

**CITY OF BONITA SPRINGS
ZONING RESOLUTION NO. 21 - 02**

A ZONING RESOLUTION OF THE CITY OF BONITA SPRINGS REQUESTING A VARIANCE FROM LDC 4-926(D)(3), WHICH REQUIRES A SIDE AND REAR SETBACK OF 10 FEET FOR COMMERCIAL ACCESSORY STRUCTURES, TO ALLOW A SETBACK OF 5 FEET ALONG THE WESTERN SIDE PROPERTY LINE AND A 6 FOOT SETBACK ALONG THE REAR PROPERTY LINE, AND FROM LDC 4-1732, WHICH REQUIRES 4 PARKING SPACES PER 1,000 SQUARE FEET OF INDOOR RECREATION FACILITY FOR THE EXISTING CLUBHOUSE, TO ALLOW FOR A REDUCTION OF 8 PARKING SPACES, TO PERMIT A DUMPSTER ENCLOSURE FOR AN EXISTING RECREATIONAL VEHICLE PARK IN BONITA SPRINGS.

WHEREAS, Section 4-926(d)(3) of the City's land development code ("LDC") requires a 10 foot side and rear setback for all commercial accessory structures; and

WHEREAS, Section 4-1732 of the City's land development code ("LDC") requires 4 parking spaces per 1,000 square feet of indoor recreation facility; and

WHEREAS, the Applicant, Limetree Campsites Condominium, Inc., is seeking a variance pursuant to the aforementioned setback and parking calculation to accommodate an existing clubhouse site of an existing recreational vehicle park; and

WHEREAS, a Public Hearing was advertised and heard on February 23, 2021, by the City of Bonita Springs Board for Land Use Hearings and Adjustments and Zoning Board of Appeals ("Zoning Board") on Case VAR20-74088-BOS who recommended approval (5-0) 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 March 24, 2021 zoning meeting considered the record of the Zoning Board on Case VAR20-74088-BOS and gave full consideration of the Staff Recommendation, the evidence and testimony provided during the public hearing.

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

SECTION ONE: APPROVAL OF REQUEST

City Council of Bonita Springs hereby grants a variance from the setback requirements of Section 4-926(d)(3) and the parking requirements of Section 4-1732, with the following conditions:

Conditions:

1. The variance is limited to the lot in question, known as 244 Limetree Park Drive, STRAP No. 28-47-25-B2-001M0.00CE, for the specific area shown on the site specific boundary survey (**Exhibit A**).
2. The proposed dumpster enclosure shall be setback a minimum of five (5) feet from the Western property line and six (6) feet from the Northern (rear) property line.
3. A minimum of fourteen (14) parking spaces shall be maintained at all times, between the clubhouse and pool area parking.
4. Unless modified by this variance request, at time of local development order, the proposed dumpster enclosure shall be otherwise in compliance with LDC Section 3-493.
5. At time of local development order, the restriping of the parking spaces shall be otherwise in compliance with LDC Sec. 4-1728.
6. The Limetree Park Community shall work with Lee County Solid Waste on a hauling schedule to ensure that overflow will not occur.

Findings & Conclusions:

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

1. There are exceptional or extraordinary conditions or circumstances inherent to the property in question;
2. The exceptional or extraordinary conditions or circumstances are not the result of actions of the applicant taken subsequent to the adoption of the ordinance (any action taken by an applicant pursuant to lawfully adopted regulations preceding the adoption of the code from which this chapter is derived will not be considered self-created);



3. The variance granted is the minimum variance that will relieve the applicant of an unreasonable burden caused by the application of the regulation in question to the subject property;
4. The granting of the variance will not be injurious to the neighborhood or otherwise detrimental to the public welfare; and
5. The condition or situation of the specific piece of property, or the intended use of the property, for which the variance is sought is not of a general or recurrent nature so as to make it more reasonable and practical to amend the ordinance.

SECTION TWO: EFFECTIVE DATE

This Resolution shall take effect immediately upon adoption.

DULY PASSED AND ENACTED by the City Council of the City of Bonita Springs, Lee County, Florida, this 24th day of March, 2021.

AUTHENTICATION:

 _____ Mayor	 _____ City Clerk
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APPROVED AS TO FORM: _____
 City Attorney

Vote:

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

Date filed with City Clerk: 3/26/2021

NORTH
ARROW



SCALE
1"= 30'

FOUNDATION LOCATION

FIELDBOOK

PAGE

LEGEND

- SET CONC. MON. W/ CAP L.D.S. 3553
 - SET IRON PIN W/ CAP L.D. # 3553
 - FD. CONC. MON. W/ CAP
 - FD. CONC. MON.
 - FD. IRON PIN
 - ASSUMED ELEVATION
 - △ BENCHMARK
 - R RECORDED
 - M MEASURED
- CONT'N REVERSE SIDE
FINAL SURVEY DATE

LEGAL DESCRIPTION
(AS PROVIDED BY CLIENT)

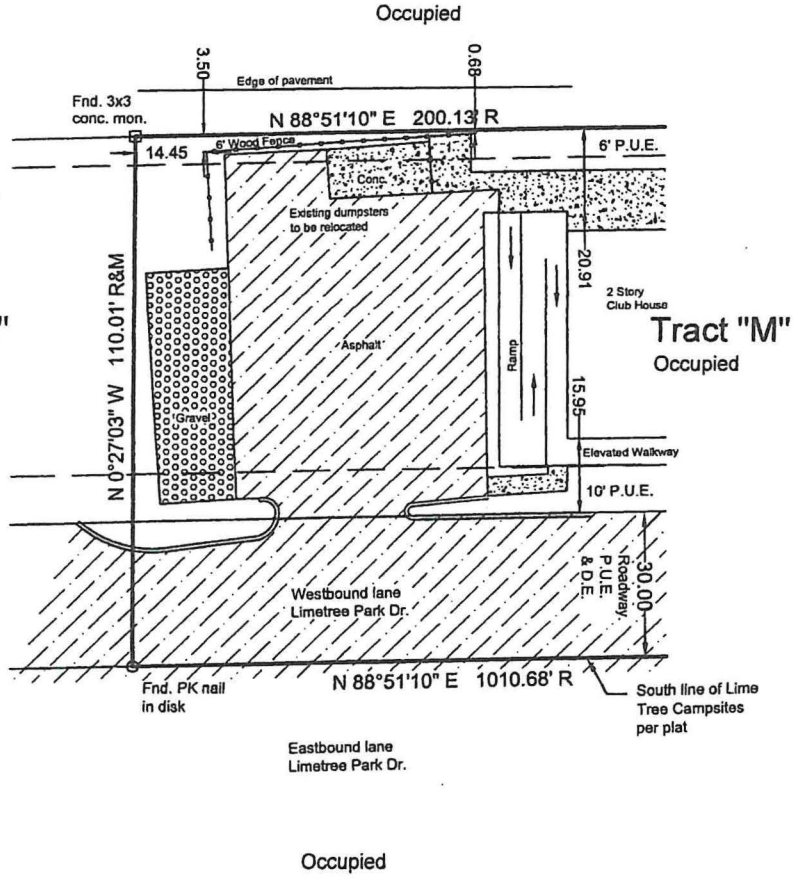
This is a special purpose survey for the dumpster location of a portion of Tract "M", Lime Tree Campsites as recorded in Plat Book 34, Pages 128 & 129 of the Public Records of Lee County, Florida.

The property address 244 Limetree Park Dr. per County Records.

RECEIVED

JAN 12 2021

City of Bonita Springs
Community Development Dept



NOTES

1. REPRODUCTION OF THIS SKETCH IS NOT VALID UNLESS SEALED WITH AN EMBOSSED SURVEYOR'S SEAL.
2. NO INSTRUMENTS OF RECORD REFLECTING EASEMENTS, RIGHTS-OF-WAY, AND OR OWNERSHIP WERE FURNISHED THIS SURVEYOR EXCEPT AS SHOWN.
3. NO UNDERGROUND INSTALLATIONS OR IMPROVEMENTS HAVE BEEN LOCATED EXCEPT AS NOTED.
4. BEARINGS SHOWN HEREON ARE BASED ON Centerline of Limetree Park Dr. being N 88°51'10" E
5. THIS PROPERTY LIES IN FLOOD ZONE X EL n/a PER F.I.R.M. PANEL NO. 12071C0656F, DATED 8/28/2006
6. LAST DATE OF FIELDWORK 1/8/21
7. ALL DIMENSIONS ARE IN FEET AND DECIMALS THEREOF.

CERTIFICATE

I hereby certify that the above described property was surveyed under my direction and the sketch of survey is true and correct to the best of my knowledge. This survey meets or exceeds the standards of practice set forth by the Florida Board of Land Surveyors, pursuant to Rule 5J-17 Florida Administrative Code, and pursuant to Section 472.027 Florida Statutes. There are no visible encroachments other than those shown hereon.

1-12-21
MOA

P.L.S.
MARK O. ALLEN P.L.S. #3553
LB #6558

MARK O. ALLEN, INC.
PROFESSIONAL LAND SURVEYOR

FAX: (239) 992-6070
TELE: (239) 992-8900

10602 WOODS CIRCLE
BONITA SPRINGS, FL 34135

DWN. BY MG	CHK'D BY	ORDERED BY Bruce Dodge	SHEET 1 OF 1 DWG. NO. 2020 - 19
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00318 L 1141
00318 L 1141

APPENDIX A

LEGEND OF ABBREVIATIONS

A= Arc
APPROX= Approximate
ASPH= Asphalt
AVE= Avenue
BLVD= Boulevard
B.M= Benchmark
C= Centerline
CH= Chord
CALC= Calculated
C.B= Chord Bearing
CBS= Concrete Block Structure
C&GS Coastal and Geodetic Survey
CHKD= Checked
CMP= Corrugated Metal Pipe
CO= County
CONC= Concrete
COR= Corner
CT= Court
D.E= Drainage Easement
Desc= Description
D.H= Drill Hole
DWN= Drawn
EL or ELEV= Elevation
EOP= Edge of Pavement

EOW= Edge of Water
FB= Fieldbook
FD= Found
FLA= Florida
IP= Iron Pin
LN= Lane
M= Measured
M.E= Maintenance Easement
MH= Manhole
MHW= Mean High Water
MON= Monument
N/A= Not Applicable
NGVD= National Geodetic Vertical Datum
NO= Number
O.R Book= Official Record Book
ORIG= Original
O/S= Offset
P.B= Plat Book
P.C= Point of Curvature
PG= Page
P.I= Point of Intersection
PLS= Professional Land Surveyor
PL= Property Line
PLS= Professional Land Surveyor

P.O.B= Point of Beginning
P.O.C= Point of Commencement
P.O.L= Point on Line
PROP= Property
P.T= Point of Tangency
PUE= Public Utility Easement
R= Record or Radius
RAD= Radius
RCP= Reinforced Concrete Pipe
RD= Road
RDL= Radial
RES= Residence
RLS= Registered Land Surveyor
R.O.W= Right of Way
R or RGE= Range
SEC= Section
ST= Street
STY= Story
TOB= Top of Bank
T.U.E.= Technology Utility Easement
TYP= Typical
T or TWP= Township
UE= Utility Easement
W= With
Δ= Delta or Benchmark
⊕= Fire Hydrant

NORTH
ARROW



SCALE
1"= 30'

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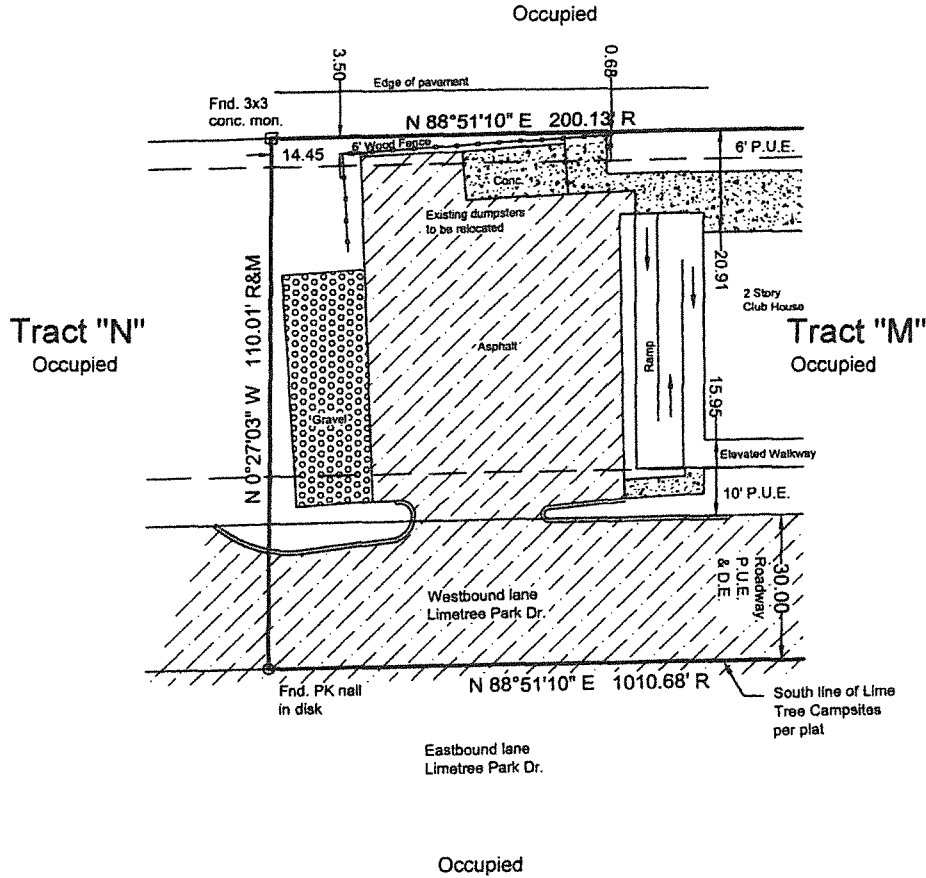
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