

CITY OF BONITA SPRINGS
ZONING RESOLUTION NO. 18 – R01

A ZONING RESOLUTION OF THE CITY OF BONITA SPRINGS, FLORIDA; CONTINUING ZONING RESOLUTIONS 16-R03, 16-R07, 17-R12, AND 17-R14 RELATED TO WCI COMMUNITIES, LLC, AS SUCCESSOR-IN-INTEREST FOR PELICAN LANDING GOLF RESORT VENTURES, LP; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the zoning case involving WCI Communities, LLC, as successor-in-interest for Pelican Landing Golf Resort Ventures, LP, was remanded pursuant to Bonita Springs Zoning Resolution No. 16-R03, which expired in December 2016, and Bonita Springs Zoning Resolution No. 16-R07, which expired on March 14, 2017, and Bonita Springs Zoning Resolution No. 17-R12, which expired on August 15, 2017, and Bonita Springs Zoning Resolution No. 17-R14 which is scheduled to expire on February 15, 2018, unless further continued by the Bonita Springs City Council and the applicant; and

WHEREAS, on October 2, 2017, and again following an Order to file separate complaints, on December 6, 2017, WCI Communities filed in Circuit Court, in Case No. 17-CA-3243 a writ of prohibition to prohibit the City of Bonita Springs from allowing the City of Bonita Springs Zoning Board from acting in excess of its jurisdiction by hearing the zoning case; and

WHEREAS, the City cannot schedule this matter until this case is resolved by the court; and


WHEREAS, the applicant has requested a new resolution to address a continuance necessary for scheduling this matter.

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


1. The City Council of Bonita Springs hereby agrees to continue the remand of the rezoning request, for the case to be brought to hearing before the Zoning Board for a period of six months after the conclusion of WCI Communities, Inc., v. City of Bonita Springs, Case No. 17-CA-3243, including any time necessary for appeals, unless further continued by the Bonita Springs City Council and the applicant.
2. 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 3rd day of January, 2018.

AUTHENTICATION:



Mayor



City Clerk

APPROVED AS TO FORM: _____



City Attorney

Vote:

DeWitt	Aye	Quaremba	Aye
Forbes	Aye	Simmons	Aye
Gibson	Aye	Slachta	Aye
O'Flinn	Aye		

Date filed with City Clerk: _____

