

CITY OF BONITA SPRINGS, FLORIDA
ZONING RESOLUTION NO. 16-R02

A RESOLUTION OF THE CITY OF BONITA SPRINGS, FLORIDA: CONSIDERING A REQUEST BY D. R. HORTON, INC., FOR A SPECIAL EXCEPTION TO PERMIT A MODEL HOME IN THE AGRICULTURAL (AG-2) ZONING DISTRICT ON LAND LOCATED AT 26760 SAVILLE AVENUE, BONITA SPRINGS, FLORIDA ON A LOT APPROXIMATELY 9363.25± SQ. FT.; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, D. R. Horton, Inc. has filed an application for a special exception for a model home in the Agricultural (AG-2) zoning district, and

WHEREAS, the subject property is located at 26760 Saville Avenue, Bonita Springs, 34135 and is described more particularly as:

Lot 21, Block F, of the certain subdivision known as Sun Village Estates, as described in Official Records Book 48, Page 250 in the Public Records of Lee County, Florida.

WHEREAS, a Public Hearing was advertised and heard on April 19, 2016 by the City of Bonita Springs Board for Land Use Hearings and Adjustments and Zoning Board of Appeals ("Zoning Board") on Case No. SPE16-27306-B0S who gave full consideration to the evidence available and recommended approval (5-1, with Incerpi absent and Wurster voting nay) and gave full and complete consideration of the record, consisting of the Staff Recommendation, the documents on file with the City and the testimony of all interested parties. The March 31, 2016 Staff report prepared by Community Department and evidence submitted at the Zoning Board hearing is on file with the City Clerk.

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

SECTION ONE: APPROVAL OF REQUEST

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

A. Conditions:

1. The special exception is limited to Lot 21 of Block F included in the plat recorded in Official Records Book 48, Page 250 of the public records of Lee County, Florida, further described in that certain sketch and legal description issued by Banks Engineering, signed and sealed by Richard M. Ritz on December 16, 2015.
2. The special exception is to allow one model home to be built on the subject property.
3. The model home use is designated for sales of the applicant's product within Sun Village Estates only.

4. The hours of operation are Monday-Sunday, 9:00am – 7:00pm.
5. The special exception is valid for a period of three (3) years from the date of issuance of a Certificate of Occupancy for the model home.
6. The access driveway must be paved or surfaced with pavers or similar material as specified by the Department of Community Development.
7. An on-site/off-site parking lot must be provided [on 26761 Saville Avenue, if off-site] and shall be designed and permitted in accordance with LDC Chapter 3, including but not limited to landscaping and buffering requirements. The number of parking spaces shall be a minimum of four (4) and a maximum of six (6), with at least one space designed to accommodate parking for the handicapped. Handicapped parking may also take place in the residential driveway of the subject property.
8. The site must be in substantial compliance with the one-page drawing labeled "Sun Village Estates Model Home," dated January 18, 2016, attached hereto.
9. All other applicable zoning development regulations contained in the LDC remain in full effect.
10. The Developer will place 11" by 17" or larger signs, clearly visible to potential purchasers, inside the model home. The sign will explain that this D.R. Horton project is located in Sun Village Estates, and as built the property will have a septic tank. The City of Bonita Springs has a mandatory sewer connection ordinance, and if and when sewer is available by Bonita Springs Utilities, the homeowners will be required to discontinue the septic system and connect to the sewer system.

B. Findings & Conclusions:

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

1. The requested special exception, as conditioned:
 - a) meets or exceeds all 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; and


- d) will not cause damage, hazard, nuisance or other detriment to persons or property; and
- e) will be in compliance with all general zoning provisions and supplemental regulations pertaining to the use set forth in the Land Development Code.

SECTION TWO: EFFECTIVE DATE

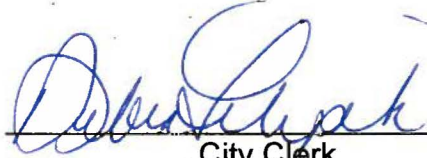
This resolution shall take effect immediately upon adoption.

DULY PASSED AND ENACTED by the City Council of the City of Bonita Springs, Lee County, Florida, this 18th day of May, 2016.

AUTHENTICATION:



 Mayor



 City Clerk

APPROVED AS TO FORM: 

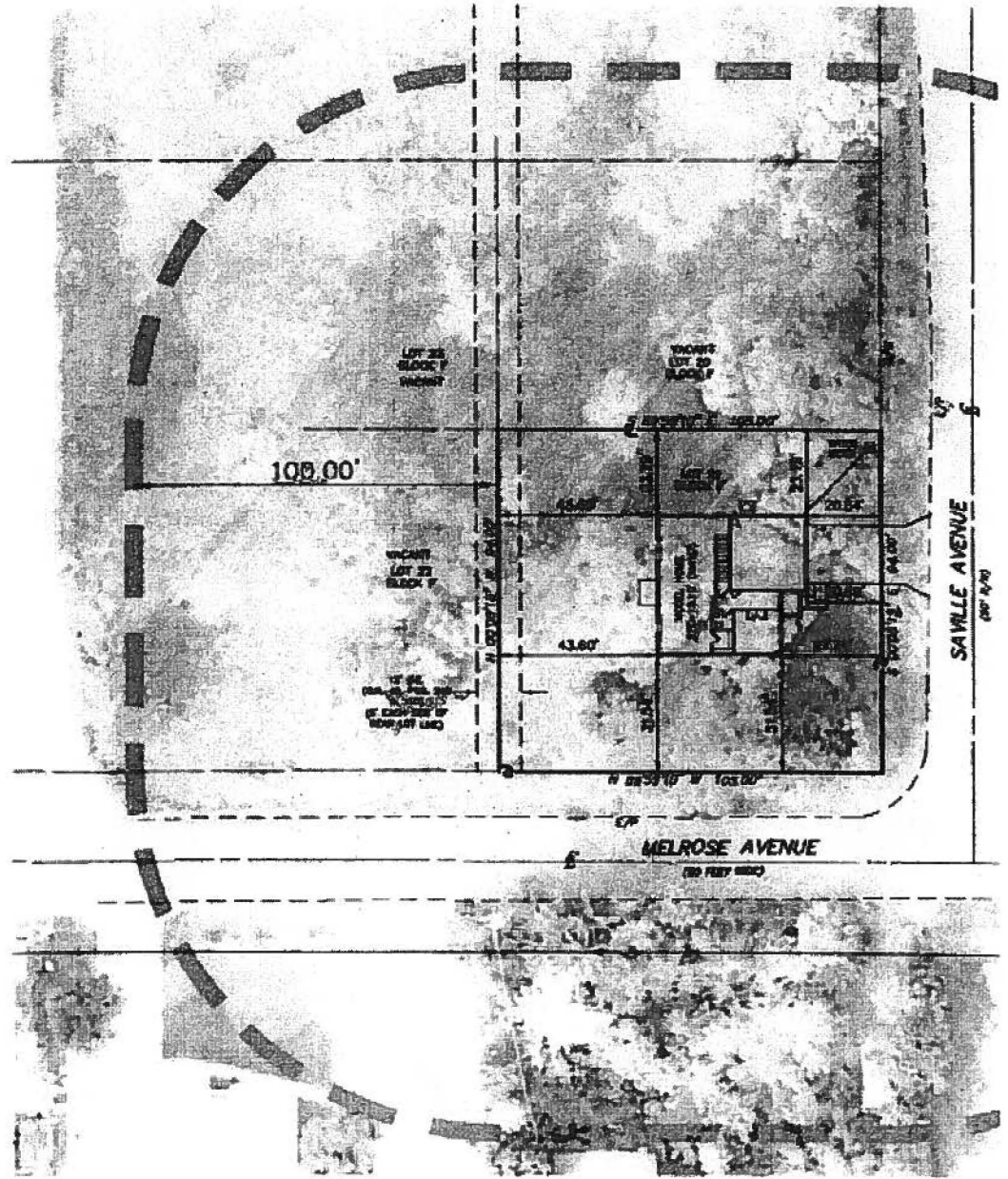
 City Attorney

Vote:

DeWitt	Aye	Quaremba	Aye
Forbes	Aye	Simmons	Aye
Gibson	Aye	Slachta	Aye
O'Flinn	Aye		

Date filed with City Clerk: 5/19/16

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S:\000012800\2800\2831\2831.LOT 21 BLK F SPECIAL EXCEPTION.dwg 7/1/2018 12:13 PM STACY HEARD



PREPARED FOR:

DR Horton, Inc.

10541 Saw C. Press Site Mills Cypress Pkwy
Fool Myers, Florida 33646
Phone: (239) 225-2851

NO.	DATE	APPROVED