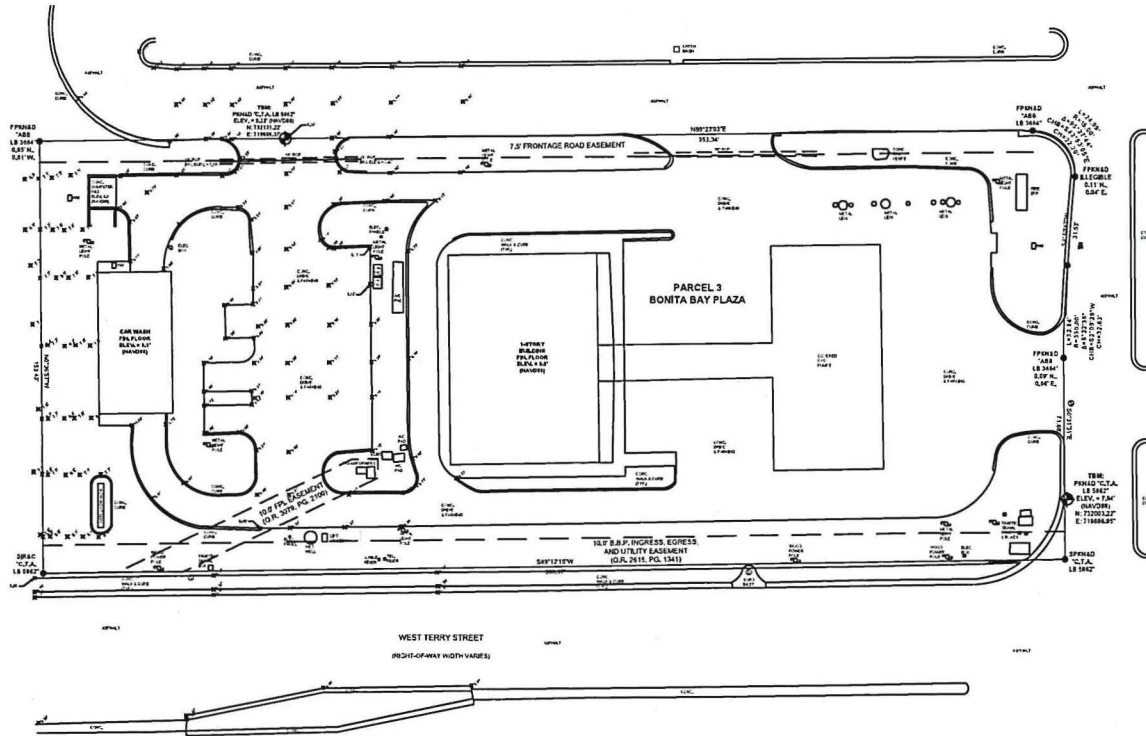
Vote:

Carr	Aye	Corrie	Aye
Purdon	Aye	Quaremba	Aye
Forbes	Aye	Steinmeyer	Aye
Gibson	Aye		

Date filed with City Clerk: 11/2/2022

EXHIBIT A

24x36 SCALE: 1" = 37'



SURVEYOR'S NOTES:

1. UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER, THIS MAP/REPORT IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT VALID.
2. NO TITLE OPINION OR ABSTRACT TO THE SUBJECT PROPERTY HAS BEEN PROVIDED. IT IS POSSIBLE THAT THERE ARE DEEDS, EASEMENTS OR OTHER INSTRUMENTS (RECORDED OR UNRECORDED) WHICH MAY AFFECT THE SUBJECT PROPERTY. NO SEARCH OF THE PUBLIC RECORDS HAS BEEN MADE BY THE SURVEYOR.
3. THE LAND DESCRIPTION HEREON IS BASED ON THE INSTRUMENT OF RECORD.
4. NO UNDERGROUND FOUNDATIONS OR UTILITIES WERE LOCATED.
5. ELEVATIONS SHOWN HEREON ARE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD83).
6. FLOOD ZONE: X BASE FLOOD ELEVATION = 10A (NAVD88) COMMUNITY: CITY OF BONITA SPRINGS 120650 MAP/PANEL NUMBER: 12071 C 0656 F, DATED AUGUST 8, 2008
7. PROPERTY ADDRESS: 801 WEST TERRY ST, BONITA SPRINGS, FLORIDA 34135
8. COORDINATES ARE IN FLORIDA STATE PLANE, WEST ZONE.

LEGAL DESCRIPTION:

PARCEL 3, BONITA BAY PLAZA, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 57, PAGES 57 AND 5A, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, LESS AND EXCEPT THE RIGHT-OF-WAY CONVEYED TO LEE COUNTY, FLORIDA BY THAT CERTAIN WARRANTY DEED RECORDED IN OFFICIAL RECORDS BOOK 2759, PAGE 1076, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

CERTIFICATION:

I HEREBY CERTIFY THAT THE ATTACHED LAND SURVEY OF THE HEREON DESCRIBED PROPERTY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS SURVEYED IN THE FIELD UNDER MY DIRECTION ON DECEMBER 14, 2020. I FURTHER CERTIFY THAT THIS LAND SURVEY MEETS THE STANDARDS OF PRACTICE FOR THE SURVEYING AND MAPPING PROFESSION AS SET FORTH IN CHAPTER 8-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES. THERE ARE NO ABOVE GROUND ENCROACHMENTS OTHER THAN THOSE SHOWN HEREON, SUBJECT TO THE QUALIFICATIONS NOTED HEREON.



Charles E. Tolton, P.S.M.
Florida Registration No. 4532
Charles Tolton & Associates, Inc.
L.L. No. 5862

D:\CTA\065 AFTER 5-22_2020\CTA 20127\Production Drawings\20127 BNDY SP WEST.dwg 5/29/2021 2:27:33 PM

SCALE	1" = 37'
DATE	08/17/21
TIME	AM
DRG. BY	C.E.T.
FIELD BY	T.S.
I/A	RE. PL. PLS.
FOR	FILE. 075. 0737

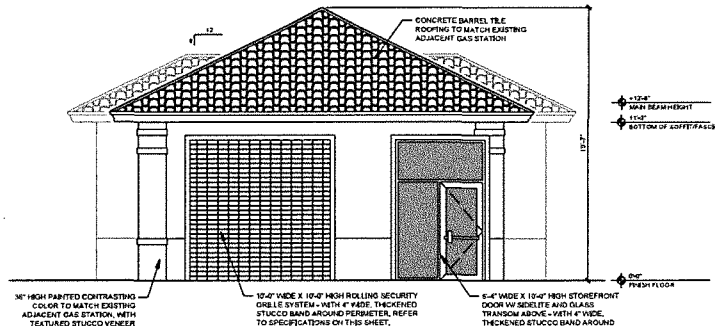
CHARLES TOLTON & ASSOCIATES, INC.
ENGINEERING LAND SURVEYING
3508 RADIO ROAD, SUITE E
MAPLES, FLORIDA 34104
(209)793-6433
EMAIL: C.Tolton@ctasurveying.com

REVISIONS	DATE	OWN	CHK

For: _____

BOUNDARY AND TOPOGRAPHIC SURVEY
PARCEL 3, BONITA BAY PLAZA
LEE COUNTY, FLORIDA

SHEET
1
OF
1



GLAZING CALCULATIONS (NORTH)

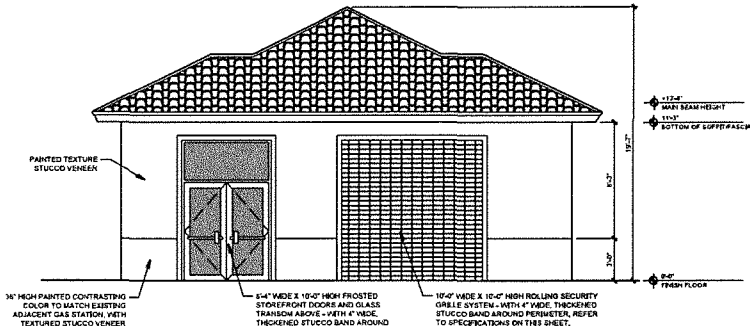
SERVICE BAY SIDE
 MINIMUM GLAZING AMOUNT NOT REQUIRED ON NORTH FACADE PER SECTION 4408.22.
 GLASS WINDOWS AND DOORS MUST MAKE UP 33 PERCENT OF THE PRIMARY ELEVATION AND 15 PERCENT OF THE SECONDARY ELEVATION. THIS CALCULATION IS INCLUDING AREA DESIGNATED AS SERVICE BAYS.

GLAZING CALCULATIONS (SOUTH)

SERVICE BAY SIDE
 MINIMUM GLAZING AMOUNT NOT REQUIRED ON NORTH FACADE PER SECTION 4408.22.
 GLASS WINDOWS AND DOORS MUST MAKE UP 33 PERCENT OF THE PRIMARY ELEVATION AND 15 PERCENT OF THE SECONDARY ELEVATION. THIS CALCULATION IS INCLUDING AREA DESIGNATED AS SERVICE BAYS.

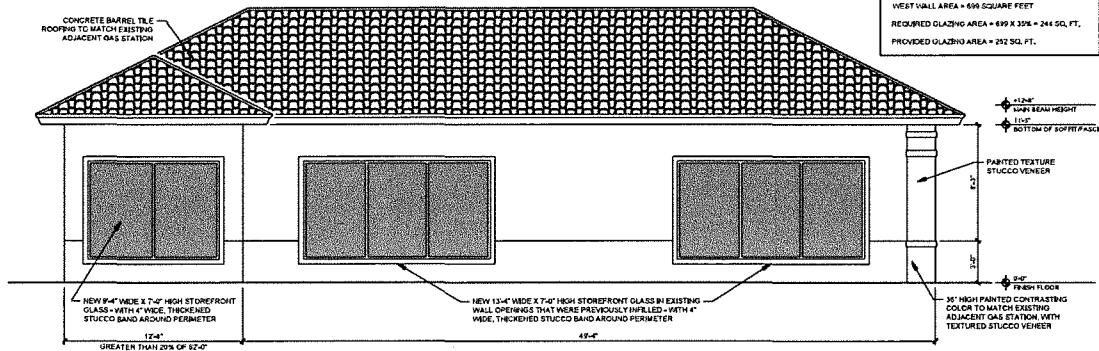
REAR (NORTH) PRIMARY ELEVATION

SCALE: 1/4" = 1'-0"



FRONT (SOUTH) PRIMARY ELEVATION (FACES W/ TERRY ST.)

SCALE: 1/4" = 1'-0"

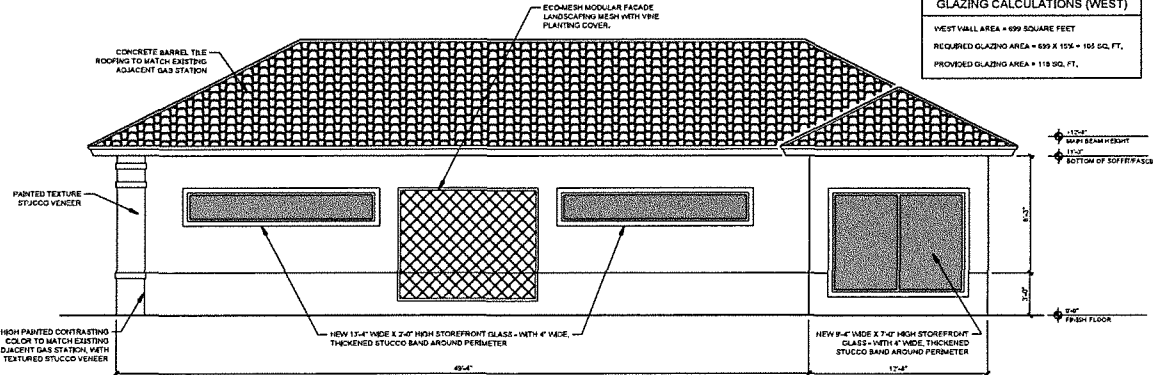


GLAZING CALCULATIONS (EAST)

WEST WALL AREA = 699 SQUARE FEET
 REQUIRED GLAZING AREA = 699 X 33% = 244 SQ. FT.
 PROVIDED GLAZING AREA = 292 SQ. FT.

LEFT (EAST) PRIMARY ELEVATION

SCALE: 1/4" = 1'-0"

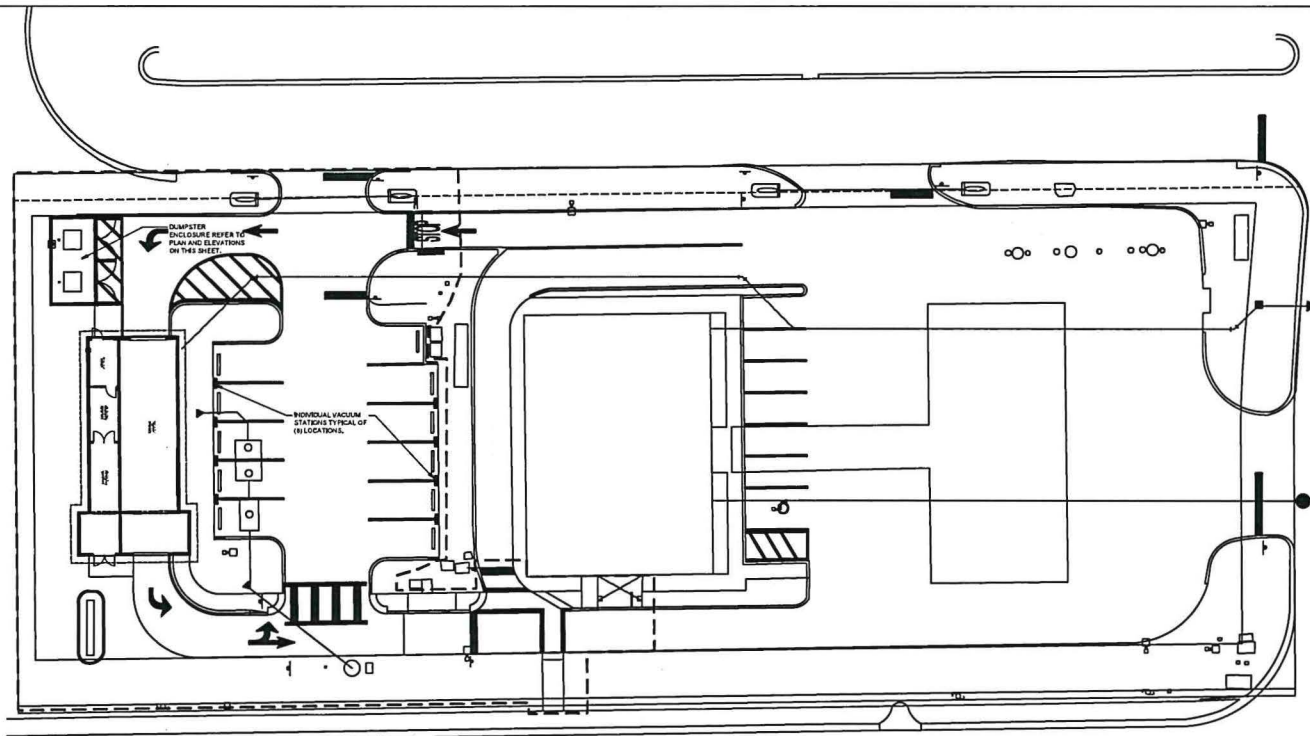


GLAZING CALCULATIONS (WEST)

WEST WALL AREA = 699 SQUARE FEET
 REQUIRED GLAZING AREA = 699 X 15% = 105 SQ. FT.
 PROVIDED GLAZING AREA = 119 SQ. FT.

RIGHT (WEST) SECONDARY ELEVATION

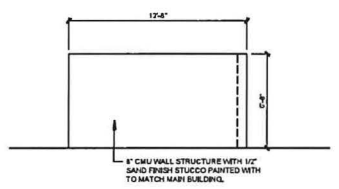
SCALE: 1/4" = 1'-0"



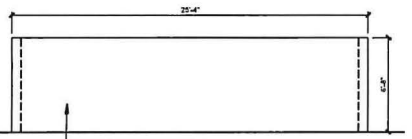
TYPICAL VACUUM STATION

NORTH
OVERALL SITE PLAN
 REFER TO SITE/CIVIL DRAWINGS FOR ADDITIONAL INFORMATION

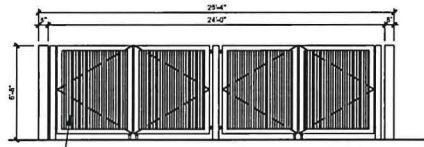
SCALE: 1/16" = 1'-0"



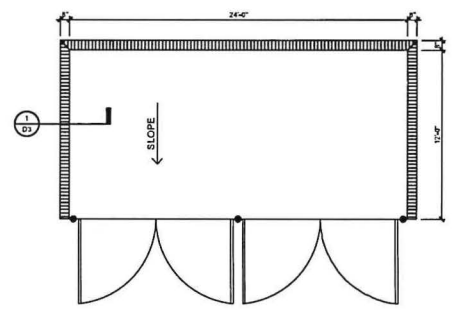
NEW DUMPSTER (SIDE) ELEVATION
 OTHER SIDE ELEVATION IS SYMMETRICAL REVERSED SCALE: 1/4" = 1'-0"



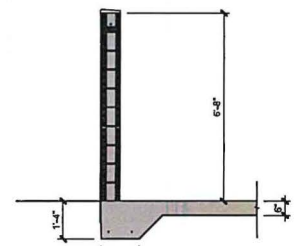
NEW DUMPSTER (REAR) ELEVATION
 SCALE: 1/4" = 1'-0"



NEW DUMPSTER (FRONT) ELEVATION
 SCALE: 1/4" = 1'-0"



DUMPSTER PLAN
 SCALE: 1/4" = 1'-0"



DUMPSTER WALL SECTION
 SCALE: 1/2" = 1'-0"