

CITY OF BONITA SPRINGS, FLORIDA
ZONING RESOLUTION NO. 04-04

A RESOLUTION OF THE CITY OF BONITA SPRINGS, FLORIDA; DENYING A VARIANCE REQUEST FROM THE REQUIRED 20 FOOT STREET SETBACK IN THE RESIDENTIAL PLANNED DEVELOPMENT (RPD) ZONING DISTRICT TO ALLOW AN 18.5 FOOT SETBACK; ON LAND LOCATED AT 14117 LAVANTE COURT, BONITA SPRINGS, FLORIDA (STRAP NO. 04-48-26-81-00102.0010), on 7,518.75 ± SQUARE FEET; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Bonita Springs Zoning Board for Land Use Hearings and Adjustments and Zoning Board of Appeals ("Zoning Board") gave full consideration to the evidence available, and recommended denial; and

WHEREAS, City Council held a public hearing and gave full and complete consideration of the record, consisting of the recommendation of staff, the Zoning Board, the documents on file with the City and the testimony of all interested parties.

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

SECTION ONE: DENIAL OF REQUEST

City Council of Bonita Springs hereby denies the zoning request. 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:

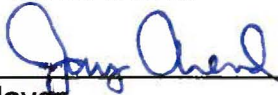
1. There are no exceptional or extraordinary conditions or circumstances inherent to the property in question.
2. The exceptional or extraordinary conditions or circumstances are the result of actions of the applicant taken subsequent to the adoption of the ordinance.
3. The variance is not the minimum variance that will relieve the applicant of an unreasonable burden caused by the application of the regulation in question to his property.
4. The granting of the variance will be injurious to the neighborhood or otherwise detrimental to the public welfare including the possibility of creating precedent to allow reduced setbacks along Lavante Court.
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 of a general or recurrent nature so as to make it more reasonable and practical to amend the ordinance.

SECTION TWO: EFFECTIVE DATE

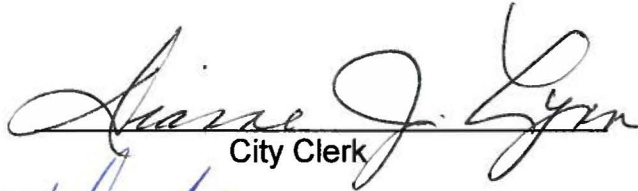
This resolution shall take effect immediately upon adoption.

DULY PASSED AND ENACTED by the City Council of the City of Bonita Springs, Lee County, Florida, this 28th day of June, 2004.

AUTHENTICATION:

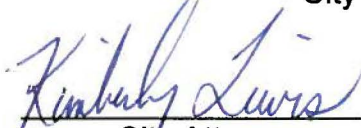


Mayor



City Clerk

APPROVED AS TO FORM:



City Attorney

Vote:

Arend	Aye	Nelson	Aye
Edsall	Aye	Piper	Aye
Grantt	Aye	Wagner	Aye
Joyce	Aye		

Date filed with City Clerk: 6-29-04