

CITY OF BONITA SPRINGS  
ZONING RESOLUTION NO. 17 – 13

A RESOLUTION OF THE CITY OF BONITA SPRINGS, FLORIDA;  
REMANDING A REQUEST BY BONITA GRANDE PROPERTIES, LP  
FOR FURTHER REVIEW BY THE CITY OF BONITA SPRINGS  
BOARD FOR LAND USE HEARINGS AND ADJUSTMENTS AND  
ZONING BOARD OF APPEALS; ON LAND LOCATED AT 25501  
BONITA GRANDE DRIVE, BONITA SPRINGS, FL 34135, ON 1,268.0  
+/- ACRES; PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, Bonita Grande Properties, LP has filed an application to amend Lee County Zoning Resolution No. 98-071, as subsequently amended, to extend the termination date of mining by ten years from May 27, 2020 to May 27, 2030, with the current termination date of mining statutorily extended to May 8, 2022 pursuant to Florida Statutes §252.363.

**WHEREAS**, a Public Hearing was advertised and heard on October 20, 2015 by the City of Bonita Springs Board for Land Use Hearings and Adjustments and Zoning Board of Appeals (“Zoning Board”) on Case PD14-16327-B0S who gave full consideration to the evidence available and recommended (6-0 to deny) (one member absent); and gave full and complete consideration of the record, consisting of the Staff Recommendation, the documents on file with the City and the testimony of all interested parties. The October 12, 2015 Staff Report prepared by Community Development and evidence submitted at the Zoning Board hearing is on file with the City Clerk; and

**WHEREAS**, after this hearing but prior to the City Council hearing, applicant requested that the zoning application be reviewed pursuant to Florida Statutes §171.062 (2) which requires that “if the area annexed was subject to a county land use plan and county zoning or subdivision regulations, these regulations remain in full force and effect until the municipality adopts a comprehensive plan amendment that includes the annexed area; and

**WHEREAS**, City Council approved Zoning Resolution 16-09 on December 7, 2016 for Applicant to submit the additional analysis of their request using the Lee County Comprehensive Plan and the applicable Lee County land development regulations, as they were in effect at the time of annexation to the property (June 20, 2003), as well as staff to process; and

**WHEREAS**, given the recent submittal of the Applicant’s submittal, staff needs additional time for the review as requested by the applicant.

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

**SECTION ONE: REMAND OF REQUEST**

City Council of Bonita Springs hereby remands the rezoning request for the zoning application be reviewed pursuant to Florida Statutes §171.062 (2) which requires that this parcel be reviewed and reanalyzed by staff using the Lee Plan and Lee County zoning or subdivision regulations.

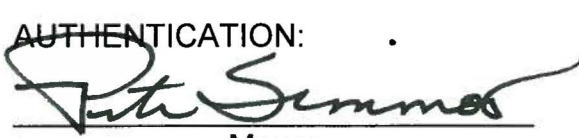
1. Applicant must submit the additional analysis of their request using the Lee County Comprehensive Plan and the applicable Lee County land development regulations, as they were in effect at the time of annexation to the property (June 20, 2003).
2. Staff will process the application, to be brought to hearing before the zoning board within six months of this resolution.

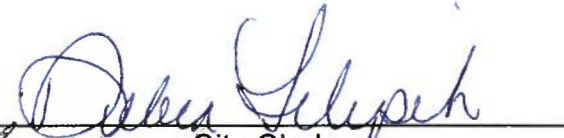
**SECTION TWO: EFFECTIVE DATE**

This resolution shall take effect immediately upon adoption.

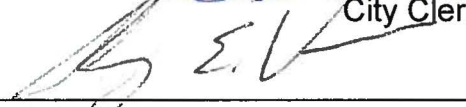
DULY PASSED AND ENACTED by the City Council of the City of Bonita Springs, Lee County, Florida, this 17<sup>th</sup> day of May, 2017.

AUTHENTICATION:

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
City Attorney

Vote:

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

Date filed with City Clerk:

5/22/17