



City of Bonita Springs Community Development
Manatee Conference Room
9101 BONITA BEACH ROAD, STE 118
BONITA SPRINGS, FLORIDA 34135

DISASTER RELIEF REVIEW BOARD
MEETING AGENDA
Monday, July 29, 2024
2:00p.m.

- I. Call to Order
- II. Roll Call
- III. Public Comment
- IV. Disaster Relief Request
 - a. 4706 Kon Tiki Lane: ADD24-113665-BOS
 - b. Lover's Key State Park: ADD24-111302-BOS
- V. Board Member Items
- VI. Public Comment
- VII. Approval of Meeting Minutes
 - a. May 22, 2024
- VIII. Establish next meeting: (As needed)
- IX. Adjournment

ANY PERSON REQUIRING SPECIAL ACCOMMODATIONS AT ANY OF THE MEETINGS BECAUSE OF A DISABILITY OR PHYSICAL IMPAIRMENT SHOULD CONTACT MIKE SHEFFIELD, CITY CLERK 239-949-6262, AT LEAST 48 HOURS PRIOR TO THE MEETING.

TWO OR MORE MEMBERS OF THE BONITA SPRINGS CITY COUNCIL MAY BE PRESENT AND MAY PARTICIPATE AT THE MEETING. THE SUBJECT MATTER OF THIS MEETING MAY BE AN ITEM FOR DISCUSSION AND ACTION AT A FUTURE BONITA SPRINGS CITY COUNCIL MEETING.

**POST DISASTER EMERGENCY REVIEW BOARD
BONITA SPRINGS, FLORIDA
COMMUNITY DEVELOPMENT DEPARTMENT
ZONING DIVISION
STAFF REPORT**

PROJECT NAME: 4705 KON TIKI MOBILE HOME REPLACEMENT—HURRICANE IAN

TYPE OF CASE: POST DISASTER RECOVERY ADMINISTRATIVE MODIFICATION

CASE NUMBER: ADD24-113665-BOS

BOARD MEETING DATE: JULY 29, 2024

PLANNER: MIKE FIIGON II

REQUEST AND STAFF RECOMMENDATION

A request to replace a mobile home destroyed by Hurricane Ian.

Staff recommends **APPROVAL** of the request.

APPLICATION SUMMARY:

Applicant: Timberline Construction Group, LLC (dba Timber Creek Housing, LLC)

Location: 4705 Kon Tiki Lane, Bonita Springs, Florida 34134
STRAP: 17-47-25-B4-00600.2560

Request: To replace a mobile home destroyed by Hurricane Ian.

BACKGROUND AND INFORMATIONAL ANALYSIS

The request is to replace a mobile home located in the Spring Creek Mobile Home Park (aka Spring Creek Village), which was destroyed by Hurricane Ian.

The prior home (which was approximately 26ft wide by 44ft deep) built in 1985, was badly damaged during the storm and was demolished pursuant to permit DEM23-106283-BOS. A replacement home was applied for pursuant to permit MRV24-110205-BOS with the dimensions being approximately 23.2ft wide by 44ft deep, which is a slightly smaller footprint from what was there previously. The replacement was denied due to the home's inability to meet the required setback minimums of the park.

The required setbacks of Spring Creek Village are as follows:

Front/Street: 10ft from the edge of the right-of-way

Sides: 5ft

Rear: 10ft

The lot in question (known as Lot 256 of Spring Creek Village) also contains drainage and utility easements on all lots lines that are 5ft in width.

However, the Applicant provided a survey for the previous home (Exhibit A) which shows a front setback of less than one foot from the edge of the street right-of-way. The other setback minimums appeared to have been met, but there was a significant encroachment into the front drainage and utility easement. Staff had concerns with the new home being placed so close to the edge of the right-of-way line and within the drainage/utility easement. In an effort to be more conforming with the stated setback requirements and in an effort of staying out of the platted easements, the new home is proposed to be at 5.5ft from the front/street right-of-way. By pushing the new home back from its previous location, the proposed rear setback for the replacement home is 5ft at its closest point. While this placement alleviates easement encroachments on all sides, relief is needed for the front and rear setbacks.

Section 14-55 of the Bonita Springs City Code adopts the Lee County Code Chapter 10, Article IV, by reference for standards for post-disaster recovery. The code allows for the reconstruction or replacement of structures damaged by less than 50% or more than 50% of value. Structures may be reconstructed at (but not to exceed) the legally documented actual use, density and intensity existing at the time of destruction, thereby allowing those structures to be rebuilt or replaced to the size, style, and type of their original construction, including original square-footage; provided however, that the affected structure, as rebuilt or replaced, complies with all federal and state regulations, local building and life safety regulations, and other local regulations, which do not preclude reconstruction otherwise intended by Future Land Use Element Policy 1.5.1 as set forth in Section 14-55 of the Bonita Springs City Code.

The proposed mobile home is a smaller footprint than the previous home and the proposed placement is more conforming to the street setback requirements for the park. Since the proposed home does not exceed the size of the previous home, it is the Staff opinion that the Disaster Relief Board has the authority to grant alternate development regulations pursuant to Section 14-55 of the Bonita Springs City Code, by reference of Chapter 10, Article IV of the Lee County Code, and the following proposed setbacks are appropriate for Lot 256:

Front/Street: 5.5ft, from the edge of the right of way

Sides: 5ft (including mechanical equipment pads)

Rear: 5ft

CONCLUSIONS AND RECOMMENDATIONS

Staff recommends **APPROVAL** of the request to replace a mobile home on Lot 256 in Spring Creek Village, as conditioned below:

CONDITIONS

1. The approval is valid for this application only, with relief granted for the front and rear setback as shown on the attached site plan (Attachment A). All other code regulations remain in full force and effect.
2. Approval of this action does not guarantee approval of a building permit.

EXHIBITS

- A. Scanned copy of a portion of the boundary survey for the previous home (provided by the Applicant)

ATTACHMENTS

- A. Proposed Site Plan
- B. Application Backup

EXHIBIT A

Parcel L 17-47-25 34-00600-2560

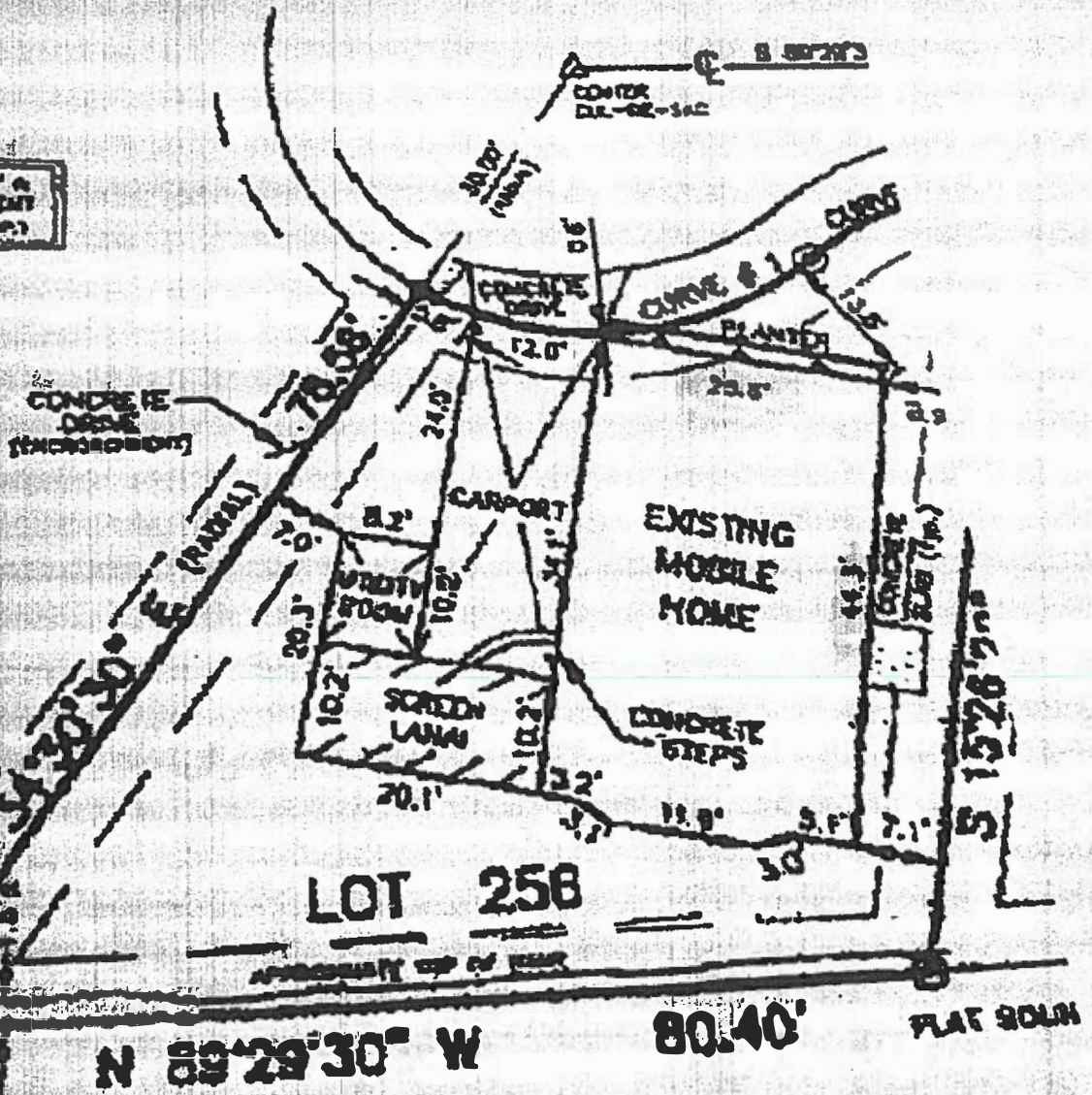
Lot 256

SCALE
1" = 30'

27'8" x 44'3"

PREVIOUS HOME PLACEMENT
OLD SURVEY

5' PUBLIC UTILITY &
DRAINAGE EASEMENT
(SEE PLAT 904H)

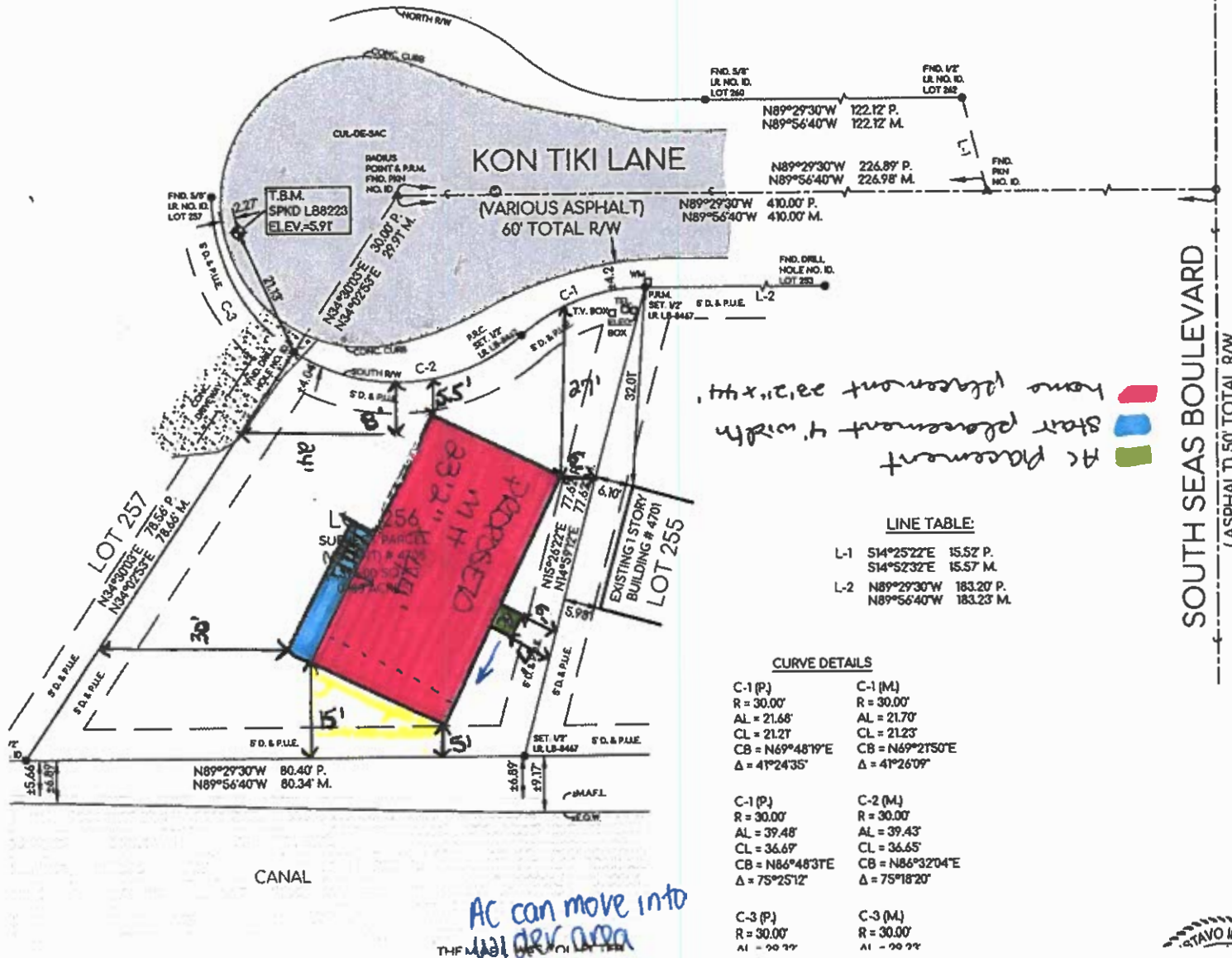


EXISTING LAKE

UNPLATED
(PER PLAN)

ATTACHMENT A

Proposed site plan



DATE OF SURVEY	COMPLETION DATE	DRAWN BY	CHECKED BY
02/01/2024	02/06/2024	A.V.	G.G.

PROPERTY AND OWNER INFORMATION

Property Address:
4705 KON TIKI LANE,
BONITA SPRINGS, FL 34134

Parcel ID:
17-47-25-84-00600.2560

County/State:
Lee/Florida

Certified to:
MIKTUK DON and VALERIE, it's successor's and/or assigns and the Department of Housing and Urban Development as their interests may appear.

Legal Description As Furnished:
LOT 254, SPRINK CREEK VILLAGE SUBDIVISION, UNIT 4, according to the map or plat thereof, as recorded in Plat Book 30, Page(s) 90 and 91, of the Public Records of LEE COUNTY, Florida.

Flood Zone Information:
Community Name: City Of Bonita Springs
Community Number: 120680
Parcel: 0589 Suffix: G Effective Date: 11/17/2022
Flood Zone: AE B.F.E. = 10.2' (NAV D88)

Surveyor's Notes:

- LEGAL DESCRIPTION PROVIDED BY OTHERS. NO EXAMINATION OF TITLE MADE BY SURVEYOR. THE LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR EASEMENTS OR OTHER RECORDED ENCUMBRANCES NOT SHOWN ON THE PLAT.
- THIS CERTIFICATION IS ONLY FOR THE LANDS DESCRIBED. IT IS NOT A CERTIFICATION OF TITLE. ZONING, EASEMENTS OR FREEDOM FROM ENCUMBRANCES OWNERSHIP, OR RIGHTS-OF-WAY.
- UNDERGROUND PORTIONS OF FOOTINGS, FOUNDATIONS, OR OTHER IMPROVEMENTS WERE NOT LOCATED. WALL TIES ARE TO THE FACE OF THE WALL AND ARE NOT TO BE USED TO RECONSTRUCT BOUNDARY LINES.
- NOT VALID WITHOUT THE SIGNATURE & ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER. ONLY VISIBLE ENCROACHMENTS LOCATED.
- THIS SURVEY IS INTENDED FOR MORTGAGE PURPOSES ONLY. EXCLUSIVELY FOR THIS USE BY THOSE TO WHOM IT IS CERTIFIED. THIS SURVEY IS NOT TO BE USED FOR CONSTRUCTION, PERMITTING, DESIGN OR ANY OTHER USE WITHOUT WRITTEN CONSENT.
- NO EFFORT WAS MADE TO PROVE PLAT BOUNDARIES.
- ONLY IMPROVEMENTS SHOWN WHERE LOCATED. WE DO NOT DETERMINE WHO OWNS THE FENCES, TREES, OR ANY OTHER IMPROVEMENTS.
- DIMENSIONS ARE IN FEET AND DECIMALS THEREOF.
- PARCEL SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS, AND RIGHT-OF-WAYS OF RECORD.
- EASEMENTS SHOWN ON THIS DRAWING ARE FROM THE RECORDED PLAT. ANY OTHER EASEMENT (S) PERTAINING TO THE HEREON DESCRIBED LAND (S) MUST BE FURNISHED TO THE SURVEYOR BY THE CLIENT OR THE CLIENTS AGENT PER FLORIDA STATUTE CHAPTER 53-17 OF THE FLORIDA ADMINISTRATIVE CODE.
- ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
- PARCEL WAS SURVEYED FROM INFORMATION SUPPLIED BY THE CLIENT.
- THE ACCURACY OF CONTROL SURVEY DATA SHALL BE VERIFIED BY REDUNDANT MEASUREMENTS OR TRAVERSE CLOSURES. ALL CONTROL MEASUREMENTS SHALL ACHIEVE THE FOLLOWING CLOSURES:
COMMERCIAL/HIGH RISK LINEAR 1 FOOT IN 10,000 FEET;
SUBURBAN LINEAR 1 FOOT IN 7,000 FEET;
RURAL LINEAR 1 FOOT IN 5,000 FEET.
- BEARINGS AND DISTANCES SHOWN HEREON AS "M" (See Legend) ARE MEASURED BY GPS OBSERVATIONS (STATE PLANE COORDINATE SYSTEM NAD-83) FL-WEST. THE BASIS OF BEARING IS BASED UPON N89°29'30"W ALONG THE CENTERLINE OF KON TIKI LANE AS PLATTED.

I hereby certify that a Survey of the herein described property was made under my direction and meets the Standards of Practice as per Chapter 53-17.051 & .052

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

ATTACHMENT B

MRV2024-110205

ADMINISTRATIVE ACTION REQUEST (2024)

PART I

ACTION REQUEST INFORMATION

1. Applicant/Owner's Authorized Representative Name: Timberline Construction Group, LLC dba Timber Creek Housing, LLC
Mailing Address: 11311 Tamiami Trail,
City: Punta Gorda State: FL Zip: 33955
Phone Number: 941-306-1292 Ext: E-mail Address: kaguirre@timbercreekhousing.com

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

2. Applicant relationship to property: ☐ Owner ☐ Trustee ☐ Option holder ☐ Lessee ☐ Contract Purchaser
☒ Other (indicate): Builder/Installer

3. **Type of Request** (please check one):

- ☐ Administrative Variance (requires supplement A)
☐ Commercial Lot Split (requires supplement B)
☐ Consumption on Premises (requires supplement C)
☐ Minimum Use Determination (requires supplement D)
☐ Ordinance Interpretation (requires supplement E)
☐ Relief for Designated Historic Resources (requires supplement F)
☒ Easement Encroachment (requires supplement G)
☐ Administrative Amendment to a PUD or Planned Development (requires supplement H)
☐ Administrative Deviation from Chapter 3 of the LDC (requires supplement I)
☐ Placement of Model Home/Unit or Model Display Center (requires supplement J)
☐ Dock & Shoreline Structure (requires supplement K)
☒ Post Disaster Administrative Relief (requires supplement L)
☐ Community Gardens (requires supplement M)
☐ Joint Use of Parking (requires supplement N)
☐ Wireless (requires supplement O)
☐ Bed and Breakfast (requires supplement P)
☐ Remedy from a Temporary Moratorium (requires supplement Q)
☐ Downtown District Administrative Variance (requires supplement R)
☐ Final Plan Approval and Special Assemblage Plans (no supplement)

4. **Nature of Request** (please print): Replace hurrican damaged home home

5. **Project Name:** 4705 Kontiki

PART II
PROPERTY INFORMATION

Is this request specific to a particular tract of land? ☐ NO ☒ YES If yes, please complete the following:

1. **Is this action being requested as a result of a violation notice?** ☒ NO ☐ YES

a. If yes, date of notice: _____

b. Specific nature of violation: _____

2. **Property Owner Name:** Donald and Valerie Miktuk

Mailing Address: 4705 Kon Tiki Lane

City: Bonita Springs **State:** FL **Zip:** 34134

Phone Number: 440-864-8161 **Ext:** _____ **E-mail Address:** dmiktuk1@hotmail.com

3. **Legal Description:** Is property description clearly shown within a platted subdivision recorded in the official Plat Books of Lee County?

☐ NO Attach a legible copy of the legal description and certified sketch of description as set out in chapter 61G 17-6.006, Florida Administrative Code.

☒ YES Property is identified as:

Subdivision Name: Spring Creek Village

Plat Book _____ Page 91 Unit 4 Block 0600 Lot 256

Instrument Number: _____

4. **STRAP Number:** 174725B4006002560

5. **Property Dimensions:**

a. Area: 4269 ☒ square feet ☐ acres

b. Width along roadway: 55 feet

c. Depth: 77.62 feet

6. **Property Location Address:** 4705 Kon Tiki Lane

City: Bonita Springs **State:** FL **Zip:** 34134

7. **General Location of Property:** Residential Lot in Spring Creek Village Mobile Home Park

PART III
OWNERSHIP/AUTHORIZED AGENT AFFIDAVIT

I, Phillip Gulley, 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 to enter upon the property during normal working hours for the purpose of investigating and evaluating the request made through this application.

***** SIGN ONLY IN THE PRESENCE OF A NOTARY PUBLIC *****

STATE OF: Florida COUNTY OF: Lee

Signature: _____

Signatory's Printed Name: Phillip Gulley

Sworn to (or affirmed) and subscribed before me by means of ☒ physical presence ☐ or online notarization, this 30 (day) of May, (month) 2024 (year), by Phillip Gulley (name of person making statement).



KAREN AGUIRRE
Commission # HH 462423
Expires November 7, 2027

Signature of Notary Public - State of Florida: _____

Name of Notary Typed, Printed, or Stamped: Karen Aguirre

Personally Known ☒ OR Produced Identification ☐

Type of Identification Produced: _____

PART IV
LETTER OF AUTHORIZATION
TO CITY OF BONITA SPRINGS COMMUNITY DEVELOPMENT

The undersigned do hereby swear or affirm that they are the fee simple title holders and owners of record of property commonly known as Donald Miktuk and legally described in exhibit A attached hereto.

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

Donald William Miktuk

(Signature of Owner*)

Donald Miktuk

(Printed Name of Owner)

(Signature of Owner*)

(Printed Name of Owner)

(Signature of Owner*)

(Printed Name of Owner)

(Signature of Owner*)

(Printed Name of Owner)

***** SIGN ONLY IN THE PRESENCE OF A NOTARY PUBLIC *****

STATE OF: Florida COUNTY OF: Lee

Signature of Owner: Donald William Miktuk

Signatory's Printed Name: Donald Miktuk

Sworn to (or affirmed) and subscribed before me by means of ☒ physical presence ☐ or online notarization, this 30 (day) of May, (month) 2024 (year), by Donald Miktuk (name of person making statement).



KAREN AGUIRRE
 Commission # HH 462423
 Expires November 7, 2027

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

Name of Notary Typed, Printed, or Stamped: Karen Aguirre

Personally Known ☐ OR Produced Identification ☒

Type of Identification Produced: DL: M232-199-52-470-0

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

**ADMINISTRATIVE ACTION REQUEST (2023)
POST DISASTER ADMINISTRATIVE RELIEF (SUPPLEMENT L)**

This administrative approval process may be requested by property owner(s) for structures which have been damaged by fire or other natural forces to the extent that the cost of their reconstruction or repair exceeds fifty (50) percent of the building's value (does not include land value) pursuant to Chapter 24, Floodplain Management, of the City of Bonita Springs City Code. These structures may be reconstructed at (but not to exceed) the legally documented actual use, density, and intensity existing at the time of destruction, thereby allowing those structure to be rebuilt or replaced to the size, style, and type of their original construction, including original square footage; provided, however, that the affected structure, as rebuilt or replaced, complies with all federal and state regulations, local building and life safety regulations, and other local regulations, which do not preclude reconstruction otherwise intended by Future Land Use Element Policy 1.5.1 as set forth in Bonita Springs City Code Chapter 14, Section 14-55.

Applicant's Name: Donald and Valerie Miktuk

Property Address: 4705 Kon Tiki Lane

STRAP Number: 17-47-25-B4-00600.2560

Modifications to development regulations sought (See Explanatory Notes for Eligibility):

Replacement Home of Storm Damaged Home per sec 4-2373

Explanatory Notes #1.

ADDITIONAL SUBMITTAL REQUIREMENTS:

1. Provide documentation as to the actual uses, density and/or intensity in existence at the time of earlier construction before authorizing modifications to the requirements requested above. This can be done through such means as photographs, diagrams, plans, affidavits, permits, property appraiser records, utility bills, etc.

EXPLANATORY NOTES

1. For single-family, two-family and duplexes and their accessory structures—The emergency review board is authorized to apply and modify development regulations for lot area and dimension, setbacks, lot coverage, height, handicapped access, and open space.
2. For multiple family, commercial and industrial buildings—The emergency review board is authorized to modify development regulations for lot area and dimensions, setbacks, lot coverage, height, handicapped access, buffering, open space, loading space and parking.
3. Any modifications granted will be the minimum necessary. No modifications will be granted that completely eliminate buffering or open space, or that will allow buildings to exceed the special height limitations specified in Land Development Code, Chapter 4, Zoning, Division 30, Property Development Regulations, Subdivision II, Height.

Building 1 of 1

Building Characteristics

Improvement Type	Model Type	Stories	Living Units
7 - Manufactured Housing	2 - MOBILE HOME	1.0	0
Bedrooms	Bathrooms	Year Built	Effective Year Built
2	2.0	1985	1985
Building Subareas		Heated / Under Air	Area (Sq Ft)

Description	Heated / Under Air	Area (Sq Ft)
BAS - BASE	Y	1,159
FCP - FINISHED CARPORT	N	408
FEP - FINISHED ENCLOSED PORCH	N	200
FST - FINISHED UTILITY	N	168
STP - STOOP	N	144

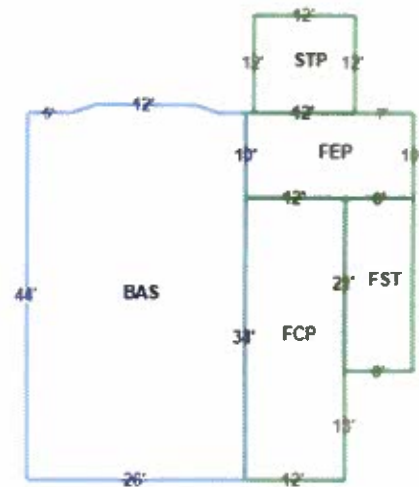
Building Front Photo



Photo Date: February of 2024

Old Home Information
PRE-HURRICANE

Building Footprint



Taxing Authorities

Generated on 5/31/2024 10:00 AM

Sales / Transactions

Generated on 5/31/2024 10:00 AM

Building / Construction Permit Data

Generated on 5/31/2024 10:00 AM

Parcel Numbering History

Generated on 5/31/2024 10:00 AM

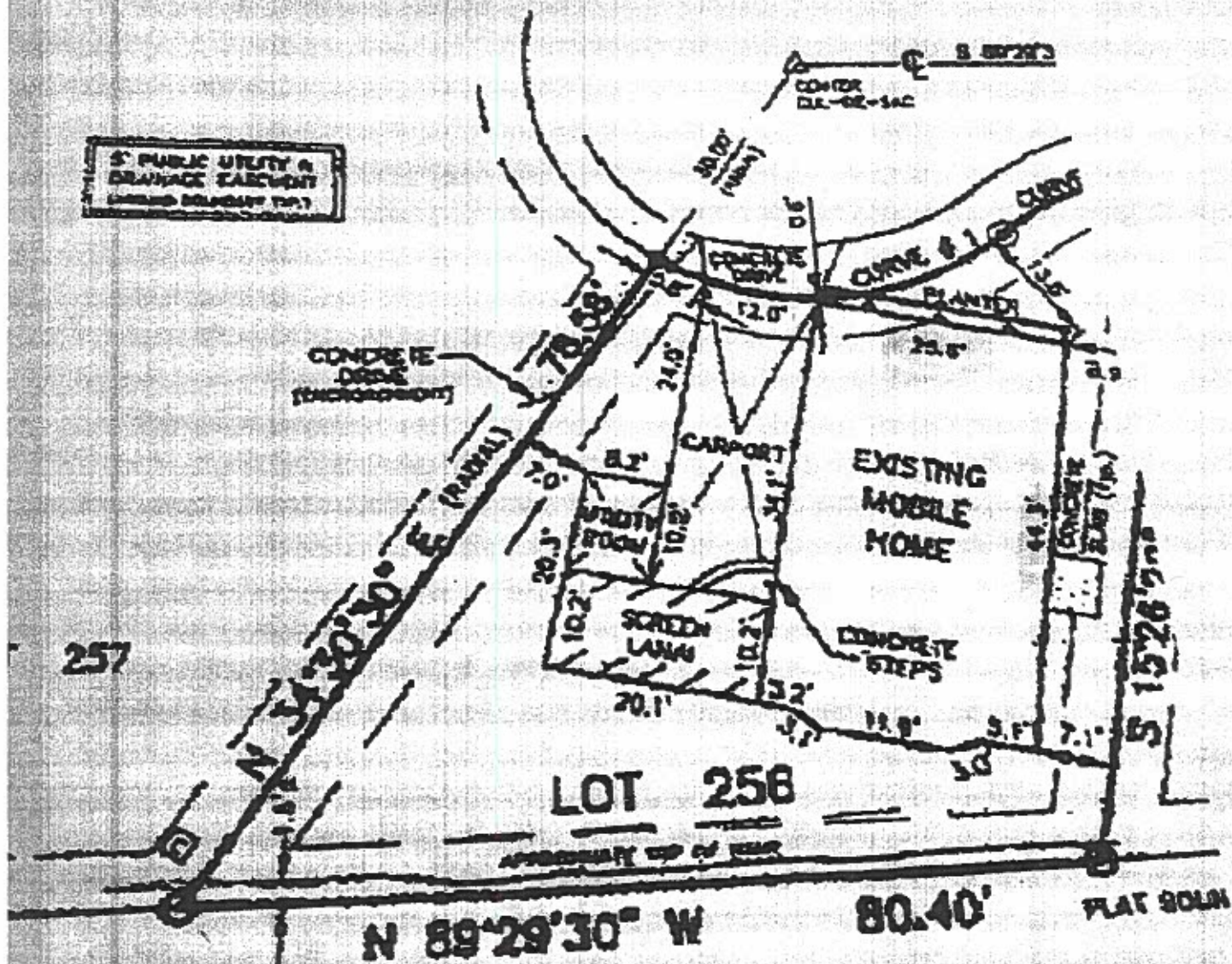
Parcel 17-47-25 34-00000-2560

SCALE
1" = 30'

Lot 256

22'8" x 44'3"

PREVIOUS HOME PLACEMENT
OLD SURVEY



EXISTING LAKE

UNPLANNED
(PER PLAN)



LeeSplnS 5.0

Lee County's Web GIS



Measure

| Feet (US)

Measurement Result

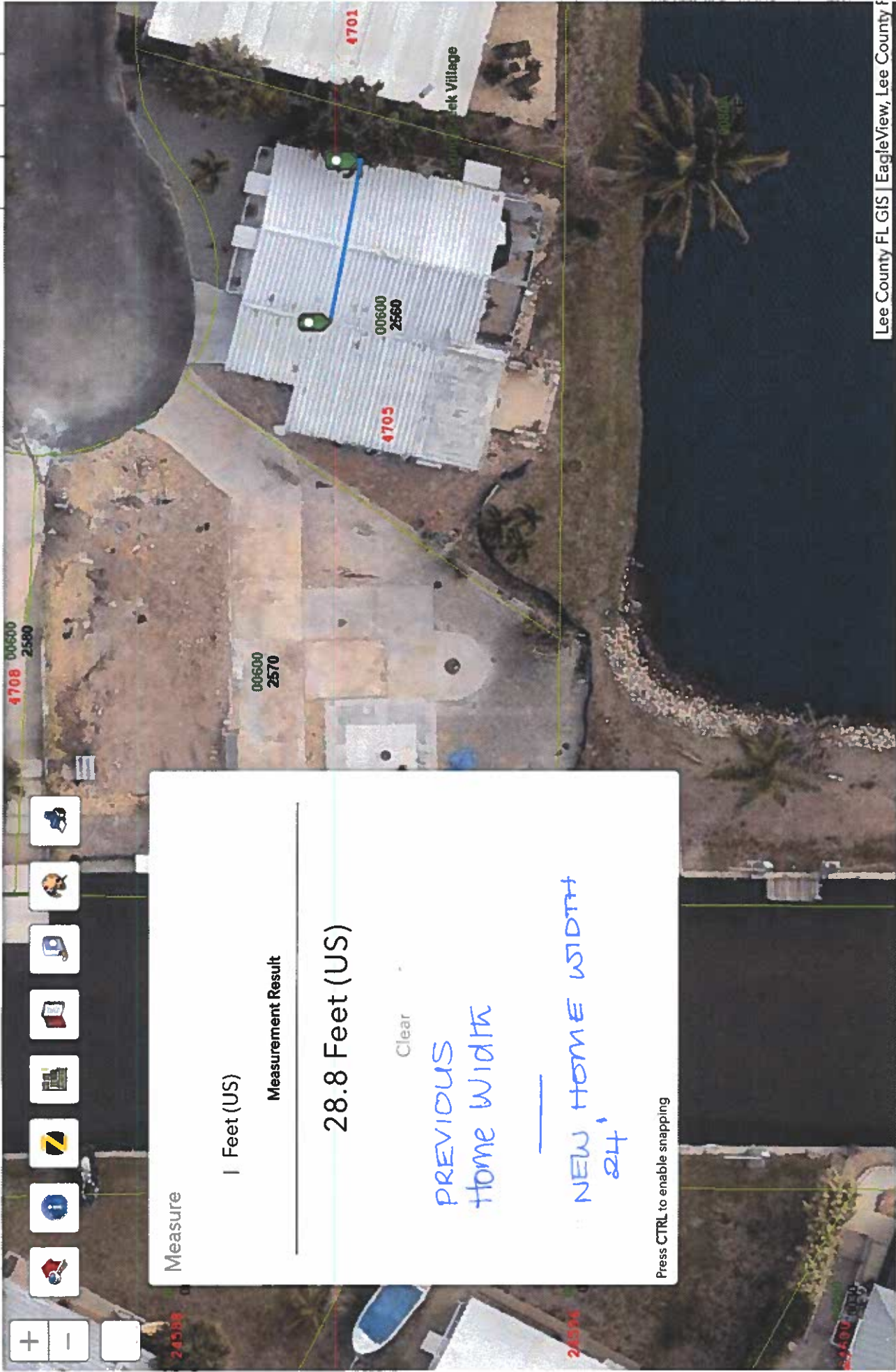
28.8 Feet (US)

Clear

PREVIOUS
HOME WIDTH

NEW HOME WIDTH
24'

Press CTRL to enable snapping



20ft

-81.83026380 Degrees



LeeSpInS 5.0

Lee County's Web GIS



Measure

| Feet (US)

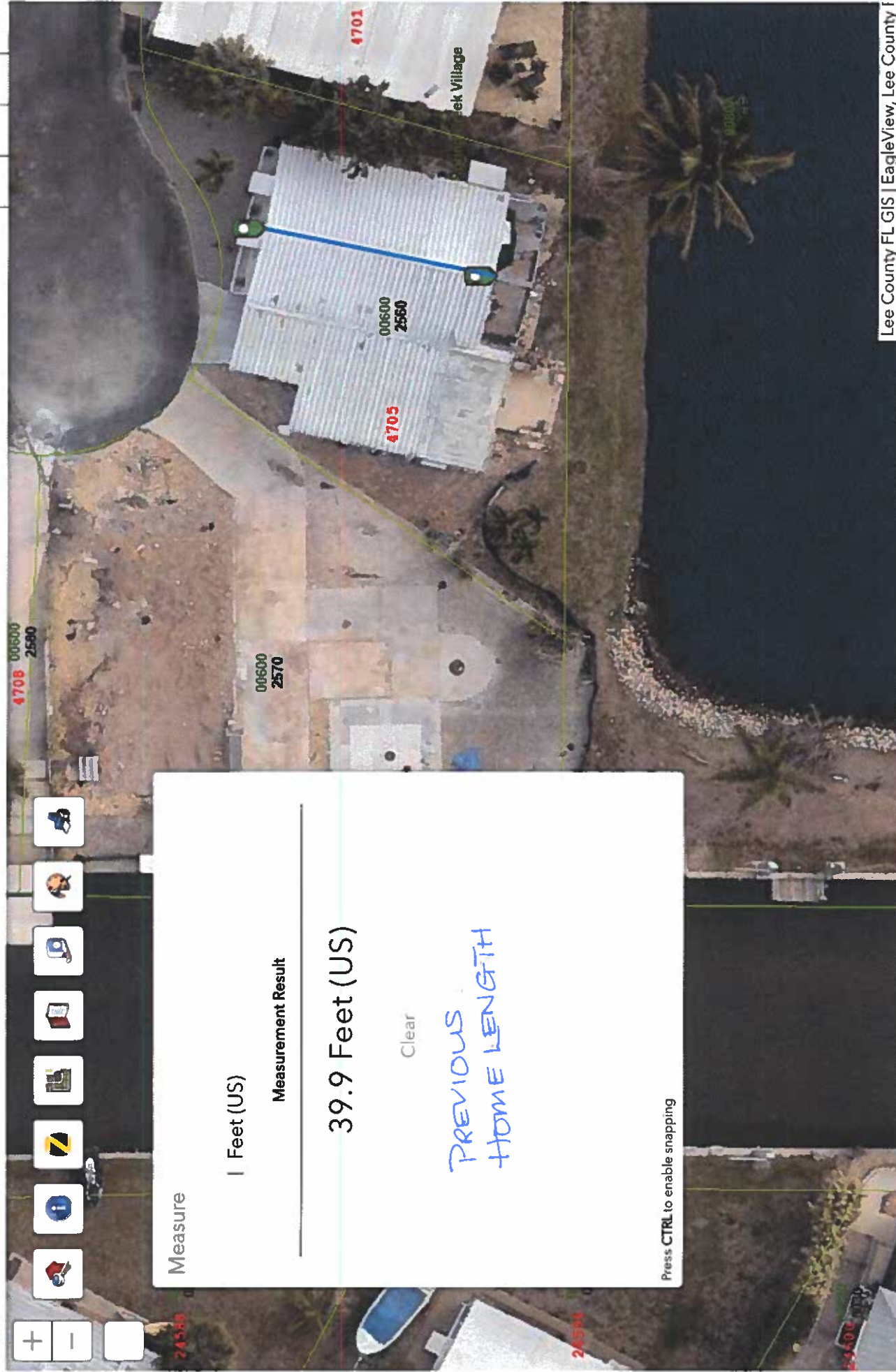
Measurement Result

39.9 Feet (US)

Clear

PREVIOUS
HOME LENGTH

Press CTRL to enable snapping



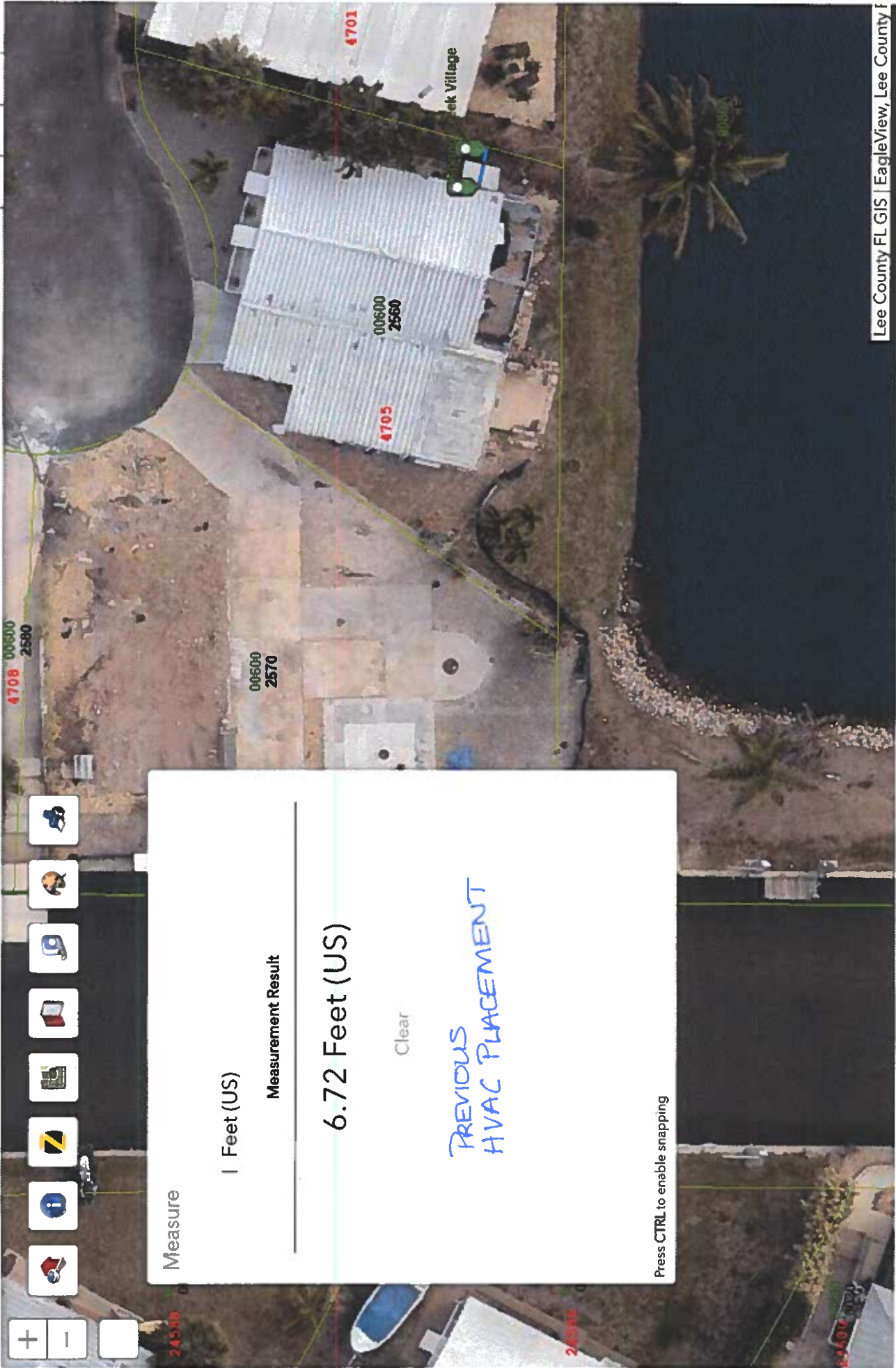
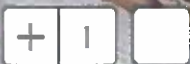
20ft

-81.830 26 380 Degrees



LeeSpInS 5.0

Lee County's Web GIS



Measure

1 Feet (US)

Measurement Result

6.72 Feet (US)

Clear

PREVIOUS
HVAC PLACEMENT

Press CTRL to enable snapping

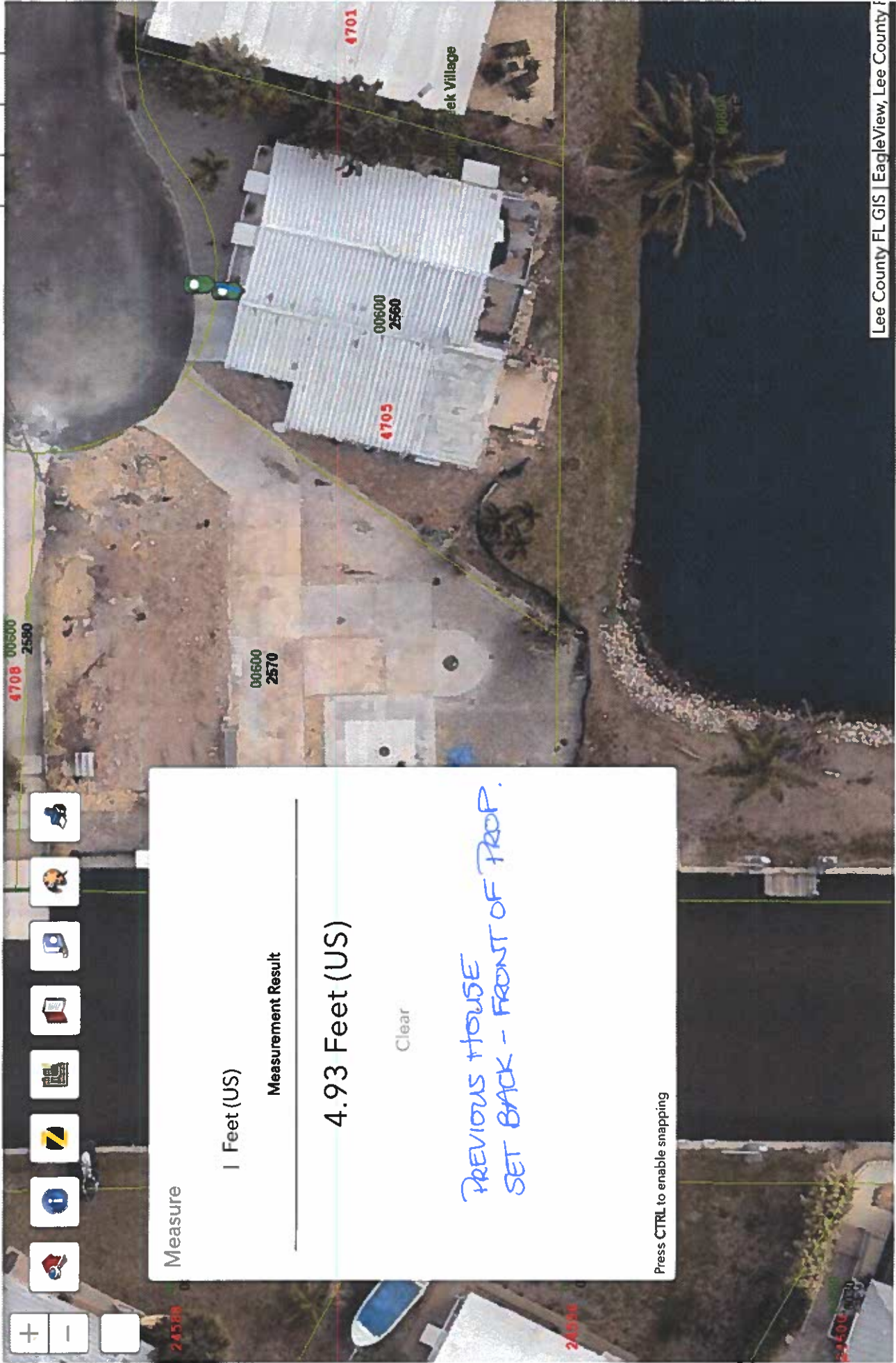
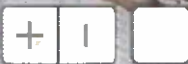
20ft

-81.830 26.380 Degrees



LeeSpInS 5.0

Lee County's Web GIS



Measure

1 Feet (US)

Measurement Result

4.93 Feet (US)

Clear

PREVIOUS HOUSE
SET BACK - FRONT OF PROP.

Press CTRL to enable snapping

20ft

-81.830 26.380 Degrees

00200 0060 00200 0050 00200 0040 00200 0030 00200 0020

00600 2580 00600 2590 00600 2600 00600 2610 00600 2620 00600 2630

00600 2570 00600 2560 00600 2550 00600 2540 00600 2530 00600 2520 00600 2510

00800 0080 00800 0080

KON-TIKI LN

00800 0080

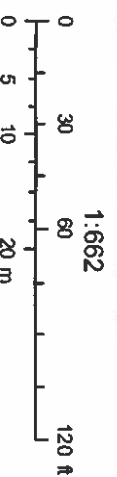
PAGE 00602

CLEARED LOT:

Parcels Near

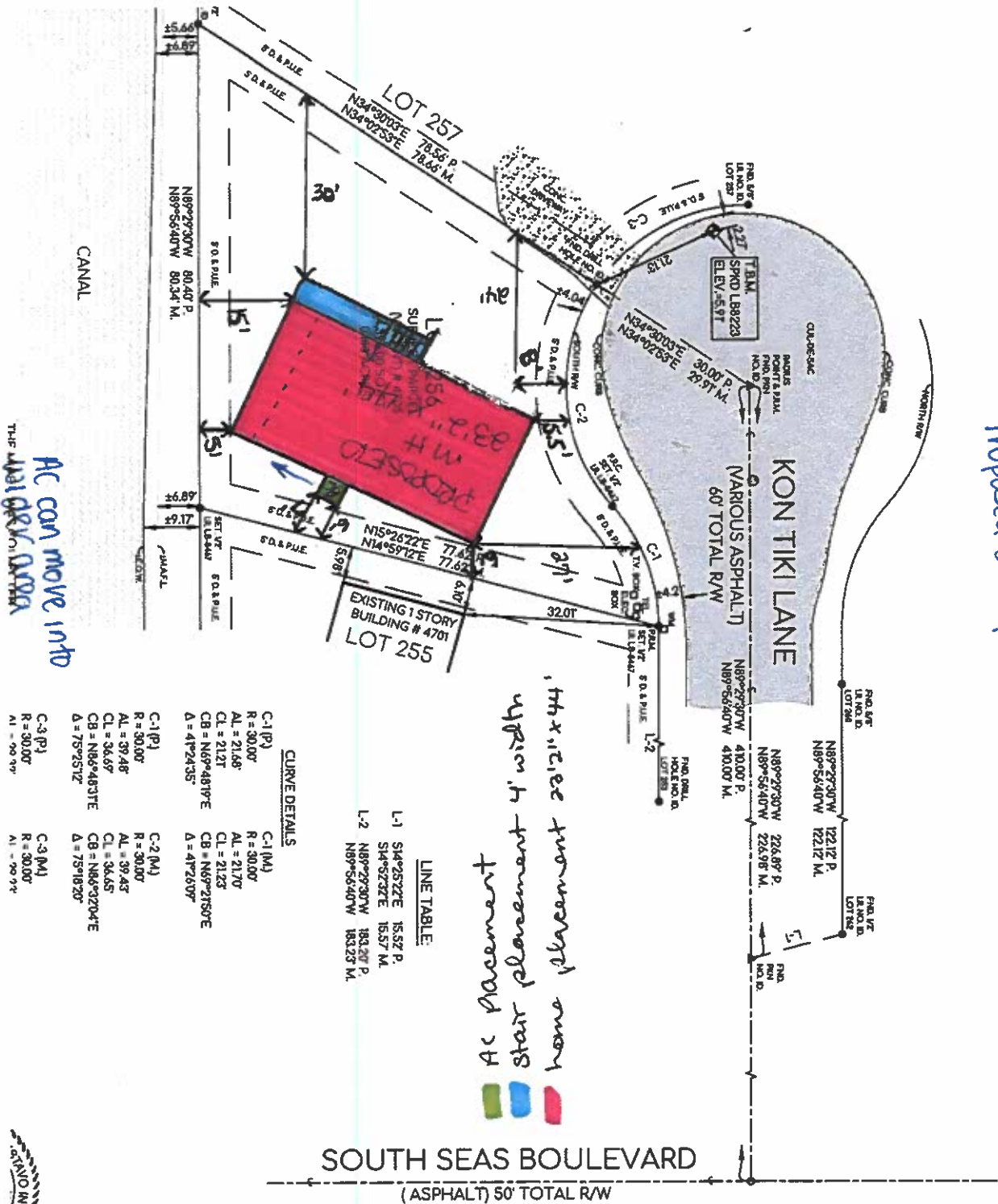
Other Highways

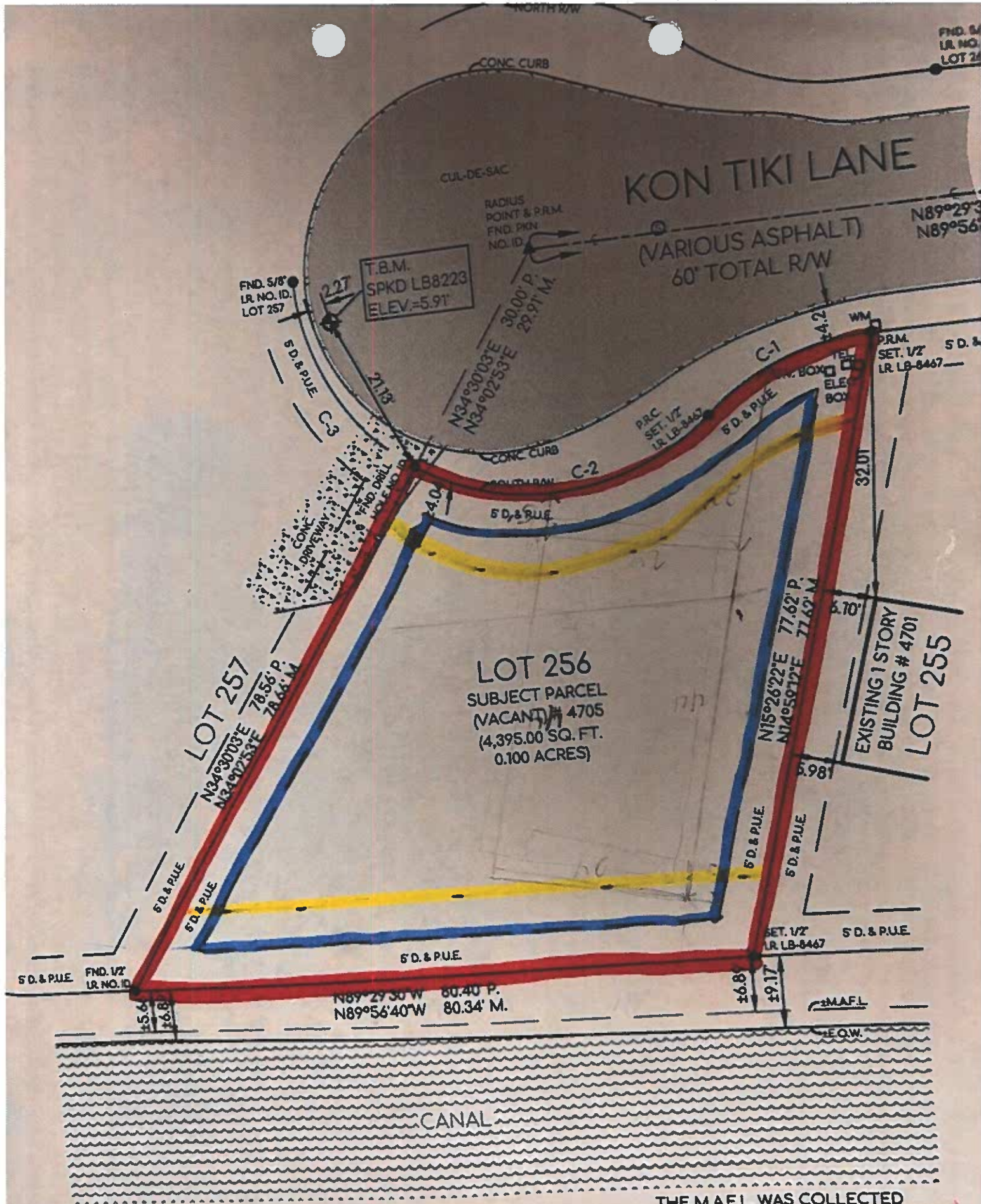
Other Roads



This map is NOT a legal land survey and should not be used or relied upon as such. No warranties, express or implied, are provided with the data, use, accuracy or interpretation.

AC placement
stair placement 4' width
home placement 23'2" x 44'

[illegible]

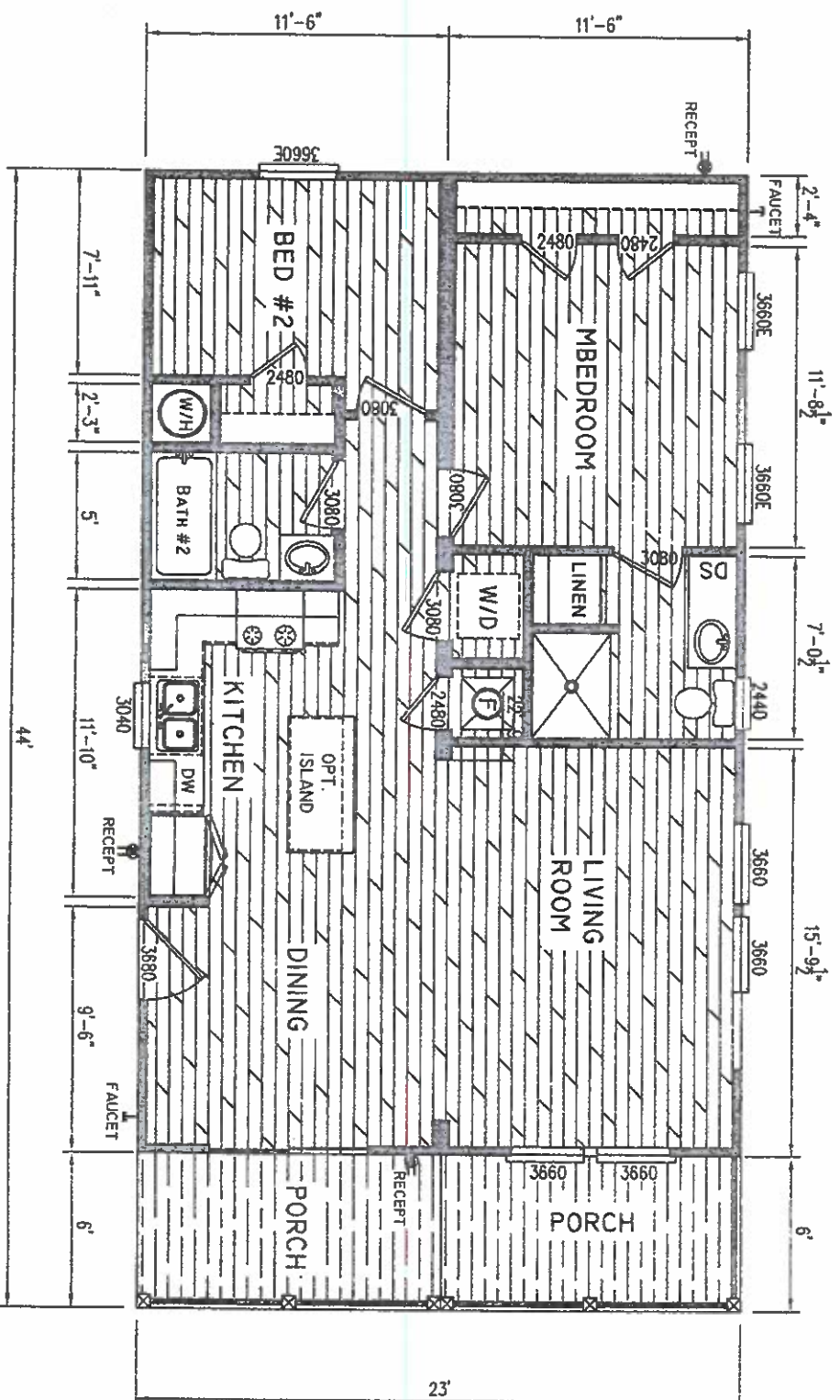


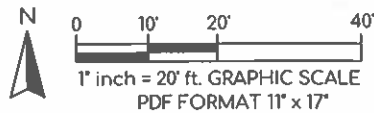
THE MAFL WAS COLLECTED
USING WATER STAINS AS INDICATOR

The 'Marlin Porch'

Model CS-2401-P (Miktok)

2 Bedroom
2 Bath
943 SF





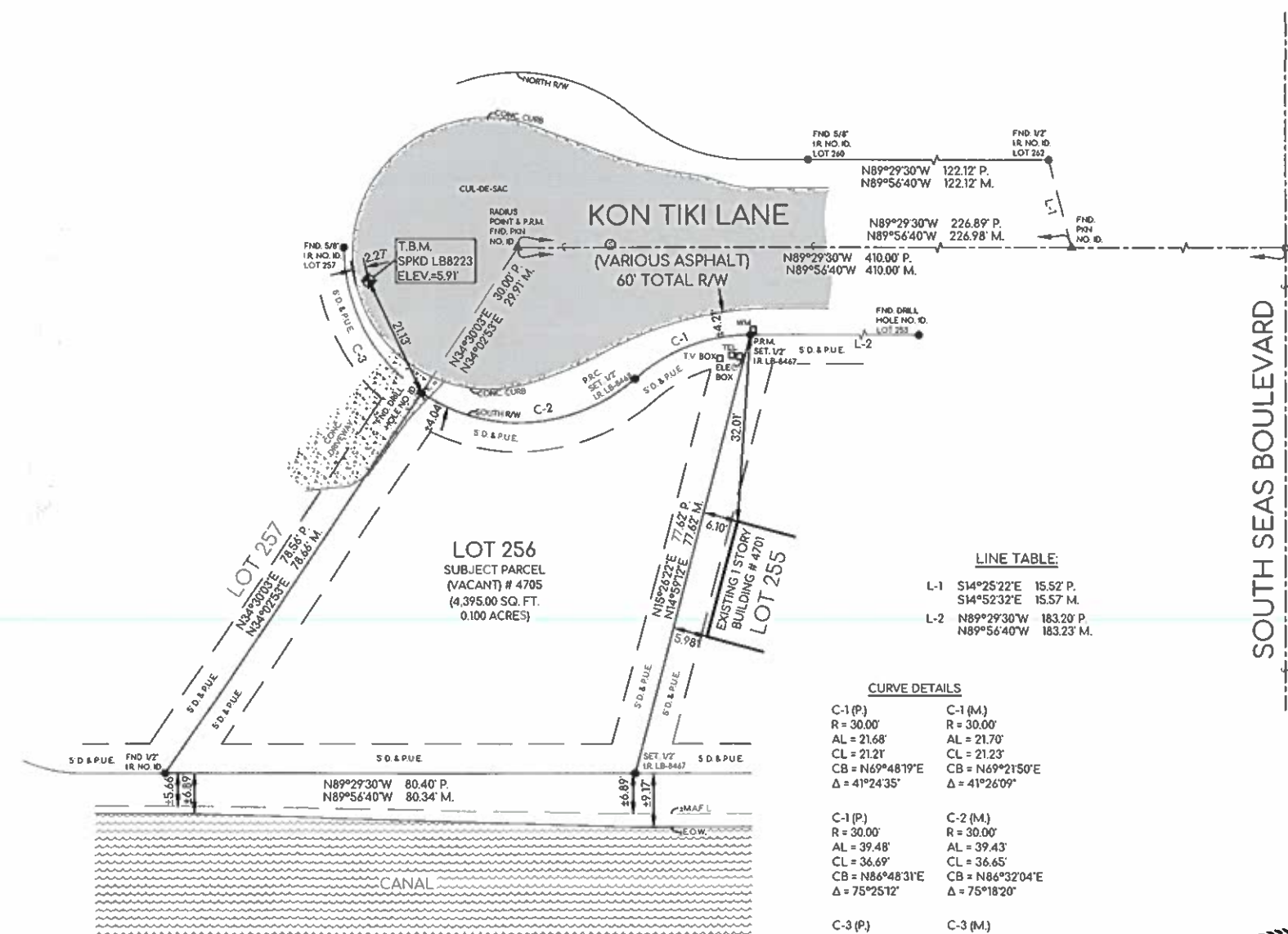
SKETCH OF BOUNDARY SURVEY

SURVEY: TG240035



Tayberry Group LLC
State of Florida Licence: LB8467
411 NE 2ND PLACE (UNIT 9)
CAPE CORAL, FL 33909
Tel: 800-570-7133
Email: surveying@tayberry.group

Legend:	
A.E.	ACCESS EASEMENT
B.F.E.	BASE FLOOD ELEVATION
B.M.	BENCHMARK
C.	CALCULATED
CATV	CABLE TV RISER
C.B.	CATCH BASIN
C.V.G.	CONC VALLEY GUTTER
C.M.	CONCRETE MONUMENT
CONC	CONCRETE
C/O	CLEAN OUT
C.U.E.	COUNTY UTILITY EASEMENT
D.E.	DRAINAGE EASEMENT
D.H.	DRILL HOLE
ELEC.	ELECTRIC BOX
E.R.C.P.	ELLIPITICAL REINFORCED CONCRETE PIPE
E.O.W.	EDGE OF WATER
E.P.	EDGE OF PAVEMENT
F.	FIELD
F.S.E.	FINISHED FLOOR ELEVATION
FND	FOUND
F.P.L.	FLORIDA POWER AND LIGHT
I.E.	IRRIGATION EASEMENT
I.D.	IDENTIFICATION
I.R.	IRON ROD
I.P.	IRON PIPE
L.B.	LAND SURVEYING BUSINESS
L.E.	LANDSCAPE BUFFER ESMT.
M	FIELD MEASURED
N.A.D.	NAIL & DISC
N/A	NOT APPLICABLE
N.R.	NON-RADIAL
N.T.S.	NOT TO SCALE
O.H.L.	OVERHEAD LINE
O.U.E.	ORANGE TREE UTL. ESMT.
P.	PLAT
P.I.	POINT OF INTERSECTION
P.C.	POINT OF CURVATURE
P.C.C.	POINT OF COMPOUND CURVATURE
P.C.P.	PERMANENT CONTROL POINT
P.L.S.	PROFESSIONAL LAND SURVEYOR
P.S.M.	PROFESSIONAL SURVEYOR & MAPPER
P.T.	POINT OF TANGENCY
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCEMENT
P.R.C.	POINT OF REVERSE CURVATURE
P.R.M.	PERMANENT REFERENCE MONUMENT
P.U.E.	PUBLIC UTILITY EASEMENT
PRH	PARKER-KALON NAIL
PRND	PARKER-KALON NAIL AND DISC
R	RADIAL
R/W	RIGHT OF WAY
S.D.	STORM DRAIN
T.B.M.	TEMPORARY BENCH MARK
TEL	TELEPHONE FACILITIES
T.O.B.	TOP OF BANK
U.E.	UTILITY EASEMENT
U.G.	UNDERGROUND
W.M.	WATER METER
W.V.	WATER VALVE
IR	CONCRETE MONUMENT
NAI	NAIL
EXH	EXISTING FIRE HYDRANT
W.V.	WATER VALVE
CONC	CONC. POWER POLE
POWER	POWER POLE
WELL	WELL
CATCH	CATCH BASIN
BOLLARD	BOLLARD
BENCH	BENCH MARK
LAMP	LAMP POST
DRAIN	DRAIN MANHOLE
SANITARY	SANITARY MANHOLE
E	CENTER LINE
00.00'	EXISTING ELEVATION
00.00'	PROPOSED ELEVATION
00.00'	PROPOSED/EXISTING ELEVATION
WATER	WATER FLOW ARROW
ANCHOR	DISTANCE LIMIT ARROW
BREAK	BREAK LINE (N.T.S.)
CENTER	CENTERLINE
FENCE	FENCE LINE
OVERHEAD	OVERHEAD LINE
EASEMENT	EASEMENT LINE
EDGE	EDGE OF THE WATER LINE
PRIMARY	PRIMARY STRUCTURE
SECONDARY	SECONDARY STRUCTURE
PROPERTY	PRIMARY PROPERTY LINE
PROPERTY	SECONDARY PROPERTY LINE



LINE TABLE:

L-1	S14°25'22"E	15.52' P.
	S14°52'32"E	15.57' M.
L-2	N89°29'30"W	183.20' P.
	N89°56'40"W	183.23' M.

CURVE DETAILS

C-1 (P)	C-1 (M)
R = 30.00'	R = 30.00'
AL = 21.68'	AL = 21.70'
CL = 21.21'	CL = 21.23'
CB = N69°48'19"E	CB = N69°21'50"E
Δ = 41°24'35"	Δ = 41°26'09"
C-1 (P)	C-2 (M)
R = 30.00'	R = 30.00'
AL = 39.48'	AL = 39.43'
CL = 36.69'	CL = 36.65'
CB = N86°48'31"E	CB = N86°32'04"E
Δ = 75°25'12"	Δ = 75°18'20"
C-3 (P)	C-3 (M)
R = 30.00'	R = 30.00'
AL = 29.32'	AL = 29.23'
CL = 28.17'	CL = 28.08'
CB = S27°29'30"E	CB = S28°11'25"E
Δ = 55°59'23"	Δ = 55°49'11"



DATE OF SURVEY COMPLETION DATE: DRAWN BY CHECKED BY

02 / 01 / 2024	02 / 06 / 2024	A.V.	G.G.
----------------	----------------	------	------

PROPERTY AND OWNER INFORMATION

Property Address:
4705 KON TIKI LANE,
BONITA SPRINGS, FL 34134

Parcel I.D.: 17-47-25-84-00600.2560
County/State: Lee/Florida

Certified to:
MIKTUK DON and VALERIE, it's successor's and/or assigns and the Department of Housing and Urban Development as their interests may appear.

Legal Description As Furnished:
LOT 256, SPRINK CREEK VILLAGE SUBDIVISION, UNIT 4, according to the map or plat thereof, as recorded in Plat Book 30, Page(s) 90 and 91, of the Public Records of LEE COUNTY, Florida.

Flood Zone Information:
Community Name: City Of Bonita Springs
Community Number: 120680
Parcel: 0589 Suffix: G Effective Date: 11/17/2022
Flood Zone: AE B.F.E. = 10.0' (NAVD88)

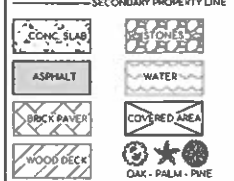
Surveyor's Notes

- LEGAL DESCRIPTION PROVIDED BY OTHERS. NO EXAMINATION OF TITLE MADE BY SURVEYOR. THE LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR EASEMENTS OR OTHER RECORDED ENCUMBRANCES NOT SHOWN ON THE PLAT.
- THIS CERTIFICATION IS ONLY FOR THE LANDS DESCRIBED. IT IS NOT A CERTIFICATION OF TITLE, ZONING, EASEMENTS OR FREEDOM FROM ENCUMBRANCES OWNERSHIP, OR RIGHTS-OF-WAY.
- UNDERGROUND PORTIONS OF FOOTINGS, FOUNDATIONS OR OTHER IMPROVEMENTS WERE NOT LOCATED. WALL TIES ARE TO THE FACE OF THE WALL AND ARE NOT TO BE USED TO RECONSTRUCT BOUNDARY LINES.
- NOT VALID WITHOUT THE SIGNATURE & ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER. ONLY VISIBLE ENCROACHMENTS LOCATED.
- THIS SURVEY IS INTENDED FOR MORTGAGE PURPOSES ONLY. EXCLUSIVELY FOR THIS USE BY THOSE TO WHOM IT IS CERTIFIED. THIS SURVEY IS NOT TO BE USED FOR CONSTRUCTION, PERMITTING, DESIGN OR ANY OTHER USE WITHOUT WRITTEN CONSENT.
- NO EFFORT WAS MADE TO PROVE PLAT BOUNDARIES.
- ONLY IMPROVEMENTS SHOWN WHERE LOCATED. WE DO NOT DETERMINE WHO OWNS THE FENCES, TREES, OR ANY OTHER IMPROVEMENTS.
- DIMENSIONS ARE IN FEET AND DECIMALS THEREOF.
- PARCEL SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS, AND RIGHT-OF-WAYS OF RECORD.
- EASEMENTS SHOWN ON THIS DRAWING ARE FROM THE RECORDED PLAT. ANY OTHER EASEMENT (S) PERTAINING TO THE HEREON DESCRIBED LAND (S) MUST BE FURNISHED TO THE SURVEYOR BY THE CLIENT OR THE CLIENTS AGENT PER FLORIDA STATUTE 'CHAPTER 5J-17' OF THE FLORIDA ADMINISTRATIVE CODE.
- ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
- PARCEL WAS SURVEYED FROM INFORMATION SUPPLIED BY THE CLIENT.
- THE ACCURACY OF CONTROL SURVEY DATA SHALL BE VERIFIED BY REDUNDANT MEASUREMENTS OR TRAVERSE CLOSURES. ALL CONTROL MEASUREMENTS SHALL ACHIEVE THE FOLLOWING CLOSURES:
COMMERCIAL/HIGH RISK LINEAR 1 FOOT IN 10,000 FEET;
SUBURBAN LINEAR 1 FOOT IN 7,500 FEET;
RURAL LINEAR 1 FOOT IN 5,000 FEET;
- BEARINGS AND DISTANCES SHOWN HEREON AS "M" (See Legend) ARE MEASURED BY GPS OBSERVATIONS (STATE PLANE COORDINATE SYSTEM NAD-83 FL-WEST). THE BASIS OF BEARING IS BASED UPON N89°29'30"W ALONG THE CENTERLINE OF KON TIKI LANE AS PLATTED.

I hereby certify that A Survey of the hereon described property was made under my direction and meets the Standards of Practice as per Chapter 5J-17.051 & .052 F.A.C. pursuant to section 472.027, Florida Statutes.

Gustavo Interian
Digitally signed by
Gustavo Interian
Date: 2024.02.08
08:32:24 -05'00'

GUSTAVO INTERIAN
Professional Surveyor and Mapper
PSM No. 6461 State of Florida



**POST DISASTER EMERGENCY REVIEW BOARD
BONITA SPRINGS, FLORIDA
COMMUNITY DEVELOPMENT DEPARTMENT
ZONING DIVISION
STAFF REPORT**

**PROJECT NAME: LOVER'S KEY STATE PARK PARK RANGER RESIDENCE
REPLACEMENT—HURRICANE IAN**

TYPE OF CASE: POST DISASTER RECOVERY ADMINISTRATIVE MODIFICATION

CASE NUMBER: ADD24-111302-BOS

BOARD MEETING DATE: JULY 29, 2024

PLANNER: MIKE FIIGON II

REQUEST AND STAFF RECOMMENDATION

A request to replace a park ranger residence destroyed by Hurricane Ian.

Staff recommends **APPROVAL** of the request.

APPLICATION SUMMARY:

Applicant: David Matson, FDEP/Bureau of Design and Construction

Location: 8750-9950 Estero Boulevard, Fort Myers Beach, FL 33931
STRAP: 11-47-24-B3-00002.0010

Request: To replace a park ranger residence destroyed by Hurricane Ian.

BACKGROUND AND INFORMATIONAL ANALYSIS

The request is to replace a park ranger residence at Lover's Key State Park. The residence was destroyed by Hurricane Ian in 2022. The reason for the request has to do with the future land use category classification of *Recreation*, which does not have residential allowances under the City's regulations. However, since the destruction of the prior residence was the result of a natural disaster, it is eligible for replacement as part of the City's disaster relief policies.

The prior residence had been on-site since 1998, which pre-dates the incorporation of the City of Bonita Springs. The residence was approximately 1,590sf and contained both open and enclosed porches, as well as a lower-level carport/parking area.

The proposed replacement residence is the same square-footage and will be elevated to meet floodplain requirements. The Applicant has applied for a single-family home permit through the City (RES24-111419-BOS).

Section 14-55 of the Bonita Springs City Code adopts the Lee County Code Chapter 10, Article IV, by reference for standards for post-disaster recovery. The code allows for the reconstruction or replacement of structures damaged by less than 50% or more than 50% of value. Structures may be reconstructed at (but not to exceed) the legally documented actual use, density and intensity existing at the time of destruction, thereby allowing those structures to be rebuilt or replaced to the size, style, and type of their original construction, including original square-footage; provided however, that the affected structure, as rebuilt or replaced, complies with all federal and state regulations, local building and life safety regulations, and other local regulations, which do not preclude reconstruction otherwise intended by Future Land Use Element Policy 1.5.1 as set forth in Section 14-55 of the Bonita Springs City Code.

CONCLUSIONS AND RECOMMENDATIONS

Staff recommends **APPROVAL** of the request to replace a ranger residence at Lover's Key State Park, as conditioned below:

CONDITIONS

1. The approval is valid for one residence in the approximate location shown on the attached site plan (Attachment A).
2. Approval of this action does not guarantee approval of a building permit.

ATTACHMENTS

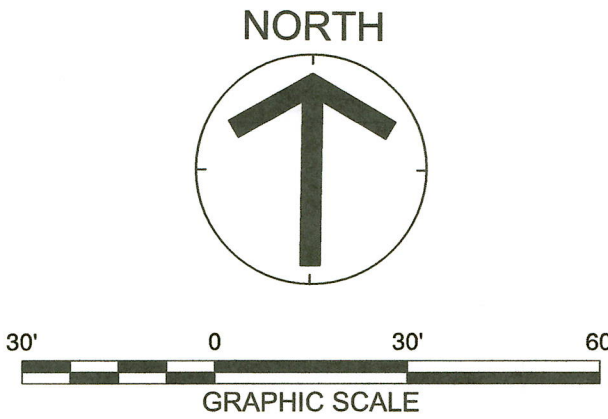
- A. Proposed Site Plan
- B. Application Backup



FLOOD NOTE:
THIS PROPERTY LIES WITHIN FLOOD HAZARD ZONE AE (EL 12 FEET) AND VE (EL 12 FEET) AS IDENTIFIED BY FEMA ON MAP 12071C0569G DATED NOVEMBER 17, 2022.
SEE SHEET C102 FOR FULL FEMA FLOOD MAP

SURVEYOR
DRMP
ENGINEERS • SURVEYORS • PLANNERS • SCIENTISTS
JOHN M. FLOYD, PS
6853 SW 18th Street, Suite 310
Boca Raton, FL 33433
Phone: 561.451.8124

SURVEY NOTE:
SURVEY SHOWN IS A PDF RECEIVED 10/17/2023
TITLED LOVER'S KEY STATE PARK RESIDENTIAL AREA.



DESIGN DOCUMENTS FOR PERMIT										SET FOR PERMITTING										DATE																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																					
SHEET TITLE										SITE LAYOUT AND EPSC PLAN										CONSULTANT: GRESHAM SMITH FL QUALIFIER NO. AR0013420 FL REGISTRY NO. RY3806 The Loft at Midtown 3615 Bromley Grand Ave., Suite 320 Tampa, FL 3307 (813) 768 - 5893										ISSUE DATE: 06-06-2024										SYMBOL										REVISION										DATE																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																													
																														DRAWN BY: LAB										COMP. FILE No.:										SYMBOL										REVISION										DATE																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																			
																														DESIGNER : LAB										STATE PROJECT No.:										SYMBOL										REVISION										DATE																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																			
																														DRAWN BY: LAB										SYMBOL										REVISION										DATE																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																													
																														REVIEWED BY: LS										SYMBOL										REVISION										DATE																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																													
PROJECT TITLE										LOVERS KEY STATE PARK										Department of Environmental Protection Division of Recreation and Parks Bureau of Design and Construction 3800 Commonwealth Blvd., Tallahassee, FL 32309 (850) 245-2157										SYMBOL										REVISION										DATE																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																							
SHEET NO.										C201-RR																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																															

ATTACHMENT B

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

ADMINISTRATIVE ACTION REQUEST (2023) POST DISASTER ADMINISTRATIVE RELIEF (SUPPLEMENT L)

This administrative approval process may be requested by property owner(s) for structures which have been damaged by fire or other natural forces to the extent that the cost of their reconstruction or repair exceeds fifty (50) percent of the building's value (does not include land value) pursuant to Chapter 24, Floodplain Management, of the City of Bonita Springs City Code. These structures may be reconstructed at (but not to exceed) the legally documented actual use, density, and intensity existing at the time of destruction, thereby allowing those structure to be rebuilt or replaced to the size, style, and type of their original construction, including original square footage; provided, however, that the affected structure, as rebuilt or replaced, complies with all federal and state regulations, local building and life safety regulations, and other local regulations, which do not preclude reconstruction otherwise intended by Future Land Use Element Policy 1.5.1 as set forth in Bonita Springs City Code Chapter 14, Section 14-55.

Applicant's Name: _____

Property Address: _____

STRAP Number: _____

Modifications to development regulations sought (See Explanatory Notes for Eligibility):

ADDITIONAL SUBMITTAL REQUIREMENTS:

1. Provide documentation as to the actual uses, density and/or intensity in existence at the time of earlier construction before authorizing modifications to the requirements requested above. This can be done through such means as photographs, diagrams, plans, affidavits, permits, property appraiser records, utility bills, etc.

EXPLANATORY NOTES

1. For single-family, two-family and duplexes and their accessory structures—The emergency review board is authorized to apply and modify development regulations for lot area and dimension, setbacks, lot coverage, height, handicapped access, and open space.
2. For multiple family, commercial and industrial buildings—The emergency review board is authorized to modify development regulations for lot area and dimensions, setbacks, lot coverage, height, handicapped access, buffering, open space, loading space and parking.
3. Any modifications granted will be the minimum necessary. No modifications will be granted that completely eliminate buffering or open space, or that will allow buildings to exceed the special height limitations specified in Land Development Code, Chapter 4, Zoning, Division 30, Property Development Regulations, Subdivision II, Height.

4. The emergency review board is specifically authorized to modify street, rear, side, or waterbody setback requirements under the following circumstances:
 - a. Street, rear, side, or waterbody setbacks may be modified to permit the reconstruction of, or additions to, pre-existing structures that are nonconforming with regard to a specific setback as long as: [The reconstruction will not result in a further diminution of the setback, however, the emergency review board may approve bay windows, chimneys and similar architectural features that encroach further into a setback provided the encroachment does not protrude beyond the pre-existing overhang of the building.]
 - b. Prior to approving any modification of street or street easement setbacks, a determination will be made through consultation with Lee County Department of Transportation and City of Bonita Springs Public Works regarding future road widening requirements.
 - i. The reconstruction shall not result in a further diminution of the setback; however, the emergency review board may approve bay windows, chimneys and similar architectural features that encroach further into a setback, provided the encroachment does not protrude beyond the pre-existing overhang of the building; and
 - ii. Setbacks may be modified to allow the replacement of stairs or decking that will provide access into a dwelling unit.
 - c. The emergency review board is specifically authorized to modify the parking requirements under the following circumstances:
 - i. To improve ingress and egress to the site.
 - ii. To eliminate or reduce the instances where parked vehicles were required to back out onto thoroughfares to gain access to the roadway system.
 - iii. To provide on-site handicapped parking.
 - d. The emergency review board is specifically authorized to modify buffering requirements to accommodate modifications to parking or additional proposed parking.
 - e. The emergency review board may also consider other modifications, conditions, or variances necessary to reconstruct a pre-existing structure in a timely and expeditious manner, including requests for reconstruction not specifically set forth above.
 - f. The emergency review board may require documentation as to the actual uses, densities, and intensities in existence at the time of earlier construction through such means as photographs, diagrams, plans, affidavits, permits, etc., before authorizing modifications to the requirements referenced above.
5. No provision is made to redevelop property containing damaged structures for a more intense use or at a density higher than which existed prior to a major or catastrophic disaster. No redevelopment at a higher density or more intense use will be permitted unless appropriate zoning, development review, building permit and other applicable land development approvals are granted.
6. Once an application is deemed complete, the application will be scheduled for the next scheduled emergency review board meeting.

NOTE: ACCEPTANCE OF AN APPLICATION FOR POST DISASTER ADMINISTRATIVE MODIFICATION IN NO WAY GUARANTEES ITS APPROVAL. DECISIONS RENDERED BY THE EMERGENCY REVIEW BOARD MAY BE APPEALED TO THE CITY OF BONITA SPRINGS BOARD OF ZONING ADJUSTMENTS AND APPEALS.

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

ADMINISTRATIVE ACTION REQUEST (2023)

PART I

ACTION REQUEST INFORMATION

1. Applicant/Owner's Authorized Representative Name: David Matson - FDEP/Bureau of Design and Construction
Mailing Address: 3800 Commonwealth Blvd.
City: Tallahassee State: FL Zip: 32303
Phone Number: 850.245.2594 Ext: E-mail Address: david.matson@floridadep.gov

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

2. Applicant relationship to property: ☐ Owner ☐ Trustee ☐ Option holder ☐ Lessee ☐ Contract Purchaser
☒ Other (indicate): FDEP/Bureau of Design and Construction, Assistant Bureau Chief

3. **Type of Request** (please check one):

- ☐ Administrative Variance (requires supplement A)
☐ Commercial Lot Split (requires supplement B)
☐ Consumption on Premises (requires supplement C)
☐ Minimum Use Determination (requires supplement D)
☐ Ordinance Interpretation (requires supplement E)
☐ Relief for Designated Historic Resources (requires supplement F)
☐ Easement Encroachment (requires supplement G)
☐ Administrative Amendment to a PUD or Planned Development (requires supplement H)
☐ Administrative Deviation from Chapter 3 of the LDC (requires supplement I)
☐ Placement of Model Home/Unit or Model Display Center (requires supplement J)
☐ Dock & Shoreline Structure (requires supplement K)
☒ Post Disaster Administrative Relief (requires supplement L)
☐ Community Gardens (requires supplement M)
☐ Joint Use of Parking (requires supplement N)
☐ Wireless (requires supplement O)
☐ Bed and Breakfast (requires supplement P)
☐ Remedy from a Temporary Moratorium (requires supplement Q)
☐ Final Plan Approval (no supplement, includes property within the Downtown District)

4. **Nature of Request** (please print): To reconstruct a single family residence within Lovers Key Park to provide housing for the Park Ranger. A single family house was previously located within this park and was substantially destroyed by hurricane Ian in 2022.
5. **Project Name:** Lovers Key State Park - Park Ranger Residence

**PART II
PROPERTY INFORMATION**

Is this request specific to a particular tract of land? ☐ NO ☒ YES If yes, please complete the following:

1. **Is this action being requested as a result of a violation notice?** ☒ NO ☐ YES

a. If yes, date of notice: _____

b. Specific nature of violation: _____

2. **Property Owner Name:** Florida Department of Environmental Protection

Mailing Address: 3800 Commonwealth Blvd.

City: Tallahassee **State:** FL **Zip:** 33931

Phone Number: 850.245.2594 **Ext:** _____ **E-mail Address:** david.matson@floridadep.gov

3. **Legal Description:** Is property description clearly shown within a platted subdivision recorded in the official Plat Books of Lee County?

☐ NO Attach a legible copy of the legal description and certified sketch of description as set out in chapter 61G 17-6.006, Florida Administrative Code.

☐ YES Property is identified as:

Subdivision Name: _____

Plat Book _____ Page _____ Unit _____ Block _____ Lot _____

4. **STRAP Number:** 11-47-24-B3-00002.0010

5. **Property Dimensions:**

a. **Area:** _____ ☐ square feet ☐ acres

b. **Width along roadway:** _____ feet

c. **Depth:** _____ feet

6. **Property Location Address:** 8700 Estero Boulevard

City: Ft. Myers Beach **State:** FL **Zip:** 33931

7. **General Location of Property:** The park ranger residence is located in the northwest corner of the park property. Within 400 feet of Estero Boulevard.
- _____

**PART III
OWNERSHIP/AUTHORIZED AGENT AFFIDAVIT**

I, David Matson, 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 to enter upon the property during normal working hours for the purpose of investigating and evaluating the request made through this application.

***** SIGN ONLY IN THE PRESENCE OF A NOTARY PUBLIC *****

STATE OF: Florida COUNTY OF: Leon

Signature: *[Signature]*

Signatory's Printed Name: David Matson FOEP/Bureau of Design & Construction

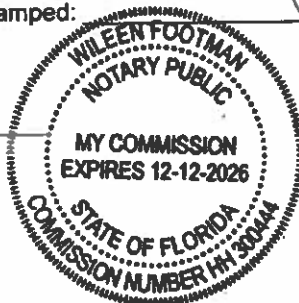
Sworn to (or affirmed) and subscribed before me by means of ☒ physical presence ☐ or online notarization, this 5th (day) of October, (month) 2023 (year), by David Matson (name of person making statement).

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

Name of Notary Typed, Printed, or Stamped: _____

Personally Known ☒ OR Produced Identification ☐

Type of Identification Produced: _____



**PART IV
LETTER OF AUTHORIZATION
TO CITY OF BONITA SPRINGS COMMUNITY DEVELOPMENT**

The undersigned do hereby swear or affirm that they are the fee simple title holders and owners of record of property commonly known as _____ and legally described in exhibit A attached hereto.

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

_____ (Signature of Owner*)	_____ (Printed Name of Owner)
_____ (Signature of Owner*)	_____ (Printed Name of Owner)
_____ (Signature of Owner*)	_____ (Printed Name of Owner)
_____ (Signature of Owner*)	_____ (Printed Name of Owner)

***** SIGN ONLY IN THE PRESENCE OF A NOTARY PUBLIC *****

STATE OF: _____ COUNTY OF: _____

Signature of Owner: _____

Signatory's Printed Name: _____

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

Signature of Notary Public - State of Florida: _____

Name of Notary Typed, Printed, or Stamped: _____

Personally Known ☐ OR Produced Identification ☐

Type of Identification Produced: _____

GENERAL EXPLANATORY NOTES

1. Applications for an Administrative Setback Variance from Chapter 4 (Zoning) of the Land Development Code must include this form plus the Administrative Action Request Supplement A form.
2. Applications for a Commercial Lot Split must include this form plus the Administrative Action Request Supplement B form.
3. Applications for an Administrative Approval for Consumption-On-Premises permit must include this form plus the Administrative Action Request Supplement C form.
4. Applications for a Minimum Use Determination must include this form plus the Administrative Action Request Supplement D form.
5. Applications for an Interpretation of the Land Development Code must include this form plus the Administrative Action Request Supplement E form.
6. Applications for Administrative Relief for Designated Historic Resources must include this form plus the Administrative Action Request Supplement F form.
7. Applications for Relief for Easement Encroachment must include this form plus the Administrative Action Request Supplement G form.
8. Applications for Administrative Amendment to a PUD or Planned Development must include this form plus the Administrative Action Request Supplement H form.
9. Applications for an Administrative Deviation from Chapter 2 (Development Standards) of the Land Development Code must include this form plus the Administrative Action Request Supplement I form.
10. Applications for Administrative Approval for the Placement of a Model Home/Unit or Model Display Center must include this form plus the Administrative Action Request Supplement J form.
11. Applications for Administrative Approval for the Placement of Docks and Shoreline Structures must include this form plus the Administrative Action Request Supplement K form.
12. Applications for Administrative Approval to Utilize Post Disaster Administrative Relief Regulations must include this form plus the Administrative Action Request Supplement L form.
13. Applications for Administrative Approval to for the Placement of a Community Garden must include this form plus the Administrative Action Request Supplement M form.
14. Applications for Administrative Approval for the Joint Use of Parking must include this form plus the Administrative Action Request Supplement N form.
15. Applications for Administrative Approval for Wireless Communication Facilities must include this form plus the Administrative Action Request Supplement O form.
16. Applications for Administrative Approval for a Bed and Breakfast must include this form plus the Administrative Action Request Supplement P form.
17. Applications for Administrative Approval seeking Remedy a Temporary Moratorium must include this form plus the Administrative Action Request Supplement Q form.
18. All Applicants must pay the Application Fee set forth in the City External Fees and Charges Manual.

EXPLANATORY NOTES FOR PART I

1. Applicant's Name: Application may be by the landowner or his authorized agent.
2. 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.
3. Agent's Name: If the applicant will have other people representing him in processing this application, please indicate their name, address, and phone number.
4. Place check mark next to type of administrative action being requested.
5. State in general terms, the purpose of the requested action.

EXPLANATORY NOTES FOR PART II

Part II must be completed for all applications in which a particular tract or parcel of land is involved. **Applications for administrative interpretations of the ordinance which do not affect a particular parcel of land do not need to complete this part.**

1. If the request is due to a violation notice, please indicate the date it was issued, the type of notice (i.e. building code, zoning, etc.,) and what the violation was.
2. Relationship of applicant to owner: If the applicant is not the owner of the property, please state the relationship such as option holder, contract purchaser, lessee, trustee, agent, etc. A **notarized** authorization form from the owner to the applicant must be submitted.
3. If the applicant is the owner, write "same".
4. If the property is not fully described as a lot or lots in a platted subdivision, a complete, legible, legal description and certified sketch of description (as set out in Chapter 61G 17-6.006 Florida Administrative Code) must be submitted which is sufficiently detailed so as to be able to locate said property on city/county maps or aerial photographs. 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 requests are made on individual parcels. The Director may reject any legal description which is not legible or sufficiently detailed so as to locate said property.
5. If more than one parcel is involved, list all STRAP numbers. If the property is within an unofficial recorded subdivision, submit a copy of the O.R. Book and Page where the unofficial recorded subdivision is recorded.
6. Please provide a description of how to get to the property referenced to major streets.

EXPLANATORY NOTES FOR PART III

1. The applicant is responsible for the accuracy and completeness of this application. Time delays or additional expenses necessitated by the submittal of inaccurate or incomplete information will be the responsibility of the applicant.
2. All information submitted with the application becomes a part of the public record and will be a permanent part of the file.
3. All applications must be submitted in person. Mailed-in applications will not be processed.
4. 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.
5. The Department staff will review this application for compliance with requirements of the Bonita Springs Land Development Code. If any deficiencies are noted, the applicant will be notified.

EXPLANATORY NOTES FOR PART IV

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. Where the property is subject to a land trust agreement, the trustee may initiate the application.
3. Where the fee owner is a corporation, any duly authorized corporate official may initiate the application.
4. Where the fee owner is a partnership, the general partner may initiate the application.
5. Where the fee owner is an association, the association may appoint an agent to initiate the application on behalf of the association.
6. Where the property is a condominium or time-share condominium, refer to Sec. 4-201(a)(1)b. for rules.
7. Where the property is a subdivision, refer to Sec. 4-201(a)(1)c. for rules.
8. Rezoning initiated by the City of Bonita Springs on property not owned by the city.

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

ADMINISTRATIVE ACTION REQUEST (2023) POST DISASTER ADMINISTRATIVE RELIEF (SUPPLEMENT L)

This administrative approval process may be requested by property owner(s) for structures which have been damaged by fire or other natural forces to the extent that the cost of their reconstruction or repair exceeds fifty (50) percent of the building's value (does not include land value) pursuant to Chapter 24, Floodplain Management, of the City of Bonita Springs City Code. These structures may be reconstructed at (but not to exceed) the legally documented actual use, density, and intensity existing at the time of destruction, thereby allowing those structure to be rebuilt or replaced to the size, style, and type of their original construction, including original square footage; provided, however, that the affected structure, as rebuilt or replaced, complies with all federal and state regulations, local building and life safety regulations, and other local regulations, which do not preclude reconstruction otherwise intended by Future Land Use Element Policy 1.5.1 as set forth in Bonita Springs City Code Chapter 14, Section 14-55.

Applicant's Name: Florida Department of Environmental Protection - Lovers Key State Park

Property Address: 8700 Estero Blvd, Fort Myers Beach, FL 33931

STRAP Number: 11-47-24-B3-00002.0010

Modifications to development regulations sought (See Explanatory Notes for Eligibility):

This application request is being made to reconstruct a single family residence within Lovers Key Park to provide housing for the Park Ranger. A single family house was previously located within this park and was substantially destroyed by hurricane Ian in 2022.

ADDITIONAL SUBMITTAL REQUIREMENTS:

1. Provide documentation as to the actual uses, density and/or intensity in existence at the time of earlier construction before authorizing modifications to the requirements requested above. This can be done through such means as photographs, diagrams, plans, affidavits, permits, property appraiser records, utility bills, etc.

EXPLANATORY NOTES

1. For single-family, two-family and duplexes and their accessory structures—The emergency review board is authorized to apply and modify development regulations for lot area and dimension, setbacks, lot coverage, height, handicapped access, and open space.
2. For multiple family, commercial and industrial buildings—The emergency review board is authorized to modify development regulations for lot area and dimensions, setbacks, lot coverage, height, handicapped access, buffering, open space, loading space and parking.
3. Any modifications granted will be the minimum necessary. No modifications will be granted that completely eliminate buffering or open space, or that will allow buildings to exceed the special height limitations specified in Land Development Code, Chapter 4, Zoning, Division 30, Property Development Regulations, Subdivision II, Height.

4. The emergency review board is specifically authorized to modify street, rear, side, or waterbody setback requirements under the following circumstances:
 - a. Street, rear, side, or waterbody setbacks may be modified to permit the reconstruction of, or additions to, pre-existing structures that are nonconforming with regard to a specific setback as long as: [The reconstruction will not result in a further diminution of the setback, however, the emergency review board may approve bay windows, chimneys and similar architectural features that encroach further into a setback provided the encroachment does not protrude beyond the pre-existing overhang of the building.]
 - b. Prior to approving any modification of street or street easement setbacks, a determination will be made through consultation with Lee County Department of Transportation and City of Bonita Springs Public Works regarding future road widening requirements.
 - i. The reconstruction shall not result in a further diminution of the setback; however, the emergency review board may approve bay windows, chimneys and similar architectural features that encroach further into a setback, provided the encroachment does not protrude beyond the pre-existing overhang of the building; and
 - ii. Setbacks may be modified to allow the replacement of stairs or decking that will provide access into a dwelling unit.
 - c. The emergency review board is specifically authorized to modify the parking requirements under the following circumstances:
 - i. To improve ingress and egress to the site.
 - ii. To eliminate or reduce the instances where parked vehicles were required to back out onto thoroughfares to gain access to the roadway system.
 - iii. To provide on-site handicapped parking.
 - d. The emergency review board is specifically authorized to modify buffering requirements to accommodate modifications to parking or additional proposed parking.
 - e. The emergency review board may also consider other modifications, conditions, or variances necessary to reconstruct a pre-existing structure in a timely and expeditious manner, including requests for reconstruction not specifically set forth above.
 - f. The emergency review board may require documentation as to the actual uses, densities, and intensities in existence at the time of earlier construction through such means as photographs, diagrams, plans, affidavits, permits, etc., before authorizing modifications to the requirements referenced above.
5. No provision is made to redevelop property containing damaged structures for a more intense use or at a density higher than which existed prior to a major or catastrophic disaster. No redevelopment at a higher density or more intense use will be permitted unless appropriate zoning, development review, building permit and other applicable land development approvals are granted.
6. Once an application is deemed complete, the application will be scheduled for the next scheduled emergency review board meeting.

NOTE: ACCEPTANCE OF AN APPLICATION FOR POST DISASTER ADMINISTRATIVE MODIFICATION IN NO WAY GUARANTEES ITS APPROVAL. DECISIONS RENDERED BY THE EMERGENCY REVIEW BOARD MAY BE APPEALED TO THE CITY OF BONITA SPRINGS BOARD OF ZONING ADJUSTMENTS AND APPEALS.



City of Bonita Springs Community Development
Manatee Conference Room
9101 BONITA BEACH ROAD, STE 118
BONITA SPRINGS, FLORIDA 34135

DISASTER RELIEF REVIEW BOARD MEETING MINUTES

Wednesday, May 22, 2024
2:00p.m.

- I. Call to Order
Meeting called to order at 2:04pm
- II. Roll Call
Board Member Backhurst and Feeney present; Board Member Haigis attended via phone

Mike Fiigon for Staff was present.
- III. Public Comment
None
- IV. Disaster Relief Request
 - a. Sherwin Williams Sign: ADD24-110972-BOS
Mike Fiigon presented the application. The ground sign is non-conforming, but was legally permitted by Lee County. The Sherwin Williams panel was destroyed during Hurricane Ian. Had it not been for the storm, the panel would have remained in place. The request was to put it back, as it was pre-storm.

Board Member Backhurst made a motion to approve the replacement of the panel on the sign. Board Member Feeney seconded the motion. Motion carried unanimously.
- V. Board Member Items
None
- VI. Public Comment
None
- VII. Approval of Meeting Minutes
 - a. February 15, 2024
Board Member Backhurst made a motion to approve the minutes, with no changes. Board Member Feeney seconded the motion. Motion carried unanimously.

VIII. Establish next meeting: (As needed)

IX. Adjournment

Meeting adjourned at 2:09pm

RESPECTFULLY SUBMITTED BY MIKE FIIGON II

APPROVED BY THE BOARD: _____

AUTHENTICATION: _____