

CITY OF BONITA SPRINGS
ZONING RESOLUTION NO. 14-01

A ZONING RESOLUTION OF THE CITY OF BONITA SPRINGS, FLORIDA; CONSIDERING A REQUEST TO GRANT RELIEF FROM LDC 4-2194(B) TO ALLOW A 5 FOOT SETBACK AT THE INLET PORTION OF LAND LOCATED AT 27550 TARPON WAY, BONITA SPRINGS, FLORIDA, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Joe McHarris, McHarris Planning and Design, on behalf of David A. Collier and Thomas A. Collier, has filed an application to grant relief from LDC 4-2194(B) from the other bodies of water setback of 25 feet to a canal, bay or other water body to allow for a 5 foot setback at the inlet; and

WHEREAS, the subject property is located at 27550 Tarpon Way, Bonita Springs, Florida, and is described more particularly as:

Lot 15, TARPON BEND as recorded in Deed Book 296, Page 15, of the Public Records of Lee County, Florida

WHEREAS, a Public Hearing was advertised and heard on December 17, 2013 by the City of Bonita Springs Board for Land Use Hearings and Adjustments and Zoning Board of Appeals ("Zoning Board") on Case No. VAR 13-08940-B0S who gave full consideration to the evidence available and recommended APPROVAL (7-0) 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 3, 2013 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: APPROVAL OF REQUEST

Bonita Springs City Council hereby approves the variance to allow for a variance from the other bodies of water setback of 25 feet to a canal, bay or other water body to allow for a 5 foot setback at the inlet only with the following conditions:

A. Conditions

1. The variance is limited to granting approval of a 20 foot variance to allow for a 5 foot side setback at the inlet only.
2. The use of the property is limited to one single-family residence.

3. No portion of the dwelling unit or accessory structures may be located within the required setback areas.

B. Findings & Conclusions

Based upon an analysis of the application and the standards for approval of a variance, Bonita Springs City Council makes the following findings and conclusions, as conditioned:

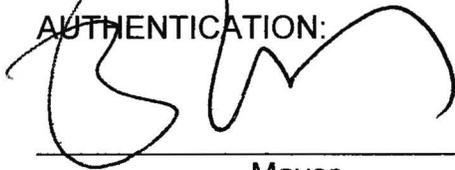
1. There are exceptional or extraordinary conditions or circumstances inherent to the subject property which is a legal non-conforming lot of record known as Lot 15, Tarpon Bend as recorded in Deed Book 296, Page 15 of the Public Records of Lee County, FL.
2. The granting of the variance will not be injurious to the neighborhood or otherwise detrimental to the public welfare. The applicant will maintain, at minimum, a 5 foot side setback from the water inlet.

SECTION TWO: EFFECTIVE DATE

This ordinance shall take effect thirty (30) days from the date of adoption.

DULY PASSED AND ENACTED by the Council of the City of Bonita Springs, Lee County, Florida, this 15th day of January, 2014.

AUTHENTICATION:

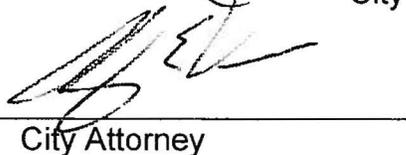


Mayor



City Clerk

APPROVED AS TO FORM:



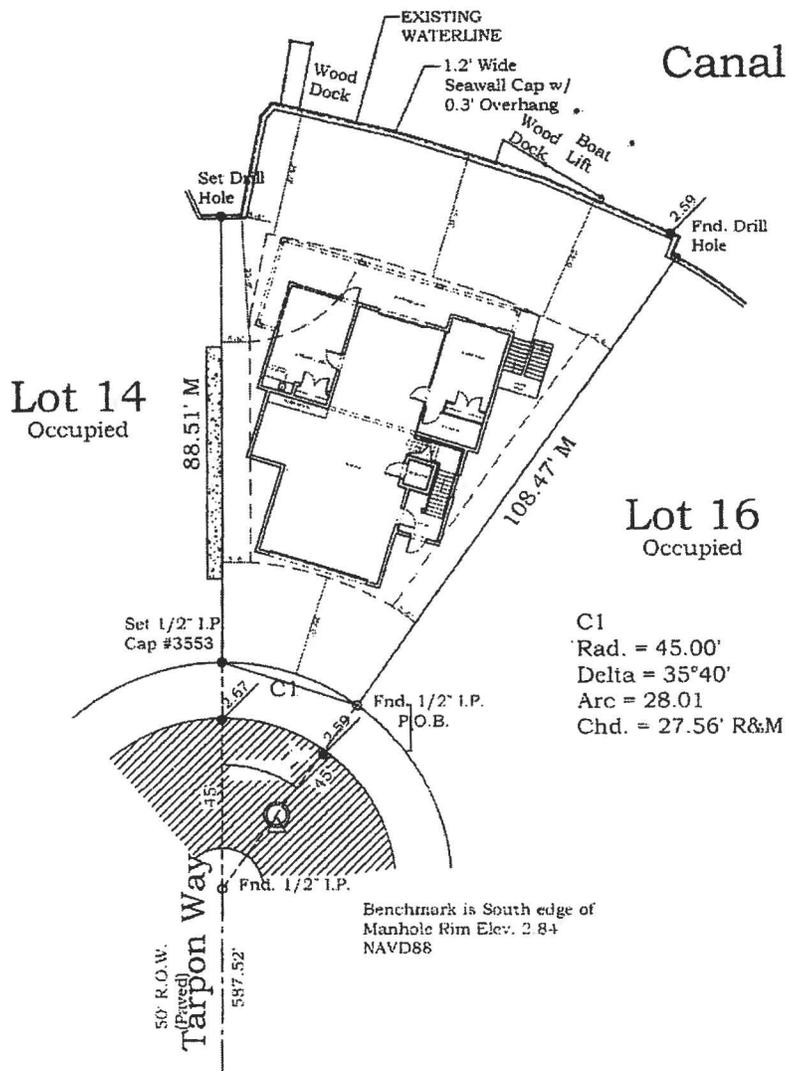
City Attorney

Vote:

Nelson	Aye	Simmons	Aye
McIntosh	Aye	Simons	Aye
Martin	Aye	Lonkart	Aye
Slachta	Aye		

Date filed with City Clerk:

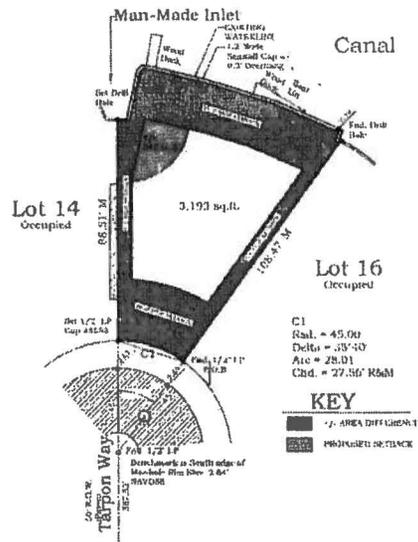
1-21-14



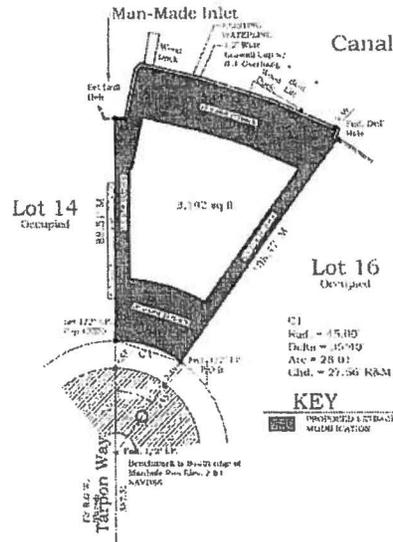
C1
 Rad. = 45.00'
 Delta = 35°40'
 Arc = 28.01
 Chd. = 27.56' R&M

Benchmark is South edge of
 Manhole Rim Elev. 2.84
 NAVD88

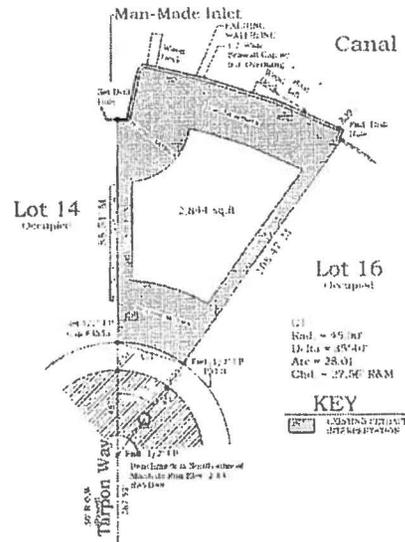
SHEET NO:	 <p>McHARRIS PLANNING & DESIGN <small>11124 BONITA BEACH RD SUITE 104 BONITA SPRINGS, FL 33435 PHONE: (813) 944-6888 FAX: (813) 944-6888 MOBILE: (813) 211-4999</small></p>	PROJECT NAME COLLIER RESIDENCE 27550 TARPON WAY BONITA SPRINGS, FL. 34134	CHECK BY: JM DRAWN BY: SC SCALE: PROJECT NO: 13-08940 DATE: 05/06/2014 SHEET NAME: 102	SIGNATURE & SEAL
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SETBACK AREA DIFFERENCE



PROPOSED SETBACKS



EXISTING SETBACKS

COLLIER RESIDENCE 27550 Tarpon Way Houston, TX 77058	
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