

CITY OF BONITA SPRINGS
ZONING RESOLUTION NO. 16- 03

A ZONING RESOLUTION OF THE CITY OF BONITA SPRINGS, FLORIDA; REMANDING THE REQUEST BY PELICAN LANDING GOLF RESORT VENTURES, 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 WITHIN THE PELICAN LANDING GOLF RESORT (A/K/A RAPTOR BAY), BONITA SPRINGS, FL 34134, ON 20 +/- ACRES; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Pelican Landing Golf Resort Ventures voluntarily annexed into the City of Bonita Springs on May 21, 2014 after petitioning through the approval of an annexation agreement on March 26, 2014 to annex this land as comprising of a portion of the Raptor Bay Golf Course, and

WHEREAS, Neale Montgomery, Esquire, representing Pelican Landing Golf Resort Ventures, LP, has filed an application to amend Lee County Zoning Resolution No. 94-014, Pelican Landing RPD/CPD to incorporate the following changes: (1) rezone 20+/- acres from the Kersey Smoot RPD to the Pelican Landing CPD/RPD; (2) to create "F1" in the RPD land development area; and (3) to amend deviation 12 for "F1" in RPD land development area. The rezoning application was concurrent with a comprehensive plan amendment; and

WHEREAS, on February 3, 2016, City Council heard the comprehensive plan amendment and denied to make the comprehensive plan changes; and

WHEREAS, 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, the subject property is located within the Pelican Landing Golf Resort (aka Raptor Bay) at the northwest intersection of Coconut Point Resort Drive and Coconut Road, Bonita Springs, FL 34134, and is described more particularly as:

"See Exhibit A"

WHEREAS, a Public Hearing was advertised and heard on December 15, 2015 by the City of Bonita Springs Board for Land Use Hearings and Adjustments and Zoning Board of Appeals ("Zoning Board") on Case PD15-23946-B0S who gave full consideration to the evidence available and

recommended denial (6-0, Kissinger 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 December 4, 2015 Staff Report prepared by Community Development and evidence submitted at the Zoning Board hearing is on file with the City Clerk;

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 submitted their analysis of their request using the Lee County Comprehensive Plan and Land Development Code.
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

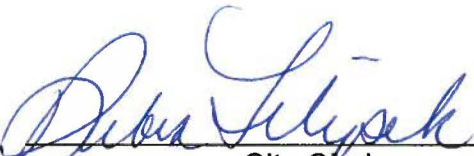
This resolution shall take effect immediately upon adoption.

DULY PASSED by the Council of the City of Bonita Springs, Lee County, Florida, this 15th day of June, 2016.

AUTHENTICATION:



Mayor



City Clerk

APPROVED AS TO FORM:



City Attorney

Vote:

Nelson	Aye	Simmons	Aye
McIntosh	Aye	Gibson	Aye
Martin	Aye	Lonkart	Aye
Slachta	Aye		

Date filed with City Clerk: 6/14/16

EXHIBIT A

PROPERTY DESCRIPTION

PARCEL 2A
A PORTION OF THESE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 3539, PAGE 3116, PUBLIC RECORDS OF LEE COUNTY, FLORIDA LYING IN SECTION 8, TOWNSHIP 47 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE EAST CORNER CORNER OF SECTION 7, TOWNSHIP 47 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA; THENCE RUN ALONG THE EAST LINE OF SAID SECTION 7, NORTH 01°34'55" WEST, A DISTANCE OF 482.67 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED:

THENCE CONTINUE ALONG SAID LINE, NORTH 01°34'55" WEST, A DISTANCE OF 1,047.21 FEET TO A POINT ON A NON TANGENTIAL CURVE TO THE LEFT; THENCE SOUTHEASTERLY 190.75 FEET ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 610.00 FEET, A CENTRAL ANGLE OF 1°50'55", (CHORD BEARING SOUTH 85°49'22" EAST, A DISTANCE OF 180.20 FEET) TO A POINT ON A REVERSE CURVE TO THE RIGHT; THENCE SOUTHWESTERLY 68.10 FEET ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 675.00 FEET, A CENTRAL ANGLE OF 05°45'48", (CHORD BEARING SOUTH 61°28'55" EAST, A DISTANCE OF 68.07 FEET) TO A POINT ON A COMPOUND CURVE TO THE RIGHT; THENCE SOUTHWESTERLY 87.00 FEET ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 280.00 FEET, A CENTRAL ANGLE OF 02°10'00", (CHORD BEARING SOUTH 38°30'27" EAST, A DISTANCE OF 260.88 FEET); THENCE SOUTH 01°34'57" WEST, A DISTANCE OF 120.72 FEET TO A POINT ON A CURVE TO THE RIGHT; THENCE SOUTHERLY 147.14 FEET ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 225.00 FEET, A CENTRAL ANGLE OF 37°28'04", (CHORD BEARING SOUTH 80°18'38" WEST, A DISTANCE OF 144.53 FEET); THENCE SOUTH 38°02'41" WEST, A DISTANCE OF 55.64 FEET TO A POINT ON A CURVE TO THE LEFT; THENCE SOUTHERLY 225.28 FEET ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 180.00 FEET, A CENTRAL ANGLE OF 07°38'02", (CHORD BEARING SOUTH 02°04'40" WEST, A DISTANCE OF 212.31 FEET) TO A POINT ON A REVERSE CURVE TO THE RIGHT; THENCE SOUTHWESTERLY 284.51 FEET ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 155.00 FEET, A CENTRAL ANGLE OF 10°32'12", (CHORD BEARING SOUTH 25°35'28" WEST, A DISTANCE OF 252.17 FEET); THENCE SOUTH 79°28'40" WEST, A DISTANCE OF 20.38 FEET; THENCE SOUTH 01°34'55" EAST, A DISTANCE OF 30.16 FEET; THENCE SOUTH 88°25'05" WEST, A DISTANCE OF 26.60 FEET; THENCE NORTH 01°34'55" WEST, A DISTANCE OF 84.84 FEET; THENCE SOUTH 89°04'00" WEST, A DISTANCE OF 25.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 5.50 ACRES, MORE OR LESS
TOGETHER WITH

PARCEL 2B
A PORTION OF THESE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 3539, PAGE 3116, PUBLIC RECORDS OF LEE COUNTY, FLORIDA LYING IN SECTIONS 5, 6, 7, AND 8, TOWNSHIP 47 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE EAST CORNER CORNER OF SECTION 7, TOWNSHIP 47 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA; THENCE RUN ALONG THE EAST LINE OF SAID SECTION 7, NORTH 01°34'55" WEST, A DISTANCE OF 2,543.19 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED; THENCE CONTINUE ALONG SAID LINE, NORTH 01°34'55" WEST, A DISTANCE OF 108.67 FEET TO A POINT ON A NON TANGENTIAL CURVE TO THE RIGHT; THENCE SOUTHWESTERLY 284.51 FEET ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 155.00 FEET, A CENTRAL ANGLE OF 10°32'12", (CHORD BEARING SOUTH 25°35'28" WEST, A DISTANCE OF 252.17 FEET); THENCE SOUTH 79°28'40" WEST, A DISTANCE OF 20.38 FEET; THENCE SOUTH 01°34'55" EAST, A DISTANCE OF 30.16 FEET; THENCE SOUTH 88°25'05" WEST, A DISTANCE OF 26.60 FEET; THENCE NORTH 01°34'55" WEST, A DISTANCE OF 84.84 FEET; THENCE SOUTH 89°04'00" WEST, A DISTANCE OF 25.00 FEET TO THE POINT OF BEGINNING.

PROPERTY DESCRIPTION (CONTINUED)

THENCE NORTH 88°35'17" EAST, A DISTANCE OF 62.68 FEET; THENCE SOUTH 21°42'41" EAST, A DISTANCE OF 4.51 FEET TO A POINT ON A CURVE TO THE LEFT; THENCE SOUTHWESTERLY 60.98 FEET ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 258.00 FEET, A CENTRAL ANGLE OF 13°32'33", (CHORD BEARING SOUTH 28°28'57" EAST, A DISTANCE OF 60.04 FEET); THENCE SOUTH 35°15'14" EAST, A DISTANCE OF 151.79 FEET TO A POINT ON A CURVE TO THE RIGHT; THENCE SOUTHERLY 188.50 FEET ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 330.00 FEET, A CENTRAL ANGLE OF 32°22'45", (CHORD BEARING SOUTH 19°03'50" EAST, A DISTANCE OF 184.02 FEET); THENCE NORTH 88°17'12" EAST, A DISTANCE OF 11.43 FEET TO A POINT ON A NON TANGENTIAL CURVE TO THE RIGHT; THENCE SOUTHERLY 120.30 FEET ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 275.00 FEET, A CENTRAL ANGLE OF 25°03'52", (CHORD BEARING SOUTH 11°48'24" WEST, A DISTANCE OF 119.35 FEET) TO THE POINT OF BEGINNING.

CONTAINING 14.81 ACRES, MORE OR LESS.

NOTES

1. BEARINGS SHOWN HEREIN ARE BASED ON THE EAST LINE OF SECTION 7, TOWNSHIP 47 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, BEING N 1°34'55" W.
2. DIMENSIONS SHOWN HEREIN ARE IN U.S. SURVEY FEET AND DECIMALS THEREOF.
3. THIS SKETCH AND DESCRIPTION IS MADE VALID WITHOUT THE SIGNATURE AND ORIGINAL PASTED SEAL OF A LICENSED FLORIDA SURVEYOR AND HAPPEL NO ADDITIONS OR DELETIONS TO THIS SKETCH AND DESCRIPTION ARE PERMITTED WITHOUT THE EXPRESSED WRITTEN CONSENT OF THE DRAWING PARTY.

DRAWN BY:	KJG
CHECKED BY:	DLS
JOB CODE:	PLAA
SCALE:	N/A
DATE:	26 JUNE 2016
FILE:	14-24-SL
SHEET:	1 of 2



GradyMinor

Civil Engineers • Land Surveyors • Planners • Landscape Architects
 Cert. of Auth. EB 0006151 Cert. of Auth. LH 0005151
 Bonita Springs: 239.947.1144 www.GradyMinor.com Fort Myers: 239.890.4380

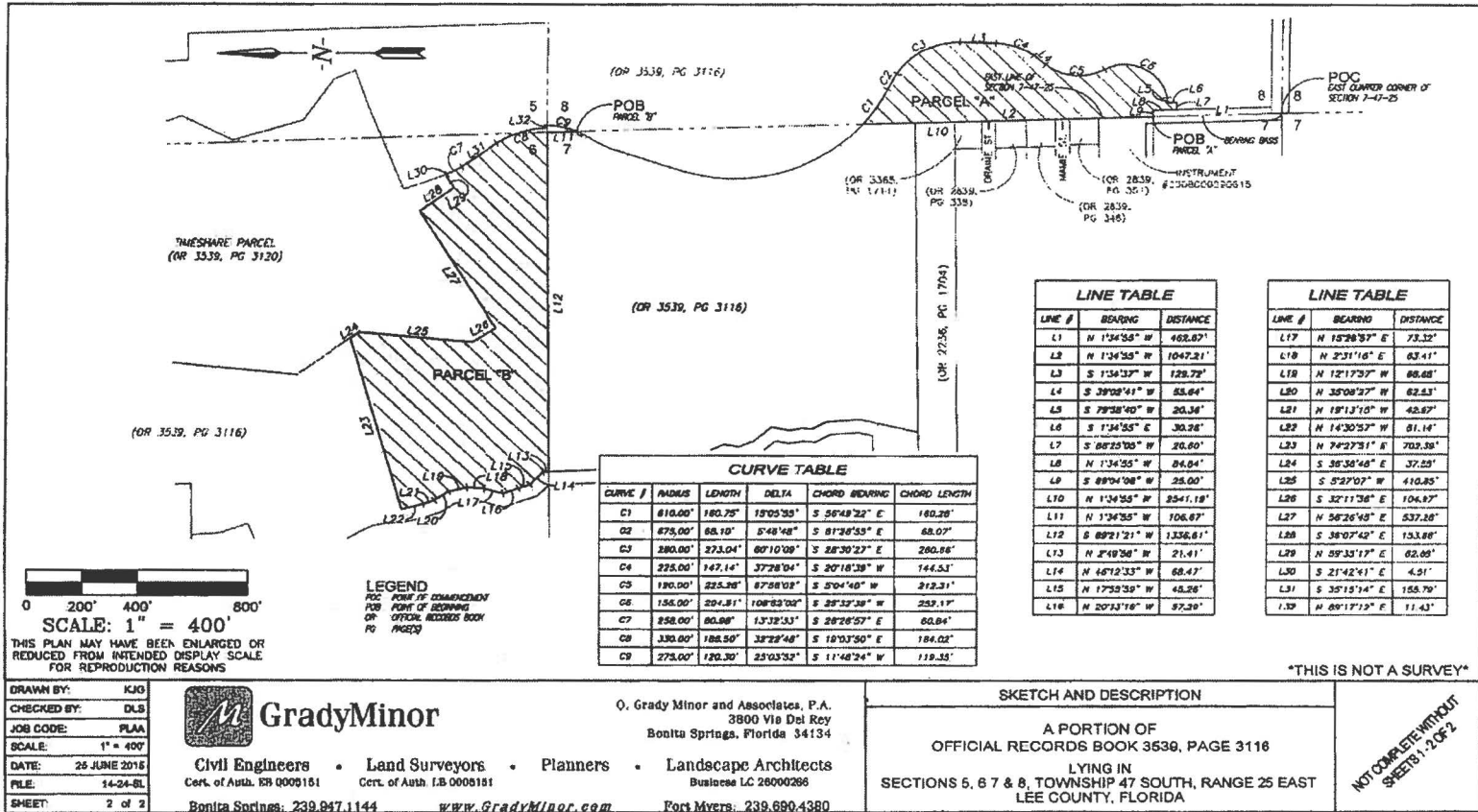
O. Grady Minor and Associates, P.A.
 3800 Via Del Rey
 Bonita Springs, Florida 34134

NOT COMPLETE WITHOUT SHEETS 1 - 2 OF 2

THIS IS NOT A SURVEY

SKETCH AND DESCRIPTION	6/29/15 DATE SIGNED
A PORTION OF OFFICIAL RECORDS BOOK 3539, PAGE 3116 LYING IN SECTIONS 5, 6 7 & 8, TOWNSHIP 47 SOUTH, RANGE 25 EAST LEE COUNTY, FLORIDA	<i>Donald L. Sawentoff II</i> DONALD L. SAWENTOFF II, P.S.M. FL LICENSE #8781 FOR THE PLAN

G:\SURVEY\PROJECT SURVEY 2014\24 - RAPTOR BAY\SURVEY\14-24-SL.DWG



DRAWN BY: KJG
 CHECKED BY: DLS
 JOB CODE: PLAA
 SCALE: 1" = 400'
 DATE: 25 JUNE 2015
 FILE: 14-24-BL
 SHEET: 2 of 2

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 Bonita Springs: 239.847.1144 www.GradyMinor.com Fort Myers: 239.690.4380

O. Grady Minor and Associates, P.A.
 3800 Via Del Rey
 Bonita Springs, Florida 34134
 Business LC 26000286

SKETCH AND DESCRIPTION

A PORTION OF
 OFFICIAL RECORDS BOOK 3536, PAGE 3116
 LYING IN
 SECTIONS 5, 6 7 & 8, TOWNSHIP 47 SOUTH, RANGE 25 EAST
 LEE COUNTY, FLORIDA

NOT COMPLETE WITHOUT
 SHEETS 1-2 OF 2

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