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SPE22-87755-BOS
LUV-A-WASH SPECIAL EXCEPTION

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Luv-A-Wash Special Exception
Area Location Map



**BONITA SPRINGS, FLORIDA
COMMUNITY DEVELOPMENT DEPARTMENT
ZONING DIVISION
STAFF REPORT**

PROJECT NAME: LUV-A-WASH CAR WASH

TYPE OF CASE: SPECIAL EXCEPTION

CASE NUMBER: SPE22-87755-BOS

HEARING DATE: OCTOBER 18, 2022

PLANNER: MIKE FIIGON II

REQUEST AND STAFF RECOMMENDATION

A special exception request to re-establish a car wash, on property located in the Community Commercial (CC) zoning district, pursuant to LDC 4-891.

Deviations Requested: None

Staff recommends **APPROVAL** of the request in conjunction with the conditions outlined later in this Staff Report.

I. APPLICATION SUMMARY:

- A. Applicant: Love’s Petroleum, Inc.
- B. Agent: Peninsula Engineering, Christopher Scott, Planning Manager
- C. Request: A special exception request to re-establish a car wash on property located in the Community Commercial (CC) zoning district, pursuant to LDC 4-891.
- D. Location: 8801 West Terry Street, Bonita Springs, Florida, 34135
- E. Future Land Use Designation, Current Zoning and Use of Property:

Future Land Use: General Commercial

Current Zoning: Community Commercial (CC)

Current Use: Gas Station/Convenience Store; Vacant Car Wash

F. Surrounding Land Use:

<u>Existing Zoning & Land Use</u>	<u>Future Land Use Map</u>
North: Commercial (C-1A); Shopping Center	General Commercial
East: Commercial Planned Development (CPD); Storage/Warehousing	General Commercial
South: W. Terry Street Right-of-Way, Commercial Planned Development (CPD)	General Commercial
West: Commercial (C-1A); Drainage/Retention	General Commercial

II. BACKGROUND AND INFORMATIONAL ANALYSIS

Introduction/Synopsis

The request is for a special exception to reestablish a car wash tunnel on property located within the US 41 Overlay. Additionally, the Applicant is proposing minor site modifications such as the addition of vacuum stalls, a pay station, and an expanded dumpster area to better accommodate the request.

The property was constructed as a convenience store with gasoline pumps and a car wash tunnel as part of a 1998 Lee County Development Order (98-04-081-00D). The US 41 Overlay was established in 2015, and with that came a list of uses that require special exception approval. As a result, the car wash operation became legal non-conforming in that it was approved by the County and legally constructed, but the regulations have since been amended to require an additional approval step (i.e. the special exception) which had not been sought by the property owner until the filing of this application. Had the car wash remained active, a special exception would not be required. However, the car wash has been inactive for more than six (6) months, which triggers the requirements of LDC 4-2346, which states the following:

No land used in whole or in part for a nonconforming use, which use is subsequently discontinued for a continuous period of six calendar months, shall again be used except in conformity with the regulations then in effect. The intent of the owner, lessee or other user shall not be relevant in determining whether the use has been discontinued.

The regulations in effect at this time will require a special exception to be approved prior to the reestablishment of the car wash business. The Applicant has complied with this requirement and has filed the necessary application for consideration.

Special Exception Review Criteria

Pursuant to LDC 4-891(1)(1), the following criteria are to be used to evaluate special exception requests in the US 41 Overlay:

- (i) *Consistency with the intent of the U.S. 41 Overlay District in protecting and enhancing viewsheds from U.S. 41 and other public roadways.*

- (ii) *The building and site design standards incorporate innovative techniques to address the project's visual impact on the U.S. 41 corridor and demonstrate enhancements to the minimum standards.*
- (iii) *The request addresses the balance between auto-oriented design and pedestrian access through enhanced design standards.*
- (iv) *Exceptional or extraordinary conditions exist which warrant the proposed use, including but not limited to demonstrated market demand and minimum spatial separation of 500 feet from a similar use.*
- (v) *Will not be injurious to the neighborhood or otherwise detrimental to the public welfare.*
- (vi) *Will be compatible with existing or planned uses.*
- (vii) *Will [not] cause damage, hazard, nuisance or other detriment to persons or property.*
- (viii) *Will protect, conserve or preserve environmentally critical areas and natural resources.*
- (ix) *Consistency with the goals, objectives, policies and intent of the Bonita Plan.*
- (x) *In compliance with all general zoning provisions, supplemental regulations and performance standards pertaining to the use set forth in this chapter.*

In reviewing the request, Staff is able to make the following findings based on the aforementioned criteria:

Criterion i: Consistency with the intent of the US 41 Overlay District in protecting and enhancing viewsheds from US 41 and other public roadways.

Staff Analysis: Throughout the application submittal process, Staff had gone back and forth with the Applicant on appropriate buffering and landscaping standards in order to protect the views from West Terry Street. It was for this reason that Staff had requested a line of site exhibit to better demonstrate where the “holes” are, in terms of landscaping for the purposes of shielding. It

is the Staff opinion that the additional proposed landscaping along with the current landscaping will meet the code intent of protecting and enhancing viewsheds along West Terry Street. The project does not have frontage on US 41 and directly to the west of the project is a heavily vegetated stormwater/drainage parcel, which protects the view from US 41.

Criterion ii: The building and site design standards incorporate innovative techniques to address the project's visual impact on the US 41 corridor and demonstrate enhancements to the minimum standards.

Staff Analysis: The site is already constructed, but improvements are being proposed to the building, and to the site for traffic flow considerations. A building addition of approximately 360sf is being proposed on the south portion of the existing car wash tunnel. The expansion was one of the reasons why Staff recommended additional landscaping on the south side of the property to better screen the tunnel from view. The Applicant has agreed to the landscape requirements and submitted a plan to demonstrate this.

Criterion iii: The request addresses the balance between auto-oriented design and pedestrian access through enhanced design standards.

Staff Analysis: The project is auto-oriented by nature. However, the Applicant is proposing a new sidewalk connection to West Terry Street and additional crosswalks internal to the site to better foster pedestrian connectivity for those leaving or entering the site from West Terry Street [which serves as the project's frontage roadway].

Criterion iv: Exceptional or extraordinary conditions exist which warrant the proposed use, including but not limited to demonstrated market demand and minimum spatial separation of 500 feet from a similar use.

Staff Analysis: The request is to re-establish the car wash use associated with the existing car wash tunnel. An exceptional condition could be that the proposed car wash has been a historic use of the property and was approved by Lee County. Separately, there are no car washes within 500ft of the property in question.

Criterion v: Will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

Staff Analysis: The car wash is proposed on an existing commercial site with existing infrastructure and is proposing to use the existing car wash tunnel, plus a 360sf addition. It is located within a commercial zoning district, within a commercial future land use category and is surrounded by commercial properties. The nearest neighborhoods are approximately 1,000 feet away to the east, west, and southeast.

Criterion vi: Will be compatible with existing or planned uses.

Staff Analysis: The property currently has an active and existing convenience store and gas station. The proposed car wash had been used on the site previously. It is a commercial use located within a commercial zoning district, surrounded by commercial property.

Criterion vii: Will [not] cause damage, hazard, nuisance or other detriment to persons or property.

Staff Analysis: Division 34 of LDC 4 contains uses that require special setbacks from residential areas mainly because of the historic understanding that they could be a nuisance, or hazardous in some instances. Car washes are *not* listed as one of the uses that requires special/increased setbacks. It is a commercial use in a commercial zoning district and will be regulated by the land development code and the noise control ordinance.

Criterion viii: Will protect, conserve or preserve environmentally critical areas and natural resources.

Staff Analysis: There are no documented environmentally critical areas or natural resources on-site.

Criterion ix: Consistency with the goals, objectives, policies, and intent of the Bonita Plan.

Staff Analysis: The property is within the General Commercial future land use category as described in the Comprehensive Plan (Bonita Plan). Further analysis is provided below.

Criterion x: In compliance with all general zoning provisions, supplemental regulations and performance standards pertaining to the use set forth in this chapter.

Staff Analysis: There are no requested deviations or variances from zoning provisions, regulations, or performance standards. The car wash will be required to comply with the applicable provisions of the Land Development Code.

Surrounding Zoning

The property is zoned Community Commercial (CC) and is surrounded by other commercially zoned property. To the north is a shopping center zoned commercial (C-1A). To the south is the West Terry Street right-of-way, followed by a Commercial Planned Development (CPD) that contains various types of retail, restaurants and offices. To the west is commercial property zoned C-1A that is currently being used for drainage/retention. And to the east the outer portion of a shopping plaza, followed by a storage/warehouse facility that is zoned Commercial Planned Development (CPD).

Neighborhood Compatibility

The car wash is proposed on an existing commercial site with existing infrastructure and is proposing to use the existing car wash tunnel, plus a 360sf addition. It is located within a commercial zoning district, within a commercial future land use category and is surrounded by commercial properties. The nearest neighborhoods are approximately 1,000 feet away to the east, west, and southeast. It is the Staff opinion that the requested car wash is not incompatible with the surrounding neighborhood.

Environmental Considerations

There are no environmentally critical areas or natural resources on-site. The site is fully developed. All landscaping will need to be in compliance with the Land Development Code.

Traffic

The request is to re-establish and modernize a car wash use that historically existed on-site. The Applicant provided a waiver request for the Traffic Impact Statement. The waiver request was reviewed by the City's traffic consultant, and it was determined that the increase in trips would be less than 10 two-way trips during peak hour and is not considered a project of significant impact to the network. The waiver was approved by the City.

Comprehensive Plan Considerations

The subject property is located in the General Commercial future land use category, according to the future land use map of Bonita Springs. The category includes the following provisions:

Policy 1.1.14: General Commercial - *Intended to accommodate a wide range of commercial uses serving the general population of the City. This designation recognizes, but is not specifically limited to, properties that have been developed, have received development approval or have been zoned for commercial use prior to the adoption of the Comprehensive Plan.*

- a. Appropriate uses include a wide range of commercial retail and service uses for residents and visitors; hotels/motels; offices; light industrial uses; schools; recreation; public and semi-public uses; multi-family uses up to 10 units per acre within the approximately 1,468 acres of gross land area in the land use category; and mixed residential and commercial use in planned developments.*
- b. If affordable housing is provided, residential density may be increased by up to five additional units per acre.*
- c. Maximum allowable height of structures shall be 75 feet from the base flood elevation to the eaves except that no new structures or modification of existing structures located on the islands west of the mainland may be constructed in excess of 35 feet in height.*
- d. Nonresidential uses shall be limited to a maximum floor area ratio (FAR) of 1.2.*

The project is commercial in nature and is located on a commercial property within the City. It is the Staff opinion the requested use does not violate the provisions of the future land use category as outlined in the Comprehensive Plan/Bonita Plan.

With regards to the Traffic Element of the Comprehensive Plan, the project fronts fully constructed roadways with suitable access to the site and shopping center overall. The Applicant will be providing additional sidewalk connections to West Terry Street, as required by code. It is the Staff opinion the request does not violate the applicable provisions of the Traffic Element of the Bonita Plan.

It is the Staff opinion that the remaining Comprehensive Plan elements of Conservation/Coastal Management, Intergovernmental Coordination, Housing, Capital Improvements, and Recreation/Open Space are not

applicable to this request. This determination was made after Staff examined all elements for applicability to this request.

It is the Staff opinion the request does not violate the applicable provisions of the Comprehensive Plan.

Findings & Conclusion

It is Staff's opinion that the special exception request for the reestablishment of a car wash is consistent with the provisions of the Comprehensive Plan, is compatible with existing uses within the area, will not cause damage, hazards or nuisance, will not impact environmentally critical areas (none are on site), and is located in an area with adequate public facilities.

Based upon an analysis of the Application and the special exception approval criteria, Staff makes the following findings and conclusions, as conditioned:

1. The requested special exception, as conditioned:
 - a) Meets or exceed all applicable performance and locational standards set forth for the proposed use;
 - b) is consistent with the goals, objectives, policies and intent set forth in the City of Bonita Springs Comprehensive Plan;
 - c) is compatible with existing or planned uses in the surrounding area;
 - d) will not cause damage, hazard, nuisance or other detriment to persons or property;
 - e) will not have an adverse effect on surrounding properties; and
 - f) will be in compliance with all general zoning provisions and supplemental regulations pertaining to the use set forth in the City's Land Development Code.

III. RECOMMENDATION:

Staff recommends **APPROVAL** of the request with the following conditions:

1. The special exception will be valid for this Applicant only and proposed site modifications should be generally consistent with the attached site plan, landscape plan, and architectural plan.
2. The City of Bonita Springs Noise Control Ordinance remains in effect in its entirety.
3. Additional information or changes to the plan not covered by this approval may require additional approvals. Such approvals will follow the processes outlined in the Land Development Code.
4. Approval of this special exception request does not guarantee approval of a local development order or building permit.
5. Unless modified by this approval, the property shall be consistent with the regulations of the Land Development Code for the Community Commercial (CC) zoning district and the US 41 Overlay.

SUBJECT PROPERTY

The Applicant indicates the STRAP number is: 28-47-25-B3-01900.0030

EXHIBITS

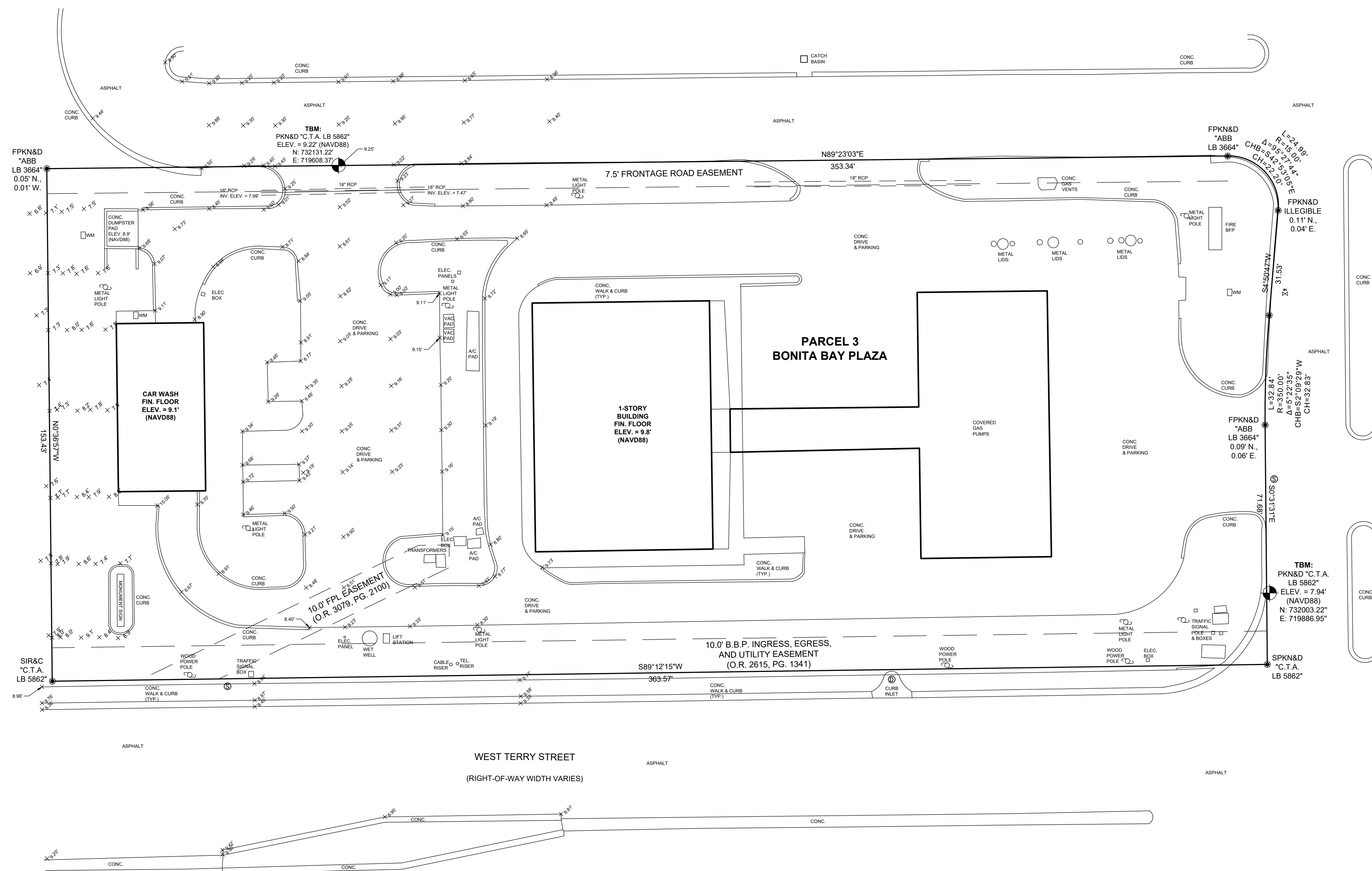
- A. Sketch and Legal Description of the Subject Property

ATTACHMENTS

- A. Proposed Site Plan
- B. Proposed Landscape Plan
- C. Proposed Architectural Plans
- D. Application Backup (Final Documents)

EXHIBIT A

0 15' 30'
24x36 SCALE: 1" = 30'



SURVEYOR'S NOTES:

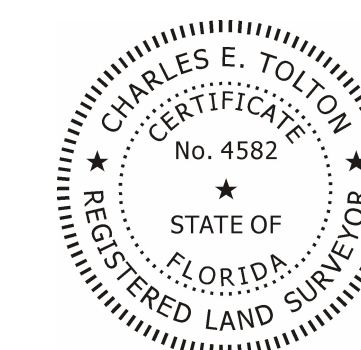
- UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER, THIS MAP / REPORT IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT VALID.
- NO TITLE OPINION OR ABSTRACT TO THE SUBJECT PROPERTY HAS BEEN PROVIDED. IT IS POSSIBLE THAT THERE ARE DEEDS, EASEMENTS OR OTHER INSTRUMENTS (RECORDED OR UNRECORDED) WHICH MAY AFFECT THE SUBJECT PROPERTY. NO SEARCH OF THE PUBLIC RECORDS HAS BEEN MADE BY THE SURVEYOR.
- THE LAND DESCRIPTION HEREON IS BASED ON THE INSTRUMENT OF RECORD.
- NO UNDERGROUND FOUNDATIONS OR UTILITIES WERE LOCATED.
- ELEVATIONS SHOWN HEREON ARE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88)
- FLOOD ZONE: X BASE FLOOD ELEVATION = N/A (NAVD88)
COMMUNITY: CITY OF BONITA SPRINGS 120680
MAP/PANEL NUMBER: 12071 C 0656 F, DATED: AUGUST 8, 2008
- PROPERTY ADDRESS: 8801 WEST TERRY ST, BONITA SPRINGS, FLORIDA 34135
- COORDINATES ARE IN FLORIDA STATE PLANE.

LEGAL DESCRIPTION:

PARCEL 3, BONITA BAY PLAZA, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 57, PAGES 57 AND 58, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA. LESS AND EXCEPT THE RIGHT-OF-WAY CONVEYED TO LEE COUNTY, FLORIDA BY THAT CERTAIN WARRANTY DEED RECORDED IN OFFICIAL RECORDS BOOK 2759, PAGE 1076, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

CERTIFICATION:

I HEREBY CERTIFY THAT THE ATTACHED LAND SURVEY OF THE HEREON DESCRIBED PROPERTY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS SURVEYED IN THE FIELD UNDER MY DIRECTION ON DECEMBER 14, 2020. I FURTHER CERTIFY THAT THIS LAND SURVEY MEETS THE STANDARDS OF PRACTICE FOR THE SURVEYING AND MAPPING PROFESSION AS SET FORTH IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES. THERE ARE NO ABOVE GROUND ENCROACHMENTS OTHER THAN THOSE SHOWN HEREON, SUBJECT TO THE QUALIFICATIONS NOTED HEREON.



Charles E. Tolton, P.S.M.
Florida Registration No. 4582
Charles Tolton & Associates, Inc.
L.B. No. 5862

D:\CTA\JOBS AFTER 5-22_2020\CTA 20127\Production Drawings\20127 BNDY SP WEST.dwg 5/20/2021 2:27:33 PM

SCALE: 1" = 20'
DATE: 05/17/21
DWN. BY: JH
CHK. BY: C.E.T.
FIELD BY: T.S
F.B. SEE PC. FILE
JOB NO.: CTA 20127

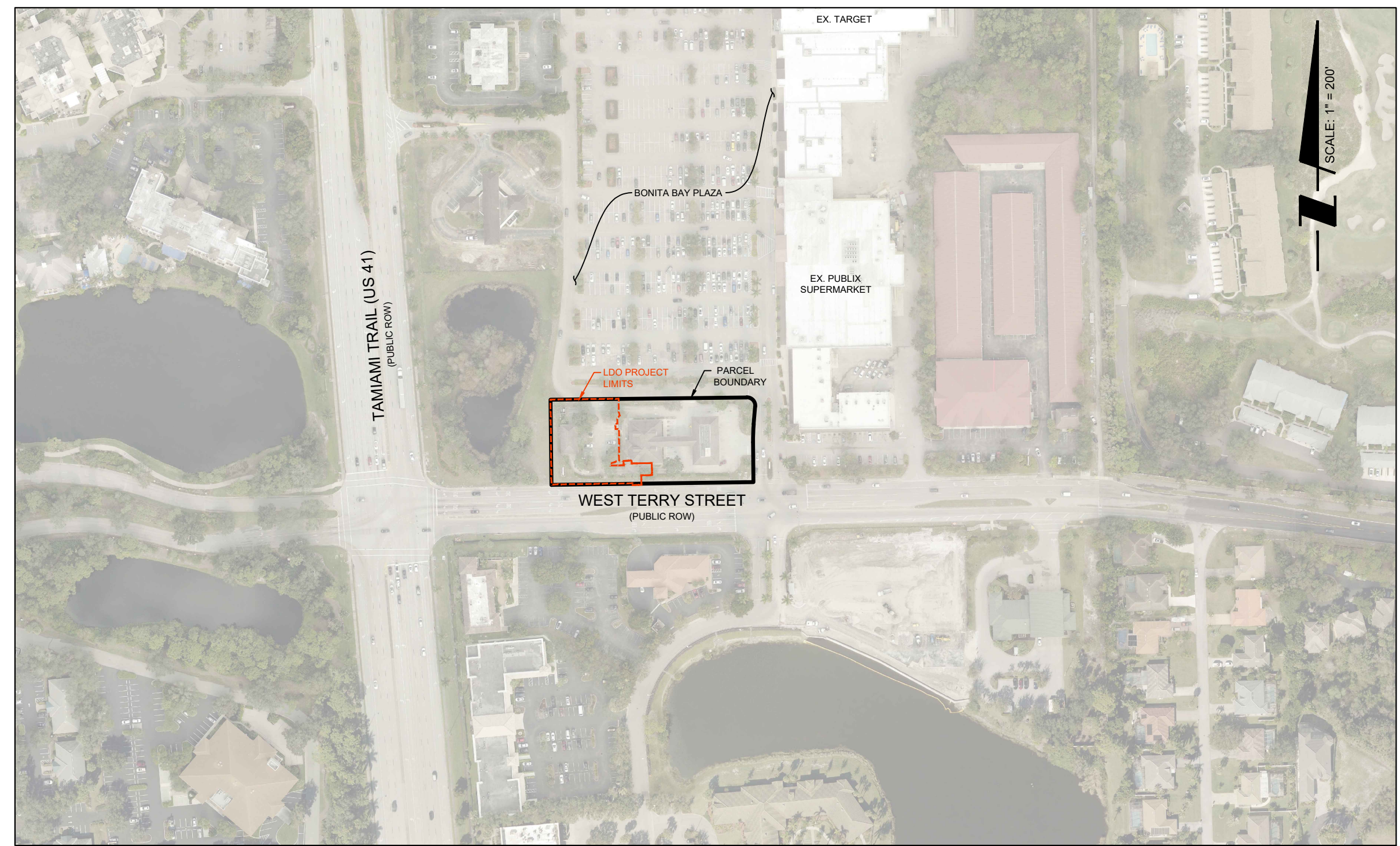
CTA CHARLES TOLTON & ASSOCIATES, INC.
ENGINEERING LAND SURVEYING
3508 RADIO ROAD, SUITE E
NAPLES, FLORIDA 34104
(239)793-6633
EMAIL: C.Tolton@ctasurveying.com

REVISIONS	DATE	DWN.:	CHK.:

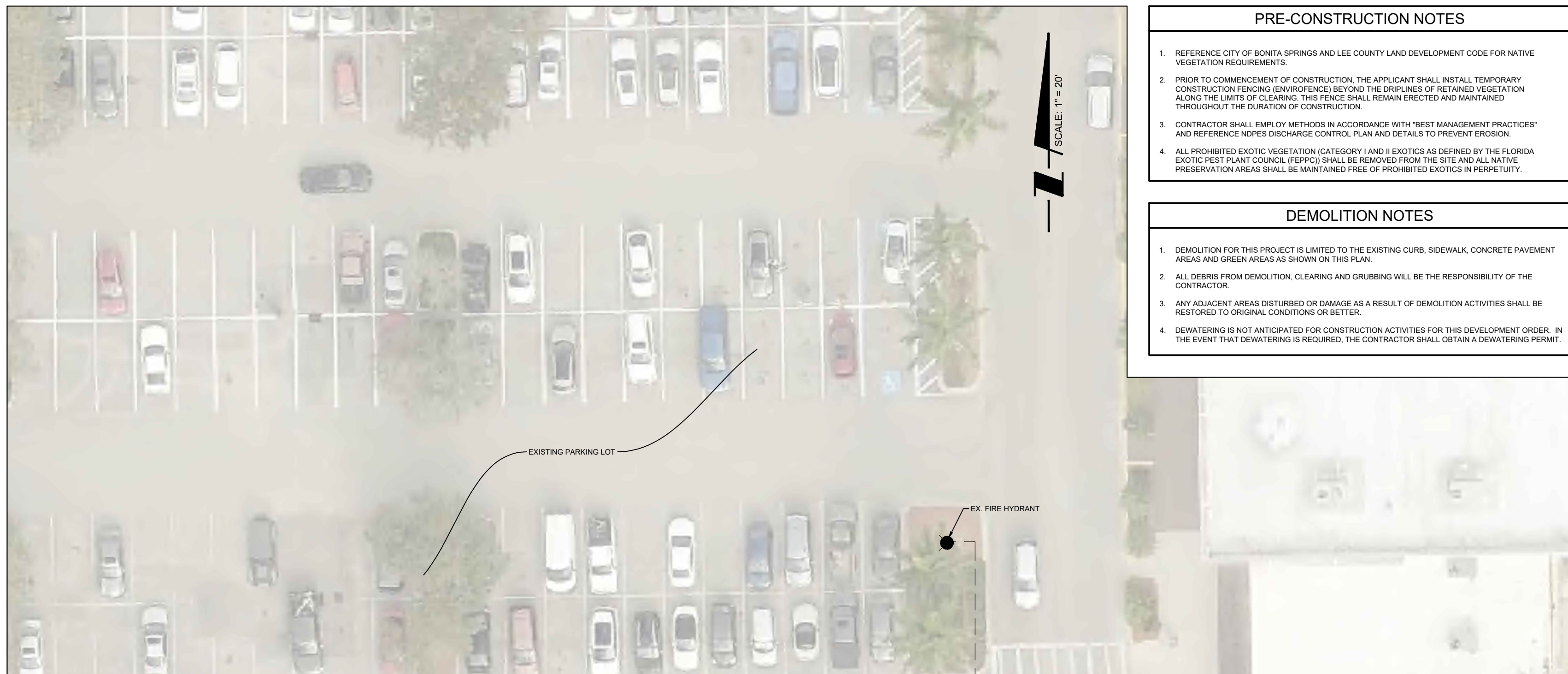
For: _____

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

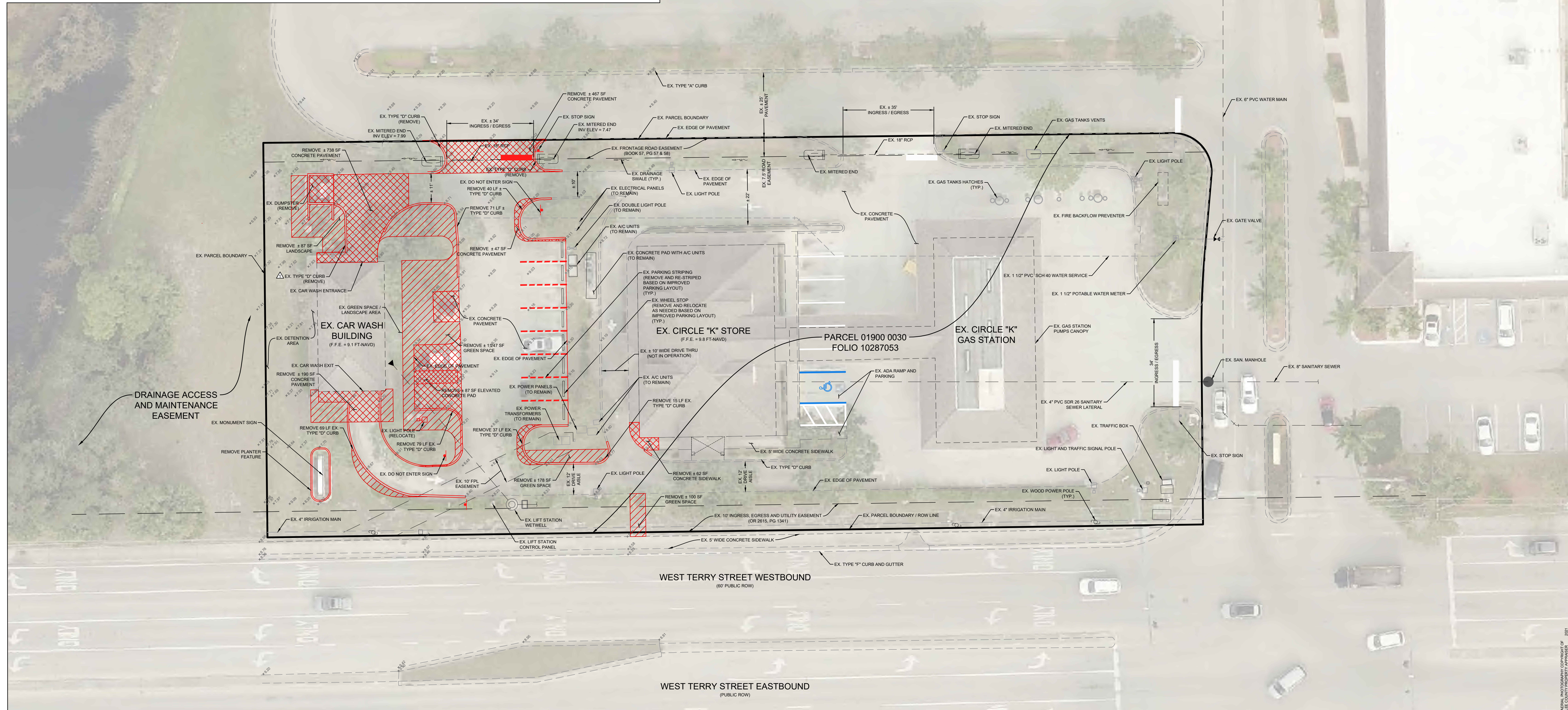
SHEET:
1
OF
1



AERIAL VIEW



- PRE-CONSTRUCTION NOTES**
1. REFERENCE CITY OF BONITA SPRINGS AND LEE COUNTY LAND DEVELOPMENT CODE FOR NATIVE VEGETATION REQUIREMENTS.
 2. PRIOR TO COMMENCEMENT OF CONSTRUCTION, THE APPLICANT SHALL INSTALL TEMPORARY CONSTRUCTION FENCING (ENVIROFENCE) BEYOND THE ORIGINATES OF RETAINED VEGETATION ALONG THE LIMITS OF CLEARING. THIS FENCE SHALL REMAIN ERECTED AND MAINTAINED THROUGHOUT THE DURATION OF CONSTRUCTION.
 3. CONTRACTOR SHALL EMPLOY METHODS IN ACCORDANCE WITH "BEST MANAGEMENT PRACTICES" AND REFERENCE NPDES DISCHARGE CONTROL PLAN AND DETAILS TO PREVENT EROSION.
 4. ALL PROHIBITED EXOTIC VEGETATION (CATEGORY I AND II EXOTICS AS DEFINED BY THE FLORIDA EXOTIC PLANT COUNCIL (EPIC)) SHALL BE REMOVED FROM THE SITE AND ALL NATIVE PRESERVATION AREAS SHALL BE MAINTAINED FREE OF PROHIBITED EXOTICS IN PERPETUITY.
- DEMOLITION NOTES**
1. DEMOLITION FOR THIS PROJECT IS LIMITED TO THE EXISTING CURB, SIDEWALK, CONCRETE PAVEMENT AREAS AND GREEN AREAS AS SHOWN ON THIS PLAN.
 2. ALL DEBRIS FROM DEMOLITION, CLEARING AND GRUBBING WILL BE THE RESPONSIBILITY OF THE CONTRACTOR.
 3. ANY ADJACENT AREAS DISTURBED OR DAMAGE AS A RESULT OF DEMOLITION ACTIVITIES SHALL BE RESTORED TO ORIGINAL CONDITIONS OR BETTER.
 4. DEWATERING IS NOT ANTICIPATED FOR CONSTRUCTION ACTIVITIES FOR THIS DEVELOPMENT ORDER. IN THE EVENT THAT DEWATERING IS REQUIRED, THE CONTRACTOR SHALL OBTAIN A DEWATERING PERMIT.



EXISTING CONDITIONS AND DEMOLITION VIEW



PENINSULA ENGINEERING
 CIVIL ENGINEERING - LANDSCAPE ARCHITECTURE
 ENVIRONMENTAL CONSULTING - LAND PLANNING
 SITE PLANNING - CONSTRUCTION MANAGEMENT
 OWNER REPRESENTATIVE
 2600 Golden Gate Parkway
 Naples, Florida 34105
 Phone: 239.403.6700 Fax: 239.261.1797
 Email: info@pen-eng.com Website: www.pen-eng.com
 Florida Engineering Certificate of Authorization #23275
 Florida Landscape Certificate of Authorization #C26000632

**LUV-A-WASH
 SPECIAL
 EXCEPTION
 EXHIBIT**

TITLE:
**AERIAL, EXISTING
 CONDITIONS AND
 DEMOLITION**

OWNER/CLIENT/CONSULTANT:
LOVE'S PETROLEUM, INC.

REVISIONS:

No.	Revision	Date
1	REVISED PER CITY'S COMMENT LETTER DATED FEBRUARY 9, 2022	04/19/22
2	REVISED PER CITY'S COMMENT LETTER DATED MAY 6, 2022	07/07/22
3	REVISED DEMOLITION PLAN FOR NEW PARKING LAYOUT	08/03/22

NOTES:

PROFESSIONAL SEALS:
 PROFESSIONAL ENGINEER: **LUIS M BOLIVAR, PE**
 FLORIDA LICENSE NUMBER: **91282**

DATUM NOTE:
 ALL ELEVATIONS ARE BASED ON NAVD 88 (NORTH AMERICAN VERTICAL DATUM OF 1988).
 Bar Scale: 1" = 20'

SEC: 28 TWP: 47S RGE: 25E
 City: BONITA SPRINGS County: LEE
 Designed by: **LUIS M BOLIVAR, PE**
 Drawn by: **LUIS M BOLIVAR, PE**
 Date: **DECEMBER, 2021**
 Horizontal Scale: **1" = 20'**
 Vertical Scale: **N.T.S.**
 Project Number: **P-LOVE-005-001**
 File Number: **P-LOVE-005-001-003PL**

**LUV-A-WASH
SPECIAL
EXCEPTION
EXHIBIT**

TITLE:

**ZONING DATA SHEET
AND TABLES**

OWNER/CLIENT/CONSULTANT:

LOVE'S PETROLEUM, INC.

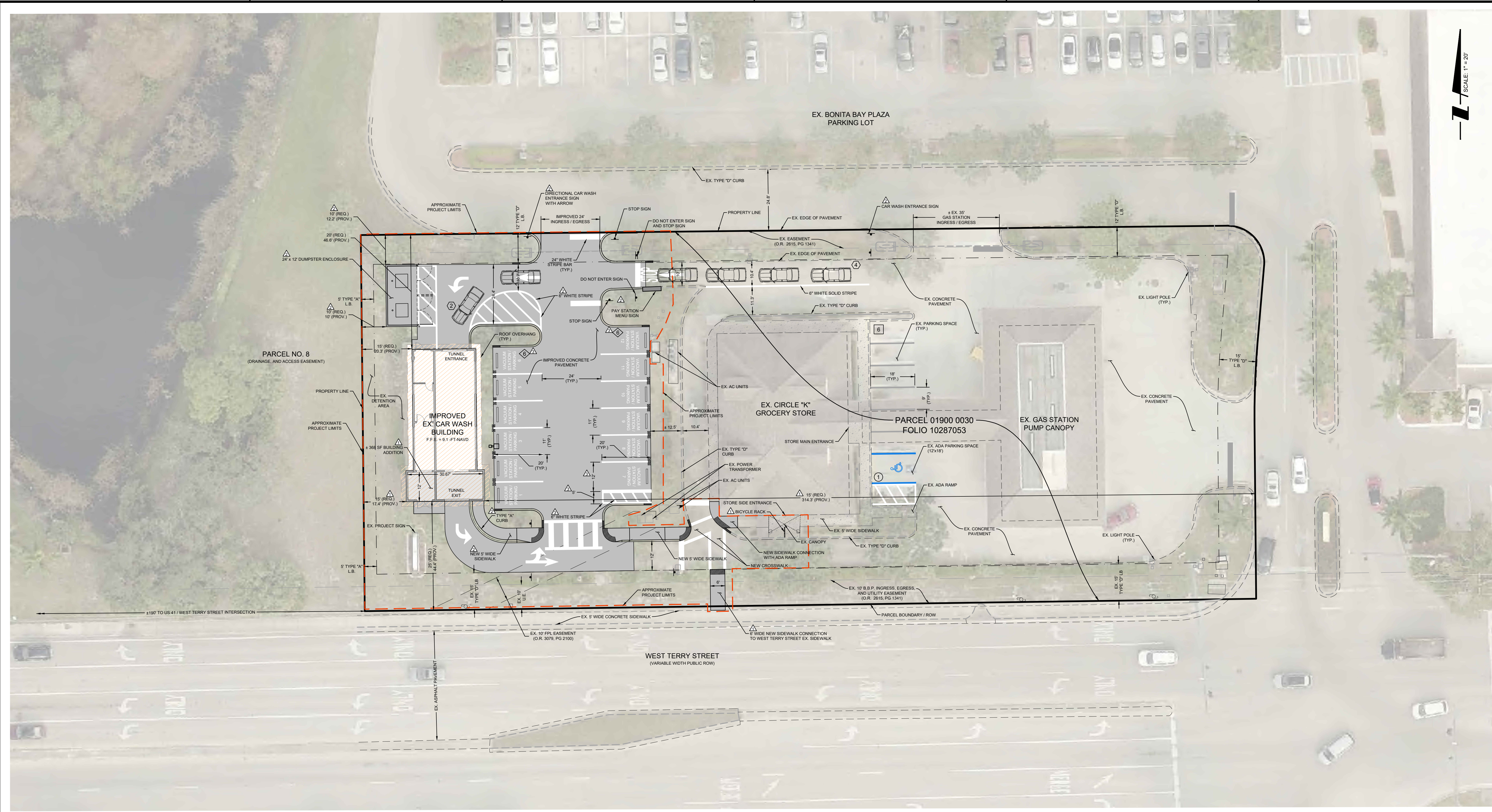
REVISIONS:

No.	Revision	Date
1	REVISED PER CITY'S COMMENT LETTER DATED FEBRUARY 9, 2022	04/19/22
2	REVISED PER CITY'S COMMENT LETTER DATED MAY 6, 2022	07/07/22
3	REVISED PARKING LAYOUT PER OWNER AND ENGINEER. TABLES REVISED ACCORDINGLY	08/03/22

NOTES:

PROFESSIONAL SEALS:

PROFESSIONAL ENGINEER: LUIS M BOLIVAR, PE
FLORIDA LICENSE NUMBER: 91282



PRE IMPROVEMENTS SITE AREA SUMMARY

CATEGORY	USE	SQUARE FOOTAGE	ACREAGE	PERCENTAGE OF TOTAL
IMPERVIOUS	BUILDING	1,314	0.03	6.4%
	DUMPSTER PADS	100	0.002	0.5%
	CONC. PAVEMENT	7,265	0.17	35.2%
IMPERVIOUS (SUB-TOTAL)		8,679	0.20	42.0%
PERVIOUS	OPEN SPACE	11,970	0.27	58.0%
PERVIOUS (SUB-TOTAL)		11,970	0.27	58.0%
GRAND TOTAL		20,649	0.47	100%

THE VALUES FOR THE TABLE ABOVE ARE BASED ONLY FOR THE AREA WITHIN THE PROJECT LIMITS

POST IMPROVEMENTS SITE AREA SUMMARY

CATEGORY	USE	SQUARE FOOTAGE	ACREAGE	PERCENTAGE OF TOTAL
IMPERVIOUS	BUILDING	1,688	0.04	8.2%
	DUMPSTER PADS	144	0.003	0.7%
	CONCRETE PAVEMENT AND SIDEWALK	9,191	0.21	44.5%
IMPERVIOUS (SUB-TOTAL)		11,023	0.25	53.4%
PERVIOUS	OPEN SPACE	9,626	0.22	46.6%
PERVIOUS (SUB-TOTAL)		9,626	0.22	46.6%
GRAND TOTAL		20,649	0.47	100%

THE VALUES FOR THE TABLE ABOVE ARE BASED ONLY FOR THE AREA WITHIN THE PROJECT LIMITS

BUILDING SETBACK TABLE

	REQUIRED	PROVIDED
REAR (NORTH)	20'	46.6'
SIDE (WEST)	15'	17.4'
SIDE (EAST)	15'	314.3'
FRONT (SOUTH)	25'	44.4'

ACCESSORY SETBACK TABLE

	REQUIRED	PROVIDED
REAR (NORTH)	10'	12.2'
SIDE (WEST)	10'	10.0'
SIDE (EAST)	10'	343.6'
FRONT (SOUTH)	10'	115.8'

LANDSCAPE BUFFER TABLE

	REQUIRED	PROVIDED
NORTH	15' (TYPE "D")	12"
WEST	5' (TYPE "A")	5'
EAST	15' (TYPE "D")	10'
SOUTH	15' (TYPE "D")	10'

*THE EXISTING CONDITIONS ALONG THE NORTH SIDE OF THE PARCEL DO NOT ALLOW FOR A 15' WIDE LANDSCAPE BUFFER. THEREFORE, A 12" WIDE BUFFER IS PROVIDED.

ORIGINAL DO PARKING TABLE

DESCRIPTION	REQUIRED	PROVIDED
REGULAR SPACES (8'x18')	15	23
ADA SPACED (12'x18')		1
TOTAL	15	24

ORIGINAL CALCULATIONS

DESCRIPTION	TOTAL SF	REQUIRED
C-STORE 1 STALL PER 200 SF	3,922	20
CAR WASH		2
CREDIT CAR WASH STACKING		(1)2
CREDIT GAS PUMPS (1 SPACE / 4 PUMPS) (2 PUMPS)		(1)3
TOTAL SPACES REQUIRED AFTER CREDITS		15

PARKING TABLE TAKEN DIRECTLY FROM APPROVED PLANS. ACTUAL NUMBER OF PARKING SPACES CONSTRUCTED AND EXISTING ON SITE IS 15.

LDO PARKING TABLE (CURRENT APPLICATION)

DESCRIPTION	REQUIREMENT	SPACES REQUIRED	SPACES PROVIDED
C-STORE (3,922 SF)	1 PER 200 SF	20	
CAR WASH (2 SPACES)	1.5 PER STALL OR SPACE	3	
TOTAL		18	19

CREDITS

DESCRIPTION	REQUIREMENT	SPACES PROVIDED
GAS PUMPS (12 PUMPS)	1 PER 4 PUMPS	(1)3
CAR WASH (2 SPACES)	1 PER SPACE	(1)2
TOTAL		5

BREAKDOWN

DESCRIPTION	REQUIREMENT	SPACES PROVIDED
ADA PARKING	1 PER 25 REGULAR	1
STANDARD	18	18
VACUUM STATION / PARKING SPACE	N/A	SEE NOTES
CAR WASH STACKING	1 PER STALL (MINIMUM 5)	5

LDC SEC. 4-1732.2, 9"

CAR WASHES: THE MINIMUM REQUIREMENT IS 1.5 SPACES PER CAR WASH STALL OR SPACE, PLUS DRIVE-UP FACILITIES (SEE SUBSECTION (D) OF THIS SECTION). EACH INDIVIDUAL CAR WASH STALL OR SPACE MAY COUNT AS ONE OF THE REQUIRED TWO PARKING SPACES PER STALL.

CREDIT CAR WASH STACKING TO ACCOMMODATE ONE CAR PER SERVICE STALL OR FIVE CARS, WHICHEVER IS GREATER.

VACUUM STATION / PARKING SPACE NOTE: ALL OF THE PROPOSED TWELVE (12) VACUUM STATIONS WILL ALSO SERVE AS PARKING SPACES IF NEEDED.

THE TOTAL NUMBER OF PARKING SPACES REQUIRED IS MET BY A ADDING THE VACUUM STATIONS, THE STANDARD PARKING, THE COMPACT PARKING, AND THE ADA PARKING SPACE.

PARKING SYMBOL LEGEND

(#) STANDARD (6)	(◇) 11' x 20' VACUUM STATION / PARKING
(A) ADA (1)	(E) STACKING (6)

LDO PROJECT SCOPE NOTES

THIS LIMITED DEVELOPMENT ORDER (LDO) CONSISTS OF THE REHABILITATION AND IMPROVEMENT OF THE EXISTING, NOT-IN-OPERATION CAR WASH BUILDING LOCATED AT THE WEST END OF PARCEL 01900.0030.

A SPECIAL EXCEPTION APPLICATION TO RE-ACTIVATE THE EXISTING CAR WASH WAS SUBMITTED CONCURRENTLY WITH THE LDO APPLICATION.

THE EXTENT OF THE IMPROVEMENTS FOR THIS LIMITED DEVELOPMENT ORDER WILL CONSIST OF:

- 12-FT LONG, BY 30.67-FT WIDE (4,368 SF) BUILDING ADDITION TO THE EXISTING CAR WASH BUILDING.
- CONVERTING THE EXISTING PARKING SPACES IN THE AREA OF THE CAR WASH INTO WIDER AND LONGER PARKING SPACES THAT CAN ALSO SERVE AS SELF-SERVICE VACUUM STATIONS.
- A SIDEWALK CONNECTION TO THE EXISTING SIDEWALK ON WEST TERRY STREET TO THE SUBJECT PARCEL WILL BE PROVIDED.
- SIDEWALK CONNECTIVITY FROM THE CAR WASH PARKING SIDE TO THE STORE BUILDING AND GAS STATION SIDE WILL BE PROVIDED.
- A NEW 24'x12' DUMPSTER ENCLOSURE IS PROPOSED WHICH WILL REPLACE THE EXISTING SINGLE DUMPSTER ENCLOSURE.
- "DARK SKY" LIGHTING COMPLIANCE: SITE LIGHTING WILL BE BROUGHT UP TO CODE TO MEET LDC SECTION 3-269.

UTILITIES:
BONITA SPRINGS UTILITIES WILL REVIEW THE UTILITY ASPECT OF THIS LDO. THE PARCEL HAS EXISTING POTABLE WATER AND SANITARY SEWER SERVICE CONNECTIONS TO THE EXISTING UTILITY INFRASTRUCTURE SYSTEM FOR THE BONITA BAY PLAZA. THIS LDO DOES NOT PROPOSE ANY NEW SANITARY OR POTABLE WATER CONNECTIONS TO THE EXISTING SYSTEM.

FIRE PROTECTION:
THE IMPROVED CAR WASH BUILDING WILL NOT HAVE FIRE SPRINKLERS. FIRE PROTECTION WILL BE PROVIDED VIA AN EXISTING HYDRANT LOCATED IN THE BONITA BAY PLAZA.

STORMWATER:
THIS LDO DOES NOT PROPOSE ANY NEW DRAINAGE STRUCTURES OR CHANGES TO THE EXISTING DRAINAGE SCHEME OF THE PARCEL. THE SITE WILL CONTINUE TO SHEET FLOW INTO THE EXISTING DRAINAGE SWALE CONVEYANCE SYSTEM ALONG THE PERIMETER OF THE PARCEL.

LANDSCAPE:
THE EXISTING VEGETATION IN THE PARCEL AREA WAS EVALUATED TO ENSURE CODE COMPLIANCE. THE IMPROVED LANDSCAPE PLAN PROVIDES SCREENING FOR AT THE FRONT FACADE OF THE BUILDING. REFERENCE LANDSCAPE PLANS FOR DETAILED INFORMATION.

DATUM NOTE:
ALL ELEVATIONS ARE BASED ON NAVD 88 (NORTH AMERICAN VERTICAL DATUM OF 1988).

Bar Scale: 1" = 20'
0' 10' 20' 40' 60'

SEC:28 TWP:47S RGE: 25E
City: BONITA SPRINGS County: LEE
Designed by: LUIS M BOLIVAR, PE
Drawn by: LUIS M BOLIVAR, PE
Date: DECEMBER, 2021
Horizontal Scale: 1" = 20'
Vertical Scale: N.T.S.
Project Number: P-LOVE-005-001
File Number: P-LOVE-005-001-004LP

CODE MINIMUM LANDSCAPE PLAN FOR LUV-A-WASH

PART OF SECTION 28, TOWNSHIP 47 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA

PROJECT:

LUV-A-WASH

PLAN TITLE:

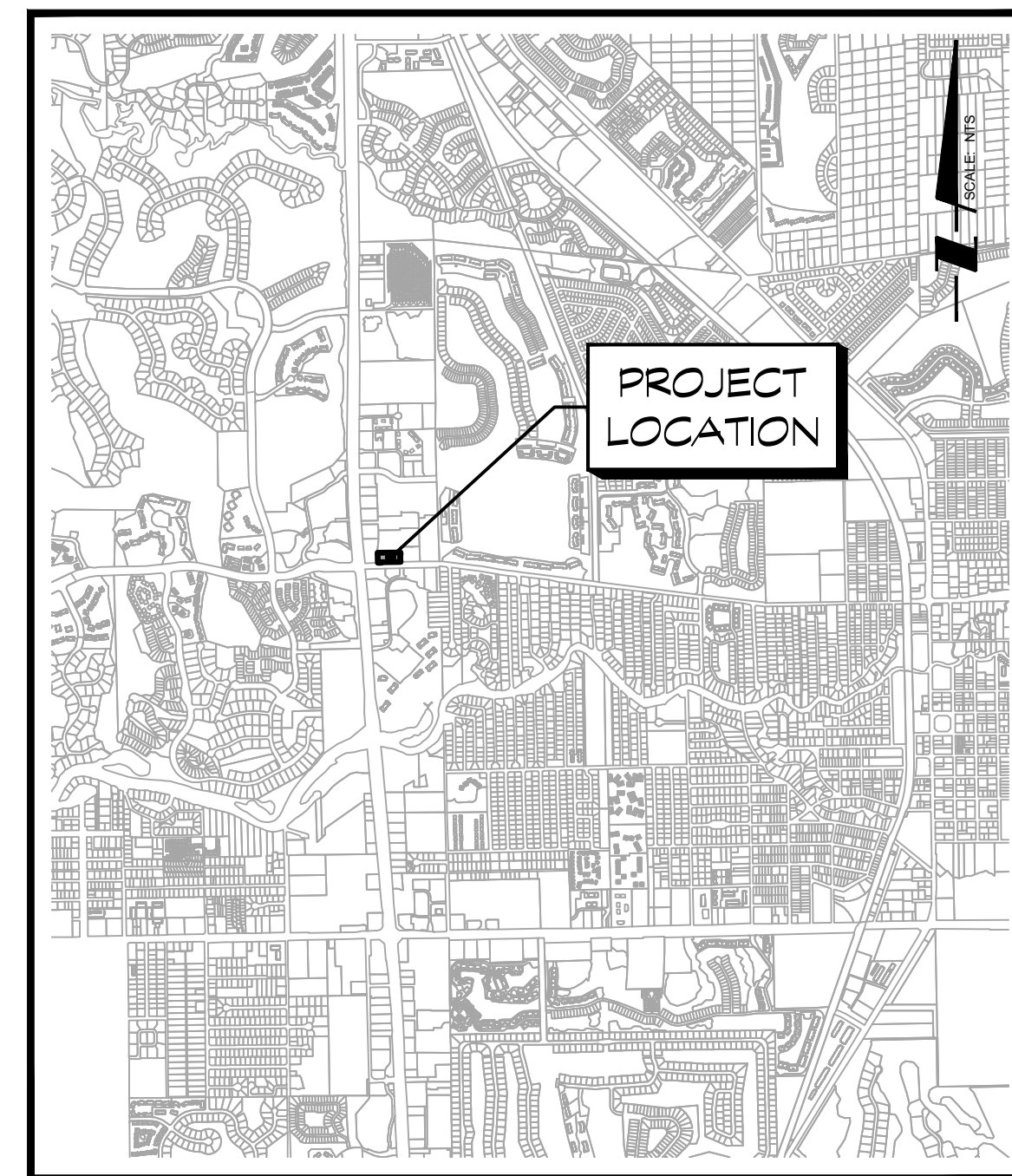
CODE MINIMUM PLANS

SHEET TITLE:

COVER SHEET

SHEET INDEX:

SHEET INDEX			
SHEET NO.	SHEET ID	SHEET TITLE	SHEET REV
01	L-1	COVER SHEET	0
02	L-2	CODE MINIMUM LANDSCAPE PLAN	2
03	L-3	CODE MINIMUM NOTES AND DETAILS	2



VICINITY MAP



LOCATION MAP

OWNER/DEVELOPER
LOVE'S PETROLEUM, INC
 4712 GOLDEN GATE PARKWAY
 NAPLES, FLORIDA 34116
 (239) 293-0440

Always call 811 two full business days before you dig to have underground utilities located and marked.

Sunshine811.com

THIS ITEM HAS BEEN ELECTRONICALLY SIGNED AND SEALED BY STEVE SAMMONS USING A SHA-1 AUTHENTICATION CODE.
 PRINTED COPIES OF THIS DOCUMENT ARE NOT CONSIDERED SIGNED AND SEALED AND THE SHA-1 AUTHENTICATION CODE MUST BE VERIFIED ON ANY ELECTRONIC COPIES.

REVISIONS:

REV. NO.	DESCRIPTION	SHEETS AFFECTED	DATE
1	REVISIONS PER CITY COMMENTS DATED 2/9/22	L2.1.3	3/29/22
2	REVISIONS PER CITY COMMENTS DATED 4/27/22	L2.1.3	6/28/22

LEGAL DESCRIPTION:

BUILDING SUMMARY:

NOTES:

DESIGN TEAM:

DRAWN BY: **STEVE SAMMONS**

LANDSCAPE ARCHITECT: **STEVE SAMMONS**

FLORIDA LICENSE NUMBER: **LA0001394**

PROJECT FILE INFORMATION:

FILE DATE: **DECEMBER 2021**

FILE NUMBER: **P-LOVE-005-001-CV**

PROJECT NUMBER: **P-LOVE-005** SET NUMBER: **L01** SHEET ID: **L-1**

View Date: 6/29/2022 4:25:03 PM | Saved By: Steve Sammons | Plot Date: 7/12/22 11:52:22 AM | Original Size: 243x335 | Plot Size: 243x335 | Project: P-LOVE-005-001-CV | User: Steve Sammons | Job: LUV-A-WASH | Title: COVER SHEET

PROJECT:

LUV-A-WASH

SHEET TITLE:

CODE MINIMUM LANDSCAPE PLAN

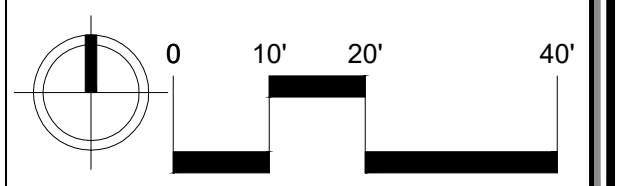
PREPARED FOR:

LOVE'S PETROLEUM, INC

REVISIONS:

No.	Revision:	Date:
1	REVISIONS PER CITY COMMENTS DATED	3/28/2022
2	REVISIONS PER CITY COMMENTS DATED	6/28/2022

GRAPHIC SCALE:



NORTH

VERIFY ALL DIMENSIONS SHOWN ON THESE DRAWINGS TO CONFIRM PROPER SCALE PRIOR TO CONSTRUCTION. REPORT ANY ERRORS OR OMISSIONS TO PENINSULA ENGINEERING.

PROFESSIONAL SEALS:

LANDSCAPE ARCHITECT: STEVE SAMMONS
FLORIDA LICENSE NUMBER: LA0001394

Designed by: STEVE SAMMONS

Drawn by: STEVE SAMMONS

Date: DECEMBER 2021

Horizontal Scale: 1" = 20'

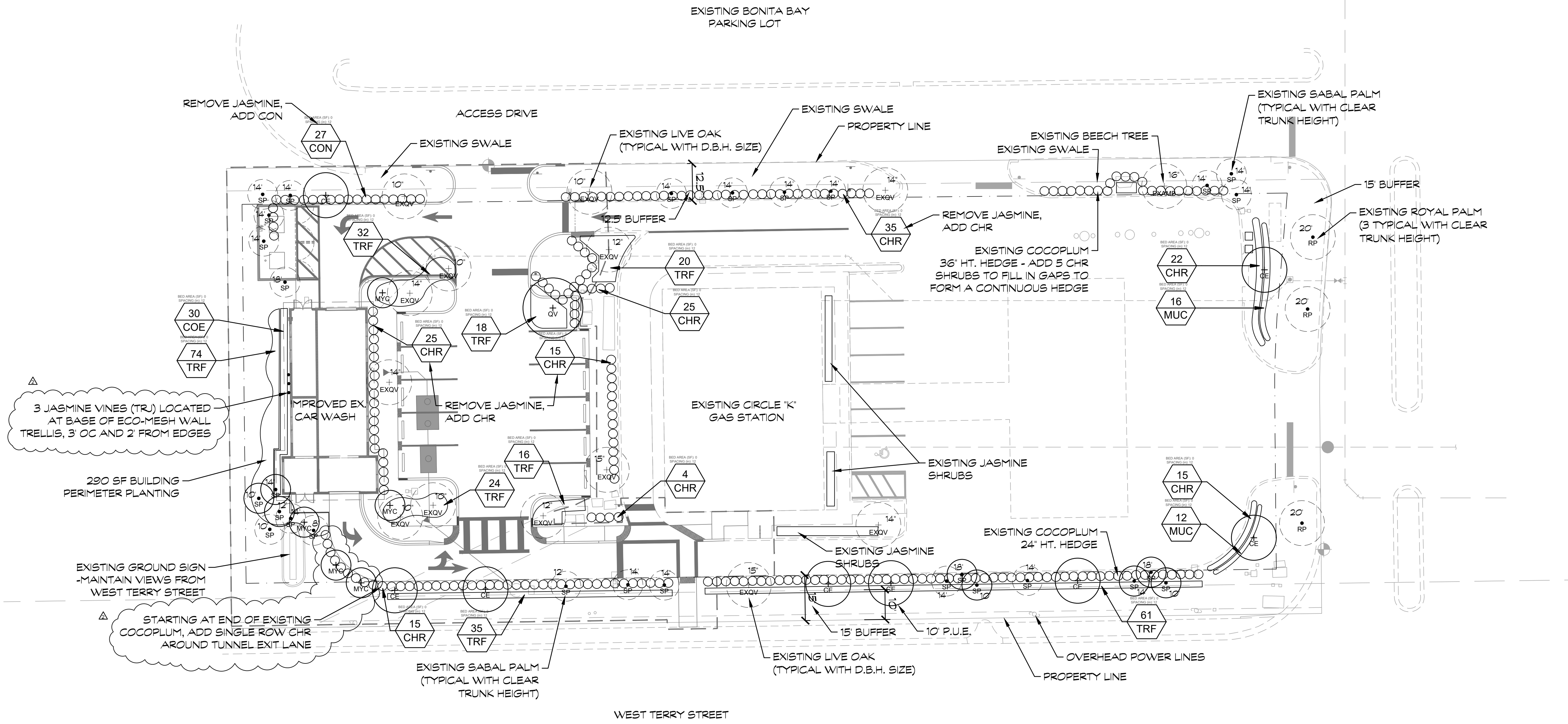
Project Number: P-LOVE-005-001

File Number: P-LOVE-005-001-L2

L-2

Sheet Number: 02 of 03

NOTE: ALL INVASIVE EXOTIC VEGETATION MUST BE REMOVED FROM THE SITE IN PERPETUITY. SEE NOTE 4 ON SHEET L-3.



3 JASMINE VINES (TRJ) LOCATED AT BASE OF ECO-MESH WALL TRELLIS, 3' OC AND 2' FROM EDGES

290 SF BUILDING PERIMETER PLANTING

EXISTING GROUND SIGN - MAINTAIN VIEWS FROM WEST TERRY STREET

STARTING AT END OF EXISTING COCOPLUM, ADD SINGLE ROW CHR AROUND TUNNEL EXIT LANE

PROJECT:

LUV-A-WASH

SHEET TITLE:

CODE MINIMUM NOTES AND DETAILS

PREPARED FOR:

LOVE'S PETROLEUM, INC

REVISIONS:

No.	Revision:	Date:
1	REVISIONS PER CITY COMMENTS DATED	3/28/2022
2	REVISIONS PER CITY COMMENTS DATED	6/28/2022

GRAPHIC SCALE:

 NORTH

PROFESSIONAL SEALS:
 LANDSCAPE ARCHITECT: STEVE SAMMONS
 FLORIDA LICENSE NUMBER: LA0001394

Designed by: STEVE SAMMONS
 Drawn by: STEVE SAMMONS
 Date: DECEMBER 2021
 Horizontal Scale:
 Project Number: P-LOVE-005-001
 File Number: P-LOVE-005-001-L3
L-3
 Sheet Number: 03 of 03

Plant List

Existing Trees, Palms and Shrubs (trees and palms are dashed on the landscape plan)

QUANTITY	SYMBOL	BOTANICAL NAME	COMMON NAME	SPECIFICATIONS	NATIVE
13	EXQV	Quercus virginiana	Live Oak	DBH as shown on plan	Y
1	EXAMB	Fagus grandifolia	American Beech	DBH as shown on plan	Y
3	RP	Roystonea elata	Royal Palm	20' CT +/-	Y
20	SP	Sabal palmetto	Sabal Palm	CT heights as shown on plan	Y
		Chrysobalanus icaco	Red Tip Cocoplum	As shown on plan - maintain at 36" ht.	Y
		Jasminum nitidum	Star Jasmine	As shown on plan	N

Proposed Trees, Palms and Shrubs

QUANTITY	SYMBOL	BOTANICAL NAME	COMMON NAME	SPECIFICATIONS	NATIVE
8	CE	Conocarpus erectus	Green Buttonwood	14' ht / 3-1/2" cal / 6' spr minimum	Y
1	QV	Quercus virginiana	Live Oak	10' ht / 2" cal / 4' spr	Y
8	SP	Sabal palmetto	Sabal Palm	CT heights as shown on plan	Y
5	MVC	Myrica cerifera	Wax Myrtle	6' OA / multi-trunk	Y
151	CHR	Chrysobalanus icaco	Cocoplum	24" ht. minimum / 30" OC - maintain at 36" within 1 year	Y
30	COE	Conocarpus erectus	Green Buttonwood	36" ht. min. / 30" OC	Y
27	CON	Conocarpus erectus	Green Buttonwood	48" ht. min. / 30" OC	Y
28	MUC	Muhlenbergia capillaris	Muhly Grass	24" ht. minimum / 30" OC	Y
280	TRF	Tripsacum floridanum	Gama Grass	24" ht. minimum / 30" OC	Y
3	TRJ	Trachelospermum jasminoides	Confederate Jasmine	3 gal. / trellis / train to wall eco-mesh	N

Note: Organic mulch at 2" depth
 Note: Sod areas to be Bahia or St. Augustine Floratam per Owner

PROJECT SITE CODE REQUIREMENTS

GENERAL TREE REQUIREMENTS (Sec. 3-418)

- One tree per 3,500 SF of development area
- 55,731 SF / 3,500 = 16 general trees required
- 16+ trees / credits provided through existing site trees and proposed trees

BUFFER REQUIREMENTS (Sec. 3-418.d)

- North, east and south buffers
- Commercial to ROW's
- 1 tree per 20 LF plus double row hedge maintained at 36' one year from install
- Buffers have been enhanced through additional trees and shrubs where possible beyond existing plant material

West buffer

- Additional plantings have been proposed while maintaining views to existing ground and wall mounted signs

BUILDING PERIMETER PLANTINGS (Sec. 3-418.b)

- 10% of building gross ground level floor area (Improved existing car wash building)
- 1,525 SF x 10% = 153 SF required, 290 SF provided

LANDSCAPE NOTES

- QUALITY: PLANT MATERIALS USED TO MEET THE REQUIREMENTS OF THIS PLAN SHALL MEET THE STANDARDS FOR FLORIDA NO. 1 OR BETTER AS SET OUT IN GRADES AND STANDARDS FOR NURSERY PLANTS, PART I AND PART II, DEPARTMENT OF AGRICULTURE, STATE OF FLORIDA (AS AMENDED). ROOT BALL SIZES ON ALL TRANSPLANTED MATERIAL SHALL ALSO MEET STATE STANDARDS.
- ALL PLANT MATERIAL SHALL BE INSTALLED ACCORDING TO ESTABLISHED HORTICULTURAL METHODS AND STANDARDS.
- THIS PLANTING PLAN IS FOR THE PURPOSES OF REVIEW BY THE CITY OF BONITA SPRINGS, AND IS SCHEMATIC IN NATURE INTENDED TO SET MINIMUM CITY REQUIREMENTS FOR THE PROJECT. COMPLETE LANDSCAPE AND IRRIGATION CONSTRUCTION DOCUMENTS MAY BE PREPARED BY OTHERS BUT MUST INCORPORATE THESE STANDARDS AT A MINIMUM.
- EXOTIC VEGETATION AS DEFINED BY THE CITY OF BONITA SPRINGS LAND DEVELOPMENT CODE SHALL BE REMOVED FROM THE SITE AND SUBSEQUENT ANNUAL EXOTIC REMOVAL (IN PERPETUITY) SHALL BE THE RESPONSIBILITY OF THE PROPERTY OWNER.
- VEGETATION TO REMAIN SHALL BE PROTECTED WITH APPROVED BARRICADING (AS APPLICABLE) AND BARRICADING WILL REMAIN IN PLACE UNTIL COMPLETION OF CONSTRUCTION.
- ALL PLANTS TO BE ARRANGED IN STAGGERED ROWS UNLESS OTHERWISE NOTED ON THE PLANS.
- ALL EXPOSED EARTH SHALL BE COVERED WITH SOD, HYDROSEED AND/OR MULCH.

IRRIGATION NOTES

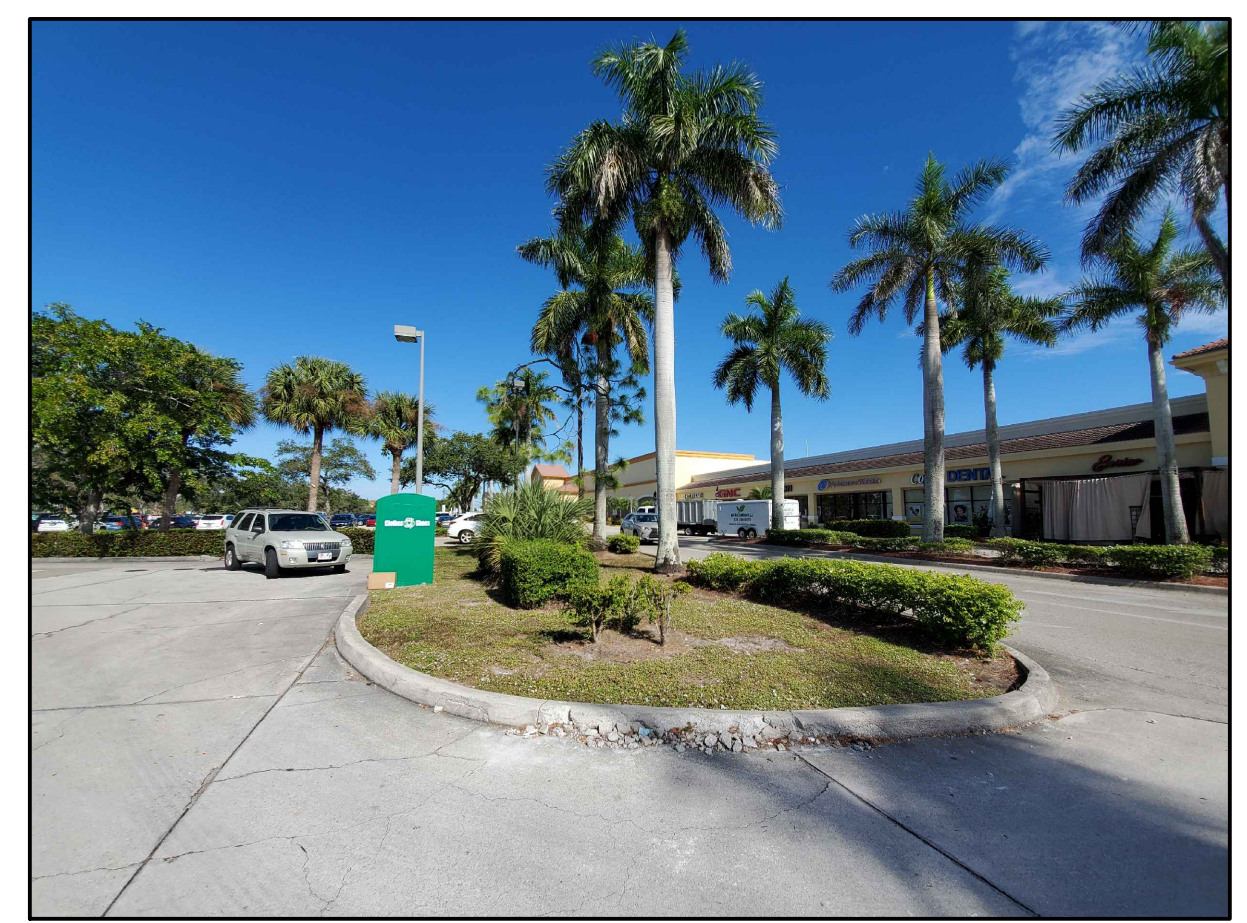
- IRRIGATION WATER SOURCE AS PROVIDED THROUGH BONITA BAY PLAZA MASTER SYSTEM WITH AUTOMATIC CONTROLLER.
- EXISTING IRRIGATION SYSTEM FOR THE FUEL STATION PARCEL SHALL BE RETROFITTED TO PROVIDE ALL CODE REQUIRED PLANTINGS WITH 100% FULL HEAD TO HEAD COVERAGE WITH IRRIGATION.
- OWNER MAY CHOOSE TO USE DRIP, BUBBLERS, OR SPRAY IRRIGATION IN SHRUB BEDS.
- THE IRRIGATION SYSTEM WILL BE DESIGNED TO MINIMIZE THE APPLICATION OF WATER TO IMPERVIOUS AREAS, ADJACENT PROPERTIES AND EXISTING VEGETATION.



WEST PROPERTY LINE LOOKING SOUTH



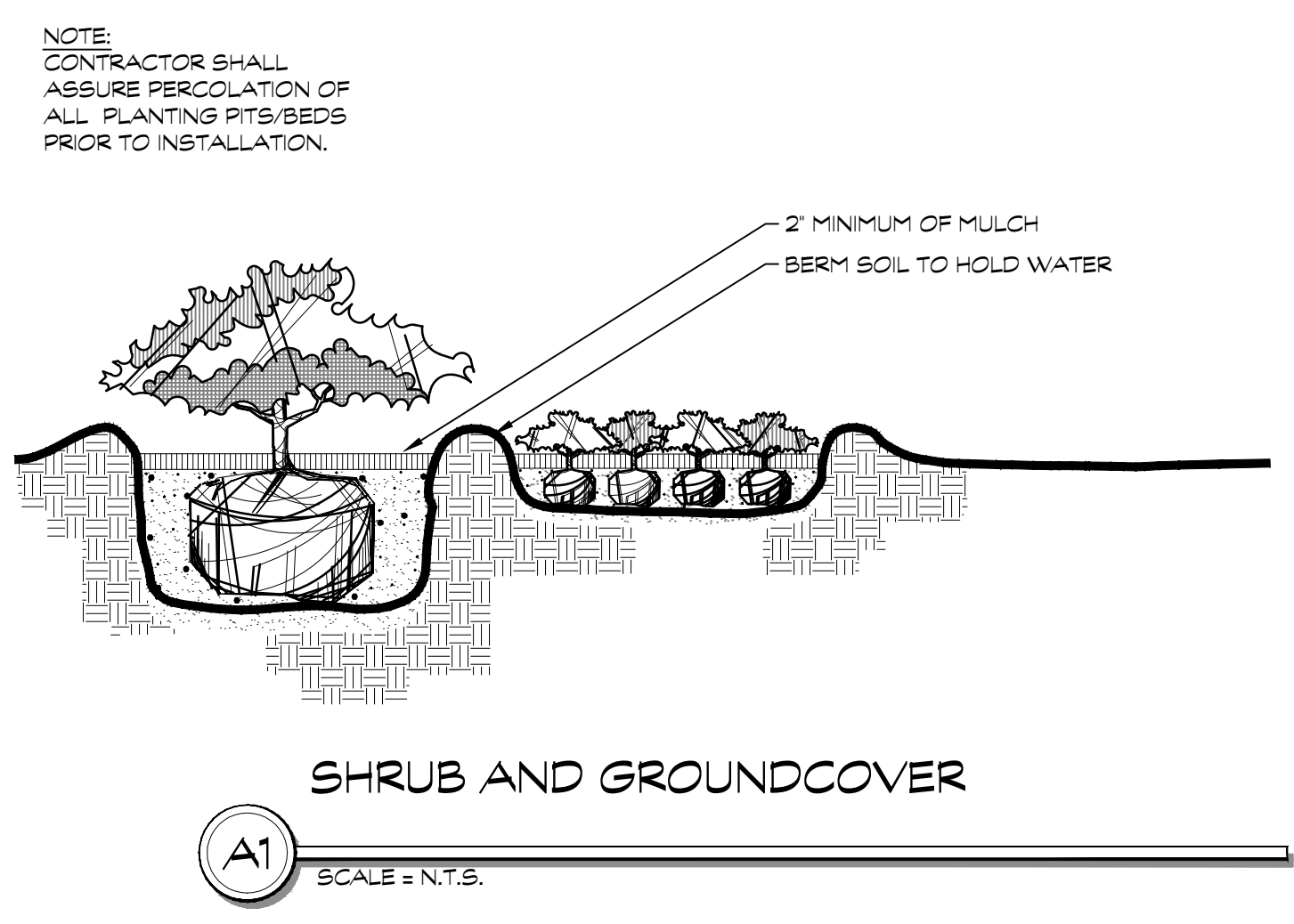
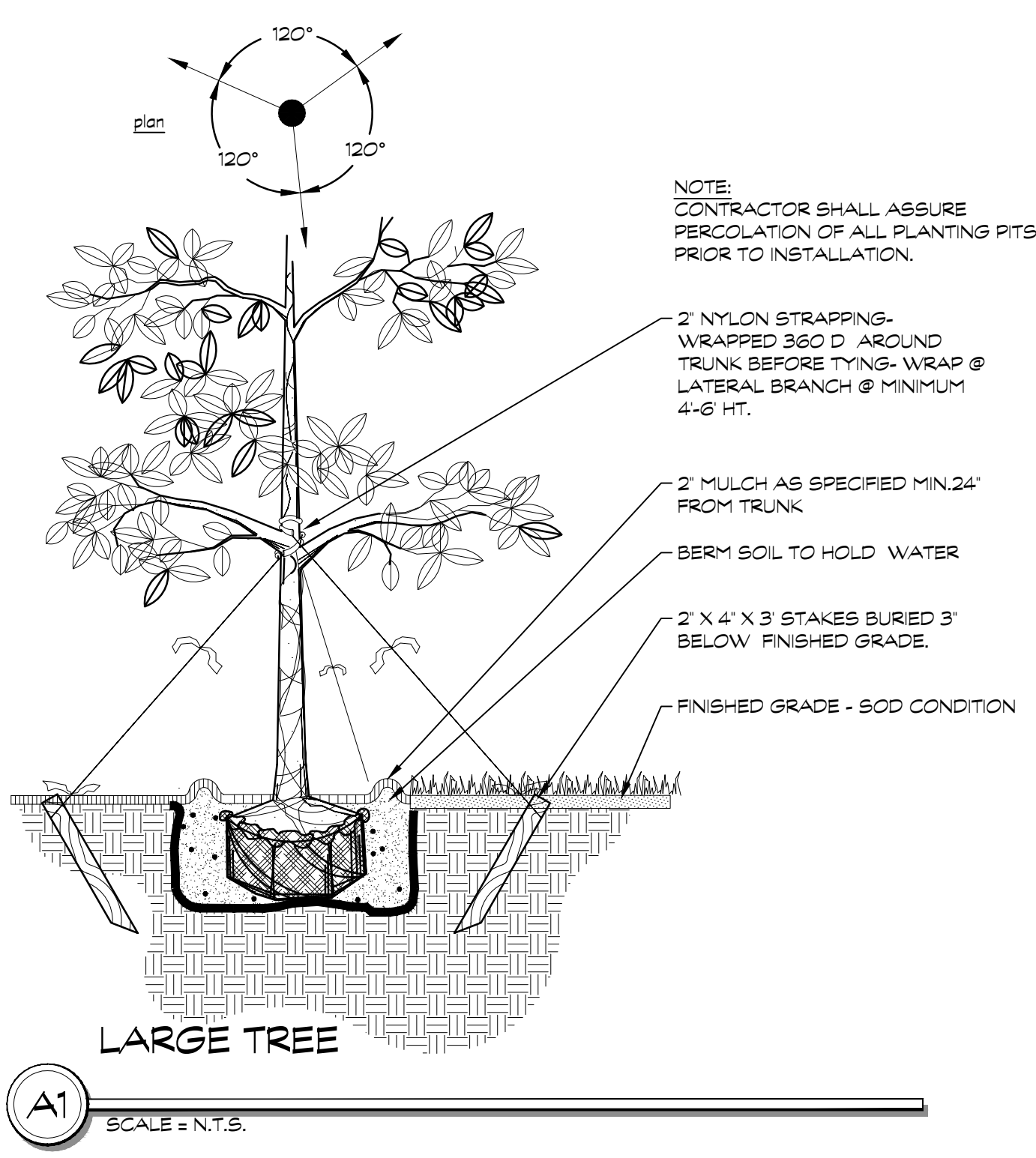
SOUTH BUFFER LOOKING EAST



EAST BUFFER LOOKING NORTH



NORTH BUFFER LOOKING WEST



671S

EVERSERVE™ GRILLE

SPRINGLESS ROLLING SECURITY GRILLE SYSTEM



ENHANCED CYCLE LIFE.
LOW MAINTENANCE.
EASE OF SERVICEABILITY.



EVERSERVE™ SPRINGLESS SECURITY GRILLE

SECURITY GRILLE SYSTEM



Standard features at a glance

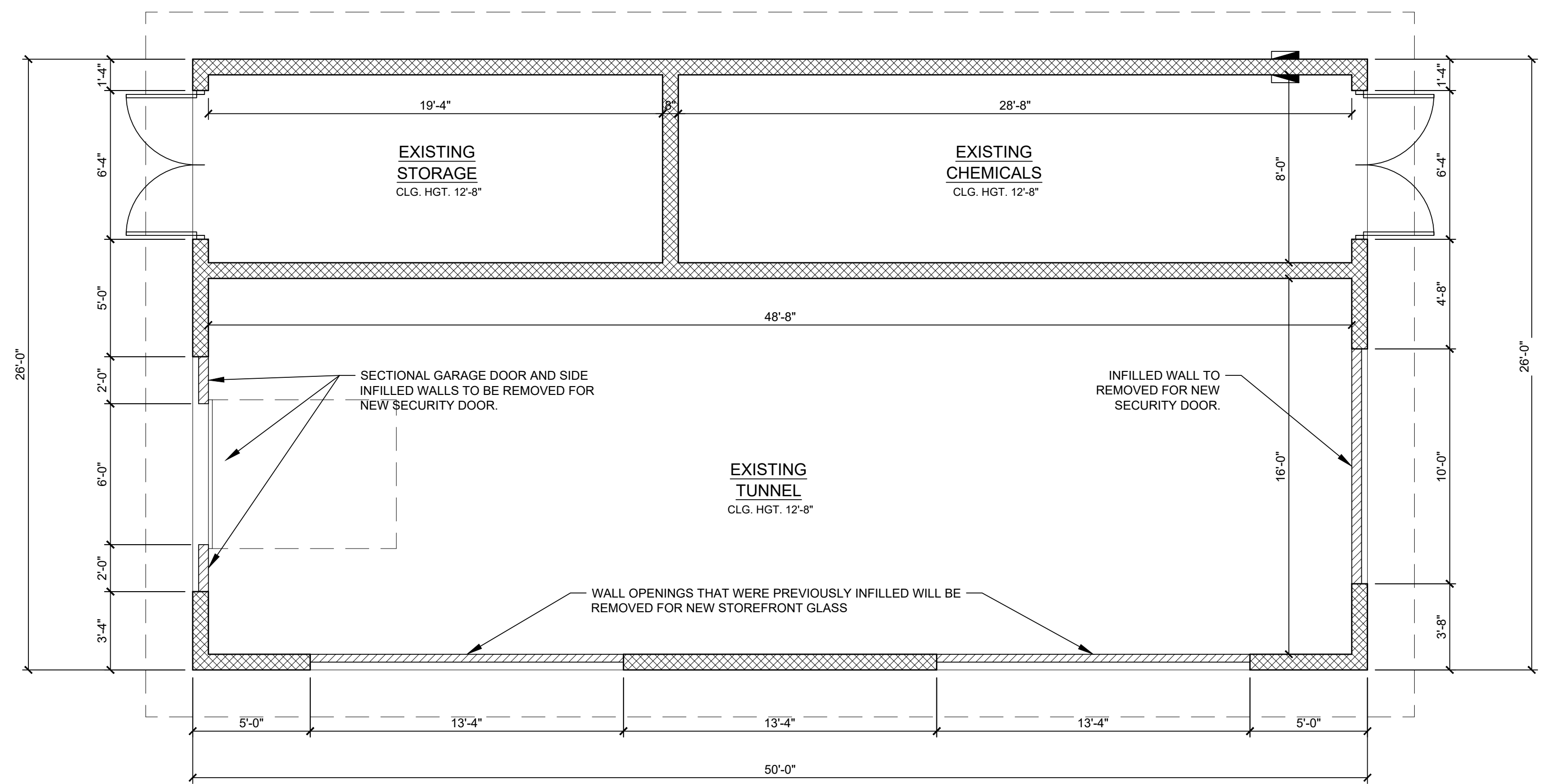
- Max. height** 14'4" (4,369 mm)*
- Max. width** 30'0" (9,144 mm)*
- Curtain** Galvanized steel links and solid rods with mill aluminum spacer tube
- Curtain pattern** Straight lattice 9" center vertical links with 2" center rod spacing
- Door roll** Directly driven, springless roll with integral shaft. Self-aligning greaseable sealed bearings. Door does not require counterbalance device
- Hood** 24-gauge galvanized steel primed; Matching motor and end cover provided
- High Usage Guides** Three structural steel angles with UHMW wear strips and PowderGuard® Premium powder coat finish in black
- Bottom bar** Tubular extruded aluminum with mill finish
- Standard mounting** Interior or exterior face of wall
- Operation** Direct drive integrated gear/motor/brake assembly; drive assembly and limit sensors are factory pre-assembled; Manual hand chain for power outage. Horsepower is appropriate to door size/weight: 230V AC 3-phase motor (operating range 208-245V)
- Control panel** Electronic controller with microprocessor self-diagnostics. Digital readout indicates door action, alarm conditions, and fault conditions. Time delay self-close timer and non-resettable cycle counter is included. Enclosure is IP54 rated (NEMA 3 equivalent).
- Actuator** Single open/close/stop push button station incorporated into control panel
- Safety features** Built-in braking mechanism; Photoelectric safety sensors with guards
- Limited warranty** 24 month, 300,000 cycles

Options

- Motor options**** Available options for supply voltages 220-240V AC 1-phase; 440-480V AC 3-phase; 575V AC 3-phase (Both 440-480V and 575V require additional transformer)
- Curtain pattern** Brick 9" on center vertical links with 2" on center rods spacing
- Curtain material** Mill aluminum link, galvanized steel solid rod, with mill aluminum spacer tube. Clear anodized aluminum link, galvanized steel solid rod, and clear anodized aluminum spacer tube, #4 or #3B stainless steel link, solid rod, and spacer tube and PowderGuard® Premium finish.
- Guides** PowderGuard® Premium finish, PowderGuard® Zinc or Textured finish, PowderGuard® Premium or PowderGuard® Textured finish, stainless steel with #4 brush finish, anodized or mill finish aluminum
- Safety devices** Monitored electric sensing edge, additional set of photoelectric sensors
- Control panel** IP65 (NEMA 4/4X equivalent) control panel
- Actuators** Push buttons, loop detectors, radio control, motion detectors or any combination thereof available for door operation/control

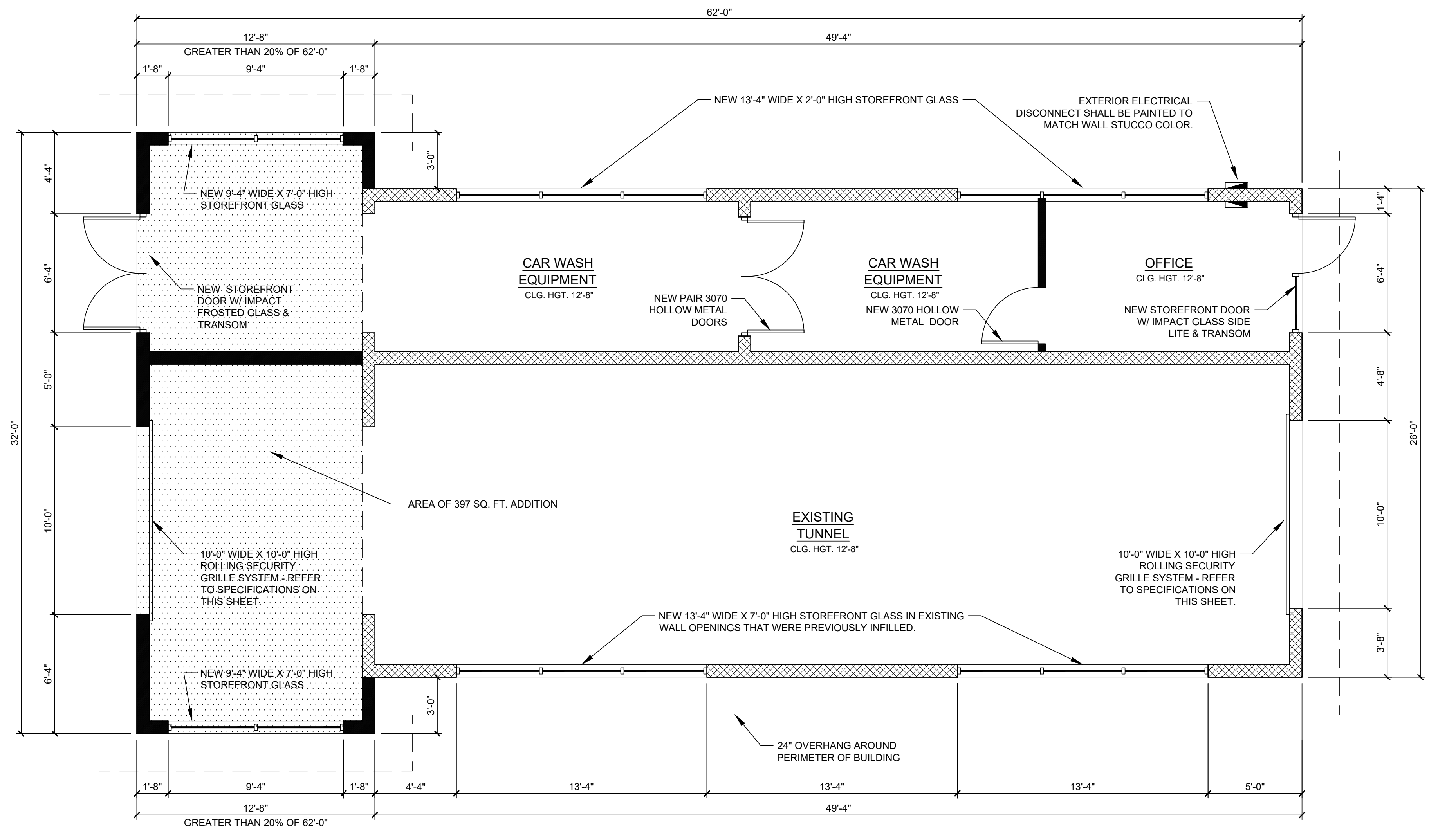
* Dependent upon the curtain material and pattern. Consult factory for sizes not listed above.
** If the voltage is too low a transformer may be needed. Larger doors may not be available with 1-phase power. Consult factory for information.

ATTACHMENT C



EXISTING FLOOR PLAN

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



SCHEMATIC FLOOR PLAN

1300 SQ. FT. EXISTING STRUCTURE
397 SQ. FT. ADDITION

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



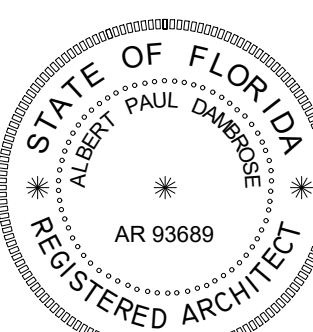
6202 Presidential Ct Suite D
Fort Myers, FL 33919
T: 239.292.4098
F: 888.804.0339
apd@studioad.net
www.studioad.net
FL LIC # AA-26001437

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A SCHEMATIC DESIGN FOR:
LUV-A-WASH BONITA

BONITA SPRINGS, FLORIDA

CONSULTANT:



ALBERT DAMBROSE
AR93689

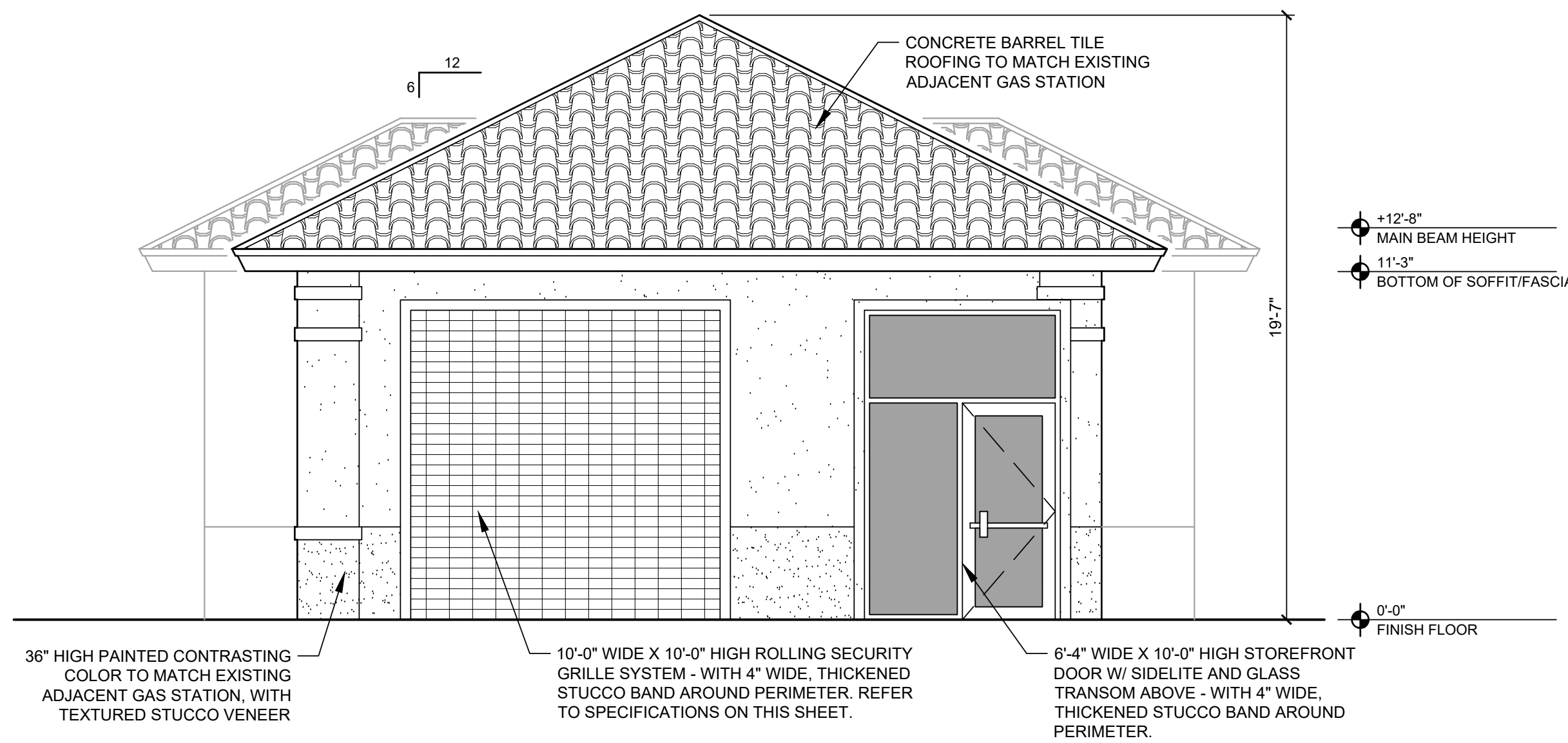
DATE ISSUED: 26 OCT 2021

REVISIONS:
1 7 APRIL 2022
2 01 JULY 2022

SHEET

D1

OF 3



REAR (NORTH) PRIMARY ELEVATION

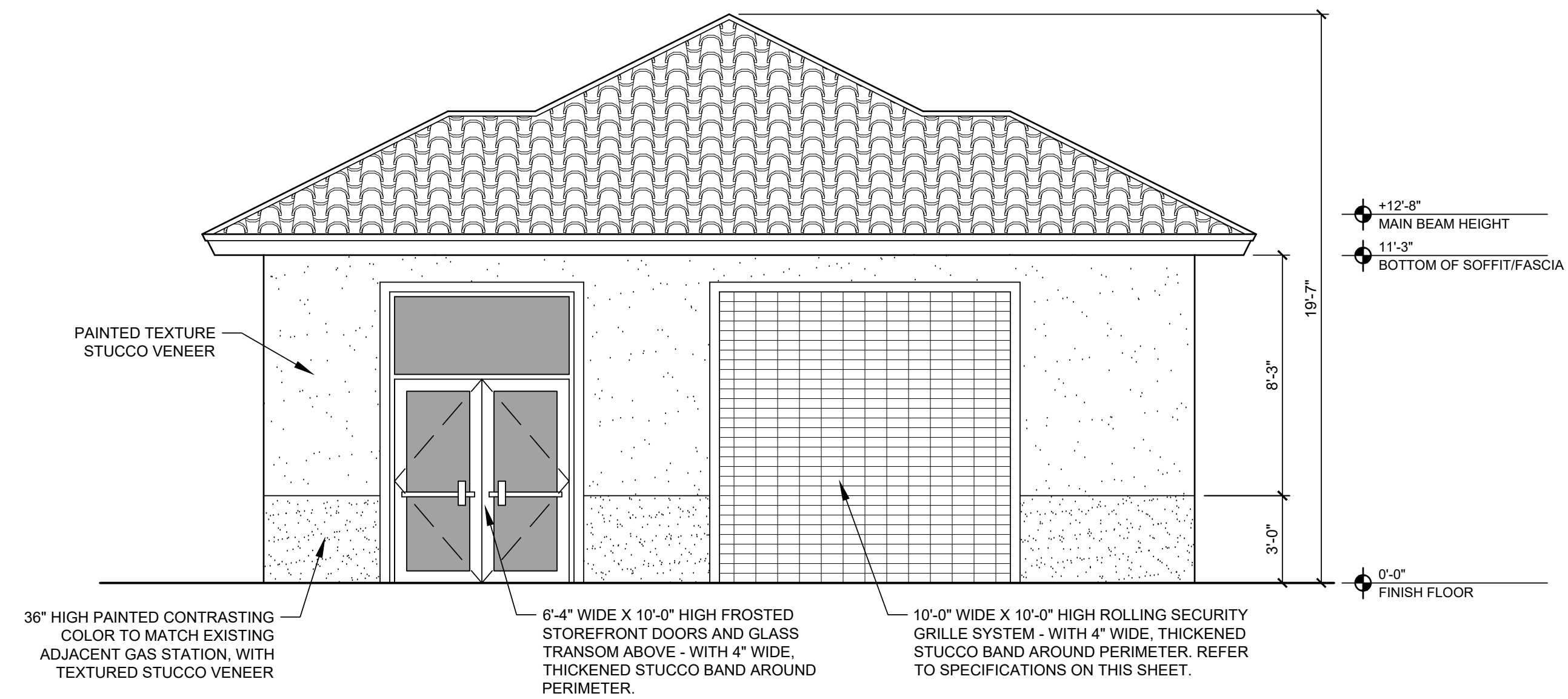
SCALE: 1/4" = 1'-0"

GLAZING CALCULATIONS (NORTH)

SERVICE BAY SIDE:
MINIMUM GLAZING AMOUNT NOT REQUIRED ON NORTH FACADE PER SECTION 3-490(d)(2).
"GLASS WINDOWS AND DOORS MUST MAKE UP 35 PERCENT OF THE PRIMARY ELEVATION AND 15 PERCENT OF THE SECONDARY ELEVATION. THIS CALCULATION IS EXCLUDING AREA DESIGNATED AS SERVICE BAYS."

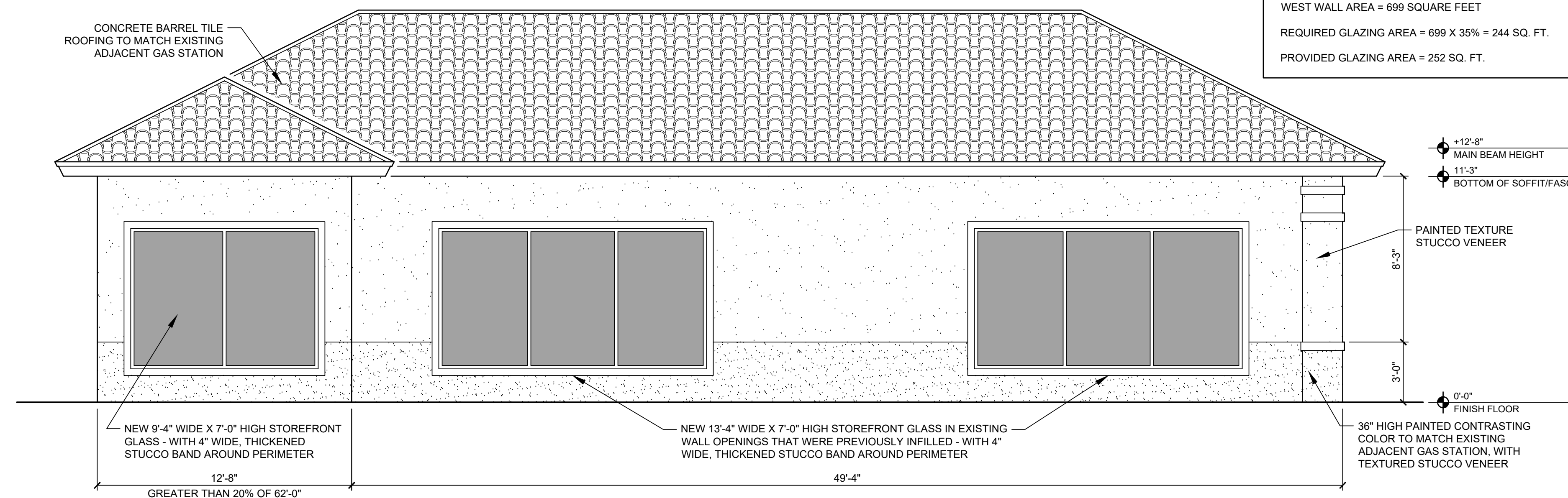
GLAZING CALCULATIONS (SOUTH)

SERVICE BAY SIDE:
MINIMUM GLAZING AMOUNT NOT REQUIRED ON NORTH FACADE PER SECTION 3-490(d)(2).
"GLASS WINDOWS AND DOORS MUST MAKE UP 35 PERCENT OF THE PRIMARY ELEVATION AND 15 PERCENT OF THE SECONDARY ELEVATION. THIS CALCULATION IS EXCLUDING AREA DESIGNATED AS SERVICE BAYS."



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

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

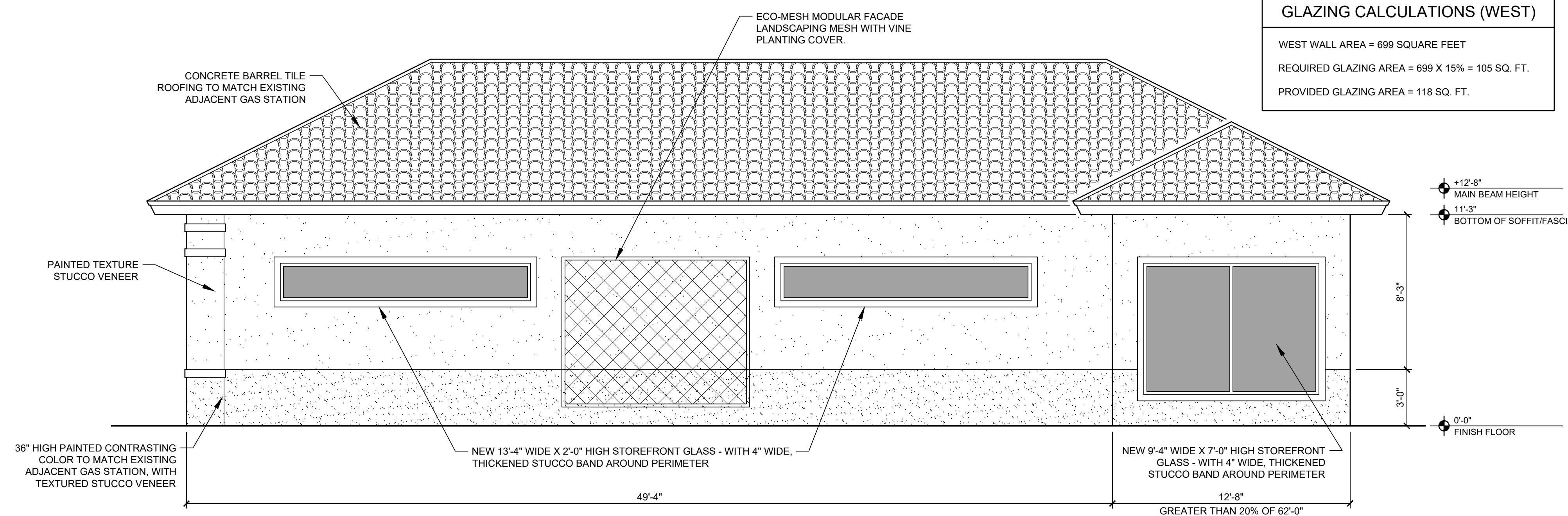


LEFT (EAST) PRIMARY ELEVATION

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

GLAZING CALCULATIONS (EAST)

WEST WALL AREA = 699 SQUARE FEET
REQUIRED GLAZING AREA = 699 X 35% = 244 SQ. FT.
PROVIDED GLAZING AREA = 252 SQ. FT.



RIGHT (WEST) SECONDARY ELEVATION

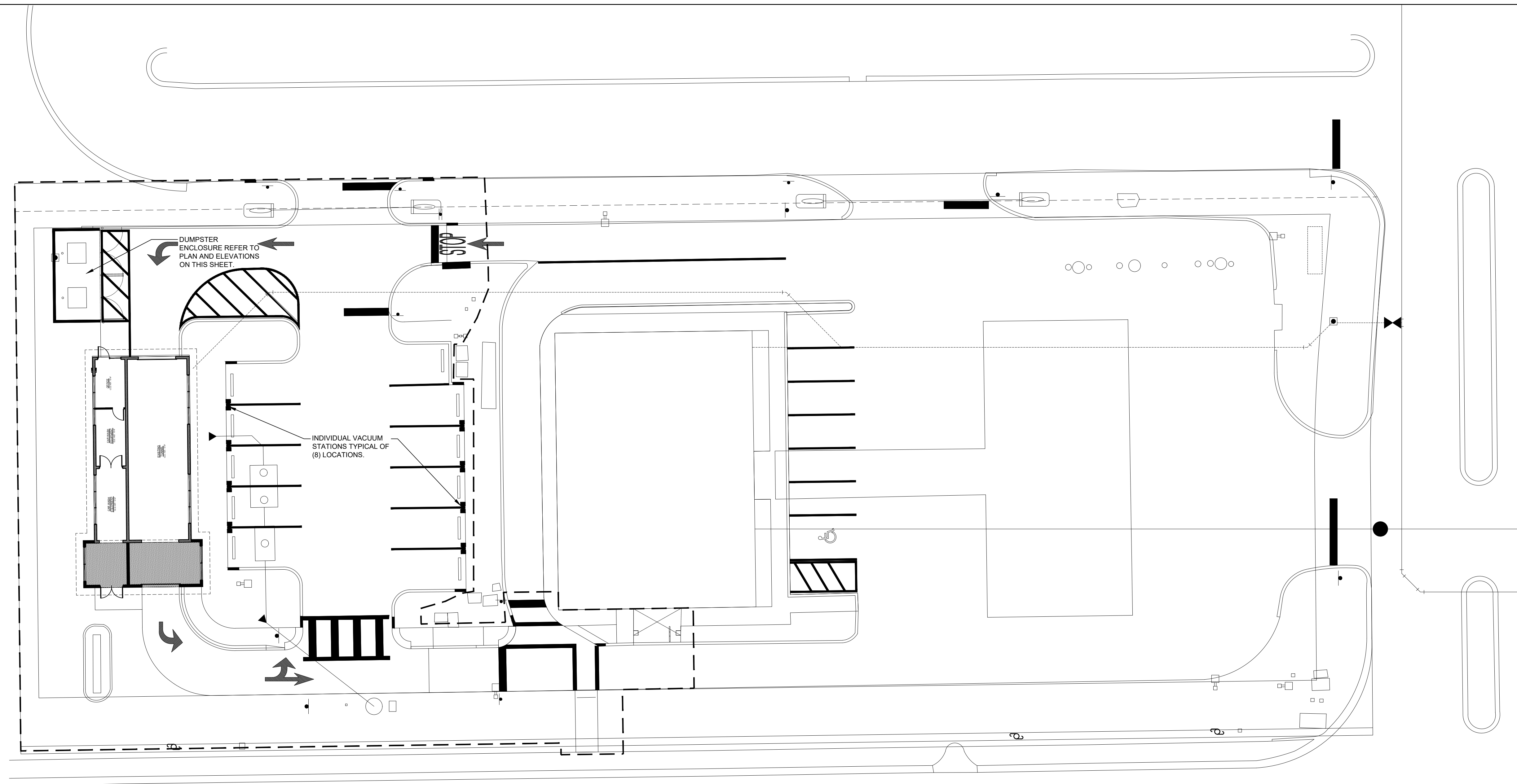
SCALE: 1/4" = 1'-0"

GLAZING CALCULATIONS (WEST)

WEST WALL AREA = 699 SQUARE FEET
REQUIRED GLAZING AREA = 699 X 15% = 105 SQ. FT.
PROVIDED GLAZING AREA = 118 SQ. FT.

**A SCHEMATIC DESIGN FOR:
LUV-A-WASH BONITA**

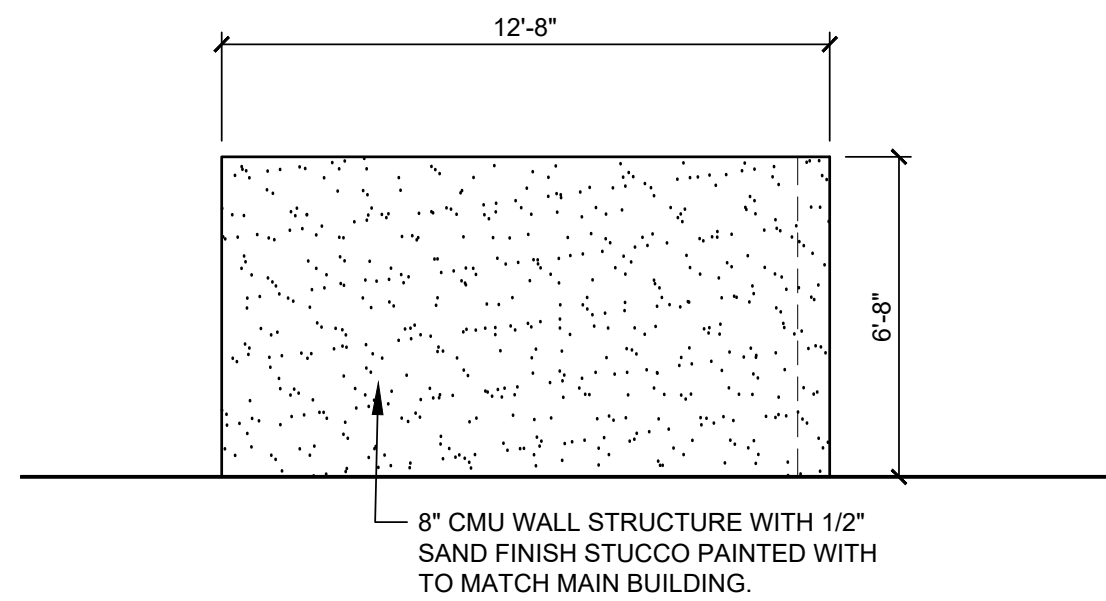
BONITA SPRINGS, FLORIDA



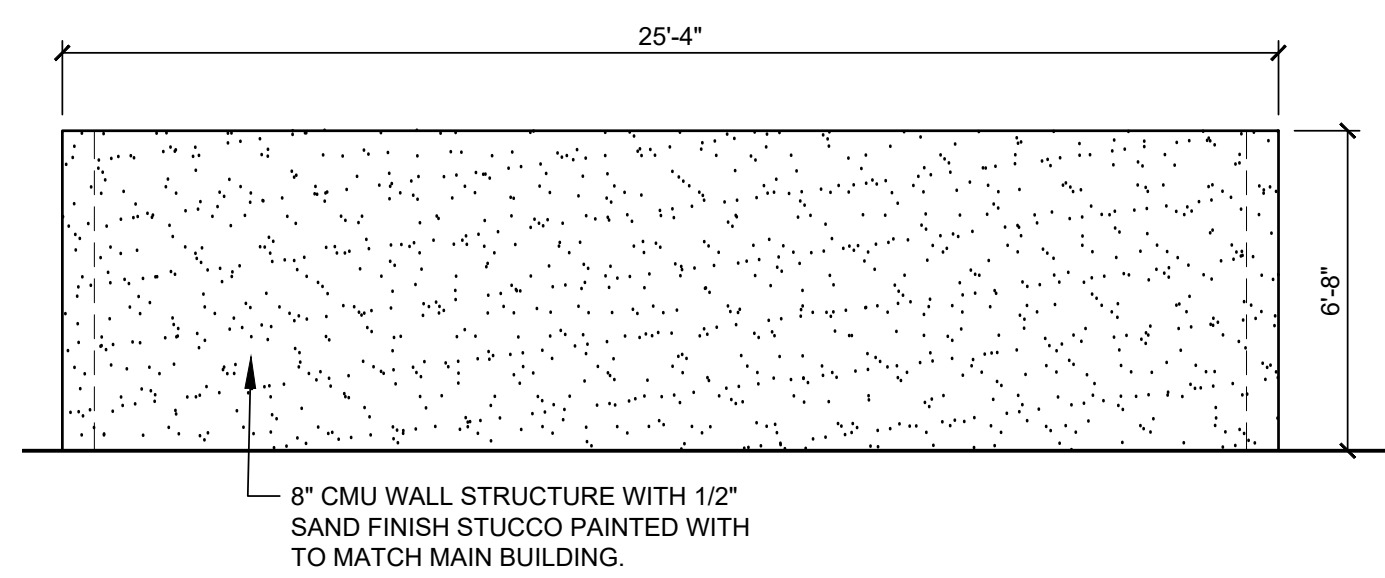
TYPICAL VACUUM STATION

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

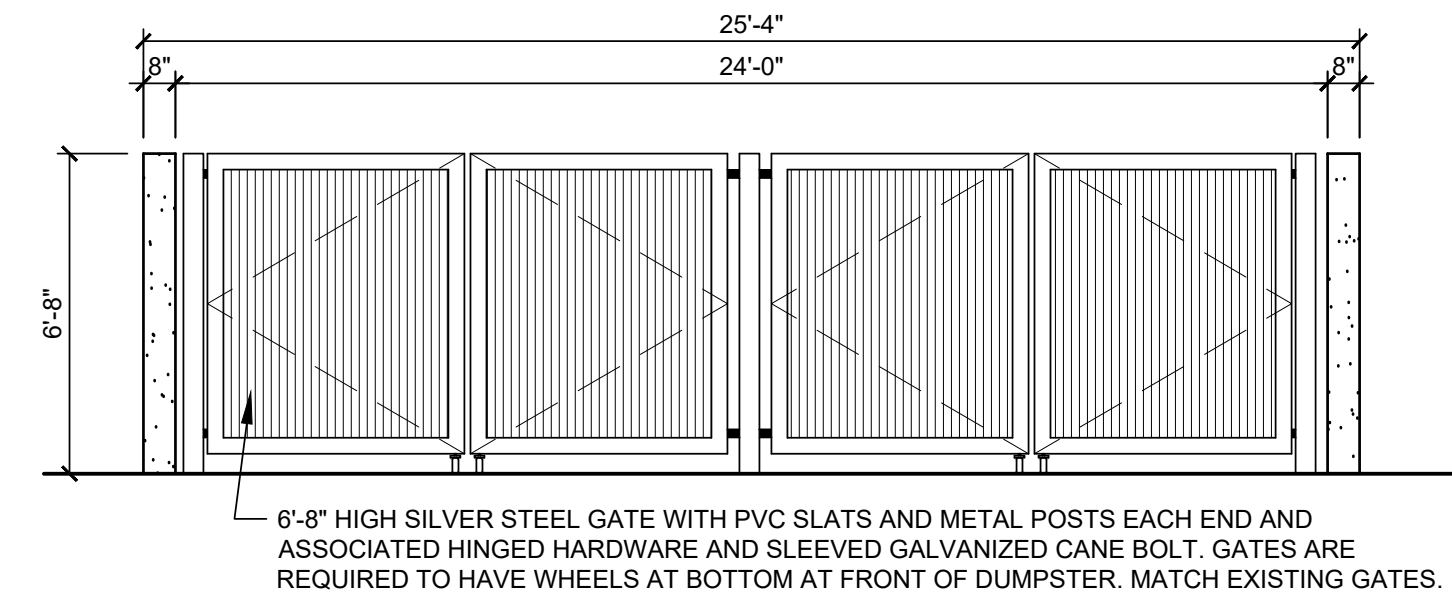
SCALE: 1/16" = 1'-0"



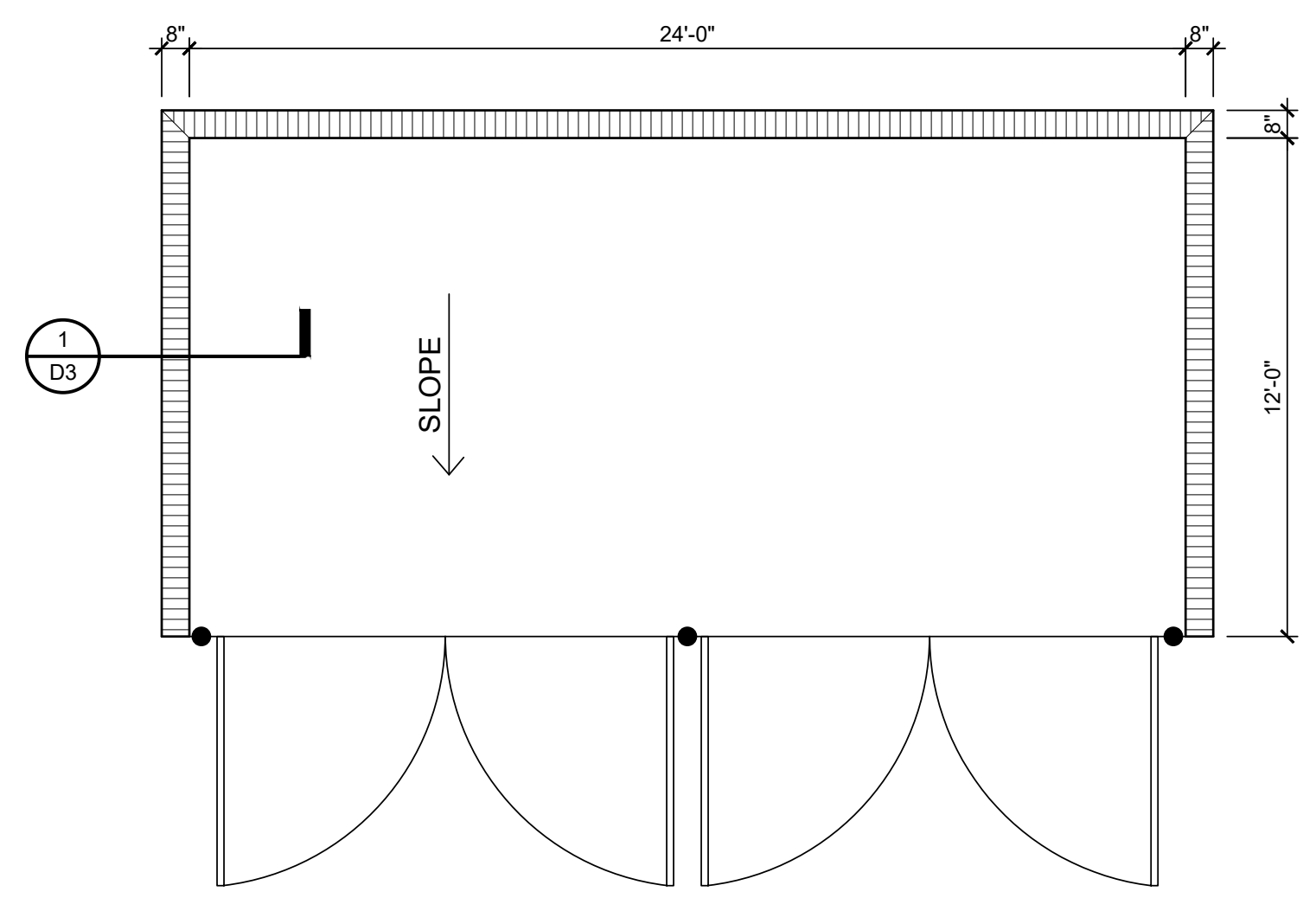
NEW DUMPSTER (SIDE) ELEVATION
OTHER SIDE ELEVATION IS SYMMETRICAL REVERSED SCALE: 1/4" = 1'-0"



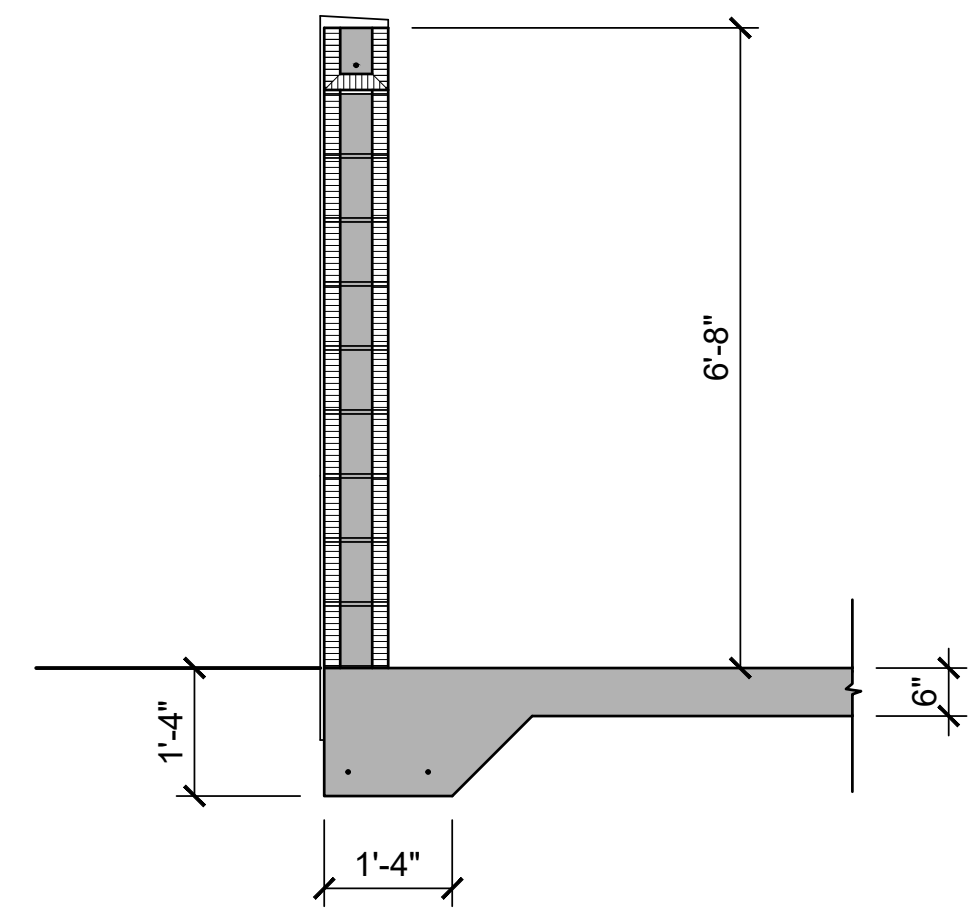
NEW DUMPSTER (REAR) ELEVATION
SCALE: 1/4" = 1'-0"



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

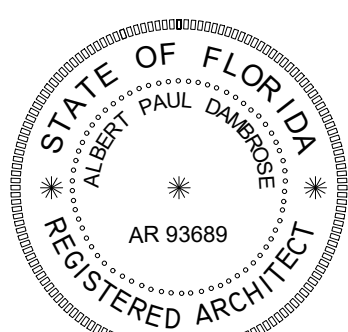


DUMPSTER PLAN
SCALE: 1/4" = 1'-0"



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

CONSULTANT:



ALBERT DAMBROSE
AR93689

DATE ISSUED: 26 OCT 2021

REVISIONS:
2 01 JULY 2022

SHEET

D3

OF 3

ATTACHMENT D

January 5, 2022

Mike Fiigon, II, Senior Planner
City of Bonita Springs, Community Development
9220 Bonita Beach Road, Suite 111
Bonita Springs, FL 34135

**Subject: Luv-A-Wash Special Exception
(PRE20-75635-BOS)**

Dear Mr. Fiigon:

We are pleased to submit this Public Hearing Application for Special Exceptions (SE) on behalf of Loves Petroleum, Inc. to re-establish a car wash use at the existing Circle K convenience store and Shell gas station at the property located at 8801 W Terry Street. The property is located within the US 41 Overlay. Car washes require approval as a special exception use in the US 41 Overlay. The car wash structure has existed on the site since 1999; however, a SE is required since it has not been in use for over twelve (12) months.

The property is approximately 1.31-acres and is identified as Parcel 3 of Bonita Bay Plaza (PB57, PG57-58). It is located on the north side of W Terry Street, approximately 210 ft. east of the intersection of S Tamiami Trail (US 41) and W Terry Street, in Section 28, Township 47, Range 25 East, Bonita Springs.

In order to assist Staff with the review and approval of this request for a SE, we are hereby enclosing the following documents and supporting information:

1. Cover Letter
2. Application
3. Part III Affidavit
4. Area Location Map
5. Exhibit I-B-1 Letter of Authorization
6. Exhibit I-F Disclosure of Interest
7. Warranty Deed
8. Exhibit II-A-3 Plat Book Page
9. Exhibit IV-A Surrounding Property Owners List and Mailing Labels (2 copies)
10. Exhibit IV-B Property Owners Map
11. Exhibit IV-F Narrative Regarding Special Exception Request
12. Exhibit IV-G Site Plan
13. Landscaping Exhibit
14. Architectural Exhibit
15. Neighborhood Meeting Documents
16. Property Restrictions
17. Public Hearing Waiver - Traffic Impact Analysis
18. Flash Drive with Application and Exhibits
19. Application Fee

2600 Golden Gate Parkway, Naples, Florida, 34105 Office 239.403.6700 Fax 239.261.1797

We trust that the items listed above are sufficient for your review and approval. Should you have any questions, or require any additional information, please do not hesitate to contact me at 239-403-6700, or by email at cscott@pen-eng.com.

Sincerely,

PENINSULA ENGINEERING

Christopher O. Scott

Christopher O. Scott, AICP
Zoning Manager



NEIGHBORHOOD MEETING REQUIREMENT

Community Development Dept. | 9220 Bonita Beach Road, Ste. 111 | Bonita Springs, FL 34135 | (239) 444-6150 | permitting@cityofbonitaspringscd.org

RE: Neighborhood Meeting Mandatory Requirement for Comprehensive Plan Amendment, Rezoning (conventional or planned development), and Special Exception applications.

On September 5, 2018 the Bonita Springs City Council adopted regulations for Neighborhood Meetings. The purpose of a neighborhood meeting is to educate occupants and owners of nearby lands about the proposed development and application, receive comments, address concerns about the development proposal, and resolve conflicts and outstanding issues, where possible.

Neighborhood meetings are mandatory for applications for a future land use map amendment, rezoning, and special exception. Neighborhood meetings are optional for all other applications. Applicants are required to conduct a neighborhood meeting prior to filing its application with the city and a second neighborhood meeting within 30 days after the city has deemed the application to be sufficient.

Please see City of Bonita Springs LDC Section 4-28 or our website for more information.

For additional questions, contact the Planner on Call at (239)-444-6166.



PUBLIC HEARING APPLICATION FOR REZONINGS (CONVENTIONAL) & SPECIAL EXCEPTIONS

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

Applicant's Name: _____ Phone #: _____

Address: _____

E-mail: _____

Project Name: _____

STRAP Number: _____

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: _____
Street Mailing Address: _____
City: _____ State: _____ Zip: _____
Phone Number: Area Code: _____ Number: _____ Ext. _____
E-mail: _____

B. Relationship of applicant to property:
_____ Owner _____ Trustee* _____ Option holder*
_____ Lessee* _____ Contract Purchaser*
_____ Other (indicate)* _____

*If applicant is NOT the owner and the application is NOT City-initiated, submit a **notarized** Authorization Form from the owner to the applicant. Label the attachment "Exhibit I-B-1".

* If the application is City-initiated, enter the date the action was initiated by the City Council: _____

Attach a copy of the "green sheet" and a list of all property owners, and their mailing addresses, for all properties within the area described. Names and addresses must be those appearing on the latest tax rolls of Lee County. Label the "green sheet" as "Exhibit I-B-2" and the list as "Exhibit I-B-3".

C. Name of owner of property: _____
Street Mailing Address: _____
City: _____ State: _____ Zip: _____
Phone Number: Area Code: _____ Number: _____ Ext. _____

D. Date property was acquired by present owner(s): _____

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

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

G. ___Authorized Agent(s): List names of authorized agents. Attach extra sheet if more space is required

Name: _____
Contact Person: _____
Address: _____
Phone: _____ E-mail: _____

**PART II
GENERAL INFORMATION**

A. Legal Description: Is property within a platted subdivision recorded in 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, F.A.C., Florida Administrative Code, 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. (labeled Exhibit II-A-2.)*

_____ YES. Property is identified as:

Subdivision Name: _____

Plat Book: _____ Page: _____ Unit: _____ Block: _____ Lot: _____

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

STRAP NUMBER: _____

B. Project Street Address: _____

C. General Location of Property (referenced to major streets) _____

D. Nature of Request: (Check applicable answers)

_____ Rezoning FROM: _____ TO: _____

_____ Special Exception for: _____

E. Property Dimensions

1. Width (average if irregular parcel): _____ Feet

2. Depth (average if irregular parcel): _____ Feet

3. Frontage on road or street: _____ Feet

4. Width along waterbody (If applicable): _____ Feet

5. Total land area: _____ Acres or Square Feet

F. Facilities

1. Fire District: _____

2. Sewer Service Supplier: _____

3. Water Service Supplier: _____

G. 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: _____

H. Property restrictions: Are there any deed restrictions or other types of covenants or restrictions on the property? _____ Yes _____ No. If yes, submit a copy of the restrictions and a written statement as to how the restrictions may affect the request.

PART III
AFFIDAVIT

I, Ellis Love, 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 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.

ELLS LOVE
Signature of owner or owner-authorized agent

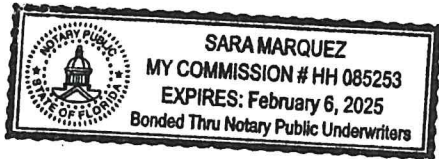
9/28/21
Date:

Ellis Love ELLIS LOVE
Typed or printed name

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was certified and subscribed before me this 28th day of September 2021, by Ellis Love, who is personally known to me or who has produced as identification.

(SEAL)



S. Marquez
Signature of notary public

Sara Marquez
Printed name of notary public

EXHIBIT I-B-1

LETTER OF AUTHORIZATION

TO THE CITY OF BONITA SPRINGS COMMUNITY DEVELOPMENT

The undersigned do hereby swear or affirm that they are the fee simple title holders and owners of record of property commonly known as 8801 W Terry Street (STRAP Number 28-47-25-B3-01900.0030) and legally described in Exhibit A attached hereto.

The property described herein is the subject of an application for zoning or development. We hereby designate Peninsula Engineering as the legal representative of the property and as such, this individual is authorized to legally bind all owners of the property in the course of seeking necessary approvals to develop. This authority includes but is not limited to the hiring and authorizing of agents to assist in the preparation of applications, plans, surveys, and studies necessary to obtain zoning and development approval on the site. This representative will remain the only entity to authorize development activity on the property until such time as a new or amended authorization is delivered to the City of Bonita Springs.

[Handwritten Signature]
Owner (Signature)

ELLIS LOVE
Owner (Typed/Written)

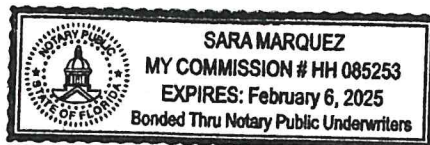
State of Florida
County of Lee

The foregoing instrument was acknowledged before me this 28th day of September, 2021, by Ellis Love, who is personally known to me or who has produced _____ as identification.

[Handwritten Signature: S. Marquez]
(Signature of Notary Public)

Sara Marquez
(Printed Name of Notary)

(Stamp/Seal)



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

STRAP NO. _____ **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
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

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: Ellis Love
(Applicant)

ELLIS LOVE

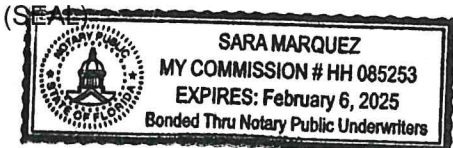
(Printed or typed name of applicant)

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument acknowledged before me this 28th day of September 2021, by Ellis Love, who is personally known to me or who has produced _____ as identification.

S. Marquez
Signature of Notary Public

Sara Marquez
Printed Name of Notary Public





This Instrument Prepared By:
 Scott W. Duval, Esq.
 Cummings & Lockwood LLC
 3001 Tamiami Trail North, Suite 400
 Naples, FL 34103

INSTR # 6396739
 DR BK 04396 Pgs 2703 - 2704; (2pgs)
 RECORDED 08/10/2004 04:50:12 PM
 CHARLIE GREEN, CLERK OF COURT
 LEE COUNTY, FLORIDA
 RECORDING FEE 10.50
 DEED DOC 15,400.00
 DEPUTY CLERK T Haer

Folio Number: 28-47-25-B3-01900.0030

WARRANTY DEED

THIS INDENTURE, made this 6th day of August, 2004, between BROOKS PETROLEUM CO. OF FLORIDA, INC., a Florida corporation, having a mailing address of 211 Bayfront Drive, Bonita Springs, Florida 34134 (the "Grantor"), and LOVE'S PETROLEUM, INC., a Florida corporation, having a mailing address of 8801 West Terry Street, Bonita Springs, Florida 34135 (the "Grantee").

WITNESSETH:

The Grantor, for and in consideration of the sum of Ten and No/100 Dollar (\$10.00), and other good and valuable consideration to the Grantor in hand paid by the Grantee, the receipt whereof is hereby acknowledged by the Grantor, has granted, bargained and sold to the Grantee, and the Grantee's heirs and assigns forever, the following described land, situate, lying and being in Lee County, Florida, to-wit:

2

Parcel 3, BONITA BAY PLAZA, according to the plat thereof, as recorded in Plat Book 57, Pages 57 and 58, Public Records of Lee County, Florida.

Subject to (i) real property taxes for the current year and subsequent years, (ii) covenants, restrictions and public utility easements of record, and (iii) all assessments paid prior to closing.

The Grantor does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal the day and year first above written.

Signed, sealed and delivered
 in our presence:

BROOKS PETROLEUM CO. OF FLORIDA,
 INC., a Florida corporation

Wenke O. Brandes
 Witness #1
Wenke O. Brandes
 (Printed name of Witness #1)

By: Steve L. Brooks
 Steve L. Brooks, President

Scott W. Duval
 Witness #2
Scott W. Duval
 (Printed name of Witness #2)

STATE OF FLORIDA

COUNTY OF Collier

The foregoing instrument was acknowledged before me this 6th day of August, 2004 by Steve L. Brooks, as President of BROOKS PETROLEUM CO. OF FLORIDA, INC., a Florida corporation, who is personally known to me or who has produced FL Drivers License as identification.

Wenke O Brandes
Notary Public

(SEAL)

Printed Name of Notary Public

Commission Expiration Date

.NplLib1:539263.1 08/05/04



Wenke O Brandes
My Commission DD139364
Expires October 06, 2006

BONITA BAY PLAZA

A SUBDIVISION OF PART OF SECTION 28, TOWNSHIP 47 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA

DEDICATION

STATE OF FLORIDA
COUNTY OF LEE
KNOW ALL MEN BY THESE PRESENTS THAT FAISON-BONITA BAY PLAZA LIMITED PARTNERSHIP, A FLORIDA LIMITED PARTNERSHIP, AND DAYTON HUDSON CORPORATION, A MINNESOTA CORPORATION THE OWNER'S OF THE HEREOF DESCRIBED LANDS HAS CAUSED THIS PLAT OF "BONITA BAY PLAZA" A SUBDIVISION OF PART OF SECTION 28, TOWNSHIP 47 SOUTH, RANGE 25 EAST, TO BE MADE AND DOES HEREBY DEDICATE TO BONITA SPRINGS UTILITIES, INC., A FLORIDA CORPORATION, ALL (B.U.E.) BONITA UTILITY EASEMENTS FOR USE IN PERFORMING AND DISCHARGING THEIR OFFICIAL DUTIES AND OBLIGATIONS TO PROVIDE UTILITY SERVICES AND TO BONITA BAY PROPERTIES, INC., ALL (B.B.P.) INGRESS, EGRESS AND UTILITY EASEMENTS. THE RIGHT OF INGRESS AND EGRESS OVER AND ACROSS THE FRONTAGE ROAD EASEMENT IS DEDICATED TO LEE COUNTY.

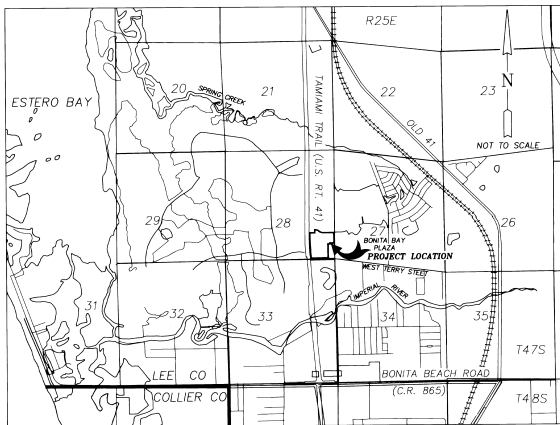
WITNESS MY HAND AND OFFICIAL SEAL IN THE COUNTY AND STATE AFORESAID THIS 31st DAY OF October 1995.
MY COMMISSION EXPIRES: _____
Barbara Wheeler
BARBARA WHEELER
NOTARY PUBLIC
NO. 110704

DAYTON HUDSON CORPORATION
WITNESS MY HAND AND OFFICIAL SEAL IN THE COUNTY AND STATE AFORESAID THIS 31st DAY OF October 1995.
MY COMMISSION EXPIRES: _____
William E. Harder
WILLIAM E. HARDER
VICE PRESIDENT

CORPORATE ACKNOWLEDGMENT

STATE OF MINNESOTA
COUNTY OF HENNEPIN
THE FOREGOING DEDICATION WAS ACKNOWLEDGED BEFORE ME THIS 31st DAY OF October 1995 BY WILLIAM E. HARDER, AS VICE PRESIDENT OF DAYTON HUDSON CORPORATION, A MINNESOTA CORPORATION, ON BEHALF OF THE CORPORATION. HE IS PERSONALLY KNOWN TO ME OR (HAS PRODUCED SIGNIFICATION).

WITNESS MY HAND AND OFFICIAL SEAL IN THE COUNTY AND STATE AFORESAID THIS 31st DAY OF October 1995.
MY COMMISSION EXPIRES: _____
Barbara Wheeler
BARBARA WHEELER
NOTARY PUBLIC
NO. 110704



LOCATION MAP

ALL THAT PART OF SECTION 28, TOWNSHIP 47 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 28; THENCE NORTH 00°36'57" WEST ALONG THE EASTERLY LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 28 A DISTANCE OF 50.00 FEET TO AN INTERSECTION WITH THE FUTURE NORTHERLY RIGHT-OF-WAY LINE OF WEST HERRY STREET; SAID FUTURE RIGHT-OF-WAY LINE BEING 20.00 FEET NORTHERLY OF, MEASURED AT RIGHT ANGLE TO AND PARALLEL WITH THE NORTHERLY RIGHT-OF-WAY LINE OF THE EXISTING 60' RIGHT-OF-WAY; THENCE SOUTH 89°12'15" WEST ALONG SAID FUTURE NORTHERLY RIGHT-OF-WAY LINE A DISTANCE OF 314.17 FEET TO THE POINT OF BEGINNING OF THE PARCEL HEREIN BEING DESCRIBED; THENCE CONTINUE SOUTH 89°12'15" WEST ALONG SAID FUTURE RIGHT-OF-WAY LINE AND THE NORTHERLY LINE OF A 20.00 FOOT ADDITIONAL RIGHT-OF-WAY AS RECORDED IN OFFICIAL RECORD BOOK 1815, PAGES 1625 AND 1626 PUBLIC RECORDS OF LEE COUNTY, FLORIDA, A DISTANCE OF 884.32 FEET TO AN INTERSECTION WITH THE EASTERLY RIGHT-OF-WAY LINE OF U.S. 41 (STATE ROAD 45); THENCE NORTH 04°27'10" WEST ALONG SAID EASTERLY RIGHT-OF-WAY LINE A DISTANCE OF 332.44 FEET TO THE BEGINNING OF A CIRCULAR CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 11,558.16 FEET; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 04°27'10" AN ARC DISTANCE OF 862.41 FEET; THENCE NORTH 00°06'10" WEST 97.99 FEET; THENCE LEAVING SAID EASTERLY RIGHT-OF-WAY LINE NORTH 89°25'00" EAST 258.64 FEET; THENCE NORTH 00°31'47" WEST 158.41 FEET TO AN INTERSECTION WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF HIGHLAND WOODS BOULEVARD; THENCE NORTH 89°12'15" EAST ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE A DISTANCE OF 33.61 FEET TO THE BEGINNING OF A CIRCULAR CURVE CONCAVE SOUTHERLY AND HAVING A RADIUS OF 250.00 FEET; THENCE EASTERLY AND SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 42°37'16" AN ARC DISTANCE OF 185.97 FEET TO A POINT OF REVERSE CURVATURE CONCAVE NORTHERLY AND HAVING A RADIUS OF 350.00 FEET; THENCE SOUTHEASTERLY AND EASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 42°37'16" AN ARC DISTANCE OF 280.36 FEET; THENCE NORTH 89°12'15" EAST 543.71 FEET TO AN INTERSECTION WITH SAID EASTERLY LINE OF THE SOUTHWEST QUARTER OF SECTION 28; THENCE LEAVING SAID SOUTHERLY RIGHT-OF-WAY LINE SOUTH 00°36'57" EAST ALONG SAID EASTERLY LINE A DISTANCE OF 538.14 FEET; THENCE LEAVING SAID EASTERLY LINE SOUTH 89°28'13" WEST 214.71 FEET; THENCE SOUTH 00°31'47" EAST 44.25 FEET; THENCE SOUTH 89°28'13" WEST 88.33 FEET; THENCE SOUTH 00°31'47" EAST 708.52 FEET TO THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED;

CONTAINING 31.96 ACRES OF LAND MORE OR LESS, SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.

GENERAL NOTES

1. ALL DIMENSIONS ARE IN FEET AND DECIMALS THEREOF.
2. BEARINGS ARE BASED ON THE EASTERLY LINE OF THE SOUTH HALF OF SECTION 28, TOWNSHIP 47 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, AS BEING NORTH 00°36'57" WEST.
3. ■ - INDICATES 4"x4" CONCRETE PERMANENT REFERENCE MONUMENT (PRM) SET, STAMPED "PRM 5358".
4. ALL CURVES ARE CIRCULAR CURVES. A = DELTA, R = RADIUS, A = ARC LENGTH, CH = CHORD, CHB = CHORD BEARING.
5. D.E. INDICATES DRAINAGE EASEMENT.
6. R.O.W. INDICATES RIGHT-OF-WAY.
7. P.O.B. INDICATES POINT OF BEGINNING.
8. P.O.C. INDICATES POINT OF COMMENCEMENT.
9. B.U.E. INDICATES BONITA SPRINGS UTILITY EASEMENT.
10. B.B.P. INDICATES BONITA BAY PROPERTIES.
11. I. & E.E. INDICATES INGRESS AND EGRESS EASEMENT.
12. U.E. INDICATES UTILITY EASEMENT.
13. A.E. INDICATES ACCESS EASEMENT.
14. O.R. INDICATES OFFICIAL RECORD BOOK.
15. PGS. INDICATES PAGES.
16. ALL SIDE PARCEL LINES ARE NOT RADIAL UNLESS NOTED - (RADIAL).
17. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.
18. THERE ARE ADDITIONAL EASEMENTS THAT ARE NOT GRAPHICALLY SHOWN ON THIS PLAT ACCORDING TO THE OPERATION AND EASEMENT AGREEMENT BETWEEN DAYTON HUDSON CORPORATION AND FAISON-BONITA BAY PLAZA LIMITED PARTNERSHIP RECORDED IN OFFICIAL RECORD BOOK 2615, PAGES 1341 THROUGH 1418, PUBLIC RECORDS OF LEE COUNTY, FLORIDA, REFERENCE THE FOLLOWING ARTICLE AND SECTIONS OF SAID AGREEMENT:

- ARTICLE II
- SECTION 2.1 A NON-EXCLUSIVE EASEMENT FOR THE PASSAGE AND PARKING OF VEHICLES AND THE PASSAGE AND ACCOMMODATION OF PEDESTRIANS.
- SECTION 2.2(A) A NON-EXCLUSIVE PERPETUAL UTILITY EASEMENT.
- SECTION 2.2(C) A EASEMENT FOR THE DISCHARGE OF SURFACE STORM DRAINAGE AND/OR RUNOFF.
- SECTION 2.4 SIGN EASEMENT.
- SECTION 2.5 A NON-EXCLUSIVE PERPETUAL INGRESS AND EGRESS EASEMENT.

LIMITED PARTNERSHIP ACKNOWLEDGMENT

STATE OF NORTH CAROLINA
COUNTY OF MECKLENBURG
THE FOREGOING DEDICATION WAS ACKNOWLEDGED BEFORE ME THIS 31st DAY OF October 1995 BY COY E. SHIELDS, THE VICE-PRESIDENT OF FAISON CAPITAL DEVELOPMENT, INC., THE GENERAL PARTNER OF FAISON-BONITA BAY PLAZA LIMITED PARTNERSHIP, GENERAL PARTNER OF FAISON-BONITA BAY PLAZA LIMITED PARTNERSHIP. HE IS PERSONALLY KNOWN TO ME, OR (HAS PRODUCED SIGNIFICATION).

WITNESS MY HAND AND OFFICIAL SEAL IN THE COUNTY AND STATE AFORESAID THIS 31st DAY OF October 1995.
MY COMMISSION EXPIRES: _____
Gina J. Bartlett
GINA BARTLETT
NOTARY PUBLIC
NO. 19951250024



SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE ATTACHED PLAT OF BONITA BAY PLAZA A SUBDIVISION OF PART OF SECTION 28, TOWNSHIP 47 SOUTH, RANGE 25 EAST, IS A TRUE AND CORRECT REPRESENTATION OF THE HEREOF DESCRIBED LAND ACCORDING TO A RECENT SURVEY MADE AND PLATTED UNDER MY DIRECTION AND SUPERVISION AND THAT THE SURVEY DATA COMPLIES WITH ALL OF THE REQUIREMENTS OF CHAPTER 177, FLORIDA STATUTES.

I FURTHER CERTIFY THAT THE PERMANENT REFERENCE MONUMENTS (PRM'S) HAVE BEEN PLACED AT THE LOCATIONS SHOWN ON THIS PLAT.

Ariel R. Alvarez, P.L.S. NO. 5358 DATE 11-17-95

THIS INSTRUMENT WAS PREPARED BY ARIEL R. ALVAREZ OF AGNOLI BARBER & BRUNDAGE, INCORPORATED PROFESSIONAL ENGINEERS, PLANNERS AND LAND SURVEYORS 7400 TAMKAM TRAIL, NORTH NAPLES, FLORIDA 33963

APPROVALS

THIS PLAT APPROVED THIS 3rd DAY OF January 1996 IN AN OPEN MEETING OF THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA.

APPROVALS:
Chairman of the Board: William E. Harder
Director, Zoning and Development Services Division: William E. Harder
Clerk of Court: Charlie Green
County Attorney: Lynn E. Perry

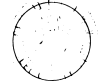
FILING RECORD

8895113

I HEREBY CERTIFY THAT THIS PLAT OF BONITA BAY PLAZA A SUBDIVISION OF PART OF SECTION 28, TOWNSHIP 47 SOUTH, RANGE 25 EAST, HAS BEEN EXAMINED BY ME AND FROM MY EXAMINATION I FIND THAT SAID PLAT COMPLES WITH THE REQUIREMENTS OF CHAPTER 177, FLORIDA STATUTES.

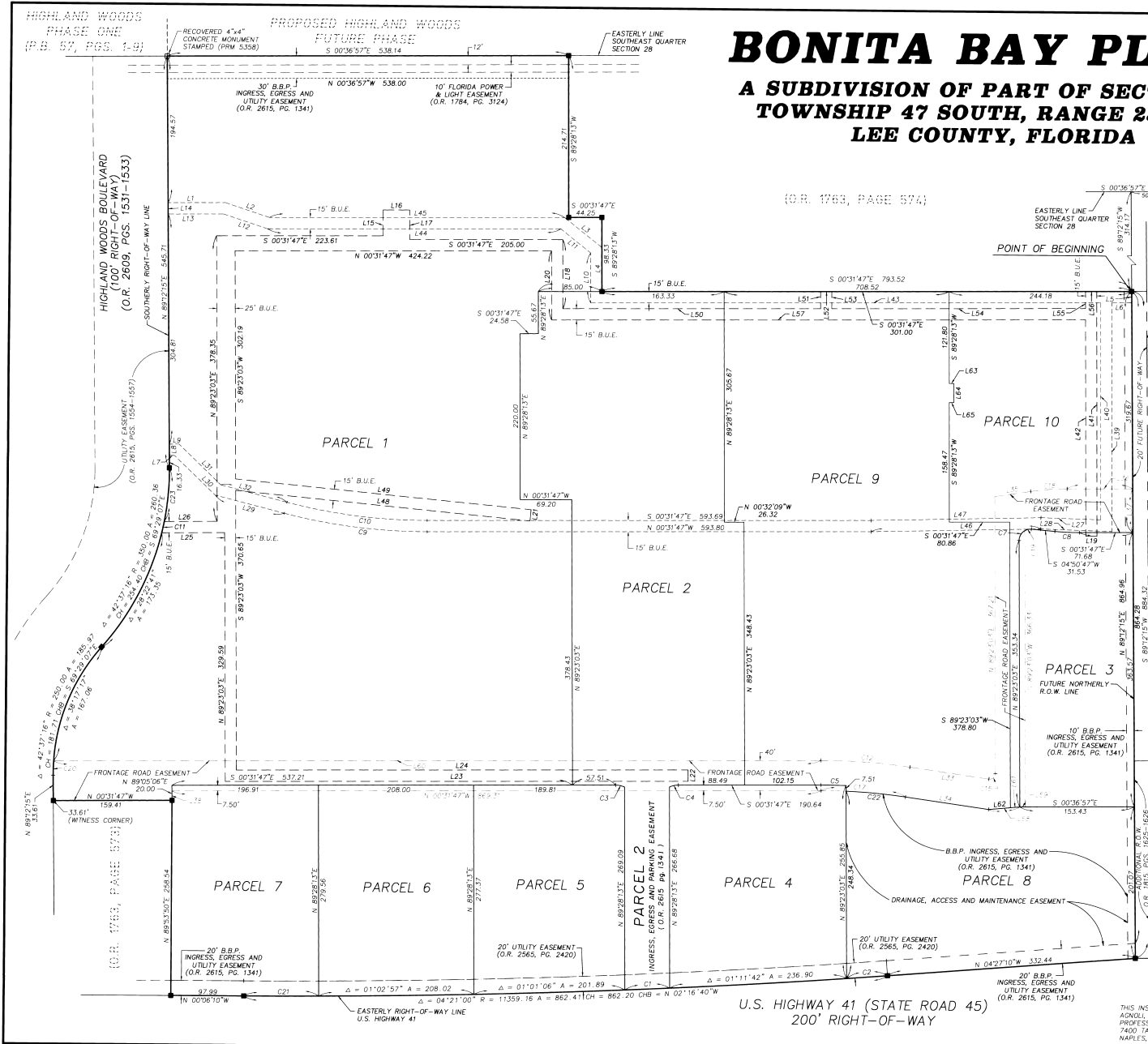
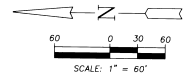
I FURTHER CERTIFY THAT SAID PLAT WAS FILED FOR RECORD AT 2:38 P.M. THIS 22nd DAY OF January 1996 AND DULY RECORDED IN PLAT BOOK 57, PAGES 57 THROUGH 57 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

APPROVALS:
Director, Department of Community Development: Mary Gibbs
Clerk of the Circuit Court: Charlie Green



BONITA BAY PLAZA

A SUBDIVISION OF PART OF SECTION 28,
TOWNSHIP 47 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA



POINT OF COMMENCEMENT
SOUTHEAST CORNER SECTION 28
FOUND 60± NAIL

CURVE DATA

DELTA	RADIUS	ARC	CHORD	CHORD BEARING
C1	00°18'10"	11359.16	60.05	S 02°49'47"E
C2	00°16'36"	11359.16	54.83	S 04°18'52"E
C3	23°34'41"	30.00	12.35	N 11°19'34"E
C4	23°34'41"	30.00	12.35	N 12°19'08"W
C5	02°30'30"	766.25	33.55	N 00°43'28"E
C7	95°27'44"	15.00	24.99	N 22°20'00"E
C8	05°22'15"	350.00	32.84	S 02°09'30"W
C9	14°33'33"	762.62	193.80	N 06°45'01"E
C10	14°33'33"	747.62	189.99	S 06°45'01"W
C11	02°31'06"	350.00	15.38	S 77°48'43"E
C12	08°34'02"	788.75	119.43	N 03°45'14"E
C15	98°39'11"	7.50	12.91	S 41°17'21"E
C17	08°34'02"	758.75	113.45	N 03°45'14"E
C18	07°58'11"	350.00	48.68	N 04°30'53"W
C19	35°27'44"	15.00	9.28	N 12°53'05"W
C20	04°19'59"	250.00	18.91	N 88°37'46"W
C21	00°30'29"	11359.16	100.72	S 00°21'24"E
C22	06°01'58"	758.75	79.88	S 05°01'15"W
C23	11°43'29"	350.00	71.63	S 84°56'01"E

LINE DATA

LINE DATA	LINE DATA
L1	S 89°28'13"E 324.51
L2	N 17°47'42"E 62.44
L3	N 38°10'19"E 63.40
L4	N 89°28'13"E 58.39
L5	N 89°12'15"E 15.00
L6	S 00°31'47"E 26.75
L7	N 00°47'45"W 8.95
L8	S 89°12'15"W 15.00
L9	N 00°47'45"W 13.05
L10	S 89°28'13"W 68.19
L11	S 38°10'19"W 50.83
L12	S 17°47'42"W 62.44
L13	S 00°31'47"E 74.55
L14	S 89°12'15"W 15.00
L15	N 89°28'13"E 34.20
L16	S 00°31'47"E 35.64
L17	S 89°28'13"W 39.20
L18	S 89°28'13"W 91.50
L19	N 00°31'47"W 15.00
L20	N 89°28'13"E 91.50
L21	N 84°39'34"W 15.00
L22	S 89°28'13"W 15.00
L23	N 00°31'47"W 619.92
L24	S 00°31'47"W 604.95
L25	N 00°36'57"W 84.39
L26	S 00°36'57"E 70.98
L27	S 01°30'50"W 80.06
L28	S 01°30'50"W 95.22
L29	N 14°10'50"E 95.88
L30	N 43°28'55"E 75.69
L31	S 43°28'55"W 77.85
L32	S 14°01'50"W 91.94
L33	S 08°10'14"W 106.95
L34	S 08°10'14"W 112.42
L35	S 08°29'58"E 48.69
L36	S 00°31'47"E 87.84
L37	S 89°12'15"W 58.00
L38	S 89°30'06"W 12.50
L39	S 89°28'13"W 303.29
L40	N 89°28'13"E 287.75

U.S. HIGHWAY 41 (STATE ROAD 45)
200' RIGHT-OF-WAY

THIS INSTRUMENT WAS PREPARED BY ARIEL R. ALVAREZ OF
AGNOLI, BARBER & BRUNDAGE, INCORPORATED
PROFESSIONAL ENGINEERS, PLANNERS AND LAND SURVEYORS
7400 TAMPAW TRAIL, NORTH
NAPLES, FLORIDA 33963
ACAD # 5124-PT
NOVEMBER 10, 1995

EXHIBIT IV-A SURROUNDING PROPERTY OWNERS LIST AND MAILING LABELS

ID	STRAP	OWNER NAME	MAILING ADDRESS	LEGAL DESCRIPTION
0	28-47-25-B3-01900.0030	Loves Petroleum Inc.	4712 Golden Gate Pkwy Naples, FL 34116	BONITA BAY PLAZA PB 57 PGS 57 + 58 LOT 3 LESS R/W OR2759/1076
1	28-47-25-B3-00001.1000	Donrey Corporation	8841 W Terry St Bonita Springs, FL 34135	FRM SE CORN OF SECT N 50 FT TO POB THN CONT N 751.31 FT THN W 214.71 THN S 44.25 W 98.33 FT S 708.52 THN E 314.17 TO POB
2	28-47-25-B3-01900.0020	Musca Properties LLC	4700 Rockside Rd, Ste 603 Independence, OH 44131	BONITA BAY PLAZA PB 57 PGS 57 + 58 LOT 2 + PT LOT 1 DESC OR 2969/1249 LESS OR 2969/1246
3	28-47-25-B3-01900.0040	26851 Bonita LLC	98 East Ave Naples, FL 34108	BONITA BAY PLAZA PB 57 PGS 57 + 58 LOT 4
4	28-47-25-B3-01900.0080	Musca Properties LLC	4700 Rockside Rd, Ste 603 Independence, OH 44131	BONITA BAY PLAZA LOT 8 PB 57 PGS 57 + 58
5	28-47-25-B3-01900.0090	Publix Super Markets	PO Box 32018 Lakeland, FL 33802	BONITA BAY PLAZA LOT 9 PB 57 PGS 57 + 58
6	28-47-25-B3-01900.0100	Musca Properties LLC	4700 Rockside Rd, Ste 603 Independence, OH 44131	BONITA BAY PLAZA LOT 10 LES R/W OR2759/1076 PB 57 PGS 57 + 58
7	33-47-25-B2-03300.0010	Fifth Third Bank	38 Fountain Square Plz Cincinnati, OH 45263	BAY LANDING SUBD PB 60 PG 60 OUTPARCEL 1
8	33-47-25-B2-03300.0020	Bay Landing Bonita LLC	27160 Bay Landing Dr Bonita Springs, FL 34109	BAY LANDING SUBD PB 60 PG 60 OUTPARCEL 2
9	33-47-25-B2-03300.0030	Bonita Casa Inc	2768 Tiburon Blvd Naples, FL 34109	BAY LANDING SUBD PB 60 PG 60 OUTPARCEL 3 + 4
10	33-47-25-B2-03301.0000	West Terry 26501 LLC	26501 S Tamiami Tr Bonita Springs, FL 34134	BAY LANDING SUBD PB 60 PG 60 TRACT 1 LESS INST#2006-387179
11	33-47-25-B2-03303.0000	27221 Bay Landing Drive LLC	3504 Cragmont Dr, Ste 100 Tampa, FL 33619	BAY LANDING SUBD PB 60 PG 60 TRACT 3
12	33-47-25-B2-0330R.00CE	Peninsula Improvement Corp	2600 Golden Gate Pkwy Naples, FL 34105	BAY LANDING SUBD PB 60 PG 60 TRACT R
13	33-47-25-B2-03600.00CE	Sanctuary at Imperial River	396 Alhambra Cir, Ste 230 Coral Gables, FL 33134	REPLAT OF BAY LANDING SUBD PB 60 PG 60 TRACT F1 + L1 AS DESC IN OR 4263 PG 2095 COMMON ELEMENTS

Source: Lee County Property Appraiser; Dec 29, 2021

DONREY CORPORATION
BONITA STORAGE INN
8841 W TERRY ST
BONITA SPRINGS FL 34135

26851 BONITA LLC
98 EAST AVE
NAPLES FL 34108

PUBLIX SUPER MARKETS INC
EXPENSE PAYABLES LEASE TEAM
PO BOX 32018
LAKELAND FL 33802

FIFTH THIRD BANK
MD 10ATA1 CORP FAC
38 FOUNTAIN SQUARE PLZ
CINCINNATI OH 45263

BONITA CASA INC
2768 TIBURON BLVD E #101
NAPLES FL 34109

27221 BAY LANDING DRIVE LLC
3504 CRAGMONT DR STE 100
TAMPA FL 33619

SANCTUARY AT IMPERIAL RIVER
396 ALHAMBRA CIR STE 230
CORAL GABLES FL 33134

MUSCA PROPERTIES LLC
MUSCA + MIRALIA
4700 ROCKSIDE RD STE 603
INDEPENDENCE OH 44131

MUSCA PROPERTIES LLC
MUSCA + MIRALIA
4700 ROCKSIDE RD STE 603
INDEPENDENCE OH 44131

MUSCA PROPERTIES LLC
MUSCA + MIRALIA
4700 ROCKSIDE RD STE 603
INDEPENDENCE OH 44131

BAY LANDING BONITA LLC
27160 BAY LANDING DR
BONITA SPRINGS FL 34135

WEST TERRY 26501 LLC
26501 S TAMiami TR
BONITA SPRINGS FL 34134

PENINSULA IMPROVEMENT CORP
BAY LANDINGS
2600 GOLDEN GATE PKWY STE 200
NAPLES FL 34105

**EXHIBIT IV-F
NARRATIVE REGARDING SPECIAL EXCEPTION REQUEST**

I. REQUEST:

The applicant seeks to re-establish a car wash use at the existing convenience store and gas station located at 8801 W. Terry Street. The property is located within the US 41 Overlay District, which allows car washes as a Special Exception. The site has an existing car wash structure that has not been in operation for more than 12-months, and a Special Exception is required to re-establish and make improvements to the car wash.

Because the site includes a car wash structure, only minor site changes are necessary to re-establish the use and make improvements to the facility. These improvements include extending the carwash structure twelve (12) feet to the south, updating the parking area adjacent to carwash to accommodate vacuum stations, providing sidewalk connection to the public sidewalk on Terry Street, relocating the dumpster enclosure, and enhancing the site landscaping to conform to current City requirements to the greatest extent practical. Traffic impacts do not change from the previous uses and a waiver for TIS has been submitted.

II. PROJECT LOCATION

The property is approximately located at 8801 W Terry Street (STRAP Number 28-47-25-B3-01900.0030) and is identified as Parcel 3 of Bonita Bay Plaza (PB 57; PG 57-58). The 1.3-acre property is designated as General Commercial on the City of Bonita Springs Future Land Use Map and is zoned Community Commercial (CC).

Zoning, Land Use and Future Land Use for adjacent property is summarized in the table below:

	Land Use	Zoning	Future Land Use
North	Commercial Shopping Center	Commercial (C1A)	General Commercial
East	Commercial Shopping Center	Commercial (C1A)	General Commercial
South	Retail Bank	Commercial PD (CPD)	General Commercial
West	Stormwater	Commercial (C1A)	General Commercial

III. NEIGHBORHOOD MEETING:

A Neighborhood Information Meeting was duly advertised and held on September 9, 2021 at 5:30pm at the Bonita Springs Fire Control and Rescue District Conference Room. No members from the public attended the meeting. Copies of the Legal Ad, Notice and Mailing List are included with this submittal.

IV. CONSISTENCY WITH SPECIAL EXCEPTION CRITERIA:

The proposed request is consistent with the considerations established for Special Exceptions in LDC Sections 4-131(c) as well as the additional criteria established in LDC Section 4-891(1)z.1. for Special Exceptions located within the US 41 Overlay.

Sec. 4-131. Zoning board standard for review.

(c) Special exceptions.

(1) *Function.* The zoning board will hear all applications for special exceptions permitted by the district use regulations.

(2) *Considerations.* In reaching their decision, the zoning board must consider the following, whenever applicable:

a. *Whether there exist changed or changing conditions that make approval of the request appropriate.*

The existing car wash structure has not been in use for over 12-months, necessitating a special exception to re-establish the car wash use.

b. *The testimony of any applicant.*

To be provided.

c. *The recommendation of staff.*

To be provided.

d. *The testimony of the public.*

To be provided.

e. *Whether the request is consistent with the goals, objectives, policies and intent of the Bonita Plan.*

The request is consistent with the goals, objectives and policies of the Bonita Plan. Please see Section 3.a., below, for additional analysis.

f. *Whether the request meets or exceeds all performance and locational standards set forth for the proposed use.*

The request meets or exceeds all performance and locational standards set forth for the proposed use, including 4-889 and 4-1122. Please see Section V for additional analysis.

g. *Whether the request will protect, conserve or preserve environmentally critical areas and natural resources.*

The request does not impact environmentally critical areas or natural resources.

h. *Whether the request will be compatible with existing or planned uses.*

The request is to continue uses that have historically existed on the site and is compatible with existing and planned uses. The surrounding properties are all zoned and used for commercial purposes. The car wash use is compatible with the existing convenience store and gas station.

i. *Whether the request will cause damage, hazard, nuisance or other detriment to persons or property.*

The request will not cause damage, hazard, nuisance or other detriment to persons or property.

- j. *Whether a requested use will be in compliance with all general zoning provisions and supplemental regulations pertaining to the use set forth in this chapter.*

The requested use is in compliance with all applicable zoning provisions and supplemental regulations. Please see Section V for additional analysis.

- (3) *Findings. Before making a recommendation to the city council to grant any special exceptions, the zoning board must find that the applicant has proved entitlement to the special exception by demonstrating compliance with:*

- a. *The Bonita Plan;*

The property is within the Commercial Future Land Use designation within the Bonita Plan. The existing and proposed uses are consistent with this designation which is intended to “accommodate a wide range of commercial uses serving the general population of the city.”

- b. *This chapter; and*

The proposed use is consistent with the considerations and findings of this Chapter. The proposed request is not contrary to the public interest, or the health, safety, comfort, convenience or welfare of the citizens of the city.

- c. *Any other applicable ordinances or codes.*

The request is consistent with applicable provisions of the LDC. Please see Section V for additional analysis.

Sect. 4-891. Permitted Uses.

(1) Special exception required...

1. Approval criteria. The following criteria will be utilized to evaluate special exception requests in the U.S. 41 Overlay:

- (i) *Consistency with the intent of the U.S. 41 Overlay District in protecting and enhancing viewsheds from U.S. 41 and other public roadways.*

The project has direct frontage on W Terry Street. The project proposes additional landscaping along road frontage to protect and enhance viewsheds. The adjacent stormwater parcel is heavily landscaped to effectively screen the car wash from US 41.

- (ii) *The building and site design standards incorporate innovative techniques to address the project's visual impact on the U.S. 41 corridor and demonstrate enhancements to the minimum standards.*

The project proposes a minor expansion of the existing car wash structure. The building expansion is designed to be consistent and compatible with the existing structures on the site.

- (iii) *The request addresses the balance between auto-oriented design and pedestrian access through enhanced design standards.*

The project provides a new sidewalk connection from the existing convenience store to the public sidewalk within W Terry Street, including crosswalks internal to the site to address the balance between auto-oriented design and pedestrian access.

- (iv) *Exceptional or extraordinary conditions exist which warrant the proposed use, including but not limited to demonstrated market demand and minimum spatial separation of 500 feet from a similar use.*

The proposed car wash is consistent with the historical use of the property. There are no other car wash uses within 500 feet of the subject property.

- (v) *Will not be injurious to the neighborhood or otherwise detrimental to the public welfare.*

The proposed car wash use will not be injurious to the neighborhood or detrimental to the public welfare.

- (vi) *Will be compatible with existing or planned uses.*

The property includes an existing convenience store and gas station. The proposed car wash, which was previously in use on the site, is compatible with the existing use on site and the surrounding commercial development.

- (vii) *Will cause damage, hazard, nuisance or other detriment to persons or property.*

The proposed car wash will not cause damage, hazard, nuisance or other detriment to persons or property.

- (viii) *Will protect, conserve or preserve environmentally critical areas and natural resources.*

The existing site is fully developed and does not contain any environmentally critical areas or natural resources. Re-establishing the proposed car wash use will not negatively affect environmentally critical areas or natural resources.

- (ix) *Consistency with the goals, objectives, policies and intent of the Bonita Plan.*

The proposed request is consistent with the goals, objectives and policies of the Bonita Plan. Please see analysis provided under Section 4.131 (3) a.

- (x) *In compliance with all general zoning provisions, supplemental regulations and performance standards pertaining to the use set forth in this chapter.*

The proposed car wash and associated improvements are consistent with all general zoning provisions, including supplemental regulations and performance standards associated the specific use. See Section IV for additional information.

IV. COMPLIANCE WITH ZONING PROVISIONS:

The request proposes to re-establish a car wash use at the existing site used for a gas station and convenience store. The proposed use and minor site modifications are consistent with standards set forth within the Bonita Springs Land Development Code, specifically as it relates to the US 41 Overlay, (Sections 4-893 through 4-895) and the supplemental standards for car wash uses (Section 4-1122).

Sec. 4-893. Site design standards.

- (a) *Amenity zones. Developments that abut U.S. 41 must address the public realm through the incorporation of an amenity zone that meets the following minimum criteria. These standards may be administratively waived where principal structures are located within 50 feet of the U.S. 41 right-of-way.*

The property does not abut US 41.

- (b) *U.S. 41 right-of-way buffer. U.S. 41 right-of-way buffer requirements. Developments that directly abut the U.S. 41 right-of-way must provide the following buffer:*

The property does not abut US 41.

Sec. 4-894. Parking and circulation.

- (a) *Off-street parking location. Where off-street parking areas are located in the front or sides of buildings and exceed one double row of parking, an enhanced buffer shall be required. The buffer shall meet the minimum requirements of LDC section 4-893(b) except the buffer shall be a minimum of 25 feet in width, tree requirements shall be increased to six trees per 100 lineal feet, and an undulating berm with a maximum slope of 3:1, and a minimum average height of two feet shall be constructed along the entire length of the landscape buffer.*

The existing site does not contain off-street parking areas that exceed one double row of parking.

- (b) *Vehicular interconnections required. Developments are required to provide vehicular, interconnections to the adjacent property, regardless of existing or proposed land use, unless one of the following criteria are met:*

- (1) *It is not physically possible to provide the interconnection.*
- (2) *The cost associated with the shared access or interconnection is unreasonable. For this application unreasonable will be considered when the cost exceeds the cost of a typical local road section or is above ten percent of the value of the improvements being made to the development.*
- (3) *The location of environmentally sensitive lands, either on site or off site, precludes it and mitigation is not possible.*
- (4) *The abutting use is found to be incompatible with the existing or proposed use. All developments required to provide interconnections to existing and future developments must dedicate sufficient right-of-way or easement for all required roads, sidewalks, and bike lanes. Bike lane and sidewalk interconnections must be constructed concurrently with the required vehicular interconnection.*

The existing site is accessed through internal driveways through the shopping center. Interconnection to the adjacent shopping center uses are provided through internal cross access easements.

- (c) *Pedestrian interconnections required. Sidewalks and crosswalks must be provided to separate pedestrians from vehicular traffic both internal and external to the site. Pedestrians will only share pavement with vehicular traffic in marked crosswalks.*

- (1) *Sidewalks must be a minimum of five feet wide.*

- (2) *Sidewalks and crosswalks must be provided internal to the site, and connect pedestrians from parking areas to all principle building(s), including outparcels, and amenity zones.*
- (3) *External sidewalk connections must be provided at a ratio of one sidewalk for each vehicular entrance to a project. Drive aisles leading to main entrances must provide a sidewalk on one side of the drive aisle, at a minimum.*
- (4) *Internal sidewalks must connect to external sidewalk infrastructure on adjacent properties.*
- (5) *A waiver of lighting standards found in LDC section 3-269 may be granted to illuminate a sidewalk crossing on property or parcel lines, provided the lighting standards remain in compliance with the city's dark skies provisions.*

The project provides a new sidewalk connection from the existing convenience store to the public sidewalk within W Terry Street, including crosswalks internal to the site to address the balance between auto-oriented design and pedestrian access.

Sec. 4-895. Intersection design and corner lots.

- (a) *Corner lots. Sites located at collector or arterial intersections along U.S. 41 shall be designed to define and give prominence to the corner on which they are sited and contribute to the public realm through the use of building placement, both principal and accessory; accessory structures or architectural feature, such as pergolas, bell towers, monuments; landscape feature; or other focal point.*

Developments subject to this subsection must be designed to include a minimum of one of the following design elements:

The project site is not located on a corner lot.

NEIGHBORHOOD MEETING DOCUMENTS

A neighborhood meeting was duly advertised in the Fort Myers News Press and mailings were sent to property owners within 1,000 feet of the subject property in accordance with LDC Section 4-28. The meeting was scheduled for 5:30 on September 9, 2021 at the Bonita Springs Fire Control & Rescue District Conference Room.

No members of the public attended.

Copies of the Mailed Notice, Legal Advertisement Affidavit, and the Property Owners Map and Mailing List are provided.

August 13, 2021

Dear Property Owner:

You are invited to attend a Neighborhood Meeting to learn more about a proposed Special Exception application to be submitted with the City of Bonita Springs.

Peninsula Engineering, on behalf of Loves Petroleum, Inc., is requesting a Special Exception to re-establish a car wash use at the existing Circle K convenience store and Shell gas station located at 8801 W. Terry Street. The existing car wash structure has not been in use for over 12-months and a Special Exception is required by the City of Bonita Springs.

As required by the Land Development Code, a Neighborhood Meeting is required prior to submitting a Special Exception application to provide you an opportunity to become fully aware of the project and give you an opportunity to comment and ask questions. The Neighborhood Meeting will be held on Thursday, September 9, 2021 from 5:30-6:30 pm at the Bonita Springs Fire Control & Rescue District Conference Room, 27701 Bonita Grande Drive, Bonita Springs, FL 34135.

The meeting will be conducted simultaneously through Zoom. If you have questions or are not able to attend the meeting in person and wish to attend via Zoom, please email me at CScott@pen-eng.com prior to the meeting to obtain a link.



Sincerely,

PENINSULA ENGINEERING

Christopher O. Scott

Christopher O. Scott, AICP
Zoning Manager

CScott@pen-eng.com

239-403-6700

The News-Press media group

news-press.com A GANNETT COMPANY

Attn:
**PENINSULA ENGINEERING
2600 GOLDEN GATE PARKWAY
NAPLES, FL 34105**

STATE OF FLORIDA COUNTY OF LEE:

Before the undersigned authority personally appeared Denise Roberts, who on oath says that he or she is a Legal Assistant of the News-Press, a daily newspaper published at Fort Myers in Lee County, Florida; that the attached copy of advertisement, being a Legal Ad in the matter of

NEIGHBORHOOD INFORMATION MEETING The public is invited to attend a neighborhood meeting held by Chris Scott of Peninsula Engineering on September 9, 2021 at 5:

In the Twentieth Judicial Circuit Court was published in said newspaper in the issues of:

08/19/2021

Affiant further says that the said News-Press is a paper of general circulation daily in Lee County and published at Fort Myers, in said Lee County, Florida, and that the said newspaper has heretofore been continuously published in said Lee County, Florida each day and has been entered as periodicals matter at the post office in Fort Myers, in said Lee County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has never paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and Subscribed before me this 19th of August 2021, by legal clerk who is personally known to me.

Denise Roberts
Affiant

Sarah Bertelsen
Notary State of Wisconsin, County of Brown

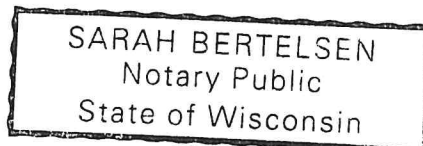
7/27/25
My commission expires

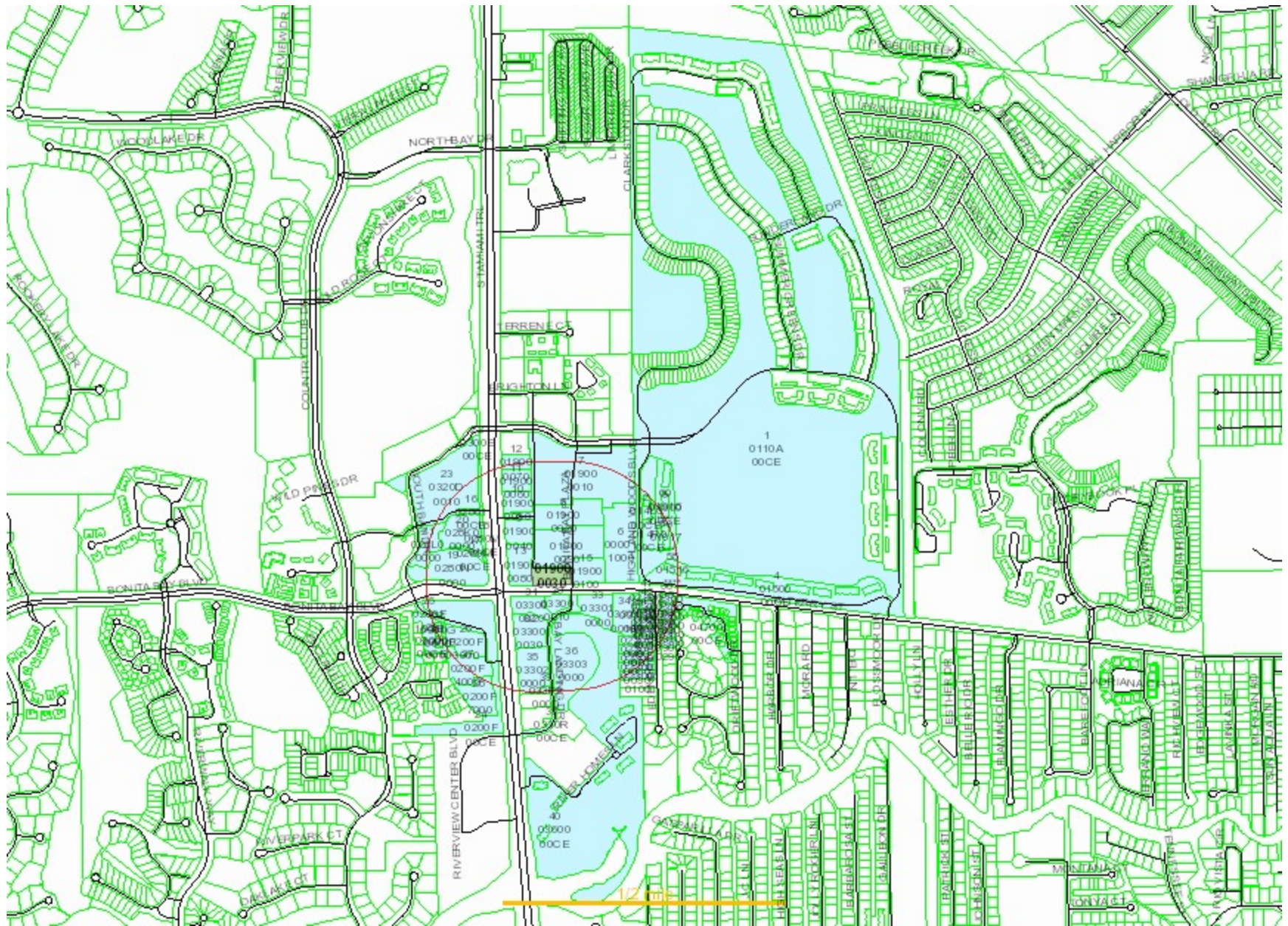
NEIGHBORHOOD INFORMATION MEETING

The public is invited to attend a neighborhood meeting held by Chris Scott of Peninsula Engineering on September 9, 2021 at 5:30 pm at the Bonita Springs Fire Control & Rescue District Conference Room, 27701 Bonita Grande Drive, Bonita Springs, FL 341359. An application for a Special Exception is planned to reestablish a car wash use at the existing convenience store and gas station located at 8801 W Terry Street. The existing car wash structure has not been in use for over 12-months and a Special Exception is required by the City of Bonita Springs. Business and property owners, residents and visitors are welcome to attend the presentation and discuss the project with the owner/developer. If you have questions or comments or are unable to attend this meeting in person and wish to attend simultaneously through Zoom, please contact Chris Scott, Planning Manager, Peninsula Engineering, 2600 Golden Gate Parkway, Naples, FL 3410; cscott@pen-eng.com; (239) 403-2600.
AD # 4866292 Aug 19, 2021

of Affidavits 1

This is not an invoice





59	FALSE	10441591	27-47-25-B4-01917.0203	BARTH GERALD N + ANNETTE M	26721 CLARKSTON DR #203	BONITA SPRINGS	FL	34135	26721 CLARKSTON DR	203 BONITA SPRINGS	34135
59	FALSE	10441592	27-47-25-B4-01917.0204	KRIVA DOROTHY A TR	26721 CLARKSTON DR #204	BONITA SPRINGS	FL	34135	26721 CLARKSTON DR	204 BONITA SPRINGS	34135
59	FALSE	10441593	27-47-25-B4-01917.0205	BISHOP DOUGLAS SCOTT	288 KNOLLWOOD DR	TRVERSE CITY	MI	49686	26721 CLARKSTON DR	205 BONITA SPRINGS	34135
59	FALSE	10441594	27-47-25-B4-01917.0206	FLOWERS ADELLA D L/E	3819 OLD FARM RD	LAFAYETTE	IN	47909	26721 CLARKSTON DR	206 BONITA SPRINGS	34135
59	FALSE	10441595	27-47-25-B4-01917.0207	JENSEN JAMES F & PAMELA K	2770 CENTURY CIR	CHANHASSEN	MN	55317	26721 CLARKSTON DR	207 BONITA SPRINGS	34135
59	FALSE	10441596	27-47-25-B4-01917.0208	WOJICK MICHAEL A TR +	1688 BETA DR UNIT B	SUGAR GROVE	IL	60554	26721 CLARKSTON DR	208 BONITA SPRINGS	34135
60	FALSE	10442998	27-47-25-B4-01918.0101	URBANSKI MARY C TR	26691 CLARKSTON DR #101	BONITA SPRINGS	FL	34135	26691 CLARKSTON DR	101 BONITA SPRINGS	34135
60	FALSE	10442999	27-47-25-B4-01918.0102	MEYER DAVID + PENNY	65183 COUNTY LINE RD	BIG ROCK	IL	60511	26691 CLARKSTON DR	102 BONITA SPRINGS	34135
60	FALSE	10443000	27-47-25-B4-01918.0103	WASKPW CRAIG L &	104 40TH CT	VERO BEACH	FL	32968	26691 CLARKSTON DR	103 BONITA SPRINGS	34135
60	FALSE	10443001	27-47-25-B4-01918.0104	ROSBERG RICK J + PAMELA J	26691 CLARKSTON DR # 104	BONITA SPRINGS	FL	34135	26691 CLARKSTON DR	104 BONITA SPRINGS	34135
60	FALSE	10443002	27-47-25-B4-01918.0105	BURG CHRISTINE A & JAMES S TR	10294 DEER HOLLOW LN	CINCINNATI	OH	45252	26691 CLARKSTON DR	105 BONITA SPRINGS	34135
60	FALSE	10443003	27-47-25-B4-01918.0106	GOLD RICHARD L + MARY L	180 TURN OF RIVER RD #4B	STAMFORD	CT	6905	26691 CLARKSTON DR	106 BONITA SPRINGS	34135
60	FALSE	10443004	27-47-25-B4-01918.0107	TILLMAN JEFFREY A + BARBARA A	26691 CLARKSTON DR #18107	BONITA SPRINGS	FL	34135	26691 CLARKSTON DR	107 BONITA SPRINGS	34135
60	FALSE	10443005	27-47-25-B4-01918.0108	OLEARY WILLIAM A + MARY M	26691 CLARKSTON DR UNIT 18108	BONITA SPRINGS	FL	34135	26691 CLARKSTON DR	108 BONITA SPRINGS	34135
60	FALSE	10443006	27-47-25-B4-01918.0201	BARTOLA DOMENIC TR	1165 CAVELL AVE	HIGHLAND PARK	IL	60035	26691 CLARKSTON DR	201 BONITA SPRINGS	34135
60	FALSE	10443007	27-47-25-B4-01918.0202	GRANT THOMAS & MARY	1 BEACH ST UNIT 5	BEVERLY	MA	1915	26691 CLARKSTON DR	202 BONITA SPRINGS	34135
60	FALSE	10443008	27-47-25-B4-01918.0203	SIGOUIN DANIEL	26691 CLARKSTON DR	BONITA SPRINGS	FL	34135	26691 CLARKSTON DR	203 BONITA SPRINGS	34135
60	FALSE	10443009	27-47-25-B4-01918.0204	KELLIHER DONALD R &	865 HEMLOCK DR	OXFORD	MI	48370	26691 CLARKSTON DR	204 BONITA SPRINGS	34135
60	FALSE	10443010	27-47-25-B4-01918.0205	LINDLE H DALE + JANET TR	26691 CLARKSTON DR #205	BONITA SPRINGS	FL	34135	26691 CLARKSTON DR	205 BONITA SPRINGS	34135
60	FALSE	10443011	27-47-25-B4-01918.0206	FRONTINO SAM J JR + BETTY ANN	26691 CLARKSTON DR UNIT 18206	BONITA SPRINGS	FL	34135	26691 CLARKSTON DR	206 BONITA SPRINGS	34135
60	FALSE	10443012	27-47-25-B4-01918.0207	REED DIANE E TR	26691 CLARKSTON DR UNIT 18207	BONITA SPRINGS	FL	34135	26691 CLARKSTON DR	207 BONITA SPRINGS	34135
60	FALSE	10443013	27-47-25-B4-01918.0208	TAVIERNE RANDALL L + MARGARET	1430 PERSIMMON DR	SAINT CHARLES	IL	60174	26691 CLARKSTON DR	208 BONITA SPRINGS	34135
61	FALSE	10290186	33-47-25-B2-0300F.0000	FRANK FAMILY MINERAL INTERESTS	6333 COUNTY RD 60	WINDSOR	CO	80550	3511 BONITA BAY BLVD	BONITA SPRINGS	34134
62	FALSE	10290187	33-47-25-B2-0300G.0000	5286 GG PROPERTIES LLC	2954 CINNAMON BAY CIR	NAPLES	FL	34119	3501 BONITA BAY BLVD	BONITA SPRINGS	34134

DR2679 PG3000

Prepared by/return to:
Elizabeth L. Cocanougher, Esquire
Steel Hector & Davis
1900 Phillips Point West
777 South Flagler Drive
West Palm Beach, Florida 33401-6198

3918120

15-00

DECLARATION OF RESTRICTIVE COVENANT

RECORD VERIFIED - CHARLIE GREEN, CLERK
BY: HELEN CARROLL, D.C.

WHEREAS, under the Agreement dated July 31, 1995 (the "Agreement"), Faison-Bonita Bay Plaza Limited Partnership, a Florida limited partnership ("Faison") agreed to sell to Apple South, Inc., a Georgia corporation, ("Apple South"), the real property described as Parcel 6, Bonita Bay Plaza, according to the Plat thereof, recorded in Plat Book 57, Pages 57 and 58, Public Records of Lee County, Florida (the "Property"); and

WHEREAS, the Agreement requires Faison to place certain restrictions on Parcels 3 and 7 of Bonita Bay Plaza, according to the Plat thereof, recorded in Plat Book 57, Pages 57 and 58, Public Records of Lee County, Florida (together, the "Restricted Property").

NOW THEREFORE, for valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Faison covenants and agrees as follows:

1. So long as the Property is used as a full-service, casual dining restaurant, Faison shall not permit the Restricted Property to be used as one of the following restaurants: "Bennigans", "TGI Fridays", "Chili's" or "Ruby Tuesday's" (the "Restaurant Restriction"). This Restaurant Restriction shall terminate and be of no further force and effect upon discontinuance of the Property's use as a full-service, casual dining restaurant (a) for a period of six (6) months (or longer, if either reconstruction after a casualty or renovation is diligently pursued), or (b) immediately upon commencement of any use other than a full service, casual dining restaurant use. Upon such termination, Apple South shall provide, within fifteen (15) days after request, a recordable release of the Restaurant Restriction. If Apple South fails to provide such release, Faison may record an affidavit of discontinuance of use, which shall operate as a release of the Restaurant Restriction.

2. Unless released by waiver from Apple South, Parcel 7 of the Restricted Property shall be further restricted in the following manner: (a) improvements on Parcel 7 shall have at least the same setback from U.S. 41 as improvements on the Property; and (b) in order to achieve a separation between the signage of Parcel 7 and the Property, signage fronting U.S. 41 on Parcel 7 (i) shall be no higher and no larger than the signage of the Property fronting U.S. 41 and (ii) shall have the same or similar location as the signage on the Property.

OR2679 PG3001

3. These restrictions are for the benefit of and may be enforced only by Apple South, shall run with the Property and the Restricted Property, and are for the benefit of and binding upon all successive owners and occupants of the Property and the Restricted Property.

4. This instrument shall be recorded in the local recording office in the jurisdiction in which the Property and the Restricted Property are located.

5. Failure to comply with any of the foregoing restrictions shall be grounds for relief which may include, without limitation, an action to recover damages, injunctive relief or any combination thereof.

IN WITNESS WHEREOF, the undersigned has executed this Declaration of Restrictive Covenant as of the date set forth above.

Signed, sealed and delivered in the presence of:

[Signature]
Witness
ELIZABETH M. SPEED

Printed Name of Witness
[Signature]
Witness
TRACY A. O'CONNOR
Printed Name of Witness

FAISON-BONITA BAY PLAZA LIMITED PARTNERSHIP, a Florida limited partnership

By its sole general partner:

FCD-Bonita Bay Plaza Limited Partnership, a North Carolina limited partnership

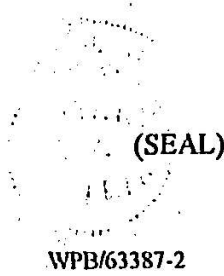
By its sole general partner:

Faison Capital Development, Inc., a North Carolina corporation

By: [Signature]
Printed Name: **JAMES H. CULPEPPER, IV**
Its **VICE PRESIDENT**

STATE OF NORTH CAROLINA
COUNTY OF MECKLENBURG

The foregoing instrument was acknowledged before me this 2 day of February, 1996, by James H. Culpepper, IV, a Vice President of Faison Capital Development, Inc., a North Carolina corporation, on behalf of the corporation as general partner of FCD-Bonita Bay Plaza Limited Partnership, a North Carolina limited partnership, general partner of Faison-Bonita Bay Plaza Limited Partnership, a Florida limited partnership. He/she is personally known to me or has produced _____ as identification.



[Signature]
Notary Public
Type/Print Name: **Barbara J. Simoncic**
Commission Number: [Signature]
Commission Expires: ~~My Commission Expires~~ **May 15, 1996**

Signed, sealed and delivered
in the presence of:

APPLE SOUTH, INC., a Georgia
corporation

Felicia M. Lewis
Print Name: Felicia M. Lewis

By: [Signature]
Printed Name: Margaret E. Waldrep
Its SR. Corp. VP of Development

Lynn A. Hilsman
Print Name: Lynn A. Hilsman

DR2679 PG3002

STATE OF Georgia
COUNTY OF Morgan

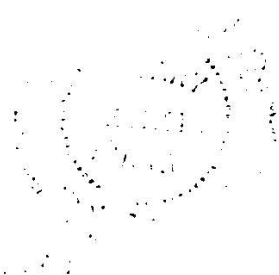
The foregoing instrument was acknowledged before me this 12th day of February, 1996, by Margaret E. Waldrep, as the SR. Corp. VP + Development of and on behalf of APPLE SOUTH, INC., a Georgia corporation. He/she () is personally known to me or () has produced _____ as identification.

Allyson Stalvey
Signature of Notary
Allyson Stalvey
Name of Notary (Typed, Printed or Stamped)

CHARLIE GREEN LEE CITY FL
96 FEB 26 AM 9:36

Commission Number
(if not legible on seal): _____

My Commission Expires
(if not legible on seal): Notary Public, Morgan County, Georgia
My Commission Expires April 25, 1999
Date Notarized: 2/12/96



19.50

Prepared by/Return to:
Michael E. Botos, Esq.
Steel Hector & Davis LLP
Suite 1900 West
777 So. Flagler Drive
West Palm Beach, FL 33401-6198



3985704

RECORD VERIFIED CHARLIE GREEN, CLERK
SUSAN THOMPSON

DECLARATION OF RESTRICTIONS

THIS DECLARATION OF RESTRICTIONS (the "Declaration") entered into as of the 19th day of June, 1996, by and between FAISON-BONITA BAY PLAZA LIMITED PARTNERSHIP, a Florida limited partnership ("Faison") and SAVANNAH LAND CORPORATION, a Florida corporation, ("Savannah").

WHEREAS, Faison has agreed to sell the following real property described as Parcel 5, Bonita Bay Plaza, according to the Plat thereof, recorded in Plat Book 57, Pages 57 and 58, Public Records of Lee County, Florida (the "Savannah Property"); and

WHEREAS, Faison has agreed to place certain restrictions on Parcels 2, 3 and 7 of Bonita Bay Plaza, according to the Plat thereof, recorded in Plat Book 57, Pages 57 and 58, Public Records of Lee County, Florida (together, the "Faison Property"); and

WHEREAS, in consideration of the restrictions to be placed by Faison upon the Faison Property, Savannah has agreed to place certain restrictions upon the Savannah Property.

NOW THEREFORE, for valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Faison and Savannah covenant and agree as follows:

- Faison's Restrictions.** Faison shall not permit the Faison Property to be used for a business, the primary purpose of which is the rental of video tapes or the sale of compact disks or audio tapes (collectively the "Restricted Uses"). Primary purpose shall mean that more than 50% of a business's gross revenues are derived from the Restricted Uses.
- Savannah Restrictions.** Neither Savannah, nor its successors or assigns, will permit the Savannah Property to be used as a Financial Institution. For purposes of this paragraph, the term "Financial Institution" shall mean an insured depository institution or other business engaged primarily in the distribution or sale of products with financial, savings or lending characteristics, including, but not limited to, retail savings and loan institutions, savings bank, bank (whether national or state chartered), credit union or other financial institution engaged principally in the business of accepting savings or checking deposits, or engaged in mortgage and/or commercial lending, or any other financially related activity permitted

WPB/70593-2

OR2718 PG2040

by the Office of Thrift Supervision or any other regulatory agency or authority with jurisdiction, including any successor of regulatory authority thereto.

- 3. **Binding Nature.** This Declaration shall run with the land and shall be binding upon Faison and Savannah, their successors and assigns, for a period of twenty five (25) years from the date hereof, after which time the restrictions shall automatically self renew for a period of two (2) additional terms of ten (10) years each, unless such restrictions are terminated by an instrument in recordable form, executed by the then owners of both the Faison Property and the Savannah Property.
- 4. **Enforcement.** These provisions may be enforced as to the Faison Property only by Savannah, or its successors or assigns in ownership of the Savannah Property and as to the Savannah Property only by Faison, or its nominees or assigns. Each party, in addition to any other remedies available at law, is entitled to an injunctive relief and equitable remedies for a violation of the restrictions contained herein. A failure to enforce these restrictions shall not be deemed a waiver thereof.
- 5. **Recording; Governing Law.** These restrictions shall be recorded in the Public Records of the Lee County, Florida, and shall be construed according to the laws of the State of Florida.
- 6. **Severability.** If any portion of this Declaration is deemed invalid or unenforceable by a court of competent jurisdiction, the remaining portion of this Declaration shall be construed as to best carry out the original intent of the parties hereto.
- 7. **Costs and Attorneys Fees.** In the event litigation is necessary in order to enforce the provisions of this Declaration, the prevailing party shall be entitled to an award against the non prevailing party of costs and attorneys fees, including costs and fees on appeal, incurred in connection with such litigation.
- 8. **Amendments.** This Declaration may only be amended or released by writing in a recordable form, executed by both the then current owners of the Faison Property and the Savannah Property.

DR2718 P62041

IN WITNESS WHEREOF, the undersigned has executed this Declaration of Restrictive Covenant as of the date set forth above.

Signed, sealed and delivered in the presence of:

[Signature]
Witness

Kimberly G. Baldwin
Printed Name of Witness

[Signature]
Witness

Tracy A. O'Connor
Printed Name of Witness

FAISON-BONITA BAY PLAZA LIMITED PARTNERSHIP, a Florida limited partnership
By its sole general partner:

FCD-Bonita Bay Plaza Limited Partnership, a North Carolina limited partnership

By its sole general partner:
Faison Capital Development, Inc., a North Carolina corporation

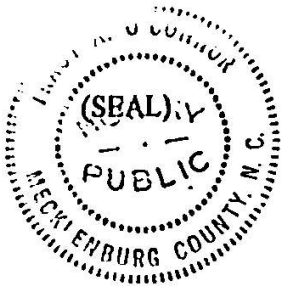
By: [Signature]
Printed Name: James H. Culpepper, IV
Its Vice President

OR2718 PG2042

STATE OF NORTH CAROLINA

COUNTY OF MECKLENBURG

The foregoing instrument was acknowledged before me this 12th day of June, 1996, by James H. Culpepper IV, a Vice President of Faison Capital Development, Inc., a North Carolina corporation, on behalf of the corporation as general partner of FCD-Bonita Bay Plaza Limited Partnership, a North Carolina limited partnership, general partner of Faison-Bonita Bay Plaza Limited Partnership, a Florida limited partnership. He/she is personally known to me or has produced _____ as identification.



[Signature]
Notary Public
Type/Print Name: TRACY A. O'CONNOR
Commission Number: _____
Commission Expires: My Commission Expires April 22, 1997

Signed, sealed and delivered
in the presence of:

SAVANNAH LAND CORPORATION, a
Florida corporation

Whitney Outthwaite
Print Name: Whitney Outthwaite

By: H. Wayne Huizenga, Jr.
Printed Name: H. Wayne Huizenga Jr
Its President

Nancy T. Side
Print Name: Nancy T. Side

DR2718 PG2043

STATE OF FLORIDA

COUNTY OF BROWARD

The foregoing instrument was acknowledged before me this 19 day of
June, 1996, by H. Wayne Huizenga, Jr. as the President of and on behalf of
SAVANNAH LAND CORPORATION, a Florida corporation. He/she (x) is personally known
to me or () has produced _____ as identification.

Doreen A. Raneri
Signature of Notary

Name of Notary (Typed, Printed or Stamped)

Commission Number : _____

My Commission Expires: _____

CHARLIE GREEN LEE CITY FL
96 JUN 24 AM 10: 17



2500

Prepared by/Return to:
Matthew R. Piepenburg, Esq.
Steel Hector & Davis LLP
Suite 1900 West
777 So. Flagler Drive
West Palm Beach, FL 33401-6198

4084044

OR2774 P64185

RECORD VERIFIED - CHARLIE GREEN, CLERK
By: J. Miller, D.C.

DECLARATION OF RESTRICTIONS

THIS DECLARATION OF RESTRICTIONS (the "Declaration") entered into as of the 16th day of December, 1996, by and between FAISON-BONITA BAY PLAZA LIMITED PARTNERSHIP, a Florida limited partnership ("Faison") and FIRST UNION NATIONAL BANK OF FLORIDA, a national banking association, ("First Union").

WHEREAS, Faison has agreed to sell the real property described in Exhibit "A" attached hereto (the "First Union Property"); and

WHEREAS, Faison has agreed to place certain restrictions on Parcels 2, 3, 7, less and excepting the North 57.39 feet thereof, and 10 of Bonita Bay Plaza, according to the Plat thereof, recorded in Plat Book 57, Pages 57 and 58, Public Records of Lee County, Florida (together, the "Faison Property"); and

WHEREAS, in consideration of the restrictions to be placed by Faison upon the Faison Property, First Union has agreed to place certain restrictions upon the First Union Property.

NOW THEREFORE, for valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Faison and First Union covenant and agree as follows:

1. First Union's Restrictions. First Union shall not permit the First Union Property to be used: i) as a Bennigans, TGI Fridays, Chili's or Ruby Tuesdays restaurant; and ii) for a business, the primary purpose of which is the rental of video tapes (collectively the "Restricted Uses"). Primary purpose shall mean that more than 50% of a business's gross revenues are derived from the Restricted Use.
2. Faison Restrictions. Neither Faison, nor its successors or assigns, will permit the Faison Property to be used as a Financial Institution. For purposes of this paragraph, the term "Financial Institution" shall mean an insured depository institution or other business engaged primarily in the distribution or sale of products with financial, savings or lending characteristics, including, but not limited to, retail savings and loan institutions, savings bank, bank (whether national or state chartered), credit union or other financial institution

OR2774 PCL 186

engaged principally in the business of accepting savings or checking deposits, or engaged in mortgage and/or commercial lending, or any other financially related activity permitted by the Office of Thrift Supervision or any other regulatory agency or authority with jurisdiction, including any successor of regulatory authority thereto.

3. **Binding Nature.** This Declaration shall run with the land and shall be binding upon Faison and First Union, their successors and assigns, for a period of twenty five (25) years from the date hereof, after which time the restrictions shall automatically self renew for a period of two (2) additional terms of ten (10) years each, unless such restrictions are terminated by an instrument in recordable form, executed by the then owners of both the Faison Property and the First Union Property.
4. **Enforcement.** These provisions may be enforced as to the Faison Property only by First Union, or its successors or assigns in ownership of the First Union Property and as to the First Union Property only by Faison, or its nominees or assigns. Each party, in addition to any other remedies available at law, is entitled to an injunctive relief and equitable remedies for a violation of the restrictions contained herein. A failure to enforce these restrictions shall not be deemed a waiver thereof.
5. **Recording; Governing Law.** These restrictions shall be recorded in the Public Records of the Lee County, Florida, and shall be construed according to the laws of the State of Florida.
6. **Severability.** If any portion of this Declaration is deemed invalid or unenforceable by a court of competent jurisdiction, the remaining portion of this Declaration shall be construed as to best carry out the original intent of the parties hereto.
7. **Costs and Attorneys Fees.** In the event litigation is necessary in order to enforce the provisions of this Declaration, the prevailing party shall be entitled to an award against the non prevailing party of costs and attorneys fees, including costs and fees on appeal, incurred in connection with such litigation.
8. **Amendments.** This Declaration may only be amended or released by writing in a recordable form, executed by both the then current owners of the Faison Property and the First Union Property.

OR2774 PG4 187

IN WITNESS WHEREOF, the undersigned has executed this Declaration of Restrictive Covenant as of the date set forth above.

Signed, sealed and delivered in the presence of:

[Signature]
Witness K. G. Baldwin

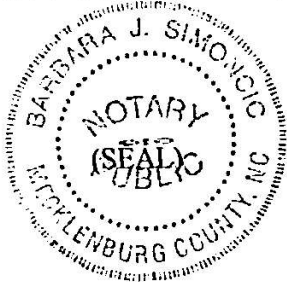
Printed Name of Witness
[Signature]
Witness
SCOTT F. LAZAROS
Printed Name of Witness

FAISON-BONITA BAY PLAZA LIMITED PARTNERSHIP, a Florida limited partnership
By its sole general partner:
FCD-Bonita Bay Plaza Limited Partnership, a North Carolina limited partnership
By its sole general partner:
Faison Capital Development, Inc., a North Carolina corporation

By: [Signature]
James H. Culpepper, IV
Its: Vice President

STATE OF NORTH CAROLINA
COUNTY OF MECKLENBURG

The foregoing instrument was acknowledged before me this 16 day of December, 1996, by James H. Culpepper, IV as Vice President of Faison Capital Development, Inc., a North Carolina corporation, on behalf of the corporation as general partner of FCD-Bonita Bay Plaza Limited Partnership, a North Carolina limited partnership, general partner of Faison-Bonita Bay Plaza Limited Partnership, a Florida limited partnership. He/she is [] personally known to me or [] has produced _____ as identification.



[Signature]
Notary Public
Type/Print Name: Barbara J. Simoncic
Commission Number: 412
Commission Expires: My Commission Expires May 15, 2001

WPB/87333-1

Signed, sealed and delivered
in the presence of:

FIRST UNION NATIONAL BANK OF
FLORIDA, a national banking association

Victor B. M'Beck
Print Name: Victor B. M'Beck

By: [Signature]
Printed Name: Joe Schiffer
Its: Vice President

Miriam D. Coleman
Print Name: Miriam D. Coleman

OR2774 PG4 188

STATE OF Florida

COUNTY OF Duval

The foregoing instrument was acknowledged before me this 17 day of
December, 1996, by Joe Schiffer, as the V.P. of and on behalf of
FIRST UNION NATIONAL BANK OF FLORIDA, a national banking association. He/she []
is personally known to me or [] has produced N/A as
identification.



BARBARA L HALL
My Commission CC573508
Expires Jul. 30, 2000

Barbara L. Hall
Signature of Notary

Barbara L. Hall
Name of Notary (Typed, Printed or Stamped)

Commission Number : _____

My Commission Expires: _____

HARLIE GREEN LEE CLERK

96 DEC 20 PM 2: 20

EXHIBIT A

Legal Description

ALL THAT PART OF SECTION 28, TOWNSHIP 47 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA AND PART OF PARCEL 7, BONITA BAY PLAZA, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 57, PAGES 57 AND 58, PUBLIC RECORDS OF LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF BONITA BAY PLAZA, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 57, PAGES 57 AND 58, PUBLIC RECORDS OF LEE COUNTY, FLORIDA, AND A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF HIGHLAND WOODS BOULEVARD (100' RIGHT-OF-WAY); THENCE SOUTH 89°12'15" WEST ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID HIGHLAND WOODS BOULEVARD A DISTANCE OF 257.37 FEET TO AN INTERSECTION WITH THE EASTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY 41 (S.R. 45) (200' RIGHT-OF-WAY); THENCE LEAVING SAID SOUTHERLY RIGHT-OF-WAY LINE SOUTH 00°06'10" EAST ALONG SAID EASTERLY RIGHT-OF-WAY LINE A DISTANCE OF 156.29 FEET TO THE NORTHWEST CORNER OF AFORESAID PARCEL 7 OF BONITA BAY PLAZA; THENCE CONTINUING ALONG SAID EASTERLY RIGHT-OF-WAY LINE AND ALONG THE WESTERLY LINE OF SAID PARCEL 7 SOUTH 00°06'10" EAST A DISTANCE OF 57.07 FEET; THENCE LEAVING SAID EASTERLY RIGHT-OF-WAY LINE AND SAID WESTERLY LINE, NORTH 89°53'50" EAST A DISTANCE OF 278.96 FEET TO AN INTERSECTION WITH THE EASTERLY LINE OF SAID PARCEL 7; THENCE NORTH 00°31'47" WEST ALONG SAID EASTERLY LINE A DISTANCE OF 57.36 FEET TO THE NORTHEAST CORNER OF SAID PARCEL 7; THENCE LEAVING SAID EASTERLY LINE SOUTH 89°05'06" WEST ALONG THE NORTHERLY LINE OF SAID PARCEL 7 A DISTANCE OF 20.00 FEET TO AN INTERSECTION WITH A WESTERLY LINE OF SAID BONITA BAY PLAZA; THENCE LEAVING SAID NORTHERLY LINE NORTH 00°31'47" WEST ALONG SAID WESTERLY LINE A DISTANCE OF 159.41 FEET TO THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED.

OR2774 PAGE 189

19.50 ✓

Prepared by/Return to:
Michael E. Botos, Esq.
Steel Hector & Davis LLP
Suite 1900 West
777 So. Flagler Drive
West Palm Beach, FL 33401-6198

4271678

OR2886 PG2190

DECLARATION OF RESTRICTIONS

THIS DECLARATION OF RESTRICTIONS (the "Declaration") entered into as of the 29th day of October, 1997, by and between FAISON-BONITA BAY PLAZA LIMITED PARTNERSHIP, a Florida limited partnership ("Faison") and SOUTHERN MANAGEMENT CORPORATION, a Florida corporation, ("Southern").

WHEREAS, Faison has agreed to sell to Southern that portion of Lot 7 of the Plat of Bonita Bay Plaza identified in the attached Exhibit A (the "Southern Property") according to the Plat thereof (the "Plat"), recorded in Plat Book 57, Pages 57 and 58, Public Records of Lee County, Florida; and

WHEREAS, Faison has agreed to place certain restrictions on Parcels 2, 3 and 10 of the Plat (collectively, the "Faison Property"); and

WHEREAS, in consideration of the restrictions to be placed by Faison upon the Faison Property, Southern has agreed to place certain restrictions upon the Southern Property.

NOW THEREFORE, for valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Faison and Southern covenant and agree as follows:

1. **Southern's Restriction.** The Southern Property shall not be used as a convenience store or gas station. This restriction shall also be imposed upon any other outparcel in the Plat which Faison may reacquire subsequent to the date of this Declaration.
2. **Faison's Restriction.** None of the lots which constitute the Faison Property shall be used for a fast food business (including any Quick Service Restaurant) which derives 50% or more of its revenue from the sale of hamburgers from the retail store. In the event a fast food retail outlet is combined with another retail use such as a gas station or convenience store, all petroleum products sold by such outlet shall be excluded from its "revenues" for the purpose of determining the percentage of revenue requirements contained herein. This restriction shall also be imposed upon any other outparcel in the Plat which Faison may reacquire subsequent to the date of this Declaration.

WPB/I15330-2

OR2886 PG2191

- 3. **Binding Nature.** This Declaration shall run with the land and shall be binding upon Faison and Southern, their successors and assigns, for a period of twenty five (25) years from the date hereof, after which time the restrictions shall automatically self renew for a period of two (2) additional terms of ten (10) years each, unless such restrictions are terminated by an instrument in recordable form, executed by the then owners of both the Faison Property and the Southern Property.
- 4. **Enforcement.** These provisions may be enforced as to the Faison Property only by Southern or its successors or assigns in ownership of the Southern Property and as to the Southern Property only by Faison, or its nominees or assigns in ownership of the Faison Property. Each party, in addition to any other remedies available at law, is entitled to an injunctive relief and equitable remedies for a violation of the restrictions contained herein. A failure to enforce these restrictions shall not be deemed a waiver thereof.
- 5. **Recording: Governing Law.** These restrictions shall be recorded in the Public Records of the Lee County, Florida, and shall be construed according to the laws of the State of Florida.
- 6. **Severability.** If any portion of this Declaration is deemed invalid or unenforceable by a court of competent jurisdiction, the remaining portion of this Declaration shall be construed as to best carry out the original intent of the parties hereto.
- 7. **Costs and Attorneys Fees.** In the event litigation is necessary in order to enforce the provisions of this Declaration, the prevailing party shall be entitled to an award against the non prevailing party of costs and attorneys fees, including costs and fees on appeal, incurred in connection with such litigation.
- 8. **Amendments.** This Declaration may only be amended or released by writing in a recordable form, executed by both the then current owners of the Faison Property and the Southern Property.

[signatures and acknowledgments on following pages]

QR2886 PG2192

IN WITNESS WHEREOF, the undersigned has executed this Declaration of Restrictive Covenant as of the date set forth above.

Signed, sealed and delivered in the presence of:

[Signature]
Witness

ELIZABETH M. SPEED

Printed Name of Witness

[Signature]
Witness

K. G. Baldwin

Printed Name of Witness

FAISON-BONITA BAY PLAZA LIMITED PARTNERSHIP, a Florida limited partnership

By its sole general partner:

FCD-Bonita Bay Plaza Limited Partnership, a North Carolina limited partnership

By its sole general partner:

Faison Capital Development, Inc., a North Carolina corporation

By: *[Signature]*

James H. Culpepper, IV

Its: Vice President

STATE OF NORTH CAROLINA

COUNTY OF MECKLENBURG

The foregoing instrument was acknowledged before me this 27 day of October, 1997, by James H. Culpepper, IV as Vice President of Faison Capital Development, Inc., a North Carolina corporation, on behalf of the corporation as general partner of FCD-Bonita Bay Plaza Limited Partnership, a North Carolina limited partnership, general partner of Faison-Bonita Bay Plaza Limited Partnership, a Florida limited partnership. He/she is [] personally known to me or [] has produced _____ as identification.



[Signature]
Notary Public

Type/Print Name: Barbara J. Simoncic

Commission Number:

Commission Expires: My Commission Expires May 15, 2001

CHARLIE GREEN LEE CTY, FL

97 NOV -7 PH 3: 06

OR2886 PG2193

Signed, sealed and delivered
in the presence of:

[Signature]
Print Name: James L. [unclear]

[Signature]
Print Name: James S. [unclear]

SOUTHERN MANAGEMENT
CORPORATION, a Florida Corporation

By: [Signature]
Printed Name: George L. Royal, Jr.
Its: Vice-President

STATE OF FLORIDA

COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this 30th Day of October, 1997, by George L. Royal, Jr., as the Vice-President of and on behalf of SOUTHERN MANAGEMENT CORPORATION, a Florida Corporation. He is personally known to me.

[Signature]
Signature of Notary

Elizabeth A. Herring
Name of Notary (Typed or Printed)

My Commission Expires:



ELIZABETH A. HERRING
MY COMMISSION # CC468310 EXPIRES
July 1, 1999
BONDED THRU TROY FAIR INSURANCE, INC.



Public Hearing Submittal Requirements Waiver

Community Development Dept. | 9220 Bonita Beach Road, Suite 111 | Bonita Springs, FL 34135 | Phone: 239 444 6150 | Fax: 239 444 6140

Upon written request, the Director may modify the submittal requirements for Public Hearings (and other administrative applications) 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.

APPLICATION FOR WAIVER OF REQUIRED SUBMITTAL ITEMS (indicate the appropriate application type)

- Public Hearing - General Requirements **(4-194)**
- Public Hearing - Additional Requirements for:
 - Development of Regional Impact **(4-195)**
 - Planned Developments **(4-295)**
 - Master Concept Plan Extension **(4-303)**
 - Master Concept Plan Reinstatement **(4-303)**
 - Rezoning other than Planned Developments **(4-195(b))**
 - Mobile Home Park **(4-195(d))**
 - Special Exception **(4-195(e))**
 - Variances **(4-195(f))**
- Administrative Action Requirements

PLEASE PRINT OR TYPE:

STAP Number: _____

Name of Project: _____

Name of Agent: _____

Street Address: _____

City: _____ State: _____ Zip: _____

Phone #: _____ Fax #: _____

E-mail: _____

Name of Applicant*: _____

Street Address: _____

City: _____ State: _____ Zip: _____

Phone #: _____ Fax #: _____

E-mail: _____

*** If applicant is not the owner, a letter of authorization from the owner must be submitted.**

A. SPECIFIC SECTION(S) AND REQUIREMENT(S) FOR WHICH A WAIVER IS SOUGHT:

Section Number	Requirement
#1 _____	_____
#2 _____	_____
#3 _____	_____
#4 _____	_____
#5 _____	_____
#6 _____	_____
#7 _____	_____
#8 _____	_____
#9 _____	_____

B. SCOPE OF PROJECT AND REASON(S) FOR REQUEST:

Please provide an explanation of the scope of the project and the reason(s) why you think the request for submittal waiver(s) should be approved. Use additional sheets if necessary and attach to this application form. (Please print or type) _____

Under penalties of perjury, I declare that I have read the foregoing application and that the facts stated in it are true.

Signature of Applicant

Directors Decision: _____ **Request Approved** _____ **Request Denied**

Comments:

Signature: _____

Date: _____

**LUV-A-WASH
 SPECIAL
 EXCEPTION
 EXHIBIT**

TITLE:

LINE OF SIGHT EXHIBIT

OWNER/CLIENT/CONSULTANT:

LOVE'S PETROLEUM, INC.

REVISIONS:

No.	Revision	Date
1	PER COMMENT LETTER DATED FEBRUARY 9, 2022	04/19/22

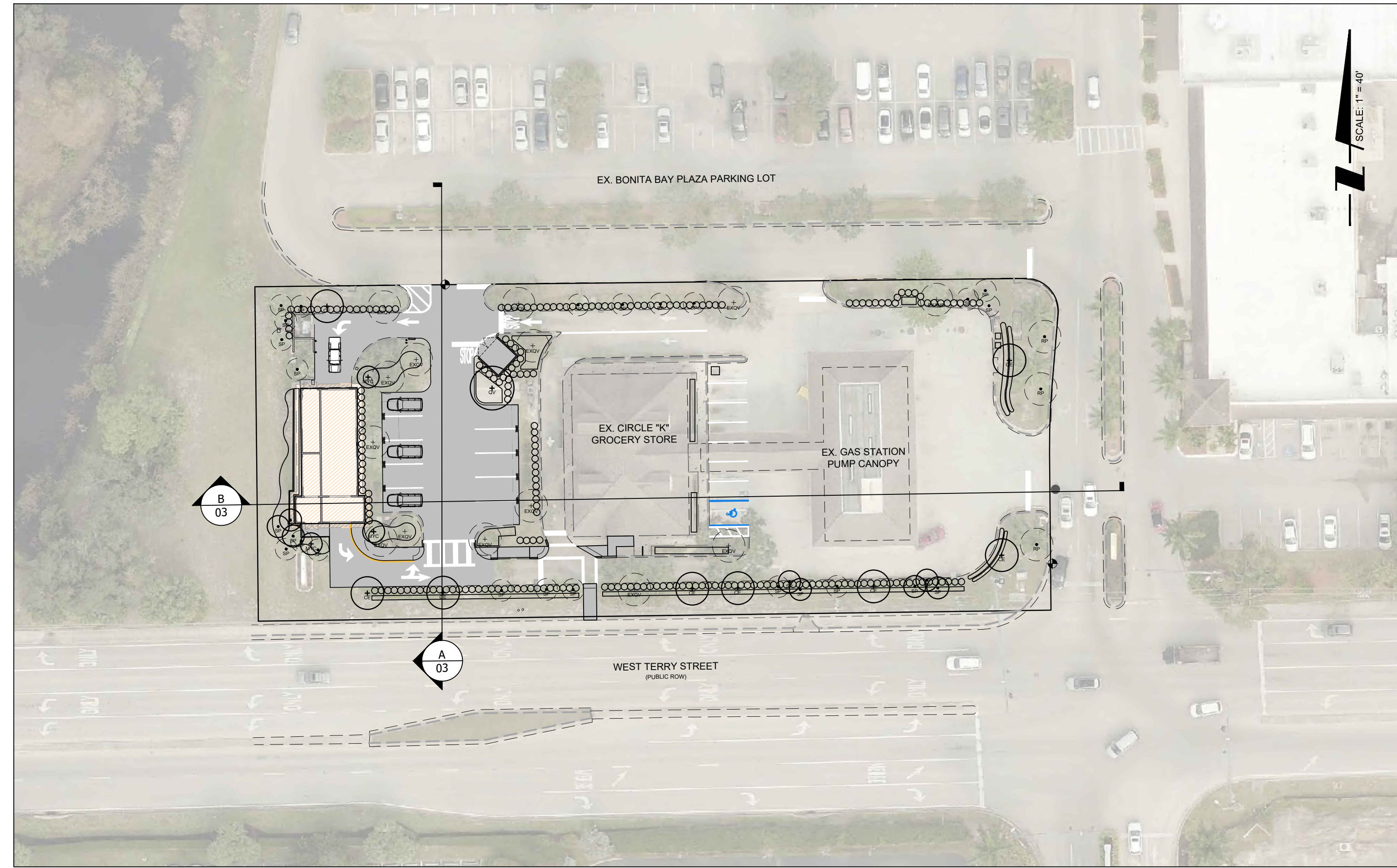
NOTES:

PROFESSIONAL SEALS:
 PROFESSIONAL ENGINEER: LUIS M BOLIVAR, PE
 FLORIDA LICENSE NUMBER: 91282

DATUM NOTE:
 ALL ELEVATIONS ARE BASED ON NAVD 88
 (NORTH AMERICAN VERTICAL DATUM OF 1988)

Bar Scale: 1" = 40'
 0 10' 20' 40' 80' 120'

SEC: 28 TWP: 47S RGE: 25E
 City: BONITA SPRINGS County: LEE
 Designed by: LUIS M BOLIVAR, PE
 Drawn by: LUIS M BOLIVAR, PE
 Date: APRIL, 2022
 Horizontal Scale: 1" = 40'
 Vertical Scale: N.T.S.
 Project Number: P-LOVE-005-001
 File Number: P-LOVE-005-001-005LP



LINE OF SIGHT PLAN VIEW



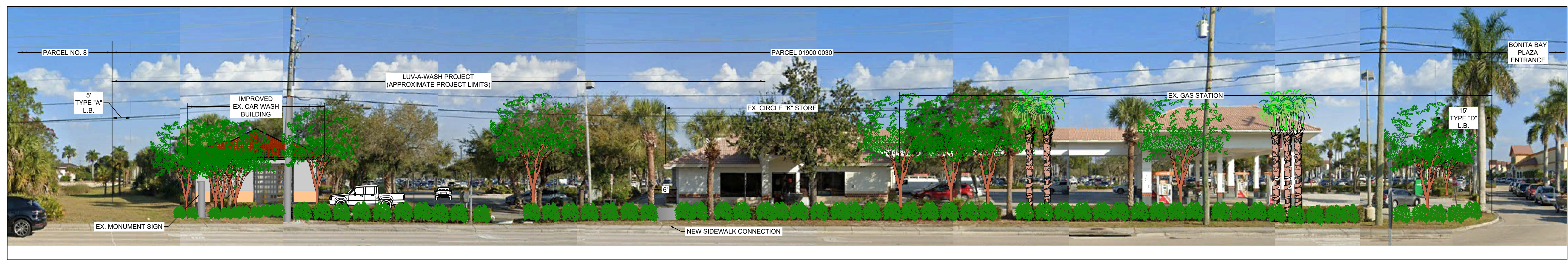
EXISTING CONDITIONS VIEW
 LOOKING NW FROM W. TERRY ST. TOWARDS CAR WASH
 (PHOTOGRAPH TAKEN 04/08/2022)



EXISTING CONDITIONS VIEW
 LOOKING SW FROM SHOPPING CENTER DRIVE AISLE TOWARDS CAR WASH
 (PHOTOGRAPH TAKEN 04/08/2022)



SECTION A
 Scale: 1" = 10'



SECTION B
 NTS

LINE OF SIGHT CROSS SECTIONS

August 15, 2022

Dear Property Owner:

You are invited to attend a Neighborhood Meeting to learn more about a Special Exception application (SPE22-97755-BOS) that has been submitted to and found sufficient by the City of Bonita Springs. The application is requesting to re-establish a car wash use at the existing Circle K convenience store and Shell gas station located at 8801 W. Terry Street. The existing car wash structure has not been in use for over 12-months and a Special Exception is required by the City of Bonita Springs.

The Neighborhood Meeting will be held:

Thursday, September 8, 2022, 5:30-6:30 pm
Bonita Springs Fire Control & Rescue District Conference Room
27701 Bonita Grande Drive, Bonita Springs, FL 34135.

The meeting will be conducted simultaneously through Zoom. If you have questions or are not able to attend the meeting in person and wish to attend via Zoom, please email me at CScott@pen-eng.com prior to the meeting to obtain a link.



Sincerely,

Christopher O. Scott, AICP

CScott@pen-eng.com

239-403-6727

2600 Golden Gate Parkway, Naples, Florida, 34105 Office 239.403.6700 Fax 239.261.1797

SPE22-97755-BOS Luv-A-Wash Special Exception
NEIGHBORHOOD MEETING DOCUMENTS

A Post Sufficiency neighborhood meeting was duly advertised in the Fort Myers News Press and mailings were sent to property owners within 1,000 feet of the subject property in accordance with LDC Section 4-28. The meeting was scheduled for 5:30 on September 8, 2022 at the Bonita Springs Fire Control & Rescue District Conference Room.

No members of the public attended in person or virtually.

Copies of the Legal Advertisement Affidavit, Mailed Notice, and the Property Owners Map and Mailing List are provided.

The News-Press media group

news-press.com A GANNETT COMPANY

Attn:
**PENINSULA ENGINEERING
2600 GOLDEN GATE PKWY
NAPLES, FL 34105**

State of Wisconsin, County of Brown:
Before the undersigned authority personally appeared Shelly Hora, who on oath says that he or she is a Legal Assistant of the News-Press, a daily newspaper published at Fort Myers in Lee County, Florida; that the attached copy of advertisement, being a Legal Ad in the matter of

NEIGHBORHOOD INFORMATION MEETING The public is invited to attend a neighborhood meeting held by Chris Scott of Peninsula Engineering on September 8, 2022 at 5:

In the Twentieth Judicial Circuit Court was published in said newspaper editions dated in the issues of or by publication on the newspaper's website, if authorized, on :

08/18/2022

Affiant further says that the said News-Press is a paper of general circulation daily in Lee County and published at Fort Myers, in said Lee County, Florida, and that the said newspaper has heretofore been continuously published in said Lee County, Florida each day and has been entered as periodicals matter at the post office in Fort Myers, in said Lee County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has never paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in said newspaper editions dated:

Sworn to and Subscribed before me this 18th of August 2022, by legal clerk who is personally known to me.

Shelly Hora
Affiant

Kathleen Allen
Notary State of Wisconsin, County of Brown

1-7-25

My commission expires

of Affidavits 1

This is not an invoice

**KATHLEEN ALLEN
Notary Public
State of Wisconsin**

NEIGHBORHOOD INFORMATION MEETING

The public is invited to attend a neighborhood meeting held by Chris Scott of Peninsula Engineering on September 8, 2022 at 5:30 pm at the Bonita Springs Fire Control & Rescue District Conference Room, 27701 Bonita Grande Drive, Bonita Springs, FL 341359. A Special Exception application has been submitted to the City of Bonita Springs to reestablish a car wash use at the existing convenience store and gas station located at 8801 W Terry Street. The existing car wash structure has not been in use for over 12-months and a Special Exception is required by the City of Bonita Springs. Business and property owners, residents and visitors are welcome to attend the presentation and discuss the project with the owner/developer. If you have questions or comments or are unable to attend this meeting in person and wish to attend simultaneously through Zoom, please contact Chris Scott, Planning Manager, Peninsula Engineering, 2600 Golden Gate Parkway, Naples, FL 3410; cscott@pen-eng.com; (239) 403-6727.

AD # 5361028

Aug 18, 2022

August 15, 2022

Dear Property Owner:

You are invited to attend a Neighborhood Meeting to learn more about a Special Exception application (SPE22-97755-BOS) that has been submitted to and found sufficient by the City of Bonita Springs. The application is requesting to re-establish a car wash use at the existing Circle K convenience store and Shell gas station located at 8801 W. Terry Street. The existing car wash structure has not been in use for over 12-months and a Special Exception is required by the City of Bonita Springs.

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Sincerely,

Christopher O. Scott, AICP

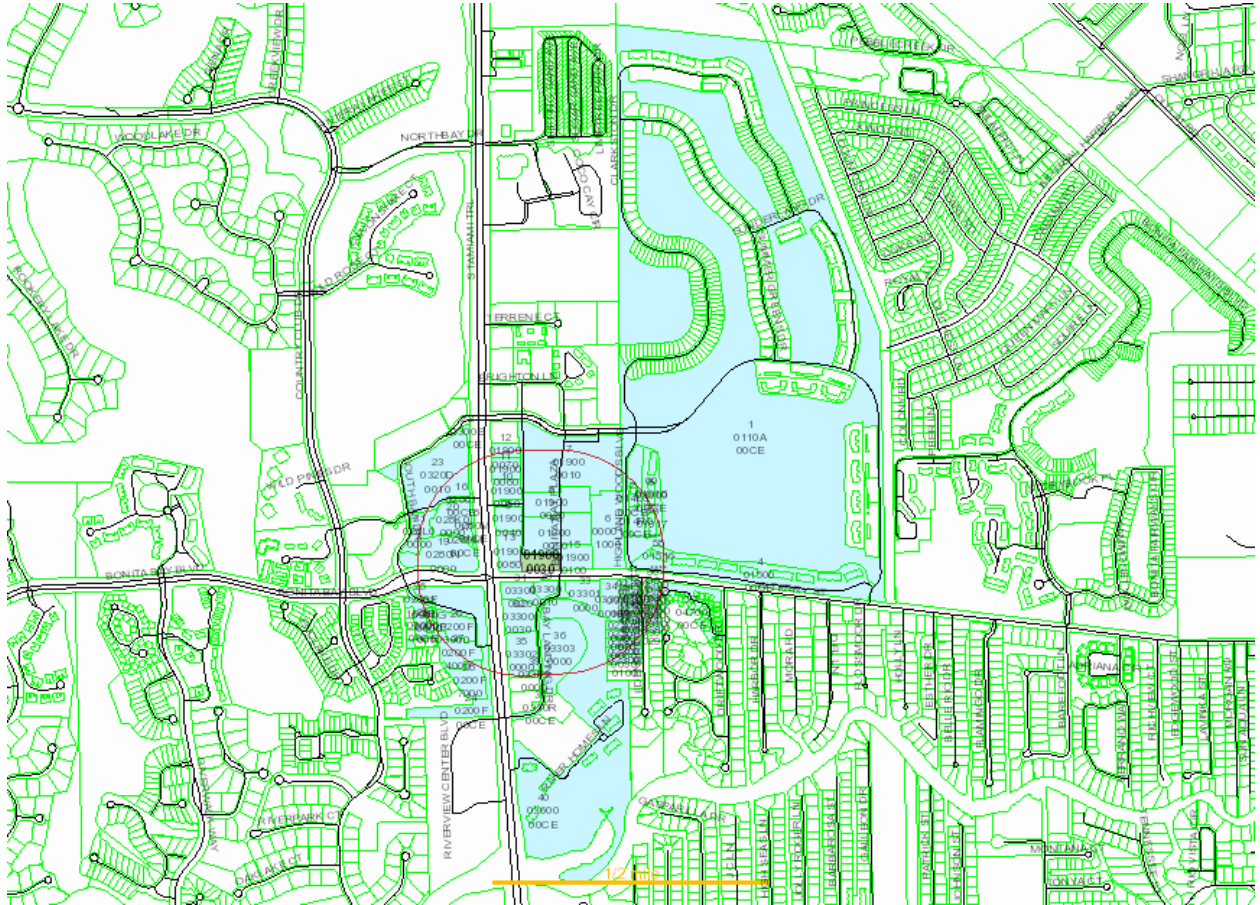
CScott@pen-eng.com

239-403-6727

2600 Golden Gate Parkway, Naples, Florida, 34105 Office 239.403.6700 Fax 239.261.1797

SPE22-97755-BOS Luv-A-Wash Special Exception

Property Owners within 1,000 Feet



SOURCE: Lee County Property Appraiser, 8/10/2022

59	FALSE	10441589	27-47-25-B HUMPHREY JANE E	8038-15 YONGE ST	THORNHIL ON	L4J 1W3	CANADA	26721	CLARKSTOI	201	BONITA SP	34135	ST ANDREWS VERANDAS VI CONDO<CR>DESC OR 2903 PG 64<CR>BLDG 17 UNIT 201	
59	FALSE	10441590	27-47-25-B LAZAR THEODORE G	8 26721 CLARKSTON DR	BONITA SP FL			34135	26721	CLARKSTOI	202	BONITA SP	34135	ST ANDREWS VERANDAS VI CONDO<CR>DESC OR 2903 PG 64<CR>BLDG 17 UNIT 202
59	FALSE	10441591	27-47-25-B BARTH GERALD N & A	26721 CLARKSTON DR	BONITA SP FL			34135	26721	CLARKSTOI	203	BONITA SP	34135	ST ANDREWS VERANDAS VI CONDO<CR>DESC OR 2903 PG 64<CR>BLDG 17 UNIT 203
59	FALSE	10441592	27-47-25-B KRIVA DOROTHY A TR	26721 CLARKSTON DR	BONITA SP FL			34135	26721	CLARKSTOI	204	BONITA SP	34135	ST ANDREWS VERANDAS VI CONDO<CR>DESC OR 2903 PG 64<CR>BLDG 17 UNIT 204
59	FALSE	10441593	27-47-25-B BISHOP DOUGLAS SCC	288 KNOLLWOOD DR	TRAVERSE MI			49686	26721	CLARKSTOI	205	BONITA SP	34135	ST ANDREWS VERANDAS VI CONDO<CR>DESC OR 2903 PG 64<CR>BLDG 17 UNIT 205
59	FALSE	10441594	27-47-25-B FLOWERS ADELLA D L	3819 OLD FARM RD	LAFAYETTE IN			47909	26721	CLARKSTOI	206	BONITA SP	34135	ST ANDREWS VERANDAS VI CONDO<CR>DESC OR 2903 PG 64<CR>BLDG 17 UNIT 206
59	FALSE	10441595	27-47-25-B JENSEN JAMES F & PA	2770 CENTURY CIR	CHANHASS MN			55317	26721	CLARKSTOI	207	BONITA SP	34135	ST ANDREWS VERANDAS VI CONDO<CR>DESC OR 2903 PG 64<CR>BLDG 17 UNIT 207
59	FALSE	10441596	27-47-25-B WOJCIK MICHAEL A TR	1688 BETA DR UNIT B	SUGAR GRIL IL			60554	26721	CLARKSTOI	208	BONITA SP	34135	ST ANDREWS VERANDAS VI CONDO<CR>DESC OR 2903 PG 64<CR>BLDG 17 UNIT 208
60	FALSE	10442998	27-47-25-B URBANSKI MARY C TR	26691 CLARKSTON DR	BONITA SP FL			34135	26691	CLARKSTOI	101	BONITA SP	34135	ST ANDREWS VERANDAS VI CONDO <CR>DESC OR 2903 PG 64 <CR>BLDG 18 UNIT 101
60	FALSE	10442999	27-47-25-B MEYER DAVID & PENN	65183 COUNTY LINE R	BIG ROCK IL			60511	26691	CLARKSTOI	102	BONITA SP	34135	ST ANDREWS VERANDAS VI CONDO <CR>DESC OR 2903 PG 64 <CR>BLDG 18 UNIT 102
60	FALSE	10443000	27-47-25-B WASKPW CRAIG L &	104 40TH CT	VERO BEAL FL			32968	26691	CLARKSTOI	103	BONITA SP	34135	ST ANDREWS VERANDAS VI CONDO <CR>DESC OR 2903 PG 64 <CR>BLDG 18 UNIT 103
60	FALSE	10443001	27-47-25-B ROSBERG RICK J & PAI	26691 CLARKSTON DR	BONITA SP FL			34135	26691	CLARKSTOI	104	BONITA SP	34135	ST ANDREWS VERANDAS VI CONDO <CR>DESC OR 2903 PG 64 <CR>BLDG 18 UNIT 104
60	FALSE	10443002	27-47-25-B BURG CHRISTINE A &	10294 DEER HOLLOW	CINCINNATI OH			45252	26691	CLARKSTOI	105	BONITA SP	34135	ST ANDREWS VERANDAS VI CONDO<CR>DESC OR 2903 PG 64<CR>BLDG 18 UNIT 105
60	FALSE	10443003	27-47-25-B GOLD RICHARD L & M	180 TURN OF RIVER R	STAMFORD CT			6905	26691	CLARKSTOI	106	BONITA SP	34135	ST ANDREWS VERANDAS VI CONDO <CR>DESC OR 2903 PG 64 <CR>BLDG 18 UNIT 106
60	FALSE	10443004	27-47-25-B TILLMAN JEFFREY A +	26691 CLARKSTON DR	BONITA SP FL			34135	26691	CLARKSTOI	107	BONITA SP	34135	ST ANDREWS VERANDAS VI CONDO <CR>DESC OR 2903 PG 64 <CR>BLDG 18 UNIT 107
60	FALSE	10443005	27-47-25-B OLEARY WILLIAM A &	26691 CLARKSTON DR	BONITA SP FL			34135	26691	CLARKSTOI	108	BONITA SP	34135	ST ANDREWS VERANDAS VI CONDO <CR>DESC OR 2903 PG 64 <CR>BLDG 18 UNIT 108
60	FALSE	10443006	27-47-25-B BARTOLAI DOMENIC T	1165 CAVELL AVE	HIGHLAND IL			60035	26691	CLARKSTOI	201	BONITA SP	34135	ST ANDREWS VERANDAS VI CONDO <CR>DESC OR 2903 PG 64 <CR>BLDG 18 UNIT 201
60	FALSE	10443007	27-47-25-B GRANT THOMAS & M	1 BEACH ST UNIT 5	BEVERLY MA			1915	26691	CLARKSTOI	202	BONITA SP	34135	ST ANDREWS VERANDAS VI CONDO <CR>DESC OR 2903 PG 64 <CR>BLDG 18 UNIT 202
60	FALSE	10443008	27-47-25-B SIGOUIN DANIEL	26691 CLA #18203	BONITA SP FL			34135	26691	CLARKSTOI	203	BONITA SP	34135	ST ANDREWS VERANDAS VI CONDO <CR>DESC OR 2903 PG 64 <CR>BLDG 18 UNIT 203
60	FALSE	10443009	27-47-25-B KELLIHER DONALD R	865 HEMLOCK DR	OXFORD MI			48370	26691	CLARKSTOI	204	BONITA SP	34135	ST ANDREWS VERANDAS VI CONDO <CR>DESC OR 2903 PG 64 <CR>BLDG 18 UNIT 204
60	FALSE	10443010	27-47-25-B LINDLE H DALE + JANE	26691 CLARKSTON DR	BONITA SP FL			34135	26691	CLARKSTOI	205	BONITA SP	34135	ST ANDREWS VERANDAS VI CONDO <CR>DESC OR 2903 PG 64 <CR>BLDG 18 UNIT 205
60	FALSE	10443011	27-47-25-B FRONTINO SAM J JR &	26691 CLARKSTON DR	BONITA SP FL			34135	26691	CLARKSTOI	206	BONITA SP	34135	ST ANDREWS VERANDAS VI CONDO <CR>DESC OR 2903 PG 64 <CR>BLDG 18 UNIT 206
60	FALSE	10443012	27-47-25-B REED DIANE E TR	26691 CLARKSTON DR	BONITA SP FL			34135	26691	CLARKSTOI	207	BONITA SP	34135	ST ANDREWS VERANDAS VI CONDO <CR>DESC OR 2903 PG 64 <CR>BLDG 18 UNIT 207
60	FALSE	10443013	27-47-25-B TAVIERNE RANDALL L	1430 PERSIMMON DR	SAINT CHA IL			60174	26691	CLARKSTOI	208	BONITA SP	34135	ST ANDREWS VERANDAS VI CONDO <CR>DESC OR 2903 PG 64 <CR>BLDG 18 UNIT 208
61	FALSE	10290186	33-47-25-B FRANK FAMILY MINER	6333 COUNTY RD 60	WINDSOR CO			80550	3511	BONITA BAY BLVD	BONITA SP		34134	PROFESSIONAL COURT CONDO<CR>OR 2533 PG 2723<CR>UNIT F PHASE 2
62	FALSE	10290187	33-47-25-B 5286 GG PROPERTIES	2954 CINNAMON BAY	NAPLES FL			34119	3501	BONITA BAY BLVD	BONITA SP		34134	PROFESSIONAL COURT CONDO<CR>OR 2533 PG 2723<CR>UNIT G PHASE 1

HIGHLAND WOODS GOLF + CC INC
9100 HIGHLAND WOODS BLVD
BONITA SPRINGS FL 34135

U S HOME LLC
10481 SIX MILE CYPRESS PKWY
FORT MYERS FL 33966

HIGHLAND WOODS GOLF + CC INC
9100 HIGHLAND WOODS BLVD
BONITA SPRINGS FL 34135

ST ANDREWS VERANDAS CONDO
26991 CLARKSTON DR
BONITA SPRINGS FL 34135

ST ANDREWS VERANDAS VI ASSOC
26721 CLARKSTON DR
BONITA SPRINGS FL 34135

DONREY CORPORATION
BONITA STORAGE INN
8841 W TERRY ST
BONITA SPRINGS FL 34135

AJM LLC +
4216 DEWITT AVE
MATTOON IL 61938

MUSCA PROPERTIES LLC
MUSCA + MIRALIA
4700 ROCKSIDE RD STE 603
INDEPENDENCE OH 44131

LAKE FOREST BANK & TRUST COMPA
RICH PASMINSKI
727 BANK LN
RUSSELL IL 60075

R L R INVESTMENTS LLC +
600 GILLAM RD
WILMINGTON OH 45177

SECOND GEAR 26801 LLC
26501 S TAMIAMI TRL
BONITA SPRINGS FL 34134

BRAVOFLORIDA LLC
4220 EDISION LAKES PKWY
MISHAWAKA IN 46545

MUSCA PROPERTIES LLC
MUSCA + MIRALIA
4700 ROCKSIDE RD STE 603
INDEPENDENCE OH 44131

PUBLIX SUPER MARKETS INC
EXPENSE PAYABLES LEASE TEAM
PO BOX 32018
LAKELAND FL 33802

MUSCA PROPERTIES LLC
MUSCA + MIRALIA
4700 ROCKSIDE RD STE 603
INDEPENDENCE OH 44131

BONITA BAY MERCHANTS ASSN INC
27800 OLD 41 RD
BONITA SPRINGS FL 34135

BONITA BAY MERCHANTS ASSN INC
27800 OLD 41 RD
BONITA SPRINGS FL 34135

BONITA BAY COMMUNITY ASSN INC
3531 BONITA BAY BLVD STE 200
BONITA SPRINGS FL 34134

RESOURCE CONSERVATION
9990 COCONUT RD STE 200
BONITA SPRINGS FL 34135

PJL FAMILY LIMITED PARTNERSHIP
850 PARK SHORE DR SUIT 201
NAPLES FL 34103

BAY PRESBYTERIAN CHURCH INC
26911 SOUTH BAY DR
BONITA SPRINGS FL 34134

BONITA BAY COMMUNITY ASSN INC
3531 BONITA BAY BLVD STE 200
BONITA SPRINGS FL 34134

RLR INVESTMENTS LLC
CORPORATE LEGAL DEPART
600 GILLAM RD
WILMINGTON OH 45177

BONITA BAY COMMUNITY ASSN INC
3531 BONITA BAY BLVD STE 200
BONITA SPRINGS FL 34134

BONITA BAY MERCHANTS ASSN INC
27800 OLD 41 RD
BONITA SPRINGS FL 34135

BROOKWOOD SFL I LLC +
138 CONANT ST
BEVERLY MA 01915

BROOKWOOD SFL I LLC +
138 CONANT ST
BEVERLY MA 01915

ABBAY CARPET CO INC
3471 BONITA BAY BLVD
BONITA SPRINGS FL 34134

PROFESSIONAL COURT
3451 BONITA BAY BLVD SW #202
BONITA SPRINGS FL 34134

FIFTH THIRD BANK
MD 10ATA1 CORP FAC
38 FOUNTAIN SQUARE PLZ
CINCINNATI OH 45263

BAY LANDING BONITA LLC
27160 BAY LANDING DR
BONITA SPRINGS FL 34135

BONITA CASA INC
2768 TIBURON BLVD E #101
NAPLES FL 34109

WEST TERRY 26501 LLC
26501 S TAMIAMI TR
BONITA SPRINGS FL 34134

BONITA SPRINGS FIRE CONTROL AN
27701 BONITA GRANDE BLVD
BONITA SPRINGS FL 34135

PENINSULA IMPROVEMENT CORP
OUTBACK-PROPERTY MGMT
2202 N WEST SHORE BLVD FL 5
TAMPA FL 33607

27221 BAY LANDING DRIVE LLC
3504 CRAGMONT DR STE 100
TAMPA FL 33619

BAY LANDING OWNERS ASSOCIATION
BAY LANDINGS
2600 GOLDEN GATE PKWY STE 200
NAPLES FL 34105

BAY LANDING OWNERS ASSOCIATION
2600 GOLDEN GATE PKWY STE 200
NAPLES FL 34105

BAY LANDING OWNERS ASSOCIATION
2600 GOLDEN GATE PKWY SUITE 200
NAPLES FL 34105

SANCTUARY AT IMPERIAL RIVER
396 ALHAMBRA CIR STE 230
CORAL GABLES FL 33134

LOHAN STEPHEN M & DEBORAH K
27101 EDENBRIDGE CT
BONITA SPRINGS FL 34135

GARFOLD PAUL F & BARBARA A
27105 EDENBRIDGE CT
BONITA SPRINGS FL 34135

MUELLER MARK & JONES HOLLY
27109 EDENBRIDGE CT
BONITA SPRINGS FL 34135

MCINTOSH DOUGLAS J &
27113 EDENBRIDGE CT
BONITA SPRINGS FL 34135

HERNANDEZ SIGFREDO P &
47 WINDSOR RD
HORSHAM PA 19044

WHITTLE PETER A +
27121 EDENBRIDGE CT
BONITA SPRINGS FL 34135

FAIRFIELD RICHARD I TR
27125 EDENBRIDGE CT
BONITA SPRINGS FL 34135

AMAYA ELIZA
27129 EDENBRIDGE CT
BONITA SPRINGS FL 34135

CASIN NELSON +
8063 DANCING WIND LN UNIT 1810
NAPLES FL 34119

DONOVAN PHIL B & DEIDRE L
PO BOX 39
BONITA SPRINGS FL 34133

ANDERSON DOUGLAS J TR
16443 BONITA LANDING CIR
BONITA SPRINGS FL 34135

BROWN BRADLEY R
27116 EDENBRIDGE CT
BONITA SPRINGS FL 34135

WILEZYNSKI STEVEN A II &
3378 COUNTY RD 125
CARDINGTON OH 43315

THIEME LISA D +
27108 EDENBRIDGE CT
BONITA SPRINGS FL 34135

HICKMAN DONNA
27104 EDENBRIDGE CT
BONITA SPRINGS FL 34135

RAMOS CARLOS R & LUISA M
27100 EDENBRIDGE CT
BONITA SPRINGS FL 34135

COTTAGES AT BRENDAN COVE
1719 TRADE CENTER WAY STE 4
NAPLES FL 34109

PIETROCARIO PAUL R &
6524 CREEK HOLLOW
LOCKPORT NY 14094

CAMPBELL SHERYL A +
26751 CLARKSTON DR #102
BONITA SPRINGS FL 34135

BOYER CHARLES DAVID
1103 WESTFIELD AVE
BRYAN OH 43506

ALMAS SCOTT R & RISA ELLEN
26751 CLARKSTON DR UNIT 16104
BONITA SPRINGS FL 34135

THOMAS R + DIANA KRALOVEC TRUS
8525 WOODWARD AVE #202
WOODRIDGE IL 60517

HINTERSCHIED JAMES L &
14516 MIRASOL MANOR CT
TAMPA FL 33626

ROSSETTI THOMAS & CHRISTINE
26751 CLARKSTON DR #201
BONITA SPRINGS FL 34135

MULRYAN KEVIN J
26751 CLARKSTON DR #202
BONITA SPRINGS FL 34135

CATALDO DONALD F JR &
15 VERNSTROM ROAD
NARRAGANSETT RI 02882

NELSON RICHARD P + MARY C TR
1457 RAPIDS TRAIL
NEKOOSA WI 54457

RINALDI CHRISTOPHER J &
9 ERIN DR
DANVILLE PA 17821

CROSTOWN CUSTOM HOMES OF ROCH
65 NORTH AVE
ROCHESTER NY 14626

FRANSKE ROBERT J + NANCY L TR
26721 CLARKSTON DR UNIT 17101
BONITA SPRINGS FL 34135

BROWN DARWIN G & HILDRED A
840 VINTAGE LAKE CT
DAYTON OH 45458

HIETSCH THOMAS M & EVELYN M
111 GREGORY ST
WALTHAM MA 02451

HART MARY LOUISE TR
2092 ST ANDREWS DR
ROCHESTER HILLS MI 48309

JOHNSON C DARYL & SUSAN R
793 SOUTH GLEN RD
SHELBY MI 49455

GISWOLD WILLIAM K & CAROL M TR
5830 TREE LINE DR
FITCHBURG WI 53711

DEANGELIS VINCENT J TR +
2032 MYSTIC HILLS DR
MILFORD MI 48380

GMTM HOLDINGS LLC
GARY E MENCHHOFER
26235 HICKORY BLVD UNUT 9C
BONITA SPRINGS FL 34134

HUMPHREY JANE E
8038-15 YONGE ST
THORNHILL ON L4J 1W3
CANADA

LAZAR THEODORE G & MARSHA L
26721 CLARKSTON DR #202
BONITA SPRINGS FL 34135

BARTH GERALD N & ANNETTE M
26721 CLARKSTON DR #203
BONITA SPRINGS FL 34135

KRIVA DOROTHY A TR
26721 CLARKSTON DR #204
BONITA SPRINGS FL 34135

BISHOP DOUGLAS SCOTT
288 KNOLLWOOD DR
TRAVERSE CITY MI 49686

FLOWERS ADELLA D L/E
3819 OLD FARM RD
LAFAYETTE IN 47909

JENSEN JAMES F & PAMELA K
2770 CENTURY CIR
CHANHASSEN MN 55317

WOJCIK MICHAEL A TR +
1688 BETA DR UNIT B
SUGAR GROVE IL 60554

URBANSKI MARY C TR
26691 CLARKSTON DR #101
BONITA SPRINGS FL 34135

MEYER DAVID & PENNY
6S183 COUNTY LINE RD
BIG ROCK IL 60511

WASKPW CRAIG L &
104 40TH CT
VERO BEACH FL 32968

ROSBERG RICK J & PAMELA J
26691 CLARKSTON DR # 104
BONITA SPRINGS FL 34135

BURG CHRISTINE A & JAMES S TR
10294 DEER HOLLOW LN
CINCINNATI OH 45252

GOLD RICHARD L & MARY L
180 TURN OF RIVER RD #4B
STAMFORD CT 06905

TILLMAN JEFFREY A + BARBARA A
26691 CLARKSTON DR #18107
BONITA SPRINGS FL 34135

OLEARY WILLIAM A & MARY M
26691 CLARKSTON DR UNIT 18108
BONITA SPRINGS FL 34135

BARTOLAI DOMENIC TR
1165 CAVELL AVE
HIGHLAND PARK IL 60035

GRANT THOMAS & MARY
1 BEACH ST UNIT 5
BEVERLY MA 01915

SIGOUIN DANIEL
26691 CLARKSTON DR #18203
BONITA SPRINGS FL 34135

KELLIHER DONALD R &
865 HEMLOCK DR
OXFORD MI 48370

LINDLE H DALE + JANET TR
26691 CLARKSTON DR #205
BONITA SPRINGS FL 34135

FRONTINO SAM J JR &
26691 CLARKSTON DR UNIT 18206
BONITA SPRINGS FL 34135

REED DIANE E TR
26691 CLARKSTON DR UNIT 18207
BONITA SPRINGS FL 34135

TAVIERNE RANDALL L &
1430 PERSIMMON DR
SAINT CHARLES IL 60174

FRANK FAMILY MINERAL INTERESTS
6333 COUNTY RD 60
WINDSOR CO 80550

5286 GG PROPERTIES LLC
2954 CINNAMON BAY CIR
NAPLES FL 34119