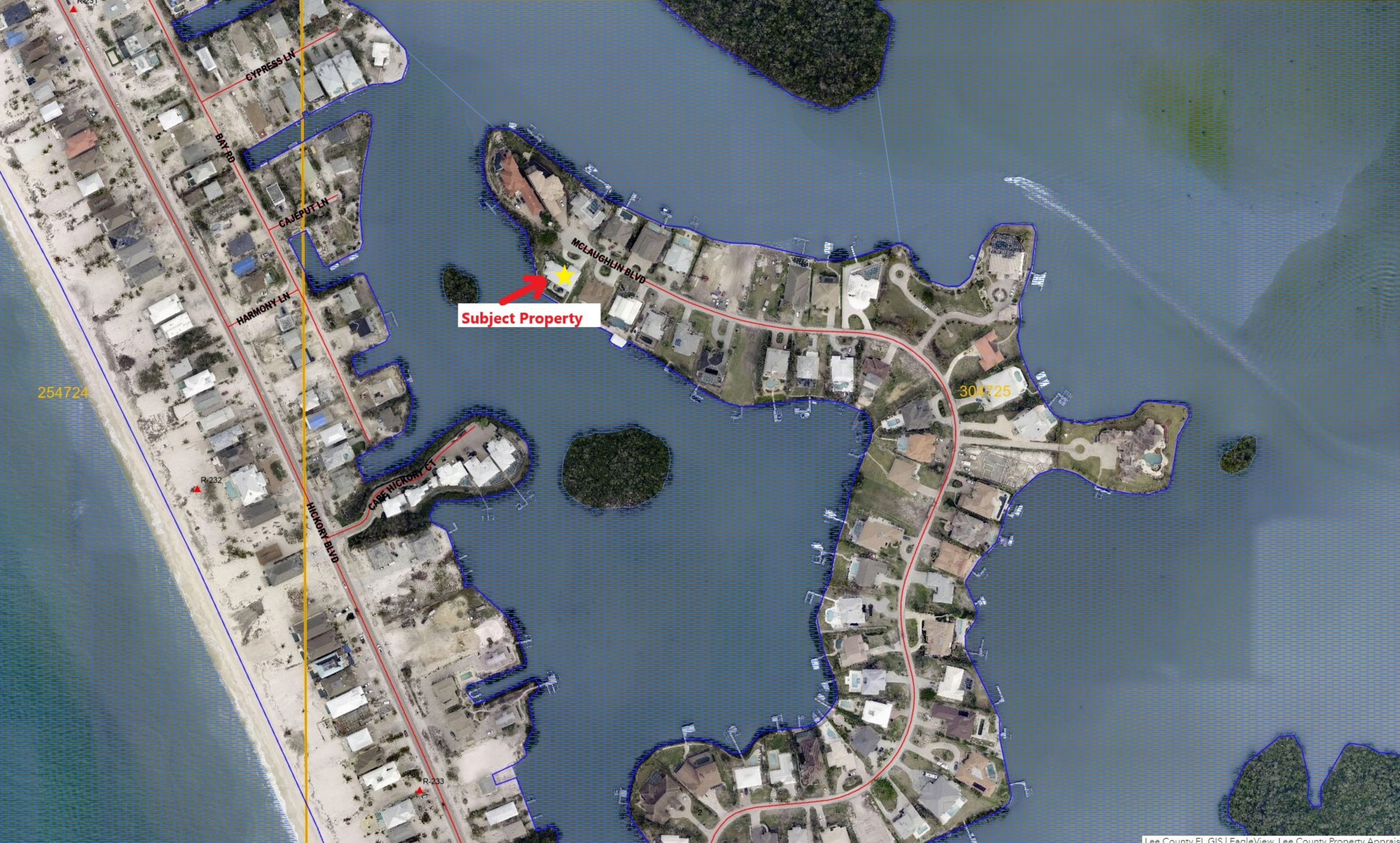


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VAR23-104943-BOS

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CYPRESS LN

BAY RD

CAJUPUT LN

HARMONY LN

CAPE HICKORY CT

HICKORY BLVD

MCLAUGHLIN BLVD

Subject Property

254724

304725

R-232

R-233

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

PROJECT NAME: ROTH RESIDENCE

TYPE OF CASE: VARIANCE (SETBACK)

CASE NUMBER: VAR23-104943-BOS

HEARING DATE: MAY 14, 2024

PLANNER: MIKE FIIGON II, SENIOR PLANNER

REQUEST AND STAFF RECOMMENDATION

A variance from LDC Section 4-1893, which requires a street setback of 25 feet for local roads, to allow a setback of 14 feet for a proposed single-family home on a residential property in Bonita Springs.

Staff recommends **DENIAL** of the variance as requested.

I. APPLICATION SUMMARY:

A. Applicant: Divco Construction

B. Agent: Stacy Chernesky

C. Request: A variance from LDC 4-1893, which requires a street setback of 25 feet for local roads, to allow a setback of 14 feet for a proposed single-family home on a residential property in Bonita Springs.

D. Location: 26737 McLaughlin Blvd, Bonita Springs, FL 34135

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

Future Land Use: Moderate Density Residential

Current Zoning: RS-1, Single-Family

Current Use: Vacant

F. Surrounding Land Use:

<u>Existing Zoning & Land Use</u>	<u>Future Land Use Designation</u>
North: RS-1, Single Family Residential Single Family Residence	Moderate Density Residential
East: RS-1, Single Family Residential; Single-Family Residence	Moderate Density Residential
South: Arm of Estero Bay	N/A
West: RS-1, Single Family Residential; Single-Family Residence	Moderate Density Residential

II. **BACKGROUND AND INFORMATIONAL ANALYSIS:**

Introduction/Synopsis

The property is located at 26737 McLaughlin Boulevard in Bonita Springs. McLaughlin is a city-maintained right-of-way on which a street setback of 25 feet (as measured from the edge of the right-of-way easement) is the minimum requirement. This requirement pre-dates the City of Bonita Springs and was adopted into the City's code upon municipal incorporation.

The property is located in an area known as the Carolands Subdivision, which dates back to March of 1968, with the lot in question legally known as Lot 40 of said subdivision.

The zoning designation of the property is RS-1, Residential Single-Family. Pursuant to LDC 4-489, properties in the RS-1 zoning district should meet the following dimensional requirements:

Lot Width	75 feet, minimum
Lot Depth	100 feet minimum
Lot Area	7,500sf minimum

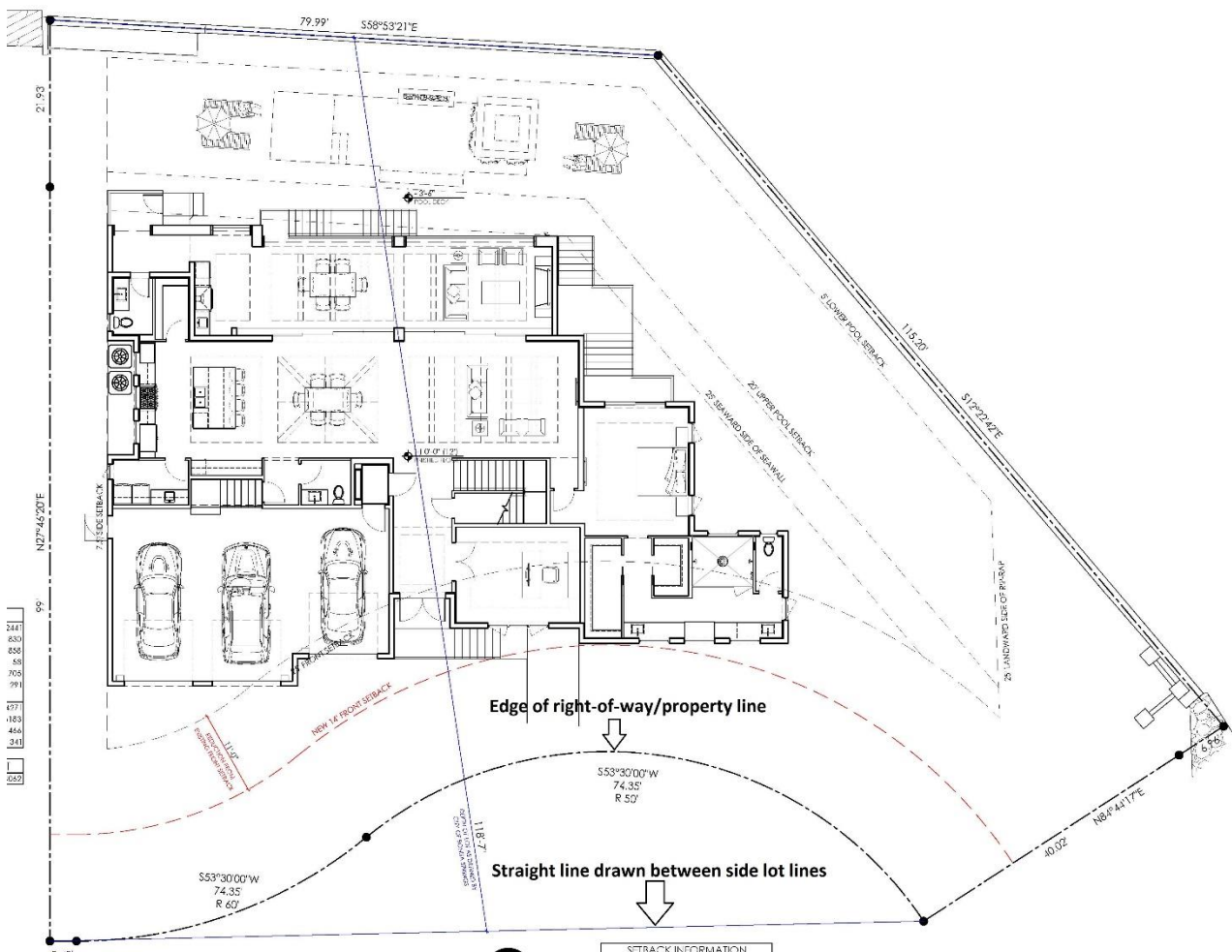
According to information supplied by the Applicant in the application, the property in question has the following dimensions:

Lot Width	115.7 feet
Lot Depth	118.58 feet
Lot Area	12,635sf feet

One item to note is the depth of the lot at 118.58 feet. This exceeds the minimum required lot depth by 18.58 feet. If the lot depth was below the minimum threshold, this could be considered a hardship from which a setback variance could be sought. However, while the measurement supplied in the application is 118.58 feet, the measurement shown on the Carolands subdivision map as well as the survey provided by the Applicant is 99 feet at its deepest point. The discrepancy has to do with how the LDC defines and measures lot depth:

Lot Measurement, Depth: For lots lawfully created prior to January 28, 1983, depth of a lot shall be considered the distance between the midpoints of straight lines connecting the foremost points of the side lot lines in the front and the rearmost points of the side lot lines in the rear.

Because of the measuring requirements of the LDC, the lot “gained” approximately 19 feet of depth, none of which is located within the boundary of the parcel itself, as shown on the below drawing.



As a result, it could be stated that the LDC-defined depth of the parcel is approximately 118 feet, while the usable depth for design purposes is 99 feet, which is below the minimum requirements of Section 4-489 of the LDC. While a variance could potentially be sought as a result of the depth measurement of 99 feet, it is the Staff opinion that requesting a variance of 11 feet is excessive, especially considering the lot depth measurement is off by only a foot from the minimum standard.

With this information, staff is able to provide the below analysis of the variance criteria based on the facts of the case, and the Applicant's analysis.

Variance Review Criteria – Analysis

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

- (3) *Findings. Before making a recommendation to grant any variance, the zoning board must find that all of the following exist:*
- a. There are exceptional or extraordinary conditions or circumstances that are inherent to the property in question;*
 - b. The exceptional or extraordinary conditions or circumstances are not the result of actions of the applicant taken subsequent to the adoption of the ordinance (any action taken by an applicant pursuant to lawfully adopted regulations preceding the adoption of the ordinance from which this chapter is derived will not be considered self-created);*
 - c. The variance granted is the minimum variance that will relieve the applicant of an unreasonable burden caused by the application of the regulation in question to their property;*
 - d. The granting of the variance will not be injurious to the neighborhood or otherwise detrimental to the public welfare; and*
 - e. The condition or situation of the specific piece of property, or the intended use of the property, for which the variance is sought is not of a general or recurrent nature so as to make it more reasonable and practical to amend the ordinance.*

Criterion a: There are exceptional or extraordinary conditions or circumstances that are inherent to the property in question:

Applicant Analysis: *The subject parcel, Lot 40 of Unrecorded Carolands, was created many years ago. It is one of four existing lots with dimensionally challenging site parameters because they front on a cul-de-sac and the rear years are all on the bay.*

Staff Analysis: The Carolands subdivision was created in March of 1968. The lot shape has remained unchanged since its creation, meaning that the property owner inherited a condition that shows a parcel with a design lot depth that is below the minimum standard.

Criterion b: The exceptional or extraordinary conditions or circumstances are not the result of actions of the applicant taken subsequent to the adoption of the ordinance (any action taken by an applicant pursuant to lawfully adopted regulations preceding the adoption of the ordinance from which this chapter is derived will not be considered self-created).

Applicant Analysis: *The owner bought the parcel in 1998. The existing home was damaged by Hurricane Ian and subsequently demolished. The replacement home is designed for compliance with today's standards and flood requirements. The home will comply with side and rear setbacks, but the front setback is a significant issue. The extraordinary conditions were inherited, not created.*

Staff Analysis: Staff agrees that the owner did not create a lot that has less usable depth than required by the LDC.

Criterion c: The variance granted is the minimum variance that will relieve the applicant of an unreasonable burden caused by the application of the regulation in question to their property.

Applicant Analysis: *The proposed replacement home is designed to minimize the necessity for relief. The attached supporting site plan shows the required 25' setback. The garage is next to the neighbor and "starts out" fully compliant but encroaches by a few feet with the impact of the cul-de-sac bulge. The entrance and adjacent parlor along with the master suite encroach into the front setback by 11 feet at a single corner at the maximum bulge impact point. This portion of the home is significantly farther from the center line of McLaughlin Boulevard than the preceding homes, and provides significant relief from what would basically be an unbuildable portion of the parcel.*

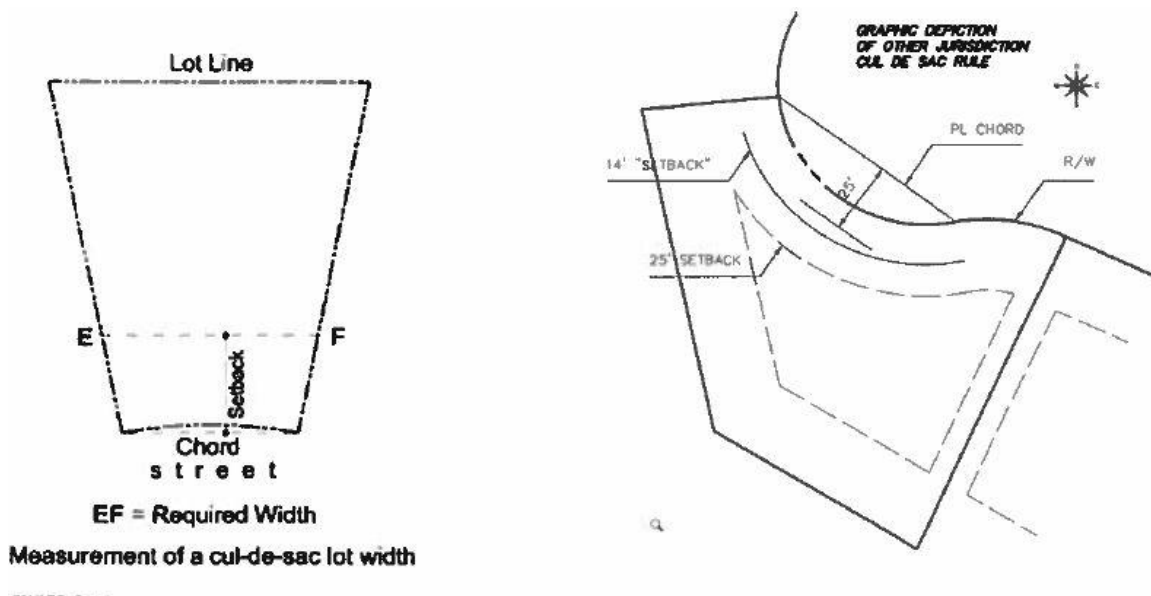
Staff Analysis: Staff disagrees with this analysis. It is the Staff opinion that the proposed home design is simply too large for the parcel. Using a newer construction example across the street (26744 McLaughlin), the base footprint (also called the on-the-ground footprint) is approximately 2,283sf. From there, they were able to add multiple stories to achieve their desired overall square footage of 3,467sf. The home meets all of the required setback minimums. Directly to the east of the parcel in

question is an older one-story home, with a base footprint of 2,203sf. This home appears to be meeting all of the required setback minimums.

It appears that most base footprints in the neighborhood are in the low 2,000sf range. This is further evident by reviewing the details of the previous home on-site of the subject parcel, which was 2,116sf. However, the proposed base footprint is over 3,000sf. It is the Staff opinion that the home is simply too large, and thus a variance of 11 feet is beyond the minimum necessary to relieve the Applicant.

Criterion d: The granting of the variance will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

Applicant Analysis: *The variance will NOT be injurious to the neighborhood or otherwise detrimental to the public welfare. As mentioned above, the proposed home is farther from the centerline of McLaughlin Boulevard than the preceding homes and will have no visual affect from the street. The limits of the existing non-compliant paved area of the cul-de-sac bulb would lie totally within a virtual extension of the 60' right of way from the southeast. Front set back relief on cul-de-sac bulbs in other municipalities is often provided by code. The following is an except from "another jurisdiction". (Note, it is not a panacea it appears to be and often still subject to additional review because every one of these lots is unique!)*



Staff Analysis: Staff understands the argument the Applicant is trying to make, however, this is not in line with how setbacks are measured within the City of Bonita Springs. If Staff were to accept the Applicant's reasoning, it would set a new precedent that would be counter to years of existing precedent based on established

code language. Using the argument of what is done in other jurisdictions as reason for why Bonita should approve this variance petition is not appropriate.

Criterion e: The condition or situation of the specific piece of property, or the intended use of the property, for which the variance is sought is not of a general reoccurring nature so as to make it more reasonable to amend the ordinance.

Applicant Analysis: *The condition is not uncommon, but is not of a general or recurrent nature making it more reasonable and practical to amend the ordinance. As mentioned in d. above, it is not an easy situation to address because every cul-de-sac is unique. The frontage on the instant situation includes a reverse curve that complicates application of the “general rule” in that other jurisdiction.*

Staff Analysis: Staff doesn't believe that amending the LDC is necessary, as this is not a common occurrence. Staff disagrees with the Applicant's statement that every cul-de-sac is different. In the City of Bonita Springs, all street setback measurements are taken from the edge of the right-of-way line or street easement. The applies equally to all cul-de-sac lots as well as parcels with conventional or more linear frontages.

It is Staff's opinion the applicant has not demonstrated compliance with all of the criteria listed above.

Surrounding Zoning

The zoning surrounding the subject property is RS-1, Single-Family. Several of the existing homes received damage from Hurricane and have been demolished. They are being rebuilt in accordance with the requirements of the RS-1 zoning district, including setbacks.

Neighborhood Compatibility

The owner's desire to construct a new single-family home is compatible with the zoning designation and the neighborhood. However, the variance, if granted, would be the largest variance in the subdivision. As a result, it is the Staff opinion that the variance, as proposed, would not be compatible with the neighborhood.

Comprehensive Plan Considerations

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

Policy 1.1.7: Moderate Density Residential - Intended to accommodate and preserve single-family residential development at a maximum density of up to 5.8

dwelling units per gross acre and approximately 1,977 acres of gross land area in the land use category; planned unit developments at a maximum density of six units per acre; group homes and foster care facilities; public schools and other public, semi-public and recreational uses on a limited basis.

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

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

Findings & Conclusions:

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

1. An argument can be made that there are exceptional or extraordinary conditions or circumstances inherent to the subject property, specifically depth of the parcel, of which the usable depth is 99 feet, which is below the minimum of 100 feet.
2. The exceptional or extraordinary conditions or circumstances are not the result of actions of the applicant taken subsequent to the adoption of the ordinance. This lot as configured was created in March of 1968. The configuration was not created or altered by the owner.
3. The variance, if granted, is beyond the minimum variance that will relieve the applicant of an unreasonable burden caused by the application of the regulations in question to the subject property. The variance request is too extreme and is not supported by the development pattern of the area.
4. The granting of the variance could have injurious effects on the neighborhood and public welfare, as it would recommend a significant departure from applied precedent.
5. The condition or situation of the specific piece of property, or the intended use of the property, for which the variance is sought is not of a general or recurrent nature to make it more reasonable and practical to amend the ordinance.

III. RECOMMENDATION:

Staff recommends **DENIAL** of the Applicant's requested variance from the setback requirement of a street setback of 25 feet to 14 feet. This recommendation of denial is based on the *Findings & Conclusions* contained herein.

IV. SUBJECT PROPERTY

The applicant indicates the STRAP number is: 30-47-25-B4-00200.0400

V. EXHIBITS

- A. Legal Description and Boundary Survey
- B. Proposed Site Plan

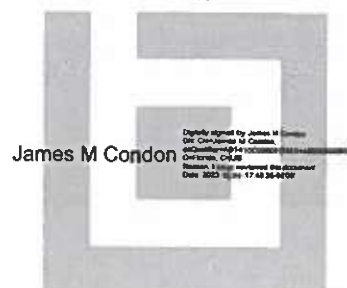
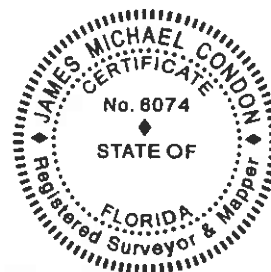
VI. ATTACHMENTS

- A. Application and Backup

EXHIBIT A **MAP OF BOUNDARY SURVEY / PLOT PLAN OF** **EXHIBIT A**
OF LOT 40, UNRECORDED CAROLANDS,
LYING IN SECTION 30, TOWNSHIP 47 SOUTH, RANGE 25 EAST,
CITY OF BONITA SPRINGS, LEE COUNTY, FLORIDA

LEGEND

- ⊕ = BENCHMARK, SET PK NAIL AND DISK - "CHW LB 5075"
- = FOUND 5/8" REBAR - NO IDENTIFICATION
- ⊙ = SET 5/8" REBAR AND CAP - CHW LB 5075"
- = FOUND 4" X 4" CONCRETE MONUMENT
- (D) = LEGAL DESCRIPTION DATA
- (M) = FIELD MEASURED DATA
- (P) = RECORD PLAT DATA
- ☐ = WOOD UTILITY POLE
- ✕ = WATER VALVE
- ☑ = WATER METER
- X—X— = BACKFLOW PREVENTER
- ⚡ = FIRE HYDRANT
- Ⓢ = SANITARY SEWER MANHOLE
- = WOOD MOORING POST
- ☐ = YARD DRAIN (SQUARE)



SURVEYOR'S NOTES

1. BEARINGS SHOWN HEREON ARE BASED UPON THE SOUTH LINE OF A ROADWAY EASEMENT HAVING A BEARING OF SOUTH 62°13'40" EAST AS SHOWN IN THE LEGAL DESCRIPTION.
2. NO UNDERGROUND IMPROVEMENTS OR FOUNDATIONS WERE LOCATED UNDER THE SCOPE OF THIS SURVEY.
3. THIS PARCEL LIES IN FLOOD ZONE "AE" AS SHOWN ON FEMA FLOOD INSURANCE RATE MAP PANEL 12071C0651G, DATED NOVEMBER 17, 2022, WITH A BASE FLOOD ELEVATION OF 11.0' NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 1988).
4. BOUNDARY INFORMATION SHOWN HEREON IS BASED UPON THE RECORD PLAT AND LEGAL DESCRIPTION PROVIDED, NO SEARCH OF THE PUBLIC RECORD WAS PERFORMED BY THIS SURVEYOR. THERE MAY BE OTHER SETBACKS AND/OR EASEMENTS NOT KNOWN TO THIS SURVEYOR.
5. THE STREET ADDRESS IS:
26737 MCLAUGHLIN BOULEVARD
BONITA SPRINGS, FLORIDA 34134
6. ELEVATIONS SHOWN HEREON ARE REFERENCED TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 1988). ELEVATIONS ARE BASED UPON TIES TO THE FLORIDA DEPARTMENT OF TRANSPORTATION PERMANENT REFERENCE NETWORK REAL-TIME KINEMATIC (RTK) GLOBAL POSITIONING SYSTEM (GPS) CONTROL NETWORK.
7. THIS PARCEL CONTAINS 0.290 ACRE, OR 12,640 SQ. FT. MORE OR LESS.
8. BUILDING LOCATION IS PER AN AUTOCAD FILE THAT WAS PROVIDED BY DIVCO CUSTOM HOMES. FOOT PRINT AREA SHOWN ON SHEET 9 AND 10 OF 10 IS FOR THE BUILDING FOOT PRINT.

THIS MAP PREPARED BY: JAMES M. CONDON, JSM 1071 VALID WITHOUT THE SIGNATURE AND SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER	CERTIFIED TO: DIVCO CUSTOM HOMES	23-0117 1 OF 10
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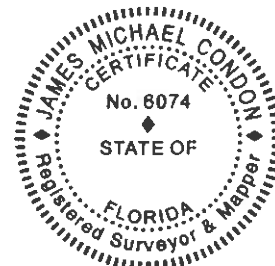
MAP OF BOUNDARY SURVEY / PLOT PLAN OF OF LOT 40, UNRECORDED CAROLANDS, LYING IN SECTION 30, TOWNSHIP 47 SOUTH, RANGE 25 EAST, CITY OF BONITA SPRINGS, LEE COUNTY, FLORIDA

LEGAL DESCRIPTION

LOT 40, OF UNRECORDED CAROLANDS, IN SECTION 30, TOWNSHIP 47 SOUTH, RANGE 25 EAST, BONITA BEACH, LEE COUNTY, FLORIDA, AS SPECIFICALLY DESCRIBED AS FOLLOWS:

A LOT OR PARCEL OF LAND LYING IN SECTION 30, TOWNSHIP 47 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, WHICH LOT OR PARCEL IS DESCRIBED AS FOLLOWS:

FROM THE SOUTHEASTERLY CORNER OF LOT 1, BLOCK G, OF BONITA BEACH, ACCORDING TO A MAP OR PLAT THEREOF RECORDED IN PLAT BOOK 8, PAGE 65 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; RUN NORTH 67° 13' 20" EAST, PERPENDICULAR TO THE SOUTHWESTERLY LINE OF HICKORY BOULEVARD AS SHOWN ON SAID PLAT FOR 100 FEET TO THE NORTHEASTERLY LINE OF SAID HICKORY BOULEVARD; THENCE CONTINUE NORTH 67° 13' 20" EAST, ALONG THE NORTHWESTERLY LINE OF A ROADWAY EASEMENT 80 FEET WIDE FOR 450 FEET; THENCE RUN NORTH 22° 46' 40" WEST ALONG THE NORTHEASTERLY LINE OF A ROADWAY EASEMENT, 50 FEET WIDE FOR 394.66 FEET TO A POINT OF CURVATURE; THENCE RUN NORTHWESTERLY AND NORTHERLY ALONG THE NORTHERLY LINE OF SAID ROADWAY EASEMENT 50 FEET WIDE AND ALONG THE ARC OF A CURVATURE TO THE RIGHT OF RADIUS 875 FEET, FOR 327.83 FEET TO A POINT OF COMPOUND CURVATURE; THENCE NORTHEASTERLY ALONG THE ARC OF A CURVE TO THE RIGHT OF RADIUS 100 FEET FOR 150.97 FEET TO A POINT OF TANGENCY; THENCE RUN NORTH 85° 11' 20" EAST ALONG THE SOUTHERLY LINE OF A ROADWAY EASEMENT FOR 151.11 FEET TO A POINT OF CURVATURE; THENCE RUN NORTHEASTERLY, AND NORTHWESTERLY ALONG THE ARC OF A CURVE TO THE LEFT OF RADIUS 285 FEET FOR 517.32 FEET TO A POINT OF REVERSE CURVATURE; THENCE RUN NORTHWESTERLY, NORTHERLY AND NORTHEASTERLY ALONG THE ARC OF A CURVE TO THE RIGHT OF RADIUS 315 FEET FOR 228.16 FEET TO A POINT OF TANGENCY; THENCE RUN NORTH 22° 41' 20" EAST ALONG THE SOUTHERLY LINE OF ROADWAY EASEMENT 50 FEET WIDE FOR 226.89 FEET TO A POINT OF CURVATURE; THENCE RUN NORTHEASTERLY, NORTHERLY, NORTHWESTERLY AND WESTERLY ALONG THE ARC OF A CURVE TO THE LEFT OF RADIUS 275 FEET FOR 545.96 FEET TO A POINT OF REVERSE CURVATURE; THENCE RUN WESTERLY AND NORTHWESTERLY ALONG THE NORTHERLY LINE OF SAID ROADWAY EASEMENT ALONG THE ARC OF A CURVE TO THE RIGHT OF RADIUS 1,000 FEET FOR 503.24 FEET; THENCE RUN NORTH 62° 13' 40" WEST, ALONG SAID NORTHERLY LINE OF ROADWAY EASEMENT 50 FEET WIDE FOR 171.78 FEET TO AN INTERSECTION WITH THE ARC OF A TURNAROUND OF RADIUS 50 FEET; THENCE RUN NORTHWESTERLY TO WESTERLY, SOUTHWESTERLY AND SOUTHERLY ALONG THE ARC OF SAID CURVE TO THE LEFT OF RADIUS 50 FEET FOR 160 FEET TO THE POINT OF BEGINNING. FROM SAID POINT TO BEGINNING CONTINUE SOUTHERLY AND SOUTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT OF RADIUS 50 FEET FOR 83.32 FEET TO A POINT OF REVERSE CURVATURE; THENCE RUN SOUTHEASTERLY ALONG THE ARC OF A CURVE TO THE RIGHT OF RADIUS 60 FEET FOR 41.26 FEET TO A POINT OF TANGENCY ON THE SOUTHEASTERLY LINE OF SAID ROADWAY EASEMENT; THENCE RUN SOUTH 62° 13' 40" EAST ALONG SAID SOUTHERLY LINE FOR 3.48 FEET; THENCE RUN SOUTH 27° 46' 20" WEST FOR 113 FEET; MORE OR LESS, TO THE WATERS OF AN ARM OF ESTERO BAY; THENCE RUN NORTHWESTERLY ALONG SAID WATERS TO AN INTERSECTION WITH A LINE BEARING NORTH 84° 25' 30" EAST, ALONG SAID LINE OF 50 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

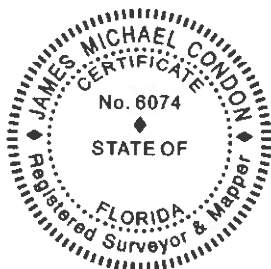


THIS MAP PREPARED BY: JAMES M. CONDON, F.S.M. NOT VALID WITHOUT THE SIGNATURE AND SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER	COMPILED FILE 230117 PP REVIEW DATE 09/24/2023 SIGNATURE DATE 10/04/2023	OWNER NAME N/A REVIEW DATE	CHW 13	10000 Bonita Beach Road SE Bonita Springs, Florida 34135 239-353-0000 www.chw-fl.com ALL THE FLORIDA COUNTIES	SCALE IN F.A. DRAWN BY J.M.C. PLOT BOOK 104/64	CERTIFIED TO: DINCO CUSTOM HOMES	JOB NO. 23-0117 SHEET NO. 2 OF 10
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MAP OF BOUNDARY SURVEY / PLOT PLAN OF OF LOT 40, UNRECORDED CAROLANDS, LYING IN SECTION 30, TOWNSHIP 47 SOUTH, RANGE 25 EAST, CITY OF BONITA SPRINGS, LEE COUNTY, FLORIDA

LINE TABLE		
LINE	BEARING (M)	DISTANCE (M)
L1	S62°05'30"E	3.49'
LINE	BEARING (P)	DISTANCE (P)
L1	S62°13'40"E	3.48'
LINE	BEARING (D)	DISTANCE (D)
L1	S62°13'40"E	3.48'

CURVE TABLE					
CURVE	DELTA (M)	RADIUS (M)	ARC (M)	CHORD BEARING (M)	CHORD (M)
C1	95°46'45"	50.00'	83.58'	S53°43'11"E	74.19'
C2	39°23'57"	60.00'	41.26'	S81°56'28"E	40.45'
CURVE	DELTA (P)	RADIUS (P)	ARC (P)	CHORD BEARING (P)	CHORD (P)
C1	96°03'02"	50.00'	83.82'	N53°36'00"W	74.35'
C2	39°24'01"	60.00'	41.26'	N81°55'40"W	40.45'
CURVE	DELTA (D)	RADIUS (D)	ARC (D)	CHORD BEARING (D)	CHORD (D)
C1	95°28'40"	50.00'	83.32'	S53°43'11"E	74.01'
C2	39°23'57"	60.00'	41.26'	N81°56'28"W	40.45'
C3	183°20'35"	50.00'	160.00'	S86°05'51"W	99.96'



THIS MAP PREPARED BY:

JAMES M. CONDON, F.S.M.

CERTIFICATE OF AUTHORIZATION NO. 18 0000
NOT VALID WITHOUT THE SIGNATURE
AND SEAL OF A FLORIDA
LICENSED SURVEYOR AND MAPPER

James M. Condon, F.S.M.
Registered Surveyor & Mapper No. License No. 6074

COMPASS PLOT
230117 PP
BARELY 64.5
09/29/2023
SIGNATURE DATE
10/04/2023

MEASURE SCALE
N/A

REVISION DATE

REVISION DATE

CHI
Professional Consultant

10000 Studio South Road SE
Bonita Springs, Florida 34135
352-352-0000
www.chi-fl.com

DATE BY
FA
09/28/23
FLA
FILED 0001
10/4/24

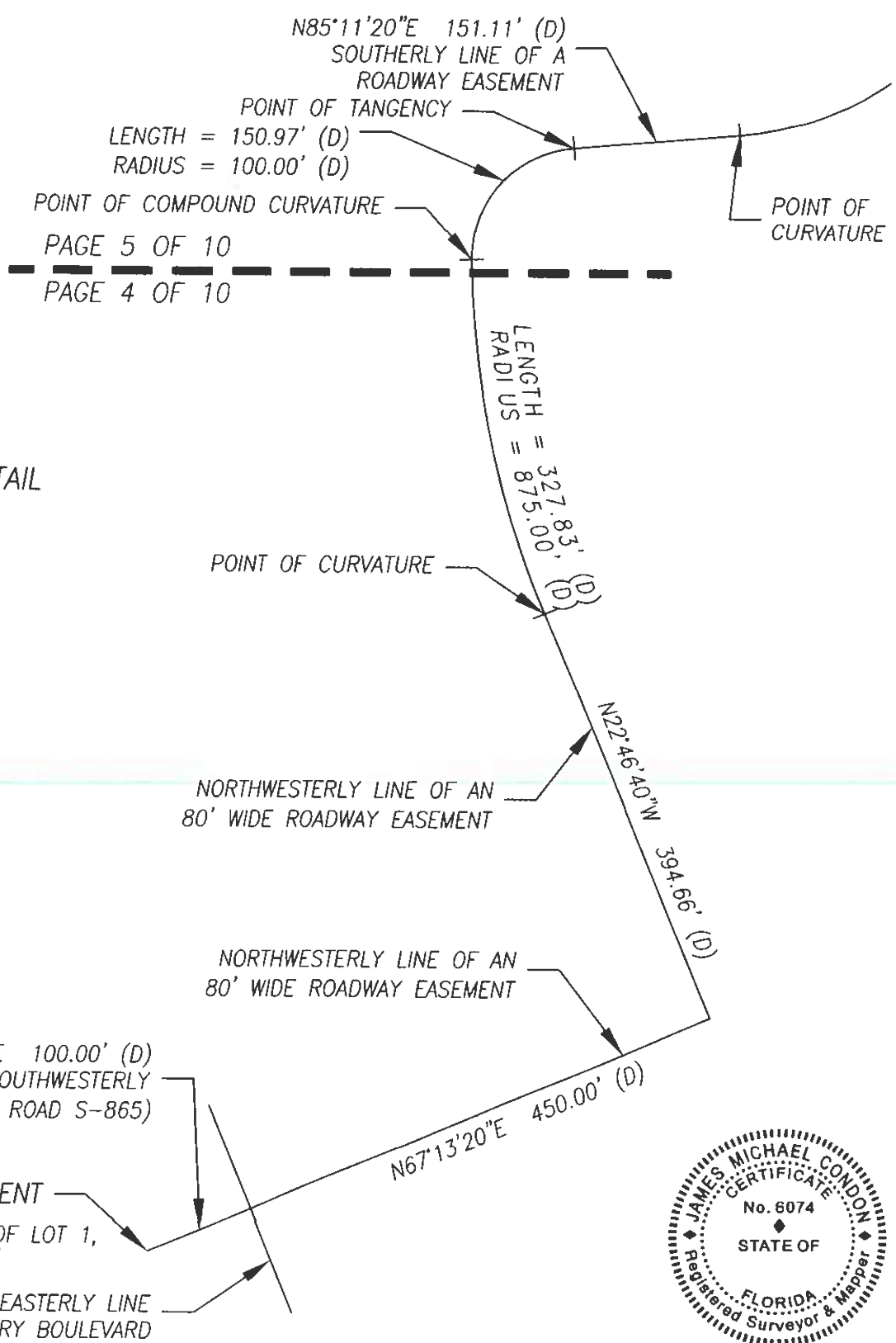
CERTIFIED TO:

DMCO CUSTOM HOMES

23-0117

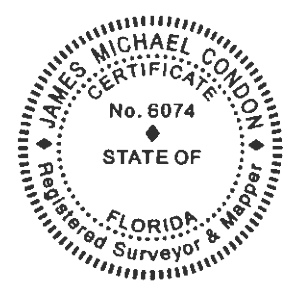
3 OF 10

MAP OF BOUNDARY SURVEY / PLOT PLAN OF OF LOT 40, UNRECORDED CAROLANDS, LYING IN SECTION 30, TOWNSHIP 47 SOUTH, RANGE 25 EAST, CITY OF BONITA SPRINGS, LEE COUNTY, FLORIDA



LEGAL DESCRIPTION DETAIL
 (NOT TO SCALE)

POINT OF COMMENCEMENT
 SOUTHEASTERLY CORNER OF LOT 1,
 BLOCK "G", BONITA BEACH
 PLAT BOOK 8, PAGE 65
 NORTHEASTERLY LINE
 OF HICKORY BOULEVARD



MAP OF BOUNDARY SURVEY / PLOT PLAN OF OF LOT 40, UNRECORDED CAROLANDS, LYING IN SECTION 30, TOWNSHIP 47 SOUTH, RANGE 25 EAST, CITY OF BONITA SPRINGS, LEE COUNTY, FLORIDA



LEGAL DESCRIPTION DETAIL
(NOT TO SCALE)

PAGE 6 OF 10

PAGE 5 OF 10

POINT OF CURVATURE

SOUTHEASTERLY LINE OF A
50' WIDE ROADWAY EASEMENT

POINT OF TANGENCY

N22°41'20"E 226.89' (D)

LENGTH = 228.16' (D)
RADIUS = 315.00' (D)

POINT OF
REVERSE CURVATURE

LENGTH = 517.32' (D)
RADIUS = 285.00' (D)

N85°11'20"E 151.11' (D)
SOUTHERLY LINE OF A
ROADWAY EASEMENT

POINT OF TANGENCY

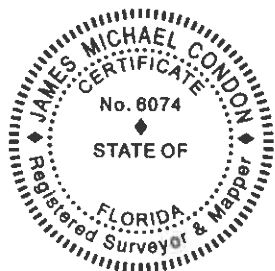
LENGTH = 150.97' (D)
RADIUS = 100.00' (D)

POINT OF COMPOUND CURVATURE

POINT OF
CURVATURE

PAGE 5 OF 10

PAGE 4 OF 10



THIS MAP PREPARED BY:
JAMES MICHAEL CONDON
REGISTERED SURVEYOR & MAPPER
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LICENSED SURVEYOR AND MAPPER

JAMES MICHAEL CONDON
REGISTERED SURVEYOR & MAPPER
FLORIDA LICENSE NO. 8074

PROJECT FILE:
230117 PP
DATE: 08/28/2023
REVISIONS:
REVISION DATE:
10/04/2023

CHI
Professional Consultants

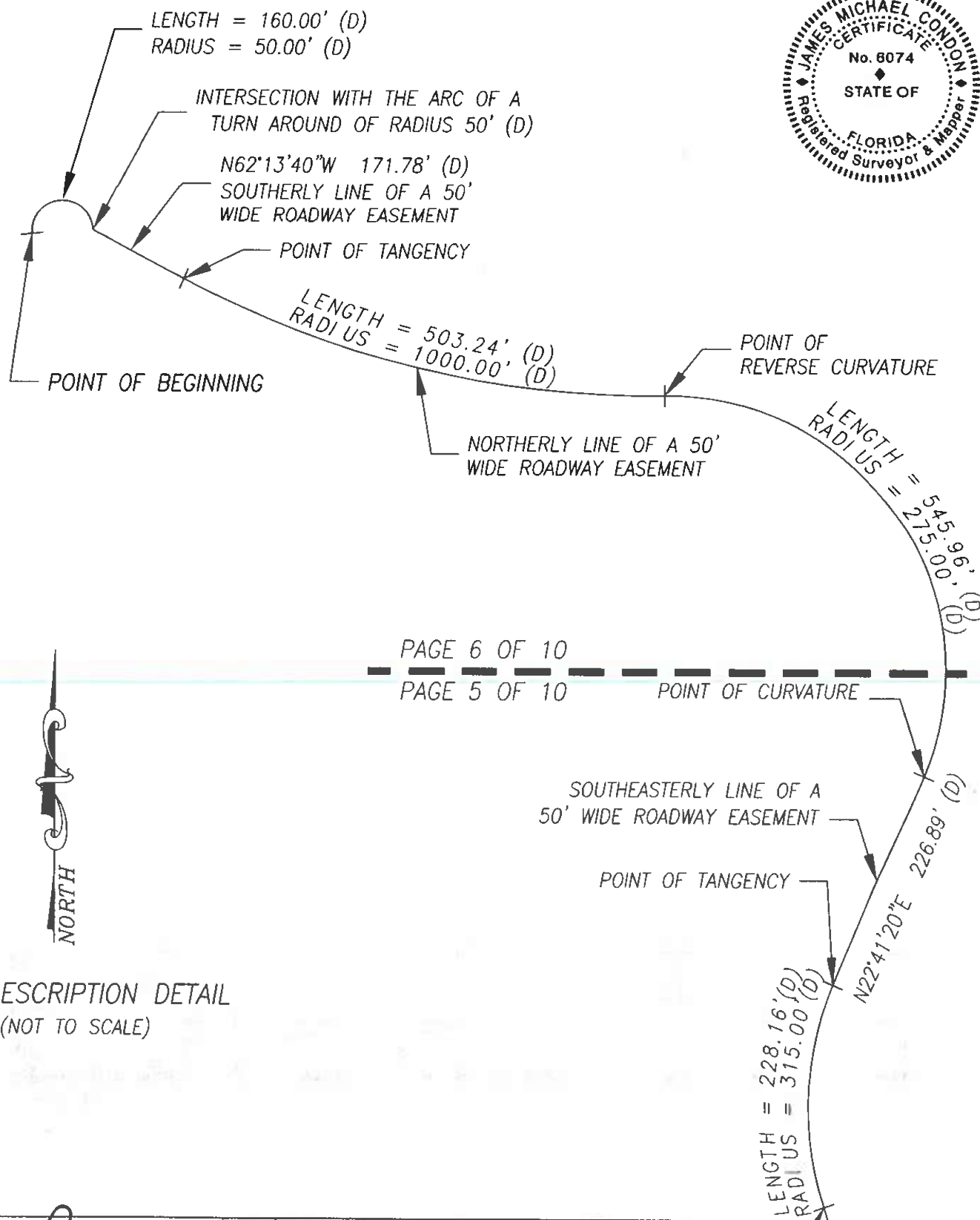
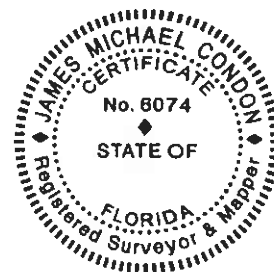
16
10000 Bonita Beach Road SE
Bonita Springs, Florida 34135
352-552-0000
www.chiconsultants.com
FLORIDA
LICENSED SURVEYOR

DATE: 08/28/2023
FA:
CHECKED BY:
TJR
SCALE: 1/4" = 100'

CERTIFIED TO:
DMCO CUSTOM HOMES

23-0117
5 OF 10

MAP OF BOUNDARY SURVEY / PLOT PLAN OF OF LOT 40, UNRECORDED CAROLANDS, LYING IN SECTION 30, TOWNSHIP 47 SOUTH, RANGE 25 EAST, CITY OF BONITA SPRINGS, LEE COUNTY, FLORIDA



PAGE 6 OF 10

PAGE 5 OF 10

LEGAL DESCRIPTION DETAIL
(NOT TO SCALE)

THIS MAP PREPARED BY:

JAMES M. CONDON, JSM

COMPUTER FILE

230117 PP

NOT TO SCALE

SURVEY DATE

09/28/2023

REVISION DATE

10/04/2023

REVISION BY

JSM



2000 Bonita Beach Road SE

Bonita Springs, Florida 34135

239-361-0000

www.chi-survey.com

CHI 17

STATE OF

FLA

EXPIRATION DATE

12/31/24

194/44

CERTIFIED TO:

DMCO CUSTOM HOMES

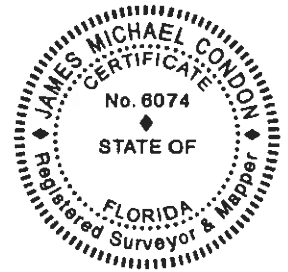
JOB NO.

23-0117

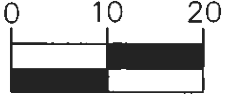
SHEET NO.

6 OF 10

MAP OF BOUNDARY SURVEY / PLOT PLAN OF OF LOT 40, UNRECORDED CAROLANDS, LYING IN SECTION 30, TOWNSHIP 47 SOUTH, RANGE 25 EAST, CITY OF BONITA SPRINGS, LEE COUNTY, FLORIDA

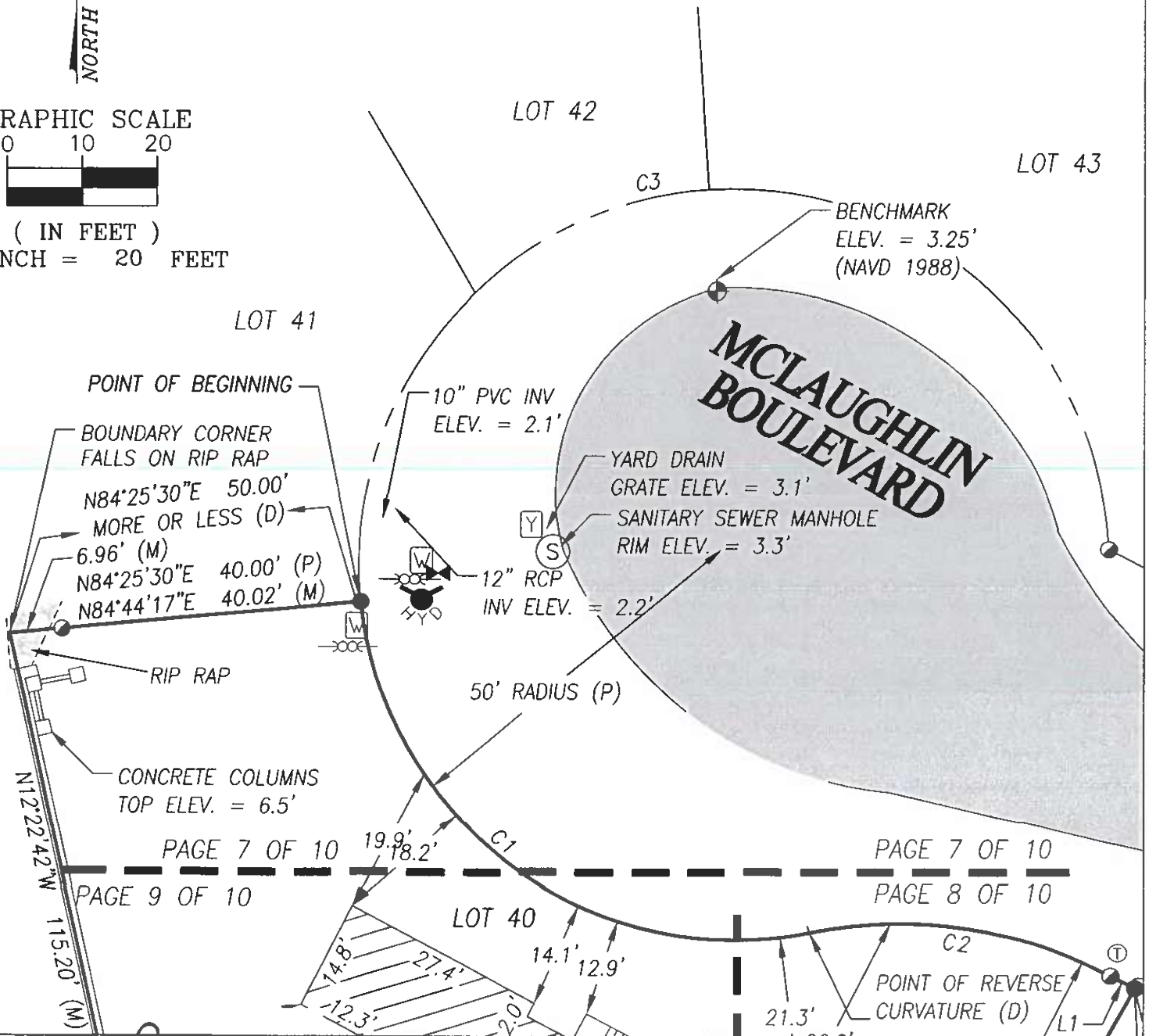


GRAPHIC SCALE



(IN FEET)

1 INCH = 20 FEET



THIS MAP PREPARED BY:

JAMES M. CONDON, RSM

CERTIFICATE OF AUTHORIZATION NO. LB 8888
NOT VALID WITHOUT THE SIGNATURE
AND SEAL OF A FLORIDA
LICENSED SURVEYOR AND MAPPER

COMPILED FILE

230117 PP

SURVEY DATE

08/28/2023

REVISION DATE

10/04/2023

GRAPHIC SCALE

1" = 20'

CHW

18

10001 South Beach Road SE
Bonita Springs, Florida 34135
239-265-0000
www.chw-survey.com

SHEET NO.

FA

ORDERED BY

TJR

FIELD BOOK

184/44

CERTIFIED TO:

DMCO CUSTOM HOMES

JOB NO.

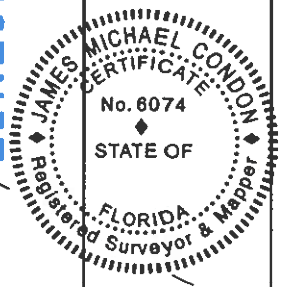
23-0117

SHEET NO.

7 OF 10

MAP OF BOUNDARY SURVEY / PLOT PLAN OF OF LOT 40, UNRECORDED CAROLANDS LYING IN SECTION 30, TOWNSHIP 47 SOUTH, RANGE 25 EAST, CITY OF BONITA SPRINGS, LEE COUNTY, FLORIDA

ESTNET



PAGE 7 OF 10
PAGE 8 OF 10

PAVED
50' WIDE ROAD
EASEMENT (P)

**MCLAUGHLIN
BOULEVARD**
QUEENS QUAI (P)

BEARING BASIS
S62°13'40"E 80.00' (P)
S62°13'40"E 80.00' (M)

C2
POINT OF REVERSE
CURVATURE (D)

LOT 40

15' PUBLIC
UTILITY
EASEMENT

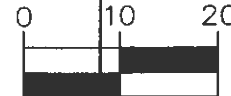
Toni Butler

Prepared for

Quarterly Report
July 1-September 30, 2023



GRAPHIC SCALE



(IN FEET)
1 INCH = 20 FEET

CONCRETE
ELEV. = 1.7'

WOOD DOCK

WATERS OF AN ARM
OF ESTERO BAY (D)

Michael, Richard
Bankers Life & Advisors
Managed Accounts Network
TO WATERS OF ESTERO BAY (D)

Advisor
(M) MORE OR LESS
OF ESTERO BAY (D)

3215 5TH AVE NW
NAPLES FL 34120-1615

TODD DTD 09/01/2021

39

THIS MAP PREPARED BY:
JAMES M. CONDON, S.M.
CERTIFICATE OF AUTHORIZATION NO. 18 6886
NOT VALID WITHOUT THE SIGNATURE
AND SEAL OF A FLORIDA
LICENSED SURVEYOR AND MAPPER

JAMES M. CONDON, S.M.
Registered Surveyor & Mapper No. 6074

DATE: 08/28/2023
BY: J.M.C.
CHECKED: 10/01/2023

SCALE: 1" = 20'
BY: J.M.C.

CHW 19

10000 South Beach Road
Bonita Springs, Florida 34135
352-255-1111
www.dmvco.com

DATE: 08/28/2023
BY: J.M.C.
CHECKED: 10/01/2023

DATE: 08/28/2023
BY: J.M.C.
CHECKED: 10/01/2023

CERTIFIED TO:
DMVCO CUSTOM HOMES

DATE: 08/28/2023
BY: J.M.C.
CHECKED: 10/01/2023

DATE: 08/28/2023
BY: J.M.C.
CHECKED: 10/01/2023

DATE: 08/28/2023
BY: J.M.C.
CHECKED: 10/01/2023

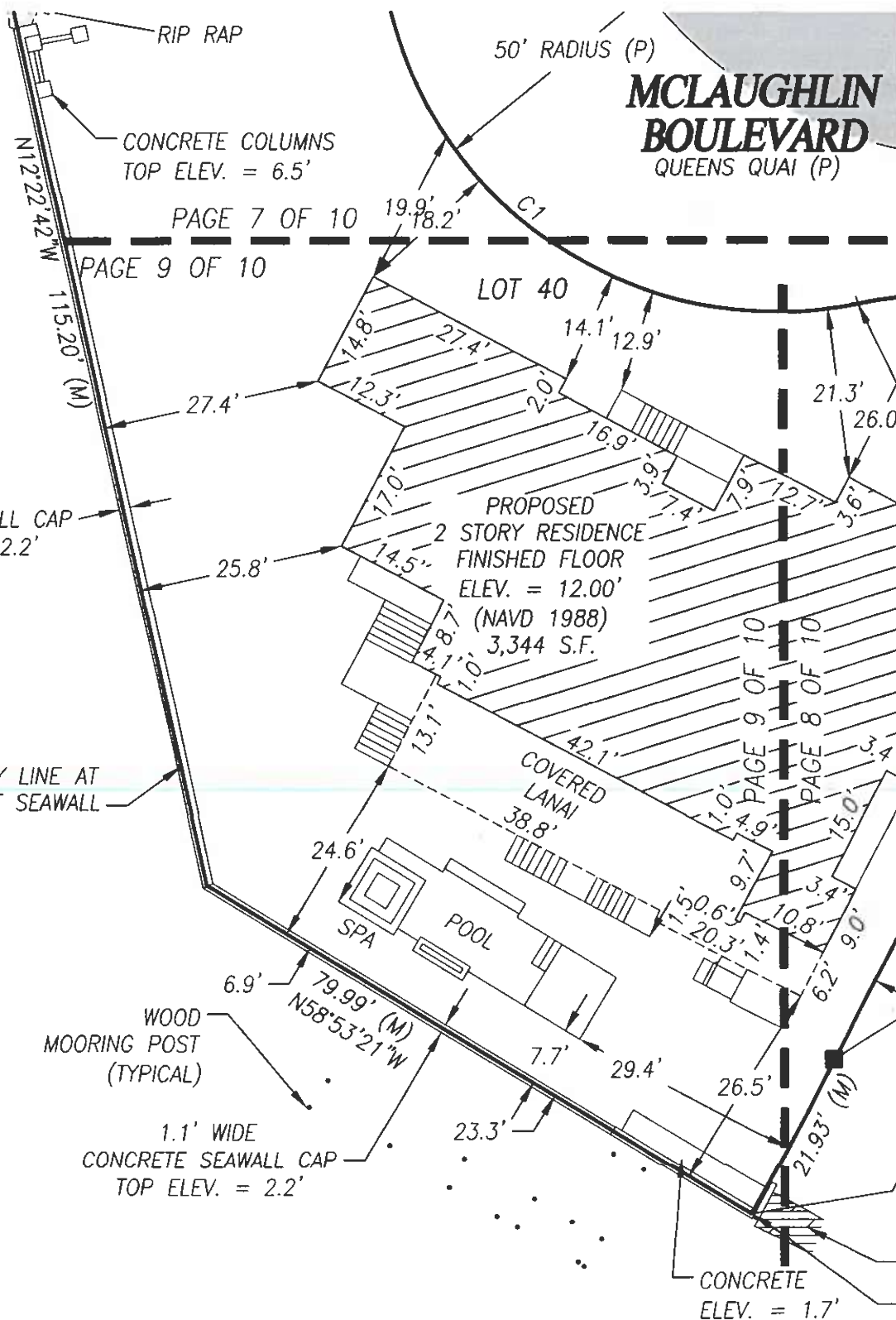
23-0117
8 OF 10

A circular professional seal for James Michael Condon. The outer ring contains the text "JAMES MICHAEL CONDON" at the top and "Registered Surveyor & Mapper" at the bottom, separated by two diamond symbols. Inside the ring, the word "CERTIFICATE" is at the top, "No. 6074" is in the center, and "STATE OF FLORIDA" is at the bottom, also separated by two diamond symbols.

ESTERO BAY (P&D)



1 INCH = 20 FEET



THIS MAP PREPARED BY:

CERTIFICATE OF AUTHORIZATION NO. LM 0000
NOT VALID WITHOUT THE SIGNATURE
AND SEAL OF A FLORIDA
LICENSED SURVEYOR AND MAPPER

James C. ...

COMPUTER FILE 230117 PP	PHYSICAL SCALE 1" = 20'
ISSUE DATE 09/28/2023	ISSUED BY [redacted]
SIGNATURE DATE 10/04/2023	REVISION DATE [redacted]

CHW 20

10001 Santa Rosa Road SE
Buckley Springs, Florida 34431
813-362-0661
www.glow-fla.com
in the FLORIDA
CAPSULE

SECRET REF
FA
DISPATCH REF
TLR
FILE NO.
124/44

CERTIFIED TO:
DAYCO CUSTOM HOMES

23-0117
9 OF 10

**MCLAUGHLIN
BOULEVARD**
QUEENS QUAI (P)

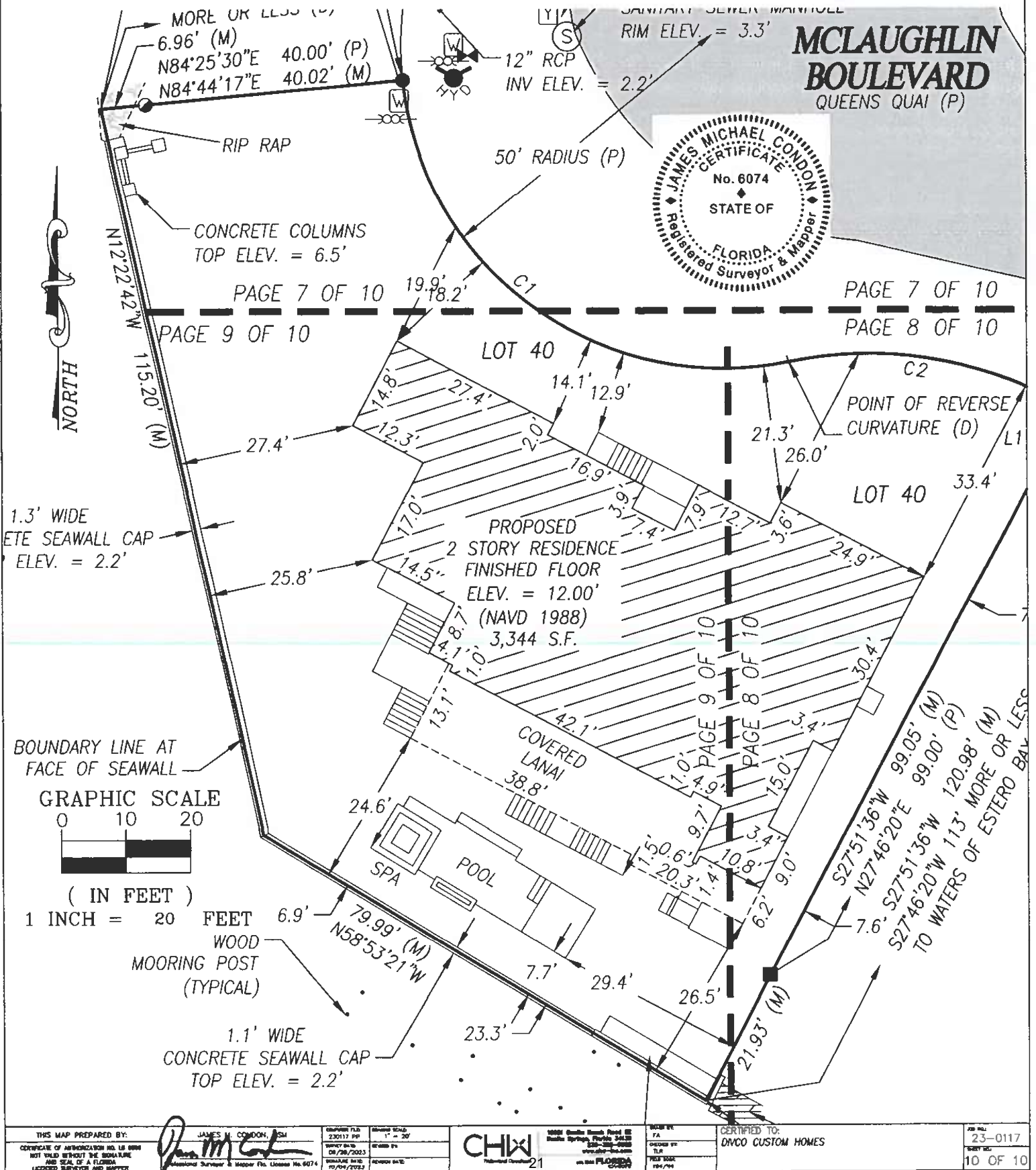
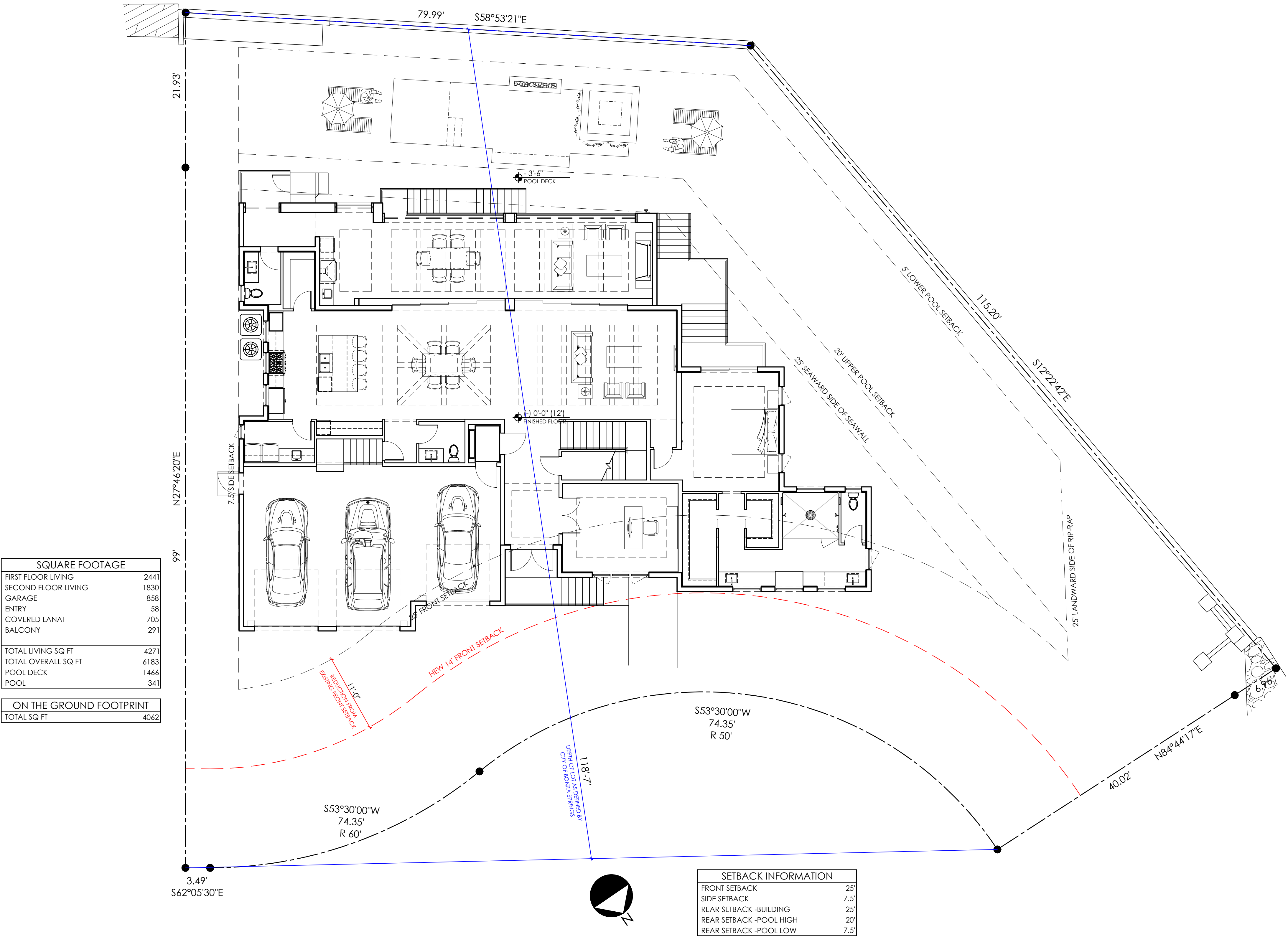


EXHIBIT B



DIVCO
CUSTOM HOMES

WHEN THE RIGHT BUILDER IS A
NECESSITY

LIC. # CGC052793
6628 WILLOW PARK DR.
NAPLES, FL 34109
PHONE (239) 592-7222
FAX (239) 592-5477

© DIVCO HOMES 2023

THE ROTH RESIDENCE

26737 MCLAUGHLIN BLVD, BONITA BEACH, FL. 34135

SITE PLAN

SCALE: 1/8"=1'-0"

01

ROTH-01_SITE

8/18/2023 9:21 AM

If you have a disability and the format of this document interferes with your ability to access some information, please contact us at (239) 444-6150 during regular business hours (8:00am-5:00pm, Monday-Friday), and we'll gladly assist.

CITY OF BONITA SPRINGS

Community Development Department
9220 Bonita Beach Road, Ste. 111
Bonita Springs, FL 34135
Phone: (239) 444-6150
email: permitting@cityofbonitaspringscd.org

PUBLIC HEARING REQUEST VARIANCE

ACTION REQUEST INFORMATION

A. Project Name: Roth Residence
STRAP Number(s): 30-47-25-B4-00200.0400

PART I

APPLICANT/PROPERTY OWNERSHIP INFORMATION

A. Applicant's Name: Stacy Chernesky - DIVCO CONSTRUCTION AGENT
Mailing Address: 6628 Willow Park Drive
City: Naples State: FL Zip: 34109
Phone Number: 239-592-7222 Ext: 44 E-mail Address: scheresky@divcohomes.com

NOTE: The Applicant must sign the Applicant's Signature and Certification form [See "PART III"].

B. Applicant relationship to property: ☐ Owner ☐ Trustee ☐ Option holder ☐ Lessee ☐ Contract Purchaser
☒ Other (indicate): Agent for Owner

*If the 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".

C. Property Owner's Name: Charles Roth
Mailing Address: 780 Chatham Hills Boulevard
City: Westfield State: IN Zip: 46074
Phone Number: _____ Ext: _____ E-mail Address: chiproth58@gmail.com

D. Date property was acquired by present owner(s): April, 2023

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

F. Is owner(s) or contract purchaser(s) 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 (submit additional sheets if necessary).

Name: Stacy Chernesky/Dave Chernin - Divco Construction
Mailing Address: 6628 Willow Park Drive
City: Naples State: FL Zip: 34109
Phone Number: 239-592-7222 Ext: _____ E-mail Address: SCHERNESKY@DIVCOHOMES.COM/DCHERNIN@DIVCOHOMES.COM

**PART II
GENERAL INFORMATION**

A. Variance Request: (Check applicable answers)

- ☐ (Zoning) LDC Section: _____
- ☐ (Docks and Shoreline) LDC Section: _____
- ☒ (Development Standards) LDC Section: Setback
- ☐ (Signs) LDC Section: LDC 4-1893

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

Ordinance Section: LDC 4-1893 Variance is:

FROM: Existing: 25' setback from Property line

TO: NEW: Option 1 (RED) 25' setback from straight line front left property pin to front right property pin. OPTION 2 (Blue) 25' setback from Property line following chord bearing of arc.

C. Is this hearing requested as a result of a code violation? ☒ NO ☐ YES

D. Has a Development Order application been filed on the subject property? ☒ NO ☐ YES

D.O. Number: _____

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

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

____ YES. Property is identified as:

Subdivision Name: CAROLANDS

Plat Book: _____ Page: _____ Unit: _____ Block: _____ Lot: 40

Section: 30 Township: 47 Range: 25 - B4-00200.0400

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

F. Project Street Address: 26737 McLaughlin Blvd, Bonita Springs, FL 34134

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

Located off of Hickory Blvd. Bonita Springs

H. Vehicular route to the site from the nearest arterial road: _____

Bonita Beach Road, SW - continue onto Hickory Blvd. Turn Right onto McLaughlin Blvd. 0.7 miles

- I. Present Use of Property: Is the property vacant? _____ NO X YES

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: _____

Vacant Lot - Currently

Was a Single Family Home - Demo'd after Hurricane Ian

J. Property Dimensions

1. Width (average if irregular parcel): 115.7 Feet
2. Depth (average if irregular parcel): 118.58 Feet
3. Frontage on road or street: 128.1 Feet on McLaughlin Blvd.
(Name of street)
4. Total land area: 12,635 Acres or Square Feet

K. Facilities

1. Fire District: Bonita Springs
2. Sewer Service Supplier: —
3. Water Service Supplier: Bonita Springs / SFWMD

PART III
AFFIDAVIT

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

STATE OF: Florida COUNTY OF: Collier

Signature: [Signature]

Signatory's Printed Name: Stacy Chernesky

Sworn to (or affirmed) and subscribed before me by means of ☒ physical presence ☐ or online notarization, this 18 (day) of July, (month) 2023 (year), by Stacy Chernesky (name of person making statement).

Signature of Notary Public - State of Florida: [Signature]

Name of Notary Typed, Printed, or Stamped: PAMELA A. MORRIS

Personally Known ☒ OR Produced Identification ☐

Type of Identification Produced: NA



Commission # GG 940685
Expires February 8, 2024
Bonded Thru Budget Notary Services

PART IV - SUBMITTAL REQUIREMENTS

APPLICATION TYPE	COPIES	EXHIBIT	ITEM
All	1		Completed application
All	1		Application Fee
All	1	I-B-1	Notarized Authorization Form (if applicable)
All	1	I-F	Notarized Disclosure Form (if applicable)
All	1	II-A-1	Legal Description
All	1	II-A-2	Certified sketch of description (if applicable)
All	1	II-A-3	Plat Book Page (if applicable)
All	2	IV-A	Surrounding Property Owners List
All	1	IV-B	Property Owners Map
All	1	IV-C	Deed Restrictions & Narrative (if applicable) 2 LA
All	1	IV-D	Narrative Regarding Request
All	1	IV-E	Site Plan
All	1	IV-F	Application and Exhibits on CD-ROM
Marine Facility Variance	1		Supplement A

**EXPLANATORY NOTES
GENERAL**

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

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

2. ALL APPLICANTS MUST PAY THE APPLICABLE APPLICATION FEE.

PART I – EXPLANATORY NOTES

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

PART II – EXPLANATORY NOTES

- B. Explain the specific request. For example:

Ordinance Section: 4-488 Property Development Regulations

Variance is:

FROM: 7.5 foot side yard setback in the RS-1 district for a single family dwelling.

TO: 6.8 foot side yard setback for a single family dwelling

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

A survey or a certified sketch of description as set out in Chapter 5J-17.053 F.A.C., Florida Administrative Code must be submitted, unless the subject property consists of one or more undivided platted lots. If the application includes multiple

abutting parcels, the legal description must describe the perimeter boundary of the total area, but need not describe each individual parcel. However, the STRAP number for each parcel must be included. Label the Sketch as Exhibit II-A-2.

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

The Director has the right to reject any legal description which is not sufficiently detailed or legible so as to locate said property, and may require a certified survey or boundary-survey prepared by a surveyor meeting the minimum technical standards for land surveying in the state, as set out in Chapter 5J-17.053, F.A.C. Boundaries must be clearly marked with a heavy line. The boundary line must include the entire area to be developed. If the request is owner-initiated the Federal Emergency Management Agency flood zone and required finished floor elevation must be shown as well as the location of existing structures on the property.

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

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

PART III – EXPLANATORY NOTES

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

PART IV – EXPLANATORY NOTES

- A. Property Owners List: A complete list of all property owners, and their mailing addresses, for all property within three hundred seventy-five (375) feet [five hundred (500) feet if a COP] of the perimeter of the subject property or the portion thereof that is the subject of the request. Names and addresses of property owners shall be deemed to be those appearing on the latest tax rolls of the County. The applicant is responsible for the accuracy of such list. This list is for

the purpose of confirming mailed notices by the applicant to property owners within 375 feet or 500 feet of the property described as set forth in Section 4-229. [Sec 4-194(a)(6)]. Label as Exhibit IV-A.

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

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

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

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

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

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

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

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

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

EXHIBIT I-F
DISCLOSURE OF INTEREST FORM FOR:

STRAP NO. 30-47-25-B4-00200.0400 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
Charles Roth	100

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
N/A	

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
N/A	

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

<u>Name and Address</u>	<u>Percentage of Ownership</u>
N/A	

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.

<u>Name, Address, & Office (if applicable)</u>	<u>Percentage of Stock</u>
N/A	

Date of Contract: _____

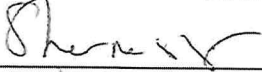
6. If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership, or trust.

<u>Name and Address</u>
N/A

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.

STATE OF: Florida COUNTY OF: Collier

Signature: 

Signatory's Printed Name: Stacy Chernesky

Sworn to (or affirmed) and subscribed before me by means of ☒ physical presence ☐ or online notarization, this 18 (day) of July, (month) 2023 (year), by Stacy Chernesky (name of person making statement).

Signature of Notary Public - State of Florida: 

Name of Notary Typed, Printed, or Stamped: _____



PAMELA A. MORRIS
Commission # GG 940685
Expires February 8, 2024
Bonded Thru Budget Notary Services

Personally Known ☒ OR Produced Identification ☐

Type of Identification Produced: AA



SUPPORT NARRATIVE
26737 McLaughlin Blvd Variance Request
VAR23-104943-BOS

Prepared by Gary Butler
January 18, 2024

26737 McLaughlin Blvd

Variance Support Narrative

Pursuant to LDC 4-131(b)(3):

a. There are exceptional or extraordinary conditions or circumstances that are inherent to the property in question;

The subject parcel, Lot 40 of Unrecorded Carolands, was created many years ago. It is one of four existing lots with dimensionally challenging site parameters because they front on a cul-de-sac and the rear yards are all on the Bay.



b. The exceptional or extraordinary conditions or circumstances are not the result of actions of the applicant taken subsequent to the adoption of the ordinance (any action taken by an applicant pursuant to lawfully adopted regulations preceding the adoption of the ordinance from which this chapter is derived will not be considered self-created);

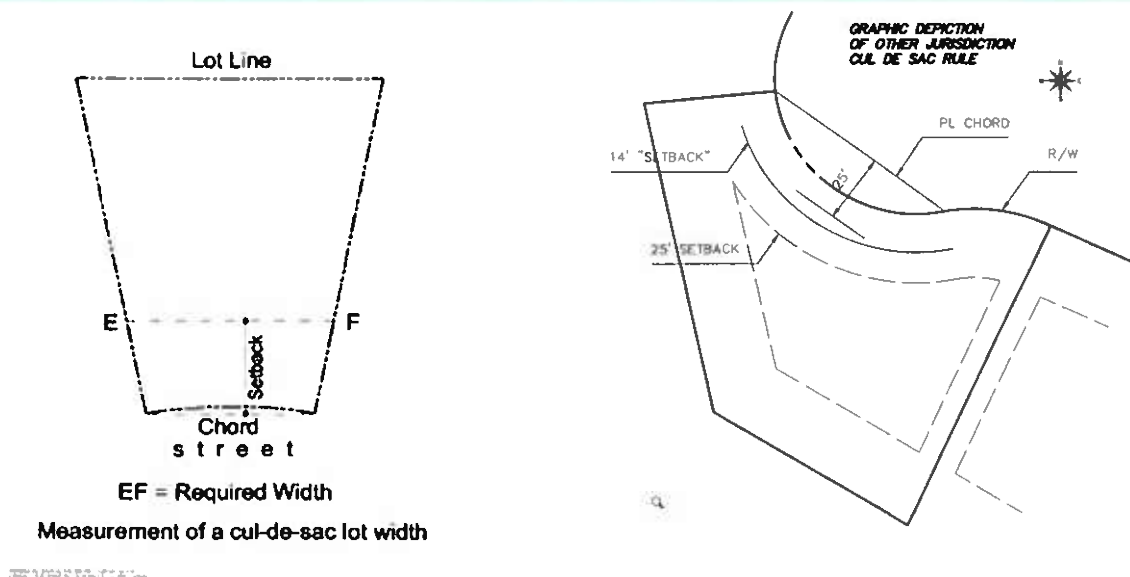
The owner bought the parcel in 1998. The existing home was damaged by Hurricane Ian and subsequently demolished. The replacement home is designed for compliance with today's standards and flood requirements. The home will comply with side and rear setbacks, but the front setback is a significant issue. The extraordinary conditions were inherited, not created.

c. The variance granted is the minimum variance that will relieve the applicant of an unreasonable burden caused by the application of the regulation in question to their property;

The proposed replacement home is designed to minimize the necessity for relief. The attached supporting site plan shows the required 25' setback. The garage is next to the neighbor and "starts out" fully compliant but encroaches by a few feet with the impact of the cul-de-sac bulge. The entrance and adjacent parlor along with the master suite encroach into front setback by 11 feet at a single corner at the maximum bulge impact point. This portion of the home is significantly farther from the center line of McLaughlin Boulevard than the preceding homes, and provides significant relief from what would basically be an unbuildable portion of the parcel.

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

The variance will NOT be injurious to the neighborhood or otherwise detrimental to the public welfare. As mentioned above, the proposed home is farther from the centerline of McLaughlin Boulevard than the preceding homes and will have no visual affect from the street. The limits of the existing non-compliant paved area of the cul-de-sac bulb would lie totally within a virtual extension of the 60' right of way from the southeast. Front set back relief on cul-de-sac bulbs in other municipalities is often provided by code. The following is an except from "another jurisdiction". (Note, it is not the panacea it appears to be and often still subject to additional review because every one of these lots is unique!)



e. The condition or situation of the specific piece of property, or the intended use of the property, for which the variance is sought is not of a general or recurrent nature so as to make it more reasonable and practical to amend the ordinance.

The condition is not uncommon, but is not of a general or recurrent nature making it more reasonable and practical to amend the ordinance. As mentioned in d. above, it is not an easy situation to address because every cul-de-sac is unique. The frontage on the instant situation includes a reverse curve that complicates application of the "general rule" in that other jurisdiction.

Conclusion: The requested relief is necessary for this parcel due to the intense impact of the cul-de-sac bulge on a very significant portion of the parcel. The relief will not have an adverse impact on the two adjacent neighbors, or the remainder of the subdivision.

THE ROTH RESIDENCE
26737 MCLAUGHLIN BLVD, BONITA BEACH, FL. 34135

SITE PLAN

SCALE: 1/8" = 1'-0"

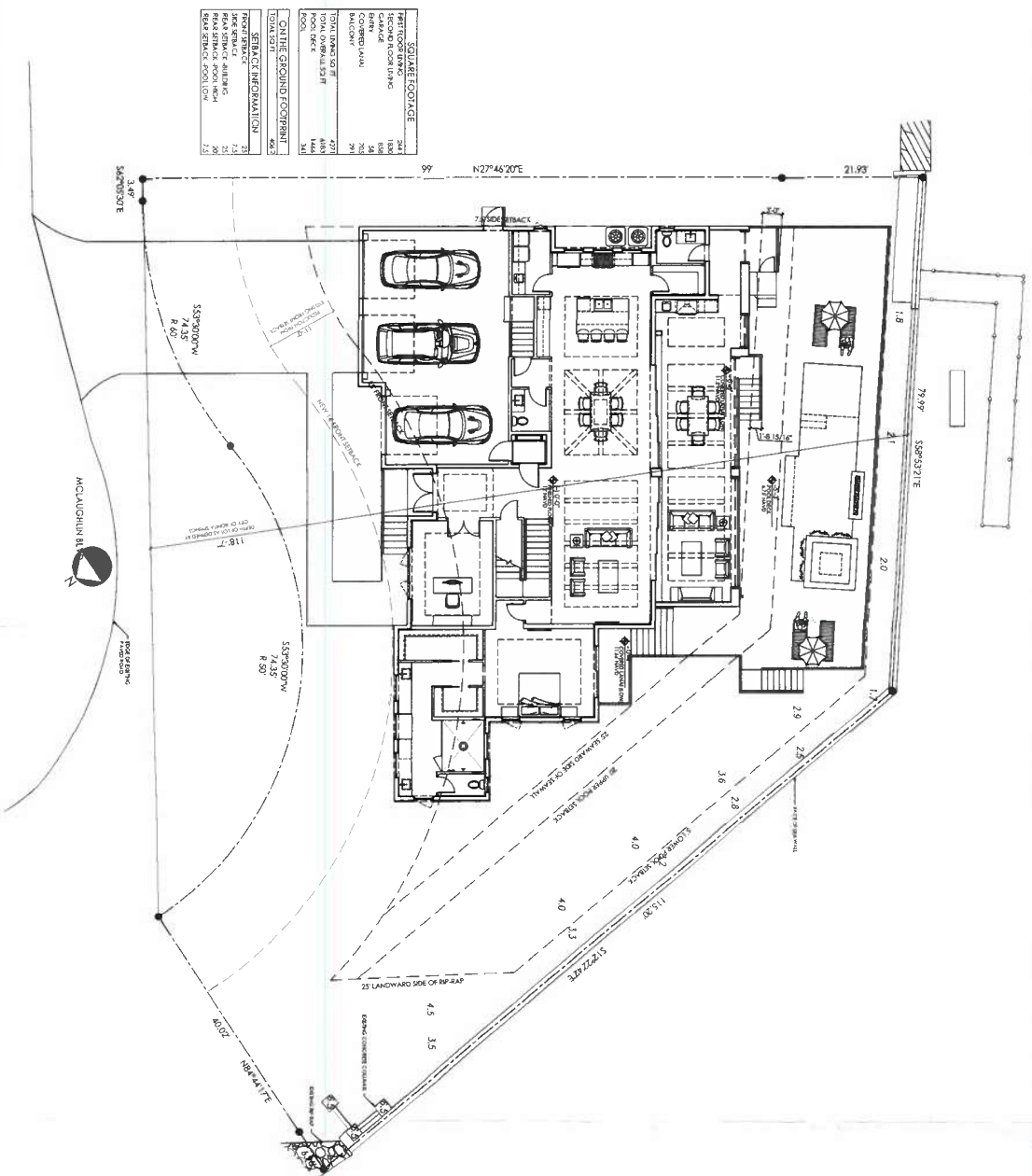


EXHIBIT I-B-1

Authorization Form

Authorization Letter

July 19, 2023

I, Charles Roth, give authorization to Stacy Chernesky and Dave Chernin representatives of Divco Construction to submit any required documents and act as my City of Bonita Springs Community Development Authorized Agents during the Public Hearing for Variance request.

Owner Signature



Date

7/19/23

State of: Florida

County of: Collier

Sworn to on July 19, 2023 by Charles Roth personally known.



Signature Notary



PAMELA A. MORRIS
Commission # GG 940685
Expires February 8, 2024
Bonded Thru Budget Notary Services

Stamp

EXHIBIT IV-A

Surrounding Property Owners

DUCHARDT JOHN J TR
529 S BALLAS RD
SAINT LOUIS MO 63122

HITT CAREY C
26671 HICKORY BLVD
BONITA SPRINGS FL 34134

RUELLE QUINN
6008 CAJEPUT LN
BONITA SPRINGS FL 34134

SECKMAN STEVEN B & SHERRY
1006 56TH ST
VIENNA WV 26105

GEEZIL MICHAEL E &
12 PLYMOUTH DR
BARRINGTON RI 02806

WAGNER RANDAL S & CLAUDIA M
26755 MCLAUGHLIN BLVD
BONITA SPRINGS FL 34134

LAURISTED LLC
1680 MICHIGAN AVE
MIAMI BEACH FL 33139

MCNARNY PATRICK E &
26743 MCLAUGHLIN BLVD
BONITA SPRINGS FL 34134

SCUDILLO MARC & NICOLE
26731 MCLAUGHLIN BLVD
BONITA SPRINGS FL 34134

WOUCH STEPHEN W
26730 MCLAUGHLIN BLVD
BONITA SPRINGS FL 34134

MCDONALD ROY A L/E
26738 MCLAUGHLIN BLVD
BONITA SPRINGS FL 34134

VANDELAY INDUSTRIES VACATION P
11550 HARTER DR
MIDDLEBURY IN 46540

SMITH JAMES G & TONI M
26750 MCLAUGHLIN BLVD
BONITA SPRINGS FL 34134

KIRKMAN PAUL A & ELLEN P
26756 MCLAUGHLIN BLVD
BONITA SPRINGS FL 34134

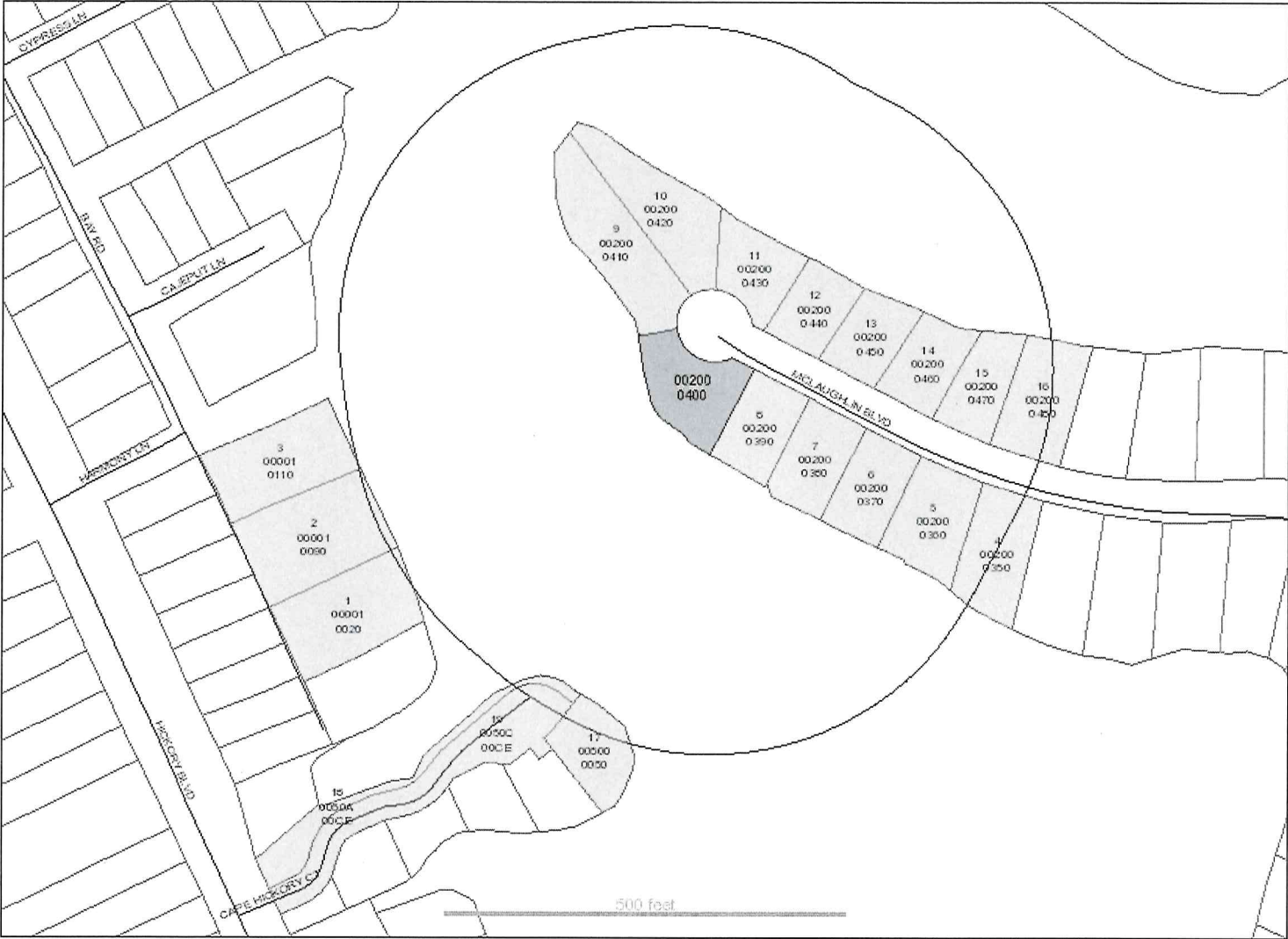
26762 MCLAUGHLIN LLC
CRAIG ROYAL
269 BAREFOOT BEACH BLVD #PH01
BONITA SPRINGS FL 34134

BUCHER RODNEY SCOTT &
3720 GIFFORD AVE
CICERO IN 46034

SCHUMAN THOMAS A II &
5801 CAPE HICKORY CT
BONITA SPRINGS FL 34134

CAPE HICKORY HOMEOWNERS
5801 CAPE HICKORY CT
BONITA SPRINGS FL 34134

CAPE HICKORY HOMEOWNERS
5801 CAPE HICKORY CT
BONITA SPRINGS FL 34134



Date of Report: July 17, 2023

Buffer Distance: 375 feet

Parcels Affected: 19

Subject Parcel: 30-47-25-B4-00200.0400

[Click here to download the map image, mailing labels \(Avery 5161\) and CSV formatted information.](#)

To change, add or remove subject parcels please change the parcel selection in [GeoView](#)

OWNER NAME AND ADDRESS	STRAP AND LOCATION	LEGAL DESCRIPTION	MAP INDEX
DUCHARDT JOHN J TR 529 S BALLAS RD SAINT LOUIS MO 63122	25-47-24-B4-00001.0020 26645 BAY RD BONITA SPRINGS FL 34134	FR SE COR LOT 16 BLK H BONITA BEACH RUN N 63 DEG 40 MIN E 245 FT TH N 26	1
HITT CAREY C 26671 HICKORY BLVD BONITA SPRINGS FL 34134	25-47-24-B4-00001.0090 26621 BAY RD BONITA SPRINGS FL 34134	FR SE COR LOT 16 BLK.H BONITA BEACH N 63 DEG.40 MIN.E 245 FT.N 26 DEG.20	2
RUELLE QUINN 6008 CAJEPUT LN BONITA SPRINGS FL 34134	25-47-24-B4-00001.0110 26603 BAY RD BONITA SPRINGS FL 34134	FR SE COR LOT 16 BLK H BONITA BEACH N 63 DEG 40 MIN E PERP TO HICKORY BLVD	3
SECKMAN STEVEN B & SHERRY 1006 56TH ST VIENNA WV 26105	30-47-25-B4-00200.0350 26767 MCLAUGHLIN BLVD BONITA SPRINGS FL 34134	CAROLANDS UNREC SUBD LOT 35	4
GEEZIL MICHAEL E & 12 PLYMOUTH DR BARRINGTON RI 02806	30-47-25-B4-00200.0360 26761 MCLAUGHLIN BLVD BONITA SPRINGS FL 34134	CAROLANDS UNREC SUBD LOT 36	5
WAGNER RANDAL S & CLAUDIA M 26755 MCLAUGHLIN BLVD BONITA SPRINGS FL 34134	30-47-25-B4-00200.0370 26755 MCLAUGHLIN BLVD BONITA SPRINGS FL 34134	CAROLANDS UNREC SUBD LOT 37	6

LAURISTED LLC 1680 MICHIGAN AVE MIAMI BEACH FL 33139	30-47-25-B4-00200.0380 26749 MCLAUGHLIN BLVD BONITA SPRINGS FL 34134	CAROLANDS UNREC SUBD LOT 38	7
MCNARNY PATRICK E & 26743 MCLAUGHLIN BLVD BONITA SPRINGS FL 34134	30-47-25-B4-00200.0390 26743 MCLAUGHLIN BLVD BONITA SPRINGS FL 34134	CAROLANDS UNREC SUBD LOT 39	8
SCUDILLO MARC & NICOLE 26731 MCLAUGHLIN BLVD BONITA SPRINGS FL 34134	30-47-25-B4-00200.0410 26731 MCLAUGHLIN BLVD BONITA SPRINGS FL 34134	CAROLANDS UNREC SUBD LOT 41	9
WOUCH STEPHEN W 26730 MCLAUGHLIN BLVD BONITA SPRINGS FL 34134	30-47-25-B4-00200.0420 26730 MCLAUGHLIN BLVD BONITA SPRINGS FL 34134	CAROLANDS UNREC SUBD LOT 42	10
MCDONALD ROY A L/E 26738 MCLAUGHLIN BLVD BONITA SPRINGS FL 34134	30-47-25-B4-00200.0430 26738 MCLAUGHLIN BLVD BONITA SPRINGS FL 34134	CAROLANDS UNREC SUBD LOT 43	11
VANDELAY INDUSTRIES VACATION P 11550 HARTER DR MIDDLEBURY IN 46540	30-47-25-B4-00200.0440 26744 MCLAUGHLIN BLVD BONITA SPRINGS FL 34134	CAROLANDS UNREC SUBD LOT 44	12
SMITH JAMES G & TONI M 26750 MCLAUGHLIN BLVD BONITA SPRINGS FL 34134	30-47-25-B4-00200.0450 26750 MCLAUGHLIN BLVD BONITA SPRINGS FL 34134	CAROLANDS UNREC SUBD LOT 45	13
KIRKMAN PAUL A & ELLEN P 26756 MCLAUGHLIN BLVD BONITA SPRINGS FL 34134	30-47-25-B4-00200.0460 26756 MCLAUGHLIN BLVD BONITA SPRINGS FL 34134	CAROLANDS UNREC SUBD LOT 46	14
26762 MCLAUGHLIN LLC CRAIG ROYAL 269 BAREFOOT BEACH BLVD #PH01 BONITA SPRINGS FL 34134	30-47-25-B4-00200.0470 26762 MCLAUGHLIN BLVD BONITA SPRINGS FL 34134	CAROLANDS UNREC SUBD LOT 47	15
BUCHER RODNEY SCOTT & 3720 GIFFORD AVE CICERO IN 46034	30-47-25-B4-00200.0480 26768 MCLAUGHLIN BLVD BONITA SPRINGS FL 34134	CAROLANDS UNREC SUBD LOT 48	16
SCHUMAN THOMAS A II & 5801 CAPE HICKORY CT BONITA SPRINGS FL 34134	30-47-25-B4-00500.0050 5801 CAPE HICKORY CT BONITA SPRINGS FL 34134	CAPE HICKORY AS DESC IN INST #2013000013062 LOT 5	17
CAPE HICKORY HOMEOWNERS 5801 CAPE HICKORY CT BONITA SPRINGS FL 34134	30-47-25-B4-0050A.00CE CAPE HICKORY C/E BONITA SPRINGS FL 34134	CAPE HICKORY AS DESC IN INST #2013000013062 TRACT A	18
CAPE HICKORY HOMEOWNERS 5801 CAPE HICKORY CT BONITA SPRINGS FL 34134	30-47-25-B4-0050C.00CE RIGHT OF WAY BONITA SPRINGS FL 34134	CAPE HICKORY AS DESC IN INST #2013000013062 TRACT C	19



Buffer: 37! Date: 7/17/2023 12:00:00 AM List Size: 20

FolioId	STRAP	OwnerName	OwnerName2	MailAddress	MailAddress	MailCity	MailState	MailZip	MailCountry	SiteNumber	SiteStreet	SiteUnit	SiteCity
10287450	30-47-25-B4-00200.0400	ROTH CHARLES D		780 CHATHAM HILLS B	WESTFIELD		IN	46074		26737	MCLAUGHLIN BLVD		BONITA SP
10235723	25-47-24-B4-00001.0020	DUCHARDT JOHN J TR		529 S BALLAS RD		SAINT LOUIS	MO	63122		26645	BAY RD		BONITA SP
10235729	25-47-24-B4-00001.0090	HITT CAREY C		26671 HICKORY BLVD		BONITA SPRINGS	FL	34134		26621	BAY RD		BONITA SP
10235732	25-47-24-B4-00001.0110	RUELLE QUINN		6008 CAJEPUT LN		BONITA SPRINGS	FL	34134		26603	BAY RD		BONITA SP
10287445	30-47-25-B4-00200.0350	SECKMAN STEVEN B & SHERRY		1006 56TH ST		VIENNA	WV	26105		26767	MCLAUGHLIN BLVD		BONITA SP
10287446	30-47-25-B4-00200.0360	GEEZIL MICHAEL E &		12 PLYMOUTH DR		BARRINGTON	RI	2806		26761	MCLAUGHLIN BLVD		BONITA SP
10287447	30-47-25-B4-00200.0370	WAGNER RANDAL S & CLAUDIA M		26755 MCLAUGHLIN B		BONITA SPRINGS	FL	34134		26755	MCLAUGHLIN BLVD		BONITA SP
10287448	30-47-25-B4-00200.0380	LAURISTED LLC		1680 MICHIGAN AVE		MIAMI BEACH	FL	33139		26749	MCLAUGHLIN BLVD		BONITA SP
10287449	30-47-25-B4-00200.0390	MCNARNY PATRICK E &		26743 MCLAUGHLIN B		BONITA SPRINGS	FL	34134		26743	MCLAUGHLIN BLVD		BONITA SP
10287451	30-47-25-B4-00200.0410	SCUDILLO MARC & NICOLE		26731 MCLAUGHLIN B		BONITA SPRINGS	FL	34134		26731	MCLAUGHLIN BLVD		BONITA SP
10478876	30-47-25-B4-00200.0420	WOUCH STEPHEN W		26730 MCLAUGHLIN B		BONITA SPRINGS	FL	34134		26730	MCLAUGHLIN BLVD		BONITA SP
10287452	30-47-25-B4-00200.0430	MCDONALD ROY A L/E		26738 MCLAUGHLIN B		BONITA SPRINGS	FL	34134		26738	MCLAUGHLIN BLVD		BONITA SP
10287453	30-47-25-B4-00200.0440	VANDELAY INDUSTRIES VACATION P		11550 HARTER DR		MIDDLEBURY	IN	46540		26744	MCLAUGHLIN BLVD		BONITA SP
10287454	30-47-25-B4-00200.0450	SMITH JAMES G & TONI M		26750 MCLAUGHLIN B		BONITA SPRINGS	FL	34134		26750	MCLAUGHLIN BLVD		BONITA SP
10287455	30-47-25-B4-00200.0460	KIRKMAN PAUL A & ELLEN P		26756 MCLAUGHLIN B		BONITA SPRINGS	FL	34134		26756	MCLAUGHLIN BLVD		BONITA SP
10614001	30-47-25-B4-00200.0470	26762 MCLAUGHLIN L CRAIG ROYAL		269 BAREFOOT BEACH		BONITA SPRINGS	FL	34134		26762	MCLAUGHLIN BLVD		BONITA SP
10614002	30-47-25-B4-00200.0480	BUCHER RODNEY SCOTT &		3720 GIFFORD AVE		CICERO	IN	46034		26768	MCLAUGHLIN BLVD		BONITA SP
10560692	30-47-25-B4-00500.0050	SCHUMAN THOMAS A II &		5801 CAPE HICKORY C		BONITA SPRINGS	FL	34134		5801	CAPE HICKORY CT		BONITA SP
10560693	30-47-25-B4-0050A.00CE	CAPE HICKORY HOMEOWNERS		5801 CAPE HICKORY C		BONITA SPRINGS	FL	34134			CAPE HICKORY C/E		BONITA SP
10560695	30-47-25-B4-0050C.00CE	CAPE HICKORY HOMEOWNERS		5801 CAPE HICKORY C		BONITA SPRINGS	FL	34134			RIGHT OF WAY		BONITA SP

EXHIBIT IV-B

Property Owners Map

SEE

LEE COUNTY

PROPERTY DATA

ATTACHED

Property Data

STRAP: 30-47-25-B4-00200.0400 Folio ID: 10287450

Generated on 7/13/2023 9:42 AM

Owner Of Record - Sole Owner [\[Change Address\]](#)

ROTH CHARLES D
780 CHATHAM HILLS BLVD
WESTFIELD IN 46074

Site Address

Site Address maintained by [E911 Program Addressing](#)

26737 MCLAUGHLIN BLVD
BONITA SPRINGS FL 34134

Property Description

Do not use for legal documents!

CAROLANDS
UNREC SUBD
LOT 40

[\[Tax Map Viewer \]](#) [\[View Comparables \]](#)



[\[Pictometry Aerial Viewer \]](#)

[Current Working Values](#)

[Tax Roll Value Letter](#)

[Tax Refund Status](#)

Just 1,028,944

Attributes

Land Units Of Measure	LT
Units	1.00
Total Number of Buildings	1
Total Bedrooms / Bathrooms	3 / 2.5
Gross Living Area	2,116
1st Year Building on Tax Roll	1981
Historic Designation	No

Image of Structure



◀ Photo Date February of 2006 ▶ ☐ View other photos

Last Inspection Date: 07/01/2022

Property Value History

Tax Year	Just	Land	Market Assessed	Capped Assessed	Exemptions	Taxable
1992	288,940	75,180	288,940	288,940	25,000	263,940
1993	286,410	75,180	286,410	286,410	25,000	261,410
1994	270,330	113,260	270,330	270,330	25,000	245,330
1995	268,350	113,250	268,350	268,350	25,000	243,350
1996	266,150	113,240	266,150	266,150	25,000	241,150
1997	285,460	120,000	285,460	274,130	25,000	249,130
1998	303,630	140,000	303,630	278,790	25,000	253,790
1999	306,440	173,210	306,440	306,440	0	306,440
2000	326,190	229,030	326,190	326,190	0	326,190
2001	550,610	354,020	550,610	550,610	0	550,610
2002	687,800	455,000	687,800	687,800	25,000	662,800
2003	719,620	535,000	719,620	704,310	25,000	679,310
2004	776,800	595,000	776,800	717,690	25,000	692,690
2005	1,043,140	875,000	1,043,140	739,220	25,000	714,220
2006	1,374,870	1,190,000	1,374,870	767,610	25,000	742,610
2007	1,386,180	1,190,000	1,386,180	786,800	25,000	761,800
2008	1,283,290	1,090,000	1,283,290	810,400	50,000	760,400

Property Values			Attributes	
Just	1,544,656	Land Units Of Measure		L
Assessed	1,544,656	Units		1.0
Portability Applied	0	Total Number of Buildings		
Cap Assessed	855,344	Total Bedrooms / Bathrooms		3 / 2.5
Taxable	805,344	Gross Living Area		2,110
Cap Difference	689,312	1st Year Building on Tax Roll		198
		Historic Designation		N

Taxing Authorities

Generated on 7/13/2023 9:42 AM

CITY OF BONITA SPRINGS / BONITA SPRINGS FIRE / 017

Name / Code	Category	Mailing Address
LEE CO GENERAL REVENUE / 044	County	LEE COUNTY OFFICE OF MGMT & BUDGET PO BOX 398 FORT MYERS FL 33902-0398
LEE COUNTY LIBRARY DIST / 052	Dependent District	LEE COUNTY OFFICE OF MGMT & BUDGET PO BOX 398 FORT MYERS FL 33902-0398
BONITA SPRINGS FIRE DISTRICT / 009	Independent District	BONITA SPRINGS FIRE DISTRICT 27701 BONITA GRANDE DR BONITA SPRINGS FL 34135
LEE CO HYACINTH CONTROL DIST / 051	Independent District	LEE CO HYACINTH CONTROL DIST 15191 HOMESTEAD RD LEHIGH ACRES FL 33971
LEE CO MOSQUITO CONTROL DIST / 053	Independent District	LEE CO MOSQUITO CONTROL DIST 15191 HOMESTEAD RD LEHIGH ACRES FL 33971
WEST COAST INLAND NAVIGATION DIST / 098	Independent District	WEST COAST INLAND NAVIGATION DIST 200 MIAMI AVE E VENICE FL 34285-2408
CITY OF BONITA SPRINGS / 157	Municipal	CITY OF BONITA SPRINGS 9101 BONITA BEACH RD BONITA SPRINGS FL 34135
PUBLIC SCHOOL - BY LOCAL BOARD / 012	Public Schools	LEE COUNTY SCHOOL BOARD BUDGET DEPARTMENT 2855 COLONIAL BLVD FORT MYERS FL 33966
PUBLIC SCHOOL - BY STATE LAW / 013	Public Schools	LEE COUNTY SCHOOL BOARD BUDGET DEPARTMENT 2855 COLONIAL BLVD FORT MYERS FL 33966
CITY OF BONITA SPRINGS STORMWATER / 387	Special District	CITY OF BONITA SPRINGS 9101 BONITA BEACH RD BONITA SPRINGS FL 34135

Sales / Transactions ⓘ

Generated on 7/13/2023 9:42 AM

Sale Price	Date	OR Number	Type	Notes	Vacant/Improved
10.00	04/21/2023	2023000144643	11		I
100.00	04/24/2009	2009000116492	11		I
385,000.00	07/20/1998	2991/3476	06		I
268,000.00	07/01/1986	1873/568	01		I
0.00	07/01/1986	1856/3968	01		I

Help safeguard your home against property fraud. Sign up for the Lee Clerk's free [Property Fraud Alert](#).**Building / Construction Permit Data**

Generated on 7/13/2023 9:42 AM

Permit Number	Permit Type	Date
DEM22-97675-BOS	Demolition	01/27/2023
DSH16-27170-BOS	Boathouse, Dock & Shoreline	02/01/2016
TRA15-23284-BOS	AC New / Change out	07/30/2015
DSH2005-00561	Boathouse, Dock & Shoreline	06/17/2005
ROF2000-02174	Roof	11/14/2000
199901412	Residential	02/08/1999
33444	Pool & Spa	01/21/1982
33814	Pool & Spa	01/21/1982
76832	Residential	02/26/1981

IMPORTANT: THIS MAY NOT BE A COMPREHENSIVE OR TIMELY LISTING OF PERMITS ISSUED FOR THIS PROPERTY.

Note: The Lee County Property Appraiser's Office does not issue or maintain any permit information. The Building / Construction permit data displayed here represents only those records this Office may find necessary to conduct Property Appraiser business. Use of this information is with the understanding that in no way is this to be considered a comprehensive listing of permits for this or any other parcel.

The Date field represents the date the property appraiser received information regarding permit activity; it may or not represent the actual date of permit issuance or completion.

Parcel Numbering History ⓘ

Generated on 7/13/2023 9:42 AM

Prior STRAP

Prior Folio ID

Renumber Reason

Renumber Date

30-47-25-02-00000.0400

[N/A](#)

Reserved for Renumber ONLY

05/06/2000

Location Information

Generated on 7/13/2023 9:42 AM

Township

Range

Section

Block

Lot

47

25E

30

00200

0400

Municipality

Latitude

Longitude

City of Bonita Springs

26.35103

-81.8515

[Links](#)

[View Parcel on Google Maps](#)

[View Parcel on GeoView](#)

Solid Waste (Garbage) Roll Data

Generated on 7/13/2023 9:42 AM

Solid Waste District

Roll Type

Category

Unit / Area

Tax Amount

001 - Service Area 1

R - Residential Category

1

0.0

Flood and Storm Information

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[Flood Insurance](#) [Find my flood zone](#)

Community

Panel

Version

Date

Evacuation Zone

120680

0651

F

8/28/2008

A

Address History

Generated on 7/13/2023 9:42 AM

Street Number

Street Name

Unit

City

Zip

Maintenance Date

26737

MCLAUGHLIN BLVD

Bonita Springs

34134

12/31/1996 11:11:19 AM

Appraisal Details (2022 Tax Roll)

Generated on 7/13/2023 9:42 AM

Land

Land Tracts

Use Code

Use Code Description

Number of Units

Unit of Measure

121

Single Family Residential, Bay, Sound, Harbor, Pass

1.00

Lot

Land Features

Description

Year Added

Units

DAVITS - BOAT

1982

1

PIER - RESIDENTIAL

1999

215

SLAB - CONCRETE

1982

288

BOAT LIFT

2005

1

2010	704,307	510,000	704,307	704,307	50,000	654,307
2011	711,428	510,000	711,428	711,428	50,000	661,428
2012	734,598	530,000	734,598	732,771	50,000	682,771
2013	731,489	447,400	731,489	731,489	50,000	681,489
2014	752,702	572,400	752,702	742,461	50,000	692,461
2015	836,602	572,400	836,602	748,401	50,000	698,401
2016	811,125	572,400	811,125	753,640	50,000	703,640
2017	858,368	572,400	858,368	769,466	50,000	719,466
2018	880,171	572,400	880,171	785,625	50,000	735,625
2019	980,294	572,400	980,294	800,552	50,000	750,552
2020	991,607	572,400	991,607	818,965	50,000	768,965
2021	971,859	572,400	971,859	830,431	50,000	780,431
2022	1,544,656	772,700	1,544,656	855,344	50,000	805,344

The **Just** value is the total parcel assessment (less any considerations for the cost of sale). This is the closest value to *Fair Market Value* we produce and is dated as of January 1st of the tax year in question ([F.A.C. 12D-1.002](#)).

The **Land** value is the portion of the total parcel assessment attributed to the land.

The **Market Assessed** value is the total parcel assessment (less any considerations for the cost of sale) based upon the assessment standard. Most parcels are assessed based either upon the *Highest and Best Use* standard or the *Present Use* standard ([F.S. 193.011](#)). For *Agriculturally Classified* parcels (or parts thereof), only agricultural uses are considered in the assessment ([F.S. 193.461 \(6\) \(a\)](#)). The difference between the *Highest and Best Use/Present Use* and the *Agricultural Use* is often referred to as the *Agricultural Exemption*.

(i.e. Market Assessed = Just - Agricultural Exemption)

The **Capped Assessed** value is the *Market Assessment* after any *Save Our Homes* or *10% Assessment Limitation* cap is applied. This assessment cap is applied to all properties and limits year-to-year assessment increases to either the *Consumer Price Index* or 3%, whichever is lower for Homestead properties OR 10% for non-Homestead properties.

The **Exemptions** value is the total amount of all exemptions on the parcel.

The **Taxable** value is the *Capped Assessment* after exemptions (*Homestead, etc.*) are applied to it. This is the value that most taxing authorities use to calculate a parcel's taxes.

(i.e. Taxable = Capped Assessed - Exemptions)

Exemptions / Classified Use (Current)

Generated on 7/13/2023 9:42 AM

Exemption	Amount
Homestead Exemption *	25,000.0
Additional Homestead Exemption *	25,000.0

***Existing exemptions will be canceled as of Jan 1 of the next year**

[2023 Homestead Exemption Renewal Card](#)

Exemptions / Classified Use (2022 Tax Roll)

Generated on 7/13/2023 9:42 AM

Exemption	Amount
Homestead Exemption	25,000.0
Additional Homestead Exemption	25,000.0

***Existing exemptions will be canceled as of Jan 1 of the next year**

Buildings

Building 1 of 1

Building Characteristics

Improvement Type	Model Type	Stories	Living Units
102 - Ranch	1 - single family residential	1.0	1
Bedrooms	Bathrooms	Year Built	Effective Year Built
3	2.5	1981	1983

Building Subareas

Description	Heated / Under Air	Area (Sq Ft)
BAS - BASE	Y	2,116
FGR - FINISHED GARAGE	N	528
FOP - FINISHED OPEN PORCH	N	767
PS1 - 1 STORY SCREEN ENCL	N	987

Building Features

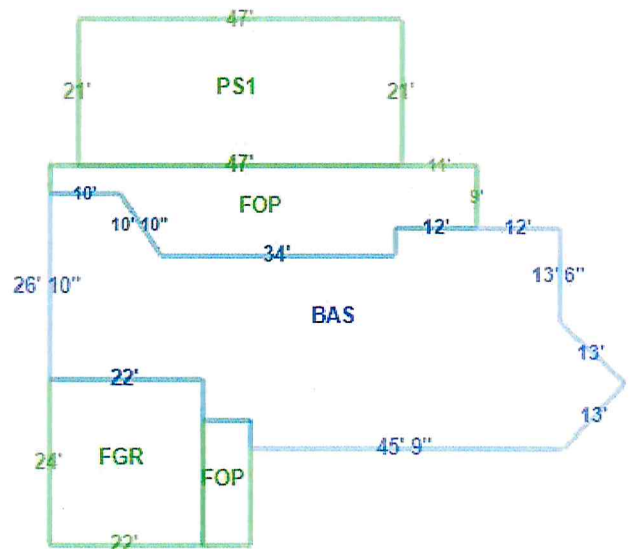
Description	Year Added	Units
FIREPLACE - TYPE B	1981	1
OUTDOOR SHOWER	1981	1
A/C-POOL HEATERS	1981	1
OUTDOOR KITCHEN	1981	1
POOL - RESIDENTIAL	1982	450
PATIO - CONCRETE	1982	537

Building Front Photo



Photo Date: February of 2006

Building Footprint



Appraisal Details (Current Working Values)

Generated on 7/13/2023 9:42 AM

Land

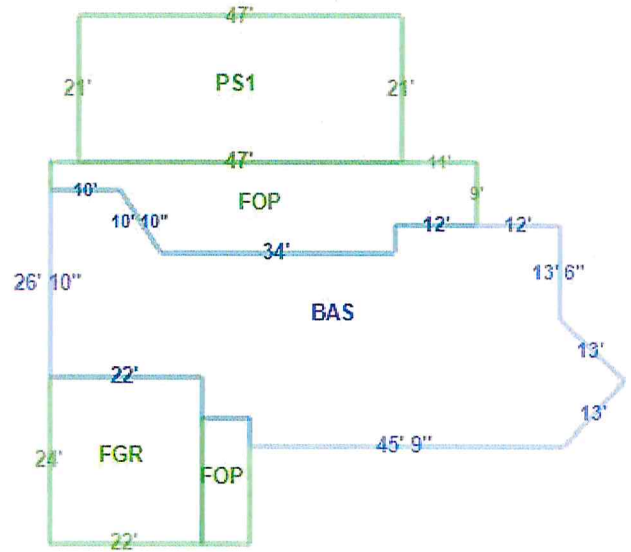
121	Single Family Residential, Bay, Sound, Harbor, Pass		1.00	Lot
Land Features				
Description		Year Added	Units	
DAVITS - BOAT		1982	1	
PIER - RESIDENTIAL		1999	215	
SLAB - CONCRETE		1982	288	
BOAT LIFT		2005	1	
SEAWALL - CONCRETE		2017	113	
Buildings				
Building 1 of 1				
Building Characteristics				
Improvement Type	Model Type	Stories	Living Units	
102 - Ranch	1 - SINGLE FAMILY RESIDENTIAL	1.0	1	
Bedrooms	Bathrooms	Year Built	Effective Year Built	
3	2.5	1981	1983	
Building Subareas				
Description		Heated / Under Air	Area (Sq Ft)	
BAS - BASE		Y	2,116	
FGR - FINISHED GARAGE		N	528	
FOP - FINISHED OPEN PORCH		N	767	
PS1 - 1 STORY SCREEN ENCL		N	987	
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FIREPLACE - TYPE B		1981	1	
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OUTDOOR KITCHEN		1981	1	
POOL - RESIDENTIAL		1982	450	
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Building Front Photo



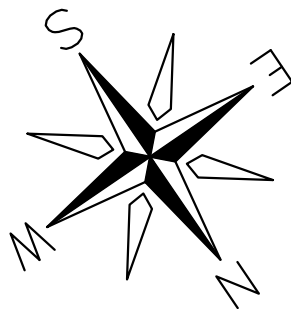
Photo Date: February of 2006

Building Footprint



CONTRACTOR TO BE RESPONSIBLE FOR ANY DAMAGE TO ROADWAYS DONE BY THE PROPOSED DEVELOPMENT. IN AREAS WITH NEWER PAVEMENT MAY REQUIRE INCLUDING MILL & REPLACE FULL LANE WIDTH TO MEET F.D.O.T. STANDARDS. CONTRACTOR TO SOD ALL DISTURBED AREAS DONE BY CONSTRUCTION.

THIS DRAWING AND ALL ELEVATIONS SHOWN ARE BASED ON THE NATIONAL AMERICAN VERTICAL DATUM (NAVD 88)
ADD 1.2' TO CONVERT TO NGVD 29



LEGEND

EXISTING GRADES TAKEN FROM SURVEY

PROPOSED SITE GRADING ELEVATION

PROPOSED DRAINAGE FLOW DIRECTION

DRAINAGE PIPING (SEE PLAN FOR SIZE & TYPE)

TOP OF BANK, TOE OF SLOPE, OR CENTER LINE OF RETENTION AREAS & SWALES

PROPOSED BERM - SEE PLAN FOR GRADES

PROPOSED RETENTION / CATCHMENT AREAS TO TOP OF BANK

PROPOSED SAND PAVER DRIVEWAYS, WALKWAYS & POOL DECKS

PROPOSED IMPERVIOUS AREAS (I.E.: DRIVEWAYS, WALKWAYS, POOL DECKS, ETC.)

PROPOSED STRUCTURES UNDER ROOF

PROPOSED WOOD DOCK

SITE INFORMATION:**PROPERTY ADDRESS:**26737 McLAUGHLIN BLVD.
BONITA BEACH, FL 34135**FLOOD ZONE:**

PARCEL LIES IN FLOOD ZONE "AE" AS SHOWN ON FEMA FLOOD INSURANCE RATE MAP PANEL 12071 COG51G, EFFECTIVE ON 11/17/2022, WITH A BASE FLOOD ELEVATION (B.F.E.) OF 11.00' (NAVD 1988).

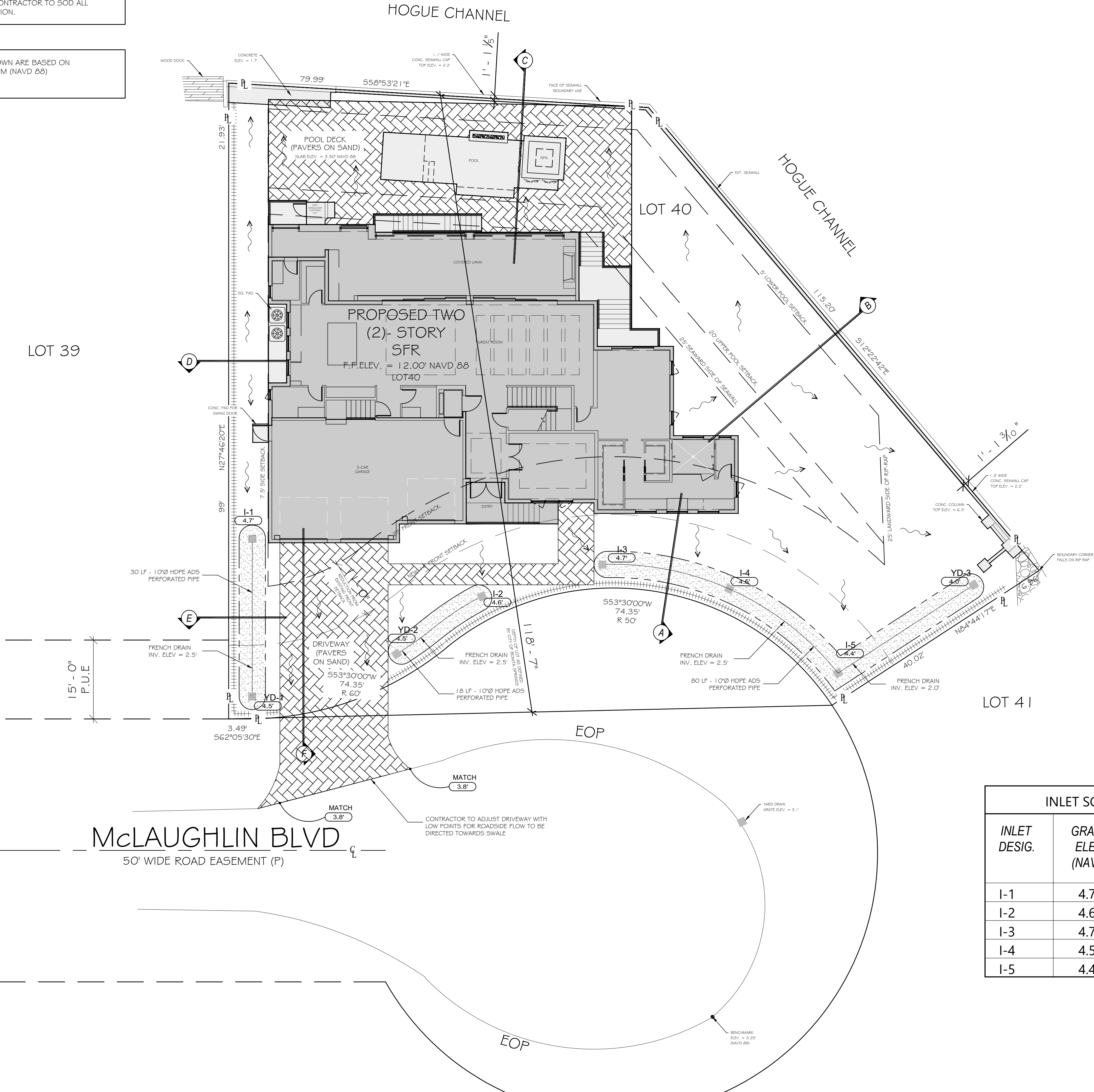
B.F.E = 11.0'
D.F.E = B.F.E + 1.0'

DESIGN FLOOD/FINISHED FLOOR (F.F.E) = 11.0' + 1.0' = 12.0'

PARCEL LEGAL DESCRIPTION:

LOT 40, OF UNRECORDED CAROLANDS, IN SECTION 30, TOWNSHIP 47 SOUTH, RANGE 25 EAST, BONITA BEACH, LEE COUNTY, FLORIDA.

SETBACK PER LDC 4.489 RESIDENTIAL DEVELOPMENT DISTRICT:

FRONT: 25'
SIDE: 7.5'
REAR-BUILDING: 25'
REAR-POOL HIGH: 20'
REAR-POOL LOW: 7.5'

INLET SCHEDULE		
INLET DESIG.	GRATE ELEV. (NAVD)	INVERT ELEV. (NAVD)
I-1	4.7'	2.5'
I-2	4.6'	2.5'
I-3	4.7'	2.5'
I-4	4.5'	2.5'
I-5	4.4'	2.0'

YARD DRAIN BUBBLER SCHEDULE		
YARD DRAIN BUBBLER DESIG.	GRATE ELEV. (NAVD)	INVERT ELEV. (NAVD)
YD-1	4.5'	2.5'
YD-2	4.5'	2.5'
YD-3	4.0'	2.0'

STORMWATER
MANAGEMENT PLAN

DATE: 09/15/23 | PROJ. NO.: 1165-437-01 | DWN BY: SG | SCALE: 1"=10'-0"

CRONIN ENGINEERING, INC.
CERTIFICATE OF AUTHORIZATION NUMBER: 8597
6627 WILLOW PARK DRIVE
NAPLES, FL 34109
PHONE: (239) 593-2157 FAX: 593-8820

ROTH RESIDENCE
26737 McLAUGHLIN BLVD
DIVCO CUSTOM HOMES
NAPLES, FL

C-1
OF
3



9220 Bonita Beach Road
Suite 111
Bonita Springs, FL 34135
Tel: (239) 444-6150
Fax: (239) 444-6140
www.cityofbonitaspringscd.org

Rick Steinmeyer
Mayor

Jamie A. Bogacz
Council Member
District One

Jesse Purdon
Council Member
District Two

Laura Carr
Council Member
District Three

Chris Corrie
Council Member
District Four

Nigel P. Fullick
Council Member
District Five

Fred Forbes, AIA
Council Member
District Six

Arleen M. Hunter
City Manager
(239) 949-6267

Derek P. Rooney
City Attorney
(239) 949-6254

City Clerk
(239) 949-6248

Public Works
(239) 949-6246

Code Enforcement
(239) 949-6257

Parks & Recreation
(239) 992-2556

**Community
Development**
(239) 444-6150

March 29, 2024

Ms. Stacy Chernesky
DIVCO Homes
6628 Willow Park Dr
Naples, Florida, 34109

Re: 26737 McLaughlin Blvd Variance Request - VAR23-104943-BOS

Dear Ms. Chernesky:

The Zoning Division has reviewed the information provided and supplemented for the special exception request referenced above. The application has been found sufficient and the following request language is being proposed.

A variance from LDC Section 4-1893, which requires a street setback of 25 feet for local roads, to allow a setback of 14 feet for a proposed single-family home on a residential property in Bonita Springs.

Please notify the City in writing if the draft language is acceptable or if modifications are requested.

Please note that City of Bonita Springs Ordinance 22-03 (attached) has updated the public noticing requirements, where it is now the responsibility of the Applicant to send notices to the surrounding property owners of the hearing dates. These notices are required and are no longer a courtesy. A copy of the notice to be mailed will be provided by Staff to the Applicant, but it remains the Applicant's responsibility to mail the notices in accordance with the adopted regulations. Please review Ordinance 22-03 for additional information.

Sincerely,

DEPARTMENT OF COMMUNITY DEVELOPMENT
Zoning Division

Mike Fiigon II
Senior Planner

Copy:
Derek Rooney, City Attorney
John Dulmer, Director of Community Development
Jacqueline Genson, Planning & Zoning Manager
Jay Sweet, City Surveyor
Charles White, Development Services Reviewer/Inspector
Cynthia Vargas, Planning & Zoning Administrative Assistant



AFFIDAVIT OF POSTING NOTICE

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

INSTRUCTIONS

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

- a. Signs for case # VAR23-104943- BOS must be posted by April 30, 2024.
- b. The sign must be erected in full view of the public, not more than five (5) feet from the nearest right-of-way or easement.
- c. The sign must be securely affixed by nails, staples or other means to a wood frame or to a wood panel and then fastened securely to a post, or pother structure. The sign may not be affixed to a tree or other foliage.
- d. The applicant must make a good faith effort to maintain the sign in place, and readable condition until the requested action has been heard and a final decision rendered.
- e. If the sign is destroyed, lost, or rendered unreadable, the applicant must report the condition to the Zoning Division, and obtain duplicate copies of the sign from the Zoning Division.
- f. The Division may require the applicant to erect additional signs where large parcels are involved with street frontages extending over considerable distances. If required, such additional signs must be placed not more than three hundred (300) feet apart.

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

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

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

STATE OF FLORIDA
COUNTY OF LEE

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

Chernesky
SIGNATURE OF APPLICANT OR AGENT

Stacy Chernesky / Agent
NAME (TYPED OR PRINTED)

6628 Willow Park Drive
ST. OR P.O. BOX

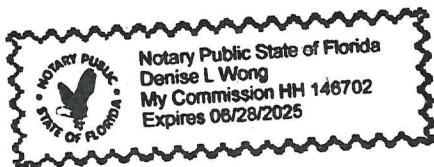
Naples, FL 34109
CITY, STATE & ZIP

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was sworn to and subscribed before me this 29 day of April, 2024,
by Stacy Chernesky, personally known to me or who produced
as identification and who did/did not take oath.

Denise Wong
Signature of Notary Public
Denise Wong
Printed Name of Notary Public

My Commission Expires:
(Stamp with serial number)



If you have a disability and the format of this document interferes with your ability to access some information, please contact us at (239) 444-6150 during regular business hours (8:00am-5:00pm, Monday-Friday), and we'll gladly assist.

CITY OF BONITA SPRINGS

Community Development Department
9220 Bonita Beach Road, Ste. 111
Bonita Springs, FL 34135
Phone: (239) 444-6150
email: permitting@cityofbonitaspringscd.org

MAILING NOTICES AFFIDAVIT

Property owners within 375 feet (or 500 feet in the case of on-premises consumption special exceptions) of the subject parcel(s) must be notified in writing of the proposed zoning action going before council within thirty CALENDAR (30) days of the initial Public Hearing. Property owners must be informed of their ability to participate in these hearings and/or given the opportunity to return a Citizen Response Form, should they have any comments or concerns regarding the matter. This affidavit must be returned assuring the following:

- Affidavit for case # VAR23-104943-BOS sent on April 12, 2024.
- Names and addresses of property owners are those appearing on the latest tax rolls for Lee County.
- The Zoning Board for land use adjustments and City Council public hearing dates, times, and locations of hearings that were provided in the notices.
- All notices have been sent by first-class mail.

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

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

ZONING APPLICATION CASE NUMBER: VAR23-104943-BOS
SIGNATURE OF APPLICANT OR AGENT: Stacy Chernesky / Agent
NAME (TYPED OR PRINTED): Stacy Chernesky
SITE ADDRESS OR P.O. BOX: 6628 Willow Park Dr
CITY, STATE & ZIP: Naples, FL 34109

STATE OF FLORIDA
COUNTY OF LEE

Sworn to (or affirmed) and subscribed before me by means of physical presence ☒ or online notarization ☐,

this (day) 12th of (month) April, (year) 2024,

by (name of person making statement) Stacy Chernesky

Signature of Notary Public - State of Florida: Denise Wong

Name of Notary Typed, Printed, or Stamped: Denise Wong

Personally Known ☒ OR Produced Identification ☐

Type of Identification Produced: _____

