

**CITY OF BONITA SPRINGS
ZONING RESOLUTION NO. 25 -**

A ZONING RESOLUTION OF THE CITY OF BONITA SPRINGS, FLORIDA; APPROVING A VARIANCE FROM LDC SECTION 4-1894(B) WHICH REQUIRES A WATER BODY SETBACK OF 25 FEET, TO ALLOW A SETBACK OF 3.7 FEET FROM THE SEAWARD SIDE OF THE SEAWALL ON THE NORTHEAST CORNER, AND A SETBACK OF 18.1 FEET TO THE SEAWARD SIDE OF A SEAWALL ALONG THE SOUTHEAST CORNER OF A PROPOSED SINGLE-FAMILY HOME ON A RESIDENTIAL PROPERTY; LOCATED AT 27195 BELLE RIO DRIVE, BONITA SPRINGS, FLORIDA 34135; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Section 4-1894(b) of the City's land development code ("LDC") require twenty-five foot side yard from a waterbody; and

WHEREAS, the Applicant, RDA Consulting Engineering, is seeking variances pursuant to the aforementioned setback requirements to accommodate the construction of a single-family structure; and

WHEREAS, a Public Hearing was advertised and heard on October 14, 2025 by the City of Bonita Springs Board for Land Use Hearings and Adjustments and Zoning Board of Appeals ("Zoning Board") on Case VAR25-125519-BOS who unanimously (5-0) recommended approval after giving full and complete consideration of the record, consisting of the Staff Recommendation, the documents on file with the City and the testimony of all parties; and

WHEREAS, City Council at their November 5, 2025 meeting considered the record of the Zoning Board on Case VAR25-125519-BOS and gave full consideration of the Staff Recommendation, the evidence and testimony provided during the public hearing.

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

SECTION ONE: APPROVAL OF REQUEST

City Council of Bonita Springs hereby grants a variance from the setback requirements of Sections 4-2399 of the LDC, with the following conditions:

Conditions:

1. The variance is limited to the parcel in question, known as 27195 Belle Rio, Bonita Springs, FL 34135, STRAP No. 34-47-25-B2-04100.0130, further described in the legal description, Exhibit A, attached hereto.
2. The variances granted to the property development regulations are as follows:

Setback Location	Requested*
Northeast Corner Seawall	3.7'
Southeast Corner Seawall	18.1"

*Measured from seaward side of seawall.

3. All other portions of the land development code and applicable building codes, unless specifically altered by this variance approval, remain in full force and effect.
4. All testimony and evidence presented before both the Zoning Board and City Council public hearings, including the application and staff report, are hereby incorporated as exhibits to this Resolution.

Findings & Conclusions:

Based upon an analysis of the application and the standards for approval of a variance outline in Section 131(b)(3) of the LDC, Bonita Springs City Council makes the following findings and conclusions, as conditioned:

1. There are exceptional or extraordinary conditions or circumstances inherent to the property in question;
2. The exceptional or extraordinary conditions or circumstances are not the result of actions of the applicant taken subsequent to the adoption of the ordinance (any action taken by an applicant pursuant to lawfully adopted regulations preceding the adoption of the code from which this chapter is derived will not be considered self-created);
3. The variances granted are the minimum variances to will relieve the applicant of an unreasonable burdens caused by the application of the regulations in question to the subject property;
4. The granting of the variances will not be injurious to the neighborhood or otherwise detrimental to the public welfare; and

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

SECTION TWO: EFFECTIVE DATE

This Resolution shall take effect immediately upon adoption.

DULY PASSED AND ENACTED by the City Council of the City of Bonita Springs, Lee County, Florida, this 5th day of November, 2025.

AUTHENTICATION:

Mayor City Clerk

APPROVED AS TO FORM: _____
City Attorney

Vote:

Carr	Corrie
Purdon	Bogacz
Fitzpatrick	Gibson
Fullick	

Date filed with City Clerk: _____