

CITY OF BONITA SPRINGS, FLORIDA
ZONING RESOLUTION NO. 00 -02

A RESOLUTION OF THE CITY OF BONITA SPRINGS, FLORIDA: DENYING A ZONING REQUEST BY DR. FRANK MOYA LTD. PARTNERSHIP IN REFERENCE TO COCKLESHELL PLAZA IN CASE NOS. REZ 2000-00014 & SEZ 2000-00010; TO REZONE PROPERTY FROM CN-1 (COMMERCIAL NEIGHBORHOOD) TO CN-2 AND A SPECIAL EXCEPTION WITH CONDITIONS FOR A CONVENIENCE FOOD AND BEVERAGE STORE WITH SELF-SERVICE FUEL PUMPS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, in Case No. REZ 2000-00014 & SEZ 2000-00010, the applicant, represented by Matt Uhle, Esquire, Humphrey and Knott, P.A., filed an application to rezone a particular parcel of land located at 25800 Cockleshell Drive, Bonita Springs, Florida; and

WHEREAS, the City of Bonita Springs Zoning Board for Land Use Hearings and Adjustments and Zoning Board of Appeals ("Zoning Board") gave full consideration to the evidence available, and recommended denial; and

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

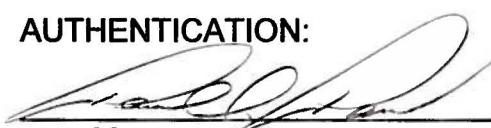
City Council of Bonita Springs hereby denies the zoning request.


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 11th day of Dec., 2000.

AUTHENTICATION:



Mayor


City Clerk


City Attorney
12-11-00
Date

APPROVED AS TO FORM:

Vote:

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

Date filed with City Clerk: 12-13-00

**REZ 2000-00014
LEGAL DESCRIPTION**

LEGAL DESCRIPTION

FOR PARCEL: CN-1

A PORTION OF LOT 11, OF THE SUBDIVISION KNOWN AS BONITA SPRINGS COUNTRY CLUB, UNIT 2, AS RECORDED IN PLAT BOOK 30, PAGES 128 THROUGH 132 OF THE PUBLIC RECORDS OF LEE COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE at the point of intersection of the Northwesterly line of said Lot 11 and the Easterly Right-of-Way line of County Road 45, as shown on said Plat; thence N45°32'45"E along said Northwesterly line for 25.00 feet to the POINT OF BEGINNING; thence continue N45°32'45"E along said Northwesterly line for 376.28 feet; thence S44°27'15"E, perpendicular to said Northwesterly line of said Lot 11 for 280.00 feet to an intersection with the Northwesterly R/W line of Cockleshell Drive (a 100 foot R/W); thence S45°32'45"W along said R/W line for 376.28 feet to a point on the said Northwesterly R/W line of Cockleshell Drive (100 foot R/W); thence run perpendicular to said Northwesterly Right-of-Way Line of Cockleshell Drive (a 100 foot R/W) N44°27'15"W for 280.00 feet to the POINT OF BEGINNING. Said parcel of land situated, lying, and being in Lee County, Florida, containing 2.42 acres, more or less, subject to easements and dedications of record.

Signed



**Applicant's Legal Checked
by gm 10-6-00**

**REZ 2000-00014
SEZ 2000-00010**