

**CASE B: VAR20-71995-BOS
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**BONITA SPRINGS, FLORIDA
COMMUNITY DEVELOPMENT DEPARTMENT
ZONING DIVISION
STAFF REPORT**

PROJECT NAME: 27783 HICKORY BLVD. SETBACK VARIANCE

TYPE OF CASE: VARIANCE

CASE NUMBER: VAR20-71995-BOS

HEARING DATE: NOVEMBER 17, 2020

PLANNER: MIKE FIIGON II, SENIOR PLANNER

REQUEST AND STAFF RECOMMENDATION

A variance from LDC 4-1893, which requires a street setback of 25 feet, to allow a street setback of 20 feet, and from LDC 4-1894(b), which requires a water body setback of 25 feet, to allow a water body setback of 15 feet from the east for a single family residence and accessory structures, and 6.5 feet from the north for a single family residence, and from LDC 4-489 which requires a side setback of 7.5 feet, to allow a 6.5 feet side yard setback to the south, for a single family residence in Bonita Springs. Staff recommends APPROVAL of the variances as requested.

I. APPLICATION SUMMARY:

A. Applicant: Ashmore Design

B. Agent: Ashmore Design, Camden Ashmore

C. Request: A variance from LDC 4-1893, which requires a street setback of 25 feet, to allow a street setback of 20 feet, and from LDC 4-1894(b), which requires a water body setback of 25 feet, to allow a water body setback of 15 feet from the east for a single family residence and accessory structures, and 6.5 feet from the north for single-family residence, and from LDC 4-489 which requires a side setback of 7.5 feet, to allow a 6.5 feet side yard setback to the south, for a single family residence in Bonita Springs.

D. Location: 27783 Hickory Blvd., Bonita Springs, Florida 34134

E. Future Land Use Plan Designation, Current Zoning and Use of Property:

Future Land Use: Moderate Density Residential

Current Zoning: RS-1, Single Family Residential

Current Use: Single Family Residential

F. Surrounding Land Use:

<u>Existing Zoning & Land Use</u>	<u>Future Land Use Designation</u>
North: RS-1, Single Family Residential Single Family Residence	Moderate Density Residential
East: RS-1, Single Family Residential; (waterbody Fish Trap Bay)	Moderate Density Residential
South: RS-1, Single Family Residential; Single Family Residence	Moderate Density Residential
West: RS-1, Single Family Residential; Hickory Blvd, followed by Single Family Residences	Moderate Density Residential

II. **BACKGROUND AND INFORMATIONAL ANALYSIS:**

Introduction/Synopsis

The property is located at 27783 Hickory Blvd, with Fish Trap Bay to the east and Hickory Blvd to the west. The property is a combination of two platted lots of record, Lots 3 & 4 of Block L of Bonita Beach First Addition, as found in Plat Book 8, Page 70 of the public records of Lee County, Florida and attached herein. Currently, there is a single-family home on the property, which according to the property appraiser was built in 1962.

It is important to note that the platted lines of the lot in question extend into the water, beyond the mean high water line. However, the applicant does not have a submerged lands deed and therefore the state of Florida is the possessive sovereign beyond the water's edge. Taking this into account, while LDC 4-489 requires a depth of at least 100' for conventionally-zoned RS-1 properties, due to the subject property being on a water-body, a rear setback of 25' is to be observed from the mean-high water line and not the original rear property line. According to the boundary survey issued by Target Surveying, LLC, signed and sealed by Kenneth Osborne on March 5, 2020, the subject property has a depth of 52.41' to the mean high water mark on the north line and a depth of 80.86' to the mean high water mark on the south line. This would

render this L-shaped lot non-conforming, through no fault of the applicant. Per LDC 4-2397, a non-conforming lot is defined as follows:

For purposes of this division, the term "nonconforming or substandard lot" means a lot of which the area, dimension or location was lawful prior to the adoption of the ordinance from which this chapter is derived, or the adoption of a revision or amendment of this chapter, and which fails by reason of such adoption, revision or amendment to conform to the requirements for the zoning district in which the lot is located.

It is the goal of the property owner to be able to tear down the existing non-conforming home and rebuild a new home (with accessory structures), subject to the most recent building and life/health/safety codes.

Since there are several modifications being requested, the following setback chart depicts code-required setbacks and requested setbacks.

Setback Location	Required	Requested
Front (Street)	25'	20'
Side	7.5'	6.5'
Waterbody (Principal)	25'	15', 6.5'
Waterbody (Elevated Accessory)	25'	15'

Variance Review Criteria – Analysis

As outlined in LDC 4-131(b)(3), the following standard of review is applied to variance cases:

- (3) *Findings. Before making a recommendation to grant any variance, the zoning board must find that all of the following exist:*
 - a. *There are exceptional or extraordinary conditions or circumstances that are inherent to the property in question;*
 - b. *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 ordinance from which this chapter is derived will not be considered self-created);*
 - c. *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 their property;*

- d. *The granting of the variance will not be injurious to the neighborhood or otherwise detrimental to the public welfare; and*
- e. *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.*

It is Staff's opinion the applicant has a hardship that is not self-imposed – i.e., the size, shape and geometry of the lot make it impossible to meet the requirements of a standard lot for which the adopted setbacks are intended. It is also the staff opinion that the requested variances are the minimum necessary.

Surrounding Zoning

The subject property is in an area surrounded by other RS-1-zoned properties, of which have existing single-family homes and several of which have received variances for setback requirements from either Lee County or the City of Bonita Springs.

Neighborhood Compatibility

The proposed variance would not change the character of the neighborhood and is consistent with the surrounding uses and development patterns of the area. There are several variances that have been processed by Lee County or Bonita Springs in accordance with the variance criteria outlined in the land development code. Some examples would be:

27749 Hickory Blvd	65' from centerline of Hickory Blvd; 5' Waterbody	Z-89-4-20
27795 Hickory Blvd	20' Street; 15' Waterbody	ZO-15-02
27844 Forester Drive	20' Street; 12' Waterbody	ZO-16-03
27824 Forester Drive	20' Street; 15' Waterbody	ZO-08-02
27828 Forester Drive	20' Street; 15' Waterbody	ZO-08-02
27832 Forester Drive	20' Street; 15' Waterbody	ZO-08-02
27733 Hickory Blvd	20' Street, 15' Waterbody	ZO-20-01

Comprehensive Plan Considerations

The subject property is located in the Moderate Density Residential future land use category according to the City's Future Land Use Map. The Future Land Use Element of the Comprehensive Plan describes the Moderate Density Residential land use as follows:

Policy 1.1.7: Moderate Density Residential - Intended to accommodate and preserve single-family residential development at a maximum density of up to 5.8 dwelling units per gross acre and approximately 1,977 acres of gross land area in

the land use category; planned unit developments at a maximum density of six units per acre; group homes and foster care facilities; public schools and other public, semi-public and recreational uses on a limited basis.

- a. Appropriate residential housing types include conventional and modular constructed single-family homes on permanent foundations.*
- b. Maximum allowable height of structures shall be 35 feet from the base flood elevation to the eaves.*

The proposed variance will not increase density or provide for additional development. It is Staff's opinion that the proposed variance does not conflict with the Moderate Density Residential future land use category.

Findings & Conclusions:

Based upon an analysis of the application and the standards for approval of a variance, Staff makes the following findings and conclusions:

1. There are exceptional or extraordinary conditions or circumstances inherent to the subject property, specifically depth of the parcel (approx. 52.41' on the north and 80.96' on the south) which do not meet the current code minimum of 100' of depth.
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. This lot as configured was created by plat in 1941, before zoning rules were in place. This configuration was not created or altered by the owner.
3. The variance, if granted, is the minimum variance that will relieve the applicant of an unreasonable burden caused by the application of the regulations in question to the subject property. The variance, if granted, would allow for the existing older home to be demolished and replaced with a new single-family home, and provide setback relief to do so.
4. The granting of the variance will not be injurious to the neighborhood or otherwise detrimental to the public welfare.
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 to make it more reasonable and practical to amend the ordinance.

III. RECOMMENDATION:

Staff recommends **APPROVAL** of the applicant’s requested variances from the setback requirement to allow for reductions as outlined below, along all sides of the property. This recommendation of approval is based on the *Findings & Conclusions* contained herein and is subject to the following conditions:

1. The variance is limited to the lot in question, known as 27783 Hickory Blvd., STRAP #31-47-25-B4-002L0.0040, as shown in the attached legal description and boundary survey, “Exhibit A”, attached hereto.
2. The variances granted to the property development regulations are as follows:

Setback Location	Requested
Front (Street—all structures)	20’
Side (all structures)	6.5’
Waterbody (Principal)	15’, 6.5’
Waterbody (Elevated Accessory)	15’

3. The use of the lot in its current configuration is limited to one single family home with accessory structures and shall be generally consistent with the site plan attached herein (Attachment A).
4. All other portions of the land development code and applicable building codes, unless specifically altered by this variance approval, remain in full force and effect.

IV. SUBJECT PROPERTY

The applicant indicates the STRAP number is: 31-47-25-B4-002L0.0040.

V. EXHIBITS

- A. Legal Description and Boundary Survey, as provided by Target Surveying, LLC
- B. Bonita Beach First Addition Plat Map

VI. ATTACHMENTS

- A. Site Plan
- B. Application and Backup

LEGAL DESCRIPTION AND CERTIFICATION

Lots 3 and 4, Block L, Bonita Beach First Addition, according to the Plat thereof, as recorded in Plat Book 8, Page 70, of the Public Records of LEE County, Florida.

EXHIBIT II-A-1

Community Number: 120680 Panel: 12071C0650 Suffix: F Flood Zone: VE(NAVD88) Field Work: 3/4/2020

Certified To:
JAMES SEARS














Property Address:
27783 HICKORY BOULEVARD
ONITA SPRINGS, FL 34134

Survey Number: 406875

ABBREVIATION DESCRIPTION:

A.E. ANCHOR EASEMENT	F.F. EL. FINISH FLOOR ELEVATION	O.R.B. OFFICIAL RECORDS BOOK
A/C AIR CONDITIONER	F.I.P. FOUND IRON PIPE	(P) PLAT
B.M. BENCH MARK	F.I.R. FOUND IRON ROD	P.B. PLAT BOOK
B.R. BEARING REFERENCE	F.P.K. FOUND PARKER-KALON NAIL	P.C. POINT OF CURVATURE
(C) CALCULATED	(L) LENGTH	P.C.C. POINT OF COMPOUND CURVE
Δ CENTRAL / DELTA ANGLE	L.A.E. LIMITED ACCESS EASEMENT	P.O.B. POINT OF BEGINNING
CH CHORD	L.M.E. LAKE MAINTENANCE EASEMENT	P.O.C. POINT OF COMMENCEMENT
(D) DEED / DESCRIPTION	(M) MEASURED / FIELD VERIFIED	P.R.C. POINT OF REVERSE CURVE
D.E. DRAINAGE EASEMENT	M.H. MANHOLE	P.T. POINT OF TANGENCY
D.H. DRILL HOLE	N&D NAIL & DISK	R/W RIGHT-OF-WAY
D/W DRIVEWAY	N.R. NOT RADIAL	(R) RADIAL / RADIUS
E.O.W. EDGE OF WATER	N.T.S. NOT TO SCALE	S.I.R. SET IRON ROD
F.C.M. FOUND CONCRETE MONUMENT	O.H.L. OVERHEAD UTILITY LINES	T.O.B. TOP OF BANK
		U.E. UTILITY EASEMENT

SYMBOL DESCRIPTIONS:

 = CATCH BASIN	 = MISC. FENCE
 = CENTERLINE ROAD	 = PROPERTY CORNER
 = COVERED AREA	 = UTILITY BOX
+ X.XX = EXISTING ELEVATION	 = UTILITY POLE
 = HYDRANT	 = WATER METER
 = MANHOLE	 = WELL
 = METAL FENCE	 = WOOD FENCE

PAGE 1 OF 2 PAGES
(NOT COMPLETE WITHOUT PAGE 2)

GENERAL NOTES:

- 1) LEGAL DESCRIPTION PROVIDED BY OTHERS
- 2) THE LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR EASEMENTS OR OTHER RECORDED ENCUMBRANCES NOT SHOWN ON THE PLAT.
- 3) UNDERGROUND PORTIONS OF FOOTINGS, FOUNDATIONS OR OTHER IMPROVEMENTS WERE NOT LOCATED.
- 4) WALL TIES ARE TO THE FACE OF THE WALL AND ARE NOT TO BE USED TO RECONSTRUCT BOUNDARY LINES.
- 5) ONLY VISIBLE ENCROACHMENTS LOCATED.
- 6) DIMENSIONS SHOWN ARE PLAT AND MEASURED UNLESS OTHERWISE SHOWN.
- 7) FENCE OWNERSHIP NOT DETERMINED.
- 8) ELEVATIONS INDICATED HEREON ARE IN FEET AND DECIMALS REFERENCED TO N.G.V.D. 1929
- 9) IN SOME INSTANCES, GRAPHIC REPRESENTATIONS HAVE BEEN EXAGGERATED TO MORE CLEARLY ILLUSTRATE RELATIONSHIPS BETWEEN PHYSICAL IMPROVEMENTS AND/OR LOT LINES. IN ALL CASES, DIMENSIONS SHALL CONTROL THE LOCATION OF THE IMPROVEMENTS OVER SCALED POSITIONS.



**TARGET
SURVEYING, LLC**

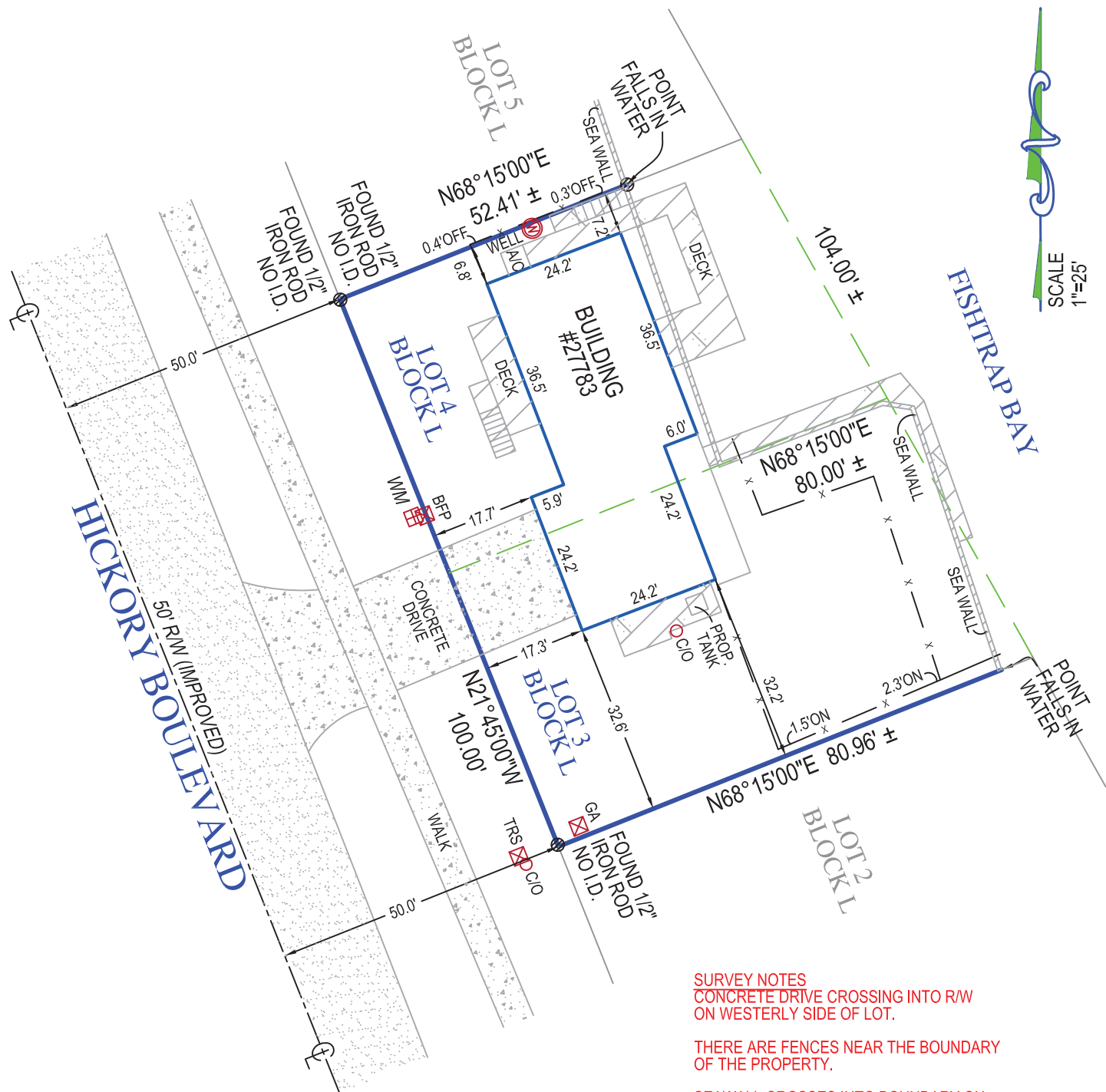
LB #7893

SERVING FLORIDA

6250 N. MILITARY TRAIL, SUITE 102
WEST PALM BEACH, FL 33407
PHONE (561) 640-4800
STATEWIDE PHONE (800) 226-4807
STATEWIDE FACSIMILE (800) 741-0576
WEBSITE: <http://targetsurveying.net>

BOUNDARY SURVEY

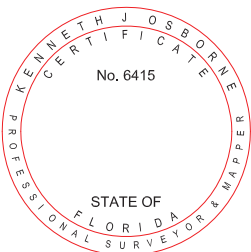
EXHIBIT II-A-2



SURVEY NOTES
 CONCRETE DRIVE CROSSING INTO R/W
 ON WESTERLY SIDE OF LOT.

THERE ARE FENCES NEAR THE BOUNDARY
 OF THE PROPERTY.

SEAWALL CROSSES INTO BOUNDARY ON
 NORTHERLY SIDE OF LOT.



SURVEYORS CERTIFICATE

I HEREBY CERTIFY THAT THIS BOUNDARY SURVEY IS A TRUE AND CORRECT REPRESENTATION OF A SURVEY PREPARED UNDER MY DIRECTION. NOT VALID WITHOUT AN AUTHENTICATED ELECTRONIC SIGNATURE AND AUTHENTICATED ELECTRONIC SEAL, OR A RAISED EMBOSSED SEAL AND SIGNATURE.

Kenneth J. Osborne

(SIGNED)

KENNETH J OSBORNE
 PROFESSIONAL SURVEYOR AND MAPPER #6415

Digitally signed by Kenneth Osborne
 Date: 2020.03.05 10:25:00 -05'00'

PAGE 2 OF 2 PAGES
 (NOT COMPLETE WITHOUT PAGE 1)

TARGET SURVEYING, LLC
 LB #7893

SERVING FLORIDA
 6250 N. MILITARY TRAIL, SUITE 102
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 STATEWIDE PHONE (800) 226-4807
 STATEWIDE FACSIMILE (800) 741-0576
 WEBSITE: <http://targetsurveying.net>

P/B8, PGE. 70

BONITA BEACH

FIRST ADDITION

Petition to Vacate
Petition No: 95-02-249.01R
Description: Drainage Easement
See CCMB
Date of Approval: 05/17/95
Resolution No: 95-05-24
CCMB: 1995R Page: 325
Recorded on: 06/14/95 OR Book: 2608 Page: 2032-2038

DESCRIPTION

Beginning at the northeast corner of block A Bonita Beach as recorded in Lee County Plat book 8 on page 65 Lee County, Florida, Records, thence north 68°15' East 100 feet to the point of beginning of land herein described, thence north 21°45' West 1050 feet, thence north 23°20' west 1452.8 feet, thence north 66°40' East 750 feet, thence south 23°20' east 1100 feet, thence south 66°40' west 340.3 feet, thence south 21°45' East 1414 feet, thence south 68°15' west 400 feet to the point of beginning, said land being a part of Section 31 in T_p 47 S. R. 25 E. Lee County, Florida.

CERTIFICATE OF SURVEY

I the undersigned certify that the plat as shown is a correct representation of the land platted, and that permanent reference monuments have been placed as shown Feb 25 1941

Nanny K. Dagroon
State Registered Civil Engineer No. 80

CERTIFICATE OF OWNERSHIP

This is to certify that the undersigned are the owners of the land herein described and have caused said land to be subdivided into lots, blocks, Drives, Parks and Places as shown, and said Drives, Parks and Places are hereby dedicated to the public forever.

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF US:-

Witness *Frank L. Redman*
Witness *...*

Carol Engvalson Seal
... Seal

STATE OF FLORIDA }
COUNTY OF LEE } S.S.

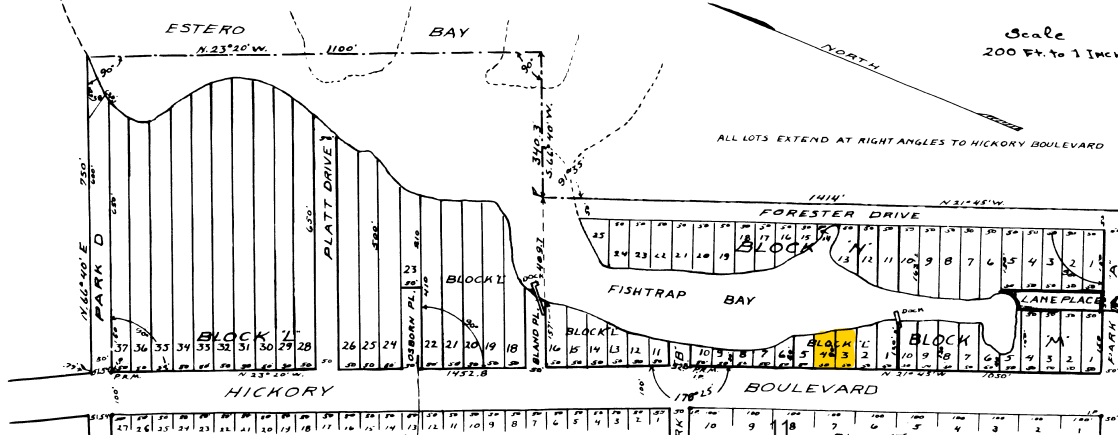
I DO HEREBY CERTIFY that on this 20th day of March AD 1941 personally appeared before me, an officer duly authorized to administer oaths and take acknowledgements, L. ENGYALSON and CAROL ENGYALSON his wife, both well known to me, as the persons making the foregoing dedication, and they severally acknowledged the execution thereof to be their free act and deed for the uses and purposes therein mentioned, and the said CAROL ENGYALSON the wife of the said L. ENGYALSON upon an examination taken separately and apart from her said husband did acknowledge that she executed the foregoing dedication freely, voluntarily and without any constraint, apprehension, fear or compulsion of or from her said husband.

Witness my hand and official seal the date last aforesaid.

Frank L. Redman
My Commission Expires August 31, 1943
Seal

This plat accepted this _____ day of _____ 1941 in open meeting of the Board of County Commissioners, of Lee County, Florida

Petition to Vacate
Petition No: 93-25
Description: Drainage easement; See CCMB
Date of Approval: 08/04/93
Resolution No: 93-08-20
CCMB: 1993R Page: 601
Recorded on: 08/16/93 OR Book: 2415 Page: 2591-2593



FILED IN THE OFFICE OF THE
Clerk of the Circuit Court,
LEE COUNTY, FLA.

On this _____ day of _____
A. D. 1941 and recorded in Book _____
of _____ on page _____
Notary Public

Petition to Vacate
Description: Vacation of Lane Place
Date of Approval: 03-6-57
CCMB: 13 Page: 306 & 307

EXHIBIT IV-E

SITE PLAN
FOR PLACEMENT PURPOSE ONLY.
CERTIFIED SURVEYOR TO VERIFY
SETBACKS AND PLACEMENT.



ASHMORE
[design]

27499 RIVERVIEW CENTER BLVD
BONITA SPRINGS, FL 34134
239.444.5780
www.AshmoreLLC.com
AA#26003726

THIS PLAN HAS BEEN REVIEWED,
ENGINEERED AND SUPERVISED BY:
J.C. KOSINSKI ENGINEERING, INC.
JOSEPH C. KOSINSKI, PE
FL PE #52288
FL COA #29576
15598 BEACH PEBBLE WAY
FORT MYERS, FLORIDA, 33908

SEAL

FOR PRELIMINARY
PURPOSES ONLY

THIS STRUCTURE MEETS ALL REQUIREMENTS OF THE
FLORIDA BUILDING CODE 6th EDITION 2017
RESIDENTIAL

SEARS RESIDENCE
27783 HICKORY BLVD
BONITA SPRINGS, FL

Ashmore Design, LLC hereby reserves its common law copyright and other property rights in these plans, designs, arrangements and ideas. These plans, designs, drawings, arrangements and ideas are not to be reproduced, changed or copied in any form or manner whatsoever, nor are they to be assigned to any third party without first obtaining the express written permission from Ashmore Design, LLC. Written amendments on these drawings have precedence over scale dimensions. Contractors shall verify and be responsible for all dimensions and conditions of the job. Ashmore Design, LLC shall be notified in writing of any variations or discrepancies from the dimensions, conditions and specifications shown by these drawings. All construction shall be in accordance with Florida Building Code 6th Edition 2017 Residential.

REVISIONS

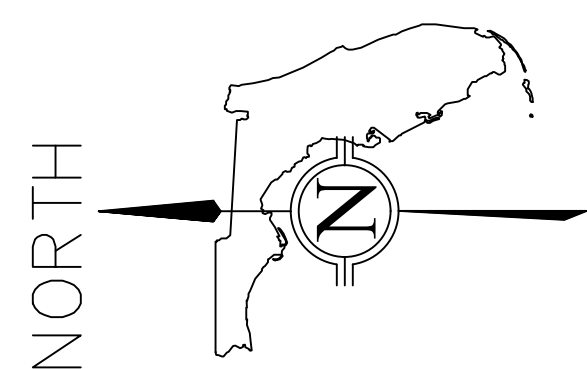
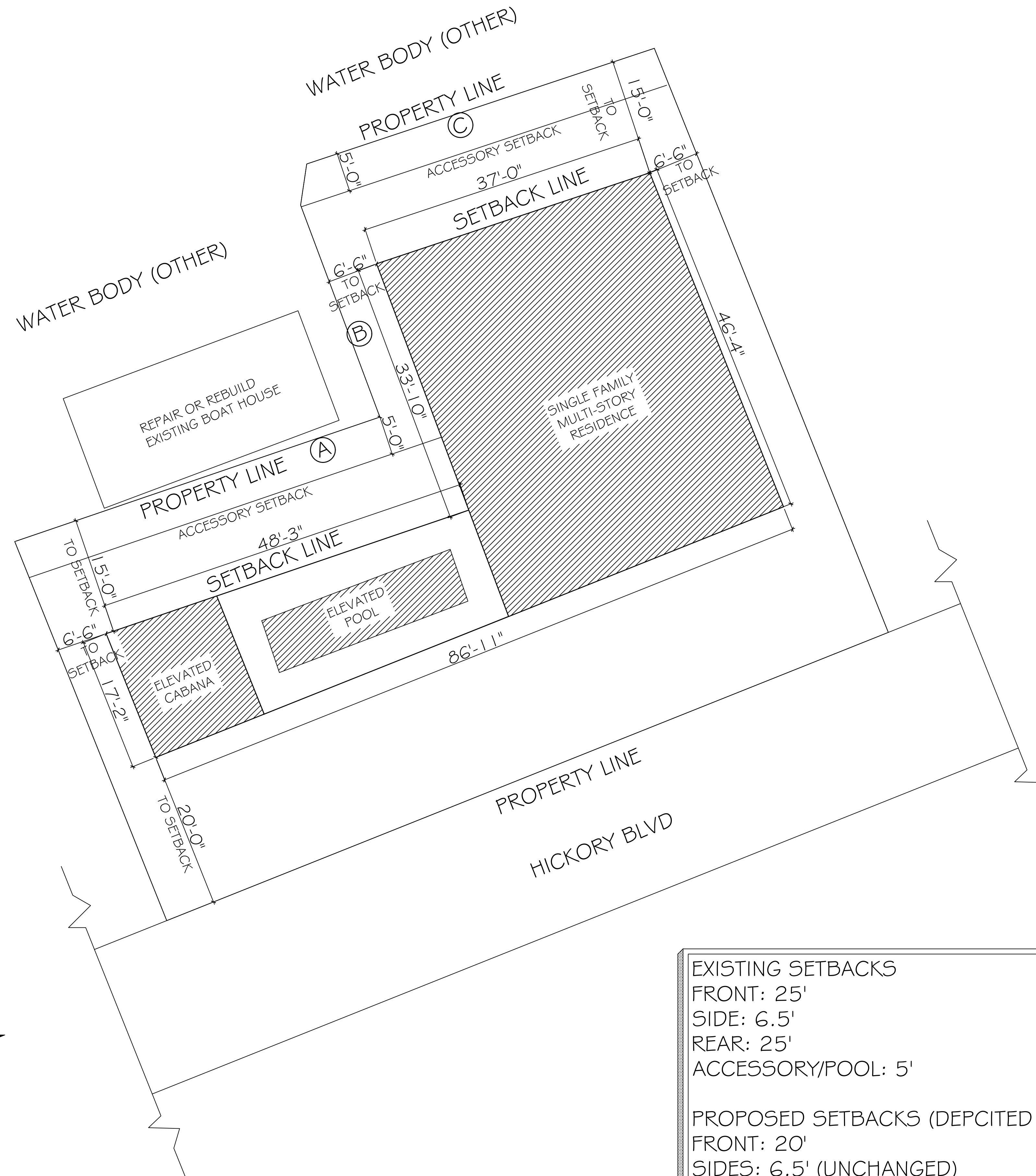
MK	DATE	DESCRIPTION

JOB NO: A20-3401
DATE: 7/14/2020
DRAWN BY: PR
CHKD BY:

PROPOSED SITE PLAN

SHEET NUMBER

SP



EXISTING SETBACKS
FRONT: 25'
SIDE: 6.5'
REAR: 25'
ACCESSORY/POOL: 5'

PROPOSED SETBACKS (DEPCITED ON PLAN):
FRONT: 20'
SIDES: 6.5' (UNCHANGED)
REAR: 15' @ A & C
REAR/SIDE: 6.5' @ B
ACCESSORY/POOL: 5' (UNCHANGED)



PUBLIC HEARING APPLICATION FOR VARIANCES

Community Development Department | 9220 Bonita Beach Road, Suite 111 | Bonita Springs, FL 34135 | Phone: (239) 444-6150 | Fax: (239) 444-6140

Applicant's Name: ASHMORE, CAMDEN (ASHMORE DESIGN) Phone #: 239-444-5780

Email: CAMDENA@ASHMORELLC.COM

Project Name: SEARS RESIDENCE

STRAP Number: 31-47-25-B4-002L0.0040

Application Form: Computer Generated* City Printed

*** By signing this application, the applicant affirms that the form has not been altered.**

STAFF USE ONLY

Case Number: _____

Date of Application: _____

Fee: _____

Current Zoning: _____

Land Use Classification(s): _____

Comp. Plan Density: _____

Date of Zoning Public Hearing: _____

Date of City Council Public Hearing: _____

Planner Assigned: _____

Staff Recommendation: _____

**PART I
APPLICANT/PROPERTY OWNERSHIP INFORMATION**

A. Name of applicant: ASHMORE, CAMDEN (ASHMORE DESIGN)
Mailing Address: Street: 27499 RIVERVIEW CENTER BLVD. SUITE 103
City: BONITA SPRINGS State: FL Zip: 34134
Contact Person: CAMDEN ASHMORE
Phone Number: Area Code: 239 Number: 444-5780 Ext. _____
Fax Number: Area Code: _____ Number: _____
E-mail: CAMDENA@ASHMORELLC.COM

B. Relationship of applicant to property:

_____ Owner _____ Trustee* _____ Option holder* _____ Lessee*
_____ Contract Purchaser* X Other (indicate)* AGENT/DESIGN FIRM

*If applicant is NOT the owner, submit a **notarized** Authorization Form from the owner to the applicant labeled Exhibit I-B.

C. Name of owner of property: SEARS JAMES & BRENDA + SEARS JESSICA
Mailing Address: Street: 1730 W ROCK RD
City: PERKASIE State: PA Zip: 18944
Phone Number: Area Code: 215 Number: 519-6953 Ext. _____
Fax Number: Area Code: _____ Number: _____
Email: JSEARS11@GMAIL.COM; BSEARS2@COMCAST.NET

D. Date property was acquired by present owner(s): MARCH 27, 2020

E. Is the property subject to a sales contract or sales option? X NO _____ YES

F. Are owner(s) or contract purchasers required to file a disclosure form? X NO _____ YES
If yes, please complete and submit Exhibit I-F (attached).

G. Authorized Agent(s): List names of authorized agents.

Name: ASHMORE DESIGN, LLC
Address: 27499 RIVERVIEW CENTER BLVD. SUITE 103 BONITA SPRINGS, FL 34134
Contact Person: CAMDEN ASHMORE, ROD ASHMORE
Phone: 239-444-5780 Fax: _____
E-mail: CONTACT@ASHMORELLC.COM

Attach list if more space is required.

PART II

GENERAL INFORMATION

A. Legal Description: Is property within a platted subdivision recorded in the official Plat Books of Lee County?

NO. Attach a legible copy of the legal description (labeled Exhibit II-A-1.) and a certified sketch of description as set out in Chapter 5J-17.053., Florida Administrative Code, unless the subject property consists of one or more undivided platted lots. (labeled Exhibit II-A-2.) If the application includes multiple abutting parcels, the legal description must describe the perimeter boundary of the total area, but need not describe each individual parcel. However, the STRAP number for each parcel must be included.

X YES. Property is identified as:

Subdivision Name: BONITA BEACH 1ST ADD

Plat Book: 8 Page: 70 Unit: Block: L Lot: 3 + 4

Submit an actual copy of the Plat Book page with subject property clearly marked. Label this Exhibit II-A-3.

STRAP NUMBER: 31-47-25-B4-002L0.0040

B. Project Street Address: 27783 HICKORY BLVD BONITA SPRINGS FL 34134

C. General Location of Property: ADJACENT TO HICKORY BLVD, EAST SIDE, JUST NORTH OF BONITA BEACH RD/HICKORY BLVD TRANSITION

D. Vehicular route to the site from the nearest arterial road: TAKE BONITA BEACH RD WEST AS IT TRANSITIONS TO HICKORY BLVD; PROPERTY IS LOCATED ON THE EAST SIDE OF HICKORY BLVD APPROXIMATELY 13 LOTS NORTH OF KINGS KEW

E: Is this hearing requested as a result of a code violation? X NO YES

F. Nature of Request: (Check and complete the applicable answer)

X Variance from:

X (Zoning) LDC Section CH. 4-ZONING; ART VI DIV 30, SUB III-SETBACKS

(Docks and Shoreline) LDC Section

(Development Standards) LDC Section

(Signs) LDC Section

G. Specific Variance Request (attach sheet if more space needed)

Ordinance Section: 4-489 PROP. DEV. REG. Variance is: FOR THE RS-1 ZONED PARCEL
FROM: SETBACKS 25' FRONT, 25' REAR FROM MWH;(SIDE & POOL SETBACKS TO REMAIN)
BOATHOUSE CAN BE PLACED OVER WATER
TO: 20' FRONT, 15' REAR FROM MWH AT EAST FACING SEAWALLS, 6.5' FROM MWH AT
NORTH FACING SEAWALL;OPTION TO REPAIR OR RE-BUILD EXISTING BOATHOUSE
(REFER TO PROPOSED SITE PLAN/EXHIBIT IV-E FOR CLARIFICATION)

H. Property Dimensions

- 1. Width (average if irregular parcel): 100 Feet
- 2. Depth (average if irregular parcel): 66.685 Feet
- 3. Frontage on road or street: 100 Feet
- 4. Width along waterbody (If applicable): 104 Feet
- 5. Total land area: +/- 6,656 SQUARE FEET Acres or Square Feet

I: Facilities

- 1. Fire District: BONITA SPRINGS FIRE DISTRICT / 009
- 2. Sewer Service Supplier: CITY OF BONITA SPRINGS/BSU
- 3. Water Service Supplier: CITY OF BONITA SPRINGS/BSU

J. Present Use of Property: Is the property vacant? Yes No

Except for City-initiated requests, if the property is not vacant, the owner or applicant's signature on this application indicates that the Owner agrees to either remove all existing buildings and structures, OR that the use of the building or structure(s) will be in compliance with all applicable requirements of the land development code.

Briefly describe current use of the property:


THE PROPERTY WAS RECENTLY PURCHASED ON MARCH 27, 2020; IT CONTAINS AN EXISTING
SINGLE FAMILY RESIDENCE LOCATED FULLY ON THE LOT/LAND AND AN EXISTING BOATHOUSE
AND DOCK/DECK - BOTH LOCATED OVER THE WATER BODY; THE RESIDENCE IS CURRENTLY
VACANT; THE FOOTPRINT OF THE EXISTING SINGLE FAMILY RESIDENCE IS NOT IN COMPLIANCE
WITH THE APPLICABLE ZONING SETBACKS AS IT SITS OVER THE SETBACKS IN THE FRONT AND
REAR

K. Has a Development Order application been filed on the subject property? NO YES

D.O. Number: _____

PART III
AFFIDAVIT

I, CAMDEN ASHMORE, certify that I am the owner or authorized representative of the property described herein, and that all answers to the questions in this application and any sketches, data or other supplementary matter attached to and made a part of this application, are honest and true to the best of my knowledge and belief. I also authorize the staff of the City of Bonita Springs Community Development to enter upon the property during normal working hours for the purpose of investigating and evaluating the request made thru this application.


Signature of owner or owner-authorized agent

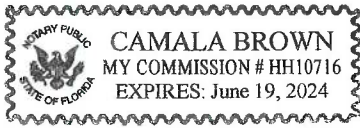
5/28/20
Date

CAMDEN ASHMORE
Typed or printed name

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was certified and subscribed before me this 28 day of May, 2020, by Camden Ashmore, who is personally known to me or who has produced as identification.

(SEAL)




Signature of notary public

Camala Brown
Printed name of notary public

**PART IV
SUBMITTAL REQUIREMENTS**

	Copies	Exhibits	Item
APPLICATIONS			
All	1		Completed application
All	1		Application Fee
All	1	I-B	Notarized Authorization Form (if applicable)
All	1	I-F	Notarized Disclosure Form (if applicable)
All	1	II-A-1	Legal Description
All	1	II-A-2	Certified sketch of description (if applicable)
All	1	II-A-3	Plat Book Page (if applicable)
All	2	IV-A	Property Owners List & Mailing Labels
All	1	IV-B	Property Owners Map
All	1	IV-C	Deed Restrictions & Narrative (if applicable)
All	1	IV-D	Narrative Regarding Request
All	1	IV-E	Site Plan
All	1	IV-F	Application and Exhibits on CD-Rom
VARIANCES			
Marine facilities	1		Supplement A

**EXPLANATORY NOTES
GENERAL**

1. ALL APPLICANTS FOR A VARIANCE FROM THE LAND DEVELOPMENT CODE (ZONING) MUST COMPLETE THIS FORM.

UPON WRITTEN REQUEST, THE DIRECTOR MAY MODIFY THE SUBMITTAL REQUIREMENTS CONTAINED IN THIS SECTION WHERE IT CAN BE CLEARLY DEMONSTRATED THAT THE SUBMISSION WILL HAVE NO BEARING ON THE REVIEW AND PROCESSING OF THE APPLICATION. THE REQUEST AND THE DIRECTOR'S WRITTEN RESPONSE MUST ACCOMPANY THE APPLICATION SUBMITTED AND WILL BECOME A PART OF THE PERMANENT FILE.

2. ALL APPLICANTS MUST PAY THE APPLICABLE APPLICATION FEE.

PART I – EXPLANATORY NOTES

- A. Applicant's Name: Application may be by the landowner or the authorized agent. Where there is more than one owner, either legal or equitable, then all such owners must jointly initiate the application. Exceptions to this are:
- 1) It is not required that both husband and wife initiate the application on private real property owned by them.
 - 2) The property is subject to a land trust agreement, the trustee may initiate the application.
 - 3) The fee owner is a corporation; any duly authorized corporate official may initiate the application.
 - 4) The fee owner is a partnership; the general partner may initiate the application.
 - 5) The fee owner is an association; the association may appoint an agent to initiate the application on behalf of the association.
 - 6) The property is a condominium or time-share condominium, refer to Sec. 4-193(a)(1)b. for rules.
 - 7) The property is a subdivision, refer to Sec. 4-193(a)(1)c. for rules.
- B. Relationship of applicant to owner: If the applicant is not the owner of the property, a **notarized** authorization form from the owner to the applicant must be submitted. Label this submittal as Exhibit I-B.
- C. Name of owner (s): see F. below
- F. Name of Owner(s): A Disclosure Form (Exhibit I-F, attached) must be submitted for any entity whose interest in the property is other than solely equity interest(s) which are regularly traded on an established commodities market in the United States or another Country.
- G. Authorized Agents: If the owner or applicant has authorized agents to act on his/her behalf, list the agent(s) name, mailing address and phone number.

PART II – EXPLANATORY NOTES

- A. Legal Description: If the property is not within a platted subdivision recorded in the official plat books of Lee County, a complete legal description must be attached which is sufficiently detailed and legible so as to be able to locate said property on county maps or aerial photographs. Also include the Section, Township, Range, and parcel number(s). If the application includes multiple contiguous parcels, the legal description may describe the perimeter boundary of the total area, and need not describe each individual parcel, except where different zoning requests are made on individual parcels. Label the legal description as Exhibit II-A-1.

A survey or a certified sketch of description as set out in Chapter 5J-17.053 F.A.C., Florida Administrative Code must be submitted, unless the subject property consists of one or more undivided platted lots. If the application includes multiple abutting parcels, the legal description must describe the perimeter boundary of the total area, but need not describe each individual parcel. However, the STRAP number for each parcel must be included. Label the Sketch as Exhibit II-A-2.

If the request is owner-initiated and a boundary survey is required, the survey must include the location of any existing structures on the property. Label the Boundary Survey as Exhibit II-A-2.

The Director has the right to reject any legal description which is not sufficiently detailed or legible so as to locate said property, and may require a certified survey or boundary-survey prepared by a surveyor meeting the minimum technical

standards for land surveying in the state, as set out in Chapter 5J-17.053, F.A.C. Boundaries must be clearly marked with a heavy line. The boundary line must include the entire area to be developed. If the request is owner-initiated the Federal Emergency Management Agency flood zone and required finished floor elevation must be shown as well as the location of existing structures on the property.

A copy of the plat may be purchased from the County Clerk's office.

- B. Project Street Address: If the street address is unknown, the address may be obtained from the Lee County E-911 Addressing Division at (239) 338-3200.
- C. General Location: The general location should reference known major streets so as to indicate to the general public the location of the property.
- D. Vehicular route: Briefly describe how to get to the property via vehicle from the nearest arterial street.
- G. Explain the specific request. For example:
 - Ordinance Section: 4-488 Property Development Regulations
 - Variance is:
 - FROM: 7.5 foot sideyard setback in the RS-1 district for a single family dwelling.
 - TO: 6.8 foot sideyard setback for a single family dwelling
- H. Property Dimensions: If the parcel is irregularly shaped, indicate the average width and depth of the property. Indicate the length of property abutting any existing street rights-of-way or easements. If property abuts more than one street, indicate frontage on each street.
- I.1. Fire District: Insert the name of the Fire District in which the property is located.
- I.2. Sewer Service Supplier: List the name of the utility company or package plant which will be providing sanitary sewer service to the project. If a new private disposal plant is proposed or if septic systems will be used, so indicate.
- I.3. Potable Water Service Supplier: List the name of the utility company which will provide potable water service to the project. Indicate if wells are to be utilized.
- J. Present Use of Property: Briefly describe the present use of the property.

PART III – EXPLANATORY NOTES

- a. The applicant is responsible for the accuracy and completeness of this application. Any time delays or additional expenses necessitated by the submittal of inaccurate or incomplete information is the responsibility of the applicant.
- b. All information submitted with the application or submitted at the public hearing becomes a part of the public record and will be a permanent part of the file.
- c. All applications must be submitted in person. Mailed-in applications will not be processed.
- d. All attachments and exhibits submitted must be of a size that will fit or conveniently fold to fit into a letter size (8 1/2" x 11") folder.
- e. The Department staff will review this application for compliance with requirements of the Land Development Code. If any deficiencies are noted, the applicant will be notified.

PART IV – EXPLANATORY NOTES

- A. Property Owners List and Mailing Labels: A complete list of all property owners, and their mailing addresses, for all property within three hundred seventy-five (375) feet [five hundred (500) feet if for a COP] of the perimeter of the subject

property or the portion thereof that is the subject of the request. A set of mailing labels for all names and addresses. Names and addresses of property owners will be deemed to be those appearing on the latest tax rolls of the County. Information may be obtained from the Lee County Property Appraiser's office. The applicant is responsible for the accuracy of such list. Label as Exhibit IV-A.

- B. Property Owners Map: A County Zoning map or other similar map displaying all of the parcels of property within three hundred seventy-five feet (375) [five hundred (500) feet if for a Consumption on Premises permit] of the perimeter of the subject parcel or the portion thereof that is the subject of the request, referenced by number or other symbol to the names on the property owners list. The applicant is to be responsible for the accuracy of the map. Label as Exhibit IV-B.
- C. Deed Restrictions: A copy of the deed restrictions on the subject property, if any, and a written statement as to how the deed restrictions may affect the requested action. Label as Exhibit IV-C.
- D. Narrative Statement: Label as Exhibit IV-D.

- 1. For a Zoning Variance or Marine Facilities variance, state the basis or reason(s) for the requested variance and include, at a minimum, the following issues:

The section number, and the particular regulation from which relief (variance) is requested; and
What extraordinary conditions or circumstances exist inherent in the land, structure, or building involved, which create a hardship on the property owner which is not generally applicable to other lands, structures or buildings; and

How a literal interpretation of the provisions of the section of the ordinance (from which the variance is sought) would deprive the applicant of rights commonly enjoyed by other properties in the same district; and why granting the variance will not be injurious to the neighborhood or otherwise be detrimental to the public welfare.

- 2. For Development Standards Variances (Sec. 3-81), state the basis or reason(s) for the requested variance and include, at a minimum, the following issues:

The section number, and the particular regulation from which relief (variance) is requested; and
The granting of the variance will not threaten the health, safety, welfare of abutting property owners or the general public; and

How the requested variance will not create an undue burden on essential public facilities; and
How the standard from which the variance is being requested is unreasonably burdensome, as applied to the applicant's property and development plans.

- E. Site Plans (Label as Exhibit IV-E): Every request for a variance must include a site plan detailing or illustrating:

- 1. Existing streets, easements or other reservations of land within the site; and
- 2. All existing and proposed structures on the site (including structures over water, if applicable); and
- 3. All existing structures within one hundred (100) feet of the perimeter boundary of the site; and
- 4. The proposed variance from the adopted standards; and
- 5. Any other information requested by the Director commensurate with the intent and purpose of the regulations from which the variance is requested.

**EXHIBIT I-F
DISCLOSURE OF INTEREST FORM FOR:**

STRAP NO. 31-47-25-B4-002L0.0040 **CASE NO.** _____

1. If the property is owned in fee simple by an INDIVIDUAL, tenancy by the entirety, tenancy in common, or joint tenancy, list all parties with an ownership interest as well as the percentage of such interest.

Name and Address	Percentage of Ownership
<u>SEARS JAMES & BRENDA + SEARS JESSICA</u>	<u>100</u>
<u>1730 W ROCK RD PERKASIE, PA 18944</u>	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

2. If the property is owned by a CORPORATION, list the officers and stockholders and the percentage of stock owned by each.

Name, Address, and Office	Percentage of Stock
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

3. If the property is in the name of a TRUSTEE, list the beneficiaries of the trust with percentage of interest.

Name and Address	Percentage of Interest
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

4. If the property is in the name of a GENERAL PARTNERSHIP OR LIMITED PARTNERSHIP, list the names of the general and limited partners.

Name and Address	Percentage of Ownership
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

5. If there is a CONTRACT FOR PURCHASE, whether contingent on this application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the officers, stockholders, beneficiaries, or partners.

Name, Address, & Office (if applicable)	Percentage of Stock
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____


Date of Contract: _____

6. If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership, or trust.

Name and Address

For any changes of ownership or changes in contracts for purchase subsequent to the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest shall be filed.


The above is a full disclosure of all parties of interest in this application, to the best of my knowledge and belief.

Signature: 
 (Applicant)

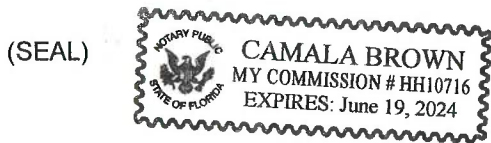
CAMDEN ASHMORE
 (Printed or typed name of applicant)

STATE OF FLORIDA
 COUNTY OF LEE

The foregoing instrument acknowledged before me this 28 day of May, 2020, by Camden Ashmore, who is personally known to me or who has produced _____ as identification.


 Signature of Notary Public

Camala Brown
 Printed Name of Notary Public



May 28, 2020

City of Bonita Springs
Community Development Department
9220 Bonita Beach Rd.
Bonita Springs, FL 34135

Owner: SEARS JAMES & BRENDA + SEARS JESSICA; 1730 W ROCK RD PERKASIE PA 18944
STRAP No.: 31-47-25-B4-002L0.0040
Site Address: 27783 Hickory Blvd. Bonita Springs, FL 34134

I, James Sears, acting on behalf of myself and my fellow owners of the property located at 27783 Hickory Blvd. Bonita Springs, FL 34134, grant permission to Camden Ashmore of Ashmore Design, LLC, to act on our behalf for the submission of variance applications as they relate to zoning and residential building permits for the aforementioned property until September 30 2020. I authorize the City of Bonita Springs to discuss matters relating to our property with Camden Ashmore, Rod Ashmore, and any other duly authorized representative of Ashmore Design, LLC whose address is 27499 Riverview Center Dr. Bonita Springs, FL 34134.

Should you have any questions, I can be reached at 215-519-6954 and jsears11@gmail.com. Camden can be reached at 239-444-5780 and contact@ashmorellc.com.

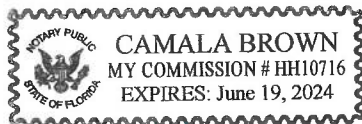
Thank you,

James Sears 05.28.2020

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was certified and subscribed before me this 28 day of May 2020, by James Sears, who is personally known to me or who has produced as identification.

(SEAL)



Camala Brown
Signature of notary public

Camala Brown
Printed name of notary public

LEGAL DESCRIPTION AND CERTIFICATION

Lots 3 and 4, Block L, Bonita Beach First Addition, according to the Plat thereof, as recorded in Plat Book 8, Page 70, of the Public Records of LEE County, Florida.

EXHIBIT II-A-1

Community Number: 120680 Panel: 12071C0650 Suffix: F Flood Zone: VE(NAVD88) Field Work: 3/4/2020

Certified To:
JAMES SEARS














Property Address:
27783 HICKORY BOULEVARD
ONITA SPRINGS, FL 34134

Survey Number: 406875

ABBREVIATION DESCRIPTION:

A.E.	ANCHOR EASEMENT	F.F. EL.	FINISH FLOOR ELEVATION	O.R.B.	OFFICIAL RECORDS BOOK
A/C	AIR CONDITIONER	F.I.P.	FOUND IRON PIPE	(P)	PLAT
B.M.	BENCH MARK	F.I.R.	FOUND IRON ROD	P.B.	PLAT BOOK
B.R.	BEARING REFERENCE	F.P.K.	FOUND PARKER-KALON NAIL	P.C.	POINT OF CURVATURE
(C)	CALCULATED	(L)	LENGTH	P.C.C.	POINT OF COMPOUND CURVE
Δ	CENTRAL / DELTA ANGLE	L.A.E.	LIMITED ACCESS EASEMENT	P.O.B.	POINT OF BEGINNING
CH	CHORD	L.M.E.	LAKE MAINTENANCE EASEMENT	P.O.C.	POINT OF COMMENCEMENT
(D)	DEED / DESCRIPTION	(M)	MEASURED / FIELD VERIFIED	P.R.C.	POINT OF REVERSE CURVE
D.E.	DRAINAGE EASEMENT	M.H.	MANHOLE	P.T.	POINT OF TANGENCY
D.H.	DRILL HOLE	N&D	NAIL & DISK	R/W	RIGHT-OF-WAY
D/W	DRIVEWAY	N.R.	NOT RADIAL	(R)	RADIAL / RADIUS
E.O.W.	EDGE OF WATER	N.T.S.	NOT TO SCALE	S.I.R.	SET IRON ROD
F.C.M.	FOUND CONCRETE MONUMENT	O.H.L.	OVERHEAD UTILITY LINES	T.O.B.	TOP OF BANK
				U.E.	UTILITY EASEMENT

SYMBOL DESCRIPTIONS:

	= CATCH BASIN		= MISC. FENCE
	= CENTERLINE ROAD		= PROPERTY CORNER
	= COVERED AREA		= UTILITY BOX
+ x.xx	= EXISTING ELEVATION		= UTILITY POLE
	= HYDRANT		= WATER METER
	= MANHOLE		= WELL
	= METAL FENCE		= WOOD FENCE

PAGE 1 OF 2 PAGES
(NOT COMPLETE WITHOUT PAGE 2)

GENERAL NOTES:

- 1) LEGAL DESCRIPTION PROVIDED BY OTHERS
- 2) THE LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR EASEMENTS OR OTHER RECORDED ENCUMBRANCES NOT SHOWN ON THE PLAT.
- 3) UNDERGROUND PORTIONS OF FOOTINGS, FOUNDATIONS OR OTHER IMPROVEMENTS WERE NOT LOCATED.
- 4) WALL TIES ARE TO THE FACE OF THE WALL AND ARE NOT TO BE USED TO RECONSTRUCT BOUNDARY LINES.
- 5) ONLY VISIBLE ENCROACHMENTS LOCATED.
- 6) DIMENSIONS SHOWN ARE PLAT AND MEASURED UNLESS OTHERWISE SHOWN.
- 7) FENCE OWNERSHIP NOT DETERMINED.
- 8) ELEVATIONS INDICATED HEREON ARE IN FEET AND DECIMALS REFERENCED TO N.G.V.D. 1929
- 9) IN SOME INSTANCES, GRAPHIC REPRESENTATIONS HAVE BEEN EXAGGERATED TO MORE CLEARLY ILLUSTRATE RELATIONSHIPS BETWEEN PHYSICAL IMPROVEMENTS AND/OR LOT LINES. IN ALL CASES, DIMENSIONS SHALL CONTROL THE LOCATION OF THE IMPROVEMENTS OVER SCALED POSITIONS.



TARGET SURVEYING, LLC

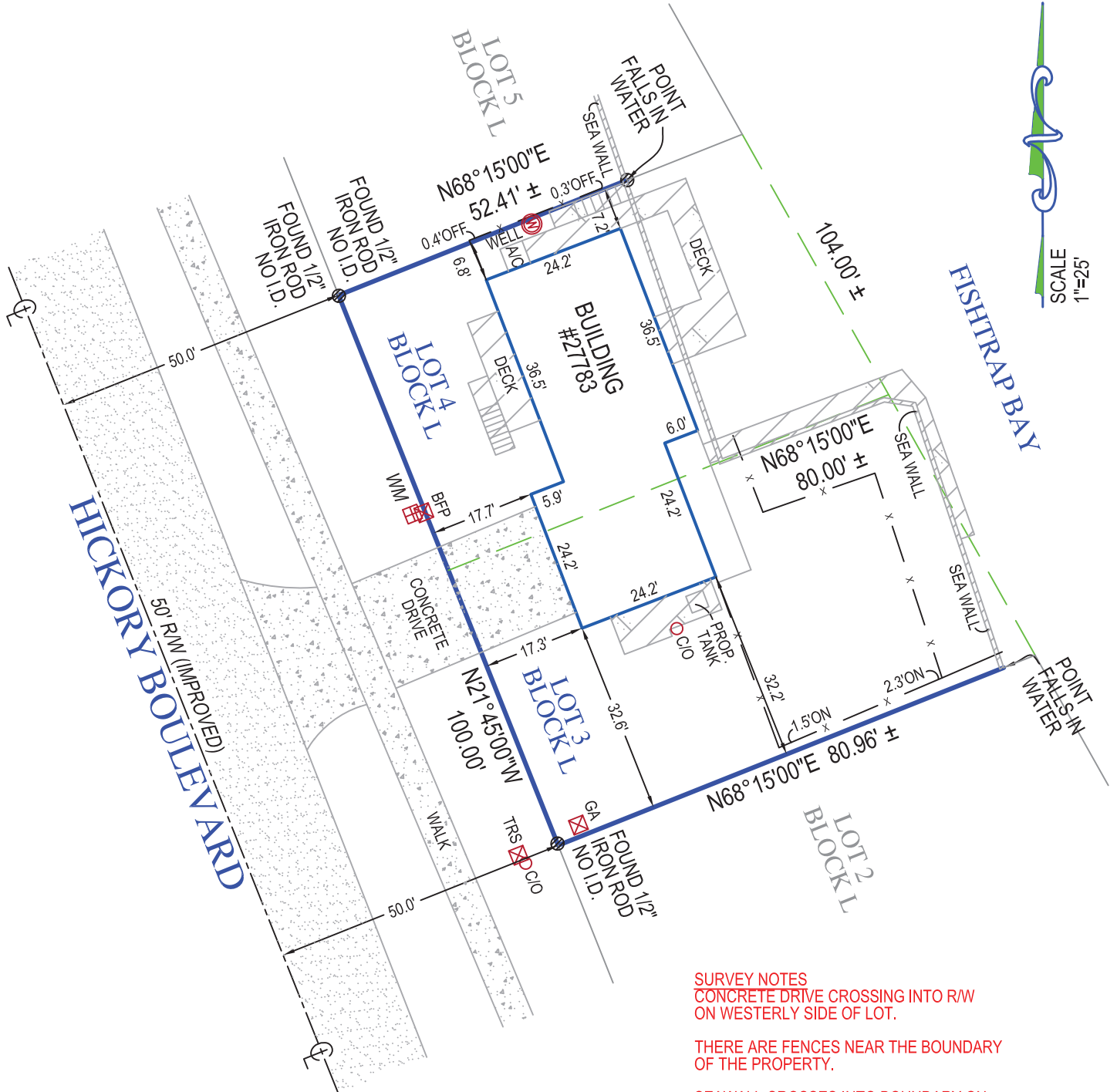
LB #7893

SERVING FLORIDA

6250 N. MILITARY TRAIL, SUITE 102
WEST PALM BEACH, FL 33407
PHONE (561) 640-4800
STATEWIDE PHONE (800) 226-4807
STATEWIDE FACSIMILE (800) 741-0576
WEBSITE: <http://targetsurveying.net>

BOUNDARY SURVEY

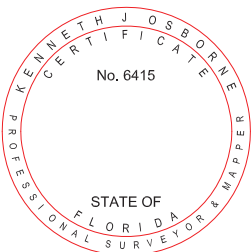
EXHIBIT II-A-2



SURVEY NOTES
CONCRETE DRIVE CROSSING INTO R/W
ON WESTERLY SIDE OF LOT.

THERE ARE FENCES NEAR THE BOUNDARY
OF THE PROPERTY.

SEAWALL CROSSES INTO BOUNDARY ON
NORTHERLY SIDE OF LOT.



SURVEYORS CERTIFICATE

I HEREBY CERTIFY THAT THIS BOUNDARY SURVEY IS A TRUE AND CORRECT REPRESENTATION OF A SURVEY PREPARED UNDER MY DIRECTION. NOT VALID WITHOUT AN AUTHENTICATED ELECTRONIC SIGNATURE AND AUTHENTICATED ELECTRONIC SEAL, OR A RAISED EMBOSSED SEAL AND SIGNATURE.

Kenneth J. Osborne

(SIGNED)

KENNETH J OSBORNE
PROFESSIONAL SURVEYOR AND MAPPER #6415

Digitally signed
by Kenneth
Osborne
Date: 2020.03.05
10:25:00 -05'00'

PAGE 2 OF 2 PAGES
(NOT COMPLETE WITHOUT PAGE 1)



SERVING FLORIDA

6250 N. MILITARY TRAIL, SUITE 102
WEST PALM BEACH, FL 33407
PHONE (561) 640-4800
STATEWIDE PHONE (800) 226-4807
STATEWIDE FACSIMILE (800) 741-0576
WEBSITE: <http://targetsurveying.net>

P/B 8, PGE. 70

BONITA BEACH

FIRST ADDITION

Petition to Vacate
 Petition No: 95-02-249.01R
 Description: Drainage Easement
 See CCMB
 Date of Approval: 05/17/95
 Resolution No: 95-05-24
 CCMB: 1995R Page: 325
 Recorded on: 06/14/95 OR Book: 2608 Page: 2032-2038

DESCRIPTION

Beginning at the northeast corner of block A Bonita Beach as recorded in Lee County Plat book 8 on page 65 Lee County, Florida, Records, thence north 68°15' East 100 feet to the point of beginning of land herein described, thence north 21°45' West 1050 feet, thence north 23°20' west 1452.8 feet, thence north 66°40' East 750 feet, thence south 23°20' east 1100 feet, thence south 66°40' west 340.3 feet, thence south 21°45' East 1414 feet, thence south 68°15' west 400 feet to the point of beginning, said land being a part of Section 31 in T_p 47 S. R. 25 E. Lee County, Florida.

CERTIFICATE OF SURVEY

I the undersigned certify that the plat as shown is a correct representation of the land platted, and that permanent reference monuments have been placed as shown Feb 25 1941

Nanny K. Dagroon
 State Registered Civil Engineer No. 80

CERTIFICATE OF OWNERSHIP

This is to certify that the undersigned are the owners of the land herein described and have caused said land to be subdivided into lots, blocks, Drives, Parks and Places as shown, and said Drives, Parks and Places are hereby dedicated to the public forever.

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF US:-

Witness *Frank L. Redman*
 Witness *Carole Johnson*

Frank L. Redman Seal
Carole Johnson Seal

STATE OF FLORIDA }
 COUNTY OF LEE } S.S.

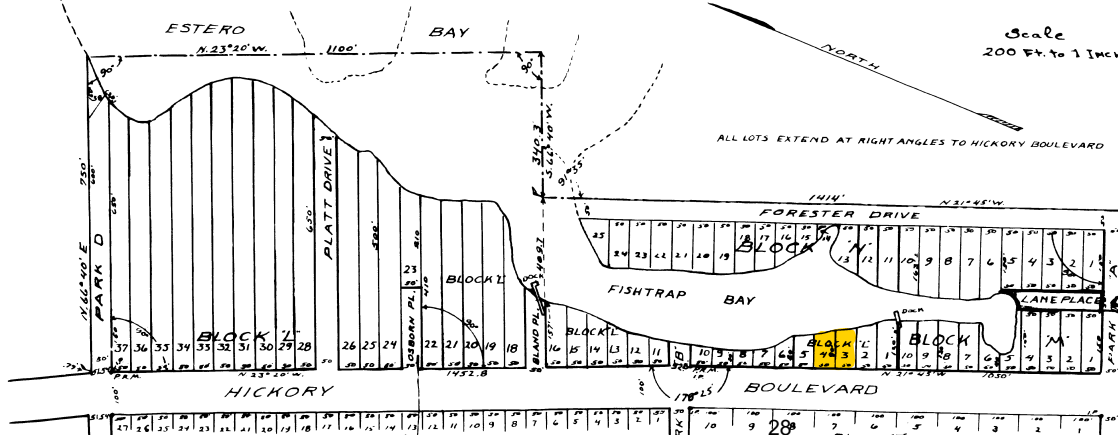
I DO HEREBY CERTIFY that on this 20th day of March AD 1941 personally appeared before me, an officer duly authorized to administer oaths and take acknowledgements, L. ENGYALSON and CAROL ENGYALSON his wife, both well known to me, as the persons making the foregoing dedication, and they severally acknowledged the execution thereof to be their free act and deed for the uses and purposes therein mentioned, and the said CAROL ENGYALSON the wife of the said L. ENGYALSON upon an examination taken separately and apart from her said husband did acknowledge that she executed the foregoing dedication freely, voluntarily and without any constraint, apprehension, fear or compulsion of or from her said husband.

Witness my hand and official seal the date last aforesaid.

Frank L. Redman
 My Commission Expires August 31, 1943
 Seal

This plat accepted this _____ day of _____ 1941 in open meeting of the Board of County Commissioners, of Lee County, Florida

Petition to Vacate
 Petition No: 93-25
 Description: Drainage easement; See CCMB
 Date of Approval: 08/04/93
 Resolution No: 93-08-20
 CCMB: 1993R Page: 601
 Recorded on: 08/16/93 OR Book: 2415 Page: 2591-2593



FILED IN THE OFFICE OF THE
 Clerk of the Circuit Court,
 LEE COUNTY, FLA.

On this _____ day of _____
 A. D. 1941 and recorded in Book
 _____ of _____
 on page _____

Exhibit IV-A Owner List

of property owners located within 375 feet of the perimeter of 27783 Hickory Blvd.





OWNER	OWNER ADDRESS	OWNER CITY	OWNER ST	OWNER ZIP	SITE ADDRESS
TPGB PROPERTIES LLC	PO BOX 940	MOORESVILLE	IN	46158	27730 HICKORY BLVD
MCHUGH GROUP RE LP	270 MOORE RD	DOWNINGTOWN	PA	19335	27733 HICKORY BLVD
BONITA DOLPHIN LLC	6394 COCOS DR	FORT MYERS	FL	33908	27740 HICKORY BLVD
KESSEL DAVID R	27749 HICKORY BLVD	BONITA SPRINGS	FL	34134	27749 HICKORY BLVD
CAPUTO STEVEN & LORI A	167 OAKWOOD CT	NAPLES	FL	34110	27757 HICKORY BLVD
MERUELO BELINDA	5101 COLLINS AVE	MIAMI BEACH	FL	33140	27762 HICKORY BLVD
ENGEN JAMES HAROLD TR	1160 76TH ST SE	BYRON CENTER	MI	49315	27768 HICKORY BLVD
LINDSAY DUSTIN B TR	5959 SCARBOROUGH BLVD	COLUMBUS	OH	43232	27772 HICKORY BLVD
SON BAY LLC	5959 SCARBOROUGH BLVD	COLUMBUS	OH	43232	27775 HICKORY BLVD
INVESTMENTS BBB LLC	5959 SCARBOROUGH BLVD	COLUMBUS	OH	43232	27780 HICKORY BLVD
BAMBOO GARDENS LLC	601 E ELKCAM CIR STE B12	MARCO ISLAND	FL	34145	27790 HICKORY BLVD
ZABAVSKY VICTOR + VALERIE	27795 HICKORY BLVD	BONITA SPRINGS	FL	34134	27795 HICKORY BLVD
WALTON MICHAEL A & JULIE M	27804 HICKORY BLVD	BONITA SPRINGS	FL	34134	27804 HICKORY BLVD
ATTAR STEPHEN C +	19341 LASERENA	FORT MYERS	FL	33967	27807 HICKORY BLVD
GENGLER MARGARET J TR 1/2 +	8830 CATON FARM RD	YORKVILLE	IL	60560	27815 HICKORY BLVD
LAY TERRY L & SANDRA K	27820 HICKORY BLVD	BONITA SPRINGS	FL	34134	27820 HICKORY BLVD
RISING TIDE TN LLC	736 GREELEY DR	NASHVILLE	TN	37205	27825 HICKORY BLVD
HOFFMAN NICOLE E +	PO BOX 38	JAMESTOWN	RI	02835	27833 HICKORY BLVD
GOADE WILLIAM	27836 HICKORY BLVD	BONITA SPRINGS	FL	34134	27836 HICKORY BLVD
DSJ GULF LLC	225 FOREST EDGE CT	BURR RIDGE	IL	60527	27841 HICKORY BLVD
SEABREEZE ON THE BEACH LLC	3114 CHARTER OAK RD	COVINGTON	KY	41017	27842 HICKORY BLVD
JACK + BETTIANN MIZE TRUST +	13851 SW 26TH ST	DAVIE	FL	33325	27851 HICKORY BLVD
WATERFRONT PROPERTIES OF BONIT	3114 CHARTER OAK RD	EDGEWOOD	KY	41017	27854 HICKORY BLVD
NICKOLI DAVID M & KATHRYN	865 HASBROCK RD	NORWALK	OH	44857	27857 HICKORY BLVD
DELANEY BARBARA M TR	27858 HICKORY BLVD	BONITA SPRINGS	FL	34134	27858 HICKORY BLVD
NICHOLS DENISE L	27812 FORESTER DR	BONITA SPRINGS	FL	34134	27812 FORESTER DR
BRADSHAW CHRISTOPHER S +	27816 FORESTER DR	BONITA SPRINGS	FL	34134	27816 FORESTER DR
BOTANA ADAM	5020 BONITA BEACH RD SW	BONITA SPRINGS	FL	34134	27820 FORESTER DR
GAFFNEY MICHAEL R + MARGARET A	27824 FORESTER DR	BONITA SPRINGS	FL	34134	27824 FORESTER DR
KLEINE KATHY TR	27828 FORESTER DR	BONITA SPRINGS	FL	34134	27828 FORESTER DR

OWNER	OWNER ADDRESS	OWNER CITY	OWNER ST	OWNER ZIP	SITE ADDRESS
HISER GREGORY	15094 STELLA DEL MAR	FORT MYERS	FL	33908	27832 FORESTER DR
VOIT MATTHEW + ELENA	2183 GRANDEUR DR	GIBSONIA	PA	15044	27836 FORESTER DR
MARTIN LESTER LEE +	33487 W 163RD ST	LAWSON	MO	64062	27840 FORESTER DR
FARAGO GREGORY J + MARGO S	27844 FORESTER DR	BONITA SPRINGS	FL	34134	27844 FORESTER DR
ECKERT MARK + SUZANNE	27848 FORESTER DR	BONITA SPRINGS	FL	34134	27848 FORESTER DR
HILIMSKI TODD C	26 SIMPSON RD	ARDMORE	PA	19003	27852 FORESTER DR
LEISTICKOW MARK + BARBARA L/E	2779 BAY SETTLEMENT RD	GREEN BAY	WI	54311	27856 FORESTER DR
ANDERSON ROBERT E TR	2745 DONALDSON DR	ORLANDO	FL	32812	27860 FORESTER DR
WALLACE JESSICA LEE +	4398 W STATE RD 38	SHERIDAN	IN	46069	27864 FORESTER DR
WALLACE CRAIG + CHRISTINE	19875 JOLIET RD	SHERIDAN	IN	46069	27868 FORESTER DR
27874 FORESTER LLC	275 ESTRELLITA DR	FORT MYERS BEACH	FL	33931	27874 FORESTER DR
POOLE STANLEY R TR	2 FARM LN	ROCKPORT	MA	01966	27729 FORESTER DR
POOLE STANLEY R +	2 FARM LN	ROCKPORT	MA	01966	27735 FORESTER DR
REBMANN FRED &	27741 FORESTER DR	BONITA SPRINGS	FL	34134	27741 FORESTER DR
LIBERTY HALL FARM LLC	27745 FORESTER DR	BONITA SPRINGS	FL	34134	27745 FORESTER DR
PALMER CRAIG T + SHARON W	27749 FORESTER DR	BONITA SPRINGS	FL	34134	27749 FORESTER DR

EXHIBIT IV-B

PROPERTY OWNERS MAP
(50' ADDED TO RADIUS AS THE POINT
OF MEASUREMENT BEGINS IN THE MIDDLE
OF THE 100' WIDE LOT)

Legend

-  27783 Hickory Blvd
-  Bonita Beach House Rentals
-  Bonita Jetski & Parasail
-  Doc's Beach House



City of Bonita Springs

Community Development Department
9220 Bonita Beach Rd.
Bonita Springs, FL 34135

Owner: SEARS JAMES & BRENDA + SEARS JESSICA; 1730 W ROCK RD PERKASIE PA 18944

STRAP No.: 31-47-25-B4-002L0.0040

Site Address: 27783 Hickory Blvd. Bonita Springs, FL 34134

RE: Exhibit IV-D – Narrative Statement for Public Hearing Application for Variances

The purpose of this narrative is to provide information and support regarding the variance requested in the application for the above referenced property. The existing parcel is located in a RS-1 district for a single-family dwelling. The setbacks for the parcel are 25' for the front, 6.5' for the side, 25' for the rear from the mean high water, 5' for an accessory structure/pool. A boathouse may be located over the water body.

The footprint of the existing house protrudes over the front setback by approximately 7.7' and over the rear setback by approximately 20.5' – with the rear of the home coming as close as approximately 4.5' to the seawall. There is an existing boathouse located over the water body on the northern section of the parcel.

The size of the lot is much smaller than many other lots located in the RS-1 zoning district, particularly among lots in the immediate vicinity. The parcel is an irregular shape, forming a "L". Although the lot is 100' wide, the northern 50% (+/-) of the parcel is 52.41' (+/-) deep and the southern portion of the lot is 80.96' (+/-) deep. The current setbacks prevent a new residence from being constructed in the northern portion of the lot and permit only one with a footprint smaller than approximately 40' wide by 25' deep in the southern portion. It is our intention to demolish the existing structure and design a new single-family residence for construction on the parcel. As such, we are seeking a variance to Ordinance Section 4-489 Property Development Regulations (Chapter 4 Zoning, Article VI Division 30, Subdivision III-Setbacks).

We are requesting a variance to allow for the front setback to be reduced to 20' and for the rear setback to be reduced to 15' from mean high water at the eastern facing seawalls and 6.5' from mean high water at the northern facing seawall. Please reference Exhibit IV-E for a visual representation. We would like the option/confirmation to be able to repair or rebuild the existing boathouse in its existing location so that it may be adequate and safe for continued use, while enhancing its aesthetics and ensuring its longevity. We are not requesting modifications to the side setback or that of the accessory structure/pool.

Approval of the variance will allow the owners to construct a viable single-family residence to enjoy and fully utilize their property in the same fashion of their surrounding neighbors with typical shaped lots – without the need to fill in any portion of the lot/water or affect the existing seawall. The neighbors will not be adversely affected as the proposed new residence will not impede upon the existing 6.5' side setbacks. The boundaries of the structure will be predominantly in line with those of the surrounding properties' structures. Without the requested variance, a new home will not be able to be constructed on the parcel. It is our intention to design and construct a home that can benefit from the surrounding local resources and enhance the community in which it is located.

We appreciate your time and attention to the matter.

Sincerely,

Camden Ashmore
Applicant, Vice President of Ashmore Design, LLC

EXHIBIT IV-E

SITE PLAN
FOR PLACEMENT PURPOSE ONLY.
CERTIFIED SURVEYOR TO VERIFY
SETBACKS AND PLACEMENT.



ASHMORE
[design]
27499 RIVERVIEW CENTER BLVD
BONITA SPRINGS, FL 34134
239.444.5780
www.AshmoreLLC.com
AA#26003726

THIS PLAN HAS BEEN REVIEWED,
ENGINEERED AND SUPERVISED BY:
J.C. KOSINSKI ENGINEERING, INC.
JOSEPH C. KOSINSKI, PE
FL PE #52288
FL COA #29576
15598 BEACH PEBBLE WAY
FORT MYERS, FLORIDA, 33908

SEAL

FOR PRELIMINARY
PURPOSES ONLY

THIS STRUCTURE MEETS ALL REQUIREMENTS OF THE
FLORIDA BUILDING CODE 6TH EDITION 2017
RESIDENTIAL

SEARS RESIDENCE
27783 HICKORY BLVD
BONITA SPRINGS, FL

Ashmore Design, LLC hereby reserves its common law copyright and other property rights in these plans, designs, arrangements and ideas. These plans, designs and drawings are not to be reproduced, changed or copied in any form or manner whatsoever, nor are they to be assigned to any third party without first obtaining the express written permission from Ashmore Design, LLC. Written annotations on these drawings have precedence over scale dimensions. Contractors shall verify and be responsible for all dimensions and conditions of the job. Ashmore Design, LLC shall be notified in writing of any variations or discrepancies from the dimensions, conditions and specifications shown by these drawings. All construction shall be in accordance with Florida Building Code 6th Edition 2017 Residential.

REVISIONS

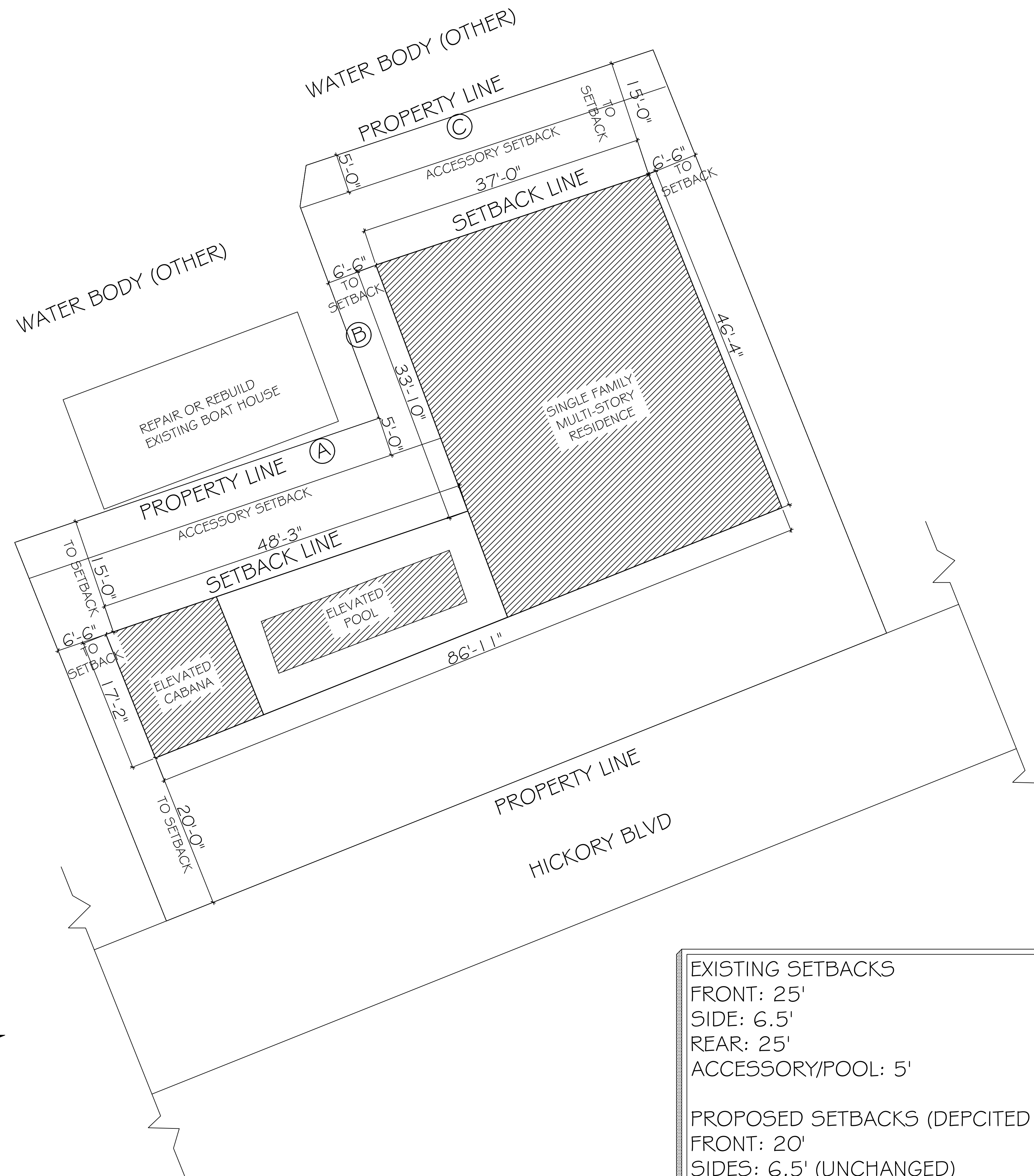
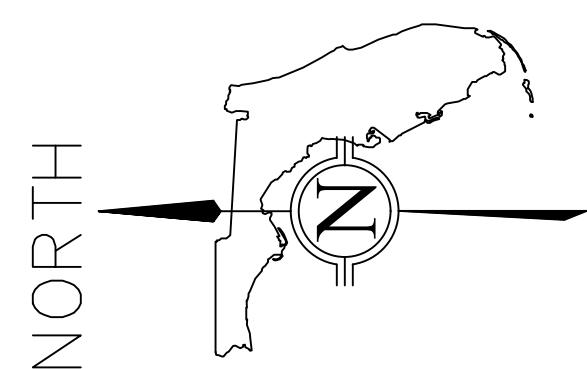
MK	DATE	DESCRIPTION

JOB NO: A20-3401
DATE: 7/14/2020
DRAWN BY: PR
CHKD BY:

PROPOSED SITE PLAN

SHEET NUMBER

SP



EXISTING SETBACKS
FRONT: 25'
SIDE: 6.5'
REAR: 25'
ACCESSORY/POOL: 5'

PROPOSED SETBACKS (DEPCITED ON PLAN):
FRONT: 20'
SIDES: 6.5' (UNCHANGED)
REAR: 15' @ A & C
REAR/SIDE: 6.5' @ B
ACCESSORY/POOL: 5' (UNCHANGED)



August 13, 2020

9101 Bonita Beach Road
Bonita Springs, FL 34135
Tel: (239) 949-6262
Fax: (239) 949-6239
www.cityofbonitasprings.org

Mr. Camden Ashmore
Ashmore Design
27499 Riverview Center Blvd., Suite 103
Bonita Springs, Florida, 34134

Re: 27783 Hickory Blvd Variance Request: VAR20-71995-BOS

Peter Simmons
Mayor

Dear Mr. Ashmore:

Amy Quaremba
Council Member
District One

The Zoning Division has reviewed the information provided and supplemented for the above-referenced variance request. Additional support documentation is required for the application to be deemed sufficient. Please provide comments for each requirement not satisfied on the attached checklist.

Jesse Purdon
Council Member
District Two

If the requested items are not provided within sixty (60) calendar days of this letter, this application will be considered withdrawn.

Laura Carr
Council Member
District Three

Please feel free to contact me if you have any questions.

Chris Corrie
Council Member
District Four

DEPARTMENT OF COMMUNITY DEVELOPMENT
Zoning Division

Michael Gibson
Council Member
District Five

Fred Forbes, AIA
Council Member
District Six

Arleen Hunter
City Manager
(239) 949-6267

Mike Fiigon II
Senior Planner

Derek Rooney
City Attorney
(239) 949-6254

Copy:
Derek Rooney, City Attorney
John Dulmer, Community Development Director
Jacqueline Genson, Planning & Zoning Manager
Sean Gibbons, Environmental Specialist
Arleen Hunter, City Manager
Laura Gibson, Environmental Specialist
Trisha Goff, Engineer
Ayita Williams, Floodplain Manager

City Clerk
(239) 949-6247

Public Works
(239) 949-6246

Neighborhood Services
(239) 949-6257

Parks & Recreation
(239) 992-2556

Community Development
(239) 444-6150

BONITA SPRINGS Planning and Zoning

Sufficiency Comments:

1. The address list generated as part of the submittal did use data provided by the Lee County Property Appraiser. Please provide a list by running a variance report through the Lee County Property Appraiser website: <https://leepa.org/Search/PropertySearch.aspx>

After typing in the address and hitting "Search," there will be an option for a "Variance Report." The variance application requires a list of all owners within 375' of the subject property.

2. Please provide one hard copy and one electronic copy of the required documentation.

Please contact: Mike Fiigon, Senior Planner

Phone: 239.444.6151

E-mail: mfiigon@cityofbonitaspringscd.org

BONITA SPRINGS Environmental

Substantive Comments:

1. The Variance as requested, is for setbacks (front and rear/waterbody), largely for the principle structure. However, the application also references an option to repair/replace the existing boathouse (and associated dock/deck) over the canal/waterbody. Structural (i.e. life, health, safety) repairs could be a consideration subject to LDC Sec. 7-361; however any repairs, alterations, expansions, or activities that would increase non-conformities (or have the affect thereof) would not be permissible (approved or supported by Staff).

Similarly, if the boathouse (and/or associated dock/deck) is removed or replaced, any/all affected structures will be required to meet current LDC (and State) regulations/permitting requirements. If it is the Applicant's intent to request relief from the Dock and Shoreline Code (starting on LDC Sec. 7-354), outside of the existing relief already provided via LDC Sec. 7-361, a revised (or separate/companion) Variance request will be required, subject to LDC Sec. (7-359). The Applicant should note that such a Variance request for the subject dock/shoreline structures would prove challenging for Staff to support under the provisions of LDC Sec. 4-131(b)(2) & (3) and LDC Sec. 7-359.

Please contact: Sean Gibbons, Environmental Specialist

Phone: 239.444.6176

E-mail: sgibbons@cityofbonitaspringscd.org

Please contact: Laura Gibson, Environmental Specialist

Phone: 239.444.6164

E-mail: lgibson@cityofbonitaspringscd.org

BONITA SPRINGS Engineering

Substantive Comments:

1. At time of building permit, the owner/applicant must provide a drainage plan which illustrates how the proposed structure (and all associated pads/structures) will drain, in accordance with LDC Sec. 4-2224. The signed and sealed Stormwater Drainage Plan must show how storm water drains offsite without impacting adjacent properties, road rights of ways, lakes and waterways.

Please contact: Trisha Goff, Engineer
Phone: 239.444.6175
Email: tgoff@cityofbonitaspringscd.org

BONITA SPRINGS Floodplain Management

Substantive Comments:

1. The applicant is put on notice that the parcel is located in the mapped special flood hazard area identified as zones VE 15' NAVD and VE 16' NAVD. ASCE 24-14, 2017 Florida Building Code and Flood Hazard Reduction Ordinance prohibits structural fill in velocity (V zones) or coastal a zones. Only minor fill for drainage and landscaping may be utilized.

Please contact: Ayita Williams, Floodplain Manager
Phone: 239.444.6154
Email: awilliams@cityofbonitaspringscd.org

August 17, 2020

City of Bonita Springs
9101 Bonita Beach Rd.
Bonita Springs, FL 34135

RE: 27783 Hickory Blvd Variance Request: VAR20-71995-BOS – Response (Sub 2)

Mr. Figon et al.,

The purpose of this letter is to address the insufficiency letter, dated August 13, 2020, issued by your department(s) for the Variance Request noted above. Please refer to the department specific responses below, in conjunction with the resubmitted application information and related documentation, for updates and reach out to our office with any questions or feedback.

BONITA SPRINGS Planning and Zoning – Mike Fiigon

1. The address list, and subsequent mailing labels, have been updated and provided via the Lee County Appraiser website, as directed.
2. Hard copies have been provided with this (re)submission, along with an electronic copy on a USB flash drive and one on a CD.

BONITA SPRINGS Environmental – Sean Gibbons and Laura Gibson

1. The requested variance is, indeed, specifically related to the setbacks for the proposed principle structure. It seems the request/confirm the “option to repair or re-build [the] existing boathouse” on the originally submitted variance application was/is unnecessary. Any repairs, replacements, or alterations to the existing boathouse will not increase its dimensions, change its location, or possibly further any non-conformities. No relief from the Dock and Shoreline Code (starting on LDC Sec. 7-354) is being sought or requested.

BONITA SPRINGS Engineering – Trisha Goff

1. Please note, a “type 1” drainage plan will be provided by a licensed engineer depicting the proper stormwater, drainage, and related information per LDC Sec. 4-2224 at the time the building permit application is submitted.

BONITA SPRINGS Floodplain Management – Ayita Williams

1. It has been noted the parcel is located in VE 15’ NAVD and VE 16’ NAVD zones. Only minor fill for drainage and landscaping shall be utilized per ASCE 24-14, 2017 Florida Building Code and Flood Hazard Reduction Ordinance.

Thank you for your continued time, attention, and assistance. We appreciate your efforts and expertise in this process.

Regards,

Camden Ashmore
Applicant – Agent for Owner



PUBLIC HEARING APPLICATION FOR VARIANCES

Community Development Department | 9220 Bonita Beach Road, Suite 111 | Bonita Springs, FL 34135 | Phone: (239) 444-6150 | Fax: (239) 444-6140

Applicant's Name: ASHMORE, CAMDEN (ASHMORE DESIGN) Phone #: 239-444-5780

Email: CAMDENA@ASHMORELLC.COM

Project Name: SEARS RESIDENCE

STRAP Number: 31-47-25-B4-002L0.0040

Application Form: Computer Generated* City Printed

*** By signing this application, the applicant affirms that the form has not been altered.**

STAFF USE ONLY

Case Number: _____

Date of Application: _____

Fee: _____

Current Zoning: _____

Land Use Classification(s): _____

Comp. Plan Density: _____

Date of Zoning Public Hearing: _____

Date of City Council Public Hearing: _____

Planner Assigned: _____

Staff Recommendation: _____

**PART I
APPLICANT/PROPERTY OWNERSHIP INFORMATION**

A. Name of applicant: ASHMORE, CAMDEN (ASHMORE DESIGN)
Mailing Address: Street: 27499 RIVERVIEW CENTER BLVD. SUITE 103
City: BONITA SPRINGS State: FL Zip: 34134
Contact Person: CAMDEN ASHMORE
Phone Number: Area Code: 239 Number: 444-5780 Ext. _____
Fax Number: Area Code: _____ Number: _____
E-mail: CAMDENA@ASHMORELLC.COM

B. Relationship of applicant to property:

_____ Owner _____ Trustee* _____ Option holder* _____ Lessee*
_____ Contract Purchaser* X Other (indicate)* AGENT/DESIGN FIRM

*If applicant is NOT the owner, submit a **notarized** Authorization Form from the owner to the applicant labeled Exhibit I-B.

C. Name of owner of property: SEARS JAMES & BRENDA + SEARS JESSICA
Mailing Address: Street: 1730 W ROCK RD
City: PERKASIE State: PA Zip: 18944
Phone Number: Area Code: 215 Number: 519-6953 Ext. _____
Fax Number: Area Code: _____ Number: _____
Email: JSEARS11@GMAIL.COM; BSEARS2@COMCAST.NET

D. Date property was acquired by present owner(s): MARCH 27, 2020

E. Is the property subject to a sales contract or sales option? X NO _____ YES

F. Are owner(s) or contract purchasers required to file a disclosure form? X NO _____ YES
If yes, please complete and submit Exhibit I-F (attached).

G. Authorized Agent(s): List names of authorized agents.

Name: ASHMORE DESIGN, LLC
Address: 27499 RIVERVIEW CENTER BLVD. SUITE 103 BONITA SPRINGS, FL 34134
Contact Person: CAMDEN ASHMORE, ROD ASHMORE
Phone: 239-444-5780 Fax: _____
E-mail: CONTACT@ASHMORELLC.COM

Attach list if more space is required.

PART II

GENERAL INFORMATION

A. Legal Description: Is property within a platted subdivision recorded in the official Plat Books of Lee County?

NO. Attach a legible copy of the legal description (labeled Exhibit II-A-1.) and a certified sketch of description as set out in Chapter 5J-17.053., Florida Administrative Code, unless the subject property consists of one or more undivided platted lots. (labeled Exhibit II-A-2.) If the application includes multiple abutting parcels, the legal description must describe the perimeter boundary of the total area, but need not describe each individual parcel. However, the STRAP number for each parcel must be included.

X YES. Property is identified as:

Subdivision Name: BONITA BEACH 1ST ADD

Plat Book: 8 Page: 70 Unit: Block: L Lot: 3 + 4

Submit an actual copy of the Plat Book page with subject property clearly marked. Label this Exhibit II-A-3.

STRAP NUMBER: 31-47-25-B4-002L0.0040

B. Project Street Address: 27783 HICKORY BLVD BONITA SPRINGS FL 34134

C. General Location of Property: ADJACENT TO HICKORY BLVD, EAST SIDE, JUST NORTH OF BONITA BEACH RD/HICKORY BLVD TRANSITION

D. Vehicular route to the site from the nearest arterial road: TAKE BONITA BEACH RD WEST AS IT TRANSITIONS TO HICKORY BLVD; PROPERTY IS LOCATED ON THE EAST SIDE OF HICKORY BLVD APPROXIMATELY 13 LOTS NORTH OF KINGS KEW

E: Is this hearing requested as a result of a code violation? X NO YES

F. Nature of Request: (Check and complete the applicable answer)

X Variance from:

X (Zoning) LDC Section CH. 4-ZONING; ART VI DIV 30, SUB III-SETBACKS

(Docks and Shoreline) LDC Section

(Development Standards) LDC Section

(Signs) LDC Section

G. Specific Variance Request (attach sheet if more space needed)

Ordinance Section: 4-489 PROP. DEV. REG. Variance is: FOR THE RS-1 ZONED PARCEL
FROM: SETBACKS 25' FRONT, 25' REAR FROM MWH;(SIDE & POOL SETBACKS TO REMAIN)
BOATHOUSE CAN BE PLACED OVER WATER
TO: 20' FRONT, 15' REAR FROM MWH AT EAST FACING SEAWALLS, 6.5' FROM MWH AT
NORTH FACING SEAWALL;OPTION TO REPAIR OR RE-BUILD EXISTING BOATHOUSE
(REFER TO PROPOSED SITE PLAN/EXHIBIT IV-E FOR CLARIFICATION)

H. Property Dimensions

- 1. Width (average if irregular parcel): 100 Feet
- 2. Depth (average if irregular parcel): 66.685 Feet
- 3. Frontage on road or street: 100 Feet
- 4. Width along waterbody (If applicable): 104 Feet
- 5. Total land area: +/- 6,656 SQUARE FEET Acres or Square Feet

I: Facilities

- 1. Fire District: BONITA SPRINGS FIRE DISTRICT / 009
- 2. Sewer Service Supplier: CITY OF BONITA SPRINGS/BSU
- 3. Water Service Supplier: CITY OF BONITA SPRINGS/BSU

J. Present Use of Property: Is the property vacant? Yes No

Except for City-initiated requests, if the property is not vacant, the owner or applicant's signature on this application indicates that the Owner agrees to either remove all existing buildings and structures, OR that the use of the building or structure(s) will be in compliance with all applicable requirements of the land development code.

Briefly describe current use of the property:

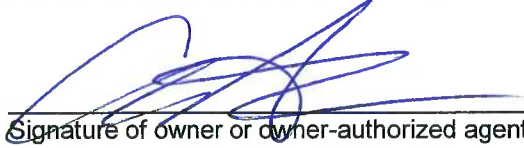
THE PROPERTY WAS RECENTLY PURCHASED ON MARCH 27, 2020; IT CONTAINS AN EXISTING
SINGLE FAMILY RESIDENCE LOCATED FULLY ON THE LOT/LAND AND AN EXISTING BOATHOUSE
AND DOCK/DECK - BOTH LOCATED OVER THE WATER BODY; THE RESIDENCE IS CURRENTLY
VACANT; THE FOOTPRINT OF THE EXISTING SINGLE FAMILY RESIDENCE IS NOT IN COMPLIANCE
WITH THE APPLICABLE ZONING SETBACKS AS IT SITS OVER THE SETBACKS IN THE FRONT AND
REAR

K. Has a Development Order application been filed on the subject property? NO YES

D.O. Number: _____

PART III
AFFIDAVIT

I, CAMDEN ASHMORE, certify that I am the owner or authorized representative of the property described herein, and that all answers to the questions in this application and any sketches, data or other supplementary matter attached to and made a part of this application, are honest and true to the best of my knowledge and belief. I also authorize the staff of the City of Bonita Springs Community Development to enter upon the property during normal working hours for the purpose of investigating and evaluating the request made thru this application.


Signature of owner or owner-authorized agent

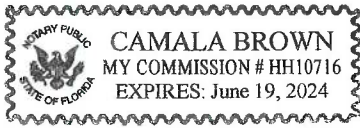
5/28/20
Date

CAMDEN ASHMORE
Typed or printed name

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was certified and subscribed before me this 28 day of May, 2020, by Camden Ashmore, who is personally known to me or who has produced as identification.

(SEAL)




Signature of notary public

Camala Brown
Printed name of notary public

**PART IV
SUBMITTAL REQUIREMENTS**

	Copies	Exhibits	Item
APPLICATIONS			
All	1		Completed application
All	1		Application Fee
All	1	I-B	Notarized Authorization Form (if applicable)
All	1	I-F	Notarized Disclosure Form (if applicable)
All	1	II-A-1	Legal Description
All	1	II-A-2	Certified sketch of description (if applicable)
All	1	II-A-3	Plat Book Page (if applicable)
All	2	IV-A	Property Owners List & Mailing Labels
All	1	IV-B	Property Owners Map
All	1	IV-C	Deed Restrictions & Narrative (if applicable)
All	1	IV-D	Narrative Regarding Request
All	1	IV-E	Site Plan
All	1	IV-F	Application and Exhibits on CD-Rom
VARIANCES			
Marine facilities	1		Supplement A

**EXPLANATORY NOTES
GENERAL**

1. ALL APPLICANTS FOR A VARIANCE FROM THE LAND DEVELOPMENT CODE (ZONING) MUST COMPLETE THIS FORM.

UPON WRITTEN REQUEST, THE DIRECTOR MAY MODIFY THE SUBMITTAL REQUIREMENTS CONTAINED IN THIS SECTION WHERE IT CAN BE CLEARLY DEMONSTRATED THAT THE SUBMISSION WILL HAVE NO BEARING ON THE REVIEW AND PROCESSING OF THE APPLICATION. THE REQUEST AND THE DIRECTOR'S WRITTEN RESPONSE MUST ACCOMPANY THE APPLICATION SUBMITTED AND WILL BECOME A PART OF THE PERMANENT FILE.

2. ALL APPLICANTS MUST PAY THE APPLICABLE APPLICATION FEE.

PART I – EXPLANATORY NOTES

- A. Applicant's Name: Application may be by the landowner or the authorized agent. Where there is more than one owner, either legal or equitable, then all such owners must jointly initiate the application. Exceptions to this are:
- 1) It is not required that both husband and wife initiate the application on private real property owned by them.
 - 2) The property is subject to a land trust agreement, the trustee may initiate the application.
 - 3) The fee owner is a corporation; any duly authorized corporate official may initiate the application.
 - 4) The fee owner is a partnership; the general partner may initiate the application.
 - 5) The fee owner is an association; the association may appoint an agent to initiate the application on behalf of the association.
 - 6) The property is a condominium or time-share condominium, refer to Sec. 4-193(a)(1)b. for rules.
 - 7) The property is a subdivision, refer to Sec. 4-193(a)(1)c. for rules.
- B. Relationship of applicant to owner: If the applicant is not the owner of the property, a **notarized** authorization form from the owner to the applicant must be submitted. Label this submittal as Exhibit I-B.
- C. Name of owner (s): see F. below
- F. Name of Owner(s): A Disclosure Form (Exhibit I-F, attached) must be submitted for any entity whose interest in the property is other than solely equity interest(s) which are regularly traded on an established commodities market in the United States or another Country.
- G. Authorized Agents: If the owner or applicant has authorized agents to act on his/her behalf, list the agent(s) name, mailing address and phone number.

PART II – EXPLANATORY NOTES

- A. Legal Description: If the property is not within a platted subdivision recorded in the official plat books of Lee County, a complete legal description must be attached which is sufficiently detailed and legible so as to be able to locate said property on county maps or aerial photographs. Also include the Section, Township, Range, and parcel number(s). If the application includes multiple contiguous parcels, the legal description may describe the perimeter boundary of the total area, and need not describe each individual parcel, except where different zoning requests are made on individual parcels. Label the legal description as Exhibit II-A-1.

A survey or a certified sketch of description as set out in Chapter 5J-17.053 F.A.C., Florida Administrative Code must be submitted, unless the subject property consists of one or more undivided platted lots. If the application includes multiple abutting parcels, the legal description must describe the perimeter boundary of the total area, but need not describe each individual parcel. However, the STRAP number for each parcel must be included. Label the Sketch as Exhibit II-A-2.

If the request is owner-initiated and a boundary survey is required, the survey must include the location of any existing structures on the property. Label the Boundary Survey as Exhibit II-A-2.

The Director has the right to reject any legal description which is not sufficiently detailed or legible so as to locate said property, and may require a certified survey or boundary-survey prepared by a surveyor meeting the minimum technical

standards for land surveying in the state, as set out in Chapter 5J-17.053, F.A.C. Boundaries must be clearly marked with a heavy line. The boundary line must include the entire area to be developed. If the request is owner-initiated the Federal Emergency Management Agency flood zone and required finished floor elevation must be shown as well as the location of existing structures on the property.

A copy of the plat may be purchased from the County Clerk's office.

- B. Project Street Address: If the street address is unknown, the address may be obtained from the Lee County E-911 Addressing Division at (239) 338-3200.
- C. General Location: The general location should reference known major streets so as to indicate to the general public the location of the property.
- D. Vehicular route: Briefly describe how to get to the property via vehicle from the nearest arterial street.
- G. Explain the specific request. For example:
 - Ordinance Section: 4-488 Property Development Regulations
 - Variance is:
 - FROM: 7.5 foot sideyard setback in the RS-1 district for a single family dwelling.
 - TO: 6.8 foot sideyard setback for a single family dwelling
- H. Property Dimensions: If the parcel is irregularly shaped, indicate the average width and depth of the property. Indicate the length of property abutting any existing street rights-of-way or easements. If property abuts more than one street, indicate frontage on each street.
 - I.1. Fire District: Insert the name of the Fire District in which the property is located.
 - I.2. Sewer Service Supplier: List the name of the utility company or package plant which will be providing sanitary sewer service to the project. If a new private disposal plant is proposed or if septic systems will be used, so indicate.
 - I.3. Potable Water Service Supplier: List the name of the utility company which will provide potable water service to the project. Indicate if wells are to be utilized.
- J. Present Use of Property: Briefly describe the present use of the property.

PART III – EXPLANATORY NOTES

- a. The applicant is responsible for the accuracy and completeness of this application. Any time delays or additional expenses necessitated by the submittal of inaccurate or incomplete information is the responsibility of the applicant.
- b. All information submitted with the application or submitted at the public hearing becomes a part of the public record and will be a permanent part of the file.
- c. All applications must be submitted in person. Mailed-in applications will not be processed.
- d. All attachments and exhibits submitted must be of a size that will fit or conveniently fold to fit into a letter size (8 1/2" x 11") folder.
- e. The Department staff will review this application for compliance with requirements of the Land Development Code. If any deficiencies are noted, the applicant will be notified.

PART IV – EXPLANATORY NOTES

- A. Property Owners List and Mailing Labels: A complete list of all property owners, and their mailing addresses, for all property within three hundred seventy-five (375) feet [five hundred (500) feet if for a COP] of the perimeter of the subject

property or the portion thereof that is the subject of the request. A set of mailing labels for all names and addresses. Names and addresses of property owners will be deemed to be those appearing on the latest tax rolls of the County. Information may be obtained from the Lee County Property Appraiser's office. The applicant is responsible for the accuracy of such list. Label as Exhibit IV-A.

- B. Property Owners Map: A County Zoning map or other similar map displaying all of the parcels of property within three hundred seventy-five feet (375) [five hundred (500) feet if for a Consumption on Premises permit] of the perimeter of the subject parcel or the portion thereof that is the subject of the request, referenced by number or other symbol to the names on the property owners list. The applicant is to be responsible for the accuracy of the map. Label as Exhibit IV-B.
- C. Deed Restrictions: A copy of the deed restrictions on the subject property, if any, and a written statement as to how the deed restrictions may affect the requested action. Label as Exhibit IV-C.
- D. Narrative Statement: Label as Exhibit IV-D.

- 1. For a Zoning Variance or Marine Facilities variance, state the basis or reason(s) for the requested variance and include, at a minimum, the following issues:

The section number, and the particular regulation from which relief (variance) is requested; and
What extraordinary conditions or circumstances exist inherent in the land, structure, or building involved, which create a hardship on the property owner which is not generally applicable to other lands, structures or buildings; and

How a literal interpretation of the provisions of the section of the ordinance (from which the variance is sought) would deprive the applicant of rights commonly enjoyed by other properties in the same district; and why granting the variance will not be injurious to the neighborhood or otherwise be detrimental to the public welfare.

- 2. For Development Standards Variances (Sec. 3-81), state the basis or reason(s) for the requested variance and include, at a minimum, the following issues:

The section number, and the particular regulation from which relief (variance) is requested; and
The granting of the variance will not threaten the health, safety, welfare of abutting property owners or the general public; and

How the requested variance will not create an undue burden on essential public facilities; and
How the standard from which the variance is being requested is unreasonably burdensome, as applied to the applicant's property and development plans.

- E. Site Plans (Label as Exhibit IV-E): Every request for a variance must include a site plan detailing or illustrating:

- 1. Existing streets, easements or other reservations of land within the site; and
- 2. All existing and proposed structures on the site (including structures over water, if applicable); and
- 3. All existing structures within one hundred (100) feet of the perimeter boundary of the site; and
- 4. The proposed variance from the adopted standards; and
- 5. Any other information requested by the Director commensurate with the intent and purpose of the regulations from which the variance is requested.

**EXHIBIT I-F
DISCLOSURE OF INTEREST FORM FOR:**

STRAP NO. 31-47-25-B4-002L0.0040 **CASE NO.** _____

1. If the property is owned in fee simple by an INDIVIDUAL, tenancy by the entirety, tenancy in common, or joint tenancy, list all parties with an ownership interest as well as the percentage of such interest.

Name and Address	Percentage of Ownership
<u>SEARS JAMES & BRENDA + SEARS JESSICA</u>	<u>100</u>
<u>1730 W ROCK RD PERKASIE, PA 18944</u>	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

2. If the property is owned by a CORPORATION, list the officers and stockholders and the percentage of stock owned by each.

Name, Address, and Office	Percentage of Stock
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

3. If the property is in the name of a TRUSTEE, list the beneficiaries of the trust with percentage of interest.

Name and Address	Percentage of Interest
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

4. If the property is in the name of a GENERAL PARTNERSHIP OR LIMITED PARTNERSHIP, list the names of the general and limited partners.

Name and Address	Percentage of Ownership
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

5. If there is a CONTRACT FOR PURCHASE, whether contingent on this application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the officers, stockholders, beneficiaries, or partners.

Name, Address, & Office (if applicable)	Percentage of Stock
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

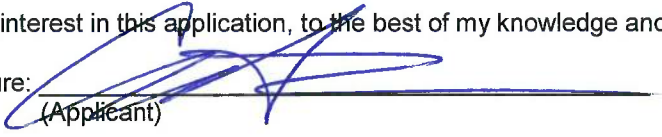
Date of Contract: _____

6. If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership, or trust.

Name and Address

For any changes of ownership or changes in contracts for purchase subsequent to the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest shall be filed.


The above is a full disclosure of all parties of interest in this application, to the best of my knowledge and belief.

Signature: 
 (Applicant)

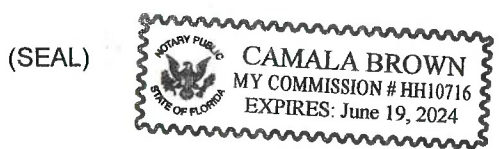
CAMDEN ASHMORE
 (Printed or typed name of applicant)

STATE OF FLORIDA
 COUNTY OF LEE

The foregoing instrument acknowledged before me this 28 day of May, 2020, by Camden Ashmore, who is personally known to me or who has produced _____ as identification.


 Signature of Notary Public

Camala Brown
 Printed Name of Notary Public



May 28, 2020

City of Bonita Springs
Community Development Department
9220 Bonita Beach Rd.
Bonita Springs, FL 34135

Owner: SEARS JAMES & BRENDA + SEARS JESSICA; 1730 W ROCK RD PERKASIE PA 18944
STRAP No.: 31-47-25-B4-002L0.0040
Site Address: 27783 Hickory Blvd. Bonita Springs, FL 34134

I, James Sears, acting on behalf of myself and my fellow owners of the property located at 27783 Hickory Blvd. Bonita Springs, FL 34134, grant permission to Camden Ashmore of Ashmore Design, LLC, to act on our behalf for the submission of variance applications as they relate to zoning and residential building permits for the aforementioned property until September 30 2020. I authorize the City of Bonita Springs to discuss matters relating to our property with Camden Ashmore, Rod Ashmore, and any other duly authorized representative of Ashmore Design, LLC whose address is 27499 Riverview Center Dr. Bonita Springs, FL 34134.

Should you have any questions, I can be reached at 215-519-6954 and jsears11@gmail.com. Camden can be reached at 239-444-5780 and contact@ashmorellc.com.

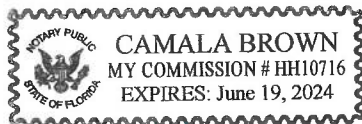
Thank you,

James Sears 05.28.2020

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was certified and subscribed before me this 28 day of May 2020, by James Sears, who is personally known to me or who has produced as identification.

(SEAL)



Camala Brown
Signature of notary public

Camala Brown
Printed name of notary public

LEGAL DESCRIPTION AND CERTIFICATION

Lots 3 and 4, Block L, Bonita Beach First Addition, according to the Plat thereof, as recorded in Plat Book 8, Page 70, of the Public Records of LEE County, Florida.

EXHIBIT II-A-1

Community Number: 120680 Panel: 12071C0650 Suffix: F Flood Zone: VE(NAVD88) Field Work: 3/4/2020

Certified To:
JAMES SEARS















Property Address:
27783 HICKORY BOULEVARD
ONITA SPRINGS, FL 34134

Survey Number: 406875

ABBREVIATION DESCRIPTION:

A.E.	ANCHOR EASEMENT	F.F. EL.	FINISH FLOOR ELEVATION	O.R.B.	OFFICIAL RECORDS BOOK
A/C	AIR CONDITIONER	F.I.P.	FOUND IRON PIPE	(P)	PLAT
B.M.	BENCH MARK	F.I.R.	FOUND IRON ROD	P.B.	PLAT BOOK
B.R.	BEARING REFERENCE	F.P.K.	FOUND PARKER-KALON NAIL	P.C.	POINT OF CURVATURE
(C)	CALCULATED	(L)	LENGTH	P.C.C.	POINT OF COMPOUND CURVE
Δ	CENTRAL / DELTA ANGLE	L.A.E.	LIMITED ACCESS EASEMENT	P.O.B.	POINT OF BEGINNING
CH	CHORD	L.M.E.	LAKE MAINTENANCE EASEMENT	P.O.C.	POINT OF COMMENCEMENT
(D)	DEED / DESCRIPTION	(M)	MEASURED / FIELD VERIFIED	P.R.C.	POINT OF REVERSE CURVE
D.E.	DRAINAGE EASEMENT	M.H.	MANHOLE	P.T.	POINT OF TANGENCY
D.H.	DRILL HOLE	N&D	NAIL & DISK	R/W	RIGHT-OF-WAY
D/W	DRIVEWAY	N.R.	NOT RADIAL	(R)	RADIAL / RADIUS
E.O.W.	EDGE OF WATER	N.T.S.	NOT TO SCALE	S.I.R.	SET IRON ROD
F.C.M.	FOUND CONCRETE MONUMENT	O.H.L.	OVERHEAD UTILITY LINES	T.O.B.	TOP OF BANK
				U.E.	UTILITY EASEMENT

SYMBOL DESCRIPTIONS:

	= CATCH BASIN		= MISC. FENCE
	= CENTERLINE ROAD		= PROPERTY CORNER
	= COVERED AREA		= UTILITY BOX
	= EXISTING ELEVATION		= UTILITY POLE
	= HYDRANT		= WATER METER
	= MANHOLE		= WELL
	= METAL FENCE		= WOOD FENCE

PAGE 1 OF 2 PAGES
(NOT COMPLETE WITHOUT PAGE 2)

GENERAL NOTES:

- 1) LEGAL DESCRIPTION PROVIDED BY OTHERS
- 2) THE LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR EASEMENTS OR OTHER RECORDED ENCUMBRANCES NOT SHOWN ON THE PLAT.
- 3) UNDERGROUND PORTIONS OF FOOTINGS, FOUNDATIONS OR OTHER IMPROVEMENTS WERE NOT LOCATED.
- 4) WALL TIES ARE TO THE FACE OF THE WALL AND ARE NOT TO BE USED TO RECONSTRUCT BOUNDARY LINES.
- 5) ONLY VISIBLE ENCROACHMENTS LOCATED.
- 6) DIMENSIONS SHOWN ARE PLAT AND MEASURED UNLESS OTHERWISE SHOWN.
- 7) FENCE OWNERSHIP NOT DETERMINED.
- 8) ELEVATIONS INDICATED HEREON ARE IN FEET AND DECIMALS REFERENCED TO N.G.V.D. 1929
- 9) IN SOME INSTANCES, GRAPHIC REPRESENTATIONS HAVE BEEN EXAGGERATED TO MORE CLEARLY ILLUSTRATE RELATIONSHIPS BETWEEN PHYSICAL IMPROVEMENTS AND/OR LOT LINES. IN ALL CASES, DIMENSIONS SHALL CONTROL THE LOCATION OF THE IMPROVEMENTS OVER SCALED POSITIONS.

53



**TARGET
SURVEYING, LLC**

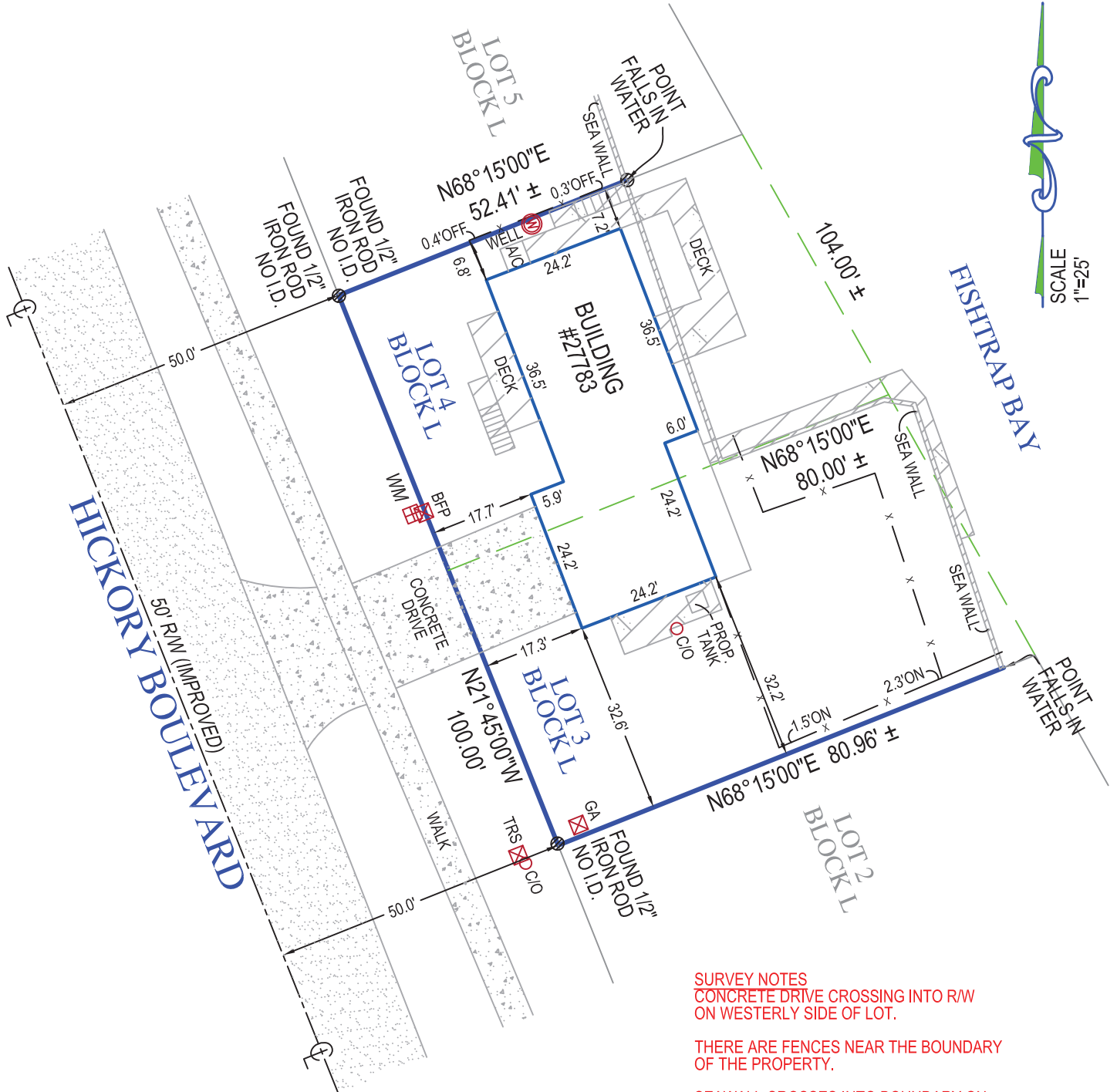
LB #7893

SERVING FLORIDA

6250 N. MILITARY TRAIL, SUITE 102
WEST PALM BEACH, FL 33407
PHONE (561) 640-4800
STATEWIDE PHONE (800) 226-4807
STATEWIDE FACSIMILE (800) 741-0576
WEBSITE: <http://targetsurveying.net>

BOUNDARY SURVEY

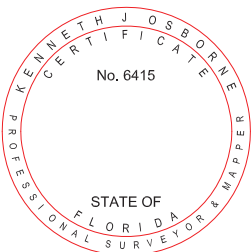
EXHIBIT II-A-2



SURVEY NOTES
 CONCRETE DRIVE CROSSING INTO R/W
 ON WESTERLY SIDE OF LOT.

THERE ARE FENCES NEAR THE BOUNDARY
 OF THE PROPERTY.

SEAWALL CROSSES INTO BOUNDARY ON
 NORTHERLY SIDE OF LOT.



SURVEYORS CERTIFICATE

I HEREBY CERTIFY THAT THIS BOUNDARY SURVEY IS A TRUE AND CORRECT REPRESENTATION OF A SURVEY PREPARED UNDER MY DIRECTION. NOT VALID WITHOUT AN AUTHENTICATED ELECTRONIC SIGNATURE AND AUTHENTICATED ELECTRONIC SEAL, OR A RAISED EMBOSSED SEAL AND SIGNATURE.

Kenneth J. Osborne

(SIGNED)

KENNETH J OSBORNE
 PROFESSIONAL SURVEYOR AND MAPPER #6415

Digitally signed
 by Kenneth
 Osborne
 Date: 2020.03.05
 10:25:00 -05'00'

PAGE 2 OF 2 PAGES
 (NOT COMPLETE WITHOUT PAGE 1)



LB #7893
SERVING FLORIDA
 6250 N. MILITARY TRAIL, SUITE 102
 WEST PALM BEACH, FL 33407
 PHONE (561) 640-4800
 STATEWIDE PHONE (800) 226-4807
 STATEWIDE FACSIMILE (800) 741-0576
 WEBSITE: <http://targetsurveying.net>

P/B8, PGE. 70

BONITA BEACH

FIRST ADDITION

Petition to Vacate
 Petition No: 95-02-249.01R
 Description: Drainage Easement
 See CCMB
 Date of Approval: 05/17/95
 Resolution No: 95-05-24
 CCMB: 1995R Page: 325
 Recorded on: 06/14/95 OR Book: 2608 Page: 2032-2038

DESCRIPTION

Beginning at the northeast corner of block A Bonita Beach as recorded in Lee County Plat book 8 on page 65 Lee County, Florida, Records, thence north 68°15' East 100 feet to the point of beginning of land herein described, thence north 21°45' West 1050 feet, thence north 23°20' west 1452.8 feet, thence north 66°40' East 750 feet, thence south 23°20' east 1100 feet, thence south 66°40' west 340.3 feet, thence south 21°45' East 1414 feet, thence south 68°15' west 400 feet to the point of beginning, said land being a part of Section 31 in T₄S. R. 25 E. Lee County, Florida.

CERTIFICATE OF SURVEY

I the undersigned certify that the plat as shown is a correct representation of the land platted, and that permanent reference monuments have been placed as shown Feb 25 1941

Nanny K. Dagroon
 State Registered Civil Engineer No. 80

CERTIFICATE OF OWNERSHIP

This is to certify that the undersigned are the owners of the land herein described and have caused said land to be subdivided into lots, blocks, Drives, Parks and Places as shown, and said Drives, Parks and Places are hereby dedicated to the public forever.

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF US:-

Witness *Frank L. Redman*
 Witness *...*

Carol Engvalson Seal
... Seal

STATE OF FLORIDA }
 COUNTY OF LEE } S.S.

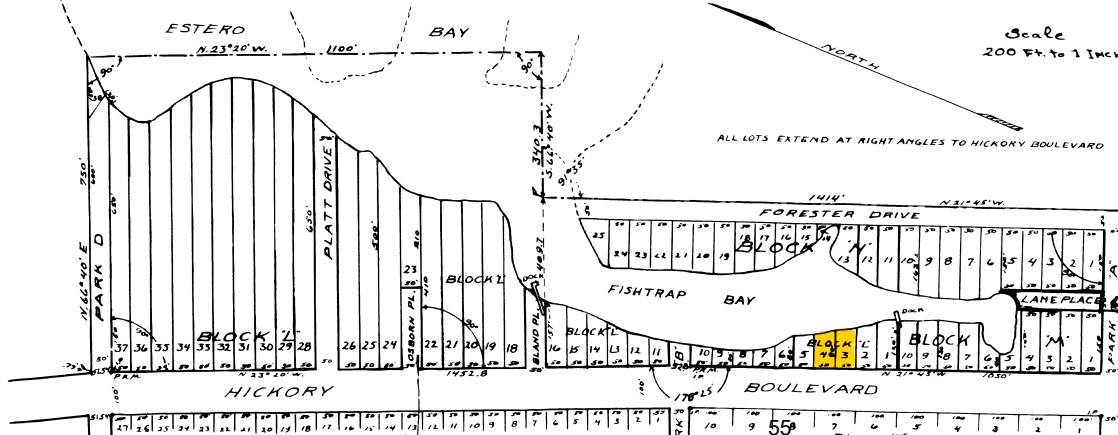
I DO HEREBY CERTIFY that on this 20th day of March AD 1941 personally appeared before me, an officer duly authorized to administer oaths and take acknowledgements, L. ENGVALSON and CAROL ENGVALSON his wife, both well known to me, as the persons making the foregoing dedication, and they severally acknowledged the execution thereof to be their free act and deed for the uses and purposes therein mentioned, and the said CAROL ENGVALSON the wife of the said L. ENGVALSON upon an examination taken separately and apart from her said husband did acknowledge that she executed the foregoing dedication freely, voluntarily and without any constraint, apprehension, fear or compulsion of or from her said husband.

Witness my hand and official seal the date last aforesaid.

Frank L. Redman
 My Commission Expires *August 31, 1943*
 Seal

This plat accepted this *...* day of *...* 1941 in open meeting of the Board of County Commissioners, of Lee County, Florida

Petition to Vacate
 Petition No: 93-25
 Description: Drainage easement; See CCMB
 Date of Approval: 08/04/93
 Resolution No: 93-08-20
 CCMB: 1993R Page: 601
 Recorded on: 08/16/93 OR Book: 2415 Page: 2591-2593



FILED IN THE OFFICE OF THE
 Clerk of the Circuit Court,
 LEE COUNTY, FLA.
 On this *...* day of *...*
 A. D. 19*...* and recorded in Book
... of *...*
 on page *...*
 Seal

Petition to Vacate
 Description: Vacation of Lane Place
 Date of Approval: 03-6-57
 CCMB: 13 Page: 306 & 307

Subjects: 1 Affected Buffer: 375 Date: 8/13/2020 12:00: List Size: 56

Index	Subject	Folioid	STRAP	OwnerNar	OwnerNar	MailAddre	MailAddre	MailCity	MailState	MailZip	SiteNumbr	SiteStreet	SiteUnit	SiteCity	SiteZip	Legal
0	TRUE	10287622	31-47-25-B4-002L0.004C	SEARS JAMES & BREN	1730 W ROCK RD	PERKASIE PA			18944	27783	HICKORY BLVD		BONITA SF	34134	BONITA BEACH 1ST ADD<CR>BLK L PB 8 PG 70<CR>LOTS 3 + 4	
1	FALSE	10287517	31-47-25-B3-00003.0100	LAMPING- KRISTOPHI	7383 STONE RUN PL	LIBERTY T OH			45044	27767	FORESTER DR		BONITA SF	34134	PARL IN SW 1/4 AS DESC<CR>IN OR 1925 PG 4711<CR>AKA LOT D	
2	FALSE	10287518	31-47-25-B3-00003.0110	STONE JOSEPH D III +	27761 FORESTER DR	BONITA SF FL			34134	27761	FORESTER DR		BONITA SF	34134	PARL IN SW 1/4 AS DESC<CR>OR 1925 PG 4703 AKA LT E<CR>BLK N BONITA BCH 1ST ADDN	
3	FALSE	10287519	31-47-25-B3-00003.0120	MYERS MALINDA	2424 PALERMO DR	SAN DIEGO CA			92106	27755	FORESTER DR		BONITA SF	34134	PARL IN SW 1/4 AS DESC IN<CR>OR 1925 PG 4713<CR>AKA LOT F	
4	FALSE	10287531	31-47-25-B3-00016.0010	POOLE STANLEY R +	2 FARM LN	ROCKPORT MA			1966	27735	FORESTER DR		BONITA SF	34134	PARL IN S 31 T 47 R 25<CR>DESC IN OR 1031 PG 1370<CR>LESS PARRL 16.5	
5	FALSE	10287532	31-47-25-B3-00016.0020	REBMANN FRED &	27741 FORESTER DR	BONITA SF FL			34134	27741	FORESTER DR		BONITA SF	34134	FR PT OF INTERSEC OF SELY<CR>LI PARK A + NELY LI<CR>FORRESTER DR BONITA BEACH	
6	FALSE	10287533	31-47-25-B3-00016.0030	LIBERTY H, RICHARD J	27745 FORESTER DR	BONITA SF FL			34134	27745	FORESTER DR		BONITA SF	34134	FR PT OF INTER OF SELY LI<CR>PARK A + NELY LI FORESTER<CR>DR BONITA BCH 1ST ADD RUN	
7	FALSE	10287534	31-47-25-B3-00016.0040	PALMER CRAIG T +	SF 27749 FORESTER DR	BONITA SF FL			34134	27749	FORESTER DR		BONITA SF	34134	FR SELY LI OF PARK A + NE LI OF <CR>FOSTER DR AS SHOWN ON MAP<CR>OF BONITA BCH 1ST	
8	FALSE	10287535	31-47-25-B3-00016.0050	POOLE STANLEY R TR	2 FARM LN	ROCKPORT MA			1966	27729	FORESTER DR		BONITA SF	34134	PARL IN S 31 T 47 R 25<CR>DESC IN OR 1393 PG 1122	
9	FALSE	10287681	31-47-25-B3-002N0.005C	MARREN PATRICK P &	27878 FORESTER DR	BONITA SF FL			34134	27878	FORESTER DR		BONITA SF	34134	BONITA BEACH 1ST ADDN<CR>BLK N PB 8 PG 70<CR>LOT 5	
10	FALSE	10287511	31-47-25-B4-00003.0030	KAHN ALAN & NANCY	27721 FORESTER DR	BONITA SF FL			34134	27721	FORESTER DR		BONITA SF	34134	FR PT OF INTERSEC SELY LI<CR>PARK A + NELY LI OF<CR>FORESTER DR BONITA BCH 1ST	
11	FALSE	10287512	31-47-25-B4-00003.0040	PHILLIPS WILLIAM E J	310 N PLEASANT AV	NILES OH			44446	27725	FORESTER DR		BONITA SF	34134	PARL IN S 1/2 AS DESC<CR>IN OR 1939 PG 1354	
12	FALSE	10287542	31-47-25-B4-0010B.003C	WATERFRONT PROPE	3114 CHARTER OAK REDGEWOY CK				41017	27854	HICKORY BLVD		BONITA SF	34134	BONITA BEACH<CR>BLK B PB 8 PG 65<CR>LOT 3 N 1/2	
13	FALSE	10287543	31-47-25-B4-0010B.003A	SALDOF LLC	23850 VIA ITALIA CIR	BONITA SF FL			34134	27866	HICKORY BLVD		BONITA SF	34134	BONITA BEACH<CR>BLK B PB 8 PG 65<CR>S 1/2 OF LOT 3	
14	FALSE	10287544	31-47-25-B4-0010B.004C	GOADE WILLIAM	27836 HICKORY BLVD	BONITA SF FL			34134	27836	HICKORY BLVD		BONITA SF	34134	BONITA BEACH<CR>BLK B PB 8 PG 65<CR>LOT 4 N 50 FT	
15	FALSE	10287545	31-47-25-B4-0010B.004B	SEABREEZE ON THE B	3114 CHARTER OAK RCVOINGTKY				41017	27842	HICKORY BLVD		BONITA SF	34134	BONITA BEACH<CR>BLK B PB 8 PG 65<CR>S 50 FT OF LT 4	
16	FALSE	10287546	31-47-25-B4-0010B.005C	LAY TERRY L & SANDF	27820 HICKORY BLVD	BONITA SF FL			34134	27820	HICKORY BLVD		BONITA SF	34134	BONITA BEACH<CR>BLK B PB 8 PG 65<CR>LOT 5 N 1/2	
17	FALSE	10287547	31-47-25-B4-0010B.005A	DELANEY BARBARA N	27858 HICKORY BLVD	BONITA SF FL			34134	27858	HICKORY BLVD		BONITA SF	34134	BONITA BEACH BLK B<CR>PB 8 PG 65<CR>S 1/2 OF LOT 5	
18	FALSE	10287548	31-47-25-B4-0010B.006C	WALTON MICHAEL A	27804 HICKORY BLVD	BONITA SF FL			34134	27804	HICKORY BLVD		BONITA SF	34134	BONITA BEACH<CR>BLK B PB 8 PG 65<CR>LOT 6	
19	FALSE	10287549	31-47-25-B4-0010B.007C	BAMBOO GARDENS L	601 E ELKCAM CIR ST MARCO ISL FL				34145	27790	HICKORY BLVD		BONITA SF	34134	BONITA BEACH<CR>BLK B PB 8 PG 65<CR>LOT 7 LESS N 1/2	
20	FALSE	10287550	31-47-25-B4-0010B.007A	INVESTME ASHLEIGH	5959 SCARBOROUGH COLUMBU OH				43232	27780	HICKORY BLVD		BONITA SF	34134	BONITA BEACH<CR>BLK B PB 8 PG 65<CR>N 1/2 LOT 7	
21	FALSE	10287551	31-47-25-B4-0010B.008A	LINDSAY DUSTIN B TR	5959 SCARBOROUGH COLUMBU OH				43232	27772	HICKORY BLVD		BONITA SF	34134	BONITA BEACH<CR>BLK B PB 8 PG 65<CR>S 75 FT OF LOT 8	
22	FALSE	10287552	31-47-25-B4-0010B.009C	MERUELO BELINDA	5101 COLLINS AVE	MIAMI BE FL			33140	27762	HICKORY BLVD		BONITA SF	34134	BONITA BEACH BLK B<CR>N 62.5 FT OF LOT 9	
23	FALSE	10287553	31-47-25-B4-0010B.009A	ENGEN JAMES HAROI	1160 76TH ST SE	BYRON CE MI			49315	27768	HICKORY BLVD		BONITA SF	34134	S 37.5 OF LOT 9 + N 25 FT<CR>OF LOT 8 BLK B<CR>BONITA BEACH	
24	FALSE	10287554	31-47-25-B4-0010B.010C	TPGB PROPERTIES LL	PO BOX 940	MOORESV IN			46158	27730	HICKORY BLVD		BONITA SF	34134	BONITA BEACH<CR>BLK B PB 8 PG 65<CR>LOT 10 LESS S 1/2	
25	FALSE	10287555	31-47-25-B4-0010B.010A	BONITA DOLPHIN LLC	6394 COCOS DR	FORT MYE FL			33908	27740	HICKORY BLVD		BONITA SF	34134	BONITA BEACH<CR>BLK B PB 8 PG 65<CR>S 1/2 LOT 10	
26	FALSE	10589774	31-47-25-B4-0010D.001C	ANTHONY N KONSTA	27714 HICKORY BLVD	BONITA SF FL			34134	27714	HICKORY BLVD		BONITA SF	34134	BONITA BEACH<CR>BLK D PB 8 PG 65<CR>LOT 1 & 2	
27	FALSE	10287619	31-47-25-B4-002L0.001C	ATTAR STEPHEN C +	19341 LASERENA	FORT MYE FL			33967	27807	HICKORY BLVD		BONITA SF	34134	BONITA BEACH 1ST ADD<CR>BLK L PB 8 PG 70<CR>LOT 1	
28	FALSE	10563972	31-47-25-B4-002L0.002A	ZABAVSKY VICTOR +	V27795 HICKORY BLVD	BONITA SF FL			34134	27795	HICKORY BLVD		BONITA SF	34134	BONITA BEACH 1ST ADD<CR>BLK L PB 8 PG 70<CR>LOT 2	
29	FALSE	10287623	31-47-25-B4-002L0.005C	SON BAY L ASHLEIGH	5959 SCARBOROUGH COLUMBU OH				43232	27775	HICKORY BLVD		BONITA SF	34134	BONITA BEACH 1ST ADD<CR>BLK L PB 8 PG 70<CR>LOT 5 + PT 6	
30	FALSE	10287624	31-47-25-B4-002L0.007C	CAPUTO STEVEN &	LC 167 OAKWOOD CT	NAPLES FL			34110	27757	HICKORY BLVD		BONITA SF	34134	BONITA BEACH 1ST ADD.<CR>BLK L PB 8 PG 70<CR>LOT 7 + PT 6 NWRLY 1/2	
31	FALSE	10287625	31-47-25-B4-002L0.008C	KESSEL DAVID R	27749 HICKORY BLVD	BONITA SF FL			34134	27749	HICKORY BLVD		BONITA SF	34134	BONITA BEACH 1ST ADD<CR>BLK L PB 8 PG 70<CR>LOT 8 + PT LOT 9 S 1/2	
32	FALSE	10287627	31-47-25-B4-002L0.010C	MCHUGH GROUP RE	270 MOORE RD	DOWNING PA			19335	27733	HICKORY BLVD		BONITA SF	34134	BONITA BEACH 1ST ADD<CR>BLK L PB 8 PG 70<CR>LOT 10 + NWRLY 1/2 LT 5	
33	FALSE	10287628	31-47-25-B4-002L0.011C	KONSTANT ANTHONY	27714 HICKORY BLVD	BONITA SF FL			34134	27715	HICKORY BLVD		BONITA SF	34134	BONITA BEACH 1ST ADD<CR>BLK L PB 8 PG 70<CR>LOTS 11 + 12	
34	FALSE	10287671	31-47-25-B4-002M0.005I	NICKOLI DAVID M &	1865 HASBROCK RD	NORWALK OH			44857	27857	HICKORY BLVD		BONITA SF	34134	BONITA BEACH 1ST ADD<CR>BLK M PB 8 PG 70<CR>LOT 5	
35	FALSE	10287672	31-47-25-B4-002M0.006I	JACK + BETTIANN MI	Z 13851 SW 26TH ST	DAVIE FL			33325	27851	HICKORY BLVD		BONITA SF	34134	BONITA BEACH 1ST ADD<CR>BLK M PB 8 PG 70<CR>LOT 6	
36	FALSE	10287673	31-47-25-B4-002M0.007I	DSJ GULF LLC	225 FOREST EDGE CT	BURR RIDG IL			60527	27841	HICKORY BLVD		BONITA SF	34134	BONITA BEACH 1ST ADD<CR>BLK M PB 8 PG 70<CR>LOT 7	
37	FALSE	10287674	31-47-25-B4-002M0.008I	HOFFMAN NICOLE E -	PO BOX 38	JAMESTOVR IN			2835	27833	HICKORY BLVD		BONITA SF	34134	BONITA BEACH 1 ST ADD<CR>BLK M PB 8 PG 70<CR>LOT 7	
38	FALSE	10287675	31-47-25-B4-002M0.009I	RISING TIDE TN LLC	736 GREELEY DR	NASHVILLI TN			37205	27825	HICKORY BLVD		BONITA SF	34134	BONITA BEACH 1ST.ADDN.<CR>BLK.M PB 8 PG 70<CR>LOT 9	
39	FALSE	10287676	31-47-25-B4-002M0.010I	GENGLER MARGARET	8830 CATON FARM R	YORKVILLE IL			60560	27815	HICKORY BLVD		BONITA SF	34134	BONITA BCH 1ST ADDN<CR>BLK M PB 8 PG 70<CR>LOT 10	
40	FALSE	10287682	31-47-25-B4-002N0.006C	27874 FORESTER LLC	275 ESTRELLITA DR	FORT MYE FL			33931	27874	FORESTER DR		BONITA SF	34134	BONITA BEACH 1ST ADD<CR>BLK N PB 8 PG 70<CR>LOT 6	
41	FALSE	10287683	31-47-25-B4-002N0.007C	WALLACE CRAIG +	CHI 19875 JOLIE RD	SHERIDAN IN			46069	27868	FORESTER DR		BONITA SF	34134	BONITA BEACH 1ST ADD BLK N PB 8 PG 70 LOT 7	
42	FALSE	10570628	31-47-25-B4-002N0.008C	WALLACE JESSICA LE	E 4398 W STATE RD 38	SHERIDAN IN			46069	27864	FORESTER DR		BONITA SF	34134	BONITA BEACH 1ST ADD BLK N PB 8 PG 70 LOT 8	
43	FALSE	10287684	31-47-25-B4-002N0.009C	ANDERSON ROBERT E	2745 DONALDSON D	FORLANDO FL			32812	27860	FORESTER DR		BONITA SF	34134	BONITA BEACH 1ST ADDN.<CR>BLK N PB 8 PG 70<CR>LOT 9	
44	FALSE	10287685	31-47-25-B4-002N0.010C	LEISTICKOW MARK +	2779 BAY SETTLEMEN	GREEN BA WI			54311	27856	FORESTER DR		BONITA SF	34134	BONITA BEACH 1ST ADDN.<CR>BLK.N PB 8 PG 70<CR>LOT 10	
45	FALSE	10287686	31-47-25-B4-002N0.011C	HILIMSKI TODD C	26 SIMPSON RD	ARDMORE PA			19003	27852	FORESTER DR		BONITA SF	34134	BONITA BEACH 1ST ADDN<CR>BLK N PB 8/78<CR>LOT 11	
46	FALSE	10287687	31-47-25-B4-002N0.012C	ECKERT MARK + SUZ	F 27848 FORESTER DR	BONITA SF FL			34134	27848	FORESTER DR		BONITA SF	34134	BONITA BEACH 1ST ADDN<CR>BLK N PB 8 PG 70<CR>LOT 12	
47	FALSE	10287688	31-47-25-B4-002N0.013C	FARAGO GREGORY J -	27844 FORESTER DR	BONITA SF FL			34134	27844	FORESTER DR		BONITA SF	34134	BONITA BEACH 1ST ADD.<CR>BLK.N PB 8 PG 70<CR>LOT 13	
48	FALSE	10287689	31-47-25-B4-002N0.014C	MARTIN LESTER LEE +	33487 W 163RD ST	LAWSON MO			64062	27840	FORESTER DR		BONITA SF	34134	BONITA BEACH 1ST ADD.<CR>BLK.N PB 8 PG 70<CR>LOT 14	
49	FALSE	10287690	31-47-25-B4-002N0.015C	VOIT MATTHEW + ELI	2183 GRANDEUR DR	GIBSONIA PA			15044	27836	FORESTER DR		BONITA SF	34134	BONITA BEACH 1ST ADD.<CR>BLK.N PB 8 PG 70<CR>LOT 15	
50	FALSE	10287691	31-47-25-B4-002N0.016C	HISER GREGORY	15094 STELLA DEL M	FORT MYE FL			33908	27832	FORESTER DR		BONITA SF	34134	BONITA BEACH 1ST ADD<CR>BLK N PB 8 PG 70<CR>LOT 16	
51	FALSE	10538033	31-47-25-B4-002N0.017C	KLEINE KATHY TR	27828 FORESTER DR	BONITA SF FL			34134	27828	FORESTER DR		BONITA SF	34134	BONITA BEACH 1ST ADD<CR>BLK N PB 8 PG 70<CR>LOT 17	
52	FALSE	10287692	31-47-25-B4-002N0.018C	GAFFNEY MICHAEL R	27824 FORESTER DR	BONITA SF FL			34134	27824	FORESTER DR		BONITA SF	34134	BONITA BEACH 1ST ADDN<CR>BLK N PB 8 PG 70<CR>LOT 18	
53	FALSE	10287693	31-47-25-B4-002N0.019C	BOTANA ADAM	5020 BONITA BEACH	BONITA SF FL			34134	27820	FORESTER DR		BONITA SF	34134	BONITA BEACH 1ST ADD<CR>BLK N PB 8 PG 70<CR>LOT 19	
54	FALSE	10287694	31-47-25-B4-002N0.020C	BRADSHAW CHRISTO	27816 FORESTER DR	BONITA SF FL			34134	27816	FORESTER DR		BONITA SF	34134	BONITA BEACH 1ST ADD.<CR>BLK.N PB 8 PG 70<CR>LOT 20	
55	FALSE	10287695	31-47-25-B4-002N0.021C	NICHOLS DENISE L	27812 FORESTER DR	BONITA SF FL			34134	27812	FORESTER DR		BONITA SF	34134	BONITA BEACH 1ST ADD.<CR>BLK.N PB 8 PG 70<CR>LOT 21	



City of Bonita Springs

Community Development Department
9220 Bonita Beach Rd.
Bonita Springs, FL 34135

Owner: SEARS JAMES & BRENDA + SEARS JESSICA; 1730 W ROCK RD PERKASIE PA 18944

STRAP No.: 31-47-25-B4-002L0.0040

Site Address: 27783 Hickory Blvd. Bonita Springs, FL 34134

RE: Exhibit IV-D – Narrative Statement for Public Hearing Application for Variances

The purpose of this narrative is to provide information and support regarding the variance requested in the application for the above referenced property. The existing parcel is located in a RS-1 district for a single-family dwelling. The setbacks for the parcel are 25' for the front, 6.5' for the side, 25' for the rear from the mean high water, 5' for an accessory structure/pool. A boathouse may be located over the water body.

The footprint of the existing house protrudes over the front setback by approximately 7.7' and over the rear setback by approximately 20.5' – with the rear of the home coming as close as approximately 4.5' to the seawall. There is an existing boathouse located over the water body on the northern section of the parcel.

The size of the lot is much smaller than many other lots located in the RS-1 zoning district, particularly among lots in the immediate vicinity. The parcel is an irregular shape, forming a "L". Although the lot is 100' wide, the northern 50% (+/-) of the parcel is 52.41' (+/-) deep and the southern portion of the lot is 80.96' (+/-) deep. The current setbacks prevent a new residence from being constructed in the northern portion of the lot and permit only one with a footprint smaller than approximately 40' wide by 25' deep in the southern portion. It is our intention to demolish the existing structure and design a new single-family residence for construction on the parcel. As such, we are seeking a variance to Ordinance Section 4-489 Property Development Regulations (Chapter 4 Zoning, Article VI Division 30, Subdivision III-Setbacks).

We are requesting a variance to allow for the front setback to be reduced to 20' and for the rear setback to be reduced to 15' from mean high water at the eastern facing seawalls and 6.5' from mean high water at the northern facing seawall. Please reference Exhibit IV-E for a visual representation. We would like the option/confirmation to be able to repair or rebuild the existing boathouse in its existing location so that it may be adequate and safe for continued use, while enhancing its aesthetics and ensuring its longevity. We are not requesting modifications to the side setback or that of the accessory structure/pool.

Approval of the variance will allow the owners to construct a viable single-family residence to enjoy and fully utilize their property in the same fashion of their surrounding neighbors with typical shaped lots – without the need to fill in any portion of the lot/water or affect the existing seawall. The neighbors will not be adversely affected as the proposed new residence will not impede upon the existing 6.5' side setbacks. The boundaries of the structure will be predominantly in line with those of the surrounding properties' structures. Without the requested variance, a new home will not be able to be constructed on the parcel. It is our intention to design and construct a home that can benefit from the surrounding local resources and enhance the community in which it is located.

We appreciate your time and attention to the matter.

Sincerely,

Camden Ashmore
Applicant, Vice President of Ashmore Design, LLC

EXHIBIT IV-E

SITE PLAN
FOR PLACEMENT PURPOSE ONLY.
CERTIFIED SURVEYOR TO VERIFY
SETBACKS AND PLACEMENT.



ASHMORE
[design]

27499 RIVERVIEW CENTER BLVD
BONITA SPRINGS, FL 34134
239.444.5780
www.AshmoreLLC.com
AA#26003726

THIS PLAN HAS BEEN REVIEWED,
ENGINEERED AND SUPERVISED BY:
J.C. KOSINSKI ENGINEERING, INC.
JOSEPH C. KOSINSKI, PE
FL PE #52288
FL COA #29576
15598 BEACH PEBBLE WAY
FORT MYERS, FLORIDA, 33908

SEAL

FOR PRELIMINARY
PURPOSES ONLY

THIS STRUCTURE MEETS ALL REQUIREMENTS OF THE
FLORIDA BUILDING CODE 6th EDITION 2017
RESIDENTIAL

SEARS RESIDENCE
27783 HICKORY BLVD
BONITA SPRINGS, FL

Ashmore Design, LLC hereby reserves its common law copyright and other property rights in these plans, designs, arrangements and ideas. These plans, drawings, arrangements and ideas are not to be reproduced, changed or copied in any form or manner whatsoever, nor are they to be assigned to any third party without first obtaining the express written permission from Ashmore Design, LLC. Written amendments on these drawings have precedence over scale dimensions. Contractors shall verify and be responsible for all dimensions and conditions of the job. Ashmore Design, LLC shall be notified in writing of any variations or discrepancies from the dimensions, conditions and specifications shown by these drawings. All construction shall be in accordance with Florida Building Code 6th Edition 2017 Residential.

REVISIONS

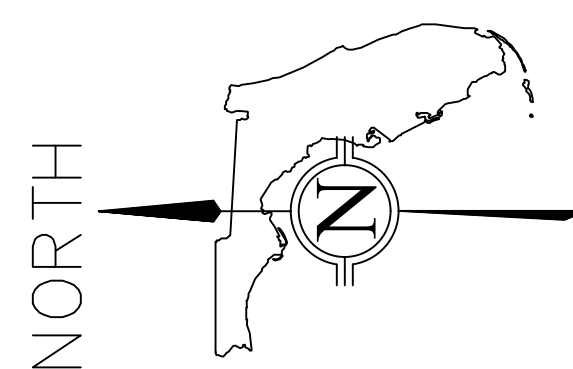
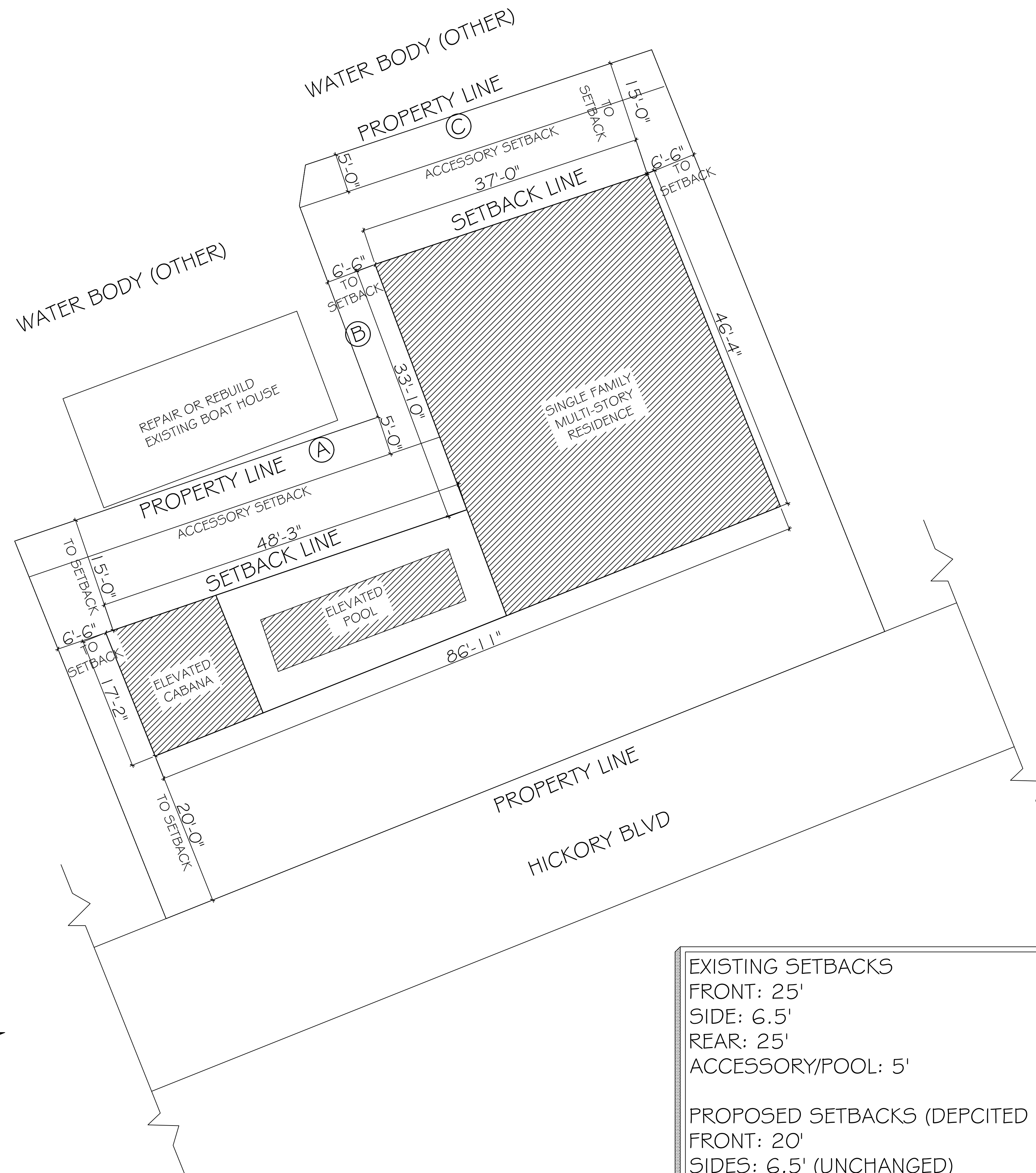
MK	DATE	DESCRIPTION

JOB NO: A20-3401
DATE: 7/14/2020
DRAWN BY: PR
CHKD BY:

PROPOSED SITE PLAN

SHEET NUMBER

SP



EXISTING SETBACKS
FRONT: 25'
SIDE: 6.5'
REAR: 25'
ACCESSORY/POOL: 5'

PROPOSED SETBACKS (DEPCITED ON PLAN):
FRONT: 20'
SIDES: 6.5' (UNCHANGED)
REAR: 15' @ A & C
REAR/SIDE: 6.5' @ B
ACCESSORY/POOL: 5' (UNCHANGED)



September 4, 2020

9101 Bonita Beach Road
Bonita Springs, FL 34135
Tel: (239) 949-6262
Fax: (239) 949-6239
www.cityofbonitasprings.org

Mr. Camden Ashmore
Ashmore Design
27499 Riverview Center Blvd., Suite 103
Bonita Springs, Florida, 34134

Re: 27783 Hickory Blvd Variance Request: VAR20-71995-BOS

Peter Simmons
Mayor

Dear Mr. Ashmore:

Amy Quaremba
Council Member
District One

The Zoning Division has reviewed the information provided and supplemented for the above-referenced variance request. Your application has been found sufficient and the following language is being drafted for the request:

Jesse Purdon
Council Member
District Two

A variance from LDC 4-1893, which requires a street setback of 25 feet, to allow a street setback of 20 feet, and from LDC 4-1894(b), which requires a water body setback of 25 feet, to allow a water body setback of 15 feet from the east for a single family residence and accessory structures, and 6.5 feet from the north for single-family residence, and from LDC 4-489 which requires a side setback of 7.5 feet, to allow a 6.5' side yard setback to the south, for a single-family residence in Bonita Springs.

Laura Carr
Council Member
District Three

Chris Corrie
Council Member
District Four

Please notify the City in writing no later than September 14, 2020 if the above request language is sufficient or if changes are requested.

Michael Gibson
Council Member
District Five

Additionally, please note the substantive comments below.

Fred Forbes, AIA
Council Member
District Six

Please feel free to contact me if you have any questions.

Arleen Hunter
City Manager
(239) 949-6267

DEPARTMENT OF COMMUNITY DEVELOPMENT
Zoning Division

Derek Rooney
City Attorney
(239) 949-6254

City Clerk
(239) 949-6247

Public Works
(239) 949-6246

Mike Fiigon II
Senior Planner

Neighborhood Services
(239) 949-6257

Copy:
Derek Rooney, City Attorney
John Dulmer, Community Development Director
Jacqueline Genson, Planning & Zoning Manager
Sean Gibbons, Environmental Specialist

Parks & Recreation
(239) 992-2556

Community Development
(239) 444-6150

Arleen Hunter, City Manager
Laura Gibson, Environmental Specialist
Trisha Goff, Engineer
Ayita Williams, Floodplain Manager

BONITA SPRINGS Environmental

Substantive Comments:

1. The Variance as requested, is for setbacks (front and rear/waterbody), largely for the principle structure. However, the application also references an option to repair/replace the existing boathouse (and associated dock/deck) over the canal/waterbody. Structural (i.e. life, health, safety) repairs could be a consideration subject to LDC Sec. 7-361; however any repairs, alterations, expansions, or activities that would increase non-conformities (or have the affect thereof) would not be permissible (approved or supported by Staff).

Similarly, if the boathouse (and/or associated dock/deck) is removed or replaced, any/all affected structures will be required to meet current LDC (and State) regulations/permitting requirements. If it is the Applicant's intent to request relief from the Dock and Shoreline Code (starting on LDC Sec. 7-354), outside of the existing relief already provided via LDC Sec. 7-361, a revised (or separate/companion) Variance request will be required, subject to LDC Sec. (7-359). The Applicant should note that such a Variance request for the subject dock/shoreline structures would prove challenging for Staff to support under the provisions of LDC Sec. 4-131(b)(2) & (3) and LDC Sec. 7-359.

Please contact: Sean Gibbons, Environmental Specialist
Phone: 239.444.6176
E-mail: sgibbons@cityofbonitaspringscd.org

Please contact: Laura Gibson, Environmental Specialist
Phone: 239.444.6164
E-mail: lgibson@cityofbonitaspringscd.org

BONITA SPRINGS Engineering

Substantive Comments:

1. At time of building permit, the owner/applicant must provide a drainage plan which illustrates how the proposed structure (and all associated pads/structures) will drain, in accordance with LDC Sec. 4-2224. The signed and sealed Stormwater Drainage Plan must show how storm water drains offsite without impacting adjacent properties, road rights of ways, lakes and waterways.

Please contact: Trisha Goff, Engineer
Phone: 239.444.6175
Email: tgoff@cityofbonitaspringscd.org

BONITA SPRINGS Floodplain Management

Substantive Comments:

1. The applicant is put on notice that the parcel is located in the mapped special flood hazard area identified as zones VE 15' NAVD and VE 16' NAVD. ASCE 24-14, 2017 Florida Building Code and Flood Hazard Reduction Ordinance prohibits structural fill in velocity (V zones) or coastal a zones. Only minor fill for drainage and landscaping may be utilized.

Please contact: Ayita Williams, Floodplain Manager
Phone: 239.444.6154
Email: awilliams@cityofbonitaspringscd.org



AFFIDAVIT OF POSTING NOTICE

Community Development Department | 9220 Bonita Beach Road, Suite 111 | Bonita Springs, FL 34135 | Phone: (239) 444-6150 | Fax: (239) 444-6140

INSTRUCTIONS

A zoning sign must be posted on the parcel subject to any zoning application for a minimum of fifteen CALENDAR (15) days in advance of a Public Hearing and maintained through the City of Bonita Springs Public Hearing, if any. This sign will be provided by the Zoning Division in the following manner:

- a. Signs for case # VAR20-71995-BOS must be posted by 11/3/2020.
- b. The sign must be erected in full view of the public, not more than five (5) feet from the nearest right-of-way or easement.
- c. The sign must be securely affixed by nails, staples or other means to a wood frame or to a wood panel and then fastened securely to a post, or pother structure. The sign may not be affixed to a tree or other foliage.
- d. The applicant must make a good faith effort to maintain the sign in place, and readable condition until the requested action has been heard and a final decision rendered.
- e. If the sign is destroyed, lost, or rendered unreadable, the applicant must report the condition to the Zoning Division, and obtain duplicate copies of the sign from the Zoning Division.
- f. The Division may require the applicant to erect additional signs where large parcels are involved with street frontages extending over considerable distances. If required, such additional signs must be placed not more than three hundred (300) feet apart.

When a parcel abuts more than one (1) street, the applicant must post signs along each street. When a subject parcel does not front a public road, the applicant must post the sign at a point on a public road which leads to the property, and the sign must include a notation which generally indicates the distance and direction to the parcel boundaries and the dimensions of the parcel.

NOTE: AFTER THE SIGN HAS BEEN POSTED, THE AFFIDAVIT OF THE POSTING NOTICE, BELOW, SHOULD BE RETURNED NO LATER THAN THREE (3) WORKING DAYS BEFORE THE INITIAL HEARING DATE TO CITY OF BONITA SPRINGS ZONING DIVISION, 9220 BONITA BEACH ROAD, SUITE 109, BONITA SPRINGS, FL 34135.

(Return the completed Affidavit below to the Zoning Division as indicated in previous paragraph.)

STATE OF FLORIDA
COUNTY OF LEE

BEFORE THE UNDERSIGNED AUTHORITY, PERSONALLY APPEARED CAMDEN ASHMORE
WHO ON OATH SAYS THAT HE/SHE HAS POSTED PROPER NOTICE AS REQUIRED BY SECTION 4-
229(B) OF THE CITY OF BONITA SPRINGS LAND DEVELOPMENT CODE ON THE PARCEL COVERED IN
THE ZONING APPLICATION REFERENCED BELOW:


SIGNATURE OF APPLICANT OR AGENT

Camden Ashmore
NAME (TYPED OR PRINTED)

27499 RIVERVIEW CENTER BLVD. #103

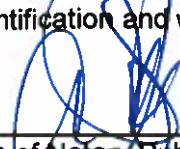
ST. OR P.O. BOX

BONITA SPRINGS, FL 34134

CITY, STATE & ZIP

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was sworn to and subscribed before me this 3 day of November, 2020,
by Camden Ashmore, personally known to me or who produced
_____ as identification and who did/did not take oath.


Signature of Notary Public

Arcelia B. Anguiano
Printed Name of Notary Public

My Commission Expires:
(Stamp with serial number)



ARCELIA ANGUIANO
Commission # GG 318917
Expires April 30, 2023
Bonded Thru Budget Notary Services

Classified Ad Receipt
(For Info Only - NOT A BILL)

Customer: CITY OF BONITA SPRINGS_CDD
Address: 9220 BONITA BEACH RD SE STE
BONITA SPRINGS FL 34135
USA

Ad No.: 0004453967
Net Amt: \$345.17

Run Times: 1
Run Dates: 11/05/20

No. of Affidavits: 1

Text of Ad:

Notice of Public Meeting of the City of Bonita Springs Board for Land Use Hearings & Adjustments and Zoning Board of Appeals TUESDAY, November 17, 2020 at 9:00am Bonita Springs Fire & Rescue District 27701 Bonita Grande Drive Bonita Springs, FL 34135

I. CALL TO ORDER

II. INVOCATION

III. PLEDGE OF ALLEGIANCE

IV. ROLL CALL

V. APPROVAL OF MINUTES: October 20, 2020

VI. PUBLIC COMMENT

VII. PUBLIC HEARINGS

EACH CASE WILL INCLUDE A PUBLIC COMMENT PERIOD AT THE CONCLUSION OF THE APPLICANT AND STAFF PRESENTATION

A. CASE NAME: VAR20-73335-BOS ASPEN DENTAL SIGN VARIANCE REQUEST

REQUEST: A request for a variance from LDC 6-113(4), which allows two wall signs where there is double frontage on a public right-of-way, to allow four wall signs for a proposed medical building on a through lot.

LOCATION: 28100 S TAMIAMI TRAIL, BONITA SPRINGS, FL 34135

B. CASE NAME: VAR20-71995-BOS 27783 HICKORY BLVD SETBACK VARIANCE

REQUEST: A variance from LDC 4-1893, which requires a street setback of 25 feet, to allow a street setback of 20 feet, and from LDC 4-1894(b), which requires a water body setback of 25 feet, to allow a water body setback of 15 feet from the east for a single family residence and accessory structures, and 6.5 feet from the north for a single family residence, and from LDC 4-489 which requires a side setback of 7.5 feet, to allow a 6.5 feet side yard setback to the south, for a single family residence in Bonita Springs.

VIII. NEXT MEETING: TENTATIVE- December 15, 2020

IX. ADJOURNMENT

Any person requiring special accommodations at any of the meetings because of a disability or physical impairment should contact Meg Weiss, Director of Administrative Services at 239-949-6262, at least 48 hours prior to the meeting.

If a person decides to appeal a decision made by the Board in any matter considered at this meeting/hearing, such person may need to ensure that a verbatim record of the proceeding is made, to include the testimony and evidence upon which any such appeal is to be based.

NOTE: This meeting is televised on Comcast Channel 98. You may also view the meeting on hotwire channel

398; century link/prism tv channel 87;
and summit broadband channel 96.
Meetings can be viewed and agendas
are available at www.cityofbonitasprings.org one week prior to the public
hearing.
AD#4453967

Nov. 5, 2020