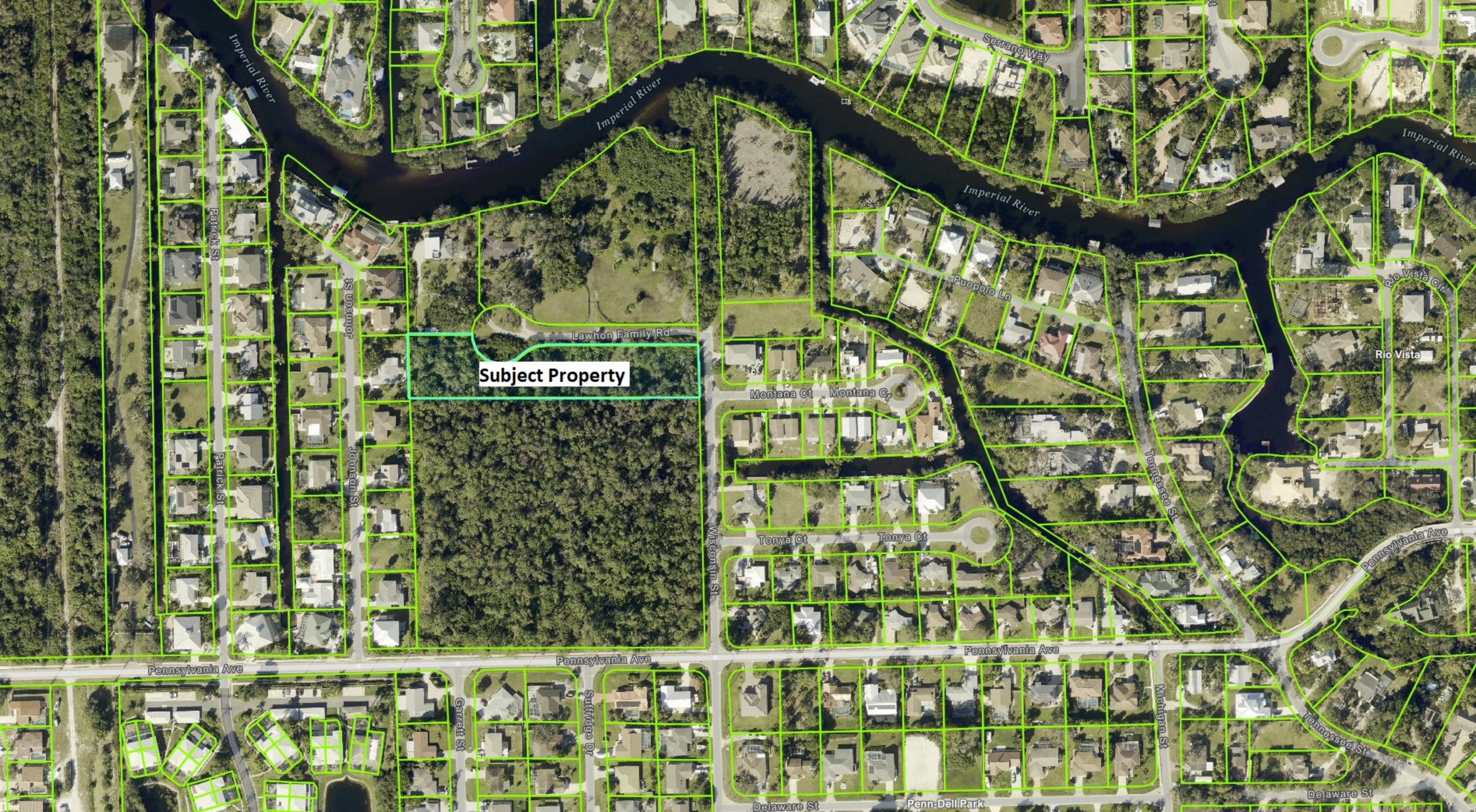


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Subject Property

BONITA SPRINGS, FLORIDA
COMMUNITY DEVELOPMENT DEPARTMENT
ZONING DIVISION
STAFF REPORT

TYPE OF CASE: PLANNED DEVELOPMENT REZONING

CASE NUMBER: PD23-109082-BOS

HEARING DATE: November 19, 2024

PLANNER: Mike Fiigon II, Senior Planner

APPLICATION SUMMARY:

- A. Applicant: Primebid Construction, LLC
- B. Agent: Peter Maastricht, Maastricht Engineering, INC.
- C. Request: To rezone approximately two (2) acres from the Residential Planned Development (RPD) zoning designation to a Residential Planned Development (RPD), to allow six (6) single family units and to request a deviation.
- D. Location: Corner of Wisconsin Street and Lawhon Family Road; 9650 Lawhon Family Road STRAP: 34-47-25-B2-00259.0040, Bonita Springs, Florida 34135
- E. Future Land Use Plan Designation: Moderate Density Residential
- F. Current Zoning: Residential Planned Development (RPD)
- G. Current Land Use: Vacant

By this reference, the Applicant's application in its entirety, including amendments and correspondence, is made part of this record and is available at the City Clerk's and Community Development's Offices.

THE PURPOSE OF PLANNED DEVELOPMENT ZONING

Pursuant to LDC 4-737, one of the purposes of a Residential Planned Development (RPD) is to provide a property owner or land developer with a development technique that can increase residential density and its ancillary development in areas designated by the Bonita Plan (i.e. Comprehensive Plan). A series of criteria are utilized to inform a Staff recommendation on the request. The criteria are found in "Attachment A" to this report.

BACKGROUND:

The property which is approximately two (2) acres in size was rezoned from the Agricultural zoning designation (AG-2) to a Residential Planned Development (RPD), pursuant to City of Bonita Springs Zoning Ordinance 06-10. The approval was for a maximum of six (6) single family homes

The Applicant is proposing to rezone the previous RPD to a new RPD with a new Master Concept Plan (MCP--Exhibit B). The proposal contains seven (7) lots, six (6) of which will be for single family homes while the seventh will be utilized for stormwater retention for the entire project.

The property is located in the Moderate Density Residential future land use category, which contains a density allowance of 5.8 units per acre (or 6 units per acre for projects zoned as planned developments). The proposed density is less than 4 units per acre, which is below the maximum allowance and does not violate the density provisions of the category.

The project was reviewed by multiple disciplines (Engineering, Surveying, Environmental, Bike-Ped, Traffic, Planning/Zoning) and the analysis and conditions established in this report are the result of their reviews and findings.

Uses: As part of the request, the Applicant proposes the following Schedule of Uses:

- Accessory Uses and Structures
- Dwelling Units
 - Single Family
- Excavation – No Blasting
 - Water Retention
- Home Occupation
- Model Homes
- Recreational Facilities
 - Personal
- Residential Accessory Uses
- Signs in Accordance with LDC Chapter 6

Staff does not have any objections to the proposed uses, but suggests that any office space or sales associated with the model home be limited to sales of inventory within the proposed development, as outlined in LDC 4-1665.

Property Development Regulations: The Applicant is proposing the following development regulations for the project:

	Single Family
Lot Width	72 feet, minimum
Lot Depth	100 feet, minimum
Lot Area	8,361sf, minimum
Front Setback	20 feet
Side Setback*	7.5 feet
Rear Setback	20 feet
Waterbody Setback	25 feet
Lot Coverage	40%
Height	35 feet (2 habitable stories)
Open Space	40%, minimum

*Includes a deviation request for a perimeter side setback reduction.

Staff does not object to the proposed development regulations.

Deviations: One deviation is being requested as part of the rezoning petition. The request language, Applicant justification, and Staff response are shown below.

Deviation Request #1: A deviation from LDC Section 4-741(b)(1)(b), which requires buildings and structures to be set back from the development perimeter at least 15 feet for properties that are zoned or will be zoned RPD, MHPD, CFPD, or CPD, to allow a perimeter setback of 7.5 feet.

Applicant Justification: *In order to provide adequate Lot width for single family housing we are requesting a reduced side setback of 7.5 feet from 15 feet. This should be adequate in providing adequate separation between the properties and proposed buildings. This is also consistent with the previously approved zoning and master concept plan for these lots.*

Staff Analysis: The deviation request will affect two of the developable lots (1 & 7), as shown on the MCP. The portion of Lot 1 requesting relief abuts the right-of-way of Wisconsin Street. The portion of Lot 7 requesting relief will be approximately 23.5ft from an existing shed on a neighboring property. A side setback of 7.5 feet was approved as part of the previous zoning ordinance, as stated by the Applicant. Staff recommends **APPROVAL** of the deviation request, with a condition that the proposed driveway associated with Lot 1 be placed as far from the intersection of Lawhon Family Road and Wisconsin Street as possible.

CONCLUSIONS:

It is Staff's opinion that the proposed RPD would be appropriate subject to the conditions outlined below. Additional analysis performed by Staff in order to reach this conclusion can be found by reviewing "Attachment A."

RECOMMENDATION:

Staff recommends **APPROVAL** of a Residential Planned Development (RPD) for a maximum of six (6) dwelling units with one (1) deviation, as conditioned below:

Conditions:

1. The project shall be generally consistent with the Master Concept Plan provided and labeled as Exhibit "B."

2. Schedule of Uses:

Accessory Uses and Structures

Dwelling Units

Single Family

Excavation – No Blasting

Water Retention

Home Occupation

Model Homes

Recreational Facilities

Personal

Residential Accessory Uses

Signs in Accordance with LDC Chapter 6

3. Property Development Regulations: The Applicant proposes the following property development standards:

	Single Family
Lot Width	72 feet, minimum
Lot Depth	100 feet, minimum
Lot Area	8,361sf, minimum

Front Setback	20 feet
Side Setback*	7.5 feet
Rear Setback	20 feet
Waterbody Setback	25 feet
Lot Coverage	40%
Height	35 feet (2 habitable stories)
Open Space	40%, minimum

*Includes a deviation request for a perimeter side setback reduction.

4. The Applicant is responsible for paving and improving Lawhon Family Road in accordance with the LDC and shall be generally consistent with the cross section shown on the MCP.
5. One model home is permitted to include an ancillary office for the sale of units within the proposed development. Office operations shall cease once the sale of the last unit has been completed.
 - a. Daily hours of operation for the on-site sale of units is limited to 8:00am – 6:00pm.
6. If the setbacks from the water retention area to the nearest structure are less than 25 feet, a deviation must be applied for in accordance with LDC 3-81.
7. In accordance with Deviation 1, the driveway associated with the development of Lot 1 shall be located on the west side of the lot, as far from the intersection of Lawhon Family Road and Wisconsin Street as reasonable and practical.
8. At time of local development order and building permit, the Applicant shall demonstrate compliance with all local, state, and federal regulations for construction within floodways and floodplains.
9. Approval of this zoning action does not guarantee approval of a local development order or building permit.

Deviations

1. A deviation from LDC Section 4-741(b)(1)(b), which requires buildings and structures to be set back from the development perimeter at least 15 feet for properties that are zoned or will be zoned RPD, MHPD, CFPD, or CPD, to allow a perimeter setback of 7.5 feet, is **APPROVED**, subject to Condition 7.

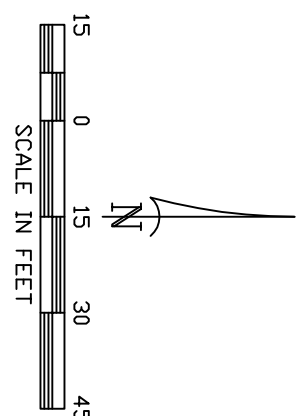
EXHIBITS:

- A. Legal Description and Sketch of the Subject Property
- B. Lawhon RPD Master Concept Plan (MCP)

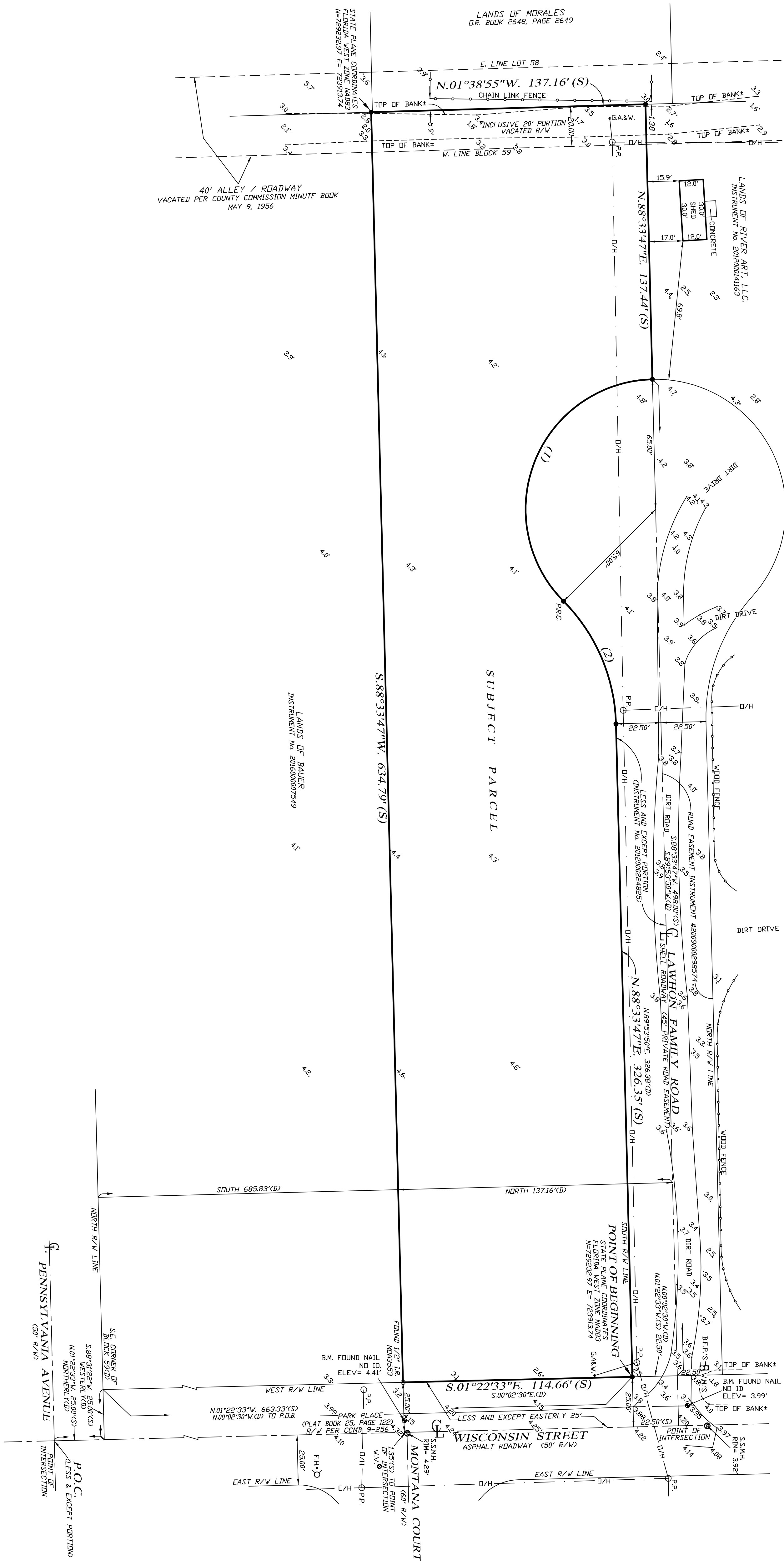
ATTACHMENTS:

- A. Background and Informational Analysis
- B. Application Backup (Final Documents—Online only)

(PLAT BOOK 6, PAGE 24),
SECTION 34, TOWNSHIP 47 SOUTH, RANGE 25 EAST,
PUBLIC RECORDS OF LEE COUNTY, FLORIDA



DESCRIPTION: INSTRUMENT No. 20150002424825
THE NORTH 13216 FEET OF THE SOUTH 69589 FEET OF BLOCK 59, HELTMAN'S
BONITA SPARKS TRUSTEE AS RECORDED IN PLAT BOOK 6, PAGE 24 OF THE
PUBLIC RECORDS OF LEE COUNTY, FLORIDA LESS AND EXCEPT THE FOLLOWING:
EASTERLY 25 FEET FOR WISCONSIN STREET

[illegible]

Curve number 1	Curve number 2
Radius = 65.00'	Radius = 90.00'
Delta = 133°27'50"	Delta = 43°27'50"
Arc = 151.41'	Arc = 68.27'
Tangent = 151.16'	Tangent = 35.87'
Chord = 119.43'	Chord = 66.65'
Chord Brg = S 68°10'08"E (S)	Chord Brg = N 66°49'52"E (S)
Chord Brg = S 66°37'45"E (D)	Chord Brg = N 68°22'16"E (D)

[illegible][illegible]

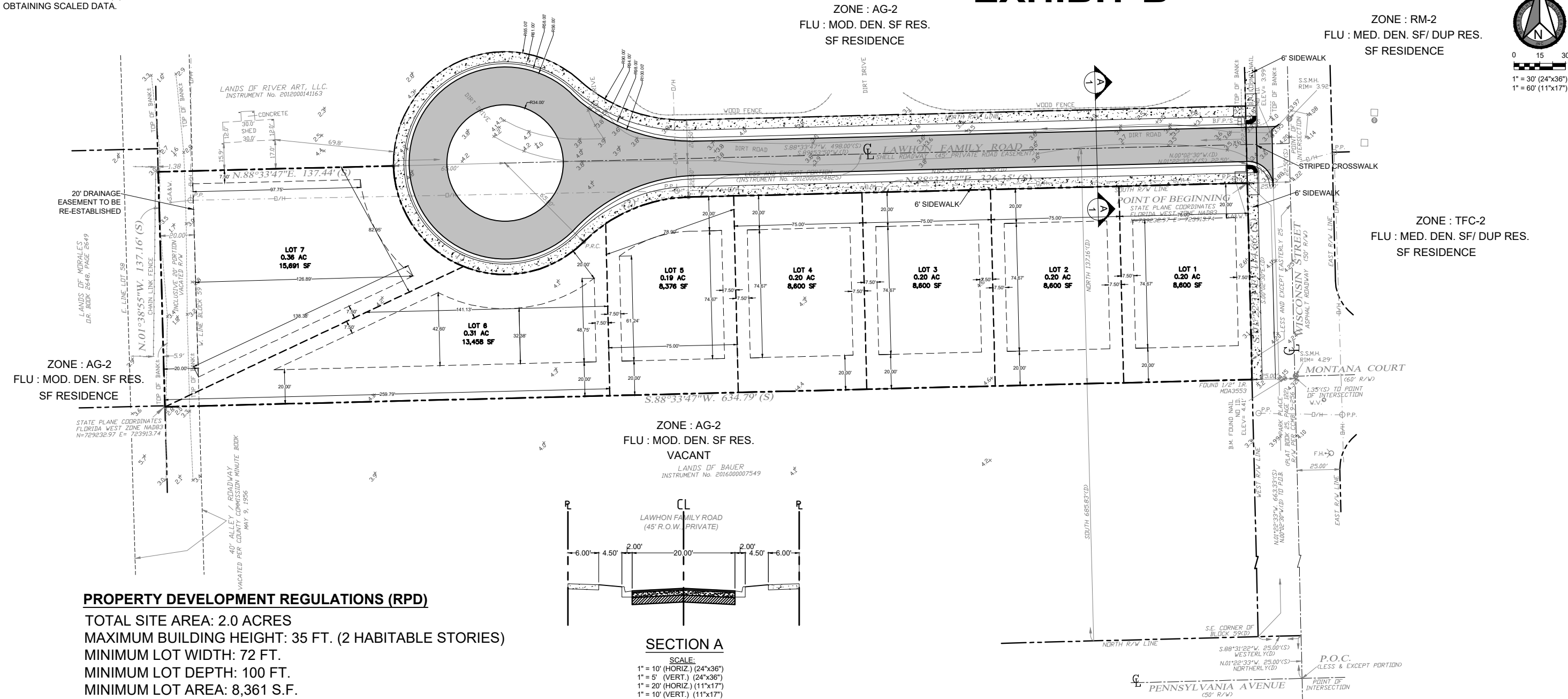
THIS SURVEY IS CERTIFIED TO:
JOSEPH A. LAVADON
CERVEL L. GROSS
MASTRICHT ENGINEERING

12/15/23	DESCRIPTION	BY
	ADD VACATED ALLEY	
DATE	LAST FIELD WORK	7/25/23
DRAWN	CHECKED	FILED
RAW	SCALE	PROJ #
PWM	1"=20'	465-59
SURVEY DATE	FILE NO.	SURV-1
7/25/23	47-289-34	DF - 1
FLORIDA CERTIFICATE OF AUTHORIZATION 1B2951		

NOTE:
THESE PLANS MAY HAVE BEEN REDUCED OR INCREASED IN
SIZE BY REPRODUCTION(S). THIS MUST BE CONSIDERED WHEN
OBTAINING SCALED DATA.

EXHIBIT B

EXHIBIT B



10/16/23	DATE:	23-114	PROJ. #:	CAD TECH: JCS	ENGINEER: PETER M. MAASTRICHT P.E.	FL LICENSE NUMBER: 56860
MAASTRICHT ENGINEERING						
DEVELOPER: PRIMEBID DEVELOPMENT, LLC 5660 STRAND COURT #409 NAPLES, FL 34110						
LAWHON SUBDIVISION 9650 LAWHON FAMILY ROAD, BONITA SPRINGS, FL 34135						
MASTER CONCEPT PLAN						
SHEET 1 OF 1						

Y:\CAD\2023\23-114\LOT00 23-114 MASTER CONCEPT PLAN.dwg Thursday, June 13, 2024 5:33:40 PM

EXHIBITS: II-F-3, II-F-4, III-A-2, IV-C, IV-E, IV-G

ATTACHMENT “A”

BACKGROUND AND INFORMATIONAL ANALYSIS:

Surrounding Land Use:

<u>Existing Zoning & Land Use</u>	<u>Future Land Use Map</u>
Subject Parcel: Residential Planned Development (RPD), Vacant	*Moderate Density Residential 5.8 dwelling units/acre (du/ac)
North: Agricultural (AG-2), Single-Family	*Mod. Den. Res. 5.8du/ac
East: Two-Family Attached (TFC-2) & Residential Multi-Family (RM-2), Single Family/Duplex (SF/DUP) Residential, Vacant	Medium Density Residential 11.6du/ac
South: **Agricultural (AG-2), Vacant	*Mod. Den. Res. 5.8du/ac
West: RS-1, SF Residential	*Mod. Den. Res. 5.8du/ac

*Category allows up to 6du/ac for planned developments (PD's)

**Application for a rezoning to an RPD currently going through the hearing process

Planned Development Analysis

Review criteria	Yes – Mostly - Partly - No
Demonstrate compliance with the Bonita Plan, this Land Development Code, and any other applicable code or regulation	Yes – The application is in compliance with the Comprehensive Plan and applicable Land Development Code Regulations
The request meets or exceeds performance and location standards set forth for the proposed uses	Yes – The MCP with associated conditions presented by Staff will meet the standards of the Land Development Code.
Including the use of TDR or affordable housing bonuses are the densities or intensities (general uses) consistent with the Comprehensive Plan	Yes – The proposed density is below the maximum allowance of the Future Land Use Category of the Comprehensive Plan.
The request is compatible with existing or planned uses in the surrounding area	Yes – The surrounding uses are residential in nature. The proposed development is

	also residential and is considered an infill project.
--	---

Approval of the request will not place an undue burden upon existing transportation or planned infrastructure facilities and will be served by streets with the capacity to carry traffic generated by the development	Yes-- The proposed residential development will have a de minimus effect on the surrounding roadway network.
Will the request adversely affect environmentally critical areas and natural resources	No – Less than 0.12 acres of potential wetlands were located, and, if impacted, will be appropriately mitigated.
Public facilities are, or will be, available and adequate to serve the proposed land use	Yes - Public facilities are available to the site.
Deviations needed to enhance or to achieve the objectives of the planned development	Yes– The requested deviation was approved as part of the previous ordinance and will be harmonious with the existing development.
Deviations needed to preserve, promote and or protect the public health, safety and welfare	Yes – the proposed deviation, as conditioned, will provide safeguards for the health safety and welfare of the proposed development and the existing surrounding development.

Environmental

The Applicant provided a listed species survey and a wetland map for review by the City's Senior Environmental Specialist. The site was reviewed for evidence of a variety of species, including: the American Alligator, Blue Heron, Reddish Egret, Spoonbills, Snowy Egrets, Tri-Colored Herons, and the Florida Bonneted Bat. There was no evidence of any listed species on-site, and this was confirmed by a visual site inspection performed by the City. Additionally, approximately 0.12 acres of potential wetlands were observed, and, if impacted, would need to be mitigated. The de minimus amount of potential wetlands would not effect the proposed density of the project. No other environmental concerns were observed on-site.

Stormwater

The Applicant provided a surface water management plan and narrative for review by Staff. The parcel will be divided into seven (7) lots. Six (6) of the lots will be developed with single-family homes, while the seventh lot will serve as a water management lot of the project. Each lot will have a detention area/swale in the rear which will be graded to

move water to the water management lot. The water management lot will have an outfall control structure that will discharge into an existing drainage ditch on the west side of the property, and ultimately to the Imperial River. A more detailed water management plan will be required as part of the development order process.

Traffic

The Applicant requested a waiver from the requirement of providing a Traffic Impact Statement. The project was reviewed by the City's Traffic Engineer and it was determined that the impact of six (6) single-family homes to the surrounding roadway network would be minimal and non-significant, and thus, the waiver was approved.

Comprehensive Plan

The property is located in the Moderate Density Residential future land use category. This category is described as follows:

Policy 1.1.7: Moderate Density Residential - *Intended to accommodate and preserve single-family residential development at a maximum density of up to 5.8 dwelling units per gross acre and approximately 1,977 acres of gross land area in the land use category; planned unit developments at a maximum density of six units per acre; group homes and foster care facilities; public schools and other public, semi-public and recreational uses on a limited basis.*

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

The proposed project does not exceed the density allowances of the future land use category and the proposed housing type is compatible.

With regards to the Traffic Element, the project will have a de minimus impact on the roadway network. Additionally, the project will include a provision for sidewalks along the property frontage to accommodate pedestrian traffic. The project is consistent with this element of the Comprehensive Plan.

With regards to the Housing Element, this residential project is proposed in a residential area, where projects of this nature are appropriate. It represents an infill project offering new construction opportunities in an area that does not have new construction readily

available. The Staff opinion is that the project is consistent with the housing element of the Bonita Plan.

The project is located within the Coastal High Hazard Area and the Coastal Management Area. However, the proposal is an infill project and the proposed density is less than the maximum that could be permitted in the future land use category. The project will be required to be designed in accordance with the City's Flood Damage Protection Ordinance and the Florida Building Code. Any wetland impacts will need to be appropriately mitigated.

The remaining comprehensive plan elements would not apply to this project.

G. Are there any existing deed restrictions or other covenants on this property which may affect this request?

☒ NO ☐ YES. If yes, submit a copy of the deed restrictions or other covenants and a statement explaining how the restrictions may affect the requested action. Label as "Exhibit I-G".

H. Authorized Agent(s): List names of authorized agents (submit additional sheets if necessary).

Name: Peter M. Maastricht - Maastricht Engineering, INC.

Mailing Address: 7370 College Parkway, Suite 211

City: Fort Myers State: FL Zip: 33907

Phone Number: 239-362-1605 Ext: E-mail Address: petem@maastricht-eng.com

PART II GENERAL INFORMATION

A. Request:

1. Rezoning from RPD TO:(check all applicable)

☒ RPD - Residential ☐ MPD - Mixed Use ☐ MHPD - Mobile Home ☐ RVPD - Recreational Vehicle

☐ CPD - Commercial ☐ CFPD - Community Facilities ☐ IPD - Industrial ☐ AOPD - Airport Operations

2. Option Chosen: ☐ Option 1 ☒ Option 2

3. Other - Provide specific details.

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

☐ NO. Attach a legible copy of the legal description (label it Exhibit II-B-1.) and Certified sketch of description as set out in chapter 5J-17.053. (labeled Exhibit II-B-2.). **If the legal description is available on computer disc (Word or Word Perfect) please provide a copy at time of application.**

☒ YES. Property is identified as:

Subdivision Name: Heitmans Bonita Springs Townsite

Plat Book: 6 Page: 24 Unit: Block: 59 Lot:

Section: 34 Township: 47 Range: 25

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

C. Project Street Address: 9650 Lawhon Family Road, Bonita Springs

D. General Location of Property (referenced to major streets): Old US 41 in Bonita Springs to

Pennsylvania Ave. Head West on Pennsylvania to Wisconsin Street. Continue North on Wisconsin

street to the end of the road and then turn left onto Lawhon Family Road. and the property will be on

your left.

E. City of Bonita Springs Plan Information

1. City of Bonita Springs Land Use Classification: Moderate Density SF Residence
2. Are you proposing any City of Bonita Springs amendments which could affect the subject property?
X NO YES If yes, submit a copy of the proposed amendment (labeled as "Exhibit II-E-1") along with a statement as to how the proposed amendment will affect your property (labeled as "Exhibit II-E-2").

F. Drainage, Water Control and Other Environmental Issues

1. Is the property within an Area of Special Flood Hazard as indicated in the Flood Insurance Rate Maps (FIRM)s?
 NO X YES. If yes, specify the minimum elevation required for the first habitable floor).
11.20 NGVD (MSL)
2. Are there any environmentally sensitive lands such as, but not limited to: wetlands, mangrove forests, creek & river shorelines, sand dunes, xeric scrub, mature pine forests, or other unique land forms as defined in the Bonita Plan Goal 15 and it's Objectives and Policies, Objective 4.1, Policies 7.1.1 d. 2, 7.2.3, Goal 14 and Policies 14.1.1 through 14.3.5 and applicable sections of the Land Development Code (LDC). Are there any listed species occupied habitat as defined in the Bonita Plan or LDC on the subject property, Bonita Plan Policy 7.1.1 d. 2, 7.4.1 through 7.10.3, Objective 7.12 and Policies 7. 12.1 through 7.12.3, and applicable sections of the LDC?
X NO YES If yes, delineate these areas on a map or aerial photo and label it Exhibit II-F-1. Also, complete Exhibit II-F-2 attached hereto.

G. Present Use of Property: Is the property vacant? NO X YES

If the property is not vacant, the owner or applicant's signature on this application indicates that the Owner agrees to either remove all existing buildings and structures, OR that the proposed use of the building or structure(s) will be in compliance with all applicable requirements of the Land Development Regulations. **[Sec. 4-194(b)(3)]**

Briefly describe current use of the property: Vacant.

H. Property Dimensions

1. Width (average if irregular parcel): 137.16 Feet
2. Depth (average if irregular parcel): 635.14 Feet
3. Frontage on road or street: 137.16 Feet on Wisconsin Street
(Name of street)
4. Total land area: 2.0 Acres or Square Feet

I. Land Area Calculations

1. Undevelopable Areas:

a. Freshwater wetland areas 0

b. Other wetland areas 0

c. Submerged land subject to tidal influence: 0

d. Total (a + b + c): 0

2. Remaining developable land (H.4 less I.1.d): 2.0

PART III
PROPOSED DEVELOPMENT

A. Nature of Request

1. Will the development contain living units? ☐ NO ☒ YES. If the answer is yes, please indicate the total number of living units proposed, by type:

6 Single Family _____ Mobile Homes _____ Recreational Vehicles

_____ Zero-Lot-Line _____ Duplex/Two Family _____ Townhouses

_____ Multiple Family _____ TOTAL ALL TYPES

2. If the development will contain living units, please complete Exhibit III-A-2 (attached) and enter the following information:

a. PERMITTED total units (from Exhibit III-A-2): _____

b. PROPOSED total units (from A-1. above): 6

c. PROPOSED density (from Exhibit III-A-2): _____

3. Will the development contain non-residential areas? ☒ NO ☐ YES. If the answer is yes, please indicate the size [gross square footage (gsf) unless indicated otherwise] of each general class of uses below:

Retail: _____ Total gsf

Offices: _____ Total gsf

Medical: _____ gsf Non-medical: _____ gsf

Hotel/Motel: _____ Total units

Size of units: _____ 0-425 sq. Ft. _____ 426-725 sq. Ft. _____ 726 or more sq. Ft.

Industrial: _____ Total gsf

Under roof: _____ gsf Not under roof: _____ gsf

Mines, Quarries, or General Excavation: Acres to be excavated: _____

Other-specify: _____

Number of Beds (if applicable): _____ OR: _____ gsf

4. Building Height

35 Maximum height of buildings (in feet above grade)

2 Number of Habitable Floors

5. Aviation Hazard: Do you propose any structures, lighting, or other features that might affect safe flight conditions?

X NO ☐ YES. If yes, please submit an explanation and label it Exhibit III-A-5.

B. Facilities

1. Fire District: Bonita Springs Fire District

2. Water Supply

a. Estimated daily consumption of potable water:

Residential units: 1500 gpd Mobile Home units: _____ gpd

Rec. Vehicle units: _____ gpd Commercial: _____ gpd

Industrial: _____ gpd

b. Source of potable water: Bonita Springs Utilities

c. Do you have a written agreement from the utility company to serve your project?

X NO ☐ YES. If yes, please submit a copy of the agreement.

d. Source of Non-potable water: Bonita Springs Utilities

3. Sanitary Sewer Service

a. Estimated daily production of wastewater:

Residential units: 1200 gpd Mobile Home units: _____ gpd

Rec. Vehicles: _____ gpd Commercial: _____ gpd

Industrial: _____ gpd

b. Is any special effluent anticipated? ☐ NO ☐ YES. If yes, please complete Exhibit III-B-3 (attached).

c. Source of sanitary sewer service: Bonita Springs Utilities

d. Do you have a written agreement from the utility company to serve your project?

X NO ☐ YES. If yes, please submit a copy of the agreement.

e. Will a private on-site disposal facility be used? X NO ☐ YES. If yes, please complete Exhibit III-B-3 (attached).

f. Are individual sewage disposal systems proposed? ☐ NO X YES.

C. Transportation

1. Has this project been exempted from filing a Traffic Impact Statement?

X NO ☐ YES ☐ NOT REQUIRED (Exist. development). If it has been exempted, attach a copy of the exemption and label it Exhibit III-C.

PART IV - SUBMITTAL REQUIREMENTS

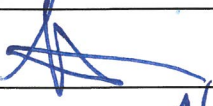
COPIES REQUIRED					Exhibit #	Item
DRI	PD	EXIST	MINOR			
15	15	15	15			Completed application [4-193(b)]
1	1	1	1			Application Fee [2-571]
1	1	1	1			Summary of Neighborhood Informational Meeting [4-28]
N.A.	2	2	2	I-B-1		Notarized Authorization Form (if applicable) [4-194]
	2	2	2	I-B-2		Green Sheet (If applicable)
	2	2	2	I-B-3		List of Property Owners (If applicable) [4-194(a)(5)]
	2	2	2	I-B-4		Notarized Covenant & Doc. of Unified Control [4-194(b)(1)(b)]
	1	1	1	I-B-5		Surrounding Property Owners List [4-194(a)(6)]
	2	2	2	I-B-6		Property Owners Map [4-194(a)(7)]
N.A.	2	2	2	I-F		Notarized Disclosure Form (if applicable) [4-194(b)(1)]
	2	2	2	I-G		Deed Restrictions & Narrative (if applicable) [4-194(b)(2)]
	15	15	15	II-B-1		Legal Description [4-196(1)]
	15	15	15	II-B-2		Certified sketch of description (if applicable) [4-196(1)]
	2	2	2	II-B-3		Plat Book Page (if applicable) [4-196(1)]
N.A.	15	15	15	II-D		Area Location Map [4-194(a)(4)]
	15	15	15	II-E-1		Bonita Springs Plan Amendment (if applicable) [4-295(a)(5) & 4-370]
	15	15	15	II-E-2		Narrative/how prop. complies with Bonita Comp Plan, etc. [4-295(a)(5)]
N.A.	15	15	15	II-F-1		Environ. Sensitive Lands map (if app.) [4-325(c)]
N.A.	4	4	4	II-F-2		Environmental Assessment [4-1339]
	15	15	4	II-F-3		Exist. zoning & current land use map/photo [4-295(a)(4)a]
	15	15	4	II-F-4		Soils, vegetation and ground cover maps [4-295(a)(4)c.]
	15	15	4	II-F-5		Topography map (if available) [4-295(a)(4)c.]
	15	15	-	III-A-2		Density Calcs (if applicable) [4-295(a)(6)c.]
N.A.	15	15	-	III-A-5		Aviation Hazard (if applicable) [4-987 et seq.]
	15	15	-	III-B-3		Sanitary Sewer Facilities (if applicable) [3-353]
N.A.	6	6	-	III-C		Traffic Imp. Statement (if applicable) [4-295 (a)(7)]
	6	6	-	III-C		TIS Exemption Form (if applicable) [4-295(a)(7)]
N.A.	15	15	6	IV-A		Public transit routes map (if applicable) [4-295(a)(4)d.]
	15	15	6	IV-C		Existing easements and r-o-w map. [4-295(a)(4)e.]
	15	15	15	IV-D		Description of proposed development. [4-295(a)(6)]
N.A.	15	15	15	IV-E		Master Concept Plan (Option 1) [4-295(a)(6)a]
	15	15	15	IV-F		Master Concept Plan (Option 2) [4-295(a)(6)b]
	1	1	1			11 inch by 17 inch copy of the Master Concept Plan
	15	15	15	IV-G		Schedule of Uses [4-295(a)(8)]
N.A.	15	15	15	IV-H		Schedule of Dev. & Justification [4-295(a)(9)]
	4	4	-	IV-I		Surface Water Management Plan [4-295(b)(1)]
N.A.	4	4	-	IV-J		Protected Species Management Plan [4-295(b)(2)]
N.A.	15	15	15	IV-K		Program for phased development (if applicable) [4-295(b)(3)]
N.A.	15	15	15	IV-L		Hazardous Material Emergency Plan (if applicable) [4-194]
N.A.	-	-	4	IV-M		Mobile Home Park Rezoning Information [4-195(d) et seq.]
	3	3	3	IV-N		Aerial [4-295(a)(4)(b)]
	3	3	3	IV-O		Map of Historical & Archaeological Sites [4-295(a)(4)(f)]
	3	3	3	IV-P		Possible Impacts on Historical & Archaeological Sites[4-295(a)(4)(f)]
	1	1	1	IV-Q		Application and Exhibits on CD-ROM

***At least one copy must be an original.**

PART V
APPLICANT'S SIGNATURE AND CERTIFICATION

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

STATE OF: FLORIDA COUNTY OF: LEE

Signature: 

Signatory's Printed Name: Noam Mitchell, MGR

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

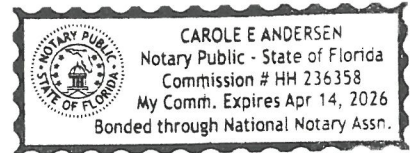
20th (day) of October, (month) 2023 (year), by Noam Mitchell (name of person making statement).

Signature of Notary Public - State of Florida: 

Name of Notary Typed, Printed, or Stamped: Carole E Andersen

Personally Known ☒ OR Produced Identification ☐

Type of Identification Produced: _____



**EXHIBIT I-F
DISCLOSURE OF INTEREST FORM FOR:**

STRAP NO. 34-47-25-B2-00259.0040 **CASE NO.** _____

1. If the property is owned in fee simple by an INDIVIDUAL, tenancy by the entirety, tenancy in common, or joint tenancy, list all parties with an ownership interest as well as the percentage of such interest.

<u>Name and Address</u>	<u>Percentage of Ownership</u>
<u>Lawhon A Joseph</u>	<u>100%</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

2. If the property is owned by a CORPORATION, list the officers and stockholders and the percentage of stock owned by each.

<u>Name, Address, and Office</u>	<u>Percentage of Stock</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

3. If the property is in the name of a TRUSTEE, list the beneficiaries of the trust with percentage of interest.

<u>Name and Address</u>	<u>Percentage of Interest</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

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

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

5. If there is a CONTRACT FOR PURCHASE, whether contingent on this application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the officers, stockholders, beneficiaries, or partners.

<u>Name, Address, & Office (if applicable)</u>	<u>Percentage of Stock</u>
Primebid Construction, LLC	
5660 Strand Court, Unit #A109, Naples, FL 34110	

Date of Contract: _____

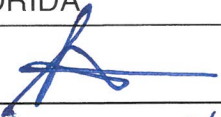
6. If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership, or trust.

<u>Name and Address</u>

For any changes of ownership or changes in contracts for purchase subsequent to the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest shall be filed.

The above is a full disclosure of all parties of interest in this application, to the best of my knowledge and belief.

STATE OF: FLORIDA COUNTY OF: LEE

Signature: 

Signatory's Printed Name: Noam Mitchell, MGR

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

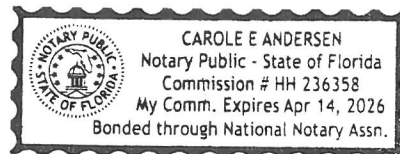
20th (day) of October, (month) 2023 (year), by Noam Mitchell (name of person making statement).

Signature of Notary Public - State of Florida: 

Name of Notary Typed, Printed, or Stamped: Carol E Andersen

Personally Known ☒ OR Produced Identification ☐

Type of Identification Produced: _____



**EXHIBIT II-F-2
ENVIRONMENTAL ISSUES**

A. Topography: Describe the range of surface elevations of the property:

The existing elevations vary from 1.7' to 4.6' NAVD 1988.

B. Sensitive Lands: Identify any environmentally sensitive lands, including, but not limited to, wetlands (as defined in the Comprehensive Plan), flow ways, creek beds, sand dunes, other unique landforms [see the Comprehensive Plan for listed species occupied habitat (see Sec. 4-1337 et seq. of the Land Development Code)].

Not applicable.

C. Preservation/Conservation of Natural Features: Describe how the lands listed in B. above will be protected by the completed project:

Not applicable.

D. **Shoreline Stabilization:** If the project is located adjacent to navigable natural waters, describe the method of shoreline stabilization, if any, being proposed:

Not applicable.

**EXHIBIT III-A-2
PRELIMINARY DENSITY CALCULATIONS***

A. Gross Residential Acres

- | | |
|---|-------------------|
| 1. Total land area: | <u>2</u> acres |
| 2. Area to be used for non-residential uses: (Line A.2.a. plus A.2.b.): | <u>0.35</u> acres |
| a. R-O-W providing access to non-residential uses: | <u>0.35</u> acres |
| b. Non-residential use areas: | <u>0</u> acres |
| 3. Gross residential acres (Line A.1 less A.2): | <u>1.65</u> acres |
| a. Uplands areas | <u>1.65</u> acres |
| b. Freshwater Wetlands areas | <u>0</u> acres |
| c. Other Wetland areas | <u>0</u> acres |

B. Comprehensive Plan Land Use Classification: _____ (If more than one classification, calculations for each classification must be submitted)

Density Standards (from the Comprehensive Plan)

- | | |
|---|----------------------------------|
| 1. Maximum density for Land Use Classification: | <u>5.8</u> units/gross res. acre |
| 2. Maximum total density for Land Use Classification: | <u>3.6</u> units/gross res. acre |

MAXIMUM PERMITTED DWELLING UNITS

C. High Density Residential, High Density Mixed Use/Village, "Old 41" Town Center Mixed Use Redevelopment Overlay Area.

- | | |
|---|---------------------------------|
| 1. Standard density uplands units (A.3.a. times B.1) | <u>9.57</u> units |
| 2. Standard density wetlands units (A.3.b. & A.3.c. times B.1) | <u>0</u> units |
| 3. Total standard density units (sum of C.1 & C.2) | <u>9.57</u> units |
| 4. Max. Total density units [A.3.a. times ((B.1 plus 1/2 of (B.2 less B.1)))] | <u>6</u> units |
| 5. Sub-total permitted std. density units (line C.3 or C.4 - whichever is less): | <u>6</u> Units Sub-total |

6. BONUS UNITS (REQUESTED)

a. Low-moderate housing density: 0 units

b. TDR units: 0 units

c. **Sub-total (C.6.a plus C.6.b)** 0 units

7. **Total Permitted Units (C.5. plus C.6.c):** 6 **Units Total**

NOTE: may not exceed (A.3.a. times B.2) plus (A.3.b. and A.3.c. times .05).

* Subject to staff review and correction.

D. Moderate Density Mixed Use/Planned Development, Medium Density Multi-Family Residential, Medium Density Residential, Moderate Density Residential

1. Standard density uplands units (A.3.a. times B.1) _____ units

2. Standard density freshwater wetlands units (A.3.b. times B.1) _____ units

3. Total standard density units (sum of D.1 & D.2) _____ units

4. Maximum upland density (A.3.a. times 8) _____ units

5. **Total permitted units** (line D.3 or D.4 - whichever is less): _____ **Units**

E. Suburban Density Residential, Low Density Residential, Estate Residential

1. Standard density uplands units (A.3.a. times B.1) _____ units

2. Standard density freshwater wetlands units (A.3.b times B.1) _____ units

3. Total standard density (sum of E.1 & E.2) _____ units

4. Maximum upland density (A.3.a. times 4) _____ units

5. **Total permitted units** (line E.3 or E.4 - whichever is less): _____ **Units Total**

F. Conservation, Resource Protection, DRGR

1. Total acres of "Open Land" _____ acres

2. Maximum density (F.1 times 0.2*) _____ units

3. Total permitted units: _____ units

**EXHIBIT III-B-3
SANITARY SEWER FACILITIES**

A. **Special Effluent:** If special effluent is anticipated, please specify what it is and what strategies will be used to deal with its' special characteristics:

Not applicable

B. **Private On-site Facilities:** If a private on-site wastewater treatment and disposal facility is proposed, please provide a detailed description of the system including:

1. Method and degree of treatment:

Not applicable.

2. Quality of the effluent:

Not applicable.

3. Expected life of the facility:

Not applicable.

4. Who will operate and maintain the internal collection and treatment facilities:

Not applicable.

5. Receiving bodies or other means of effluent disposal:

Not applicable.

C. **Spray Irrigation:** If spray irrigation will be used, specify:

1. The location and approximate area of the spray fields:

Not applicable.

2. Current water table conditions:

Not applicable.

3. Proposed rate of application:

Not applicable.

4. Back-up system capacity:

Not applicable.

**EXHIBIT I-B-4
COVENANT OF UNIFIED CONTROL**

The undersigned do hereby swear or affirm that they are the fee simple title holders and owners of record of property commonly known as 9650 LAWHON FAMILY RD, BONITA SPRINGS FL 34135 and legally described in exhibit A attached hereto. (street address)

The property described herein is the subject of an application for planned development zoning. We hereby designate Maastricht Engineering, INC. 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 authorization 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 covenant of unified control is delivered to the City of Bonita Springs.

The undersigned recognize the following and will be guided accordingly in the pursuit of development of the project:

1. The property will be developed and used in conformity with the approved master concept plan including all conditions placed on the development and all commitments agreed to by the applicant in connection with the planned development rezoning.
2. The legal representative identified herein is responsible for compliance with all terms, conditions, safeguards, and stipulations made at the time of approval of the master concept plan, even if the property is subsequently sold in whole or in part, unless and until a new or amended covenant of unified control is delivered to and recorded by the City of Bonita Springs.
3. A departure from the provisions of the approved plans or a failure to comply with any requirements, conditions, or safeguards provided for in the planned development process will constitute a violation of the Land Development Code.
4. All terms and conditions of the planned development approval will be incorporated into covenants and restrictions which run with the land so as to provide notice to subsequent owners that all development activity within the planned development must be consistent with those terms and conditions.
5. So long as this covenant is in force, City of Bonita Springs can, upon the discovery of noncompliance with the terms, safeguards, and conditions of the planned development, seek equitable relief as necessary to compel compliance. The City of Bonita Springs will not issue permits, certificates, or licenses to occupy or use any part of the planned development and the City may stop ongoing construction activity until the project is brought into compliance with all terms, conditions and safeguards of the planned development.

STATE OF: FLORIDA COUNTY OF: LEE

Owner's Signature: [Signature]

Owner's Printed Name: Noam Mitchell, MGR

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

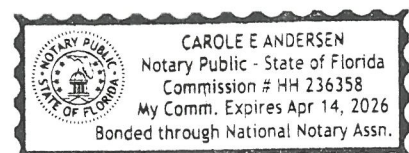
20th (day) of October, (month) 2023 (year), by Noam Mitchell (name of person making statement).

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

Name of Notary Typed, Printed, or Stamped: Carole E Andersen

Personally Known ☒ OR Produced Identification ☐

Type of Identification Produced: _____





NEIGHBORHOOD INFORMATIONAL MEETING - AGENDA

for

Lawhon Subdivision

At 9650 Lawhon Family Road, Bonita Springs, FL, 34135

Date: 11-28-23

Call to Order 6:00 pm. at the Bonita Springs Fire Department Station 24 located at 27701 Bonita Grande Drive, Bonita Springs, FL 34135.

Presenter:

Aaron Spence, E.I. (Civil Designer for Maastricht Engineering, Inc)

Contact: aaron@maastricht-eng.com or 230-362-1605

Public Attendance: See sign in sheet.

Introduction:

The site is a proposed Single-Family Subdivision on a 2.00 Acre parcel located at 9650 Lawhon Family Road in Bonita Springs. The Property is zoned RPD and has a land use of Moderate Density Single Family Residential. We are currently applying for a Public Hearing Request for Planned Development to adopt a new master concept plan. The proposed Lots will be used for 6 Single family units and a common area for stormwater management, totaling 7 proposed lots.

Nearby:

This property is in the Moderate Density Single-Family Residential land use category which is characterized in the Bonita Comprehensive Plan. The Subject property was previously rezoned to RPD and approved for 7 lots, with the surrounding parcels being zoned AG-2, TFC-2, and RM-2. Below is a breakdown of the surrounding parcels:

- The adjacent properties to the West are zoned AG-2 and the current use for the parcels consists of Single-Family Residential.
- The adjacent property to the South is zoned AG-2 and the parcel is currently vacant.
- The adjacent properties to the North are zoned AG-2 and the current use for the parcels consists of Single-Family Residential.
- The adjacent property to the Northeast is zoned RM-2 and is currently used for a billboard sign.
- The adjacent property to the East is zoned TFC-2 and the current use for the parcels consists of Single-Family Residential.

All setbacks and lot requirements for the parcel have been included on the proposed master concept plan in compliance with the City of Bonita Spring's Land Development Code.

History:

This parcel was previously rezoned and approved for RPD and a Master Concept plan was adopted, however the Master Concept Plan has since expired.

Meeting Summary:

Aaron Spence, E.I. (Civil Designer for Maastricht Engineering): Brief Introduction and summary of the master concept plan that will be used to make the public hearing submittal. Then opened the floor for questions from the attendees.

Question: What are the proposed parcel sizes for this Master concept plan?

Aaron Spence's Response: Five of the parcels will be about 0.20 Acres in size, with the other two being 0.31 and 0.36 Acres. Six of these lots will be used as single family developments and the seventh lot, Lot 6, will be used as a common stormwater storage area.

Question: What will the approximate square footage be for the proposed single-family homes that will be built for these parcels?

Aaron Spence's Response: At this time this is still being decided and will be determined by what the final approved master concept plan and platted lot areas end up being. The building is also not our responsibility and will ultimately fall on the architect to design with input from the developers.

Question: How do you think the construction of this proposed subdivision will affect the neighboring property values?

Aaron Spence's Response: Due to the location, number of proposed single-family lots, and the adjacent properties all being similar in use; I would not anticipate any changes due to this development. However, as a Civil Engineer the scope of our work is focused on the development of the site and no evaluation was conducted to predict these developments' effect on the nearby properties' values.

Question: There are concerns with the drainage along the western property line, does the proposed Master concept plans address these concerns?

Aaron Spence's Response: The proposed stormwater management system will minimize the amount of direct runoff from these parcels to the western drainage swale, in addition all drainage on these parcels will be diverted to a shared common are for detention/retention stormwater storage, with a control structure to limit discharge.

Question: Based on these stormwater concerns, and I am not saying our intention is to stop the project, but where would a final decision be made on whether this project will be built as proposed in the master concept plan?

Aaron Spence's Response: This would happen at the public hearing with the City of Bonita Springs.

Question: How long until these lots are fully developed.

Aaron Spence's Response: Since we are in the preliminary phases I would say it is dependent on when we get through the public hearing process to adopt a new master concept plan. I anticipate this to take about 3 months then another year after that to get through the site and building permit process and wrap up construction.

Closing: If there are no other questions, I will conclude the formal portion of the meeting and I invite you to view the master concept plans and various exhibits more closely up front.

This concluded the meeting @ 7:00 PM.



Florida

PO Box 631244 Cincinnati, OH 45263-1244

GANNETT

PROOF OF PUBLICATION

Aaron Spence
Maastricht Engineering Inc
7370 College PKWY # 211
Ft Myers FL 33907-5559

STATE OF WISCONSIN, COUNTY OF BROWN

Before the undersigned authority personally appeared, who on oath says that he or she is the Legal Advertising Representative of the News-Press, a daily newspaper published at Fort Myers in Lee County, Florida; that the attached copy of advertisement, being a Legal Ad in the matter of Public Notices, was published on the publicly accessible website of Lee County, Florida, or in a newspaper by print in the issues of, on:

11/04/2023

Affiant further says that the website or newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.

Subscribed and sworn to before me, by the legal clerk, who is personally known to me, on 11/04/2023

K. M.

Legal Clerk

Nicole Jacobs
8-21-26

Notary, State of WI, County of Brown

My commission expires

Publication Cost: \$66.22

Order No: 9486199

of Copies:

Customer No: 1196331

1

PO #: 11-28-23 Lawhon NIM

THIS IS NOT AN INVOICE!

Please do not use this form for payment remittance.

NEIGHBORHOOD INFORMATIONAL MEETING NOTICE -
There will be a Neighborhood Informational Meeting held on Tuesday, November 28th at 6:00pm. Location: Bonita Springs Fire Department Station 24 at 27701 Bonita Grande Drive, Bonita Springs, FL 34135. The applicant Maastricht Engineering, Inc., representing the owner, is proposing a new subdivision consisting of 7 Lots. The project is located at 9650 Lawhon Family Road, Bonita Springs, FL 34135. For more information, contact Peter Maastricht of Maastricht Engineering, Inc. at petem@maastricht-eng.com

9486199 11/4/23

NICOLE JACOBS
Notary Public
State of Wisconsin



EXHIBITS I-B-3 AND I-B-5 PROPERTY OWNERS LIST

HENDERLONG EMILY L
27290 JOHNSON ST
BONITA SPRINGS FL 34135

NOVAK REBECCA S +
6446 S WATER STREET EXT
UHRICHSVILLE OH 44683

RENNEHAN AMANDA +
3-1016C SUTTON DR
BURLINGTON ON L7L 6B8
CANADA

KISSINGER STEVEN E &
27264 PATRICK ST
BONITA SPRINGS FL 34135

ALVAREZ MARION T
27270 JOHNSON ST
BONITA SPRINGS FL 34135

MORALES LOUIS ARMANDO
27276 JOHNSON ST
BONITA SPRINGS FL 34135

STEELE ANGELA THERESA
27266 JOHNSON ST
BONITA SPRINGS FL 34135

CAREY TIMOTHY R & KATHY
16 BIRCH LN
NORTHBRIDGE MA 01534

GRADOWSKI MATTHEW
27296 JOHNSON ST
BONITA SPRINGS FL 34135

STRYCHARZ STANISLAW J
735 BENTWATER CIR #103
NAPLES FL 34108

HORD CAMERON +
27276 PATRICK ST
BONITA SPRINGS FL 34135

3E ONTIME INVESTMENT CORP
4430 EVERGLADES BLVD N
NAPLES FL 34120

ABREU PAUL D JR TR
27285 JOHNSON ST
BONITA SPRINGS FL 34135

WGC HOLDINGS LLC
27312 JOHNSON ST
BONITA SPRINGS FL 34135

KOLLAK DAWN TERESA TR
27294 PATRICK ST
BONITA SPRINGS FL 34135

MAIER ELDON D & MARGARET
754 EAST WASHINGTON ST
OCONOMOWOC WI 53066

BRYAN KEITH HAYES TRUST +
27258 JOHNSON ST
BONITA SPRINGS FL 34135

VAN ESSEN PATRICIA A TR
700 HIDDEN HARBOUR DR
NAPLES FL 34109

DOOLEY DAVID C +
27277 JOHNSON ST
BONITA SPRINGS FL 34135

ALTMAN LLOYD HAMPTON III +
27273 JOHNSON ST
BONITA SPRINGS FL 34135

FINER SONYA +
27261 JC LN
BONITA SPRINGS FL 34135

CROWE WILLIAM L & PAMELA M L/E
27282 PATRICK ST
BONITA SPRINGS FL 34135

LEIDIG TOMMY LEE II & DAWN
PO BOX 7071
NAPLES FL 34101

LAWHON JOSEPH +
PO BOX 1374
SEYMOUR TN 37865

BAUER AUGUST RUDOLF
CHRISTOPHER LANGEN ES
PO BOX 398570
MIAMI BEACH FL 33239

RIVER ART LLC
111 QUINCY PL NE
WASHINGTON DC 20002

LAWHON JOSEPH A +
PO BOX 1374
SEYMOUR TN 37865

ZAPPIA ERIN P &
9750 TONYA CT
BONITA SPRINGS FL 34135

STERCHELE JOSEPH JOHN
9751 TONYA CT
BONITA SPRINGS FL 34135

MACKARVICH ALYSIA
26371 HICKORY BLVD UNIT 303
BONITA SPRINGS FL 34134

YOUSSEF NABIL & CHRISTINE L
10306 PENNSYLVANIA AV
BONITA SPRINGS FL 34135

JOEL YOVANI GONZALEZ LLC
163 MADISON DR
NAPLES FL 34110

COLD OAKS LLC
10421 PENNSYLVANIA AVE
BONITA SPRINGS FL 34135

KEMPLEY TAMMY S
W 5031 GEM AVE
MONTELLO WI 53949

KEMPLEY SCOTT W +
W5031 GEM AVE
MONTELLO WI 53949

LITTLETON DANE C & LORI A +
51111 TELEGRAPH RD
AMHERST OH 44001

FIRKUS LONNIE R & DENISE A
317 COUNTY ROAD J N
STEVENS POINT WI 54482

FRYE REBECCA A
9751 MONTANA CT
BONITA SPRINGS FL 34135

GREAT LOOP OF SW FLORIDA LLC
5803 SW 1ST AVE
CAPE CORAL FL 33914

LUBOWICKI ANDREW +
150 JEFFERSON ST
FORT MYERS BEACH FL 33931

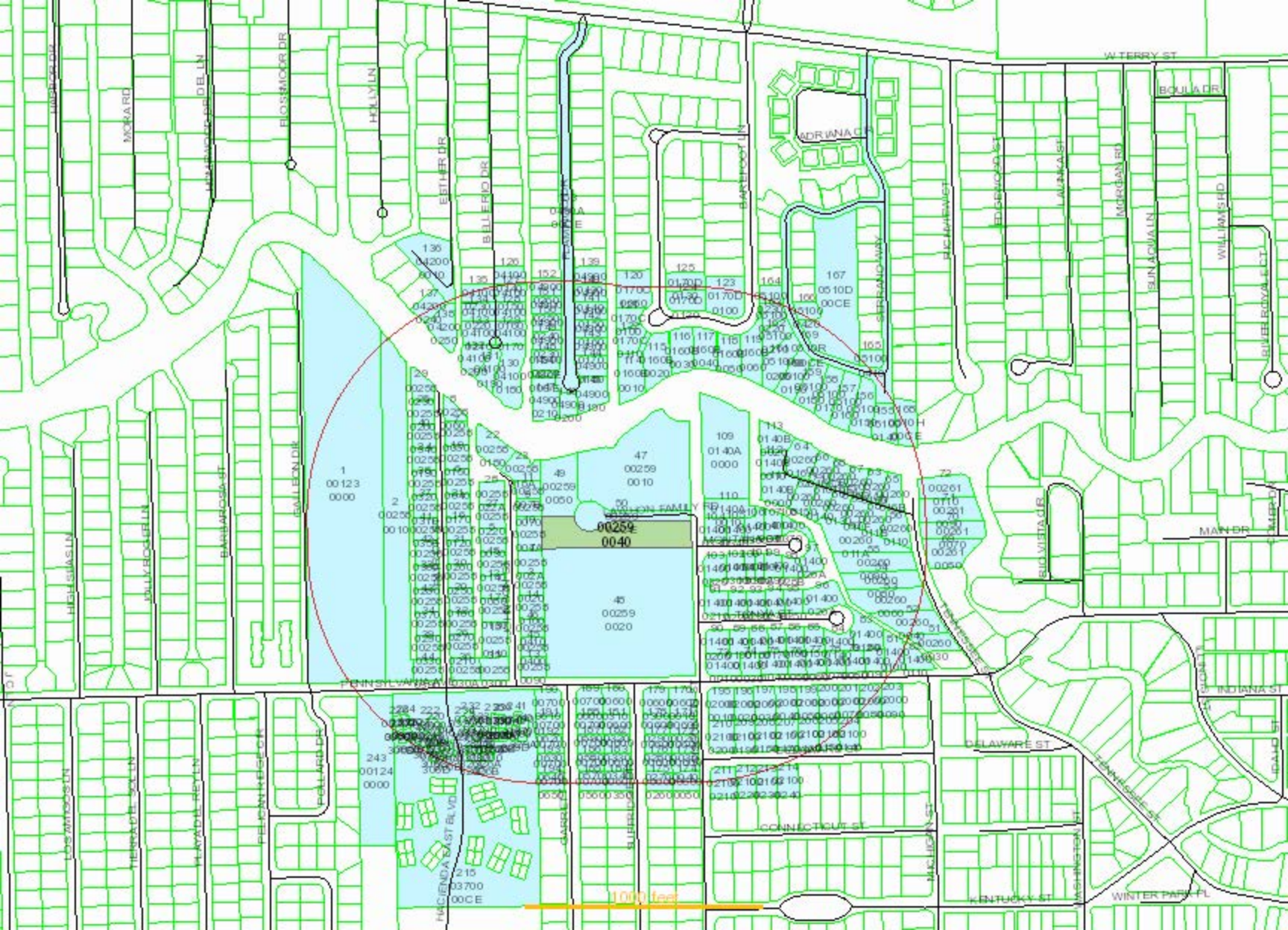
ATHANACIO MARK S +
9793 MONTANA CT
BONITA SPRINGS FL 34135

WISCONSIN STREET LLC
1495 RAILHEAD BLVD UNIT 5
NAPLES FL 34110

WISCONSIN STREET LLC
1495 RAIL HEAD BLVD #5
NAPLES FL 34110

MAGNUS CHRISTOPHER P &
27211 HARBOR DR
BONITA SPRINGS FL 34135

SIMS STEVEN R
8534 TAMARA CT
BONITA SPRINGS FL 34135



INSTRUMENT No. 2012000141163

N.88°33'47"E. 137.44'

65.00'

65.00'

(2)

P.R.C.

Curve number 2

Radius= 90.00'

Delta= 43°27'50"

Arc= 68.27'

Chord= 66.65'

Chord Brg.= N.66°49'52"E.

S.88°33'47"W. 634.79'

INSTRUMENT No. 2016000007549

SKETCH TO ACCOMPANY DESCRIPTION

**A PORTION OF
BLOCK 59,
HEITMAN'S BONITA SPRINGS**

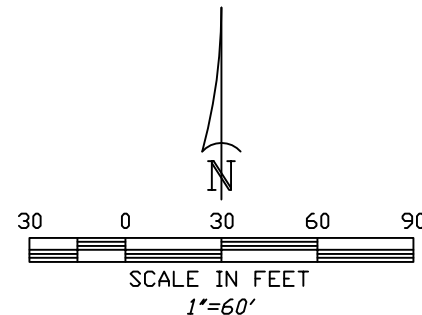
SECTION 34, TOWNSHIP 47 SOUTH, RANGE 25 EAST,
(PLAT BOOK 6, PAGE 24)
PUBLIC RECORDS OF LEE COUNTY, FLORIDA

THIS IS NOT A BOUNDARY SURVEY

SEE EXHIBIT "A", SHEET 2 OF 2
FOR DESCRIPTION

SHEET 2 OF 2

HARRIS-JORGENSEN, LLC
3048 DEL PRADO BLVD. S., SUITE 100
CAPE CORAL, FLORIDA 33904
PHONE: (239) 257-2624
FAX: (239) 257-2921



NORTH R/W LINE

SOUTH R/W LINE

LAWHON FAMILY ROAD

(45' PRIVATE ROAD EASEMENT)

N.88°33'47"E. 326.35'

POINT OF BEGINNING

S.01°22'33"E. 114.66'

25.00'

25.00'

WISCONSIN STREET
(50' R/W)

N.01°22'33"W. 663.33'

PARK PLACE
(PLAT BOOK 25, PAGE 122)
R/W PER COMB 9-256

MONTANA COURT
(60' R/W)

S.E. CORNER OF
BLOCK 59

S.88°31'22"W. 25.00'

N.01°22'33"W. 25.00'

PENNSYLVANIA AVENUE
(50' R/W)

POINT OF COMMENCEMENT

DESCRIPTION TO ACCOMPANY SKETCH
EXHIBIT "A"

DESCRIPTION:

A PART OF BLOCK 59, HEITMAN'S BONITA SPRINGS TOWNSITE AS RECORDED IN PLAT BOOK 6, PAGE 24 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTERLINE OF PENNSYLVANIA AVENUE (50 FEET WIDE) AND WISCONSIN STREET (60 FEET WIDE), THENCE RUN N.01°22'33"W. ALONG THE CENTERLINE OF SAID WISCONSIN STREET FOR 25.00 FEET TO THE EXTENSION OF THE NORTH OF RIGHT-OF-WAY LINE OF SAID PENNSYLVANIA AVENUE; THENCE RUN S.88°31'22"W. ALONG SAID EXTENSION FOR 25.00 FEET TO THE SOUTHEAST CORNER OF BLOCK 59 OF SAID HEITMAN'S BONITA SPRINGS TOWNSITE; THENCE RUN N.01°22'33"W. ALONG THE WEST RIGHT-OF-WAY OF WISCONSIN STREET FOR 663.33 FEET TO THE POINT OF BEGINNING; THENCE RUN S.01°22'33"E. ALONG SAID WEST RIGHT-OF-WAY LINE FOR 114.66 FEET; THENCE RUN S.88°33'47"W. FOR 634.79 FEET TO A POINT ALONG THE WEST LINE OF THE AFORESAID BLOCK 59; THENCE RUN N.01°38'55"W. ALONG SAID WEST LINE OF BLOCK 59 FOR 137.16 FEET; THENCE RUN N.88°33'47"E. FOR 137.44 FEET TO A POINT OF CUSP ON A CURVE ALONG THE RIGHT-OF-WAY LINE OF LAWHON FAMILY ROAD (RIGHT-OF-WAY VARIES); THENCE RUN 151.41 FEET ALONG THE ARC OF A CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 65.00 FEET, A CENTRAL ANGLE OF 133°27'50", A CHORD BEARING OF S.68°10'08"E. AND A CHORD DISTANCE OF 119.43 FEET TO A POINT OF REVERSE CURVATURE; THENCE RUN 68.27 FEET ALONG THE ARC OF A CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 90.00 FEET, A CENTRAL ANGLE OF 43°27'50", A CHORD BEARING OF N.66°49'52"E. AND A CHORD DISTANCE OF 66.65 FEET TO A POINT OF TANGENCY; THENCE RUN N.88°33'47"E. FOR 326.35 FEET TO THE POINT OF BEGINNING.

CONTAINING 71923.12 SQUARE FEET OR 1.65 ACRES, MORE OR LESS.

BEARINGS ARE BASED ON THE AFORESAID WEST RIGHT-OF-WAY LINE AS BEING N.01°22'33"W.

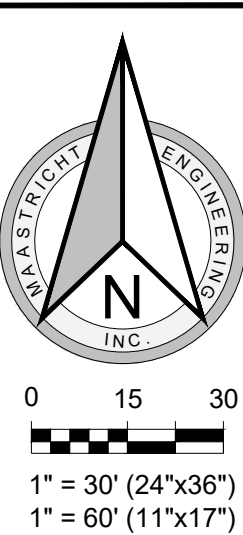
PHILLIP M MOULD
LS6515
NOVEMBER 21, 2023

NOTE:
THIS MAP/PLAT IS CONSIDERED SIGNED USING A DIGITAL SEAL
IN ACCORDANCE WITH THE APPLICABLE STATE LAWS AND
STATUTES FS 668.001-006; FS 668.50; FS 472.025; 5J-17.062,
FLORIDA ADMINISTRATIVE CODE, STATE OF FLORIDA.

Y:\CAD\2023\23-114\PLOT00 23-114 AREA LOCATION MAP AND AERIAL.dwg Tuesday, December 19, 2023 4:12:59 PM

EXHIBITS: II-D, AND IV-N

NOTE:
THESE PLANS MAY HAVE BEEN REDUCED OR INCREASED IN
SIZE BY REPRODUCTION(S). THIS MUST BE CONSIDERED WHEN
OBTAINING SCALED DATA.



**ELEVATION DEPICTED
ARE N.A.V.D. 1988 DATUM**

**CALL 48 HOURS
BEFORE YOU DIG**

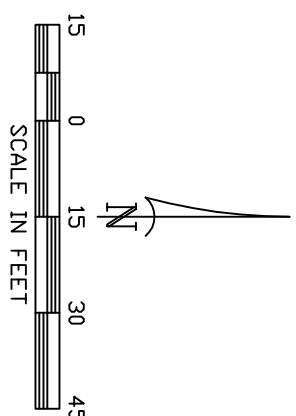
**IT'S THE LAW!
DIAL 811**

Know what's below.
Call before you dig.

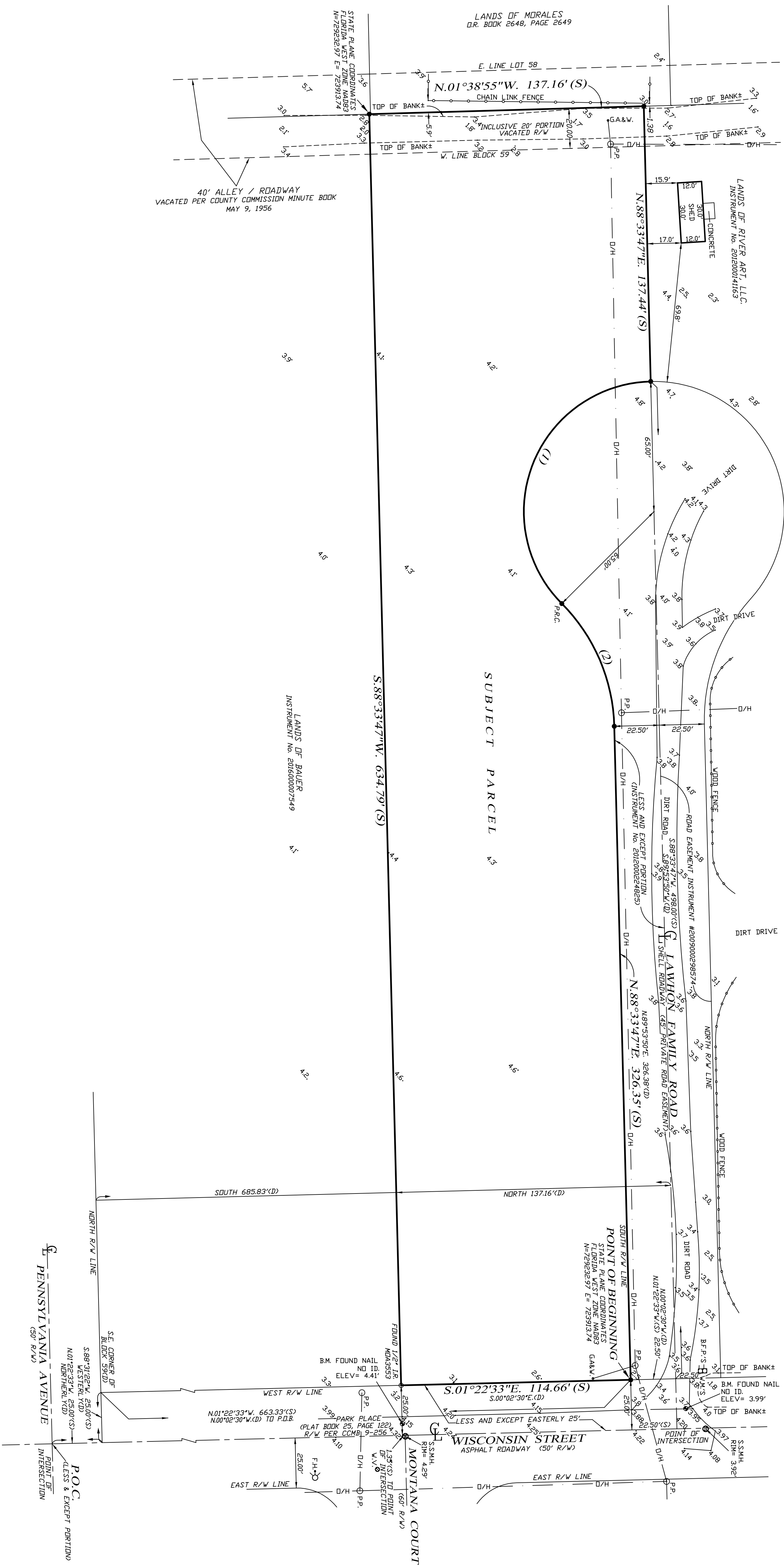
SUNSHINE STATE ONE CALL OF FLORIDA, INC.

AREA LOCATION MAP		LAWHON SUBDIVISION		DATE		BY		REVISION DESCRIPTION		DEVELOPER:	
AND AERIAL		9650 LAWHON FAMILY ROAD, BONITA SPRINGS, FL 34135								PRIMER DEVELOPMENT, LLC	
SHEET										5680 STRAND COURT #A109	
1 OF 1										NAPLES, FL 34110	
										M/AASTRICHT ENGINEERING	
										ENGINEER: PETER M. MAASTRICHT, P.E.	
										FL LICENSE NUMBER: 56860	

(PLAT BOOK 6, PAGE 24),
SECTION 34, TOWNSHIP 47 SOUTH, RANGE 25 EAST,
PUBLIC RECORDS OF LEE COUNTY, FLORIDA



DESCRIPTION: INSTRUMENT No. 20150002424825
THE NORTH 13216 FEET OF THE SOUTH 69583 FEET OF BLOCK 59, HELTMAN'S
BONITA SPARKS TRUSTEE AS RECORDED IN PLAT BOOK 6, PAGE 24 OF THE
PUBLIC RECORDS OF LEE COUNTY, FLORIDA LESS AND EXCEPT THE FOLLOWING:
EASTERLY 25 FEET FOR WISCONSIN STREET

[illegible]

Curve number 1	Curve number 2
Radius= 65.00'	Radius= 90.00'
Delta= 133.27°50"	Delta= 43.27°50"
ApC= 151.41'	ApC= 68.27'
Tangent= 151.16'	Tangent= 35.87'
Chord= 119.43'	Chord= 66.65'
Chord Brg= S 68.10/08 E (S)	Chord Brg= N 66.49/52 E (S)
Chord Brg= S 66.37/45 E (D)	Chord Brg= N 69.72/16 E (D)

[illegible][illegible]

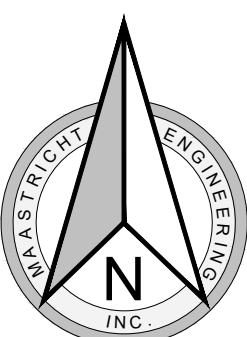
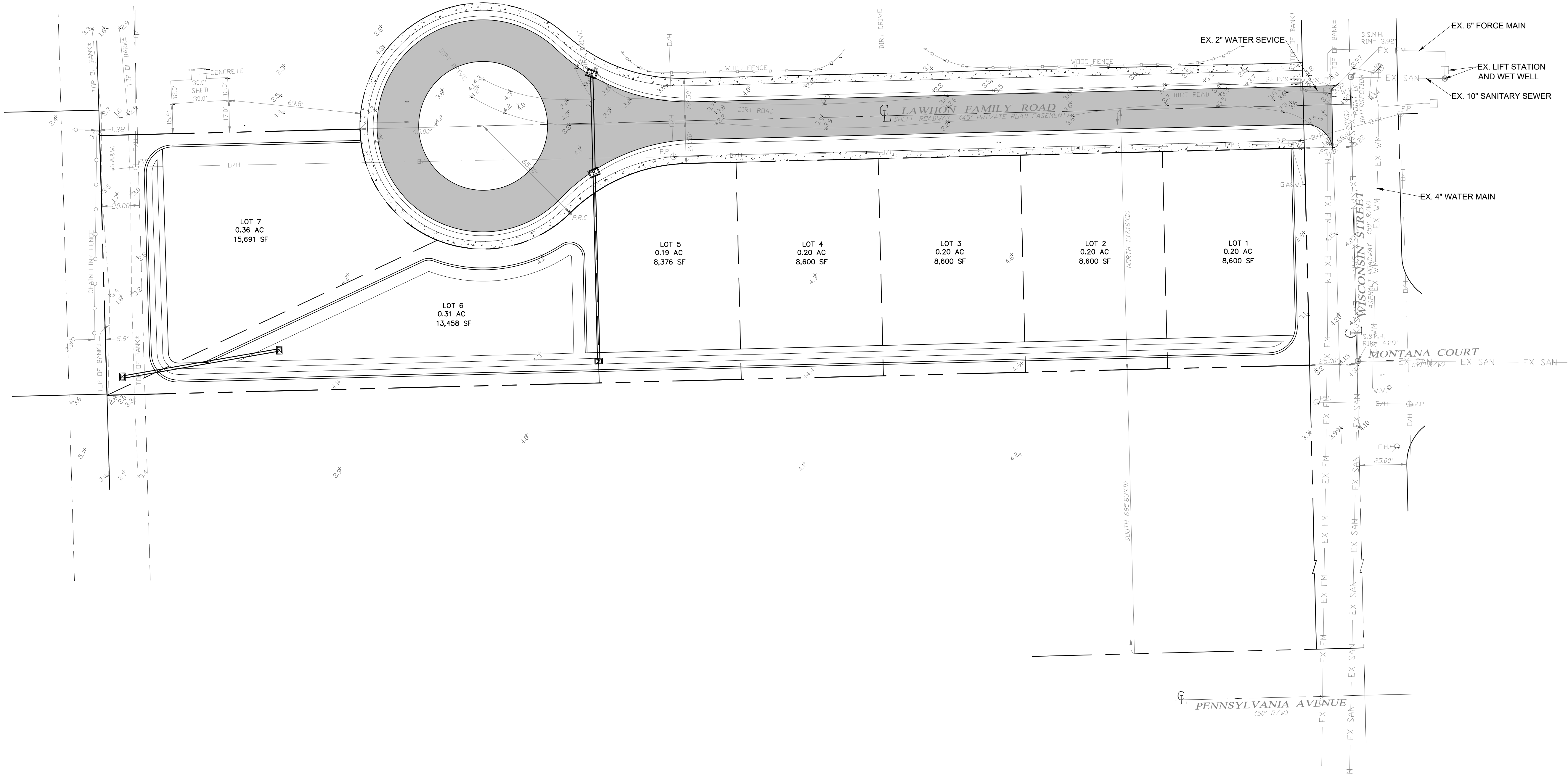
THIS SURVEY IS CERTIFIED TO:
JOSEPH A. LAVADON
CERVEL L. GROSS
MASTRICHT ENGINEERING

REVISED	DESCRIPTION	BY
12/18/93	ADD VACATED ALLEY	PWM
DATE	FILED LAST FIELD WORK	7/25/93
BROWN	CHECKED	SPECIAL
R/LB	P/W	I-7-90
SURETY DATE	FILE NO.	MBS-59
7/25/93	47-265-4	[P] - 1
FLORIDA CERTIFICATE OF AUTHORIZATION LB-591		
PHILIP M. KNUBLE SUPERVISOR, SURVEY AND MAPS SECTION HARRIS COUNTY DISTRICT CLERK CARE, CROSSLAND, FLORIDA 33504 CARE DEL PRODOT, BLDG 5, SUITE 100 FAX (601) 657-2981		

Y:\CADD\2023\23-114\LOT00 23-114 UTILITY PLAN.dwg Tuesday, December 19, 2023 4:22:16 PM

ATTENTION IS DIRECTED TO THE FACT THAT THESE PLANS
MAY HAVE BEEN REDUCED IN SIZE BY REPRODUCTION. THIS
MUST BE CONSIDERED WHEN OBTAINING SCALED DATA.

EXHIBIT: III-B-3



0 10 20
1" = 20' (24"x36")
1" = 40' (11"x17")

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SANITARY SEWER

FACILITIES

LAWHON
SUBDIVISION
9650 LAWHON FAMILY ROAD,
BONITA SPRINGS, FL 34135

DATE BY REVISION DESCRIPTION

DEVELOPER:
PRIMERO DEVELOPMENT, LLC
5660 STRAND COURT #A109
NAPLES, FL 34110

MAASTRICHT
ENGINEERING

DATE: 10/16/23
PROJ. #: 23-114
CAD TECH: JCS
ENGINEER: PETER M. MAASTRICHT, P.E.
FL LICENSE NUMBER: 56660

SHEET
1 OF 1



Public Hearing Submittal Requirements Waiver

Community Development Dept. | 9220 Bonita Beach Road, Suite 111 | Bonita Springs, FL 34135 | Phone: 239 444 6150 | Fax: 239 444 6140

Upon written request, the Director may modify the submittal requirements for Public Hearings (and other administrative applications) where it can be clearly demonstrated that the submission will have no bearing on the review and processing of the application. The request and the Director's written response must accompany the application submitted and will become a part of the permanent file.

APPLICATION FOR WAIVER OF REQUIRED SUBMITTAL ITEMS (indicate the appropriate application type)

- ☒ Public Hearing - General Requirements **(4-194)**
☐ Public Hearing - Additional Requirements for:
 ☐ Development of Regional Impact **(4-195)**
 ☐ Planned Developments **(4-295)**
 ☐ Master Concept Plan Extension **(4-303)**
 ☐ Master Concept Plan Reinstatement **(4-303)**
 ☐ Rezoning other than Planned Developments **(4-195(b))**
 ☐ Mobile Home Park **(4-195(d))**
 ☐ Special Exception **(4-195(e))**
 ☐ Variances **(4-195(f))**
☐ Administrative Action Requirements

PLEASE PRINT OR TYPE:

STAP Number: 34-47-25-B2-00259.0040
Name of Project: Lawhon Subdivision
Name of Agent: Peter M. Maastricht - Maastricht Engineering, Inc.
Street Address: 7370 College Parkway, Suite 211
City: Fort Myers State: FL Zip: 33907
Phone #: 239-362-1605 Fax #: _____
E-mail: petem@maastricht-eng.com

Name of Applicant*: Primebid Construction, LLC
Street Address: 5660 Strand Court, Unit #A109
City: Naples State: FL Zip: 34110
Phone #: 239-785-4141 Fax #: _____
E-mail: noam@primebid.co

*** If applicant is not the owner, a letter of authorization from the owner must be submitted.**

A. SPECIFIC SECTION(S) AND REQUIREMENT(S) FOR WHICH A WAIVER IS SOUGHT:

Section Number	Requirement
#1 4-295(a)(7)	Exemption from TIS
#2	
#3	
#4	
#5	
#6	
#7	
#8	
#9	

B. SCOPE OF PROJECT AND REASON(S) FOR REQUEST:

Please provide an explanation of the scope of the project and the reason(s) why you think the request for submittal waiver(s) should be approved. Use additional sheets if necessary and attach to this application form. (Please print or type) _____

The scope of this application is to adopt a new Master Concept Plan for the Lawhon Subdivision. The subdivision will consist of 7 lots, 6 of which will be used for single-family housing and the 7th lot being a common area for stormwater management. I believe a full TIS is unnecessary for this application due to the location of the subdivision and the minor amount of traffic that would be generated by these proposed lots.

Under penalties of perjury, I declare that I have read the foregoing application and that the facts stated in it are true.

Signature of Applicant

Directors Decision: _____ **Request Approved** _____ **Request Denied**

Comments:

Signature: _____

Date: _____



PUBLIC HEARING REQUEST FOR PLANNED DEVELOPMENT

EXHIBIT II-E-2 AND IV-D - NARRATIVE:

**9650 Lawhon Family Road – Lawhon Subdivision
Section 34, Township 47 South, Range 25 East
Bonita Springs Florida 34135**

October 27, 2023

Primebid Construction, LLC (the applicant) is requesting to adopt a new master concept plan for the proposed parcel. The parcel is currently zoned RPD and the minimum lot sizes will be 72' x 100'. The parcel will be divided into 7 lots, of these lots 6 will be used for single family residences. Lot 6 will be a shared area that will be used to handle the water management for all 7 Lots. This use should blend in perfectly with the existing adjacent residential neighborhoods.

The requested density is 3.6 units per acre, which is less than the allowable density of 5.8 units per acre; per the Bonita Springs Comprehensive Plan for Moderate Density Single Family Residences. As a part of this we will be going in for a limited review development order to pave the ROW and install water and sewer connections along Lawhon Family Road. This project will not cause any damage, hazard, nuisance or other detriment to the surrounding persons or properties and therefore should be approved.

A handwritten signature in black ink, appearing to read "Peter M. Maastricht".

Peter M. Maastricht, P.E.
MAASTRICHT ENGINEERING, INC.



Florida License Number: 58680



This record search is for informational purposes only and does NOT constitute a project review. This search only identifies resources recorded at the Florida Master Site File and does NOT provide project approval from the Division of Historical Resources. Contact the Compliance and Review Section of the Division of Historical Resources at CompliancePermits@dos.MyFlorida.com for project review information.

November 2, 2023

Aaron Spence
Civil Designer
MAASTRICHT ENGINEERING, INC.
7370 College Parkway, Suite 211
Fort Myers, FL 33907

In response to your request of November 2, 2023, the Florida Master Site File lists no previously recorded cultural or historical resources located at **9650 Lawhon Family Road**, Bonita Springs, FL 34135.

Strap Number is: 34-47-25-B2-00259.0040

When interpreting the results of this search, please consider the following information:

- This search area may contain *unrecorded* archaeological sites, hist. structures, cemeteries, or other resources even if previously surveyed for cultural resources.
- Because vandalism and looting are common at Florida sites, we ask that you limit the distribution of location information on archaeological sites.
- While many of our records document historically significant resources, the documentation of a resource at the Florida Master Site File does not necessarily mean the resource is historically significant.
- Federal, state and local laws require formal environmental review for most projects. This search DOES NOT constitute such a review. If your project falls under these laws, you should contact the Compliance and Review Section of the Division of Historical Resources at CompliancePermits@dos.MyFlorida.com

#

Please do not hesitate to contact us if you have any questions regarding the results of this search.

Kind Regards,

Eman M. Vovsi, Ph.D.
Sr. Data Base Analyst
Florida Master Site File
Eman.Vovsi@DOS.MyFlorida.com



LL00759

LL02020

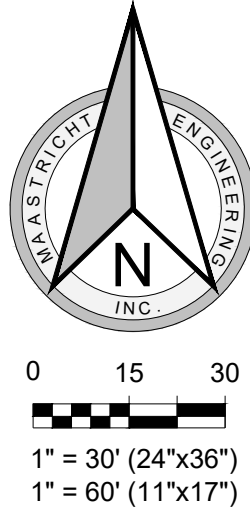
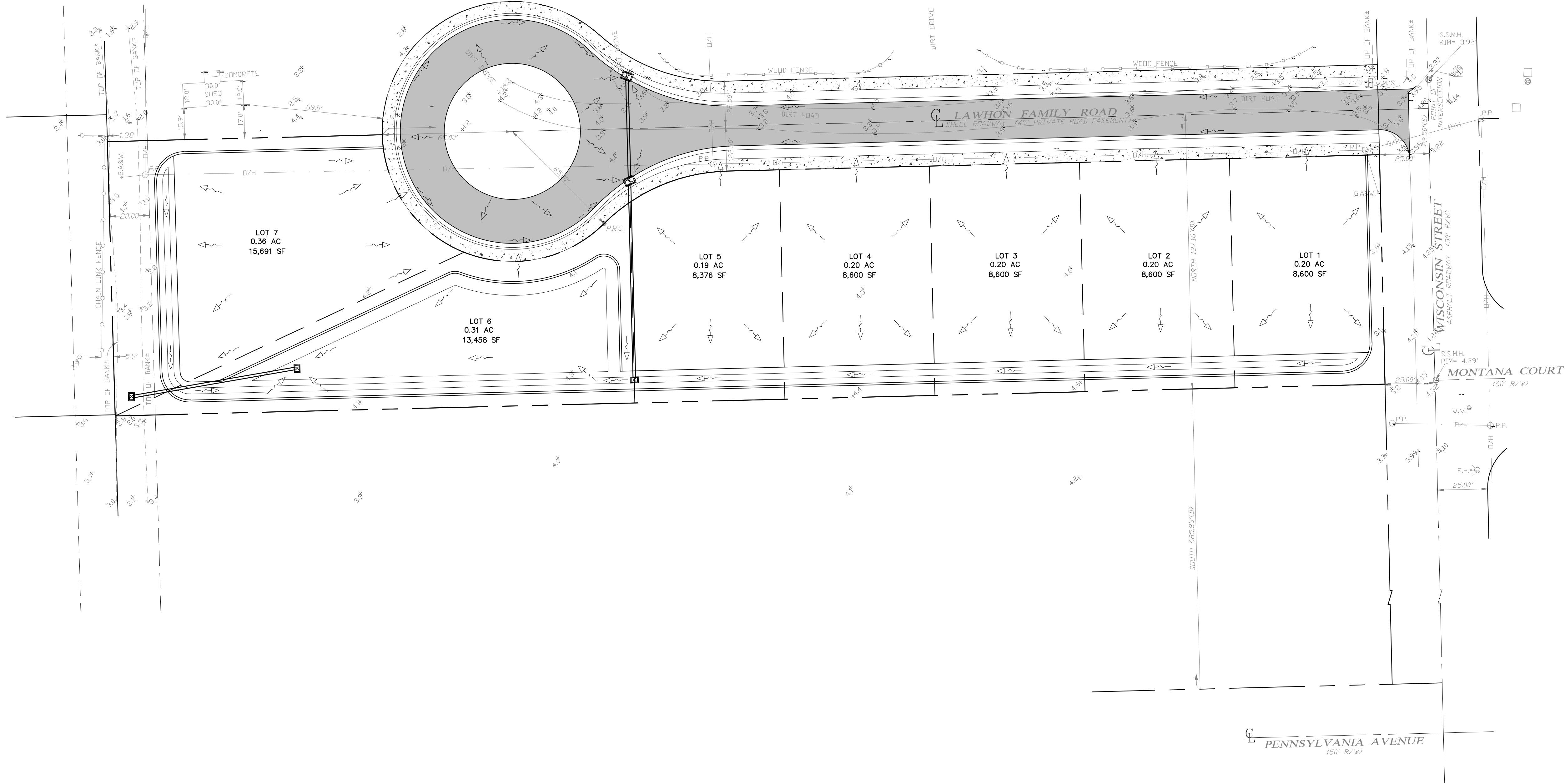
LL02018

LL02019

9650 Lawhon Family Road

EXHIBIT: IV-I

NOTE:
THESE PLANS MAY HAVE BEEN REDUCED OR INCREASED IN
SIZE BY REPRODUCTION(S). THIS MUST BE CONSIDERED WHEN
OBTAINING SCALED DATA.



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SUNSHINE STATE ONE CALL OF FLORIDA, INC.

SHEET 1 OF 1	SURFACE WATER MANAGEMENT PLAN	LAWHON SUBDIVISION 9650 LAWHON FAMILY ROAD, BONITA SPRINGS, FL 34135											DEVELOPER: PRIMEBIO DEVELOPMENT, LLC 5660 STRAND COURT #A109 NAPLES, FL 34110					M AASTRICHT ENGINEERING		DATE: 23-114		PROJ. #: 23-114		CAD TECH: AUS		ENGINEER: PETER M. MAASTRICHT, P.E. FL. LICENSE NUMBER: 56860	



STORMWATER NARRATIVE:

**9650 Lawhon Family Road – Lawhon Subdivision
Section 34, Township 47 South, Range 25 East
Bonita Springs Florida 34135**

February 27, 2024

Primebid Construction, LLC (the applicant) is requesting to adopt a new master concept plan for the proposed parcel. The parcel is currently zoned RPD and the minimum lot sizes will be 72' x 100'. The parcel will be divided into 7 lots, of these lots 6 will be used for single family residences. Lot 6 will be a shared area that will be used to handle the water management for all 7 Lots. This use should blend in perfectly with the existing adjacent residential neighborhoods.

Each of the Single Family lots (1-5, and 7) will have a detention/ swale in the rear of the property. These detention areas will be graded to Lot 6 where a Master detention system will be located with a Master outfall control structure. This outfall control structure will discharge into the existing drainage ditch on the West side of the property. This drainage ditch currently discharges the site's stormwater to the Imperial River.

See the attached surface water management plan for clarity. Please contact us if there are any questions, comments, or concerns. Thanks.

A handwritten signature in black ink, appearing to read "Peter M. Maastricht".

Peter M. Maastricht, P.E.
MAASTRICHT ENGINEERING, INC.



Florida License Number: 58680



TIMELINE OF CONSTRUCTION:

**9650 Lawhon Family Road – Lawhon Subdivision
Section 34, Township 47 South, Range 25 East
Bonita Springs Florida 34135**

February 27, 2024

As this project moves towards the start of construction, the sitework grading and stormwater infrastructure will be constructed first. Second will be the construction of the supporting Utility infrastructure to tie into the existing utilities. Third will be the paving of the ROW to provide adequate access to these proposed Lots. Then Finally will come the driveway and proposed Single-Family Houses.

Please contact us if there are any questions, comments, or concerns. Thanks.

A handwritten signature in black ink, appearing to read "Peter M. Maastricht".

Peter M. Maastricht, P.E.
MAASTRICHT ENGINEERING, INC.



Florida License Number: 58680



7370 College Parkway, Suite 211, Fort Myers, FL 33907
239.362.1605 | Maastricht-eng.com | 239.849.6805

EXHIBIT IV-H SCHEDULE OF DEVIATIONS & JUSTIFICATION:

Requests for Deviations – Lawhon Residential Planned Development - PD23-109082

1. Deviation from LDC Section 4-741(b)(1)(b) - Property development regulations. - Minimum setbacks of structures and buildings from development perimeter boundaries. - All buildings and structures must be set back from the development perimeter a distance equal to the greater of - Fifteen feet, if the subject property is, or will be zoned RPD, MHPD, CFPD, or CPD;

JUSTIFICATION: In order to provide adequate Lot width for single family housing we are requesting a reduced side setback of 7.5 feet from 15 feet. This should be adequate in providing adequate separation between the properties and proposed buildings. This is also consistent with the previously approved zoning and master concept plan for these lots.

If you should have any questions or require additional information, please advise.

Sincerely,

A handwritten signature in black ink, appearing to read "Peter M. Maastricht".

Peter M. Maastricht, P. E.
MAASTRICHT ENGINEERING, INC.





SCHEDULE OF USES

EXHIBIT IV-G:

**9650 Lawhon Family Road – Lawhon Subdivision
Section 34, Township 47 South, Range 25 East
Bonita Springs Florida 34135**

- ACCESSORY USES AND STRUCTURES
- DWELLING UNIT:
 - SINGLE FAMILY
- EXCAVATION-NO BLASTING:
 - WATER RETENTION
- HOME OCCUPATION
- MODEL HOMES
- RECREATIONAL FACILITIES:
 - PERSONAL
- RESIDENTIAL ACCESSORY USES
SIGNS IN ACCORDANCE WITH CHAPTER 6

Lawhon Subdivision

Section 34, Township 47 South, Range 25 East
Lee County, Florida

Protected Species Survey Florida Bonneted Bat Roost Survey

March 2024

Prepared for:

**Primebid Construction
5660 Strand Court #A109
Naples, FL 34110**

Prepared by:



ENVIRONMENTAL CONSULTING, LLC
15957 Tropical Breeze Drive, Fort Myers, FL 33908
(239) 994-9007

INTRODUCTION

The 1.65± acre project is located within a portion of Section 34, Township 47 South, Range 25 East, Lee County, Florida (Figure 1). The parcel is located south of the Imperial River and is surrounded on the north and west by single family housing, Wisconsin Street to the east, and Pennsylvania Avenue to the south.

SITE CONDITIONS

The site consists of mixed forest invaded by various exotic tree species (Figure 2). The site has been heavily disturbed in the past. This parcel also includes a berm along the south property line.

VEGETATIVE CLASSIFICATIONS

The predominant vegetation associations were mapped in the field on 2023 digital 1" = 80' scale aerial photography. The approximate property boundary was obtained from the Lee County Property Appraiser's website. The property boundary was not staked in the field at the time of our site inspection and was overlaid on current aerial photography. Three vegetation associations were identified using the Florida Land Use, Cover and Forms Classification System (FLUCCS). Figure 2 depicts the approximate location and configuration of these vegetation associations and Table 1 summarizes the acreages by FLUCCS Code. A brief description of each FLUCCS Code is also provided below.

Table 1. Acreage Summary by FLUCCS Code

FLUCCS CODE	DESCRIPTION	ACREAGE
450	Mixed Exotic Upland Forest	1.53
510D*	Ditches	0.06
619**	Melaleuca	0.06
Total		1.65

* Potential Jurisdictional Other Surface Waters

** Potential Jurisdictional Wetlands

FLUCCS Code 450, Mixed Exotic Upland Forest

This area is dominated by exotic vegetation. The canopy includes melaleuca (*Melaleuca quinquenervia*), java plum (*Syzygium cumini*), lead tree (*Leucaena leucocephala*), cabbage palm (*Sabal palmetto*), and scattered slash pine (*Pinus elliottii*). Other vegetation in this area includes Brazilian pepper (*Schinus terebinthifolia*), and beauty berry (*Callicarpa americana*).

FLUCCS Code 510D, Ditch

The banks of this ditch are lined with Brazilian pepper.

FLUCCS Code 619, Exotic Wetland Hardwoods

This wetland area is dominated by exotic vegetation. The canopy includes java plum, seaside mahoe (*Thespesia populnea*), and melaleuca with scattered slash pine, swamp bay (*Persea palustris*), and red maple (*Acer rubrum*). Other vegetation in this area includes Brazilian pepper, old world climbing fern (*Lygodium microphyllum*), pond apple (*Annona glabra*), swamp fern (*Blechnum serrulatum*), willow (*Salix caroliniana*), and myrsine (*Myrsine guianensis*).

SURVEY METHOD

Lee County Protected Species Ordinance No. 89-34, which has been adopted by the City of Bonita Springs via LDC Section 3-455, lists several protected species of animals that could potentially occur on-site based on the general vegetative associations found within the project limits. Each habitat type was surveyed for the occurrence of these and any other listed species likely to occur in the specific habitat types. The survey was conducted using meandering linear pedestrian belt transects. This survey methodology is based on the Lee County administratively approved Meandering Transect Methodology. In order to provide at least 80 percent visual coverage of habitat types listed in Ordinance No. 89-34, the transects were spaced approximately 25 feet apart based on visibility. The approximate locations of all direct sighting or signs (such as tracks, nests, and droppings) of a listed species were denoted on the aerial photography. The 1" = 80' scale aerial Protected Species Survey map (Figure 3) depicts the approximate location of the survey transects and the results of the survey. The listed species survey was conducted during the morning and midday hours of March 5, 2024. During the survey the weather was hot, sunny, and humid.

Species listed as endangered, threatened, or species of special concern by the Florida Fish and Wildlife Conservation Commission (FWC) or the United States Fish and Wildlife Service (FWS) that could potentially occur on the subject parcel according to the Lee County Protected Species Ordinance are shown in Table 2. This list from the Lee County Protected Species Ordinance is general in nature, contains species that were subsequently delisted by the state, does not necessarily reflect existing conditions within or adjacent to the 1.65 ± acre property, and is provided for general informational purposes only. The bald eagle (*Haliaeetus leucocephalus*) (which has been delisted by the FWC and FWS but is still protected by other regulations), the Florida black bear (*Ursus americanus floridanus*) (delisted in 2012 and still protected by the Florida Black Bear Management Plan), and the Florida bonneted bat (*Eumops floridanus*) (which was listed by the FWS after Ordinance No. 89-34 was adopted by Lee County) were also included in the survey.

Prior to conducting the protected species survey, a search of the FWC listed species database (updated in June 2023) was conducted to determine the known occurrence of listed species in the project area.

Florida Bonneted Bat (*Eumops floridanus*) Roost Survey Method

Per U.S. Fish and Wildlife Service (FWS) Draft Protocol for Florida Bonneted Bat Roost Surveys dated February 3, 2015, a series of meandering transects were completed across the portion of the site containing areas with potential natural roosting structures. Transects through roosting habitat were spaced approximately 25 feet apart and all trees and snags were visually inspected for evidence of cavities. Evidence of protected species was gathered through both direct observation and through observation of signs such as potential roost cavities, tracks, nests, and scat. If a sign was found or sighting occurred, their locations in the field were recorded using a Global Positioning System (GPS) unit. Figure 3 depicts the locations and results of the potential cavities survey. The site inspection was conducted on March 5, 2024.

Table 2. Listed Species That Could Potentially Occur On-site

FLUCCS CODE	Percent Survey Coverage	Species Name	Present	Absent
450	80	None		
510	80	American Alligator (<i>Alligator mississippiensis</i>)		√
		Limpkin (<i>Aramus guarauna</i>)*		√
		Little Blue Heron (<i>Egretta caerulea</i>)		√
		Reddish Egret (<i>Egretta rufescens</i>)		√
		Roseate Spoonbill (<i>Ajaia ajaja</i>)		√
		Snowy Egret (<i>Egretta thula</i>)*		√
		Tricolored Heron (<i>Egretta tricolor</i>)		√
		Everglades Mink (<i>Mustela vison evergladensis</i>)		√
619	80	None		

* Species delisted subsequent to adoption of Lee County Protected Species Ordinance No. 89-34.

SURVEY RESULTS

Florida Bonneted Bat

Six (6) snags containing potential Florida bonneted bat cavity entrances were found onsite. These trees consist of pine tree snags in advanced stages of decay. Many of the potential cavities are very shallow and do not penetrate the heartwood of the snag. No evidence of bat utilization (bat vocalization/chatter from within the potential cavities or guano on or around the snags) was observed. No live trees with cavities or artificial structures were observed on-site.

Other Listed Species

No other species listed by either the FWS or the FWC were observed on the site during the protected species survey. In addition to the site inspection, a search of the FWC species database (updated in June 2023) revealed no known protected species within or immediately adjacent to the project limits.

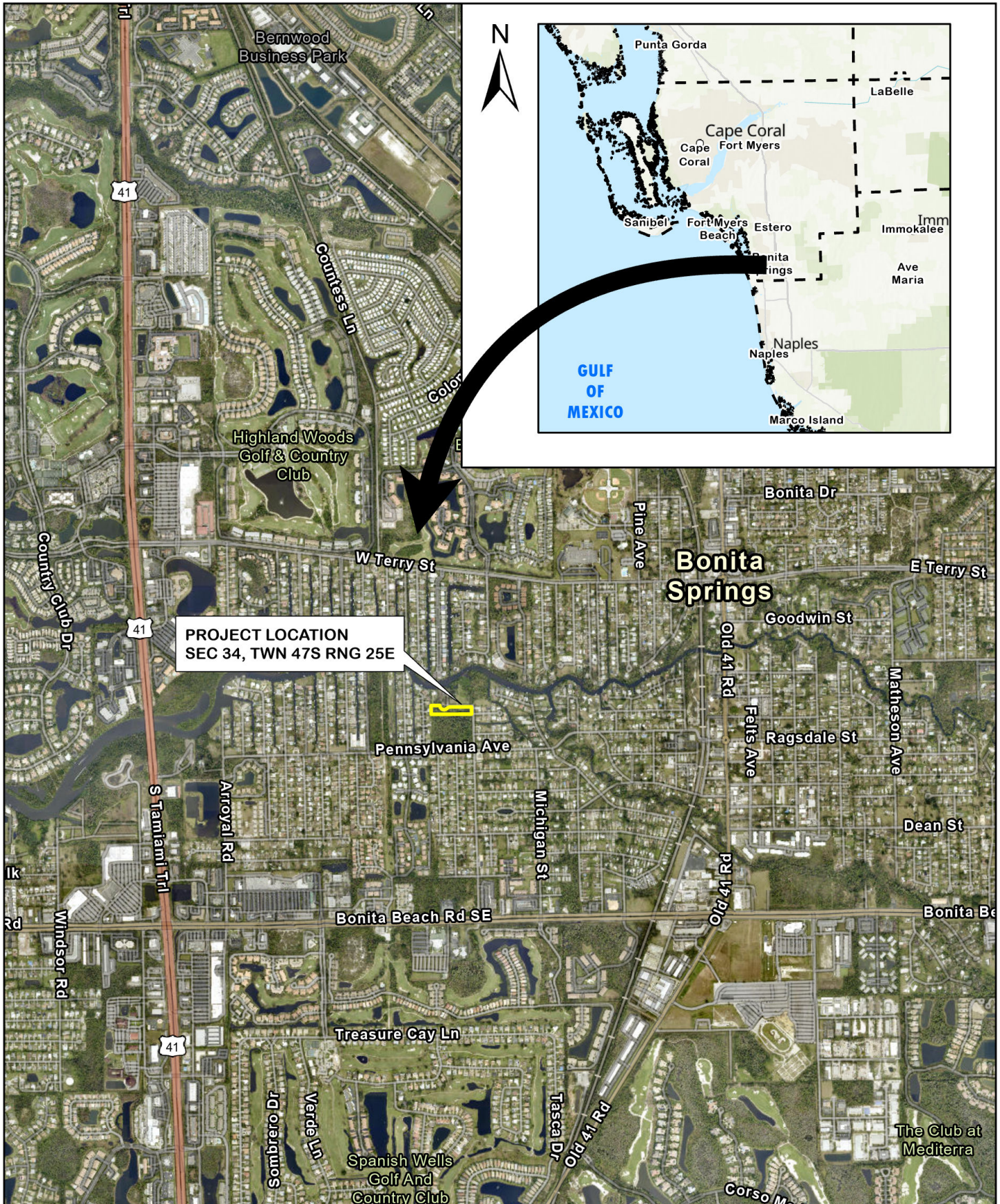


Figure 1. Project Location Map

**OWEN ENVIRONMENTAL
CONSULTING, LLC.**
FORT MYERS 239-994-9007

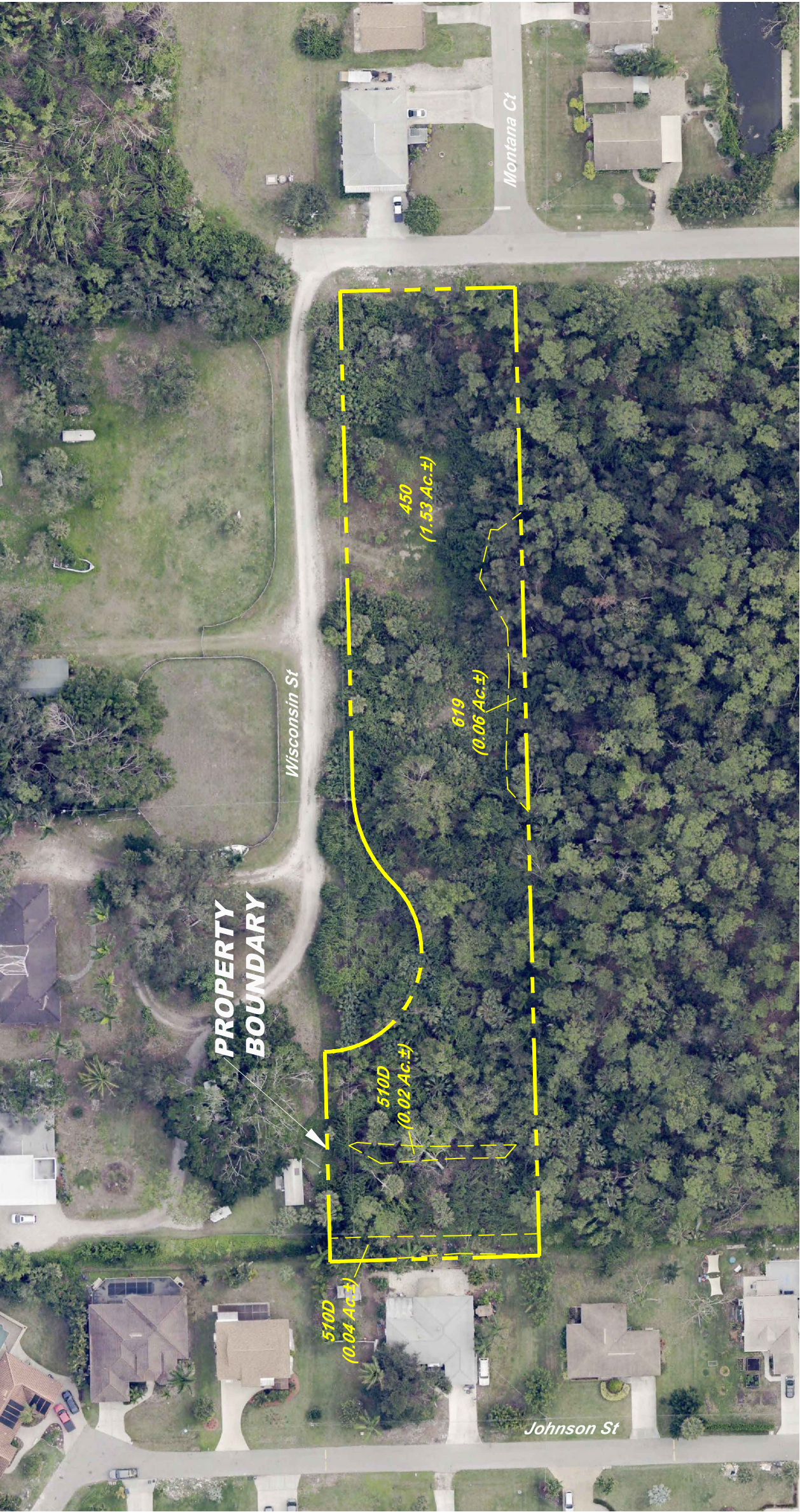
Lawhon Subdivision



SECTION: 34
TOWNSHIP: 47S
RANGE: 25E

04080

SCALE FEET



FLUCCS	Description	Acreage
450	Mixed Exotic Upland Forest	1.53 Ac.±
510D**	Ditches	0.06 Ac.±
619*	Melaleuca	0.06 Ac.±
Total		1.65 Ac.±
* Potential Jurisdictional Wetlands		
** Potential Jurisdictional Other Surface Waters		

- Notes:
- Property boundary provided by Maastricht Engineering.
 - Mapping based on photointerpretation of 2023 aerial photography and ground truthing in February 2024.
 - Delineation of jurisdictional wetlands is preliminary and subject to field review/approval by applicable regulatory agencies.

Lawhon Subdivision



SECTION: 34
TOWNSHIP: 47S
RANGE: 25E

04080

SCALE FEET



Approximate Pedestrian Survey Transects

Potential FBB Cavity Snag (6)

FLUCCS	Description	Acreage
450	Mixed Exotic Upland Forest	1.53 Ac.±
510D**	Ditches	0.06 Ac.±
619*	Melaleuca	0.06 Ac.±
Total		1.65 Ac.±
* Potential Jurisdictional Wetlands		
** Potential Jurisdictional Other Surface Waters		

Notes:

- Property boundary provided by Maastricht Engineering.
- Mapping based on photointerpretation of 2023 aerial photography and ground truthing in February 2024.
- Delineation of jurisdictional wetlands is preliminary and subject to field review/approval by applicable regulatory agencies.



March 11, 2024

Noam I. Mitchell
Primebid Construction
5660 Strand Court #A109
Naples, FL 34110

Re: Lawhon Subdivision Parcel (1.65+/- acres)
Heritage Tree Survey

Dear Mr. Mitchell:

Owen Environmental Consulting ecologists conducted a Heritage Tree Survey to the standards of the City of Bonita Springs Code of Ordinances on March 6th, 2024 on the above referenced property. No trees were observed that met the City's definition of a Heritage Tree.

Please let me know if you have any questions.

Sincerely,

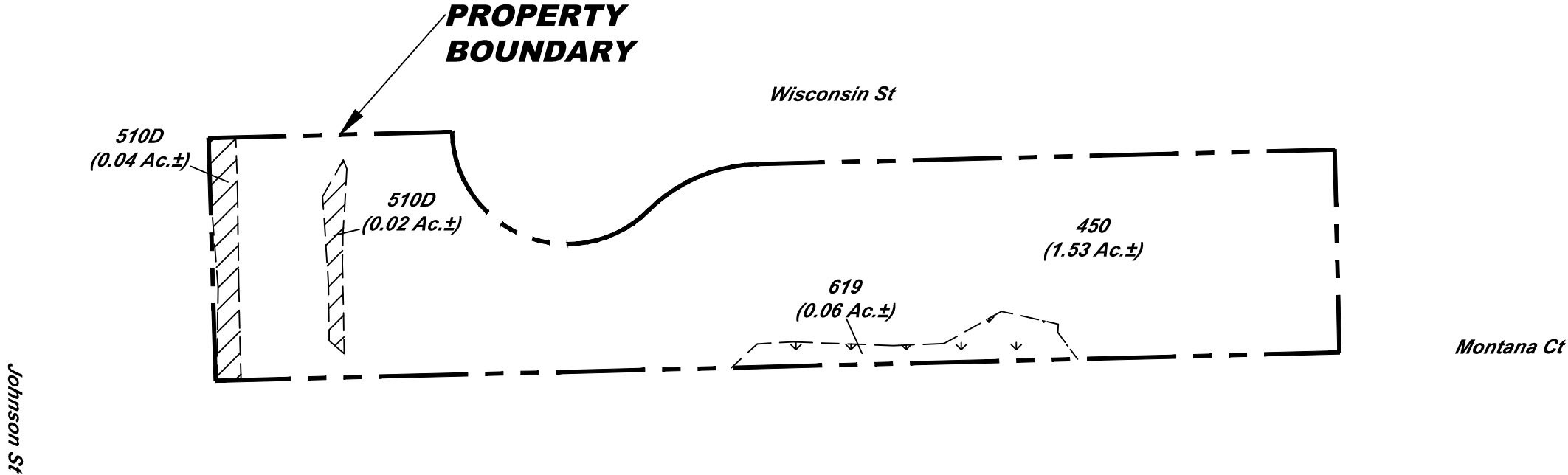
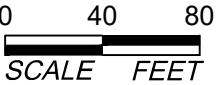
Owen Environmental Consulting, LLC

Paul K. Owen
President/Principal Ecologist

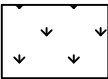
Lawhon Subdivision



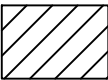
SECTION: 34
TOWNSHIP: 47S
RANGE: 25E



Legend:



Potential Jurisdictional Wetlands
(0.06 Ac.±)

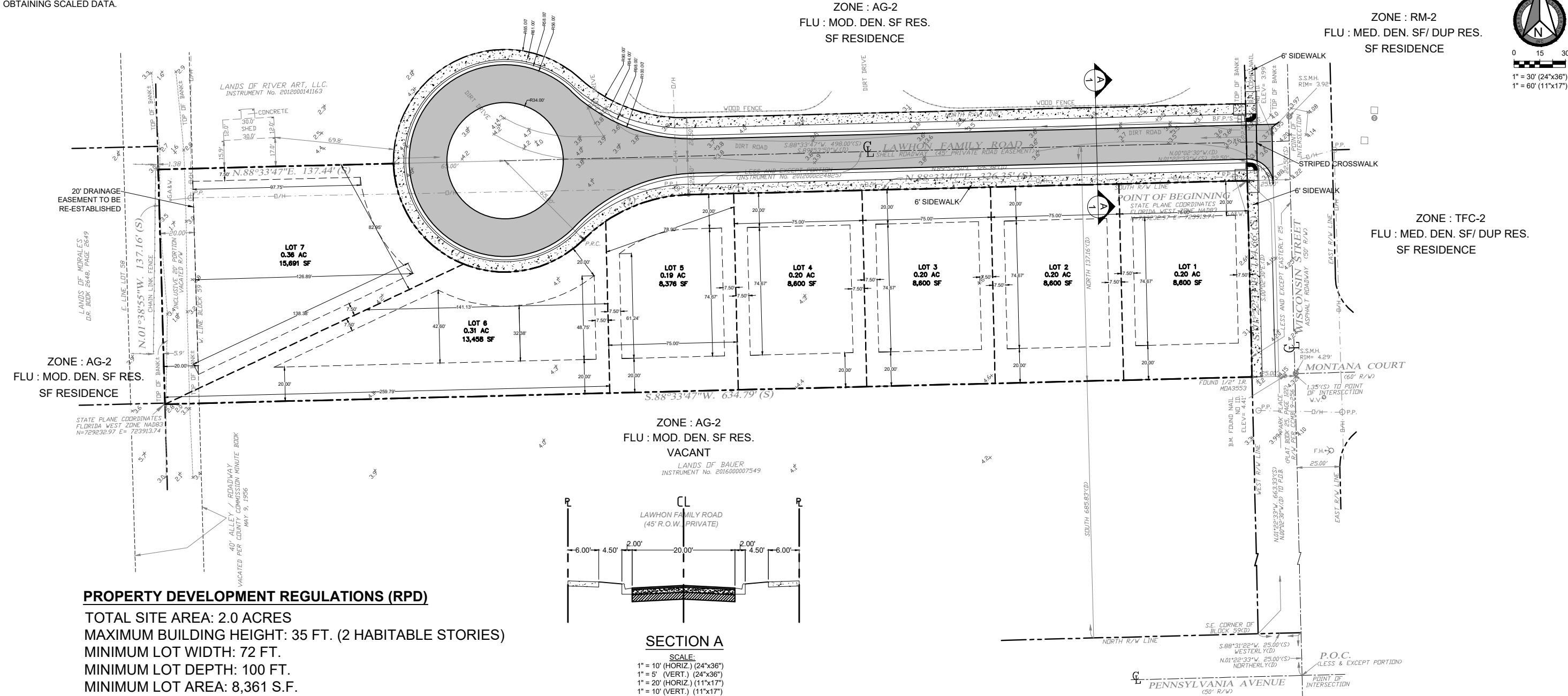


Potential Jurisdictional Other Surface
Waters (0.06 Ac.±)

- Notes:
1. Property boundary provided by Maastricht Engineering.
 2. Mapping based on photointerpretation of 2023 aerial photography and ground truthing in February 2024.
 3. Delineation of jurisdictional wetlands is preliminary and subject to field review/approval by applicable regulatory agencies.

FLUCCS	Description	Acreage
450	Mixed Exotic Upland Forest	1.53 Ac.±
510D**	Ditches	0.06 Ac.±
619*	Melaleuca	0.06 Ac.±
Total		1.65 Ac.±
* Potential Jurisdictional Wetlands		
** Potential Jurisdictional Other Surface Waters		

NOTE:
THESE PLANS MAY HAVE BEEN REDUCED OR INCREASED IN
SIZE BY REPRODUCTION(S). THIS MUST BE CONSIDERED WHEN
OBTAINING SCALED DATA.



PROPERTY DEVELOPMENT REGULATIONS (RPD)

TOTAL SITE AREA: 2.0 ACRES
MAXIMUM BUILDING HEIGHT: 35 FT. (2 HABITABLE STORIES)
MINIMUM LOT WIDTH: 72 FT.
MINIMUM LOT DEPTH: 100 FT.
MINIMUM LOT AREA: 8,361 S.F.
MINIMUM FRONT SETBACK: 20 FT.
MINIMUM REAR SETBACK: 20 FT.
MINIMUM SIDE SETBACK: 7.5 FT.
MINIMUM WATER BODY SETBACK: 25 FT.
MAXIMUM LOT COVERAGE: 40%
MINIMUM OPEN SPACE: 40% (0.8 ACRES)

DENSITY CALCS

MODERATE DENSITY RESIDENTIAL: 5.8 UNITS/ ACRE
2.0 ACRE X 5.8 UNITS/ ACRE = 11.6 UNITS ALLOWABLE

SOIL

SOIL #11 & 35 (MYAKKA FINE SAND AND WABASSO SAND)
PER SOIL SURVEY OF LEE COUNTY FLORIDA

CURVE NUMBER (1)

RADIUS = 65.00'
DELTA = 133°27'50"
ARC = 151.41'
TANGENT = 151.16'
CHORD = 119.43'
CHORD BRG. = S.68°10'08"E. (S)
CHORD BRG. = S.66°37'45"E. (D)

CURVE NUMBER (2)

RADIUS = 90.00'
DELTA = 43°27'50"
ARC = 68.27'
TANGENT = 35.87'
CHORD = 66.65'
CHORD BRG. = S.66°49'52"E. (S)
CHORD BRG. = S.68°22'16"E. (D)

VEGETATION AND GROUND COVER

424 (MELALEUCA) PER FLORIDA LAND USE CLASSIFICATION AND COVER
CLASSIFICATION SYSTEM

SCHEDULE OF USES

ACCESSORY USES AND STRUCTURES
DWELLING UNIT:
SINGLE FAMILY
EXCAVATION-NO BLASTING:
WATER RETENTION
HOME OCCUPATION
MODEL HOMES
RECREATIONAL FACILITIES:
PERSONAL
RESIDENTIAL ACCESSORY USES
SIGNS IN ACCORDANCE WITH CHAPTER 6

SCHEDULE OF DEVIATIONS

DEVIATION FROM LDC SECTION 4-741(b)(1)(b)

EXHIBITS: II-F-3, II-F-4, III-A-2, IV-C, IV-E, IV-G

10/16/23	DATE:	23-114	PROJ. #:	CAD TECH:	ACS	ENGINEER: PETER M. MAASTRICHT P.E.	FL LICENSE NUMBER: 56860
MAASTRICHT ENGINEERING							
DEVELOPER: PRIMEBID DEVELOPMENT, LLC 5660 STRAND COURT #A09 NAPLES, FL 34110							
LAWHON SUBDIVISION 9650 LAWHON FAMILY ROAD, BONITA SPRINGS, FL 34135							
MASTER CONCEPT PLAN							
SHEET 1 OF 1							



July 22, 2024

Mr. Peter M. Maastricht
Maastricht Engineering, Inc.,
7370 College Pkwy, Ste 211
Fort Myers, Florida 33907

Re: Lawhon Residential Planned Development – PD23-109082-BOS, Sufficiency

Dear Mr. Maastricht:

The Zoning Division has reviewed the information provided and supplemented for the above-referenced planned development. The Application has been found sufficient and the following language is being drafted for the request:

A request to rezone approximately 2 acres from the Residential Planned Development (RPD) zoning designation to a Residential Planned Development (RPD), to allow six (6) single family units and to request a deviation.

Please review the proposed language carefully and notify me in writing no later than July 31, 2024, if the above stated language is sufficient or if changes are requested.

Staff has provided additional substantive comments for consideration. Please review them accordingly and contact Staff if you have any questions.

Pursuant to LDC Sec. 4-28, a post-sufficiency neighborhood meeting shall be held within 30 days of the date of sufficiency. A notice of the meeting shall be provided to the City.

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

Feel free to contact me if you have any questions.

Sincerely,
DEPARTMENT OF COMMUNITY DEVELOPMENT
Planning and Zoning Division

Mike Fiigon II

Mike Fiigon II
Senior Planner

Copy:
Derek Rooney, City Attorney
John Dulmer, AICP, Community Development Director
Jacqueline Genson, Planning & Zoning Manager
Jay Sweet, AICP, PSM, City Surveyor
Laura Gibson, Senior Environmental Specialist
Sean Gibbons, Bike-Ped Coordinator
Ayita Lonergan, Floodplain Management
Tom Ross, Transportation Engineer
Jacqueline Heredia, Lee County Schools
Kim Hoskins, Bonita Springs Utilities
Joel Langaney, Bonita Springs Public Works
Cynthia Vargas, Administrative Assistant

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

Rick Steinmeyer
Mayor

Jamie A. Bogacz
Council Member
District One

Jesse Purdon
Council Member
District Two

Laura Carr
Council Member
District Three

Chris Corrie
Council Member
District Four

Nigel P. Fullick
Council Member
District Five

Fred Forbes, AIA
Council Member
District Six

Arleen Hunter
City Manager
(239) 949-6267

Derek Rooney
City Attorney
(239) 949-6254

City Clerk
(239) 949-6248

Public Works
(239) 949-6246

Neighborhood Services
(239) 949-6257

Parks & Recreation
(239) 992-2556

Community Development
(239) 444-6150

AFFIDAVIT OF PUBLICATION

Maastricht Engineering
7370 College Parkway Suite 211
Ft Myers FL 33907

STATE OF WISCONSIN, COUNTY OF BROWN

Before the undersigned authority personally appeared, who on oath says that he or she is the Legal Advertising Representative of the News-Press, a daily newspaper published at Fort Myers in Lee County, Florida; that the attached copy of advertisement, being a Legal Ad in the matter of Public Notices, was published on the publicly accessible website of Lee County, Florida, or in a newspaper by print in the issues of, on:

07/31/2024

Affiant further says that the website or newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.

Subscribed and sworn to before me, by the legal clerk, who is personally known to me, on 07/31/2024

Legal Clerk

Notary, State of WI, County of Brown

My commission expires

Publication Cost:	\$69.60	
Tax Amount:	\$0.00	
Payment Cost:	\$69.60	
Order No:	10406635	# of Copies:
Customer No:	1376380	0
PO #:	LSAR0133441	

THIS IS NOT AN INVOICE!

Please do not use this form for payment remittance.

NICOLE JACOBS
Notary Public
State of Wisconsin

NEIGHBORHOOD INFORMATION- AL MEETING NOTICE - LAWHON SUBDIVISION

There will be a Neighborhood Informational Meeting held on Thursday, August 29th at 5:30pm. Location: Bonita Springs Fire Department Station 24 at 27701 Bonita Grande Drive, Bonita Springs, FL 34135. The applicant Maastricht Engineering, Inc., representing the owner, is proposing a new subdivision consisting of 7 Lots. The project is located at 9650 Lawhon Family Road, Bonita Springs, FL 34135. For more information, contact Peter Maastricht of Maastricht Engineering, Inc. at petem@maastricht-eng.com

July 31 2024

LSAR0133441



NEIGHBORHOOD INFORMATIONAL MEETING - AGENDA

for

Lawhon Subdivision

At 9650 Lawhon Family Road, Bonita Springs, FL, 34135

Date: 08-29-24

Call to Order 5:30 pm. at the Bonita Springs Fire Department Station 24 located at 27701 Bonita Grande Drive, Bonita Springs, FL 34135.

Presenter:

Aaron Spence (Maastricht Engineering, Inc) – Contact: aaron@maastricht-eng.com or 230-362-1605

Public Attendance: See sign in sheet.

Introduction:

The site is a proposed Single-Family Subdivision on a 2.00 Acre parcel located at 9650 Lawhon Family Road in Bonita Springs. The Property is zoned RPD and has a land use of Moderate Density Single Family Residential. We are currently applying for a Public Hearing Request for Planned Development to adopt a new master concept plan. The proposed Lots will be used for 6 Single family units and a common area for stormwater management, totaling 7 proposed lots.

Nearby:

This property is in the Moderate Density Single-Family Residential land use category which is characterized in the Bonita Comprehensive Plan. The Subject property was previously rezoned to RPD and approved for 7 lots, with the surrounding parcels being zoned AG-2, TFC-2, and RM-2. Below is a breakdown of the surrounding parcels:

- The adjacent properties to the West are zoned AG-2 and the current use for the parcels consists of Single-Family Residential.
- The adjacent property to the South is zoned AG-2 and the parcel is currently vacant.
- The adjacent properties to the North are zoned AG-2 and the current use for the parcels consists of Single-Family Residential.
- The adjacent property to the Northeast is zoned RM-2 and is currently used for a billboard sign.
- The adjacent property to the East is zoned TFC-2 and the current use for the parcels consists of Single-Family Residential.

All setbacks and lot requirements for the parcel have been included on the proposed master concept plan in compliance with the City of Bonita Spring's Land Development Code.

History:

This parcel was previously rezoned and approved for RPD and a Master Concept plan was adopted, however the Master Concept Plan has since expired.

Page | 2

Meeting Summary:

Aaron Spence, E.I. (Civil Designer for Maastricht Engineering): Brief Introduction and summary of the master concept plan that will be used to make the public hearing submittal. Then opened the floor for questions from the attendees

There were no questions asked.

Closing:

The meeting was concluded at 6:10 PM

Note:

The only people in attendance were the Lawhons (Property Owners), and their Realtor/ Broker (Rachael Guertin).



NEIGHBORHOOD INFORMATIONAL MEETING - PROJECT DESCRIPTION

**for
Lawhon Subdivision
At 9650 Lawhon Family Road, Bonita Springs, FL, 34135
Date: 08-29-24**

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- The adjacent property to the East is zoned TFC-2 and the current use for the parcels consists of Single-Family Residential.

All setbacks and lot requirements for the parcel have been included on the proposed master concept plan in compliance with the City of Bonita Spring's Land Development Code.

As a part of this application for a Public Hearing for a Planned Development there will be a Neighborhood Informational Meeting to educate all nearby property owners about the proposed development. This Neighborhood Informational Meeting will be taking place on **August 29, 2024**, starting at 5:30 pm and will be hosted at the Bonita Springs Fire Department Station 24 located at 27701 Bonita Grande Drive, Bonita Springs, FL 34135.

JUL 22 2024 PM 1:50

**CITY OF BONITA SPRINGS
COMMUNITY DEVELOPMENT DEPARTMENT
NOTICE OF PUBLIC HEARING
APPLICATION: PD23-109082-BOS**

This is a courtesy notice of a proposed zoning action within 375 feet of property you own. You are encouraged to attend these public hearings and/or complete and return the attached Citizen Response Form, should you have any comments or concerns regarding this matter. If you have any questions or would like further information, please contact **Mike Fiigon, Planner**, at **(239) 444-6151**, or **mfiigon@cityofbonitaspringscd.org**. Copies of the staff report will be available one week prior to the hearing. This file may be reviewed at the Community Development department, 9220 Bonita Beach Road, Suite 109, Bonita Springs, FL 34135 or online at:

<http://cityofbonitasprings.org/cms/one.aspx?pageId=13788499>

Zoning Board of Adjustments: October 15, 2024 at 9:00am Bonita Springs City Hall 9101 Bonita Beach Road Bonita Springs, FL 34135	City Council: November 20th, 2024 at 9:00am (Tentative) Bonita Springs City Hall 9101 Bonita Beach Road Bonita Springs, FL 34135 December 4th, 2024 at 5:30pm (Tentative) Bonita Springs City Hall 9101 Bonita Beach Road Bonita Springs, FL 34135
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CASE NUMBER: PD23-109082-BOS

CASE NAME: Lawhon Residential Planned Development

REQUEST: A request to rezone approximately 2 acres from the Residential Planned Development (RPD) zoning designation to a Residential Planned Development (RPD), to allow six (6) single family units and to request a deviation.

LOCATION: The subject property is located at 9650 Lawhon Family Rd., Bonita Springs, FL 34135. STRAP: 34-47-25-B2-00259.0040.

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If a person decides to appeal a decision made by the Council on any matter at this meeting, such person must have a verbatim record of the proceeding to include the testimony and evidence upon which such appeal is to be based.

RETURN TO:
City of Bonita Springs
Community Development Department
Attn: Mike Fiigon
9220 Bonita Beach Road, Suite 109
Bonita Springs, FL 34135
mfiigon@cityofbonitaspringscd.org

Support _____ Oppose X

Application: PD23-109082-BOS: Lawhon RPD

DATE: 9-23-24
NAME: Scott Kempley PHONE: 608-297-2653
ADDRESS: 100503 Geneva CITY/STATE/ZIP: Bonita Springs FL
9782 montana ct 34135

RECOMMENDATIONS AND POSTPONEMENTS: The Board may accept, reject or modify staff recommendations and take other appropriate and lawful action including continuing said public hearings.

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Bonita Springs, FL 34135
mfiigon@cityofbonitaspringscd.org

Support _____ Oppose X

Application: PD23-109082-BOS: Lawhon RPD

DATE: 9-23-24
NAME: Tammy Kempney PHONE: 808-297-2653
ADDRESS: 9782 Montana Ct CITY/STATE/ZIP: Bonita Springs FL 34135

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Support _____ Oppose X

Application: PD23-109082-BOS: Lawhon RPD

DATE: 9-23-24
NAME: Scott Kempley PHONE: 608-297-2653
ADDRESS: 100503 Cedar Lane CITY/STATE/ZIP: Bonita Springs FL
9782 montana ct 34135

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NAME: Tammy Kempney PHONE: 808-297-2653
ADDRESS: 9782 Montana Ct CITY/STATE/ZIP: Bonita Springs FL 34135

RECOMMENDATIONS AND POSTPONEMENTS: The Board may accept, reject or modify staff recommendations and take other appropriate and lawful action including continuing said public hearings.

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**CITY OF BONITA SPRINGS
COMMUNITY DEVELOPMENT DEPARTMENT
NOTICE OF PUBLIC HEARING
APPLICATION: PD23-109082-BOS**

This is a courtesy notice of a proposed zoning action within 375 feet of property you own. You are encouraged to attend these public hearings and/or complete and return the attached Citizen Response Form, should you have any comments or concerns regarding this matter. If you have any questions or would like further information, please contact **Mike Fiigon, Planner**, at **(239) 444-6151**, or **mfiigon@cityofbonitaspringscd.org**. Copies of the staff report will be available one week prior to the hearing. This file may be reviewed at the Community Development department, 9220 Bonita Beach Road, Suite 109, Bonita Springs, FL 34135 or online at:

<http://cityofbonitasprings.org/cms/one.aspx?pageId=13788499>

Zoning Board of Adjustments:

October 15, 2024 at 9:00am
Bonita Springs City Hall
9101 Bonita Beach Road
Bonita Springs, FL 34135

City Council:

November 20th, 2024 at 9:00am (Tentative)
Bonita Springs City Hall
9101 Bonita Beach Road
Bonita Springs, FL 34135

December 4th, 2024 at 5:30pm (Tentative)
Bonita Springs City Hall
9101 Bonita Beach Road
Bonita Springs, FL 34135

CASE NUMBER: PD23-109082-BOS

CASE NAME: Lawhon Residential Planned Development

REQUEST: A request to rezone approximately 2 acres from the Residential Planned Development (RPD) zoning designation to a Residential Planned Development (RPD), to allow six (6) single family units and to request a deviation.

LOCATION: The subject property is located at 9650 Lawhon Family Rd., Bonita Springs, FL 34135. STRAP: 34-47-25-B2-00259.0040.

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RETURN TO:
City of Bonita Springs
Community Development Department
Attn: Mike Fiigon
9220 Bonita Beach Road, Suite 109
Bonita Springs, FL 34135
mfiigon@cityofbonitaspringscd.org

Support _____ Oppose X

Application: PD23-109082-BOS: Lawhon RPD

DATE: 9/25/24
NAME: Paul Abbey PHONE: 239 227-9197
ADDRESS: 27285 Johnson St CITY/STATE/ZIP: Bonita Springs FL 34135

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North Lot.

RETURN TO:
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Community Development Department
Attn: Mike Fiigon
9220 Bonita Beach Road, Suite 109
Bonita Springs, FL 34135
mfiigon@cityofbonitaspringscd.org

Support ☒ Oppose ☐

Application: PD23-109082-BOS: Lawhon RPD
This area and others in close proximity to Old Downtown Bonita Springs and the Imperial River need new developments to sustain growth and increase property values.

DATE: *Sept. 20, 2024*
NAME: *MARINE KING - NEWMAN* PHONE: *239.595.9100*
ADDRESS: *21301 Wisconsin Street* CITY/STATE/ZIP: *Bonita Springs, FL 34135-4720*

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City of Bonita Springs
Community Development Department
Attn: Mike Fiigon
9220 Bonita Beach Road, Suite 109
Bonita Springs, FL 34135
mfiigon@cityofbonitaspringscd.org

Support _____ Oppose ✓

Application: PD23-109082-BOS: Lawhon RPD

DATE: 9/23/2024
NAME: Stan Strycharz PHONE: 617-955-3539
ADDRESS: 27305 Johnson St CITY/STATE/ZIP: Bonita Springs, 34135

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South Let.

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Support ☒ Oppose ☐

Application: PD23-109082-BOS: Lawhon RPD

This area which is close to Old Downtown Bonita Springs and the Imperial River needs more developments to sustain growth and increase property values.

DATE: Sept. 20, 2024

NAME: MARIVE Kim Newman

PHONE: 239-595-9100

ADDRESS: 2735 Wisconsin Street CITY/STATE/ZIP: Bonita Springs FL 34135-472

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