

**CITY OF BONITA SPRINGS, FLORIDA  
ZONING RESOLUTION NO. 03-03**

**A RESOLUTION OF THE CITY OF BONITA SPRINGS, FLORIDA: DENYING A ZONING REQUEST FOR A SPECIAL EXCEPTION FOR CONSUMPTION ON PREMISES (4-COP) FOR AN OUTDOOR CHICKEE HUT AT MANGO CREEK, A CONDOMINIUM PER BONITA SPRINGS LAND DEVELOPMENT CODE, SECTION 34-843 AND 34-1264(A)(2), ON LAND LOCATED AT 27684 SW IMPERIAL RIVER ROAD, BONITA SPRINGS, FLORIDA, (STRAP NO. 32-47-25-B3-03204.00010), on 3,885.2 ± 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 special exception, City Council makes the following findings and conclusions:

The requested special exception:

- a) is inconsistent with Policy 1.1.22 of the Bonita Springs Comprehensive Plan because allowing the condominium property owners, guests, and/or tenants to consume alcoholic beverages at the chickee hut will be incompatible with the nearby residential neighborhood;
- b) does not meet or exceed all performance and locational standards set forth for the proposed use because the applicant's proposed landscape plan will not provide adequate protection to the immediate property owners across Flanders Canal;
- c) will be incompatible with the existing or planned uses especially to the Imperial River Shores neighborhood;
- d) will cause damage, hazard, nuisance or other detriment to persons or property cause by the noise and lights generated by the chickee hut.

**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 22nd day of December, 2003.

AUTHENTICATION:

  
\_\_\_\_\_  
Mayor

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

APPROVED AS TO FORM:   
\_\_\_\_\_  
City Attorney

Vote:

Arend	Aye	Piper	Absent
Edsall	Nay	Wagner	Aye
Nelson	Aye	Warfield	Aye
Pass	Aye		

Date filed with City Clerk: 12-23-03