

CITY OF BONITA SPRINGS, FLORIDA

ZONING RESOLUTION NO. 01 -02

A RESOLUTION OF THE CITY OF BONITA SPRINGS, FLORIDA: DENYING A REQUEST BY TED SCHIFONE, D.T. INVESTMENTS, INC. OF SWFL, (BONITA PROFESSIONAL CENTER) TO AMEND THE EXISTING COMMERCIAL PLANNED DEVELOPMENT (CPD) ZONING TO ALLOW THE USE OF BOAT STORAGE, DRY, ON LAND LOCATED AT 26551 SOUTH TAMiami TRAIL, BONITA SPRINGS, FLORIDA (STRAP NOS.: 28-47-25-B3-00000.0080 AND 28-47-25-B3-04600.0080) ON 10.33 ACRES; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a Public Hearing was advertised and heard on March 30, 2001 by the City of Bonita Springs Board for Land Use Hearings and Adjustments and Zoning Board of Appeals ("Zoning Board") on case DCI 964135 who gave full consideration to the evidence available and recommended denial and gave full and complete consideration of the record, consisting of the Staff Recommendation, the Zoning Board, the documents on file with the City and the testimony of all interested parties. The March 6, 2001 Staff Report prepared by Lee County Development Services Division and evidence submitted at the Zoning Board hearing is on file with the City Clerk.

WHEREAS, City Council held a public hearing and gave full and complete consideration of the record, consisting of the recommendation of staff, the zoning board, the documents on file with the City and the testimony of all interested parties.

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

SECTION ONE: DENIAL OF REQUEST

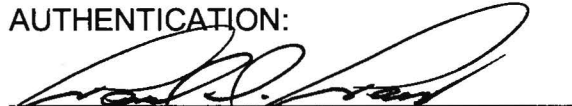
City Council of Bonita Springs hereby denies the zoning request.

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 21st day of May, 2001.


AUTHENTICATION:



Mayor



City Clerk

APPROVED AS TO FORM: 

City Attorney

Vote:
Arend Aye Piper Aye
Edsall Aye Wagner Aye
Nelson Aye Warfield Aye
Pass Aye

Date filed with City Clerk: 5-22-01

OPEN SPACE CALCULATIONS

TOTAL SITE - 10.336 AC (450,173 SF)
 OPEN SPACE REQUIRED - 3.18 AC (135,053 SF)
 OPEN SPACE PROVIDED - 3.18 AC (135,053 SF)
 INDIGENOUS OPEN SPACE REQUIRED - 1.558 AC (62,339 SF)
 INDIGENOUS OPEN SPACE PROVIDED - 1.558 AC (62,339 SF)

NOTES:

- ALL LOT SIZES ARE APPROXIMATE AND SUBJECT TO CHANGE AT TIME OF DEVELOPMENT ORDER.
- THE MIN-WAREHOUSE DEVELOPMENT FOR LOT 8 MAY BE DEVELOPED IN PHASES. IF SO, THE APPLICANT IS REQUESTING THE OPEN STORAGE USE AS A TEMPORARY USE ON THE LOT UNTIL SUCH TIME AS THE LOT IS FULLY DEVELOPED WITH WAREHOUSE BUILDINGS. THE OPEN STORAGE USE WILL BE FOR THE STORAGE OF BOATS, P.V.'S, TRAILERS, MOBILE HOMES, AND AUTOMOBILES ONLY. NO HEAVY EQUIPMENT STORAGE WILL BE PERMITTED. SHOULD THE OPEN STORAGE USE BE IMPLEMENTED, ALL BUFFERING, SETBACKS, SCREENING, AND PLANTINGS REQUIRED FOR SUCH USE UNDER THE LAND DEVELOPMENT CODE WILL BE PROVIDED. THE PERMITTED OPEN STORAGE WILL CONTINUE UNTIL THE OPEN STORAGE STRUCTURES ARE COMPLETED. WHEN A CERTIFICATE OF COMPLIANCE IS OBTAINED FOR THE LAST DRY STORAGE STRUCTURE THE OPEN STORAGE USE WILL CEASE.
- LET TRAN ROUTE 150 SERVES THIS AREA. NO ADDITIONAL TRAVEL FACILITIES ARE REQUIRED OR PROVIDED.
- ALL CONDITIONS OF RESOLUTION Z-88-008 AS AMENDED BY COPD Z-88-078 WILL REMAIN IN EFFECT UNLESS NOTED OTHERWISE.

SCHEDULE OF DEVIATIONS

- DEVIATION FROM THE REQUIREMENT THAT INTERNAL ROADS OR DRIVES NOT BE CLOSER TO THE DEVELOPMENT PERIMETER THAN 25 FEET (SECTION 34-833.4(2)) - LAND DEVELOPMENT CODE TO ALLOW THE PROJECT'S INTERNAL PRIVATE ROAD RIGHT-OF-WAY LOCATION TO BE ON THE PROPERTY LINE.
- DEVIATION FROM THE REQUIREMENT THAT PROJECT IDENTIFICATION SIGNS BE NO CLOSER THAN FIFTEEN (15) FEET TO A STREET RIGHT-OF-WAY OR EASEMENT (SECTION 30-152(3)A.4. - LAND DEVELOPMENT CODE) TO ALLOW A PROJECT IDENTIFICATION SIGN BY A MEDIAN WITHIN THE PROJECT'S INTERNAL PRIVATE ROAD RIGHT-OF-WAY.
- DEVIATION FROM THE REQUIREMENT THAT THE PROJECT PROVIDE AN ACCESS STREET (FRONTAGE ROAD) AS DEPICTED ON THE REQUIRED ACCESS ROAD MAP (SECTION 10-283 - LAND DEVELOPMENT CODE) TO ALLOW NO ACCESS ROAD FOR THIS PROJECT.
- DEVIATION FROM THE REQUIREMENT THAT THE PROJECT PROVIDE TWO (2) OR MORE MEANS OF ingress/egress (SECTION 10-291.2) - LAND DEVELOPMENT CODE TO ALLOW THE PROJECT TO PROVIDE ONLY ONE (1) INGRESS/EGRESS POINT.
- DEVIATION FROM THE REQUIREMENT THAT MIN-WAREHOUSES PROVIDE ONE (1) PARKING SPACE PER TDI (10) STORAGE CUBICLES (SECTION 34-2020.2(a)) - LAND DEVELOPMENT CODE TO ALLOW THE PROJECT TO UNLEASH PARALLEL PARKING SPACES ALONG THE WAREHOUSE BUILDINGS TO MEET THE REQUIRED NUMBER OF SPACES FOR THIS DEVELOPMENT. SAID PARALLEL SPACES WILL NOT BE STRIPPED.
- DEVIATION FROM THE REQUIREMENT THAT THE PROJECT PROVIDE A WALL EIGHT (8) FEET IN HEIGHT ADJACENT TO ALL EXIST. RESIDENTIAL DEVELOPMENT (SECTION 10-414.a - LAND DEVELOPMENT CODE) TO ALLOW THE BASIS OF THE WAREHOUSE BUILDINGS TO ACT AS THE REQUIRED WALL WITH APPROPRIATE VEGETATIVE PLANTINGS TO BE LOCATED ON THE OUTSIDE OF THE BUILDING WALLS.
- DEVIATION FROM THE REQUIREMENT THAT THE PROPOSED PROJECT PROVIDE 67,537 SF OF INDIGENOUS NATIVE VEGETATION OPEN SPACE (SECTION 10-412.1(1) - LAND DEVELOPMENT CODE) TO ALLOW ONLY THE 36,875 SF OF INDIGENOUS OPEN SPACE AS DEPICTED ON THE MASTER CONCEPT PLAN.
- DEVIATION FROM THE REQUIREMENT THAT DRY BOAT STORAGE PROVIDE ONE PARKING SPACE PER FOUR UNIT STALLS (SECTION 34-2020 (1)) LAND DEVELOPMENT CODE TO ALLOW THE PARALLEL PARKING (117 SPACES) TO CONTINUE TO BE UTILIZED AND NO ADDITIONAL PARKING BASED ON THE BOAT STORAGE TO BE PROVIDED. THE BOATS WILL BE LOADED OR UNLOADED BY A VEHICLE THAT WILL NOT USE A PARKING SPACE AND WILL ARRIVE OR LEAVE THE PREMISES ONCE THE BOAT IS LOADED OR UNLOADED.
- THE COMPARATIVE PARKING TABLE AT THE UPPER LEFT SHOWS THAT 22 SPACES ARE AVAILABLE FOR THE DRY STORAGE. THE OWNER OF BONITA SELF STORAGE MAINTAINS THAT RECORDS OF THIS FACILITY (MIN-WAREHOUSE) AND SIMILAR FACILITIES SHOW TRAFFIC ON THE BUSIEST DAYS TO BE NO MORE THAN 30 CARS. THIS WOULD LEAVE 87 SPACES AVAILABLE OR MORE THAN ADEQUATE FOR THE DRY STORAGE REQUIREMENT.

PARCEL	REQUIRED OPEN SPACE	REQ. NON-INDIG. OPEN SPACE	REQ. INDIG. OPEN SPACE	PROVIDED NON-INDIG. OPEN SPACE	PROVIDED INDIG. OPEN SPACE
LOT 1	7,634 SF	3,817 SF	3,817 SF	774 SF	2,278 SF
LOT 2	6,711 SF	3,355 SF	3,355 SF	618 SF	2,080 SF
LOT 3	6,711 SF	3,355 SF	3,355 SF	618 SF	2,080 SF
LOT 4	6,711 SF	3,355 SF	3,355 SF	618 SF	2,080 SF
LOT 5	6,709 SF	3,355 SF	3,354 SF	618 SF	2,080 SF
LOT 6	6,210 SF	3,105 SF	3,105 SF	587 SF	2,080 SF
LOT 7	6,879 SF	4,440 SF	4,439 SF	825 SF	0 SF
LOT 8	49,812 SF	24,858 SF	24,858 SF	11,874 SF	7,853 SF
TRACT A	6,440 SF	4,720 SF	4,720 SF	0 SF	0 SF
TRACT B	13,068 SF	6,534 SF	6,534 SF	0 SF	36,141 SF
TRACT C	13,068 SF	6,534 SF	6,534 SF	43,560 SF	0 SF
TOTALS	135,053 SF	67,528 SF	67,527 SF	60,072 SF	58,872 SF

BUFFERING PLANTINGS

- ALL NON-INDIGENOUS BUFFERS AND THE OUTSIDE PERIMERS OF TRACT C WILL BE PLANTED WITH FIVE (5) TREES AND EIGHTY (80) SHRUBS PER 100 LINEAL FEET. IN THOSE AREAS WHERE EXIST. INDIGENOUS VEGETATION IS PRESERVED, CREDIT FOR THE EXIST. TREES MAY BE TAKEN TO MEET THIS REQUIREMENT.

INDIGENOUS VEGETATION OPEN SPACE

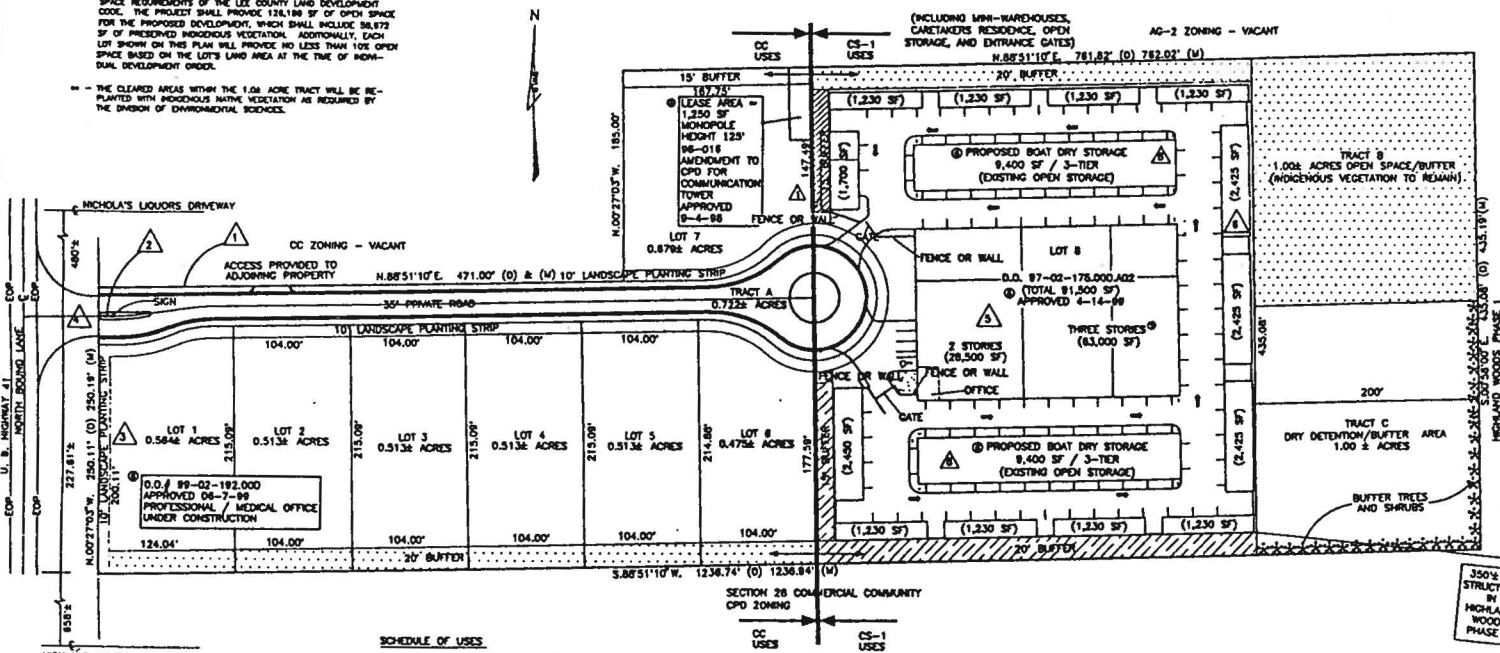
- THIS IS THE AREA SPECIFICALLY DESIGNATED FOR THE PRESERVATION OF EXIST. INDIGENOUS VEGETATION.

LANDSCAPE STRIPS ADJACENT TO ROADWAYS

- ALL LANDSCAPE STRIPS ADJACENT TO ROADWAY SHALL BE PLANTED WITH NO LESS THAN TWELVE (12) SHRUBS PER 100 LINEAL FEET. CLUSTERING OF THESE SHRUBS WILL BE ENCOURAGED.

NOTES:

- THE "REQUIRED OPEN SPACE FOR THE LOTS & TRACTS" CHART PROVIDED TO THE FRONT IS FOR ZONING DEMONSTRATION PURPOSES. IF IT IS INTENDED TO DEMONSTRATE COMPLIANCE WITH THE OPEN SPACE REQUIREMENTS OF THE LEE COUNTY LAND DEVELOPMENT CODE, THE PROJECT SHALL PROVIDE 126,188 SF OF OPEN SPACE FOR THE PROPOSED DEVELOPMENT, WHICH SHALL INCLUDE 36,872 SF OF PRESERVED INDIGENOUS VEGETATION. ADDITIONALLY, EACH LOT SHOWN ON THIS PLAN WILL PROVIDE NO LESS THAN 10% OPEN SPACE BASED ON THE LOT'S LAND AREA AT THE TIME OF INDIVIDUAL DEVELOPMENT ORDER.
- THE CLEARED AREAS WITHIN THE 1.06 ACRE TRACT WILL BE PLANTED WITH INDIGENOUS NATIVE VEGETATION AS REQUIRED BY THE DIVISION OF ENVIRONMENTAL PROTECTION.



SCHEDULE OF USES

- LOTS 1 THROUGH 7:**
 LIMITED TO 30,000 SF OF TOTAL FLOOR AREA WITH A MAXIMUM OF 30,000 SF OF RETAIL COMMERCIAL USES - ALL USES PERMITTED BY THE CC (COMMUNITY COMMERCIAL) ZONING DISTRICT (SECTION 34-843.4 - LAND DEVELOPMENT CODE) EXCEPT FOR AUTOMOBILE SERVICE STATION, LIMITED, CONVENIENCE FOOD AND BEVERAGE STORE, RESTAURANT, FAST FOOD, AND SELF SERVICE FUEL PUMP STATION.
- LOT 8:**
 PRINCIPAL USES:
 - MIN WAREHOUSE (LIMITED TO 112,780 SF)
 - ENTRANCE GATE
 - 70,000 SF OF MULTI-OCCUPANCY OFFICE FLOOR AREA. (8 OR MORE OFFICES)
- ACCESSORY USES:**
 - BOAT STORAGE, DRY, EXCEEDING TWO TIERS OR 16' ABOVE NATURAL GRADE (SECTION 34-843.4) - LIMITED TO 16,800 SF
 - CARETAKER'S RESIDENCE
 - WAREHOUSE OFFICE
 - OPEN STORAGE

PROPERTY DEVELOPMENT REGULATIONS

- MINIMUM LOT AREA AND DIMENSIONS:**
 MINIMUM LOT AREA - 10,000 SF
 MINIMUM LOT WIDTH - 100 FEET
 MINIMUM LOT DEPTH - 100 FEET

MINIMUM SETBACKS

- STREET - 30 FEET
 SIDE - 10 FEET
 REAR - 15 FEET - EXCEPT LOT 8 WHICH MAY BE 0 FEET
- THE MINIMUM STREET SETBACK FOR LOT 8 MAY BE REDUCED TO 15 FEET ALONG THE OA-95-54C.
 - MAXIMUM HEIGHT OF COMMERCIAL STRUCTURES - 35 FEET
 - MAXIMUM HEIGHT OF DRY BOAT STORAGE - 35 FEET FROM GRADE TO ROOF PEAK
 - MINIMUM SEPARATION OF BUILDINGS - 20 FEET MAXIMUM LOT BUILDING COVERAGE - 50%

COMPARATIVE PARKING TABLE

USE	SF / UNIT	PARKING REQUIRED	PARKING PROVIDED
MIN WAREHOUSE	950 UNITS	1 SPACE / 10 UNITS (95)	95
BOAT STORAGE, DRY	160 SLIPS	1 SPACE / 4 SLIPS (40)	22
TOTAL		135	117
OFFICE SPACE	70,000 SF	4.5 SP. / 1000 SF - 32 SP.	32

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#3 96-08-233.C2 Z 03.01

PERMITS DIVISION
 AMENDMENT TO MASTER CONCEPT PLAN #96-08-233-02Z.01.01
BONITA PROFESSIONAL CENTER
 LEE COUNTY, FLORIDA

Bean, Whitaker, Lutz & Barnes, Inc.
 CONSULTING ENGINEERS AND SURVEYORS
 12141-B HUNTERSON BOULEVARD
 FORT WORTH, FLORIDA 33112
 (817) 331-1331
 DCI 964315 14M

Handwritten note:
 9/30/99

DATE	PROJECT NO.	ISSUED BY	SCALE	REVISION	SCALE	DATE
9-16-99	20637002	TCM	TCM	MTY	1" = 50'	28-07-99